Consultation questions

Questions for Regulating Performance Table Qualifications

# How to respond to this consultation

The closing date for responses is **2 December 2019 at 23:45**.

Please respond to this consultation in one of the following ways:

* [complete the online response](https://www.smartsurvey.co.uk/s/N2GKJ/) (click ‘Respond online’) on our consultation homepage
* complete this response form and either:
* email your response to consultations@ofqual.gov.uk – please include *Consultation on Regulating Performance Table Qualifications* in the subject line of the email and make clear who you are and in what capacity you are responding
* **We can only consider your response if you fill in the ‘About you’ section at the end of the document.**

# Your data and rights

## The identity of the data controller and contact details of our Data Protection Officer

This Privacy Notice is provided by The Office of Qualifications and Examinations Regulation (Ofqual). We are a 'controller' for the purposes of the General Data Protection Regulation (EU) 2016/679 and Data Protection Act 2018 ('Data Protection Laws'). We ask that you read this Privacy Notice carefully as it contains important information about our processing of consultation responses and your rights.

## How to contact us

If you have any questions about this Privacy Notice, how we handle your personal data, or want to exercise any of your rights, please contact:
Data Protection Officer at dprequests@ofqual.gov.uk or write to us at: Data Protection Officer, Ofqual, Earlsdon Park, 53-55 Butts Road, Coventry, CV1 3BH

## Why we are collecting your personal data

As part of this consultation process you are not required to provide your name or any personal information that will identify you however we are aware that some respondents may be happy to be contacted by Ofqual in relation to their response. If you or your organisation are happy to be contacted with regard to this consultation, please give your consent by completing the details below.

### **Name**

### **Position (if applicable)**

### **Organisation (if applicable)**

### **Telephone number**

### **Email**

## Our legal basis for processing your personal data

For this consultation, we are relying upon your consent for processing personal data. You may withdraw your consent at any time by contacting us using the details above.

## How we will use your response

We will use your response to help us shape our policies and regulatory activity. If you provide your personal details we may contact you in relation to your response.

## Sharing your response

We may share your response, in full, with The Department for Education (DfE) and The Institute for Apprenticeships (IFA) where the consultation is part of work involving those organisations. We may need to share responses with them to ensure that our approach aligns with the wider process. If we share a response, we will not include any personal data (if you have provided any). Where we have received a response to the consultation from an organisation, we will provide the DfE and IFA with the name of the organisation that has provided the response, although we will consider requests for confidentiality.

Following the end of the consultation, we will publish a summary of responses and may publish copies of responses on our website, [www.gov.uk/ofqual](https://www.gov.uk/ofqual). We will not include personal details.

We will also publish an annex to the consultation summary listing all organisations that responded, but will not include personal names or other contact details.

**If there is any part of your response that you wish to remain confidential, please indicate below.**

### **Do you wish any part of your response to remain confidential? \***

Yes / No

### If you selected ‘Yes’ in response to the question asking if you would like anything in your response to be kept confidential, please state clearly what information you would like to be kept as confidential and explain your reasons for confidentiality

Please note that information in response to this consultation may be subject to release to the public or other parties in accordance with access to information law, primarily the Freedom of Information Act 2000 (FOIA). We have obligations to disclose information to particular recipients or including member of the public in certain circumstances. Your explanation of your reasons for requesting confidentiality for all or part of your response would help us balance requests for disclosure against any obligation of confidentiality. If we receive a request for the information that you have provided in your response to this consultation, we will take full account of your reasons for requesting confidentiality of your response, but we cannot guarantee that confidentiality can be maintained in all circumstances.

Members of the public are entitled to ask for information we hold under the Freedom of Information Act 2000. On such occasions, we will usually anonymise responses, or ask for consent from those who have responded, but please be aware that we cannot guarantee confidentiality.

