



Federation of Awarding Bodies final response to the Institute for Apprenticeships & Technical Education EQA consultation

Question 1a: Does the proposed system impact your organisation?

Yes

Question 1b: If yes, please exemplify any benefits or challenges you foresee in the proposal for your organisation.

The system proposed in this consultation document will have a significant impact on the end point assessment organisations in membership. The Federation of Awarding Bodies is the trade association for vocational and technical awarding organisations (AOs) and EPAOs. We currently have 45 EPAOs in full membership, delivering EPA for standards across a wide range of subject areas.

This evidence submission is provided on behalf of the Federation's membership following consultation with our EPAO Operational Group via an online survey and a remote consultation event. The EPAO Operational Group is a key decision-making group for the Federation comprising 21 members from different AOs. Any member of the Federation is able to join the Group, although only one representative is allowed per organisation. This group is tasked with shaping regulatory policy on behalf of the full membership. A draft version of the response was made available to all members of the Federation for feedback before it was finalised.

While a range of views from member views have been collected, this submission represents a consensus view. EPAOs are a diverse community and our members may make individual submissions containing their own perspectives and emphases, in addition to any comments forwarded to the Federation for inclusion in this overall response.

Broadly speaking, members support a simplified approach to EQA. We would anticipate that the reduction of EQA providers would lead to some improvements in efficiency and consistency.

In our survey of members on the current operation of the EQA framework, one member reported concerns about inconsistencies in approaches to risk-based monitoring across different EQA providers. Another member highlighted 'increasing



levels of data/info being requested without consistency'. In the proposed model, most members would be working solely with Ofqual and therefore, we would expect to see greater consistency develop in these areas.

The significant 'shake up' of the EQA system proposed in this consultation provides an opportunity to iron out some issues experienced by EPAOs in the current system and reported in a survey of the FAB EPAO Group. Members reported slow feedback and unclear lines of communication in some instances. This is not to dismiss the work and actions of the current players in the EQA process as members also highlighted the supportive role that they have played in facilitating improvements of plans and EPA. However, we hope that the move to just two EQA providers would mean that EPAOs have a single process for all standards (excluding degree-integrated standards) with agreed SLAs and clear guidance on support, communications and the EPAO/EQAP relationship.

We expect that the reduction in EQA providers will also lead to more logical scheduling of EQA visits and observations. Under the current system, one member reported 14 EQA visits between October and November which took up a significant amount of staff time and disrupted planned activities.

The monitoring approach that Ofqual and OfS will adopt is clearly mapped out in the framework. We ask that internal teams look closely at when they are scheduling requests for EPAOs to submit material for desk-based reviews and when visits and observations will take place to avoid placing an undue burden on the EPAO. Table 5 is very comprehensive, and it usefully shows what elements of EPA will be quality assured and whether it will be assessed via the desk review, visits/observations or longer term evaluation.

Table 5 suggests that EQA activity will be extensive and multi-faceted under the proposed system. It is difficult to comprehend what this might look like in practice – an exemplar monitoring plan and sampling strategy would help EPAOs to gauge the scale of EQA activity and the impact that it will have on their day-to-day work. An exemplar timeframe for the sort of EQA activity an EPAO might experience over the course of a year would also support EPAOs in better understanding what they can expect and how they might plan their workload around these activities. EPAOs need to have enough time and capacity to complete their core functions and to implement improvements from EQA feedback.



Members assume that a reduction in EQA providers will lead to an overall streamlining of approach to EQA. However, we do not yet feel that we understand the full regulatory burden associated with the new system and would expect that the system will only bring efficiencies if a pragmatic approach to quality assurance is adopted. For example, we would expect that EQA activities could be effectively undertaken across standards in a thematic area instead of focusing on individual standards in isolation for each EPAO. This would be consistent with a risk-based approach. This is also suggested in the draft framework, which states that 'each standard will be reviewed by Ofqual/OfS at least every three years' (p.21) and 'the frequency and focus of EQA activities will be based on an evaluation of risk and sampling' (p.22). Clearer guidance on what this might look like in practice would be welcomed.

Our members all currently work with Ofqual as the regulator of qualifications or as an EQA provider. Our members are currently all EPAOs that also operate as AOs. As such, they have a strong understanding of Ofqual's General Conditions and the knowledge and infrastructure required for regulatory compliance.

As Ofqual take on a larger role in EQA, it is important that the difference between their role as a *regulator* and as a *quality assurer* is clear. The consultation document describes EQA as an 'external check on the end point assessment delivered by individual end point assessment organisations' (p.8). We would expect to see behaviours modelled on the existing approach to EQA rather than a wholesale movement towards the qualifications regulation model. Sometimes, EPAOs may need a gentle pointer rather than a punitive judgement. Members have spoken positively about the supportive approach that some current EQA providers have taken in delivering EQA and the tone of the feedback provided. We would like to see this collaborative and supportive good practice continue once Ofqual takes a bigger role in the system. This applies across all of the proposed aspects of Ofqual's role, from the process to obtain approval to deliver a standard, through to the EQA checks and feedback.

We hope that the new system could also bring efficiencies into the registration process for EPAOs who are 'seeking to expand their EPA offering' (p.12). The draft framework states that EPAOs will need to 're-apply and complete elements of the process to confirm their capacity and capability for additional apprenticeship standards' (p.12). What will this look like in practice?



Members felt that the reduction in the number of EQA providers may allow for greater comparability between apprenticeship standards that contain similar elements but are currently quality assured by different providers, for example, the customer service aspects of *Financial Services Customer Advisor* could be more directly compared and *Customer Service Specialist*.

