



Consultation on the regulation of qualifications, examinations and assessments

Analysis of consultation responses for Ofqual

Ofqual/10/4754

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1 Introduction and profile of consultation respondents

Introduction

- 1.1.1 On the 1st April 2010 the Office of the Qualifications and Examinations Regulation (Ofqual) will become an independent regulator of qualification, examinations and assessments in England and for vocational qualifications in Northern Ireland. To guide its work in practice as a statutory independent regulator Ofqual set down how it plans to meet its objectives and exercise its duties and powers in a wide ranging consultation document.
- 1.1.2 *Regulating for confidence in standards* covers the majority Ofqual's remit as a working entity and provides its stakeholders with an opportunity to review its regulatory principle, general approaches, proposals and some early indications of its ways of working. This consultation document reflected the stage that Ofqual is at in the development of its operations and more specific and detailed proposals are expected to be consulted on as they are developed.
- 1.1.3 Stakeholders were encouraged to study the consultation document and could provide their comments via web based, e-mail or paper methods. The consultation was held open for a three month period¹ and was supported by a series of regional events to which stakeholders were invited and encouraged to participate by responding.
- 1.1.4 Ofqual developed a set of over twenty open and closed questions that provided a structured method of responding to the document. YouGov was commissioned to independently collate and analyse the consultation responses. This document provides a summary of the responses received and follows the structure of the questionnaire that was developed for the consultation.

¹ 11th December 2009 to 8th March 2010

Profile of consultation respondents

- 1.1.5 Seventy-seven organisations or individuals responded to the consultation. The depth and coverage of their responses varied depending on their areas of interest and not all submitted responses to the closed scale questions provided as part of the consultation. Forty-nine of the responding organisations completed some or all of the closed questions. Most of these respondents also submitted open text comments, as did the remaining set of stakeholders that did not complete the closed question set.
- 1.1.6 As part of the analysis we categorised stakeholders and the report makes reference to these sub-groups throughout, both in terms of the response to the closed questions and the open text comments.

Figure 1: Responses by stakeholder categories

	All
Awarding organisations	32
Employers	2
Other government organisations	6
Local authorities	2
Teaching professional / educational bodies	9
Teaching Unions	6
Northern Ireland stakeholders	3
Parent / carers	1
University / colleges	4
Sector Skills Councils	7
Other	5
Total	77

- 1.1.7 Many awarding organisations responding to the survey repeated all or some of the Federation of Awarding Bodies submission. In many cases the awarding organisation contributed additional text to the standard combined response.

- 1.1.8 The closed questions are presented in tables with the frequencies of responses against each answer. It is misleading in a consultation with this number of responses to display the results as percentages.

2 Summary

- 2.1.1 The first major consultation from Ofqual received broad support from a wide range of stakeholders who welcomed its establishment and in particular the strategic approach to regulation that it has set out. As befits an organisation in the early stages of defining its role and activities, the consultation document was pitched at relatively high level. It set out principles, broad approaches and intentions across the full range of its remit. The detailed proposals, methods and ways of working will follow in future consultations and most stakeholders responded with this in mind, although many of the comments made asked for greater detail and clarification of both terminology and intentions.
- 2.1.2 A number of the key areas of the consultation are summarised below with a full review of responses in Section 3.

General duties

- 2.1.3 Ofqual's strategic approach was well received with a commitment to a consultative and transparent relationship with stakeholders particularly welcomed. However, a number were unaware of a contact name and number within Ofqual and expressed concern about the lack of codes of practice and guidelines so far. Many mentioned possible proliferation of qualifications and the impact on quality, understanding and public confidence. Others requested clarity on Ofqual's role in unregulated qualifications; what might be considered an 'appropriate' or 'excessive' number of qualifications and how Ofqual will work with regulators from the devolved administrations.

Recognition criteria

- 2.1.4 Awarding organisations were divided in their support for the approach to recognition. There were a number of reservations with Criterion 5 (Value for Money) providing the focus for

many responses. This related to the financial information requirements and the burden associated, and on whether value for money could be reliably measured.

- 2.1.5 The proposal for a common set of criteria was welcomed for its transparency, consistency and simplicity. The obvious disadvantages related to the diversity within the market and ensuring that the criteria are flexible enough to accommodate all. Government stakeholders pointed out that other regulators had been able to strike this balance.

Draft conditions

- 2.1.6 The majority of stakeholders felt that the draft conditions reflected the performance of a good awarding organisation. Trade unions and many other stakeholders felt that all the conditions were necessary. There was a request for Ofqual to explain how they would ensure consistency and to add clarity around who the customers of awarding organisations are considered to be.
- 2.1.7 Awarding organisations felt that comparability exercises would be difficult to achieve in practice with achievement rates and value for money being particularly difficult to compare. Many were also uncertain how Ofqual would monitor the requirement for Centres to have quality assurance procedures and the correct resources in place.

