



**EPAO recognition evidence  
and resources ‘toolkit’**

**Webinar – June 2021**

## Purpose of this webinar

- **To introduce the EPAO recognition evidence and resources ‘toolkit’, which is:**
  - A walk-through of the application form
  - What is expected for each section
  - The resources available to support you
  
- **How this will work:**
  - The EPAO recognition evidence and resources ‘toolkit’ will be made available after the webinars
  - Post any questions in the chat and these will be addressed after the session (not live)
  - This session will be repeated, so keep an eye out for further invitations if you, or others, wish to attend

# How we can help you

## ■ We can:

- tell you about the recognition process
- tell you what to evidence
- give you guidance
- provide resources
- share the experiences of other EPAOs
- and give you a point of contact for queries

## ■ We cannot:

- give you a checklist to work through
- review your application (or any part of it) before submission

## ■ Why?

- Because of 'regulatory capture' which occurs when a regulatory agency, which was created in the public interest, ends up advancing the political or commercial concerns of the entities it is supposed to be regulating.
- If we 'give you the answers' we may, essentially, end up regulating ourselves

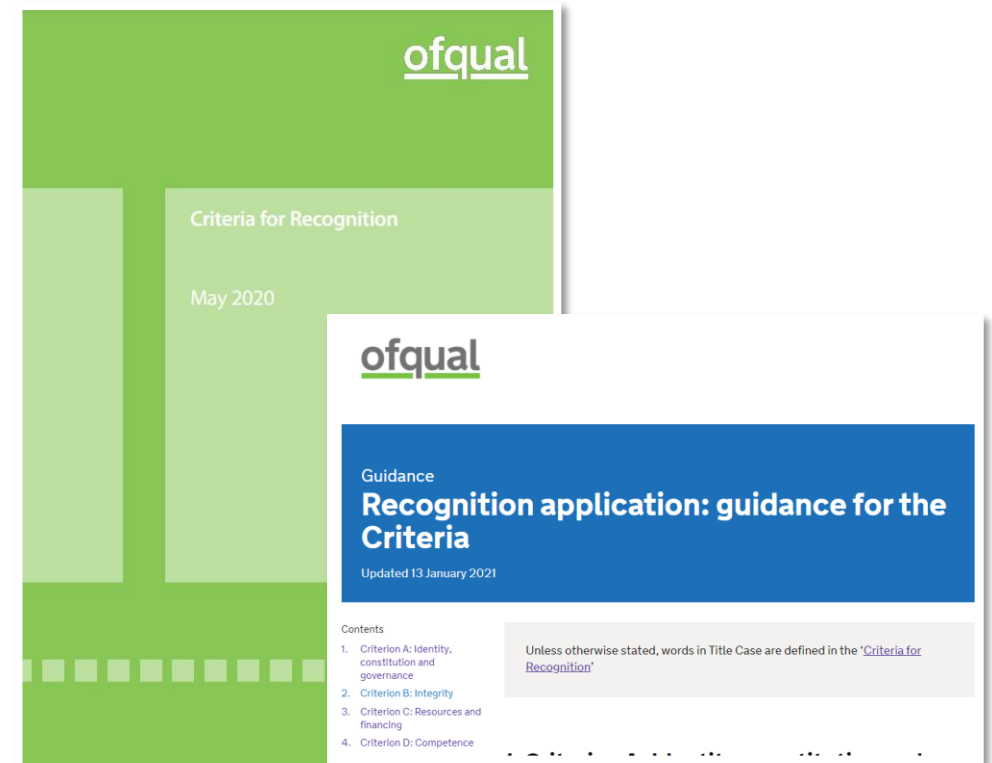
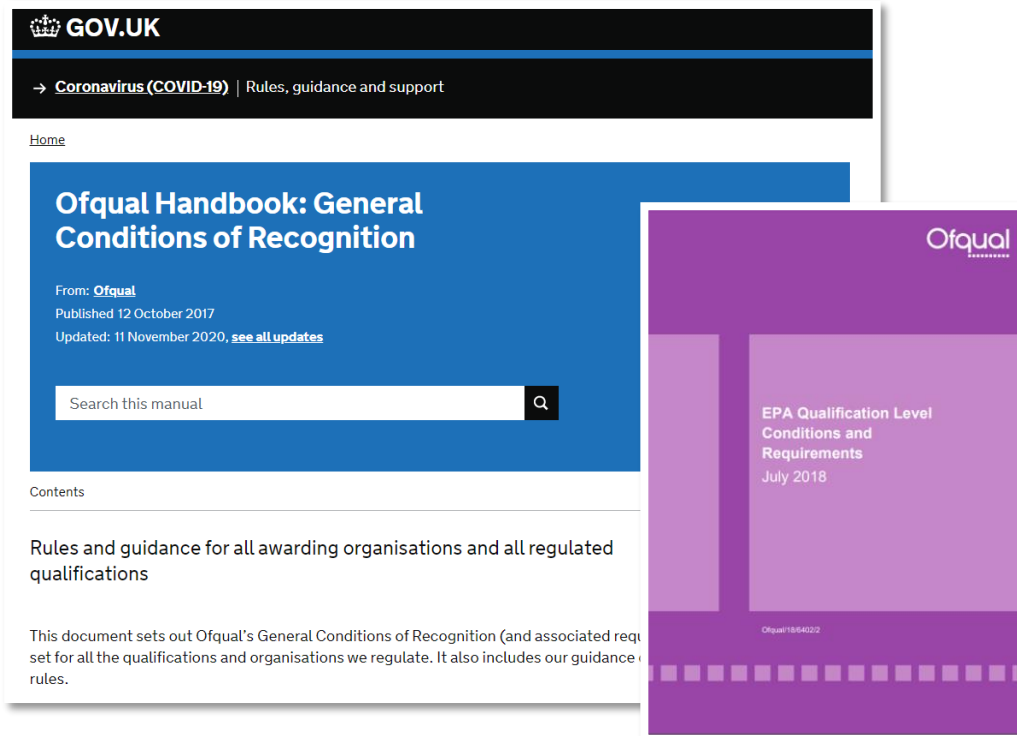
## Things to remember...

