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Consultation outcome

# Decisions: Ensuring the resilience of the qualifications system

Updated 21 September 2023

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## Overview

Following consultation, Ofqual and the Department for Education (DfE) have decided to adopt long-term arrangements to ensure resilience in the qualifications system should there be any event with such severe consequences that it would necessitate a government decision that the cancellation of exams is required.

In summary:

- [Guidance](#) has been provided for schools and colleges on how to gather and retain evidence of student performance in GCSEs, AS and A levels, Project Qualifications and the Advanced Extension Award in maths (AEA) to support resilience in the qualifications system.
- Schools and colleges are advised to follow the guidance provided for GCSEs, AS and A levels, Project Qualifications and AEA.
- The guidance advises schools and colleges to gather evidence in line with their existing internal assessment arrangements as far as possible, and to avoid over-assessment of students for this purpose.
- For other qualifications, Ofqual has introduced rules into its regulatory framework to require awarding organisations to consider whether resilience arrangements are needed for their particular qualifications, and if necessary to provide guidance to schools and colleges.
- While it is highly unlikely that such arrangements will be needed, it is not possible to know this in advance and so Ofqual and DfE expect schools and colleges to follow the guidance provided in the interests of their students.
- Such arrangements are not designed to be used to award grades in

circumstances where there has been localised disruption to teaching and learning.

## Introduction

In 2022 and 2023, exams and other formal assessments took place as planned in a return to pre-pandemic assessment arrangements. Any future cancellation of exams by government and the potential need for alternative assessment arrangements remains very unlikely. Good public policy, however, means ensuring appropriate contingencies are in place, even for unlikely scenarios.

Resilience arrangements were put in place for the 2023 exam series following consultation with stakeholders in autumn 2022. These arrangements focused on the provision of guidance to schools and colleges on how to gather robust assessment evidence that could be used to determine Teacher Assessed Grades (TAGs) in the unlikely event that government determined exams could not go ahead. The guidance applied to GCSEs, AS and A levels, Project Qualifications and the Advanced Extension Award in maths (AEA). Ofqual also expected awarding organisations offering vocational and technical qualifications (VTQs) and other qualifications with similar assessment arrangements to take account of the arrangements in place for these qualifications where appropriate.

The arrangements were designed to increase resilience in the exam system while placing the minimum possible burden on schools and colleges. The consultation indicated broad support for the arrangements proposed for 2023, and two-thirds of respondents to that consultation supported the idea in principle that they should be continued beyond 2023.

In May 2023, Ofqual and the Department for Education (DfE) launched a further consultation inviting views on introducing resilience arrangements to schools and colleges in the long term. The consultation was in 2 parts; part 1 considered the broad policy proposals for the introduction of resilience arrangements in the long term, and part 2 the regulatory requirements that would be needed to put these policy proposals into practice.

For GCSEs, AS and A level, Project Qualifications and AEA, Ofqual and DfE proposed that [guidance](#) should be provided to schools and colleges to support them in gathering evidence that could be used to determine a grade should exams not be able to go ahead as planned, in line with arrangements in place for summer 2023.

To help ensure parity in the treatment of students across qualification types, it was decided to also consult on resilience arrangements for VTQs and other qualifications used alongside or instead of GCSEs, AS and A levels, Project Qualifications and AEA for progression to further or higher study. While the arrangements put in place for the 2023 exam series set the expectation that awarding organisations offering similar VTQs and other qualifications should take account of the guidance and consider whether it was applicable for their own qualifications, this was not formally required in Ofqual's regulations.

The consultation acknowledged that the proposed resilience arrangements would not be appropriate for VTQs and other qualifications which assess occupational or professional competence, proficiency, or act as a licence to practise. The need to issue guidance to schools and colleges on how to gather assessment evidence to support the awarding of grades should exams and formal assessments not take place as planned is also dependent on the assessment design and delivery of the VTQs or other qualifications. Many VTQs are modular and have a high proportion of internal assessment. This means evidence may already be generated by students during their course of study, and therefore awarding organisations offering such qualifications may judge that further steps are not necessary.

The consultation, therefore, proposed that Ofqual would require awarding organisations to first consider for which qualifications (aside from GCSEs, AS and A levels, Project Qualifications and AEA) it was necessary and appropriate to put in place guidance to schools and colleges on gathering evidence of student attainment. Where it was deemed necessary and appropriate, awarding organisations would be required to provide such guidance for their qualifications.

For these qualifications, any guidance would need to take into account the design of each qualification and so common guidance would not be possible. The consultation did, however, note that awarding organisations should consider the proposed guidance for GCSEs, AS and A levels, Project Qualifications and AEA and could draw on it or reproduce it wherever appropriate.

In part 2 of the consultation, Ofqual consulted separately on the proposed regulatory approach and draft regulations that would be used to put into effect the proposals outlined in part 1, should they be taken forward. This included proposals to introduce a new General Condition of Recognition, with associated statutory Guidance, to make changes to 2 Qualification Level Conditions (Condition GCSE4.8 and Condition GCE4.3), and to add 2 new Qualification Level Conditions (Condition Project1.2 and Condition AEA4.3).

The matters in part 1 of the consultation covered the remits of both the DfE and

Ofqual, and the decision maker for the relevant matter is clearly outlined in the section below. The matters in part 2 of the consultation are solely within the remit of Ofqual, and so any proposals, analysis and related decisions are made by Ofqual.

Throughout this document where we refer to schools and colleges, this relates to schools, colleges and other exam centres.

## Summary of decisions

As outlined in the consultation document, both the DfE and Ofqual have responsibilities in this area, and so the consultation was joint for the proposals made in part 1.

DfE is responsible for its policy for qualifications (including whether the government considers that exams can go ahead safely and fairly as planned) and the subject content that is taught and assessed. Ofqual is responsible for assessment arrangements and is therefore responsible for setting rules to implement alternative arrangements, if required.

As outlined in the consultation, Ofqual and DfE consider that, in the unlikely scenario an emergency emerges which is severe enough for government to determine that exams and formal assessments must be cancelled again in the future, there ought to be arrangements in place to ensure that results can still be issued.

This is important to minimise disruption to students, employers and the education sector and to allow students to use their qualifications to move into higher education or employment.

In line with the distinct responsibilities of each organisation, both DfE and Ofqual have decided to implement the proposals to put in place the resilience arrangements set out in part 1 of the consultation.

For GCSEs, AS and A levels, Project Qualifications and AEA, DfE has decided that the provision of [guidance](#) for schools and colleges is appropriate. Ofqual has decided that the proposed guidance would support schools and colleges in gathering evidence of student performance that could support the awarding of grades using alternative assessment evidence. Ofqual has made minor revisions to the guidance consulted on, in response to feedback, to provide greater clarity and minimise further burden on students, schools and colleges.