Although not all EQA providers currently charge for their services, the movement towards wholesale scrapping of EQA fees for EPAOs is very much welcomed by members. In addition to saving EPAOs money, it reduces the administrative burden of EQA.

Question 1c: How do you propose the Institute should manage the impact of the proposal on your organisation?

Members were broadly supportive of the approach and timelines outlined in the consultation document. However, we do need to emphasise how important it is that clear and detailed information about the transition process/timeline is provided and that operational systems are in place before the transition is implemented. This would enable EPAOs to build their own systems and processes in a timely manner.

One thing that was not made clear in the consultation relates to the safeguarding of provision during transition when an EQA withdraws from the market. What support can we expect? Is there any means through which EPAOs can recoup funding? Some members were left out of pocket by the transfer of EQA from Skills for Care to NSAR.

Is it possible to forecast which apprentices will not be subject to the current EQAP fees by using the predicted EPA date on the ILR? If so, perhaps a cut-off date for EQAP charging can be imposed to avoid EPAOs paying an EQAP that will not end up being responsible for EQA? As an example, a member paid £70K to an EQAP in December 2019 for apprentices who were registered at that time. These Level 3 apprentices will not be undertaking their EPA until one year after the transition to Ofqual has taken place. Will EPAOs in this position be fully reimbursed?



Question 1e: Do you have any comments about the potential impact the proposals outlined in this consultation may have on individuals with a protected characteristic under the Equality Act 2010? Please explain your reasoning.

No further comments.

Question 2a: Do you agree with the list of organisation types that could be included in the Institute's register of professional and employer-led bodies?

Yes. The types of organisations identified look like they would be able to make useful contributions to EQA and provide a continuation of employer input. Members felt that it was important to keep this range of employer and professional organisations in the apprenticeship eco-system in the long term.

Question 2b: Do you agree with the Institute's proposed criteria for accessing the register of professional/employer-led organisations?

Yes. This seems to be a sensible and pragmatic approach. However, if multiple organisations express an interest in joining the register, how will Ofqual identify which organisation would take precedence?

We agree that employer and professional bodies have an important part to play. However, we think that it is important to acknowledge that rather than playing a 'supporting role' with Ofqual, they will have a substantial influence. We ask that an appropriately rigorous selection and approval process is developed for organisations selected to work with Ofqual on EQA. This should include a strong focus on issues including conflict of interest (who sits on the board, who will be making visits), support from the sector as a whole, and evidence of current competency levels in the sector.

Question 2c: Does this approach effectively and sufficiently utilise the expertise of professional bodies to assure professional competence?

Yes.

Question 2d: Do you have any suggestions for how this approach could be improved?

The list highlights the diverse role that these bodies might play and this high-level overview means that there is flexibility to provide input in different ways that make the most sense for each standard and topic area. The role that these bodies will play is very much dependent on the standard and the occupational field that it falls within. Members particularly welcomed the suggestion that professional bodies could be



used to provide 'support to end point assessment organisations where specific improvement actions are identified' (p.14) as this supportive, collaborative input has been particularly useful for EPAOs under the current system.

The proposed approach to involving these bodies is likely to be more effective than the previous approach as it allows them to concentrate on their areas of expertise rather than covering the full range of EQA activity.

These organisations must also receive appropriate training (and standardisation), particularly as the consultation suggests that their representatives may observe EPA. One member, in particular, noted previous experience of working with observers who were not technically competent in the EPA they were observing or did not fully understand their role. This was disruptive for apprentices. EPAOs have training in place to ensure their assessors are up to speed with assessment plans, schemes of work, EPA protocols and current competencies. If professional bodies are to have an 'active supporting role', they too need to have similar training and appropriate monitoring.

We feel that the new role for professional bodies is a positive step. However, we urge caution in introducing these organisations into a new role without identification of the parameters they need to work within and agreement over the influence that they will have in the EQA process.

EPAOs would like to see employer and professional bodies play a role in ensuring the fairness, reliability and consistency of the delivery and assessment of apprenticeships in their specific areas of expertise.

Question 3a: Are there aspects of the transition arrangements that could be improved?

Yes

Question 3b: If yes, please provide more detail

Members were satisfied with the high-level timeframe although our initial consultation events took place before the current period of widespread COVID-19 disruption. The impact of this crisis on EPAOs cannot be underestimated – all organisations have taken a significant financial hit through, for example, the cancellation of EPA and the cost of implementing flexibilities. Many organisations have staff on furlough. We suggest that there is a need to consider whether additional support may be required to ensure that EPAOs can meet the new requirements, including the need to obtain



Ofqual approval for standards, within the allotted timeframe. We understand the time and resources that it takes to obtain Ofqual approval but we would also like the system to be implemented in a swift enough manner to avoid fragmentation of the system.

Members would like to ensure that there is clarity on the transition arrangements for individual standards and ask that sufficient notice is given of how and when the transition will take place at the level of individual standard and subject areas.

As an organisation, the Federation is keen to support all EPAOs in preparing for the new EQA arrangements, including the process of working towards Ofqual approval.

Question 3e: Do you think there are any further opportunities to simplify or optimise the system that have not been covered in previous questions? If so, what?

Given the increased role that Ofqual will be playing in the EQA system, members queried whether the EQA framework and the General Conditions of Recognition were both still required if the General Conditions are mapped to the framework.

Streamlining would lead to greater understanding of how the EQA role fits within Ofqual's regulatory framework. However, as previously discussed, this must take place within the context of a clear identification of the differences between *regulation* and *external quality assurance*.