

# **Institute for Apprenticeships and Technical Education**

**Consultation on a  
simplified External  
Quality Assurance  
system**

## Contents

Foreword.....	1
Executive Summary.....	5
Consultation details .....	6
Section 1 – Simplifying the EQA System.....	7
Section 2 – Role of professional and employer-led bodies.....	13
Section 3 – Transition to the new system .....	16
Summary of questions .....	20
Annex A: General Impact Statement .....	21
Annex B: Equalities Impact Statement .....	33

## Foreword

End-point assessment provides an independent test that an apprentice has achieved the required level of competence in their chosen occupation at the point at which they finish their apprenticeship. It is a central feature of the reforms to apprenticeships which government has pursued since 2012.

We want to ensure that all participants in the apprenticeships system have confidence that end-point assessment is providing a relevant and reliable test of occupational competence, and that this is delivered consistently across different end-point assessment organisations. That is why the Institute for Apprenticeships and Technical Education (the Institute) has a statutory duty to ensure that an evaluation of the quality of end-point assessment is made on every standard. This is achieved through external quality assurance (EQA).

In order to deliver this, the Institute published in June 2019 an EQA framework setting out how EQA must be delivered. We ask employers who develop apprenticeship standards to nominate the organisation they want to deliver EQA for their industry. To date this has meant that around 20 professional bodies and employer organisations, Ofqual, and the Office for Students (OfS), have been approved to deliver EQA. The Institute's own delivery of EQA, originally conceived as a back-stop in the event of failure to secure an EQA organisation, is now in use across around half of all standards. This system has allowed a number of improvements to be made to end-point assessment plans, and to the delivery of end-point assessments. I would like to thank all those who have contributed to the development of the EQA system to date, including current EQA providers.

However, it is now an opportune moment to consider whether this system is working as efficiently and effectively as it can, and what changes might be made to improve it. To that end, the Institute is proposing to move away from a system where EQA is delivered by a wide range of different organisations to one where EQA is delivered by either Ofqual or, for integrated degree apprenticeships, OfS.

This will realise three key benefits. Firstly, it will strengthen EQA delivery as it will bring all end-point assessment within the scope of regulation, meaning that apprentices and employers will have assurance that all end-point assessment organisations meet a certain standard of assessment quality, and that a wider range of sanctions can be applied where delivery falls below these accepted standards. Secondly, it will simplify EQA delivery as it will mean that end-point assessment organisations will only have to deal with one or two EQA organisations, reducing compliance costs and focusing effort on end-point assessment delivery. It will preserve the positive aspects of professional and employer-led body input to EQA, by requiring Ofqual and OfS to conduct EQA in partnership with relevant bodies, where trailblazers say that is important for their apprenticeships. It will also allow the Institute to operate where its resource is most appropriately deployed, providing strategic oversight rather than acting as a direct deliverer of EQA across a high volume of standards. Finally, these changes allow the opportunity to change how EQA is funded. It enables government to move to a model of funding EQA directly, away from a system whereby end-point assessment organisations are charged for EQA.

In order to allow Ofqual and OfS to deliver EQA in line with the Institute's EQA framework, we have made some changes to the framework published last summer, to reflect the specific

legislative remits of these organisations. This revised version is published in draft alongside this consultation in order to make it clear where the changes would occur.

We are conscious that this is proposing a significant change for the still maturing end-point assessment market and that is why we are seeking views through this consultation on how the change would be implemented, and potential impacts.

We are consulting primarily on three broad areas. Firstly, to understand how the proposed changes will impact different organisations across the apprenticeship landscape. Secondly, the role of professional and employer-led bodies in the new system and how they could best continue to support quality end-point assessment in their sector by supporting Ofqual or OfS's EQA delivery. Thirdly, the plans for transition to the new system, to ensure that we realise the benefit of the new EQA model quickly, without destabilising end-point assessment provision.

I hope that you will welcome these proposals and that a broad range of stakeholders will input their views on proposed changes and how we can most effectively implement them.

Jennifer Coupland

Chief Executive, Institute for Apprenticeships and Technical Education

## Executive Summary

This consultation sets out proposals from the Institute for Apprenticeships and Technical Education ('the Institute') for a simplified and strengthened system of external quality assurance ('EQA') of apprenticeship end-point assessment, and invites responses from stakeholders on how this system is best delivered.

Our proposals are outlined in detail in this document and summarised below.

**Simplifying EQA arrangements** - the Institute proposes to focus its role on strategic oversight of the system. Ofqual and the Office for Students (OfS) will be responsible for all EQA delivery. Other organisations currently delivering EQA will not continue to do so following transition. This will simplify the current arrangements creating a more streamlined and efficient service where EQA is only provided by two organisations.

**Recognising the value of employer input to EQA** of apprenticeship assessment and confirming that it is continuing to provide relevant assessment of occupational competence in their industry, by proposing that in delivering EQA, Ofqual and OfS will draw on the expertise of professional and employer-led bodies where appropriate.

**Establishing a new register of professional or employer-led bodies** from which Ofqual and OfS can draw occupational expertise. In order to retain confidence that only those organisations which genuinely speak for their sector operate in this role, the Institute is proposing that trailblazer groups should nominate a professional or employer-led body for their standard(s). The Institute should then manage a register of these bodies from which Ofqual and OfS will draw occupational expertise where appropriate.

**Ensuring quality** by requiring all end-point assessment organisations to be recognised by Ofqual or, for integrated degree apprenticeships, meeting OfS regulatory requirements appropriate for a registered higher education provider.

**Ending the system of charging** end-point assessment organisations for EQA and instead government will fund Ofqual and OfS directly for delivery of EQA.

**One process for Ofqual recognition and Education and Skills Funding Agency (ESFA) registration** for end-point assessment organisations.

**Taking a phased approach to transition** over the next two years, with all existing end-point assessment organisations supported in their applications for Ofqual recognition during this transition period.

## Consultation details

The **purpose of this consultation** is to:

- gather consultees' views on how the proposed future system could be improved; and
- identify the impact of the proposal on key groups and operations in order to aid transition planning.

This consultation is split into **three sections**:

- Section 1: Simplifying the EQA system - sets out the rationale for change and the **proposed new model of EQA**. It seeks to understand and asks for views on how the changes will affect different organisations.
- Section 2: Role of professional and employer-led bodies - sets out the **role that we propose professional and employer-led bodies** will have within the new model of EQA delivery and invites views on this.
- Section 3: Transition to the new system - outlines the **plans for transition** and invites views on whether this is appropriate, and considers how the change could best be managed.

The expected audience for this consultation includes: employers and their representative organisations (including professional and employer-led bodies); end-point assessment organisations, Awarding Organisations and their representative organisations; Higher Education Providers and their representative organisations; and existing EQA providers. It is hoped that training providers and apprentices will also respond. The Institute encourages employers, end-point assessment organisations and other organisations to respond as individual entities as well as through their respective representative bodies, in order to have as wide and comprehensive responses to the consultation as possible.

In order to ensure that the Institute is able to reach all of the above organisations, this consultation is available on the Institute's website and accessible versions can be made available. The Institute will also promote the consultation and seek responses using: FE and trade press and social media; direct briefings; route panels; trailblazer group meetings and specific and existing conference and speaking engagements.

The EQA framework has been adapted to reflect these proposed arrangements and is available to view alongside this consultation.

This consultation launched on 27th February 2020. It will run for 6 weeks, closing on 9th April 2020. The Institute expects to publish its response to the consultation, along with proposed next steps, in summer 2020.

## Section 1 – Simplifying the EQA System

The Institute is proposing a simplified future model of EQA in order to streamline the system and take advantage of the full range of powers of Ofqual and the Office for Students. This section sets out the principles underpinning the proposed new system. It clarifies where the system could change as a consequence of the proposed move of all EQA activity to Ofqual and OfS, and seeks to identify any impacts on key groups and operations. The Institute does not expect registered HE Providers delivering assessment for integrated degree apprenticeships to be significantly impacted by the changes set out in this document.

