

Skills for Justice

Assessment Strategy for Justice and Community Safety Sector:-

**Custodial Care
Community Justice
Courts Tribunals & Prosecution Services
Legal Services
Youth Justice
Fire & Rescue Services**

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1. Background

Skills for Justice is the sector skills council for employers, employees and volunteers in the Criminal Justice and Community Safety sectors throughout the United Kingdom. This includes:-

- Custodial Care including the public and private sector establishments
- Community Justice
- Courts and Tribunals Services
- Forensic Science
- Fire and Rescue Sector
- Legal Services
- Prosecution Services
- Police Forces
- Law Enforcement Agencies including SOCA, HMRC, UK Border Agency
- Youth Justice

This assessment strategy applies to all the areas above, with the exception of the Police Service, who have a separate assessment strategy that is specific to policing

2. Introduction

This document sets out the specifications of Skills for Justice for the assessment and quality assurance for competence-based qualifications on the QCF, CQFW and SCQF that sit within the Skills for Justice footprint.

The following sections outline Skills for Justice's specific principles in regard to:

1. external quality control of assessment
2. workplace assessment
3. the use and characteristics of simulation
4. the required occupational expertise of assessors and verifiers
5. liaison between the SSC and the Awarding Organisations

These principles are in addition to the generic criteria that Awarding Organisations must meet for the delivery of qualifications as required by the regulators, for example Ofqual's 'Regulatory arrangements for the Qualifications and Credit Framework'.

This Assessment Strategy does not describe these systems in detail. It only provides the overarching principles. These systems may vary from one Awarding Organisation to another and Skills for Justice accepts this, providing the overarching principles of this document are consistently put into practice.

Skills for Justice sees itself as working in partnership with Awarding Organisations in order to deliver quality assessment and will be happy to provide them with appropriate support in implementing its requirements.

This Assessment Strategy is applicable to competency-based qualifications within the Justice/Community Safety sector. For qualifications other than S/NVQs, there is no requirement for assessors or those carrying out internal quality assurance activities to achieve the qualifications as specified and approved by the regulators.

However, they must have been trained to the same criteria and level of what would be the appropriate qualification. For qualifications that use SVQ or NVQ in the title, Skills for Justice is working in compliance with the 'Additional Requirements for Qualifications that use the title NVQ within the QCF', which is an agreement between the Alliance of Sector Skills Councils, the Joint Council for Qualifications and the Federation of Awarding Bodies (see Appendix A), therefore, assessors and those carrying out internal quality assurance must be qualified or working towards the appropriate qualification. Whilst this documents specifically relates to the QCF, the same principles can be applied in Scotland

3. External Quality Assurance - A rigorous and robust system of Internal and External Verification

The monitoring and standardisation of assessment decisions will be achieved by a robust and strong external quality assurance process. The mechanisms required to achieve this are outlined by the regulators.

In addition to the Regulators' requirements Skills for Justice will require all external quality assurance reports and other data relating to a centre to be evaluated by the Awarding Organisation and any risks relating to quality control to be addressed. External quality assurance, monitoring, support and control should be put in place as appropriate to each centre's level of risk.

4. Workplace Assessment

Skills for Justice believes that direct observation by a competent assessor (as outlined in Section 6.1) or testimony from an Expert Witness (as outlined in Section 6.2) is always to be preferred.

Expert Witness testimony has parity with assessor observation unless otherwise stated in unit evidence requirements. The Assessor is responsible for making the final judgement in terms of the candidate meeting the evidence requirements for the unit.

Skills for Justice recognises that there are alternative evidence sources which may be used where direct observation is not possible or practical e.g. work products, records, reflective accounts, professional discussion etc.

In order to ensure that the evidence used to assess candidates is valid, all centres must demonstrate that the candidates have access to the types of resources commonly in use in the sector and that the pressures and constraints of the workplace are reflected.

It is accepted that the assessment of some knowledge and understanding may take place in a different environment, for example in a training and development centre or another environment, which is not the immediate workplace. However, the assessment of this knowledge and understanding should be linked directly to workplace performance and should include performance evidence.