For other qualifications used alongside or instead of GCSEs, AS and A levels, Ofqual will require all awarding organisations to consider whether it is necessary to have resilience arrangements in place for their particular qualifications. Where they determine such arrangements are needed, Ofqual will require those awarding organisations to issue guidance to schools and colleges on collecting evidence of student attainment. Recognising the diverse range of qualifications, any guidance would need to be produced by individual awarding organisations in a way that it reflects the design of their qualifications. When developing their guidance, awarding organisations are expected to take into account, as appropriate, the proposed approach for GCSEs, AS, A levels, Project Qualifications and AEA.

It is important to emphasise that DfE and Ofqual consider that exams and formal assessments are very unlikely to be cancelled again. Schools and colleges are not being asked to use the evidence of student performance to determine TAGs and should not seek to do so. This is made clear in the guidance. Any decision that it is not possible for exams and formal assessments to go ahead safely or fairly will be made by government. The arrangements for the determination of grades would depend on the nature and timing of that decision and further guidance would be issued to schools and colleges at that time.

Ofqual has decided to implement the regulatory approach consulted on in part 2 of the consultation, with some amendments as outlined below. A new Condition, with associated statutory Guidance, has been added to the General Conditions of Recognition.

Ofqual has, in response to the consultation, decided to make some changes to the proposed drafting of the new Condition and statutory Guidance to provide greater clarity. This includes minor drafting change to the Condition and statutory Guidance, replacing 'throughout' with 'during'. This is to make it clearer that schools and colleges are not to be expected to collect evidence of student attainment repeatedly across the academic year.

To help clarify which qualifications are covered by these resilience arrangements, Ofqual has removed the reference to 'VTQs' in the Condition and statutory Guidance. Ofqual has instead referred to qualifications other than GCSEs, AS and A levels, Project Qualifications and AEA as not all of the relevant qualifications will necessarily be VTQs.

Ofqual has also decided to incorporate the requirements for awarding organisations offering GCSEs, AS and A levels, Project Qualifications and AEA into the new Condition C2.6 rather than amend or add new Qualification Level Conditions as originally proposed. This will also act to streamline the requirements on awarding

organisations across Ofqual's regulatory framework.

Ofqual has also expanded the statutory Guidance to set out the expectations of what awarding organisations should take into account when developing the guidance for their qualifications. These are to:

- minimise the level of burden for schools and colleges, teachers, and students
- enable teachers to gather evidence in line with their existing assessment processes
- take into account the need for any evidence gathered by schools and colleges to sufficiently demonstrate the level of attainment of each student
- align its guidance with that of other awarding organisations offering similar qualifications

These are the principles underpinning the guidance for GCSEs, AS, A levels, Project Qualifications and AEA. They are intended to support parity in the treatment of students across qualification types.

In this decisions document and the accompanying analysis, we have not sought to discuss every point made by those who responded to our consultation. In taking our respective decisions, however, and finalising the guidance we have considered all the points made in response to the consultation.

## Details

# Part 1: Ofqual and the Department for Education's proposed Guidance for future resilience arrangements

Part 1 was a joint consultation by the Department for Education (DfE) and Ofqual. The consultation sought views on the proposal to put in place long-term resilience arrangements for GCSEs, AS, A levels, and other qualifications used alongside or instead of them to support progression to further or higher study. The proposed arrangements would facilitate the gathering of evidence of student performance by schools and colleges, to enable grades to be awarded in the unlikely event that

exams and formal assessments cannot go ahead as planned.

## **Arrangements for GCSEs, AS and A levels, Advanced Extension Awards and Project Qualifications**

### **The evidence used to assess students' performance**

The proposed [guidance](#) was developed for schools and colleges offering GCSEs, AS and A levels, Project Qualifications and Advanced Extension Awards (AEA). It was developed with a view to (i) minimising additional burden on schools, colleges and students; and (ii) allowing schools and colleges to use existing assessment practices to gather evidence to support resilience in the exam system. It drew on feedback received, including from discussions with stakeholders, and from correspondence received from a range of people and organisations, on the very similar guidance and arrangements that were in place in 2023.

The proposed guidance covered the steps schools, colleges and teachers should take to ensure they secured and retained sufficient evidence of student performance to enable grades to be awarded through alternative methods should exams and other formal assessments be cancelled in the future.

The proposed guidance particularly focused on encouraging schools to use their existing assessment arrangements as far as possible and emphasised the need to avoid over-assessment. In particular, the proposed guidance was more explicit than the guidance in place for 2023 on the importance of schools and colleges avoiding over-assessment. It specifically stated that one set of mock examinations sat in exam conditions is likely to be sufficient if this provided the necessary evidence of student performance. It acknowledged, too, that most schools and colleges will have these assessment practices in place already, and that the guidance could normally be followed by making use of these existing arrangements. This revision was made based on feedback from stakeholders that the guidance previously had led to some schools and colleges assessing their students more frequently than in the past in order to gather evidence.

### **Decisions on providing guidance**

Overall, more than three-quarters of respondents agreed that guidance should be provided to support schools and colleges in gathering evidence of student performance should exams not go ahead. While the majority of respondents also agreed that the proposed [guidance](#) was helpful for this, views were mixed on



whether it minimised any additional burden. The majority of respondents agreed it did minimise additional burden on schools and colleges, and more respondents agreed than disagreed that it minimised additional burden on students. More respondents disagreed than agreed, however, that it would minimise additional teacher workload.

Among those who felt the guidance was not helpful, a number of respondents suggested that having any arrangements in place to gather evidence would be disproportionate, given that the risk posed by the coronavirus (COVID-19) pandemic has reduced. While the cancellation of exams in the future due to COVID-19 is now very unlikely, the past 3 years have highlighted the need to ensure that there is appropriate resilience in the exam system to manage exceptional circumstances. The proposed arrangements are not only a response to the pandemic, but also aim to build resilience in the exam system should there be any event with such severe consequences that government would determine it necessary to cancel exams.

DfE has decided it is appropriate to provide guidance for schools and colleges on how to gather evidence of student performance to support resilience. In light of this, Ofqual has decided to publish guidance for teachers on how to collect evidence of students' performance so that it can be used should TAGs, or other methods of awarding grades other than through formal exams, be needed.

Ofqual and DfE took these decisions in light of the full range of responses to the consultation, including the equality and regulatory impact assessments carried out and discussed below.

## **Revisions to the guidance**

Some respondents questioned whether the proposed guidance was relevant to Project Qualifications, as Project Qualifications are assessed through non-exam assessment (NEA). This [guidance](#) is, however, concerned with retaining evidence of student performance more broadly than through solely exam-based assessments. If exams were cancelled, teachers would be expected to take a student's non-exam assessment performance into account when awarding a TAG. This is why the guidance references the need for teachers to encourage and support students to complete their Project assessments as usual, but it could also apply to other forms of non-exam assessment, such as art or music.

