

Compliance Brief: **Ofqual**

Background

The Office of Qualifications and Examinations Regulation (Ofqual) is a non-ministerial government department that regulates qualifications, exams and tests in England. The Apprenticeships, Skills, Children and Learning Act 2009 officially established Ofqual in April 2010; the department is also covered by the Education Act of 2011.

Ofqual sets rules for regulated qualifications — such as those related to education and vocational training — and provides guidance which supports those rules. The department's stated priorities for 2022 to 2025 are:

- quality and fairness for students and apprentices
- clarity, effectiveness and efficiency in the qualifications market
- shaping the future of assessment and qualifications
- developing Ofqual as an effective, expert regulator and inclusive employer



Intention

This compliance brief intends to demonstrate alignment between Integrity Advocate's services/technological capabilities and Ofqual compliance expectations, along with the department's broader priorities. It is worth noting, however, that technological threats against, and use case for, secure online training are constantly evolving. As such, at Integrity Advocate, we are constantly evolving our capabilities to match specific Awarding Organisation (AO) needs.



Ofqual expects all recognised AOs to understand and meet the general rules and guidelines for regulated qualifications spelled out in Ofqual Handbook: General Conditions of Recognition. These guidelines are not prescriptive requirements as to what actions constitute compliance. Rather, AOs are expected to understand Ofqual principles; when there is a conflict between two or more of those principles, they must achieve a balance between them.

This document is primarily focused on Section G of the Ofqual Handbook, which covers recommendations for setting and delivering assessments. This section includes recommendations around the language of assessments, maintaining confidentiality of assessments, reasonable adjustments, and special considerations; it also includes examples of 'positive indicators' that would suggest an awarding organisation is likely to meet their compliance requirements.

We have also referenced the July 2023 Ofqual publication, Remote Invigilation within Vocational and Technical Qualifications, for additional technical context.

In the 'Condition' and 'Guidance' columns below, we are quoting directly from these sources, the full texts of which can be found at the following links:

[The Ofqual Handbook: General Conditions of Recognition](#)
[Remote invigilation within vocational and technical qualifications](#)

Condition Excerpts from Ofqual publications outlining requirements/expectations.	Guidance Interpretation or guidance provided by Ofqual through direct publications or referenced sources.	Mitigation How Integrity Advocate either directly addresses or provides options to AO, based on Ofqual conditions and/or guidance.
Condition G4 - Maintaining confidentiality of assessment materials		
G4.1 ... the awarding organisation must take all reasonable steps to ensure that such confidentiality is maintained.	Condition G4.1 requires an awarding organisation to take all reasonable steps to ensure confidentiality is not breached by anyone during any part of the assessment development and delivery process	Integrity Advocate integrates directly with the assessment platform, allowing AOs to restrict access to assessment materials If an AO requires Integrity Advocate to collect evidence for investigation/ adjudication that could contain assessment materials, AOs are able to apply discretion as to extent and duration of access/storage.
	For some assessments... knowledge of a broad overview about the topics to be set or the general structure of the paper might compromise the ability of the assessment to measure the Learner's attainment effectively.	Integrity Advocate provides the option to restrict and document printing, copy/ pasting, screenshotting, etc. of assessment materials by participants, mitigating the risk of assessment materials becoming publicly accessible.
Condition G5 - Registration of Learners		
G5.1 An awarding organisation must take all reasonable steps to ensure that... each Learner taking a qualification which the awarding organisation makes available is registered in a way that permits the Learner to be clearly and uniquely identified		Integrity Advocate verifies the identity of Learners at the point of registration, avoiding the necessity of future checks, streamlining the assessment process and eliminating redundancy.
G5.1 An awarding organisation must take all reasonable steps to ensure that... where the identity of a Learner has not previously been confirmed to the awarding organisation, or the Centre at which the assessment will take place, arrangements are in place to confirm the Learner's identity.	...all forms of high-stakes assessment require that the identity of the individual taking the assessment is verified – a candidate sitting an examination in another candidate's name would constitute malpractice or maladministration.	Integrity Advocate uses government-issued photo ID to validate Learner identity, confirming that the image on the ID matches the Learner present and that the name on the ID matches the name the Learner provided when registering for an assessment.

Condition	Guidance	Mitigation
Condition G6 - Arrangements for reasonable adjustments		
G6.1 An awarding organisation must, in accordance with Equalities Law, have in place clear arrangements for making Reasonable Adjustments in relation to qualifications which it makes available.		Integrity Advocate's Interface design accommodates dyslexia, visual impairment, color blindness etc.; user experience can be configured to accommodate physical disabilities, anxiety disorders, etc. All integrations also provide a secure opt-out capability for use in situations where accommodations make the use of Integrity Advocate unnecessary; invigilation rulings can be overridden manually if they don't take into account reasonable accommodation factors.
Condition G8 - Completion of the assessment under the required conditions		
G8.1 An awarding organisation must take all reasonable steps to ensure that, in relation to qualifications which it makes available... evidence generated by a Learner in an assessment is generated by that Learner (or includes evidence generated by that Learner as a contribution to group work)	It is worth noting that this research took place at a time when generative artificial intelligence tools such as ChatGPT were not widely available and so the challenges such tools present for RI have not been explored in this report. These will, however, become increasingly important as AI tools are more widely used in the education sector, including the impact they have on the way assessments are designed and delivered.	Integrity Advocate monitors for the 'sole participation' of Learners in assessments; Learners can be monitored throughout the assessment, even if they are permitted to complete an assessment in multiple parts. Integrity Advocate can also monitor for/restrict the use of cellular phones, on-device communication tools (video conference, chat, etc) and AI-enabled browser plugins. (AI-enabled 'study aid' plugins can automatically answer questions without the Learner's input; Integrity Advocate's unique 'ExposeAI' feature uses a combination of technological and human capabilities to monitor for these tools.)

