

Speech: The long and winding road – the humble number plate

Hello, it's great to be invited back to speak at this meeting.

This is my fourth year as Surveillance Camera Commissioner and third time back at this conference.

Many of you will recall that first conference when I challenged the police on three counts;

- what is your legislative mandate to conduct ANPR?
- what is your governance of 9000 cameras?
- why is your transparency so opaque?

In essence, where is your legitimacy? – a crucial ingredient for the public to have confidence in not just what you do, but why you do it, how you do it and how you protect the civil liberties of our citizens.

Last year I raised the issue of data quality and type approval cameras. This year I have decided to, yes – do it again. Let me first acknowledge that there has been progress made against those challenges under the leadership of Assistant Chief Constable Paul Kennedy and Chief Constable Hall.

For those not familiar with my role as Surveillance Camera Commissioner I will firstly provide a brief resume.

Secondly, I will explain where I see ANPR currently, with a brief reflection from where you have come and a look to the future;

Finally, I'd like to touch upon the National Surveillance Camera strategy which I launched in March 2017.

My role:

A little background about my role as Surveillance Camera Commissioner :

- it was created under the Protection of Freedoms Act 2012
- I was appointed by the Home Secretary but am independent from government. My commission was extended for a further term of 3 years last March
- the role covers England and Wales
- I'm entrusted to ensure that surveillance camera systems are used to support and protect communities – not spy on them
- the Surveillance Camera Code of Practice was issued by the Secretary of State and contains 12 guiding principles which if followed will mean cameras are only ever used proportionately, transparently and effectively
- surveillance camera systems which fall within my remit are those operated overtly in public spaces in England and Wales by 'relevant

authorities' and include CCTV, ANPR. Body worn cameras, helicopter/drone- borne cameras, dash cams, indeed more. The surveillance camera system definition goes beyond simply the camera itself and extends to the analytic systems, monitoring and storage media, reference systems, automatic facial recognition systems and indeed any technology which is integrated with those systems

My primary role is three fold, to:

- encourage compliance with the code
- review the operation of the code
- advise on any amendments to how the code should develop- Review of Impact of Code (recommendations made within that re ANPR)
- annual parliament report which was laid before parliament last week
- in addition chapter 5 of the SC code describes how I may regulate

How does it work

Well – 'relevant authorities'-police, local authorities, PCCs, NCA and non-designated police forces – must be able to demonstrate that they have addressed their statutory 'duty to have regard' to the code. It is a requirement of the Protection of Freedoms Act 2012.

Organisations who are not 'relevant authorities' are encouraged to voluntarily adopt the code. The code also considers your obligations as data controller under the provisions of the Data Protection Act.

So ANPR

ANPR in the UK must surely be one of the largest data gatherers of its citizens in the world. Mining of meta-data – overlaying against other data bases can arguably be far more intrusive than communication intercept in some circumstances.

Drawing as my previous experience in the police, retiring as a Commander National Coordinator Pursue for the police service throughout the Olympics, I get operating in a benign environment and also consequence management – policing by consent or as the secretary of state's code refers to it, surveillance by consent. This is shorthand for 'get your system right, make it transparent, make it bullet proof in terms of integrity' and above all be transparent in terms of your legitimacy – your basis in law for doing what you do, your case of necessity, your balance of proportionality and a demonstrable assessment of both intended and collateral intrusion risk.

Yes what you do is profoundly important to protecting the public from some of the most serious risks facing communities today. But what you do is also profoundly intrusive and in a proud and civilised western democracy the public also need protection from disproportionate and unjustified intrusion by the state.

The secretary of state's code specifically states that I will be a source of advice as to the validation of such systems .

And so – lets start with the humble number plate!

The number plate is what this conference is all about.

In the language of the mnemonic – it puts the 'NP' in ANPR – without an accurate 'NP' (number plate), you have no accurate 'R' (recognition) – no matter how sophisticated your 'A' (automation) is!