- You need to do what is right for you – we do encourage innovation
- Your approach may not be the same as someone else's and that's fine
- None of the guidance or suggested documentation is exhaustive
- You do not have to repeat information that you have already provided in another section – just reference it, that's easier for you and for us
- Make sure you've put the right information in the right place on the form
- Where you see references to **Conditions** - these are part of Ofqual's [General Conditions of Recognition](#) (GCoR) or [EPA Qualification Level Conditions](#).
- Where you see references to **Criteria** - these are part of Ofqual's [Criteria for Recognition](#)
- **It is possible to achieve recognition the first time that you apply**

# The Conditions of Recognition and the Criteria for Recognition

- The General Conditions of Recognition are the rules which all regulated Awarding Organisations must comply with on an ongoing basis, once recognised.
- The EPA Qualification Level Conditions apply only to End Point Assessments. They disapply some of the General Conditions and apply some others. Both documents have associated guidance

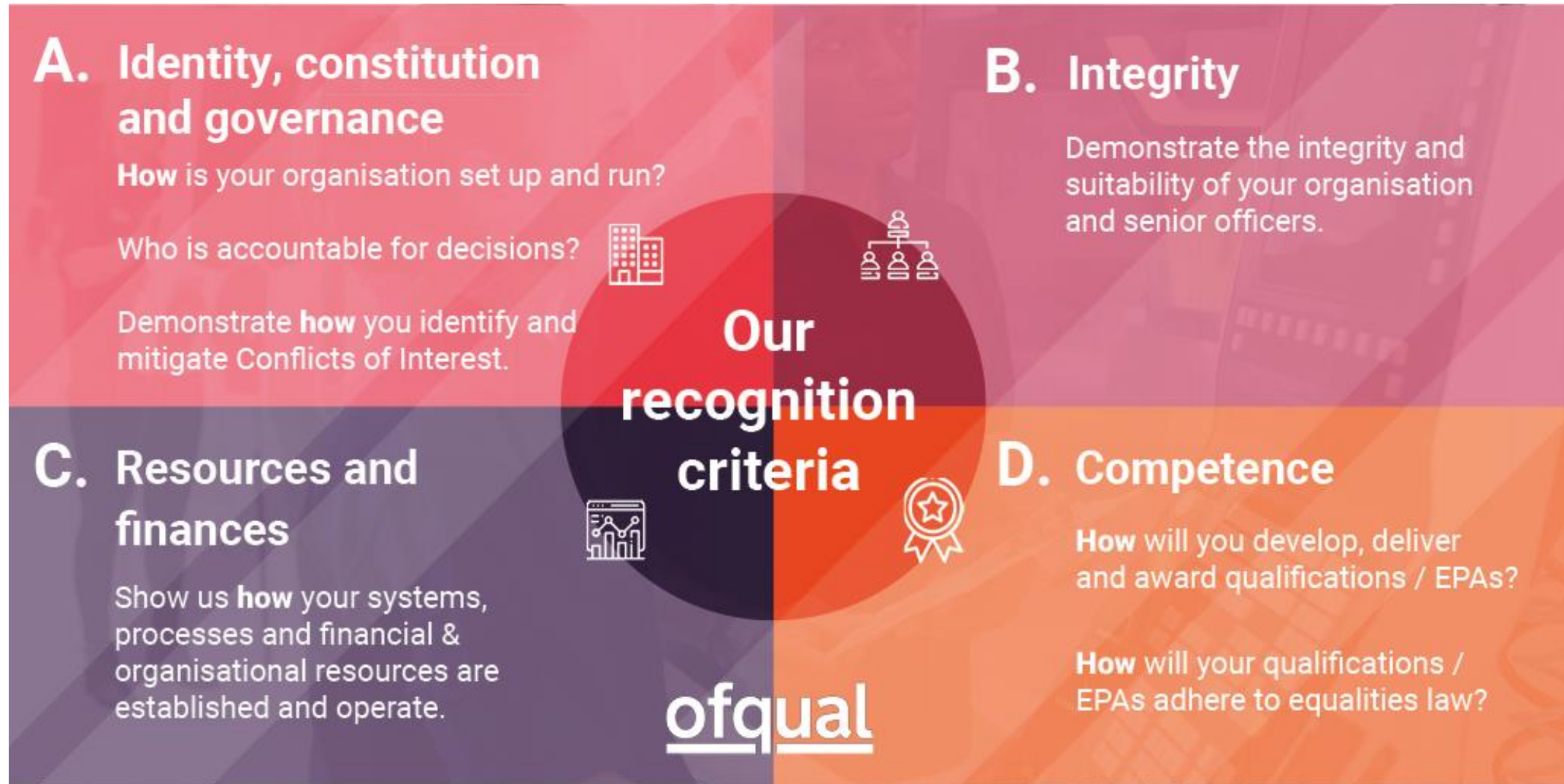
- The Criteria for Recognition is what we will assess your application against.
- The Criteria helps us to judge whether you can meet our Conditions on an ongoing basis and offer regulated End Point Assessments.
- **Please note: The numbering across the Conditions and Criteria don't always align**



## Getting started

- **Before you start:** set up your account on Ofqual's [Recognition Gateway](#).
  - see our [How To Guide](#)
