



The Department for Education's consultation: *Improving higher technical education*

Response of the Office of Qualifications and Examinations Regulation

Overview

1. We welcome the Department for Education's (the Department) review of higher technical education. We support the ambition to ensure that higher technical qualifications (HTQs) provide a high-quality option for young people looking to progress from T-levels or apprenticeships, or for adults looking to upskill or retrain, and deliver the skills that employers want.
2. We also support the key principles behind the reforms to HTQs and the recognition that any new system must work for providers, students, and employers, reflect the role of both Higher Education Providers and Awarding Organisations, and ensure coherent regulation of HTQs by Ofqual and the Office for Students (OfS).
3. We look forward to working with the Institute for Apprenticeships and Technical Education (the Institute) and OfS in the development of the proposed national approval process for HTQs, and below set out some considerations to inform future ways of working and regulation.

Working with the Institute and OfS

4. We acknowledge the different statutory responsibilities, accountability structures and legislative frameworks within which we, the Institute and OfS operate. A common understanding of our respective roles and responsibilities in the context of the national approval process for HTQs is required.
5. Independent regulation, by Ofqual or by the OfS, is a critical feature of an effective qualifications market, particularly where the qualifications attract public funding. The Institute also has a crucial role in ensuring that all technical qualifications meet the needs of employers and are eligible for public funding. As we have stated before, we see our roles as complementary.
6. In our recent response to the 'Review of post-16 qualifications at level 3 and below in England', we set out the following overall quality framework for technical and vocational qualifications with employers at the heart determining subject content through the Institute:
 - a. **Government.** Overall qualification policy (including on purpose, uses and what is publicly funded)
 - b. **Institute.** Ownership of the employer-determined content of the route curriculum and approving qualifications that are able to deliver the outcomes required by employers
 - c. **Ofqual.** Quality assurance through the lifecycle of the qualifications (from design to delivery and awarding), by setting assessment and qualification rules and regulating awarding organisations to maintain appropriate standards and public confidence
 - d. **Awarding Organisations.** Development and delivery of high quality qualifications

7. We consider that this quality framework applies also to the development and approval of HTQs.
8. Our ability to address quality assurance throughout the qualification life-cycle presents the opportunity to build in quality up-front by establishing controls over qualification design, which alongside national content approved by the Institute, supports the development of valid and comparable qualifications.
9. This would assist in the development of a flexible system for qualification approval by minimising any threats to validity arising from permitting additional features in HTQ design.
10. Alongside up-front controls, we have a range of regulatory tools which we can use to support the development and delivery of high quality HTQs, such as the technical evaluation of qualifications before or during delivery. We have also developed complementary ways of working with the Institute in the context of Technical Qualifications, such as contributing to internal reviews, which may be applicable to the approval process for HTQs.
11. We can also draw on our forthcoming work on the regulation of Key Stage 4 performance table qualifications. Here we are developing a flexible regulatory framework which reflects government's policy aims and technical requirements for these qualifications. It will help us to secure greater assurance of the validity and reliability of these qualifications by reviewing the qualifications as part of the Department's approval process.

Ofqual and OfS Regulatory approaches

12. The Department has proposed to retain current Ofqual and OfS regulatory arrangements, covering the same part of the Level 4 and 5 qualifications market as we do now.
13. We agree that, although there are some differences in our regulatory approach (for example as described above, we regulate at both organisation and at qualification level), our aims are broadly similar.
14. There are currently c.1600 Level 4 and 5 qualifications, offered by 118 different Awarding Organisations, available to learners, which are regulated by Ofqual and more than 129k Level 4 and 5 certificates were issued in 2017-18. Most of the Awarding Organisations also deliver other qualifications alongside HTQs which are regulated by Ofqual.
15. Many of these Level 4 and 5 qualifications are not currently funded through Department education budgets and Awarding Organisations may therefore not choose to submit these qualifications to the Institute for approval.
16. We therefore agree that the existing Ofqual and OfS regulatory arrangements should be retained. This supports the development of a straightforward, streamlined process of HTQ qualification approval by building on existing practice and familiarity with current regulatory arrangements, whilst supporting a coherent regulatory approach across Level 4 and 5 qualifications.