

Consultation on proposed updates to the mandatory qualifications criteria

Institute for Apprenticeships and Technical Education
(IfATE)

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Foreword

At IfATE, we are dedicated to ensuring that apprenticeships and technical qualifications truly deliver for employers, students and the economy. We share government's ambition for a clear and streamlined skills system that meets employers' needs, supports careers progression and further enhances confidence in the quality of technical education. We are committed to delivering a skills system which brings employers into the heart of technical education, ensuring that the products on offer meet their skills needs across all occupations and pathways throughout the economy and the country.

To date, we have built a body of over 650 employer-specified occupational standards across 15 occupational routes, that detail what competence in occupations looks like to employers across the economy. These occupational standards are the foundation of a rich system of high-quality apprenticeships, and form the basis of a range of post-16 technical qualifications, including T Levels and Higher Technical Qualifications. Ensuring that both apprenticeships and technical qualifications are informed by occupational standards promotes coherence and provides assurance to employers that students and apprentices are developing the skills and knowledge needed in employment.

In the case of apprenticeships, the End-Point Assessment (EPA) has been welcomed as the best means of assessing an apprentice's occupational competence. The EPA is developed by employers and gives confidence that apprentices are fully skilled in the occupation they have trained in. We recognise the vital role qualifications can play in supporting apprentices to progress in certain occupations. When they are embedded at the right time and in the right way, they can play an important role in the apprentice's ongoing success – for example, where they confer a license to practice, are required for professional body membership, or support an apprentice to be competitive and successful in the labour market.

Learning from the last few years of apprenticeship delivery, there is room for improvement in how qualifications are used within apprenticeships. Recognising the value qualifications can add, we want to make sure that they are being included in the right places and are being delivered effectively. As such, we are proposing changes to the requirements that we use when deciding whether an apprenticeship should include a mandatory qualification (a qualification which is mandated in the occupational standard, to be completed by an apprentice as part of their apprenticeship). In updating our criteria, we will strengthen and make clearer our expectations for the suitability of a qualification, to ensure that only those which are necessary

and deliver for apprentices and employers are included.

We also present proposals to integrate a mandated qualification's assessments with the apprenticeship End-Point Assessment. This is an approach we have been piloting with great success, and now look to roll out across other mandated qualifications. In doing so, we will improve the way qualifications are delivered in apprenticeships, ensuring the successful completion of both the apprenticeship and the qualification. This will promote better outcomes for apprentices, for employers who need apprentices to fulfil their skills needs, and better value for money for taxpayers who will be funding more completed apprenticeships.

We are, therefore, pleased to present our consultation on our proposed updates to the criteria for mandatory qualifications in apprenticeships. In updating our criteria, we will create a system which ensures apprentices leave with the best evidence of the knowledge, skills and behaviours they have acquired over the course of their apprenticeship and are in the best position to meet the needs of employers. This consultation relates to apprenticeships at all levels but excludes degree apprenticeships, on which we updated our policy earlier this year.¹ If you have an interest in apprenticeships and technical education, please let us know what you think about the proposals we set out here. We look forward to hearing from you.

¹ <https://www.instituteforapprenticeships.org/developing-new-apprenticeships/degree-apprenticeships-2022/>

Audience

This consultation is open to anyone who may wish to make a representation, and may be of particular interest to:

- employers
- regulators, industry groups and other professional bodies who may require specific qualifications to confer a licence to practise or be part of a professional community
- awarding bodies and other organisations that develop the qualifications used
- apprentices, including potential, current and former apprentices
- tutors, assessment staff and other representatives from apprenticeship and training providers
- bodies representing educational institutions and staff working in the education sector

Consultation Arrangements

This consultation will be open for 10 weeks, starting on 12 December 2022 and ending on 17 February 2023 at 23:59.

Please respond to this consultation by [completing your response online](#).

You do not need to respond to every question. However, we would welcome responses to those questions where you wish to express a view.

If for exceptional reasons you are unable to use the online system, for example because you use specialist accessibility software that is not compatible with the system, you may email or post your response to:

IfATE.MandatoryQuals@education.gov.uk

Institute for Apprenticeships and Technical Education
Mandatory Qualifications
Level 2 Cheylesmore House
5 Quinton Road
Coventry
CV1 2WT

For information on how we will use and manage your data, please see Annex C.

Implementation

The outcomes of this consultation will be published in early 2023, including our analysis of the feedback to this consultation. In the event that there are changes to our criteria following this consultation, we will also publish the final, revised criteria. At this point, the new criteria will apply to any new standard being created and any revision to existing standards, in line with our current revisions process. There will be some flexibility in its introduction for those standards which have begun substantive redevelopment or revision at the time the criteria are published. More details of this will be made available in the new year.

Introduction

The move from framework to standards-based apprenticeships saw the introduction of End-Point Assessment (EPA) as the means of demonstrating that an apprentice is occupationally competent prior to receiving their certification. The [Richard Review of Apprenticeships](#) in 2012 found that the continuous assessment seen in framework apprenticeships, often through the compilation of a portfolio of evidence, did not allow apprentices to demonstrate their ability to carry out the whole of their job. Employers also wanted assurance that the former apprentices they employed were fully competent and ready to apply their skills to the real world.

In response, apprenticeships are now assessed in a way that allows apprentices to demonstrate the knowledge, skills and behaviours (KSBs) that employers have identified they need, as set out in the occupational standard. The End-Point Assessment draws these KSBs together and has been designed to be a holistic assessment that assesses the apprentice's performance across the whole standard, rather than for individual tasks. Assessment plans go through a rigorous approvals process to ensure the high-quality of each assessment. Assessment is undertaken independently of those who train and employ the apprentice, with the EPA also then subject to external quality assurance (EQA). This is undertaken by an independent organisation, to ensure all assessments are consistent in quality and approach.

EPA is a robust and highly reliable way to assess the knowledge, skills and behaviours an apprentice has developed over the course of their apprenticeship. The EPA is developed with a group of employer experts (trailblazers) to determine how to assess an apprentice's knowledge, skills and behaviours, in line with the occupational standard. While trailblazers agree that the EPA is the best way to demonstrate an apprentice's capability and competence, they are able to require (or mandate) particular qualifications to be included as part of an apprenticeship. These qualifications can be of vital importance in ensuring apprentices are supported in their careers and have the best chance of success post-apprenticeship. In many instances, they form pre-requisites for professional body membership or are required by regulators to undertake their role. Sometimes, the qualifications carry significant currency in the labour market – their value is so widely recognised that they are often specified on job advertisements, and an apprentice might be at a disadvantage without it. Including these qualifications in an apprenticeship ensures that apprentices are fully ready for work and equipped for future success.

We think it is important that qualifications can continue to be embedded in apprenticeships. We do, however, want to ensure that the system to enable and support this is as effective as possible, including improving coherence between our approach to mandating qualifications in apprenticeships and our approach to qualifications approval. Learning from the last few years of apprenticeship delivery, there are a number of challenges with the current arrangements which this consultation seeks to address.

Around 40% of apprenticeships mandate at least one qualification. For some apprenticeships, the qualification will deliver and assess essential content required early on in an apprenticeship, for example health and safety or first aid qualifications. For some, however, the qualification's assessment may duplicate parts of the EPA, leading to overassessment of learners and inefficiency. Recent analysis undertaken by IfATE has also shown that a significant proportion of apprentices undertake qualifications other than the ones intended by employers when developing the apprenticeship. This is particularly the case where qualifications are mandated in a generic way, for example any level 3 qualification in a particular field. There is also some evidence to suggest that, where a qualification is taken before the EPA, some apprentices do not then complete their EPA. These apprentices therefore leave their apprenticeship with no formal record or evidence of all the KSBs they have acquired. Apprentices leaving their apprenticeship prior to completion raises a number of concerns for employers, apprentices and the taxpayer.