Condition	Guidance	Mitigation
Condition G8 - Completion of the assessment under the required conditions - continued		
	An awarding organisation is likely to comply [when it]... checks that the assessment is completed under the required conditions and that Learners have produced the work being assessed, for example by carrying out regular checks, including some unannounced.	Integrity Advocate provides two options for reviewing the conditions of an assessment: 1. Through the review of sessions that have been flagged by our invigilators. Flagged sessions can be overruled by the AO, and do not include media that isn't relevant to the suspected infraction. This is the preferred option where GDPR compliance is a necessary consideration. 2. Through the full review of complete session recordings, including media not flagged by our invigilators. This option is only employed when deemed necessary by the AO, and supported by a privacy impact assessment. Integrity Advocate also supports monthly reviews of cumulative data to ensure all rules are being enforced, and monitor the frequency of noncompliance.
	Various studies raised issues around candidates' sense of privacy. For instance, Parades et al. (2021) conducted interviews with examinees experiencing [remote invigilation] and reported that around 40% of the respondents said that they had experienced a sense of intrusion to their privacy.	Integrity Advocate allows organisations to customise settings; more invasive functions like room scans are not mandatory, and can be decided on after consideration as to their value and their impact on learner privacy. Integrity Advocate follows Privacy by Design principles, meaning we collect only the data we need to make an informed decision. For example, our system can monitor for and determine the difference between a Learner talking to themselves and a conversation with others without the need to listen in on the event (another optional configuration).

Condition	Guidance	Mitigation
Condition G8 - Completion of the assessment under the required conditions - continued		
	[Remote invigilation] systems vary in the extent to which they allow the candidate and the invigilator to interact. The invigilator may be able to audibly inform or warn the candidate if they are contravening any rules (whether intentionally or not) and thus ensure the ongoing security of the assessment. Although unable to offer the same level of interaction, record and review RI is often cheaper to operate and may be better suited to circumstances where a candidate's internet connection is weak or intermittent (Alpha Plus, 2021).	Integrity Advocate provides both record and review, and live invigilation services. Record and Review is most advantageous when cost is a critical factor. AOs may choose to mitigate the risk of rule contraventions through a strong and well communicated policy that addresses the repercussions associated with unethical behaviour; Record and review also alleviates the feeling/ understanding that a live invigilator is watching them as they complete their assessment. Live monitoring is an excellent choice when organisations desire and perceive a significant benefit from live intervention — such as, for example, the ability to remove Learners from the assessment for contravening the participation rules.
G9 - Delivering the assessment		
G9.1 An awarding organisation must ensure that every assessment for a qualification that it makes available is delivered effectively and efficiently	Many RI systems work in conjunction with a 'lockdown' system, which can block the use of prohibited software to prevent the candidate from accessing the internet during the test. Some systems can also monitor the use of connected external devices (for example, a mouse or keyboard), to ensure that they are being used appropriately. To alleviate stress and anxiety linked to technical issues, Cramp and colleagues (2019) suggested that candidates should be informed about the rules and technical requirements, and equipped with the necessary technical skills, prior to sitting the assessment.	Integrity Advocate's Integrity Lock feature is unique in the market place due to its ability to restrict the use of multiple monitors, identify/ flag attempts to look at other tabs, programs etc — without requiring installation. This alleviates much of the stress, anxiety and technological access issues that can create an uneven assessment experience for Learners. Additionally, Integrity Advocate provides at no cost a 'demo mode' that Learners can use to familiarise themselves with the technology ahead of time. 'What to Expect' pages containing frequently asked questions and other information are also made available. Because of this, AOs using Integrity Advocate typically see support requests from less than 1% of Learners, instead of the industry standard 25 to 40%.

Condition	Guidance	Mitigation
G9 - Delivering the assessment - continued		
	Negative indicators that would suggest an awarding organisation is not likely to comply would include where assessments add unnecessary costs to Learners by requiring specific equipment not reasonably obtainable. The experience of the candidates was one of the most important drivers for influencing the AOs' decisions. Not all candidates are comfortable with technology, and this can affect their ability to sit assessments under [remote invigilation].	Integrity Advocate works on all laptops, desktops, tablets, mobile devices and ChromeBooks, eliminating the likelihood that a Learner will be disadvantaged by the necessity of gaining access to specific — and often more costly — devices.



Conclusion

Ofqual guidance allows for AOs to establish controls that recognise the uniqueness of each AO and their learners. The reality is that AOs have multiple and sometimes competing interests; these interests can include academic integrity, accessibility, privacy (GDPR), security, human rights and liability, in addition to the technological capability and constraints of learners.

Integrity Advocate is the only remote invigilation system that understands that organisations are unique and adapts to their needs. Using Integrity Advocate, AOs can find the balance between all these competing interests, and deliver online training and testing that is right for them and their Learners.