

CONSULTATION DECISIONS

# Implementation of Technical Qualifications

Consultation on rules and guidance for Technical Qualifications

**ofqual**

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## Introduction

Our consultation on our rules and guidance for Technical Qualifications took place between 3 September and 28 October 2018. A copy of the consultation and our analysis of responses is available at <https://www.gov.uk/government/consultations/implementation-of-technical-qualifications>. This followed our previous consultation on our approach, which is available at <https://www.gov.uk/government/consultations/ofquals-approach-to-regulating-technical-qualifications>.

This document sets out the decisions we have taken on our Conditions, requirements and guidance following the consultation. We are publishing these decisions at the same time as we publish our *Qualification Level Conditions and Requirements*<sup>1</sup> and *Qualification Level Guidance*<sup>1</sup> for Technical Qualifications.

## Summary of decisions

There are a small number of areas where we have decided to amend our proposals in light of responses received. We explain these in more detail later in this document, but in summary, the areas that have changed from our consultation proposals are:

- marking assessments – to provide additional guidance on factors an awarding organisation should consider when considering whether it is possible for it to mark an assessment itself in a way that is valid and manageable, or whether it might be necessary to permit centre-marking to secure this
- prior learning – to make it clearer how an awarding organisation should consider whether it is possible to recognise prior learning or prior attainment for the Core across different Technical Qualifications
- Total Qualification Time (TQT) – to clarify how TQT should be calculated and how to balance Ofqual's TQT requirements with any figure or range set by the Institute

We have decided to implement the rest of our proposals unchanged, other than minor changes to wording to improve clarity. These areas are:

- qualification purpose
- assessment strategies and outline content
- assessment structure
- assessment objectives
- controls on taking assessments
- assessment availability and retakes
- grading
- setting and maintaining grade standards
- results and certification
- reviewing and appealing results
- other General Conditions and guidance

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<sup>1</sup> <https://www.gov.uk/guidance/ofqual-handbook-technical-qualifications>

# Decisions

## Areas with changes to our consultation proposals

In the areas set out below, we have made changes to our consultation proposals to reflect respondents' feedback.

### Setting and marking assessments

#### What we proposed

- To set assessment requirements under our proposed Condition on assessment (TQ6) which require awarding organisations to mark the Core Examination and allow awarding organisations or centres to mark the Core Project or Occupational Specialisms (where this is permitted by the contract)
- Introduce guidance on moderation where an assessment is marked by a centre to explain the purpose of moderation, and set out expectations around the moderation process that awarding organisations will need to design

#### Responses received

Respondents felt that the proposed requirements were clear. Some made comments about the policy to require that the default position is for assessments to be marked by awarding organisations. Some commented that limiting or restricting centre-marking could lead to awarding organisations taking less innovative approaches to assessment.

#### Our decision

We have decided to implement our requirements on marking assessments as consulted on. This will mean that the Core Examination must be set and marked by the awarding organisation. It will mean that the Core Project and the Occupational Specialisms must be set by the awarding organisation, with input from employers as appropriate.

Both the Core Project and the Occupational Specialisms should be marked by the awarding organisation. To allow for the fact that, exceptionally, there may be validity or manageability concerns that cannot be overcome and would pose significant difficulties for an awarding organisation to mark an assessment, we have not prohibited centre-marking.

In response to queries raised by respondents, we have decided to provide further guidance in relation to the marking of assessments. In particular, this guidance will seek to clarify factors an awarding organisation should consider when determining whether an approach would be an exceptional circumstance in which centre-marking could be permitted.

We have decided to provide additional guidance for awarding organisations, to set out that:

- the default position is for assessments to be marked by the awarding organisation
- where an awarding organisation can mark part of an assessment, it should mark that part, balancing this with the need to ensure the number of assessments remains manageable
- an awarding organisation must give due regard to any requirements relating to the marking of assessments set out in the contract with the Institute
- there are a number of factors, that if significant in impact and not possible to mitigate, may affect an awarding organisation's consideration of whether it is possible for it to mark an assessment

- an awarding organisation must balance the factors set out in our guidance, alongside any others it considers relevant and ultimately, base its decision on what is required by the outline content
- where an awarding organisation does decide to use centre-marking, it must have regard to our guidance on moderation

We have also decided to amend our guidance on moderation slightly to make it clearer that an awarding organisation must consider and have arrangements in place that require centres to retain assessment evidence as appropriate, so that it can carry out its moderation processes.