5 Simulation

Assessment in a simulated environment should only be used in the following circumstances:

1. where evidence in the workplace will not be demonstrated within an acceptable time frame.
2. where the nature of the work activity presents high risk/danger to the candidate and others, for example, personal safety

The Awarding Organisations should issue adequate guidance to their centres as to how these simulations should be planned and organised. In general this guidance must ensure that the demands on the candidate during simulation are neither more nor less than they would be in a real work situation. This guidance should clearly state that the strategy for simulations. Simulations must be agreed between the representative from the Awarding Organisation who is responsible for external quality assurance and with the person who is responsible for internal quality assurance in the assessment centre, prior to use.

ALL SIMULATIONS SHOULD FOLLOW THESE BASIC PRINCIPLES:

1. A centre's overall strategy for simulation must be examined and approved by the person from the Awarding Organisation who is responsible for external quality assurance.
2. The nature of the contingency and the physical environment for the simulation must be realistic and candidates should be given no indication as to exactly what contingencies they may come across.
3. Where simulations are used they must reflect the requirements of the qualification units.
4. The location and environment of simulation must be agreed with the person responsible for internal quality assurance, prior to taking place and be checked by the Awarding Organisations representative responsible for external quality assurance.
5. All simulations must be planned, developed and documented by the centre in a way that ensures the simulation correctly reflects what the specific qualification unit seeks to assess and all simulations should follow these documented plans.
6. There should be a range of simulations to cover the same aspect of a unit so that the risk of candidates successfully colluding is reduced.

6. Requirements of Assessors, Expert Witnesses and Verifiers

Skills for Justice believes that the occupational expertise of assessors, expert witnesses and those responsible for external/internal quality assurance is one of the key factors underpinning valid, fair and reliable assessment. The integrity and professionalism of assessors, expert witnesses and those responsible for quality assurance are of paramount importance. Centres must ensure that staff whose role is assessment or quality assurance are given sufficient time to carry out their role effectively.

6.1 Assessors

All assessors must:

1. be occupationally competent. This means that each assessor must, according to current sector practice, be competent in the functions covered by the units they are assessing. They will have gained their occupational competence working within the Justice/Community Safety sector or within an appropriate occupational sector. They are not required to occupy a position in the organisation more senior than that of the candidate they are assessing. However, centres must be alert to the risks that all such arrangements could present and ensure that sufficient quality controls are in place through the internal quality assurance process to minimise the possibility of collusion between candidates and assessors.
2. be able to demonstrate consistent application of the skills and the current supporting knowledge and understanding in the context of a recent role directly related to the qualification units they are assessing as a practitioner, trainer or manager.
3. be familiar with the qualification units; and must be able to interpret and make judgements on current working practices and technologies within the area of work
4. maintain their occupational competence by actively engaging in continuous professional development activities in order to keep up-to-date with developments relating to the changes taking place in the Justice sector. These activities may include those offered by the Awarding Organisation, Skills for Justice or other relevant providers in the sector
5. Assessors who are assessing S/NVQs should hold or be working towards the appropriate assessor qualification as approved, and specified by the Regulatory Authorities. Achievement of the qualification must be within the timescales laid down by the Regulatory Authorities.

For qualifications other than S/NVQs, the assessor should be trained to the requirements of the appropriate assessor qualification. However, the decision on whether the assessor goes on to achieve a qualification lies with the assessment centre and their Awarding Organisation.

6. Approved centres will be required to provide the Awarding Organisation with current evidence of how each assessor meets these requirements; for example, certificates of achievement, testimonials, references or any other relevant records. Where an assessor is working towards the qualification for assessing S/NVQs, Awarding Organisations must require that assessment decisions are countersigned by another assessor who holds the qualification for assessing S/NVQs. The assessor holding the qualification for assessing S/NVQs must meet the criteria laid out in points 1 and 2 above.

Where a new qualification is being introduced and there are not sufficient

occupationally competent assessors to meet the countersignatory requirements as above, centres may use assessors who are not occupationally competent for up to 18 months from introduction of the qualification.

