

Decisions on Functional Skills reform

Decisions on rules and guidance for new
Functional Skills Qualifications in English and
mathematics



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Contents

Introduction	2
Overview of our decisions	2
Assuring the approach to assessment	3
Assessment strategies	3
Technical evaluation	3
Design rules – all new Functional Skills Qualifications	5
Subject content	5
Assessment time requirements	6
Setting, contextualising and marking assessments	7
Assessment availability	7
Grading	8
Subject-specific features – English	9
Qualification structure	9
Assessing reading and spelling at the Entry levels	9
Spelling, punctuation and grammar	10
Assessment of speaking, listening and communicating	11
Monitoring speaking, listening and communicating assessments	12
Subject-specific features – mathematics	15
Number of assessments	15
Coverage of subject content	16
Weightings for calculator- and non-calculator based mathematics	16
Weightings for underpinning skills and problem solving	18
Setting and maintaining standards	19
Evidence used in setting specified levels of attainment	19
Impact of our proposals	21
Regulatory impact	21
Equality impact	22
Next steps	27

Introduction

Functional Skills Qualifications (FSQs) in English and mathematics are being reformed. New FSQs in English and mathematics will be introduced for first teaching in September 2019.

The Department for Education has previously consulted on and published subject content that will apply to the new FSQs in English¹ and mathematics.² We have also previously consulted on and confirmed our overall approach³ to regulating new FSQs in English and mathematics.

We consulted on the details rules and guidance that would implement those decisions between 28 March 2018 and 11 May 2018. This document sets out our final decisions on those rules and guidance.

Overview of our decisions

In response to consultation feedback, we have:

- increased the weighting of spelling, punctuation and grammar in English to 40-45% at levels 1 and 2, and 50-70% at the Entry levels
- revised our approach to monitoring of speaking, listening and communicating assessments to focus on the assurance awarding organisations must obtain, without prescribing a particular approach to assurance
- amended our proposed Conditions and guidance in a number of places to deal with concerns raised by respondents, for example we have:
 - made minor changes to our assessment criteria for speaking, listening and communicating
 - revised our proposed rules on issuing results and certificates to make our expectations clearer
 - revised our rules on standard setting to make them simpler and clearer, and to reflect the different information that will be available to awarding organisations at the different qualification levels

We have adopted all our other proposals unchanged.

¹ www.gov.uk/government/publications/functional-skills-subject-content-english

² www.gov.uk/government/publications/functional-skills-subject-content-mathematics

³ www.gov.uk/government/consultations/reforming-functional-skills-qualifications-in-english-and-maths

Assuring the approach to assessment

Assessment strategies

Consultation proposals

We proposed to require awarding organisations to:

- establish, maintain, comply with and keep under review an assessment strategy for each new FSQ they offer
- ensure their assessment strategy sets out how they will comply, on an ongoing basis, with all the rules that apply to new FSQs
- include in their assessment strategies information and evidence covering their overall approach to assessment including how they intend to design, develop and deliver the qualifications as well as their approaches to centre assessment and moderation, and standard setting and maintenance
- review their assessment strategy when we ask them to, and make any changes we request to it, and to how they comply with it

Responses received

Most respondents supported our proposed approach to assessment strategies, noting it would improve standards across awarding organisations, and ensure a consistent approach to assessment.

Two respondents raised minor concerns about this aspect of our proposals: one questioned whether it was necessary for assessment strategies to detail organisation-level approaches to compliance with our rules; the other queried whether there would be a right of appeal against a decision to require changes to an assessment strategy.

Decision

Based on the overall support for our proposals, we have decided to adopt them unchanged.

Our view is that it is appropriate for assessment strategies to explain how, in the particular context of reformed FSQs, an awarding organisation will secure compliance with all relevant obligations.

We have taken the decision not to introduce an appeals process within the assessment strategy condition. We do not have such a provision within the similar Condition for GCSEs and A levels, and there are already established processes for appealing the regulator's decision.

Technical evaluation

Consultation proposals

We proposed to require awarding organisations to:

- notify us at an early stage that they intend to make any new FSQ available;
- provide us with any information we request to support our evaluation of the qualification
- wait for us to communicate the outcome of our evaluation before making the new FSQs available
- make any changes we require to their assessment approach, which, depending on the exact nature of the changes required, could be needed before or after they make the qualification available

Responses received

On the whole, respondents agreed with our proposed approach and requirements for technical evaluation, stating the approach was sensible and logical, further improving comparability. A number of awarding organisations did, however, comment that more detail was required around the process, including the information we would require them to submit as part of the technical evaluation process.

