

ANALYSIS OF CONSULTATION RESPONSES

Regulating Performance Table Qualifications

Consultation on Ofqual's approach to regulating the
Technical Award qualifications listed in school and
college performance tables by the Department for
Education

ofqual

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1. Introduction

We consulted¹ on a proposed approach to regulating performance table qualifications, along with draft Qualification Level Conditions (QLCs), requirements and guidance, between 21 October and 2 December 2019. The focus of the consultation was specifically on the regulation of Technical Awards offered to 14 to 16-year olds during Key Stage 4.

There were 18 responses to the consultation, submitted either through an online form or by email. In addition to this, we held a consultation event for awarding organisations at our offices in Coventry and offered individual meetings with awarding organisations to discuss our proposals. Across the event and individual meetings, we engaged with 16 awarding organisations (many of whom offer or intend to offer Key Stage 4 performance table qualifications). Due to the announcement of the December 2019 general election, much of the consultation period was conducted in ‘purdah’², which limited our planned engagement. After the consultation, we engaged with a dozen awarding organisations, schools and representative groups on specific proposals in the consultation in order to gather additional information.

This document provides a summary of the responses we received to our consultation and through our additional stakeholder engagement.

2. Background

In 2019, we confirmed our intention to launch a programme of work designed to strengthen our regulation of existing vocational and technical qualifications used in performance tables for school and college accountability purposes. This was largely in response to some concerns over the potential vulnerability of these qualifications – for example, that they might be prone to grade inflation.

We consulted towards the end of 2019 on a proposed set of regulations for performance table qualifications, with an initial focus on Key Stage 4 Technical Awards. Our proposed approach included putting tighter rules in place to help maintain qualification standards while still allowing for appropriate differences in the qualifications’ design and delivery. We proposed in the consultation that our rules would apply to Technical Awards to be taught from September 2021.

We worked closely with the Department for Education (DfE) to develop our proposed approach. Many of the proposed rules integrated requirements that have previously

¹ <https://www.gov.uk/government/consultations/regulating-performance-table-qualifications>

² Purdah is the pre-election period, where restrictions on the use of public resources are put in place and discretion is required around the types of public engagement undertaken by non-departmental public bodies, such as Ofqual, around potential policy developments that will be of interest to any possible incumbent ruling party.

been set by DfE in the form of ‘technical guidance’, as our intention is to review against our rules any qualifications that awarding organisations submit to DfE for consideration as Technical Awards. The decision as to which qualifications are listed in performance tables would continue to rest with DfE and we would provide advice based on our reviews to support their decisions.

The consultation set out our policy intentions and the proposed regulatory approach, including draft Qualification Level Conditions, requirements and guidance. We also set out our regulatory and equalities impact assessments for the proposals.

3. Approach to analysis

The consultation included 57 questions and was published on our website. Respondents could use an online form, send an email or post a response to us.

This was a consultation on the views of those who wished to participate and, while we tried to ensure that as many respondents as possible had the opportunity to reply, it cannot be considered as a truly representative sample of any specific group.

We present here summaries of the responses to the consultation questions in the order in which they were asked. For each of the questions, we presented our proposals and then asked respondents whether they had any comments on what we had proposed. Respondents did not have to answer all the questions. Some respondents chose to provide general comments instead of responding to the specific proposals. During the analysis, we reviewed every response to each question. In some instances, respondents answered a question with comments that did not relate to that question. Where this is the case, we have reported those responses against the question to which the response related rather than the question against which it was provided.

4. Who responded?

In this section, we report the views, in broad terms, of respondents to the consultation. We list the organisations who responded to the consultation in Annex A.

We received 18 responses to our consultation. Fifteen respondents completed the survey online or provided specific question responses through email – these are recorded in the figures shown against each question. We also received three free text responses; relevant comments from these have been included against the appropriate questions.

Table 1: Breakdown of consultation responses

Personal/organisation response	Respondent type	Number
Organisation	Awarding Organisation	8
Personal	Teacher	5
Other representative group	Union	2
Other representative group	Other group	3

Respondents indicated that they were based in either England, Wales or the United Kingdom.

In addition to those that responded to the consultation, there were 27 attendees at our consultation event and we held 14 meetings with individual awarding organisations. We report on these later in this document following the analysis of the individual questions.

After the consultation closed, we conducted further engagement with another 10 schools and representative groups, and re-contacted 5 awarding organisations on areas of the consultation where we identified a need to gather further evidence. Again, the feedback received is summarised later in this document.

5. Question-by-question analysis

5.1 Our proposed approach

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

Approximately half of the comments received to this question related to the timescales for implementation of the proposals. They suggested the timescales for the development and submission of Technical Awards were tight and might lead to challenges for awarding organisations. One of the responses said that the proposed timescale might effectively prohibit any new Technical Awards being developed for first teaching in 2021.

One respondent felt that if the proposed changes were made, then sufficient time and support would be required to allow staff and centres (for example, schools and colleges) to deliver them. Another respondent stressed the importance of managing the transition between those qualifications regulated under the legacy framework and

those regulated under the proposals in the consultation. They felt communication to centres would be key in any transition period.

One respondent felt the proposed approach would have adverse effects on low ability students, but did not elaborate on the reasons why.

5.2 Proposals: Design of Technical Award qualifications and assessments

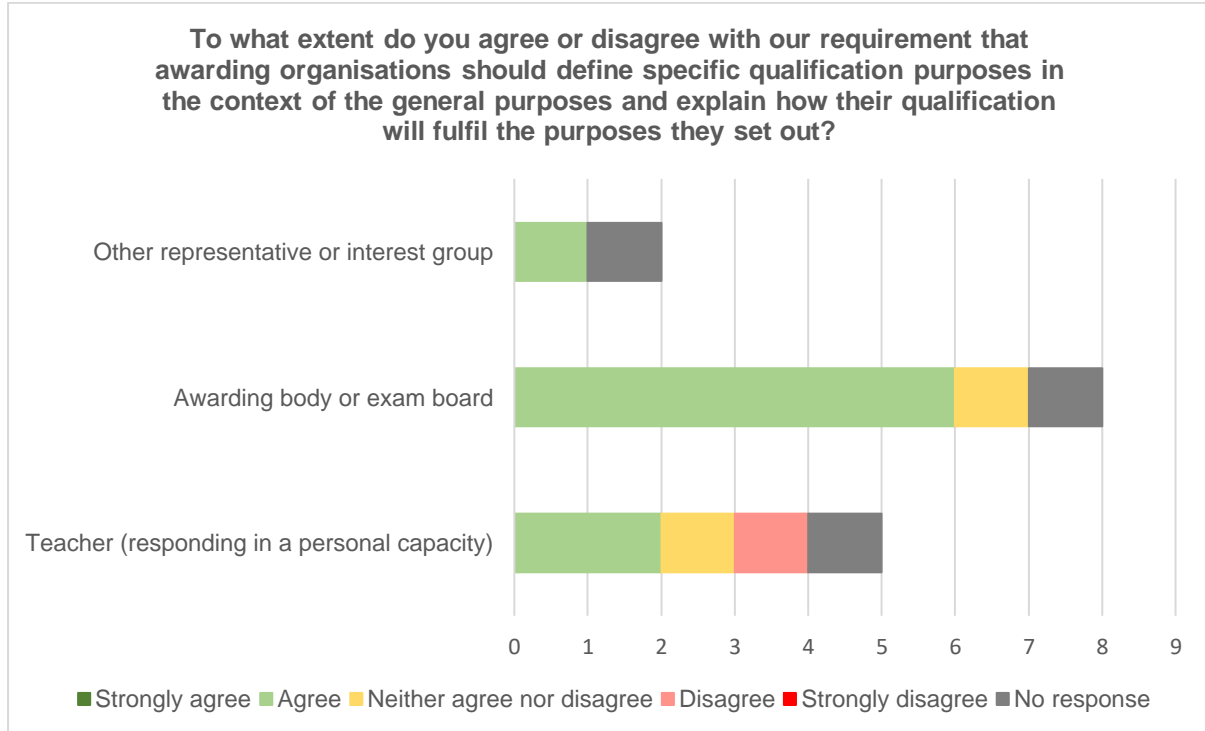
Qualification Purpose

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?
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Some respondents questioned if the purposes were listed in priority order from A to D. They suggested their own priority ordering of these purposes, highlighting the engagement of students as being key for Technical Awards. Another respondent did not comment on the order of the purposes, but stressed the importance of engaging students. They provided further comments questioning if some of the proposals could achieve this aim.

Other respondents agreed with the general purposes proposed in this section. One of these commented to highlight that preparing students for further study is an important function of Technical Awards.

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?

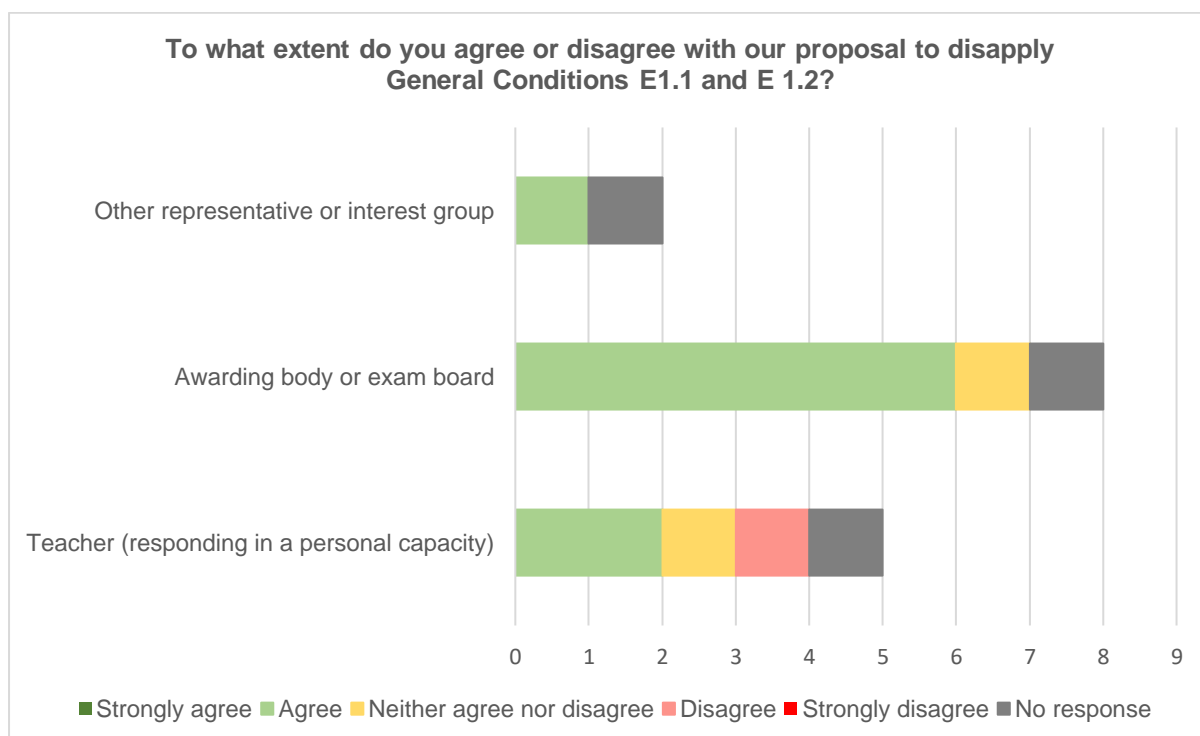


Several of the respondents who agreed with the proposal said that:

- it is standard practice to have a qualification’s purpose set out in the qualification specification
- further guidance is needed so that awarding organisations can ensure they are compliant with this requirement
- this will form part of the process of developing an assessment strategy
- having a clear qualification purpose is necessary and awarding organisations should be required to explain how their qualifications will achieve the purpose they identify

One respondent disagreed with the requirement, stating that they felt the purpose of the qualification is already clearly defined.

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



This question related to our General Conditions of Recognition E1.1 and E1.2, which are requirements that qualifications must have an objective.

Of those respondents who agreed with the proposal, one commented to say that it is helpful to disapply these Conditions so that specific requirements are introduced for this group of qualifications.

One respondent who chose to neither agree nor disagree said they felt that any qualification that met the proposed condition would also meet the General Conditions. A respondent who disagreed with the proposal felt that disapplying conditions for one set of qualifications would create confusion for awarding organisations and increase the potential for them to become non-compliant.

Qualification design: size, content

QUESTION 5: Do you have any comments on our proposal to introduce a bespoke Condition for guided learning and TQT (Total Qualification Time) that requires Technical Awards' guided learning to be at least 120 hours?

Most respondents agreed with this proposal. Comments in support, suggested that the proposal brought the qualifications in line with other general and vocational

qualifications at the same level and that it would reduce confusion for students and those delivering the qualification.

One response agreed with the proposal, but queried why there is not a proposal for a maximum number of guided learning hours. They felt that this would stop the qualifications becoming larger than intended and more onerous to deliver. Another response noted that centres already deliver Technical Awards in at least 120 hours.

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?

We received a small number of comments to our question. Two respondents said they supported the proposal, with one saying that they felt it could improve the validity of the qualifications awarding organisations would produce. Another agreed with this approach due to there being no nationally set content for Technical Awards. They felt awarding organisations were best placed to then propose content in relation to purpose, level, size and the most suitable assessment methods.

Another comment noted that the wording of the question and the text in the consultation might suggest that the content is chosen to meet predetermined assessment methods, saying that the standard process would be for assessment methods to be selected to meet the content. One other respondent said that there should be sufficient information available to centres and students to enable them to make informed decisions about qualifications.

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?

Of the comments received, one strongly agreed stressing the importance of clarity for students about the level of qualification they undertake.

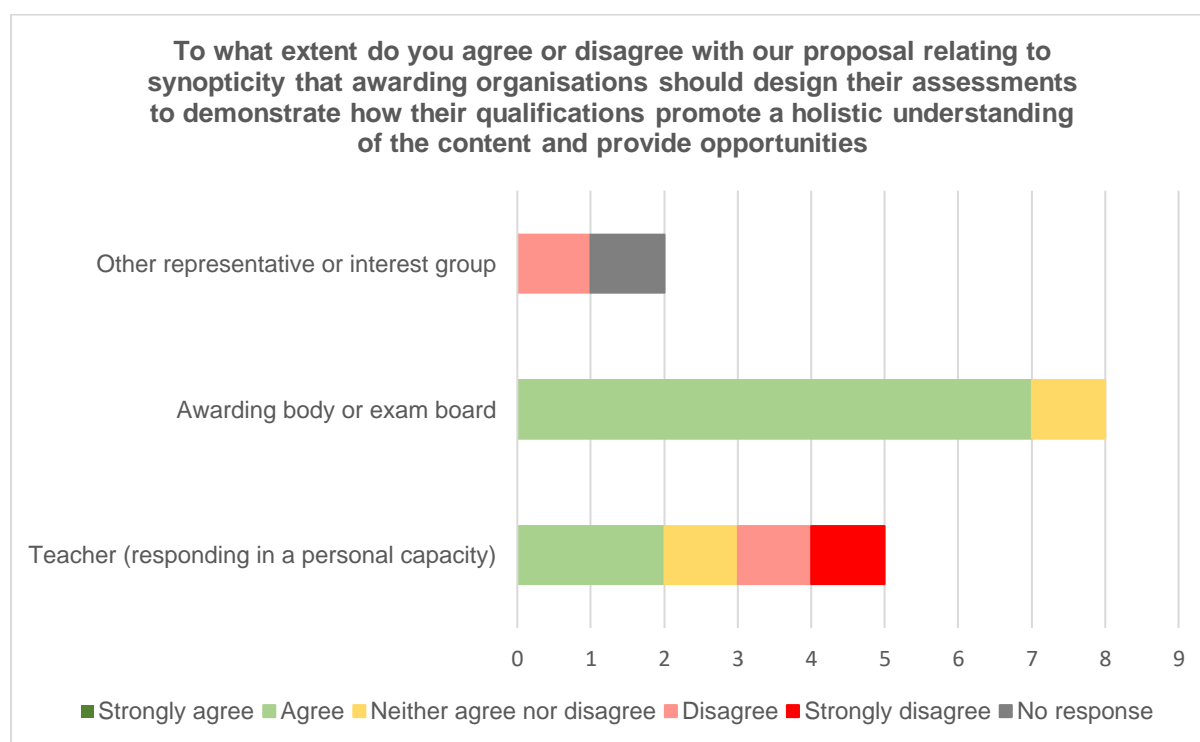
Other comments reflected agreement, including that this was because the proposal:

- helps differentiate the qualifications
- should not create any additional burden for awarding organisations that currently offer qualifications at these levels
- provides useful differentiation, bearing in mind the purpose and characteristics of Technical Awards
- provides a helpful, uniform approach to levels across Technical Awards

Four respondents disagreed with the proposal, all suggesting that the qualification should be across both levels, because:

- there seems to be no drop off to level 1 if a learner fails a level 2 qualification
- this approach potentially limits learner outcomes for those who might be on the boundary between level 1 and 2 if the qualification is only available at level 1

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?