## Prior learning

### What we proposed

- To put in place Condition TQ7 Recognition of Prior Learning to require an awarding organisation to establish, maintain and comply with a policy for the recognition of prior learning in relation to the Technical Qualification
- To put in place qualification level guidance for Technical Qualifications which will make clear that, in setting their policy on recognition of prior learning, we expect the awarding organisation to follow any requirements set by the Institute

### Responses received

Respondents generally supported this approach. The main comments made related to a desire for further clarity about the circumstances when transfer of content between different Technical Qualifications may be possible.

### Our decision

We have decided to make some minor amendments to the Condition and guidance on which we consulted. Respondents requested further clarity about which parts of a Technical Qualification would be transferable to a different Technical Qualification. As content for the majority of Technical Qualifications is still in development, it is not possible yet to say for definite what content may be transferable. This will depend on the outline content for each Technical Qualification, and the way in which an awarding organisation designs its assessment and elaborates on that content. In some instances it may be possible to recognise prior learning, in others it may not. Our requirements are intended to recognise this, but to make sure that where it is possible, awarding organisations have processes to allow for this.

To make our requirements as clear about this as is possible, we have decided to make the following minor amendments to the Condition and guidance on which we consulted:

- clarify that recognition of prior learning applies to the Core
- clarify in guidance that recognition of prior learning also covers recognition of prior attainment (as set out in General Condition E10 – Recognition of Prior Learning)
- set out in guidance that an awarding organisation should have a process in place for taking decisions about whether it is possible to recognise prior learning across Technical Qualifications, including taking account of any requirements set by the Institute and the content of the Technical Qualifications in question
- clarify that an awarding organisation should set out its process for considering requests for recognition of prior learning, for example the evidence that is required to support such requests

## Total Qualification Time (TQT)

### What we proposed

We proposed a TQT-specific version of Condition E7 (Total Qualification Time) and to disapply the version in the General Conditions. Our proposed version largely replicated E7, but made allowance for the fact that TQT values or ranges will set out by the Institute.

### Responses received

The main comments made in relation to these requirements related to the need for greater clarity about the extent to which it would always be possible to meet both the requirements set by the Institute, and those set by Ofqual. Respondents requested greater clarity on how they should achieve compliance with these requirements, and the extent to which they could make changes to the TQT, if their view on the appropriate figure did not align with that set out by the Institute.

### Our decision

We have decided to make a small number of amendments to our proposed Condition, and to provide some guidance on its application in relation to Technical Qualifications. These will provide further information about how the TQT figure should be set and the interaction between Ofqual's TQT requirements and those set out by the Institute. The changes do not change what is required of an awarding organisation, but are intended to make sure that our requirements align with those set by the Institute. The changes we have made are to:

- amend our Condition to reflect that, in addition to the Institute setting a TQT value, it may instead set a TQT range. Our Condition will allow for figures that are either a requirement an awarding organisation must meet, or guidance to which it must have regard
- provide guidance on the need for an awarding organisation to balance compliance with Ofqual's TQT criteria against any range or figure set by the Institute in relation to TQT, so that it meets our requirements as far as is possible, whilst complying with what is set out by the Institute

Other than the changes described above, we have decided to implement our TQT requirements as consulted on.

## Proposals to be adopted unchanged

In the areas below, we have decided to implement our consultation proposals unchanged, other than a small number of minor changes to improve clarity.

### Qualification purpose

#### What we proposed

We proposed to include the following qualification purpose in our Qualification Level Conditions for Technical Qualifications:

- to provide reliable evidence of Learners' attainment in relation to:
  - the core knowledge and skills for the relevant T Level route and pathway
  - the knowledge, skills and behaviours required for at least one Occupational Specialism relevant to the qualification
- to indicate where Learners would be able to take up an occupational role by ensuring the minimum pass grade standard for Occupational Specialisms attests to this, meets employer expectations, and is as close to full occupational competence as possible for the course of study to enable users to accurately identify and differentiate Learners' levels of attainment
- along with other performance indicators that form part of a T Level, to provide (where required) a basis for accountability measures at age 18

#### Responses received

We had previously consulted on the qualification purpose. The version included in our technical consultation was the wording we had previously decided on. As such, respondents did not comment on this.