Generic operating requirements

- 2.1.8 The proposal to create a single set of operating requirements received widespread support, but many felt that they should complement the recognition criteria rather than form an additional and distinct layer of requirements. There was support for the focus being placed on outcomes rather than processes or procedures, but concern that the requirements should not stifle innovation nor be so rigid that small, specialist awarding organisations are adversely affected.

Risk based approach

- 2.1.9 There was widespread support for Ofqual placing the focus of regulation on the awarding organisations themselves rather than the qualifications. There was strong support for the risk-based approach monitoring of awarding organisations. It was believed that the use of

risk profiles would lead to high quality awarding organisations and a targeted monitoring regime.

2.1.10 Many asked for more guidance and clarification, detailed comments focused on the weighting that might be apply to each criteria; the definition of risk and issue of publication. Awarding organisations expressed their keenness to be involved in the development of the risk profiles.

Accreditation requirement

2.1.11 Again the risk based approach to accreditation was widely supported, but concerns were raised around the detail and terminology used. Specifically referring to 'accreditation', the term was felt to be confusing and potentially misleading, contributing to the creation of a two-tier system. Terms such as 'high stakes' and 'high volume' will require definitions in future consultations and stakeholders were keen to see discussion about how a qualification would move out of an accreditation requirement after achieving a steady state.

2.1.12 Accreditation was universally thought to be a requirement for national level 14-19 qualifications. Many also felt that new qualifications should be included as these traditionally have represented the greatest risk, but again more detail of Ofqual's definition of 'high stakes' was considered necessary.

Piloting new qualification and facilitating innovation

2.1.13 Whilst other stakeholders were receptive to the proposals for piloting, awarding organisations were unsure as to their effectiveness. Whilst the draft principles might safeguard learners they were felt to possibly stifle innovation. There were concerns about the length of time taken to evaluate a pilot and whether Ofqual's definition of qualifications with 'radically different structures' might lead to many more pilots than at present.

Enforcement and entry / inspection conditions

- 2.1.14 The proposed approach was judged as fair, reasonable and proportionate by the vast majority of stakeholders. They felt that the most significant issues would be where learners were at risk. There was a call for greater clarity on the types and levels of sanctions.
- 2.1.15 There was significant opposition from awarding organisations to the proposed conditions for entry and inspection on the grounds that it is both unnecessary, given the existing powers to withdraw recognition, and impractical because of data protection issues and given that qualifications are not the entirety of some awarding organisations' business activities.

Economic aspects of regulation

- 2.1.16 There was strong opposition to having to provide additional financial information from awarding organisations, but support from other stakeholders. Those who were opposed felt it would be an administrative burden due to their internal systems and structures.
- 2.1.17 The principle of judging fees as fair and reasonable based on the recovery of costs was widely accepted, but the detailed responses were dense with complications that might make it difficult to achieve. The definition of the qualification market or markets was felt to be important and work needed to be done in this area. There was also a call for greater clarity on what 'value for money' and 'efficiently incurred costs' would mean in practice. A number of stakeholders also reflected upon the not for profit status of many awarding organisations and what that meant for the assessment of value for money - with many specialists providing low volume qualifications at a loss. Similarly other awarding organisations commonly cross-subsidy either horizontally across their suite of qualification or vertically along lines of progression.
- 2.1.18 Awarding organisations strongly opposed the proposals around market dominance, arguing that such concerns would be a matter for the Office of Fair Trading. Ofqual was asked to define the qualifications market(s) and not judge it as being one entity. Again the issue of specialist awarding organisations with no profit motive was raised as a factor. Government stakeholders pointed out that market dominance is not necessarily an issue, as long as

consumers are not suffering any detriment, in fact it can often indicate high quality and innovation.

2.1.19 Few awarding organisations believed the fee capping procedures to be appropriate, although many other stakeholders did. Primarily there was a call from greater detail about the independent review process.

Promoting awareness and public confidence

2.1.20 There was widespread support for Ofqual's intentions to chart and promote understanding of the benefits of regulated qualifications. They suggested a focus on equality of qualifications, particularly between the academic and vocational. There was recognition that the terminology and structure of the qualifications field is complex and surveys of key target groups – such as parents, young people and employers - could baseline understanding and track confidence.

2.1.21 Many stakeholders suggested that the register would be in danger of duplicating others that are currently available with the effect of further complicating matters. That said many made suggestions as to its content and non-awarding organisations confirmed its importance to them.

