



Guidance for awarding bodies on contingency planning



Guidance for awarding bodies on Contingency Planning

Background

We are responsible for regulating qualifications and the qualification system in Wales.

We regulate the awarding bodies that are recognised by us to develop, deliver and award qualifications to learners in Wales. All recognised awarding bodies are subject to our rules, including those set out in the [Standard Conditions of Recognition](#).

We carried out a review of the Standard Conditions of Recognition in 2019-20 and published a revised Condition A6 that came into force on 1 October 2020. Awarding bodies told us during the review that guidance would be helpful to support their ongoing compliance with the revised Condition.

Therefore, the purpose of this document is to support awarding bodies with complying. It is not intended to be prescriptive and in this way, it is the awarding body's responsibility to determine how to comply with its conditions of recognition.

Version History

This guidance was published in June 2021.

If you have any questions or feedback on this guidance document, please email the regulatory policy team at policy@qualificationswales.org

This document is available in [Welsh](#).

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1. Introduction

- 1.1 All awarding bodies must have an up to date contingency plan in place, and it needs to be maintained and complied with at all times.
- 1.2 This guidance covers what contingency planning is, the process, and provides tools to guide you through the thinking process when you prepare a contingency plan, and prepare for the possible disruption to the development, delivery and awarding of your qualifications.

2. Contingency planning – an overview

- 2.1 Contingency planning is about forward planning and identifying any scenarios that would likely disrupt the preparation for, or the delivery and/or awarding of your qualifications. By planning ahead and identifying these scenarios, you can then plan what contingencies you can put in place to maintain critical business functions such as IT and security, and core awarding body operations, such as examinations and assessments.
- 2.2 Contingency planning is closely linked to the identification of and then the assessment and management of risk and incidents. Most risks can be managed or the impact of them reduced or mitigated. The types of risks that would need to be included in your contingency plan are those scenarios where the probability of them occurring may be relatively low, but the effect of them occurring would be critical. If they were to happen, such scenarios would likely bring about Adverse Effects if they were not managed or mitigated, and could risk compliance with your conditions of recognition if they were to materialise without sufficient contingency plans in place.

Regulatory requirements: risk and contingency planning

- 2.3 Our requirements about contingency planning are set out in Conditions A6.3 and A6.4 within the Standard Conditions of Recognition. Our requirements around the identification and management of risks are set out in Conditions A6.1 and A6.2 within our Standard Conditions of Recognition.

- 2.4 We require you to identify and manage risk of the occurrence of any incident which would have an Adverse Effect. Where a risk is identified, an awarding body must take all reasonable steps to prevent the incident from occurring or if it cannot be prevented, reduce the risk of the incident occurring as far as possible. We require you to prevent Adverse Effects from occurring, or where it cannot be prevented, you must mitigate the Adverse Effect as far as possible.
- 2.5 For risks that cannot be prevented from occurring, and if they were to occur would be potentially damaging to your critical operations, then these are the types of risks that you would usually include in your contingency plan. The contingency plan will set out your contingencies for dealing with these types of scenarios. The plan is required to be of sufficient detail and quality to allow you to mitigate, as far as possible, the Adverse Effects of any incident, if it were to occur.
- 2.6 By contingency planning, you will seek to identify ways to maintain core operations so that the delivery of your qualifications is maintained compliantly and without any Adverse Effects. This could involve business continuity plans to deal with the recovery of core functions in the immediate aftermath of an incident. Depending on the scenario, it may not be safe or possible to maintain all operations. In this type of scenario, contingency planning will help with post incident recovery, and how you would ensure that you mitigate Adverse Effects as much as possible.

Related regulatory requirements: incident notifications and Adverse Effects

- 2.7 Condition A7 of the Standard Conditions of Recognition requires you to promptly take all reasonable steps to: (a) prevent the Adverse Effect and, where any Adverse Effect occurs, mitigate it as far as possible and correct it; and (b) give priority to the provision of assessments which accurately differentiate between learners on the basis of the level of attainment they have demonstrated and to the accurate and timely award of qualifications.
- 2.8 Condition B3.1 of the Standard Conditions requires you to promptly notify us when you have cause to believe that any event has occurred or is likely to occur which could have an Adverse Effect. Condition B3.2 sets out some events which could have an Adverse Effect, for the purposes of the Condition. Additional notification requirements are set out in B3.3 and B3.4 of the Conditions.