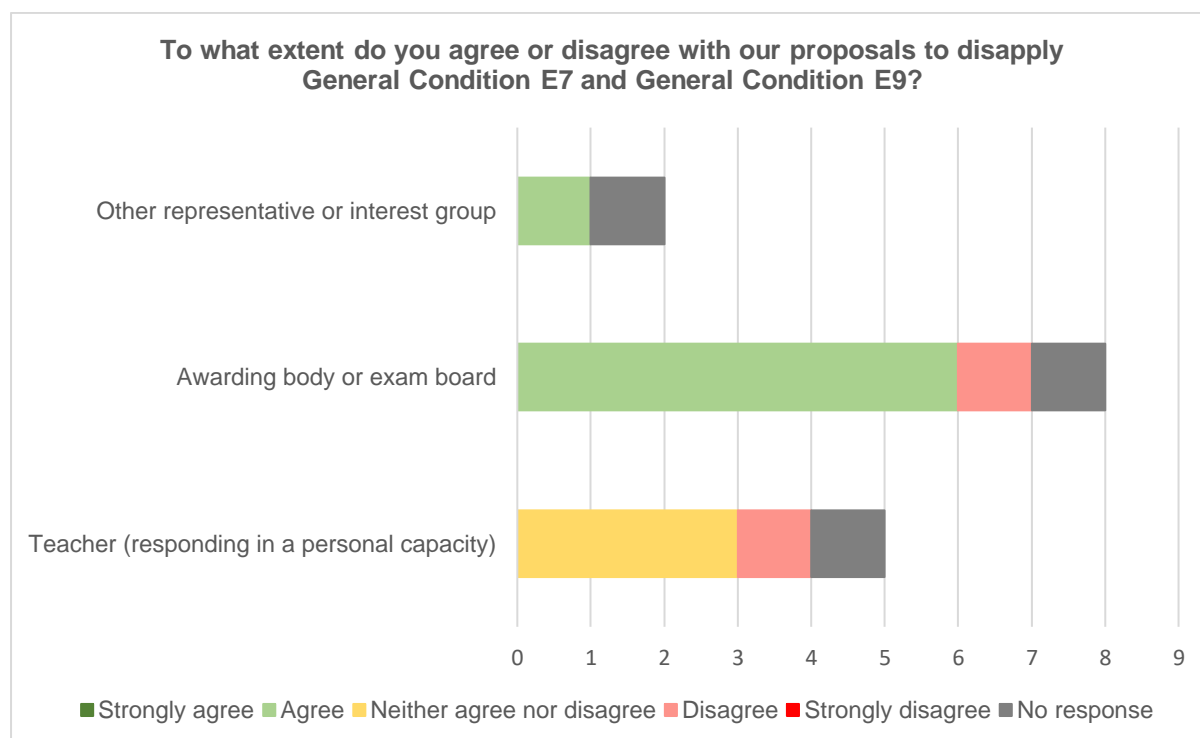
Several respondents highlighted that the qualifications that meet DfE’s technical guidance for current performance table qualifications should already meet this requirement. Another suggested that further advice and guidance might be required, while one indicated that synopticity is a concept that can be misunderstood.

Several agreed, suggesting that further work might be required to ensure assessment in creative and practical subjects could be considered synoptic, and that awarding organisations should have discretion on when to set the synoptic assessment and to decide the form that this assessment takes.

Of those who disagreed with the proposal, one stated that this approach could affect lower ability students or others with protected characteristics. The other respondent felt that a terminal, synoptic assessment may affect learner engagement.

Two respondents neither agreed nor disagreed. The first stated that written examinations should not be the only form of assessment used for synoptic assessment. The second said that a broad understanding of the subject is not always required, different aspects of certain qualifications might be better tested throughout the course of study.

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



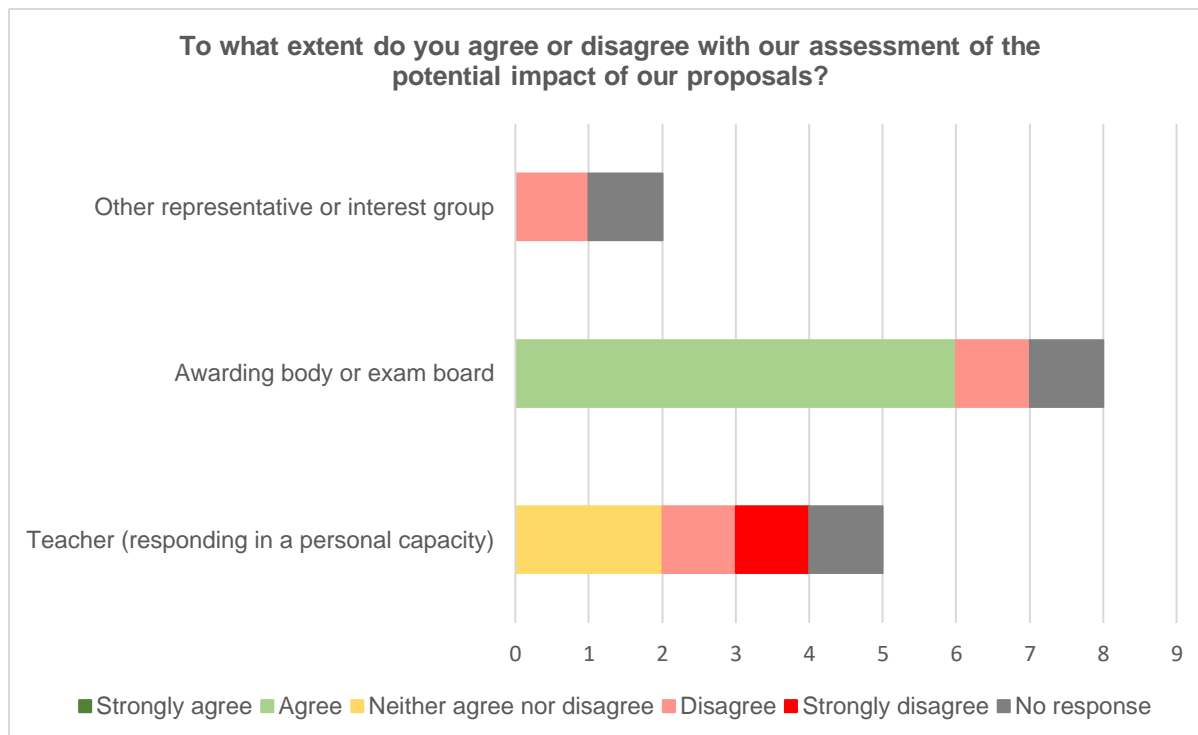
This proposal relates to our General Conditions of Recognition E7 and E9 which, respectively, relate to assigning TQT and assigning levels to qualifications.

Several respondents to this question said that the proposed approach would minimise confusion for awarding organisations in managing competing rules.

Those disagreeing with the proposal felt that disapplying just some of the General Conditions might result in some confusion. One suggested rewording the General Condition to fit the intended purpose.

Qualification design – impact

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



Of those who agreed, comments provided indicated that the assessment seemed appropriate, although one raised concern that the approach could be impacted by any requirements the DfE put in place alongside.

Disagreeing comments indicated that the full impact on students had not been considered, while others highlighted the burden on awarding organisations in the redevelopment of qualifications to meet the new requirements and the development of assessment strategies, and felt this had not been fully captured in the impact assessment.

One respondent pointed towards the collective burden of implementing these proposals alongside other wider (not Technical Award-related) proposals.

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.

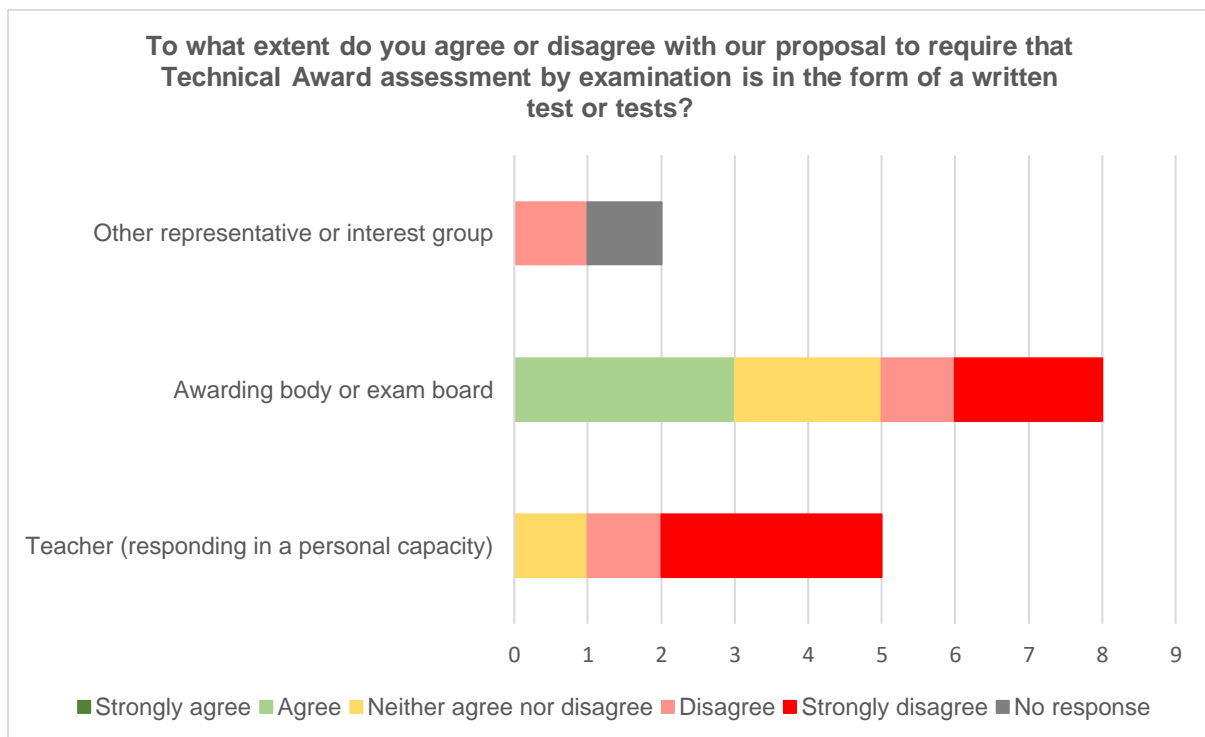
Several respondents outlined the resourcing and cost implications for awarding organisations that would result from the proposals. They highlighted the

development of assessment strategies for the qualifications as being potentially burdensome. Some estimated costings were provided.

One respondent asked that the impact on providers be considered as they felt that additional costs might be incurred as a result of the proposals and gave examples of increased invigilation and exam access requirements.

Assessment: assessment by exam

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?



Points raised in disagreement with this proposal included that:

- there should be flexibility of when the assessment is taken in the course of study
- the form of the assessment should be flexible: portfolios of students' work were seen to be most suitable
- written assessment should not be the default position as they are not always suitable for some practical subjects, including those where Technical Awards are currently offered
- that there may be questions of validity if written assessments are used in some creative subjects

- some awarding organisations currently do not use written assessment in their qualifications and the switch to using this assessment method would have major implications

Other respondents suggested that each qualification should be viewed individually with a decision made on the right form of assessment for that subject.

One respondent questioned whether certain groups and lower ability students might be disadvantaged by having to complete a written assessment.

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?

Some respondents questioned the form of assessment alongside the weighting, disagreeing particularly with the weighting where they did not think the written test was the most suitable form of assessment by examination for the subject.

One respondent noted that legacy Technical Awards have a requirement of external assessment contributing 25% of the overall grade. They felt that to increase this to 40% as outlined in the proposals would cause development problems for awarding organisations. It was suggested by another respondent that the 40% weighting was disproportionate and that it seemed linked to the approach taken for general qualifications.

Other respondents agreed that the weighting of 40% seemed suitable, but suggested flexibility for awarding organisations to decide the form the assessment would take. Another respondent suggested that the percentage of coursework and examination should remain the same as it is currently.

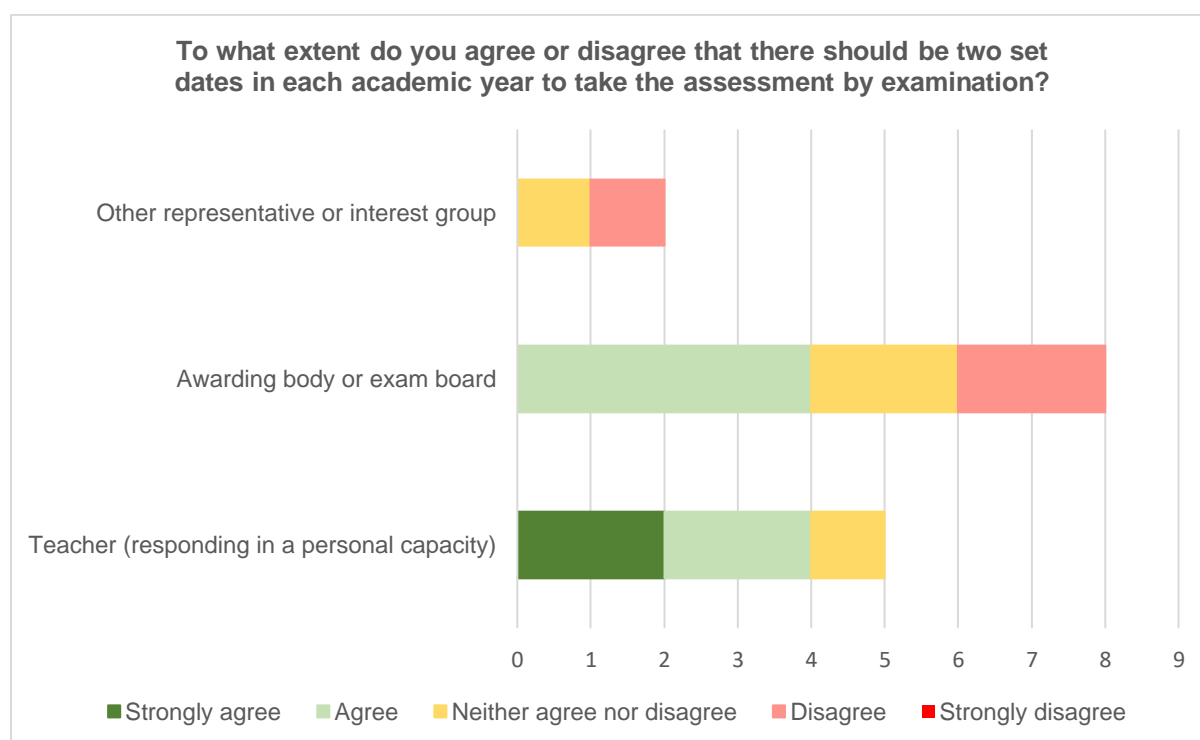
QUESTION 14: Do you have any comments on our proposals that awarding organisations should set and mark their assessments for examination and specify Conditions for sitting the assessments by examination?