To add further clarity, amendments have been made to the guidance to explicitly reference NEA in the context of qualifications such as GCSE or A level art and design. In the vast majority of cases, where schools and colleges follow their existing internal assessment arrangements, they will have sufficient evidence to

award grades in these circumstances.

As was the case in the previous consultation which sought views on resilience arrangements being proposed for 2023, there was a strong feeling among some teachers and others in schools and colleges that retaining a copy of the evidence was burdensome and costly. The proposed guidance is clear that either physical or digital copies can be retained to allow copies of any papers to be returned to students.

Some respondents suggested that it would be better for just a sample of evidence to be retained across all students in a school or college to reduce the burden and costs associated with evidence copying or storage. It is, however, necessary for the purposes for which the evidence could be used that it is kept and kept in its entirety. Evidence of individual student performance would be needed to make grading judgements should exams and formal assessments not be able to go ahead as planned. In addition, only keeping a sample of evidence could limit the possibility of an individual appeals process being put in place for students, and any quality assurance that may be required should TAGs or other methods of awarding grades be needed.

Many respondents reiterated concerns from 2023's guidance that requiring the collection and retention of evidence of student performance may lead to schools and colleges creating additional assessments that go beyond their previous arrangements, and that this would not be of benefit to students. The proposed guidance had already been altered to emphasise more clearly the need to avoid over-assessing students, and to highlight that schools and colleges should seek to align their existing arrangements for mock examinations when following the guidance. Changes have, however, been made to the proposed guidance to reflect that, as far as possible, students should only be assessed on what they have already been taught.

The guidance has also been revised to reflect that schools and colleges should look to, wherever possible, complete assessments for this purpose in the first half of the academic year. It is important that evidence of student performance is gathered far enough in advance of formal exams to provide the greatest resilience in the face of unforeseen circumstances. We are aware that many schools and colleges already conduct their mock assessments late in the first term, or in the first half of the second term, so this revision should be in line with current practices in many cases.

Additionally, as part of the guidance, teachers have been advised, wherever possible, to use papers from 2019 and earlier, and from 2023 onwards, on the basis that these papers will be more helpful in guiding teachers and students as to the

standard of work required at each grade. It remains clear that schools and colleges are not being asked to determine a Teacher Assessed Grade and would not be able to do so unless it was decided by government that exams could not go ahead as planned and specific guidance on how to determine a grade provided.

A small number of other minor changes have been made to improve the readability of the guidance.

## **Arrangements for VTQs and other qualifications**

DfE and Ofqual proposed that similar resilience arrangements should be put in place for VTQs, including Technical Qualifications in T Levels and other qualifications that are not GCSEs, AS, A levels, Project Qualifications or AEA, but which are used for progression to further or higher study. They would not apply to other VTQs which assess occupational or professional competence, proficiency, or act as a licence to practise, including apprenticeship end-point assessments, as these would not be awarded on the basis of a TAG or other alternative evidence.

VTQs are generally modular and have a high proportion of internal assessment. This means that it is more likely that there would already, as a matter of course, be evidence available which could be used to determine grades, should exams and formal assessments not go ahead. There are, however, some VTQs and other qualifications that are used for progression to further or higher study and are assessed in a similar way to GCSEs and A levels for which resilience arrangements might be necessary.

The consultation therefore proposed to require awarding organisations to first consider for which qualifications it was necessary and appropriate to put in place guidance to schools and colleges on gathering evidence of student attainment. Where it was deemed necessary and appropriate, awarding organisations would be required to provide such guidance for their qualifications.

For these qualifications, any guidance would need to take into account the design of each qualification and so common guidance would not be possible. The consultation, did, however, note that awarding organisations should consider the proposed [guidance](#) for GCSEs, AS and A levels, Project Qualifications and AEA, and could draw on it or reproduce it wherever appropriate.

## **Decisions on arrangements for VTQs and other qualifications**

Overall, over three-quarters of respondents agreed with the proposal. Reasons given included the need for parity of approaches between General Qualifications and VTQs and other qualifications, the need for flexibility for awarding organisations to decide on an approach best suited to their qualifications, and the fact that the design of many VTQs and other qualifications already builds in resilience.

Many of the respondents that agreed with the overall approach also asked for additional clarification or suggested other points that should be considered. This included the suggestion that there should be consistency in approaches across awarding organisations offering similar qualifications, with Technical Qualifications used within T Levels specifically mentioned. Respondents felt this would reduce burden placed on schools and colleges and decrease the risk of reducing comparability across similar types of qualifications.

The need for consistency was part of Ofqual and DfE's rationale for publishing common [guidance](#) across GCSEs, AS and A levels, Project Qualifications and AEA. Ofqual and DfE agree, therefore, that wherever possible, awarding organisations should seek to align their guidance with that of other awarding organisations offering similar qualifications. This expectation will include awarding organisations delivering Technical Qualifications within T Levels and will relate to the Core and Occupational Specialism components which make up these qualifications.

There were also calls for additional clarity on which qualifications would be covered by the arrangements. This included questions about whether the arrangements only applied to linear VTQs and other qualifications and whether Functional Skills and ESOL Skills for Life qualifications would be included.

To be clear, these arrangements are for any qualifications that are used alongside or instead of GCSEs, AS and A levels for progression to further or higher study, where there is a risk that sufficient evidence may not be available upon which to base an award because of the way they are normally delivered and/or assessed. While Functional Skills and ESOL Skills for Life qualifications are used to support progression to further or higher study, they are not delivered in the same way as GCSEs and A levels. Rather, they are often made available on demand and/or with more frequent external examination and assessment opportunities throughout the year. In addition, some awarding organisations have invested in on-screen assessments and remote invigilation solutions to provide greater resilience for Functional Skills Qualifications. As such Functional Skills and ESOL Skills for Life qualifications are not expected to be included in these resilience arrangements.

Responses to the consultation also mentioned the need for awarding organisations to keep the arrangements under review and to clearly communicate with their

centres, providing advanced notice should they make any changes.

As is already set out in Condition D3 (Reviewing approach) of Ofqual's General Conditions of Recognition, awarding organisations are required to keep their approach to the development, delivery and award of qualifications under review. As part of this review process, Ofqual would expect awarding organisations to consider the appropriateness of the resilience arrangements they have put in place, updating their guidance as necessary. Any changes made to their guidance for schools and colleges would need to be clearly communicated to their centres.

Clarification was also sought on which students would be covered by the resilience arrangements and whether the arrangements applied to nested qualifications so that students taking a nested qualification or part way through a qualification can be certificated.