### A strategic approach to EQA

- 1.1. Around 55,000 apprentices have successfully undertaken end-point assessment and been rewarded with their Apprenticeship Certificate; 110,000 apprentices are expected to require end-point assessment in the coming year. Employers welcome the rigour of end-point assessment, and believe passing it demonstrates achieving competence.<sup>1</sup>
- 1.2. EQA is therefore fundamental to the credibility of apprenticeship assessment. It is crucial that employers are confident that passing end-point assessment signifies occupational competence. Equally, it is essential apprentices are confident of being assessed to the same standard, regardless of when, where or who conducted their end-point assessment.
- 1.3. The Institute has a statutory duty to: “...*secure that evaluations are carried out of the quality of apprenticeship [end-point] assessments and can approve or make arrangements for other persons to carry out those evaluations*”. This means that the Institute oversees EQA delivery, and can ensure unsatisfactory assessments are improved.<sup>2</sup> It draws on the expertise of employers to provide assurances of occupational competence and drive continuous improvement throughout the apprenticeships system.

### The current EQA system

- 1.4. Three tiers of quality assurance exist within the EQA system, as set out in the Institute’s current EQA framework:
  - i) **Internal Quality Assurance** operates at the level of the organisation and is therefore undertaken by the end-point assessment organisations themselves. It involves each organisation undertaking internal checks to make sure the

---

<sup>1</sup>Perceptions of Vocational and Technical Qualifications: Wave 2’, July 2019.  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/822211/Perceptions\\_survey\\_2019\\_report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/822211/Perceptions_survey_2019_report.pdf)

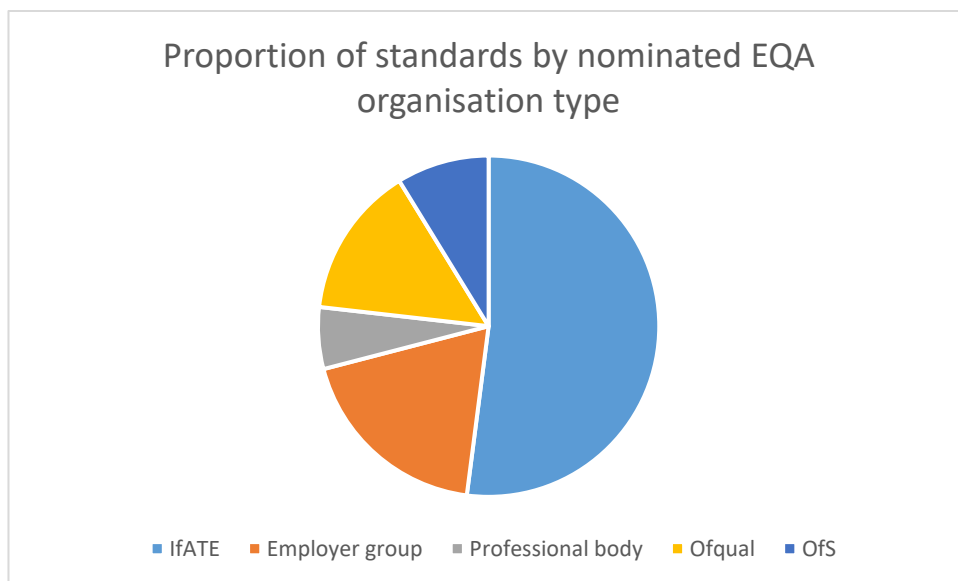
<sup>2</sup> The Institute’s full powers under section A2C of the ASCL Act 2009 can be found at  
<http://www.legislation.gov.uk/ukpga/2009/22/contents>

assessments measure what they are supposed to, and provide consistent, fair and replicable results.

ii) **External Quality Assurance** is an external check on the end-point assessment delivered by individual end-point assessment organisations. This tier exists to make sure that the principles of relevance and reliability are applicable regardless of the number of end-point assessment organisations registered to deliver that standard, or when and where the apprentice undertakes their assessment. It also provides the crucial check that the assessment is accurately testing the occupational competence of the apprentice. In the current system, assurance of this tier is the responsibility of the EQA providers.

iii) **Strategic Oversight** of the whole quality assurance system is undertaken by the Institute to make sure that the organisations responsible for EQA are operating in a consistent and reliable manner, upholding the quality and the spirit of the apprenticeship reforms.

- 1.5. Currently “trailblazer groups” of employers nominate either a professional body, employer-led body, Ofqual, or the Institute (through a contracted service provider) to deliver EQA of each standard (see Figure 1).
- 1.6. The Office for Students (OfS) is responsible for EQA of integrated degree apprenticeships.

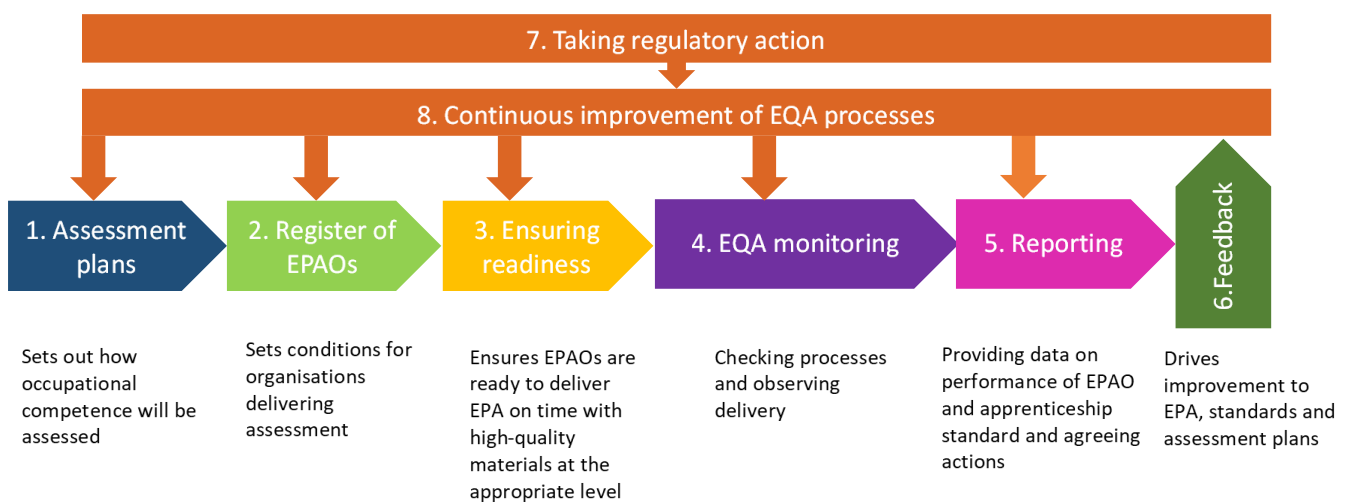


**Figure 1: Proportion of standards by nominated EQA organisation type**

- 1.7. The Institute has a well-established process for scrutinising and approving EQA providers. This process is set out in more detail on the Institute’s [website](#). To date, around 20 organisations have been approved. The Institute’s EQA delivery provider was selected through a competitive procurement exercise. Although the original policy intent was that the Institute would act as EQA provider only where no other option was appropriate, this arrangement now covers around half of all standards.



- 1.8. Following extensive engagement, the Institute launched its EQA framework in June 2019 (see figure 2). Published on the Institute’s [website](#) this is built around five principles central to any effective EQA system: relevant; reliable; efficient; learning; and positive. Operational since June 2019, it is familiar to most active end-point assessment organisations.
- 1.9. EQA providers submit an annual report on each individual end-point assessment organisation’s delivery of each apprenticeship standard. The Institute uses those findings to ensure the standard and end-point assessment plan remain fit-for-purpose and are delivering the outcomes required, and to identify organisations that require support to improve assessment delivery.



**Figure 2: Institute EQA 8-step framework**

- 1.10. Post launch, the Institute aligned and on-boarded EQA providers with its new framework, and digital monitoring system. This enables the Institute to collate and analyse information in order to exercise oversight; resolve issues; manage risks; and identify trends and opportunities for further optimisation of end-point assessment.

### The rationale for change

- 1.11. Two Select Committee reports (March 2017 and October 2018) and a Public Accounts Committee (PAC) report have made recommendations on EQA. In March 2019, the PAC recommended that the Institute should “...set out what they will do to streamline and strengthen quality assurance arrangements in order to give greater confidence that end-point assessments are robust, fair and consistent”.
- 1.12. In the Institute’s most recent stakeholder survey, whilst 60% of respondents said they thought the Institute effectively oversees EQA delivered by other organisations, just under 42% of sector bodies and providers felt that this was the case. Larger end-point assessment organisations also report frustrations with having to deal with

multiple EQA providers and find there is ambiguity over accountability with many bodies in the system.

