



# Analysis of the Consultation on Withdrawing the Regulatory Arrangements for the Qualifications and Credit Framework

Final report

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## Executive Summary

### Background

1. The Qualifications and Credit Framework (QCF) was launched in 2008 as a reforming framework for adult vocational qualifications. With its requirements for a uniform building-brick approach to learning, qualifications, and credit transfer, the intention was that it would improve the quality of vocational qualifications, support progression and enhance mobility.
2. To make the QCF possible a detailed set of rules, including how qualifications should be designed and structured, was required. The Regulatory Arrangements for the Qualifications and Credit Framework<sup>1</sup> were developed in August 2008.
3. However following concerns that the Regulatory Arrangements for the Qualifications and Credit Framework have not delivered on their intended outcomes, Ofqual commissioned a review of the QCF which was considered by the Ofqual Board in March 2014. The recommendations of this review formed the basis of this consultation on proposals to remove the QCF Regulatory Arrangements.
4. Ofqual launched a consultation on 24<sup>th</sup> July 2014, which provided a detailed outline of its proposals, and invited respondents to comment and answer a range of questions over a 12-week period. Respondents were able to provide feedback via an online survey, by email or by post. The consultation closed on 16<sup>th</sup> October 2014.
5. Following a tendering process, Pye Tait Consulting was contracted by Ofqual to undertake the analysis of the responses to this consultation. Responses were logged by Ofqual and handed over to Pye Tait Consulting for independent analysis and anonymous reporting in line with the Data Protection Act 1988 and Market Research Society (MRS) Code of Conduct.
6. Further to discussions with Ofqual, analysis has been undertaken by three main respondent groups as follows:
  - Awarding organisations (AOs) with the largest share of the QCF market. Approximately 150 awarding organisations are recognised to offer QCF

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<sup>1</sup> [www.ofqual.gov.uk/documents/regulatory-arrangements-for-the-qualifications-and-credit-framework](http://www.ofqual.gov.uk/documents/regulatory-arrangements-for-the-qualifications-and-credit-framework)

qualifications, of which seven<sup>2</sup> hold around 60% of the total market (in terms of certifications);

- All other awarding organisations; and
- All other organisations or individuals.

This report presents a summary of the feedback received to this consultation.

## **Overview of responses**

7. In total, 138 responses to the consultation were received. Of these, six responses were excluded as they were duplicates. In relation to the profile of respondents:
  - The majority of respondents (90.6%) are based in England;
  - The largest proportion of responses was submitted by awarding organisations, comprising nearly three-quarters (74.5%) of all respondents;
  - The majority of respondents (93.1%) submitted an official, rather than a personal view.

## **Removal of the Regulatory Arrangements**

8. Ofqual proposes to withdraw the Regulatory Arrangements for the QCF, and require awarding organisations to comply only with the General Conditions of Recognition, which will be supplemented in some cases by new General Conditions or guidance.
9. Just over half of all respondents (54.6%) agreed with this proposal, but 42% of respondents disagreed. Slightly stronger agreement was expressed by the awarding organisations holding the largest QCF market share (80% agreeing) compared with 50% of other awarding organisations, and 60% of all other respondents. Those that agreed within the group of awarding organisations holding the largest QCF market share stated that the General Conditions of Recognition are sufficient to meet regulatory needs.
10. Respondents that broadly agreed with the proposal did, however, express some reservations in relation to the suggested timescale, and many indicated that Ofqual should extend this in order to ensure a smooth transition.

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<sup>2</sup> Responses to the consultation were submitted by six of these seven AOs

11. Respondents that disagreed stated concerns about the gap that would be left by the withdrawal, and questioned what would replace this, as well as pointing out the risk of potential confusion in the marketplace. As an alternative, they propose that the QCF arrangements be retained, but be amended and accompanied by additional guidance.

## Recognition Arrangements

12. Many awarding organisations are recognised to award qualifications that comply with the QCF Regulatory Arrangements. If these arrangements are withdrawn such recognition will become meaningless. Ofqual therefore proposes that those AOs that are recognised to offer QCF-type qualifications will continue to be recognised for the qualifications which they are currently offering but that this recognition will now be described according to sector (for example, healthcare or construction) and by level. In general, respondents do not support this proposal, and none of the awarding organisations that hold the largest QCF market share expressed support. In particular there are reservations about basing recognition on levels and sectors. Three awarding organisations specifically questioned whether additional regulation or guidance is necessary above and beyond the General Conditions of Recognition, stating that awarding organisations wishing to expand into another sector should not have to re-apply<sup>3</sup>.
13. Around 10% of respondents are concerned about the prospect of re-applying for recognition – although it should be noted that Ofqual’s proposal states they are seeking to avoid this (Paragraph 2.1.2, consultation document).
14. Across all three respondent groups many questions were raised by respondents, stating that the consultation document did not contain enough information to enable an informed judgement.

## Levels and level descriptors

15. Ofqual proposes that all the qualifications it regulates should be aligned to one new qualifications framework and that the framework should have eight levels and three entry levels, as does the QCF. It proposed that an awarding organisation should allocate the right level to each qualification to indicate its relative demand. Furthermore, Ofqual suggests that awarding organisations

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<sup>3</sup> It should be noted that Ofqual's proposal states that planned changes would avoid a situation in which awarding organisations currently recognised to award qualifications under the *Regulatory Arrangements for the Qualifications and Credit Framework* would have to make a full application for new recognition. The responses therefore suggest that respondents may have misinterpreted the proposal; do not consider this a realistic prospect; or have queries in relation to the terminology and specifics e.g. 'full' application may have been interpreted to mean that awarding organisations will need to make some form of 'partial' application

who have attached correctly a current QCF level descriptor to a qualification, should not be required to change it.

16. There is significant support for this proposal, with 98.3% of all respondents strongly agreeing or agreeing with the latter statement. However, respondents also pointed out a need for consistency and clarity in relation to the use of levels, and how these are defined. In particular respondents consider that levels in isolation are not sufficient to define qualifications nor a qualifications framework, and felt that reference to qualification size also needed to be included.

### **Closure of the Unit Bank**

17. Ofqual proposes to close the unit bank and invited respondents to comment on the likely implications, the impact and any unintended consequences that this move might have.
18. Approximately half of all respondents were supportive in principle of this proposal whilst the other half had concerns or questions about the consequences of this. Awarding organisations with the biggest QCF market share are predominantly in agreement, with more issues flagged by other awarding organisations.
19. However respondents that disagree or have reservations, raise the following points for consideration:
  - What will happen to the units once the bank is closed;
  - there could be a proliferation of qualifications which ultimately will cause confusion in the marketplace for learners and employers;
  - awarding organisations unable to tap into shared units will face resource implications in order to write replacements;
  - there could be inconsistency in quality across qualifications; and
  - the proposed (perceived) timescale for closure is a major cause for concern.
20. It should be noted that the timescale in particular prompted extensive commentary from respondents. The consultation document stated that Ofqual proposes<sup>4</sup>:

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<sup>4</sup> Paragraph 2.7.8

- “to give notice of closure of the unit bank to all awarding organisations, Unit Submitters and Rule of Combination Submitters;
- at the end of the at the end of the notice period it will not be possible for awarding organisations or other organisations to place units into the unit bank or for awarding organisations to take units from the unit bank”

and further stated that Ofqual would seek to<sup>5</sup>:

- “facilitate an orderly wind-down of unit sharing and a smooth transition to a situation in which collaboration is a decision of awarding organisations and their partners rather than a perceived regulatory requirement”

The proposal went on to make reference to a date of 2<sup>nd</sup> January 2015, stating the following<sup>6</sup>:

- “In order to mitigate the risks identified (above)<sup>7</sup>, we propose that with effect from 2nd January 2015, we will assume that unless awarding organisations or Unit Submitters tell us otherwise, a copy of every unit currently in shared use will be treated as having been given in perpetuity by the developing organisation to each awarding organisation which has developed a version of that unit. From that date on, the unit will be treated as if it is the using awarding organisation’s own. The awarding organisation will assume full responsibility for that unit within its qualification”

21. It appears from the analysis that a number of respondents have interpreted this to mean a closure of the unit bank as of 2<sup>nd</sup> January 2015 – however Ofqual’s consultation does not specifically state this. It is possible that responses have been influenced by negativity surrounding this proposed date – a fifth of all respondents made reference to concerns about the timescale.

### **Awarding Organisation Autonomy: Units**

22. Following the withdrawal of the Regulatory Arrangements for the QCF Ofqual proposes not to impose design requirements about how QCF-type qualifications are structured nor on whether they are made up of units or in some other way.

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<sup>5</sup> Paragraph 2.8.1

<sup>6</sup> Paragraph 2.8.1

<sup>7</sup> Including a need to minimise unnecessary proliferation of qualifications, reduce any significant administrative burden on awarding organisations, colleges and others, and avoid a damaging impact for learners



23. Respondents largely agree with this, although a number of issues and questions were raised for consideration. Those in agreement welcome the opportunity this would create to develop more innovative and flexible qualifications. Around a fifth of respondents stated that they are likely to retain a unitised approach.
24. However there are concerns in relation to:
- how validity of qualifications will be evaluated and determined;
  - how consistency across awarding organisations will be maintained;
  - the impact on comparability of standards across qualifications at some levels, sectors and across UK/EU borders; and
  - any changes required to Ofqual’s online system (RITS) for awarding organisations to manage their regulated qualifications listings.
25. Ofqual also proposes not to put in place rules to support or facilitate the future sharing of units and to instead focus on whether qualifications containing collaborative elements meet the requirements of the General Conditions of Recognition. This will promote the clear accountability of each awarding organisation for the qualifications it awards. Ofqual also invited respondents’ views on the suggested approach in relation to unit sharing, including use, ownership and accountability and asked respondents for any options that may not have been considered.
26. Just over half (50.4%) of all respondents agree with the proposed approach to sharing units, and 39.5% of respondents disagree. A number of issues were also raised, predominantly relating to:
- the risk of a proliferation of qualifications;
  - the need for Ofqual to facilitate support, guidance and/or infrastructure to underpin changes to unit sharing; and
  - a need to reconsider the timescale for the proposed changes, which would mean keeping the unit bank open in the meantime.

### **Awarding Organisation Autonomy: Credit Transfer**

27. To address the withdrawal of the Regulatory Arrangements for the QCF on credit accumulation, Ofqual proposes it should continue to be possible for qualifications to be credit-bearing, provided the qualifications are otherwise valid and reliable. Ofqual further proposes that it should only be possible to

attribute credit down to the smallest part of the qualification that can be discretely assessed.

28. Nearly half of all respondents (48%) agree with Ofqual's proposal about credit, because they welcome the choice it offers and because it enables the continuation of design of credit-bearing qualifications. The remainder of respondents either disagreed (40%) or stated they did not know (12%).
29. The majority of all respondents (81.1%) agree with Ofqual's proposal that awarding organisations should be permitted but not compelled to recognise credits awarded by others.
30. Nearly all respondents (98.3%) agree that awarding organisations should publish a clear policy relating to the allowance of credit transfer and the recognition of prior learning.
31. However there are mixed views in response to the suggestion that Ofqual should facilitate the availability of such policies, with 57.5% of respondents agreeing and 30.9% disagreeing. Furthermore it should also be noted that some respondents were uncertain as to what 'facilitate' meant in this context, and wanted clarity around Ofqual's role.
32. Where concerns and questions were raised, these relate to:
  - a potential need to change the funding model, as funding is only available for credit-bearing qualifications;
  - a need for a consistent approach to the calculation of credit and application of credit to qualification requirements;
  - possible difficulties in ensuring comparability and consistency of qualifications; and
  - lack of clarity as to whether qualifications will be transferable across UK/EU borders.

### **Awarding Organisation Autonomy: Assessment**

33. Over two-thirds of respondents supported Ofqual's proposal that assessment arrangements for QCF-type qualifications will in the future only be governed through the General Conditions of Recognition.
34. All of the awarding organisations with the largest QCF market share fully supported this, as they believe it will provide an opportunity to design assessments with greater flexibility which are reliable, robust and fit for purpose.

35. Some respondents wanted more reassurance that the additions to the General Conditions of Recognition will enable Ofqual to ensure qualifications are valid, reliable and fit for purpose.
36. Respondents also noted there may be a need for additional regulation or guidance or there could be a risk of a lack of consistency.

### **Titling**

37. Ofqual proposes that the General Conditions of Recognition will provide sufficient guidance on an awarding organisation's ability to make use of 'award', 'certificate', and 'diploma' in the title. Following the withdrawal of the Regulatory Arrangements, Ofqual will no longer allow the use of the term 'QCF' in the title and set out in the consultation document proposals dealing with the removal of the term, as well as the time limits for making those changes.
38. Just over a third (39.5%) of all respondents agree that the General Conditions of Recognition provide sufficient guidance on the use of the words 'award', 'certificate' and 'diploma', however 50.4% of respondents disagree, including nearly a fifth (18.5%) who strongly disagree.
39. It should be noted that respondents that disagree may have assumed that size descriptors would be removed completely as would the term 'QCF' in titles.
40. In relation to the removal of the term 'QCF' in the titles of qualifications, 49.6% agree with the proposed approach and time frame, a significant proportion (42.1%) disagree, including nearly a fifth again (19.8%) who strongly disagree.
41. The main concerns in relation to proposed changes to titling in relation to use of different terms such as 'award' are:
  - inconsistencies in the way in which qualifications will be titled;
  - difficulties in comparing qualifications as a result; and
  - the resources that would be required of awarding organisations in order to make the changes.
42. Concerns in relation to removing 'QCF' from titles were around the risk of confusion among users, given that QCF is perceived as a brand and common currency, and therefore removal of the term may impact on the perceived value of qualifications, including for learners that have already achieved QCF qualifications.

### **Equality Impact**

43. To understand any impact on persons with protected characteristics of the proposal, respondents were invited to identify any further potential impacts not identified in the consultation document, steps that could be taken to mitigate any negative impact on these persons, and provide any further comments.
44. Only a small number of respondents identified any potential impacts. The main concerns relate to difficulties for learners with protected characteristics to understand exactly what the qualification offers and how qualifications relate to one another. In particular, the unitised approach is deemed helpful for learners with protected characteristics, with some respondents suggesting this be retained, or replaced with a similarly flexible alternative model.

### **Regulatory Impact**

45. The final question in the consultation asked respondents whether there were any regulatory impacts not yet identified by Ofqual and to provide further details where relevant. Whilst just over half (53.6%) of all respondents indicated that there were further regulatory impacts to take into consideration, comments predominantly identified or reiterated further concerns and questions rather than specific regulatory impacts. Respondents who identified further impacts were predominantly from awarding organisations.
46. These spanned the following:
  - a need for a joined up approach with other Government departments also making similar changes in policy;
  - a need for additional detail and clarity over and above what is provided in the consultation document;
  - a need to clarify the status and role of the National Qualifications Framework (NQF);
  - the perceived timescale is a major cause for concern and should be re-considered; and
  - there needs to be clear and regular communication between Ofqual and awarding organisations and the sector in relation to the changes.

# 1. Introduction

## Background and context

- 1.1 The Qualifications and Credit Framework (QCF) was launched in 2008 as a reforming framework for adult vocational qualifications. With its requirements for a uniform building-brick approach to learning, qualifications, and credit transfer, the intention was that it would improve the quality of vocational qualifications, support progression and enhance mobility.
- 1.2 To make the QCF possible a detailed set of rules, including how qualifications should be designed and structured, was required. The Regulatory Arrangements for the Qualifications and Credit Framework<sup>8</sup> of August 2008 were jointly developed by Ofqual's predecessor body (known as Interim Ofqual), the Welsh Government and the Council for the Curriculum, Examinations and Assessment (CCEA) in Northern Ireland.
- 1.3 For some time Ofqual have been concerned that the Regulatory Arrangements for the QCF have not delivered on their intended outcomes and that they sometimes stand in the way of the development of consistently good, valid and reliable qualifications. Ofqual have also considered the reports<sup>9</sup> recently commissioned by Government into vocational education, apprenticeships and adult vocational qualifications and noted their comments about the QCF.
- 1.4 At the end of 2013, Ofqual commissioned a review of the QCF which was considered by the Ofqual Board in March 2014. The recommendations of this review formed the basis of this consultation on proposals to remove the QCF Regulatory Arrangements.
- 1.5 Ofqual launched a consultation on 24<sup>th</sup> July 2014, which provided a detailed outline of its proposals, and invited respondents to comment and answer a range of questions over a 12-week period. Respondents were able to provide feedback via an online survey, by email or by post. The consultation closed on 16<sup>th</sup> October 2014.

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<sup>8</sup> [www.ofqual.gov.uk/documents/regulatory-arrangements-for-the-qualifications-and-credit-framework](http://www.ofqual.gov.uk/documents/regulatory-arrangements-for-the-qualifications-and-credit-framework)

<sup>9</sup> Getting the job done: The Government's Reform Plan for Vocational Qualifications available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/286750/bis-14-577es-vocational-qualification-reform-plan-summary.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/286750/bis-14-577es-vocational-qualification-reform-plan-summary.pdf)

Review of Adult Vocational Qualifications in England available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/303906/review-of-adult-vocational-qualifications-in-england-final.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/303906/review-of-adult-vocational-qualifications-in-england-final.pdf)

## Overview of the consultation, analysis and reporting

- 1.7 The primary objective of this consultation is to have a robust evidence base to inform Ofqual's decisions regarding the withdrawal of the QCF Regulatory Arrangements.
- 1.8 Ofqual's consultation document, *A Consultation on Withdrawing the Regulatory Arrangements for the Qualifications and Credit Framework (July 2014)*, explained the proposed changes and asked a number of questions relating to these proposals. Ofqual invited responses to be submitted online, via email or by letter.
- 1.9 Responses were logged by Ofqual and handed over to Pye Tait Consulting for independent analysis and anonymous reporting in line with the Data Protection Act 1988 and Market Research Society (MRS) Code of Conduct.
- 1.10 Responses were received in a combination of ways, including:
- Completion of an online version of the consultation questionnaire;
  - Submission of an electronic copy (Word/PDF) or printed copy of the consultation questionnaire;
  - Email (with or without the enclosure of an electronic copy of the consultation questionnaire in MS Word/PDF format); and
  - Letter (with or without the enclosure of a completed hard copy of the consultation questionnaire).

The scale and format of consultation responses is presented in Chapter 2.