Decision

Based on the overall support for our proposals, we have decided to adopt them unchanged.

We continue to work directly with awarding organisations to develop the detail of the process for technical evaluation, and to clarify our information requirements.

Design rules – all new Functional Skills Qualifications

Subject content

Consultation proposals

We proposed guidance on interpreting the subject content which would:

- set out our general expectation that, in both subjects, content statements should be assessed in a way that reflects the level of the qualification, and therefore that expectations of learners will be different at each level, even when content statements are similar
- for English, clarify how awarding organisations should approach the terms ‘for example’ and ‘including’ where these are used in the subject content, and how they should reflect the ‘scope of study’ statements in assessments
- for mathematics, clarify how awarding organisations should approach problem solving, and how they should assess underpinning skills in questions/tasks that use a context

Responses received

Overall, respondents supported our approach of issuing guidance to clarify the subject content. However, a number of respondents suggested that we could provide additional guidance to help ensure awarding organisations take a more consistent approach to assessment.

A number of respondents also commented on the use of non-calculator assessment in mathematics, and the removal of spelling and grammar checks in English. We have considered these comments under the appropriate sections below.

Decision

We have reviewed the specific areas where awarding organisations requested additional guidance. In each case, our view is that the concerns raised reflect either disagreements with, or misinterpretations of, aspects of the subject content itself. As such, it would be inappropriate for us to provide guidance of the type requested, as this would not then reflect the Department for Education’s subject content requirements.

Assessment time requirements

Consultation proposals

We proposed minimum and maximum overall assessment times:

	Minimum times		Maximum times	
	Proposed	Change from current	Proposed	Change from current
English – Levels 1 and 2	2 hrs	n/a	3 hrs	n/a
English – Entry levels	1hr 30 mins	+30 mins	2 hrs	n/a
Mathematics – Levels 1 and 2	1hr 45 mins	+15 mins	2 hrs 30 mins	+30 mins
Mathematics – Entry levels	1hr 15 mins	+15 mins	1 hr 45 mins	+15 mins

Responses received

The majority of respondents commented that our proposed overall assessment times were appropriate. A small number suggested that the times seemed too long (particularly at the Entry levels), and one respondent said they would prefer longer assessment times in mathematics at Levels 1 and 2.

Three respondents also commented that we should specify a fixed duration for all assessments.

Decision

Overall, we remain of the view that the modest increases in assessment time we proposed are appropriate given the changes in the subject content. Particular concerns were raised in respect of the increases at the Entry levels, but we think these increases are justified as a result of the introduction of specific reading and spelling expectations in Entry level English, and non-calculator based assessment in mathematics.

We are also not persuaded that we should set fixed assessment times. This is because the appropriate length for an assessment will depend on how an awarding organisation chooses to construct its assessments, and there are different ways they might do that.

We have therefore decided to adopt our consultation proposals unchanged.

Setting, contextualising and marking assessments

Consultation proposals

We proposed rules:

- specifying how centres could adapt assessments at the Entry levels; and
- requiring awarding organisations to provide guidance to centres around any setting, adaptation, delivery or marking of assessments that they undertake.

Responses received

Overall, respondents agreed with our proposal to specify how centres could adapt assessment at the Entry levels and the requirement for awarding organisations to provide guidance to centres around any setting, adaptation, delivery or marking of assessments.

Decision

Based on the overall support for our proposals, we have decided to adopt them unchanged.

Assessment availability

Consultation proposal

We proposed to introduce guidance on assessment availability.

Responses received

Responses here focused on the need to ensure on-demand assessment could continue. No responses raised any concerns with the substance of our proposed guidance.

Decision

Our guidance on assessment availability makes clear that awarding organisations must manage the particular risks associated with their chosen approach to assessment availability.

We have already decided⁴ not to set any restrictions on assessment availability in reformed FSQs. As such, it will still be possible for awarding organisations to offer on-demand assessment.

We are satisfied that our proposed guidance is appropriate, and have decided to adopt it unchanged.