To address these issues, we think it is appropriate to review and refresh the current mandatory qualifications policy. Our proposals are designed to make the policy clearer and easier for those developing apprenticeships to follow, and to strengthen areas that have contributed to those issues outlined above. By doing this, we will support the inclusion of necessary qualifications in apprenticeships, while ensuring that learners are not unduly burdened by overassessment and that they are leaving with the best evidence of the knowledge, skills and behaviours that they have gained over the course of their apprenticeship.

Proposals at a glance

General principles of the new criteria

- Qualifications will be mandated where there is a regulatory requirement, a professional body requirement, or the apprentice would be at a significant disadvantage in the labour market without it.
- Qualifications will no longer be mandated on the basis of providing structure for off-the-job training or adding depth and breadth to an apprenticeship.
- Employers will submit a rationale and relevant supporting evidence to demonstrate that a qualification is needed to prevent disadvantage in the labour market. We will provide guidance on the kinds of evidence that could be used.
- Where appropriate, we will use evidence gathered through current and future approval processes to inform mandatory qualifications decisions. This will minimise burden and support decision making.
- All mandates should be specific – in other words, they should list the individual qualifications that would satisfy the regulatory, professional body or labour market requirements. This is to ensure that learners are undertaking the right qualifications needed to meet those requirements.
- All mandatory qualifications should align with, and not go wider than, the KSBs set out in the occupational standard.

Integrating a qualification's assessments

- At least one of the qualification's assessments should be integrated into the EPA, unless there are exceptional reasons for not doing so.
- The assessment that is integrated should be conducted post-gateway, alongside the rest of the EPA.
- Where there is more than one qualification mandated (for example, a certificate in engineering offered by two different awarding bodies) the integrated assessment should cover the same subset of KSBs.
- We will work with trailblazers to identify this subset, ensuring the qualification's assessment is integrated in the most appropriate way.
- Awarding bodies should make clear in their marking criteria which grade boundary for the integrated assessment represents a pass grade for the EPA.

Independence of the EPA

- Where assessments are integrated, they should uphold the principles of independent assessment which underpin the EPA. Integrated assessments should be set by the qualification's awarding body and cannot be solely delivered and marked by someone who has taught the cohort or has a vested interest in the assessment outcomes.

Proposals for mandatory qualifications

1. General principles of the new criteria

1.1. QUALIFICATIONS CAN BE MANDATED WHERE THERE IS A REGULATORY, PROFESSIONAL BODY, OR LABOUR MARKET REQUIREMENT

1.1.1. The simplified criteria

Feedback we have received from Trailblazers on the current criteria (please see Annex A for an overview) has indicated that they are confusing and difficult to apply. We intend to simplify the principles that sit behind qualification mandates, to make our expectations clearer and the criteria easier for those developing apprenticeships to follow.

To this end, we propose that qualifications should be mandated for one of the following three reasons:

- **Regulatory requirement**

This is a qualification required by a regulator, often to confer a formal licence to practise the occupation.

- **Professional body requirement**

This is a qualification required for professional registration with a professional body.

- **Labour market requirement**

These qualifications are required by employers in the labour market on such a widespread basis, that an apprentice would be at a significant disadvantage without it.

1.1.2. Structure for off-the-job training and qualifications which provide 'fuller occupational coverage'

Under the current criteria, qualifications which provide structure for off the job training could also be mandated under what is known as 'Type 2' (please see Annex A for a summary). Qualifications which provide 'fuller occupational

coverage assisting in achievement of the whole occupational standard, that is more duties, knowledge and/or skills that is likely to be covered in the workplace' could also be mandated.

We believe that these reasons are, in isolation, insufficient to signal necessity. The occupational standard is designed to give full occupational competence, and the EPA attests to that. The occupational standard should, therefore, include all the KSBs necessary to be competent, and qualifications offering additional content or structure for the apprenticeship should not be necessary. If employers believe the qualifications are delivering essential content, then that content should be incorporated into the occupational standard.

In the case of mandating a qualification to provide structure for off-the-job training, this purpose seems more closely aligned with the teaching and delivery of the training. We think it is rightly the responsibility of the centre or training provider to design a training programme to best meet the needs of their students. We propose that, in future, qualifications should only be mandated because they deliver something essential to the apprentice in order to secure employment post-apprenticeship – whether that is to meet the needs of a regulator, professional body, or the labour market. As such, we do not think providing structure for training is a sufficient reason to mandate a qualification.

The effect of these proposals would be the removal of 'Type 2' from our current criteria. It is important to note that a qualification could still fulfil one of these purposes – a qualification required by a regulator, for example, may also provide additional structure to the delivery of the off-the-job training. However, this should not be the sole reason for mandating a qualification.

Q1: To what extent do you agree that qualifications should only be mandated where they fulfil a regulatory, professional body, or labour market requirement?

Q2: To what extent do you agree that qualifications which provide 'fuller occupational coverage' or provide structure for off-the-job training should not be mandated on this basis alone?

1.2. EVIDENCE OF NECESSITY

1.2.1. Strengthening the evidence requirements for regulatory and professional body qualifications

Currently, we require relatively little evidence of necessity to be submitted to justify the inclusion of a mandated qualification. To protect the integrity of apprenticeships and ensure only necessary qualifications are funded and delivered to apprentices, we think it is appropriate to strengthen our current evidence requirements.

Regulatory requirement

For qualifications being mandated on a regulatory basis we currently require information on the relevant legislation or a letter from the regulator. While this is usually sufficient, we have been made aware of instances where the qualifications that get delivered to learners are not those intended by the regulator. While this is likely largely due to the generic nature of some qualification mandates, to further reduce the risk of this occurring in future, we propose that any evidence submitted should include the specific regulation that refers to required qualifications. This will help us to ensure that any qualification which is mandated will fulfil regulatory requirements. We would expect that any qualification mandated on a regulatory basis would feature on the regulator's published list of accepted qualifications, as per the [Professional Qualifications Act 2022](#).

Professional body requirement

We currently require a letter of support from a professional body to evidence that the qualification is required for professional registration. We also [provide a template](#) to set out what information could be included in such a letter.

We think there is merit in being more explicit about our expectations of professional body evidence and propose to bring the contents of the template letter into the criteria themselves. This will help employers and professional bodies understand how to meet the evidence requirement more easily.

We therefore propose that our criteria and guidance set out the following for inclusion in the professional body evidence submitted:

- Evidence of the value and necessity of professional body registration at

the appropriate level, when entering a given occupation

- Confirmation that the professional body has worked with the trailblazer group to develop the occupational standard to align the apprenticeship with the body's professional standards for recognition.
- Confirmation that an apprentice successfully completing the apprenticeship would be eligible for registration, and an indication of the level of membership (if applicable).
- Confirmation that the named qualifications included in the mandate are an essential requirement for professional registration. This should explicitly reference the qualifications required to meet the professional body's requirements.

By doing this, along with the other proposals set out in this consultation, we can ensure that apprentices are undertaking the correct qualifications to satisfy regulatory requirements or to be accepted as a member of a professional body.

Q3: To what extent do you agree with our approach to include more specific evidence criteria when mandating a qualification due to regulatory or professional body requirements?

Labour market requirement

In addition to regulatory and professional body requirements, we propose to allow qualifications to be mandated where an apprentice would be at a significant disadvantage in the labour market without a specific qualification.