- 2.9 When notifying us of an event, Condition B3.5 of the Standard Conditions requires you to also notify us of any steps that you have taken or intend to take to prevent the event having an Adverse Effect or to correct or mitigate that Adverse Effect if it occurs. Condition B3.6 requires you not to delay making a notification to us because relevant information is unavailable; the notification should be based on all the information you have.

3. Contingency planning process

- 3.1 Contingency planning is about identifying scenarios and then planning ahead for what you could do (i) in advance of these scenarios occurring; and (ii) what action you would take if these (or other) scenarios did occur.
- 3.2 You must establish, maintain, and at all times comply with, an up to date written contingency plan. Once you have your contingency plan in place, it will be helpful for you to communicate and share it widely with all relevant staff, as well as third parties and stakeholders. This may include training for your staff, centres and other third parties. On an ongoing basis, you will keep your contingency plan up to date and regularly review and update it accordingly.
- 3.3 The following section guides you through the thinking process of conducting contingency planning: what type of scenarios could occur, and the effects of these if they were to occur, and what are your key business functions, and who are your key people?

Types of scenarios

- 3.4 The first step in contingency planning is identifying potential scenarios. You will need to think of possible scenarios that could occur at the various stages connected with the development, delivery and awarding of your qualifications. If they were to occur, they could or would have an Adverse Effect and affect compliance with your conditions of recognition.
- 3.5 The kinds of scenarios you are seeking to identify are those that could impact your business-critical functions/ operations and would be disruptive if they were to occur e.g. IT, power supply, supply chain, governance, your workforce, communications.
- 3.6 For example, consider a scenario concerning disruption to IT and technology infrastructures and resilience capabilities in the event of a cyber-attack to

include in your contingency plan. These types of scenarios, that could be linked to business continuity, disaster management and resilience planning, are hopefully reasonably rare. However, if they were to occur, they would impact on wide-ranging, systemic issues, or potentially disrupt preparation towards, or the delivery and/or awarding of, your qualifications.

3.7 Examples of the types of scenarios that may occur and could be critical for the smooth functioning of your qualifications include but are not limited to the following:

Travel disruption	Strike action	Fire
Extreme weather	Cyber-security threats	Criminal activity
Power failures	Financial issues	Acts of terrorism
Data protection	Public health event / widespread illness	Widespread national disruption

Impact of a potential scenario

3.8 Whatever the scenario, it is how it may manifest itself that will affect your contingency planning. Considering the effect or the impact of a scenario, rather than the scenario itself, is a key focus of contingency planning.

3.9 The types of scenarios to include in your contingency plan are often where the risks cannot be completely mitigated. The types of scenarios are those where the probability of them occurring may be relatively low, but the effect if they were to occur would be critical.

3.10 A scenario could manifest itself in a way that could have an Adverse Effect on learners and your ability to deliver and/or award qualifications, and/or to deliver the results, effectively or safely. How a scenario manifests itself could also potentially impact on your compliance with our regulatory requirements.

3.11 Some of the ways scenarios could manifest themselves are as follows:



Identifying business critical functions and key people

3.12 After you have identified possible scenarios and how the scenarios would likely manifest themselves, the second step of contingency planning is to identify the functions, systems, people and processes that are key to the effective and compliant delivery of your qualifications, through to awarding and issuing results.

Questions to ask yourself

3.13 Questions to ask yourself include:

- As assessments are a core or critical function, what must be working or operational for those assessments to take place safely, fairly and in accordance with the rules?
- How will you ensure that assessments can take place safely and compliantly? For example, where there are practical competence, or license to practice considerations?
- If key systems, people, resources, are not working or available, how would you maintain operations?
- What action would you take if assessments could not run?
- What action would you take if results could not be issued as planned?

Business critical functions

3.14 As an awarding body, consider the following examples of key business functions:

- Maintaining confidentiality;
- Securing and maintaining IT systems and data;
- Securing storage pre-assessment and post-assessment;
- Maintaining controls for conflict of interest and personal interest;
- Distributing assessments whether paper-based or online to centres (schools, colleges and training providers), and/or learners confidentially, and on time;
- Delivering the assessments themselves in accordance with your policies and procedures and your conditions of recognition;
- Distributing confidential assessment materials to and from markers/ quality assurers;
- Marking, moderating and awarding; and
- Issuing results / certificates to learners accurately and in a timely manner.

