



Department
for Education

Review of post-16 qualifications at level 3 and below in England

**Appeal process for awarding
organisations to request retaining 16 to
19 funding approval from 1 August 2024
for a qualification provisionally
assessed as overlapping with T Levels**

May 2022

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Summary

1. The review of post-16 qualifications at level 3 and below aims to develop a streamlined qualifications system for students aged 16 and over, built on the key principles of quality, purpose, necessity, and progression. The review's [first stage consultation](#), published in March 2019, set out our intention to remove funding approval from qualifications at level 3 which overlap with T Levels. Our response to the first stage consultation was issued in October 2020 alongside a set of more detailed proposals in a [second stage consultation](#) on level 3.
2. In our [second stage consultation response](#), we confirmed our intention to remove funding approval for qualifications for **young people aged 16 to 19** that overlap with T Levels. This is because we believe the rigour of T Levels means they provide the best overall preparation for students to enter skilled employment for the first time and their subsequent future career, and are, therefore, the right choice for most 16 to 19 year olds who wish to pursue a technical route.
3. The Secretary of State for Education has since announced a one-year extension to the timeline for removal of funding approval. This means that technical qualifications that overlap with wave 1 and 2 T Levels¹ will have funding approval removed for 16 to 19 from August 2024 (previously August 2023). Qualifications will retain funding approval for post-19 students, subject to meeting the Department for Education's (DfE's) funding criteria. For funding approval to continue for these qualifications for post-19 students from August 2025, they will need to achieve approval through the relevant reform process initiated by the review. More details on the reform process will be set out later in 2022.

Methodology

4. We have defined qualifications that overlap with T Levels as those that are **technical**, where the content and outcomes are **similar to those covered by a T Level** and are aimed at **supporting entry to the same occupation** as a T Level. Qualifications were assessed for overlap by applying these principles in 3 tests. A qualification needed to meet all 3 tests for it to be deemed to 'overlap'. The tests are:
 - **Test 1:** Is the qualification technical - in that its **primary purpose** aims to support entry to employment in a specific occupational area(s)?
 - **Test 2:** Are the **outcomes of the qualification similar** to those set out in an occupational standard covered by a T Level? – in that at least a third of the content, learning and assessment outcomes needed to attain the qualification are also set out in an occupational standard covered by a T Level²?

¹ Construction and the Built Environment; Digital; Education and childcare; Health and science

² Occupational standards covered by wave 1 and 2 T Levels listed in Annex A.

- **Test 3:** Does the qualification aim to support entry to the **same occupation** as a T Level – in that it aims broadly to support entry into an occupation for which a T level provides occupational competence³?
5. We also considered whether a qualification **meeting all 3 tests** above should nevertheless retain funding approval. Funding approval was retained in a limited number of cases where the qualification was also determined be:
- **Exception A:** the qualification is primarily designed to support those **already in a job role**, as our criteria for withdrawing funding is aimed at qualifications that overlap with the content and purpose of T Levels, including *supporting entry* into the same occupation as a T Level.
 - **Exception B:** the qualification is aligned with an occupational route within **wave 3 and 4 T Levels**, to ensure that we do not remove overlapping provision before Wave 3 and 4 T levels are widely available.
6. We commissioned independent assessors to evaluate qualifications against these tests. This brought external qualification expertise to the assessment process. The assessors found that 160 qualifications currently approved for 16 to 19 and with operational end dates on or after 1 August 2024 overlapped with waves 1 and 2 T Levels. These are the qualifications on our published provisional list of qualifications overlapping with T Levels.