## Approach to analysis and reporting

- 1.11 This report presents the findings from the formal consultation questionnaire and summarises views and opinions raised via emails and letters. A combination of tables and textual analysis is used to collate and set out the findings. Where report chapters do not include data tables, this is because analysis of responses to open-ended questions, rather than quantitative questions informed those particular chapters.
- 1.12 Further to discussions with Ofqual, analysis has been undertaken by three main respondent groups as follows:
- Awarding organisations (AOs) with the largest share of the QCF market. Approximately 150 awarding organisations are recognised to offer QCF

qualifications, of which seven<sup>10</sup> hold around 60% of the total market (in terms of certifications);

- All other awarding organisations (AOs); and
- All other organisations or individuals.

1.13 For ease of reference, consultation question numbers are included within the tables and the base number of respondents for each question is shown below each table.

1.14 Data are presented in tabular format followed by a bar chart, for ease of reference.

1.15 Breakdowns of the results by type of respondent are presented in Appendix 2 (profile of respondent categories) and Appendix 4 (list of organisations represented). Additional information about respondents is included at Appendix 3 (how respondents heard of the consultation and their willingness to be re-contacted by Ofqual to obtain further information).

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<sup>10</sup> Responses to the consultation were submitted by six of these seven AOs

## 2. Overview of Consultation Responses

### Summary of responses

- 2.1 Altogether there were 138 responses to this consultation. Table 1 presents an overview of the scale and format of those responses. The majority of respondents provided their views via the questions within the consultation document, either filled in online or sent to Ofqual via email.
- 2.2 There were 24 respondents that submitted a free-format response (such as a letter or report), of whom 14 accompanied with this, a completed consultation questionnaire. The remaining 10 did not complete the questionnaire. Their views have, however, been analysed in relation to the themes of the open response style questions from the consultation questionnaire.

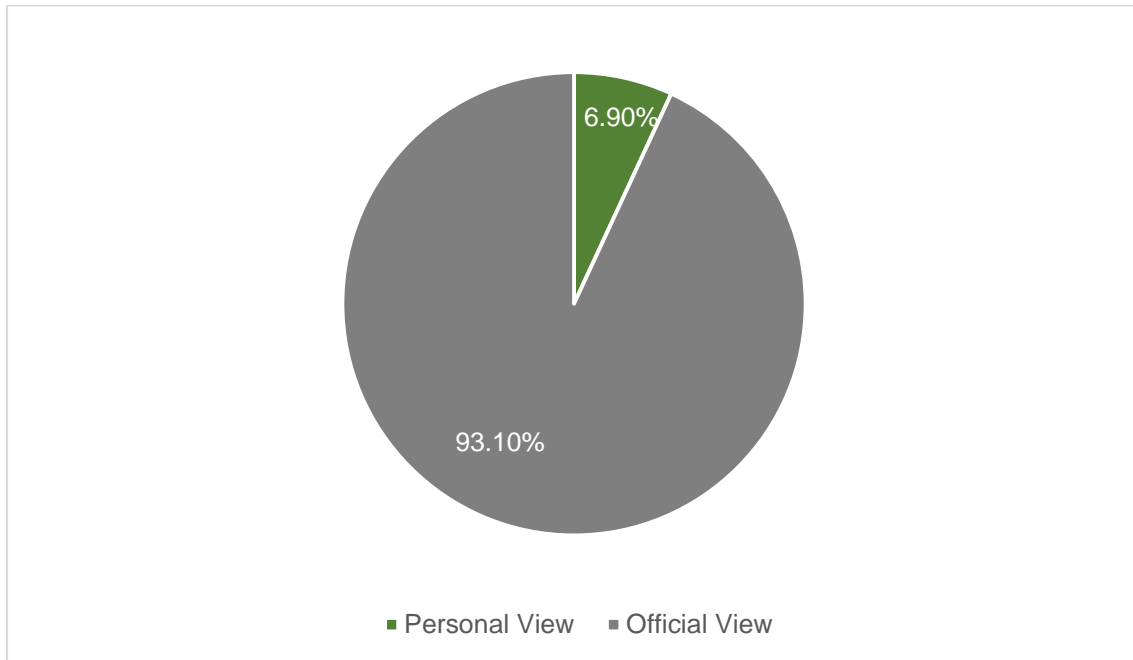
**Table 1: Scale and format of responses (including manual adjustments)**

	<b>Emails received</b>	<b>Hard copies received</b>	<b>Online questionnaire responses</b>
<b>Total responses originally received by format</b>			
Valid only as a completed consultation questionnaire (attached or enclosed)	62	1	51
Valid as a free-format response AND as a completed consultation questionnaire (attached or enclosed)	14	0	n/a
Valid only as a free-format response (a completed consultation questionnaire was not enclosed)	9	1	n/a
<b>Manual adjustments:</b>			
Excluded responses – duplicate responses received			6
<b>Total responses analysed by format</b>	<b>85</b>	<b>2</b>	<b>45</b>

- 2.3 Figures 1 to 5 present profiling information from the 120 respondents who answered the questions in the consultation document. The vast majority of respondents provided official views from organisations or groups, and most of those were awarding organisations and, to a smaller degree, other representative or interest groups. Almost all respondents (90.6%) came from England, with the others coming from the other UK nations, and no submissions were received from outside of the UK.

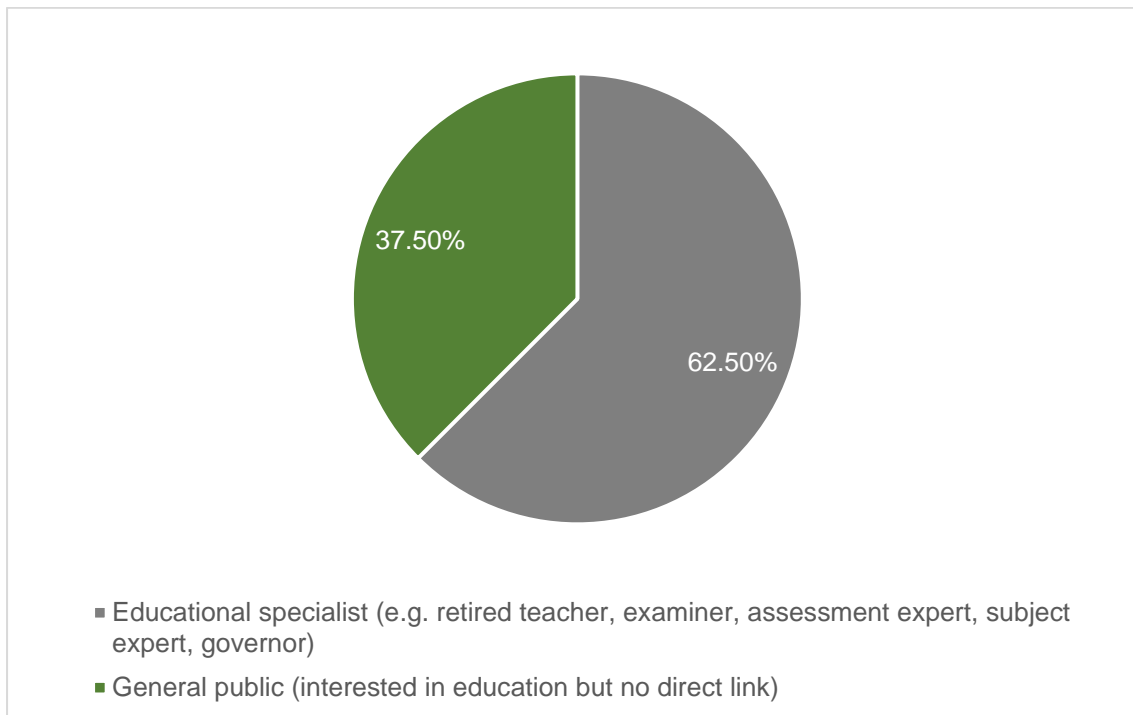


**Figure 1: Personal or official response**



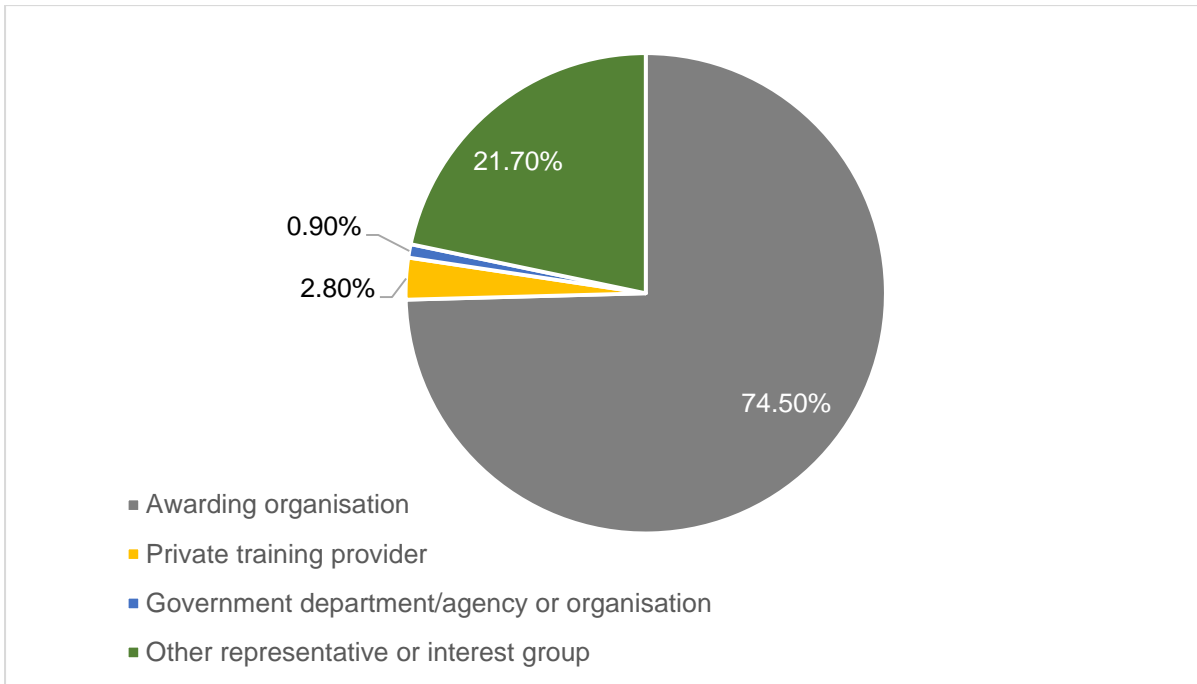
*Base 101 respondents*

**Figure 2: Type of personal respondent**



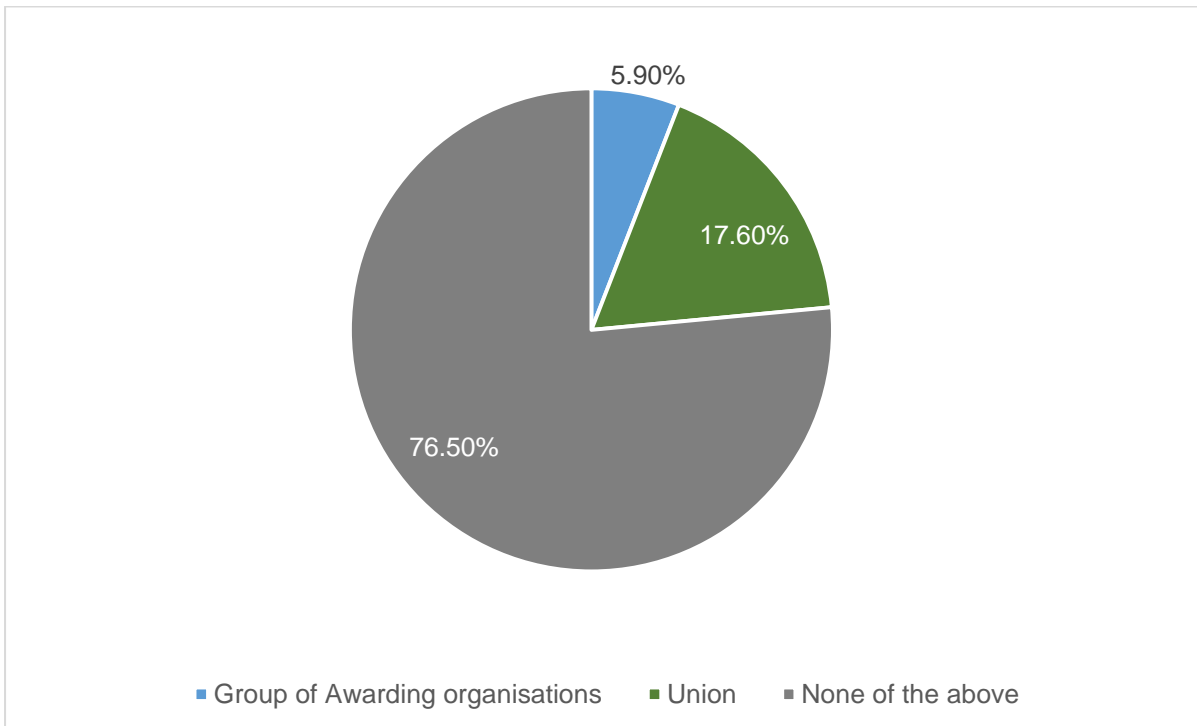
*Base 8 respondents*

**Figure 3: Type of official respondent**



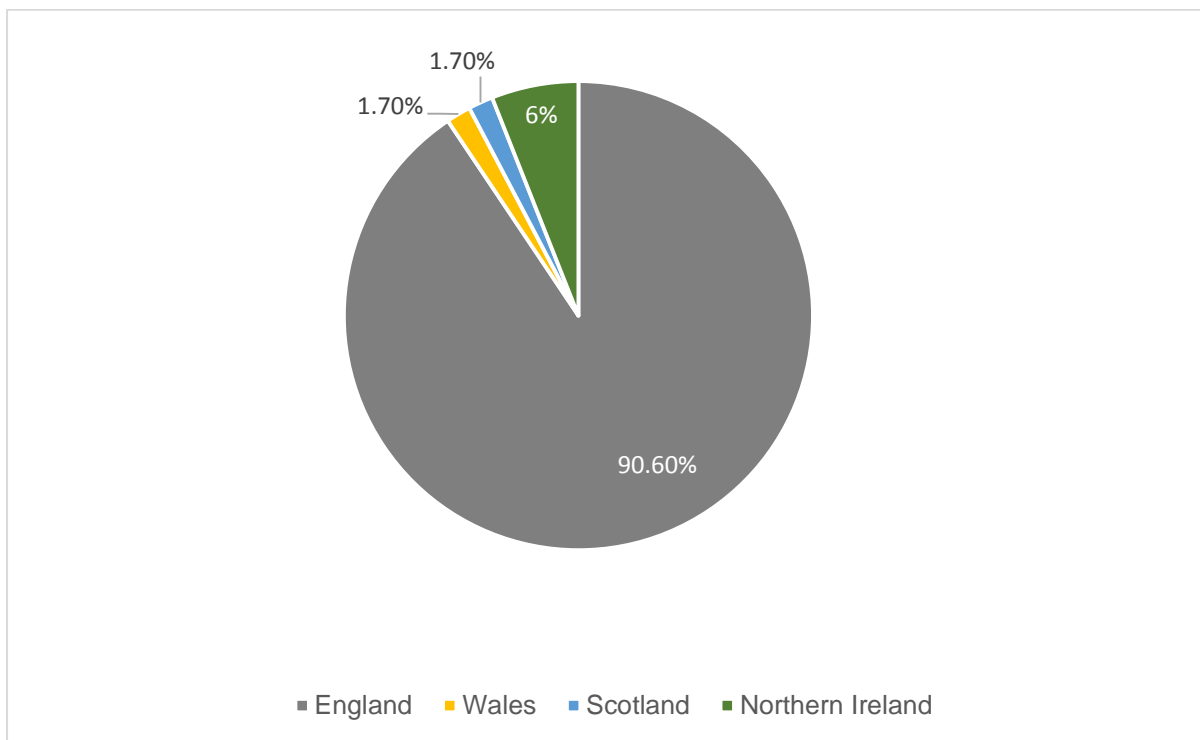
Base 106 respondents

**Figure 4: Type of official respondent – other representative or interest groups**



Base 17 respondents

Figure 5: Nation



Base 117 respondents

### 3. Removal of the Regulatory Arrangements

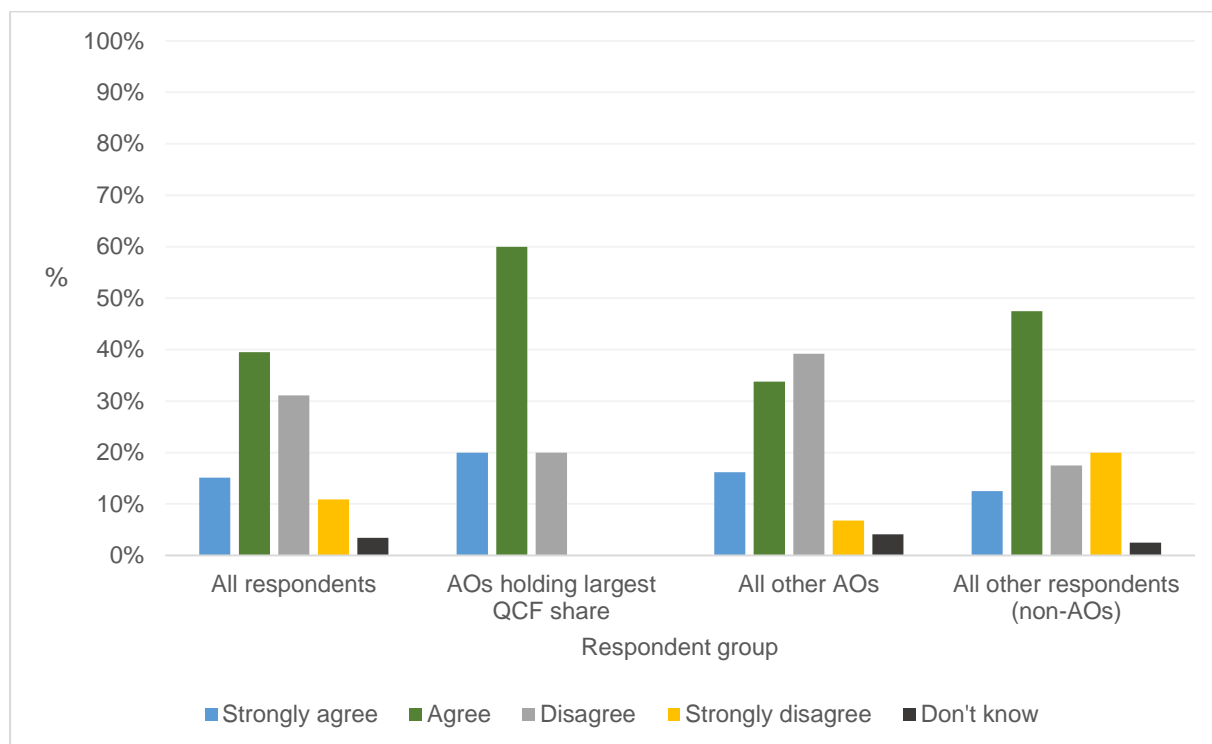
#### Views on the withdrawal of the Regulatory Arrangements for the QCF

- 3.1 Respondents were invited to express their views on Ofqual’s general proposal to withdraw the Regulatory Arrangements for the QCF via a rating-style question to capture the extent of agreement or disagreement. An open question also asked respondents to suggest other options that Ofqual may not have considered.
- 3.2 Table 2 and Figure 6 present the results of the first question for all respondents, split by the views of the three main groups. The respondents had mixed views on the proposal, with 54.6% agreeing to the removal of the Regulatory Arrangements, while 42% disagreed.
- 3.3 Awarding organisations with the largest QCF market share indicate stronger agreement with the proposal than the other two groups, with 80% in agreement compared with 20% that disagree.