3.15 Key supply chain stakeholders can also impact on your business functions. Consider how you actively manage your suppliers and ensure that they have contingency plans in place. How do you ensure that suppliers adhere to your

contingency planning and other relevant policies, requirements, and arrangements?

3.16 What type of supplier management controls and processes are in place that look at, for example, IT services and how personal data is handled?

3.17 The ability of centres to deliver your qualifications is also an important part of your contingency planning. There are critical functions undertaken at centres that you if they were disrupted, then they would potentially have Adverse Effects on your delivery or awarding.

3.18 What contingency plans could you put in place for these '**what if**' scenarios?

What if part of or all of a centre cannot be used for assessments?

What if centres cannot copy, print or display a sufficient number of assessment materials?

What if centres suffer a power outage and has no lighting, heating, or access to toilet and washing facilities?

What if centres have insufficient or no secure storage before assessments and/or after assessments have taken place?

What if centres cannot access IT for live or online assessments?

What if centres cannot access candidate information?

What if centres cannot access materials for live or online assessments?

What if centres cannot send completed assessments to you?

What if practical assessments cannot take place? What if skills and competence cannot be assessed?

What if centres cannot distribute results to candidates in time?

Key people

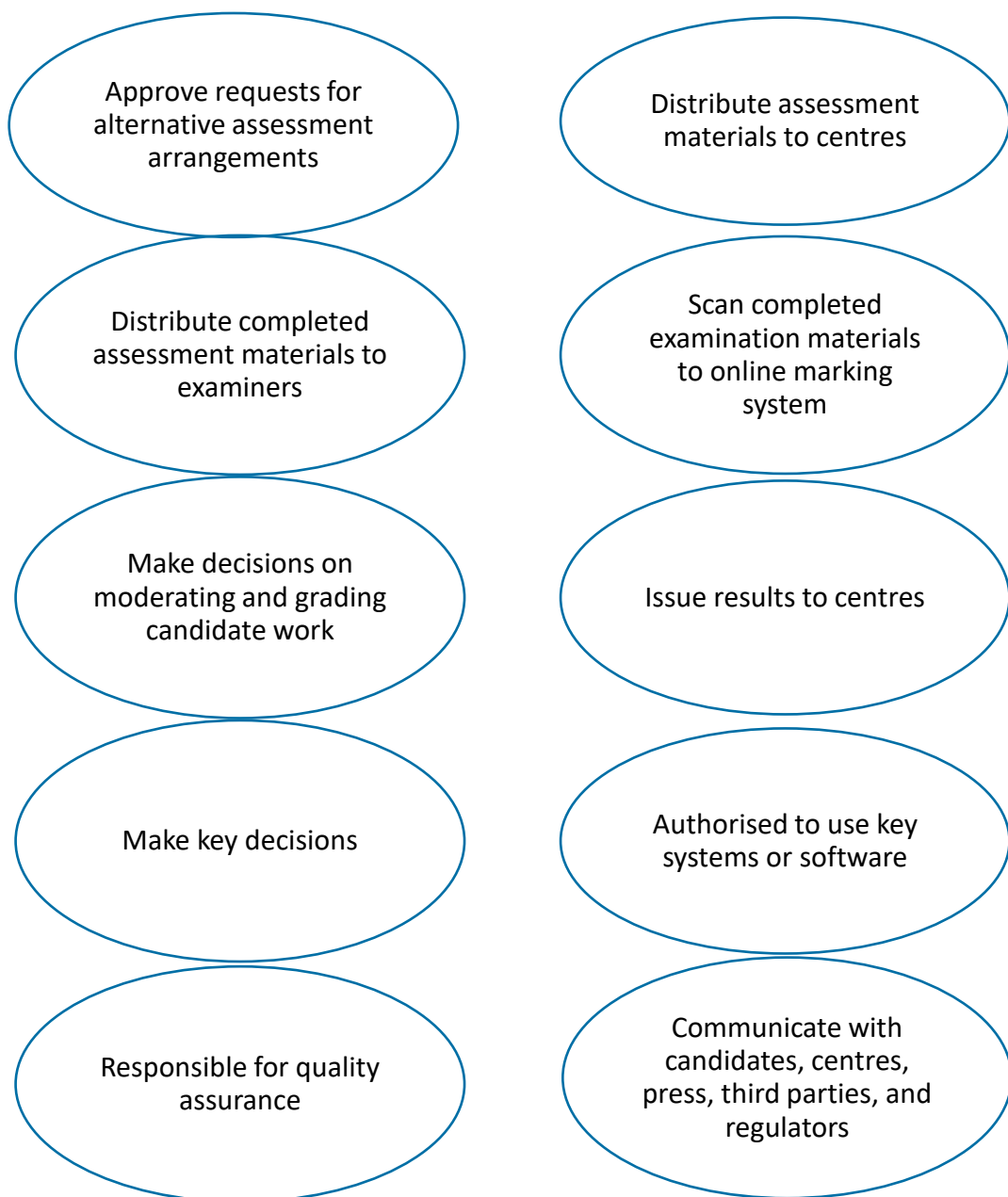
3.19 Once you have identified the main business critical functions, the next step is to identify key people. As an awarding body, who holds roles that are critical to delivering and awarding your assessments? Which members of your workforce carry out key roles on critical projects?

