

Simon Lebus speech at The Apprenticeships Conference 2021

Good morning, I am delighted to join you today at this Inside Government Apprenticeship Conference. My name is Simon Lebus and I am the interim Chief Regulator at Ofqual.

Today I am going to talk about three things – first the reform of vocational and technical qualifications and Ofqual's role in these reforms; second, given this is an Apprenticeship conference, our focus on quality in Apprenticeship end-point assessments and the current transition of External Quality Assurance to Ofqual and finally Functional Skills qualifications given their link to Apprenticeships.

We are currently entering a period of pivotal change in the qualification landscape. The Government's programme of reform in vocational and technical qualifications is broad and ambitious and the reforms will impact qualifications at all levels including Apprenticeships, T Levels and Higher Technical Qualifications.

Ofqual has an important role in helping to make these reforms work. In doing so our regulation, and the scrutiny and expertise that sit behind it, can help ensure quality for those that take and rely on these important qualifications.

The Skills Bill currently going through Parliament sets out a wide range of legislative proposals to reform the current post-16 skills system. Post pandemic changes in the economy, driven by the need to improve productivity, support new technologies and build back greener as well as better, mean that it has never been more important for people to be able to access training to move into new jobs and new sectors. The proposed legislation includes measures to put employers at the heart of the post-16 skills system. We are working closely with the Department to take on board those elements of the Skills Bill that relate to the work we do, recognising the opportunity to deploy regulation to add value to this process.

We see the Bill, in particular, as underpinning current arrangements between Ofqual and the Institute. The legislation will future-proof our collaboration with the Institute and provide a statutory framework within which we can work closely on the development, approval and delivery of qualifications, whilst reducing the risks of overlaps in accountability and duplication of processes. If we think for a moment, by way of analogy, about GCSE and A levels, we know Ofqual does not set the curriculum or content for these, that is a role for the Government, but Ofqual nonetheless still has a key part in regulating them and ensuring standards in them.

In Technical Education, the legislation will formalise arrangements for the Institute, through its Route Panels and trailblazer employer groups, to set the content for technical qualifications and for Ofqual to regulate these

assessments. We will bring our regulatory powers and expertise to bear to ensure that the assessments are of the high quality that employers expect, and that learners deserve.

And outside of our work with the Institute we continue to work with the Department for Education on strengthening qualifications at key stage 4 for performance tables and on reformed Digital Functional Skills and regulation of a wide range of other qualifications used by learners and employers.

Of course, another area where we already collaborate closely with the Institute is on the External Quality Assurance of Apprenticeship end-point assessments.

Apprenticeships are a key part of the reforms to the skills system, which started back in 2012 with the Richard Review, which set out the concept of employer-led standards and holistic assessment at the end of an apprenticeship. At the time of the review he said:

“Apprenticeships need to be high quality training with serious kudos and tangible value both to the apprentice and the employer. I want to hear about an 18-year-old who looked at their options and turned down a place at Oxbridge to take up an apprenticeship if that is the right path for them. And I want to hear that their parents were thrilled.”

Perhaps there is still some way to go in achieving this goal, but a new survey by the Social Market Foundation and FE Leadership Trust has found that almost as many middle-class parents now want their child to take a vocational qualification (43%) as want their child to go to university.

At Ofqual we have a role in ensuring that Apprenticeships are valued by employers, apprentices and parents through our External Quality Assurance of end-point assessments.

At your last conference in December, it was Glenys Stacey here speaking to you and we were just at the start of the process of the transfer of EQA to Ofqual.

The first new standards transferred to Ofqual in November 2020. Since then we have been working hard to encourage EPAOs to submit applications to us and transfer more standards. We are now the EQA provider for over 200 standards, with 112 of these added since the announcement was made.

By the end of this year that will increase to over 300 standards and by the end of the transition period we will be responsible for the EQA of more than 500 standards, offered by potentially over 120 end-point assessment organisations.

EPAOs in phase one of the transition had to submit their application for Ofqual recognition by 1st July and we have received 106 applications which are now under review. Perhaps not surprisingly we received 40 of those in the last week before the deadline and we have scaled up our resources to support the timely review of these applications.

Standards will then transfer to us once all EPAOs on the Education and Skills Funding Agency's register have achieved recognition, which they must now do by the 16 December. The recognition process is robust – intentionally so – as this gives us assurance that the organisations we recognise have the right capability and expertise to deliver end-point assessments, as required by the Institute's EQA Framework.

But the work doesn't stop there. Phase one was focused on standards where the EQA provider was the Institute but we now also move into phase two, where we will be transitioning standards from other EQA providers. The goal is to ensure a smooth transition to Ofqual for the benefit of apprentices, employers and EPAOs.

And while we have been working on transition of EPAOs and standards to Ofqual we have continued to deliver our EQA for existing standards.

Looking to the future we want to ensure our approach to quality remains fit for purpose in the long term and that we continue to play our part in the new system.

Consequently, we are working with the Institute on our EQA delivery plan setting out the regulatory activity we expect to undertake to meet our regulatory requirements and the requirements of the Institute's EQA Framework. In doing so, we are acutely aware and will be taking account of the reality that EPAOs coming into Ofqual regulation will still be facing the challenges thrown up by the pandemic, as well as for many, being regulated for the first time.

The activities we undertake will include using our newly-established Field Team to engage with EPAOs – they will be observing EPA in delivery alongside industry experts from the relevant sector. This is a new approach for Ofqual and will support quality in these assessments by checking that end-point assessments are delivering apprentices who can demonstrate their occupational competence.