The resilience arrangements are being introduced so that if exams and other formal assessments are not able to go ahead as planned in the future, there is evidence of student attainment that can be used to award a grade and allow students to progress onto further and higher study. These arrangements therefore apply to all students taking qualifications where awarding organisations deem the arrangements necessary and so could include those students mid-way through a qualification or taking a nested qualification.

Respondents that disagreed with the proposed approach suggested alternative ways that evidence could be collected and felt that the guidance should not look to replicate exams or formal assessments to generate evidence. For example, it was suggested that the formative assessment information already held and collected by schools and colleges could be used instead.

Recognising the diverse nature of VTQs and other qualifications used for progression, Ofqual and DfE are not prescribing the ways in which any evidence to support the awarding of grades is collected. It is for awarding organisations to develop the guidance for schools and colleges about the collection of evidence, where they deem it appropriate and necessary, in a way that is suitable for their qualifications. While awarding organisations are expected to have regard to the approach being taken for GCSEs, AS and A levels, Project Qualifications and AEA, the design of their qualifications might mean that a different approach is appropriate.

The validity and comparability of any results based on the collected alternative evidence was also questioned in the consultation feedback. It was felt that clear communications around any grades issued using this evidence would be important.

In the unlikely event that exams and formal assessments are cancelled, Ofqual and DfE would put in place arrangements to respond to that situation, including clear communications about the approach being taken. Ofqual and DfE consider that ensuring that evidence of student attainment is collected and available to form the basis of an award, should this at some point be necessary, is the best way to provide resilience in the qualifications system.

Respondents also expressed concern about the effect the resilience arrangements would have on teaching and learning, and the burden being placed on schools, colleges and teachers. It was suggested that instead the assessment information already held by schools and colleges could be sufficient.

Ofqual and DfE understand these concerns. When developing the common [guidance](#) for GCSEs, AS and A levels, Project Qualifications and AEA, a balance was sought between the need to ensure that evidence is available to provide resilience in the qualifications system, and the need to keep the arrangements proportionate, given it is extremely unlikely that the evidence will be needed. The same approach is expected in any guidance developed by awarding organisations for VTQs and other qualifications. Ofqual has set out in statutory Guidance (see part 2 of the consultation) that when developing their own guidance, awarding organisations should seek:

- to reduce the burden placed on schools and colleges, teachers and students
- to ensure that teachers should be able to use existing assessment processes, wherever possible
- to take into account the need for any evidence gathered by schools and colleges to sufficiently demonstrate the level of attainment of each student
- to align their guidance with that of other awarding organisations offering similar qualifications

In addition, as set out in the consultation, many qualifications that are not GCSEs, AS and A levels, Project Qualifications or AEA qualifications but that are used for similar purposes, are modular and have a high proportion of internal assessment. This means that there may be evidence already available that could be used to determine grades. Where this is the case, awarding organisations may decide that it is not necessary to put in place guidance about the collection of evidence.

Having considered the responses, and the high levels of support for the proposed arrangements, DfE and Ofqual have decided that the most appropriate and proportionate way to provide resilience in the qualifications system is to require all awarding organisations to consider if it is necessary and appropriate to have

resilience arrangements in place for their qualifications. Where this is the case, awarding organisations will be required to provide guidance to their schools and colleges.

Ofqual does, however, agree that it would be helpful to be explicit in its statutory Guidance that awarding organisations should be mindful of the same underpinning principles as were used to develop the guidance for GCSEs, AS and A levels, Project Qualifications and AEA. Ofqual has, therefore, decided to amend the proposed statutory Guidance to Condition C2. The guidance now states that awarding organisations should:

- seek to minimise the burden being placed on schools, colleges, teachers and students
- enable teachers to gather evidence in line with existing assessment processes
- take into account the need for any evidence gathered by schools and colleges to sufficiently demonstrate the level of attainment of each student
- align their guidance with that of other awarding organisations offering similar qualifications

How this expectation is reflected in our revised regulations is set out in part 2 below.

## **The implementation of resilience arrangements for GCSEs, AS and A levels, Project Qualifications, AEA, and all other regulated qualifications**

Respondents to the consultation questioned how awarding organisations would ensure that schools and colleges follow their guidance, both in the case of GCSEs, AS and A levels, Project Qualifications and AEA and for other qualifications where awarding organisations have deemed it necessary to provide guidance.

The Department for Education and Ofqual have balanced the need to put in place arrangements to provide resilience in the qualifications system with the need to keep the arrangements proportionate. While it is highly unlikely that such arrangements will be needed, it is not possible to know this in advance and so DfE and Ofqual would expect schools and colleges to comply with the guidance set out by awarding organisations in the interests of their students. It would, therefore, not be proportionate or necessary to place additional requirements on them to do so.

Concern was also expressed that the proposed arrangements set the expectation

that the collected evidence could then be used to award a grade in other situations. This includes where an individual student was not able to take any of their assessments for a particular reason or where students were not able to sit their exams because of an adverse event such as localised flooding.

To be clear, the arrangements consulted on are to ensure that evidence of student attainment is available in the unlikely event that the government determined that exams and other formal assessments cannot go ahead.

If there was such an event like the pandemic again with such severe and catastrophic consequences, the government expects that a national approach would likely be the most appropriate.

Arrangements necessary for the provision of reasonable adjustments in line with awarding organisations' duty under the Equality Act 2010, will need to be considered on an individual basis by the relevant awarding organisation.

## **Arrangements for private candidates**

Private candidates do not study within the school, college, or other exam centre (such as a private tutorial college) where they take their exams. Private candidates register with an exam centre (a school, college, or other type of exam centre), which arranges for the candidate to take their exams alongside any students studying towards a qualification with them. This consultation does not change the expectation that private candidates will continue to register with schools and colleges to take their assessments as appropriate in the usual way.

More than half of respondents strongly agreed or agreed that the guidance for private candidates – to consider whether to arrange with a school or college to have evidence gathered of their performance for resilience purposes – would be the best approach. Only 11% disagreed or strongly disagreed.

There were 2 main themes to concerns about the arrangements for private candidates. Several respondents suggested that private candidates may struggle to access schools and colleges willing to accept entries and may particularly struggle to be accepted for informal assessments such as mock examinations in order to gather evidence. The focus of this guidance, however, is for private candidates that have registered or plan to register with a school or college for the purpose of undertaking their examinations.



Among those who disagreed, a number suggested that there needed to be more specific guidance on how to support private candidates and help them gather evidence. The circumstances of private candidates, however, can by their nature be significantly varied, and the [guidance](#) already gives schools and colleges significant flexibility to determine suitable arrangements.

