



IfATE Institute for
Apprenticeships
and Technical Education

Shaping skills training

Consultation:

Strengthening the levels 4 to 6 technical education system

**Establishing a gateway for technical qualifications as part of the
Lifelong Learning Entitlement**

January 2024



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Foreword

Technical education is going through an ambitious period of reform. The Institute for Apprenticeships and Technical Education (IfATE) has a key role in this process: ensuring employer views are central to the skills system. IfATE has worked with employers to design and implement over 700 occupational standards, which set out the knowledge, skills and behaviours students need, to be successful in their chosen occupation. These standards underpin a range of [Apprenticeships](#) and [technical qualifications](#), including [Higher Technical Qualifications \(HTQs\)](#). Found on [IfATE's occupational maps](#), occupational standards are central to the reformed technical landscape: they're what employers tell us students need to be able to do, as competent members of the workforce.

IfATE has approved 175 HTQs at levels 4 and 5, with more in progress. Beginning in 2020, IfATE has also approved 18 level 3 [T Levels](#). Alongside this, approvals work has started on the new generation of reformed technical qualifications at levels 2 and 3, with the first available to students in Summer 2025.

IfATE-approved technical qualifications share one important feature: all are underpinned by clear evidence of employer demand. IfATE's work is delivering a clear and unified system for approving technical qualifications from levels 2 to 6, with employers at the forefront. The [2023 WorldSkills report](#) tells us that getting employers involved is critical to developing a relevant curriculum, effective training techniques, appropriate continuing professional development and strong employability skills. [IfATE's own research](#) backs this up, with 90% of employers surveyed telling us employer involvement leads to more valuable qualifications for the workforce.

At levels 4 and 5, the HTQ brand is quickly gaining trust among employers. Many providers are choosing to use IfATE's process to kitemark their qualifications. Those delivering kitemarked qualifications are benefitting from Department for Education (DfE) funding incentives, such as the [Growth Fund](#), [Skills Injection Fund](#) and, more recently, the [HTQ Modular Acceleration Programme](#).

The [Lifelong Learning Entitlement](#) (LLE) represents a transformational change to the way post-18 learning is funded. It will deliver a single funding system that enables people to train, retrain and upskill flexibly over their working lives. The LLE will promote a flexible, unified and high-quality education system. It will help achieve parity between the technical and academic, promoting social mobility and equality of opportunity throughout the country. As part of this, IfATE will ensure that technical qualifications are understood and wanted by employers, leading to successful employment outcomes for the students taking them. This consultation is a vital step towards realising these ambitious goals.

1. Purpose of this consultation

The [Lifelong Learning Entitlement](#) (LLE) will transform the post-18 student finance system in England. From September 2025, a single funding system will help people pay for college or university courses. In its [LLE consultation response](#) (March 2023, p.11), DfE set out that IfATE will operate an approval gateway for technical qualifications seeking LLE funding. This process will validate the quality of qualifications and employer demand for them, with successful applications via the gateway leading to LLE funding.

The [approval gateway](#) is the basis of this consultation. Gateway approval will be a mandatory requirement for new Ofqual-regulated qualifications to receive LLE funding. However, as with HTQs, qualifications regulated by Office for Students (OfS) can also benefit from the employer recognition associated with IfATE approval. IfATE is seeking stakeholders' views on: the qualification categories used for approval; criteria and guidance relating to modularity; and ways in which IfATE might ensure the new system is accessible for all users.

The proposed categories build on IfATE's [levels 2 and 3 work](#), enabling the approval of a broader range of technical qualifications at levels 4, 5 and 6. In doing so, IfATE will bring into scope further qualification types, in addition to HTQs, to bring about an expanded, high-quality technical offer.

IfATE approval will support the Government's ambition to give people the opportunity to study, train, retrain and develop skills throughout their lives, responding to changing industry needs and employment patterns. This is key to breaking the cycle of lower skills and lack of opportunity.

2. Who is this consultation for?

The consultation is for anyone with an interest in the technical qualifications system. It will most likely be of interest to those involved in qualification development or delivery but will also interest the employers and students using qualifications to develop their skills.

IfATE is consulting on the proposed approach to using statutory powers for approving technical qualifications, granted within the [Apprenticeships, Skills, Children and Learning \(ASCL\) Act 2009 \(as amended by the Skills and Post-16 Education Act 2022 \(the "Skills Act"\)\)](#).

Firstly, the consultation seeks views on the categories IfATE intends to specify at levels 4 to 6, to enable approval of a wider range of technical qualifications. To ensure these categories represent employer and student needs, IfATE seeks views on the suitability of the new categories to deliver positive outcomes in the skills system.

The consultation also seeks views on the following topics IfATE sees as essential to ensuring that approved technical qualifications deliver high-quality outcomes to students and employers:

- how to ensure that modules have currency within the job market
- how to ensure that the levels 4 to 6 qualifications system is accessible to users

Views received will mainly be used to inform the criteria and guidance IfATE sets for the approval of technical qualifications at levels 4 to 6, including HTQs. However, views from respondents may also be used to improve IfATE's functions in other areas of the market, such as for levels 2 and 3. IfATE's criteria and guidance are in addition to and seek to compliment qualification design and delivery requirements set for awarding bodies in regulation.

IfATE is seeking views from a broad range of stakeholders to ensure the development of an effective levels 4 to 6 technical qualifications system. The consultation will be of interest to:

- a. Employers
- b. Awarding bodies and their representatives, especially those offering technical qualifications needing IfATE approval to be eligible for LLE funding
- c. Colleges, training providers and universities, especially those delivering technical qualifications approved by IfATE
- d. Students
- e. Professional, statutory and regulatory bodies

Issue date:

16 January 2024

End date:

1 April 2024

Enquiries:

Please email any questions about this consultation to

lfateLLE.CONULTATION@education.gov.uk

Response:

IfATE will analyse the responses to this consultation with the aim to publish the findings on the [lfATE website](#) in mid-2024. Further information on IfATE's proposed timeline for the consultation, finalised policy publications and implementation can be found on page 7. [Responses can be provided until 23:59 on 1 April 2024 via an online form](#)

If you are unable to use the online system, for example, because you use specialist accessibility software that is not compatible with the system, you can request a copy of the form to be emailed to you, using the email address below. This can either be

completed and returned via email to the same address or sent to IfATE by post at the postal address below.

lfateLLE.CONULTATION@education.gov.uk

Institute for Apprenticeships and Technical Education
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2.1 Implementation

The outcomes of this consultation will be published in mid-2024, following analysis of the feedback. IfATE will then specify the new levels 4 to 6 categories, publishing criteria and guidance relating to the approval of technical qualifications within them. This will be done in good time to ensure that awarding bodies are able to develop high-quality, employer demanded technical qualifications in time for submission to the gateway, commencing in September 2025.

Where relevant, IfATE will also carry out amendments to other criteria and guidance, including for Higher Technical Qualifications and levels 2 and 3, reflecting any best practice identified through this consultation. Any amendments will be made prior to the commencement of a new cycle of approvals.

3. Executive summary

The [Lifelong Learning Entitlement](#) (LLE) will transform the post-18 student finance system in England. From September 2025, it will create a single funding system to help people pay for college or university courses, and train, retrain and upskill flexibly over their working lives. Within its [LLE consultation response](#) (March 2023, page 11) the Department for Education set out that, for Ofqual regulated technical qualifications seeking LLE funding, IfATE will operate an approval gateway. This will validate the quality and employer demand of the qualifications before funding is awarded.

It is this approval gateway which forms the basis of the consultation. The IfATE gateway will build on its existing approval work. Through the consultation, IfATE seeks views on: the categories it will use for approval; criteria and guidance it will set relating to modularity; and ways in which IfATE can ensure the new system is accessible for all users. Getting these areas right is key to building a strong, coherent levels 4 to 6 technical education system.