**Table 2: Extent of agreement with the proposal to withdraw the Regulatory Arrangements for the QCF**

	All respondents	AOs holding largest QCF share	All other AOs	All other respondents (non-AOs)
Q1 We propose to change the way we regulate some vocational qualifications by withdrawing the Regulatory Arrangements for the Qualifications and Credit Framework. From now on, we will only use the existing General Conditions of Recognition - supplemented in some instances by new General Conditions or guidance - to regulate qualifications that have been or would have been designed to meet the Regulatory Arrangements for the Qualifications and Credit Framework. To what extent do you agree or disagree with the proposed change?				
Base	119	5	74	40
Strongly agree	18 15.1%	1 20.0%	12 16.2%	5 12.5%
Agree	47 39.5%	3 60.0%	25 33.8%	19 47.5%
Disagree	37 31.1%	1 20.0%	29 39.2%	7 17.5%
Strongly disagree	13 10.9%	-	5 6.8%	8 20.0%
Don't know/no opinion	4 3.4%	-	3 4.1%	1 2.5%

**Figure 6: Extent of agreement with the proposal to withdraw the Regulatory Arrangements for the QCF**



Base 119 respondents

### Awarding organisations holding the largest QCF market share

3.4 Four of the six awarding organisations in this group agree with the proposal, while the other two disagree<sup>11</sup>. Three note that changes to the General Conditions of Recognition are not necessary or desirable: one states that the General Conditions as they now stand, are sufficient to ensure valid qualifications. The remaining two state that the General Conditions are already quite extensive and that adding new conditions would make them unwieldy. As an alternative they suggest amending the current Conditions and providing additional guidance.

3.5 Four awarding organisations, including three of those that agree with the proposal in principle, pointed out that the changes need to be handled with care to avoid confusion within the marketplace. Two of those organisations in agreement with the proposal also suggest lengthening the timescale over which the proposed changes are introduced to avoid any negative impact.

<sup>11</sup> The sixth AO provided a qualitative response to this question which raised concerns

*“There are approximately 55 Conditions already, a number of which are supplemented by guidance. Rather than simply adding more and more Conditions we would strongly recommend that existing ones be reviewed and, where possible, added to rather than further ones being introduced. We wish to work closely with Ofqual on determining how the Regulatory Arrangements for the QCF will be withdrawn and associated timelines. There needs to be an orderly transition and a clear communication strategy.”*

*Awarding organisation (official response)*

- 3.6 The two awarding organisations that disagree stated that there were parts of the Regulatory Arrangements that had not fulfilled their expected function, but suggested that it would be better to amend the existing arrangements and remove those elements that had not been effective. One of the organisations in disagreement with the proposal was particularly worried about the gap that will be left if the framework is dismantled and voiced concerns about the lack of information from Ofqual about what will fill that gap.

*“Whilst it is not perfect, our general feeling is that the QCF currently provides an effective framework by which qualifications can be described, referenced and cross-referenced to other frameworks as well as providing a common vocabulary. It is becoming more and more understood and acts as a brand of identity for learners, employers and other stakeholders who recognise and, in general, understand it.”*

*Awarding organisation (official response)*

### **All other awarding organisations**

- 3.7 Those awarding organisations in agreement with the proposal had understandably fewer suggestions for alternative options and only a small number provided reasons justifying why they agreed with the proposed changes, for example the Regulatory Arrangements had restricted innovation and flexibility in qualification design resulting in qualifications that were not fit for purpose. Some respondents that agree with the proposal also pointed out concerns about the timescale. Similarly these respondents also requested further detail on how the General Conditions would be changed and more clarity on what will replace the QCF.

- 3.8 The majority of those respondents who do not agree with withdrawing the Regulatory Arrangements suggest amending them and keeping those parts that work relatively well, noting that the removal of the Regulatory Arrangements was ‘a step too far’ and akin to ‘throwing the baby out with the bathwater’. Concerns largely relate to the gap that would be left and the uncertainty of whether and what kind of framework would replace it.
- 3.9 A large number of respondents also stated that a lot of effort, time and resources had been invested following the introduction of the QCF and that its brand was finally becoming embedded with users and stakeholders. These respondents considered that a withdrawal at this stage would undermine the confidence of users in vocational qualifications in general and the value they place on them. They also suggested that such a step would cause widespread confusion amongst employers and may result in them becoming disengaged.
- 3.10 Some respondents noted that the General Conditions of Recognition are open to interpretation and therefore expressed concerns about the comparability and consistency of standards of qualifications. Respondents were uncertain how the regulation of the nations (England, Wales and Northern Ireland) will fit together.
- 3.11 Respondents in this group also voiced similar concerns raised by some of the awarding organisations holding the largest QCF market share, in relation to the suggested timescale for the changes. It should be noted that this issue has been raised repeatedly throughout responses to the consultation, and will be discussed in more detail in subsequent chapters.
- 3.12 Akin to issues raised about timing were reservations about the resource implications for awarding organisations required to embed these changes. These reservations are discussed for example in the section on the closure of the unit bank (Chapter 5) and in the section on the changes to titling (Chapter 9).

*“We fully understand the rationale underpinning the proposals to withdraw the QCF arrangements. We feel that the review of the QCF offered an opportunity to improve the QCF through the introduction of flexibility in some areas of the arrangements. A Root Cause Analysis of why the QCF has not worked, leading to a proposal for changes to specific aspects of the framework may lead to the better, more certain and faster outcomes Ofqual seek for the benefit of all and would be the direction we would prefer rather than a complete withdrawal of the framework.”*

*Awarding organisation (official response)*

## All other respondents

3.13 The main alternative proposed by all other respondents was similar to that suggested by the awarding organisations: the retention and amending of the Regulatory Arrangements and framework. Their main concern is the consistency of standards and the comparability of qualifications between awarding bodies and transferability across borders. This group also raised other questions and issues voiced by the awarding organisations, including:

- The potential confusion of the marketplace and amongst users of qualifications;
- Requests for more clarity on what will replace the QCF;
- Potential large-scale impacts on awarding organisations such as resource and time implications;
- Concerns about the timescale for change; and
- Concerns about end users' confidence in the vocational qualifications system.

*“Although we agree with the proposal to withdraw the regulatory requirements for the QCF we have significant concerns about the way in which the changes will be implemented. Poor planning, ineffective co-ordination, uncertainty, overly demanding timescales can all contribute to leaving users, especially employers, confused, perplexed and disenfranchised. A possible consequence is that some of the many positive achievements (from the introduction of the QCF) could be undermined. It is vitally important to ensure that any changes to regulatory criteria should be discussed fully with partners across the four countries. The approach in Scotland was to establish a separate credit-rating body and it is felt that consideration could be given to such a development in England.”*

*Other representative or interest group (official response)*



## 4. Recognition Arrangements

### Changes to existing recognition arrangements

4.1 Ofqual proposes that those AOs that are recognised to offer QCF-type qualifications will continue to be recognised for the qualifications which they are currently offering but that this recognition will now be described according to sector (for example, healthcare or construction) and by level. In general, respondents were predominantly critical of the proposal or considered that the proposal did not contain enough information to make a judgement on it. Many questions were raised about the details of how this would work in practice. This sentiment was similar across all three respondent groups.

### Awarding organisations holding the largest QCF market share

4.2 All awarding organisations in this group were critical of this proposal. Three specifically questioned whether additional regulation or guidance is necessary above and beyond the General Conditions of Recognition, stating that awarding organisations wishing to expand into another sector should not have to re-apply<sup>12</sup>. Two did not agree with recognition by level and or sector and queried exactly what sector definition Ofqual plans to use and whether levels could be banded instead.

4.3 Two awarding organisations asked to what type of qualifications these new arrangements would apply, and asked Ofqual to clarify what was meant by 'some vocational qualifications'.

4.4 A further issue was raised around regulated and unregulated qualifications; notably if awarding organisations are recognised by level and sector, do all qualifications they currently offer in that category need to be regulated?

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<sup>12</sup> It should be noted that Ofqual's proposal states that planned changes would avoid a situation in which awarding organisations currently recognised to award qualifications under the *Regulatory Arrangements for the QCF* would have to make a full application for new recognition. The responses therefore suggest that respondents may have misinterpreted the proposal; do not consider this a realistic prospect; or have queries in relation to the terminology and specifics e.g. 'full' application may have been interpreted to mean that awarding organisations will need to make some form of 'partial' application

*“If the accreditation requirement is lifted for ‘QCF type’ qualifications, and the Awarding Organisation’s validity strategy and other processes prove they are competent to move into a new sector or to a new level of qualification, then the Awarding Organisation shouldn’t have to apply for ‘approval’ in a new sector or for a new level.”*

*Awarding organisation (official response)*

## All other awarding organisations

- 4.6 A number of other awarding organisations strongly agreed with the proposed approach or considered there are some positive aspects. However the main consensus amongst respondents was that the lack of detail in the consultation document precluded any clear comment on agreement or disagreement. The strongest concerns relate to the suggestion of recognition based on sector and level, with some respondents questioning the approach entirely and others querying how it would work in practice.
- 4.7 Some respondents do not agree with needing to re-apply if they wanted to expand into another sector and felt that this might hinder their responsiveness to employer needs, especially for smaller awarding organisations with a limited remit compared with their larger peers.
- 4.8 A number also feel strongly that awarding organisations should not need to re-apply for recognition following these changes<sup>13</sup>. A smaller group is opposed to basing the recognition on the current remit of their qualifications and also questioned how Ofqual would determine this.

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<sup>13</sup> It should be noted that Ofqual’s proposal states that planned changes would avoid a situation in which awarding organisations currently recognised to award qualifications under the *Regulatory Arrangements for the QCF* would have to make a full application for new recognition. The responses therefore suggest that respondents may have misinterpreted the proposal; do not consider this a realistic prospect; or have queries in relation to the terminology and specifics e.g. ‘full’ application may have been interpreted to mean that awarding organisations will need to make some form of ‘partial’ application

*“Before any changes to recognition arrangements are made, we would welcome further guidance on how these changes would work. For organisations that have already been deemed to be compliant with the General Conditions of Recognition, what additional criteria would apply in regards to offering qualifications in different sectors or levels? How would this be managed?”*

*Awarding organisation (official response)*

*“There is a need for further clarification of how Ofqual intends the proposed new approach to impact on its stance regarding awarding organisations that offer regulated and un-regulated qualifications. It is not clear whether the proposal to describe recognition by sector and level would result in the regulator taking the stance that all qualifications awarded by an awarding organisation within those sectors and levels must be regulated. This would have far reaching implications for some awarding organisations.”*

*Awarding organisation (official response)*

*“It is not clear whether the proposal is to identify sectors at ‘whole qualification’ level or at ‘unit’ level. The majority of qualifications contain some elements that cannot be easily grouped into a single sector and it is not clear from the proposals how this would be accommodated.”*

*Awarding organisation (official response)*

## **All other respondents**

4.9 There was less commentary on this question from this group of respondents and a small number consider this change acceptable. The remainder hold similar concerns as the other two groups, especially in relation to the lack of detail and the scepticism about basing recognition on sectors and levels and how recognition is extended to other areas/sectors.

*“The list of proposed sectors for use in recognition descriptions has not been included in the consultation document and this would have provided greater transparency about the proposed way forward. The provision of this information may also have gone some way towards providing clarity for those awarding organisations who operate in cross-sector areas of provision such as management, marketing, human resources etc. as there is no information or example provided of how our recognition would be described.”*

*Awarding organisation (official response)*

## **Levels and level descriptors**

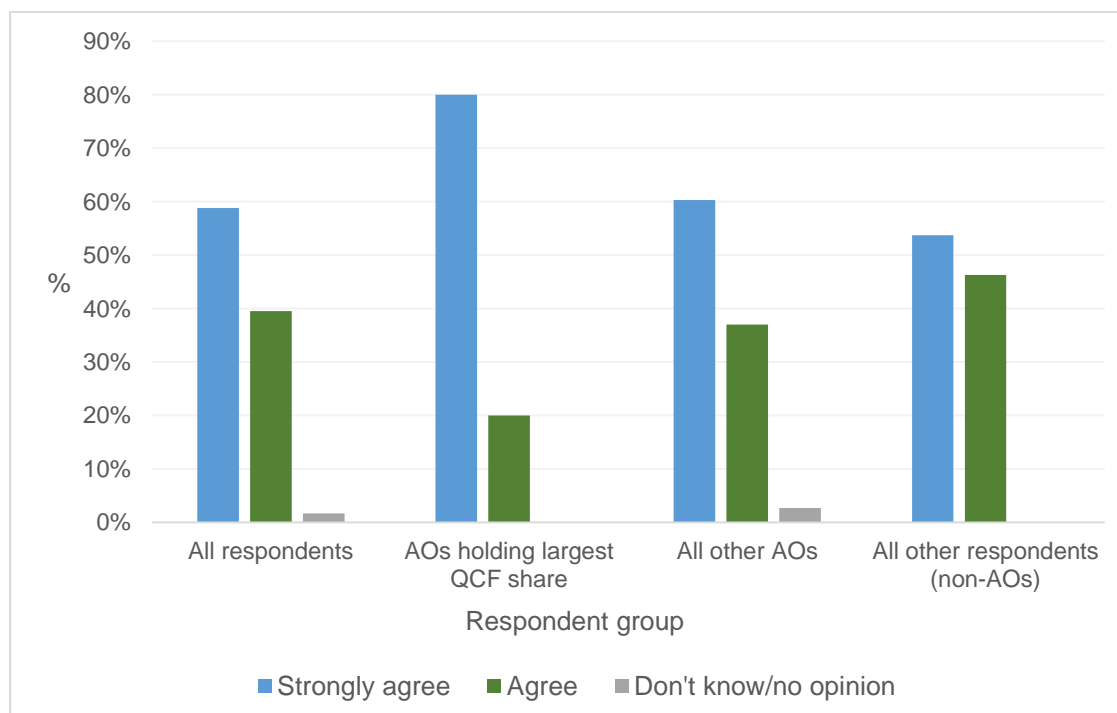
- 4.10 Ofqual proposes that the new qualifications framework uses eight levels and three entry levels, as the QCF does now, and to require each awarding organisation to allocate the right level to each qualification to indicate the relative demand. Furthermore Ofqual suggests that awarding organisations that have attached correctly a current QCF level descriptor to a qualification, should not be required to change it. Respondents were invited to indicate whether or not they agreed with each proposal via an open question and a closed question, respectively.
- 4.11 There was overwhelming support for both of those proposals, especially in relation to the level descriptors as can be seen in Table 3 and Figure 7: 98.3% of all respondents strongly agreed or agreed with this statement.

**Table 3: Retaining the level descriptors – extent of agreement**

Q13 An awarding organisation that had correctly attached a current QCF level descriptor to a qualification should not be required to change that description. To what extent do you agree or disagree with this statement?

	All respondents	AOs holding largest QCF share	All other AOs	All other respondents (non-AOs)
Base	119	5	73	41
Strongly agree	70 58.8%	4 80.0%	44 60.3%	22 53.7%
Agree	47 39.5%	1 20.0%	27 37.0%	19 46.3%
Disagree	-	-	-	-
Strongly disagree	-	-	-	-
Don't know/no opinion	2 1.7%	-	2 2.7%	-

**Figure 7: Retaining the level descriptors – extent of agreement**



Base 119 respondents

## Awarding organisations holding the largest QCF market share

4.12 Of the six awarding organisations in this group, half fully agreed with retaining the eight plus three level system, while the other half agreed in principle, but voiced some concerns. These concerns mainly revolved around the consistency and clarity on level of criteria and the use of levels. One awarding organisation asked for more detail in relation to how levels are assigned to qualifications.

*“Detailed levelling criteria will have to be agreed and used across awarding organisations. In order to maintain consistency between current provision and that developed after the removal of the QCF regulations, these levels will have to remain equitable”*

*Awarding organisation (official response)*

*“We agree that the current qualification levels are appropriate. However, greater clarification/guidance is needed re the requirement ‘to assign a level that most closely matches the achievement associated with the qualification’. Recent feedback from Ofqual on non-QCF qualifications has been that the entire content of a qualification should be at the level of the qualification. Awarding organisations will need clarity on this issue to ensure comparability across similar qualifications across awarding organisations.”*

*Awarding organisation (official response)*

4.13 As shown in Table 3 and Figure 7, and following the analysis of the qualitative response of the sixth organisation in this group, all agreed with the proposal to retain currently attached level descriptors and submitted no further comments.

## All other awarding organisations

4.14 The vast majority of all other awarding organisations also agreed with the retention of the level system. However a number of respondents emphasised that levels alone cannot be enough to articulate a qualifications framework. For example, a reference to qualification size must also be included. They also highlighted the need for a consistent approach to assigning levels to a qualification.

*“We welcome the maintenance of existing levels and the continued requirement to give qualifications levels. However, this is not enough to define a qualifications framework and the consultation does not cover proposals for any new qualifications framework covering vocational qualifications.”*

*Awarding organisation (official response)*

4.15 Almost all of these other awarding organisations were similarly in agreement with the proposal to keep the current level descriptors attached to qualifications.