3 Responses by question

Question A – Measuring Ofqual's performance

QA i) *What are your views on how we should measure our performance?*

- 3.1.1 Awarding Organisations were broadly supportive of Ofqual's proposed performance measurement, accepting that the objectives are statutory and therefore need to be measured. However there were various concerns about how the measurement might work in practice.
- 3.1.2 There was a general concern among awarding organisations that the requirement for them to provide information for performance measurement may be overly onerous. Respondents emphasised that the importance of balancing the need for data with the burden of obtaining it, which is stated in the consultation document, must not be forgotten by Ofqual. Additionally, some were concerned about the level of access that Ofqual might require to awarding organisations' accounts and other data, due to commercial sensitivities.
- 3.1.3 In light of the concern over awarding organisations being over-burdened, some respondents thought it would be beneficial for Ofqual to implement a service level agreement for day to day interactions with stakeholders. This agreement could limit the demands made on stakeholders' time, for example specifying a reasonable timeframe for the return of requested information.
- 3.1.4 Many of the responses expressed suspicion or doubt over the use of surveys as described in the consultation document. There was a concern that surveys may not be designed appropriately or conducted in a consistent fashion and that therefore data may be skewed or misleading. Additionally there were queries over who would be running surveys; some were concerned that the responsibility would fall to them rather than to Ofqual, which would place an additional demand on their time and resources.

'The process to develop and deliver surveys to collect a true picture of the stakeholder's views needs to be carefully considered as the development and use of surveys is a sophisticated business and not

a simple case of asking a few questions. Additionally, if the decision is made to pass this responsibility onto awarding organisations, not only may this be resource intensive and costly for them but the results could be inconsistent at best depending on the methods they employ.'

(Awarding organisation)

- 3.1.5 Education bodies had less concerns and reservations than awarding organisations, but did share the concern over the use of surveys in some cases. One organisation suggested using qualitative evaluations such as focus groups in addition to surveys, while another argued that Higher Education Institutions should be directly involved in Ofqual's research and in developing its regulatory programmes.
- 3.1.6 Some awarding organisations felt that the objective of 'securing a consistent level of attainment over time and across awarding bodies' is only feasible for qualifications that have standard features, such as GCEs, GCSEs and 'shared' vocational qualifications. For other vocational qualifications, such comparison was seen to be problematic. Rather than trying to develop a standard which is applicable across all vocational qualifications, various organisations recommended dividing qualifications into types, such as professional body qualifications, foundation learning qualifications and technician qualifications, each of which would have its own standard.
- 3.1.7 Measuring value for money under the efficiency object was seen as a particularly difficult area. It was emphasised that each awarding organisation can be different with regards to size, legal structure and how they operate. Additionally, some organisations may be involved in shared unit developments or sector led developments, which can drive up costs. It was therefore seen to be problematic to measure value for money across different organisations. There was also concern over the stated requirement for awarding organisations to justify any fee changes to Ofqual, with one arguing that there should be flexibility to set fees according to the market.
- 3.1.8 The phrase 'accepted assessment principles' from the qualifications standards objectives was criticised by some organisations, who felt that it could hinder innovation and the development of new assessment approaches. Another expressed a concern over how

outcomes might be reported to the public. They considered there was a risk they could cast a negative perception over the whole sector, which would be unhelpful for the organisations that were performing well, and also for the learners who may be affected.

- 3.1.9 Government stakeholders expressed the view that Ofqual should evaluate its performance against the Five Principles of good regulation². It was also suggested that Ofqual should assess the value for money of its own regulatory activities, as well as the value for money provided by qualifications. On the value for money objective, government stakeholders also pointed out that value will differ according to the purchaser, and Ofqual's measurements will need to differentiate between publicly funded qualifications and those with private funding.
- 3.1.10 Trade unions broadly agreed with the objectives and indicators, and expressed few major reservations. They had some concerns, as did awarding organisations, over the reporting of information to the public, emphasising that consideration must be given to clarity of language and terminology. They also felt that any research must be external and fully objective, as this would help secure public confidence in standards, and forestall the regular annual debate about standards.

QA ii) What matters do you think Ofqual should cover in its Annual Report (over and above those required by the Act)?

- 3.1.11 General suggestions for inclusion in the Annual Report were: information on Ofqual's mission; its activities; performance against its plans; and future directions for the coming year. It was also suggested that Ofqual's financial performance and statements should be included as standard. Many awarding organisations stated that the report should provide information on vocational qualifications to ensure equal visibility with academic qualifications, saying that this would:

² Proportionate; Accountable; Consistent; Transparent; Targeted.
<http://archive.cabinetoffice.gov.uk/brc/publications/principlesentry.html>

‘Support and inform the UK Vocational Qualifications reform and the general move to a more demand led system in line with the UKCES Vision for Skills 2010’ (Awarding organisation)

- 3.1.12 It was suggested that the report could include coverage of the educational landscape generally, and of any developments in specific qualification areas. The same organisation suggested that the report could give an overview of the risk status of awarding organisations, as well as information on complaints, investigations and appeals. This would allow trends to be measured over time.
- 3.1.13 Government stakeholders had some more specific suggestions for inclusion in the report, such as: statistics on the number of awarding organisations recognised; the volume of organisations and qualifications which Ofqual did not consider to be of suitable quality to be regulated; and figures on equality and diversity. They also suggested that Ofqual should publish the number of times in the preceding year that it has imposed sanctions against any given organisation.