- **You may also want to view some of our supporting resources:**
  - [Recognition application: guidance for the Criteria](#)
  - [Understanding recognition](#) - Video
  - [7 Top Tips for getting recognised](#) - Video
- **Learn from other EPAOs who have been successful in gaining Ofqual recognition**
  - ['Case study' web page](#)
  - [Webinar with EPMI](#)
  - [Webinar with Autoexel](#)
  - [Webinar with EUIAS](#)

# The 4 areas of Ofqual recognition



# Introduction (1)

The application form for recognition by Ofqual is split into 4 main sections:

## ■ **Criterion A: Identity, constitution and governance**

- Identity and constitution - A.1, A.2 and A.3
- Governance – A.4, A.5 and A.6
  - A.4 Organisation and governance
  - A.5 Conflicts of Interest
  - A.6 Governing body oversight

## ■ **Criterion B: Integrity**

- B.1 Integrity of the Applicant
- B.2 Integrity of Senior Officers

## ■ **Criterion C: Resources and financing**

- Criterion C.1
  - (a) systems, processes and resources
  - (b) financial resources and facilities



## Introduction (2)

### ■ Criterion D: Competence (three factors):

- (a) the applicant will be able to undertake the development, delivery and award the qualifications it wishes to award in accordance with the Conditions
  - (b) any such qualification must, as far as possible, be valid, reliable, comparable, manageable and minimise bias
  - (c) any such qualification must be compatible with the requirements of equalities law
- 
- You will need to have regard for the [EPA Qualification Level Conditions](#) and you should demonstrate your understanding of these requirements as part of your application.