## **Part 2: Ofqual proposals on Conditions and statutory Guidance**

In this section of the consultation Ofqual sought views on the proposed regulatory approach to put into effect the proposals outlined in part 1. Views were also sought on the drafting of a new Condition C2.6 and associated statutory Guidance, and a number of proposed Qualification Level Conditions for different qualification types. As already noted, the proposals in part 2 related to matters that are solely within the remit of Ofqual.

### **Proposed changes to the General Conditions of Recognition and statutory Guidance**

Ofqual proposed to introduce a new Condition C2.6 to require all awarding organisations to consider whether it is necessary and appropriate to have resilience arrangements in place, and where appropriate, to provide the required guidance to their schools and colleges.

Ofqual also proposed to add new wording to the statutory Guidance to Condition C2 to help awarding organisations to decide which qualifications might need these arrangements. The proposed statutory Guidance also set out Ofqual's expectation that awarding organisations offering qualifications used alongside or instead of GCSEs and A levels to support progression to further or higher study, with a similar assessment structure, should have regard to the approach being used for those qualifications. It also noted that awarding organisations may wish to replicate the [guidance](#) for GCSEs and A levels in full or in part.

### **Decisions on the proposed changes to the General Conditions of Recognition and statutory Guidance**

Many of the comments on the drafting of the Conditions and statutory Guidance echoed the responses received in response to part 1 of the consultation and the arrangements for VTQs and other qualifications. This included:

- concerns about the ability of awarding organisations to ensure schools and colleges follow their guidance
- the need to consider students taking nested qualifications or part way through a qualification
- a concern that the arrangements might be used in situations where students are not able to sit their exams due to adverse situations such as localised flooding

This feedback has been considered in the section 'Decisions on arrangements for VTQs and other qualifications'.

Respondents also repeated concerns about the burden that would be placed on schools and colleges and the risk of inconsistent application should awarding organisations offering similar qualifications take different approaches.

As explained above, Ofqual expects awarding organisations to be mindful of the underpinning principles for the [guidance for GCSEs, AS and A levels, Project Qualifications and AEA](#) when developing their own guidance. Ofqual agrees that it would be helpful to explicitly set out these expectations for awarding organisations when developing their own guidance. Ofqual has therefore decided to add the following wording to the statutory Guidance:

Wherever possible, when producing guidance for its Centres, an awarding organisation should also seek to:

- minimise the level of burden for Centres, Teachers, and Learners,
- enable Teachers to gather evidence in line with their existing assessment processes,
- take into account the need for any evidence gathered by Centres to sufficiently demonstrate the level of attainment of each Learner, and
- align its guidance with that of other awarding organisations offering similar qualifications.

There were also requests for clarity on which qualifications would be covered by the arrangements.

To be clear, these resilience arrangements are for qualifications that are used alongside or instead of GCSEs, AS and A levels for progression to further or higher study, where there is a risk that sufficient evidence may not be available upon which to base an award because of the way they are normally delivered and/or assessed. To help clarify the qualifications which are covered by these arrangements, Ofqual has removed the reference to 'VTQs' in the Condition and statutory Guidance. Ofqual has instead referred to qualifications other than GCSEs, AS and A levels, Project Qualifications and AEA as these arrangements may apply to VTQs and other qualifications that are not VTQs.

Ofqual has also decided to incorporate the requirements for awarding organisations offering GCSEs, AS and A levels, Project Qualifications and AEA into the new Condition C2.6 rather than amend or add new Qualification Level Conditions as originally proposed. This will also streamline the requirements on awarding organisations across Ofqual's regulatory framework but will not change the nature of the obligations placed on them.

It was also suggested that newly introduced qualifications, where teachers are not as familiar with the qualifications and their content, may require the collection of different types of evidence.

The arrangements proposed in this consultation are to ensure evidence of student attainment is collected and available should the government decide that exams and other formal assessments cannot go ahead. As such, awarding organisations will still need to ensure that the evidence collected by schools and colleges about a student's attainment would be sufficient regardless of how familiar a teacher is with that qualification. Awarding organisations may wish to take the newness of a qualification into account when developing their guidance.

Respondents also suggested that the statutory Guidance should make it clear that while other qualifications might be used in a similar way to GCSEs and A levels, the arrangements needed for schools and colleges to collect evidence of student attainment might be different to those set out in the guidance for GCSEs, AS and A level, Project Qualifications and AEA.

Ofqual acknowledges the diverse nature of VTQs and the other qualifications which might fall under these arrangements. This is why it is for awarding organisations to decide on the need for any guidance and to then develop guidance for schools and colleges about the collection of evidence which is appropriate for their qualifications. Ofqual expects awarding organisations to have regard to the approach taken for GCSEs, AS and A levels, Project Qualifications and AEA, but understand that the different approaches may be necessary.

Respondents also commented on the drafting of the proposed Condition and statutory Guidance.

It was suggested that the use of the word ‘throughout’ in the drafting of the Condition and statutory Guidance suggested that the gathering of evidence would involve several series of assessments.

As explained above, Ofqual expects awarding organisations to minimise the level of burden their arrangements place on schools and colleges. As such, Ofqual agrees that it would be helpful to replace the word ‘throughout’ with the word ‘during’, to make it clear that schools and colleges would not be expected to collect evidence of student attainment repeatedly across the academic year. This change is reflected in the revised Condition and statutory Guidance.

It was also suggested that the word ‘resilience’ was not being used by Ofqual in the way in which it is usually used – ‘the capacity to withstand or to recover quickly from difficulties’. Ofqual disagrees with this concern and feels the use of the word ‘resilience’ in the drafting is used in this context.

Respondents also suggested other more minor drafting changes to the proposed Condition and statutory Guidance.

Ofqual has considered each of these suggestions but does not feel that the changes would significantly aid an awarding organisation’s understanding of the Conditions and statutory Guidance and has therefore decided not to implement them.

There was also some disagreement with the intention to introduce a new General Condition. It was suggested that the requirement to provide guidance for schools and colleges should instead be added to the information provided to Ofqual when VTQs and other qualifications are submitted for review.

To require this additional information to be submitted to Ofqual as part of any review, Ofqual would need to consult on adding additional requirements to the relevant Qualification Level Conditions. Ofqual believes that adding a single additional Condition to the General Conditions of Recognition is more appropriate as it would avoid repetition, and the associated complexities that would be required to amend multiple sets of Qualification Level Conditions.

A question was also raised about the implementation of the new Condition and statutory Guidance, suggesting that it would be helpful for the proposed arrangements to be in place for the start of the 2024 to 2025 academic year rather than being introduced in the middle of an academic year.