Section 4 details the intended categories framework. **This section is required reading when answering questions 1 to 11.** IfATE uses categories to enable its approvals, with these categories shaping the types of qualification IfATE will consider for approval. The section sets out different types of competence and their links to the proposed categories. The framework presented for consideration in section 4.3 builds on IfATE's existing work to approve [Higher Technical Qualifications](#), [T levels](#), and [levels 2 and 3 technical qualifications](#).

Section 5 sets out IfATE views on modularity. **This section is required reading when answering questions 12 to 17.** It sets out the need for clarity in the system to ensure modules are understood and used effectively. Section 5.1 looks at IfATE's role in sharing skills insights, specifically those relating to emerging skills areas. In section 5.2, IfATE presents a definition of a 'module outcome' to be used as part of approvals. The section then explores additional information that might be beneficial to aid users' comprehension of modules. Section 5.3 sets out module design principles. In this, IfATE proposes features for the design of modules. Whilst not being overly prescriptive, IfATE is keen to ensure modules within technical qualifications continue to demonstrate value in delivering competence to those who achieve them.

Section 6 details the need to promote accessibility within the levels 4 to 6 qualification system. **This section is required reading when answering questions 18 to 20.** Section 6.2 sets out IfATE's current approach to assessing Equity, Diversity and Inclusion (EDI) within its approvals. These are checks IfATE applies directly at the point of approval. In section 6.3, the consultation explores how system accessibility might be promoted in its broadest sense. Question 20 specifically is intended to invite views on how IfATE might use its unique position within the skills system to maximise the uptake and impact of levels 4 to 6 technical qualifications.

The consultation should be read alongside the [DfE's LLE gateway publication](#).

4. An expanded framework for approvals

4.1 Introduction to categorisation

IfATE occupies a unique position within the system, acting to ensure that technical qualifications deliver good outcomes for employers, students and the wider economy. IfATE approval is a signal of quality, confirming that technical qualifications have been developed using reliable, employer-specified occupational standards. Aligning technical education to these standards unifies the landscape, ensuring that all approved technical qualifications prepare students to operate competently in the workplace.

The [Apprenticeships, Skills, Children and Learning \(ASCL\) Act 2009](#) legally empowers IfATE to approve a range of technical qualifications within specified categories. It also sets out the tests IfATE must apply, known as statutory tests (section A2D5 of the legislation). IfATE currently uses these powers to approve a range of technical qualifications from levels 2 to 5.

IfATE works with its partners in DfE, Ofqual and OfS to deliver positive outcomes for students. In the context of the LLE, it is important that the system ensures those investing in modular training get access to meaningful learning that supports them personally and professionally. It is therefore vital IfATE has the framework to approve a broader range of technical qualifications at levels 4 to 6.

To achieve this, IfATE intends to specify a larger range of approval categories. This will include the tests used in the approval process. The new categories will be added to IfATE's levels 4 to 6 approval framework. They will sit alongside the current HTQ category.

Qualifications submitted for approval will go through a similar process to the one IfATE operates for levels 2 and 3 technical qualifications and HTQs¹. This process is kept under constant review, with IfATE always seeking to improve it. Information about the current [approvals process for Higher Technical Qualifications](#) is on IfATE's website.

The approval of technical qualifications using the new categories will form part of the DfE's wider [LLE gateway process from 2025](#). The DfE has confirmed that, in future, only Ofqual regulated technical qualifications approved by IfATE will be eligible for LLE funding via the qualifications gateway.

Qualification categories will be either:

- **occupation specific:** provide applied education and training designed to equip students with knowledge, skills and behaviours required to practice a particular

¹ T levels are approved using a different, single source procurement process.

occupation. For example, a qualification enabling someone to practice within a specific health-related occupation, such as a nursing associate **OR**

- **offer broader skills:** provide applied education and training designed to equip students with the knowledge, skills and behaviours required to work within an occupational area or industrial sector, for example, a qualification providing skills applicable across the health sector, such as in the use of machines or techniques that are used in a variety of different health occupations

These high-level category objectives match those set out by the Organisation for Economic Co-operation and Development (OECD). They are two of the three programme types recommended for the grouping of higher vocational and professional education².

A framework consisting of the categories described within this consultation will ensure IfATE can approve technical qualifications which meet a wide range of employment needs. Delivering a suitable range of employer-recognised education and training at levels 4 to 6.

4.2 Types of competence targeted by approval categories

The central purpose of technical qualifications is to develop competence. An expanded categories framework will enable IfATE to approve a broader range of qualifications that relate to occupational standards in different ways. These will target various types of workplace competence. This framework will broadly mirror the one already established for [approvals at levels 2 and 3](#). Using the OECD groupings, the types of competence intended to be targeted through IfATE's approvals are:

Occupation Specific: qualifications that provide applied education and training designed to equip students with knowledge, skills and behaviours required to practice a particular occupation:

- occupational entry competence: qualifications which deliver the knowledge, skills and behaviours that employers have identified as sufficient for a person to enter skilled employment, with a need for further learning or training in work to reach occupational competence, for example, the competence a student obtains from completing a Higher Technical Qualification
- additional specialist competence: qualifications which deliver knowledge, skills and behaviours that build on those that employers expect for occupational competence, so a person can work in a specialist area of an occupation. E.g., the competence a student obtains from completing a specialist qualification such as hybrid car mechanic

² [Pathways to Professions: Understanding Higher Vocational and Professional Tertiary Education Systems | en | OECD](#)

Current IfATE approvals use categories targeting occupational entry competence and additional specialist competence. **ANNEX A** contains details of the alternative approval test and additional specialist competence test.

Broader skills offer: qualifications that provide applied education and training designed to equip students with the knowledge, skills and behaviours required to work within an occupational area or industrial sector:

- cross functional competence: qualifications which deliver knowledge, skills and behaviours that can be found within a range of occupations, generally, this improves a person's competence, so they can perform a specific function. E.g., overseeing workplace health and safety, alongside their occupational competence
- competence supporting progression: qualifications which deliver knowledge, skills and behaviours that do not amount to occupational entry competence within an occupational area but may support progression within one or more occupations

Current IfATE approvals use categories targeting cross functional competence and competence supporting progression. **ANNEX A** contains details of the significant outcomes test.

IfATE believes that approving technical qualifications which target the range of different competence types will lead to a qualifications system that supports workplace entry, helping people to progress and specialise. These will be suitable for use by a variety of people, regardless of their starting point or learning needs.

4.3 Proposed categories to enable approval

Because IfATE already approves [HTQs](#), this consultation does not seek views on the appropriateness of the HTQ category. HTQs are approved using the alternative approval and employer demand tests, descriptions of which can be found at **ANNEX A**. Approved HTQs enable students to develop occupational entry competence, as well as preparing them to progress into higher related technical study.

To build on the success of HTQs and support the rollout of the LLE, IfATE intends to specify new approval categories. This builds on work done at levels 2 and 3. The principles for the specifying of categories at levels 2 and 3 were set out within the DfE's [Level 2 and below consultations](#) and [Level 3 consultations](#), followed by [IfATE's own consultation](#).

For levels 4 to 6, each proposed new category is set out below. IfATE is seeking views on the appropriateness of each category to allow approvals through the [post-2025 qualifications gateway](#). IfATE also seeks respondents' views on any other elements of the categories that could be strengthened to ensure IfATE approves a suitable, high-quality range of technical provision. The overall intention of the category framework is

to enable IfATE to approve a range of technical qualifications that meets the needs of employers, students and the wider economy.

IfATE expects the newly specified categories to be used from September 2025, in conjunction with the opening of the post-2025 qualifications gateway.

Diagram 1 (page 17) provides an illustration of the intended framework in its entirety.

Diagram 2 (page 18) provides an illustration of the coverage IfATE's full framework will offer in relation to the competence delivered through approved qualifications.

Category 1 - Professional Technical Qualifications:

Professional Technical Qualifications

Description: Qualifications delivering occupational entry competence based on standards specified at level 6 on the IfATE occupational maps. Qualifications approved within this category would allow someone to obtain as many outcomes from a level 6 occupational standard as could be achieved in a course of education and training.