Question B – General duties and the promotion of equality

QB i) Our proposed approach to regulation

- 3.1.14 The strategic approach to regulation receives a generally positive reaction. Although there are some concerns and points for clarification, the new approach is believed to be logical and reflect the maturity of the awarding industry. A large proportion of awarding organisations particularly praise the focus on themselves rather than the qualifications.
- 3.1.15 The consultative and transparent approach was praised as a way in which workable and consistent regulation will be drafted. Further assurance that all awarding organisations will be regulated in a consistent manner and will, where appropriate, share best practice will promote trust in Ofqual and robustness in the process.
- 3.1.16 A primary concern, however, is how the new approach will be delivered. As one awarding organisation highlighted: *‘codes of practice are not yet coherently in place.’* Specific guidelines are requested detailing, for example, the definition of roles, particularly that of

QCDA and Ofqual; how proposals will take account of feedback from stakeholders and the process by which an awarding organisation will formally seek to have a qualifications regulated. Practical information is also required, such as named contacts at Ofqual so stakeholders know who to get in touch with.

- 3.1.17 There are a number of areas where there appears to be some confusion and thus where further clarification is requested from Ofqual. A number of awarding organisations queried what will be considered an 'appropriate' number of qualifications and, conversely, the definition of an 'excessive number.' Furthermore a Sector Skills Council is unclear as to whether awarding organisations will have to reapply against the new criteria.
- 3.1.18 There is also need for clarity regarding the definition of the regulator's role in unregulated qualifications. It is suggested by a government stakeholder that this could be a contentious area *'particularly as poor quality non-regulated privately funded qualifications 'owned' by a recognised awarding organisation would create problems for public confidence.'*
- 3.1.19 In addition they highlighted the need for further clarification on the type of assessment and advance intervention that would be taken before a qualification is reported as failing. Examples given include *'monitoring, request clarity, provide feedback, conduct regulatory impact assessment, report non-compliance, conduct investigation and report risk of failure'* (Government stakeholder).
- 3.1.20 Another major concern is the potential for 'regulation creep.' This is expanded on by an awarding organisation as the process by which: *'layers of more and more detailed regulation over time', which impedes 'our ability to respond to learners and employers needs.'* Awarding organisations are particularly concerned that dense regulation would stifle innovation and limit their ability to respond to the needs of learners and employers. In order to avoid this it is hoped there will be periodic reviews of the system.
- 3.1.21 Furthermore caution is requested so as to avoid a 'one size fits all' approach to qualifications. Flexibility and freedom are highlighted as key in developing qualifications which are best suited to the needs of learners and employers.
- 3.1.22 One awarding organisation emphasised that the proposals relate to Ofqual's remit in England. They called for a debate into how Ofqual will work with regulators from Wales,

Scotland and Northern Ireland in order to ensure a consistent regulatory framework across the UK.

- 3.1.23 Another specific concern is that there might be a proliferation of duplicate qualifications if learning providers are allowed to brand their own qualifications. An awarding organisation argued that this would undermine public confidence in the qualification system, and result in similar qualifications which are not recognised by employers or not comparable.
- 3.1.24 As evidence of the strategic approach Ofqual would like to take, it is suggested that there could be further discussion on the development of policy and qualifications, the future direction of travel, processes relating to the funding of qualifications and the role of stakeholders. However, there is the need for clarification on understanding its regulatory reach. There are also some issues of trust, particularly in its independence from government.
- 3.1.25 Finally, it is suggested that a timeline for when the new accreditation system will be put in place would be useful in detailing what action stakeholders need to take, and by when.

QB ii) How we should fulfil our general duties

- 3.1.26 The aim of transparency and consistency continue to be applauded. An awarding body expands on this as 'a framework of clear regulation and expectations rather than having to work with inconsistent advice... and unclear expectations.' Transparent and consistent principles will enable awarding organisations to work within a clear framework.
- 3.1.27 There is agreement of the need to phase out the current system gradually. An awarding organisation emphasises that many organisations are currently focusing on difficulties brought about by the economic climate, and would '*not wish to be distracted by getting to grips with a new format of qualifications.*'
- 3.1.28 A large number of stakeholders query how Ofqual interprets 'reasonable' choice for learners. A provider of niche qualifications is particularly keen for further explanation. There is also the need to ensure that the '*number of regulated vocational qualifications provides a reasonable choice for learners and, as importantly, meets the needs of all employers.*' There was a particular concern that the needs of SMEs may not be met.

- 3.1.29 Stakeholders also emphasise the breadth of learners, that is, that they span all ages and levels of experience. There was concern that current proposals limit learning opportunities for 14-19 year olds.
- 3.1.30 There is also general agreement that there could be a proliferation of qualifications, which would disadvantage learners as the credibility and reputation of qualifications may be questioned. One awarding body encourages Ofqual to recognise the '*education of the whole student*.' A holistic education would provide life skills rather than focus on 'teaching to test' methods.
- 3.1.31 There is a need for Ofqual to be responsive to stakeholders, and in order to do so it is suggested that it will need to build on its current capacity. Assurances are sought among awarding organisations that personnel will be on hand who have the expertise to provide assurance on standards and regulation at a strategic level. A referenced point of contact in Ofqual is also seen as fundamental in promoting good communications.
- 3.1.32 An important aspect in encouraging 'value for money' is to 'reduce the complexity of the processes surrounding the development of qualifications, the costs of which are borne by awarding bodies.' To do so would also encourage innovation which, it is argued, could currently be stifled.