The current resilience arrangements are only in place for summer 2023 and so the new arrangements need to be in place for summer 2024 and beyond to ensure continuing resilience. As such, the new Condition and statutory Guidance will come into effect immediately, as will the guidance for GCSEs, AS and A level, Project Qualifications and AEA. Where awarding organisations develop and publish guidance they are expected to do so as soon as possible, and no later than the end of the autumn term. Ofqual will communicate directly with awarding organisations to confirm the specific date by which it would expect awarding organisations to have provided guidance to schools and colleges.

The final wording of new Condition C2.6 and the associated additional statutory Guidance to Condition C2 can be found in the Annex.

## **Proposed changes to Qualification Level Conditions**

### **Proposed changes to current Qualification Level Conditions**

#### **Condition GCSE4.8 and Condition GCE4.3**

The 2023 guidance that Condition GCSE4.8(a) and Condition GCE4.3 currently refer to will be redundant following the conclusion of the summer 2023 exam series and will be replaced by a new document. Ofqual proposed that if policy proposals in part 1 of the consultation were implemented, the wording of these Conditions be revised to refer to the new resilience [guidance](#) for GCSEs, AS and A level, Project Qualifications and AEA. It was proposed that the revised Conditions would link to the revised guidance document, titled 'Guidance for schools, colleges and other exam centres on gathering evidence of student performance for students entering GCSEs, AS and A levels, Project Qualifications and AEA to support resilience in the exam system' on publication.

Only a small number of respondents offered comments on the proposals on Condition GCSE4.8 and Condition GCE4.3. Some comments were positive, indicating support for the proposed amendment. Some of the respondents, however, suggested that additional information or reassurance that Ofqual would provide the required information should be supplied so that awarding organisations, schools and colleges could be confident they were complying with the amended Condition.

Ofqual will ensure awarding organisations are made aware of changes to the guidance document. It will be the awarding organisations' responsibility to ensure they communicate any changes that affect schools and colleges using their qualifications in line with this Condition. Awarding organisations, schools and

colleges should therefore be aware of and able to comply with the new Condition.

## **Proposals to introduce new Qualification Level Conditions**

### **Condition Project1.2 and Condition AEA4.3**

Ofqual proposed to introduce ConditionProject1.2 to the Qualification Level Conditions for Project Qualifications, and ConditionAEA4.3 to the Qualification Level Conditions for Advanced Extension Award in maths. Ofqual also proposed to change the title of Condition Project 1 from 'Compliance with content and assessment requirements' to 'Content and assessment' to fit with the proposed new ConditionProject1.2. These Conditions would require awarding organisations to make centres aware of the [resilience guidance](#), and any subsequent changes to the guidance.

A small number of respondents to these proposals questioned whether Project Qualifications should be included in the guidance as they are not exam-based.

As the guidance is about retaining evidence of student performance more broadly than in exam conditions, Ofqual remains of the view that Project Qualifications should remain included in its scope and therefore within the changes to the regulatory framework. The guidance explains that teachers should support their students, wherever possible, to complete non-exam assessments as usual. Should exams be cancelled, teachers would be expected to take a student's NEA into account when determining a TAG. This would apply both to Project Qualifications and to other qualifications which involve non-exam assessment, such as music or art. The revised guidance does offer greater clarity, however, by including explicit reference to NEA in contexts other than Project Qualifications.

Only 6 respondents offered comments on the proposal to introduce Condition AEA4.3. The only theme to these was that some respondents reiterated concerns highlighted elsewhere in the consultation that introduction of new guidance and changes to requirements upon schools and colleges could be burdensome. Ofqual recognises that changed or additional guidance and Conditions could create some additional burden. Ofqual remains of the view, however, that this burden would be minimal, and is proportionate to the benefits of ensuring qualifications can be awarded fairly and consistently should exams be cancelled again in the future.

One respondent highlighted the concern that students and teachers do not always know who is taking the AEA until later in the academic year, and so opportunities to collect evidence of student performance in this could be limited. Ofqual recognises that no arrangements can be a perfect fit for every student's circumstances, but

remains of the view that there is sufficient flexibility in the guidance for schools and colleges to allow for such scenarios.

## **Decisions on the proposed changes to Qualification Level Conditions**

Ofqual has decided to incorporate the requirements for organisations offering GCSEs, AS and A levels, Project Qualifications and AEA into the new General Condition of Recognition rather than introduce the changes to existing Qualification Level Conditions, or adopt new Qualification Level Conditions, as originally proposed. This will streamline the requirements on awarding organisations across Ofqual's framework. The rationale for this decision is explained below.

The obligation on awarding organisations offering these qualifications remains as was proposed in the consultation. It will simply sit in a different place in the framework. Ofqual will therefore remove Condition GCSE4.8 from the GCSE (9 to 1) QLCs and Condition GCE4.3 from the GCE QLCs. Ofqual will no longer introduce proposed ConditionProject1.2 into the Project QLCs or proposed ConditionAEA4.3 into the AEA QLCs.

## **Equality impact assessment**

DfE and Ofqual considered whether the proposals in part 1 of the consultation might impact positively or negatively on students with protected characteristics. Ofqual also did this for proposals in part 2 of the consultation. Both DfE and Ofqual set out these considerations for part 1 and part 2 of the consultation in the equality impact assessment included in the consultation and invited views on those, on impacts that might not have been identified and on ways to mitigate them.

A total of 33% of respondents agreed when asked whether the arrangements would have a positive impact on particular groups of students. When asked whether the arrangements would have any negative impacts on particular groups of students, 66% of respondents disagreed and said that the arrangements would not have a negative impact.

Some respondents who said the proposals would have a negative impact commented on the risk of unconscious bias by teachers determining TAGs for pupils with one or more particular protected characteristics. Respondents considered that provisions such as additional training and additional guidance on unconscious bias would help to mitigate this.

On this point, it is important to note that teachers are not being asked to determine TAGs. Teachers would only be asked to do so in the unlikely event that exams were cancelled, if it was determined that TAGs were the best option for awarding grades in this scenario.

Teachers would then be provided with guidance to support an appropriate process to determine TAGs for GCSEs, AS and A levels, Project Qualifications and AEA. Ofqual provided guidance to schools and colleges on how to make objective assessments for GCSEs, AS and A levels in both 2020 and 2021. Should teachers be required to determine TAGs for GCSEs, AS and A levels, Project Qualifications and AEA, Ofqual would again provide similar guidance on making objective assessments, drawing on any lessons learned from 2021. Ofqual would also help students understand how they can raise concerns if they think they have evidence of discrimination against them. The Joint Council for Qualifications (JCQ) provided training in 2021 and Ofqual would expect them to do so again if timing allowed in the future.

For VTQs and other qualifications used for progression to further and higher study and assessed in similar ways to GCSEs, AS and A levels, awarding organisations would also be expected to provide guidance to schools and colleges on the process to fairly and appropriately determine grades for their qualifications.