3.20 Here are some ideas:

- Subject officers

- Examination officers
- Candidates
- Invigilators
- Examiners/ markers/ quality assurers
- Training providers
- IT experts
- Suppliers

3.21 What contingency plans could you consider if key people were not available to carry out important tasks, such as these?



3.22 Some actions will be very practical. Actions you could consider may include preparing desk instructions for key processes, ensuring back up access to passwords, and alternative ways of contacting people and sharing information. An internal and external stakeholder map for key communications may be useful.

3.23 Testing the contingency plan and making necessary changes in light of what you found through testing, is a useful exercise as part of this process.

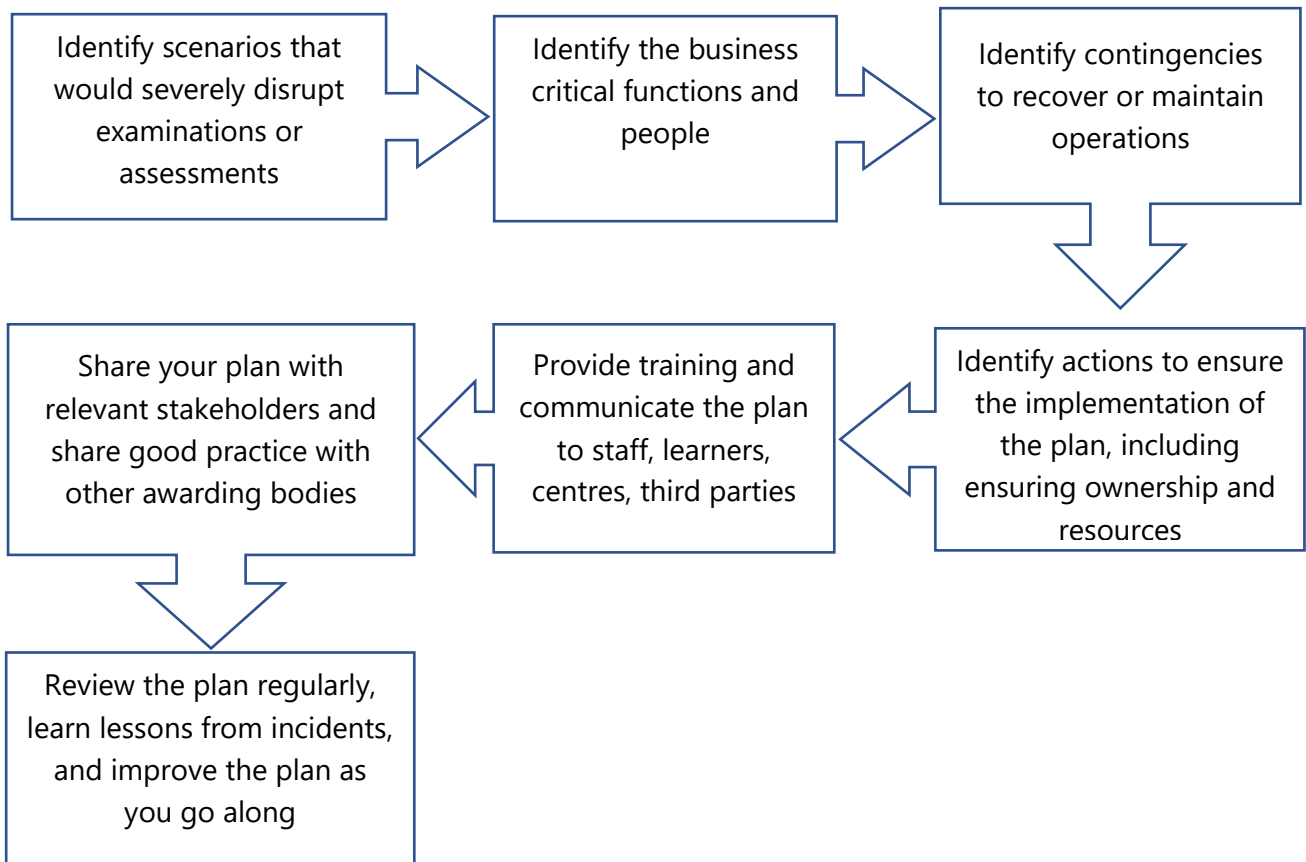
4. Completing a contingency plan

Contingency plan headings

4.1 Listed below are the kinds of headings that are typically found in contingency plans. However, this is by no means intended to be a restrictive list, rather it is a starting point.

- Roles and responsibilities (clear workstreams, responsibilities and accountabilities)
- Contact list (e.g. staff, centres, suppliers, police, press, us)
- Scenarios/critical incidents (assessing potential impact)
- Business critical functions and people (operations)
- Contingencies (actions you will take)
- Timelines (when actions and mitigations will need to take place, and when normal business will resume)
- Instructions (implementation of the plan)
- Communications (rapid communications plan and wider communications plans)
- Notifications (notifying us, and other relevant regulators)
- Resources for the plan (what you need for the contingencies to be put in place e.g. staff, back up power supply, alternative venue)
- Assessment of readiness (check that you are able to implement the plan if necessary)
- Monitoring and reviewing (processes for keeping your plan under review)
- Dissemination of plan (sharing the plan with relevant people and stakeholders; and training)

Step by step approach to writing your contingency plan



Being prepared

4.2 Forward planning and being prepared is an important principle of contingency planning. Writing the contingency plan is important so that you have a plan ready for the, hopefully, rare incidents when such business-critical disruption occurs. Preparing for emergencies is an ongoing process involving risk assessment; planning; prevention; communication; training; and review.

4.3 Have you got a written contingency plan? Is it up to date?

Taking preventative measures

4.4 Taking all preventative measures is an important part of contingency planning.

4.5 Many incidents can be prevented, or the impact mitigated as much as possible through, for example good housekeeping, staff vigilance, security measures and effective processes.

4.6 A preventative approach to security (both physical and cyber) is important to manage or even reduce your risks of many incidents from occurring in the first