Intention: Strengthening skills provision at levels 4 to 6 is essential to build viable technical education learning journeys. As a result, IfATE views this as important to ensure students and employers can access a range of provision at level 6, in addition to that currently offered through Higher Technical Qualifications at levels 4 and 5.

Relationship to occupational standards: Aligns to the KSBs within an occupational standard at level 6.

Competence targeted: Occupational entry competence.

Level: Level 6 qualifications approved against occupational standards at Level 6.

What this means for industry: The holder of the qualification is competent across most knowledge, skills and behaviours defined within the relevant occupational standard and can function effectively within the workplace in a relevant occupational role.

Indicative size: 120+ credits (This is not prescriptive. It has been included to support a general understanding of the category's intention).

Statutory tests applied:

- Alternative approval test
- Employer demand test

Example: A level 6 qualification delivering outcomes aligned to the biomedical scientist occupational standard, enabling a student to achieve the KSBs required to practice within a biomedical science profession.

Question 1:

Do you agree that IfATE should define a category of qualifications for approval that deliver occupational entry competence by aligning to an occupational standard at level 6?

Question 2:

Are there any other elements IfATE should consider when specifying this category, to ensure it delivers its stated intention?

Category 2 - Additional Specialist Technical Qualifications:

Additional Specialist Technical Qualifications

Description: Qualifications delivering specialist outcomes, for example, relating to an emerging or niche skill area. A qualification in this category will build on competence described within the relevant occupational standard and allow someone to work in a specialist area of the occupation.

Intention: As the pace of economic change increases, specialist skills become more important in technical education, for example, in ensuring appropriate qualifications are available to the workforce, to meet the challenges of creating a net zero economy. Additional specialist qualifications are essential to allow students to gain specialist competence in addition to those outcomes described within occupational standards. This creates a responsive system that reacts to rapid changes in industry and gives students a suitable range of smaller specialist qualifications to select from.

Relationship to occupational standards: Builds on the outcomes within an occupational standard and enables someone to specialise in an occupation, having achieved the specialist qualification in addition to their attainment of outcomes set out in the standard.

Competence targeted: Additional specialist competence.

Level: Approved against occupational standards at levels 4, 5 and 6. IfATE would expect the level assigned to the qualification usually to match the occupational standard the qualification relates to.

What this means for industry: The holder of the qualification is competent within a specialist area of industry and can effectively deliver in the specialist area.

Indicative size: 30 - 60 credits (This is not prescriptive. It has been included to support a general understanding of the category's intention).

Statutory tests applied:

- Additional specialist competence test
- Employer demand test

Example: A level 4 qualification covering specialist outcomes relating to dynamic cabling for offshore wind farms. It builds on the competence a student might achieve through completion of an apprenticeship or qualification aligned to the level 4 civil engineering senior technician occupational standard.

Question 3:

Do you agree that IfATE should define a category of qualifications for approval that deliver additional specialist competence by building on occupational standards at levels 4, 5 and 6?

Question 4:

Are there any other elements IfATE should consider when specifying this category, to ensure it delivers its stated intention?

Additional specialist qualifications build on occupational standards, delivering outcomes that allow someone to specialise. Occasionally, these outcomes may be at a higher level than the associated occupational standard. For example, the advanced beauty therapist occupation is level 3, but some specialist related learning outcomes may exist at level 4, such as delivering beauty related laser treatments. To ensure appropriate technical provision exists within the market, IfATE may consider the approval of specialist qualifications that build on a standard at a lower level. In doing so, IfATE would be required to balance the tension between ensuring consistency and clarity in the system with the need to approve products which meet employer demand.

Question 5:

Do you agree that IfATE should allow approval of additional specialist qualifications that build on a standard at the level directly below the qualification level? (if yes, please provide details of any areas in which you see this as a particular need)

Category 3 - Occupational Progression Technical Qualifications:

Occupational Progression Technical Qualifications

Description: Qualifications delivering outcomes selected from one or more IfATE occupational standards. These will indicate that someone can perform a workplace duty or set of duties, usually intended to support their progression within an occupational area or industry sector.

Intention: Future work roles are likely to integrate different functions in the economy, for example, Design, Implementation, Support, Logistics and Enterprise. Technical qualifications might therefore be required to mix duties or activities that require knowledge and skills not found within a single occupation. IfATE intends to approve technical qualifications which support student progression within or across occupational areas, but do not deliver entry competence in any one full occupation. IfATE believes this is important to ensure that students and employers have access to upskilling opportunities, especially those which cover different occupations on the IfATE occupational maps.

Relationship to occupational standards: Selectively covers outcomes from one or more occupational standards.

Competence targeted: Cross functional and/or progression competence.

Level: Approved against occupational standards at levels 4, 5 and 6. IfATE expects the level assigned to the qualification usually to match that of the occupational standard to which the qualification relates.

What this means for industry: The holder of the qualification is competent across a defined set of knowledge, skills and behaviours (KSBs) within the relevant occupational standard(s) and can effectively perform the duties relevant to these KSBs.

Indicative size: 60 - 120 credits (This is not prescriptive. It has been included to support a general understanding of the category's intention)

Statutory tests applied:

- Significant outcomes approval test
- Employer demand test

Example: A level 4 qualification in management and leadership which delivers outcomes from several different level 4 occupational standards, primarily in the business and administration route.

Question 6:

Do you agree that IfATE should define a category of qualifications for approval that deliver cross functional and/or progression competence by selectively covering outcomes from one or more occupational standards at levels 4, 5 and 6?

Question 7:

Are there any other elements IfATE should consider when specifying this category, to ensure it delivers its stated intention?

Category 4 - Employer Proposed Technical Qualifications:**Employer Proposed Technical Qualifications**

Description: Qualifications delivering occupational entry competence within an occupation recognised on IfATE's occupational maps but with no existing standard. The primary intention of this category is to ensure the IfATE approvals process has the flexibility to consider qualifications for approval in the absence of a published occupational standard.

Intention: IfATE approvals must ensure the technical education system can meet the pace of change within the economy. IfATE intends to approve technical qualifications which deliver occupational entry competence aligning to an occupation on the IfATE occupational maps which does not yet have a standard developed. This means IfATE can approve qualifications in the absence of a standard.

Relationship to occupational standards: Qualifications developed against a recognised occupation on IfATE's occupational maps for which there is no published standard.

Competence targeted: Occupational entry competence.

Level: Approved against recognised occupations at levels 4, 5 and 6. IfATE expects the level assigned to the qualification usually to match that of the occupation to which the qualification relates.

What this means for industry: The holder of the qualification is competent in the outcomes required to practice in the occupation and can function effectively in the workplace in the relevant role.

Indicative size: 120+ credits (This is not prescriptive. It has been included to support a general understanding of the category's intention)

Statutory tests applied:

- Significant outcomes approval test

- Employer demand test

Example: No example currently available

Question 8:

Do you agree that IfATE should define a category of qualifications for approval that deliver occupational entry competence against an occupation at levels 4, 5 and 6 where no occupational standard exists?

Question 9:

Are there any other elements IfATE should consider when specifying this category, to ensure it delivers its stated intention?

Question 10:

Do the intended categories exclude any qualifications which are of benefit to students and employers? (Please be as specific as possible)

Question 11:

Do the intended categories further the aim of improving accessibility and/or raise any equality issues regarding people with protected characteristics which IfATE should consider further?

Diagram 1: Diagram setting out the intended categories framework at levels 4, 5 and 6 in its entirety. Diagram illustrates the relationship between the intended categories, IfATE's occupational standards and the statutory tests that will be used for the purpose of qualification approvals.