- 1.13. The Institute believes that there is an opportunity to simplify and strengthen the EQA system further by reducing the number of bodies involved in delivering EQA and securing greater engagement of the regulators for qualifications and Higher Education providers. The Institute's overall ambition is for a robust quality assurance system that works for employers and apprentices, continuously improves quality, and is simple, efficient and consistent in its judgements.

### The proposed future EQA model

- 1.14. The Institute is proposing a simplified future model of EQA. The Institute proposes to retain its strategic role in EQA oversight, through its EQA framework and associated reporting processes, with operational responsibility for EQA delivery shifting from the current range of bodies to just Ofqual and OfS. Ofqual and OfS would draw on professional or employer-led bodies, for standards where an appropriate body exists, to make sure that end-point assessment remains a reliable and relevant test of occupational competence that meets the needs of employers.
- 1.15. A summary of the impact of these proposed changes on key groups is set out below, with more detail included in the general impact statement at Annex A.
- 1.16. **Trailblazer groups:** Trailblazer groups will no longer need to nominate an EQA provider as part of the development of their end-point assessment plan, however, they may nominate a professional or employer-led body to support Ofqual or OfS in EQA delivery.
- 1.17. **Existing EQA providers** would cease to deliver EQA. However, some may continue to support Ofqual and/or OfS on particular standards where nominated to do so by the relevant trailblazer group and approved by the Institute. This role is set out in more detail in Section 2 of this consultation. The Institute is keen to find ways to use the knowledge and expertise of professional and employer-led bodies for their continued involvement in ensuring quality of apprenticeships, where possible.
- 1.18. There are close to 300 **end-point assessment organisations** on the Register; 55 of which are also recognised by Ofqual and 46 by OfS. Over time, all end-point assessment organisations would need to become recognised by the regulators:
  - **End-point assessment organisations which are not currently recognised by Ofqual or OfS:** Would be required to transition to Ofqual recognition or OfS registration in line with the transition approach set out in section 3.
  - **End-point assessment organisations currently recognised by Ofqual:** Would need to apply to Ofqual to expand their scope of recognition to cover any standards where another EQA provider is named at present.
  - **End-point assessment organisations delivering integrated degree apprenticeships:** Would remain under the jurisdiction of OfS and be subject to OfS regulation, as is currently the case.

- **End-point assessment organisations delivering non-integrated degree apprenticeships** would need to seek Ofqual recognition in line with the transition arrangements proposed in section 3.
- 1.19. These arrangements are discussed in more detail in section 3 of this consultation. The Institute wants to minimise any disruption to the still maturing end-point assessment market, and the organisations involved, whilst maximising the potential benefits of the proposed system.
- 1.20. This proposed future system also provides an opportunity to strengthen the process for registering end-point assessment organisations and simplify EQA funding arrangements.
- 1.21. In addition, the Institute is proposing a small number of changes to the published framework which would come into effect alongside the proposed transition to Ofqual and OfS. This would enable Ofqual and OfS to use their regulatory powers and maintains the key features of quality assurance. This updated version is available alongside the consultation.

### A strengthened process for registering end-point assessment organisations

- 1.22. Currently the ESFA operates a Register of End-point Assessment Organisations (RoEPAO) on a digital platform as part of the [Apprenticeship Service](http://www.apprenticeships.gov.uk/employer/assessment-and-certification) [www.apprenticeships.gov.uk/employer/assessment-and-certification]. Organisations must apply to be on the register in order to conduct end-point assessments for a specific apprenticeship standard(s). The RoEPAO application process evaluates an organisation's capacity and capability to deliver end-point assessment for a specific standard, and gives financial assurance to the ESFA for the associated funding that it provides.
- 1.23. Under the proposed new model, in addition to the ESFA's checks on financial assurance, prospective end-point assessment organisations would need to demonstrate that they meet either Ofqual's Criteria for Recognition or, for integrated degree apprenticeships, have met the requirements of an OfS-registered provider. This would involve evidencing that the end-point assessment organisation has the organisational arrangements, resources, systems and assessment competence to develop and deliver end-point assessment on all of the standards which it seeks to deliver.

### One process for Ofqual Recognition and ESFA Registration

- 1.24. There would be a single approach to becoming an end-point assessment organisation, meeting the requirements of both Ofqual (assessment expertise, organisational capacity and capability) and ESFA (corporate and financial assurance). Similar arrangements already exist for OfS-registered organisations delivering integrated degree apprenticeships. This therefore presents an opportunity for simplifying and strengthening of the Ofqual and ESFA registration process.

- 1.25. The results of this consultation will allow Ofqual and ESFA to look at improving these arrangements. The aim would be to have a streamlined application process by the time Stage 1 transition arrangements (see section 3) are completed.

### Governance and Risk

- 1.26. The current governance arrangements will remain in place until the proposed new model is fully operational. Under the proposed model, in addition to oversight of EQA providers, the Institute would chair a Joint Monitoring Committee, bringing together Ofqual, OfS and ESFA to review and agree a shared understanding of risk across end-point assessment and the market in which it operates. This would make sure that EQA activity was targeted effectively according to risk. It would also act as a forum for determining any collective response to in-year information concerning delivery risks.
- 1.27. The Institute would continue to ensure effective governance and communication throughout transition, as well as making appropriate arrangements for data and information sharing as necessary.

### Ending the system of charging

- 1.28. The proposed new model also provides an opportunity to simplify the current funding arrangements away from a cost per head basis, to a more efficient model based on meeting the costs of EQA activity undertaken.
- 1.29. As a consequence, government also proposes to end the system of charging end-point assessment organisations for EQA and instead fund Ofqual and OfS to deliver EQA activity directly. By withdrawing from EQA delivery, the Institute would also cease to use its statutory powers to charge for EQA activity. Funding bands would not be adjusted in the short term, but there could be potential to review this in the future, and any changes would be considered as part of wider Institute and Department for Education work on future funding.

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

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

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

**Question 1d:** If no, please tell us more about your interest in EQA, exemplify any benefits or challenges you foresee in the proposal and your proposals to manage these impacts.

**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.

## Section 2 – Role of professional and employer-led bodies

This section explores the role which could be played by professional and employer-led bodies in support of Ofqual/OfS under the proposed model. It sets out the process by which those organisations could support EQA and aims to identify where any special considerations and mitigations may need to be considered.

### The importance of professional and employer-led bodies

- 2.1. Professional and employer-led bodies play an important role in EQA. Under the proposed EQA system set out in section 1, Ofqual and OfS would be funded to work closely with these organisations to ensure that occupational competence was being appropriately assessed in end-point assessment, and that the right outcomes continued to be delivered.
- 2.2. Under the proposed model, these organisations would be nominated by a trailblazer group and then registered by the Institute for Ofqual and OfS to draw expertise as necessary. This would ensure that EQA arrangements continued to reflect the employer voice and that assessment remained relevant.

### Who could work with Ofqual and OfS?

- 2.3. It is important that the Institute's proposed register is reflective of the wide variety of employer, professional and technical organisations with an interest in apprenticeship quality. The Institute is proposing the register could therefore include the following:
  - Organisations regulating entry to, and exit from, a particular profession
  - Trade associations made up of (and funded by) members who are employers in a given sector
  - Chartered Institutes, whose members are individual professionals in a given sector
  - Guild or livery companies
  - Organisations with an established industry levy
  - Intermediary bodies, widely recognised to represent a given sector, with a focus on supporting skills development
  - Professional membership bodies widely recognised as setting standards for that profession

**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?

### Process for registration

- 2.4. Through acceptance onto the Institute's register, the professional or employer-led body would be responsible for representing the interests of employers in determining that occupational competence was being reliably assessed for specific apprenticeship standards. They would consent to working with Ofqual and OfS to continuously improve EQA for each standard.

- 2.5. The Institute proposes to consider the following sources of evidence as part of the registration process.