Appeals

7. We have confirmed these provisional overlap assessments to affected awarding organisations (AOs). If you, as an AO, wish to submit an appeal, this guidance describes the criteria, requirements, process, and timescales for submitting an appeal to retain funding approval for any of your qualifications on the provisional list of qualifications overlapping with T Levels.
8. **The deadline for the receipt of appeals is 17:00 on Friday 8 July 2022. Please follow the process indicated from paragraph 25 onwards.**

Appeals upheld

9. A successful appeal does not pre-empt the outcome of the ongoing review of post-16 qualifications at level 3 and below. All qualifications will be considered as part of future overlap withdrawal of funding approval and / or reform.
10. If your appeal is upheld because your qualification is an **academic** qualification that aligns with a wave 1 and 2 T level, funding approval for 16 to 19 will be retained for
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³ It is not necessary for qualifications to meet all the KSBs in the relevant standard in order to satisfy test 3. Test 3 aims to take a holistic approach to determine the intended (or likely) occupation in which it may be supporting entry into.

2024 to 2025. Funding approval for August 2025 onwards will be subject to the relevant reform process initiated by the review. If an existing qualification does not achieve approval through the relevant process, it will have funding removed for both 16-19 and adults from 1 August 2025.

11. If your appeal is upheld because your qualification is technical, but the content or outcomes are found **not to overlap** with a wave 1 and 2 T Level, funding approval for 16 to 19 will be retained for 2024 to 2025. Funding approval for August 2025 onwards will be subject to the relevant reform process initiated by the review. If an existing qualification does not achieve approval through the relevant process, it will have funding removed for both 16-19 and adults from 1 August 2025.
12. If your appeal is upheld because your qualification is also aligned with a route covered by **wave 3 and 4 T levels**, funding approval for 16 to 19 will be retained for 2024 to 2025. Your qualification will be re-assessed for overlap when the overlap process is applied to wave 3 and 4 T Levels.
13. If your appeal is upheld because your qualification is found to be **academic and not aligned with T Levels**, funding approval for 16 to 19 will be retained for 2024 to 2025 and 2025 to 2026. Your qualification will have funding approval removed for both 16 to 19 and adults from 1 August 2026, if it does not achieve approval through the relevant reform process initiated by the review.

Appeals not upheld

14. If your appeal is **not upheld**, funding approval for 16 to 19 year olds will be withdrawn from 1 August 2024, meaning the last date for new starts on these qualifications to be 31 July 2024.
 - **To note:** The qualification will also have funding approval withdrawn for adults from 1 August 2025 if it does not meet new criteria for approval.
 - If your qualification is also taken by students aged 14 to 16 (at Key Stage 4), or in traineeships or in apprenticeships, current funding approval will remain unaffected.

Expiry or review date

15. This guidance will expire on **30 September 2022**.

Who is this publication for?

16. This guidance is for awarding organisations.

Background

17. The appeals process set out in this guidance relates to withdrawing funding approval from qualifications overlapping with wave 1 and 2 T Levels for 16 to 19, which will take effect from 1 August 2024.

Purpose

18. This guidance sets out the appeal process and timescales if you wish to challenge the

overlap assessment for one of your qualifications.

19. If your appeal is upheld, paragraphs 10-13 above show the various next steps.
20. If an appeal is not upheld, public funding approval will be withdrawn for new starts for 16 to 19 from 1 August 2024, as outlined in paragraph 14 above.

Appeals

21. We have notified all AOs who have qualifications on the [provisional list](#) of qualifications overlapping with T Levels of the outcomes of the overlap assessment process. These qualifications are in scope to have funding approval removed from 1 August 2024.
22. If you wish to challenge the overlap assessment of one of your qualifications, **you must use this appeals process to indicate why funding approval should not be removed.**
23. Please note that we will only accept appeals from the you, as the AO offering the qualification. We will **not accept** appeals from providers of education and training, or other organisations. You must provide us with a single appeal submission for each individual qualification assessment that you are appealing as well as a summary form if your appeal covers more than one qualification.
 - The appeal and summary of appeals forms are available on the [qualifications that overlap with T Levels](#) website.
24. **The deadline for the receipt of appeals is 17:00 on Friday 8 July. Please follow the process indicated from paragraph 25 onwards.**

Appeals against an overlap assessment

25. If you have a qualification on the published [provisional list of qualifications](#) overlapping with T Levels, you can submit an appeal against the overlap assessment decision.
26. Appeals will only be accepted on the grounds that **the qualification does not meet one or more of the 3 overlap tests**, or it meets **one of the exceptions**, as detailed below:

Test 1: the qualification is **academic** and **not technical**. A qualification is considered:

- **academic** if its primary purpose is assessed to support progression to higher education (HE) or other higher level study.
- **technical** if its primary purpose is assessed to support direct entry into a skilled job role.