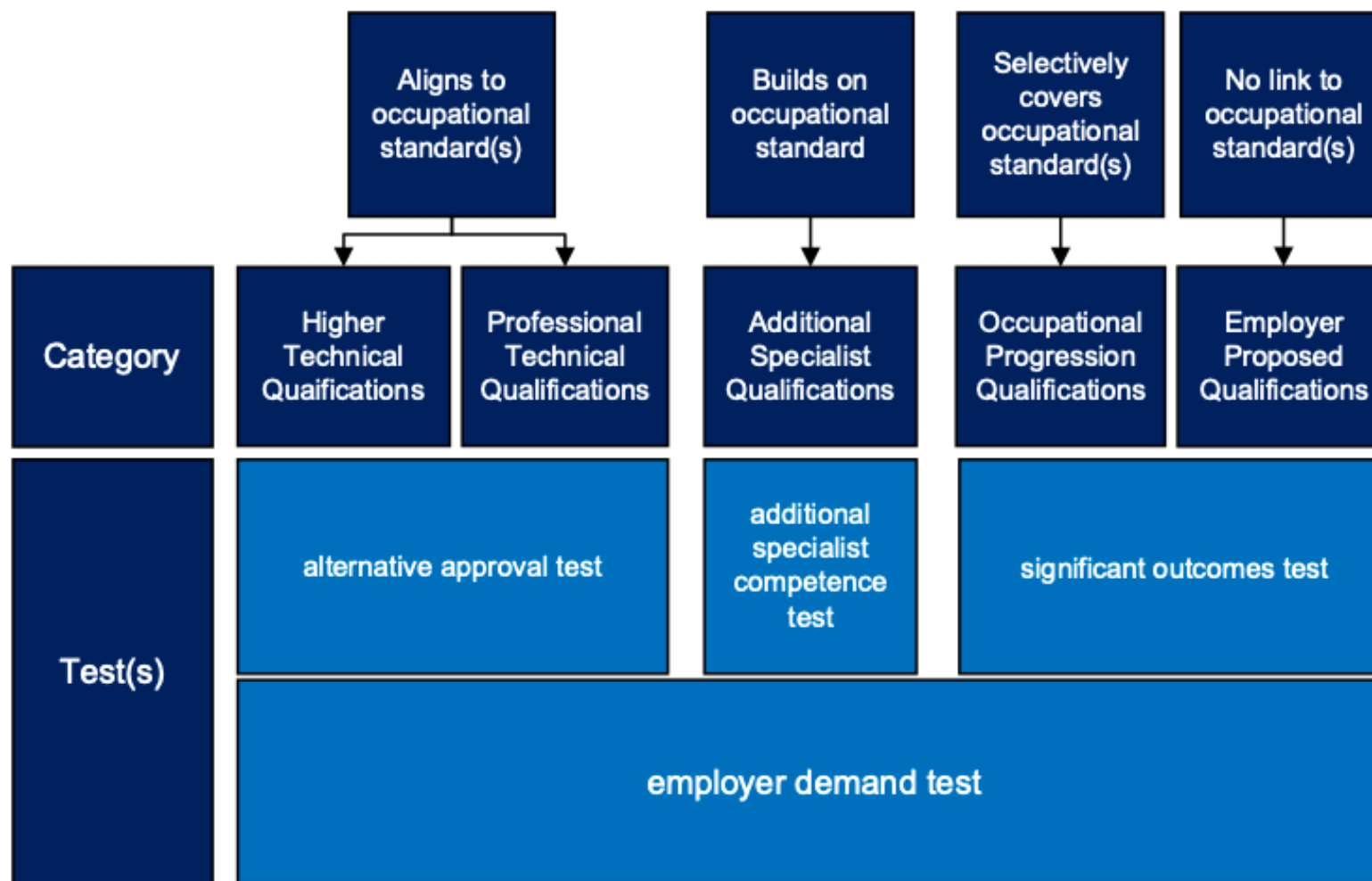
















Diagram 2: Diagram showing the provision of different types of competence across the range of levels within IfATE's remit, including those categories being consulted on within this document. The diagram illustrates how the totality of IfATE's intended framework allows it to approve technical qualifications across all levels which target occupational entry, additional specialist and cross functional competence. Occupational progression competence is targeted across categories from level three to level six.

	Occupational entry competence	Additional specialist competence	Occupational progression competence	Cross functional competence
Level 2				
Level 3				
Level 4				
Level 5				
Level 6				

5. Ensuring quality of modular design and clarity of supporting information

5.1 Introduction to modules

5.1.1 General context

The Government intends the LLE to fund ‘modular learning of skills courses, enabling students to stop and start this training at a time that’s right for them’. The purpose of this flexibility is to enable people ‘to study, train, retrain and upskill throughout their working lives, responding to life events, changing skills needs and employment patterns’³. Employers will also benefit from the flexibility and responsiveness of shorter modular learning, more easily accessed by their staff and delivering focused skills.

IfATE’s primary role in the LLE is to ensure that only [high-quality technical qualifications meeting the needs of employers and students will be made eligible for funding](#). IfATE will achieve this through the approvals process for full qualifications but must also ensure that modules within those full qualifications are high-quality. The purpose of this section is to set out elements that could be included in IfATE’s process for approval of full qualifications that also promote the quality of the modules that sit within them.

This does not mean that all delivery will be modular in future. It is for employers, providers and students to decide what is appropriate to their individual circumstances.

5.1.2 Purpose and benefits of modules

Modular learning has many potential benefits. It enables highly flexible and tailored study, focused on what employers and students need. This is important in the context of adult learning, where each student will already be on an individual learning journey. Large, long courses or those delivered over formal academic terms or years will not suit some students’ needs. They may need to reskill or progress in a focused, specific area where they already have expertise, or diversify into another. Employers need technical education to address the current, new and emerging skills needs of their workforces. This will likely mean upskilling their existing employees over time. With over 80% of 2030’s workforce already in the labour market, people must have adequate opportunities to retrain and upskill (Skills Commission, 2020).

³ DfE LLE Consultation response, 2023

IfATE's levels 4 to 6 approvals process needs to maintain flexibility whilst ensuring competence remains a primary characteristic of qualifications. Modules within technical qualifications must meet the diverse range of student and employer requirements whilst also meeting eligibility criteria to be funded through the LLE. Flexible and responsive modular courses will promote demand. This will maximise the impact of this powerful funding tool, empowering people to learn throughout their lives.

Realising all the benefits of modular learning will be complex. Effective communication and good design are essential for achieving them. It is important for each module to have a defined outcome(s). This will make them clear to employers and easier to understand for students. Clear information will help the system make sense to employers and students. Good modular design will help deliver the skills that industry needs.

5.1.3 Defining a module

Modules are building blocks within qualifications, enabling students to gain expertise in aspects of their chosen field while building towards a full qualification. Modules structure learning, allowing students to gain focused knowledge and skills. Modules might be taken alone or completed in combination towards achievement of a full qualification.

Modules usually consist of learning objectives, subject content and the means of assessing learning. They will have activities designed to achieve specific educational outcomes. These outcomes might include the gaining of: knowledge; practical skills; problem-solving abilities; and analytical skills relevant to the module's subject. For clarity, IfATE sets this in contrast with micro-credentials. These are typically focused on a small and specific set of learning outcomes in a narrow field of study for the purpose of upskilling or reskilling. They would usually be achieved in a shorter time than a course or module of a size necessary to be eligible for LLE funding.

IfATE's role in the system is to approve full qualifications. Modules are not subject to specific approval tests. For example, the employer demand test is applied at qualification, not module level. However, IfATE intends to design an approvals process for full qualifications which enables it to ensure the quality of modules. This will build confidence in the outcomes that modular qualifications can deliver.

Full details of how a module is defined for the purpose of LLE funding can be found at **ANNEX B**.

5.1.4 Embedding emerging skills in technical qualifications

Modules have a significant role to play in addressing new and emerging skills needs within workforces because their size and flexibility make them responsive to specific employer needs. IfATE has an important function identifying and promoting skills

needed now and in future. The system refers to these as ‘emerging skills’, and they are essential to innovation and sustained economic growth. IfATE already promotes the inclusion of green skills within approved products via the [IfATE green skills toolkit](#).