<b>Criteria</b>	<b>Example evidence used to evaluate</b>
whether the nominated organisation represents employers from across their sector/profession/trade	Nomination from trailblazer group Governance structure Articles of association etc. ToR and membership of industry boards
whether the organisation has sufficient capability and capacity to ensure it can fulfil its role as technical/professional expert	Due diligence exercise  Staffing structure / org chart and how it will resource this work CVs of key people
whether the organisation has any conflict of interest that would prevent it operating in this role	Due diligence exercise Conflict of interest statement / register of interests

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

### The process for accessing expertise from the Institute register

- 2.6. Under the proposed future model, Ofqual/OfS would draw down expertise from the Institute's register at various stages of the assessment cycle. This could include, but not be limited to:
- High-level advice to the Institute during Assessment Plan reviews (final approval is by the Institute);
  - Scrutiny of the assessment and support materials produced by the end-point assessment organisation, including as part of readiness checks;
  - Insight and intelligence to support prioritisation and targeting of EQA activities;
  - Operational input, to confirm that quality assessment continues to deliver occupational competence;
  - Continuous feedback and improvement to processes; and
  - Support to end-point assessment organisations where specific improvement actions are identified, or addressing general trends in end-point assessment delivery that affect all organisations operating across a standard or group of standards.
- 2.7. Funding would be provided to support this role. Funding arrangements would be determined between Ofqual/OfS and the relevant sector body, dependent upon the nature of the expertise and activity used, and the point in the assessment cycle.



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

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



## Section 3 – Transition to the new system

This section sets out the proposed arrangements, and broad timetable, for transitioning to the new EQA system.

### Proposed transition arrangements

- 3.1. The Institute proposes that the new model would be fully operational, and all EQA activity delivered by Ofqual and OfS within two years from the formal commencement of transition.
- 3.2. In considering transition arrangements, the Institute, ESFA, Ofqual and OfS's overarching aims would be:
  - To ensure the benefits of simplification of the system are achieved as soon as possible, without compromising the quality of EQA.
  - To understand and minimise any risks to the stability of the end-point assessment organisation market by providing sufficient time for transition.
  - To protect the interests of apprentices, ensuring that all apprentices on programme have an end-point assessment organisation capable of delivering high quality end-point assessment for their standard.
- 3.3. The Institute expects that OfS would continue operating to similar arrangements under the proposed future model. The Institute does not expect registered HE Providers delivering integrated degree apprenticeships to be impacted by the changes set out in this document. This section focuses specifically on those organisations that would be affected by the proposed new model – namely those that would have EQA delivered by Ofqual.

### Ofqual-specific transition arrangements

- 3.4. Taking these aims into account, the Institute, with Ofqual, would propose a two-stage transition, to commence following the Institute's response to this consultation exercise (summer 2020):
  - **Stage 1:** Transition of standards where the Institute is currently the named EQA provider to Ofqual, in a phased approach.
  - **Stage 2:** Within two years – transition of standards from all other EQA providers to Ofqual, in a phased approach.
- 3.5. It is imperative that end-point assessment organisations continue to provide a high quality of assessment for their apprentices before and during any period of transition. Ofqual would ensure continuity of EQA, including the provision of management and qualitative information to the Institute during and after any transition period. Ofqual could mitigate some of the risk to the quality of end-point assessment provision during the transition period through the adoption of a phased approach, moving standard by standard, or by groups of standards.
- 3.6. A phased approach would allow for mitigation of risks during transition. The market would be managed to ensure continuity of end-point assessment provision and to minimise disruption. It would also allow Ofqual to work with end-point assessment



organisations to manage any potential challenges to becoming regulated. The lessons learnt from initial transition phases could be shared as further mitigation.

### Stage 1 – Institute EQA activity transition to Ofqual

- 3.7. For the first year of transition, the proposal would be that the standards for which the Institute is currently the named EQA provider (167 in total), would move to Ofqual in 4 groups:
- i. Standards assessed exclusively by Ofqual-recognised end-point assessment organisations that require scope of recognition expansion only
  - ii. Standards with single provision end-point assessment organisations
  - iii. Standards with multiple end-point assessment organisations, of which none are currently recognised
  - iv. Standards with provision where there is a mix of Ofqual-recognised and unrecognised end-point assessment organisations
- 3.8. These groups could be run in parallel, and are to an extent dependent on the choices made by individual end-point assessment organisations, but generally they would be approached in turn. Within each group Ofqual could also give consideration to the volume of apprentices on each standard, particularly the number approaching their end-point assessment, and prioritise these accordingly so as to minimise the risk of any disruption to apprentices on programme. Ofqual would provide support to end-point assessment organisations through this period.

### Stage 2 – Other EQA providers' activity transition to Ofqual

- 3.9. For stage 2, a similar phased approach would be envisaged for end-point assessment organisations covered by other EQA providers, transitioning by standard. However, it is recognised that for different EQA providers there may be different circumstances. For some covering only a small number of standards, phasing may be unnecessary and so it may be simpler to transfer standards in one go.
- 3.10. Some existing EQA providers, and possibly other organisations, may continue to support EQA delivery through the employer register arrangements set out in section 2 of this consultation. The Institute therefore proposes to wait for the responses to this consultation, before undertaking detailed transition planning for this phase with Ofqual.
- 3.11. The Institute proposes that all existing end-point assessment organisations would have completed their transition to Ofqual recognition within two years of the commencement of transition.

### Commencement of transition and mitigating risk

- 3.12. The Institute proposes that transition would formally commence once Ofqual has made the necessary preparation, including confirming their readiness to deliver the Institute's revised EQA framework and engage with the Institute's digital system, aiming for completion within 2 years.

- 3.13. Should an existing EQA provider choose to exit the market outside the transition period set out above, Ofqual would work with the Institute on appropriate interim arrangements that made sure EQA coverage remained unaffected.

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

**Question 3b:** If yes, please provide more detail

### Ofqual Recognition

- 3.14. Under the proposed arrangements, end-point assessment organisations currently covered by Institute or employer-led EQA models, as well as those organisations who wish to provide assessment for non-integrated degree apprenticeships, would need to become Ofqual recognised, if they were not already. All new organisations wishing to register to deliver end-point assessment would be expected to have an 'in principle' agreement that they were seeking Ofqual recognition, from June 2021. This would make sure that end-point assessments are only delivered by high-quality organisations possessing the relevant assessment and occupational expertise, and which are operationally ready to deliver those assessments. To apply for Ofqual recognition, end-point assessment organisations have to evidence that they can meet the Criteria for Recognition.
- 3.15. Ofqual's approach to recognition is flexible enough to allow it to recognise end-point assessment organisations where Ofqual's Criteria are met, with special conditions for areas of potential risk e.g. requiring an end-point assessment organisation to undertake a monitoring visit by Ofqual prior to first award of the end-point assessment. One scenario where special conditions might be put in place is where an end-point assessment organisation has strong sector expertise in the occupational standard and experience of practical assessment, but limited experience of developing test materials and managing conflicts of interest. Ofqual's approach to recognition allows them to make specific judgements on these factors and put in place appropriate special conditions relating to the risks identified.
- 3.16. Guidance on how to become Ofqual-recognised and the steps and timescales involved can be found on Ofqual's website, including ([www.gov.uk/guidance/apply-to-have-your-qualifications-regulated](https://www.gov.uk/guidance/apply-to-have-your-qualifications-regulated)) and more information can be found in Annex A.
- 3.17. As part of transition planning Ofqual would have a specific communication and engagement plan for end-point assessment organisations, and is committed to engaging with them throughout any transition arrangements.



**Question 3c:** [For EPAOs] Do you envisage applying for Ofqual recognition?

**Question 3d:** [For EPAOs] What support do you envisage needing in the transition period, and beyond?

**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?

## Summary of questions

### Section 1 – Simplifying the EQA System

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

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

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

**Question 1d:** If no, please tell us more about your interest in EQA, exemplify any benefits or challenges you foresee in the proposal and your proposals to manage these impacts.

**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.

### Section 2 – Role of professional and employer-led bodies

**Question 2a:** Do you agree with the list of organisation types that could be included in the Institute's EQA register?

