

CORPORATE REPORT

Business Impact Target 2021 to 2022

Non-qualifying Regulatory Provisions summary

ofqual

Regulator: Ofqual (Office of Qualifications and Examinations Regulation)

Business Impact Target Reporting Period Covered: 17 Dec 2021 to 16 Dec 2022

Excluded Category*	Summary of measure(s), including any impact data where available
<p>Measures certified as being below <i>de minimis</i> (measures with an equivalent annual net direct cost to business below +/- £5 million)</p>	<p>Following consultations, Ofqual introduced the following regulatory provision:</p> <ul style="list-style-type: none"> • guidance on designing and developing accessible assessments • revised GCSE qualifications in French, German and Spanish • new regulatory provision for digital functional skills qualifications • regulating alternative academic and alternative technical qualifications at level 3 • ensuring the resilience of the qualifications system in 2023: GCSE, AS, A level, Project and AEA joint consultation with DfE • proposed changes to the assessment of mathematics, physics, and combined science GCSEs in 2023 • proposed changes to the assessment of modern foreign language GCSEs from 2023 <p>Ofqual amended the following regulatory provision:</p> <ul style="list-style-type: none"> • qualification-level conditions for General Certificate of Education (GCE), GCSE, Advanced Extension Award and Project • terms of reference for exam procedure reviews <p>Ofqual made changes to the regulatory provisions relating to 2021 qualification delivery:</p> <ul style="list-style-type: none"> • Ofqual ceased the General Qualifications Alternative Awarding Framework for almost all purposes, except in specific circumstances relating to individual learners • Ofqual retained the Vocational and Technical Qualifications Contingency Regulatory Framework provisions relating to category A qualifications, in a non-compulsory manner • from academic year 2022 to 2023, vocational and technical qualification awarding organisations are not expected or required to follow the Vocational and Technical Qualifications Contingency Regulatory Framework, however the option is there to allow flexibility as needed for awarding organisations
<p>EU Regulations, Decisions and Directives and other international obligations, including the implementation of the EU</p>	<p>Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion</p>

Excluded Category*	Summary of measure(s), including any impact data where available
Withdrawal Bill and EU Withdrawal Agreement	
Measures certified as concerning EU Withdrawal Bill operability measures	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion
Pro-competition	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion
Systemic Financial Risk	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion
Civil Emergencies	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion
Fines and Penalties	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion
Misuse of Drugs	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion
Measures certified as relating to the safety of tenants, residents and occupants in response to the Grenfell tragedy	Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion

Casework	<p>Ofqual undertook the following enforcement activity:</p> <ul style="list-style-type: none"> • one undertaking with one awarding organisation to secure compliance with the Conditions of Recognition • two Notices of intention to impose a monetary penalty on one awarding organisation for £1,200,000 and £150,000 • 25 special conditions imposed on 21 awarding organisations (16 of these were imposed at recognition and one was an Entry and Inspection Condition) • Two Notices of Monetary Penalty imposed on one awarding organisation for £1,200,000 and £150,000 • Two Notices of Costs Recovery imposed on one awarding organisation for £25,452.20 and £6,261.68
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	<p>Ofqual undertook the following audit and investigation activity:</p> <ul style="list-style-type: none"> • 61 compliance activities with awarding organisations • 4 investigations into four awarding organisations, including 1 use of Ofqual’s entry and inspection power • 1 audit activity with an awarding organisation <p>Ofqual undertook 159 Statement of Compliance reviews to assess awarding organisations compliance with the general conditions of recognition.</p>
Education, communications and promotion	<p>Ofqual communicates regularly with awarding organisations to keep them informed about existing and proposed regulatory requirements. Communication and education events arranged by Ofqual are optional for awarding organisations to attend.</p>
Activity related to policy development	<p>Ofqual undertook the following activity relating to policy development:</p> <ul style="list-style-type: none"> • policy and technical consultation for level 2 qualifications • end-point assessment qualification level guidance
Changes to management of regulator	<p>Ian Bauckham CBE began a 3-year position as permanent Chair of Ofqual in January 2022.</p>

* See [detailed guidance on the exclusion categories](#)



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