IfATE is developing a [skills insight tool to identify emerging skills](#) more accurately. The delivery of emerging skills requires a whole system response, with IfATE’s insights acting as a catalyst for action. Key to this is ensuring that IfATE shares its skills insights in the right way, at the right time. This will drive the revision and development of qualifications which directly respond to the emerging needs of employers. To ensure these insights have a positive impact, IfATE seeks views on the most effective ways to perform its duty related to emerging skills. This will help to make the technical qualifications system relevant and responsive to the emerging needs of employers.

Question 12:

How can IfATE, through its approvals process and sharing of skills insights, best enable the technical education system to respond to emerging skills needs?

5.2 Clarity of module information

Clear module information will ensure they can be explained to a variety of audiences. It is vital for employers to understand the intended outcomes of modules and their value to their workforce. Students need to understand how modules fit together on a coherent pathway to competence. IfATE seeks views on the information that should be provided for each module as this will be essential for their effective use.

IfATE’s view is that each module within a full qualification should have a clearly defined outcome (see box below for further explanation of outcomes). To ensure this is done, IfATE intends to set criteria requiring the recording of outcomes against each module of a submitted qualification. Submitted qualifications that do not include an outcome for each of their modules will not be approved. Below, IfATE seeks views on its proposed definition of a modular outcome.

A module’s outcomes might be recorded in the course specification and associated support materials. As indicated in the [DfE’s consultation](#) (page 12), for a module to be eligible for LLE modular funding, achievement must lead to the award of a standardised transcript. This applies to all Ofqual and OfS regulated provision. Modular outcomes may also be required to feature within the standardised transcript. Further information on the standardised transcript will be communicated by the DfE in 2024.

Modular outcomes**IfATE offers the following definition for a modular outcome:**

The distillation of the module's learning outcomes into their theoretical or practical application, i.e., what students can know, do or understand as a result of their learning. In the technical space, this will make clear how the learning underpins understanding of a specific workplace requirement, or enables the performance of a workplace duty or duties.

This means:

As a minimum, a module should contain a clear expression of its outcome(s). In the technical space, this will, in most cases, include the duties someone would be expected to be competent to undertake on successful completion of the module's learning and assessment; although outcomes might also relate to the knowledge areas a student has been able to master and study skills gained.

IfATE defines a duty as the workplace activities that can be carried out by someone who has achieved the module.

In relation to the duties an individual might be expected to undertake on achievement of a module, IfATE also believes it is important to communicate this information in wider support materials, to improve understanding of the value of the module, aiding employers' recognition of the tangible benefits of achieving the module.

IfATE therefore intends to include within its approval criteria a requirement that all submitted qualifications include clear module outcomes within their qualification specification materials.

Question 13:

Do you agree with IfATE's proposed definition of a module outcome?

5.2.1 Supplementary information to establish module context

In addition to clearly expressed module outcome(s), IfATE believes it may be beneficial for modules to include elements which explain their position in the context of the full qualification and role in setting out an effective learning journey. IfATE seeks views on whether it is appropriate for it to provide guidance as part of the approvals process and the content of any guidance. Please note that IfATE **does not** intend such guidance to be part of approvals criteria.

Clearly explaining the wider context in which the module sits

IfATE believes it beneficial for stakeholders to have an explanation of the module's place in its wider context. This might include:

- the objectives and outcomes of the full qualification.
- what other modules or competencies might be required for a student to function in the target occupational area and how they might build towards this.
- the role of the module as a progression tool or aid within or between occupational areas.

This supplementary information could also promote the value of the module when taken on its own. The module's standalone value should be stated in its outcome. Awarding bodies and providers should consider how else they demonstrate the value of modules, both as discrete learning and as part of a wider learning set, for example, sourcing specific employer or industry body recognition for individual modules.

Setting modules in context might also include the offer of guidance to students and employers on how they can be combined within full qualifications to relate to an employment function or role.

Clearly expressed learning journeys

Understanding their onward journey is key to ensuring that students look to stack modules coherently, ultimately to achieve a full qualification, for example, HTQ. In addition to existing regulatory requirements, IfATE believes it is important that modules include guidance on acknowledging learning gained previously. This can aid the process of students building their learning journey. This guidance might show the module's relationship with other courses, which could potentially aid a recognition of prior learning process for an individual student. This could also help employers efficiently recognise competence gained previously, aiding staff development planning and filling of skills gaps.

To support this further, it is beneficial for awarding bodies to explain how a module's outcomes relate to KSBs in the occupational standard(s) it aligns to. This will enable easier comparison, supporting judgements on the relationship between a module's content and any other relevant education and training aligned to IfATE's occupational standards.

Question 14:

Do you agree that the module information IfATE has described represents the elements that should be made available to users of an approved qualification? (users to include students, providers, employers, etc.)

Question 15:

Is there any other module information you feel should be recorded to assist users' comprehension of their value, outcomes and place within the wider learning journey? (users include students, providers, employers, etc.)

5.3 Module design principles

Design of modules has a significant impact on their use and deliverability. Good design and delivery can benefit employers and students by:

- providing flexibility to access smaller blocks of learning, or to enable students to pace their study depending on their needs
- providing flexibility that enables qualifications to respond to employer needs
- enabling students to be assessed regularly throughout their course of study, with achievement acting as a motivator for continued learning

IfATE has set out some initial principles relating to the use of modularity in qualification design within its [level 3 and below approvals work](#). Within this consultation, IfATE seeks views on which elements of modular design should be promoted via its technical qualification approvals, to enable successful rollout of a modular system. This is in addition to design requirements awarding bodies are required to meet through regulation (via Ofqual or OfS).

IfATE's approvals process will ensure that modules contained within full qualifications are based on design principles that promote the development of competence. IfATE may also use learning from this consultation to improve the future approvals process at other levels, for example, levels 2 and 3.

IfATE proposes the following design considerations⁴:

- appropriate and relevant content that responds to student and employer need
- flexible delivery and assessment
- effective curriculum design

Building on these considerations, IfATE proposes the modular design principles below, to use as quality indicators when considering qualifications for approval.

Forming modules

IfATE will not prescribe how modules are formed, but their content must be coherent and relevant. IfATE believes that modules will either:

- group content, such as learning outcomes, to form a discrete module within the qualification (for example, as a distinct performance outcome).

⁴ These are separate from the LLE funding rules shown at Annex B

- group qualification units⁵ to form the module (for example, module A consists of units 1, 2 and 3). For DfE funding purposes, rules require all units within a module to be set at a level which is eligible for LLE modular funding.

All modules must have associated assessment which leads to the award of a standardised transcript on completion.

Holistic assessment

Achievement of a module demonstrates competence or understanding in a specific area of an occupation. This contributes to the achievement of overall competence in the occupational area.

IfATE considers it a requirement of demonstrating competence within an occupational area that a student can bring together knowledge, skills and behaviours in a meaningful, practical way. Assessment in technical qualifications should, therefore, give students the opportunity to do so, as this validates their competence.

IfATE considers an assessment holistic where it assesses relevant knowledge, skills and/or behaviours in an integrated way, i.e., for a module that contains a combination of knowledge, skills and/or behaviour outcomes, assessing these within the same broad activity or set of activities.

Where qualifications are modular, IfATE expects module assessment to prioritise the demonstration of competence, where the module contains both knowledge and skills outcomes. Because IfATE does not intend to mandate that all modules contain a mix of knowledge, skills and behaviour outcomes, not all modules must be holistically assessed. An example is a module exclusively consisting of knowledge outcomes.

IfATE intends to include within approval criteria a requirement that modules containing knowledge and skills (and behaviours, where included) be assessed holistically, to ensure students are required to demonstrate competence in the occupational area.

IfATE does not wish to be overly prescriptive on the design of modules through approval criteria, as this could limit innovation within the sector. IfATE views the principles described above as reasonable module design expectations. These sit alongside any requirements set out in regulation, to ensure they are valid and well formed, whilst still enabling innovation.