Comments received were on the whole positive, and included that:

- this would not require much change from the current process as it is standard practice for external assessment
- this would be the best way to ensure consistency
- this approach was supported, but on the proviso that centres would not incur any additional costs as a result

One respondent suggested further guidance might be needed around setting, such as any information about the use of pre-release materials.

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.



Comments received in support of the proposal included that:

- setting winter and summer dates for assessment was a positive, as it would fit with assessment cycles for other qualifications in schools
- fixed assessment dates were seen as beneficial and could lead to a more structured approach
- the structure would help awarding organisations with setting and maintaining standards
- that this supports students and allows centres to take a flexible approach to curriculum planning

Several respondents agreed with the proposal, recommending flexibility for awarding organisations to set the windows, which would help to determine the most suitable date for them and their centres.

Of those who agreed, some added caveats, including that:

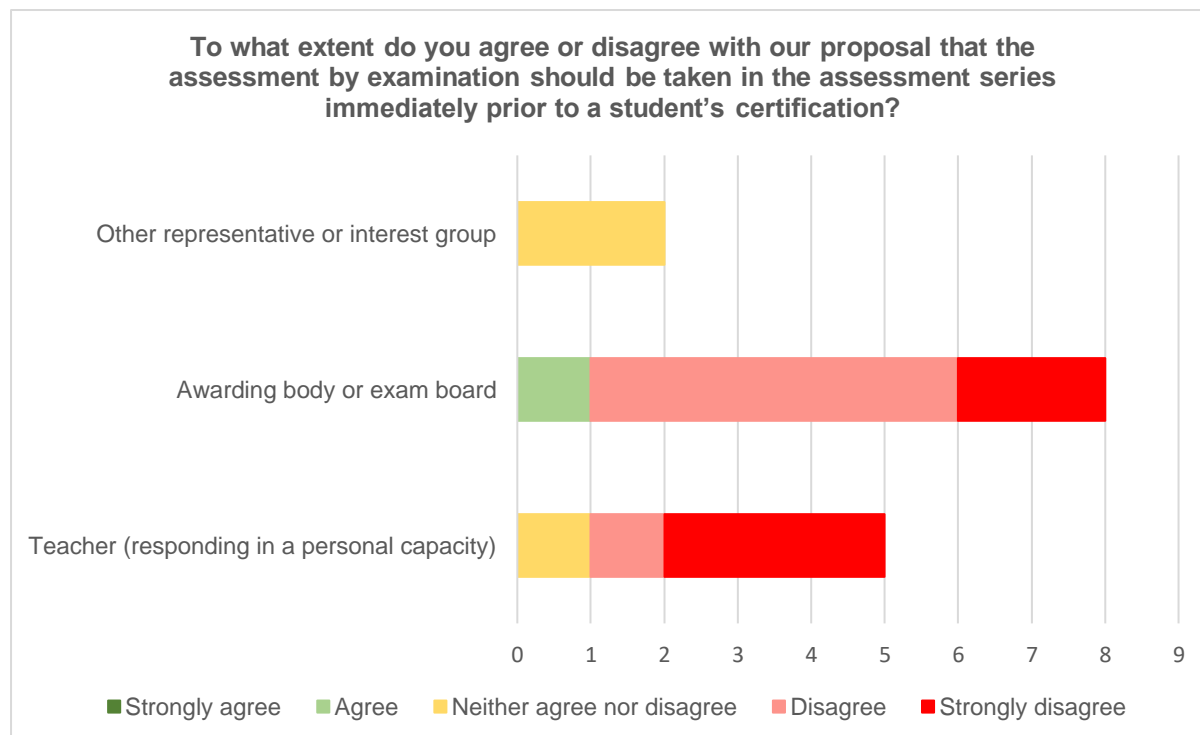
- while the proposal appeared to relate to what is designed now, it could be problematic if the proposed terminal rule is enforced alongside it as it might impact centre behaviours
- that work is needed to ensure there are enough assessors available to mark papers if there are limited periods to take assessments

Respondents who disagreed provided comments referencing the risk of clashes with other exam timetables. They felt that it could be challenging for centres to timetable exams and this may drive perverse behaviour in some centres, where the first assessment date is used regardless of whether or not the student is ready.

Other issues raised included:

- some Technical Awards already meet this requirement, so no changes to the qualifications will be necessary
- the synoptic element of the assessment could mean that exams are pressurised
- the flexibility given to awarding organisations to set the assessment windows should be outlined to reduce confusion

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?



Several respondents questioned whether there might be issues with resits after a learner has left the centre. For example, if the assessment was taken at the end of a

student's time at a school, accessing resits within the academic year might impact teaching time.

Other respondents noted that the proposed approach was counter to the current approach used by some awarding organisations where the external assessments take place early on in the course of study. Some suggested that approaches to teaching might need to be changed and new resources created to support learning.

It was suggested by respondents that there should be flexibility in scheduling to suit students' needs.

Other comments received in disagreement with the proposals noted issues including that:

- students are attracted to Technical Awards due to the nature of the assessments and so this proposal may affect the number of enrolments
- a requirement to attempt the exam for the first time in the summer series removes the opportunity for an in-year resit which might disadvantage students and reduce completion rates
- having to wait to the following academic year to resit will affect students' next course of study
- this approach could increase the stress and anxiety levels of vulnerable students
- the proposals could influence centre behaviour, including the length of time taken to teach the course and when certification is achieved

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

Several respondents supported the proposal as they felt students should have the opportunity to retake an exam until they were happy with their performance, with one pointing to the current limit which they saw as a concern.

Other respondents noted the impact of the proposed terminal assessment requirement in that it would mean resit opportunities would be limited anyway. They felt that this would reduce the number of resits taken, potentially affecting completion rates and the ability of students to progress.

One respondent said that because some awarding organisations already have a one-resit policy in place, the proposal might disrupt current practice and cause confusion. Another warned of the potential for repeated retaking to improve grades – suggesting that resits should only be for candidates who had failed previously.

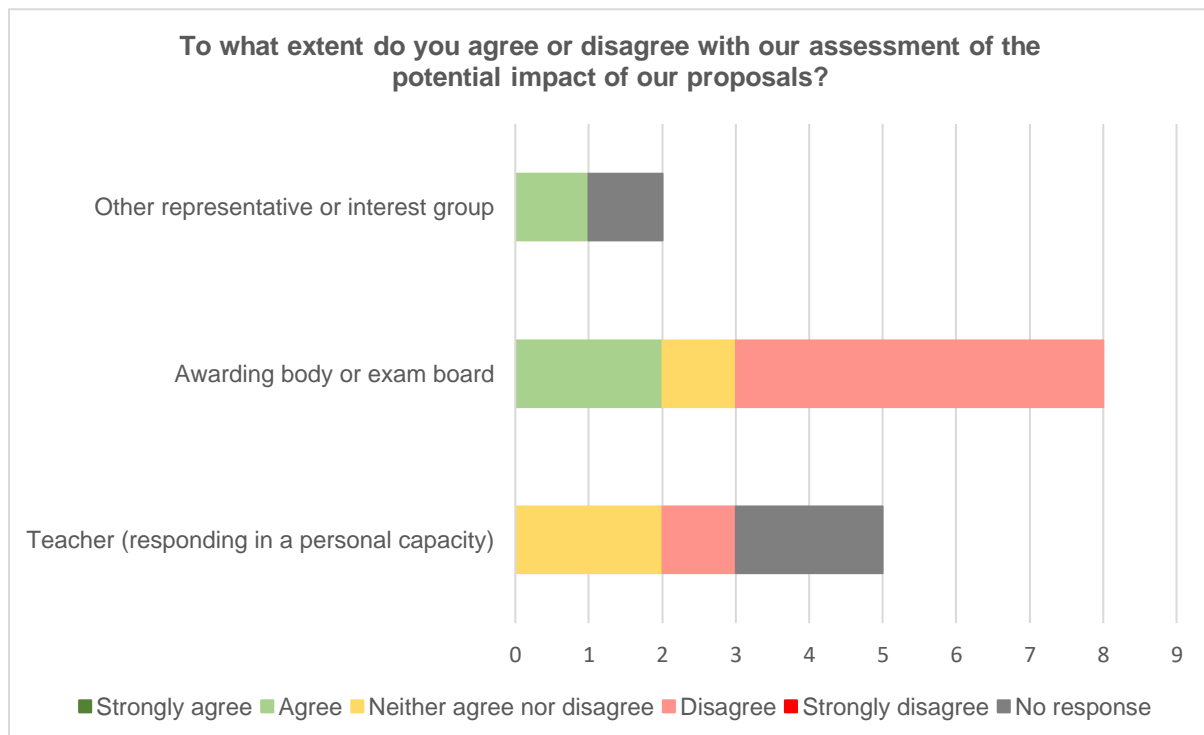
QUESTION 18: Do you have any comments on our intention that an awarding organisation should be able to apply for exemptions from some of the requirements? Please provide any views as to when an awarding organisation might think it appropriate to apply for exemption.

Several respondents noted the flexibility that exemptions might enable, especially if it meant that changes to existing qualifications might not have to be made, therefore ensuring minimal disruption. It was felt that awarding organisations would have to provide sound justifications for exemption. Respondents asked that guidance or criteria be provided to support applications for exemption.

There were concerns that if an exemption was granted for one awarding organisation and not another, then there may be issues of comparability between Technical Awards.

Assessment by examination – impact

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



Respondents who agreed with our assessment of the potential impact of our proposals reinforced our views that key impacts resulting from the proposals may be on student engagement, costs to centres and difficulty in timetabling assessments.

More disagreed with our assessment, and comments from those respondents included that:

- the timescales proposed might limit the time that awarding organisations have to develop new qualifications or change existing qualifications
- there would be difficulties in timetabling assessments for these qualifications so as to avoid clashes and that awarding organisations that are not part of JCQ would need to become involved in the timetabling process if the assessments take place in the same windows as other qualifications, which could cause complications
- the potential impacts on students could be more significant than anticipated and that the adoption of terminal assessment could potentially increase stress in students and lead to a more pressurised course of study

Several respondents stressed the importance of mitigating any risks that might arise as a result of enacting the proposals.

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.

Additional information suggested included:

- looking at the impacts that similar controls may have had on the enrolment numbers for qualifications in creative subjects
- consideration of the potential resourcing issues and the burden on awarding organisations that may result from the proposals
- the potential increase in teacher workload that may result from the proposals; specifically, that additional assessment by examination may result in more access arrangement requests and logistical considerations
- consideration whether the requirement for assessment to be taken simultaneously might be restrictive for innovation in assessment

Assessment: non-exam assessment

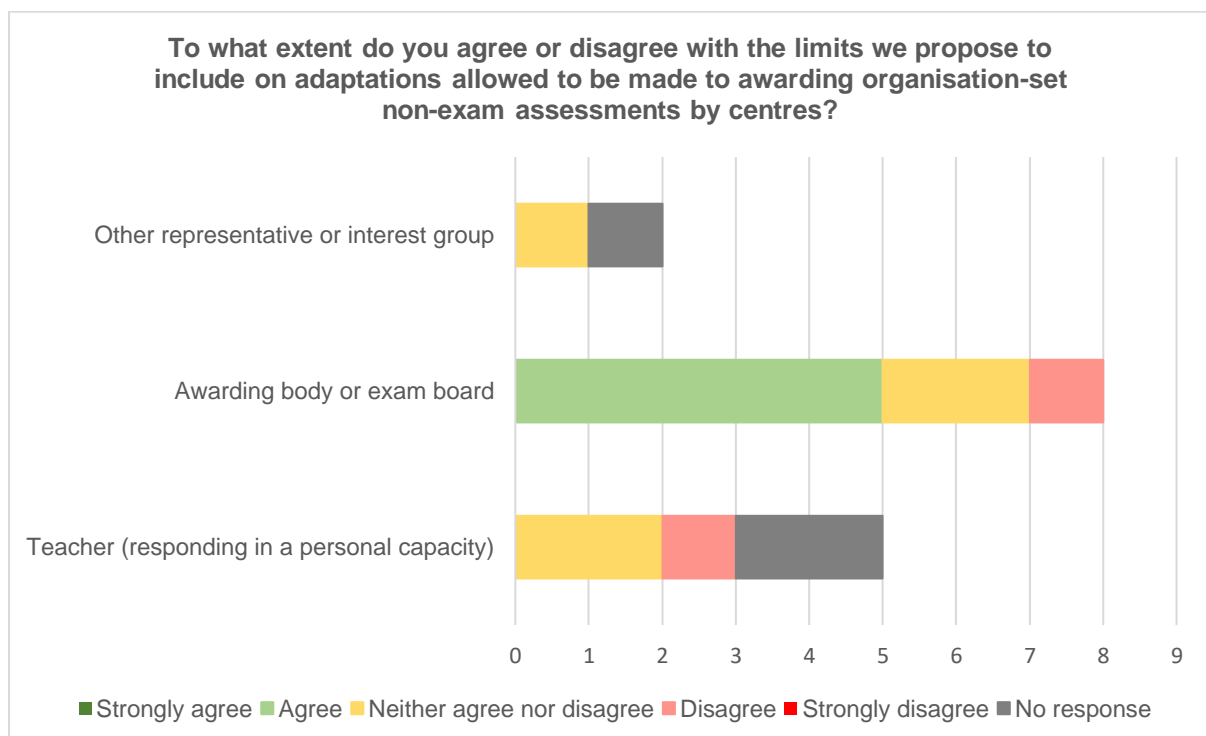
QUESTION 21: Do you have any comments on our proposal that awarding organisations must explain and justify in their assessment strategy their approach to non-exam assessment including methodology, availability, marking, delivery requirements and controls?

In general, comments agreed with the proposal for awarding organisations to explain and justify in their assessment strategy their approach to non-exam assessment. It was felt that this supported the continued use of non-exam assessment and that it

was necessary to enable a wider range of assessment methods across differing subjects. It was also felt that it encouraged transparency.

