

Update from Ofqual

Lucy Sydney, Director of Strategic Relationships

Summary

- How we regulate
- Apprenticeship assessment changes
- Post-16 reforms
- Challenges and opportunities
- Time for questions later

How we regulate

The independent, expert regulator of qualifications and assessments in England, established by statute in 2009

We have a responsibility to:

Secure standards in qualifications so they give a **reliable and consistent** indication of **knowledge, skills and understanding**

Promote the development and implementation of **National Assessments** that give a **reliable and consistent** indication of **achievement**

Promote **public confidence** in qualifications and National Assessments

Promote **public awareness and understanding** of the range and benefits of regulated qualifications

Secure that qualifications are **provided efficiently** and represent **value for money**

Our role is one of **stewardship** of the qualifications system.

We ensure that as the system evolves it does so in a way that instills confidence in all users of qualifications.

Our regulatory approach

- **Risk-based**
- **Outcomes-focused**
- Focus on awarding organisations' (AOs')
 - **Capacity** to deliver your offer at the scale you are working
 - **Capability** - expertise, systems and processes that match the complexity of your offer and the sectors you operate in
 - **Governance** and resilience that backs that up

Streamlining regulation

Simplified
**Statement of
Compliance**

Simplified
**Apprenticeship
Recognition**

**Fewer data
collections**

Improvements
to **Event
Notifications**

Introduction of
Advice Notes

The Principles

Principle 1

An awarding organisation must act with **honesty and integrity**

Principle 2

An awarding organisation must **treat Learners fairly** by acting and taking decisions with due impartiality and based on appropriate evidence

Principle 3

An awarding organisation must ensure that each qualification that it makes available, or proposes to make available is, and continues to be, **fit for the purposes for which it is intended**

Principle 4

An awarding organisation must act in a way that maintains and, where possible, promotes **public confidence** in qualifications

Principle 5

An awarding organisation must act in an **open, transparent and co-operative** manner with Ofqual and, as appropriate, with Users of qualifications

Principle 6

An awarding organisation must conduct its activities with a **proactive approach to compliance** with its Conditions of Recognition

Supporting compliance and taking regulatory action policy

New regulatory tool

- Chief Regulator's Rebuke

Appeals route to Ofqual's Enforcement Panel

- Determination of non-compliance
- Issue of Chief Regulator's Rebuke

Efficient approach to taking regulatory action

- Notice of Intention

Regulatory actions we can take

Non-statutory actions

- Setting requirements
- Restraining the issue of results
- Recording non-compliance
- Accepting an undertaking
- Issuing a rebuke

Statutory actions

- Imposing conditions of recognition
- Entry and inspection
- Accreditation requirements
- Giving a direction
- Imposing a fine
- Withdrawing recognition

Enforcement themes

A tool for self-assessment and continuous improvement

- Issuing of **incorrect results** and failures in **review of marking processes**
- Failure to implement sufficiently robust processes to detect and/or investigate suspected **malpractice** and/or mitigate the adverse effects of malpractice
- Failures in **Centre approvals** and monitoring processes including failure to adhere to own **Centre Assessment Standards Scrutiny** (CASS) policy
- Failure to exercise **proper control over a Centre**
- Failure to identify and monitor **conflicts of interest**
- Failure in relation to identification and **management of risks**

Read detail of the [regulatory actions and interventions](#) we've taken

What good looks like – better AOs usually...

Capability

- Identify and act on recurring themes
- Train their staff, and measure the impact of training

Governance

- Have well-documented, up-to-date policies, processes and decision records
- Independently check that policies and processes are being followed
- Enforce appropriate levels of oversight
- Ensure free and timely flow of information across all levels

Capacity

- Have clear roles and responsibilities
- Use talent management and succession planning
- Use technology to replace repetitive and manual tasks, and to free up capacity

Resilience

- Ensure staff are familiar with business continuity and incident management / contingency plans
- Test incident response plans regularly
- Actively monitor resilience of third parties

Apprenticeship assessment

Ofqual's regulatory framework for Apprenticeship Assessment

- Embed the Department for Work and Pension's (DWP's) apprenticeship assessment principles in regulation
- Secure awarding organisation (AO) compliance with new assessment plans
- Specify key design requirements to ensure validity
- Enable Ofqual to hold AOs to account

