



Guidance

Assessment material resilience – advice note (accessible)

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Applies to England

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Introduction

About advice notes

Advice notes sit outside Ofqual’s statutory framework of Conditions and Guidance.

They are designed to support awarding organisations’ (AOs) understanding of both Ofqual’s Conditions and, where applicable, Ofqual’s operational processes.

While advice notes do not have the same status as Conditions or statutory guidance on them, AOs are likely to benefit from reading the advice notes, and considering the extent to which the content may assist them in recognising and responding to risks to their ability to comply with their Conditions of Recognition^{[\[footnote 1\]](#)}.

About this advice note

This advice note is designed to help AOs understand:

- how the Conditions of Recognition may be engaged where an event occurs that could compromise the fitness for purpose of assessment materials
- in such circumstances, how they might consider their obligations under General Condition A7, which may include the replacement of assessment materials

It is intended to help AOs when considering what may constitute 'all reasonable steps' for the purposes of the relevant Conditions.

Within this advice note, Ofqual will provide illustrative case studies to help AOs understand some factors they may want to consider when deciding their approach to replacing assessment materials. It will also offer advice on good practice for AOs to consider when deciding how they will comply with their Conditions of Recognition.

Ofqual will keep this advice note under review, and, if necessary, will consult on introducing statutory guidance to replace or supplement all or part of it.

Why might it be necessary to replace assessment materials?

In line with General Conditions E4.2(a), G1.1(a) and G9.3(a), all assessment materials must be fit for purpose. However, a variety of different events might occur that could either render assessment materials unfit for purpose or create a risk that they may be unfit for purpose.

As a result, an AO might be unable to use the assessment materials it had planned to use. Examples include (but are not limited to):

- where assessment materials need to be kept confidential to ensure that a qualification reflects an accurate measure of attainment (in line with General Condition G4), and that confidentiality has been, or there are reasonable grounds to believe that it may have been, breached
- where there are one or more serious errors in the assessment materials that mean:
 - the content of the assessment is inappropriate for the method of assessment chosen and/or inconsistent with the specification for the qualification (as required by General Conditions G1.1 and G9.3)
 - the assessment would not allow each specified level of attainment detailed in the specification to be reached by a Learner who has attained the required level of knowledge, skills and understanding (as required by General

Conditions E4.2(f) and G9.2(d))

- the assessment would not allow Assessors to be able to differentiate accurately and consistently between a range of attainments by Learners (as required by General Conditions E4.2(g) and G9.2(e))
- where assessment materials do not allow the qualification to, as far as possible, secure the requirements of Validity, Reliability, Comparability, Manageability and Minimising Bias (as required by General Condition D1.2)
- where a major or serious external event makes questions or tasks obsolete
- where an external event means assessment materials could trigger trauma for Learners or cause unnecessary offence to Learners (see General Condition G3)
- where assessment materials are unsuitable due to similarities with previous assessments, textbooks or practice assessments

Each of the above is likely to be an incident that could have an Adverse Effect for the purposes of General Condition A6. Such incidents are likely to occur with little notice prior to a planned assessment opportunity.

Where such an incident occurs and that incident could have an Adverse Effect, General Condition A7 will be engaged. This requires an AO to “promptly take all reasonable steps to prevent the Adverse Effect and, where any Adverse Effect occurs, mitigate it as far as possible and correct it”.

One possible response that might prevent and/or mitigate relevant Adverse Effects would be replacing the assessment materials that are, or could be, unfit for purpose. Whether this is the appropriate response, or a different response is required, will depend on several factors. These might include, as relevant:

- factors relating to the purpose of the qualification, including whether the qualification certifies competence or confers a licence to practice
- factors relating to the uses of the qualification, including whether the qualification is used for Learner progression, for example to higher education
- factors relating to the design and delivery of the qualification, such as:
 - the nature and number of assessments a Learner must take to be awarded the qualification
 - the frequency of assessment opportunities – for example, it is more likely to be appropriate to replace assessments if a qualification is delivered once or twice a year than if it is delivered more regularly or on-demand
 - the number of Learners taking the qualification
 - the awarding organisation’s ability to deliver replacement assessment materials to Centres effectively and efficiently
 - the validity of any award made based on other assessments within the qualification

- factors relating to public confidence, including how acceptable any alternative approach to replacing assessment materials would be to Users of qualifications

Identification and management of risks

As part of its business-as-usual risk identification activities required by General Condition A6.1, an AO should have identified the risks that could cause its assessment materials to be unfit for purpose, including, for example, where there are risks to the confidentiality of confidential assessment materials.

General Condition A6.2 will therefore be engaged. This requires the AO to:

take all reasonable steps to:

- (a) prevent the incident from occurring or, where it cannot be prevented, reduce the risk of that incident occurring as far as is possible, and
- (b) prevent any Adverse Effect that the incident could have were it to occur or, where it cannot be prevented, mitigate that Adverse Effect as far as possible.