### **All other respondents**

4.16 All other respondents were equally content with Ofqual’s proposals concerning levels and level descriptors. Some respondents conveyed similar concerns about the levels as the other two groups: largely that levels are not sufficient to define a qualification or a qualifications framework and that a reference to qualification size must be included. Furthermore respondents stated that there needs to be consistency in the approach to levelling and level of criteria, monitored by the regulator.

*“We support this proposal. We would want to know what measures will be put in to place to ensure that awarding bodies do indeed assign the correct level to each of its regulated qualifications”*

*Other representative or interest group (official response)*

## 5. Closure of the Unit Bank

### Responses to proposals to close the unit bank

- 5.1 Ofqual proposes to close the unit bank and invited respondents to comment on the likely implications, the impact and any unintended consequences that this move might have.
- 5.2 Of the respondents who provided an opinion about the implications of this proposal, approximately half were in agreement in principle whilst the other half raised concerns or questions they felt needed clarification in order to assess the implications more fully. Awarding organisations with the biggest QCF market share were predominantly in agreement with concerns most frequently raised by other awarding organisations. Respondents from other organisations fell in the middle, with some agreeing and some expressing a number of issues.
- 5.3 Almost all respondents identified some form of impact with the majority perceiving this to be largely negative. Again, there is a clear divide between the awarding organisations with the largest QCF market share, who foresee a positive impact, while other awarding organisations and other organisations predict mostly negative consequences.
- 5.4 Most of the respondents also identified some unintended consequences of the proposal. Again, the second and third group of respondents raised most concerns.
- 5.5 It should be noted that the timescale in particular prompted extensive commentary from respondents. The consultation document stated that Ofqual proposes<sup>14</sup>:
- “to give notice of closure of the unit bank to all awarding organisations, Unit Submitters and Rule of Combination Submitters;
  - at the end of the at the end of the notice period it will not be possible for awarding organisations or other organisations to place units into the unit bank or for awarding organisations to take units from the unit bank”

and further stated that Ofqual would seek to<sup>15</sup>:

- “facilitate an orderly wind-down of unit sharing and a smooth transition to a situation in which collaboration is a decision of awarding

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<sup>14</sup> Paragraph 2.7.8

<sup>15</sup> Paragraph 2.8.1



organisations and their partners rather than a perceived regulatory requirement”

The proposal went on to make reference to a date of 2<sup>nd</sup> January 2015, stating the following<sup>16</sup>:

- “In order to mitigate the risks identified (above)<sup>17</sup>, we propose that with effect from 2nd January 2015, we will assume that unless awarding organisations or Unit Submitters tell us otherwise, a copy of every unit currently in shared use will be treated as having been given in perpetuity by the developing organisation to each awarding organisation which has developed a version of that unit. From that date on, the unit will be treated as if it is the using awarding organisation’s own. The awarding organisation will assume full responsibility for that unit within its qualification”

5.6 It appears from the analysis that a number of respondents have interpreted this to mean a closure of the unit bank as of 2<sup>nd</sup> January 2015 – however Ofqual’s consultation does not specifically state this. It is possible that responses have been influenced by negativity surrounding this proposed date – a fifth of all respondents made reference to concerns about the timescale.

### **Awarding organisations holding the largest QCF market share**

5.7 Four of the six awarding organisations within this group expressed their views on the implications of the proposed closure. While two awarding organisations were strongly in agreement with the closure of the bank, the other two agreed in principle, but felt that the timescale perceived by respondents of the proposed changes needs to be reconsidered to allow awarding organisations to adequately plan provision, largely to ensure that the closure of the unit bank will not adversely affect learners.

5.8 One awarding organisation stated concerns, pointing to the possible implications of shared units being withdrawn by awarding organisations that would need to be reviewed and their status clarified, and that qualifications containing such content will have to be withdrawn and/or rewritten at significant expense, again at the risk of negatively impacting learners. According to another awarding organisation, the proposal would also have resource implications for centres that would need to manage changes to their teaching and learning. It was also stated that the legal implications of the closure of the unit bank were not clear at this point in time.

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<sup>16</sup> Paragraph 2.8.1

<sup>17</sup> Including a need to minimise unnecessary proliferation of qualifications, reduce any significant administrative burden on awarding organisations, colleges and others, and avoid a damaging impact for learners

- 5.9 Two awarding organisations within this group asked for clarification on what will happen to the units in the unit bank after its closure, for example whether the units would be available after the closure of the unit bank as a read-only source or whether the units would be archived. One respondent asked Ofqual to confirm that the content would not be made available for third parties.
- 5.10 Four of the six awarding organisations also commented on the likely impact and unintended consequences that the closure of the unit bank would have. Three identified positive impacts, including that awarding organisations could be held accountable for their qualifications; that they would more effectively be able to respond to employers' needs and face fewer restrictions in creating qualifications. Furthermore, awarding organisations will also be able to maintain and quality assure qualifications.
- 5.11 Three awarding organisations identified unintended negative consequences of the proposal to close the unit bank, including a possible proliferation of qualifications and a resultant 'race to the bottom', as well as possible disputes about ownership of unit content, which could also involve unit submitting organisations and sector bodies that are involved in content development. The proliferation of qualifications may make it difficult for learners to have their achievements more widely recognised and may result in confusion for learners and employers. Another concern is a potential detrimental effect on the ability of awarding organisations to pool and share resources and expertise, which would again result in a proliferation of qualifications.
- 5.12 One awarding organisation suggests restricting access to the unit bank by unit and rule of combination submitters, rather than closing the bank altogether, which would satisfy the policy aim while at the same time sidestepping a number of negative impacts and unintended consequences. However further detail was not supplied as to how this would operate in practice.

### **All other awarding organisations**

- 5.13 A number of respondents from this group state that closure of the unit bank would be welcomed, as this would increase the fitness for purpose and quality of qualifications, as well as prevent other awarding organisations from taking undue 'advantage' of the work of others. A number of respondents agreeing with the proposed closure expressed concerns, however, about the timing and transition arrangements.

*“Awarding bodies will be less able to develop qualifications unless they have expertise in an area and a market for their qualifications. This will reduce the number of qualifications on the framework and make it easier for users to identify higher quality qualifications”*

*Awarding organisation (official response)*

5.14 The majority of respondents within this group raised multiple concerns about the proposal as presented in the consultation document. These most frequently related to shared units and the consequences of awarding organisations not agreeing to share ownership. This issue would also affect units submitted by third parties.

5.15 Respondents consider they would need additional resources following the removal of shared units and are concerned about the proposed timing of this closure. Additionally, some also predicted overprovision and duplication of units and qualifications, as awarding organisations would each need to write their own if unable to tap into shared units – which in turn could have negative consequences for learners and employers. This group also expressed concerns about the comparability and consistency of standards and qualifications.

*“We believe Ofqual have outlined the implications clearly but until we know what decisions individual AOs will make around sharing in ‘perpetuity’ and how that will be managed the impact is difficult to predict. We feel that timescales need to be carefully thought through and should not be rushed until the impact can be predicted with more accuracy”*

*Awarding organisation (official response)*

*“We are seriously concerned at the unintended consequences of this closure, particularly the date proposed of 2nd January 2015 after the Christmas Holidays, barely weeks after the consultation decisions are shared and before the proposed Technical Consultation”*

*Awarding organisation (official response)*

*“The legal implications of closing the bank are not clear and we do not yet fully understand their position in relation to a range of potential scenarios, especially if we develop replacement content that may be very similar to the existing content that has been removed from sharing. We will need time to explore the legal aspects of copyright and intellectual property rights legislation before the unit bank is closed”*

*Awarding organisation (official response)*

5.16 Respondents within this group pose a number of questions about the technical details of this proposal, namely:

- where units will be housed in the future;
- whether the units need new numbers or need to be re-submitted; and
- what mechanism will be used to develop units in the future.

5.17 Answers to these questions and the issues outlined above could all impact on the resources needed for this transition.

5.18 The majority of other awarding organisations predict some form of negative impact, with the main issue being the significant resources perceived to be necessary to embed this change. This stems mainly from the cost and time of updating and re-writing of units that other awarding organisations will have chosen not to share, the redevelopment of IT systems and databases, and new materials and training needed in centres to teach the updated content.

5.19 A number of respondents also noted that they found the unit bank to be a helpful resource, for example to benchmark their qualifications and that this would be lost in the future. Respondents also identified possible disputes around the ownership of shared units as a possible negative impact.

5.20 The majority of other awarding organisations identified some negative unintended consequences – again this mainly focused on the proliferation of different qualifications of ranging quality and the associated difficulty of comparing qualifications. Some believe that this change may lead to some, particularly smaller, awarding organisations struggling or even withdrawing from offering regulated qualifications. Some respondents also noted that a removal of the unit bank would limit the sharing of resources and expertise and the possibility for comparison. A number of respondents suggested that a reconsideration of the timing, as well as transitional arrangements could lessen the negative impact.

*“Potentially, mass withdrawal of existing shared units will cause significant cost to awarding organisations, which will have a direct impact on costs to centres and learners. In addition, the need to redevelop/create new units will cause supply issues and could lead to gaps in provision”*

*Awarding organisation (official response)*

*“The main concern is with regard to the comparability, and therefore fitness for purpose, of qualifications. Without some guidance in terms of qualification structure then it will be very difficult to compare qualifications across awarding organisations unless this is replaced by another structure”*

*Awarding organisation (official response)*

### **All other respondents**

5.21 Respondents within this group have mixed views. The main concern is about the possible proliferation and duplication of units and qualifications and the consequences for employers and learners. They also questioned how the issue of shared units could be resolved.

*“This could lead to the loss of scope to centrally revise and update units on basis of need. It could also lead to the unregulated awarding body revision of imported units that belong to (and were agreed by) sector skills councils working across national boundaries. The consequence of this will be a fractured and piecemeal approach to the development and maintenance of qualifications”*

*Other representative or interest group (official response)*

5.22 Other types of respondents also identified a mix of positive and negative impacts, with the former being predominantly an improvement in the quality and fitness for purpose of qualifications, and the latter being the risk of duplication and proliferation of units and qualifications. The loss of a national standard within sectors was also identified as the main unintended consequence of the proposal.

*“This measure will reduce the incentive for AOs to collaborate with each other and with employers on the development of qualification content. It will lead to a proliferation of units or qualification components which are only slightly different in content from each other”*

*Other representative or interest group (official response)*

## **6. Awarding Organisation Autonomy: Units**

### **Design requirements**

- 6.1 Following the withdrawal of the Regulatory Arrangements for the QCF Ofqual proposes not to impose design requirements about how QCF-type qualifications are structured nor on whether they are made up of units or in some other way.
- 6.2 Across all three major respondent groups, this proposal was very much welcomed: respondents most commonly strongly agreed or agreed with the approach, with some minor questions and issues they felt needed to be addressed to ensure a positive outcome. Around a fifth of respondents stated that they are likely to retain a unitised approach. A smaller group of respondents voiced concerns, with only a very small number strongly disagreeing with the lifting of design requirements. This pattern was relatively similar across all three groups, although the group containing all other awarding organisations raised the most questions and aspects that they consider need to be resolved first.

### **Awarding organisations holding the largest QCF market share**

- 6.3 All six awarding organisations holding the largest QCF share submitted a response to this question, with four welcoming the proposed changes to the lifting of design requirements. They believe this change will provide a valuable opportunity to design more innovative and appropriate qualifications to better meet the needs of users. One of these awarding organisations clarified that this means designing qualifications in conjunction with relevant stakeholders, such as employers and higher education. Another noted that further information is needed on how Ofqual plans to assure the comparability of standards across qualifications at the same level and within sectors.
- 6.4 Another awarding organisation that welcomed this also felt that Ofqual's proposal will provide greater flexibility, however that this revised approach does have the potential to confuse the market place through differently designed qualifications.
- 6.5 The final awarding organisation in this cluster mainly raised concerns, stating that removing the design requirements will lead to an abundance of the types and varieties of qualifications available and although this may result in greater choice for providers and learners, it may also lead to further confusion in the qualifications system.

## All other awarding organisations

- 6.6 The majority of other awarding organisations were in agreement with this proposal, although a number did raise additional worries or questions requiring clarification. A smaller group of awarding organisations flagged up concerns or were explicitly against lifting the design requirements for QCF-type qualifications.
- 6.7 Those that agreed shared similar views with the awarding organisations with the largest QCF market share: that the lifting of design requirements will lead to more flexibility in the development of qualifications, making them more fit for purpose, innovative and suited to meeting the needs of industry. A number of respondents stated they have good experience of the use of the unitised approach and are likely to continue with it for at least some of their qualifications, while at the same time welcoming the possibility of designing qualifications in some other way.

*“We welcome increased flexibility in qualification design. In some circumstances it has been very difficult to meet the design requirements of the QCF and develop valid and fit for purpose qualifications. The Conditions of Recognition allow for sufficient flexibility in qualification design”*

*Awarding organisation (official response)*

*“The QCF has required awarding organisations to adopt a unitised approach to the design of qualifications. This approach was already reasonably popular amongst awarding bodies prior to the introduction of the QCF. We believe that, in many cases, it will continue to be a popular design approach, even if it is not required by Regulatory Arrangements, because there will be cases where it is appropriate for a specific qualification and offers the best way to meet the needs of some learners”*

*Awarding organisation (official response)*

- 6.8 Those respondents that disagreed to an extent with the proposal raised two main concerns. Firstly, they are uncertain about how comparability of qualifications and standards will be assured, how their validity will be assessed and how consistency across awarding organisations is to be maintained. Some of these respondents predict there may be a decline in the quality of qualifications as a result.



6.9 Secondly, respondents believe that end-users will be affected by confusion that this change and variation in qualification design will bring. There is a concern that the validity of qualifications may be more difficult to assess by users and that they will have difficulties choosing the most appropriate qualification available to them. Again, the possible deterioration of the quality of qualifications as a result was flagged up as a cause for concern.

*“Given Ofqual’s responsibility for ensuring the credibility of the qualification system, the potential divergence in qualification design may present challenges. It may be useful to establish some good practice advice to ensure that there is a degree of consistency across sectors and awarding organisations, to help both users and regulators alike”*

*Awarding organisation (official response)*

*“The QCF structure is working and employers and learners have come to understand the unit approach. We feel if you remove this requirement across qualifications it could impact on the view of qualifications again and in a negative way. There needs to be a structure in place to aid people [to] compare qualifications offered by more than one organisation and for employers and learners to be able to understand what they all mean”*

*Awarding organisation (official response)*

6.10 A relatively large number of respondents in this group raised a number of points to consider about the proposed changes to design requirements. Those mentioned most frequently are outlined below:

- There needs to be a dialogue with the Skills Funding Agency and other funding agencies to have clarity regarding future funding opportunity for non-unit based qualifications and those not based on the QCF;
- Ofqual needs to consider how RITS<sup>18</sup> could support more flexible qualification design as it is currently only designed to support unit-based qualifications;

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<sup>18</sup> RITS is Ofqual’s online system that enables awarding organisations to manage their regulated qualifications listings on the Register of Regulated Qualifications

- There is a need to clarify the current and future position of the National Qualifications Framework (NQF), which currently already allows for non-unitary qualifications;
- Thought needs to be given to how qualifications are to be compared across UK/EU borders and how recognition can be assured particularly in those sectors where registration is necessary.

*“In theory, this flexibility already exists within the confines of regulation as we can choose to not put our qualifications on the QCF and use the ‘NQF’ where it is not appropriate for qualifications to be unit based. In reality though the funding regime has presented a barrier to this potential flexibility and has artificially driven qualifications to the QCF. This illustrates the importance of having a funding approach which does not conflict with the policy of the regulator and highlights the need to have clarity regarding the plans of the Skills Funding Agency in relation to future funding”*

*Awarding organisation (official response)*

*“Currently Ofqual’s RITS system imposes additional restrictions over and above the definition in the QCF Regulatory Arrangements. It would be helpful if Ofqual considers this when altering the Register submission”*

*Awarding organisation (official response)*

## **All other respondents**

6.11 Respondents from organisations other than awarding bodies were also mostly in agreement with the proposed changes, and cite similar reasons and concerns as the two other groups. Respondents within this group were particularly concerned about the comparability of qualifications, ensuring standards, and the possibility of confusing users.

*“We recognise that the proposed changes will give awarding organisations more flexibility and will in turn create more variety in the market place. However in Condition D1 Ofqual require awarding organisations to make their qualification comparable. We believe that this proposed approach will make that condition very difficult to be compliant against. We believe that the proposed changes will create confusion around vocational qualifications and that removing all the design rules will open the qualification market up to a vast range of qualifications that look different”*

*Other representative or interest group (official response)*

*“The history of the standards movement including the previous development of NVQs is founded on the need expressed by employers for conformity in qualifications structure so that they might understand how to compare qualifications offered by different awarding organisations. To remove that requirement is a backward step, and this will not be welcomed by a significant proportion of employers”*

*Other representative or interest group (official response)*

## Sharing of units

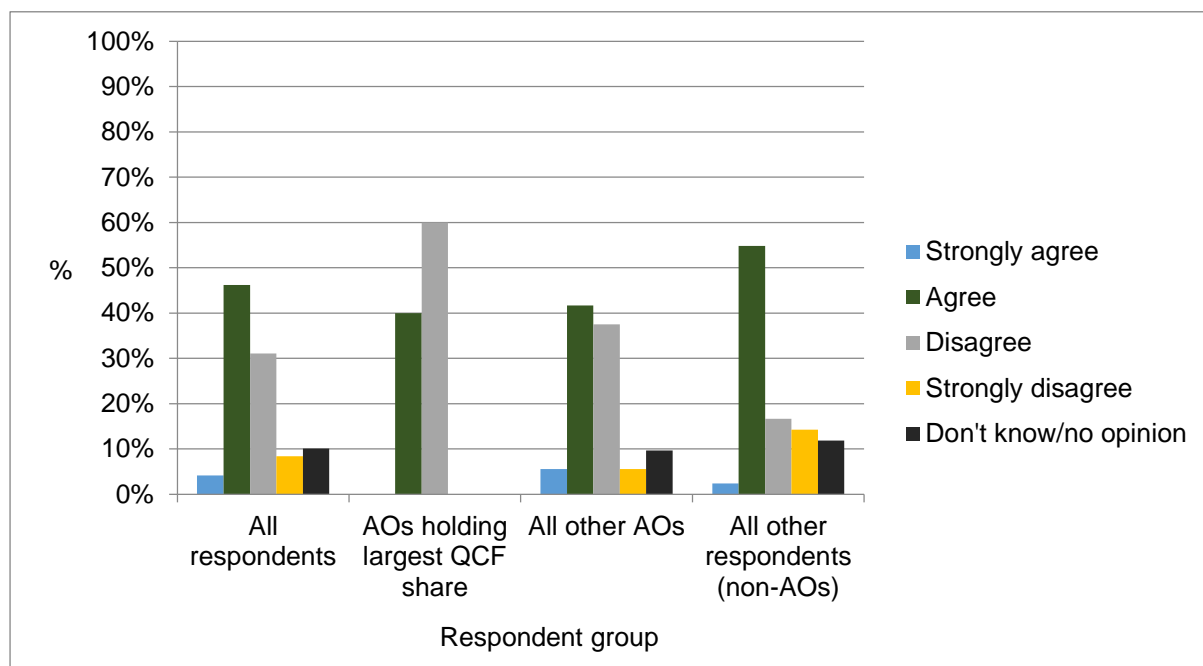
- 6.12 Ofqual proposes not to put in place rules to support or facilitate the future sharing of units and to instead focus on whether qualifications containing collaborative elements meet the regulatory requirements and whether there is clear accountability with each awarding organisation for the qualifications it offers. Ofqual invited respondents to provide comments on this proposed approach and to identify any impacts. Ofqual also invited respondents’ views on the suggested approach in relation to unit sharing, including use, ownership and accountability and asked respondents for any options that may not have been considered.
- 6.13 Generally, most respondents agreed with the proposed approach to the sharing of units in the future, although some raised potential problems and some negative impact was identified, repeating the concerns stated within responses to the planned closure of the unit bank.
- 6.14 Table 4 and Figure 8 shows that just over half (50.4%) of respondents agree with the proposed approach, while 39.5% disagree. The main option not considered, according to respondents, is a longer timeframe until the suggested changes take place.