Changes compared with regulation of end-point assessment

Purposes	Content	Assessment structure and synoptic assessment	Setting assessments
Marking assessments	Assessment design	Grading	Standard setting
Assessment strategy requirements	Employer engagement	Disapplication of certain General Conditions	Transition arrangements

Transition arrangements



There will be a phased rollout of new assessment plans - the existing (End-Point Assessment) version of a plan will remain available for new starts until the revised version is formally released



A maximum implementation period of up to six months will typically apply – eg if a revised assessment plan is published on 1 October, it will become live for starts from 1 April



If agreed, apprentices will be able to move from an existing assessment plan to a newer version where it has been published and is live for starts

Post-16 reform

Post-16 qualification pathways

- DfE's [response](#) and [transition plan](#) published on 10 March 2026
- New post-16 pathways
 - **V Levels**
 - **Foundation Certificate**
 - **Occupational Certificate**

Ofqual's role in reform

- Setting approach to regulating V Levels, Foundation Certificates and Occupational Certificates
- Setting detailed rules and requirements for regulation
- Consultation on our approach and rules coming soon
- Recognising AOs
 - Proposed recognition criteria focused on expertise, systems and governance
 - Consultation open until **23 April** - [Introducing new Criteria for Recognition - GOV.UK](#)
- Accreditation
 - Detailed review of assessment materials
 - Assurance you can meet regulatory requirements on ongoing basis