Some respondents raised the risk that some students could be absent for the mock assessments, and that the likelihood of being absent might be higher for some students, including some disabled students, and Gypsy, Roma or Traveller students. The published [guidance](#) is clear that, in exceptional circumstances, it might be necessary to determine a TAG using work carried out before the guidance was published, or collected after any decision that exams could not take place.

Concerns for students who miss teaching time were also highlighted, with particular reference by some respondents to socio-economically disadvantaged students. This is beyond the scope of this consultation. The role of qualifications is to link higher grades with higher standards of performance. As such, none of the options available can remove fully the way the disruption to a student's education might have an impact on the grade they may receive. It is the responsibility of schools and colleges to ensure that their students can access teaching and learning. They should engage with the DfE if such circumstances arise that this proves difficult.

Some respondents also raised the disadvantages that may be faced by students for whom English is not their first language. They emphasised the importance of the guidance being accessible and made as understandable as possible for them and their parents or carers. They also emphasised the need for these students to only



be assessed on subjects that had been taught at the time of completing assessments. The guidance is clear that mock examinations should assess students on subject matter that they have been taught up to the point of assessment.

The intended audience of the guidance is schools and colleges, and specifically school leaders and teachers, and the guidance is written as such. It would be anticipated that schools and colleges would provide relevant information to students on the arrangements in place in their particular school or college, and the guidance is clear that students should be made aware where assessments are being used for resilience purposes. Schools and colleges know their students well and would be able to do so in a way that considers the specific communication needs of the student. Given these factors, Ofqual did not consider further amendments were necessary.

Some respondents raised concerns about students who do not have a consistent relationship with any one school or college finding opportunities to be assessed during the academic year. For students who may transfer to different schools or colleges in-year, arrangements for the awarding of TAGs in 2020 and 2021 allowed for evidence to be transferred between centres to enable awarding. With regard to private candidates to whom this could apply, we highlighted in the consultation that private candidates would be able to seek to work with a centre that was willing to undertake assessments across a period of time for this purpose. Alternatively, private candidates might seek to complete assessments over a more condensed period were exams cancelled. Should exams be cancelled on public health grounds with the result that it is not possible to sit assessments within centres, this might present the risk that private candidates are unable to be assessed. The regulatory arrangements put in place for TAGs in 2021 did not, however, prevent centres from relying on evidence from assessments that had been conducted remotely. Ofqual would therefore not anticipate setting any such restriction if TAGs become necessary in the future. We acknowledge the greater difficulties that private candidates may face compared with students who are studying in the centre where they will take their exams. The confirmed approach should, however, provide the most flexible arrangements possible to allow private candidates to produce the evidence necessary for a centre to provide them with a TAG should exams be cancelled.

Some respondents were concerned that the need to take additional assessments as part of these resilience arrangements could negatively impact students with special education needs and disabilities (SEND), including private candidates, because of the resource needed to provide additional assessments and any associated reasonable adjustments. On this point, centres have a responsibility under the Equality Act 2010 to put in place reasonable adjustments for disabled students. The

proposed guidance highlighted that reasonable adjustments should be made for disabled students when taking assessments where evidence is being collected and retained.

The proposed guidance allowed some flexibility in the approach to how students are assessed which would help to alleviate these concerns. For example, it explained that pupils could be assessed in a classroom setting and need not take a whole exam paper in one sitting. This could reduce the risk that private candidates with SEND could have difficulties in finding a centre with which to work.

Furthermore, the proposed guidance set out that if, for any reason, students were assessed without an appropriate reasonable adjustment being in place, centres would need to record this, along with the reason that this was not in place. It also explained that, if a student's need for a reasonable adjustment is only identified after an assessment has taken place, their teacher should record the reason for this late identification. They should also, where possible, allow the student to undertake a different, but equivalent, assessment with the reasonable adjustment in place. These points are included in the guidance so that the information could then be considered if teachers were asked to determine a TAG in future. The published guidance retains these points.

Respondents cited students' mental health as a concern in relation to the gathering of evidence, both in relation to students sitting exams in general, but also suggesting that this impact could be greater for SEND students.

The proposed approach was designed to minimise anxiety for students. For example, it did not set out a specific number of assessments that should be undertaken and was clear that the total assessment time should not normally exceed the total exam time for the specification. The guidance specifically said that schools and colleges should guard against over-assessment, and that assessments should help prepare students for formal assessments and help to reduce anxiety in the run-up to exams. It is also important to note, however, that the regulatory approach cannot itself fully mitigate the impacts on students' mental health caused by concerns that individual students have about taking assessments.

As well as publishing guidance for schools and colleges on collecting evidence to inform TAGs should they be needed, Ofqual is requiring awarding organisations to make sure that schools and colleges are made aware of the published guidance or provide bespoke guidance for qualifications assessed in similar ways to GCSEs, AS and A levels.

In the unlikely event that exams are cancelled, we will make sure additional

information on how grades will be determined is accessible to the wide range of student groups in different formats. Centres and awarding organisations are required to comply with their obligations under the Equality Act 2010, however grades are awarded. Awarding organisations will also continue to be subject to Ofqual's regulatory requirement to comply with equalities law.

Finally, a small number of respondents suggested there may be disadvantages for those students undertaking qualifications other than GCSEs, AS and A levels, Project Qualifications and AEA, due to the lack of centrally set guidance for these. The new and revised Condition and guidance proposed in the consultation and now being adopted are clear, however, that awarding organisations are expected to decide whether or not guidance is required for qualifications they offer. If they determine it is, they are required to produce appropriate guidance and provide this to schools and colleges offering those qualifications.

Ofqual is also clear that awarding organisations should take into account the guidance for GCSEs, AS and A level, Project Qualifications and AEA, and can use it in part or full as appropriate. In addition, the revisions made to the guidance provided for awarding organisations sets out the principles that awarding organisations should take into account when developing any guidance, which align with those in guidance provided by Ofqual for GCSEs, AS and A levels, Project Qualifications and AEA.

## **Regulatory impact assessment**

### **Impact on schools and colleges, and students**

A key theme in the responses to the consultation was the impact on teacher and staff workload of creating, marking and moderating assessments. Some respondents suggested that preparing for both exams and TAGs would create additional pressure on teachers.

As outlined above, the proposed [guidance](#) set out how schools and colleges should collect evidence to inform awards using alternative evidence, such as TAGs, in the event that exams are cancelled. It was clear that teachers should not take any steps to determine TAGs unless exams are cancelled, and they are advised to do so.

The proposed guidance aimed to enable schools and colleges to put in place

arrangements that work best for them and their students. It strongly encouraged the use of the normal formative assessment arrangements (for example mock exams) that schools and colleges would, in any case, be carrying out whenever appropriate. The published guidance remains unchanged in these areas.