When you distil it into its component parts – that's largely it, isn't it? If this bit isn't right it is your first point of failure, the consequences of which may be significant. Do you agree? As a former firearm commander and Counter Terrorism commander I can assure you ladies and gentlemen that if I am deploying officers with a lethal force option on the basis of an intelligence case which may include ANPR data....I certainly agree!

The stats

According to the NPCC fact sheet the national ANPR infrastructure grabs 25 to 40 million reads a day – 20 billion a year? 20 billion what – yes – you're getting it – number plates.

Now – I hear figures being quoted of ANPR accuracy of more than 97 percent, now that doesn't sound bad does it. But that is still, if the NPCC figures are to be believed, between 750,000 and 1.2 million misreads per day – so what actually is your tolerance for inaccuracy? What about the operational commanders in the room?.

Now some of the causational factors of misreads and missed reads of number plates are arguably beyond your control, particularly where the qualitative standards which govern number plate production and use are concerned. I know you are working hard on the issues which you can improve on....and I am determined to work hard on those you cannot.

I asked these questions last year!

1. If this database is to be acceptable how important is it that its accurate?
2. Has there ever been any adequate and deeply meaningful programme of sampling of information held in NADC or in local force servers?
3. And if there has, why is it that I have had to work so hard to unearth any form of meaningful empirical ANPR generated evidence that I can put under the noses of those who regulate the manufacture and testing of number plates and convince them that there is a problem here beyond the wherewithal of the police – which they DVLA/DVSA are not yet effectively contributing to a solution.

If this data is to be accurate what are the key determinants for that to

happen – quality of camera (type approval), quality of installation? Quality of number plates being recorded?

A bit on cyber

Here is a challenge – how comprehensive and meaningful is your strategy to ensure that your national surveillance system is resilient to cyber attacks now, and in the future resilient to individual and state actors to access and manipulate or steal?

Under the umbrella of my strategy I am setting standards which will hopefully prevent the manufacture and sale of camera hardware and software with a proven past cyber vulnerability. I am advocating regular cyber intrusion testing of systems, to make sure cyber defences are up to speed and if not, are suitably patched, I am advocating appropriate cyber awareness and disciplines amongst camera operators to make sure a busy dedicated operative does not stick a pen drive in to a system and infect it, to make sure that operators know a cyber attack when they see one, and what to do about it. I could go on – you get the message.

So – is ANPR working properlylegitimately?

ANPR is hot wired across society – it was previously a traffic management device that had a parallel use to support criminal intelligence operations. Its utility was recognised.

Now HMG raises vehicle revenue from it, enforces MOT and insurance enforcement and supports the private parking industry. (still I might add – no democratic oversight from Parliament)

Turning to the Surveillance Camera Code of Practice and the guiding principles within it; principle 8 – Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain standards.

Principle 12 – any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.

Now I know that all forces must comply with Standards 1 and 2 (data standards and infrastructure standards) respectively to connect to the NAI.

Last year I said, and I will reiterate here, that I understand currently NADC accept all data fed into their system when there must be some doubt that some forces cameras are not set up correctly. Such cameras should be excluded but who polices this? Perhaps the NASP standard is more a site acceptance test and does not constitute a product standard. I know industry believes NASP should have gone further and be developed into a performance standard that ANPR equipment should be tested and certified to meet prior to purchase.

In the current economic climate, there is significant pressure on organisations like the police and LEAs to purchase economically, and there is a risk that they will be offered equipment at an attractive price with claims

that it is fit for their purposes where in reality it may not be. Once equipment has been purchased however, it is in the interests of both the vendor and the purchaser to get the equipment through the NASP test in order to bring it into service.

It is industry's view that the lack of rigour in the NASP test (it might be described as a "quick look see" test) enables it to be passed by equipment that does not necessarily meet all of the purchaser's requirements. As a result, the quality of the data delivered may be lower than required, with the consequential detriment to the purchaser's operations and to the protection of the public.

I am delighted to hear at this conference that the new national standards are still being worked upon and will further strengthen the operation – I look forward to seeing the details.