Challenges and opportunities

Resilience challenges

Malpractice

Qualification fraud

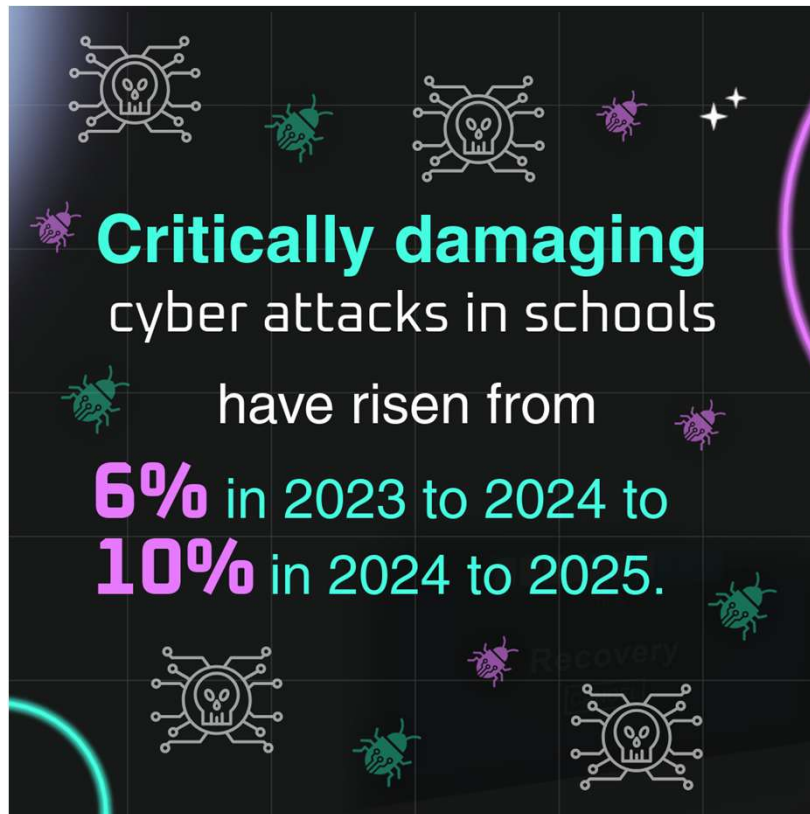
Assessment
materials

Cyber security

Infrastructure and
organisational
stability

Artificial intelligence

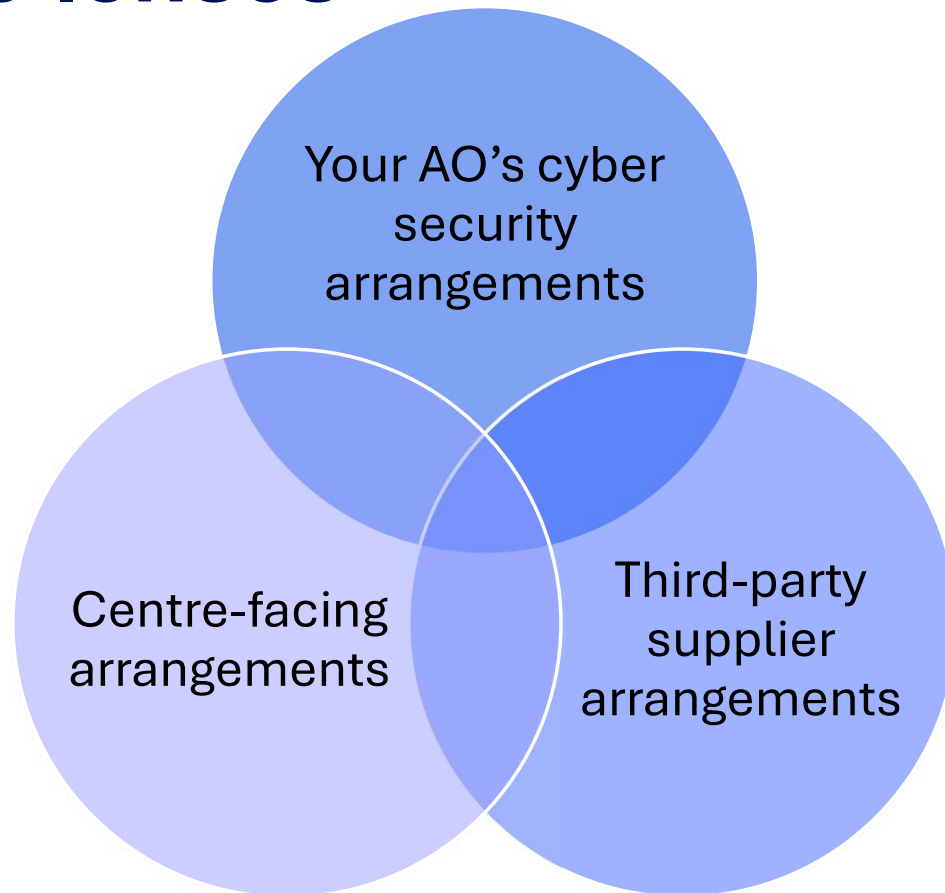
Cyber security



The **cyber attack** held all systems to ransom so we were unable to open the school for a week. It meant **all learning was delayed** and the effects were felt for the rest of the year.

The text is enclosed in a red, double-lined speech bubble shape. The background is dark with a grid pattern and includes icons of a green bug, a purple bug, and a skull with circuit lines. There are also some white stars and a white triangle with an exclamation mark in the bottom right corner.

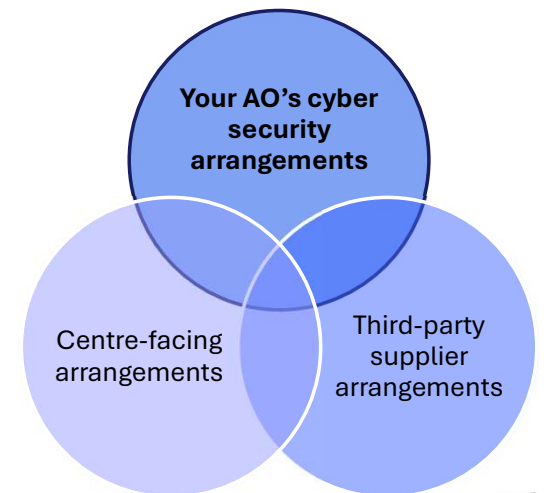
Three lenses



- The National Cyber Security Centre offers free advice and resources:
 - [Cyber Essentials](#)
 - [How to respond to a cyber attack](#)
 - [Managing supply chain security risks](#)