One of the respondents stated that awarding organisations should already have this information recorded, as an assessment methodology should be established through the qualification development process to ensure validity and reliability. They also indicated that information around availability, marking, delivery requirements and controls should already exist within other qualification documentation. Another respondent queried the purpose of providing a rationale for existing qualifications as it would be a retrospective review of design decisions taken. That respondent also indicated that providing an explanation and justification of the approach to non-exam assessment in the assessment strategy would add cost and disrupt other planned activity.

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.

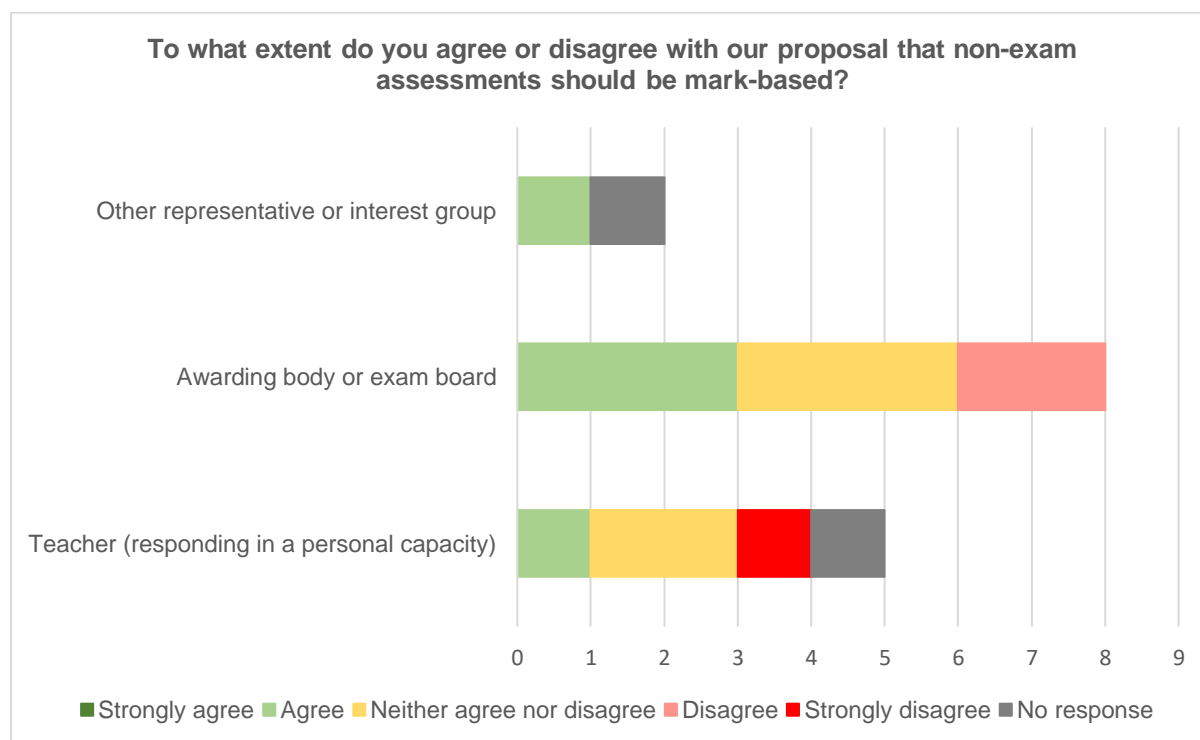


Several respondents noted the benefit of adaptation, such as enabling contextualisation and supporting issues related to learner demographics. Another stated that it would help ensure validity and reliability of non-exam assessments. One respondent noted that they did not allow adaptation and did not intend to allow it in future.

Most of the comments focused on whether Ofqual should provide guidance on centre adaptation. Respondents suggested that providing guidance would give clarity, enhance transparency and promote consistency between centres and between awarding organisations. It was also suggested that guidance would help ensure that the extent of adaptation would correspond with controls put in place (and the checking of them) to manage the delivery of non-exam assessment.

One respondent did note that they did not want a proliferation of guidance, and that guidance on adaptation should only be provided if it was identified as clearly necessary for awarding organisations. Another stated that it was not necessary or appropriate for Ofqual to provide guidance on adaptation.

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.



Agreement with this proposal saw respondents note that a mark-based approach should aid the process of making adjustments to outcomes awarded by centres, and is helpful where compensation is a feature of the qualification.

Other comments received in support included that:

- the form of assessment should be appropriate to the vocational qualification and there should be flexibility to use different approaches depending on the requirements placed on the students

- that Technical Awards are not designed to support work-readiness making a mark-based approach suitable
- that a mark-based approach could enable increased control over qualification outcomes over time because it would provide differentiation that is more granular

Comments received in disagreement included that:

- not all qualifications or assessments might be suited to being mark-based, and that some technical or soft skills might be more effectively assessed using a criterion-based approach (providing examples where a fixed marking structure might be inappropriate or too hard to apply)
- redeveloping a qualification to provide a mark-based approach – especially in a short space of time – would not be conducive to quality and would impact on the existing assessment design and delivery mechanisms already in place
- a mark-based approach might be less engaging for students than a clearer grading approach

Several respondents raised challenges around implementing a mark-based approach. It was felt that there would be challenges in ensuring clear understanding and consistent application of expected standards, especially early on. It was suggested that some centre assessors might not be familiar with a mark-based approach and that it might take a lot of resource to implement such an approach. A further challenge raised was whether awarding organisations would be able to provide suitable ranges of sample work for a new marking system in time for schools to use.

One respondent suggested a transitional window would give more time for existing qualifications to be adapted, indicating that for new qualifications, the expectation of mark-based non-exam assessment was suitable and could be immediately put in place. Another suggested that in time there should be a move towards comparable scoring – where marks available for similar assessments offered by different awarding organisations are the same.

Looking specifically at the proposal about applying for an exemption to this requirement, some respondents felt that awarding organisations should be allowed to apply for exemption, but that there should be a process and/or criteria to help clarify the grounds for exemption being granted. Others, however, were concerned it could lead to variability or inconsistency between qualifications and questioned whether it would be confusing if some non-exam assessments within a qualification were mark-based but exemptions were granted for other non-exam assessments in the same qualification.

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)?

All of the comments included supportive elements, suggesting that moderation would:

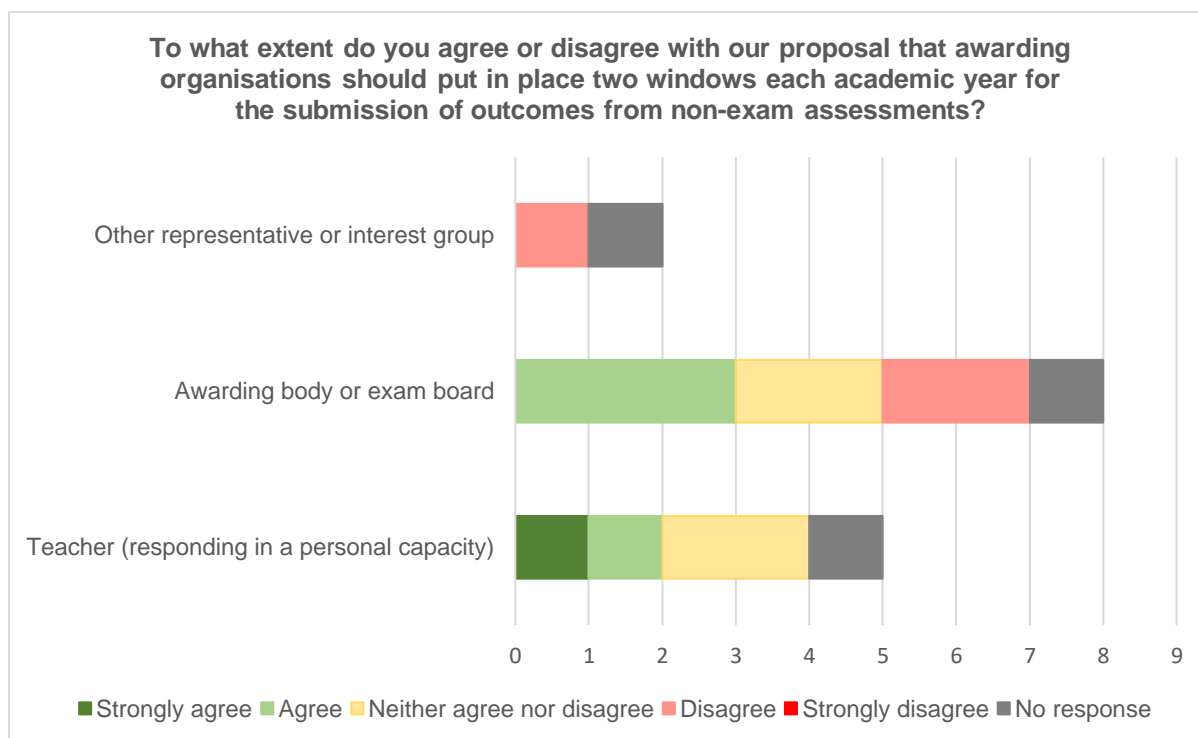
- increase rigour
- support public confidence
- minimise the risk of centres inflating non-exam assessment marks
- provide consistency across the qualifications
- ensure that adjustments to outcomes can be made prior to candidates receiving their results

One respondent agreed with the notion of requiring moderation but suggested that there should be flexibility in the type of moderation proposed.

There were concerns raised over issues including:

- the need to ensure sufficient personnel available to undertake moderation, and in suitable timescales
- the need to make sure that centres or awarding organisations did not shorten times to complete assessments to the disadvantage of students in order to be able to carry out moderation
- potential additional burden on centres
- potential difficulties in delivering moderation activities where qualifications had competency-based components taken in centres in large numbers

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.



Some respondents queried the interpretation of the requirement – whether it would be exactly two windows or two at most. Some respondents made it clear that they were responding as if the requirement would be for up to two windows to be put in place for submission of outcomes rather than exactly two.

Support for the proposal included that setting windows for the submissions of outcomes would support moderation planning and execution and that two windows for submission would mean that any student impacted by mark adjustments would have an opportunity to resit their assessment.

Other respondents wanted a single window, citing potential increased costs of having two windows as opposed to one, and the practical and logistical benefits of managing only a single submission each year. It was also felt that it was more practical to conduct moderation only once a year. Another respondent indicated that providing just one window maximised control over security and over standards by ensuring larger numbers of candidates in each sitting.

One respondent proposed that the windows should align with the windows set for assessment by examination and that Ofqual should set the submission windows as January and May/June of each year. Another suggested that the awarding

organisation should set the windows to ensure that they could be aligned with specific assessment requirements and delivery models.

Some respondents noted concern that if Ofqual were to set windows not in line with current practice that this could cause disruption and that there could be operational implications for centres and students – particularly where awarding organisations have consulted with their own centres to find workable approaches.

Other comments from across the respondents related to the impact of the submission windows on when the non-exam assessments might be undertaken. Comments included that non-exam assessments might end up being delivered in line with the set submission deadlines instead of centres being able to use discretion about when to undertake non-exam assessment to meet the needs of their own students. It was also indicated that May and June are congested with exams and having a submission window then might put additional pressure on students.

One respondent queried how these submission dates would apply to resubmissions or retakes of non-exam assessments, noting the potential impact of planning in potential resubmissions, and how this might impact on students' time spent studying, as well as completing the assessments.

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?

Several respondents raised concerns around resubmissions and retakes. These included the impact that multiple resubmissions can have on teaching approaches and time, and on issues such as grade inflation.

Several comments supported the proposal for Ofqual not to set requirements. Some indicated that this would allow awarding organisations to decide the most suitable approaches to enhance controls relating to whether re-takes or resubmissions are offered. Others noted current existing restrictions and their intention to continue to take the same approach.

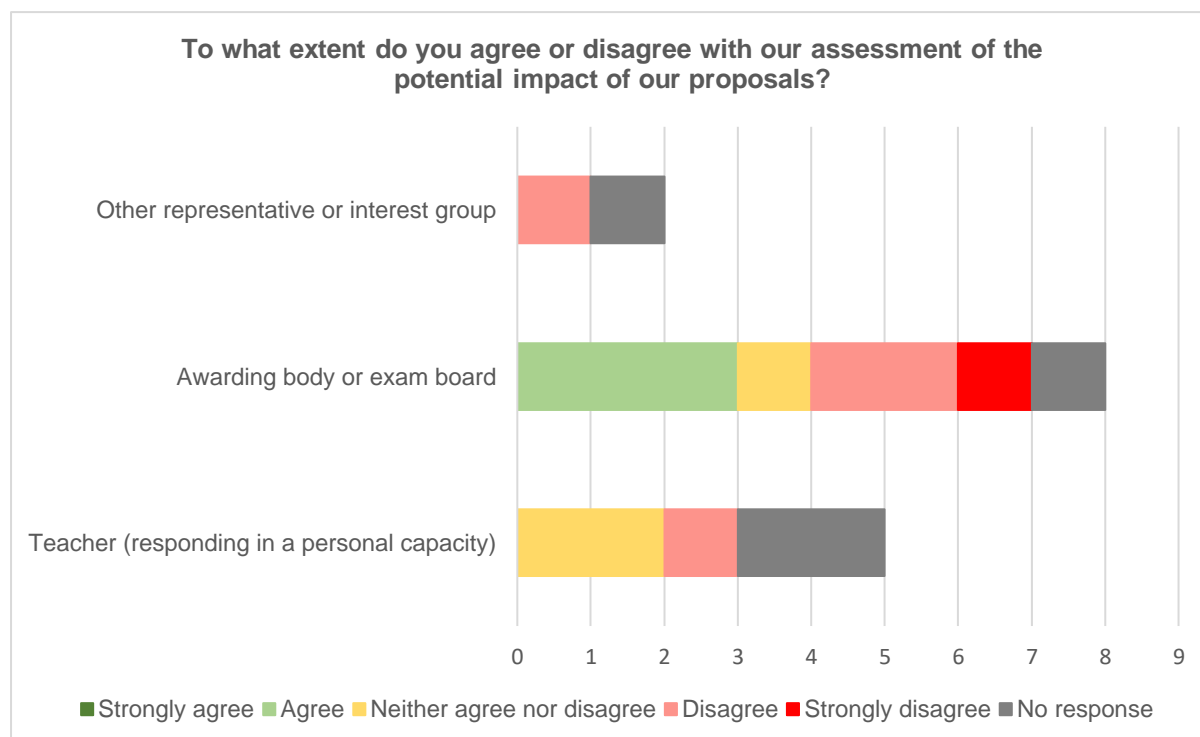
Other comments suggested that Ofqual should either set requirements or provide guidance on resubmission and retaking, in order to provide clarity for centres and consistency between awarding organisations. It was clear from several of the responses that different awarding organisations allow different types of resubmission/retake activities. One respondent asked for clarification around the terms resubmission and retake.

One response also suggested that Ofqual might limit resubmissions/retakes to a single opportunity in order to address concerns with multiple resits. Another indicated

that they thought it was appropriate to provide explanation in the assessment strategy and another noted that it was a transparent approach.

Non-exam assessment – impact

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



The potential need for additional resource and the cost implications for awarding organisations and potential manageability issues for centres were noted by some as potential issues. It was suggested by one respondent that implications for students and centres had not been sufficiently noted.

Another concern was the potential for teaching, assessment and marking time for Technical Awards to be condensed, which could impact on the well-being of staff and students and achievement rates. This was because of how a number of the proposals might interact (around assessment windows, windows for submission of non-exam assessment outcomes and the terminal assessment rule).