QB iii) Any steps we should take to promote equality and eliminate discrimination in our approach to the regulation of qualifications, assessments and tests?

- 3.1.33 There was broad general support for the promotion of equality and the combating of discrimination, with many awarding organisations stressing that equality is a core value in their own organisation. Most did not make very specific suggestions, but indicated that they welcomed Ofqual's efforts in this matter. There was also a general view that advice, support and guidance on best practice would be welcomed by many organisations.
- 3.1.34 Some awarding organisations mentioned that Ofqual needs to remain aware of situations where it is not possible to make reasonable adjustments to provide equal access to a vocational qualification, for example a blind candidate undertaking a task requiring visual identification in the workplace.

- 3.1.35 It was also argued by one awarding organisation that there would need to be a balance between the need to promote equality, and the demands of collecting and analysing data to evidence this. Lastly, an awarding organisation highlighted the need for Ofqual to avoid indirect discrimination which could come about through applying different standards to general and vocational qualifications, thus suggesting that one is less important than the other and that one group of learners is less deserving.
- 3.1.36 There were a couple of responses from groups representing disabled learners and teachers of disabled students. Their comments requested that equality is embedded throughout Ofqual's approach to regulation, particularly in relation to access arrangements and reasonable adjustments.

'It is essential that people with disabilities accessing qualifications are not disadvantaged and it is important that this is clearly highlighted in every aspect of the standards.' (Disability representative)

- 3.1.37 There was also a request for Equality Impact Assessments for all new qualifications which would challenge assumptions and help ensure that awarding organisations took equalities into account at the design stage.

Question C – Approach to securing standards of qualifications

- 3.1.38 Some awarding organisations felt that Ofqual placed the securing standards process ahead of principles and did not make an allowance for the possibility that standards themselves need to be changed. It was also felt that the process limits innovations because of the implied assumption that outcomes must be measured against historic trends.
- 3.1.39 Many organisations felt that Ofqual had taken a 'one size fits all' approach to qualifications – *'trying to develop a generic model to cover a large and diverse range of qualifications.'* Not only that but many stated that the process of securing standards seemed to be written with only traditional, non-vocational standards in mind:

This is not appropriate for the context and environment of work-based assessment of people's competence which needs assessment

methods controlled by adopting the sector's assessment strategy'

(Sector Skills Council)

3.1.40 The length and detail linked to securing standards in the document makes it difficult for awarding organisations to envision how the approach will work and therefore some awarding organisations would find a 'diagrammatic approach' helpful.

3.1.41 There are concerns from some stakeholders as to whether or not Ofqual will have sufficient resources to ensure standards of comparable qualifications are consistent across awarding organisations. With the large range of qualifications, awarding organisations felt that monitoring capability and consistency across them will be difficult for Ofqual and fear that it will not engage with the issue as it should:

'The comparability and consistency across such a disparate range of qualifications, assessment methodologies and environments will be a major challenge. Once again Ofqual will need to engage fully, understanding the complexities and other factors such as cost. The temptation will be for Ofqual to say 'you will do xxx' to increase consistency/ comparability, rather than to engage with the issue.'

(Awarding organisation)

3.1.42 A Sector Skills Council raised an issue about the words 'standards' and 'level' as these words already have recognised meaning in the NQF/ QCF and SCQF and suggested using the term 'quality assurance.' Many awarding organisations said clarification is required as to what needs to be compatible and why. One commented that Ofqual's proposed new approach mainly focuses on preventing risk and protecting the interest of learners. It is suggested that the interest of employers, clients, funding bodies, higher education, professional institutions and industry apprenticeship and certification schemes also be protected.

3.1.43 Some felt that Ofqual's expectation of establishing comparability over time will prove to be problematic for awarding organisations offering professional qualifications that need to respond quickly and effectively to the needs of employers and stakeholders.

3.1.44 Many organisations repeated the Federation of Awarding Bodies combined response that

‘A requirement that ‘all recognised awarding organisations are maintaining standards in a consistent way’ focuses on process and not outcomes and has the potential to constrain innovation.’

3.1.45 Awarding organisations were supportive of Ofqual’s requirement that organisations should maintain standards in a consistent way but were not sure how this would be measured. They were also supportive of Ofqual’s efforts to promote public understanding of qualification standards.

Question D – General approach to regulation and recognition criteria

3.1.46 Forty-four respondents gave their assessment of Ofqual’s proposed approach to recognition through the question provided below. Awarding organisations were equally divided between support to a ‘large’ or ‘certain extent’ and only to a ‘limited extent.’ None of those responding agreed ‘not at all’ with the broad approach. Other stakeholders were, on balance, more supportive of the proposals. Considered overall, 26 of the 40 responses were supportive either to a ‘large’ or ‘certain’ extent with 14 awarding organisations expressing a more ‘limited’ form of support.