Question 16:

Do you agree with the design principles for modular qualifications set out by IfATE?

Question 17:

⁵ Units of learning within the qualification

Are there any other design principles IfATE should look to enforce through approvals to promote the development of competence?

6. Promoting system accessibility

6.1 The importance of accessibility

The purpose of the [LLE](#) is to promote a skills system that is flexible, unified and high-quality. It aims to promote parity between technical and academic routes at levels 4 to 6 and help provide genuine opportunity and social mobility across the country. It is vitally important that the LLE and an increasingly modular system give employers the opportunity to benefit from a stronger talent pool and bridge skills gaps in the workforce. IfATE's role in the approval of technical qualifications is an important opportunity to increase accessibility through the design, presentation and promotion of these qualifications.

Wider policy issues impacting on accessibility and the delivery of the LLE, such as extending maintenance loans or creating a fair credit transfer system, are not within IfATE's remit. They are therefore outside of the scope of this consultation. This section focuses on how IfATE can facilitate and promote accessibility through its statutory approvals role, occupational maps and associated activities. As with all current approvals processes, any IfATE criteria and guidance are intended to complement existing requirements set out in regulation, for example, through [Ofqual's general conditions of recognition](#).

IfATE is strongly committed to improving access for people and groups with protected characteristics. Because of this, IfATE seeks stakeholders' views on how best to embed accessibility in its systems, functions and approvals role.

6.2 IfATE's commitment to equity, diversity and inclusion and public sector equality duty

IfATE has conducted a provisional Equality Impact Assessment (EIA) (see page 30). Please consider this in your responses. The EIA highlights that, under its obligations in the [Equality Act 2010](#), IfATE is required to consider the accessibility of qualifications to students, including those with particular protected characteristics. IfATE therefore asks that awarding bodies are mindful of the impact of their assessment methodologies on students with protected characteristics and encourages them to reflect any potential impact and mitigating actions in their submissions.

As set out in the [Department for Education's Equality Impact Analysis](#) for LLE implementation, there remain barriers which unfairly disadvantage students with protected characteristics. However, the proposed package of LLE measures will, overall, have 'a positive impact on learners who are female, older, pregnant, or on maternity leave, have a known disability, or are from ethnic minority backgrounds.' (LLE: Government Response, Equality Analysis, March 2023)

IfATE recognises that equity, diversity and inclusion (EDI) are fundamental to the UK's prosperity and wants submissions to follow best practice in this area. In addition to the moral, regulatory and legal requirements for ensuring everyone has the same opportunities, there are clear benefits to employers, such as improved retention rates when employees feel supported, respected and invested in. All occupational standards are now developed and reviewed in line with [IfATE's EDI toolkit](#). The toolkit contains useful guidance, research and links which help identify opportunities to improve EDI in occupational standards and qualifications. Whilst IfATE approval does not currently mandate the use of this toolkit, IfATE must have regard to the relevant factors outlined in the public sector equality duty when carrying out its functions, including the approval of occupational standards and technical qualifications. IfATE therefore expects awarding bodies to ensure, through their own development processes, that they consider EDI when producing their qualifications. This is in addition to any other legal and regulatory requirements, such as [Ofqual's general conditions of recognition](#), to which they are also subject.

IfATE's current process for approving HTQs evaluates submissions on arrangements for reasonable adjustments and accessibility requirements. As part of approval, applicants are also asked to explain how they have considered EDI in the development of the qualification. IfATE is keen to understand where it could go further to ensure that EDI is given suitable emphasis within its approvals process at levels 4 to 6. This could either be in the form of criteria or additional guidance for awarding bodies. Responses to the following questions will help IfATE meet its obligations under the public sector equality duty.

Question 18:

What elements could be included in IfATE's approvals process to strengthen requirements relating to accessibility and EDI in qualification materials and assessment?

Question 19:

How do you currently assess accessibility and monitor EDI outcomes within your own training or qualification design and delivery?

6.3 Promoting elements which aid accessibility

IfATE would like to understand how to better use its position in the English education system to improve equality of access to technical education and remove barriers to learning. IfATE will seek to use responses to question 20 below to inform its wider role in improving access to the system.

All organisations involved in the design, development and delivery of qualifications should be aware of the need to promote and support accessibility at every stage. This is not limited to the design and delivery of qualifications. Elements such as careers

information, advice and guidance are also key to ensuring students can access information they need to make informed decisions about their lifelong learning journey.

Careers services offer an excellent opportunity to improve accessibility. Career guidance, counselling and job placement support can enhance the employability of students, making qualifications relevant and attractive to a wider cohort. [IfATE's recently launched occupational maps](#) are a positive example of how to improve system accessibility by clearly explaining technical education. IfATE's occupational maps are designed to help employers and students understand progression routes and how occupations at different levels link together. They provide tailored support and guidance to suit different stakeholder needs and allow users to produce individualised maps. The maps are one example of how IfATE supports the system to deliver careers and qualification information. This consultation seeks views on how IfATE might go further.

IfATE is also aware that many providers already follow [universal design principles for learning](#). This set of principles aims to remove barriers within physical and digital learning environments, services and products, so they can be used by everyone. IfATE seeks views on any further design and delivery good practice in technical education that removes barriers and improves accessibility. IfATE is also keen to understand what more it could do to promote good practice in this area.

Question 20:

What are the most important elements IfATE should prioritise in the development of an accessible levels 4 to 6 qualification system?

Equality 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 this Act.

(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 purpose 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 by education and training providers. This means IfATE does not have access to up-to-date data on these characteristics and cannot fully assess whether the proposed approach to approval is likely to have differing impacts on people with different characteristics in these areas.

As part of its work on equity, diversity and inclusion (EDI), IfATE is looking at how it might better understand the EDI-related impact of technical qualifications on students, including what data awarding bodies might collect on any protected characteristics of students enrolled on their qualifications. This will support IfATE's evaluation of impacts

for particular groups. To support this activity, IfATE posed a specific question to awarding bodies within its [level 3 and below consultation](#).

Impacted Groups

The DfE completed an equality impact assessment as part of its consultation in relation to the [Lifelong Learning Entitlement](#). This assessment primarily pointed to the positive impact that the introduction of flexible, modular learning might have on groups previously unable to access learning. This included neutral or beneficial impacts of the measures on individuals across the breadth of protected groups.

As IfATE's role primarily relates to qualification approvals, not funding or direct delivery to students, it is not possible accurately to quantify potential impact at this point, as the availability of qualifications will be impacted on by:

- provider choice or offer.
- student preferences for study (for example whether to study technical or academic qualifications, or, where possible, a mix of both).
- awarding body choice around which qualifications to submit for approval.
- employers' expressed demand for qualifications at the point of submission.
- awarding body success in their qualification being approved by IfATE and then by DfE for funding.

As recorded within its general impact assessment, the categories specified by IfATE have the potential to exclude qualifications which would otherwise have been submitted for funding. IfATE has designed the categories to avoid this eventuality. However, to make sure that categories do not omit provision from the landscape unduly, this consultation is seeking views on whether any qualifications which are currently valued in the market would be excluded because of the described categories. IfATE will use views collected through the consultation to ensure that its specifying of categories does not unintentionally exclude anything from the landscape which may be of value to any protected groups.

The design of IfATE's approvals process ensures that its criteria will be applied fairly to all technical qualifications submitted for review, regardless of the category. IfATE's criteria have been written to avoid any specific bias and negative equality impact. As such, IfATE has not identified any potential impacts on students with protected characteristics from its proposals relating to qualification design. Under their obligations in the Equality Act 2010 and relevant regulations, awarding bodies must consider the accessibility of their qualifications to students, including those with particular protected characteristics. As such awarding bodies will need to be mindful of the impact of their assessment methodology choices on students.

