



Awarding Organisation: *Qualifications for Industry Limited*

Responsible Officer: [REDACTED]

Special Conditions

The Office of Qualifications and Examinations Regulation (Ofqual), in accordance with its powers under section 132(3)(d) of the Apprenticeships, Skills, Children and Learning Act 2009 (ASCLA) has imposed the following Special Conditions on Qualifications for Industry Limited (“QFI”):

Condition QFI 1 – Submitting qualifications to the Register

- QFI 1.1 QFI must not submit a qualification to the Register until –
- (a) it has submitted written evidence to Ofqual to show that, either:
 - i) in the last 12 months, it has not provided any training in relation to qualifications within the scope of its recognition, that would have been prohibited under General Condition G4.3 had QFI been a recognised awarding organisation at the time it was delivered; or
 - ii) in respect of any Centre where QFI has provided training in relation to qualifications within the scope of its recognition, that would have been prohibited under General Condition G4.3 had QFI been a recognised awarding organisation at the time it was delivered, it will not use assessment materials where information in relation to the content of those assessment materials or information about the assessment for that qualification was held by persons who had been present at the training in question,
- and
- (b) it has received written confirmation from Ofqual that it is satisfied with the evidence provided under Condition QFI 1.1(a).

Condition QFI 2 – Restriction on Learner numbers

- QFI 2.1 QFI must take all reasonable steps to ensure that:
- (a) no more than 200 Learners in total are at any one time registered to take its qualifications; and
 - (b) no more than 200 Learners in total take assessments for its qualifications in any 12 month period.
- QFI 2.2 Before **5 March 2021** QFI must prepare and must thereafter maintain and comply with, a written plan setting out how it will secure

compliance with Condition QFI 2.1. The written plan must include how it will protect the interests of learners.

- QFI 2.3 QFI must promptly notify Ofqual if it has cause to believe that demand for its qualifications over the 12 month period (starting on the day of any such notification) might exceed the thresholds specified in Condition QFI 2.1.
- QFI 2.4 QFI may at any time submit a written application to Ofqual seeking variation of the thresholds specified in Condition QFI 2.1. In making such an application, QFI should include evidence to show how it will be able to comply with General Condition A5 in light of its anticipated Learner numbers.
- QFI 2.5 Nothing within Condition QFI 2 will affect the status of a qualification awarded in breach of this Condition.

Condition QFI 3 – Notification to Ofqual

- QFI 3.1 QFI must promptly notify Ofqual where there has been, or is likely to be, any change to its Senior Officers.

Condition QFI 4 – Interpretation and definitions

- QFI 4.1 The rules of interpretation and definitions outlined in General Condition J1 shall apply to these Special Conditions.
- QFI 4.2 Except in the circumstances described in Condition QFI 4.3, the requirements imposed by these Special Conditions apply in addition to the requirements imposed by the General Conditions of Recognition and any relevant Qualification Level Conditions and Subject Level Conditions.
- QFI 4.3 To the extent that there is any inconsistency between –
- (a) a requirement of one of these Special Conditions, and
 - (b) a requirement of a General Condition of Recognition, a Qualification Level Condition or a Subject Level Condition,
- such that QFI could not comply with both such requirements, the awarding organisation must comply with the requirement of the Special Condition and is not obliged to comply with the requirement of the other Condition.

Signed: 

Dated: 26 February 2021


Director of Operations, Vocational and Technical Qualifications

Annex to Special Conditions

Notes

1. Ofqual may publish a Special Condition, either fully or in part, on its website, www.ofqual.gov.uk, unless Ofqual is persuaded by an awarding organisation that there is a legitimate reason that this should not be published, including that this may have adverse commercial implications for the awarding organisation involved.
2. You may request a review of the decision to impose a Special Condition within 10 working days of the date of this determination. The request must be issued via the Portal, with the subject line - for the attention of Rosalind Jackson, Associate Director, Legal Moderation and Enforcement.
3. A review may be requested on the following grounds only:
 - a) The facts of the decision for imposing a Special Condition are incorrect;
 - b) A relevant fact has not been taken into account;
 - c) Ofqual has not followed its own procedures; or
 - d) The decision to impose a Special Condition does not support the facts, an unreasonable decision.
4. Any review will be carried out by an officer of Ofqual who has had no previous involvement in your matter.

Evaluation and Review

5. On or after **6 April 2021** (the '**evaluation date**'), Ofqual will evaluate whether the requirements of **Special Condition QFI 1 (Submitting qualifications to the Register)** have been met and will issue its decision to QFI. QFI may request that Ofqual carries out this evaluation before the specified evaluation date if it believes it has met the requirements of the Special Conditions before then. QFI should provide evidence to support any such request.
6. If after evaluation, Ofqual considers that the requirements have been met, Special Condition QFI 1 will be removed.
7. If Ofqual considers that the requirements of QFI 1 have not been met, it may take one or more of the steps set out in paragraph 11 below, in isolation or combination.
8. On or before **5 March 2022** (the '**review date**'), Ofqual will review whether the requirements of **Special Conditions QFI 2 (Restriction on Learner numbers)** and **QFI 3 (Notification to Ofqual)** need to remain in place and will issue its decision to QFI. QFI may request that Ofqual carries out this review before the specified review date if it believes some or all of the requirements no longer need to remain in place. QFI should provide evidence to support any such request.
9. If after review, Ofqual considers that some or all of the requirements of QFI 2 and QFI 3 no longer need to remain in place, the relevant requirements will be removed.
10. If Ofqual considers that some or all of the requirements needs to remain in place, or that additional or alternative requirements need to be imposed, it may

take one or more of the steps set out in paragraph 11 below, in isolation or combination.

11. After evaluation and/or review, Ofqual may:
 - a) Set a new evaluation and/or review date,
 - b) Introduce more active and/or more frequent monitoring of QFI,
 - c) Amend the terms of the Special Conditions (by adding and/or removing requirements),
 - d) Determine whether there has been a breach of the Special Conditions,
 - e) Take any regulatory action set out in Ofqual's Taking Regulatory Action policy.
12. If QFI submits a written application to Ofqual under **Special Condition QFI 2.4 (seeking variation of the Learner number thresholds under Condition QFI 2.1)**, Ofqual will, within 28 days of receiving such an application, consider whether there is evidence to show that QFI can comply with General Condition A5 in light of its anticipated Learner numbers, and will either:
 - a) Agree to vary the thresholds as requested; or
 - b) Refuse to vary the thresholds as requested and issue a statement of its reasons for doing so; and
 - c) May indicate the extent to which it would be content to vary the thresholds on further application.
13. The process set out above is without prejudice to any other action that Ofqual may take in line with its [Taking Regulatory Action policy](#).