So therefore the importance of compliance with those standards and in particular the need for regular performance monitoring / evaluation and annual testing is imperative but the question lurks – is this enough? And how is it policed?

The police must robustly rebut the contention from industry about a lack of 'rigour'. Equally they should be in a position to rebut similar concerns from the public. They must evidence policing of the system is robust.

What performance monitoring – qualitative and quantitative – is carried out during the day and at night as required under the standard?

How do forces check for poor performing ANPR systems?

A key concern for me – is do we / you, fully understand the volume of misreads or missed reads on the database and the key underlying causes – 'in my experience these are not quantified to the extent that the public or indeed regulators..would expect'.

In my opinion in the interests of legitimacy – in the interests of transparency – I said last year that this is a key and urgent piece of work for the police to undertake. Extract data from the NADC to help explain the picture relating to accuracy? But it's costly to do that!!

Well could somebody please tell me the totality of the cost of the ANPR system, cameras, officers to deploy, buildings to house back office, cost of NADC development, electricity, storage of data, installation, performance measurement of 8500 cameras – and then please tell me it isn't worth doing?

Help me out – how does the cost of success stack up against the cost of failure?

Quality of number plates

ANPR depends more or less absolutely on the quality of number plates it captures. The whole infrastructure, I would argue, is predicated against the fact that number plates do what it says on the plate – allows you to read

the number! If they are frustrated by their design or people easily circumventing capture by screwing a deceptive screw between a 1 and a 1 making an H – then who should be concerned? Arguments have been advanced that the number of people manufacturing number plates should be limited. I think there is an argument to say that, production of number plates is so integral to the system – that even stricter controls need to be applied – akin to production of driving licences and passports – thereby providing the authorities with powers of examination and seizure.

So – we all know dodgy number plates can defeat the system, I understand there are 1000s of number plate suppliers in the UK. This, in an unregulated environment which seems tailor made to defeat the system. But the first imperative is understanding the position and the impact of manipulation of number plates. This is where an open and transparent review needs to be conducted-without which how can change be promoted. Intrinsically I am not naturally born to more and more regulation!

It was Winston Churchill who once said, “If you make ten thousand regulations you destroy all respect for the law” – House of Commons, 3 February 1949.

And who would argue with his wisdom?

However my concern around ANPR, its size and scale, its impact on the citizen, demands greater control to prevent inaccurate data reads – I don't think the police can do this, I don't think that the police should be expected to do this. I do think placing ANPR on a statutory footing can easily bring about this type of regulation. I will support any reasonable effort by the police to exert this pressure.

So what have I done?

I have convened a work group of Industry specialists, NMA representatives, DVSA, DVLA, Home Office Cast , Home office policy – ANPR.

Why – because it's important this system has integrity and they have key responsibilities which play in to the problem and the solution.

I have asked Home Office ANPR Policy team to research the misreads and missed reads issue to get an evidential, rather than anecdotal foundation on which to address the problem.

I have gleaned from Home Office research with police forces, there could be as much as a 3 percent error rate attributable to poor, delaminated, poorly constructed, difficult to read, ill-fitted plates. 3 percent of 20 to 25 million captures a day could equate to 75000 to 1.25 million misreads a day. I am very bothered by this. Very bothered indeed, because I know that errors on the hot list could negatively impact on the citizen.

Next who is responsible for this error rate continuing police for on road enforcement? DVSA for MOT standards when considering the quality of a number plate? DVLA for non introduction of a 3rd party certification process to better regulate manufacturers of number plates? – Industry standards? Manufacturers? Procurers? Installers?

Consultants to ensure cyber resilient and cyber savvy infrastructure and disciplines? The answer of course is 'all of the above'. This isn't a silo issue – it's a system issue and has to be addressed as such.

I have my fifth meeting this year to achieve my first objective of this whole system approach – that is to deal with the MOT issue and seek support to amend the wording of the MOT test standard where number plates are concerned to strengthen the test.