## Filling in the form...

**Please note:** Some of the response boxes on the application form have a 499-word limit. The form was designed for you to provide a summary of how you meet each criteria and to reference where information, commentary and evidence is in the document uploads. It is deliberately short to avoid applicants duplicating effort or repeating evidence that is in another document. Please use it to tell us where we can find the information in the documents you have uploaded.

### ■ The first two questions on the form are:

- What do you want to be recognised by Ofqual for? (Types of qualification)
- Please explain why you want to be recognised by Ofqual to offer regulated qualifications

## Criteria A – 1, 2 and 3: Identity, constitution and governance

- **Summary:** You will need to provide detail and structure of your organisation. You should explain how the organisation operates or will operate and demonstrate the arrangements in place. We need to know who owns and has a financial interest in your business. If the business is owned by other entities, a diagram detailing the group structure should be provided as part of the business plan.
- You will need to review [Ofqual’s guidance for meeting Criteria A – 1, 2 and 3](#)

You must ensure you provide the following as a minimum in response to A.2 and A.3:	Documents you may wish to upload
<ol style="list-style-type: none"><li>1. Evidence establishing that you operate within the UK, Gibraltar, a member state of the EU or EFTA.</li><li>2. A main contact address and contact telephone number registered in the UK, Gibraltar, EU or EFTA.</li><li>3. A valid UK, Gibraltar, EU or EFTA email address for your organisation.</li><li>4. The current legal status of your organisation – for example, registered charity, limited company, society established by Royal Charter.</li><li>5. A copy of your constitutional or governance documents – for example, articles of association, charter, partnership agreement, or any equivalent constitutional document, unless you are applying as an individual.</li><li>6. Evidence of relevant registration held by you with appropriate authorities within the UK, Gibraltar, EU or EFTA. You should provide all relevant and appropriate registration numbers, for example Companies House or the Charities Commission.</li></ol>	<ul style="list-style-type: none"><li>• Organisation structure charts</li><li>• Lists and profiles of key staff</li><li>• Job or role descriptions</li></ul> <p><i>This list is not exhaustive and you should provide what is right for your organisation.</i></p>

## Criterion A4 - governance

- **Summary:** You should show how your organisation is or will be organised and governed. Where appropriate, you should also show how the awarding organisation will fit within any holding company and how it relates to any parent companies and sister companies.
- You will need to review [Ofqual's guidance for meeting Criteria A.4](#)

Questions to consider (you don't need to answer these in the application)	Documents you may wish to upload
<ul style="list-style-type: none"><li>• Is there a clear structure explaining how the organisation will function in relation to the development, delivery and awarding of qualifications and/or end-point assessments?</li><li>• Is it clear who is accountable for the quality of the development, delivery and awarding of qualifications and/or end-point assessments?</li><li>• Are reporting lines and structures clear?</li><li>• Are there any potential conflicts of interest in the governance model?</li><li>• Is the responsible officer role sufficiently senior to serve as the authoritative point of contact for Ofqual in relation to all activities that would be undertaken by the awarding organisation?</li><li>• Are the roles within the awarding organisation well defined? For example, job descriptions and role profiles.</li><li>• Do the right roles exist to allow the awarding organisation to develop, deliver and award qualifications and/or end-point assessments?</li></ul>	<ul style="list-style-type: none"><li>• Organisation structure charts</li><li>• Lists and profiles of key staff</li><li>• Job or role descriptions</li></ul> <p><i>This list is not exhaustive and you should provide what is right for your organisation.</i></p>

## Criterion A5 - conflicts of interest

- **Summary:** Your response and supporting information should show how you do or will identify, manage and mitigate conflicts of interest which may arise at individual and organisational level.
- You will need to review [Ofqual's guidance for meeting Criteria A.5](#)
- Watch our [Webinar on conflicts of interest and governance arrangements](#)