The best way for an AO to manage the risk of an incident occurring is by having effective quality assurance of all assessment materials, and robust processes to ensure confidentiality of assessment materials where this is required by General Condition G4.

Examples of other steps an AO could take under General Conditions A6.2(a) and A6.2(b) include, where relevant:

- taking steps to ensure it can replace assessment materials which are – for whatever reason – unfit for purpose, including at short notice. This might include having fully quality-assured replacement assessment materials that are ready to deploy in advance of an assessment series
- having effective procedures in place to manage situations where it is not possible to replace assessment materials that are unfit for purpose

As with all risks, the steps an AO must take under Condition A6.2 to manage and mitigate risks that might require the replacement of assessment materials will be proportionate to the nature and scale of those risks.

AOs must think carefully about their choices in this regard to comply with Condition A6.2.

When thinking about ‘all reasonable steps’, an AO should think about those assessment materials it would be able to produce at short notice, and those where errors or delays are likely to have the greatest impact on Learners or public

confidence.

AOs may take the view that they are able to produce replacement assessment materials for some assessments relatively quickly should an issue arise, and that it is reasonable to rely on those internal processes to manage the risk that any assessment materials may be unfit for purpose.

However, for the highest risk qualifications – for example, high-stakes, sessional qualifications such as GCSEs, AS and A levels, Technical Qualifications within T levels, and other vocational and technical qualifications taken alongside them – AOs may be concerned about their ability to produce replacement assessment materials at short notice, and to undertake appropriate quality assurance of those assessment materials. For those types of assessments, AOs are likely to prioritise having contingency materials, as well as plans to produce and distribute them, in place.

Contingency planning

General Conditions A6.3 and A6.4 relate to AOs' contingency planning. General Condition A6.3 requires AOs to:

establish, maintain, and at all times comply with, an up to date written contingency plan

General Condition A6.4 sets further requirements in relation to the quality of that contingency plan. It specifies that:

A contingency plan must be of sufficient detail and quality to allow the awarding organisation to mitigate, as far as possible, the Adverse Effect of any incident which has been identified by the awarding organisation as having a risk of occurring.

As set out above, an AO should have identified risks that mean it might not be able to use assessment materials as planned. The nature and impact of these risks will depend on the qualifications the AO offers, including factors relating to the purpose, design and delivery of those qualifications.

An AO's contingency plan prepared in accordance with General Conditions A6.3 and A6.4 should therefore allow it to mitigate, as far as possible, the related Adverse Effects.

This means that AOs' contingency plans should, where it is appropriate to their qualification offer, include provision for replacing assessment materials that are unfit for purpose, including at short notice.

Management of incidents

If any of the risks the AO has identified above crystallise (that is, whenever an AO finds itself in a situation where assessment materials are, or could be, unfit for purpose) this will be an incident that could have an Adverse Effect.

In all such instances, General Condition A7.1 will be engaged. This requires an AO to:

promptly take all reasonable steps to –

- (a) prevent the Adverse Effect and, where any Adverse Effect occurs, mitigate it as far as possible and correct it, and
- (b) give priority to the provision of assessments which accurately differentiate between Learners on the basis of the level of attainment they have demonstrated and to the accurate and timely award of qualifications.

An AO will have several options if assessment materials for a planned assessment opportunity are, or could be, unfit for purpose. These could include:

- taking steps to correct the problem that means the assessment materials are (or could be) unfit for purpose – for example issuing an erratum notice where there are one or more errors in the assessment materials
- replacing all or part of the assessment materials
- proceeding with the assessment opportunity using all or part of the original assessment materials, notwithstanding that they are, or could be, suboptimal
- postponing or cancelling the planned assessment opportunity

There could also be situations where a combination of these options is appropriate – for example it may be necessary to postpone an assessment opportunity to have sufficient time to replace assessment materials that are unfit for purpose.

Which of these approaches is most appropriate will depend on the precise circumstances, the Adverse Effects that could arise under the various options, and the extent to which those Adverse Effects can be prevented or mitigated. Factors an AO may wish to consider when deciding the most appropriate approach include:

- the purposes of the qualification, including whether the qualification certifies competence or confers a licence to practice
- the uses of the qualification, including whether the qualification is used for Learner progression, for example to higher education

- the availability of alternative assessment opportunities, including both exam and non-exam assessment
- the time and capacity available to issue replacement assessment materials, including – where relevant – modified assessment materials
- any increased risk of other Adverse Effects that might result from replacing all or part of the assessment materials, which might include increased risk of:
 - errors in assessment materials
 - delivery errors
 - Learners taking the wrong version of the assessment
 - breaches of confidentiality
- other actions the AO could take to mitigate the Adverse Effects that would flow from using suboptimal assessment materials, or cancelling an assessment opportunity. Depending on the qualification's purpose, design and structure, and the reasons why the assessment materials are, or could be, unfit for purpose, these could include:
 - discounting specific questions or tasks
 - discounting the entire component, and awarding the qualification based on Learners' performance in other components
- results being based on the best possible evidence (this being examined evidence wherever available, followed by evidence from non-examined or other formal assessments)
- any potential impact on Learners who share a particular Characteristic^[footnote 2].