#### Our decision

We have decided to implement our qualification purpose as consulted on. This reflects those parts of the overall purpose set out by the government that are most relevant to Ofqual's statutory objectives. We had previously consulted on this as part of our policy consultation, and respondents did not provide any further comments.

We will include the qualification purpose as part of the introduction to our Qualification Level Conditions for Technical Qualifications. This means that although it will not be a Condition in itself, all of the Conditions and requirements we set out for Technical Qualifications will have to be considered in the context of meeting the overall qualification purpose.

## Assessment strategies and outline content

### What we proposed

- To set a Condition (TQ3 – Assessment Strategies) which requires awarding organisations to:
  - establish and maintain an assessment strategy that complies with any requirements set by Ofqual for each new Technical Qualification they offer
  - ensure their assessment strategy sets out how they will comply – on an ongoing basis – with all of the rules that apply to new Technical Qualifications
  - design, set, deliver and mark assessments for new Technical Qualifications in line with their assessment strategy
  - keep their assessment strategies under review, and notify us of any changes to them
  - review their assessment strategy when we ask them to, and make any changes we request
  - if we ask them to, show how they have complied with their assessment strategy (or explain why not), and follow any instructions we give them about complying with their assessment strategy
- to set detailed assessment strategy requirements for new Technical Qualifications in line with our above Condition, which will require awarding organisations to include information and evidence covering their approach to assessment design; assessment development and delivery; centres; and standard setting and maintenance
- to require awarding organisations to explain their approach to coverage of subject content in their assessment strategy, including:
  - how the outline content has been covered overall and in each assessment
  - how the outline content has been expanded where necessary
  - mapping of specification content coverage in specimen assessment materials
  - approach to assessment of content over time
  - how students' interests will be protected if there are changes to content
  - rationale for any inclusion of content that is not in line with the outline content

### Responses received

Respondents supported our proposals, commenting that the assessment strategy was an important document. Some respondents asked whether an awarding organisation was allowed, or required, to publish its assessment strategy. Respondents also queried how the assessment strategy developed against Ofqual's requirements would interact with the assessment strategy required as part of the contract between the awarding organisation and the Institute.

### Our decision

We have decided to implement our assessment strategy Condition as consulted on and to implement our assessment strategy requirements, setting out what an assessment strategy must include, largely unchanged. In our requirements, we have made a small number of drafting changes, and have incorporated additional requirements to:

- set out that whilst Ofqual does not require an assessment strategy to be published, we do not prohibit it either, as long as anything an awarding organisation published would not cause it to breach any of the Conditions that apply to it (for example relating to the confidentiality of materials)
- set out that the assessment strategy submitted to Ofqual may include additional information to what is required by Ofqual (for example to include information required by the Institute instead of having to produce separate versions)
- require additional information in relation to the rationale for any circumstances where an awarding organisation uses centre-marking instead of awarding organisation marking for the Core Project or Occupational Specialisms, and also the controls the awarding organisation will put in place to ensure that such marking is robust

## Assessment structure

### What we proposed

- To put in place the following Conditions:
  - TQ6 Assessment – a Condition on assessment which requires an awarding organisation to comply with any requirements and have regard to any guidance which are published by Ofqual
  - TQ4 Qualification titling – a Condition which requires awarding organisations to ensure that the title of the Technical Qualification on the Ofqual Register complies with any requirements published by the Institute
- to set assessment requirements under our proposed Condition (TQ6 – Assessment) covering assessment structure and number of assessments
- an assessment requirement which makes clear that awarding organisations will need to take a mark-based approach to designing their assessments
- qualification level guidance on assessments for Technical Qualifications covering weighting of Core Assessments

### Responses received

The majority of comments made in this area were minor drafting points. One respondent queried a difference in wording between Ofqual’s requirements, and the contract between the awarding organisation and the Institute in relation to the number of briefs that must be made available for the Core Project.