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

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

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

### Section 3 – Proposed transition arrangements

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

**Question 3b:** If yes, please provide more detail

**Question 3c:** [For EPAOs] Do you envisage applying for Ofqual recognition?

**Question 3d:** [For EPAOs] What support do you envisage needing in the transition period, and beyond?

**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?

## Annex A: General Impact Statement

### Overview

1. This general impact statement has been prepared to provide more detail on the impact of the Institute's proposed new model of EQA as set out in the main consultation.
2. The main benefits anticipated from this proposed change are that it will strengthen and simplify the EQA system. It is hoped it will strengthen EQA delivery as it will bring all end-point assessment within the scope of regulation, meaning that apprentices and employers will have assurance that all end-point assessment organisations meet a certain standard of assessment quality and that a wider range of sanctions can be applied where delivery falls below the accepted standard. It will simplify EQA delivery as end-point assessment organisations will only have to deal with one or two EQA organisations, reducing compliance costs and focusing effort on end-point assessment delivery. These changes also allow for the opportunity to move to a more efficient model for funding EQA where government funds this activity directly, and the current 'per apprentice' charges to end-point assessment organisations are removed.
3. The main costs from this proposed change are expected to be the costs to EQA providers from no longer delivering EQA following transition, as explained further below under 'EQA providers'. There will also be costs (but not charges) for end-point assessment organisations in going through the process of becoming Ofqual recognised and the associated ongoing compliance costs, but for some these may be outweighed by the benefits of regulation (see 'benefits of Ofqual recognition' below) and of dealing with one EQA organisation.

### Objectives and Intended effects

4. The Institute is proposing a simplified future model of EQA. The Institute proposes to retain its strategic role in EQA oversight, through its EQA framework, with operational responsibility for EQA delivery shifting to Ofqual and OfS. Ofqual and OfS would draw on the expertise of professional or employer-led bodies, for standards where an appropriate body exists, to make sure that end-point assessment remains a reliable and relevant test of occupational competence that meets the needs of employers.
5. The objectives of this proposed change are to:
  - Reduce the number of EQA bodies involved in delivery to achieve a simplified system of EQA, with clearer lines of responsibility between those bodies involved in EQA for the benefit of all of those involved in the apprenticeship system.
  - Preserve valuable professional and employer-led body input to EQA.
  - Benefit from their range of regulatory sanctions and breadth of assessment expertise within Ofqual and OfS.
  - Allow for the opportunity to change how EQA is funded so that government could move to a model of funding EQA directly, away from a system whereby end-point assessment organisations are charged for EQA.

6. The effects of this proposed change would be that those professional and employer-led bodies who are currently EQA providers will no longer be EQA providers after the transition period, and that end-point assessment organisations will need to apply for Ofqual recognition or expand their scope of recognition as necessary. Quality assurance checks will be delivered by Ofqual and OfS in line with the Institute's EQA framework and reported to the Institute, allowing analysis through its digital system. Ofqual and OfS will be supported by their powers as regulators, drawing on occupational expertise from professional or employer-led bodies, thereby preserving employer input into a simpler quality assurance system.
7. A further effect would be that Ofqual and OfS would not charge end-point assessment organisations for EQA, and would continue to be funded by government directly on the basis of EQA activity undertaken (not end-point assessment volumes), thereby representing a more sustainable funding model for government long term.
8. Most EQA providers charge end-point assessment organisations a fixed cost per apprentice. Different EQA providers have different costs - the variables include fees for staff with occupational expertise which differs depending on the sector, the volumes of apprentices and the number of end-point assessment organisations on the individual standards.
9. The fact that EQA charges currently in the system are variable causes confusion and uncertainty around where the value of EQA lies. These charges are ultimately met by government through the apprenticeships programme (as they are eligible costs in the funding band).
10. Therefore the benefits can be derived from a mixed regulatory and assurance approach that provides economies of scale from using an existing regulator, but also from basing costs on activity undertaken rather than end-point assessment volumes.
11. The effect on the end-point assessment market is less certain. However, the key aims that underpin end-point assessment, ranging from operational through to strategic, originating from the apprenticeships reforms, are that:
  - There is a sustainable end-point assessment market with the size, coverage and variety of occupationally knowledgeable organisations to meet apprentices' and employers' needs.
  - The register of end-point assessment organisations is managed to build employer access to, and choice of assessment organisations that have undergone financial and capability checks.
  - For some standards, multiple end-point assessment organisations provide assessment, creating a new, competitive market.
  - Niche and specialist standards, reflecting the nuanced requirements of employers, may only need one end-point assessment organisation.
  - Independent assessments should help employers to demand high quality provision from learning providers.

- End-point assessment is conducted by expert independent, external organisations resulting in rigorous assessment and employer confidence that a successful apprentice is really ready to do the job.
  - Employers and apprentices have access to information about the end-point assessment organisation.
  - Only those organisations that continue to demonstrate the design and delivery of relevant and reliable end-point assessment that complies with the assessment plan and relevant set of conditions are allowed to operate in the market.
12. With these key aims in place it is hoped that future end-point assessment will continue to gain prestige and ‘world class’ status enabling apprentices to transfer and progress throughout their careers with this recognised and respected achievement.

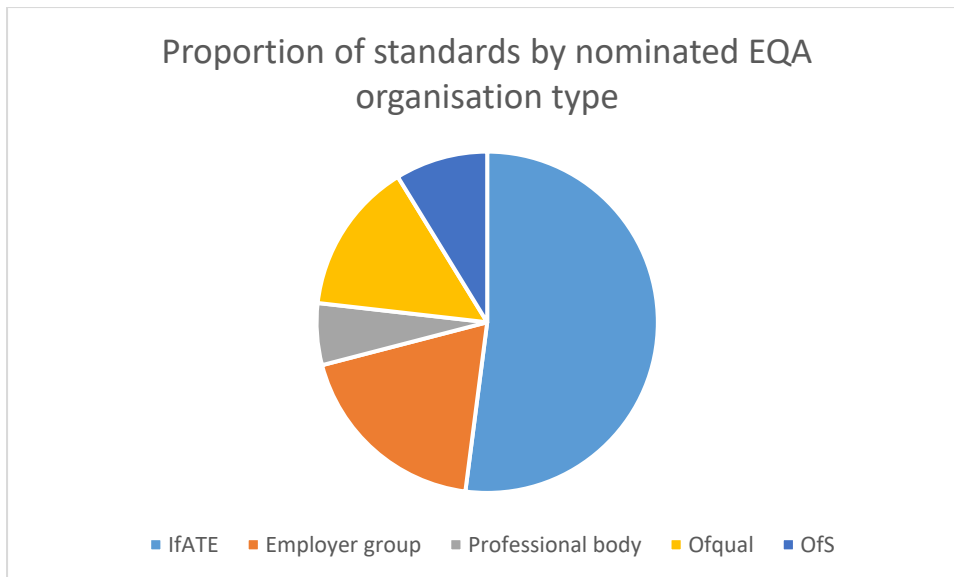
### Groups affected and likely impacts

13. The Institute consider the following groups to be affected by the proposed new system, and the impacts are set out in more detail below:
- EQA providers (existing and pending)
  - End-point assessment organisations (existing and new);
  - Employers (including professional bodies and trailblazers)
  - Apprentices

### EQA providers

14. Government wants to ensure that the employer voice remains central in these apprenticeship reforms. To date, there are 20 organisations approved to deliver EQA and a further 14 have been nominated for consideration by Trailblazers. The Institute is committed to ensuring that the expertise of professional bodies and employer groups remains at the core of assuring employers as to the relevance of the end-point assessment and the occupational competence of those apprentices who are successful.
15. There will be an impact on those EQA providers who are professional or employer-led bodies currently operating in the market, and those organisations who have been nominated by employers to become EQA providers under the Institute’s current process, and whose applications are pending, because under the future model their role in EQA would change. Whilst they would cease to be responsible for EQA delivery, some may continue to support Ofqual and/or OfS on particular standards where nominated to do so by the relevant trailblazer group and approved by the Institute (as set out in section 2 of the consultation document). The chart below shows the proportion of standards currently covered by EQA organisation type.