To note: we focused on primary purpose, as dual purpose qualifications exist that support progression to both HE and skilled employment. **Example:** some qualifications that claim to be technical may only offer an introductory overview of a sector or occupation. These were considered to be academic.

Test 2: the qualification **does not partially overlap** with the outcomes of a T Level in that the content, learning, and assessment outcomes needed to attain the qualification are **not** set out in an occupational standard covered by a T Level.

- Qualifications only need to **partially cover** an occupational standard covered by a T Level in order to be assessed as overlapping. Qualifications may still align with the content and purpose of a T level while not offering all the elements required by a standard.
- For the purposes of our criteria, we determined that a qualification may overlap with a T level if **at least a third** of the content, learning, and assessment outcomes of the qualification were also set out in an occupational standard covered by a T level.

Test 3: the qualification **does not aim to support entry** to the same occupation(s) as a T Level but aims to support entry into **a different specific occupation**.

- In light of Test 2, we applied a more 'holistic' consideration of the qualification in this test to determine whether the qualification aims to support entry into one of the occupations offered by wave 1 and 2 T levels based on the occupational standards they cover. This includes the occupations to which the qualification is most aligned based on the content and learning outcomes, specific objective statements and whether it is accepted by relevant authorities to work in the occupation.

Exception A: the qualification meets the 3 overlap tests but is aimed at those **already in work**.

- **Example:** a qualification that is part of an employee's Continuous Professional Development or that an entry prerequisite for the qualification is that the student is already in work.

Exception B: the qualification meets the 3 overlap tests but is also aligned with an occupational route within **wave 3 and 4 T Levels**.

- **Example:** a qualification which has been deemed to overlap with a wave 1 T Level, for instance Construction and the Built Environment, but the qualification also contains significant content relevant to a wave 3 and 4 T Level, for instance Engineering. These qualifications will be assessed for overlap when this process is applied to wave 3 and 4 T Levels.

27. If you are able to provide sufficient evidence that your qualification **does not meet** one or more of the 3 tests, or your qualification meets one of the exceptions, then your appeal will be upheld and funding approval for 16 to 19 will be retained as indicated above in paragraph 10-13.

28. A successful appeal does not pre-empt the outcome of the ongoing review of post-16 qualifications at level 3 and below. Funding approval will be subject to the relevant reform process initiated by the review. If a qualification does not achieve approval through the relevant process, it will have funding approval withdrawn.

Evidence

29. Evidence submitted should directly address the ground(s) of the appeal. You will need to present evidence that shows the qualification does not meet the overlap test(s) assessment being challenged.

- **To note:** greater weight will be given to evidence relating to the qualification's specification, description and original design and intended purpose.
- **To note:** you should avoid the use of standardised templates to secure stakeholder support. Greater weight will be given to evidence that directly addresses the grounds on which you are appealing.

30. **Test 1:** You will need to show that the qualification mainly covers content that is knowledge-based and relevant to progression to HE or higher levels of study as its primary purpose, and that it is not designed to support entry into work.

- You should submit appropriate evidence in support such as an annotated **original** specification for the qualification indicating where and how it shows the qualification meets the criteria for being academic. You should also submit supporting evidence from **a minimum** of 6⁴ receiving institutions, e.g. **HEIs, or other receiving education and training providers**, verifying that the qualification is primarily used and accepted as a current entry requirement for progression to relevant and named HE courses.
- We will not be able to consider letters of support for the qualification from providers who deliver the qualification as evidence in this test, as it is the use of the qualification as an HE entry requirement for specific courses that we expect to see.

31. **Test 2:** You will need to show that the qualification does not partially cover the occupational standard. You will need to show that at least two thirds of the qualification's content, learning, as well as its outcomes, are **not included** on the relevant occupational standard for the appeal to succeed.