### Our decision

We have decided to implement our Conditions on assessment and qualification titling as consulted on.

We have also decided to adopt the assessment requirements and guidance we consulted on, largely unchanged, other than minor changes to improve their clarity. The changes we have made are:

- in relation to the Core Project, we have amended the text relating to the number of briefs that an awarding organisation must make available from requiring “*more than one*” to instead require “*a sufficient number of briefs*”. This change reflects the position that will be included in the contract between the awarding organisation and the Institute
- redrafting the parts of our assessment requirements and guidance which had previously included quoted text from the government’s technical annex, so that this text is instead included as part of our requirements. We have not changed the meaning of this text, although have had to amend the wording slightly so that it flows within our requirements
- adding to our guidance on the weighting of the Core Project to also specify the weighting of the Core Examination. Whilst this could be calculated easily, we have included both, to make sure our guidance is as clear as it can be

## Assessment objectives

### What we proposed

- To introduce a Condition (TQ2 Assessment objectives) which allows us to set requirements and/or guidance on assessment objectives
- To set guidance on assessment objectives for the Core Examination setting out:
  - the broad ways in which we expect the content to be assessed
  - an expectation that there is a reasonable balance between the three assessment objectives<sup>2</sup>
- To set guidance for the Core Project setting out an expectation that awarding organisations should:
  - set an assessment objective in relation to each of the requirements in the government's technical annex<sup>3</sup>
  - in setting those requirements:
    - ensure that the assessment objective relating to core knowledge and skills is drafted in such a way as to be specific to the relevant outline content
    - weight the assessment objectives so that the assessment objective relating to the application of knowledge and skills is worth at least 50% of the marks with a reasonable balance between the remaining assessment objectives

### Responses received

Respondents said that our assessment objective guidance is clear. Respondents supported the proposal for these to be guidance (as opposed to requirements), allowing for flexibility in terms of how assessment objectives are interpreted for individual Technical Qualifications. Respondents also felt that allowing flexibility in the weightings between assessment objectives, to be explained through the assessment strategy, was a helpful approach. One respondent queried why the assessment objective guidance is prescribed for the Core Examination but not for the Core Project.

### Our decision

We have decided to put in place our Condition on assessment objectives as consulted on. We have also decided to implement our guidance on assessment objectives as consulted on. As we have proposed for our assessment requirements (set out above), we will redraft the section of our assessment objectives guidance which quotes directly from the government's technical annex to remove the quotation, and instead include it as part of our guidance. This will require a slight amendment to the wording, but will not change the meaning of what this guidance sets out.

One respondent queried the different levels of detail between our assessment objective guidance for the Core Project and for the Core Examination. For the Core Project, the government set out proposed assessment objectives as part of its technical annex, which we

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<sup>2</sup> AO1: Demonstrate knowledge and understanding of the content; AO2: Apply knowledge and understanding of the content to different situations and contexts; AO3: Analyse and evaluate information and issues related to the content.

<sup>3</sup> plan their approach to meeting the brief; apply core knowledge and skills as appropriate; select relevant techniques and resources to meet the brief; use maths, English and digital skills as appropriate; realise a project outcome and review how well the outcome meets the brief

decided to incorporate within our guidance. The government did not specify assessment objectives for the Core Examination. We took a decision that in order to ensure consistency across Technical Qualifications, it would be helpful for there also to be assessment objectives for the Core Examination.

We have set out in our guidance that for the Core Examination, there should be a reasonable balance across the assessment objectives. For the Core Project, we have decided to specify that at least 50% of the weighting for the assessment objectives should relate to applying core knowledge and skills, which is likely to be a key part of this assessment, with a reasonable weighting between the others assessment objectives. Setting this out in guidance allows an awarding organisation some flexibility to ensure the most appropriate approach to determining a reasonable balance for a particular Technical Qualification.

## Controls on taking assessments

### What we proposed

- To introduce assessment requirements under our proposed Condition on assessment (TQ6) which relate to controls around assessments requiring that awarding organisations to design their assessments for the Core Project and Occupational Specialism assessments in such a way that:
  - the evidence required to be produced by students enables the awarding organisation to assess the extent to which the student has met all of the assessment criteria
  - the conditions under which the assessment is taken ensure that the evidence generated by each student can be authenticated

### Responses received

Respondents supported these proposals, although some used this section as an opportunity to comment further on their views in relation to centre-marking only being allowed by exception. We have addressed comments in relation to our requirements around centre-marking earlier in this document. There were no further comments about the specific controls relating to Technical Qualifications.