Running alongside this I am keen to explore stronger standards re certification (BS 145 has been introduced but is not mandatory).

So baby steps. Next term I look at type approval and related issues.

But it is appropriate that I acknowledge what you the police are doing. You have very determined and talented people working this problem on your behalf (as well as those in the Home Office). In Chief Constable Hall, his predecessor Paul Kennedy, and John Dwyer, to name but a few there has been tangible and demonstrable commitment to rise to the challenges which I have set.

I know that a defining characteristic of policing is that you always make things happen for good despite sometimes monumental challenges, and of course I acknowledge the overwhelming sense of determination in you to get things right. You have other challenges down the line with new data protection laws and GDPR, but a recent development in resolving a fundamental question of data retention periods, something which has inexplicably rumbled on for years, I think is an encouraging symptom of progress and one which I hope will stand you in good stead for the challenges to come.

In conclusion therefore:

The National Surveillance Camera strategy is working with police to drive up standards. A survey of all police forces in England and Wales has delivered a 100 percent response – the compliance by police forces with their PoFA responsibilities to ANPR is 95 percent.

ANPR has greater capacity to move towards integrated platforms – indeed it was considered as such for the LEDS Home Office approach which I now understand is on hold.

Compliance with PoFA, DPA and new legislation coming in in 2018 is key and central to my regulatory approach.

Engagement with fellow regulators – ICO, IPCO and HMIC will continue to strengthen.

Thank you, and I look forward to seeing great progress over the course of the coming year in terms of transparency, compliance and engagement with the public on the use of ANPR.

Press release: Berkshire boater prosecuted for keeping unregistered vessel on Thames

This is contrary to the requirements of Article 4(1)(a) of the Environment Agency (Inland Waterways) Order 2010.

The defendant pleaded guilty at Reading Magistrates Court on Friday 17 November 2017, and was ordered to pay £797.65 to the Environment Agency in respect of unpaid registration fees and a victim surcharge of £20. Mr Gardener-Collins was given a conditional discharge for a period of 12 months and warned by the magistrates that if he offended again during the 12 month period, he could be re-sentenced for this offence.

A compensation order was made in the sum of £597.65 and the defendant agreed to pay £200 directly to the Environment Agency and provide the necessary documentation to enable the vessel to be registered for the remainder of 2017.

Mr Gardener-Collins' vessel UBIQUE II (also known as UBIQUE) was spotted by an Environment Agency Waterways Officer without a valid registration on Tuesday 21 February 2017 downstream from Cleeve Lock on the River Thames. The boat was served with a registration enforcement notice and the defendant was made fully aware, both verbally and in writing, that he was legally required to register his boat and failing to do so would risk prosecution.

Despite ample advice and guidance from waterways officers and acknowledgement from Mr Gardener-Collins of receipt of the Environment Agency's boat registration direct-debit forms, the defendant had still not applied by June 2017 and therefore his boat remained unregistered for 2017.

The Inland Waterways Order 2010 requires all vessels 'kept' or 'used' on the River Thames, to be registered with the Environment Agency and display a valid annual boat registration plate (similar to a vehicle tax disc).

The Environment Agency carries out checks along all 135 miles of the navigable non-tidal River Thames to ensure that all boats kept or used on it have a valid registration plate. It takes enforcement action against all those that don't.

It also takes enforcement action against a wide range of other offences relating to boating, often working as part of a multi-agency approach with the police and local councils.

Nick McKie-Smith, Environment Agency Waterways Operations Manager for compliance, said:

All boats must have valid registration, boat safety certificate and minimum third party insurance at all times. Boaters must renew their annual registrations each year for the Environment Agency waterway they want to keep or use their boat on. If they need to renew their registration for 2018 then they must do so before 1 January. For genuine visiting boats it is also possible to buy a visitor registration for shorter periods.