Figure 2: To what extent do you agree with the proposed approach to recognition?

	Awarding organisation	Teaching Union	University / college	Gov't body	Teaching body	Sector Skills Council	Total
To a large extent	2	3	3	3	1	2	14
To a certain extent	11	0	0	0	1	0	12
Neither agree nor disagree	0	1	0	1	1	1	4
To a limited extent	14	0	0	0	0	0	14
Not at all	0	0	0	0	0	0	0
Total	27	4	3	4	3	3	44

QD i) Please comment on the draft recognition criteria

3.1.47 In general there was a reasonable amount of support for the recognition criteria, which were seen to be comprehensive and mostly appropriate. However, there were various concerns relating to specific criteria or phrases. A number of awarding organisations queried or criticised Criterion 5 (relating to value for money). In particular, some were concerned that they would be asked to provide information that may be commercially sensitive, or unduly onerous to provide. Some stated that the information they could provide on their accounts could not be easily broken down by the categories required by Ofqual, and would need to be 'shoe-horned' into these.

3.1.48 It was also felt that it would be problematic to compare value for money across organisations, given the variations between organisations and qualifications, as well as conditions outside the organisation's control. A concern was expressed that specialist and niche providers, who may not be able to take advantage of economies of scale, may be unfairly judged under this criterion. Some felt that they would welcome further consultation on the issue of providing financial evidence, and on how it is to be used for comparison.

“Value for money’ is not a concept that can easily be measured, particularly in an environment in which so many features of assessment are not at the discretion of the awarding organisation. It is not at all clear how ‘value for money’ could be defined given the variables of quality of teachers and organisations, and completion rates.’ (Awarding organisation)

- 3.1.49 It was also mentioned, with reference to Criterion 5, that the requirement to *‘itemise the services to be provided’* is relevant only to non-vocational and certain vocational qualifications, but not generally to the work-based learning sector, where there is often a business- to-business relationship between the awarding organisation and the customer.
- 3.1.50 Further, it was argued that Criterion 5 covers two very separate concepts (value for money, and financial viability), and that these would be better addressed as separate criteria.
- 3.1.51 The other main area of concern was around Criterion 3, particularly the reference to undertaking *‘comparability exercises.’* It was argued by several awarding organisations that establishing comparability in the context of vocational qualifications would be problematic or not feasible. One organisation also queried how comparisons can be made when not all qualifications are to be subjected to independent scrutiny by Ofqual.
- 3.1.52 It was also pointed out that awarding organisations are required to use units and assessment strategies developed by other stakeholders such as Sector Skills Councils. Awarding organisations will be held accountable for these units and assessment strategies, whereas the organisations that developed them are not subject to regulation.
- 3.1.53 It was suggested that organisations which have already been through the QCF Supplementary Recognition Process should not have to go through a whole new recognition process, but only to fill in any gaps in the existing evidence.
- 3.1.54 One education body recommended that a requirement for awarding organisations to demonstrate a commitment to equality and diversity should be added to the recognition criteria.

3.1.55 A government body queried whether the recognition criteria will need refining further to take account of new providers such as colleges, which will be able to begin awarding to their learners under the new regulations. It was felt that there could be a conflict of interest if one organisation is both the awarder and the training provider.

QD ii) The advantages and disadvantages of applying a common set of criteria to all organisations seeking recognition

3.1.56 A key advantage of applying common criteria was seen to be consistency, which would ensure a level playing field for awarding organisations. It was also thought that the common criteria would raise standards, and increase public confidence in the qualifications and assessment system. Transparency and simplicity were also mentioned as benefits.

3.1.57 A common set of criteria was seen to be particularly helpful for new awarding organisations, as it would give them a more explicit framework in which to operate. In terms of disadvantages, many organisations expressed a concern that some smaller and more specialised awarding organisations may be forced to move out of the regulated qualifications arena, thus losing some qualifications from the national framework. It was felt that care should be taken to prevent this happening. However, one organisation also stated that it would be worth losing some of these smaller organisations in order to assist public confidence, viewing this as an acceptable loss.

3.1.58 Another key disadvantage identified was that a generic set of criteria does not recognise the considerable variations between awarding organisations. It was emphasised by several organisations that, despite applying common criteria, the evidence presented against the criteria was likely to vary considerably across organisations. However reassurance was taken from the recognition in the document that 'one size will not fit all.' A government stakeholder also pointed out that, Ofsted have successfully operated a common inspection framework, despite considerable variations between education providers.

3.1.59 One organisation suggested that a common set of criteria may become an optimum achievement level, rather than a minimum standard, for some organisations. They emphasised that Ofqual would need to continually review the minimum criteria. Another

potential disadvantage that respondents identified was that common criteria may restrict innovation.

3.1.60 Finally, it was stated by a government body that future changes to the system may make a single set of criteria unworkable at some point in the future, especially with regards to non-traditional organisations, such as colleges, starting to award qualifications.