### Our decision

We have decided to implement our controls on taking assessments as consulted on. Our requirements do not specify what controls an awarding organisation must put in place for each Technical Qualification, as the type of controls may legitimately vary. Instead they require an awarding organisation to put in place controls that enable it to authenticate the work of each student, and to explain their approach as part of their assessment strategy.

One respondent queried whether our requirement for awarding organisations to ensure that assessments are *“taken under conditions specified by the awarding organisation, including, in particular, conditions which ensure that the evidence generated by each Learner can be Authenticated”* allowed for group work. In response to this, we can confirm that our definition of Authentication<sup>4</sup> allows for this, therefore no change to our requirements is needed.

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<sup>4</sup> A process under which evidence generated by a Learner in an assessment is confirmed as having been generated by that Learner (or identified and confirmed as being that Learner’s contribution to group work) and as being generated under the required conditions

## Assessment availability and retakes

### What we proposed

- To set assessment requirements under our proposed Condition on assessment (TQ6) to cover:
  - timing of assessments – to require a minimum of one, but no more than two assessment series per year for each of the Core and the Occupational Specialisms; and that the whole Core should be assessed in the same series and the whole of each Occupational Specialism should be assessed in the same series
  - retakes – to allow students to retake assessments in any assessment series and to require that a student wishing to retake must retake all associated assessments (i.e. the whole of the Core Examination, and/or the whole of the Core Project, and/or the whole of an Occupational Specialism)

### Responses received

Respondents supported our proposals. Two commented that they would like it to be clearly stated that retakes can be used both for students that have not passed an assessment, and for those that have, but who wish to improve their grade. Respondents also queried the approach in relation to requiring both parts of the Core to be taken in the same series when a student first sits them, but not if a part of the Core is being retaken, and whether this distinction is necessary.

### Our decision

We have decided to implement our requirements in relation to assessment availability and retakes as consulted on. This means that awarding organisations will be required to make each of the Core Assessments and the Occupational Specialisms available a minimum of once, and a maximum of twice each year. Students will be able to use these series for first sittings or for retakes.

Respondents did query whether retakes would be permitted for students who had passed an assessment, but who wanted to improve their grade. We set out in our consultation that retakes would be permitted for students seeking to retake to improve their grade and this remains the position. Our proposed requirements allow for this.

Respondents also queried our proposed approach that requires students to take all of the Core Assessments in the same series when they take the qualification for the first time. For students retaking assessments, we have not imposed a similar requirement, and the respondents queried whether this difference was necessary. We have considered this further and decided to implement the approach we consulted on. This means students taking their Core Assessments for the first time must take them in the same assessment series. This approach will support awarding organisations in setting and maintaining grade standards across the Core. In addition, this requirement will support the curriculum intentions that assessments should be taken in an integrated way.

For students retaking assessments, if we were to impose a similar requirement, that would mean a student wishing to retake either the Core Examination or the Core Project would have to retake both. We have already decided that this would be unfair on a student wishing to retake only one part of the Core, therefore have allowed each part to be retaken independently. To allow for this, we have not imposed the same requirement for both parts of the Core to be taken together for retakes, as a student may not be retaking both parts.

## Grading

### **What we proposed**

- To put in place Condition (TQ8 Standard setting) to require awarding organisations to ensure that the specification for each Technical qualification sets out specified levels of attainment which comply with any requirements published by Ofqual.
- To set requirements under the above proposed Condition which will require:
  - for the Core, a 6-point grading scale from A\* to E
  - for the assessment of each Occupational Specialism, a 3-point grading scale made up of Distinction, Merit and Pass
  - a result of 'unclassified' to be issued to a student who does not meet the relevant criteria to be awarded at least a grade E for the Core or a Pass for an Occupational Specialism

### **Responses received**

Respondents felt that the proposed requirements were clear. Some made comments about the grading scale itself, which has been determined by the government and is outside the scope of this consultation.

