

## **Ofqual consultation on regulating level 2 qualifications supporting progression to T Levels**

### **Response of the Association of School and College Leaders**

#### **A. Introduction**

1. The Association of School and College Leaders (ASCL) is a trade union and professional association representing over 24,000 education system leaders, heads, principals, deputies, vice-principals, assistant heads, business managers and other senior staff of state-funded and independent schools and colleges throughout the UK. ASCL members are responsible for the education of more than four million children and young people across primary, secondary, post-16 and specialist education. This places the association in a strong position to consider this issue from the viewpoint of the leaders of schools and colleges of all types.
2. ASCL welcomes the opportunity to contribute to this consultation. Our response is based on the views of our members, obtained through discussions at ASCL Council, with relevant advisory groups, and prompted and unprompted emails and messages.
3. When considering the impact of any proposals on different groups, it is ASCL's policy to consider not only the nine protected characteristics included in the Equality Act 2010, but also other groups which might be disproportionately affected, particularly those who are socio-economically disadvantaged. We have answered any equality impact questions on this basis.

#### **B. Key points**

4. The purpose of the T Level transition programme is very broad, and this makes it complicated. In one or two years, a student is expected to progress into a level 3 technical-ready learner. The level two transition programme is intended to give students knowledge and skills in a subject; prepare them to demonstrate that knowledge and skills in a particular context; provide a motivating and engaging course of study which helps them to make choices about their T Level options; ensure students can demonstrate their ability at level 2 whilst demonstrating their preparedness to move to level 3; and provide the assessment outcomes needed to progress to the next stage in a particular technical area.
5. This is a big ask for any student at level two. We would caution Ofqual not to set out regulations for level 2 programmes progressing to T Levels which are too onerous for awarding organisations, students and providers. Our response below outlines these concerns.

## C. Answers to specific questions

### **Question 1: To what extent do you agree or disagree with the proposal to require awarding organisations to develop, follow, and keep under review an assessment strategy?**

6. Agree. This seems a sensible approach. However, the scope of the strategy, as set out in the consultation document, seems to be on more than assessment. It appears to cover the content of the qualification too.

### **Question 2: Do you have any views on the areas proposed to be included in assessment strategies?**

7. Yes. We agree with some of the areas in scope for awarding organisation assessment strategies, but not all. The scope of the proposed assessment strategy is very broad, including qualification purposes, content, assessment design and delivery, marking or assessing performance, attainment and reporting, standard setting and maintenance, and qualification monitoring. This coverage provides little scope for flexibility if centres are permitted to mark in-house.
8. The general purpose for qualifications supporting progression to T Levels is that the qualification will provide students with a breadth of knowledge, skills and understanding that prepares them for study on any T Level in the relevant T Level route. This is also the purpose for preparation to a particular T Level route. This requires a lot of both the qualification and the student taking that qualification.
9. Alongside this, students must demonstrate their ability to apply their knowledge, skills and understanding in relevant practical contexts. It is important that these qualifications provide opportunities to apply knowledge and skills in practical contexts, to help students prepare for what they will experience if they progress to a T Level, but we query if this breadth is also expecting too much of a level two qualification.
10. The programme must engage and motivate students who are preparing for study a T Level. Students may not have sufficient attainment to study a T Level directly from GCSE, or may have other areas of development or support needs. It is important that these qualifications assist students to gain the confidence to progress, and not restrict them.
11. The programme must show evidence of attainment to be used with other information, to inform decisions about a student's readiness to progress onto a T Level. However, as level 2 qualifications supporting progression to T Levels are not prerequisites for students wishing to progress to a T Level, evidence of attainment must be used alongside other information to assess readiness to progress to a T Level.
12. Reliable evidence is needed to differentiate between students' performance so that both providers and employers can select students for other routes, including jobs, and apprenticeships. This is important for students who choose not to, or are unable to, progress to a T Level.
13. While all the general purposes outlined in the consultation should be met as far as possible, it is important that Ofqual recognises that there might be a need for flexibility in the design process by an awarding organisation. If there is flexibility, the most important purpose of the T level transition programme is to provide broad skills, knowledge and understanding of technical subjects in general.