Case studies

The following case studies are for illustrative purposes only and are not intended to set a precedent for how AOs must respond to similar circumstances; nor do they set a precedent for any regulatory decisions by Ofqual.

Case study 1

Qualification A has the following characteristics:

- its primary purpose is to allow Learners to progress to the next stage of their education, and it is used by higher education institutions for admissions
- assessments are paper-based exams, with 3 components taken in a single annual assessment series
- assessments are kept confidential before they are taken

- estimated entry is around 20,000 Learners annually

An AO offering such a qualification should – as required by General Condition A6.1 – have identified a range of risks that could render its assessment materials unfit for purpose. These include risks relating to maintaining confidentiality of assessment materials and errors in assessment materials. In line with General Condition A6.2, the AO puts in place procedures designed to mitigate those risks.

Given the uses of the qualification (in particular the reliance placed on it by higher education institutions for admissions), and the frequency of assessment opportunities, an AO would want to have the option of replacing its assessment materials if they became unfit for purpose.

The AO therefore chooses to put in place procedures to allow it to replace assessment materials, including at short notice. The AO is not confident that it could draft replacement assessment materials and put these through its standard quality-assurance processes at short notice. The AO is also mindful of the difficulty of ensuring appropriate content coverage across all assessments where it is necessary to replace assessment materials.

The AO creates replacement assessment materials that are written and quality-assured in full, and completes this activity well ahead of the relevant assessment series. The AO also puts in place plans to allow it to distribute replacement assessment materials so that the AO can replace assessment materials at short notice with high confidence.

The AO takes a conscious decision to factor in content coverage when creating replacement assessment materials, so that it can introduce replacements seamlessly where needed. The AO therefore minimises the risks of errors or unbalanced content coverage in replacement assessment materials.

The AO would also want to consider how it might act in situations where it was (for whatever reason) unable to replace assessment materials that are unfit for purpose.

Case study 2: On-demand vocational qualification

Qualification B has the following characteristics:

- its primary purpose is to support progression into employment or further study
- assessments are commonly delivered through multiple-choice exams, written exams, portfolio-based tasks and assignments. These may be completed online or in person, depending on the qualification and delivery model.
- assessments are kept confidential before they are taken
- assessments are available on-demand throughout the year
- the estimated number of certificates issued annually is around 5,000 to 10,000

An AO offering such a qualification should have identified a range of risks that could render its assessment materials unfit for purpose, particularly in scenarios where breaches or substantive errors are discovered shortly before or during delivery. These risks may include compromised confidentiality, inaccuracies in assessment content, or issues with task design that undermine validity. The AO therefore puts in place procedures to mitigate these risks and enable a swift response, including the potential withdrawal and replacement of affected materials.

Given the on-demand nature of the qualification, multiple versions of assessment materials may be in circulation at any given time. This allows for the possibility of withdrawing an affected version and replacing it with another version already in use, helping to minimise disruption to learner progression.

However, this approach has its own risks, and an AO would need to consider carefully whether it is the appropriate response to a particular incident that has an Adverse Effect. If a version is withdrawn and replaced without sufficient planning, there may be too few Learners sitting the replaced and/or replacement versions to support robust awarding decisions. This could jeopardise the awarding process or delay the delivery of results. The AO would want to weigh the balance of risks carefully – particularly the potential impact on awarding timelines and result delivery – before deciding to proceed with a replacement.

Case study 3: Licence to practice vocational qualification

Qualification C has the following characteristics

- its primary purpose is to provide licence to practice in a specific profession
- assessments include both exams and practical demonstrations, delivered under controlled conditions
- assessments are kept confidential prior to delivery
- assessments are scheduled periodically
- The estimated number of certificates issued annually is around 5,000 to 10,000

An AO offering such a qualification should have identified a range of risks that could render its assessment materials unfit for purpose. These include risks relating to breaches of confidentiality and errors in assessment content. The AO therefore puts in place procedures designed to mitigate those risks.

If any of its assessment materials became unfit for purpose, the AO would want to have the option of replacing them. It therefore puts in place procedures to allow it to replace assessment materials, including at short notice.

The AO would also want to consider how it might act in situations where it was (for

whatever reason) not possible to replace assessment materials that are unfit for purpose. Unlike fixed-date general qualifications such as GCSEs or A levels, licence to practice qualifications are often delivered more frequently and regularly across centres. This can help reduce the impact of incidents such as a paper breach, as replacement materials may be deployed with less disruption to Learners.

1. Throughout this document, words and capitalised terms have the same meaning as defined in the General Conditions of Recognition, including any relevant Qualification Level Conditions and Subject Level Conditions. [↵](#)
2. Defined in General Condition J1.8 as “Age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation, as protected under Equalities Law.” [↵](#)

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