Other issues raised included that:

- changes to when assessments are submitted could impact other qualification assessment activities delivered at the same time
- centres may lose the benefit of flexible timing for centre assessments and awarding organisation checks, and may have to deal with significant peaks of activity which would be challenging on resources and quality

- a mark-based approach will result in additional work for awarding organisations who don't currently use a mark-based approach; for example, they will need to develop the infrastructure to support mark-based assessment, moderation and awarding
- a mark-based approach would have implications on delivery, especially for skills-based assessments, placing unnecessary burden on awarding organisations, particularly those with qualifications already in existence

One respondent stated that concerns around quality of marking and grading of non-exam assessments could be addressed through robust moderation, making the introduction of a mark-based approach unnecessary.

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.

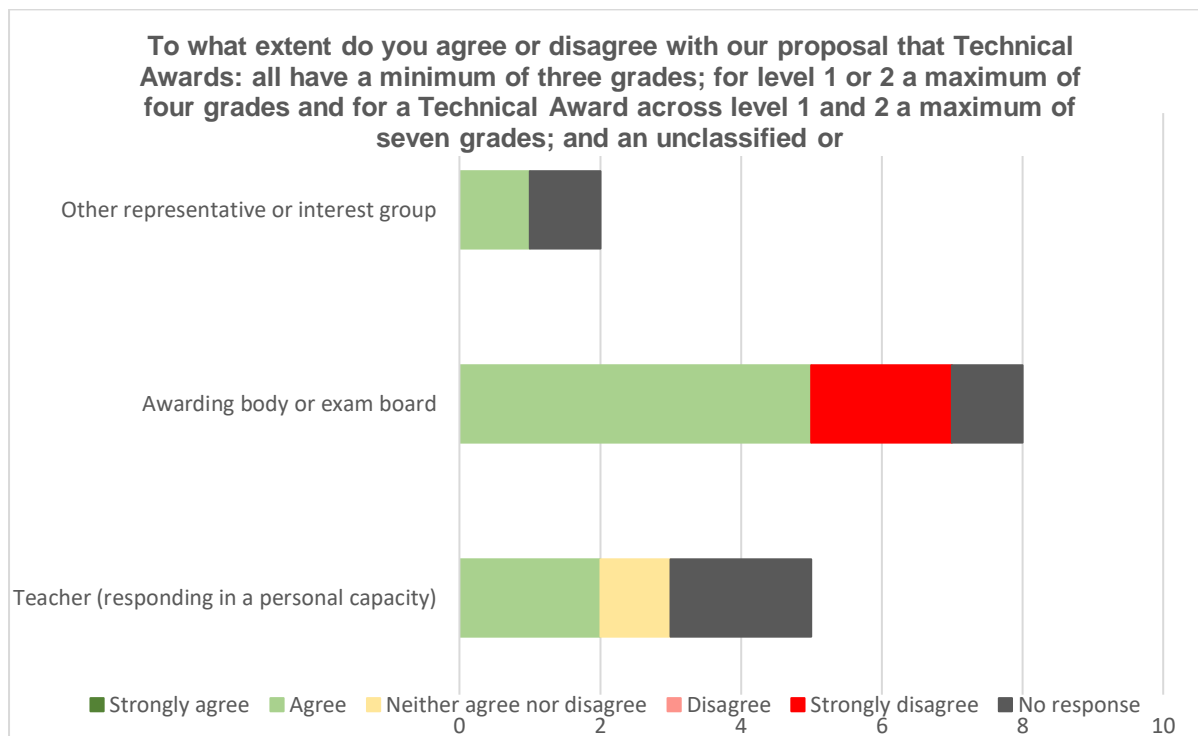
Several responses indicated the importance of considering student mental health – noting a potential increase in burden on students if they experience a peak of multiple assessments in set assessment periods. It was suggested that any data or feedback centres can provide on both staff and student well-being should be considered. It was also suggested that there might be an impact on student recruitment.

One respondent stated that there would be increased costs for awarding organisations if they need to change their approach – to provide assessment windows for assessment by examination for moderating non-exam assessments and for introducing mark-based non-exam assessment. The same respondent also highlighted the tight timelines proposed, and the increase in challenge caused by this.

In terms of financial implication, this respondent estimated that the cost of adjusting to mark-based non-exam assessment would be in the region of £2,000 per qualification. They also estimated that the costs of additional training for assessors to ensure consistent implementation of the new marking method would be around £3,000 per qualification, per year in the initial years.

Setting the specified levels of attainment: grading

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?



Comments in agreement included that the proposal is:

- appropriate and would aid consistency
- sensible as it would allow qualifications to be awarded across levels 1 and 2 so that achievement at level 1 can be rewarded
- set out in such a way that it enables awarding organisation to apply the grading scale most appropriate for the design of its qualifications

One respondent queried the proposed requirement for a fail or unclassified grade at qualification level, suggesting that a fail for a qualification would mean a student would need to re-register and take all assessments again instead of being able to resit just the relevant assessment component. They stated that this would add cost and burden without being clear as to the benefits the requirement might deliver.

Another respondent indicated that the proposal did not support some qualifications already approved for inclusion within performance table measures from 2020 onwards, despite Ofqual's stated intention that the proposed model should not require any amendments to existing qualification grading scales.

One response suggested that a common grading scale was preferred to raise the profile of Technical Awards.

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?

Several respondents highlighted the benefits of this proposal, which included that:

- a consistent approach to grading would aid transparency, understanding and comparability for students, centres, parents, employers and other stakeholders; noting that the current system can be confusing in contrast to the relatively simple, and typically well understood, academic system
- a common grading scale would aid a consistent approach to standard setting, supporting work undertaken on the comparability of qualifications, as it could facilitate more meaningful comparability of standards activity over time, and this would further enhance the validity of Technical Awards

One respondent noted that if a common grading scale was introduced across level 1 and 2 qualifications, then this would support students across the grading scale without ceilings or barriers to attainment. They felt that a common grading scale for level 1/2 would also enhance understanding of level 1/2 achievement and so be beneficial for recruitment to further study.

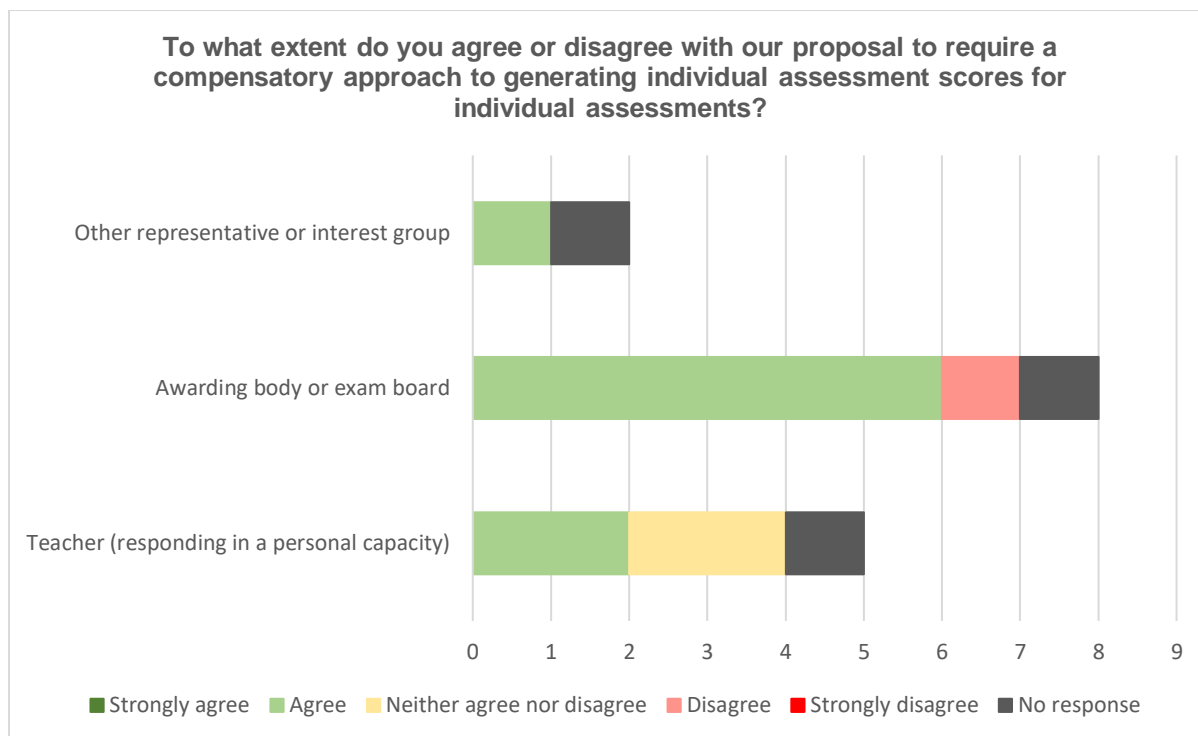
Some challenges were noted, including:

- the challenge of introducing a uniform system while subject content and assessments in similar subject areas differ across awarding organisations
- that sufficient time would need to be given to allow changes to be made and new grades to be introduced in a fair way, and also to allow for necessary consultation and awareness-raising with stakeholders
- managing how users of qualifications might compare current provision with any new requirements (where changes have been made) and how long it might take users of qualifications to understand the new uniform grading scale
- the need to consider how a common grading scale could be applied to a group of qualifications where some function as standalone qualifications, at either level 1 or level 2, while others operate across both the levels

One respondent suggested that Ofqual should consider that any common grading scale should be nine points in order to align directly with GCSEs. They noted that currently the highest possible performance point attainment for a Technical Award is less than the performance points for a GCSE, which demonstrates the current misalignment.

Setting the specified levels of attainment: generating outcomes/aggregating

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.



Comments that agreed with the proposal indicated that:

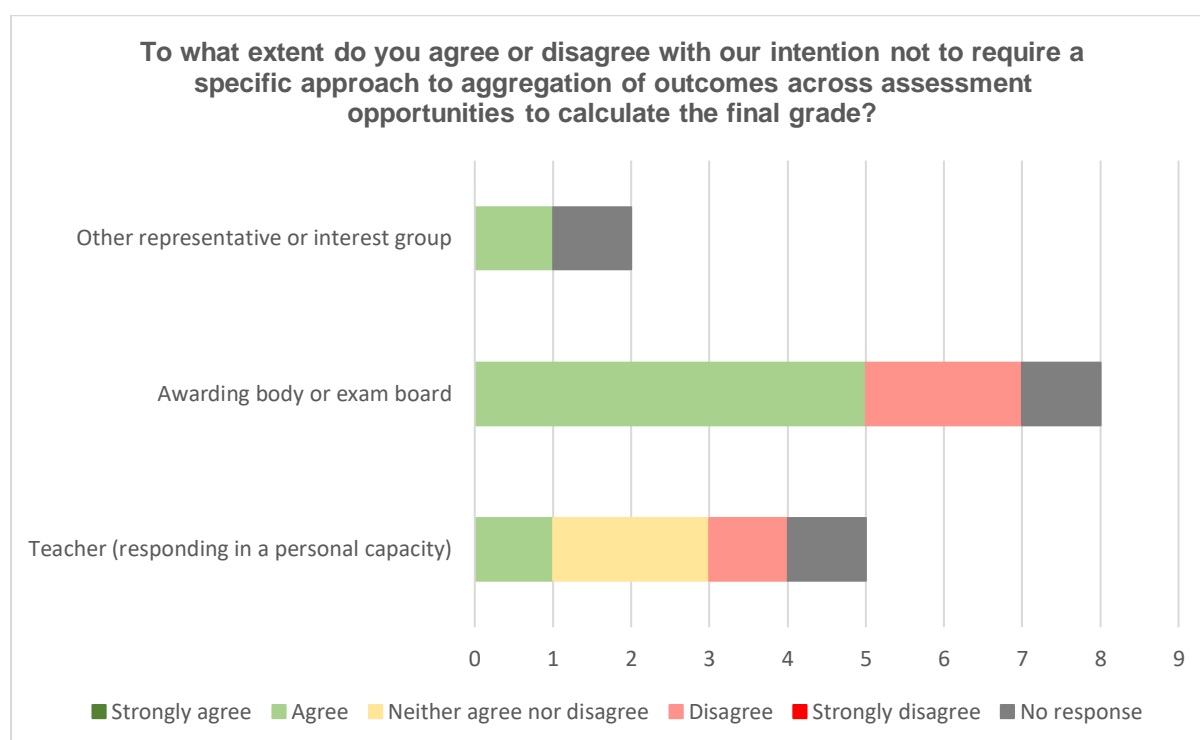
- a compensatory approach appears to be in line with the purpose and target audience of these qualifications
- as the purpose of Technical Awards is not to confer occupational proficiency, or to act as licences to practise, must-pass hurdles are not appropriate and a compensatory approach would be more valid
- a compensatory approach allows students to make mistakes and still be able to be awarded higher criteria.

One respondent raised a concern that the proposal could undermine the validity of external assessment. Another said that there may be specific elements of assessment where a compensatory approach might not be appropriate and suggested that it should be for the awarding organisation to make the decision about the approach to generating assessment scores.

With regards to exemption, it was suggested that it would be useful to have examples of where exemption might be required. Several respondents indicated that

they thought awarding organisations should not be able to gain exemption from the proposed compensatory approach, because they thought granting exemption might contradict the general purposes of the qualifications, might place unnecessary burden on students (considering the other proposed controls alongside this) and that it might lead to an inconsistent approach between qualifications, which could lead to confusion for students and others.

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?



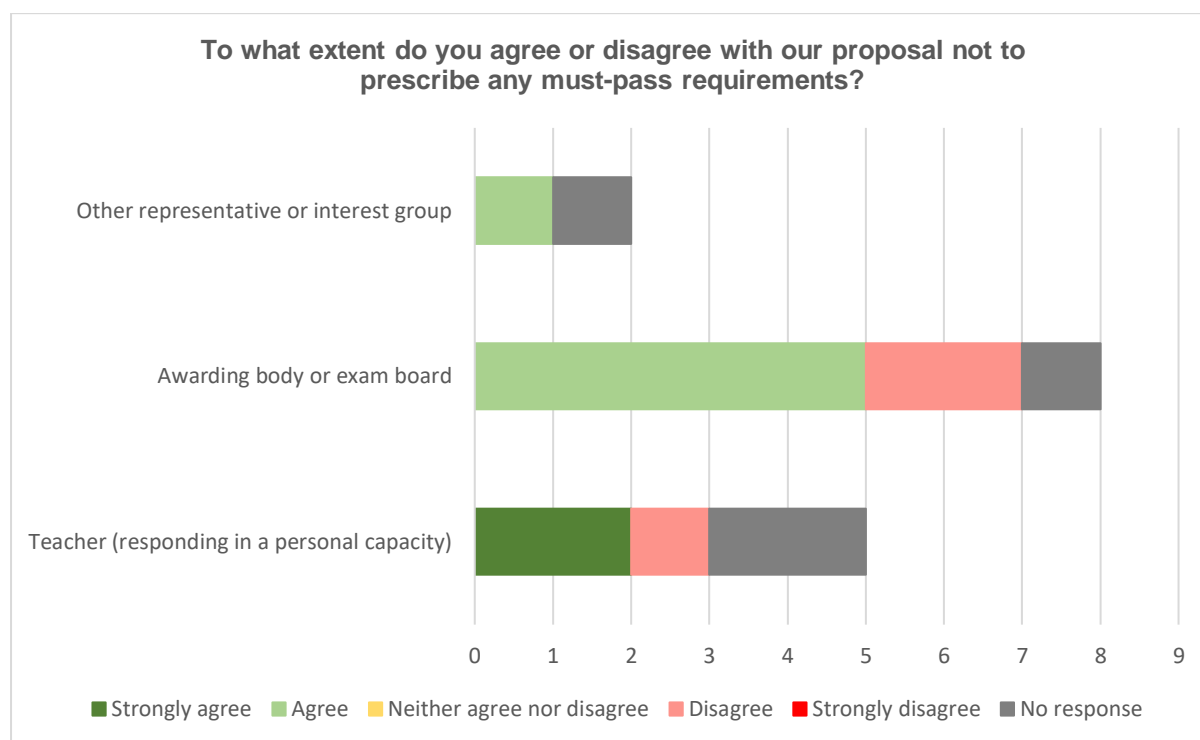
Those agreeing with the proposal said they thought the approach to aggregation should be awarding organisation-led and that it would enable innovation and allow centres to choose the most appropriate qualification for their students' needs. One respondent stated that without a common grading scale, it would not be appropriate to have a specific approach to aggregation and that this should only be considered if a common grading scale is to be adopted in the future.