**Table 4: Steps to address issues arising from unit sharing – extent of agreement**

Q9 We have suggested a number of steps to address issues arising from unit sharing, including use, ownership and accountability. To what extent do you agree or disagree with our proposed approach?

	All respondents	AOs holding largest QCF share	All other AOs	All other respondents (non-AOs)
Base	119	5	72	42
Strongly agree	5 4.2%	-	4 5.6%	1 2.4%
Agree	55 46.2%	2 40.0%	30 41.7%	23 54.8%
Disagree	37 31.1%	3 60.0%	27 37.5%	7 16.7%
Strongly disagree	10 8.4%	-	4 5.6%	6 14.3%
Don't know/no opinion	12 10.1%	-	7 9.7%	5 11.9%

**Figure 8: Steps to address issues arising from unit sharing – extent of agreement**



Base 119 respondents

## Awarding organisations holding the largest QCF market share

- 6.15 Four awarding organisations within this group provided views on the proposed changes to unit sharing and accountability of awarding organisations for collaborative elements within their qualifications. Two strongly agree with the changes, whilst two expressed some concerns. One organisation asked for Ofqual to act as facilitator of ‘unit sharing’ agreements, as the process would be less efficient if all awarding organisations are compelled to negotiate with each other, which in turn could have a negative impact on learners.
- 6.16 Two awarding organisations also identified other impacts, both reiterating their concerns about a possible proliferation of qualifications. One also suggests that there may be a disruption of qualifications if some components are no longer available. Furthermore it was suggested that there may also be an increase in the volume of units and difficulties with the transferability between learning programmes, and additional burdens when recognising prior learning (RPL). Two other awarding organisations within this group did not identify any negative impacts.
- 6.17 In relation to the steps suggested by Ofqual to address the issues arising from unit sharing, two agreed with the proposed approach, while three disagreed. When asked in a follow-up question for other options not yet considered, one awarding organisation that agreed with the approach (and did not anticipate issues with the proposed closure of the unit bank), stated that an awarding organisation should only be allowed to withdraw permission to use shared units in ‘very exceptional circumstances and only in a case where permission would have an adverse effect on learners’. No other options were suggested.
- 6.18 Two of the three awarding organisations that disagreed, also suggest that shared units should become the property of all those currently using them. One suggested that larger awarding organisations may refuse permission to use in order to disadvantage the competition.

*“We do not agree that an awarding organisation or a unit submitter should be given the option not to share these units. In many cases, these units have been funded by public money and awarding organisations have exerted time and resources in the development of these as collaborative partners”*

*Awarding organisation (official response)*

## All other awarding organisations

6.19 Almost all of the other awarding organisations agreed with the proposed approach to unit sharing in the future and for awarding organisations to be clearly accountable for the qualifications they offer. Around half of them had some additional comments and most asked that Ofqual should publish clear guidelines or offer support or infrastructure for unit sharing in the future.

*“In terms of Ofqual’s role in supporting or facilitating the sharing of units (or content that is structured in other ways) we believe there is a role to be played by the regulator. This role should not be to put in place rules about how awarding organisations work together to develop and share content; Ofqual does however need to ensure that its systems and processes can operate effectively where awarding organisations agree to share content”*

*Awarding organisation (official response)*

6.20 Only a small number of respondents suggested possible impacts of this proposal and these repeated issues already discussed, namely the likely proliferation of qualifications and the confusion this might bring to the market place.

6.21 As seen in Table 4 and Figure 8, 47.3% of respondents agreed with the proposed steps to address issues arising from unit sharing, while 43.1% disagreed. The respondents who disagreed primarily suggested reconsidering the timescale. A smaller number suggested keeping the unit bank live until details have been worked out. This would mean waiting until after the technical consultation and until an alternative to the RITS approach has been established. A smaller number of respondents agreed with the proposal put forward by three of the awarding organisations with the largest QCF market share to allow the currently shared units to become the property of all who currently use it.

*“This date is entirely unrealistic and would without doubt lead to considerable adverse effect upon learners, as well as awarding organisations. A ‘notice period’ of one year would be much more appropriate, at the start of which all the required detail behind it should be published. In addition, any further “technical consultation” should be carried out before decisions are taken about the unit bank and timescales for its closure”*

*Awarding organisation (official response)*

*“Awarding organisations were encouraged to unit share and now face considerable detriment if units are withdrawn by the owner. Allow awarding organisations to continue to use existing units in existing qualifications without fear of withdrawal by the owner”*

*Awarding organisation (official response)*

### **All other respondents**

- 6.22 Most of the other organisations agree with the proposed approach in relation to future sharing of units and qualifications and the accountability of awarding organisations. Again, a small number suggest that additional guidance or support for those wishing to share would be required.
- 6.23 A small group identified some impacts of this proposal and again these revolved around the possible proliferation of qualifications.
- 6.24 A fairly large number of respondents (57.2%) agree with the steps put forward by Ofqual to address issues arising from unit sharing, and only a very small number suggested other options, most prominently a reconsideration of the timescale of the proposed closing of the unit bank.

## **7. Awarding Organisation Autonomy: Credit Transfer**

### **Views on proposals to change credit regulations**

- 7.1 Ofqual proposes to change the regulations concerning credit: while it should be possible for qualifications to be credit-bearing, provided the qualifications are otherwise valid and reliable, Ofqual proposes credit should not be mandatory. Ofqual further proposes that it should only be possible to attribute credit down to the smallest part of the qualification that can be discreetly assessed.
- 7.2 Across all respondent groups, almost half agreed with Ofqual's proposal on credit, because they welcomed the choice to be given and because it allowed them to continue to design credit-bearing qualifications. A slightly smaller group of respondents did raise some concerns, with the remainder stating they do not know.
- 7.3 Table 5 and Figure 9 show that the majority of all respondents (81.1%) agreed with Ofqual's proposal that awarding organisations should be permitted but not compelled to recognise credits awarded by others. An even higher percentage, 98.3%, agreed that awarding organisations should publish a clear policy relating to the allowance of credit transfer and the recognition of prior learning.
- 7.4 However there were mixed views in response to the suggestion that Ofqual should facilitate the availability of such policies, with only 57.5% of respondents agreeing and 30.9% disagreeing.

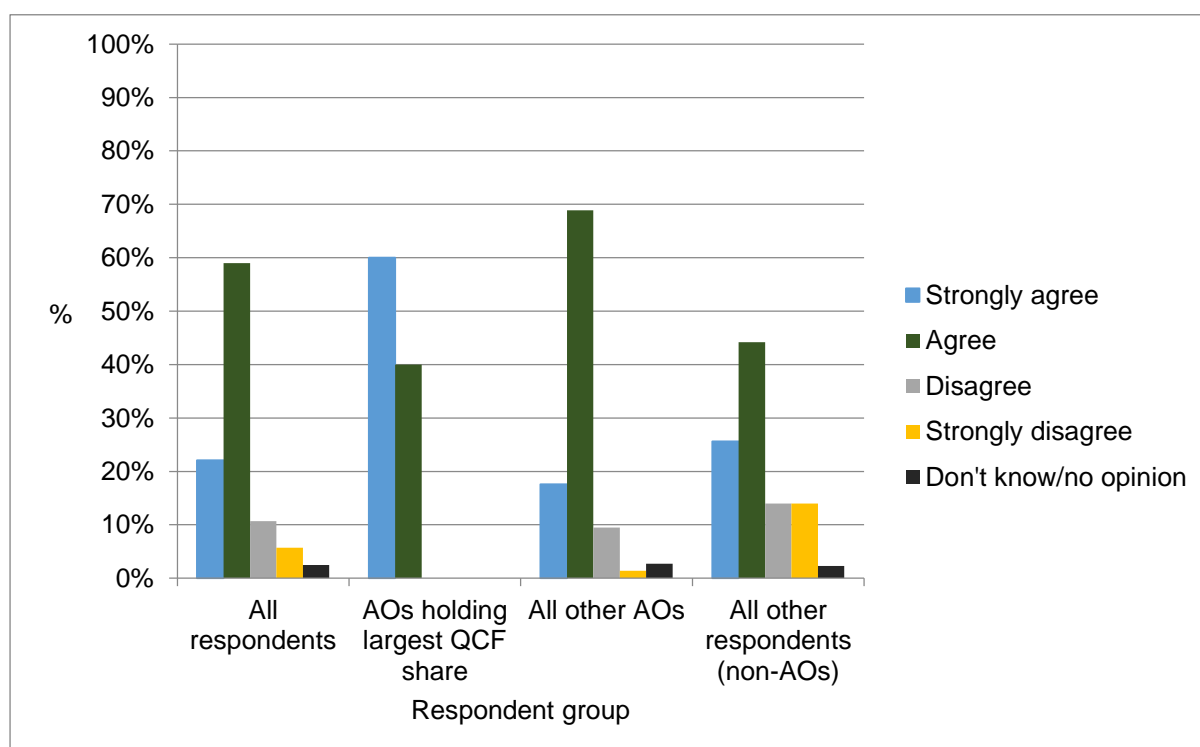


**Table 5: Recognising credit awarded by other AOs – extent of agreement**

Q6a Awarding organisations should be permitted to, but should not have to, recognise credit awarded to a student by another awarding organisation.

	All respondents	AOs holding largest QCF share	All other AOs	All other respondents (non-AOs)
Base	122	5	74	43
Strongly agree	27 22.1%	3 60.0%	13 17.6%	11 25.6%
Agree	72 59.0%	2 40.0%	51 68.9%	19 44.2%
Disagree	13 10.7%	-	7 9.5%	6 14.0%
Strongly disagree	7 5.7%	-	1 1.4%	6 14.0%
Don't know/no opinion	3 2.5%	-	2 2.7%	1 2.3%

**Figure 9: Recognising credit awarded by other AOs – extent of agreement**

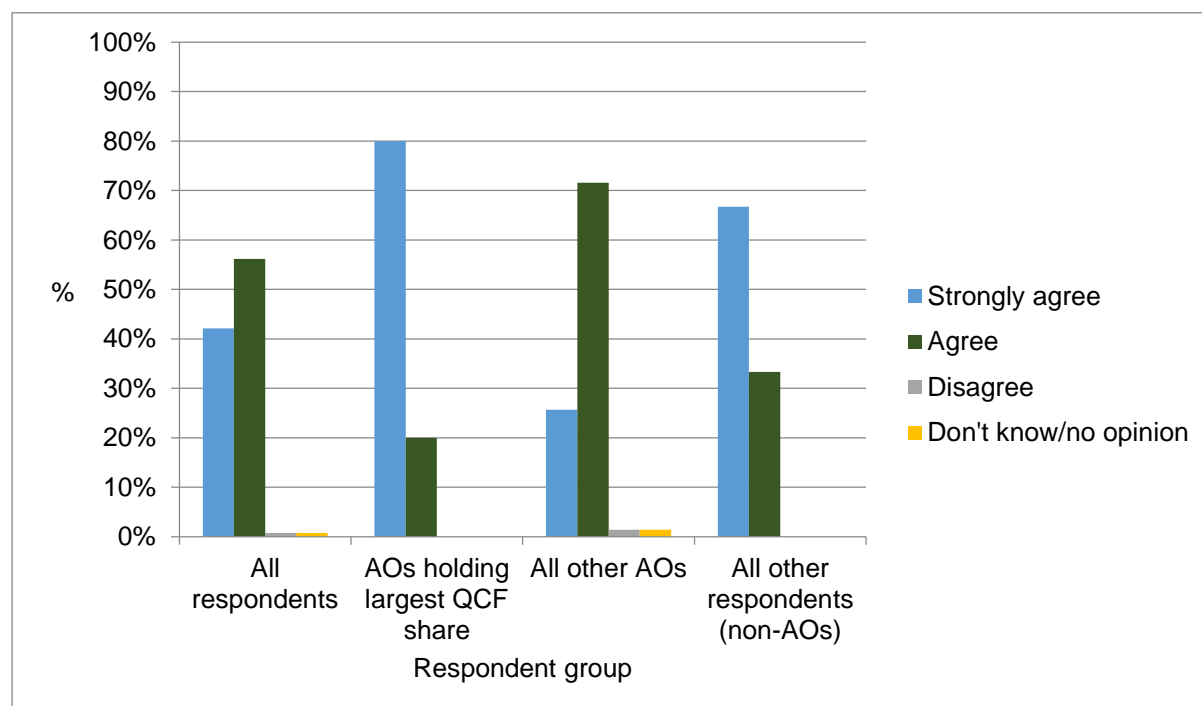


Base 122 respondents

**Table 6: Publishing a policy on credit transfer and recognition of prior learning – extent of agreement**

	All respondents	AOs holding largest QCF share	All other AOs	All other respondents (non-AOs)
Base	121	5	74	42
Strongly agree	51 42.1%	4 80.0%	19 25.7%	28 66.7%
Agree	68 56.2%	1 20.0%	53 71.6%	14 33.3%
Disagree	1 0.8%	-	1 1.4%	-
Strongly disagree	-	-	-	-
Don't know/no opinion	1 0.8%	-	1 1.4%	-

**Figure 10: Publishing a policy on credit transfer and recognition of prior learning – extent of agreement**

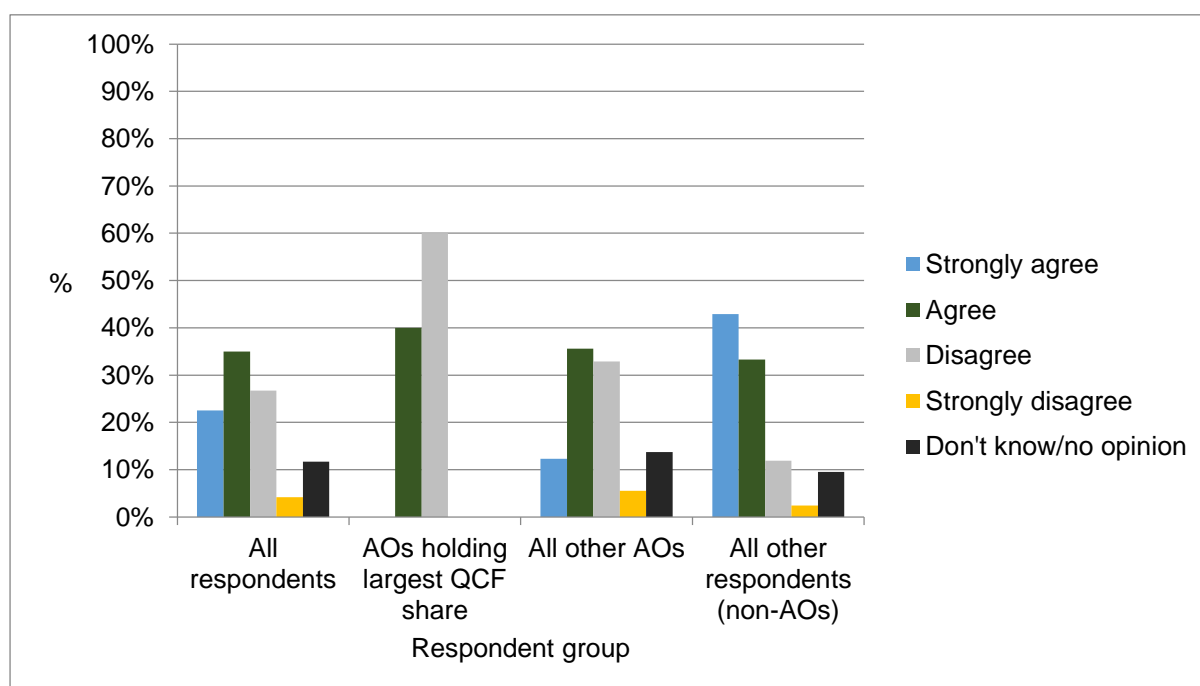


Base 121 respondents

**Table 7: Ofqual facilitating availability of information on AOs approach – extent of agreement**

	All respondents	AOs holding largest QCF share	All other AOs	All other respondents (non-AOs)
<b>Q6c Ofqual should facilitate the availability of information about each awarding organisation's approach to the recognition of prior learning.</b>				
Base	120	5	73	42
Strongly agree	27 22.5%	-	9 12.3%	18 42.9%
Agree	42 35.0%	2 40.0%	26 35.6%	14 33.3%
Disagree	32 26.7%	3 60.0%	24 32.9%	5 11.9%
Strongly disagree	5 4.2%	-	4 5.5%	1 2.4%
Don't know/no opinion	14 11.7%	-	10 13.7%	4 9.5%

**Figure 11: Ofqual facilitating availability of information on AOs approach – extent of agreement**



Base 120 respondents

- 7.5 The only other option that respondents suggest in relation to credit is that awarding organisations should be encouraged or even required to accept credit transfer and to recognise prior learning.