⁴ www.gov.uk/government/consultations/reforming-functional-skills-qualifications-in-english-and-maths

Grading

Consultation proposal

We proposed to mandate a common approach to issuing results, so that all learners who meet the required standard receive a result of 'Pass' and those who do not receive a result of 'Fail'.

Responses received

More than three-quarters of respondents either agreed or strongly agreed with this proposal, noting that the use of a Pass/Fail grading system would make it absolutely clear to employers and further education institutions how the results of different learners compare.

However, some respondents commented that it was not clear from our proposal whether we expected awarding organisations to issue 'Fail' results for each assessment, each component or each qualification, or whether we expected learners to receive a certificate showing an overall 'Fail' grade. Some respondents also queried whether additional information could be presented on certificates, for example attainment at component level.

Decision

We have made a number of changes to the drafting of our proposed rules to make them clearer, and to address the specific queries from respondents. Our final rules:

- require awarding organisations to issue Pass/Fail results for each component in English, and for the qualification as a whole in mathematics;
- prohibit setting pass marks for any individual assessments within components, so awarding organisations will not be able to issue Pass/Fail results for those assessments. They will, however, be able to indicate how learners have performed in those assessments, for example, by showing the marks learners have achieved
- require awarding organisations to issue certificates to learners who have achieved an overall 'Pass' for the qualification; awarding organisations will not have to issue a certificate showing an overall 'Fail' grade
- permit, but do not require, awarding organisations to include additional information, such as attainment at component level, on certificates

Subject-specific features – English

Qualification structure

Consultation proposals

We proposed to require:

- a single assessment for reading at all levels
- a single assessment for writing at Levels 1 and 2
- either a single assessment, or two assessments (one assessment being a spelling test, and the other a written composition), for writing at the Entry levels
- a minimum of two tasks for speaking, listening and communicating

Responses received

More than two-thirds of respondents supported our proposals, commenting that they would make assessment approaches more consistent across awarding organisations.

Decision

Based on the overall support for our proposals, we have decided to adopt them unchanged.

Assessing reading and spelling at the Entry levels

Consultation proposals

At the Entry levels we proposed to:

- require awarding organisations to assess a representative sample of the reading expectations, through the texts used in the Reading assessment
- require awarding organisations to assess the spelling expectations using a dedicated task that samples 10 words from the subject content
- require awarding organisations to cover all words and types of words which the subject content sets out as the reading and spelling expectations over as few iterations of assessments as possible
- require awarding organisations to take all reasonable steps to ensure that the approach they take to coverage of the reading and spelling expectations leads to assessments that are comparable and not predictable
- set guidance which clarifies our expectation that language and stimulus materials should align with the reading and spelling expectations set for each level

Responses received

Most respondents supported our overall approach to assessing reading and spelling at the Entry levels. However, some expressed concern that it was not clear what would constitute a 'representative sample' of words in the reading assessment.

Others commented that the requirement to sample the words specified in the subject content could lead to predictable assessment. One respondent commented that spelling should be assessed as part of the written composition only.

The majority of respondents were supportive of our proposed guidance on the use of language and stimulus materials, and highlighted the importance of the language and stimulus materials used in assessments being level-appropriate so as not to disadvantage learners.

Decision

We think that it is important that each awarding organisation ensures appropriate coverage of the subject content through the assessments that they set. This includes the reading and spelling expectations. We remain of the view that the best way to assess the reading expectations is by including a sample within written texts, and that the most appropriate way to assess the full range of specific spelling expectations is through a dedicated spelling test.

We are not persuaded that our proposed approach will lead to more predictable assessment, as awarding organisations will need to sample the 10 words from a range of over 100 at each of the Entry levels. In any event, we are also requiring awarding organisations to take all reasonable steps to ensure the spelling and reading assessments are not predictable. Further, we shall consider each awarding organisation's approach to coverage of subject content as part of our technical evaluation process.

We have therefore decided to adopt our proposals here unchanged.

Based on the overall support for our proposed guidance on language and stimulus materials, we have also decided to adopt this unchanged.

Spelling, punctuation and grammar

Consultation proposals

We proposed weighting ranges for spelling, punctuation and grammar:

- at Levels 1 and 2, 30-35%
- at the Entry levels, 40-45%

Responses received

While some respondents felt our proposals were fair and reasonable, almost two-thirds disagreed with our proposed weightings.