Any such arrangements should be agreed with the Awarding Organisation and be monitored through the external quality assurance process.

6.2 Expert Witnesses

All Expert Witnesses must:

1. be occupationally competent. This means that each expert witness must, according to current sector practice, be competent in the functions covered by the units to which they are contributing. They will have gained their occupational competence working within the Justice sector or within an appropriate occupational sector.
2. maintain their occupational competence by actively engaging in continuous professional development activities in order to keep up-to-date with developments relating to the changes taking place in the Justice sector. These may include those offered by the Awarding Organisation, Skills for Justice or other relevant providers in the sector.
3. be able to demonstrate consistent application of the skills and the current supporting knowledge and understanding in the context of a recent role directly related to the qualification unit that they are witnessing as a practitioner, trainer or manager.
4. be familiar with the qualification unit; and must be able to interpret current working practices and technologies within the area of work
5. have had an appropriate induction to the Justice/Community Safety qualifications, the assessment centre and Awarding Organisation requirements, and have access to ongoing training and updating on current issues relevant to these qualifications or qualification units.

6.3 Internal Quality Assurance

Those responsible for the internal quality assurance must:

1. be occupationally knowledgeable across the range of units for which they are responsible prior to commencing the role. Due to the risk critical nature of the work and the legal implications of the assessment process, they must understand the nature and context of the assessors' work and that of their candidates. This means that they must have worked closely with staff who carry out the functions covered by the qualifications, possibly by training or supervising them, and have sufficient knowledge of these functions to be able to offer credible advice on the interpretation of the standards. Those conducting internal quality assurance must also sample the assessment process and resolve differences and conflicts on assessment decisions.
2. understand the content, structure and assessment requirements for the qualification they are verifying
3. maintain their occupational competence by actively engaging in continuous professional development activities in order to keep up-to-date with developments relating to the changes taking place in the Justice/Community Safety sector. These activities may include those offered by the Awarding Organisation, Skills for Justice or other relevant providers in the sector.

4. For S/NVQ's, those persons responsible for internal quality assurance should hold or be working towards the appropriate qualification as approved, and specified by, the Regulatory Authorities. Achievement of the qualification must be within the timescales laid down by the Regulatory Authorities.

For qualifications other than S/NVQs, those responsible for internal quality assurance should be trained to the requirements of the appropriate qualification. However, the decision on whether the candidate goes on to achieve a qualification lies with the assessment centre and their Awarding Organisation.

5. occupy a position in the organisation that gives them the authority and resources to co-ordinate the work of assessors, provide authoritative advice, call meetings as appropriate, visit and observe assessment practice, and carry out all the other important roles of internal quality assurance.
6. have an appropriate induction to Justice/Community Safety qualifications that they are quality assuring, provided to them by the Centre, and have access to ongoing training and updates on current issues relevant to these qualifications. Information on the induction and continuing professional development of carrying out internal quality assurance must be made available to the Awarding Organisation through its external verification process.
7. Where those responsible for internal quality assurance are working towards the appropriate qualification as approved, and specified by, the regulatory authorities. Achievement of the qualification must be within the timescales laid down by the Regulatory Authorities. Where the person responsible for internal quality assurance is working towards a qualification, Awarding Organisations must require that their quality assurance decisions are counter-signed by another person who holds the qualification for internally quality assurance of S/NVQs. The person holding the qualification for internal quality assurance of S/NVQs may or may not meet the criteria laid down in point 1 above. Such arrangements should be agreed with the Awarding Organisation and be monitored through the external quality assurance process.

6.4 External Quality Assurance

Those persons conducting external quality assurance must:

1. be occupationally knowledgeable and have gained their knowledge working within the sector or associated professional/occupational area.
2. have a thorough understanding of the qualifications they will be quality assuring
3. have a detailed knowledge of the Awarding Organisation's systems and documentation
4. have a thorough understanding of the qualification system and national policy and guidance documents produced by the regulatory authorities and Awarding Organisations describing assessment and quality assurance practice
5. maintain their occupational competence by actively engaging in continuous professional development activities in order to keep up-to-date with developments relating to the changes taking place in the Justice sector. These activities may include those offered by the Awarding Organisation, Skills for Justice or other relevant providers in the sector

6. hold, or be working towards, the appropriate qualification as approved, and specified by, the Regulatory Authorities. Achievement of the qualification must be within the timescales laid down by the Regulatory Authorities
7. have, where appropriate, undergone relevant security checks due to the nature and confidentiality of the information that they will be exposed to. This will be arranged by Skills for Justice in conjunction with the Awarding Organisations.

