

FAO Awarding Organisations Northern Ireland only

26 February 2016

Our Ref: RO46B/2016

Dear Responsible Officer

Changes to the regulation of vocational qualifications in Northern Ireland

As you will know from the letter sent by Ofqual and CCEA Regulation on 25 January 2016, ([RO45/2016](#)), the Department for Employment and Learning (DEL) in Northern Ireland intends to move to a single qualifications regulator, CCEA Regulation. DEL is working with the Department for Education in Westminster to make the required changes to the Apprenticeships, Skills, Children and Learning Act 2009 by the end of April 2016, however this is subject to parliamentary process and timetabling.

Once the legislative changes take effect, qualifications offered only in Northern Ireland will no longer be regulated by Ofqual and will be regulated by CCEA Regulation.

Our records show that you award qualifications in Northern Ireland and do not currently award in England.

Withdrawal of qualifications from Ofqual regulation

As set out above, when the law changes, the qualifications you make available only in Northern Ireland will no longer be regulated by Ofqual and will be regulated by CCEA Regulation. As you will be, in effect, withdrawing qualifications from Ofqual regulation, Condition D7 [Management of the withdrawal of qualifications] of our [General Conditions of Recognition](#) will apply. For the purposes of qualifications moving from Ofqual regulation to CCEA Regulation (and these purposes only), Ofqual will consider your obligations under Condition D7 to be met provided you make those who are likely to be affected by the withdrawal (see D7.4 b) aware that, on the relevant date, the qualification will move from Ofqual regulation to CCEA Regulation.

Recognition

CCEA Regulation has confirmed that, as an awarding organisation offering qualifications in Northern Ireland, you will be recognised by them to offer qualifications in Northern Ireland. CCEA Regulation is writing to you today about this.

In the meantime, you will continue to be recognised by Ofqual unless you inform us that you wish to surrender your recognition.

As you do not currently offer qualifications in England, you should be aware of your obligations under Condition A1.3(b) of our [General Conditions of Recognition](#), 'Inactive Awarding Organisations'. This Condition requires that an awarding organisation takes all reasonable steps to ensure that no two year period passes in which it does not award a regulated qualification. If you do not award any qualifications in England during the two year period commencing on the date the legislation changes, you may become non-compliant and could be subject to regulatory action.

If you do not intend to offer qualifications in England, you should consider whether you wish to continue to be recognised by Ofqual.

If you no longer wish to be recognised by Ofqual, you should give us notice that you want to surrender your recognition pursuant to Section 147 of the Apprenticeships, Skills, Children and Learning Act 2009. Surrender is voluntary and you can find further information about the surrender process on our [website](#).

Transfer of information

In order to support a smooth and orderly transition, CCEA Regulation has written to us requesting specific information about your awarding organisation and the qualifications you offer in Northern Ireland. The information CCEA Regulation has requested is set out in Annex 2. We intend to provide this information to CCEA Regulation, however if you have any concerns about this, please advise us in writing by Friday 11th March explaining what those concerns are. We will consider any concerns and take them into account before making any final decisions on the transfer of information to CCEA Regulation.

DEL and CCEA Regulation are arranging a workshop on Wednesday 9th March at 10:00am that Ofqual will also attend. The workshop is an opportunity for the policy and operational issues arising from the change in regulation to be addressed and considered by the four local awarding organisations.

If you would like to discuss the implications of these changes on your Ofqual recognition, or if you have any other questions, please contact regulatory.relationships@ofqual.gov.uk.

Yours sincerely



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Annex 1: Questions and answers for awarding organisations

Annex 2: Information request

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<p>1. Will AOs need to use a new IT system for CCEA Regulation?</p>	<p>No. CCEA Regulation and Ofqual have agreed to continue to use a shared IT platform and Register for the qualifications and AOs that they regulate.</p>
<p>2. What impact will these changes have on logo requirements for certificates?</p>	<p>All AOs awarding qualifications in NI will have to have the CCEA Regulation logo on their certificates. There will be a 2 year time period for AOs to be compliant with this requirement.</p> <p>If a qualification is offered in NI and England, it must have the Ofqual logo as well as the CCEA Regulation logo.</p> <p>If a qualification is offered only in NI, it will require the CCEA Regulation logo only. If a qualification is no longer regulated by Ofqual, the certificate should not carry Ofqual's logo.</p> <p>See Ofqual's logo requirements on the Ofqual website.</p>
<p>3. What will happen with Ofqual's current audit of NI AOs?</p>	<p>CCEA Regulation and Ofqual are working on a smooth transition of ongoing compliance and audit activities. This will include, where appropriate, a transfer to CCEA Regulation of relevant information held by Ofqual.</p>
<p>4. Your letter sent on 25 January (RO45) said you were aiming to do this by 1 April. Why has this date changed?</p>	<p>These changes are subject to parliamentary process and timetabling.</p>

5. How and when will we know the exact date these changes are going to take place?	Department for Employment and Learning (DEL) will confirm the date the legislative changes will take effect and this will be communicated to awarding organisations as soon as possible.
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Annex 2: Information request

Information that Ofqual will supply to CCEA	Reason for CCEA Regulation request	Notes
1. A list of all AOs that Ofqual currently regulates in NI	To confirm the number of AOs currently active in NI i.e. who have awarded in the past 2 years as per GCoR	ATI, ETCAL, OCN(NI), CCEA
2. Certification data	To understand the volume of activity in NI	Data supplied through AO quarterly returns.
3. Copies of 2015 Statements of Compliance for these organisations and any resulting correspondence/actions by Ofqual	To understand nature of compliance with GCoR and any follow up activity we may need from 1 April 2016	Summary of material supplied to Ofqual in 2015-16 (statement of Compliance) + any associated correspondence
4. A list of audit and compliance activities undertaken by Ofqual in the past 2 years on AOs who operate in NI	To understand the nature and range of NI activities in order not to duplicate with participating AOs	Audit 2015-16 main activity – and overview of other Ofqual supervisory activity
5. Finding and outcomes of audit activities with NI AO's	To understand if there are any non-compliances with GCOR and other risk issues	Evidence records (agreed with AOs), Standards' correspondence
6. Outstanding actions which will not be concluded by 1 April 2016	To understand and evaluate any further action needed	Detail of any Ofqual supervisory activity requiring follow-up.