

Qualification regulators' statement on joint working to reduce burden on our Awarding Organisations



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There have been separate qualifications regulators in the UK jurisdictions for many years. However, since the devolution of education policy there has been a greater legitimate divergence across England, Wales and Northern Ireland. We are aware that this may place additional burden on awarding organisations/bodies (AOs/ABs) offering qualifications across the three jurisdictions. We actively work together to reduce the risk of unnecessary burden, whilst acknowledging we have different legislative responsibilities in respect of burden:

- The Apprenticeships, Skills, Children and Learning Act 2009 requires Ofqual to not impose or maintain unnecessary burdens
- CCEA Regulation is required by the Department of Education to avoid unnecessary burden
- The Qualifications Wales Act 2015 requires Qualifications Wales to ensure that its activities are transparent, accountable, proportionate, consistent, and targeted.

We work together in a range of fora and at all levels up to and including our Chief Executives/Chief Regulator, for example:

- regular meetings to discuss programmes of work which includes audit activity and sharing intelligence. This work is supported by our joint work stream tracker
- CEO quarterly meetings
- joint working projects such as Fair Access by Design and the UK Co-ordination Group for Vocational Education and Training Initiatives
- co-ordinating data collections - these are supported by the data forum, which has looked to align timings and templates for data collections, as well as dealing with data quality issues
- alignment of the Statement of Compliance timetables and event notification processes
- joint sessions at conferences and joint communications.

Each organisation has signed a Memorandum of Understanding (MoU)ⁱ with the others. These set out at a high level the principles that underpin relations between us and are intended to support effective working arrangements and manage the risk of unnecessary regulatory burden.

There are many areas of common interest between the three regulators and we work together to avoid duplication wherever possible.

The three regulators meet periodically to discuss audit activities including scheduling. We consider where we may need to adjust our audit programmes to avoid unnecessary burden on AOs. Each regulator, however, will take the necessary action that it deems to be appropriate. We can also share information collected by one regulator with another in accordance with data protection laws and in the interests of the principles of public service, the interests of learners and public confidence.

When undertaking enforcement action each regulator will share relevant information in a timely manner when appropriate to do so. Each regulator will take into account the action of other regulators in respect of the same incident.

Ofqual and Qualifications Wales each have the power to impose monetary penalties. Our respective enforcement policies both recognise that a decision by one of us to impose a fine, together with the level of that fine, should be taken into account when the other makes its enforcement decision about same incident.

The three regulators work together to minimise any burden that the data collection process places on AOs. Ofqual and CCEA Regulation use a single process for data submissions, and Qualifications Wales use a similar template and timetable. Where we collect data for VTQs, we ensure that we communicate with the affected AOs.

Where programmes of work may have an impact across jurisdictions, each regulator will involve the others as appropriate. To help facilitate this, we have developed a work stream tracker containing high level details of the programmes of work planned by each regulator.

Our respective Conditions of Recognition are largely common between us. Where a regulator proposes to make changes to those common Conditions, we will work together to seek alignment as far as is possible and appropriate, and also to minimise the impact of any divergence.

The three regulators issue joint guidance for AOs where appropriate, for example, on [how our respective logos should be used on certificates](#).

For further information about how our organisations work together, please see the individual MoUs (links below). In addition, you can find more about how Ofqual works to reduce burden on AOs in its [2019 Regulatory Burden Statement](#). You can also notify us of any perceived unnecessary burden by:

- sending Ofqual a Contact the Regulator enquiry through the Portal
- contacting CCEA through the Portal or sending an email to ccearegulation@ccea.org.uk
- sending an email to Qualifications Wales via enquiries@qualificationswales.org

ⁱ [Ofqual and CCEA Regulation Memorandum of Understanding](#), [CCEA Regulation and Qualifications Wales Memorandum of Understanding](#), [Ofqual and Qualifications Wales Memorandum of Understanding](#)