Questions to consider (you don't need to answer these in the application)	Documents you may wish to upload
<ul style="list-style-type: none"><li>• Have you considered all elements of the business to identify those areas which may give rise to a conflict of interest?</li><li>• Does a policy exist which explains how you identify and manage conflicts of interest?</li><li>• How do individuals associated with your organisation declare conflicts of interest?</li><li>• Does the policy cover conflicts of interest at all levels of your organisation?</li><li>• Is the policy clear what actions will be taken where a conflict of interest is declared or otherwise identified and will those actions be sufficient to protect learners?</li><li>• What processes do you have in place to review conflicts of interest and how does this happen?</li></ul>	<ul style="list-style-type: none"><li>• Conflict of interest Policy</li><li>• Conflict of interest processes – such as how records are kept, reviewed and how long they are stored</li><li>• Conflict of interest declaration form</li></ul> <p><i>This list is not exhaustive and you should provide what is right for your organisation.</i></p>

## Criterion A6 - governing body oversight

- If you are a wholly-owned subsidiary, you will need to show that your governing body has visible and authorised independence from the parent company. This is to ensure the opportunity exists for the awarding organisation to challenge operations in the parent company which may affect your ability to comply with the Conditions.
- You will need to review [Ofqual's guidance for meeting Criteria A.6](#)
- Watch our [Webinar on conflicts of interest and governance arrangements](#)

Questions to consider (you don't need to answer these in the application)	Documents you may wish to upload
<ol style="list-style-type: none"> <li>1. Does the governing body have defined roles and responsibilities?</li> <li>2. How does the organisation assure itself that its members of the governing body have the appropriate skills and experience?</li> <li>3. Is it clear how the governing body oversees performance across the organisation?</li> <li>4. Is it clear how the governing body integrates with governance at all levels within the organisation?</li> <li>5. Do policies and processes exist which enable the governing body to identify and manage risk?</li> <li>6. Does the governing body understand its function in ensuring the organisation's capability to comply with the Conditions?</li> <li>7. Is it clear what authority it has to act and take responsibility for the operation and performance of the organisation?</li> </ol>	<ul style="list-style-type: none"> <li>• Terms of reference for the governing body and relevant committees</li> <li>• Policy and processes for risk management</li> <li>• Committee structures and membership</li> </ul> <p><i>This list is not exhaustive and you should provide what is right for your organisation.</i></p>

## Criterion B - integrity

- **Summary:** Criterion B is concerned with the suitability of the organisation or persons relevant to the application. Criterion B.1 relates to the declaration required to evidence suitability for the integrity of the entity applying for recognition and Criterion B.2 relates to the declaration required to evidence suitability for the integrity of senior officers.
- You will need to review [Ofqual’s guidance for meeting Criteria B – 1 and 2](#)
- Note: Senior Officers is a defined term in the [Criteria for Recognition](#) ‘A director or senior executive officer of the Applicant or, where the Applicant is not a limited company, a person holding a position of equivalent status within the organisational structure of the Applicant.’

For B.1 you will need to select the relevant option in relation to your EPAO– see page 28 of the <a href="#">Recognition Portal how-to-guide</a>	For B.2 you will need to select the relevant option in relation to your EPAO– see page 29 of the <a href="#">Recognition Portal how-to-guide</a>	Documents you may wish to upload
<p>As part of the application, you should either declare that the entity applying for recognition has not:</p> <ul style="list-style-type: none"> <li>a) been the subject of any criminal convictions</li> <li>b) been found by a court or any professional, regulatory or government body to have breached any provision of competition law, equalities law or data protection law to which it has been subject</li> <li>c) been found by a court or any professional, regulatory or government body to have breached any provision of any relevant legislation or relevant regulatory obligation to which it is subject</li> <li>d) been the subject of any instance of insolvency or corporate financial restructuring to which it is or has been subject, or, where you cannot do so, provide relevant details.</li> </ul>	<p>Likewise, you should either declare that your senior officers have not:</p> <ul style="list-style-type: none"> <li>a) been the subject of any criminal convictions</li> <li>b) been found by a court or any professional, regulatory or government body to have breached any provision of any relevant legislation or regulatory obligation, to which they are subject</li> <li>c) been the subject of any instance of bankruptcy or individual financial arrangements to which they are or have been subject</li> <li>d) been disqualified from holding the directorship of a company or from public office</li> <li>e) been subject to a finding of malpractice or maladministration, in relation to a qualification (whether regulated or unregulated)</li> </ul> <p>or, where you cannot do so, provide relevant details.</p>	<ul style="list-style-type: none"> <li>• CVs or biographies of senior officers</li> <li>• recruitment procedures for senior officers</li> <li>• processes for obtaining and verifying senior officer declarations</li> <li>• processes to deal with allegations about employees</li> <li>• robust decision-making process for confirming appointments, e.g. appointment panels</li> </ul> <p>This list is not exhaustive and you should provide what is right for your organisation.</p>