Question E – The draft conditions

3.1.61 The majority of the 44 responses to this question felt that the draft conditions reflected the performance of a good awarding organisation to ‘a certain extent.’ Sixteen of the 28 awarding organisations felt this way with 10 expressing a more limited form of support. Teaching unions and other non-awarding organisations were also positive in that the majority agreed that the draft conditions reflected the performance of a good awarding organisation to a full/ certain extent. Teaching unions were more likely than others to say to a full extent with all four unions stating this. Sector Skills Council’s had a slightly more varied approach with one stating that the draft conditions reflected the performance of a good awarding organisation to ‘a full extent’, the other to a ‘certain extent’ and one Sector Skills Council felt it was reflective to only a limited extent.

Figure 3: To what extent do the draft conditions reflect the performance of a good awarding organisation?

	Awarding organisation	Teaching Union	University / college	Gov't body	Teaching body	Sector Skills Council	Total
To a full extent	1	4	2	1	0	1	9
To a certain extent	16	0	1	3	2	1	23
Neither agree nor disagree	1	0	0	0	0	0	1
To a limited extent	10	0	0	0	0	1	11
Not at all	0	0	0	0	0	0	0
Total	28	4	3	4	2	3	44

- 3.1.62 In this section the three sub-questions have been combined. This reflects the way that stakeholders actually responded to this subject.
- 3.1.63 Many awarding organisations felt that the conditions for monitoring and enforcement were difficult to understand as a whole because they were set out in various different sections. There were differing views in regards to the conditions. Trade unions and government stakeholders were generally more positive than awarding organisations.
- 3.1.64 There was a perceived lack of clarity in terms of how monitoring proposals will ensure consistency and who is considered to be the awarding organisations customers / users. In addition, awarding organisations required a more detailed understanding of what tools and techniques Ofqual will use to ensure that monitoring covers the range of providers and learners.
- 3.1.65 Awarding organisations agree that they should provide Ofqual with any additional information they require, however it is important for it to reasonable and clearly communicate timescales for when information needs to be provided. Concerns were raised about collection of information on ethnicity. If Ofqual requires awarding organisations to collect, store and analyse information on ethnicity then they will need to be given a statutory right to collect it.
- 3.1.66 Ofqual proposes that awarding organisations must *'require centres to have in place the relevant quality assurance procedures and technological and financial and human resources for the qualification they offer.'* Awarding organisations would like more clarification on how this will be monitored – will there be an inspection carried out by Ofqual or will it be the responsibility of the awarding organisations to determine whether or not they are satisfied with the centre?

'Collecting complaints information received by centres is not the role of the Awarding Organisations. It would be unreasonable to expect Awarding Organisation to ensure that centres kept information for them to provide to Ofqual.' (Awarding organisation)

3.1.67 Trade unions and a few awarding organisations felt there was no need for further conditions to be imposed. Trade unions considered all conditions to be necessary, but awarding organisations felt that the requirement to carry out comparability exercises with other organisations will be difficult to carry out, particularly in regards to vocational qualifications

3.1.68 One awarding organisation stated that statistical comparisons of achievement rates would be of limited value because of variables which could not be controlled. Many others agreed and felt similarly about value for money.

‘What criteria will be used to judge whether or not qualifications are deemed to represent value for money.’ (Awarding organisation)

3.1.69 Many awarding organisations stated that draft conditions were too vague and could be written in more detail. In addition, some of the conditions were considered to be too open-ended. More clarity was requested on the content and coverage of the annual statement and how awarding organisations can work together to ensure comparable standards are maintained.

3.1.70 Further conditions which were considered unreasonable were the minimisation of administration burden, achievements, fees and other charges and requirements for centres to collect and retain data.

3.1.71 Other issues raised included:

- Awarding organisations would like guidance documents on good and bad practice;
- A continuous concern is that the conditions relate more to non-vocational qualifications than vocational;
- Many awarding organisations stated that it depends on the level of detail required to meet these conditions as well as the need for a clearer definitions of some terms such as ‘conflict of interest’; and
- There is a concern that numerous conditions could increase administrative burden on the awarding organisations in regards to data collection.

Question F – Accreditation requirement

QF i) When an accreditation requirement should be used

3.1.72 There was a general degree of support for the proposed approach to accreditation – the criteria and the risk-based approach to using the requirement. However, there were some specific concerns the greatest of which was the terminology being applied. Many awarding organisations commented that the term ‘accreditation’ has become understood by a wide range of stakeholders (including the public) as representing qualifications on the NQF and QCF. The implication in the consultation document was that ‘accredited’ qualifications might be seen as a sub-set of the whole.

‘The general public has just begun to use the term ‘accredited qualification’ and know that this term has a value attached.’ (Awarding organisation)

3.1.73 Awarding organisations felt that this may cause confusion and affect public confidence, whilst one government stakeholder added that Ofqual should explain the concept to the general public. Related to this, some awarding organisations were concerned that it might create the perception of a two-tier system with, misleadingly, the accredited qualifications as the ‘gold-standard.’

