



**Memorandum of Understanding  
Between  
Universities and Colleges Admissions Service  
And  
The Office of Qualifications and Examinations Regulation**

This Memorandum of Understanding is made between the **Universities and Colleges Admissions Service**, Rosehill, Rose Barn Lane, Cheltenham, GL52 3LZ, hereafter referred to as **UCAS**, and the **Office of Qualifications and Examinations Regulation** 1 Friargate, Station Square, Coventry, CV1 2GN, hereafter referred to as **Ofqual**, of the principles that will underlie relations between them.

**Introduction**

1. This Memorandum of Understanding (MoU) is intended to support effective working arrangements between UCAS and Ofqual.
2. The purpose of collaborative working between UCAS and Ofqual is to support both organisations in effectively and efficiently carrying out their respective responsibilities. The interests of students will be at the heart of the collaboration.
3. This MoU is not intended to cover every detailed aspect of the working relationship between UCAS and Ofqual. It is a statement of principles that will guide relations to ensure appropriate arrangements are in place to enable each party to discharge its respective responsibilities effectively and to avoid duplication of effort, misunderstanding or unnecessary impact on third parties.
4. This MoU may be supported by further and more detailed operational agreements, particularly in relation to the sharing of information.

**Status of the Memorandum of Understanding**

5. This memorandum is not legally binding. It will serve as a working document that will be subject to review in the light of operational practice. UCAS and Ofqual will keep the arrangements under review to ensure the value of collaborative working is maximised, for the benefit of students.
6. This MoU should be considered in the context of applicable legislation (including the Apprenticeships, Skills, Children and Learning Act 2009 and subsequent amendments), and the relationships Ofqual has with ministerial departments and that UCAS has across the education sector, including education providers, domestically and internationally, and awarding organisations.

**Roles of UCAS and Ofqual**

7. UCAS is an independent charity, established to advance and to assist in the advancement of education acting as the national shared admissions service for students, universities and colleges.

8. The Office of Qualifications and Examinations Regulation (Ofqual) is a non-ministerial government department set up under the Apprenticeships, Skills, Children and Learning Act 2009 and also covered by the Education Act 2011. Ofqual is independent of government and reports directly to Parliament. Ofqual has a number of statutory objectives, including to secure and maintain qualification standards; to promote public confidence in and awareness of regulated qualifications; and to secure the efficiency of regulated qualifications. It also has a number of statutory duties, including to have regard to the reasonable requirements of, among others, higher education institutions. Ofqual regulation is a pre-condition for the public funding of many qualifications.

### **Matters of common interest**

9. Whilst respecting each party's distinct roles and responsibilities there are a number of areas of common interest. There will be circumstances where collaborative working between the parties will be the best way to enable them to discharge their respective responsibilities effectively and efficiently.
10. Areas of common interest include, but are not limited to:
  - qualifications regulated by Ofqual that are used to support progression to higher education;
  - systems and processes for admissions to higher education;
  - information, analysis and trends at a cohort level in applications; predicted grades given by centres and the relationship between admissions and exam appeals and re-sits; sector understanding of awarding arrangements;
  - arrangements and timing of results and appeals;
  - messaging to students that promotes confidence in regulated qualifications and helps them understand how their qualifications are used in, and relate to, their applications to HE;
  - messaging to HE providers about regulated qualifications and standard setting that promotes confidence and enables them to develop appropriate offer making strategies and make informed admissions decisions;
  - UCAS' work to promote student choice, and provision of information, advice and guidance to students, colleges and HE providers;
  - Ofqual's Register of Regulated Qualifications and strategic objective to promote the range and benefit of regulated qualifications;
  - UCAS arrangements for allocation of Tariff points;
  - UCAS' programme of research and recommendations; and
  - Ofqual's programme of research and evaluation.

### **Working relationship**

11. A long standing and good working relationship exists between UCAS and Ofqual. Both parties are committed to the principle of good communication with each other on areas of mutual interest. This will be strengthened by the details set out in this memorandum so that UCAS and Ofqual can:
  - identify what degree of joint working would be appropriate in any given circumstance, recognising that this will differ according to the specifics of the case;
  - acknowledge and respect each other's objectives and responsibilities, accountability structures and legislative frameworks where applicable;
  - develop a common understanding of each party's respective roles and responsibilities;