## Criterion C: resources and finances

- **Summary:** For Criterion C.1, you should evidence the resources you will have in place to develop, deliver and award the qualifications and/or end-point assessments you wish to offer. It is possible that some of these things are not yet in place (e.g.. staff) as you may not yet be offering qualifications or end-point assessments. If this is the case, your application and supporting information must show how this will be achieved if we decide to recognise you.
- Criterion C.1 is split into 2 requirements, so you may want to structure your response accordingly:
  - (a) systems, processes and resources
  - (b) financial resources and facilities
- You will need to review [Ofqual's guidance for meeting Criteria C.1 \(a\) and \(b\)](#)

Evidence for this section is likely to cover how you will develop, deliver and award qualifications and/or end-point assessments through your organisation, processes, people, infrastructure and systems. It may also include how you will manage data securely to comply with legislation requirement, how you manage centres from a risk perspective, how your systems link up with those of your centres, and your business continuity plan.

You may also wish to explain what skills, knowledge and experience you have in current staff who will deliver, develop and award qualifications and/or end-point assessments, and how new staff will be recruited, trained and managed.



## Criterion C1 (a) – systems, processes and resources

- This section is all about the infrastructure and systems you have in place to support the development, delivery and award of qualifications and/or end-point assessments.
- You will need to review [Ofqual's guidance for meeting Criteria C.1 \(a\) and \(b\)](#)

We would expect to see arrangements in place for the following:	Documents you may wish to upload
<ul style="list-style-type: none"><li>• Any relevant third-party contracts, such as arrangements with IT providers, arrangements with centres, or employers involved in the delivery of assessments (for example, providing facilities, invigilators and/or assessors)</li><li>• Managing your relationship with centres (including employers or training providers); for example, how you would expect centres to invigilate assessments, and how you would take action in the case of malpractice or maladministration</li><li>• Processes for the development, delivery and award of qualifications and/or end-point assessments (you may choose to provide these as part of your evidence for Criterion D instead)</li><li>• Policies to meet legal and regulatory requirements, for example reasonable adjustments, special considerations, appeals, complaints or malpractice policies</li><li>• Staff resourcing plans which will enable you to develop, deliver and award qualifications and assessments successfully</li><li>• Organisational policies and procedures, e.g. recruitment of staff and members of the governing body</li></ul>	<ul style="list-style-type: none"><li>• an IT strategy and tools which support the development, delivery and award of qualifications and/or end-point assessments, and the security of learner information</li><li>• a business continuity plan focused on protecting learners' interests</li><li>• third party arrangements that are in place or will be in place for any support services</li><li>• processes and policies for the key components of the development, delivery and award of qualifications and/or end-point assessments, from identifying the demand for a new qualification through to review and withdrawal</li><li>• centre approval policies and processes</li><li>• indication of relevant skills and experience required of teams and individuals</li><li>• plans for recruitment for posts not yet filled</li><li>• training plans</li><li>• plans for recruiting (if applicable) and managing any outsourced operation</li></ul> <p><i>This list is not exhaustive and you should provide what is right for your organisation</i></p>

## What do we mean by Centres?

- You will need to clear about how you are working with Centres – see the [EPA Qualification Level Conditions and Requirements and the associated guidance](#)
- A Centre is any organisation that delivers part of a qualification on behalf of an awarding organisation. In an EPA context an employer or training provider that delivers or marks an assessment or part of an assessment will meet the definition of a Centre.
- In some cases, no part of an EPA will be delivered by a Centre as the awarding organisation will deliver the assessments itself.
- You will need to tell us about your arrangements with Centres, including telling us if no part of the EPA will be delivered by a Centre.