You will remember at the start of my speech I spoke about the Skills Bill putting employers at the heart of the post-16 skills system. The Institute is rightly in place to represent the views of employers in the skills system, but we want to make sure employers also have an input into our regulation.

We cannot as regulator, for example, be expert in each of the diverse skills we regulate so we work closely with employers, as experts in their field, drawing on their knowledge and experience to complement our regulatory tools and processes. Our unique position allows us to bring the awarding organisation community and the employer voice closer together, to ensure that qualifications meet the standards and expectations of employers within their industry. There are a number of different ways we collaborate with employers to do this.

We use industry experts to help us review materials for end-point assessments and T Levels, and they have given us important input on the standard and expectations within their industry.

Also, the Institute is currently working on establishing an Employer Directory with professional and employer-led bodies that have a role in standards and professional competency for their industry. The Employer Directory will give us a resource that we can draw on to support and inform our work using industry expertise as and when we need it.

We are running a pilot with the Institute to help with our next round of technical evaluation work, which includes standards such as 'advertising and media executive' and 'veterinary nurse'.

It is crucial that we get this important piece of the EQA puzzle right to ensure that employers continue to play a pivotal role in the quality of apprenticeships. We also work with a range of professional bodies to understand how regulation is impacting their sector.

In the Sporting Excellence standard, for example, an EPAO raised a challenge with us that had been made by employers in the sports sector, about the delivery of the practical elements of this end-point assessment where an Apprentice was injured. There is already flexibility in these circumstances to increase the period of the end-point assessment, but in football, the realities of the industry mean that players often no longer have access to the club where they completed their training, as players accept contracts at other clubs, often abroad, or even leave the sport altogether. This meant that there was a substantial risk that these players would not be able to complete their end-point assessments. We worked with the EPAO, the Institute and contacts in the industry to devise a solution, with the Institute agreeing to a dispensation permitting the use of pre-gateway footage of in-match and in-training performance of these players to be used in the assessment. This allowed those Apprentices to achieve their end-point assessment and provided a long-term solution to the problem.

But our work with employers goes further than Apprenticeships and is something we intend to build upon. When awarding organisations were considering adaptations needed to vocational and technical qualifications, we engaged with relevant professional bodies and awarding organisations to agree a common set of parameters. This was to ensure that awarding organisations didn't put in place an adaptation that employers wouldn't accept – or a professional body suggesting adaptations that an awarding organisation would find unworkable.

We have now set up regular forums covering a range of different sectors including construction, health and social care, security, and sports. These forums are an opportunity for us to understand the sectors in which AOs are operating and for us to understand how regulation is working on the ground.

Turning to Functional Skills, we know that these qualifications are an important piece of the Apprenticeship system. The Department's policy is that these should be awarded using assessment, unless it is not possible to provide an assessment opportunity that is valid, or able to be delivered in line with public health requirements. We appreciate that this may have been challenging for awarding organisations and providers, and we know through our conversations with centres and their representative bodies AoC, AELP and

HOLEX, that the sector remains concerned about the Department's policy for the awarding of FSQs this summer.

However, the evidence increasingly shows that both traditional and remote assessments are now taking place at a more significant rate as workplaces and providers re-open. Since January, over 45,000 functional skills assessments have taken place using remote invigilation and since March, nearly 33,000 functional skills assessments have been completed with traditional face-to-face assessment.

In fact, the pandemic has greatly accelerated the move to online learning and using new technologies and pedagogies, something which previously would have taken years, and which has opened-up a much wider variety of assessment opportunities for learners.

We have seen some excellent examples of remote assessment and remote invigilation which, when done well, can bring convenience for providers and for learners, and allow results to be awarded that may otherwise have been delayed. This can be as simple as awarding organisations conducting assessments using web-based applications to avoid technical issues for students when downloading software onto their devices, to specialist solutions where cameras have been used to observe practical assessments whilst being controlled remotely by the assessor, allowing them to effectively be 'in the room' while the assessment is taking place.

Finally, I know we are focusing here today on Apprenticeships and on the reform of technical qualifications, but many of you will have an interest in qualifications about to be awarded this summer – it is likely you are a centre or employer taking on someone who is receiving their results this year, or you may even have family about to receive their results this year.

As you will know, A levels and GCSE results will be coming out in the same week in 2021, on August 10 and 12, and many level 2 and level 3 vocational qualifications will be coming out at the same time.

For both general qualifications and vocational and technical qualifications, centres and awarding organisations have done a lot of work to get us to this stage. For example, in GCSEs and A levels, every school and college has had to submit information on how grades were produced to support exam board quality assurance.

VTQ awarding organisations have put in place adaptations and quality assurance processes that best fit their qualifications and centres, which may have included sampling learners' work. The whole sector has had to work hard to come together to make this work.

But although the timing of results days will look different this year, it will be, as always, an anxious time for learners.

Just as they have needed their parents' and teachers' support, they will also need the support of employers, who may find that they are taking on new employees who have a slightly different skill set than those they are used

to. Employees who, although they may have been disadvantaged by being out of the classroom a great deal over the last 18 months, will have developed other skills from learning in a different way, and will have demonstrated their resilience and ability to deal with uncertainty and change. We can all be proud that we have been able to support them in getting the qualifications they need to progress, something that reflects well on the flexibility we have been able to introduce into the system and the hard work providers have done to make these new arrangements work and can come together in wishing them well as they carry their qualifications forward into the next stage of their life's journey.

I hope that has been a helpful overview of Ofqual's role and the value that Ofqual regulation can bring to the skills landscape and would be happy to answer questions.