



Office of Qualifications  
and Examinations Regulation  
Spring Place  
Coventry Business Park  
Herald Avenue  
Coventry CV5 6UB

Telephone 0300 303 3344  
Textphone 0300 303 3345  
[public.enquiries@ofqual.gov.uk](mailto:public.enquiries@ofqual.gov.uk)  
[www.gov.uk/ofqual](http://www.gov.uk/ofqual)

31 August 2018

Rt Hon Anne Milton MP  
Minister of State for Apprenticeships and Skills  
Sanctuary Buildings  
Great Smith Street  
Westminster  
London  
SW1P 3BT

Dear Minister,

Thank you for letter of 10 July in which you provide your steers for the development of Technical Qualifications (TQs) within the T Level programme. As I noted in our response to your T level consultation<sup>1</sup> in February, and discussed with you more recently, Ofqual welcomes the Government's vision to transform the technical education system. The T Level programme is an important development which has a key role in raising the status of technical education. We are committed to working with Government and the Institute for Apprenticeships (the Institute) to develop and deliver TQs that meet the needs of employers and learners.

The current vocational qualification system is complicated and confusing for employers and students. Following the advice of the Sainsbury panel, the Government has taken the decision to pursue single licensing arrangement, with one awarding organisation delivering each TQ, to help address this. We are working in close partnership with the Department for Education and the Institute on implementing the single licensing approach, which includes developing a rigorous regulatory regime to support improved standards in technical education.

Against this backdrop we welcomed your consultation response, published on 27 May 2018, which confirmed our involvement in the T Level programme. This response, and your steer, rightly identified the leading role of the Institute for all aspects of the T Level programme including the TQ. From an Ofqual perspective, your note helpfully differentiates the T Level, including industry placements and other essential elements, from the development of high quality qualifications within that programme. Our focus is set squarely on working with the Institute to secure the development and delivery of high quality TQs. In this context, I am pleased that your

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<sup>1</sup> Ofqual Response to the Government's Consultation on the Implementation of T level Programmes dated 8 February 2018.

steer highlights the important contribution that Ofqual's regulation can make, as part of the single licensing approach, to the consistent assessment and awarding of TQs.

We have worked hard to ensure that Ofqual regulation will add value to TQs and the policy consultation we launched in July is an important first step in that. The proposals set out in the consultation directly build on the decisions set out in your technical annex. In all of our decisions, we are very clear about the need to provide employers with the qualifications that they want and need as well as securing reliable and consistent assessments that are the hallmark of quality provision over time. This might require a recalibration of the way some vocational assessments have traditionally operated. This is because assessments that are set and graded by teachers on their own pupils, without rigorous moderation, have the potential to undermine standards and qualification esteem. T Levels provide the opportunity to reset standards in classroom based technical education.

Your steer identifies the potential conflict between this desire for the maintenance of standards in students' performance and the imperative of these being employer driven qualifications. We are committed to work closely with the Institute to determine how to best strike this balance in a number of areas including the frequency that content is updated and how best to provide employer engagement in the setting of initial performance standards.

In setting our regulations we will be careful to respond to the specific needs and requirements of employers for each individual TQ. A one size fits all approach will not achieve that. Our policy consultation that closed on 6 August considers the rules for TQs which can then be applied to the content for subsequent tranches. We will work closely with the Institute to keep our approach under review as content is developed and confirmed with employers, to ensure they get what they need.

We have already made significant progress in establishing, agreeing and putting in to practice the principles of collaboration with the Institute in order to achieve our common objective of high quality TQs. There is, of course, more for us to do here as we develop the detailed working arrangements that will ensure the effective and efficient delivery of TQs as part of the T Level programme. For our part, we want to develop an arrangement that reflects the lead role of the Institute, while drawing fully on our regulatory levers. We think that this is particularly important in a single provider model where our statutory powers to set and enforce specific outcomes allow for a range of interventions and changes in requirements through the lifecycle of a qualification.

I think it is important to note that the approach we are taking to regulating TQs will not be determined by the 'interim' nature of the joint quality assurance model described in your policy consultation. Rather, it reflects how we think our regulatory levers might best be used in support of the Institute. We are committed to establishing an effective, long-term partnership with the Institute, working on the assumption that our involvement will be an important and enduring feature of TQs. We do, however, recognise your desire to clarify the current legislative framework in

due course and agree that this represents an opportunity to clarify further the respective roles of the Institute and Ofqual in relation to technical qualifications within T Levels.

We support strongly the Institute's lead responsibility for the development of the route curriculum that meets the needs of employers. As the employer-led organisation in the system, the Institute has a unique role in bringing together employers so that occupational standards can be defined and agreed. The Institute has powers to put in place arrangements to secure that qualifications that meet occupational standards are developed, can approve qualifications that meet those standards for delivery and can decide what qualifications need to do to retain that approval.

As you know, Ofqual was formed specifically to separate the curriculum and policy intentions of Government from regulation and the maintenance of standards. This was a deliberate policy decision to avoid the conflict of interest of a Qualification and Curriculum Authority that was 'responsible for developing the content of public qualifications and tests...as well as for regulating those qualifications and tests<sup>2</sup>'. We see the Institute and Ofqual as a natural extensions of this policy intent for technical qualifications, in which our respective strengths need to be harnessed. We think that this is important not just for T Levels but also for any proposals that flow from the qualification review signalled in your consultation response.

I am grateful for your steer which provides helpful context for our policy consultation and subsequent rule-making, as well as a useful framework for our continued collaboration with the Institute. I would like to assure you that Ofqual is fully committed to supporting the successful delivery of TQs as part of the T Level programme. I have shared this with Sir Gerry Berragan at the Institute to inform our continued collaboration and very much look forward to continuing our close working relationship on this most important initiative.

Yours,

A handwritten signature in black ink that reads "S Collier". The signature is written in a cursive style with a long horizontal stroke underneath the name.

**Sally Collier**  
Chief Regulator, Ofqual

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<sup>2</sup> Secretary of State; response to public consultation on the establishment of Ofqual.