### **Awarding organisations holding the largest QCF market share**

- 7.6 While two of the six awarding organisations were strongly in agreement with this approach, four raised concerns about it. Three of those state that such a change would obstruct the transferability, comparability and consistency of qualifications and may cause confusion. One organisation also noted that as funding is currently attached to credit, awarding bodies may not have a choice as to whether to apply credit or not.

*“Credit is recognised as a value and qualifications that do not bear any credit value can be perceived to be of a less than value than a comparable qualification that does have credit value”*

*Awarding organisation (official response)*

- 7.7 As seen in Tables 5 to 7 and the accompanying Figures 9 to 11, all of the respondents in this group agree that awarding organisations should have a choice on whether to allow credit transfer. They also all agree that awarding organisations should have to publish a policy outlining their approach to the recognition of prior learning and credit transfer. However, four of the six do not believe that Ofqual should ‘facilitate information’ about such policies<sup>19</sup>, although two requested Ofqual clarifies what ‘facilitating the availability of information’ means.

*“We do not consider that that this is a role that the regulator, rather than individual awarding organisations whose qualifications these are, should fulfil. As these are elements related to the delivery of qualifications, we believe they are already covered by conditions C2.5 and D8”*

*Awarding organisation (official response)*

- 7.8 One awarding organisation suggested a consistent approach where all awarding organisations accept credit transfer and recognise prior learning, is one that has not yet been considered.

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<sup>19</sup> Three of those expressed this opinion in the multiple-choice question, the third did so in their qualitative email response to the consultation

## All other awarding organisations

7.9 Respondents in this group most commonly support Ofqual’s approach to the proposal that awarding organisations could assign credit values to qualifications. A smaller group of respondents did express some concerns and queries, the main one being the current funding model, as funding is only available for credit-bearing qualifications. Respondents either suggested that this would lead to awarding organisations applying credit in the future or that the funding model would have to be adapted to this new regulation.

*“The current funding model is based on the size of qualifications, which is determined by credit which, if the situation were to remain the same, would mean that qualifications would continue to be credit bearing. It would be important to understand how Ofqual foresee the calculation of credit going forward, with the consultation on GLH and TQT running in parallel with these proposals”*

*Awarding organisation (official response)*

7.10 Respondents raised a number of questions around the calculation of credit and the application of credit to qualifications rather than units. Respondents emphasised that a consistent approach was necessary and desirable and that clear guidance or regulation is needed to ensure this.

*“What credit calculation and worth would be applied to qualifications which Ofqual are proposing will be possible to be ‘credit bearing’ moving forward? A clear and published formula would be necessary, otherwise the amount of credit a qualification attracts will be meaningless to users and stakeholders”*

*Awarding organisation (official response)*

7.11 A number of respondents also pointed out that credit is used as an indicator for the size of a qualification and that it would be desirable to continue with this, as this is important for individuals’ decisions on what qualification to choose and to compare qualifications with each other.

*“Centres, students and other stakeholders must be able to continue to understand what a qualification actually represents and what its size and ‘value’ is. The Skills Funding Agency currently only funds Certificates and Diplomas, and as such it is important to maintain a clear definition of the size and ‘value’ of these qualifications in order to avoid problems for centres obtaining funding for individual students’ programmes of study”*

*Awarding organisation (official response)*

7.12 A smaller number of respondents in this group, similar to the first group, also pointed to possible problems in the transferability, comparability and consistency of qualifications, resulting in a possible devaluation of the credit system. Some also noted that it might be difficult to ensure the transferability across UK or EU borders.

*“We feel that a mixture of both credit and non-credit bearing qualifications could potentially be confusing, particularly in an international market where a lot of work has been undertaken to ensure alignment with other credit frameworks”*

*Awarding organisation (official response)*

7.13 In relation to Ofqual’s other proposals on credit and credit transfer, respondents in this group expressed similar views to those held by the awarding organisations holding the largest QCF market share: 86.5% agreed that awarding organisations should be permitted, but not required to accept credit awarded by others and 97.3% agreed that awarding organisations should, if they chose to accept credit from others, have to publish clear policies around this.

7.14 Nearly half (47.9%) agreed that Ofqual should facilitate the availability of information about these policies, while 38.4% disagreed with this, although a number of respondents stated in response to an open question that they were unclear what was meant by this statement and what Ofqual would actually do.

7.15 A number of respondents expressed their concern that allowing awarding organisations to decide whether or not to accept credit transfer or to recognise prior learning would disadvantage learners. Equally, it is feared that an inconsistent approach across awarding organisations may also be detrimental to learners. Some respondents therefore suggested that awarding

organisations should be required or at least encouraged to accept credit transfer and recognise prior learning in all or at least some cases.

*“It seems very odd that an awarding organisation does not have to recognise credit awarded by another awarding organisation. As long as the credit being positioned for recognition, in the main covers the majority of learning outcomes of the qualification the credits are aiming to achieve, recognition should be gained. If not, we are in the position that learners will be aimlessly having to repeat learning that they have already completed”*

*Awarding organisation (official response)*

### **All other respondents**

7.16 All other respondents to the consultation were more critical of Ofqual’s proposal about credit being optional and the majority raised concerns. They mainly argued that credit was an important indicator of qualification size and as such valuable to users. A small number of respondents also queried how funding will be applied in the absence of credit.

7.17 In relation to Ofqual’s other proposals regarding credit transfer and recognition of prior learning, non-awarding organisations were slightly less supportive than other respondent groups of a move to allow awarding organisations to decide how to recognise prior learning, with 69.8% in agreement. All respondents agreed, however, that awarding organisations should publish a policy about their stance. This group of respondents also held different views about Ofqual’s role as facilitator of the availability of information, with more than three-quarters (76.2%) in agreement.

7.18 When asked to consider other options, only a very small number of respondents provided ideas. However, those which did, predominantly suggested that awarding organisations should be required to accept the transfer of credit and recognise prior learning.

*“We would not be supportive of the proposal that recognition of prior learning would not be mandatory. The evolution of the Unique Learner Number with the Personal Learner Record being populated by the awarding organisations allows a transparency for prior credit achievements to be recognised. We therefore believe that where a learner’s credit is relevant (judged by the awarding organisation) then it should always be recognised so as to ensure the learner is not duplicating learning”*

*Other representative or interest group (official response)*



## 8. Awarding Organisation Autonomy: Assessment

### Views on governance of assessment arrangements for QCF-type qualifications

8.1 Ofqual invited respondents' opinions on the proposal that assessment arrangements for QCF-type qualifications will in the future be governed solely through the General Conditions of Recognition. Over-two thirds of all respondents who offered their view on this question strongly agreed with this approach, with the remainder voicing concerns or questions.

### Awarding organisations holding the largest QCF market share

8.2 All of these awarding organisations were strongly in agreement with this proposal, noting that this would give them the opportunity to design assessments with greater flexibility which are reliable, robust and fit for purpose. They felt this may also reduce the over-assessment of learners and allow more freely for compensatory assessments.

### All other awarding organisations

8.3 The majority of other awarding organisations also agreed with this approach, citing similar reasons as those mentioned above. However respondents' agreement was largely dependent on the detail of additions to the General Conditions of Recognition to address validity, reliability and fitness for purpose, the guidance that Ofqual will publish to support this, and the consistency of interpretation of the regulation and guidance.

8.4 Some respondents noted that unless added regulation or guidance is put in place, this may result in a lack of consistency and standardisation, which in turn might undermine confidence in the value of qualifications and make them more difficult for employers and learners to understand.

*“We agree that a proposed qualification should demonstrate validity. The General Conditions of Recognition, however, define validity in terms of assessment and the assessment process. It would be imperative to provide clarity about the criteria used to establish or judge the validity of a proposed qualification, if Ofqual wishes to locate ‘validity’ as the central tenet for all qualifications”*

*Awarding organisation (official response)*

*“General Conditions of Recognition will need to be very rigorous and robust (and clear) concerning assessment requirements to prevent against poor assessment practices which thoroughly undermine the value of qualifications”*

*Awarding organisation (official response)*

## All other respondents

- 8.5 All other respondents were most commonly in agreement, but noted more concerns than the two awarding organisation groups. They reiterated the point made above that the change depends on the additional regulation and guidance in place as to whether this will be a positive move.

*“We agree this can be done, however the General Conditions will need to be amended to avoid losing any valuable information from the existing Regulatory Arrangements and clear links and guidance required for the accreditation requirements of qualifications”*

*Other representative or interest group (official response)*

*“This should simplify the approach to qualification design, provided adequate and clear guidance is provided on the definitions of valid, reliable, fit for purpose and other relevant terminology to ensure that the regulations are clear and awarding organisations are fully aware of the requirements”*

*Other representative or interest group (official response)*

- 8.6 Within this group, concerns were raised about the quality and fitness for purpose of qualifications. Some especially pointed out the possibility for compensatory assessment and noted that in some sectors, such as health and social care, a compensatory approach is not appropriate and would undermine the quality of the workforce and dropping standards in knowledge and practice. They also asked for clear guidance as to when such a compensatory approach may be used.

## 9. Titling

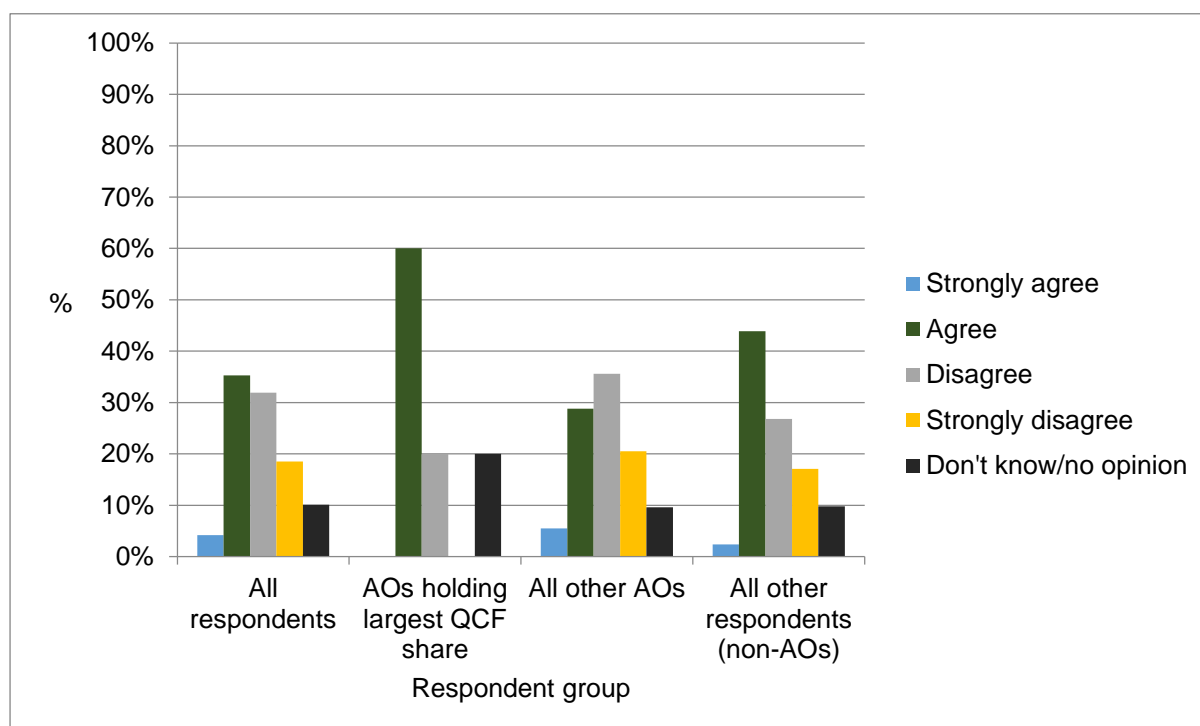
### Views on implications for the titling of qualifications

- 9.1 The removal of the Regulatory Arrangements for the QCF has implications for the titling of qualifications and Ofqual asked the respondents to comment on the proposed approach. Firstly, respondents were invited to comment on the statement that the General Conditions of Recognition will provide sufficient limitation on an awarding organisation’s ability to make use of ‘award’, ‘certificate’, and ‘diploma’ in the title. Secondly, following the withdrawal of the Regulatory Arrangements, Ofqual will no longer require the use of the term ‘QCF’ in the title and set out in the consultation document proposals dealing with the removal of the term, as well as the time limits for making those changes.
- 9.2 Tables 8 and 9 and the accompanying Figures 12 and 13 show the extent of agreement with the proposed approach. While 39.5% of all respondents agree that the General Conditions of Recognition provide sufficient limitations on the use of the words ‘award’ ‘certificate’ and ‘diploma’, 50.4% disagree, including 18.5% who strongly disagree. In relation to the removal of the term ‘QCF’ in the titles of qualifications, 49.6% agree with the proposed approach and time frame, but again, a significant portion, 42.1% disagree, including 19.8% who strongly disagree.

**Table 8: Limitation on titling through GCR – extent of agreement**

	All respondents	AOs holding largest QCF share	All other AOs	All other respondents (non-AOs)
Base	119	5	73	41
Strongly agree	5 4.2%	-	4 5.5%	1 2.4%
Agree	42 35.3%	3 60.0%	21 28.8%	18 43.9%
Disagree	38 31.9%	1 20.0%	26 35.6%	11 26.8%
Strongly disagree	22 18.5%	-	15 20.5%	7 17.1%
Don't know/no opinion	12 10.1%	1 20.0%	7 9.6%	4 9.8%

**Figure 12: Limitation on titling through GCR – extent of agreement**



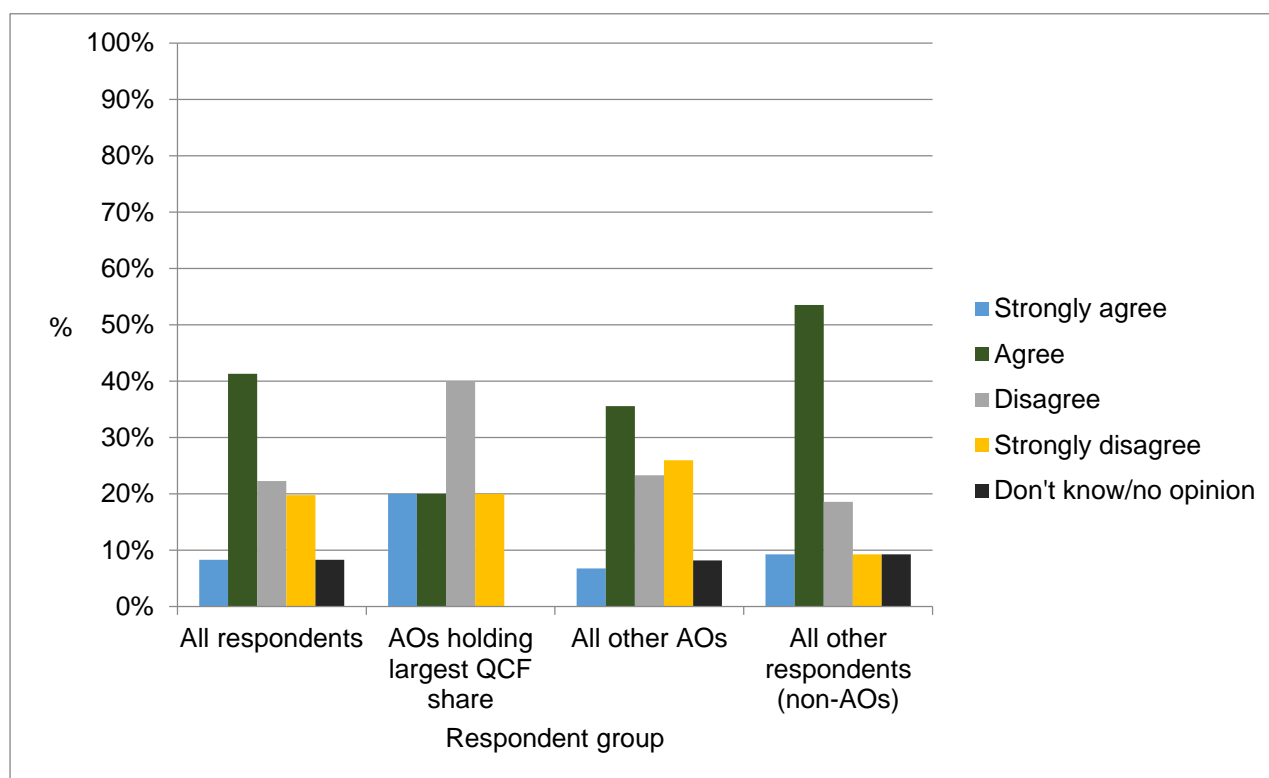
Base 119 respondents

**Table 9: Removal of QCF from qualification titles – extent of agreement**

Q11 When we withdraw the *Regulatory Arrangements for the Qualifications and Credit Framework* we will no longer require the use of the term (QCF) in the title of qualifications. We have set out proposals dealing with removal of the term (QCF) from the title of qualifications and the time limits for making those changes. To what extent do you agree or disagree with our proposed approach?

	All respondents	AOs holding largest QCF share	All other AOs	All other respondents (non-AOs)
Base	121	5	73	43
Strongly agree	10 8.3%	1 20.0%	5 6.8%	4 9.3%
Agree	50 41.3%	1 20.0%	26 35.6%	23 53.5%
Disagree	27 22.3%	2 40.0%	17 23.3%	8 18.6%
Strongly disagree	24 19.8%	1 20.0%	19 26.0%	4 9.3%
Don't know/no opinion	10 8.3%	-	6 8.2%	4 9.3%

**Figure 13: Removal of QCF from qualification titles – extent of agreement**



Base 121 respondents

### **Awarding organisations holding the largest QCF market share**

- 9.3 Three of the awarding organisations of this group agree with Ofqual’s first proposal on titling i.e. use of terms such as ‘award’ etc. One however, stated that *‘given the familiarity with the concept of award, certificate and diploma represent increasing sizes it may be worth considering keeping this relationship.’*
- 9.4 The three other awarding organisations, including the one choosing the ‘don’t know/no opinion’ option, were more sceptical of this proposal. Two of those stated that this may lead to inconsistencies and complexity of titling and may cause confusion in the market place just as users were getting used to the QCF-derived terminology. The third interpreted this to mean changing of titles to fit into the QCF framework, which would require considerable resources.
- 9.5 Only two of the six awarding organisations agreed with the approach to remove the term ‘QCF’ in the title, but did not provide any more details of their rationale. The other four disagreed with the proposal, with three citing the confusion that would result for learners, employers and the market place. Two also stated that this change would have significant resource implications and that the removal of this titling would leave a gap and make it difficult to compare qualifications.