Your AO's cyber security arrangements

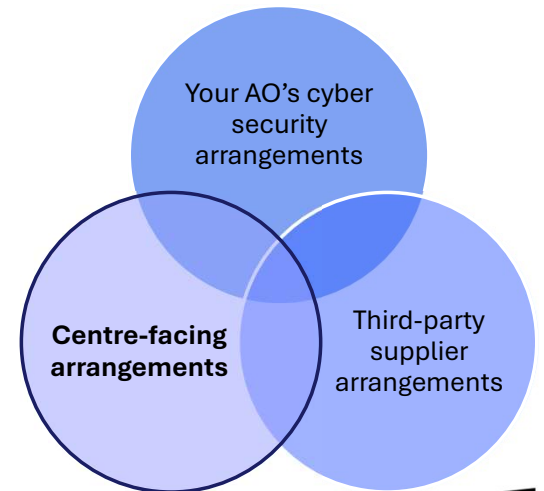
- Do you hold a recognised cyber security certification such as NCSC's Cyber Essentials Plus?
- Do all staff receive cyber threat training appropriate to their role, how frequently is this delivered, how does your organisation test its effectiveness?
- Does your organisation engage cyber incident response provider to support recovery from a cyber attack – are they NCSC assured?



Centre-facing cyber security arrangements

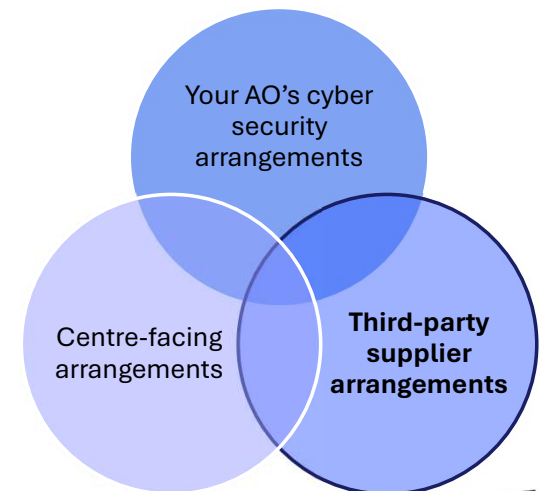
Where centres need to use your systems to deliver assessments

- Do you routinely highlight the importance of good cyber security to your centres?
- Do you undertake a regular review of centre user profiles to identify and cleanse dormant accounts that may be a point of vulnerability?
- Where Multi-Factor Authentication is employed as a centre access control, is this an SMS One-Time Passcode (OTP), phone call or potentially less secure routes such as email?