We currently describe this as the 'hard sift' criterion, with the evidence requirement as follows:

-
- *10 job adverts from employers that are representative of the sector including small employers (fewer than 50 [employees]), showing the qualification as an entry requirement; and*
 - *evidence of support for inclusion of the qualification via your consultation on the occupational standard*
-

We think that the current requirements do not recognise the full range of evidence which may support the need for a qualification associated with the labour market criteria. We are also aware of situations where the availability

of a small number of job adverts is at odds with wider employer sentiment or common industry practice. The number of job adverts required will not be appropriate for all occupations, and the 'evidence of support for inclusion of the qualification' too often takes the form of a letter of support from a small number of employers. We propose, therefore, to introduce a more rounded assessment of the necessity for a qualification due to a labour market need, to ensure that there is significant employer demand for the qualification. To achieve this, we think that an employer evidence pack should be submitted, which contains evidence:

- of the demand for the specific qualification in recruitment practices in the given occupation. This should be from a representative range of employers. Without prescribing the nature of this evidence we expect it could include:
 - Employer responses to consultations on the apprenticeship design
 - Job adverts, job descriptions and other labour market information
 - Completion and progression information
- of how employers have been engaged, and can continue to be engaged, in the design and development of the qualification to ensure it continues to meet their needs.

We propose that all labour market evidence which is submitted should be referenced and explained in a short rationale, which provides the narrative for including the qualification in an apprenticeship. This rationale should include an explanation of how the evidence has been chosen, together with substantiating the approach to employer engagement and explaining how the evidence demonstrates that there is a labour market need for the mandated qualification.

We do not propose to prescribe precisely what evidence needs to be submitted, but will provide examples of the kinds of evidence that might be used. This evidence may still include examples of job adverts requiring the qualification or letters of support, as long as this is explained in the rationale and supported by other evidence in order to meet the criteria outlined above.

Q4: To what extent do you agree with our proposals for requiring evidence of labour market demand for a mandatory qualification? We have made some suggestions of the kinds of evidence we would expect to see submitted – in your response, we would be interested to hear of other sources of evidence which could be used to evidence employer demand.

Coherence with qualification approval processes

The approach we have set out here aligns with the approach taken in the Higher Technical Qualifications (HTQs) approvals process. We would expect there to be a high degree of similarity between the qualifications which have been approved as an HTQ, and the Level 4 and 5 qualifications which are mandated as part of an apprenticeship. Where employer evidence has been reviewed as part of the HTQ approvals process, we would anticipate that this evidence would also satisfy requirements for a mandated qualification.

Where a qualification has ultimately not been approved as an HTQ, this should inform decisions for its suitability as a mandated qualification. In many circumstances, delivering a qualification which has not been approved would be inappropriate, for example where there is not enough evidence of employer demand, or the qualification does not adequately support progression.

However, there may be a small number of instances where a qualification has not been approved as an HTQ, but would still be suitable for deliver to apprentices. For example, a L4 or 5 qualification may not be able to deliver as close to full competence in a classroom setting and therefore not be approved as an HTQ. The need for full competence to be delivered in a classroom is lower for apprenticeships, where the extensive and highly valuable workplace experience and on-the-job training will deliver considerable learning to ensure an apprentice's competence.

We would not want to create a system whereby low-quality qualifications are being delivered to apprentices. They should be undertaking equally high-quality qualification as their peers, to ensure that they are not disadvantaged when competing in the labour market. As such, should IfATE introduce approvals processes for other groups of qualifications in the future, we would give careful consideration to how the outcomes of those reviews should inform mandatory qualification decisions, so as not to undermine the integrity of the apprenticeship and ensure that employers' needs continue to be met.

Q5: To what extent do you agree that where a qualification has not been approved through any current or future approval process, that outcome should inform decisions about its suitability for use in an apprenticeship.

1.3. MANDATES MUST BE SPECIFIC, WITH SPECIFIED QUALIFICATIONS DEMONSTRATING RELEVANCE THROUGH ALIGNMENT WITH THE OCCUPATIONAL STANDARD

1.3.1. Generic or broad mandates

Currently, qualifications are sometimes described in a generic or broad way. It is unclear in mandates such as these which qualifications would meet the requirement as they could potentially capture a wide variety of qualifications, causing confusion. Evidence suggests that apprentices are often undertaking qualifications other than the ones intended by employers when creating the apprenticeship.

For example, the [Installation Electrician and Maintenance Electrician standard](#) currently requires apprentices to have achieved ‘the Level 3 Electrotechnical Qualification, (Installation) or (Maintenance).’ We have found that a range of qualifications have been taken to fulfil this mandate, whose titles and level do not correlate with the mandate. Examples of qualifications which were taken by apprentices include a Level 3 Diploma in Engineering, a Level 3 Advanced Technical Diploma in Engineering, and a Level 2 Diploma in Performing Engineering Operations.

Not listing specific qualifications increases the risk of apprentices undertaking the wrong qualifications. This is true even where mandates specify a title, as we have seen above. Furthermore, where qualifications share a title but are offered by different awarding bodies, they may be of different sizes and are likely to cover or sample different content. We think this introduces an issue of comparability and fairness when it comes to the assessment of apprentices. As the qualification design could vary considerably, there could be instances where some apprentices are being unfairly advantaged or disadvantaged as a result of generic or broad mandates – for example where one qualification is smaller, covers less demanding content, or has a lighter assessment burden than the one intended.

We therefore propose to work with Trailblazers to specify exactly which qualifications should be mandated in the apprenticeship. Where there are several qualifications which could fulfil a requirement, they should all be listed. This will make clear exactly which qualifications are intended by the mandate, removing confusion and the risk that apprentices undertake

qualifications other than the ones intended.

1.3.2. Aligning with the occupational standard

The occupational standards have been developed to deliver the KSBs that are necessary to be competent in a role. Therefore, we propose that the content of mandated qualifications should align with, and not go wider than, the KSBs set out in the occupational standard. This will help to ensure that the right content is being delivered to apprentices, that qualifications are delivering the KSBs required by employers, and that there is fairness and consistency across apprenticeships.

Q6: To what extent do you agree that a qualification mandate should specify exactly which qualifications can be used to fulfil the mandate?

Q7: To what extent do you agree that qualifications should align with, and not go wider than, the KSBs set out in the occupational standard?

1.4. QUALIFICATION LEVEL

Currently, under 'Type 2', qualifications at a higher level can be mandated. As we are proposing to remove 'Type 2' from the criteria, we wanted to make clear our expectations around the level of qualifications in the revised criteria. We propose that the level of a mandated qualification should be the same or lower than the level of the apprenticeship. We think this will ensure that the level of demand of the qualification and its assessments is appropriate and prevent qualifications being a barrier to completion.

We think mandating a qualification at a higher level introduces issues of fairness for the apprentice and their achievement. For example, an apprentice learner could operationally be at the right level but find themselves unable to complete their apprenticeship because they are unable to achieve the higher-level qualification. A higher-level qualification could require a higher level of literacy or numeracy than the apprenticeship warrants, again introducing a potential barrier for apprentices being able to complete the qualification, and therefore their apprenticeship.

As such, we propose that all mandated qualifications be at the same or lower level than the apprenticeship. We think it is reasonable and often necessary for apprentices to undertake qualifications at a lower level than the standard, for example health and safety qualifications which allow them access to the

workplace. We therefore do not propose to prevent qualifications at a lower level being mandated where necessary.

Q8: To what extent do you agree that mandated qualifications should be at the same or lower level as the apprenticeship?