The income we raise from boat registration is vital. It helps fund every aspect of the service our specialist River Thames Waterways Operations team provides to enable safe boating on all 135 miles of the non-tidal Thames. This includes maintaining and repairing 45 sets of locks and weirs – many of which are important heritage features – as well as providing a range of facilities to help enhance boaters' experience while out on the river. By not complying, we lose vital revenue, which hinders our ability to maintain the high standards of service we set ourselves, and which our customers expect.

Owners of boats not displaying valid registration plates could face prosecution, so it is important that they are aware of and adhere to this requirement. Ignorance is not an excuse.

[Further information on how to register a boat.](#)

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Speech: Vocational and technical qualifications: the regulator's perspective

Thank you. When Ofqual was established less than 10 years ago, it was very specifically about securing standards and promoting confidence in qualifications. We are not, as a regulator, responsible for subject content nor the curriculum, nor indeed the funding of qualifications. We're always very focussed on the standards and quality of qualifications that we regulate. It is really important that employers have an understanding of who the players are in the system – including the Department for Education, the Institute for Apprenticeships, Ofsted, and funding bodies. Equally important is understanding how and why to engage with those bodies. I would want to stress the importance of employers engaging with the Institute around the development of new apprenticeships. We at Ofqual equally need to hear from employers, not just in relation to apprenticeships, but also about the broader qualification landscape and I will explain why as we go through.

The qualifications market is a big business. We regulate over 150 organisations, ranging from the very large household names that many of you would recognise to some very small, quite niche providers who provide certificates for thousands, sometimes hundreds, sometimes just tens, of people every year; so it's a really diverse range of organisations. The market that we regulate was largely an inherited one in terms of both the regulated bodies and, to an extent, many of the qualifications. It is a £billion market. Regulation becomes increasingly important during times of transition and change. I think we would all agree that we are in the midst of some significant change.

This is principally a conversation about vocational and technical qualifications, but it would be remiss of me not to talk very briefly about the substantial changes to GCSEs and A levels that we're in the midst of at the moment. As you may know from our campaign, English and maths GCSEs were the first to be graded 9 to 1 from this summer, with the rest of the qualifications following. Do you understand the changes and what that means in practice? We'd be really interested in your feedback. Of course, for us it's not just about changing letters to numbers on the certificate; it's much more about making sure that the transition is smooth, that it's well understood, and that for the learner it's as fair as it can possibly be.

That work extended to A levels of course, and I just wanted to pause briefly on them, because there is a really interesting corollary with our work on

vocational and technical qualifications. That's because the demand of the A level qualification itself wasn't actually changed, but there was a process where the A level qualifications were reviewed to make sure that they continued to meet the needs of the users of those qualifications. That was principally, but of course not exclusively, higher education. It was very much about getting the voices of users of those qualifications into a room to understand what they wanted from their A level science or their A level English to make sure we continue to meet their needs going forward. I see parallels with the importance of engagement with users of vocational qualifications and apprenticeship end point assessments to make sure at the outset that we're designing them in the right way to get you what you want at the end. I will reflect back to the point about the importance of the Institute and employer panels there. It is really important that the Institute has that input from employers as T levels and apprenticeships standards are developed and delivered. And we are there to support that process.

That's a very brief aside on GCSE and A levels. As I say, we'll be really interested in your feedback later on, but now onto the main part of my conversation around the qualification landscape and more specifically where vocational and technical qualifications fit. I don't think it would be any surprise to reflect that it is a relatively complicated landscape that we inherited seven years ago. This chart is an illustration of the qualification market if you consider it in terms of certificates awarded each year, where you can see GCSEs being the lion's share on the left hand side, a very significant number of AS and A levels on the top right, quite a few others around functional skills and other qualifications that we recognise, and then a group in the middle of other vocational qualifications. That is a catch-all for very many qualifications, some of which are funded by government and very many of which aren't. So if you look at it from that perspective, you can get a sense of the relative sizes in terms of students taking the qualifications. But if you consider the same categorisation by the number of qualifications available, it's quite a different picture. What you see is a significant number of vocational and technical qualifications in that block that we largely inherited when we were established in 2010 – and in terms of qualification numbers – quite a small number of GCSEs and A levels, and other qualifications. So I think that presents a clear picture of the challenge that we face as a regulator in terms of volume of vocational and technical qualifications, but equally the importance affording them the appropriate regulatory oversight and strategic importance.