32. This means that a qualification will be deemed to have met test 2 **and will have funding approval withdrawn** if at least a third of the content, learning, and outcomes are included on the relevant occupational standard.

- You should submit appropriate evidence in support such as the original specification for the qualification and other supporting evidence related to the qualification's content, learning and assessment outcomes.
- We recognise that content is expressed in different ways, given different weightings and subject to different assessment methods. We acknowledge that

⁴ We understand that some specialist qualifications may not be accepted to a wide range of HEIs. We will accept evidence from fewer institutions if there are clear reasons provided for this, for instance few courses in the relevant specific area are offered.

similarity between the qualification's requirements and the requirements of an occupational standard will be different for each qualification.

- Qualifications with optional pathways through the qualification will be considered to overlap if a minimum of 1 optional pathway overlaps with an occupational standard covered by a T level.
- **Annex A** lists the occupational standards that are covered by waves 1 and 2 T Levels.

33. **Test 3:** You will need to show that the qualification aims primarily to support students to work in a different occupation to the relevant wave 1 and 2 T Level.

- You should submit appropriate evidence in support. This must include confirmation from a minimum of 5 **current employers** that the qualification has been used regularly in the last 3 years⁵ to support entry to occupations not supported by a wave 1 and 2 T Level. Employers should ideally be medium-sized and covering a national or regional area, although we will accept evidence from other types of employers alongside this.
- In addition, professional bodies as representatives of the relevant occupational areas and regional Employer Representative Bodies (ERBs) are welcome to provide evidence to support an appeal made by an awarding organisation. We will consider all appeals submissions based on the standard of evidence, rather than weighting by who it was provided by.

34. **Exception A:** You will need to show that the qualification is aimed at those **already in work**.

- You should submit appropriate evidence in support such as confirmation from 5 employers that it is a CPD qualification or a qualification that is used to confirm the competence, or update the skills, of those already in work. You should evidence how its design and specification make it inappropriate for students that are **not employed or in a work-setting**. Requiring students to be taught or assessed in simulated work settings or realistic working environments will not trigger this exception.

35. **Exception B:** You will need to show that the qualification also aligns to an occupational route within **wave 3 and 4 T Levels**.

- You should submit appropriate evidence in support showing that the qualification contains significant content relevant to the knowledge, skills and behaviours required within a wave 3 and 4 T Level.

36. The specification and other guidance documents submitted in evidence must be those current at the date of publication of the provisional list of qualifications overlapping

⁵ If your qualification has not been operational for this length of time, we will accept evidence from as many years as the qualification has been operational.

with T Levels. Evidence derived from documentation updated after this date will **not be accepted**.

37. If you submit an appeal against an overlap assessment, you must make sure it is clear **why** you are appealing, **how** your evidence supports the appeal grounds and the qualification in scope. Therefore, evidence must:

- Be current, as indicated in paragraph 35,
- relate to the ground(s) of appeal on which the appeal is being made,
- be specific to the qualification under appeal, **and**
- contain details of the source, e.g. if the evidence is from an employer or HEI or other receiving institution, it must contain the name, job role, relevant experience within the sector and contact details of the person offering the evidence. We will accept emails which contain this detail.

38. Evidence will only be considered against the tests and exceptions indicated on the form and for which evidence is submitted. Independent assessors not involved in the original decision will consider the appeal in order to maintain the objectivity and independence in the process.

Appeal outcomes

39. Once all appeals have been considered and the outcomes determined, we will publish a final list of qualifications overlapping with T Levels. We will also write to you individually to inform you of the final outcome for each of your appeals. We anticipate this will be in **September 2022**.

40. If an appeal is upheld, funding approval will be retained as outlined at paragraphs 10-13. A successful appeal does not pre-empt or anticipate the outcome of the ongoing review of post-16 qualifications at level 3 and below, including the reform process for all level 3 qualifications relating to this review.