As part of its efforts to effectively discharge the public sector equality duty, and in some respects to build upon it, IfATE asks, within all its approval activities, for awarding

bodies to explain how equity, diversity and inclusion (EDI) considerations impacted on their design and delivery decisions. Through this activity, IfATE is placing EDI as a focus within its submission process, requiring that awarding bodies explain their approach to meeting their responsibilities to students with protected characteristics. This requirement is linked to [IfATE's equity, diversity and inclusion strategy](#).

Overall, this approach to approval ensures that IfATE-approved qualifications are fit for purpose and of high-quality for delivery to students, including those with protected characteristics.

Question 21:

Beyond the impacts already identified by IfATE, do you foresee any additional impacts which have not yet been identified?

Question 22:

Are there any sources of information or data that you know of, which could improve IfATE's assessment of equality impacts or may improve future impact assessments?

General impact assessment

Employers

Whilst a primary function of IfATE is to empower employers, placing them at the centre of the skills system, this role does place additional burden on this stakeholder group. The use of the employer demand test within IfATE approvals requires awarding bodies to engage with employers in the development of technical qualifications. This requirement for increased engagement has an impact on the volume and nature of requests employers receive from the awarding sector. In response to this, IfATE keeps the employer demand test under review, ensuring the criteria set are proportionate to the assurances sought through its use.

The changes described in this consultation place no additional requirements on the trailblazer groups who work with IfATE to develop occupational standards. These employers have played a central role in developing the occupational standards against which technical qualifications must align. IfATE approval of technical qualifications will continue to provide employers with a clear, recognisable and high-quality qualifications market.

IfATE is alert to the increasing demands placed on other member employers, such as its route panel members – as they are engaged in additional technical qualification work. IfATE continuously reviews the approach to employer engagement and will continue to work with employers to maximise the insights they provide, without being over-burdened by IfATE's expanded responsibility. As with its general application of the employer demand test, IfATE's process for using route panels' expertise within approvals is kept under regular review to maximise the value of these activities.

The final identified impact for employers is the need to ensure they understand the future technical qualifications landscape. To support this, IfATE will not only be required to work directly with employers, but also the wider awarding and provider sectors, to ensure that qualification information is communicated clearly and accurately.

Overall, it is expected that the net impact on employers will be a positive one, with the resulting skills system being one which better represents their needs, is more reflexive to changes in the economy and can be more clearly understood and navigated.

Awarding bodies

IfATE has made every effort to ensure that the categories and associated criteria for levels 4 to 6 provision mirror those set at level 3 and below. The majority of Ofqual regulated awarding bodies operating at levels 4 to 6 also operate at level 3 and below. IfATE believes this consistency in approach will limit the impact of awarding bodies needing to adjust to the new landscape.

IfATE is, however, conscious that the proposed approval categories and associated requirements represent a change from those previously in place for qualifications wishing to attract public funding at levels 4 to 6. The main change is the increased requirement for awarding bodies to work with employers in the development of their qualifications. This engagement represents an additional time, resource and, in some cases, monetary commitment from awarding bodies in the development of technical qualifications. In response to this, IfATE keeps the employer demand test under review, ensuring the criteria set are proportionate to the assurances sought through its use. It is also expected that processes and relationships developed by awarding bodies as part of the preceding reform activities (T levels, HTQs, Level 3 and below reforms) can be used to satisfy this process, thus limiting the impact further.

An additional impact of the DfE's intended reforms is the increased emphasis on modularity and modular assessment. Some awarding bodies already deliver modular qualifications, for example the 'HNFlex' model. However, for some, this will represent a change in how qualifications might routinely be awarded, i.e., more claims for module certification rather than qualification certification. In response to the requirements set by IfATE within its approvals, process, it is likely that awarding bodies will be required to modify elements of both their qualification design and awarding. In doing so, awarding bodies will still be required to meet their regulatory requirements. IfATE's proposed approach has therefore been designed to ensure compatibility with the expectations set out in regulation. It is expected that awarding bodies and the provider sector collaborate to agree ways in which modular learning can be best delivered and awarded, ensuring this operates effectively as both a student-centric and commercial model.

The categories specified by IfATE may also have the potential to exclude qualifications which would otherwise have been submitted for funding. To counter this, the consultation is seeking views on whether any qualifications which are currently valued in the market would be excluded because of the described categories. IfATE will use views collected through the consultation to ensure that its specifying of categories does not exclude anything from the landscape which may be of value to students and employers.

Overall, it is expected that the introduction of the LLE, alongside the increase in flexible provision, will represent an opportunity for awarding bodies to deliver a more flexible offer to students. The increased emphasis on employer engagement ensures that this offer is built around the needs of industry, ensuring that students are being delivered modules and qualifications which prepare them to enter and progress within the workforce.

Education and training providers

The categories specified by IfATE may also have the potential to exclude qualifications which would otherwise have been used by education and training providers. To counter

this, the consultation is seeking views on whether any qualifications which are currently valued in the market would be excluded because of the described categories. IfATE will use views collected through the consultation to ensure that its specifying of categories does not exclude anything from the landscape which may be of value to students and employers. Outside of unintended omissions, IfATE is confident that the process will ensure that the selection of available qualifications in future will be only those that are of high-quality and reflect the needs of employers.

An additional impact of the intended DfE reforms is the increased emphasis on modular delivery and assessment. Many providers will already deliver qualifications in a modular format. For others, this will represent a change in how qualifications might routinely be delivered and how curriculums may need to be arranged. Where necessary, providers will be required to modify elements of both their curriculum design and delivery to accommodate the intended changes. It is expected that provider and awarding sector collaborate to agree ways in which modular learning can be best delivered and awarded, ensuring this operates effectively as both a student centric and commercial model.

Clear communication of module or qualification outcomes and accessible course materials will be central to assisting providers who choose to move to a more modular delivery system at levels 4 to 6. It is for this reason that IfATE asks questions in both these respective areas within this consultation, with views informing its approvals process. Setting clear expectations as part of approvals will allow IfATE to steer the awarding sector in developing provision which maximises the flexibilities afforded through the LLE, whilst ensuring technical qualifications continue to deliver competence.

Overall, it is expected that the introduction of the LLE, alongside the increase in flexible provision, will represent an opportunity for providers to deliver a more flexible offer to students, should they choose to.

Students

The DfE completed an equality impact assessment as part of its [LLE consultation](#). This assessment mainly pointed to the positive impact that the introduction of flexible, modular, learning might have on groups previously unable to access learning. This included neutral or beneficial impacts of the measures on individuals across the spectrum of protected characteristics. IfATE's approval of flexible technical qualifications will assist the Department in realising these benefits for students.

As with other impacted groups, the categories specified by IfATE may also have the potential to exclude qualifications which would otherwise have been popular with students. To counter this, the consultation is seeking views on whether any qualifications which are currently valued in the market would be excluded because of the described categories. IfATE will use views collected through the consultation to

ensure that its specifying of categories does not exclude anything from the landscape which may be of value to students and employers.

IfATE's proposed categories are designed to ensure that students are being delivered learning which is set against employer-led standards and agreed by employers as fit for purpose. Through views sought within this consultation, IfATE aims to ensure that approved technical qualifications outcomes are clearly articulated and delivered in a flexible but effective manner, with the result being an enhanced technical qualification offer at levels 4 to 6.

Overall, it is expected that the introduction of the LLE, alongside the increase in flexible provision, will represent an opportunity for students to engage in learning in a more tailored way. This will enable them to arrange their learning in a way that best suits their individual circumstances.

Professional, statutory, and regulatory bodies

As in current qualification approvals, IfATE wants to ensure that statutory and professional bodies endorse the approved qualifications. To facilitate this endorsement, IfATE criteria requires that awarding bodies seek to engage any relevant bodies as part of their design activities; for statutory bodies, this is a mandatory requirement of approval. To strengthen these checks, IfATE contacts relevant bodies during the act of approval, confirming their endorsement of the approved qualifications.