The Awarding Organisation may seek clarification from Skills for Justice of the appropriateness of the specific external verifier applicant where appropriate.

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APPENDIX 1

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Additional Requirements for Qualifications that use the title NVQ within the QCF

September 2009

This document has been produced by the Joint Awarding Body/SSC Working Practices Group which has been formed by the respective representative bodies to support and encourage effective working relationships between SSCs, submitting organisations and awarding organisations. The Group will update the document as necessary to make sure it is kept and to date and relevant and will consider developing additional guidance.

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Purpose of document

1. The purpose of this document is to make clear what additional requirements are needed to assess and quality assure qualifications that use the title NVQ within the QCF.
2. When an SSC/SSB and awarding organisation wants to use the title NVQ in the naming of a qualification within the QCF, the awarding organisation is required to make sure this qualification is assessed and quality assured in accordance with these additional requirements and other requirements described in the SSC/SSB assessment strategy.
3. The aims of these additional requirements are to
 - ensure that all competence based qualifications that use the title NVQ within the QCF are
 - assessed consistently
 - quality assured consistently
 - maintain the integrity of qualifications that use the title NVQ within the QCF
 - establish the NVQ brand within the QCF
 - keep bureaucracy associated with assessment and quality assurance of qualifications that use the title NVQ within the QCF to a minimum.

Background

4. ¹ “At the heart of an NVQ is the concept of occupational competence; the ability to perform to the standards required in employment across a range of circumstances and to meet changing demands. NVQs are first and foremost about what people can do. They go beyond technical skills to include planning, problem solving, dealing with unexpected occurrences, working with other people and applying the knowledge and understanding that underpins overall competence”.
5. NVQs are based entirely on National Occupational Standards (NOS) developed by an SSC/SSB, which describe the competence needed in an occupational role.
6. Qualifications that use the title NVQ within the QCF must comply with the rules of combination determined by the SSC/SSB. Awarding organisations are not allowed to develop another qualification that does not use the title NVQ within the QCF, if it uses the same rules of combination as a qualification that does use the title NVQ within the QCF.
7. The QCF offers increased flexibility in the way occupational competence can be assessed and demonstrated. Qualifications that use the title NVQ in the title within the QCF are just one way of assessing and demonstrating occupational competence. SSCs/SSBs are free to work with their awarding organisations to agree what qualifications will be used to assess occupational competence. Qualifications that use the title NVQ within the QCF, are not a preferred method for assessing occupational competence and all qualifications accredited through the QCF have equal status.
8. When developing a qualification for the QCF, including qualifications that use the title NVQ within the QCF, an awarding organisation must be a recognised awarding organisation and must meet the Qualification Requirements in the Regulatory Arrangements for the Qualifications and Credit Framework, published by The Office of the Qualifications and Examinations Regulator (Ofqual) in August 2008.
9. The qualification regulators confirmed that a group of SSCs and SSBs would be free to develop specific, additional requirements about the way in which qualifications that use the title NVQ within the QCF will be assessed and quality assured. For those recognised awarding organisations that want to assess occupational competence through the use of qualifications that use the title NVQ within the QCF, it has been agreed by SSCs and SSBs that the following additional requirements must be met.

¹ NCVQ's NVQ Criteria and Guidance 1995.

Additional requirements for qualifications that use the title NVQ within the QCF

Introduction

10. Qualifications that use the title NVQ within the QCF must be assessed and quality assured in accordance with the following additional requirements.