instance. For example, physical and digital deterrents, and security measures, will reduce the risk of attacks as much as possible.

- 4.7 As part of being prepared, it is important that your staff are aware of the contents of the contingency plan, and they have been trained on how to respond. We include more about communication and training in the next section.
- 4.8 It is important to identify and maintain regular communications with emergency services, the police and other wellbeing, safety and security authorities who will be able to advise on preventative measures.
- 4.9 More broadly, take a look at the following checklist for some preventative actions you could consider:
- Staff are regularly trained in security, safety, risks and contingencies;
 - Service Level Agreements and MoUs in place with third parties that can maintain your critical functions;
 - Back up for IT failure in place;
 - Arrangements in place for alternative deliveries or storage facilities;
 - Back up supply for power available;
 - Alternative venue arrangement pre-arranged;
 - Cover for key staff, desk instructions and manuals, or arrangements to access agency or other people on a temporary basis; and
 - Ways to access key assessment materials and candidate information remotely/ off site.
- 4.10 Here are some examples of prompt questions to ask yourself when thinking about preventing an incident:
- Are contingency arrangements in place with centres and other third parties so that examinations and other assessments can continue if an incident were to occur?
 - Have you communicated the plan to centres and provided guidance to them?
 - For online assessments, can you control the timing of online updates to minimise changes and disruption during an assessment window?
 - What are your alternative arrangements if an assessment cannot be completed in the usual way?

Disseminating the plan and training

- 4.11 An important part of contingency planning is communicating it widely both within your organisation, but also with centres and other relevant third parties.
- 4.12 Are key people familiar with your contingency plan? Do they know how to access it? Will your key people know what to do if they have to put the contingency plan into practice? Do your key people know their roles and responsibilities and do your staff know who to take instructions from?
- 4.13 Once the contingency plan has been written, it is crucial that all relevant people are made aware of the plan and that regular training and updates are provided. All staff and centres should be trained or made aware of the contingency plan. If a critical incident was to occur, then everybody knows who does what and when. There may be other groups such as invigilators and any other third parties linked to the smooth running of your qualifications, who would also benefit from receiving training on your contingency plan.