Of those who disagreed with the proposal, one respondent suggested that the proposed approach was in direct conflict with the current situation where some awarding organisations require all assessments to be passed in order to achieve the qualification. The respondent indicated that aggregation of assessment outcomes relates to validity and proposed that there should be parity across the qualifications, and that there should be a requirement to achieve a minimum of a pass in all units in

order to be eligible for certification. Another respondent raised concerns about comparability between awarding organisations caused by this proposal.

Several respondents indicated that it is important that approaches to aggregation are clearly outlined to centres.

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

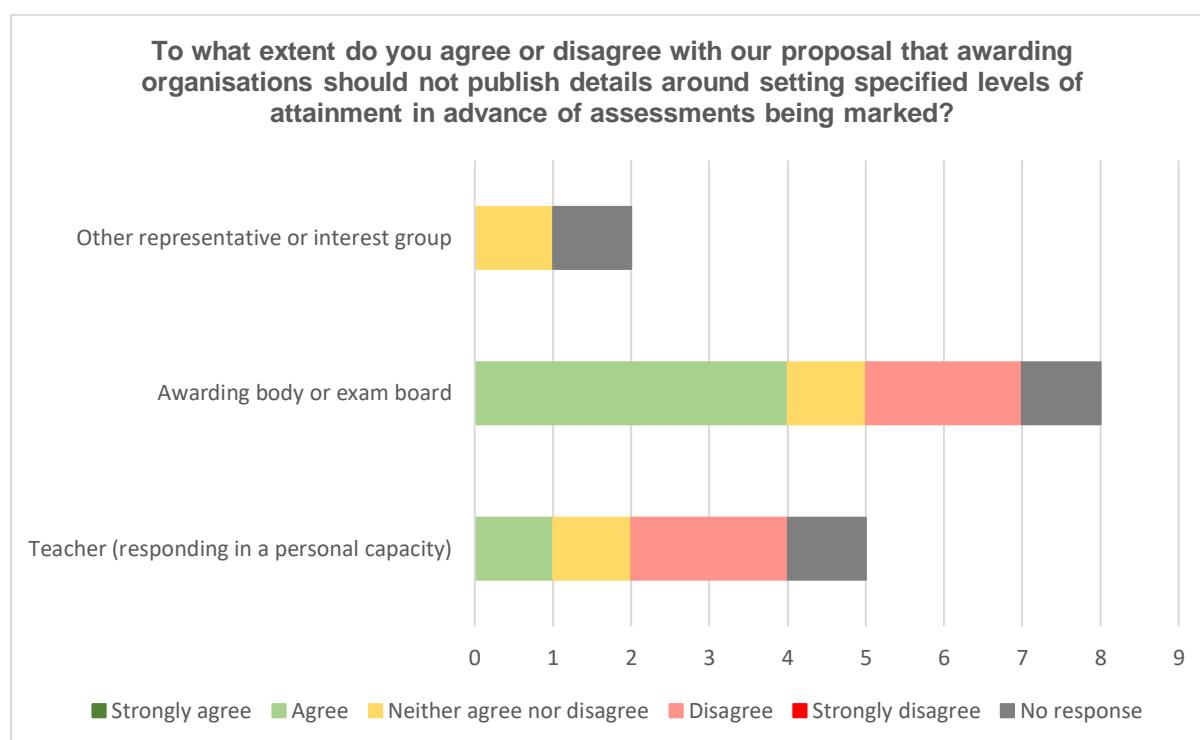


Some respondents said that the proposed approach would allow students to do well in areas in which they are more capable and would not discriminate because they might excel more in some types of assessment than others. It was suggested that, bearing in mind their purposes, and as Technical Awards don't lead directly to employment or make students 'work ready', it was sensible to not subject students to must-pass requirements. It was also noted that the proposal was in keeping with other qualifications, such as GCSEs. Another respondent agreed, but did question whether it might undermine the validity of external assessment.

Respondents that disagreed said that there should be some minimum standards of attainment in place and that there may be areas critical to a qualification and a student's future learning and/or employment which should have a must pass requirement. It was suggested that individual sectors might need different consideration, raising concern about a potential blanket condition that must pass elements should not be included in a qualification.

One of the respondents stated that there should be a must-pass requirement applied to the assessment by examination and that the absence of such would undermine the assessment method, its weighting and the greater controls that assessment by examination affords.

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?



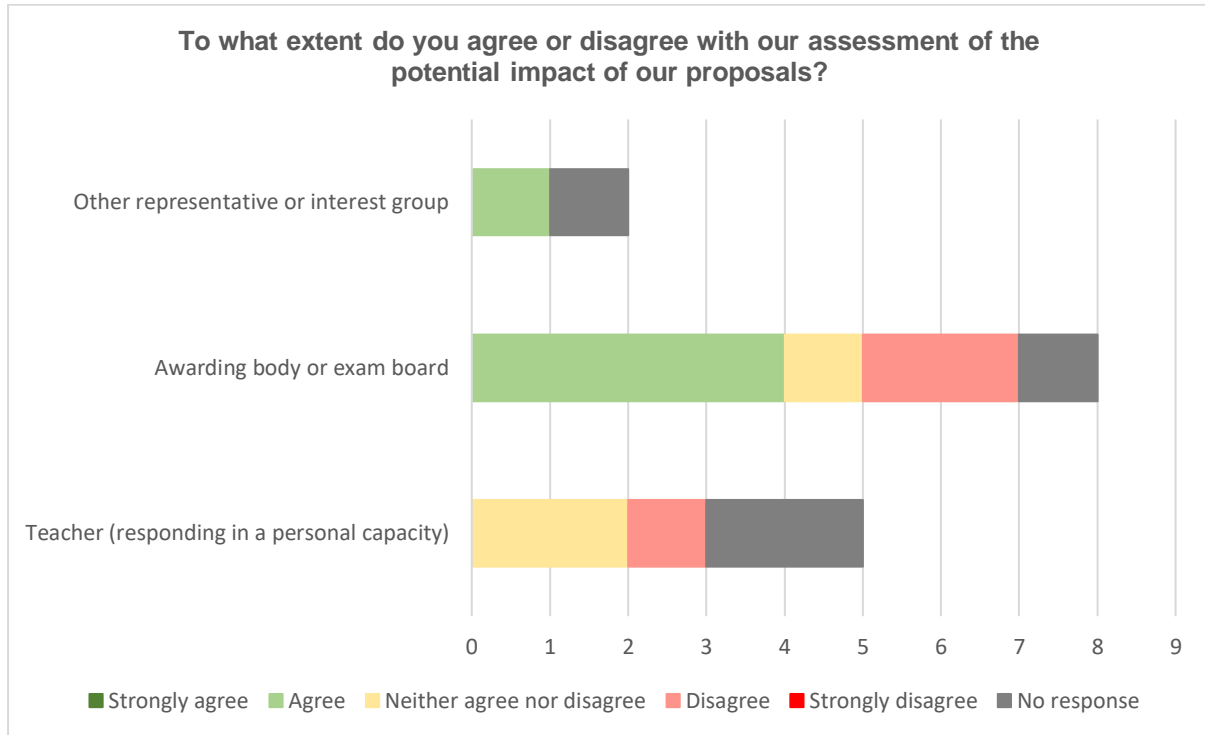
Several comments received about this proposal stated that publishing details about levels of attainment in advance might lead to undesirable centre behaviours or negative impacts and that there may be an adverse effect on consideration of standards by awarding organisations over which they need to have flexibility.

Other responses noted that centres make use of information about specified levels of attainment for actions such as predicted grades and intervention practices, and said that not providing such information might adversely affect school planning and delivery. It was also suggested that information about grades helps to motivate students. One respondent said it was not clear how centres would mark non-exam assessment if predetermined levels of attainment had not been set, especially if some non-exam assessment is not mark-based.

One respondent noted consultation event discussions about providing details around plans for aggregating grades, without specificity applied around grade boundaries, might be appropriate. They would welcome further clarification and guidelines.

Setting the specified levels of attainment – impact

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



Several comments suggested the assessment was appropriate, with one of these stating their conditional agreement if there was no additional burden placed on centres. Another respondent felt that there was overlapping impact between the requirement for a compensatory approach and the requirement for mark-based non-exam assessment, but that they did not feel that this would have a major impact on awarding organisations. Another respondent suggested that the introduction of a compensatory approach might have a negative impact on a student’s overall qualification achievement, if there was no mandatory requirement to pass every unit, and that this might be the case if there were elements of a qualification that require a pass grade in order to ensure essential areas of knowledge and/or skills are achieved.

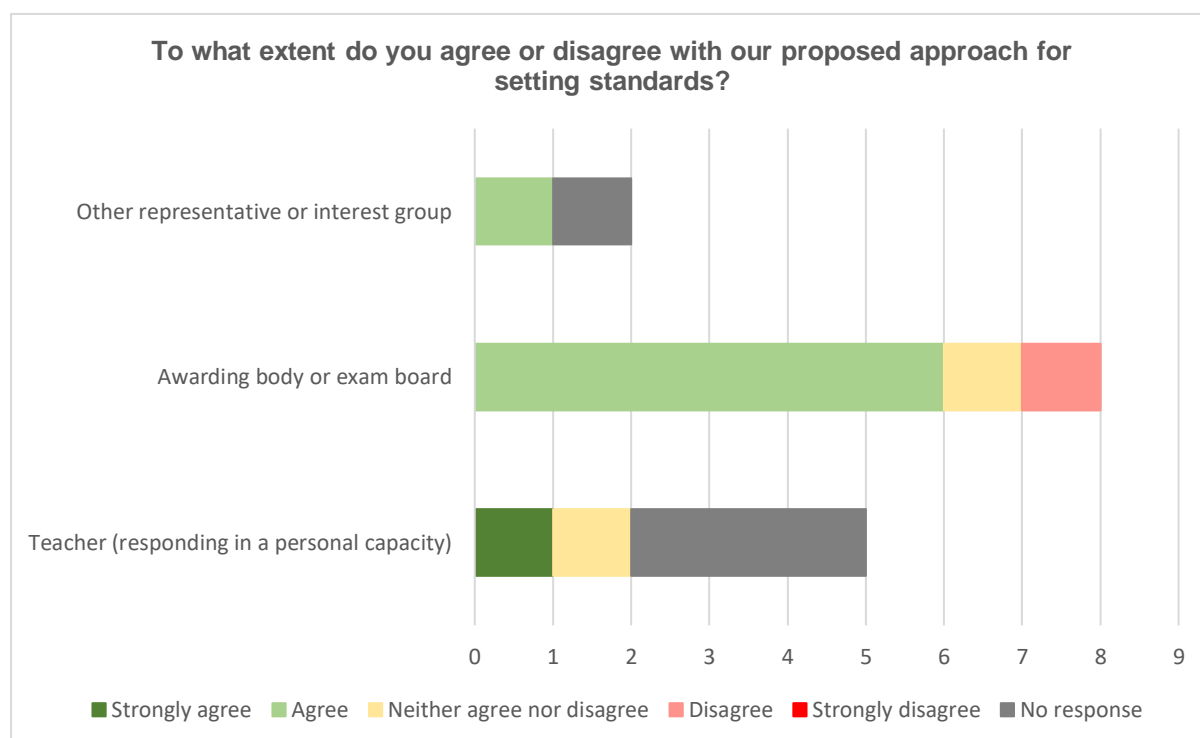
QUESTION 36: Is there any additional information you think we should consider when evaluating the impact of our proposals? Please provide estimated figures if related to costs or savings.

One respondent wrote that the changes to the approach to assessment grading would have an impact on awarding organisations if they need to spend time redesigning existing marking approaches. They also stated that compensatory marking would require time for upskilling the awarding organisation workforce in order to incorporate the requirement into the assessment structure. The respondent estimated the time required would be in terms of days rather than hours.

The other respondent noted that requiring a fail grade at qualification level would add systems development costs and extra ongoing administrative costs for awarding organisations, as well as costs and inconvenience at centre and student level, as it would require a full retake of a qualification following a fail grade.

Setting standards

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



Comments received in agreement included that the approach seemed suitable and reflected the approach taken for other qualifications. One respondent indicated that the combination of requirements around assessment strategies, pre-set non-exam assessments, and the related introduction of the Centre Assessment Standards

Scrutiny³, should all interlink to ensure standards are raised and maintained within and between centres.

One of the respondents raised the issue of compliance with General Condition H3.1 (monitoring the specified levels of attainment for a qualification) suggesting that the proposed approach might contrast with the General Condition if comparability was not a requirement.

It was suggested that there should be common standards between similar qualifications from different awarding organisations, but that to do so requires collaboration between awarding organisations. In support of this, the respondent suggested that Ofqual should support awarding organisations to find ways to establish processes for guaranteeing greater comparability. Another respondent suggested it would be useful for Ofqual to stipulate the range of evidence required, in order to ensure comparability between awarding organisations.

Another respondent also said that there should be an approach to look at comparability of standards within and across awarding organisations offering qualifications in similar subjects. The respondent called for early inter-awarding organisation technical community discussions to consider the comparability of qualification level standards in Technical Awards, also stating that flexibility is required for each awarding organisation to rationalise which technical approach they use for setting standards.

The respondent raised a concern around the risk of using a statistical approach to highlight standards issues where the DfE does not specify subject content and there is no common grading scale. They felt that the concept of a 'national standard' in this market is complex. Alongside this, the respondent voiced caution at the value of using information such as prior attainment data in subjects that are self-selecting, but suggested that if prior attainment data is used, then all awarding organisations should utilise it. The respondent suggested that Ofqual should ensure that all awarding organisations offering Technical Awards are subject to a data-sharing agreement to ensure comparability.