## Criterion C1 (b) - Financial resources and facilities

- **Summary:** this section is all about providing evidence that you have, or will have, adequate financial reserves which will support the organisation through the lifecycle of a qualification.
- Your application should explain how you intend to monitor financial performance and measure progress against the plan to verify that the business is performing as anticipated. We expect you to provide assurance that you will carry out regular reviews, and take corrective action where necessary, in order to adjust the business to its intended direction.
- You will need to review [Ofqual's guidance for meeting Criteria C.1 \(a\) and \(b\)](#)
- Watch our webinar – [Understanding the financial requirements for Ofqual recognition](#)

We would expect to see the following:	Documents you may wish to upload
<ul style="list-style-type: none"><li>• Any relevant third-party contracts, such as arrangements with IT providers, accounting and financial monitoring systems in place for the awarding organisation function, or for a new awarding organisation, detailed proposals for maintaining accounting records and monitoring financial performance; a business continuity plan focused on protecting learners' interests; and third-party arrangements that are in place or will be in place for any support services.</li><li>• <b>Note: Published accounts</b></li><li>• For the majority of applications, we are able to obtain the trading history from Companies House or the Charities Commission. If accounts have not been filed in either of these places, please submit your accounts for the past 3 years with your application.</li><li>• Whilst we prefer to see 3 years trading history, if you are a new entity, it does not prevent you from making an application. Please explain when the entity was created and provide any accounts that are available.</li></ul>	<ul style="list-style-type: none"><li>• published accounts</li><li>• business plan and key assumptions</li><li>• profit and loss forecast for 3 years</li><li>• cashflow forecast for 3 years</li><li>• statement of funding</li><li>• sensitivity analysis for 3 years</li></ul> <p><i>This list is not exhaustive and you should provide what is right for your organisation.</i></p>

## Criterion D – competence (1)

- **Summary:** Under Criterion D.1, our assessment of the sufficiency of your understanding of, commitment to and approach to the development, delivery and award of qualifications takes place against 3 factors. These are the need to ensure that:
  - (a) the applicant will be able to undertake the development, delivery and award the qualifications it wishes to award in accordance with the Conditions
  - (b) any such qualification must, as far as possible, be valid, reliable, comparable, manageable and minimise bias
  - (c) any such qualification must be compatible with the requirements of equalities law
- We need you to provide us with evidence that will enable us to conclude that you are competent to develop, deliver and award qualifications and assessments. We are looking for evidence on how you will develop, deliver and award the qualifications and assessments that you want to be regulated for.
- We do not prescribe or recommend a particular approach to providing the evidence against Criterion D. We find the most successful applications do this by explaining their organisation's processes by following the qualification or assessment lifecycle.

- You will need to review **Ofqual's guidance for meeting Criteria D**
- Watch our webinar on **Understanding Criterion D**
- Validity, Reliability, Comparability and Minimising Bias are all defined terms in the **General Conditions of Recognition** and in the **Criteria for Recognition** and may help understanding of this requirement
- You need to ensure that your assessments comply with equalities law – refer to our **General Conditions of Recognition**, the associated guidance and the **Equalities Act 2010**
- You may also find our **report on Technical Evaluation of EPA materials** useful, which highlights some of the common issues we've found in EPA assessment materials

## Criterion D – competence (2)

### Questions to consider (you don't have to answer these in the application)

- Have you explained where each function of qualification development, delivery and awarding will sit within the organisation?
- Have you explained your processes in such a way which provides evidence of your understanding and describes those processes to show how the different functions will interact?
- Have you provided role profiles which clearly identify those roles which are responsible for development, delivery and award of each qualification type in respect of which you are applying for recognition? Do these roles have the appropriate technical skills to ensure subject content, reliability or equality?
- Have you explained how these roles fit within the organisation?
- Have you explained the staffing levels you believe you will need and why these seem appropriate?
- What steps have you taken to identify, manage and mitigate any conflicts of interest which may arise?
- Have you evidenced your business plan and associated funding for the whole of the qualification/end-point assessment lifecycle?
- Have you explained whether you would and, if so, how you will use expertise from other organisations, such as consultants, trade associations, subject experts?
- Have you evidenced how you will ensure that the qualifications and end-point assessments you offer will meet equalities law?