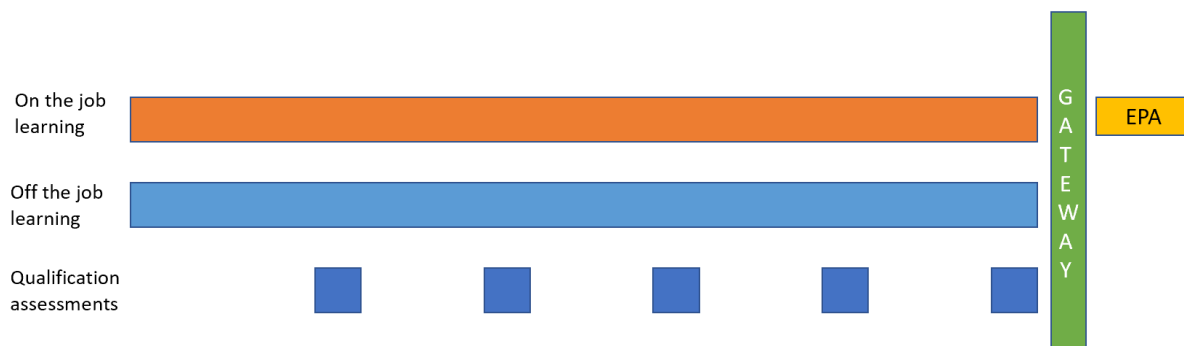
2. Integrating qualification assessments with the apprenticeship's End-Point Assessment

2.1. QUALIFICATION ASSESSMENTS SHOULD BE INTEGRATED WITH THE END-POINT ASSESSMENT (EPA) WHERE POSSIBLE

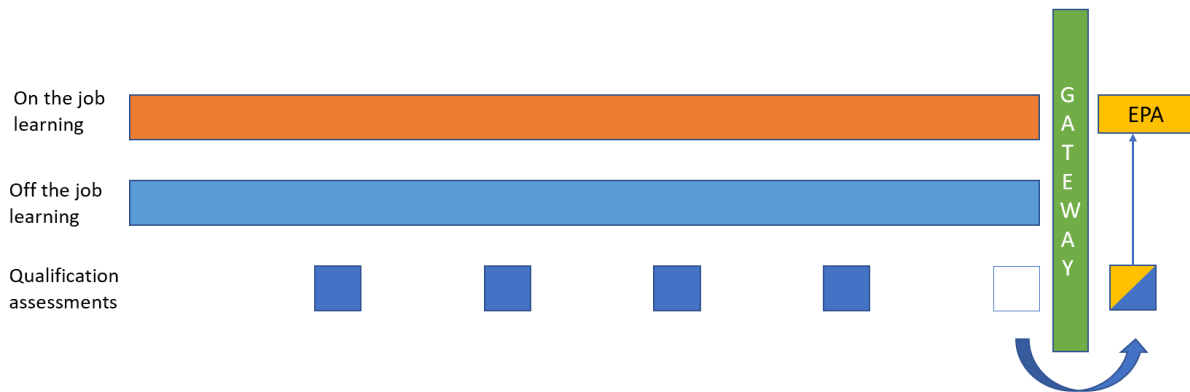
EPA is the most effective way to assess an apprentice's competence and ability to apply and demonstrate the knowledge, skills and behaviours they have gained over the course of their apprenticeship. The synoptic EPA is supported by employers, and has become a core feature of new apprenticeship standards because it assesses the apprentice's performance across the whole standard, rather than deducing competence from an accumulation of discrete tasks.

To reduce the risks of incompleteness, over-assessment of learners, and to further strengthen the currency of the EPA, we propose that (where possible) at least one of a mandated qualification's assessments should be integrated into the EPA. This integrated assessment would, in effect, become one of the EPA's assessment methods, contributing to the overall outcome of the EPA.

This would mean that the qualification could only be awarded post-gateway, reducing the time between qualifications being taken and completing the EPA. Gateway is the point in an apprenticeship where the employer, provider and apprentice have agreed that an apprentice is occupationally competent and therefore ready to undertake their EPA. As an integrated qualification will, in effect, be serving as the assessment tool for part of the EPA, we think it is important that at least one of the qualification's assessments takes place after this point too. This will help reduce the risk of apprentice learners not completing their apprenticeship, and will ensure that they continue in their careers with the best evidence of the knowledge, skills and behaviours they have acquired over the course of their apprenticeship.



In the current model, where a qualification is not integrated, the learning delivered both on and off the job all occurs before Gateway. Gateway is the point at which an employer decides the apprentice is ready to take their End-Point Assessment. Assuming the qualification is delivered in a modular way, there will be assessments at intervals throughout the duration of the apprenticeship. An apprentice must have completed all their learning and all of a qualification's assessments pre-gateway.



In the integrated model, at least one of the assessments must occur post-Gateway. This brings the awarding of the qualification and the EPA together, to remove the risk of apprentices leaving before completing their apprenticeship. The qualification and EPA will continue to be awarded separately, however the awarding will be brought into the same time period to reduce the risk of incompletions. The integrated assessment will contribute to the EPA grade, and therefore the overall apprenticeship outcome.

There may be circumstances where integrating a qualification's assessments into the EPA would not be appropriate, for example, where a qualification is needed early on in a learner's apprenticeship (such as a health and safety qualification needed to access the workplace). For such qualifications, it may be appropriate to deliver and assess that qualification pre-gateway, or for those KSBs to be reassessed as part of the EPA.

Integration would also further reduce the over-assessment of learners. As the qualification would act as one of the EPA's assessment methods, and would assess a defined subset of the KSBs, those KSBs would not need to also be assessed by another EPA method. We would therefore expect that the KSBs assessed by the integrated qualification would not be assessed by another EPA assessment method. We note that there may be circumstances where it is appropriate to duplicate assessment - for example an element of safety might be assessed by a qualification on-programme, but it would be inappropriate to allow an apprentice to pass another part of the EPA where they have demonstrated unsafe behaviour.

Accountability for the award of the integrated qualification must be made clear in the apprenticeship's End-Point Assessment Plan and the qualification's specification and/or other supporting documentation. In applying the criteria, awarding bodies would still need to be compliant with the rules and regulations of other organisations, for example Ofqual and industry regulators, where applicable.

Q9: To what extent do you agree that where possible, a qualification should be integrated into the EPA?

Q10: We have identified some scenarios in which integration might not be appropriate or possible. If you have further examples, please provide details to support our policy development around integration.

2.2. INTEGRATED ASSESSMENTS MUST ASSESS THE SAME SUBSET OF THE KSBs

As explained earlier in this consultation, we propose to no longer permit broad, generic mandates. This does not mean that trailblazers may only mandate one qualification. Where there are several qualifications which would fulfil the same requirement, we are asking that they are listed in the standard for clarity. We have created a series of diagrams to illustrate our proposed approach to integration (Annex B).

Where more than one qualification is mandated, and where those qualifications fulfil the same purpose, we propose that the integrated assessment must assess the same subset of KSBs. This will ensure fairness and consistency across the apprenticeship offering, no matter where you undertake your apprenticeship or which qualification your provider uses. It will also support the integration of qualification assessments into the EPA, removing unnecessary complexity.

In most cases, we would expect that the EPA would continue to be the key method by which apprentices are assessed. Alongside the new criteria, we propose to introduce some guidance around the size of the assessments which are integrated into the EPA. The size of the integrated assessment should support the prioritisation and importance of the EPA in assessing apprentices, while ensuring that assessment is not unnecessarily duplicated across the EPA and the qualification. We recognise that in some circumstances it may be appropriate for the integrated assessment to be the key assessment method. We would work with Trailblazers ensure the right

balance is struck between the EPA and the qualification's assessment.