The points I will make here are that we don't control the entry of qualifications into the market in terms of determining whether a qualification is or isn't required; we regulate to make sure that when the qualification is in the market, it meets the needs of the users of that qualification. That is to say, if employers want a qualification or if there's a defined and proven need for a qualification, and it meets our requirements, then we have no means to withhold entry into the market. Whilst we don't limit choice, we make sure as far as we practically can that that qualification meets the quality needs of those who have requested it.

We recognise that the qualification market is relatively complicated and, therefore, a year or two ago, we tried to bring a sense of order to it in this publication, the [Regulated Qualifications Framework](#). It's a way of trying to categorise qualifications. On the bottom there you can see qualification size and then it's designed in terms of learning hours typically associated with the qualification. On the Y axis you have qualification level running from entry levels 1, 2, and 3, up to qualification level 2 that might include, for example, GCSEs, or qualification level 3 that might include A levels and others, all the way up to 6, 7, and post-graduate qualifications at level 8. It illustrates that at any level, but particularly at the lower levels, you can have qualifications at a broadly common level of demand, but very different sizes in terms of learning hours.

The other point I'd want to make is that from that taxonomy, it's quite tempting to try and draw quite distinct parallels between qualifications that are at the same level. It's tempting, but quite difficult. Just because you have a level 3 qualification in one area, it doesn't necessarily mean it is of the same academic and other demand as another level 3 qualification. It depends on the context; the purpose of the qualification and many other things. Beth Black [Ofqual's Associate Director for Research and Analysis], who you will hear from later, and others in Ofqual, have been trying to think about how we can use the data available to try and give you a better way of working through the system. Today, we're launching a prototype. It's something that you can engage with and give us some feedback through the day. It's an interactive tool that you can navigate and use to explore the vocational and technical landscape a bit more freely. There are a number of nodes that relate to particular sectors, and you can see from there the range of qualification providers that are developing and delivering qualifications within that specific sector. Then you can further interrogate it to look at the qualifications that they offer and even how many certificates they issue in those qualifications each year. So there is a wealth of information there to explore. As I say, we think this is the sort of thing that you want, but of course we want to hear from you, so this is the prototype. If there are things that you would want to see that aren't quite there then please let us know. This is an opportunity to shape our work at a relatively early stage and it's really important to hear what you say.

Moving on then to how we regulate, we want to have a conversation about what we do on your behalf as employers and users of qualifications, and give you an understanding of the sorts of things that we do on a day-to-day basis. Just as regulators such as Ofwat and Ofgem regulate for consumers of utilities, we consider our role to be regulating on behalf of consumers of qualifications, and that is to say we regulate for consumers. We don't regulate consumers and I think it's a really important message to get across.

To be really clear, our regulatory relationship principally is between us and those that we regulate: the awarding organisations. In doing that, we need to understand what it is that users of qualifications want. There are all sorts of legitimate needs and requirements from the qualification and what we find is that employers are mainly clear about the things that they want to measure

and very clear about the things that they want young people and others to demonstrate. But what we also find is that when you start to look at some of those needs in terms of qualifications, sometimes they present quite specific assessment challenges. So a simple example here, if for example a qualification is to assess handwriting, that in and of itself is achievable but it presents all sorts of technical challenges about how good is good enough, how we make consistent judgments over time and indeed what the implications are for the deliverers of those qualifications, such as how to do paper-based assessments. So there are all sorts of issues of assessment associated with the regulatory judgments that we make. In terms of regulating to meet your needs, what I would say is that there are many organisations that depend on qualifications. We know that, and we regulate for all of them. But I've put this slide up to reflect on a visit I went on a couple of weeks ago. What really struck me in visiting this employer was that not all employers are the same in scale, scope, or in remit; it was an interesting visit for two reasons. One, because of the inspirational work that happens in this location around childcare, but two, because that individual that runs that small business is actually the trailblazer lead for one of the biggest standards being developed at the moment. It really struck me not just the sheer breadth and variety of the employer landscape, which won't surprise any of you, but some of the fantastic work that is being done in some small organisations in developing the new standards for apprenticeships.