## Criterion D – competence (2)

Documents you may wish to upload for Factor A	Documents you may wish to upload for Factor B	Documents you may wish to upload for Factor C
<p><b>You may wish to provide:</b></p> <ul style="list-style-type: none"> <li>• business strategy and plan or case</li> <li>• staffing plan</li> <li>• details of capital investment and financial forecasts</li> <li>• plans for access to staff and equipment that are sufficient to support the expected current and future demand for services</li> <li>• evidence that assessment personnel have the necessary experience, training and resources; senior managers similarly are adequately experienced and skilled in this area</li> <li>• procedures in relation to maintaining archives, retaining and using evidence to guide the work of examiners and assessors</li> <li>• systems in place for monitoring costs or detailed proposals for continued cost control</li> <li>• policies on pricing, publishing information on fees and payment terms, and invoicing</li> </ul>	<p><b>You may wish to provide:</b></p> <ul style="list-style-type: none"> <li>• details of capital investment and financial forecasts</li> <li>• evidence of market scoping activity, demonstrating clear understanding of stakeholder requirements and likely delivery routes</li> <li>• demonstrable support from relevant stakeholders</li> <li>• compliance with qualification and/or end-point assessment development procedures</li> <li>• a clear understanding of policies and practices to evaluate requests from stakeholders and act accordingly</li> <li>• processes and procedures for the reviewing of qualifications and/or end-point assessments to ensure their quality</li> <li>• processes to collect and evaluate review feedback</li> </ul>	<p><b>You may wish to provide information on:</b></p> <ul style="list-style-type: none"> <li>• how assessment personnel and procedures take into account relevant requirements which seek to minimise barriers to access wherever relevant</li> <li>• policies and procedures to ensure the quality of internal and external assessment and deal with incidents of malpractice, appeals and complaints</li> </ul>

## General Conditions of Recognition

- Once recognised, additional information on compliance can support EPAOs understand positive/negative indicators of compliance and what we expect to see in some of the policies:
  - General Condition A8 Malpractice and maladministration
  - General Condition C1 Arrangements with General Condition C2 Arrangements with centres
  - Third parties
  - General Condition G6 Arrangements for reasonable adjustments and
  - General Condition G7 Arrangements for special consideration
  - General Condition I1 Appeals process

# Summary of Ofqual resources

Criteria, Conditions and Guidance	Ofqual videos	EPAO webinars	Additional resources
<ul style="list-style-type: none"> <li>• <a href="#">General Conditions of Recognition</a></li> <li>• <a href="#">EPA Qualification Level Conditions and Requirements and the associated guidance</a></li> <li>• <a href="#">Criteria for Recognition</a></li> <li>• <a href="#">Recognition application: guidance for the Criteria</a></li> <li>• <a href="#">Recognition Gateway</a></li> <li>• <a href="#">Recognition Gateway: How-To Guide</a></li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Understanding recognition</a></li> <li>• <a href="#">7 Top Tips for getting recognised</a></li> <li>• <a href="#">Understanding Conflicts of Interest</a></li> <li>• <a href="#">Understanding the financial requirements for Ofqual recognition</a></li> <li>• <a href="#">Understanding Criterion D</a></li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Webinar: applying for Ofqual recognition – what advice would you give?</a></li> <li>• <a href="#">Webinar with Autoexel</a></li> <li>• <a href="#">Webinar with EUIAS</a></li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">‘Case study’ web page</a></li> <li>• <a href="#">Report on Technical Evaluation of EPA materials</a></li> <li>• <a href="#">Regulatory action webpage</a></li> </ul>



## Thank you

- Please submit any questions you may have in the Q&A section; we will respond to them following the webinar
- You can also get in touch with us through the Recognition Gateway or by email:
  - [strategic.relationships@ofqual.gov.uk](mailto:strategic.relationships@ofqual.gov.uk)