### **Our decision**

We have decided to implement our grading requirements as consulted on.

## Setting and maintaining grade standards

### What we proposed

- To put in place a Condition (TQ8 Standard setting) which:
  - requires an awarding organisation to comply with any requirements and have regard to any guidance Ofqual produces in relation to the setting of specified levels of attainment and promotion of consistency between qualifications
  - requires an awarding organisation to have regard to an appropriate range of qualitative and quantitative evidence in setting the specified levels of attainment
  - requires an awarding organisation to maintain records of the evidence to which it has had regard in setting the specified levels of attainment, and its rationale for use of that evidence
- To introduce requirements around standard setting which set out:
  - the key grade boundaries for the Core and Occupational Specialisms
  - the arithmetic grade boundaries for the Core and Occupational Specialisms
  - a requirement for grade descriptors to be issued for key grade boundaries in the Core and Occupational Specialisms
  - provision for awarding approaches in the first year to be different to those taken over time
  - a requirement for exemplification materials to be produced for the Occupational Specialisms at the key grades
- To introduce guidance on standard setting which sets out:
  - examples of evidence that we would expect an awarding organisation may use in setting the specified levels of attainment for a Technical Qualification
  - an expectation that in the first year of awarding a Technical Qualification, an awarding organisation might place greater weight on qualitative evidence than in subsequent years, though not to the exclusion of relevant quantitative evidence where available

### Responses received

Respondents commented on the need for Ofqual to facilitate work between awarding organisations to ensure that grade standards are set and maintained consistently.

### Our decision

We have decided to implement our requirements and guidance on setting and maintaining grade standards as consulted on, subject to two minor amendments. We proposed, as part of our requirements, that awarding organisations must provide exemplification materials at the key grades and that one way these should be used, is in the training of assessors.

Respondents commented on the use of exemplification materials. Based on the approach we proposed for setting grade standards, assessors will not be making a judgement on the grade that a student's work deserves at the point when they mark it, they will instead award a number of marks. The process of determining grade boundaries will take place separately to marking. Respondents commented therefore that in some instances, it would not be appropriate to use exemplars that reflect the minimum requirements for those specified levels of attainment to train assessors.

We have decided to remove the requirement that these materials are used to train assessors. Whilst this would not prevent them being used for this purpose, it would not require it. This reflects the way such materials are used in practice.

We have also decided to amend slightly our Condition TQ8.2(a). As consulted on, this required awarding organisations to comply with any requirements and have regard to any guidance relating to *“the promotion of consistency between the measurement of Learners’ levels of attainment in that qualification and similar qualifications made available by other awarding organisations”*. We have expanded the drafting of this Condition to also include *“similar qualifications made available by the awarding organisation”* itself. This change is to reflect the fact that a given awarding organisation could offer more than one Technical Qualification with a need to ensure these are comparable where they are similar/related (for example within a route).

Respondents also commented that in order to ensure consistent standards are set across Technical Qualifications, it would be necessary for Ofqual to facilitate a process to enable awarding organisations to share the information needed for this. This is a function that Ofqual performs in some other qualifications (such as GCSEs and A levels) and we intend to work with awarding organisations and the Institute as Technical Qualifications are developed, to identify what support is needed in relation to setting and maintaining grade standards.

## Results and certification

### What we proposed

- Guidance against Condition H6 (Issuing results) setting out the expectation that results will be issued to the Institute/ESFA as required for the purpose of issuing overall T Level certificates; and that results must be sufficiently detailed to allow students and centres to decide whether to request a review of marking or moderation, or to retake an assessment.
- To set a Condition disapplying General Conditions I3 (The design and content of certificates) and I4 (Issuing certificates and replacement certificates) in respect of students assessed in England.
- Guidance to awarding organisations issuing certificates outside England, about the inclusion, on certificates, of a reference to the Occupational Specialism(s) completed as part of the Technical Qualification.

### Responses received

The responses on these proposals related to the government's overall policy decision to prevent certification in England, rather than the detail of what we proposed.

### Our decision

We have decided to implement our guidance relating to results and certification, and our Condition disapplying Conditions I3 and I4, as consulted on. Some respondents made comments relating to the overall government policy that the Technical Qualification is not separately certificated from the overall T Level, which was outside of the scope of this consultation.

