

NCFE Undertaking (part 2)

Undertaking given by NCFE to the Office of Qualifications and Examinations Regulations ('Ofqual'), in accordance with B8 of the General Conditions of Recognition ('the Conditions')

Background

1. NCFE is an awarding organisation recognised by Ofqual to deliver the following Technical Qualifications ('TQ's) which form part of T Levels¹:

Health and Science T Level route

- a) T Level Technical Qualification in Health (Level 3) 603/7066/X
- b) T Level Technical Qualification in Science (Level 3) 603/6989/9
- c) T Level Technical Qualification in Healthcare Science (Level 3) 603/7083/X

Education and Childcare T Level route

- d) T Level Technical Qualification in Education and Childcare (Level 3) 603/5829/4

Digital T Level route

- e) T Level Technical Qualification in Digital Support Services (Level 3) 603/6901/2
- f) T Level Technical Qualification in Digital Business Services (Level 3) 603/6902/4

2. On 11 October 2022, Ofqual accepted an [Undertaking](#) from NCFE under B8 of the General Conditions of Recognition ('the Conditions'). This followed significant issues that Ofqual had identified with NCFE's Core Examination papers in NCFE's Health and Science T Level route, which NCFE accepted were not fit for purpose as required under G9 of the Conditions.
3. The Undertaking required NCFE to comply with an action plan to review its TQ Core Examination papers and mark schemes before the autumn 2022 series and to provide assurance to Ofqual that those assessments would be delivered by NCFE in compliance with its Conditions of Recognition.

¹ A T Level is a composite technical study programme, aimed at preparing young people for work, higher level apprenticeships or higher education. It comprises 4 key components, one of which is the Ofqual regulated Technical Qualification (TQ).

Undertaking

4. NCFE has agreed to provide a further Undertaking to Ofqual under General Condition B8 to provide assurance that its TQ assessments for the summer 2023 series will be delivered in compliance with NCFE's Conditions of Recognition.
5. This Undertaking applies to the Core Examination papers and mark schemes for the TQs listed in paragraph 1 above which are currently scheduled to be delivered in summer 2023.
6. NCFE hereby undertakes to:
 - a) Provide Ofqual with the dates of its standardisation and awarding meetings no later than three weeks prior to the first of those meetings, or as early as possible if the notification date is less than three weeks prior to the date of the meeting, so that Ofqual may attend and observe those meetings.
 - b) Provide Ofqual with a copy of the Core Examination papers and mark schemes as soon as reasonably possible, and no later than 24 hours after the assessments have been delivered;
 - c) Provide to Ofqual a Statement of Assurance for each TQ confirming that:
 - i. the actions it has taken in relation to the development and quality assurance of its assessment materials have been effective in addressing any issues that have been identified by Ofqual in previous technical reviews and its investigations;
 - ii. NCFE is assured that any issues identified by Ofqual in its previous technical reviews and its investigations are not present in the Core Examination papers currently scheduled to be delivered in summer 2023; and
 - iii. the Core Examination papers currently scheduled to be delivered in summer 2023 will be delivered by NCFE in compliance with its Conditions of Recognition.

Each Statement of Assurance required under paragraph 6(c) must be provided to Ofqual in writing via the Portal **before** the dispatch date for each Core Examination paper. Each Statement of Assurance must be authorised and signed by NCFE's Governing Body.

- d) Provide to Ofqual a Statement of Assurance for each TQ confirming that:
 - i. its marking of the Core Examination papers has been completed consistently and in accordance with the mark scheme.

Each Statement of Assurance required under paragraph 6(d) must be provided to Ofqual in writing via the Portal **after** marking has been completed and **before** awarding takes place.

7. In the event that it is unable to provide to Ofqual any of the Statements of Assurance required under paragraph 6.c) above, NCFE undertakes to:

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- a) provide to Ofqual a Statement of Non-Compliance which sets out (where applicable):
 - i. which actions in relation to the development and quality assurance of its assessment materials have not been effective in addressing any issues that have been identified by Ofqual in previous technical reviews and its investigations and why;
 - ii. what further steps it has taken or proposes to take to ensure compliance and within what timescale.

Each Statement of Non-Compliance required under paragraph 7(a) above must be provided to Ofqual in writing via the Portal **before** the dispatch date for each Core Examination paper.

8. In the event that it is unable to provide to Ofqual any of the Statements of Assurance required under paragraph 6(d) above, NCFE undertakes to:

- a) provide to Ofqual a Statement of Non-Compliance which sets out (where applicable):
 - i. how and why the marking of the Core Examination paper(s) has not been completed consistently and/or in accordance with the mark scheme; and
 - ii. what further steps it has taken or proposes to take to ensure compliance and within what timescale.

Each Statement of Non-Compliance required under paragraph 8(a) above must be provided to Ofqual in writing via the Portal **after** marking has been completed and **before** awarding takes place.

9. In relation to each TQ listed in paragraph 1 above, NCFE further undertakes to:

- a) Comply with any written requirements specified to it by Ofqual during the operational period of this Undertaking including after it has submitted a Statement of Assurance or Statement Non-Compliance under this Undertaking;
- b) Retain all evidence that supports the Statements of Assurance required by this Undertaking and provide such evidence to Ofqual upon request.

Declaration

10. In giving this Undertaking, I acknowledge on behalf of NCFE that:

- a) The rules of interpretation and definitions outlined in General Condition J1 and TQ23 shall apply to this Undertaking;
- b) Ofqual will publish this Undertaking on a date to be confirmed following consultation with NCFE;
- c) Ofqual may provide information to the Department for Education (DfE) and the Institute for Apprenticeships and Technical Education (IfATE) about NCFE's Undertaking and Action

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Plan, including NCFE's performance under the Undertaking and the sharing of any updates provided by NCFE and Ofqual's analysis of it²;

- d) Ofqual may take regulatory action in respect of any failure to comply with the terms of this Undertaking which may include the issue of a Direction, the imposition of a Monetary Penalty, Withdrawal of Recognition, Costs Recovery, and/or any other such action as it deems appropriate, acting in accordance with Ofqual's 'Taking Regulatory Action' policy (2012³);
- e) Nothing within this Undertaking restricts Ofqual's ability to conduct its own review, audit, investigation and/or other monitoring activity of NCFE at any time; and
- f) This Undertaking, and the breaches admitted within it, are accepted by Ofqual without prejudice to any further breaches of the Conditions which Ofqual may allege and/or any further regulatory action which Ofqual may take in respect of this incident.



Signed:

26/05/2023

Name: Stewart Foster

Responsible Officer

NCFE

Date: 26/05/2023

² In accordance with sections 156 and 157 of the Apprenticeships, Skills, Children and Learning Act 2009.

³ And as amended from time to time.