**Figure A: Proportion of standards by nominated EQA organisation type**

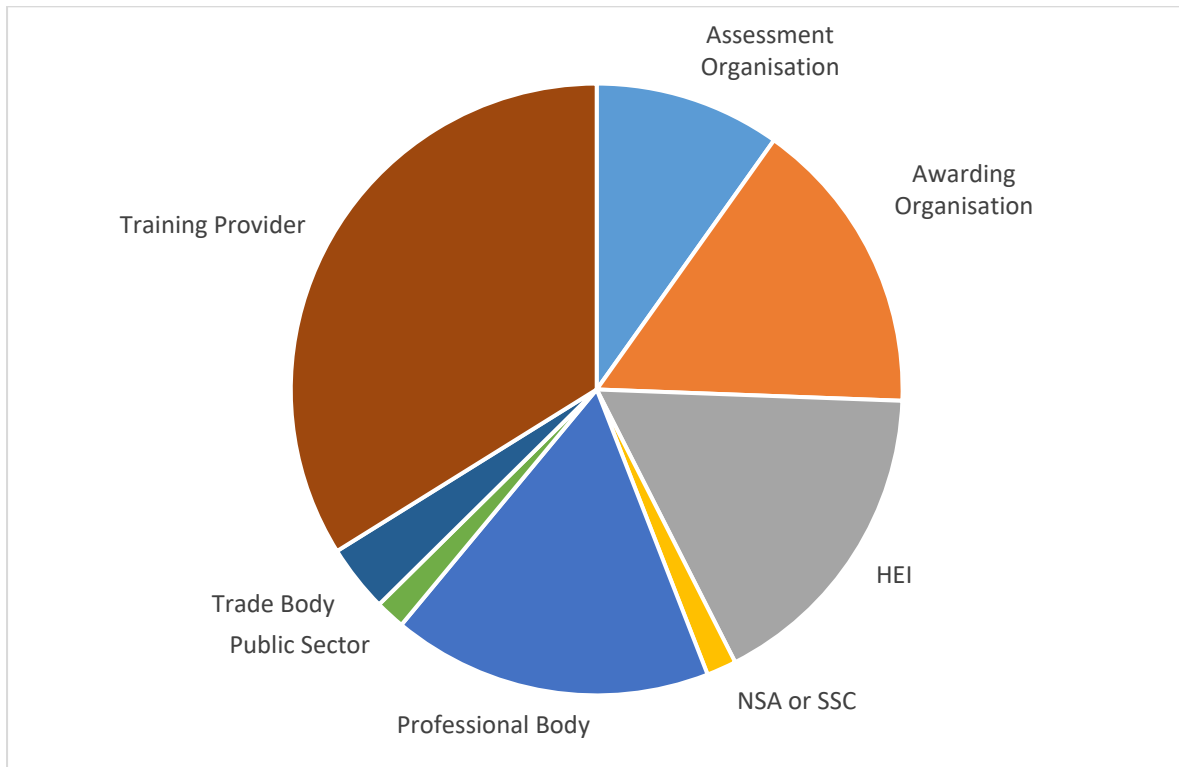
16. The extent of the cost to the EQA provider is dependent on several factors. These include: the volume of standards the EQA provider currently covers and volume of end-point assessments on these standards; the level of investment they have made in their EQA operation and how long they have been in operation; the role that they may play in EQA or elsewhere in the apprenticeship system under the new arrangements, and the suitability of the transition arrangements.
17. With the proposed model, the Institute anticipate there would be a transition period for standards to move from these organisations to Ofqual, with the final model in operation by June 2022. The Institute believe this will help ensure stability in the end-point assessment market, as smooth a transition as possible, and allow EQA providers sufficient time to wind down their existing EQA operations and potentially transition to a new role within the assessment landscape. The Institute recognise that depending on their business model, EQA providers will have a timeframe that is optimal for their business in terms of winding down their EQA delivery operation, and this may vary across organisations.
18. However, although in the future these organisations will not be responsible for delivering EQA, the proposed new model provides the opportunity for current EQA providers to consider where they could best add value in the apprenticeships system. If these organisations wish to continue having a role in the quality assurance part of the apprenticeships system, representing employers in a particular sector, then the Institute encourages them to respond to the questions under Section 2 of this consultation ('Role of professional and employer-led bodies').

## End-point assessment organisations

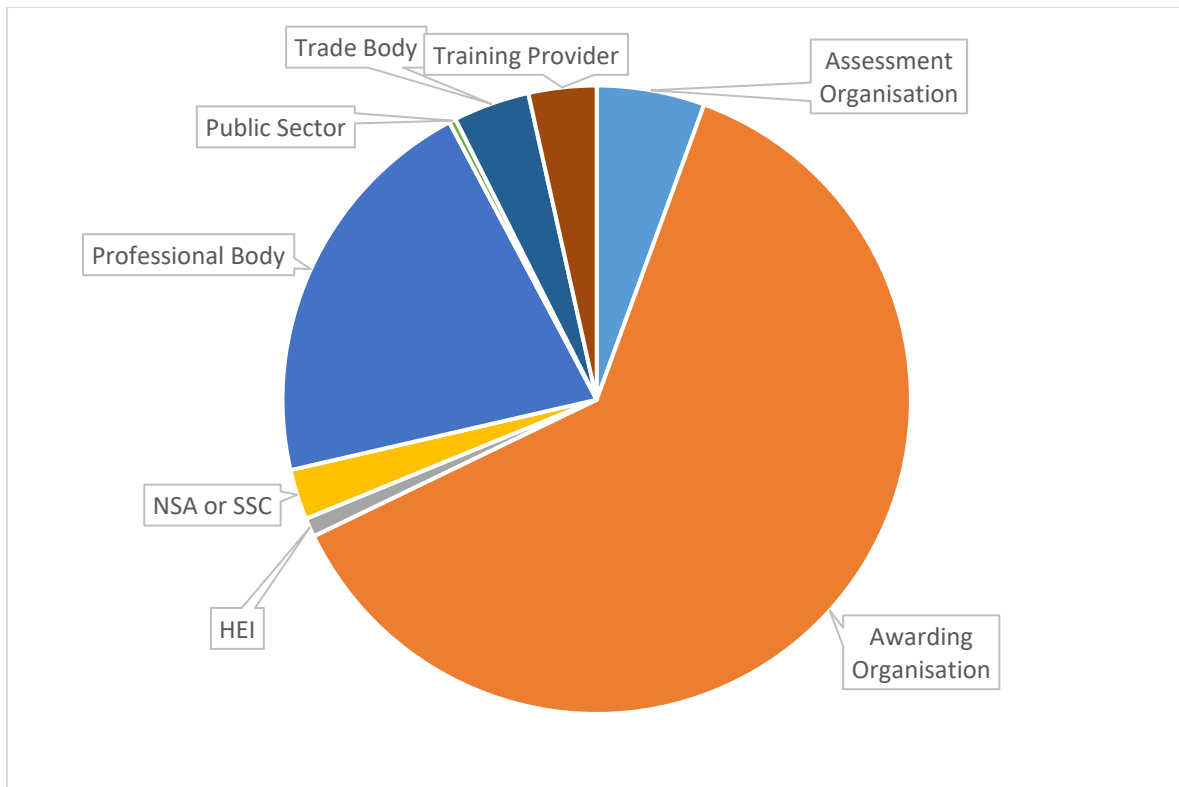
19. Under the proposed new model, end-point assessment organisations who wish to provide assessment for any apprenticeship standard other than integrated degree apprenticeships, will need to become Ofqual recognised, if they are not already, and comply with Ofqual's General Conditions of Recognition on an ongoing basis.



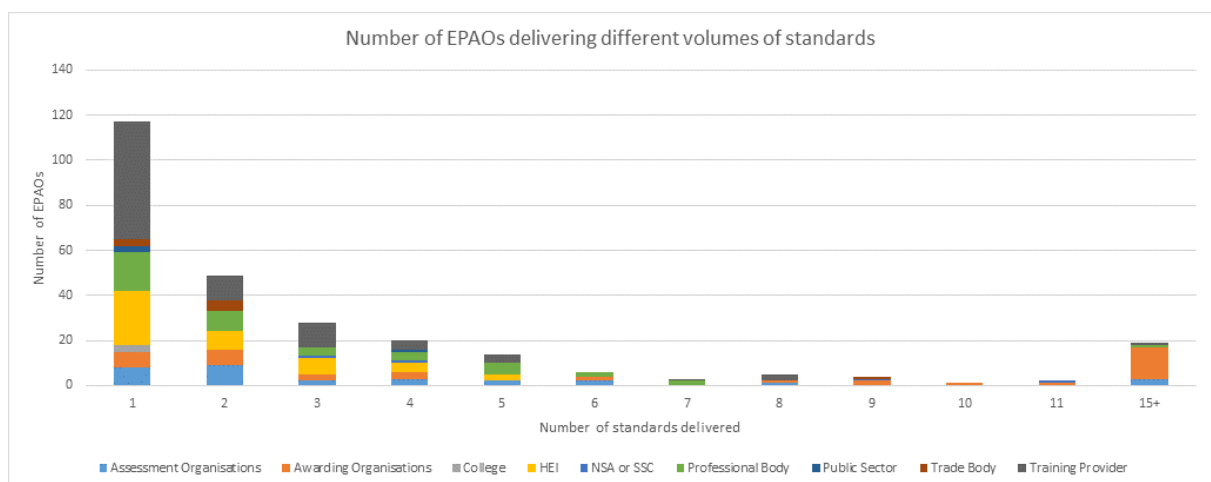
20. The charts below give an indication of the shape of the current end-point assessment market. Figure B shows the proportion of end-point assessment organisations by type. This means they are on the Register of End-Point Assessment Organisations but they may not be actively delivering any end-point assessment. Figure C shows the proportion of end-point assessment organisations by activity (i.e. those being chosen to deliver end-point assessment). Figure D shows the number of end-point assessment organisations delivering different volumes of standards.