Most of those respondents told us that the weightings were too low (particularly when compared with current qualifications), and did not reflect the importance of spelling, punctuation and grammar within the reformed qualifications. Some respondents also commented that the proposed weightings would not allow for

sufficient coverage of the subject content. Other respondents commented that the use of dictionaries and other spelling and grammar checks in assessments was limited, and so the reduction in weighting for spelling, punctuation and grammar in the new assessments was not necessary.

On the other hand, a small number of respondents commented that the weightings were too high, and that learners could be disadvantaged by this.

Decision

We have carefully considered these responses, as well as responses to our earlier consultation⁵ which suggested that current weightings might be inappropriate for these new qualifications.

On balance, we are persuaded that our proposed weightings would reduce the emphasis on spelling, punctuation and grammar too much compared to current qualifications, and that this would be inconsistent with the expectations in the new subject content.

We have therefore decided to:

- set a weighting for spelling, punctuation and grammar of 40-45% at Levels 1 and 2 (which is consistent with current qualifications)
- permit a wider range of weightings, 50-70%, at the Entry levels. This reflects the significant differences in the emphasis on spelling, punctuation and grammar in the subject content for the different Entry levels, and is broadly consistent with current practice (where appropriate weightings are determined by each awarding organisation)
- require awarding organisations to explain and justify their weighting of spelling, punctuation and grammar in their assessment strategies

Assessment of speaking, listening and communicating

Consultation proposals

We requested views on our:

- proposed assessment criteria for assessing speaking, listening and communicating
- proposal to require awarding organisations to produce exemplar materials to support assessor judgements in speaking, listening and communicating

⁵ www.gov.uk/government/consultations/reforming-functional-skills-qualifications-in-english-and-maths

- proposal to set guidance clarifying that the use of sign language is permitted as a reasonable adjustment in speaking, listening and communicating assessments

Responses received

The majority of respondents welcomed our proposed common assessment criteria for the speaking, listening and communicating component, with several stating that they would allow for greater comparability across awarding organisations. The two respondents who either disagreed or strongly disagreed felt the criteria were too subjective and open to interpretation.

Almost all respondents supported our proposal to require awarding organisations to produce exemplar materials, as this should help enable assessors to make more accurate and consistent judgements.

Similarly, almost all respondents supported continuing the current approach of allowing learners to use British Sign Language in assessments of speaking, listening and communicating.

Decision

Our proposed common assessment criteria for the speaking, listening and communicating assessment are designed to be used in conjunction with the subject content, which sets out specific expectations for learners at each level. Read in this context, rather than as a standalone approach to assessment, we remain of the view that our proposed criteria will support effective assessment of the subject content.

Therefore we have decided to adopt our proposed common assessment criteria largely unchanged save for some minor clarificatory changes.

In view of the strong support for our proposals around exemplar materials and the use of British Sign Language in assessments, we have decided to adopt these proposals unchanged.

Monitoring speaking, listening and communicating assessments

Consultation proposals

We asked for views on our:

- proposal to replace the requirements for moderation in our General Condition H2 with bespoke monitoring arrangements for the speaking, listening and communicating component
- proposed monitoring arrangements

Responses received

The majority of respondents supported our proposal to introduce bespoke monitoring arrangements for the speaking, listening and communicating component.

Most respondents also supported our proposed monitoring arrangements, noting they would help ensure awarding organisations take a consistent approach to monitoring.

However, several respondents commented that our proposed approach would be onerous to administer (both for centres and awarding organisations), and could impose significant additional costs and burden.

Decision

We have looked again at our approach to monitoring of the speaking, listening and communicating component in the light of respondents' comments and the regulatory impact our proposals could have both on centres and awarding organisations.

Overall, we remain of the view that it is appropriate to introduce a bespoke monitoring regime for this component (in place of our usual requirements for moderation). This is because the ephemeral nature of evidence in this component means that moderation is only possible if all assessments are recorded, and our view is that such a requirement would be inappropriate in some circumstances and unduly burdensome.

However, we have decided to make changes to our required approach to monitoring to better reflect its purpose, which is to provide sufficient assurance that centres:

- have appropriate processes in place to enable them to mark assessments accurately and consistently
- are marking assessments accurately and consistently

Annual in-person visits (as we proposed in our consultation) are one way that awarding organisations can obtain this assurance, but they are not the only way, and may not always be the most effective. As such, we think it is inappropriate for us to mandate in-person centre visits in all cases.