*“Users of qualifications are now beginning to understand and recognise the term QCF its removal would cause confusion. Furthermore, removal will undermine the value of vocational qualifications in the eyes of users. Removal of the QCF will leave a gap in terms of how to explain how qualifications compare with each other”*

*Awarding organisation (official response)*

## **All other awarding organisations**

- 9.6 All other awarding organisations that responded to the consultation were equally or more critical of the suggested changes. Just over half of respondents (56.1%) disagreed that the General Conditions of Recognition will be sufficient to limit the use of ‘award’ ‘certificate’ and ‘diploma’. Furthermore 49.3% of respondents disagreed with the removal of the term ‘QCF’.
- 9.7 Three main concerns were voiced in relation to the first part of the proposed change. Firstly, that the terms ‘award’ ‘certificate’ and ‘diploma’ provide a useful indication of the size of the qualification and as such it is important that they are applied in a consistent manner in the future. Secondly, that the changing of the titling back in 2008 consumed a large amount of resources and it took time to educate the public on those terms – with any further changes now likely to cause confusion in the marketplace. Finally, that the three terms provide users with a useful indication of size and make comparisons between qualifications possible.

*“It has taken some time to educate the users of our qualifications into an understanding of ‘award’, ‘certificate’ and ‘diploma’. These titling conventions, linked to credit, were put in place in order to provide some order to the chaos of titles that existed previously. There should be criteria for credit-bearing qualifications to ensure that these titling conventions are maintained”*

*Awarding organisation (official response)*

*“Having the use of ‘award’ ‘certificate’ and ‘diploma’ consistently linked to credit values provides a useful and consistent indicator of size for qualification users. It also helps us to identify qualifications for comparability purposes and a move away from this convention may impact on our ability to comply with Condition H3.1c”*

*Awarding organisation (official response)*

*“The introduction of the titling arrangements for QCF qualifications caused much confusion with employers and learners and this mistake must not be repeated. Whether these terms stay or go, there has to be consistency and standardisation otherwise chaos will reign”*

*Awarding organisation (official response)*

- 9.8 More than half of respondents reiterated the concerns in relation to the second part of the suggested titling changes – namely that removal would cause confusion with users; that QCF is a brand and common currency; and that removal of the term may impact on the perceived value and currency of qualifications, including for learners that have already achieved QCF qualifications.
- 9.9 Similar concerns were expressed about resources previously invested to embed changes as the QCF was introduced and the resources it would now take to change to a new system. A similar number of respondents also had concerns about the gap that will be left through the removal of the QCF and that there was no alternative framework against which to explain qualifications<sup>20</sup>.

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<sup>20</sup> It should be noted, however, that Ofqual’s consultation document does include reference to the introduction of a single qualifications framework

*“Employers and learners recognise the term ‘QCF’ as a common currency and shorthand for specific types of qualifications. To remove this would cause confusion after a relatively short period of implementation. Until there is a proposal for what would replace the QCF its removal will leave a gap both in terms of how to categorise qualifications and how to explain to stakeholders how they compare with other qualifications”*

*Awarding organisation (official response)*

*“The cost implications for us will be significant and we believe it is unreasonable to expect us to finance the dismantling of a framework that was imposed on us and which we have had to invest in only a number of years ago”*

*Awarding organisation (official response)*

## **All other respondents**

- 9.10 A smaller number of other respondents also submitted a commentary to these two questions. In relation to the first statement on the use of the terms ‘award’ ‘certificate’ and ‘diploma’, most were also concerned about how useful these terms are for describing the size of qualifications and made the point that either the same or another system would need to be in place to convey the size of qualifications in the future and that the terms be used consistently in the future.
- 9.11 Only a small number of respondents offered additional commentary on the second question, some of whom agreed and some who disagreed with the statement. Concerns were similar to those expressed by the awarding organisations.

*“If the QCF is to be withdrawn, then this is a sensible removal. However, there should be something in the title or description of a qualification, which ensures that qualifications regulated by Ofqual can be clearly distinguished from those that are not. The way in which the changes need to be made to RITS should also ensure that the administrative burden to awarding organisations is minimised”*

*Other representative or interest group (official response)*



## 10. Equality Impact

10.1 As part of this consultation, Ofqual sought to determine any impacts on persons with protected characteristics. Respondents were asked to comment on any further potential impacts not identified in the consultation document, steps that could be taken to mitigate any negative impact on these persons, and provide any further comments on this topic.

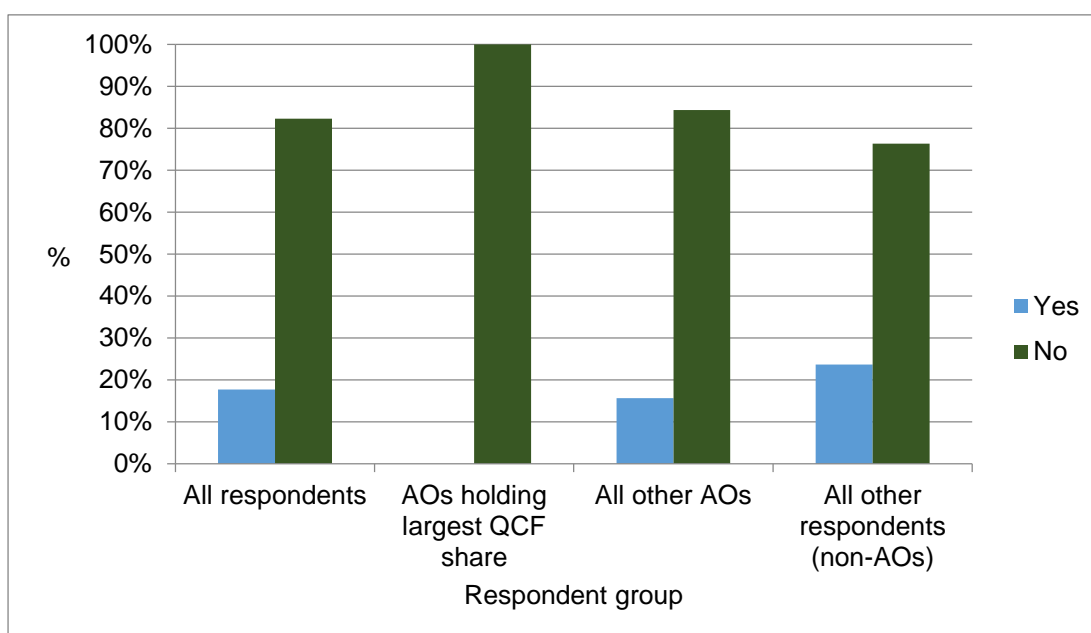
10.2 Tables 10 to 12 and the accompanying Figures 14 to 16 present the responses. As some base numbers are relatively low, the detailed responses to the follow-up open questions are presented across all three respondent groups.

**Table 10: Potential equality impacts – extent of agreement**

	All respondents	AOs holding largest QCF share	All other AOs	All other respondents (non-AOs)
Base	113	5	70	38
Yes	20 17.7%	- -	11 15.7%	9 23.7%
No	93 82.3%	5 100.0%	59 84.3%	29 76.3%

Q14 We have identified a number of ways in which the proposals on withdrawal of the *Regulatory Arrangements for the Qualifications and Credit Framework* may impact on persons who share a protected characteristic. Are there any other potential impacts we have not identified?

**Figure 14: Potential equality impacts – extent of agreement**



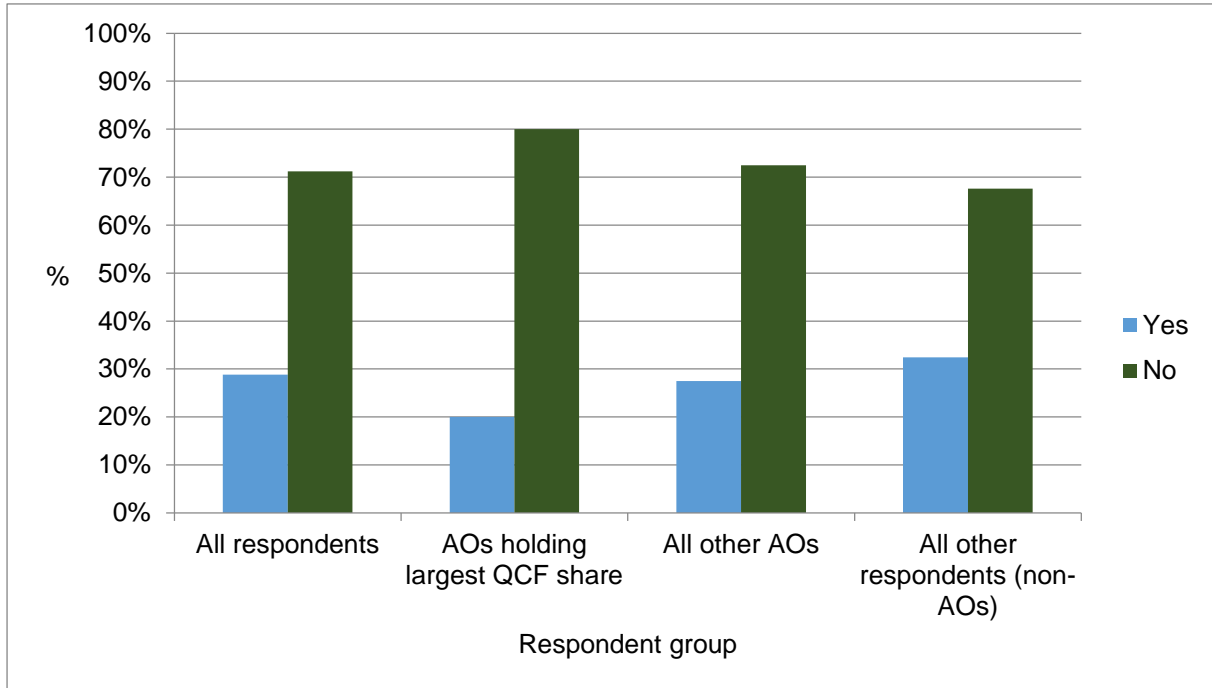
Base 113 respondents

**Table 11: Steps to mitigate negative impacts – extent of agreement**

Q15 Are there any additional steps we could take to mitigate any negative impact resulting from these proposals on persons who share a protected characteristic?

	All respondents	AOs holding largest QCF share	All other AOs	All other respondents (non-AOs)
Base	111	5	69	37
Yes	32 28.8%	1 20.0%	19 27.5%	12 32.4%
No	79 71.2%	4 80.0%	50 72.5%	25 67.6%

**Figure 15: Steps to mitigate negative impacts – extent of agreement**

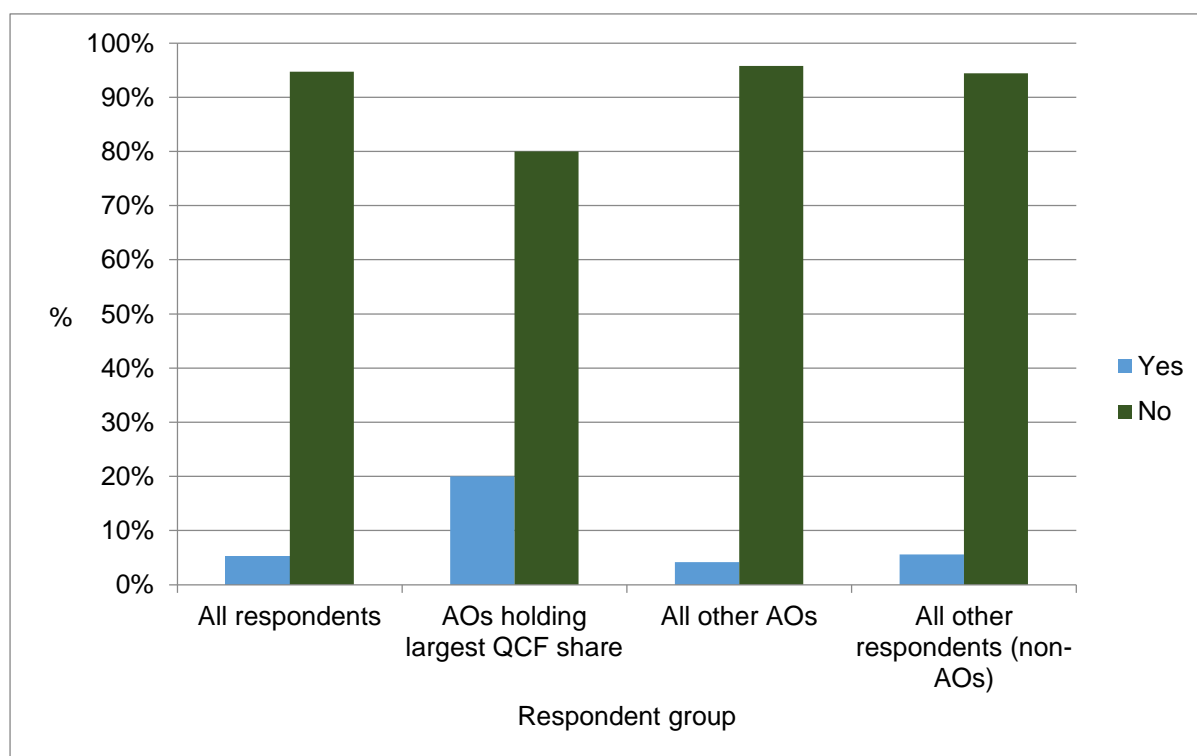


Base 111 respondents

**Table 12: Further comments on equality impacts – extent of agreement**

	All respondents	AOs holding largest QCF share	All other AOs	All other respondents (non-AOs)
Base	113	5	72	36
Yes	6 5.3%	1 20.0%	3 4.2%	2 5.6%
No	107 94.7%	4 80.0%	69 95.8%	34 94.4%

**Figure 16: Further comments on equality impacts – extent of agreement**



Base 113 respondents

10.3 Some respondents thought that if the proposals were to be followed through, it could make it more difficult for learners with protected characteristics to understand what the qualification offers and how qualifications relate to one another, especially in relation to qualification size.

10.4 Others had particular concerns about qualifications which would not be unitised, as this is a particularly helpful approach for people with learning difficulties, those that are younger, and also older people seeking to add to their qualifications while working.

10.5 Although not a protected characteristic, one respondent was also concerned about people in low-wage jobs, for which the bite-size approach is ideal for working towards a full qualification. The unitised approach was also deemed helpful for people with health problems, pregnant women or those with children.

*“Inclusiveness, accessibility and responsiveness to learner need as facilitated by the unit based and credit bearing nature of the QCF were policy objectives for the QCF and it is these objectives that are potential being sacrificed by these proposals”*

*Awarding organisation (official response)*

10.6 The vast majority of those proposing mitigating steps, suggested a clear and well thought out communication and PR strategy well ahead of the changes, to inform users and stakeholders of why the changes were happening and what changes were being introduced. Some respondents also suggested the plans themselves should be clear and realistic in terms of timetables in order to mitigate any negative impact on learners, including those with protected characteristics. Respondents also asked that regulation be applied flexibly and reasonably when learners with protected characteristics are concerned.

*“Planning and developing a clear and sustained communication campaign to explain to stakeholders the changes that are being made to the QCF, what they do and do not mean and why they are being made. It is essential that the language used to communicate any changes to the QCF or a full withdrawal of the QCF is positive and does not impact negatively on the perception of QCF qualifications or vocational qualifications as a whole”*

*Other representative or interest group (official response)*

10.7 Respondents suggested retaining the unitary approach or a similarly flexible alternative for learners with protected characteristics. Another respondent suggested piloting the proposed changes to measure and monitor the impact before the proposal is more widely implemented.

## 11. Regulatory Impact

### Views on regulatory impacts not yet identified

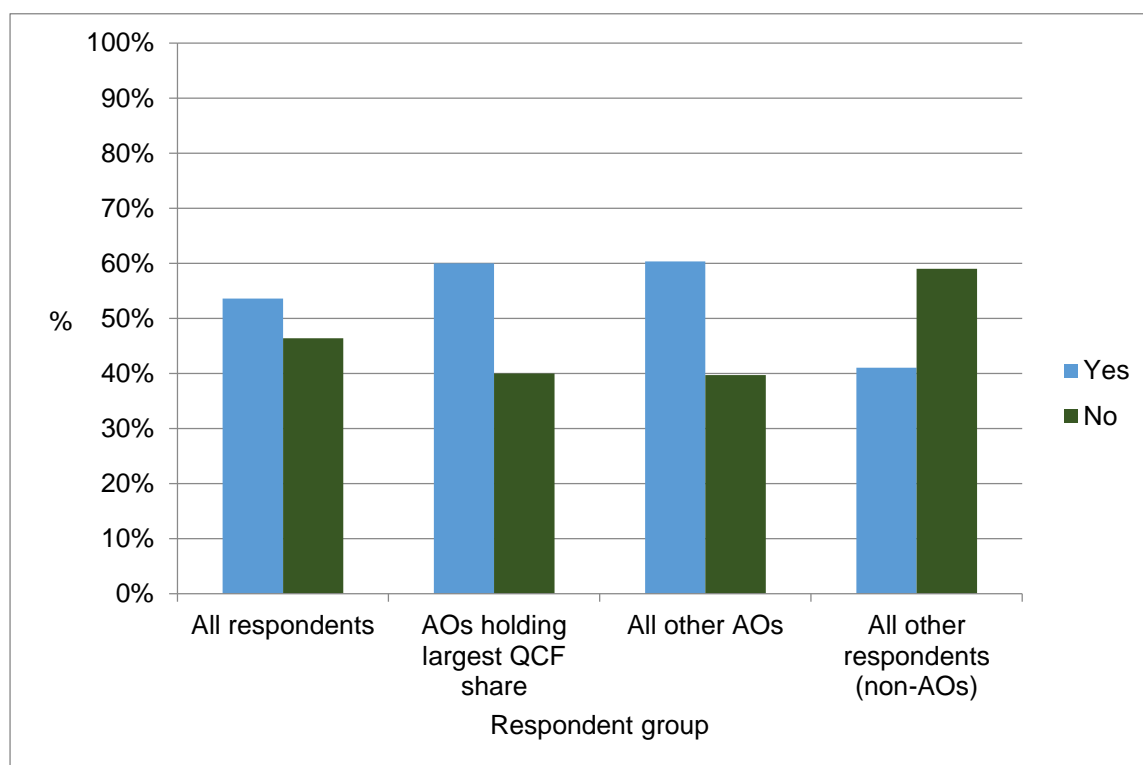
11.1 The final question in the consultation asked respondents whether there were any regulatory impacts not yet identified by Ofqual and, if yes, to provide further details. Table 13 and Figure 17 give an overview of the number of respondents that said ‘yes’ to this question. Respondents who identified further impacts were predominantly from awarding organisations.

