



To: Stewart Foster, Responsible Officer, NCFE

Notice of Monetary Penalty

In respect of NCFE

Notice

1. In accordance with its powers under Section 151A(2) of the Apprenticeships, Skills, Children and Learning Act 2009 (“the Act”), and pursuant to its obligations under Section 151A(4) and 151A(5) of the Act, the Office of Qualifications and Examinations Regulation (“Ofqual”) gives notice that it has imposed a Monetary Penalty in the sum of **£300,000** on NCFE as set out below.
2. On 9 July 2024, Ofqual published its Notice of Intention to impose a Monetary Penalty on NCFE pursuant to a settlement proposal (“the Notice”).
3. The Notice stated that the amount of the proposed Monetary Penalty was **£300,000**.
4. Interested parties were given the opportunity to make representations in respect of Ofqual’s proposal. No representations were received. NCFE had already confirmed that it would not make representations.

Final Decision

5. For the reasons set out in the Notice, the Enforcement Panel has decided that NCFE will be required to pay a Monetary Penalty in the sum of **£300,000**.

Payment

6. NCFE must pay the Monetary Penalty within 28 days of the date of this Notice, in accordance with the Payment Instructions provided with this Notice.
7. In the event of non-payment, interest may be charged and the outstanding amount may be recovered as a debt, in accordance with section 151D of the Act.

Appeals

8. NCFE may appeal to the First Tier Tribunal in respect of Ofqual's decision to impose the Monetary Penalty and / or in respect of the amount of that penalty, in accordance with section 151C of the Act.
9. An appeal may be made on the grounds:
 - a) That the decision was based on an error of fact;
 - b) That the decision was wrong in law;
 - c) That the decision was unreasonable.
10. Any appeal must be made within 28 days of the date of this Notice. Further information is available from HM Courts and Tribunals Service at:
<https://www.gov.uk/guidance/exam-boards-appeal-to-a-tribunal-against-a-monetary-penalty>.

Signed: Chris Paterson

Name: Chris Paterson

Chair of the Enforcement Panel

Date: 2 August 2024

Enforcement Panel: Chris Paterson, Susan Barratt, Cindy Leslie