Rather, we have decided to require awarding organisations to ensure their monitoring includes:

- annual scrutiny of each centre's marking
- at least every three years, reviews of each centre's processes and controls

While we ordinarily expect awarding organisations to meet these requirements through a combination of in-person visits and other activities (for example, reviewing recordings of assessments), it will be for individual awarding organisations to determine the appropriate balance of those activities.

Awarding organisations will need to explain the approach they are taking within their assessment strategy, and we will consider this as part of our technical evaluation process.

Subject-specific features – mathematics

Number of assessments

Consultation proposals

We proposed to:

- permit awarding organisations to use either separate calculator and non-calculator assessments, or a single combined assessment with separate calculator and non-calculator sections
- require awarding organisations to use a single component, and to set a single pass mark at component level

Responses received

Views on this proposal were mixed. While more than half of respondents supported our proposed approach, others expressed concerns that:

- allowing awarding organisations to take different approaches to the number of assessments could impact on comparability
- it would be possible for a learner to pass the qualification overall without achieving many (or any) marks on the non-calculator assessment

Decision

Our view remains that the subject content can be assessed equally effectively using both a combined assessment with separate calculator and non-calculator sections, and separate calculator and non-calculator assessments. As such, we think it would be inappropriate for us to prohibit either approach.

We do however think it is important that, regardless of whether there is a single assessment or two separate assessments, there should be a single overall component, and a single pass mark set at component level. If we didn't require this, awarding organisations could take approaches to setting the pass marks that were not comparable. For example, they could set separate pass marks for the two assessments. This approach would be less reliable overall, because a learner who falls just below the pass mark on only one assessment can perform significantly better overall than a learner who gets a better result by just passing both assessments. We do not think we should permit the introduction of non-calculator based assessment to become a hurdle to passing the qualification, and we certainly don't think it should become a hurdle in some reformed FSQs and not others.

We have therefore decided to adopt our proposals unchanged.

Coverage of subject content

Consultation proposal

We requested views on our proposed approach to coverage of the subject content.

Responses received

More than two-thirds of respondents supported our proposed approach, noting that the flexible approach would ensure that the question paper setting process is not overly complicated.

However, a small number of respondents disagreed with our proposals, with one noting that sampling the subject content could compromise the ability of the qualification to provide a reliable measure of proficiency.

Decision

We are not persuaded by arguments against sampling the subject content; our view remains that it would be impractical and create unmanageable assessments if awarding organisations sought to cover the whole of the subject content in a single set of assessments. To address these concerns we do however continue to expect that:

- assessments should sample as much of the subject content as practicable and cover all of the content in as few iterations as possible
- assessments should contain a reasonable balance across the three content areas (number and the number system; common measures, shape and space; and handling information and data)
- the approach taken around the coverage of subject content should ensure that assessments are comparable and not predictable

We will require awarding organisations to explain the approach they will be taking to the coverage of subject content in mathematics in their assessment strategies, and we will consider the approach each awarding organisation is taking as part of our technical evaluation process.

As a result, and in view of the overall support for this proposal, we have decided to adopt it unchanged.

Weightings for calculator and non-calculator based mathematics

Consultation proposals

We proposed weightings of:

- 25% for non-calculator questions/tasks
- 75% for questions/tasks where calculator use is permitted

Responses received

Views on our proposed weightings were mixed, with half of respondents supporting our proposals, around a quarter disagreeing, and the remaining respondents undecided.

The main concern raised by respondents here was that it would be possible for learners to pass the qualification overall without obtaining any marks in (or even attempting) the non-calculator assessment.

Other respondents disagreed with the introduction of non-calculator based assessment in mathematics.

Decision

We set out in the consultation that in our view the weighting we set for non-calculator based mathematics should be high enough to have a material weight in the assessments as a whole, but should not give it undue prominence within the assessment.

While we accept that based on the weightings we proposed it would be theoretically possible for learners to pass the qualification by only obtaining very few or potentially even no marks for the non-calculator assessment, this is an inevitable consequence of taking a compensatory approach to assessment. An alternative approach to this, as we set out above, would be for us to introduce the non-calculator assessment as a hurdle which would make the qualification as a whole less reliable.