11.2 In general, the majority of responses tended to identify or reiterate a number of further concerns and questions rather than to identify any specific regulatory impacts. However, regulatory impacts have already been mentioned by a number of respondents in answers to previous questions, for example on the issues of the closure of the unit bank and the revision of qualification titles, so the comments described in these sections should be taken into consideration.

**Table 13: Identified regulatory impacts – yes or no**

Q17 Are there any potential regulatory impacts of the proposals in this document that we have not identified?					
	All respondents	AOs holding largest QCF share	All other AOs	All other respondents (non-AOs)	
Base	112	5	68	39	
Yes	60	3	41	16	
	53.6%	60.0%	60.3%	41.0%	
No	52	2	27	23	
	46.4%	40.0%	39.7%	59.0%	

**Figure 17: Identified regulatory impacts – yes or no**



Base 112 respondents

### **Awarding organisations holding the largest QCF market share**

11.3 Three awarding organisations holding the largest QCF market share had the following comments, concerns or questions:

- There needs to be a joined up approach with other Government departments, who will also introduce relevant changes in the near future and with the results of other consultations that are also being conducted at present;
- Further detail is required concerning the impact of these reforms across the UK nations;
- There is confusion around the status and future of the NQF and this needs to be clarified;
- What is Ofqual’s intention around other qualification types?
- The timescale of the proposed changes is unclear and needs to be more clearly communicated;

- There needs to be communication between Ofqual and providers and the sector in relation to these changes, and specifically, Ofqual needs to have a clear communication strategy.

### **All other awarding organisations**

- 11.4 Other awarding organisations reiterated their concern about the possible resource implications already identified in previous sections. They also shared the first four concerns outlined in the bullet points above. Additionally, a small number were concerned that smaller awarding organisations in particular would not be able to respond to the market and provide the same standard of customer service as they do currently, for example due to the additional recognition requirements when expanding to other sectors. They were concerned that this would impact negatively on their business and that customers would rather choose to work with bigger organisations in the future.
- 11.5 Some other respondents noted that the perceived burden of the proposed changes, especially the cost implications, could prompt some awarding organisations to move away from regulation.
- 11.6 Awarding organisations were concerned that too many changes implemented too quickly, could impact negatively on their business, and their ability to provide high quality and valid qualifications. They therefore asked that the proposed timescale be reconsidered. A number of respondents mentioned the tight timescales allocated when the QCF was introduced and the negative consequences they experienced as a result, notably in relation to the quality of units developed. They also supported a more measured implementation of the current reforms.
- 11.7 A number of other respondents also stated the importance of ensuring that all involved have a common language moving forward, in order to communicate with each other and with users, and noted that a lack of knowledge of what is to come makes this difficult.
- 11.8 Some respondents also asked for clarification on how Ofqual plans to monitor comparability of standards. A few respondents reiterated their earlier views that an indication of qualification size will be important within the new framework.

*“It is not clear what is going to be replacing the QCF and how it is going to be replaced. We have a duty to our centres not only to inform them that the QCF is going, but to give them all the facts about what will be in its place and the impact on them and their learners. We’re pretty clear about what’s being removed, but what we’re not clear on is what the new system is and how it will work”*

*Awarding organisation (official response)*

*“As a final comment, many of us recall the highly stressful years leading up to QCF implementation, and the implementation phase itself, when AOs and all other submitting bodies were required to “populate the QCF”, at speed, and at all costs – including quality. This came back to bite. Please let us learn the lessons from the QCF implementation and not simply repeat all the mistakes again by introducing wholesale changes with no clear thought, understanding or articulation of all the implications on all the stakeholders, and to unrealistically short timescales”*

*Awarding organisation (official response)*

## **All other respondents**

11.9 Other respondents echoed most of the concerns and questions raised by the awarding organisations, albeit in smaller numbers.

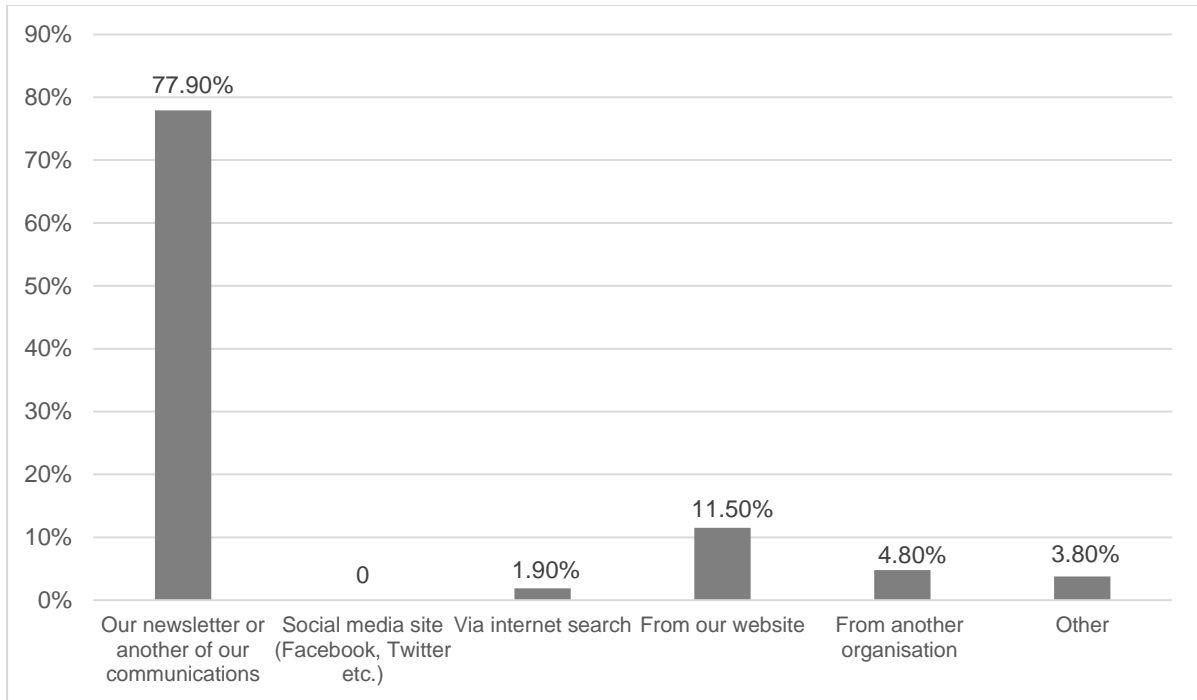
*“Whilst increased flexibility is welcomed in the development of qualifications and assessment, Ofqual should consider how it will monitor comparability across qualifications in terms of standards and levels if organisations will be using a variety of structures and methodologies in regulated qualifications. This is particularly important in the context of compliance with Condition H3.1(c) and how this will in the future be evidenced by organisations and monitored by Ofqual if organisations have more limited opportunity to compare qualification standards”*

*Other representative or interest group (official response)*



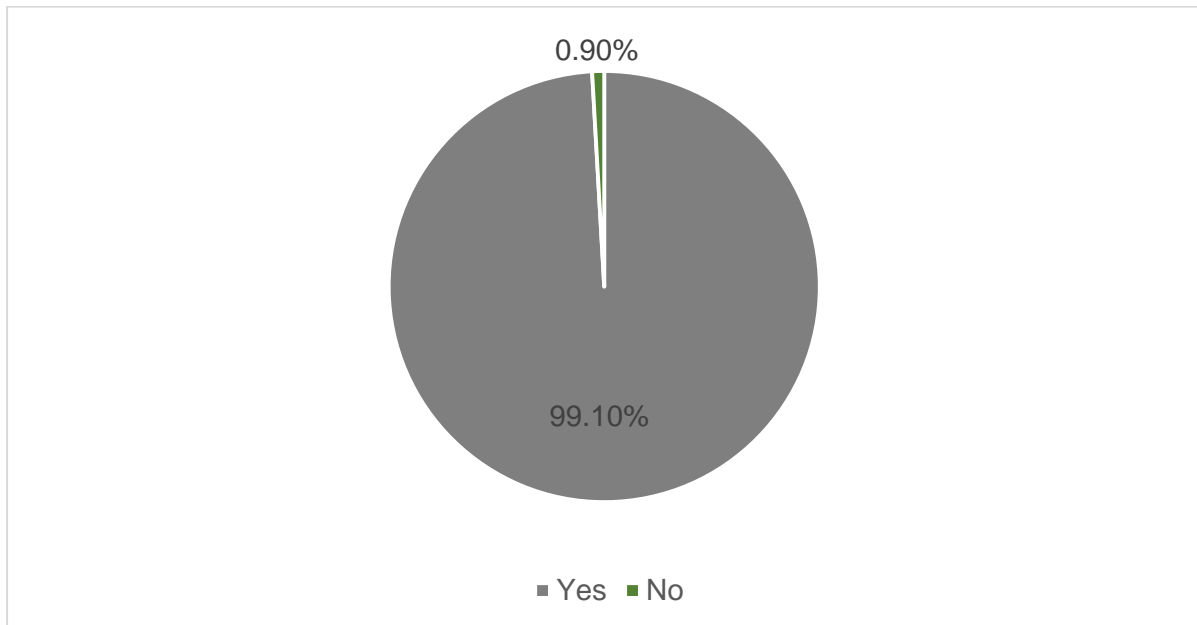
## Appendix 1: Additional Respondent Information

Figure A1.1: How respondents heard about the consultation



Base 104 respondents

Figure A1.2: Whether Ofqual may contact respondents for further information



Base 115 respondents

## Appendix 2: List of Organisations Represented

This list provides the names of organisations from which official (organisation-level) and personal (individual) responses were received in response to the online version of the consultation questionnaire.

This list only includes names of organisations where the answer ‘No’ was given to the following question in the online consultation:

*“Would you like us to treat your response as confidential? If you answer ‘Yes’ we will not include your details in any list of people or organisations that responded to the consultation.”*

**Respondents who did not submit an online response to the consultation questionnaire (i.e. those who submitted their response via email or in hard copy) are not included in this list.**

AAT  
ABC Awards  
ABMA Education Ltd  
ACCA  
Accredited Skills for Industry (ASFI)  
Active IQ  
Agored Cymru  
APT Awards  
AQA  
ASDAN  
Association of Colleges  
Association of International Accountants (AIA)  
Association of School and College Leaders  
Association of Teachers and Lecturers (ATL)  
Au Fait Consultancy Ltd  
Awarding First  
BIIAB  
British Driving Society Awards Board  
Bucks Learning Trust on behalf of Buckinghamshire County Council  
CABWI Awarding Body  
CACHE – The Council for Awards in Care, Health and Education  
Care Council for Wales  
Caroline Morris  
CCEA  
Central Qualifications  
Certa  
Chartered Institute for Securities & Investment  
Chartered Institute of Legal Executives (CILEx)  
Chartered Insurance Institute  
Chartered Management Institute

CIPS  
CITB (Construction Industry Training Board)  
City & Guilds  
Council for Dance Education and Training  
CPCAB  
Creative Skillset  
Cskills Awards  
Department for Employment and Learning  
EAL  
EMD Qualifications Limited  
Engineering Construction Industry Training Board (ECITB)  
English Speaking Board  
Federation of Awarding Bodies  
FPSB UK  
Future (Awards and Qualifications) Ltd  
Gateway Qualifications  
GQA Qualifications Ltd  
Graded Qualifications Alliance  
Highfield Awarding Body for Compliance  
ifs University College  
IMI Awards Ltd  
Imperial Society of Teachers of Dancing  
Industry Qualifications  
Industry Qualifications Ltd  
Institute of Credit Management  
Institute of Hospitality Awarding Body  
Institute of Leadership & Management  
International Association of Book-keepers  
International Dance Teachers Association  
ISMM  
Joint Council for Qualifications  
Lantra  
Laser Learning Awards  
Lifetime Awarding (LAO)  
Management Standards Centre (MSC)  
National Institute of Adult Continuing Education (NIACE)  
NCFE  
Network Exams Ltd  
NFoPP  
NOCN  
Northern Ireland Social Care Council  
NVQ BUSINESS SOLUTIONS  
OCN London  
OCR (Oxford, Cambridge and RSA Examinations)  
Open College Network Northern Ireland (OCN NI)  
PAA\VQ-SET  
Pearson  
Pensions Management Institute

PIABC  
Qualsafe Awards  
Remit Training  
Rockschool Ltd  
Royal Academy of Dance  
RSPH  
Safety Training Awards  
Scottish Qualifications Authority trading as SQA  
Scottish Qualifications Authority, Accreditation  
Skills for Care  
Skills for Justice / Financial & Legal Partnership  
Sports Leaders UK  
Stan Lester Developments  
SummitSkills  
The Chartered Institute of Building (CIOB)  
The Institute of Chartered Accountants in England and Wales (ICAEW)  
The Institute of Export and International Trade  
The National Centre for Strategic Leadership  
The Open University VQ Assessment Centre  
TLM  
Training Qualifications UK  
Trinity College London  
UAL Awarding Body  
Voice  
WAMITAB  
WJEC

## Appendix 3: Consultation Questionnaire

**Question 1.** We propose to change the way we regulate some vocational qualifications by withdrawing the *Regulatory arrangements for the Qualifications and Credit Framework*. From now on, we will only use the existing General Conditions of Recognition – supplemented in some instances by new General Conditions or guidance – to regulate qualifications that have been or would have been designed to meet the *Regulatory arrangements for the Qualifications and Credit Framework*. To what extent do you agree or disagree with the proposed change?

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- Don't know / no opinion

Are there any other options that we have not considered?

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**Question 2.** We propose to change existing recognition arrangements for some vocational qualifications, following the withdrawal of the *Regulatory arrangements for the Qualifications and Credit Framework*. We invite your comments on the proposed changes.

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**Question 3.** What are the implications, if any, of closure of the unit bank?

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In your opinion, what would be the impact of this measure?

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In your opinion, are there any unintended consequences of closing the unit bank that we have not considered?

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**Question 4.** Following the withdrawal of the *Regulatory arrangements for the Qualifications and Credit Framework* we will not impose design requirements about how QCF-type qualifications are structured nor on whether they are made up of units or in some other way. We invite your comments on our proposals.

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**Question 5.** To address the withdrawal of the *Regulatory arrangements for the Qualifications and Credit Framework* on credit accumulation, we propose it should continue to be possible for qualifications to be credit-bearing, provided the qualifications are otherwise valid and reliable. We further propose that it should only be possible to attribute credit down to the smallest part of the qualification that can be discretely assessed. We invite your comments on our proposed approach.

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**Question 6.** To what extent do you agree or disagree with the following proposals:

**(a)** Awarding organisations should be permitted to, but should not have to, recognise credit awarded to a student by another awarding organisation:

( ) Strongly agree

- Agree
- Disagree
- Strongly disagree
- Don't know / no opinion

**(b)** Awarding organisations which intend to allow credit transfer or which intend to recognise prior learning in some other way must publish a clear policy approach to doing so.

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- Don't know / no opinion

**(c)** Ofqual should facilitate the availability of information about each awarding organisation's approach to the recognition of prior learning.

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- Don't know / no opinion

Are there any other options that we have not considered?

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**Question 7.** Following the withdrawal of the *Regulatory arrangements for the Qualifications and Credit Framework*, the assessment arrangements for QCF-type qualifications will be governed simply through our General Conditions of Recognition. We invite your comments on this approach.

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**Question 8.** Following the withdrawal of the *Regulatory arrangements for the Qualifications and Credit Framework*, we will not put in place rules to support or facilitate unit sharing.

Where qualifications include collaborative elements, we will focus on whether they meet our regulatory requirements and whether there is clear accountability with each awarding organisation being wholly responsible for all of the qualifications which it offers. We invite your comments on our proposed approach.

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In your opinion are there any other impacts which these proposals are likely to have?

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**Question 9.** We have suggested a number of steps to address issues arising from unit sharing, including use, ownership and accountability. To what extent do you agree or disagree with our proposed approach?

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- Don't know / no opinion

Are there any other options that we have not considered?

.....

.....



**Question 10.** When we withdraw the *Regulatory arrangements for the Qualifications and Credit Framework*, our General Conditions will provide sufficient limitation on an awarding organisation's ability to make use of 'award' 'certificate' and 'diploma' in the title of a qualification. To what extent do you agree or disagree with our proposed approach?

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- Don't know / no opinion

**Question 11.** When we withdraw the *Regulatory arrangements for the Qualifications and Credit Framework* we will no longer require the use of the term (QCF) in the title of qualifications. We have set out proposals dealing with removal of the term (QCF) from the title of qualifications and the time limits for making those changes. To what extent do you agree or disagree with our proposed approach?

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- Don't know / no opinion

**Question 12.** We will still want to have a clear way to explain the relationship between the different qualifications we regulate. We propose an awarding organisation should be required to allocate the right level to each of its regulated qualifications to indicate the relative demand of the qualification. We also propose that the qualifications framework should use eight levels (1 to 8) and three entry levels, as now.

We invite your comments on the proposed approach.

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**Question 13.** An awarding organisation that had correctly attached a current QCF level descriptor to a qualification should not be required to change that description. To what extent do you agree or disagree with this statement?

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- Don't know / no opinion

**Question 14.** We have identified a number of ways in which the proposals on withdrawal of the *Regulatory arrangements for the Qualifications and Credit Framework* may impact on persons who share a protected characteristic. Are there any other potential impacts we have not identified?

- Yes     No

If yes, what are they?

.....  
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**Question 15.** Are there any additional steps we could take to mitigate any negative impact resulting from these proposals on persons who share a protected characteristic?

- Yes     No

If yes, please comment on the additional steps we could take to mitigate negative impacts.

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**Question 16.** Have you any other comments on the impacts of the proposals in this document on persons who share a protected characteristic?

Yes  No

If yes, please comment in relation to the specific proposals.

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**Question 17.** Are there any potential regulatory impacts of the proposals in this document that we have not identified?

Yes (  ) No (  )

If yes, what are they?

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