**Question 3: Do you have any comments on the proposed general purposes set out for qualifications supporting progression to T Levels?**

14. Yes. Please see points 7 to 13 above. The general purposes set out are very broad, and we have concerns about the sheer scale of purpose of level two programmes leading to T levels.

**Question 4: To what extent do you agree or disagree that, where it is not possible to fully meet all the general purposes specified, awarding organisations should prioritise them in the order (A to E) in which they are specified? Please provide any comments.**

15. Agree. The acquisition of knowledge and skills applied in practical, engaging contexts are key to progression in vocational and technical subjects.

**Question 5: To what extent do you agree or disagree with the proposal to disapply General Conditions E1.1 and E1.2 in respect of these qualifications? Please provide any comments.**

16. Agree. We understand that disapplying these conditions will ensure there is no conflict or duplication between these general purposes and Ofqual's General Conditions.

**Question 6: To what extent do you agree or disagree with the proposal to require awarding organisations to explain how they have covered the NTOs in their assessment strategy for qualifications supporting progression to T Levels?**

17. Agree. If the aim of the T level transition is to progress to T levels which are covered by the NTO, this makes sense. Our concern is that not all young people may want or be able to transition to T levels having undertaken all or some of a level two programme.

**Question 7: To what extent do you agree or disagree with the proposal to require awarding organisations to set assessments for these qualifications?**

18. Agree. Assessment must, however, be proportionate to the total qualification time and level. T level assessment, especially for the occupational specialism, is longer in terms of hours than other full-time general qualifications. Whilst this might be appropriate for higher levels, it is important to get the work placement element right for employers as well as students, during the transition programme as well as during T levels.

**Question 8: To what extent do you agree or disagree with the proposal to require assessments to be taken under controlled conditions and for awarding organisations to specify the controlled conditions under which the assessments in their qualifications must be taken?**

19. Disagree. Assessment must be manageable for the student and the provider at level two. Important factors in achieving this include the assessment window for GCSE English and maths, invigilators who are not the class teacher or assistant, and the length of the examination being no more than a taught session. It is not always possible to ensure assessments are controlled with these variables in mind.

**Question 9: To what extent do you agree or disagree with the proposal to allow, but not require, adaptation of contexts within assessments used in these qualifications?**

20. Agree, as long as the adaptation doesn't put additional burdens on teaching or support staff.

**Question 10: To what extent do you agree or disagree with the proposal to allow awarding organisations to permit centres to mark assessments used in these qualifications?**

21. Neither agree nor disagree. Some colleges prefer to have the opportunity to mark within their centre; others prefer external marking which frees them up to focus on other aspects of assessment. Lack of consistency across qualifications may lead to questions about standards requiring external assessment, but equally important is ensuring that level two vocational and technical qualifications are not assessed in the same way as academic programmes. Assessments should be treated in a similar way for all vocational and technical qualifications, including T level transition programmes and T Levels. This should include assessment of relevant technical skills at the appropriate level.

**Question 11: To what extent do you agree or disagree with the proposal to issue statutory guidance on assessment for these qualifications and to require awarding organisations to explain their approach in an assessment strategy?**

22. Agree. There should be guidance on assessment for these qualifications, but it should be proportionate and not too rigid, as we set out in our opening comments.

**Question 12: Do you have any comments on the factors that are proposed to be included in the statutory guidance on assessment for these qualifications?**

23. Yes. Assessment should be proportionate to the total qualification time and level. T level assessment, especially for the occupational specialism, is arguably disproportionate in terms of hours. The same should not be required of the T level transition programme.

**Question 13: To what extent do you agree or disagree with the proposal to requiring awarding organisations to use a common grading scale (Pass, Merit, and Distinction), with an Unclassified result for students who do not achieve one of these grades?**

24. Agree. This is in line with other current qualifications.

**Question 14: To what extent do you agree or disagree with the proposal to requiring awarding organisations to explain their approach to standard setting and to the maintenance of standards in an assessment strategy?**

25. Agree. Awarding organisations should explain their standard-setting approach and their approach to the maintenance of standards. The process must be transparent.

**Question 15: To what extent do you agree or disagree with the proposed approach to standard setting for assessments for these qualifications, where grading is separate to the marking process?**

26. Agree. Marking and grading are separate processes in terms of comparable qualifications, such as GCSE, so the same principles should be applied to other level 2 qualifications.