We propose that only one subset of KSBs for assessment by integrated qualifications should be identified per standard. This will prevent there being several 'holes' in the KSBs, being assessed by a number of different qualifications. Having multiple KSB subsets would undermine the principles of the policy, particularly around over-assessment and undermining the EPA as a robust and valid mode of assessment. It will also make the process of integration disproportionately complex. It is important to note that this would still allow for non-integrated qualifications to be mandated and assess a different subset of the KSBs, for example essential health and safety qualifications.

To further simplify integration, we propose that multiple, smaller qualifications cannot be integrated in order to assess the identified subset of KSBs. Such an approach would introduce unnecessary complexities for integration. This proposal would, again, still allow for qualifications that are not integrated to be mandated.

We have trialled this approach and found this to be the most effective and manageable method of integrating qualification assessment into the EPA. While the above describes our preferred approach to integration, we would welcome responses which outline alternative approaches.

Q11: To what extent do you agree that all integrated assessments should assess the same subset of KSBs?

Q12: To what extent do you agree that the defined subset of KSBs cannot be assessed by multiple smaller qualifications?

Q13: To what extent do you agree that only one subset of the KSBs should be identified for assessment by integrated qualifications?

Q14: We have set out our preferred approach to integration and one we know to work. We would welcome your thoughts on how this approach might work for you and any alternative modes of integration you might wish to propose.

2.3. GRADING

For EPA, at least one assessment method must have a grading structure that includes at least one level above a pass. This ensures that results attest to a competence threshold (the passing grade) but also allows users of the

apprenticeship to differentiate between learners' attainment (the grade or grades above a pass). A pass overall, therefore, represents full competence in the occupation, while higher grades represent greater proficiency.

We propose that, rather than introducing criteria around the grading of a qualification, that the EPA's assessment plan makes clear which of the qualification's grade boundaries is equal to a pass which represents occupational competence. Where appropriate, assessment plans should also indicate alignment between a qualification and EPA's grades above a pass. This would allow an integrated qualification to continue to operate with grading models that are different to the EPA.

Q15: To what extent do you agree that the EPA's assessment plan should indicate which of the integrated qualification's grade boundaries should attest to occupational competence?

3. Securing the independence of the EPA

The independent nature of assessment is fundamental to EPA. To ensure that all apprentices are treated fairly and to maintain trust in the robustness of the EPA system, the decision of whether an apprentice has passed their EPA (and what their final grade should be) must be taken by someone who has no vested interest in this decision, or relationship to the apprentice.

Where a qualification's assessments are integrated, we think it is important that they uphold this principle of independence, to retain the integrity of the EPA. What follows are a number of proposals to support this position.

The rules in place around the external quality assurance (EQA) of apprenticeship EPA would support many of the underpinning principles of the below. However, we think it is important to make clear our expectations of how integrated qualification assessments would be compliant with these rules, by setting out some key principles in our criteria. This will make complying with the EQA framework easier, as well as promoting consistency and fairness.

3.1. INTEGRATED ASSESSMENTS MUST BE SET BY THE AWARDING BODY

A qualification's assessments are not always set directly by an awarding organisation. They can be set at centre level by tutors and other staff delivering programmes. We propose that, in order to promote consistency,

fairness and validity of assessment, the integrated assessments for all integrated qualifications should be set by the awarding organisation. This approach will improve user, particularly employer, confidence in the outcomes of assessments - where qualifications are set at a centre level, it introduces the risk that not all apprentices will have comparable outcomes. While EQA will go some way to secure this, to make standardisation easier and to ensure that assessment is fair to all apprentices, integrated qualification assessments should be set by the awarding organisation.

Q16: To what extent do you agree that awarding bodies setting the qualification's integrated assessments is the best way to protect the independence and reliability of the EPA?

3.2. ADAPTATION OF INTEGRATED ASSESSMENT TASKS IS NOT PERMITTED

Currently, an awarding body's policy may permit those delivering qualifications to make adaptations to an assessment task or questions. For example, a centre might adapt the context or structure of an assessment, or replace tasks with others that they think are better suited to their learners. To promote consistency, we do not think this should be permitted for integrated qualification assessments. It not only introduces issues of fairness, but also makes integration and standardisation difficult and unstable, by introducing additional complexity to take account of.

Please note that this proposal does not apply to making reasonable adjustments in order to remove a barrier for a learner with a disability. Awarding bodies would still need to comply with the [Equality Act 2010](#) in this regard, as well as their own policies.

Q17: To what extent do you agree that it is fairer to apprentices if we do not allow awarding bodies to permit centre adaptation of an integrated qualification's assessments?

3.3. WRITTEN AND ON-SCREEN ASSESSMENTS

In order to prevent malpractice and to ensure the independence of the EPA, we propose that for integrated assessments, written and on-screen assessment may not be conducted solely by a person who has delivered the assessment's content to the learner(s).

This proposal promotes assessment security, while allowing enough flexibility for other centre staff to deliver the assessments and therefore not introducing excessive burden. Under this proposal, the tutor who has delivered the content may be one of the assessors, but they cannot be the sole assessor – meaning that they must be accompanied by at least one other person with sufficient independence to ensure fair and valid assessment.

Therefore, we propose that at least one assessor must be suitably independent – they cannot be connected to the apprentice, have been involved in the management or training of the apprentice, or have a vested interest in the outcome of the assessment.

Q18: To what extent do you agree that, for integrated written and on-screen assessments, at least one assessor must be independent in accordance with the description in the proposal?

3.4. PRACTICAL ASSESSMENTS

As with the previous proposal, it is important that integrated qualifications' assessments retain the independence of the EPA. However, we are keen to not introduce any unnecessary burden to centres delivering the qualifications. As such, for integrated practical assessments, we propose that they are assessed by a person suitably qualified to make assessment judgements, but who has not delivered the content to the learners being assessed. This allows for a number of arrangements to be made, including using staff with sufficient experience who have not taught that cohort, or the use of external assessors.

Where to make such arrangements would present significant challenges to a centre (for example, particularly remote centres, or where a niche occupation means a lack of availability of independent assessors) then the tutor who has delivered the content may deliver the assessment, providing they are not the sole assessor. The second assessor does not necessarily need to be suitably qualified to make assessment decisions, but must be sufficiently independent to ensure valid and accurate assessment takes place. This arrangement must be by exception only.

Q19: To what extent do you agree that integrated practical assessments must be conducted by a person suitably qualified to make assessment judgements, but who has no vested interest in the apprentice's or the assessment's outcomes?

Q20: To what extent do you agree that, where such arrangements would

present significant challenges to a centre, the tutor who has delivered the content may deliver the integrated assessment, provided they are joined by at least one other assessor who is sufficiently independent. Please provide examples of any potential challenges in your response, where applicable.

3.5. ASSESSMENT MARKING AND GRADING

To ensure marking judgements are fair and accurate, and uphold the principles of the EPA, we think that all marking of all integrated assessments, whether written, on-screen, practical or any other means, must be marked or graded by someone sufficiently independent. By this, we mean they must be marked by the awarding organisation, independent persons appointed by the awarding organisation, centre staff who are sufficiently qualified and independent (i.e., have no vested interest in the outcome of assessment judgements) or a combination of the above. This approach will retain the independent nature of the EPA, while allowing sufficient flexibility so as to not introduce excessive burden to centres and awarding bodies.

Q21: To what extent do you agree that integrated assessments must be marked or graded by the awarding organisation, independent persons appointed by the awarding organisation, centre staff with sufficient independence, or a combination of the above?