Another option might be to increase the weighting for non-calculator based assessment, so that it was not possible to gain the qualification without demonstrating at least some achievement in both the calculator and non-calculator based assessments. In practice, given the likely appropriate pass marks for these qualifications, this may not even be possible. In any event, we do not believe that this approach would be in line with the curriculum intentions for these qualifications. In addition, none of the respondents to our consultation suggested that we should look to increase the weighting of non-calculator based assessment.

In practice, while it is open to learners or centres to choose not to attempt the non-calculator assessment, such an approach would significantly disadvantage the learner.

Overall, we remain of the view that our proposed weightings are appropriate for the subject content, and have decided to adopt them unchanged.

Weightings for underpinning skills and problem solving

Consultation proposal

We requested views on our proposed approach to the assessment of underpinning skills and problem solving:

- a 25% weighting for underpinning skills
- a 75% weighting for problem solving
- a reasonable balance between ‘underpinning skills’ and ‘problem solving’ in both the calculator and non-calculator assessments (or sections)

Responses received

Respondents were largely supportive of our proposed approach to assessing underpinning skills and problem solving, and particularly our proposed weightings.

Some respondents did ask for further clarification of what was meant by ‘problem solving’ and ‘underpinning skills’. Others commented that underpinning skills should not be assessed in the calculator assessment, and sought clarity on how marks should be allocated where problem solving questions require learners to use underpinning skills.

Decision

In view of the strong support for them, we have decided to adopt our proposed weightings unchanged.

In relation to the request for further clarification as to what is meant by ‘problem solving’ and ‘underpinning skills’. The subject content sets out a list of attributes that may indicate whether or not a particular question or task tests problem solving, it also sets out expectations at each level of what problem solving tasks should entail as well as general expectations around learners’ abilities. We have also produced some guidance on how awarding organisations should approach the detailed expectations set out within the subject content document. We do not consider that we could do more without supplanting aspects of the subject content.

In relation to the issue of which marks should be allocated to ‘problem solving’ as opposed to ‘underpinning skills’, the subject content defines ‘underpinning skills’ as “the ability to do maths when not part of a problem”. The subject content therefore requires all marks for problem solving questions to be allocated to ‘problem solving’.

The requirement to assess underpinning skills in the calculator assessment stems from the subject content, which requires assessment of underpinning skills “both with and without a calculator”.

As such, we are not persuaded we should change any of our other proposals here, and have adopted them unchanged.

Setting and maintaining standards

Evidence used in setting specified levels of attainment

Consultation proposals

We requested views on our proposed approach to:

- the evidence used to support standard setting
- maintaining standards in reformed FSQs

Responses received

Almost all respondents agreed with our proposal to prescribe a minimum range of evidence that awarding organisations must use when setting standards. However, some respondents did express concerns about the use of prior attainment data, which they commented would not always be available, and may be poor quality.

Views were more mixed on our proposal that learners taking English FSQs should be required to complete all three components at the same level to receive a qualification. Several respondents commented that this could disadvantage learners with stronger skills in some areas (a 'spiky profile of attainment').

Decision

We acknowledge the concerns raised about the use of prior attainment data, but note that our proposed rules would only require awarding organisations to use this data if it is available. In addition, awarding organisations will be able to determine the weight that should be given to any prior attainment data, as they can with other forms of evidence used in standard setting. Our view remains that, where it exists, appropriate consideration should be given to prior attainment data.

Reformed FSQs at the different levels are distinct qualifications, developed to test the specific (and different) subject content requirements at each level. Allowing learners to bring together components from qualifications at different levels creates significant technical challenges for standard setting and maintenance, and in our view makes it considerably more difficult to set and maintain qualification standards.

Learners will not be prevented from taking (or passing) assessments at a higher level where they are able, and they will still receive a qualification of the same value as they do now. And if a Learner subsequently chooses to move on to take the qualification at a higher level, they will be able to carry forward their results from any components they have already passed.

In any event, our view remains that this change is essential for delivering the ministerial priority of improving comparability between FSQs offered by different providers. We think the (likely small) detrimental impact on learners identified here is one of the necessary trade-offs for securing that outcome.