5. Incident handling including notifications and communications

- 5.1 While hopefully rare, if an incident were to occur, it is important that the incident is handled well from the outset and having access straight away to your pre prepared contingency plan should help and support you through the initial incident handling. Your contingency plan may need to include a timeline, for example, what needs to be done within the first hour, day and week of the plan being implemented.

Initial incident handling

- 5.2 These are examples of questions to cover in your contingency planning so that you are prepared and able to act quickly when an incident occurs:
- Who and how will the alarm be raised?
 - Who has responsibility for what and how do we contact the key people named in the contingency plan?
 - Who will contact who – regulators, centres, staff, police?
 - Who and how do you ensure that everybody is safe?
 - Who will ensure security e.g. IT, assessment materials, the site?
 - How will the facts, circumstances and scale of the incident be determined, and by who?

- Where are the desk instructions and passwords or keys and who can access these? Some staff may have to take over from key people who may be indisposed due to the incident, and so may be unfamiliar with what is expected of them.
- Who and how are functions recovered – building open, power restarted?

Planning for communications and notifications

5.3 Having a plan for all initial communications during a critical incident is really helpful. Knowing who is responsible for what communications will be crucial. Creating an internal and external stakeholder map for key communications will be useful. Having a clear communication strategy that can be implemented during a crisis will be helpful, especially if you focus on reassuring and consistent messaging. Here are some questions to ask yourself:

- Do you know who and how you will communicate with learners and centres when an incident is occurring or has occurred?
- Are there any other stakeholders and third-party suppliers that will need to be notified quickly?
- Who will be responsible for communicating with the regulator?
- Who is tasked with communicating with the media if required?
- How will you ensure that your messages will be clear and accurate?

Adverse Effects and Notifying us

5.4 You must notify us when you have cause to believe that any event has occurred or is likely to occur which could have an Adverse Effect. In the same way, you must notify us once you are aware that you are likely to or have breached your conditions of recognition.

5.5 You will also need to keep us updated until the matter is resolved and you may be required by us to take particular action specified by us. You will also need to plan for wider communications between different regulators and awarding bodies affected if the situation requires.

5.6 Our email address for notifying us is: incidents@qualificationswales.org.

Communication with centres and third parties

5.7 Your communications with learners and centres will be of crucial importance if an incident occurs. Does your contingency plan cover arrangements with

centres about who notifies you about what and when? What are the roles and responsibilities of your staff and those in centres?

Wider communications

- 5.8 In addition, there are wider communications that will be a key part of your contingency planning. Communications during and after major disruption will need to be clear, timely and transparent, and co-ordinated with us and/or the relevant regulator, the police or other authorities, and Welsh Government, depending on the severity.
- 5.9 Again, a plan that sets out communications is important. Preparation for communicating key information and messages to (and via) the press will be a crucial part of contingency planning, as well as a potential need to plan communications with other authorities, agencies and government departments. Also consider relevant professional bodies or employer groups and training bodies if the impact of disruption particularly affects them.

6. Managing the incident and mitigating adverse impacts

- 6.1 Once you are no longer in the initial, crisis handling of the incident, you will need to cover how you will continue to manage the incident in your contingency plan, including how you will mitigate the Adverse Effects. The type of considerations may be more detailed for certain situations and different timelines for different types of mitigation may be necessary.
- 6.2 Some examples of considerations for your contingency plan may include:
- How can you best protect the learner (different learner groups may be affected in different ways)?
 - How will you deal with requests for special consideration from affected learners?
 - Is your appeals process fit for purpose?
 - Do you have a fair and transparent complaints process?
 - How will you continue to comply with your regulatory requirements?
 - How will you maintain standards?
 - Do you have a fair and transparent awarding process?
 - How will you maintain public confidence?
 - What is your business continuity and recovery plan?
 - Are there any systemic or cultural concerns that need to be addressed?

- 6.3 Your contingency plan may also include details of when you would expect normal business to resume, and what will signal that you are ready for this.