41. If an appeal is not upheld, funding approval for the relevant qualification will be withdrawn from 1 August 2024, meaning the last date for new funded starts on these qualifications to be 31 July 2024. This excludes funding approval for qualifications taken by students aged 14 to 16 (at Key Stage 4), traineeships, adults, and apprenticeships.

42. At this point the appeal process will be complete; there are no further rights of appeal.

Submitting an appeal

42. Each appeal must only relate to **one qualification**. To submit an appeal, you must complete one appeal form for each individual qualification, and a summary of appeals form listing every qualification subject to appeal.

43. The summary of appeals form must also be completed with the details of the appeals/qualifications submitted, so that we can ensure we have received all the relevant documentation from you for each qualification subject to appeal.

44. **Please email the completed forms and your evidence to overlap.appeals@education.gov.uk by 17:00 on Friday 8 July 2022.**
45. **We will not accept late submission of forms, evidence, or other supporting information.** Any late submission will not be considered and will mean the qualification will have funding approval removed from 1 August 2024.
46. We will send you an email confirming that we have received your appeal. Please note that emails may be rejected due to size restrictions (25 Mb maximum). If we have not told you that we have received your appeal within three working days, please email overlap.appeals@education.gov.uk.
47. Once we receive your appeal, we will check to see if it is eligible for consideration. We will tell you if we require any further clarification regarding the appeal.
48. You must make sure that the **number of individual appeals** submitted matches the **number on the summary of appeals form**, and that all files and supporting evidence are attached to your appeal form submission. **Please do not send documents that are password protected.**

Timetable for the process of retaining funding approval for qualifications provisionally considered to overlap with T Levels

Event	Date
Outcome of overlap assessment process communicated to individual awarding organisations	11 May 2022
Deadline for submission of appeals	8 July 2022
Outcomes of appeals process communicated to individual awarding organisations	September 2022
Anticipated publication of final list of qualifications from which public funding approval will be withdrawn in the academic year 2024 to 2025	September 2022

An appeal process flowchart is at Annex B.

Contact us

If you have any queries about the removal of public funding approval from qualifications overlapping with T levels, or about the appeal process, please send them to overlap.appeals@education.gov.uk.

Annex A – Occupational Standards covered by T Levels

Construction and the Built Environment

T Level Pathway	T Level occupational specialism	Standard(s) (including option(s) where applicable)
Building Services Engineering for Construction	Electrical and electronic equipment engineering	<ul style="list-style-type: none"> • Electrical, Electronic Product Service and Installation Engineer (ST0150)
	Electrotechnical engineering	<ul style="list-style-type: none"> • Installation electrician / maintenance electrician (ST0152)
	Gas engineering	<ul style="list-style-type: none"> • Gas engineering operative (ST0155)
	Protection systems engineering	<ul style="list-style-type: none"> • Fire emergency and security systems technician (ST0189) <ul style="list-style-type: none"> ○ Fire ○ Fire & Emergency Lighting ○ Fire & Security ○ Security
	Plumbing and heating engineering	<ul style="list-style-type: none"> • Plumbing and domestic heating technician (ST0303) <ul style="list-style-type: none"> ○ Environmental Technologies ○ Fossil Fuel- Natural Gas ○ Fossil Fuel- Oil ○ Fossil Fuel - Solid Fuel
	Heating engineering and ventilation	<ul style="list-style-type: none"> • Building services engineering ventilation hygiene technician (ST0391)
	Refrigeration engineering and air conditioning engineering	<ul style="list-style-type: none"> • Refrigeration air conditioning and heat pump engineering technician (ST0322)
Design, Surveying and Planning for Construction	Surveying and Design for Construction and the Built Environment	<ul style="list-style-type: none"> • Surveying Technician (ST0332) <ul style="list-style-type: none"> ○ Building Surveying Technicians