If you choose ‘No’ in response to the question asking if you would like anything in your response to be kept confidential, we will be able to release the content of your response to the public, but we won’t make your personal name and private contact details publicly available.

## How long will we keep your personal data

For this consultation, Ofqual will keep your personal data (if provided) for a period of 2 years after the close of the consultation.

## Your data

**Your personal data:**

|  |
| --- |
| will not be sent outside of the European Economic Area |
| will not be used for any automated decision making |
| will be kept secureWe implement appropriate technical and organisational measures in order to protect your personal data against accidental or unlawful destruction, accidental loss or alteration, unauthorised disclosure or access and any other unlawful forms of processing. |

##

## Your rights, e.g. access, rectification, erasure

**As a data subject, you have the legal right to:**

* access personal data relating to you
* have all or some of your data deleted or corrected
* prevent your personal data being processed in some circumstances
* ask us to stop using your data, but keep it on record

If you would like to exercise your rights, please contact us using the details set out above.

We will respond to any rights that you exercise within a month of receiving your request, unless the request is particularly complex, in which case we will respond within 3 months.

Please note that exceptions apply to some of these rights which we will apply in accordance with the law.

You also have the right to lodge a complaint with the Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at [ico.org.uk](https://ico.org.uk/), or telephone 0303 123 1113. ICO, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

**2. Consultation questions**

**QUESTION 1: Do you have any comments on our proposed approach to regulating Technical Awards?**

Comments:

**QUESTION 2: Do you have any comments on the general purpose statements for Technical Awards, and the guidance supporting those statements, that we propose to include in our rules?**

Comments:

**QUESTION 3: To what extent do you agree or disagree with our requirement that awarding organisations should define specific qualification purposes in the context of the general purposes and explain how their qualification will fulfil the purposes they set out?**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 4: To what extent do you agree or disagree with our proposal to disapply General Conditions E1.1 and E 1.2?**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 5: Do you have any comments on our proposal to introduce a bespoke Condition for guided learning and TQT that requires Technical Awarded guided learning to be at least 120 hours?**

Comments:

**QUESTION 6: Do you have any comments on our proposal to require an awarding organisation to ensure the appropriateness of its Technical Award qualification content in relation to purpose, level, size and assessment methods?**

Comments:

**QUESTION 7: To what extent do you agree or disagree with our proposals that Technical Awards should be assigned either level 1 or 2 or both?**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 8: To what extent do you agree or disagree with our proposal relating to synopticity that awarding organisations should design their assessments to demonstrate how their qualifications promote a holistic understanding of the content and provide opportunities for students to demonstrate a broad understanding across the qualification content?**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 9: To what extent do you agree or disagree with our proposals to disapply General Condition E7 and General Condition E9?**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 10: To what extent do you agree or disagree with our assessment of the potential impact of our proposals?**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 11: Is there any additional information you think we should consider when evaluating the impact of our proposals? Please provide estimated figures if related to costs or savings.**

Comments:

**QUESTION 12: To what extent do you agree or disagree with our proposal to require that Technical Award assessment by examination is in the form of a written test or tests?**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 13: Do you have any comments on our proposal that of the total marks available for a Technical Award, an awarding organisation must ensure that at least 40% of those marks are made available through an assessment by examination that is normally in the form of a written test (or tests) set by the awarding organisation?**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 14: Do you have any comments on our proposals that awarding organisations should set and mark their assessments for examination and specify conditions for sitting the assessments by examination?**

Comments:

**QUESTION 15: To what extent do you agree or disagree that there should be two set dates in each academic year to take the assessment by examination? Please include in your comments your thoughts on whether or not it would be appropriate for us to set the windows for those set dates, and whether January and May/June would be suitable.**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 16: To what extent do you agree or disagree with our proposal that the assessment by examination should be taken in the assessment series immediately prior to a student’s certification?**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 17: Do you have any comments on our intention not to put in place any specific limitation on resitting assessments by examination?**

Comments:

**QUESTION 18: Do you have any comments on our intention that an awarding organisation should be able to apply for exemptions from some of the requirements? Please provide any views as to when an awarding organisation might think it appropriate to apply for exemption.**

Comments:

**QUESTION 19: To what extent do you agree or disagree with our assessment of the potential impact of our proposals?**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 20: Is there any additional information you think we should consider when evaluating the impact of our proposals? Please provide estimated figures if related to costs or savings.**

Comments:

**QUESTION 21: Do you have any comments on our proposal that awarding organisations must explain and justify in their assessment strategy their approach to non-exam assessment including methodology, availability, marking, delivery requirements and controls?**

Comments:

**QUESTION 22: To what extent do you agree or disagree with the limits we propose to include on adaptations allowed to be made to awarding organisation-set non-exam assessments by centres? Please include in your comments your thoughts on whether guidance on adaptation would be useful for us to provide.**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 23: To what extent do you agree or disagree with our proposal that non-exam assessments should be mark-based? Please include in your comments your thoughts on whether awarding organisations should be allowed to apply for exemption from this requirement.**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 24: Do you have any comments on our intention to place performance table qualifications on the list of those qualifications that should always be subject to moderation (subject to the closure of that consultation)?**

Comments:

**QUESTION 25: To what extent do you agree or disagree with our proposal that awarding organisations should put in place two windows each academic year for the submission of outcomes from non-exam assessments? Please include in your comments your thoughts on whether or not it would be appropriate for us to set the windows.**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 26: Do you have any comments on our proposal not to set requirements around resubmitting or retaking non-exam assessments, but to require awarding organisations to explain the controls they have in place to manage their chosen approach in their assessment strategies?**

Comments:

**QUESTION 27: To what extent do you agree or disagree with our assessment of the potential impact of our proposals?**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 28: Is there any additional information you think we should consider when evaluating the impact of our proposals?  Please provide estimated figures if related to costs or savings.**

Comments:

**QUESTION 29: To what extent do you agree or disagree with our proposal that Technical Awards: all have a minimum of three grades; for level 1 or 2 a maximum of four grades and for a Technical Award across level 1 and 2 a maximum of seven grades; and an unclassified or ungraded outcome?**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 30: Do you have any comments on the potential for us to require a common grading scale for Technical Awards in the future, including any benefits or risks you think such an approach might bring?**

Comments:

**QUESTION 31: To what extent do you agree or disagree with our proposal to require a compensatory approach to generating individual assessment scores for individual assessments? Please include in your comments your thoughts on whether awarding organisations should be allowed to apply for exemption from this requirement.**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 32: To what extent do you agree or disagree with our intention not to require a specific approach to aggregation of outcomes across assessment opportunities to calculate the final grade?**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 33: To what extent do you agree or disagree with our proposal not to prescribe any must-pass requirements?**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 34: To what extent do you agree or disagree with our proposal** **that awarding organisations should not publish details around setting specified levels of attainment in advance of assessments being marked?**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 35: To what extent do you agree or disagree with our assessment of the potential impact of our proposals?**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 36: Is there any additional information you think we should consider when evaluating the impact of our proposals? Please provide estimated figures if related to costs or savings.**

Comments:

**QUESTION 37: To what extent do you agree or disagree with our proposed approach for setting standards?**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 38: To what extent do you agree or disagree with our assessment of the potential impact of our proposals?**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 39: Is there any additional information you think we should consider when evaluating the impact of our proposals? Please provide estimated figures if related to costs or savings.**

Comments:

**QUESTION 40: To what extent do you agree or disagree that we propose to put in place Conditions that require awarding organisations to comply with any notice we issue in relation to the provision of data about performance table qualifications?**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 41: Do you have any comments about our proposal to require awarding organisations to specify clearly within an event notification that the event relates to a Technical Award?**

Comments:

**QUESTION 42: Do you have any comments on our proposed approach to managing the withdrawal of qualifications from the Performance Table Qualification Qualification Level Conditions, requirements and guidance?**

Comments:

**QUESTION 43: To what extent do you agree or disagree with our assessment of the potential impact of our proposals?**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 44: Is there any additional information you think we should consider when evaluating the impact of our proposals? Please provide estimated figures if related to costs or savings.**

Comments:

**QUESTION 45: Do you have any comments on our considerations around introducing requirements in line with those we have in place for the reviews of marking moderation and appeals in GCSEs?**

Comments:

**QUESTION 46: Do you have any comments on our considerations on introducing requirements around the marketing or branding of Technical Awards? F**

Comments:

**QUESTION 47: To what extent do you agree or disagree with our proposal to require awarding organisations to develop an assessment strategy for each qualification they submit to be considered for inclusion as Technical Awards in performance tables? L**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 48: Do you have any comments on the areas of detail we propose should be included in each assessment strategy? F**

Comments:

**QUESTION 49: To what extent do you agree or disagree with our assessment of the potential impact of our proposals? L**

Strongly agree / Agree / Neither agree nor disagree / Disagree / Strongly disagree

Comments:

**QUESTION 50: Is there any additional information you think we should consider when evaluating the impact of our proposals? Please provide estimated figures if related to costs or savings. F**

Comments:

**QUESTION 51: Do you have any comments on our proposed Performance Table Qualification Qualification Level Conditions requirements and guidance for Technical Awards? F**

Comments:

**QUESTION 52: Are there any regulatory impacts that we have not identified arising from our proposals? If yes what are they and are there any additional steps we could take to minimise the regulatory impact of our proposals? F**

Comments:

**QUESTION 53: Is there any additional information associated with our proposals which we have not identified? Please provide estimated figures if related to costs or savings. F**

Comments:

**QUESTION 54: Do you have any comments on the impact of our proposals on innovation by awarding organisations? F**

Comments:

**QUESTION 55: Are there any potential impacts (positive or negative) on students who share protected characteristics that we have not identified? F**

Comments:

**QUESTION 56: Are there any additional steps we could take to mitigate any negative impact, resulting from our proposals, on students who share a protected characteristic? F**

Comments:

**QUESTION 57: Do you have any other comments on the impacts of our proposals on students who share a protected characteristic? F**

Comments:

**3. Feedback**

### **We want to write clearly and effectively, putting the reader first. How easy to read did you find this consultation?**

1 – Very hard to read

2

3 – Neither easy nor hard to read

4

5 – Very easy to read

### **Do you have any comments or suggestions about the style of writing?**

**4. Your details**

**To evaluate responses properly, we need to know in what capacity you are responding to the consultation. We will therefore only consider your response if you complete the following section.**

### **Which nation or country are you based in? \***

England

Wales

Northern Ireland

Scotland

Other EU country (please state):

Other non-EU country (please state):

**How did you find out about this consultation? \***

Ofqual newsletter

Ofqual social media channels

Other social media channels

Ofqual website

Internet search

Other (please specify):

**Is this the official response from your organisation or your own, personal response?**

Official response / Personal response

**5. Your details (personal response)**

### **Which of the following best describes you? \***

Student

Parent or carer

Teacher (responding in a personal capacity)

Other (please specify):

**6. Your details (official response)**

### **Which of these options best describes your organisation? \***

Awarding body or exam board

Local authority

School or college

Academy chain

Private training provider

University or higher education institution

Employer

Other representative or interest group

**7. Your details (school or college)**

 **Type of school or college**

Comprehensive or non-selective academy

State selective or selective academy

Independent

Special school

Further education college

Sixth form college

Other (please specify):

**8. Your details (representative group)**

### **Type of representative or interest group**

Group of awarding organisations

Union

Employer or business representative group

Subject association or learned society

Equality organisation or group

School, college or teacher representative group

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