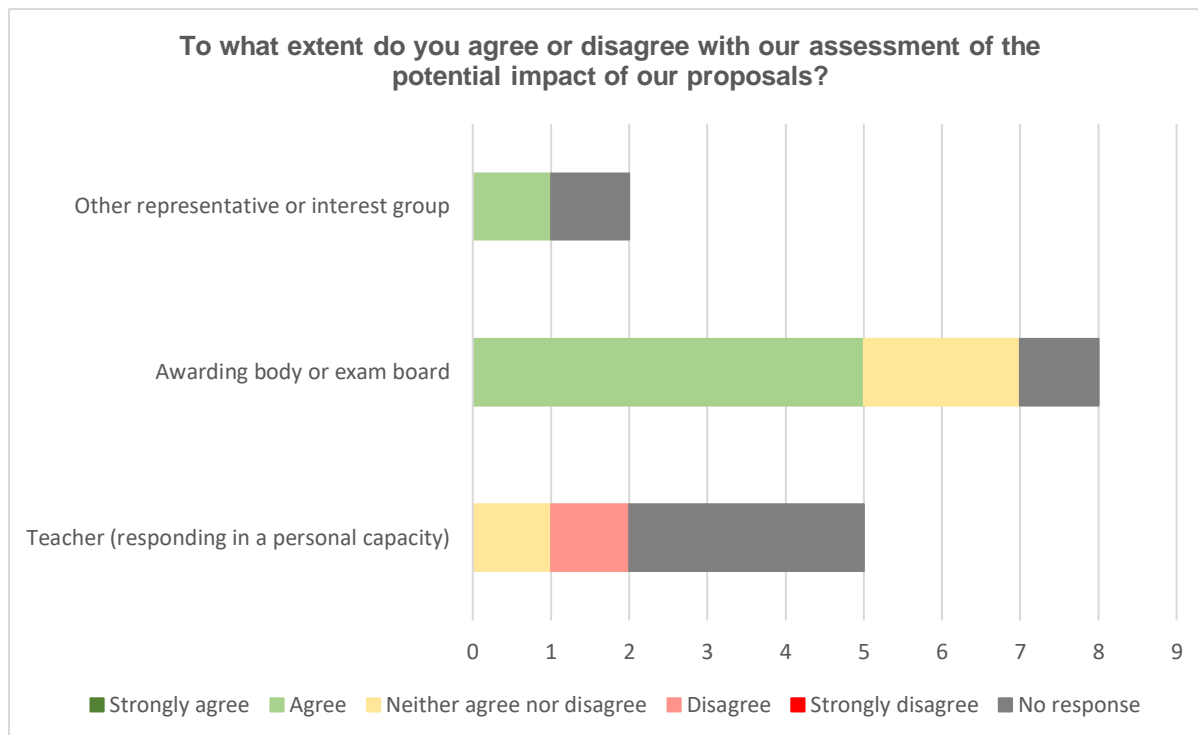
One respondent stated that they considered the current approach to be sufficient and that they did not support tightening control around this area in future.

With regards our proposal that if there are optional routes of study in a qualification, awarding organisations will have to explain how they will set and maintain, one respondent supported this, saying that optional routes should not be limited so that centres can choose what best meets the needs of their students.

³ <https://www.gov.uk/government/consultations/awarding-organisation-controls-for-centre-assessments-regulations>

Setting standards – impact

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



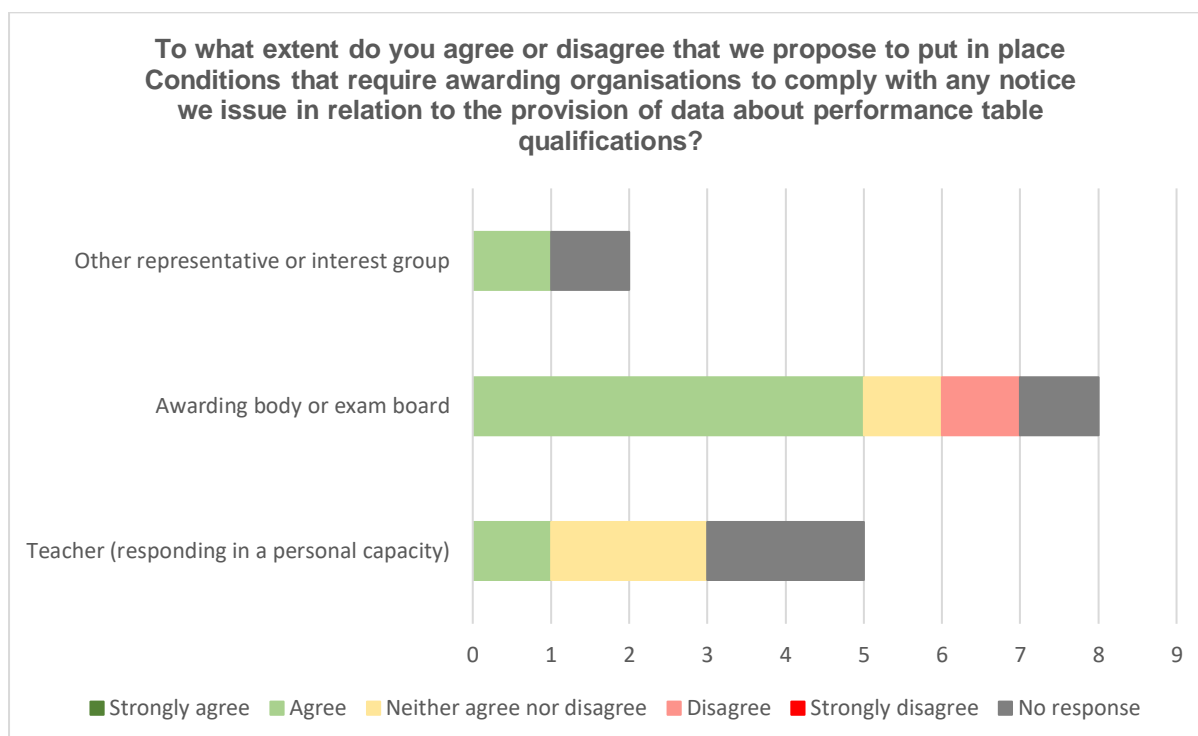
Comments received in relation to this proposal voiced agreement rather than raising specific points. One respondent raised concerns about the transfer of data between awarding organisations and the security of commercially sensitive information.

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.

One respondent stated that there would be impacts of awarding organisations moving to a mark-based approach. They included the work involved in maintaining standards over time and monitoring for the ‘saw tooth effect’ in achievement in particular.

Other requirements for qualifications approved for performance table lists

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?



Several respondents said that they agreed with this proposal as long as the requirements mirrored those for general qualifications. Another respondent asked that any data protection considerations are investigated with clear guidance produced in this area. One concern raised related to adding to workload due to additional data entry that may be required. Another respondent felt that the proposal for awarding organisations to provide details of other qualifications taken by students would create significant administrative burden. They questioned whether this information should be gathered centrally instead.

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?

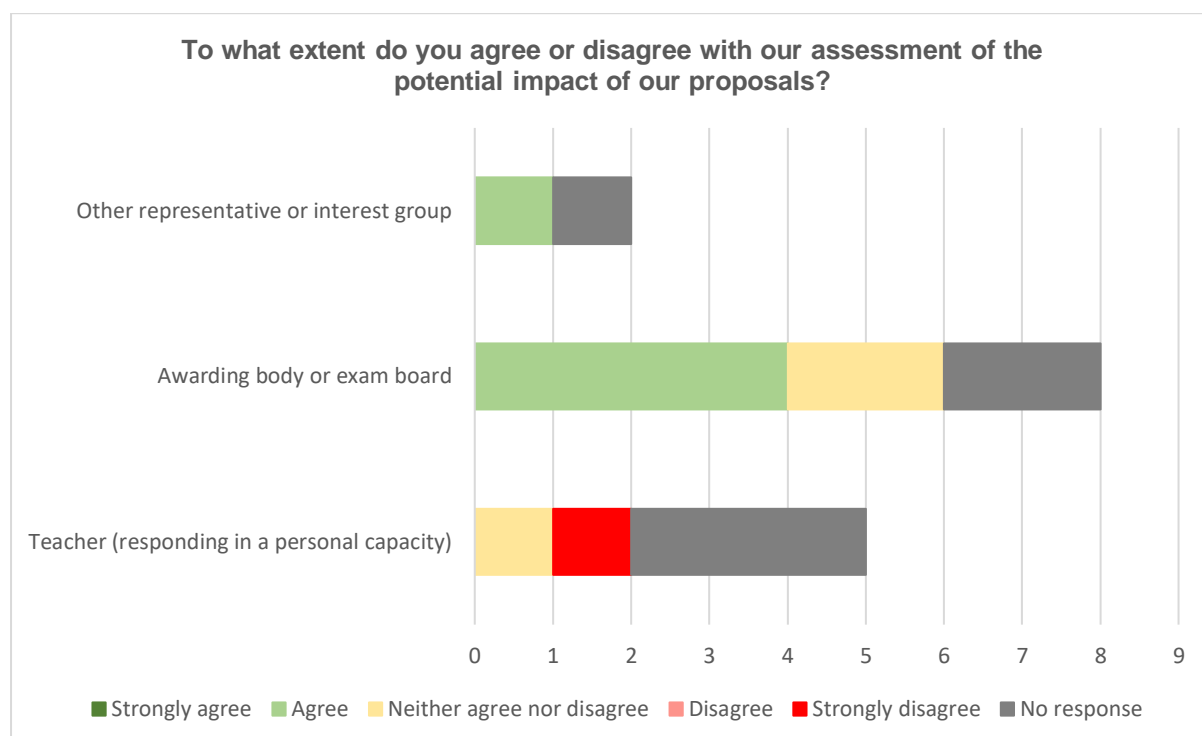
Several respondents requested clarification of the process for adding this information to an event notification. One respondent said they considered this approach appropriate and manageable for awarding organisations.

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?

The main theme of responses here was around ensuring sufficient timescales for withdrawing Technical Awards, so that stakeholders are clear when this will happen and that potential alternatives can be sourced for students. They felt that centres needed enough time to identify alternatives or inform learners that the qualification will no longer be available. One respondent highlighted the potential for two similar versions of qualifications to run concurrently, which could lead to confusion for students. They requested that the withdrawal of Technical Awards is managed and communication to all stakeholders be factored into this process.

Other requirements for qualifications approved for performance table lists – impact

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



Comments here suggested that the impact assessment was adequate, although one concern was raised that requirement for awarding organisations to report on the

other qualifications a learner is completing would place additional burden on awarding organisations.

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.

One respondent provided additional information asking that Ofqual consider the impacts in terms of administrative processes and costs to awarding organisations in reporting on the qualifications a learner is taking.

Potential additional requirements for qualifications approved for performance table lists

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?

Several respondents felt that aligning the requirements for technical and vocational qualifications with those currently in place for academic qualifications, would ensure a consistent approach for centres, and would be a positive step.

Several comments received indicated that respondents were not familiar with the requirements mentioned and how they might compare with their existing appeals and reviews of marking processes, which meant they could not judge the value of the proposal.

One respondent did not think it was necessary to introduce new requirements, stating that introducing changes for existing qualifications could be disruptive and confusing for users of qualifications, and would place an additional burden on awarding organisations and centres. Respondents reinforced the need for the consultation to assess the impact of any changes.

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

Some of the respondents identified benefits of branding, including that it would:

- help to raise awareness and the profile of Technical Awards amongst key stakeholders such as students, parents/carers and employers

- provide the qualifications with brand recognition that would help them to compete against GCSEs
- help users identify whether a qualification was academic, vocational or technical and whether they were included in performance tables
- support consistency and make clear to users which 'suite' of qualifications their particular qualification belongs by placing a range of differently titled qualifications within the same category

One respondent said that they would like to explore how the branding of T Levels could be expanded to support these qualifications. Another suggested the use of the term Technical Award could be managed just in relation to certificates and marketing materials.

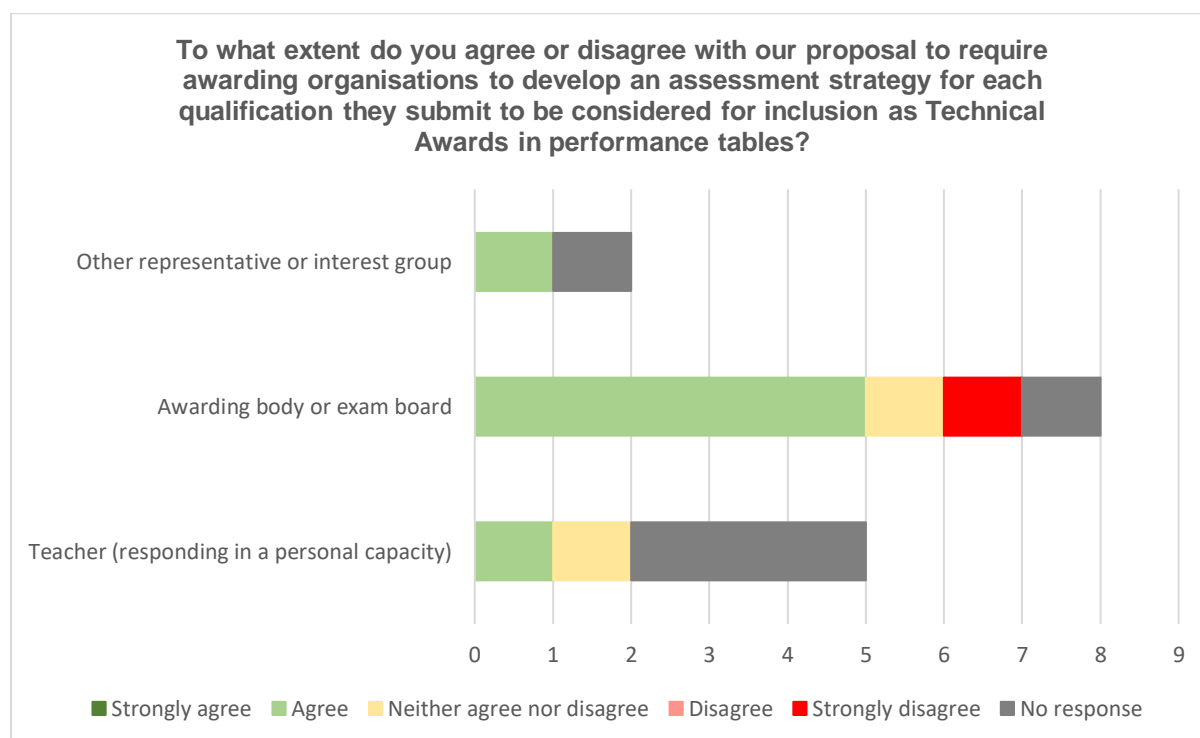
Queries and concerns relating to the proposal included that:

- any branding would need to take account of the fact that qualifications may be approved for inclusion into performance tables for a particular time period only.
- whether the title 'Technical Award' should continue, as stakeholders had said that the term 'technical' did not reflect the broad 'general' vocational flavour required of these qualifications, and they felt that the term 'award' may not carry the same weight as a GCSE certificate and might imply a smaller, less substantial qualification
- whether beginning to award the new qualifications ahead of new branding would cause confusion

5.3 Proposals: Assurance of awarding organisation design choices

Assessment strategies

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?



Several respondents indicated that the proposal was appropriate and that it appeared to be a valuable means of securing a robust and consistent approach to qualification development and management. They felt it would also make the review process easier for both the DfE and Ofqual. Another respondent agreed that the proposal was appropriate, providing that the format and content of the assessment strategy was meaningful and the focus was on the validity of assessment.

A number of respondents commented that the development of assessment strategies would create significant additional work, and some suggested that a longer timeframe for development than currently proposed was needed to ensure they contained the full breadth of information at the required level of detail. It was suggested that the limited notice meant that awarding organisations did not have sufficient time to plan for this work and to resource it correctly, and also that the development of assessment strategies could take at least as much time as the development of a new qualification specification and sample assessment materials.