4. Impact Assessments

Q22: With reference to the General Impact Assessment (Section 4.1), are there any other impacts, including costs, savings or benefits, which we have not identified? Please provide examples, data and/or evidence where possible.

Q23: With reference to the General Impact Assessment (Section 4.1), are there any additional steps that could be taken to mitigate any negative impact, resulting from the proposed approach to approvals? Please provide examples, data and/or evidence where possible.

Q24: With reference to the Equality Impact Assessment (Section 4.2), are there any other potential impacts (positive or negative) that have not been identified? Please provide examples, data and/or evidence where possible.

4.1. GENERAL IMPACT ASSESSMENT

We have undertaken a provisional assessment of the general impact of updating our mandatory qualifications criteria. We have focused this on the main groups of people or organisations we determined may be the most likely to be impacted, positively or negatively, by our proposals.

Employers

Employers have played a central role in developing the occupational standards against which we propose that mandatory qualifications should align. Our proposals will ensure apprentices are undertaking qualifications which assess the knowledge, skills and behaviours that employers have told us are required for the given occupation. This will give employers confidence that their apprentice employees have the skills which are essential to growing the economy.

We are alert to the increasing demand we may place on employers – especially our member employers, such as our Trailblazers and Route Panel members – as we seek their input to accurately evidence and define the qualifications which are necessary in an occupation. We are reviewing our approaches to employer engagement and will continue to work with our employers to ensure we are able to maximise the expertise they bring to us, without them being over-burdened.

Apprentices

The proposals will ensure that apprentices are only taking the qualifications which deliver the essential knowledge, skills and behaviours for their chosen occupation. This will reduce the amount of superfluous content they may currently be expected to learn and be assessed upon, which might introduce unfair barriers to completion. Explicitly naming those qualifications will ensure that apprentices are only taking those qualifications which are necessary and highly valued by employers, regulators, or professional bodies. Our proposals will reduce the assessment burden on apprentices, where a mandated qualification's assessment is integrated into the EPA. As a result, we think our proposals will have significant positive impacts on apprentices.

We acknowledge that while moving one of the qualification's assessments post-gateway does not increase the amount of assessment undertaken by an apprentice, doing so may have an impact on assessment anxiety. This is because the same assessment would now count towards achievement of both the EPA and the qualification, and, while apprenticeship completion was always contingent on the qualification, a learner might perceive the stakes of that assessment to be slightly higher. We think that the benefits of this policy for apprentices, in terms of reducing the assessment burden overall, ensuring that they leave with the best evidence of the KSBs required by employers, and are only undertaking truly necessary qualifications (and therefore only truly necessary assessment) balances out this risk.

Awarding bodies

Awarding bodies may need to make some changes to their current qualifications in order to fulfil our mandate requirements. For example, qualifications will now need to be mapped to the KSBs and integrated assessments will need to assess the same subset of KSBs as other qualifications fulfilling the same mandate. For many technical qualifications, this will be the first time that there has been any signalling of alignment with the occupational standard. There will be new expectations on how employer demand for a qualification is evidenced, and it is likely that some of this evidence will need to be provided by awarding bodies. It is likely that awarding bodies will need to increase the resource dedicated to the redevelopment and mapping of qualifications. However, this approach is one that is being adopted across the technical education landscape, and so is not a burden being introduced by this programme alone – indeed much of this work may have already been undertaken in respect of another programme (for example, approval processes for HTQs) before the relevant occupational

standard and qualification mandate is submitted or revised. We have sought, wherever possible, to align our requirements with other programmes, so as to not introduce additional burden on awarding bodies.

Where qualification assessment is integrated with the EPA, an awarding body may need to update their assessment design to ensure the assessment covers the defined subset of the KSBs. There will also be resource and cost implications for delivering integrated assessments, which must uphold the integrity of the EPA. For some, this might be something as simple as moving one of the assessments post-gateway: the delivery of the qualification would remain unchanged apart from this. However, for others this may represent a more significant change. We are alert to this potential impact, but believe it is necessary to ensure that integration is as simple, effective and straightforward as possible.

Education and training providers

Any change to a qualification mandate, for example the removal of a qualification which does not meet the criteria, or a change in the assessment schedule of a qualification will likely result in some familiarisation costs for education and training providers. Our proposals for the independence of the integrated qualification's assessment may also have an impact. This may have implications for curriculum and assessment planning, resource allocation, programme management and staff training requirements.

One significant benefit to training providers is the clarity these proposals will bring to the provision of qualifications in apprenticeships. Training providers will have clear instruction on which qualifications would fulfil a mandate, removing the risk of learners undertaking the wrong qualifications. Integration will also work to remove the opportunity for withdrawals between qualification completion and EPA, and reduce the over assessment of learners. Both of these steps will have a positive effect on completion rates, and subsequently on apprenticeship accountability measures and funding linked to completion.

4.2. EQUALITIES IMPACT ASSESSMENT

The Public Sector Equality Duty

Under Section 149(1) of the Equality Act 2010, the Institute for Apprenticeships and Technical Education has a duty to have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it

The relevant 'protected characteristics' for the purposes of each element of the Public Sector Equality Duty are:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race (including ethnicity)
- Religion or belief
- Sex
- Sexual orientation

IfATE also needs to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status. This means that the first aim of the duty outlined at a) above applies to this characteristic but that the other aims outlined at b) and c) (advancing equality and fostering good relations) do not apply.

Limitations on assessing impact for certain protected characteristics

Information on sexual orientation, religion and beliefs, pregnancy, and gender re-assignment, are not collected as part of the Individualised Learner Record (ILR) required to be submitted to DfE. This means we do not have access to data on these characteristics, and we cannot fully assess whether the proposed approach is likely to have differing impacts on people with different characteristics in these areas. We are looking, as part of our work on EDI (equity, diversity and inclusion) at how we might better understand the EDI-related impact of technical qualifications on students, including what data awarding bodies might collect on any protected characteristics of learners enrolled on their qualifications. This will support our evaluation of impacts for particular groups.

The impact of our proposals

As outlined in the general impact statement, we believe that our proposals will significantly benefit learners, including those with protected characteristics. Specific mandates will ensure that apprentices are only taking the qualifications which employers view as necessary, and integration will reduce the assessment burden by reducing the amount of duplicate assessment. We also note that awarding bodies must comply with the requirements of equality law in relation to each of the qualifications it makes available, including the duty to make reasonable adjustment.

We recognise that while moving one of the qualification's assessments post-gateway does not increase the amount of assessment undertaken by an apprentice, doing so may have an impact on assessment anxiety. This is because the same assessment would now count towards achievement of both the EPA and the qualification, and therefore a learner might perceive the stakes of that assessment to be slightly higher. This is more likely to be true of learners with a disability, particularly some mental health conditions. We think that the benefits of this policy for apprentices, in terms of reducing the assessment burden overall, ensuring that they leave with the best evidence of the KSBs required by employers, and are only undertaking truly necessary qualifications (and therefore only truly necessary assessment) balances out this risk.

ANNEX A – Summary of the Existing Criteria

IfATE's [current mandated qualifications policy](#) allows a Trailblazer to mandate a qualification if it fulfils one of four criteria. These criteria have been in place since 2018 and can be summarised as follows:

- Regulatory

This is a qualification which confers a licence to practise, to be secured on completion of the apprenticeship. The evidence of requirement must include information on the relevant legislation or a letter from the regulatory body that requires it.

- Professional Standing

This is a qualification that a professional body requires for membership. This must be evidenced by a letter from the professional body or bodies.