Assessment requirements

11. When a qualification uses the title NVQ within the QCF, awarding organisations are required to make sure their recognised assessment centres understand how learners are to be assessed.
12. Assessment methodologies must meet the assessment strategy developed in partnership between the relevant SSC or SSB and awarding organisations for the qualification. The assessment strategy must be published and made available separately and will include the requirements for assessment of qualifications that use the title NVQ within the QCF. The assessment criteria for each unit will be part of the units that make up the qualification.
13. Learners must complete real work activities in order to produce evidence to demonstrate they have met the NOS and are occupationally competent.
14. When a learner cannot complete a real work activity, simulation is allowed.
15. Simulation is allowed when
- a learner is required to complete a work activity that does not occur on a regular basis and therefore opportunities to complete a particular work activity do not easily arise
 - a learner is required to respond to a situation that rarely occurs, such as responding to an emergency situation
 - the safety of a learner, other individuals and/or resources will be put at risk.
16. When simulation is used, assessors must be confident that the simulation replicates the workplace to such an extent that learners will be able to fully transfer their occupational competence to the workplace and real situations.
17. Units that must not be assessed by simulation must be identified by the SSC/SSB in the assessment strategy for the qualification or family of qualifications.
18. Learners must be assessed by assessors
- who are occupationally competent in the occupational areas they are assessing where they have sufficient and relevant technical/occupational competence in the unit, at or above the level of the unit being assessed and as defined by the assessment strategy for that qualification
 - ²who must hold or be working towards a suitable assessor qualification to confirm they understand assessment and how to assess learners

² Currently an assessor could hold unit A1 and/or unit A2. Or from the past unit D32 and/or unit D33. SSCs also identify other suitable equivalent qualifications.

- must be fully conversant with the unit(s) against which the assessments and verification are to be undertaken.
19. All assessors must carry out assessment to the standards specified in the A units.
 20. All assessment decisions made by a trainee assessor must be checked by a qualified assessor or an assessor recognised by an awarding organisation.
 21. Trainee assessors must have a plan, which is overseen by the recognised assessment centre, to achieve the relevant assessor qualification(s) within an agreed timescale.

Quality assurance requirements

22. When a qualification uses the title NVQ within the QCF, awarding organisations are required to make sure their recognised assessment centres understand how the qualification will be quality assured.
23. Qualifications that use the title NVQ within the QCF, must be verified
 - internally by an internal verifier, who is accountable to the assessment centre
 - externally by an external verifier, who is accountable to the awarding organisation or an agent of the awarding organisation.
24. With reference to internal verification, internal verifiers must
 - ³hold or be working towards a suitable internal verifier qualification to confirm they understand how to internally verify assessments
 - have sufficient and relevant technical/occupational familiarity in the unit(s) being verified
 - be fully conversant with the standards and assessment criteria in the units to be assessed
 - understand the awarding organisation's quality assurance systems and requirements for this qualification.
25. Trainee internal verifiers must have a plan, which is overseen by the recognised assessment centre, to achieve the internal verifier qualification within an agreed timescale.
26. With reference to external verification, external verifiers must
 - ⁴hold or be working towards a suitable external verification qualification to confirm they understand and are able to carry out external verification
 - have no connections with the assessment centre, in order to maintain objectivity
 - have sufficient and relevant technical/occupational understanding in the unit(s) being verified
 - be fully conversant with the standards and performance criteria in the units to be assessed
 - understand the awarding organisation's quality assurance systems for this qualification.
27. Trainee external verifiers must have a plan, which is overseen by the awarding organisation, to achieve the external verifier qualification within an agreed timescale.

³ Currently an internal verifier needs to hold unit V1. Or from the past unit D34. SSCs also identify other suitable equivalent qualifications.

⁴ Currently an external verifier needs to hold unit V2. Or from the past unit D35.

28. Awarding organisations must decide the frequency of external monitoring activities. Any decision must be based on
- the risks associated with a qualification that is designed to help a learner demonstrate occupational competence
 - an evaluation of the centre's performance and past record.
29. Awarding organisations will have in place suitably constituted audit processes, which are supported by naturally occurring quality assurance and monitoring systems that already exist in workplace assessment environments.