Third-party supplier cyber security arrangements

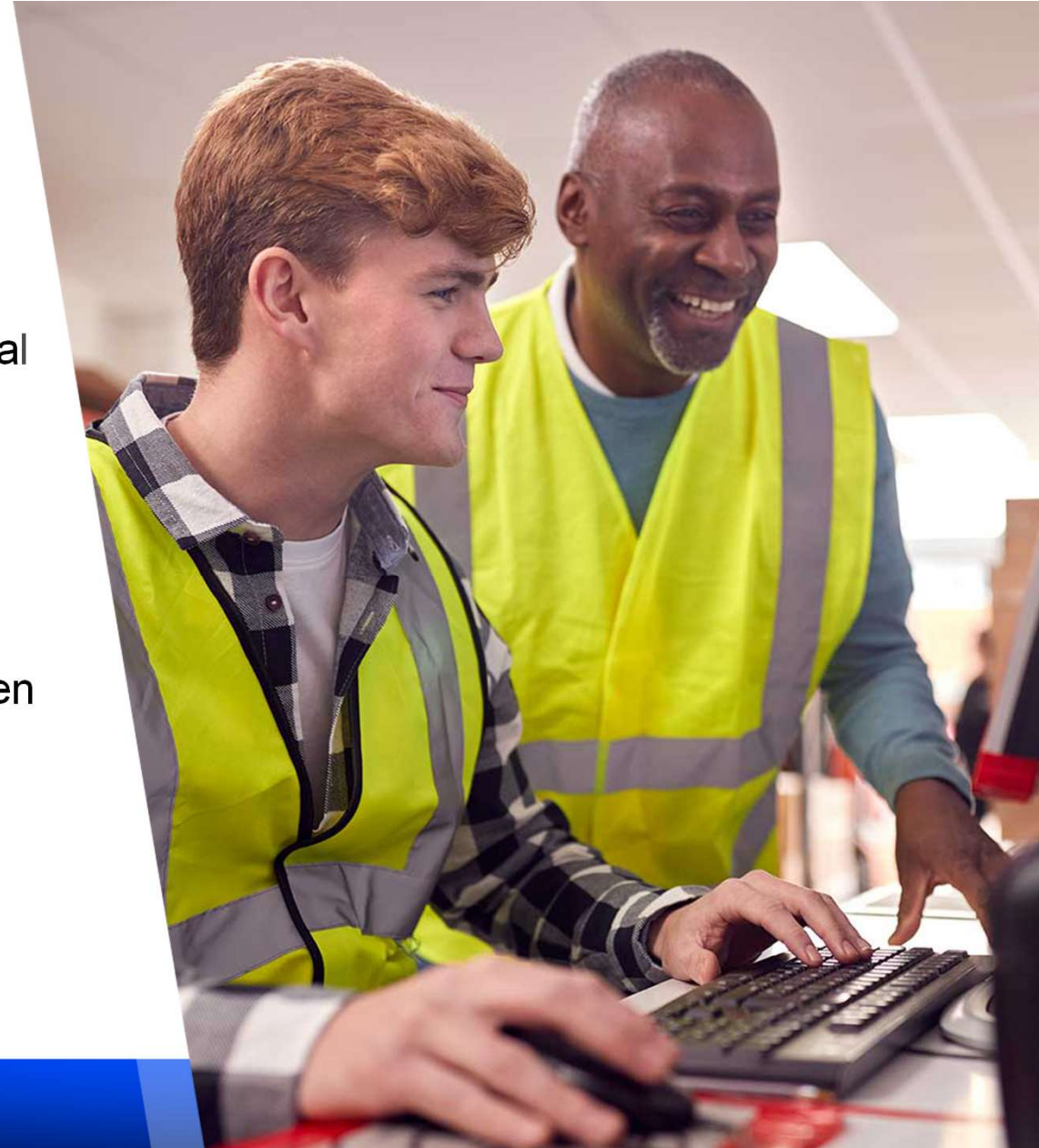
- Do you routinely risk assess suppliers based on factors including:
 - degree of integration with your own systems
 - the nature of the data they receive from you
 - your dependency on them in delivering critical assessment processes
- Does your contract specify minimum technical and data security controls?
- Do you have visibility of sub-contracting arrangements – does your contract provide assurance about their own supply chain security?



Qualification fraud

The challenge

- Increasingly sophisticated, organised and digital
- Linked to serious crime and modern slavery
- Qualifications have a value – they are a passport to employment, relocation or further education
- Everyone should be able to trust that a certificate proves that the holder has undertaken specific training and demonstrated the appropriate level of competence



Qualification fraud

Solution: sustained collaboration and investment

Steps you can take:

- regularly refer to the [Tackling qualification fraud Portal links page](#)
- review the Fraud Prevention Advice Note and consider the advice
- use the A8.7(b) template to report fraud to other AOs when relevant
- consider confirming support for the Counter Fraud Action Plan

Download the advice note from the [Tackling qualification fraud Portal Links page](#)



Malpractice

- **5,025** penalties issued to students in 2025
- **44.3%** of these involved mobile phones or other communications device

Qualifications with centre-marked assessments

Be aware of risks for exam and non-exam assessments

AI must not be the sole marker of any component, including non-exam assessment

[Read Ofqual's research on Principles of AI use in marking](#)

Artificial intelligence

- Supportive of AOs using AI where supports efficiency, consistency, and speed of delivery
- Keen to hear how it's helping you to innovate
 - Generating new assessment items or developing new tests
 - Generating synthetic responses or sample answers to exam questions
 - Producing stimulus or assessment materials





Assessment materials

Consider:

- transport and delivery logistics
- security arrangements
- plans if you need to replace

Read the [Assessment material resilience advice note](#) on Gov.uk

Infrastructure and organisational stability

Financial stability

- An AO must have adequate resources and arrangements in place to develop, deliver and award its qualifications (Condition A5.4)

Centre resilience

- Monitor your Centres for potential indicators that they might be at risk of closure
- AOs must take reasonable steps to ensure learners are not disadvantaged if a centre fails to deliver a qualification (Condition C2)

Final thoughts

To conclude

- Our rules are designed to ensure the market works for students and the economy
- We want the regulated community to act in compliance with the rules
 - Refer to the Conditions
 - Use the Portal
 - Come to our events
 - Keep in touch

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