This slide is entitled 'using our powers'. That is to say how we operate as a regulator. We effectively put controls in place to support what you need. So we control the entry into the regulated market. If an organisation wants to offer regulated qualifications, they need to go through a process of recognition by us. We then control the framework of qualifications to make sure qualifications continue to meet your needs and we have a range of regulatory tools to make sure that happens. That gives you a hard edged view of us as a regulator and that is fine, to a degree, but I don't want you to walk away thinking that as a regulator we're all stick and no carrot. That could not be further from the truth. Although we have that regulatory framework in place, certainly over the last 18 months, we have been working with awarding organisations to drive up the quality of provision rather than just punishing them where that provision isn't appropriate. We see collaboration as being really important, and therefore the message on this slide isn't so much about a framework and governance, it is about nuance as a regulator and we look at every regulatory incident on its own merit. Therefore, we don't think we are an organisation that is a red tape, bureaucratic, slow moving regulator. We think we are agile, quite fast paced and open to innovation and change. We are committed to acting in a way that is proportionate and transparent and supportive of all the organisations who are trying to develop and deliver qualifications. Of course, we do need to avoid burden on those that we regulate. We need to take really careful decisions on engaging with awarding organisations to make sure that we don't increase burden.

Our engagement with awarding organisations, not least through organisations like the Federation of Awarding Bodies is really important to us. We would rather engage and work collaboratively to fix a problem in the sector, rather

than punish organisations when things go wrong. And that notion of a conversation, working together with people, is what we're all about in terms of employers too.

I was at a trailblazer in Birmingham yesterday afternoon, and they said that they engaged us with trepidation, because we are the regulator. They didn't really know what to expect, but they figured it would look a bit like this slide. But actually, what they said, completely unprompted was that their experience was wholly positive and they were pleasantly surprised about our proactive response to helping them develop assessment plans and getting their standards onto the market, working effectively with the Institute. So there is some verification that our approach to engaging and supporting trailblazers as a quality assurance organisation is beginning to bear fruit. We know this has further to go, but it was certainly a reassuring early sign.

We are a risk-based regulator, why, because given the number and complexity of qualifications it is simply not possible to look at every single one. We need to make judgements about where we place our limited resource. Therefore, we are really keen to hear from people that have a perspective on the regulated market and that, of course, includes everybody in this room.

We are active in vocational and technical qualifications in a way that we haven't been until around a year or so ago. The journey here for us probably started with a Panorama programme where concerns were raised around the security sector, and we worked with colleagues in the Security Industry Authority and the Home Office to make sure we understood and addressed them. More recently, we have taken decisive and prompt action where we had concerns that certificates were being given to students, some of whom were apprentices, without sufficient controls around whether they were actually demonstrating the required knowledge, skills, and behaviours. We are acting decisively to make sure that public confidence in qualifications is there. Most recently, there was a Panorama programme around the particular issue of qualifications where, I am delighted to say, we had already identified and started to take action on some of these issues through pulling together intelligence sources. The message from our recent experience is that we feel increasingly proactive, our analysis feels increasingly sophisticated, and we take intelligence feeds from many sources. We depend, to an extent, on what people tell us about qualifications and their experience of them. It would be interesting to hear your views, again, in conversation.

I am going to touch very briefly on reform just to give you a perspective of where we stand. Reform is complicated, it relates not just to an individual qualification; rather it plays across an entire sector. Qualifications interact with each other and, therefore, our engagement, we think, is really valuable. We think it is important for employers or other users of qualifications to describe what they want, first of all, in a qualification before you can then decide how to assess that qualification. There is a chronology to reform that we think is really important. Again, the role of the Institute is critical here in terms of both apprenticeships and T levels. We are keen to make sure that that chronology is followed through.

