



To: Stewart Foster, Responsible Officer, NCFE

Notice of Costs Recovery

In respect of NCFE

Notice

1. In accordance with its powers under section 152A(1) of the Apprenticeships, Skills, Children and Learning Act 2009 ("the Act"), and pursuant to its obligations under section 152A(4) of the Act, the Office of Qualifications and Examinations Regulation ("Ofqual") gives notice that, having imposed a Monetary Penalty on NCFE, it has decided to require NCFE to pay Ofqual's costs in relation to imposing that penalty, in the sum of **£10,000** ("the Costs").

Background

2. Ofqual may require a recognised body (an awarding organisation) on which a sanction has been imposed to pay the costs incurred by Ofqual in relation to imposing the sanction.
3. NCFE is an awarding organisation regulated by Ofqual. On 2 August 2024, Ofqual imposed a sanction on NCFE as defined at Section 152A(2) of the Act, specifically a Monetary Penalty in the sum of £300,000.

Decision

4. The Ofqual Enforcement Panel has considered the costs incurred by Ofqual in relation to imposing a monetary penalty on NCFE, and has decided that NCFE should be required to pay the Costs.

Payment

5. NCFE must pay the Costs within 28 days of the date of this Notice, in accordance with the Payment Instructions provided with this Notice.

6. In the event of non-payment, interest may be charged and the outstanding amount may be recovered as a debt, in accordance with Section 152C of the Act.

Appeals

7. NCFE may appeal to the First Tier Tribunal in respect of Ofqual's decision to require it to pay Ofqual's costs and / or in respect of the amount of the Costs, in accordance with Section 152B of the Act.
8. 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.
9. 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/courts-tribunals/first-tier-tribunal-general-regulatory-chamber>.

Signed: Chris Paterson

Name: Chris Paterson
Chair of the Enforcement Panel
Date: 2 August 2024

Enforcement Panel: Chris Paterson, Susan Barratt, Cindy Leslie