It has been agreed that students who do not complete the overall T Level will receive a statement of achievement. We are working with DfE and the Institute on the implementation of this approach, including consideration of equalities implications.

## Reviewing and appealing results

### What we proposed

- To set the following Conditions:
  - TQ9 – to ensure that in line with our expectations for assessors carrying out reviews of marking, those conducting initial marking have appropriate competence and have no personal interest in the outcome of the marking
  - TQ10 – to ensure that in line with our expectations for assessors carrying out reviews of moderation, those conducting initial moderation have appropriate competence and have no personal interest in the outcome of the moderation
  - TQ11 Reviews of marking of centre marked assessments – sets out how awarding organisations should require centres to allow students to request a review of their centre marked assessment
  - TQ12 Notification of moderation outcome – requires the awarding organisation to let the centre know the outcome of moderation with enough time for the centre to decide whether to review the outcome
  - TQ13 Review of moderation – sets our requirements for how an awarding organisation should conduct reviews of moderation
  - TQ14 Making marked assessment materials available to students – requires an awarding organisation to have in place a process for students to request and receive a copy of their marked assessment material
  - TQ15 Administrative error review – sets our requirements for how an awarding organisation should conduct Administrative Error Reviews
  - TQ16 Review of marking of marked assessment material – sets our requirements for how an awarding organisation should conduct reviews of marked assessment material
  - TQ17 Appeals process for Technical Qualifications - sets our requirements for how an awarding organisation should conduct the appeals process to challenge review of marking or moderation decisions
  - TQ18 centre decisions relating to Review and Appeal Arrangements – requires an awarding organisation to ensure that centres take all reasonable steps to provide students with the opportunity to decide whether to make a request under TQ14-TQ17, and appeal a centre's decision should they decide not make a request
  - TQ19 Target performance in relation to Review and Appeal Arrangements – requires an awarding organisation to publish target time periods for how long a review or appeal will take, and to report to Ofqual the number of times each year it fails to meet these targets
  - TQ20 Review and Appeal Arrangements and certificates – requires awarding organisations to have in place a process for revoking incorrect certificates and issuing accurate replacements
  - TQ21 Discovery of failure in assessment processes – requires awarding organisations to take steps to correct the results of all affected students if it identifies a failure in its assessment process which has led to errors
  - TQ22 Publication of Review and Appeal Arrangements – requires awarding organisations to publish details of its review and appeal arrangements

- To set the following guidance:
  - guidance in relation to how an awarding organisation should approach:
    - a review of Moderation under Condition TQ13
    - an Administrative Error Review under Condition TQ15
    - a review of marking of Marked Assessment Materials under Condition TQ16
    - an appeal in relation to Moderation or marking under Condition TQ17.2
    - the discovery of failure in assessment processes under Condition TQ21
  - Guidance on how an awarding organisation should make a substantive determination as to whether or not a Marking Error exists

## Responses received

Respondents supported these proposals, commenting mainly on points of detail with the drafting as opposed to the overall approach. Some specific points included requests for greater clarity about the level at which a review or appeal can be requested (i.e. whether it could be at the level of an individual assessment within one of the parts of the Core), and the timing of reviews and appeals, given that Technical Qualification assessments will be available more often than is the case for GCSEs and A levels, where similar requirements apply.

Respondents also queried whether centres that did not currently offer GCSE or A level qualifications would be familiar with these requirements, and the extent to which these arrangements would be appropriate for Technical Qualifications.

## Our decision

We have decided to implement our Conditions and guidance relating to reviews of marking, reviews of moderation and appeals, as consulted on. In their consultation responses, some respondents queried whether reviews and appeals would be allowed at the level of an individual assessment. In our original policy consultation, we said that:

We believe that if reviews were only permitted for the whole of either core knowledge and understanding, core skills or an Occupational Specialism, this could unnecessarily increase costs and the burden of reviews. We propose therefore to require awarding organisations to allow students to seek reviews for each individual assessment that contributes to their Technical Qualification.

Our position on this has remained the same, meaning that it will be possible to request a review or appeal for an individual assessment, and our Conditions allow for this.