As a result, we have decided to adopt our proposals largely unchanged. However, we have made changes to:

- reflect the fact that information on assessment performance may not always be available at the Entry levels
- simplify and clarify the wording of some requirements

Impact of our proposals

Regulatory impact

We requested views on the potential regulatory impact of our proposals, in particular related to:

- assessment strategies
- grading
- setting common assessment criteria for speaking, listening and communicating
- our proposed requirements for monitoring of speaking, listening and communicating assessments
- setting and maintaining standards
- any impact on innovation by awarding organisations

We also asked all awarding organisations who currently offer Functional Skills to provide more detailed information about the likely cost impact of our proposals.

Responses received

More than two-thirds of respondents provided no comments in response to our questions on regulatory impact.

Among those that did comment, some suggested that our proposals would have a disproportionate impact on smaller awarding organisations, and could prevent them from offering reformed FSQs.

They also commented that:

- there would be increased costs to awarding organisations from technical evaluation, and from changes to monitoring requirements
- the increased number of assessments could lead to increased invigilation and general staffing costs for centres

One respondent commented that the removal of spelling and grammar checks would impact on innovation, but did not explain why.

Decision

We have considered all the responses to these questions, as well as the more detailed cost information provided by awarding organisations in response to our request for information.

We set out our analysis of the regulatory impact of all our decisions on Functional Skills reform (including those made prior to this consultation) in full in the accompanying [Regulatory Impact Assessment](#).

Equality impact

We requested views on our the potential equality impact of our proposals, in particular related to:

- assessment times
- access to spelling, punctuation and grammar checks in the writing component in English
- monitoring of speaking, listening and communicating assessments in English
- requirement to pass components at the same level in English
- the use of a single component in mathematics

Responses received

More than half of respondents provided no comments in response to our questions on equality impact. Several of those who did comment raised issues not related to the equality impact of our proposals, which we have considered under the appropriate questions elsewhere.

Those who raised relevant issues commented that:

- a number of the proposed changes could disadvantage learners with disabilities and learning difficulties, in particular the increase in assessment time at the Entry levels in mathematics, the assessment and weighting of spelling, punctuation and grammar, and requiring learners to achieve all three components at the same level in English
- the proposed spelling test at the Entry levels in English could adversely impact on learners with special educational needs and disabilities, including learners with autism spectrum disorder and hearing impairments (and particularly users of British Sign Language) – and specific guidance on how to address these issues might be helpful
- the removal of access to dictionaries at Levels 1 and 2 could negatively impact learners with dyslexia
- it may be appropriate to permit exemptions from the spelling test at Entry level
- the ability to contextualise assessments at the Entry levels provides an opportunity to mitigate some of the potential negative equality impacts

Decisions

We have considered all of the comments provided (both in response to these targeted questions, and elsewhere in the consultation) and refined our equality analysis in the light of them. We set out our final analysis of expected impacts below.

Decision	Expected equality impact
<p>Changes to overall assessment times (both subjects)</p>	<p>The minimum and maximum overall assessment times we have set represent slight increases on the times in place for current FSQs at the Entry levels in both subjects, and at Levels 1 and 2 in mathematics.</p> <p>These proposals could have a negative impact on learners with certain disabilities as they may suffer with symptoms such as fatigue. If additional time is granted as a reasonable adjustment as a result of their disability, this may exacerbate the situation, reducing the effectiveness of this adjustment.</p> <p>The impact of this change is likely to be relatively minor, particularly since changes in assessment times are also small (increases of between 15 and 30 minutes).</p> <p>In any event, we think the proposed increases in assessment times are necessary to ensure valid assessment of the new subject content, which sets out more detailed and extensive expectations for learners.</p>
<p>Prohibiting spelling, punctuation and grammar aids in the writing component (English only)</p>	<p>We have previously decided to prohibit access to spelling, punctuation and grammar aids (including dictionaries) in the writing component.</p> <p>As noted at the time, this decision is a necessary consequence of the subject content requirement to assess learners' underpinning skills. At the same time, we acknowledge it will have a negative impact on a number of learners, including those with particular disabilities such as dyslexia</p> <p>We previously proposed to help mitigate this impact by reducing the overall weighting of spelling, punctuation and grammar compared to current FSQs.</p> <p>Responses to this consultation strongly suggested that reducing the weighting for spelling, punctuation</p>