**Figure B: End-point assessment organisation by type**

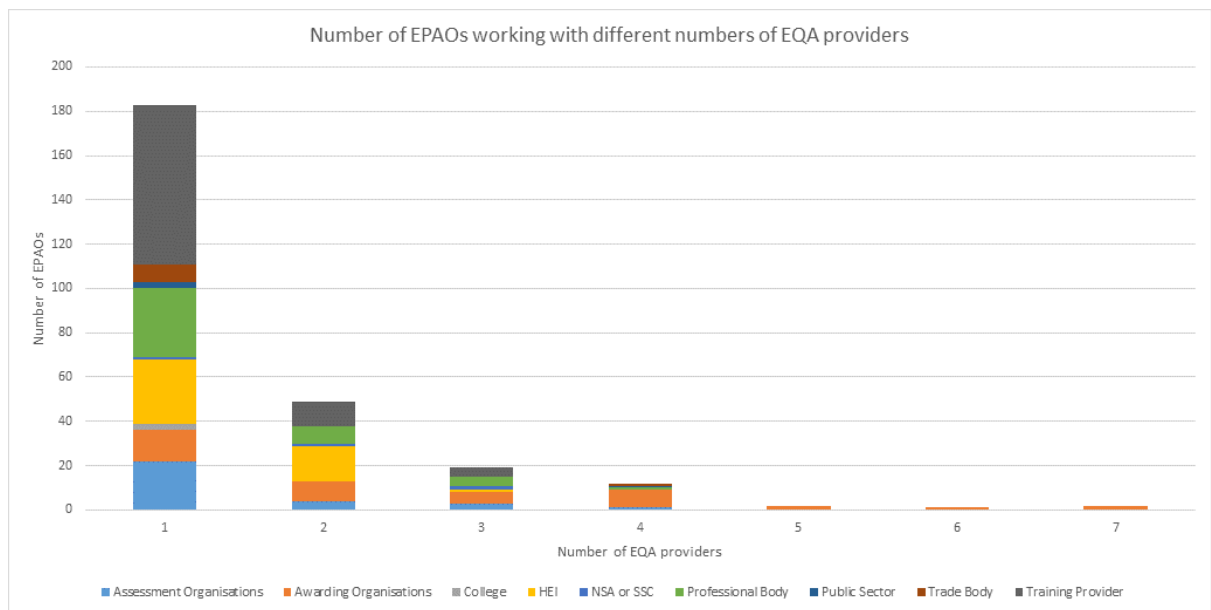


**Figure C: End-point assessment organisation by activity**



**Figure D: Number of End-point assessment organisation delivering different volumes of standards**

21. The benefits to end-point assessment organisations are derived from the intention to simplify the current arrangements and move from multiple EQA providers to Ofqual and OfS. Just under a third (31%) of all end-point assessment organisations have to deal with more than one EQA provider (see figure E). There is no data available that gives an indication of the cost to end-point assessment organisations of this current system, but anecdotally they have talked about the additional administration and burden of having to deal with multiple EQA providers. It is therefore anticipated there will be benefits from the proposed new system for those organisations who currently deal with multiple EQA providers, and are already Ofqual or OfS recognised.



**Figure E: Number of end-point assessment organisations working with different numbers of EQA providers**

22. For those **end-point assessment organisations not currently Ofqual-recognised** there may be some administrative cost associated with becoming Ofqual-recognised, and the process is signposted below. For this group of organisations there are around 41 that have had to **deal with multiple EQA providers**, and therefore the cost of recognition and ongoing compliance may be outweighed by the benefit of dealing with one organisation.
23. There are around 169 **end-point assessment organisations who are not currently Ofqual-recognised** who have only had to **deal with one EQA provider**, and therefore they may see the change to Ofqual as the same burden, or additional cost in terms of recognition and ongoing compliance.
24. For those **end-point assessment organisations who are already Ofqual-recognised** (across all organisations currently on the ESFA's register (267), 55 are already Ofqual recognised), there is little additional cost expected with moving to the proposed new system, as they would only need to expand their scope of recognition to cover further standards. They would likely see benefits in dealing with Ofqual as the EQA provider, given they already understand and follow Ofqual's Conditions. Those end-point assessment organisations who currently deal with only Ofqual (8) would need to familiarise themselves with the Institute's EQA framework as Ofqual's EQA activity will also be in line with that. 27 of these Ofqual-recognised organisations also have to **deal with more than one EQA provider**, so would be likely to see the benefits of reducing to one EQA provider.
25. The costs that organisations consider when they are calculating the cost of delivering end-point assessment for a particular standard may vary per organisation and per standard, but generally cover:
- Administrative costs of applying to ESFA's register of end-point assessment organisations & Ofqual recognition (if applicable)

- Employment of assessors
  - Business development (eg. marketing, employer engagement)
  - Assessment support material
  - Final assessment instruments / tools
  - Internal and External Quality Assurance compliance
  - Ongoing assessment delivery costs
  - For new end-point assessment organisations there are also initial systems infrastructure/set up
26. It is difficult to estimate how much additional administrative cost there may be to end-point assessment organisations as a result of this proposed change, as they already have to follow a registration process to join the Register of End-Point Assessment Organisations. However, as outlined further below, there would be a single, unified approach to registration, which would help reduce the impact. The costs could also be outweighed by the potential saving of only dealing with one EQA provider, for those organisations who cover a number of different standards and currently have to follow processes and procedures with a multitude of EQA providers. Administrative costs are one of the lower costs for end-point assessment organisations in comparison to the other costs associated with end-point assessment as listed above. Systems infrastructure, developing materials and assessment tools, and recruiting and training assessors are all where the substantial costs for these organisations lie, and the ongoing costs of delivering assessment are high. These will be unaffected by the proposals in this consultation.
27. Whether costs to end-point assessment organisations will be higher or lower will depend on their current EQA arrangements and whether they already have Ofqual recognition. What will be different is that all end-point assessment organisations delivering non-degree apprenticeships assessments will need to come under Ofqual's General Conditions of Recognition and continue to comply with these Conditions on an ongoing basis, and incur any costs associated with compliance (see below under 'Ofqual recognition' and Ofqual's Regulatory Burden Statement). The process for Ofqual recognition is known and certain, and therefore the Institute do not anticipate there to be any hidden costs.
28. Ofqual are required to report annually on how they minimise regulatory burden and their latest annual report on this can be found here:  
[www.gov.uk/government/publications/ofquals-regulatory-burden-statement](http://www.gov.uk/government/publications/ofquals-regulatory-burden-statement).
29. Ofqual state they minimise burden as much as possible by:
- Engaging with organisations before they submit a recognition application. Ofqual make information available to applicants and offer the opportunity to meet with experienced Ofqual staff. If they become regulated, applicants will understand what is expected of them.
  - In working with the Institute on EQA, Ofqual make sure they do not duplicate or replicate information requested from awarding organisations.
30. In September 2019, Ofqual refreshed their Recognition application process, reporting impact on business as below the £5m threshold required for reporting to the Regulatory Policy Committee.