The timeline and the complexity of reform is quite marked; on this slide you

can see some of the constituent parts of reform. Functional skills qualifications are under reform now. Our consultation is closing shortly. Awarding organisations are gearing up to start developing the new qualifications that should hit schools and colleges in 2019. Apprenticeships transition is upon us. There will be no new starts for the old framework apprenticeships from 2020, but you would expect us to pay particular attention to the existing apprenticeships and not just the reformed ones that are rolling out. Why, because there are around 880,000 apprentices on the old framework apprenticeships, and 10 to 15,000 on the new standards apprenticeships. As a regulator, we are taking a particularly close look at those on the old frameworks to make sure that quality is maintained all the way through to the end. And then there are T levels, with the introduction of the first three routes in 2020, with a full rollout by 2022.

One brief slide on each of those before I close. Our role in apprenticeships is really hitting its stride. It is important to recognise that Ofqual is one of four quality assurance options available. The roles and responsibilities for apprenticeships are really clearly delineated. Where are we chosen as the external quality assurance provider, we want to make that engagement as positive as possible for employers, and to make sure the employers get what they want. What does that mean in practice? We want to look at assessment plans at an early stage with you, to make sure we are confident that that assessment plan can support end-point assessment that is consistent, reliable and valid. We have engaged with around 100 trailblazer groups so far, and today we have published the findings of what we have seen from those. What we're saying is, if you're thinking of using us as an external quality assurance provider, lots of folks have done this before and these are the sorts of experiences and things that we have seen from those submissions. I think it is a really useful guide to aid your thinking.

Before any end-point assessments hit the market we want to have a look at them to see whether the awarding organisations have translated the intent of the assessment plan into a product that meets your needs. Again, back to the importance of involving employers, we are really keen given the amount of time and energy you have expended in getting the standard and the assessment plan right, to work with us to look at that end-point assessment. We have the assessment expertise but we don't have the employment and the sector expertise. We really appreciate you working with us to make sure that all of that hard work is being translated, and an end-point assessment delivers what you want.

I will finish with a very brief mention of T levels. Reform, as you know, is upon us, with the department issuing a T level action plan only a few weeks ago, and some outreach and consultation events happening. I will finish with where I started, which is to say that we are a regulator of qualifications, so I think this diagram is really helpful. What you see there is a T level, that on current planning, consists of a number of discrete elements including work placement. We don't regulate work placements; that is not our business. T levels are quite rightly the responsibility of the Institute for Apprenticeships and Technical Education; they own the T level brand, the delivery of the T level programme, and we talked about the importance of

employer engagement with that. For us, as the regulator of national qualifications, we're involved in those qualifications that sit within the T level. We are absolutely committed to working with you and the Institute to make sure that the quality of those qualifications meets the needs of all of the people in this room.

So the key messages that I hope you have taken from today are that we recognise that the qualification landscape is complicated; we want to help you understand and navigate it as best we can. We also really value your comments on what it looks like. For us as a regulator, we regulate on your behalf so that you get what you want from qualifications and you have confidence in them. And then lastly, reform is underway, and we want to work with you. That is not to say we want to duplicate anything that the Institute quite rightly has leadership of, but we have a specific role in getting employers involved in looking at some of the products we have developed, working with our assessors to make sure that the qualifications function in the way that you had envisaged. Those are the three messages I hope you have taken away today.

Thank you.

[News story: Ofqual's approach to external quality assurance](#)

Ofqual has published a [guide for employers](#) detailing the way in which we, as the statutory regulator of qualifications, approach the external quality assurance of end-point assessments. Today's publication adds to a [suite of information and guidance that we have previously published in relation to our role](#).

We have also published [a speech](#) and [associated slides](#) by Phil Beach, Executive Director for Vocational and Technical Qualifications, from our recent employer engagement event.