	<p>and grammar was unlikely to mitigate the equality impacts effectively, and may even exacerbate them.</p> <p>We have changed our approach, setting higher weightings that are more in line with current qualifications.</p> <p>We also note, as before, that a number of existing mitigations will remain available to learners, including exemptions for learners unable to access the assessment, and other reasonable adjustments such as extra time.</p>
<p>Monitoring of speaking, listening and communicating assessments (English only)</p>	<p>We have changed our proposed approach to monitoring of the speaking, listening and communicating assessments, and will no longer require awarding organisations to observe live assessments.</p> <p>However, awarding organisations will still have to scrutinise centre assessment decisions – and one way they might choose to do that is by observing assessments.</p> <p>We think the additional flexibility we are permitting here should eliminate any potential negative impacts on learners, as nothing in our rules would require all learners to be observed.</p>
<p>Requirement to pass all components at the same level (English only)</p>	<p>We have decided to prevent learners from aggregating components at different levels to achieve an overall qualification.</p> <p>This may adversely affect learners whose skill levels differ in reading, writing and speaking, listening and communicating. This group of learners may include a disproportionate number learners with certain disabilities, and learners with English as a second language (who may represent a particular race).</p> <p>We think the real impact here is relatively limited. These learners can currently only receive an overall qualification at the level of their weakest skill, and it is</p>

	<p>the qualification as a whole that has currency. They would still be able to take some components at a higher level to demonstrate their true ability if this was desired.</p> <p>In any event, we believe requiring learners to complete all three components at the same level is necessary to secure meaningful qualification-level standards, and to ensure awarding organisations can maintain standards over time.</p>
<p>Use of a dedicated spelling test (Entry levels in English only)</p>	<p>We have decided to introduce a dedicated spelling test as part of the writing component in English at the Entry levels.</p> <p>This may negatively impact on learners with certain disabilities, including autism spectrum disorder and hearing impairments.</p> <p>Despite these potential impacts, our view is that a dedicated spelling test is necessary. This is because it is the only valid way to assess the specific spelling expectations set out in the subject content.</p> <p>We are also not persuaded by suggestions that exempting learners from the spelling test would be an appropriate way to mitigate any potential equality impact. We only permit exemptions where learners cannot access any part of an assessment, and we think it is unlikely that a learner could legitimately be unable to access any part of the spelling test.</p>
<p>Use of a single component (mathematics only)</p>	<p>We have decided that new FSQs in mathematics must be comprised of a single component.</p> <p>While this is not a change from current arrangements, the way this rule interacts with the introduction of non-calculator based assessment and our existing rules</p>

on exemptions⁶ will lead to different consequences for learners.

Learners with a disability that impacts on their ability to perform non-calculator tasks (such as dyscalculia, or cognitive impairments that affect working memory) will not be able to request an exemption from a separate non-calculator assessment as a reasonable adjustment.

Our view remains that our approach here is appropriate, for three reasons:

- exemptions are only available to learners who cannot access any part of the assessment, and we think it is unlikely that a learner could legitimately be unable to access any part of the non-calculator assessment
- it ensures that awarding organisations' decisions on whether to set a separate non-calculator assessment do not affect learners' access to exemptions
- a single component model is necessary to prevent the use of separate pass marks for the calculator and non-calculator assessments, which would make the qualification less reliable, and arguably have an even more significant negative impact on learners with disabilities

⁶ www.gov.uk/government/publications/specifications-in-relation-to-the-reasonable-adjustment-of-general-qualifications

Next steps

We have published the following new documents which formally introduce our rules and guidance for reformed FSQs:

- Functional Skills English Conditions and Requirements⁷
- Functional Skills English Guidance⁸
- Functional Skills Mathematics Conditions and Requirements⁹
- Functional Skills Mathematics Guidance¹⁰

In line with our earlier decisions on transitional arrangements, these rules and guidance will apply to Functional Skills Qualifications:

- awarded to Learners registered on or after 1 September 2019; and
- awarded on or after 1 September 2020

During the transition period, our existing rules for Functional Skills Qualifications in English and mathematics¹¹ will continue to apply to qualifications awarded to learners registered prior to 1 September 2019; we will withdraw them on 1 September 2020.

⁷ www.gov.uk/government/publications/functional-skills-english-conditions-and-requirements

⁸ www.gov.uk/government/publications/functional-skills-english-guidance

⁹ www.gov.uk/government/publications/functional-skills-mathematics-conditions-and-requirements

¹⁰ www.gov.uk/government/publications/functional-skills-mathematics-guidance

¹¹ www.gov.uk/government/collections/functional-skills-qualifications-requirements

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