- 'Hard sift'

These qualifications are required by employers in the labour market on such a widespread basis, that an apprentice would be at a significant disadvantage without it. Evidence of this includes 10 job adverts which require the qualification and support through trailblazer consultation with employers.

- 'Type 2'

This covers technical qualifications and short awards which are usually delivered off-the-job and are intended to add depth and breadth to an apprentice's study. These qualifications do not attest to occupational competence, and their assessment should not align with the knowledge, skills and behaviours assessed in the EPA. However, they may be mandated where they:

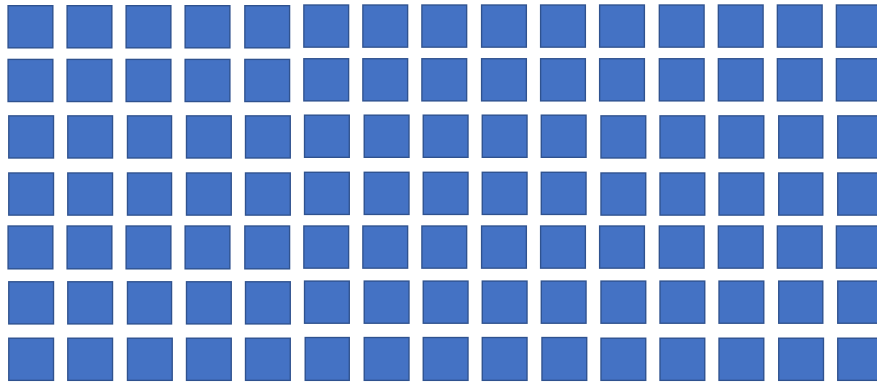
- Add no significant volume or cost to the off-the-job training required
- Provide fuller coverage of knowledge, skills and behaviours than can be covered in a workplace
- Provide structure for training where there is little history of this for the occupation

The mandatory qualifications policy also notes that the inclusion of mandatory

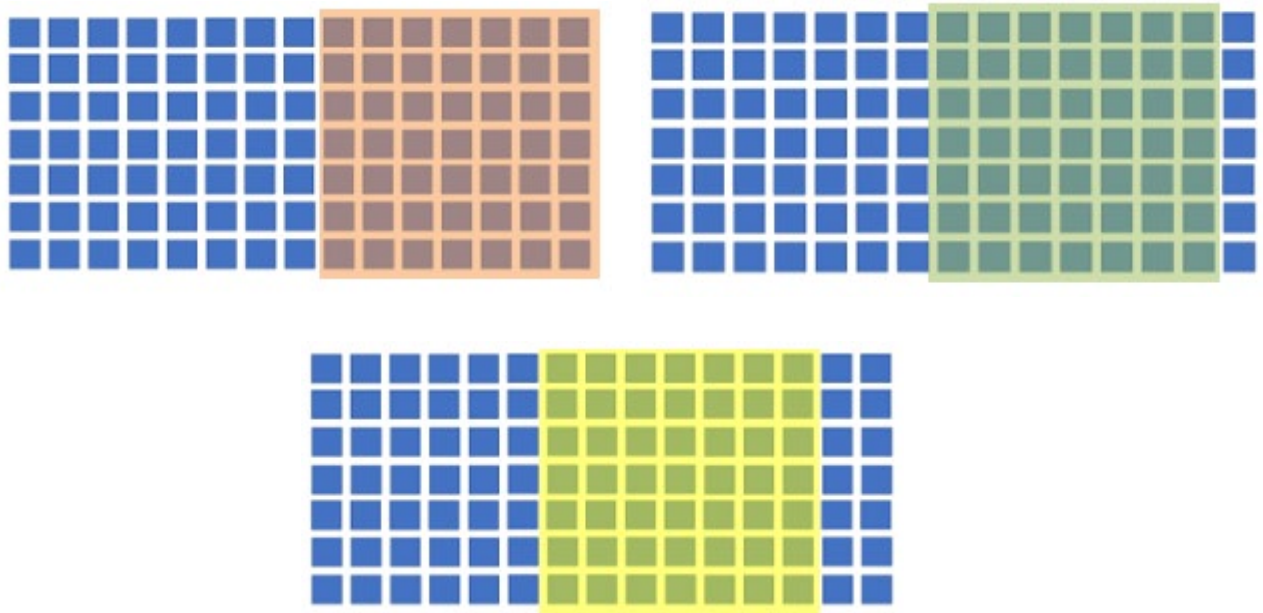
qualifications should usually only be a temporary measure, as the apprenticeship itself is designed to meet the occupational standard and deliver full competence. Over time, as apprenticeships and their EPAs gain currency, individuals will no longer be at a disadvantage by not having a specific qualification, and the need to mandate an additional qualification should fall away. However, we do recognise that in some situations, for example a fixed legislative requirement, this may not be possible.

ANNEX B – Explaining Integration

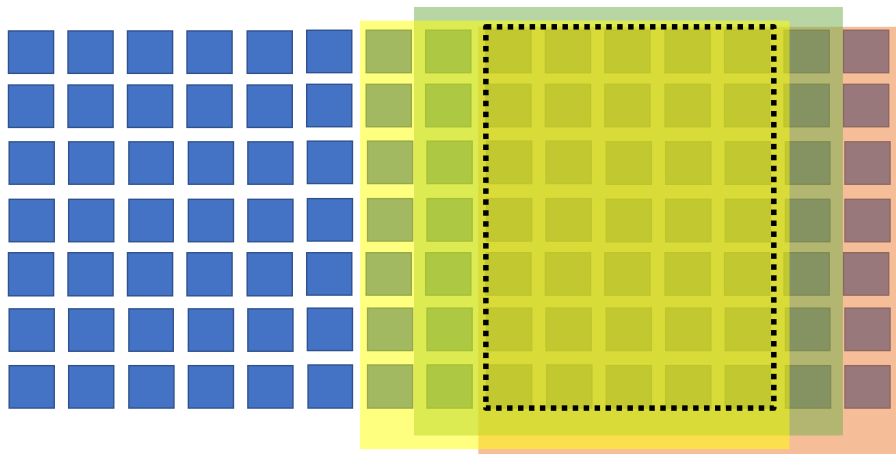
The following diagrams support our proposed preferred approach to integration, as set out in Section 2.



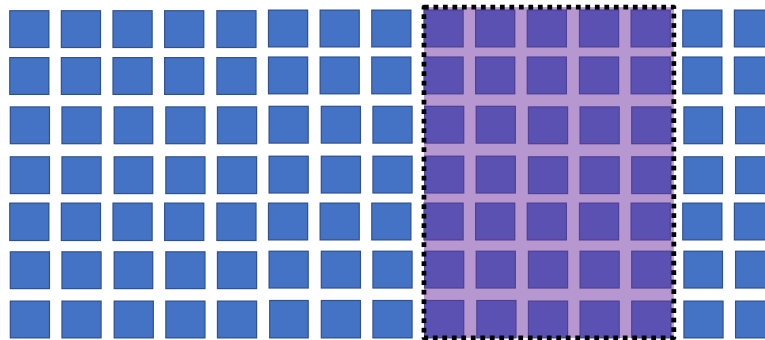
Each of the squares above represents one of the KSBs of an Occupational Standard. The apprenticeship which delivers these KSBs has a mandated qualification. This qualification is offered by three different awarding organisations. The qualifications all have the same title.