Respondents felt Ofqual should not under-estimate the resource impact of the proposed assessment strategy requirement.

Several respondents said that the creation of an assessment strategy for pre-existing qualifications would create challenges, and it would be easier to produce them for new qualifications. It was questioned whether the requirement for a full assessment strategy for existing qualifications was proportionate considering they have been used in centres for many years, are based on requirements set by DfE and have already been through an approvals process. One comment voiced concern that the assessment strategy review might be more of a review of the quality of the design rationales presented.

One respondent claimed that Ofqual had not identified any potential risks from the delivery of these qualifications that the assessment strategies would mitigate and that the proposed process seemed to be a check of compliance. One respondent suggested alternative approaches should be considered, for example, by only requiring the submission of specifications and sample or past assessment materials.

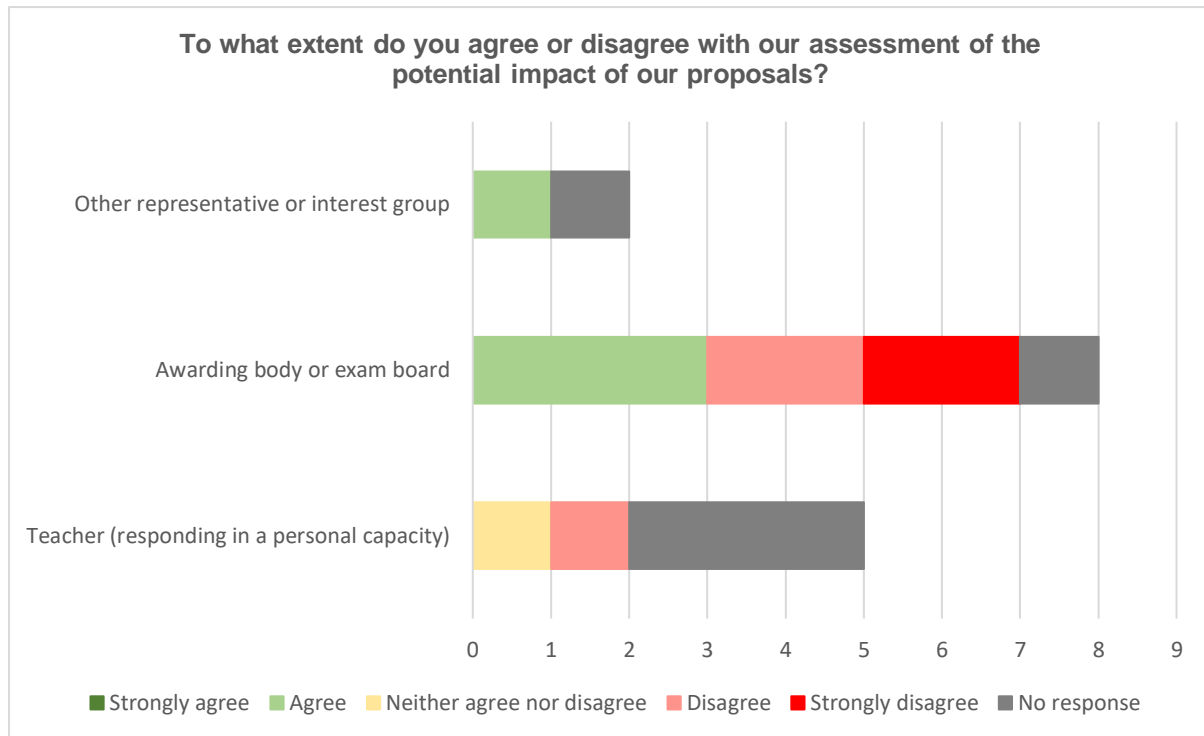
<p>QUESTION 48: Do you have any comments on the areas of detail we propose should be included in each assessment strategy?</p>

One respondent commented that it was reasonable that the proposed sections for the assessment strategy were based on the proposed requirements. However, they felt that having different assessment strategy requirements from those in place for other qualifications increased the burden on awarding organisations and also felt that having sections specific to the individual qualification would also increase the burden. It was questioned whether the level of detail proposed was required.

Another respondent pointed out some areas of possible duplication in that marking, standardisation and qualification monitoring form part of the forthcoming Centre Assessment Standards Scrutiny documents and that the purpose requirements would cross over with the requirement within the qualification specification.

Assurance of awarding organisation design choices – impact

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



Several respondents disagreed with our impact assessment with comments including that:

- while an awarding organisation's previous experience of producing assessment strategies could help to mitigate the administrative burden and increased costs, this did not significantly change the impact of this proposed requirement
- developing an assessment strategy for this type of qualification, which assesses across a range of practical skills, would be more time-consuming and burdensome than for other types of qualifications
- there is insufficient time for the completion of assessment strategies to the required standard
- the level of information expected within the assessment strategies for each qualification, combined with the likely short turnaround time from consultation outcomes being available to the submission date for inclusion into the 2023 performance tables, meant that the level of burden on awarding organisations would be significant
- the development of the assessment strategy would require more than just the collation of pre-existing information, as that information might not align directly with the assessment strategy requirements, creating further work

- Ofqual had under-estimated the resource impact of this requirement, in terms of the notice required for planning and scheduling, the time needed to draft the documents and the number and level of expertise of the staff members that would be involved
- This is a cost to awarding organisations created solely by Ofqual for the purposes of regulation, and was more likely to be a review of the quality of the submission rather than the qualification.

One respondent was concerned that qualifications might not be included in the performance tables due to lack of capacity within the awarding organisations to meet this new requirement.

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.

The potential to pass administrative costs incurred by awarding organisations onto centres was raised as a consideration.

One respondent said that there would be increased costs for awarding organisations to develop an assessment strategy for each qualification submitted. Their overall estimate, including awarding organisation staff time to quality assure the assessment strategy and to keep it under review, was approximately £3,000 per qualification.

Another respondent said that if all the proposals were adopted then it would require the redevelopment of their qualifications. The cost of this, including the development of assessment strategies for each qualification, would be approximately £500k in total.

5.4 Proposals: Draft Qualification Level Conditions, requirements and guidance

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

One of the respondents provided a very detailed response covering a number of different Conditions. The following are the key issues covered in their response:

- The consultation refers to these qualifications as “performance table qualifications”. They felt it was unclear if Ofqual intends to apply this same approach to other performance table qualifications.

- The requirements for the proposed Condition PTQ3 are all areas where Ofqual currently requests information, under the arrangements of the General Conditions. It is not clear why this additional Condition is necessary.
- PTQ3.2c i requires awarding organisations to provide information on other qualifications taken by students. They were unsure that awarding organisations would hold this information, especially if the other qualifications are taken with other awarding organisations.
- It is not clear why Ofqual would require information about ‘assessment locations’, as per PTQ3.2c iii.
- It is not clear with PTQ3.2c viii, whether the ‘monitoring of assessors marking of each component’ is about the processes used or specific records on which candidate’s work had been part of the sample used for monitoring.
- The long list of requirements would place a considerable burden on awarding organisations, yet Ofqual has not identified any risks in the current delivery of these qualifications that imply this level of data collection would be necessary.
- PTQ8.3 should make clear it is only necessary for an awarding organisation to revise the TQT or GL number where the review concludes that this is required.
- They felt that the proposals are unclear on the resubmission of non-exam assessment and requested further guidance on this for awarding organisations

One respondent stated that the requirements and guidance for Technical Awards are in line with the consultation proposals. Another respondent requested clarification on the relationship between DfE’s Technical Guidance and Ofqual’s QLCs.

5.5 Regulatory Impact Assessment

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?

One respondent stated that awarding organisations would need a clear process to follow and timescales set to ensure any redevelopment work required is planned and resourced. Another respondent expressed concerns about the consultation process and the timescales. They noted that the consultation for these proposals covers the principles as well as the planned Conditions and guidance; previously Ofqual has covered these over two separate consultations.

In relation to timescales, the respondent stated that Ofqual’s intention to apply the rules from September 2021 would give a reasonable amount of time. However, the proposed submission window in spring 2020 would mean there is a very small

amount of time to put in place the new requirements. The same respondent also stated that the proposals could result in additional costs, leading to awarding organisations withdrawing qualifications. This would reduce the choice available to centres and students.

Another response requested that Ofqual provide guidance to awarding organisations on how comparability of their Technical Awards could be achieved in relation to Fitness for Purpose (D1.2(c) & G1.1(a)).

One respondent believed that the proposed changes would mean students sitting their Technical Award exams during the same period that they sit their GCSEs; potentially creating an additional burden for schools in timetabling an increased number of exams. They also felt this change could increase the likelihood of exam stress for students, with the potential for limited resit opportunities raising the stakes and adding to pressure.

The same respondent believed that the proposals run counter to the requirement to design qualifications that engage and enthuse. Increasing the amount of external assessment to 40% would mean a significant amount of qualification redevelopment. This could require schools, colleges and other providers to make changes to their teaching approaches and teaching plans. They believe that taken alongside the potential impact of a terminal rule, the amount of change would lead to disruption to awarding organisations, centres and students.

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.

There were no responses to this question.

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

One respondent stated that by specifying when assessments must take place (terminal assessment by examination) and the nature of that assessment (written), innovation by awarding organisations could be restricted. The limitations on assessment delivery may lead to qualifications not being as engaging or appealing for students.

Another respondent also felt that the introduction of new controls around assessment might have negative consequences. For example, the requirement for the 40% assessment sat simultaneously by all students could be restrictive to future use of evidence types such as online presentations or digital simulations. They felt this

might affect innovation in qualification assessment and design, with the potential to impact negatively on learner access, success and progression.

The same respondent believed the move towards a model that reflects the requirements of general qualifications was not suitable for vocational qualifications. Another respondent took a similar view. They stated that the proposals align Technical Award developments with those of GCSEs, and highlighted the requirement to place a terminal assessment ruling to the assessment by examination element. They felt that by placing this ruling on Technical Awards, innovation during the qualification development phase would be restricted. They felt this proposition could prevent awarding organisations creating the most appropriate qualification to support students to progress to Level 3 study.

One respondent believed the short timescales proposed for the implementation of these proposals means that the potential for innovation would be extremely limited in the short term.

5.6 Equality Impact Assessment

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

Two of the comments focused on students with SEND. One respondent stated it is vital that there is a suitably broad range of accessible qualifications available for this group, so that they are able to make progress appropriate to their needs and abilities. They requested consideration be given to the impact on students with SEND of any changes to qualifications or methods of assessment.

Another respondent stated that these qualifications are an alternative to GCSEs, but that these proposals would align them with GCSEs, which they felt might be off putting for some centres and students. They believe that controlled assessments are more appropriate for this type of qualification and reflected industry requirements.

One of the other comments received stated that, as with all qualifications and assessments, arrangements need to be in place to mitigate the impact on students who share protected characteristics.

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?

Several respondents felt there were steps to take, such as consideration being given for schools to be able to apply for exemptions for students with protected characteristics from terminal assessment. This would enable assessment by examination to take place in alternative windows that would then fall outside of religious festival periods, for example.

Other comments included questioning the need for a terminal assessment rule and whether 40% is a suitable minimum proportion of written examination. It was believed that the terminal rule, in particular, would have a strong negative impact on students who share a protected characteristic. Another comment recommended careful monitoring of any changes to ensure that they do not disproportionately affect particular groups of students.

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

The response received here requested that care be taken to avoid requirements that disadvantage students with a protected characteristic, unless such requirements are deemed necessary.

6. Views expressed at the consultation event and meetings

As part of our consultation, we held an event for awarding organisations in Coventry on 22 November 2019. Twenty-seven people attended the event, from 16 awarding organisations. The event talked attendees through the proposals in the consultation and the detail of the QLCs, requirements and guidance. Attendees were given the opportunity to discuss the proposals and rules and to ask questions. They were signposted to the consultation online and asked to submit a response.

We also offered individual meetings with awarding organisations, providing them the opportunity to discuss the proposals in detail. There were 14 meetings held between 25 October and 28 November 2019. At these meetings, we set out our proposed

Conditions, requirements and guidance, working through each in detail, providing opportunity for attendees to discuss these, provide feedback, and ask questions.

Attendees at the event and the individual meetings did not provide formal feedback on a question by question basis, so have not been included in the analysis section above (although they may have also responded formally to the consultation, in which case their views will have been included as part of the analysis of responses). Attendees were instead provided with an opportunity to discuss and ask questions about the specific detail of our requirements.

The views raised at the event and meetings are in line with the responses summarised in the consultation question analysis section. However, the individual meetings and the events allowed us to discuss in more detail the views of awarding organisations and to pinpoint more specific issues which were subsequently considered as we determined the outcomes of this consultation.

7. Follow-up engagement

After initial consideration of the proposals, two lines of follow-up engagement were undertaken.

One related to an additional proposal that was not included in the original consultation – this was to require that the assessments by examination are numerically marked by awarding organisations. We had proposed that the assessments should be marked by awarding organisations, but not consulted on numerical marking. We contacted those awarding organisations that currently offer Technical Awards with external assessments that are not numerically marked to discuss our proposals. Some concerns were raised about the manageability of making this change in the timescales given.

The other line of engagement related to gathering more evidence around the potential impact of the terminal assessment rule. During initial consideration of the consultation responses, we identified the need to gather further evidence to test some of the initial comments we had received. We conducted phone calls with four schools in England, and invited comments specifically about the proposed terminal rule from members of our Access Consultation Forum. Through this route we received feedback from two awarding bodies, four representative groups and two schools.

While some respondents acknowledged the principles driving our proposal, there were several lines of disagreement received. Several respondents noted that current qualification design is such that the external assessment can be taken earlier in the

course and that the terminal rule might require a redesign of the qualification, adding burden on awarding organisations, particularly if they were Technical Awards with on-demand forms of external assessment.

There was also concern that the rule could prompt changes in teaching practices as well as impacting on preparation for assessments, and the delivery of assessments – potentially adding extra administrative tasks and management burden to centres in already busy exam periods. Several respondents raised a concern that the terminal rule essentially limited or removed the opportunity to resit, and that this might affect school completion rates – impacting on school performance measures.

Many respondents noted that the requirement might add pressure to students if the assessment had to be taken at the end of the academic year, which would be at the same time as GCSE exams. Impact on student wellbeing and mental health, and also with motivation to engage with another exam at the end of year 11, were all raised. Several respondents noted a potentially more significant impact on students with SEND, while others envisioned impact on disadvantaged or disengaged learners. One school in particular was strongly of the opinion that a terminal rule, with the assessment to be taken towards the end of year 11, would deter students from engaging with the qualification at all. They noted that they currently use the early external assessment as a way of retaining the student, as they can be seen as having achieved part of their qualification which is more motivational in terms of continuing to engage throughout the school year.

Several respondents suggested that the terminal rule may drive undesired centre behaviour, in that centres might choose to sit the assessment by examination earlier, so that there is a resit opportunity available – but with the terminal rule this would mean completing the all assessments earlier, so compressing teaching time for the qualification.

Annex A: List of organisational consultation respondents

When completing the consultation questionnaire, respondents were asked to indicate whether they were responding as an individual or on behalf of an organisation. Below we list those organisations that submitted a non-confidential response to the consultation.

1st4sport Qualifications

AQA

ASCL

Association of Colleges

City & Guilds

Federation of Awarding Bodies

Health Education England

NAHT

NCFE

OCR

Pearson

UAL

WJEC



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