**Question 16: To what extent do you agree or disagree with the proposal to require awarding organisations, following a review by Ofqual, to comply with any requirements, and have regard to any guidance, specified to it by Ofqual in relation to the qualification?**

27. Agree. Awarding organisations should comply with other requirements by Ofqual, if these requirements are proportionate.

**Question 17: To what extent do you agree or disagree with the proposal to require awarding organisations to notify Ofqual when a qualification ceases to be approved for public funding, and to comply with any additional requirements that Ofqual specifies as a result?**

28. Neither agree nor disagree. Whilst awarding bodies should notify Ofqual of qualifications which they provide when they cease to be funded, it should also be the role of Ofqual to keep abreast of any changes which impact on qualifications. There should be a transparent framework indicating what regulatory changes are likely to be expected if a qualification is defunded. This will allow awarding organisations to make informed choices about their offer, and help protect student interests.

**Question 18: Are there any other potential equalities impacts (positive or negative) on students who share a particular protected characteristic arising from our proposals that Ofqual should consider? Where possible, please separate your answer by protected characteristic.**

Yes. There are likely to be negative impacts on students with some special educational needs and disabilities (SEND) as they are more likely to be impacted by the withdrawal of funding from current level 2 and below programmes. It is imperative that they are not further disadvantaged as a result of these changes.

29. Students from disadvantaged socio-economic backgrounds, where their disadvantage has impacted on achievement, are also more likely to access these qualifications than their wealthier peers.

30. Reducing the number of these qualifications and 'badging' them is likely to undermine government efforts towards social mobility and levelling up.

31. We would expect a full equalities impact on the proposed changes to regulation to accompany Ofqual's response to this consultation. This, in our view, should include the impact on students from disadvantaged socio-economic backgrounds (not currently a protected characteristic).

**Question 19: Are there any additional steps that Ofqual could take to mitigate any potential negative impacts, resulting from the proposals, on students who share a particular protected characteristic?**

32. The way to mitigate negative impacts is to ensure the needs of those with SEND, disadvantaged and minority ethnic groups are taken into consideration. For example, does reducing the number of qualifications available at levels 1 and 2 have a negative impact on those with SEND? The answer must be yes, as these students are the predominant group taking level 1 and 2 qualifications.

33. Many students on both school- and college-based level 2 programmes declare they have SEND characteristics, so it is important that assessments are reasonable and that exam access arrangements for students do not unintentionally disadvantage these students.

**Question 20: Are there any regulatory impacts that have not been identified arising from the proposals? If yes, what are the impacts and are there any additional steps that could be taken to minimise the regulatory impact of the proposals?**

34. No, there are no specific impacts from the regulation, but there are significant impacts from the reduction in the number of qualifications which will be funded at level 2 and below from 2027. This impacts on the groups mentioned in our answers to questions 18 and 19.

**Question 21: Are there any costs, savings or other benefits associated with the proposals which have not been identified? Please provide estimated figures where possible.**

35. No, there are no savings but there may be additional costs if awarding organisation fees increase because of extra work associated with these requirements. It is important that any extra costs are not passed on to providers or students.

**Question 22: Is there any additional information that Ofqual should consider when evaluating the costs and benefits of the proposals?**

36. Yes. Any change in qualifications requires teaching and support staff to attend training, additional equipment and resources, and changes in practice (such as the uploading of exam scripts), and careers education, information and guidance. It is crucial that any additional costs for awarding organisations are not passed on to schools or colleges.

**Question 23: Do you have any comments on the impact of the proposals on innovation by awarding organisations?**

37. Yes. We question whether smaller awarding organisations will have the capacity to innovate.

#### **D. Conclusion**

38. We are concerned about the way in which level 2 and below qualifications reforms will impact on students, particularly those with protected characteristics and we have set out those concerns in our response. Whilst we understand that this consultation is about regulation to improve the quality of qualifications which progress towards T level programmes, we wish to make clear that removing some qualifications from funding and restricting choice does not automatically improve the quality of those which are funded. When choice is limited, high quality does not necessarily follow.

39. We hope that this response is of value to your consultation. ASCL is willing to be further consulted and to assist in any way that it can.

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