Many respondents, in particular school and college staff, also focused on the material costs of implementing arrangements, such as the costs of copying and storing evidence, the costs of external invigilation and cover costs for standardisation processes.

On this point, it should be noted that schools and colleges do not have to use external invigilation for GCSEs, AS and A levels, Project Qualifications and AEA. The guidance for these qualifications states that the conditions under which assessments take place should be broadly similar, but not necessarily identical to, those for summer exams, to minimise burden and the impact on resources. It also clarifies that assessments can take place in a classroom rather than an exam hall setting.

It is very unlikely that exams will not go ahead as planned in the future. This is reflected in the guidance being published for GCSEs, AS and A levels, which is designed to allow flexibility and minimise burden on schools, colleges, and students. As schools are advised to follow their existing assessment arrangements as far as possible, any additional costs incurred should be minimised. Ofqual and the Department for Education recognise, however, that there will still be some costs involved in gathering evidence that could be used should exams not be able to go ahead. However, the costs are considered to be proportionate to the aim of preparing for the eventuality that exams cannot go ahead for any reason. The DfE will continue to monitor schools' financial health and the cost pressures they face in relation to this guidance.

Some respondents also suggested that greater costs could be incurred to support students who need reasonable adjustments and other access arrangements, such as further increased staffing costs and the need for additional rooms. As outlined above, the proposed (and also the published) guidance set out that, as far as possible, schools and colleges should align the process for collecting evidence with their existing planned assessments. Schools and colleges should normally already provide reasonable adjustments for students as part of their existing approaches to formative assessment. We believe that any potential costs to support reasonable adjustments and other access arrangements would therefore be limited and proportionate.

A few respondents believed that delivery of the proposed arrangements would

impact on available teaching time. The proposed guidance strongly encouraged the use of the normal formative assessment arrangements that schools and colleges would, in any case, be carrying out whenever appropriate, to inform teaching and learning, and prepare students for assessments in the summer. The proposed guidance was clear that teachers should guard against over-assessment and explicitly states that one full set of mocks should be sufficient. It also suggested that schools and colleges should seek to put in place arrangements that best suit their teachers and students. The published guidance is unchanged in this regard.

Some respondents suggested that it would reduce associated burden and costs if schools and colleges were able to retain only a sample of mock assessment evidence. Schools and colleges would, however, need evidence of student performance available to determine a grade for an individual student should resilience arrangements need to be invoked. It would also not allow for individual appeals processes should circumstances arise which necessitate the awarding of grades through TAGs or any other mechanism. The guidance, therefore, remains unchanged in this regard.

## **Impact on awarding organisations**

Awarding organisations suggested that they would incur additional costs in relation to these proposals should exams go ahead. They noted that costs would increase should exams not go ahead as planned, with increased costs for systems development, quality assurance and appeals processes.

Where awarding organisations decide it is necessary and appropriate for schools and colleges to retain evidence of student attainment for qualifications other than GCSEs, AS and A levels, Project Qualifications and AEA, some respondents noted that this requirement would generate additional costs due to time taken for staff to consider whether such guidance was necessary, and subsequently develop and communicate this guidance where appropriate. There may also be some costs incurred in working with other awarding organisations to ensure a consistency of approach for similar qualifications as per [the guidance provided](#). We believe, however, that to ensure parity of experience between students undertaking these qualifications instead of or in addition to GCSEs, AS and A Level, Project Qualifications and AEA, it is necessary and proportionate for awarding organisations to do this. Furthermore, Ofqual estimates that the number of qualifications for which additional guidance would be required is limited, which will limit the additional costs incurred.

# Annex

## Conditions and guidance

### New Condition C2.6

C2.6 An awarding organisation must:

(a) in respect of any GCSE qualification, GCE qualification, advanced extension award qualification and project qualification which it makes available, take all reasonable steps promptly to ensure that:

(i) the attention of each Centre with which it has an agreement is drawn to the document published by Ofqual, and updated from time to time, entitled ‘Guidance on collecting evidence of student performance to ensure resilience in the qualifications system for GCSE, AS and A levels, Project Qualifications and AEA’, and

(ii) each such Centre is notified of any updates to that document, and

(b) in respect of any other qualification which it makes available:

(i) consider whether it is appropriate for a Centre to gather evidence during the academic year of the level of attainment of each Learner so as to support resilience in awarding that qualification should normal assessments for it be disrupted; and

(ii) where it does consider such evidence gathering to be appropriate, provide guidance to the Centre in relation to that evidence.

## Additional Guidance to Condition C2

### Resilience arrangements

In accordance with Condition C2.6, in respect of GCSE, GCE, advanced extension award and project qualifications that an awarding organisation makes available, an awarding organisation must draw the attention of its Centres to Ofqual’s guidance on gathering evidence of Learner performance for Learners entering GCSEs, AS and A levels, the advanced extension award and project qualifications.

In respect of other qualifications, an awarding organisation must consider whether it is appropriate for a Centre to gather evidence during the academic year of the level of attainment of each Learner so as to support resilience in awarding that qualification should normal assessments for it be disrupted. Where it does consider such evidence gathering to be appropriate, it must provide guidance to the Centre in relation to that evidence. This could include the nature of the evidence, when it is gathered etc. Evidence gathering by a Centre is likely to be appropriate where:

- other suitable evidence on which to base a grade is unlikely to be available because of the approach taken to assessment (for example, where the qualification does not normally include non-exam assessment, or it follows an academic year cycle (over 1 or 2 years) and there are limited assessment opportunities)
- a Learner needs to rely on the qualification for immediate progression; and
- the qualification does not attest to the achievement of occupational or professional competence, provide a licence to practise, or similar

Where an awarding organisation offers other qualifications that have a similar assessment structure and are used in similar ways to GCSE, GCE, advanced extension award and project qualifications, it should have regard to the approach that is being taken for such general qualifications to ensure that its Learners are not unduly advantaged or disadvantaged in comparison to Learners taking those general qualifications.

When producing guidance for its Centres, an awarding organisation may wish to replicate, in whole or part, the [guidance](#) for Centres offering general qualifications. When doing so, an awarding organisation will need to tailor that guidance in order to ensure that it is relevant to its own qualification, including considering if anything additional needs to be included in the guidance to reflect factors specific to its qualification.

Wherever possible, when producing guidance for its Centres, an awarding organisation should also seek to:

- minimise the level of burden for Centres, Teachers, and Learners
- enable Teachers to gather evidence in line with their existing assessment processes
- take into account the need for any evidence gathered by Centres to sufficiently demonstrate the level of attainment of each Learner, and
- align its guidance with that of other awarding organisations offering similar qualifications.

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