Respondents also queried when reviews and appeals could take place. For GCSEs, and A levels, where similar requirements apply, reviews and appeals typically take place after results have been issued for the summer exam series. For Technical Qualifications, we have allowed for more than one assessment series, and have not specified when this should be. We would expect that reviews or appeals would take place following the issue of results for each assessment series. A student could choose to request a review or appeal for an individual assessment, once they have received the results for that assessment. We believe this is the fairest approach, and our Conditions allow for this.

We are consulting on revising the equivalent Conditions and guidance that apply to GCSE, A level and the Project, to reflect our Technical Qualification versions. It is possible that responses to that consultation could lead to further changes to the Conditions and guidance

relating to reviews of marking, reviews of moderation and appeals. If that is the case, we will consider whether to also make changes to the versions in place for Technical Qualifications and consult as necessary on any future changes.

## Other General Conditions and guidance

### What we proposed

- To put in place Condition TQ1 which disapplies General Conditions E1 (Qualifications having an objective and support) and E7 (Total Qualification Time).
- Guidance against General Condition D3 (Reviewing approach) to confirm that as part of their review of the Technical Qualification under General Condition D3, an awarding organisation should have regard to the outcomes of any review of the outline content by the Institute as well as any feedback from the Institute or Ofqual on the Technical Qualification itself.
- Condition TQ23 (Interpretation and Definitions) explaining how to interpret the Technical Qualification specific Conditions and Guidance alongside the General Conditions, and providing a number of defined terms.

### Responses received

Respondents provided some comments in this area in relation to Condition E7 (Total Qualification Time) which we have covered earlier in this document. Respondents did not comment further on other aspects of these proposals.

### Our decision

We have decided to implement these proposals unchanged. Respondents did not comment on these, therefore we will put in place the Conditions and guidance described above.

## Equalities impact assessment

We set out in our policy consultation our analysis of the potential equality impacts of our proposals and our decisions relating to those. They are available here <https://www.gov.uk/government/consultations/ofquals-approach-to-regulating-technical-qualifications>. We did not repeat these impacts in this consultation, but did invite comments from respondents on whether there were any further impacts we had not identified.

One respondent raised concerns that were also raised in response to our original policy consultation. They commented that our Condition to disapply the requirement for awarding organisations to issue certificates for students taking Technical Qualifications in England could disadvantage disabled students who could not complete the overall T Level as a result of their disability. As described earlier, we are working with the Institute and DfE to address these concerns, as described in our previous equalities impact assessment.

Respondents did not raise any additional equality impacts to those raised in response to our previous policy consultation. Our detailed response to these equality impacts is available in the decisions document published at the link above.

## Regulatory impact assessment

We set out in our policy consultation our analysis of the potential regulatory impacts of our proposals and our decisions relating to those. They are available here <https://www.gov.uk/government/consultations/ofquals-approach-to-regulating-technical-qualifications>. We did not repeat these impacts in this consultation, but did invite comments from respondents on whether there were any further impacts we had not identified.

One respondent commented on the number of Technical Qualification Conditions we are proposing to put in place, in particular commenting on those that related to reviews of marking, moderation and appeals. They felt that, in places, the language of our Conditions could be clearer, and the proposal represented further divergence between requirements for individual qualification types. In contrast, one respondent commented that the proposed requirements provided more clarity than complexity.

Respondents also commented on the need for Ofqual to work with the Institute, particularly around things like reporting, to minimise duplication in terms of what is expected. Other respondents commented that generally, the proposals did not differ greatly from what is in the General Conditions, so would be relatively easy for awarding organisations to adopt.

We have sought not to impose unnecessary requirements. We consider those we are putting in place to be necessary and proportionate to us achieving our statutory objectives in relation to Technical Qualifications. Our detailed response to the regulatory impact of our proposals is available in the decisions document published at the link above.

# Implementation

We have published the following documents alongside our decisions:

- TQ Qualification Level Conditions and Requirements<sup>5</sup>
- TQ Qualification Level Guidance<sup>5</sup>

These documents come into effect from 13 December 2018 at 00:01

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<sup>5</sup> <https://www.gov.uk/guidance/ofqual-handbook-technical-qualifications>



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