		<ul style="list-style-type: none"> ○ Commercial Property Surveying Technicians ○ Consultant (professional) Project Management Technicians ○ Consultant (professional) Quantity Surveying Technicians ○ Land Surveying Technicians ○ Residential Property Surveying Technician ○ Valuation Surveying Technician ● Geospatial technician (ST0491)
	Hazardous Materials Analysis and Surveying	<ul style="list-style-type: none"> ● Asbestos analyst/surveyor (ST0022)
	Civil Engineering	<ul style="list-style-type: none"> ● Civil Engineering Technician (ST0091)
	Building Services Design	<ul style="list-style-type: none"> ● Digital Engineering technician (ST0266) ● Building Services Design Technician (ST0063)
Onsite Construction	Plastering	<ul style="list-style-type: none"> ● Plasterer (ST0096) <ul style="list-style-type: none"> ○ Solid Plastering ○ Fibrous Plastering
	Carpentry and Joinery	<ul style="list-style-type: none"> ● Advanced Carpentry and Joinery (ST0263) <ul style="list-style-type: none"> ○ Advanced Site Carpenter ○ Advanced Architectural Joiner
	Bricklaying	<ul style="list-style-type: none"> ● Bricklayer (ST0095)
	Painting and Decorating	<ul style="list-style-type: none"> ● Painter and Decorator (ST0295)

Digital

T Level Pathway	T Level occupational specialism	Standard(s) (including option(s) where applicable)
Digital Business Services	Data Technician	<ul style="list-style-type: none"> • Data technician (ST0795)
Digital Production, Design and Development	Digital Production, Design and Development	<ul style="list-style-type: none"> • Software Development Technician (ST0128)
Digital Support Services	Network Cabling	<ul style="list-style-type: none"> • Network cable installer (ST0485)
	Digital Infrastructure	<ul style="list-style-type: none"> • Information Communications Technician (ST0973)⁶ <ul style="list-style-type: none"> ○ Digital Communications technician ○ Network technician ○ Support technician
	Digital Support	<ul style="list-style-type: none"> • Digital support technician (ST0120) <ul style="list-style-type: none"> ○ Digital Applications technician ○ Digital Service technician • IT Solutions Technician (ST0505) <ul style="list-style-type: none"> ○ IT Hardware Option Solutions technician

⁶ Replaces Infrastructure technician (ST0125)

