



Sophie Azam

Responsible Officer

AoFA Qualifications

Direction

With a view to securing compliance with the General Conditions of Recognition (the Conditions) set and published by Ofqual in accordance with section 134(1), **in particular Conditions H5.1, H6.1(d), I4.1(d), I4.2(b) and I4.2(c)**, in the exercise of its powers under section 151(2) of the Apprenticeships, Skills, Children and Learning Act 2009 (ASCLA):

Ofqual directs AoFA Qualifications (AoFAQ), as follows:

1. AoFAQ must refrain immediately:
 - a. From issuing results to any Learner in respect of any unit or any qualification; and
 - b. From issuing certificates to any Learner in respect of any qualification; and
 - c. From registering any new Learner to any qualification;

UNTIL such time as the Executive Director for Vocational and Technical Qualifications (Ofqual) confirms in writing that AoFAQ has demonstrated to his satisfaction:

- i. that it has the capacity to undertake the development, delivery and award of qualifications which it makes available, or proposes to make available, in accordance with its Conditions of Recognition;
- ii. that it has in place arrangements which will ensure that it retains at all times a Workforce of appropriate size and competence in order to:
 - effectively monitor its centres;
 - properly investigate and manage the effects of malpractice and maladministration;
 - ensure that results will be accurate and certificates will be issued only to learners with a valid entitlement.
- iii. that it has in place appropriate systems of planning and internal control and that all policies and operating procedures are up to date, fully implemented and fit for purpose in order to:
 - effectively monitor its centres;
 - properly investigate and manage the effects of malpractice and maladministration; and

- secure that results will be accurate and certificates will be issued only to learners with a valid entitlement.
- iv. that its Responsible Officer serves as the authoritative point of contact for Ofqual and has in place effective controls for managing AoFAQ's communications with Ofqual.
2. AoFAQ must notify immediately every Centre concerned with or connected to the delivery of its qualifications, that the specified restrictions have been imposed.
 3. AoFAQ must use best endeavours, during the period of the restriction on issuing results and certificates, to assist any Learner, Centre or awarding organisation which requests its assistance to transfer any Learner(s) from AoFAQ qualifications to another qualification regulated by Ofqual;
 4. AoFAQ must before 4pm on 19 December 2018, cause to be delivered to Ofqual by secure means searchable information in respect of every registered Learner. That information must be sufficient to allow Ofqual to identify the extent to which each Learner has completed a qualification and at which Centre;
 5. AoFAQ must, before 14 January 2019, identify in respect of each registered Learner an alternative qualification made available by an awarding organisation regulated by Ofqual;
 6. AoFAQ must, between 21 January 2019 and 4 February 2019, transfer each registered Learner to an alternative qualification made available by an awarding organisation regulated by Ofqual, **unless before that date** the Executive Director for Vocational and Technical Qualifications (Ofqual) confirms in writing that this requirement will not apply.

Ofqual's Reasons for imposing this Direction are set out in the attached Statement of Reasons.

Signed:

Dated: 5 December 2018

Hywel Jones, Board Member

Note:

1. Ofqual will publish a Direction, either fully or in part, on its website, unless Ofqual is persuaded by an awarding organisation that there is a legitimate reason that this should not be published, including that this may have adverse commercial implications for the awarding organisation involved.
2. Ofqual may amend or revoke this Direction by giving you notice of its intention and considering any representations you may wish to make.
3. We will review this Direction according to the schedule set out in the Statement of Reasons to determine whether it should continue to be in place.
4. Failure to comply with this Direction may lead to enforcement through the Courts.
5. Whenever we take enforcement action we may consider taking alternative or additional regulatory action and may also seek to recover our costs.
6. You may request a review of the decision to give a direction within 10 working days of the date of the direction. The request must be in writing, marked for the attention of Matthew Humphrey, Director of Legal Moderation and Enforcement and sent by email to: enforcement@ofqual.gov.uk
7. A review may be requested on the following grounds only:
 - a. The facts of the decision for imposing a Direction are incorrect;
 - b. A relevant fact has not been taken into account;
 - c. Ofqual has not followed its own procedures, or
 - d. The decision to impose a Direction is, in all of the circumstances, an unreasonable decision.
8. Any review will be carried out by an officer of Ofqual who has had no previous involvement in the matter.