7. Keeping the plan up to date - Learning, Reviewing and Updating

- 7.1 Following the incident, you will need to review whether any changes to your contingency plan are required, or indeed if you need to revise any policies or procedures.
- 7.2 It is an opportunity to capture any learning and feed this into future practice. You may find it beneficial to collect feedback widely within your organisation and with centres.
- 7.3 Remember to review your contingency plan regularly and always keep it up to date. The frequency for reviewing your contingency plan will be dependent on the circumstances. Consider what updates are necessary so that it remains useful. When reviewing your plan, consider any relevant technological, operational, training, and staff changes, and reassess the risks.
- 7.4 The contingency plan should be backed up, which may mean keeping a digital version, and securely storing physical copies in an accessible off-site location for example.

8. Further information

- 8.1 If you would like additional information about this guidance, you are welcome to contact us. You can send us an email at: policy@qualificationswales.org.

Annex 1 - Standard Conditions of Recognition: A6 and A7, and B3

Condition A6 – Identification and management of risks

Identifying risks

A6.1 An awarding body must take all reasonable steps to identify the risk of the occurrence of any incident which could have an Adverse Effect.

Preventing incidents or mitigating their effect

A6.2 Where such a risk is identified, the awarding body must take all reasonable steps to:

- (a) prevent the incident from occurring or, where it cannot be prevented, reduce the risk of that incident occurring as far as is possible; and
- (b) prevent any Adverse Effect that the incident could have were it to occur or, where it cannot be prevented, mitigate that Adverse Effect as far as possible.

Contingency plan

A6.3 An awarding body must establish, maintain, and at all times comply with, an up to date written contingency plan.

A6.4 A contingency plan must be of sufficient detail and quality to allow the awarding body to mitigate, as far as possible, the Adverse Effect of any incident which has been identified by the awarding body as having a risk of occurring.

Condition A7 – Management of Incidents

A7.1 Where any incident occurs which could have an Adverse Effect, an awarding body must (whether or not it has previously identified a risk of that incident occurring) promptly take all reasonable steps to:

- (a) prevent the Adverse Effect and, where any Adverse Effect occurs, mitigate it as far as possible and correct it; and

- (b) give priority to the provision of assessments which accurately differentiate between Learners on the basis of the level of attainment they have demonstrated and to the accurate and timely award of qualifications.

Condition B3 – Notification to Qualifications Wales of certain events

Notification where an event could have an Adverse Effect

B3.1 An awarding body must promptly notify Qualifications Wales when it has cause to believe that any event has occurred or is likely to occur which could have an Adverse Effect.

Specific examples of events which could have an Adverse Effect

B3.2 For the purposes of this Condition, such events may in particular include those where:

- (a) there is a substantial error in the awarding body's assessment materials;
- (b) there has been a loss or theft of, or a breach of confidentiality in, any assessment materials;
- (c) the awarding body cannot supply assessment materials for a scheduled assessment date;
- (d) there has been a failure in the delivery of an assessment which threatens Assessors' ability to differentiate accurately and consistently between the levels of attainment demonstrated by Learners;
- (e) the awarding body will be unable to meet a published date for the issue of results or the award of a qualification;
- (f) the awarding body has issued incorrect results or certificates;
- (g) the awarding body believes that there has been an incident of malpractice or maladministration, which could either invalidate the award of a qualification which it makes available or could affect another awarding body;
- (h) the awarding body has (for any reason, whether inside or outside its control) incurred an increase in costs which it anticipates will result in an increase in its fees of significantly more than the rate of inflation;
- (i) the awarding body is named as a party in any criminal or civil proceedings or is subjected to a regulatory investigation or sanction by any professional, regulatory, or government body; or
- (j) a Senior Officer of the awarding body is a party to criminal proceedings (other than minor driving offences), is subject to any action for disqualification as a company director, or is subject to disciplinary proceedings by any professional, regulatory, or government body.

Notification of specified events in all cases

B3.3 An awarding body must promptly notify Qualifications Wales if it is, or if it has cause to believe that it is likely to be, subject to:

- (a) a material change in its governance structure or legal status;
- (b) a Change of Control;
- (c) an Insolvency Event; or
- (d) any bankruptcy proceedings

B3.4 An awarding body must promptly notify Qualifications Wales if it proposes to make available a qualification which is substantially different in type or content to any which it has previously made available.

Further requirements on the timing of notifications

B3.5 When it notifies Qualifications Wales of an event in accordance with this Condition, or as soon as possible afterward, it must also notify Qualifications Wales of any steps that it has taken or intends to take to prevent the event having an Adverse Effect or to correct or mitigate that Adverse Effect if it occurs.