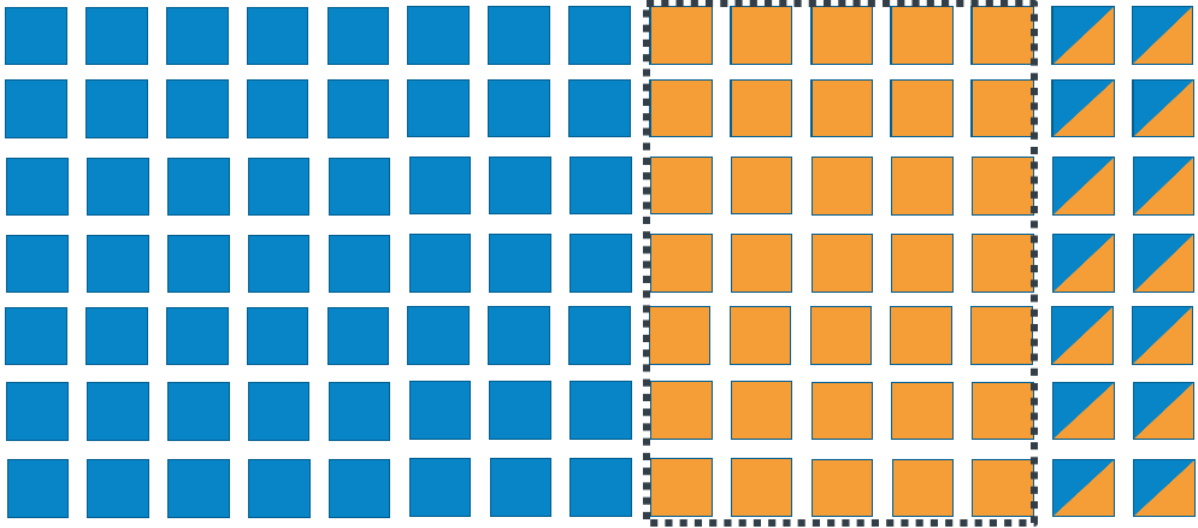
Qualification A aligns with the orange KSBs, Qualification B aligns with the green KSBs, and Qualification C aligns with the yellow KSBs. While all three qualifications align with the standard, they have slightly varying content. That they align with the standard at all is our first proposal relating to KSBs. This applies to all mandated qualifications, whether they are integrated or not.



We are proposing that any **integrated** qualification should assess a defined and shared subset of the KSBs.



In this example, it might look like the KSBs within the dotted line. We will work with trailblazers to strike a balance between ensuring the validity and promoting the currency of the EPA, and reducing the over-assessment of learners.



In the case of Qualification A, the integrated assessment would assess the orange KSBs within the dotted line. The blue KSBs would be assessed by the EPA alone. The KSBs shaded blue and orange would be assessed by both the EPA and the qualification's non-integrated assessment.

ANNEX C - Consultation responses and your data

Why we collect your personal data

As part of our consultation process, you are not required to provide your name or any personal information that will identify you. However, we are aware that some respondents would like to provide contact information. If you or your organisation are happy to provide personal data, with regard to this consultation, please submit your details at the relevant point of the consultation survey. We would like to hear as many views as possible and ensure that we are reaching as many people as possible.

If there is any part of your response that you wish to remain confidential, please indicate at the appropriate point in the survey, together with any reasons why you wish for the response to remain confidential.

Where you have requested that your response or any part remains confidential, we will not include your details in any published list of respondents. However, we may quote from the response anonymously to illustrate the kind of feedback we have received.

Your data

Your personal data:

- will not be sent outside of the UK unless there are appropriate safeguards in place to protect your personal data
- will not be used for any automated decision making
- will be kept secure

We implement appropriate technical and organisational measures in order to protect your personal data against accidental or unlawful destruction, accidental loss or alteration, unauthorised disclosure or access and any other unlawful forms of processing.

Your rights: access, rectification and erasure

As a data subject, you have the legal right to:

- access personal data relating to you
- object to the processing of your personal data
- have all or some of your data deleted or corrected

- prevent your personal data being processed in some circumstances
- ask us to stop using your data, but keep it on record

If you would like to exercise your rights, please contact us using the following email address: Enquiries.IFA@education.gov.uk

Freedom of Information Act and your response

Please note that information in response to this consultation may be subject to release to the public or other parties in accordance with access to information law, primarily the Freedom of Information Act 2000 (FOIA). We have obligations to disclose information to particular recipients including members of the public in certain circumstances. Your explanation of your reasons for requesting confidentiality for all or part of your response would help us balance requests for disclosure against any obligation of confidentiality. If we receive a request for the information that you have provided in your response to this consultation, we will take full account of your reasons for requesting confidentiality of your response and assess this in accordance with applicable data protection rules.

Members of the public are entitled to ask for information we hold under the Freedom of Information Act 2000. On such occasions, we will usually anonymise responses, or ask for consent from those who have responded, but please be aware that we cannot guarantee confidentiality.

If you choose 'no' in response to the question asking if you would like anything in your response to be kept confidential, we will be able to release the content of your response to the public, but we won't make your personal name and private contact details publicly available.

How we will use your response

We will use your response to help us shape our policies and decisions about apprenticeships and technical education. If you provide your personal details, we may contact you in relation to your response. We will analyse all responses and produce reports of consultation responses. In the course of analysis, we will where possible avoid using your name and contact details. We will only process the body of your response, but we are aware that in some cases, this may contain information that could identify you.

Sharing your response

We may share your response, in full, with the Department for Education, the

Education and Skills Funding Agency, Ofqual and the Office for Students where the consultation is part of work involving those organisations. We may need to share responses with them to ensure that our approach aligns with the wider process. Where possible, if we share a response, we will not include any personal data (if you have provided any). Where we have received a response to the consultation from an organisation, we will provide the name of the organisation that has provided the response, although we will consider requests for confidentiality.

Where we share data, we ensure that adequate safeguards are in place to ensure that your rights and freedoms are not affected.

We use Cognito Forms to collect consultation responses and they act as our data processor. You can view further details of this on our [Privacy Notice](#).

Your response will also be shared internally within IfATE in order to analyse the responses and shape our policies. Where we transfer any personal data outside the UK, we make sure that appropriate safeguards are in place to ensure that the personal data is protected and kept secure.

Following the end of the consultation, we will publish an analysis of responses on our website. We will not include personal details in the responses that we publish.

We may also publish an annex to the analysis listing all organisations that responded but will not include personal names or other contact details.

Our legal basis for processing your personal data

Where you provide personal data for this consultation, we are relying upon the public task basis as set out in Article 6(1)(e) of UK GDPR to process personal data which allows processing of personal data when this is necessary for the performance of our public tasks. We will consult where there is a statutory duty to consult or where there is a legitimate expectation that a process of consultation will take place. Where you provide special category data, we process sensitive personal data such as ethnicity and disability, we rely on Article 9(2)(g) of UK GDPR as processing is necessary for reasons of substantial public interest.

The identity of the data controller and contact details of our Data Protection Officer

This privacy information is provided by The Institute for Apprenticeships and

Technical Education (IfATE). The relevant data protection regime that applies to our processing is the UK GDPR [footnote 5] and Data Protection Act 2018 ('Data Protection Laws'). We ask that you read this privacy information carefully as it contains important information about our processing of consultation responses and your rights.

How to contact us

If you have any questions about this privacy notice, how we handle your personal data, or want to exercise any of your rights, please contact our data protection officer at Enquiries.IFA@education.gov.uk

We will endeavour to respond to any rights that you exercise within a month of receiving your request, unless the request is particularly complex, in which case we will endeavour to respond within 3 months.

Please note that exceptions apply to some of these rights which we will apply in accordance with the law.

You also have the right to lodge a complaint with the Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at:

ICO,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF

Tel: 0303 123 1113