As for employers, these additional actions may be seen to produce increased time and resource burden on these bodies due to the number of engagements required. It is, however, expected that these engagements will not be much more than those which would ordinarily be required to ensure that technical qualifications suitably reflect the needs of these bodies and their membership.

The categories specified by IfATE may also have the potential to exclude qualifications which would otherwise have been deemed valuable by these bodies. To counter this, the consultation is seeking views on whether any qualifications which are currently valued in the market would be excluded because of the described categories. IfATE will use views collected through the consultation to ensure that its specifying of categories does not exclude anything from the landscape which may be of value to students and employers.

Overall, it is expected that the net impact for professional, statutory and regulatory bodies will be a positive one, with the resulting skills system being one which better represents their needs, is more reflexive to changes in the economy, and can be more clearly understood and navigated.

Question 23:

Beyond the impacts already identified by IfATE, do you foresee any additional impacts?

Question 24:

What is the likely impact of an increase in modular qualifications on the business models of employers, awarding bodies and providers? Please answer in the context (i.e., awarding body, provider, employer, other) that best suits your own organisation, but also feel free to give your views on other contexts.

Annex A: Statutory tests as set out in the Apprenticeships, Skills, Children and Learning Act 2009.

IfATE's powers are granted through the [Apprenticeships, Skills, Children and Learning \(ASCL\) Act 2009 \(as amended by the Skills and Post-16 Education Act 2022 \(the "Skills Act"\)\)](#). In relation to the approval of technical qualifications categorised using A2D2 powers, IfATE uses the following tests contained within A2D5 of the act.

The alternative approval test:

This test is met in respect of an occupation if:

1. a standard is published for the occupation; and
2. the Institute is satisfied that by obtaining the qualification a person demonstrates attainment of as many of the outcomes set out in the standard as may reasonably be expected to be attained by undertaking a course of education.

Current categories which use this test include:

[Levels 4 and 5 Higher Technical Qualifications](#)

[Level 3 Occupational Entry 16-19 and adults](#)

[Level 2 Occupational Entry 16-19 and adults](#)

The additional specialist competence test:

This test is met in respect of an occupation if:

1. a standard is published for the occupation; and
2. the Institute is satisfied that:
 - 2.1 by obtaining the qualification, a person demonstrates attainment of particular outcomes which are additional to those set out in the standard, and
 - 2.2 attaining all those outcomes (together with attainment of the outcomes set out in the standard) would enable a person to specialise within the occupation.

Current categories which use this test include:

[Level 3 Additional specialist 16-19 and adults](#)

[Level 2 Additional specialist 16-19 and adults](#)

The significant outcomes test:

This test is met in respect of one or more occupations if:

1. the Institute is satisfied that:
 - 1.1 by obtaining the qualification, a person demonstrates attainment of particular outcomes in relation to the occupations; and
 - 1.2 attaining those outcomes would enable a person to work in the occupations at a particular level of competence (whether in the course of training or otherwise) or to improve competence in the occupations; and
2. where standards are published for any of the occupations, the outcomes are set out in the standards (whether or not all in the same standard).

Current categories which use this test include:

[Level 3 occupational progression 16-19 and adults](#)

[Level 3 cross cutting function 16-19 and adults](#)

[Level 2 cross cutting function 16-19 and adults](#)

The employer demand test:

This test is met in respect of one or more occupations if the Institute is satisfied that there is or is likely to be demand from employers in the occupations for employees who have obtained the particular qualification.

All technical qualification categories (excluding T Levels which are approved under [section A2D3 powers](#)) are subject to the employer demand test.

Annex B: DfE module funding criteria

For the introduction of modular funding in the LLE from 2025, the Government has already specified a set of criteria that full qualifications and modules must meet in order to be eligible. To be considered for LLE funding, LLE modules need to:

- Be part of a designated full course (“parent course”) so that modules can be stacked towards full qualifications;
- Have a single qualification level and credit value, which is the same as when the module appears in the full course;
- Be a minimum of 30 credits for funding purposes, also allowing this to be achieved by “bundling” smaller modules together; and
- Be assessed and come with a standardised transcript on completion.

Full details can be found on page 12 of the [DfE LLE consultation response](#).

Annex C: How IfATE will use consultation responses and how it deals with your personal data

IfATE asks that you read the following information carefully as it contains important information about IfATE's processing of personal data, what IfATE does with consultation responses and your rights.

Your personal data

The personal data IfATE might hold about you in relation to your consultation response includes (but is not limited to):

- your name and contact details
- your IP address and details of which web browser you used
- any opinions you may have expressed about the consultation

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. IfATE implements 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.
- will only be kept for as long as is necessary. After this point, IfATE will delete or securely dispose of your personal data.

Your rights: access, objection, 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 in certain circumstances
- request the correction of your personal data and its erasure in certain circumstances
- prevent your personal data being processed in some circumstances
- ask IfATE to stop using your data, but keep it on record

If you would like to exercise your rights, please contact IfATE using the following email address: Institute.DPO@education.gov.uk

How IfATE will use your response

IfATE will use your response to help shape its policies and decisions about technical education. If you provided contact information, IfATE may contact you in relation to your response. IfATE will analyse all responses and produce reports of consultation

responses. In the course of analysis, IfATE will, where possible, avoid using your name and contact details. IfATE will only process the body of your response, but this could, in some cases, contain information that identifies you.

Confidentiality and the Freedom of Information Act 2000

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

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

Please note however 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). IfATE has obligations to disclose information to particular recipients including members of the public in certain circumstances.

If you have asked for any part of your response to remain confidential, your explanation of your reasons for requesting confidentiality will help IfATE balance requests for disclosure against any obligation of confidentiality. If IfATE receives a request for the information that you have provided in your response to this consultation, it will take full account of your reasons for requesting confidentiality of your response and assess this in accordance with applicable data protection rules and/or other applicable legislation.

Members of the public are entitled to ask for information IfATE holds under the Freedom of Information Act 2000. On such occasions, IfATE will usually anonymise responses, or ask for consent from those who have responded, but please be aware that IfATE 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, IfATE will be able to release the content of your response to the public, but will not make your personal name and private contact details publicly available.

Storing and sharing your response

IfATE uses Cognito forms to collect consultation responses and they act as its data processor.

Responses will be stored in IfATE's SharePoint and retained in line with its data retention rules.

IfATE 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. IfATE may need to share

responses with them to ensure that its approach aligns with the wider process. Where possible, if IfATE shares a response, it will not include any personal data (if you have provided any). Where IfATE has received a response to the consultation from an organisation, it will provide the name of the organisation that has provided the response, although IfATE will consider requests for confidentiality.

Where IfATE shares data, it ensures that adequate safeguards are in place to ensure that your rights and freedoms are not affected.

Your response will also be shared internally within IfATE in order to analyse the responses and shape its policies.

Following the end of the consultation, IfATE will publish an analysis of responses on its website. IfATE will not include personal details in the responses that it publishes.

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

IfATE's legal basis for processing your personal data

Where you provide personal data for this consultation, IfATE relies 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 its public tasks. Where you provide special category data, such as ethnicity and disability, IfATE relies on Article 9(2)(g) of UK GDPR as the processing is necessary for reasons of substantial public interest.

Change of purpose

IfATE will only use your personal data for purposes connected with the consultation and its response, unless it reasonably considers that it needs to use it for another purpose and that purpose is compatible with the original purpose. If IfATE needs to use your personal data for a new or unrelated purpose, it will contact you and explain the legal basis which allows it to do so.

The identity of the data controller and contact details of IfATE's Data Protection Officer

This privacy information is provided by The Institute for Apprenticeships and Technical Education (IfATE) as the data controller.

IfATE's data protection officer is:

Simon Love - Institute.DPO@education.gov.uk

You can also write to IfATE:

IfATE, Sanctuary Buildings, 20 Great Smith Street, London SW1P 3BT

How to contact the Information Commissioner's Office

You also have the right to lodge a complaint with the Information Commissioner (ICO) if you think IfATE 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



IfATE

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