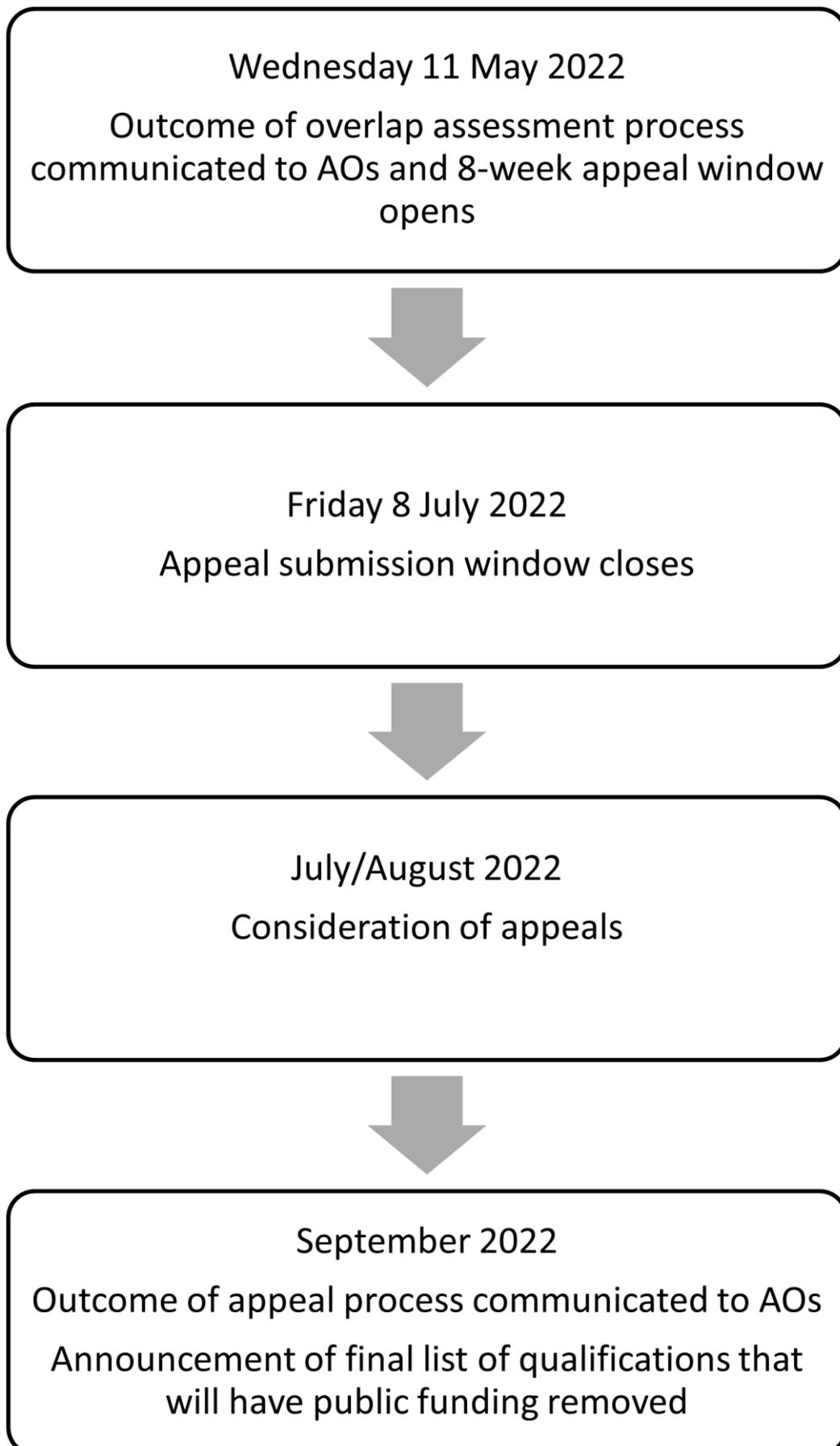
Education and Childcare

T Level Pathway	T Level occupational specialism	Standard(s) (including option(s) where applicable)
Education and Childcare	Assisting Teaching	<ul style="list-style-type: none">• Teaching Assistant (ST0454)
	Early Years Educator	<ul style="list-style-type: none">• Early Years Educator (ST0135)
	Supporting and mentoring students in educational settings	<ul style="list-style-type: none">• Learning Mentor (ST0148)

Health and Science

T Level Pathway	T Level occupational specialism	Standard(s) (including option(s) where applicable)
Health	Dental Nursing	<ul style="list-style-type: none"> • Dental nurse (ST0113)
	Supporting Healthcare - Supporting the Adult Nursing team	<ul style="list-style-type: none"> • Senior healthcare support worker (ST0217) <ul style="list-style-type: none"> ○ Adult Nursing Support
	Supporting Healthcare - Supporting the Midwifery team	<ul style="list-style-type: none"> • Senior healthcare support worker (ST0217) <ul style="list-style-type: none"> ○ Maternity Support
	Supporting Healthcare - Supporting the Mental Health team	<ul style="list-style-type: none"> • Senior healthcare support worker (ST0217) <ul style="list-style-type: none"> ○ Mental Health Support
	Supporting Healthcare - Supporting the care of Children and Young People	<ul style="list-style-type: none"> • Senior healthcare support worker (ST0217) <ul style="list-style-type: none"> ○ Children and Young People
	Supporting Healthcare - Supporting the Therapy teams	<ul style="list-style-type: none"> • Senior healthcare support worker (ST0217) <ul style="list-style-type: none"> ○ Therapy Support
Healthcare Science	Assisting with Healthcare Science	<ul style="list-style-type: none"> • Healthcare Science Assistant (ST0218)
Science	Technical: Laboratory Sciences	<ul style="list-style-type: none"> • Laboratory technician (ST0248)
	Technical: Food Sciences	<ul style="list-style-type: none"> • Food Technologist (ST0198)
	Technical: Metrology Sciences	<ul style="list-style-type: none"> • Metrology technician (ST0282)

Annex B – Appeal process flowchart





Department
for Education

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