## Ofqual Recognition

31. Guidance on how to become Ofqual-recognised and the steps and timescales involved can be found on Ofqual's website <https://www.gov.uk/guidance/apply-to-have-your-qualifications-regulated>.
32. The proposed new EQA model will require Ofqual to work with a larger number of end-point assessment organisations and smaller, more 'niche' organisations than they currently do. As part of transition planning Ofqual will have a specific communication and engagement plan for end-point assessment organisations, and is committed to providing support to them through this transition process.
33. In 2018 Ofqual introduced a panel meeting into the recognition process. This is an opportunity for the panel to explore with the applicant the evidence they have submitted. For example, to substantiate or clarify what was provided, and to discuss implementation of policies and practices. The purpose of the panel meeting is to ensure that the Chair has enough and correct information to decide if the applicant has the capacity and capabilities to deliver end-point assessments. If they are successful at the panel meeting they will become recognised. If the applicant organisation is unsuccessful, Ofqual invite them for a feedback meeting where they can give them more information about why they were unsuccessful, they can then resubmit their application at any time.
34. Ofqual also introduced a new process in 2019 of an early engagement meeting with applicant organisations before they start their application. This is designed to help applicant organisations understand Ofqual's requirements and the application process.
35. Sometimes when awarding recognition, Ofqual will additionally apply 'special conditions'. These are particular requirements, often time-limited, put in place to further safeguard delivery of end-point assessments. For example, special conditions may require an organisation to revise a specific policy or address feedback to improve assessment tools, or require assessment materials to be reviewed by assessment and occupational experts before they can go-live.

## The benefits of Ofqual recognition

36. Ofqual recognition provides assurance to apprentices that the end-point assessment organisation has the capacity and capability to deliver end-point assessment. Ofqual recognition would make sure that end-point assessments are only delivered by organisations possessing the relevant assessment and occupational expertise, and which are operationally ready to deliver those assessments. To apply for Ofqual recognition, end-point assessment organisations have to evidence that they can meet the Criteria for Recognition.
37. Ofqual's approach to recognition is flexible enough to allow it to recognise end-point assessment organisations where Ofqual's Criteria are met, with special conditions for areas of potential risk e.g. requiring an end-point assessment organisation to undertake a monitoring visit by Ofqual prior to first award of the end-point assessment. One scenario where special conditions might be put in place is where an end-point assessment organisation has strong sector expertise in the occupational standard and experience of practical assessment, but limited

experience of developing test materials and managing conflicts of interest. Ofqual's approach to recognition allows them to make specific judgements on these factors and put in place appropriate special conditions relating to the risks identified.

38. Once recognised by Ofqual, end-point assessments are treated with the same rigour as other high-stakes qualifications. This benefits apprentices, end-point assessment organisations and employers.
39. If things go wrong Ofqual can take action to put things right and to prevent or deter future non-compliance. Only regulators have these powers. These include, but are not limited to:
  - putting in place extra rules – known as special conditions - for that end-point assessment organisation
  - requiring the end-point assessment organisation to do certain things, or to stop doing certain things
  - fining the end-point assessment organisation
  - withdrawing the end-point assessment organisation's recognition - so it can no longer offer end-point assessments

#### A strengthened process for registering end-point assessment organisations

40. As outlined in Section 2 of the main consultation, currently the ESFA operates a Register of End-point Assessment Organisations ('the Register') on a digital platform as part of the [Apprenticeship Service](http://www.apprenticeships.gov.uk/employer/assessment-and-certification) [www.apprenticeships.gov.uk/employer/assessment-and-certification]. Organisations must apply to be on the register in order to conduct end-point assessments for a specific apprenticeship standard(s). The register application process evaluates an organisation's capacity and capability to deliver end-point assessment for a specific standard, and gives financial assurance to the ESFA for the associated funding that it provides.
41. There are benefits to users having the Register on the same digital platform as the Apprenticeship Service. It links an end-point assessment organisation to information in their register entry and annual update checks on them, the information hub and access to register applications that utilise existing submitted information. For employers it facilitates their end-point assessment organisation selection process and improves the link between the end-point assessment organisation and the apprentices they have been selected to assess. It also enables reporting of assessment outcomes and issuing of the certificate to the apprentice.
42. Under the proposed new model, in addition to the ESFA's checks on financial assurance, end-point assessment organisations would need to demonstrate that they meet either Ofqual's Criteria for Recognition or, for integrated degree apprenticeships, have met the requirements of an OfS-registered provider. This would involve evidencing that the end-point assessment organisation has the organisational arrangements, resources, systems and assessment competence to develop and deliver end-point assessment on all of the standards which it seeks to deliver.
43. There would be a single, unified approach to becoming an end-point assessment organisation, meeting the requirements of both Ofqual (for assessment expertise,



organisational capacity and capability) and ESFA (for corporate and financial assurance). Similar arrangements already exist for OfS-registered organisations delivering integrated degree apprenticeships. This therefore presents an opportunity for strengthening of the registration process. The aim would be to have a streamlined application process by the time Stage 1 transition arrangements are completed.

## Employers

44. Trailblazer groups would no longer need to nominate an EQA provider as part of the development of their end-point assessment plan. EQA providers listed on existing assessment plans would remain so until they had transitioned out of delivery of EQA on that standard.
45. Employers (trailblazer groups who develop and design each apprenticeship) would be invited to select professional or employer-led bodies to represent them as part of the quality assurance process, working with Ofqual/OfS to ensure that occupational competence is being properly and consistently assessed. There are intended benefits of bringing employers into the system at the quality assurance end of the apprenticeships programme.
46. Employers should benefit from the combination of a robust quality assurance approach and regulatory regime of Ofqual and OfS, continuing to have a voice, but confident that apprentices will be getting good quality end-point assessment and will be able to do the job they were trained to do.
47. Employers will continue to have access to a register of end-point assessment organisations through the digital Apprenticeships Service. This service facilitates employers' end-point assessment organisation selection process.
48. Professional and employer-led bodies who would be nominated by trailblazer groups could register with the Institute to offer occupational expertise to Ofqual/OfS to support their EQA delivery, and therefore continuing to have involvement in ensuring apprentices achieve occupational competence for the benefit of their sector or industry. The process would be administrative, and therefore should be of minimal cost to the professional or employer-led body. They might be able to benefit from funding to support this role, depending on the nature of the expertise and activity used, and the point in the assessment cycle.

## Apprentices

49. The intended benefits of the proposed change on apprentices is an EQA system that assures occupational competence against the Institute's EQA framework supported by regulatory action where necessary, ensuring protections for the apprentice.
50. A benefit to apprentices is the simplification of the EQA system overall - with apprentices clear on who they go to if they have an issue or concern with how their end-point assessment has been carried out.
51. Ofqual and OfS have clear complaints procedures on their websites. Both organisations will take into account complaints and intelligence that they receive, including from apprentices, and will factor this in to their EQA activity.

52. There is a risk with the implementation of this proposed change that some end-point assessment organisations decide not to become Ofqual-regulated and withdraw from providing end-point assessment. If that organisation was the only one providing end-point assessment for a particular standard, it leaves a gap in delivery, and if there are apprentices on programme due to carry out their end-point assessment it exposes them to risk of not achieving their apprenticeship. If there are only a handful of end-point assessment organisations, and one decides to withdraw, there is also a risk to the apprentice achieving.
53. The risk to the apprentice is moderate, but not significant. ESFA closely monitors the end-point assessment market to manage the risk of lack of coverage. Based on current ESFA data, there are around a third of all standards with one organisation providing end-point assessment for that standard, and around a third of these organisations are not Ofqual recognised already. Apprentices in learning on standards covered by only one end-point assessment which is not Ofqual-recognised represent around 7% of all apprentices in learning. Of these same apprentices, those due to take their end-point assessment in the next 12 months represent 1% of all apprentices.
54. One benefit of the proposed change to the EQA system is that Ofqual, through its General Conditions of Recognition, is able to make arrangements to facilitate the transfer of end-point assessment to another Ofqual-recognised end-point assessment organisation if they are recognised for that standard, in the event that an organisation decides to exit the market.

### Next steps

55. The Institute invite respondents to the consultation to provide views on the potential impacts of the proposal to give us a clearer understanding of what the impact will be on the different groups set out above, and potential costs and benefits that the Institute may not have yet foreseen. This will enable us to fully understand the implications of the proposed change. The questions are set out in the main consultation.



## Annex B: Equalities Impact Statement

### 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

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

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

The Institute 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.

**The Institute does not anticipate any direct link between the proposals and the protected characteristics listed above.**