- explain and understand the reasons for any differences of view through discussion;
- take advantage of the opportunities for co-ordinated scheduling of activities where appropriate and where there is benefit in doing so, for example to secure consistency in messaging to higher education providers and students;
- where appropriate, notify each other in advance where there is a likelihood of significant announcements and development which may impact on each other's key areas of work. Where these matters are confidential or commercially sensitive, each party will respect that confidentiality and/or commercial sensitivity;
- inform each other in a timely and appropriate manner on policy and systems developments, engaging in early dialogue on matters that will impact on the work of the other, allowing each to make representations to the other in sufficient time for those to be considered;
- understand that any publications or documents that may refer to the other organisation, or shall be of mutual benefit, shall be an area where co-operation will be important. Both organisations will, where appropriate, give advance notice of any plans to refer publicly to the work of the other organisation. Where data points from either organisation are to be used in public communications, the responsibility for final sign off by both organisations will be agreed in advance;
- inform stakeholders about UCAS and Ofqual's relationship including publishing a copy of this Memorandum of Understanding on our respective websites.

### **Treatment of matters of common interest**

12. UCAS and Ofqual are committed to the principle of good communication with each other on areas of mutual interest. This will be done through regular liaison and regular discussion on relevant issues. The intention is not to constrain the discretion of either party, but to allow each to make representations to the other in sufficient time for those to be considered.

13. Against this background UCAS and Ofqual will:

- establish regular strategic and operational engagements that support each party's respective objectives, where reasonable and appropriate to do so;
- inform one another as soon as possible on relevant developments and publications and communications within each party's areas of responsibility where that may impact the other;
- communicate jointly on matters of mutual interest, when it is appropriate to do so;
- give appropriate consideration to the other's views and proactively seek solutions to avoid or mitigate the effects of any matters that may adversely impact on the delivery of either organisation;
- share information about programmes of work, including research and evaluation activity, and systems/services changes that would be of interest to the other, where possible and appropriate, in advance of that work starting;
- subject to the Freedom of Information Act 2000, the General Data Protection Regulation (UK GDPR) as incorporated into the Data Protection Act 2018, the ASCL Act 2009 and Higher Education and Research Act 2017, and other constraints (e.g. commercial confidentiality, price sensitive matters), exchanges may at times be in confidence; and
- where appropriate each party will invite the other to events hosted by one and of interest to both. Each party will be responsible for bearing their own costs.

### **Exchange of information**

14. Where appropriate and at all times operating in accordance with the Freedom of Information Act 2000, the General Data Protection Regulation (UK GDPR) as incorporated into the Data Protection Act 2018 and any and all other legislation and contractual agreements, UCAS and Ofqual will aim to share information already held where this is in the public interest. Where appropriate and necessary UCAS and Ofqual will develop jointly a specific agreement to share such information for the agreed purpose.
15. Information provided by one party to the other must be kept secure. Both parties will ensure that adequate arrangements are in place to protect the confidentiality of information provided. Both parties will also ensure that their own arrangements are acceptable to the other.
16. Each party will, in line with the Freedom of Information provisions on information provided in confidence, refer back to the originating party any requests for information held but that it did not collect and which is confidential in nature. Each party will make the other aware of any of any significant disclosure either intends to make to a third party of any information received from that party.
17. Similarly, UCAS and Ofqual will ensure all necessary checks are in place should either be requested by a ministerial department, non-ministerial department, agency or other public body or devolved administration to provide information shared by the other party.

### Implementing this MoU

18. This document sets out the principles governing the implementation of the MoU. The operation of the MoU will be reviewed annually. On a day-to-day basis, UCAS and Ofqual teams at working level should resolve any issues. Issues of a substantial nature that cannot be resolved immediately may be escalated to the Chief Regulator at Ofqual and the Chief Executive of UCAS or their nominated alternates who will then be responsible for resolving the issue. The Chief Executive Officer of UCAS and the Chief Regulator at Ofqual will have responsibility for managing the implementation of the terms of the Memorandum. This responsibility may be delegated to relevant members of the organisations' staff in relation to particular areas of cooperation.

### Amendments to the MoU

19. The terms of the Memorandum may be altered with the written approval of both parties.

### Terms and Termination

20. This MoU shall commence on the date of signature by all parties, and shall continue, with any revisions, unless it is terminated in accordance with clause 21
21. This MoU may be terminated by way of mutual agreement or at any time by either organisation by giving at least three months' notice in writing to the other party

Signed

For UCAS

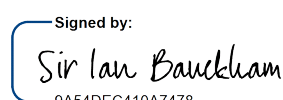
Signed by:  
  
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Dr Jo Saxton CBE

**Chief Executive**

**Date** Dec 16, 2024 | 12:52 PM GMT

For Ofqual

Signed by:  
  
9A54DEC410A7478...  
Sir Ian Bauckham CBE

**CEO Chief Regulator**

**Date** Dec 16, 2024 | 10:06 AM GMT