3.1.74 There was a widespread call for clarification of the terms ‘high stakes’ and ‘high volume.’ One stakeholder suggested that ‘high scrutiny’ might be a more appropriate label, but regardless of what these qualifications might be called Ofqual was asked to more tightly define both. Many assumed that the accreditation requirement would apply for ‘high stakes’ qualifications including an awarding organisation moving into a new field or new qualifications intended for a national suite. Some assumed this meant the vast majority of 14-19s qualifications, but again clarification was requested. A few larger awarding organisations pointed out that ‘high volume’ qualifications are not necessarily high risk because they are often thoroughly tried and tested.

3.1.75 Another issue that was commonly repeated by awarding organisation was that qualifications which fell under the requirement because they were new seemed to have no

mechanism for no longer requiring accreditation. It was felt that after the qualification had entered a steady state accreditation should not necessarily be required.

3.1.76 Other specific comments related to:

- No mention of the accreditation of individual units not just qualifications;
- When Ofqual will start the work needed to decide which qualifications will be accredited and who will decide;
- That there should be an appeals process; and
- That Ofqual should take care that the requirement did not stifle innovation.

QF ii) Whether certain qualifications should always be subject to an accreditation requirement and QF iii) Which qualifications or descriptions of qualifications should be subject to the accreditation requirement

3.1.77 Many responses referred again to the concept of 'high stakes' qualifications and requested that Ofqual's risk based approach to determining this be further clarified. Most stakeholders connected accreditation with the national suite of qualifications such as: GCSEs, A-Levels, Functional Skills and 14-19 Diplomas. Some felt though that an accreditation requirement for these might reinforce a two-tier perception:

'If only GCEs and GCSEs were to be accredited this will reinforce the lack of parity of esteem and that we do have an opportunity to do something to address this ongoing issue with a new regulatory environment.' (Awarding organisation)

3.1.78 A few felt that accreditation would be most logically applied to new qualifications, because that was where many problems had arisen in the past. One government stakeholder suggested that Ofqual consider a 'sunset clause' type approach, setting time periods after which new qualifications or those with quality issues are no longer accredited after the period expires.

3.1.79 Some awarding organisations believed that no vocational qualifications should be subject to accreditation. Other recognised that employment competency based / licence to practice qualifications should be an exception and ought to be accredited. The examples provided were of qualifications required by other regulators such as the Financial Services Authority (FSA) and Health Professions Council (HPC). Others might be those qualifications that are incorporated into a British Standard as a Publicly Available Specification (PAS). Some felt that the Sector Skills Councils would have a clear role to play in deciding which should be accredited.

3.1.80 Other specific comments related to:

- Further clarification on what Ofqual means by 'significant new' resources and / or expertise (paragraph 13.10); and
- What the threshold of complaints, appeals or concerns might be that would trigger accreditation (paragraph 13.13).

Question G – Principles for piloting new qualifications and facilitating innovation

3.1.81 The majority of awarding organisations were neutral on the effectiveness of the draft principles for piloting new qualifications. Seven felt that they were effective and two ineffective. Teaching organisations and other stakeholders were generally more positive meaning that overall; 17 out of 41 organisations believed the draft principles to be effective, 22 were neutral and two believed them to be ineffective.

Figure 4: How effective would the draft principles for piloting new qualifications be as a basis for facilitating innovation in qualifications while also safeguarding standards?

	Awarding organisation	Teaching Union	University / college	Gov't body	Teaching body	Sector Skills Council	Total
Very effective	0	1	1	0	0	1	3
Effective	7	3	1	1	2	0	14
Neither effective nor ineffective	18	0	0	1	1	2	22
Ineffective	2	0	0	0	0	0	2
Very ineffective	0	0	0	0	0	0	0
Total	27	4	2	2	3	3	41

3.1.82 Many awarding organisations stated that the draft principles for piloting new qualifications will safeguard standards but could limit innovation. This might explain the neutral responses to the above question and, in addition, many felt that it was not Ofqual's position to foster innovation:

'The regulator should seek to avoid imposition of rules in an attempt to assert central control. The best way to facilitate innovation is by staying as true as possible to the maxim of being a 'light-touch' regulator' (Awarding organisation)

3.1.83 The time taken to evaluate pilot information before launching live qualifications was also of concern to some stakeholders. Many felt that in the past sufficient time was not given to correctly analyse the pilot information and qualifications were launched without clear understanding of what went well and what went badly. To make future pilots effective, some organisations feel that the time provided to evaluate the information should be taken into consideration.

3.1.84 Length of the pilot was also raised as an issue – depending on the qualification the length of the pilot can vary. GCSEs would require two years but for vocational qualification a pilot

for two years would be too long. One awarding organisation felt that the length of the pilot should be judged on a case by case basis.

3.1.85 Many required further clarification on some of the definitions. The document states that pilots will be undertaken for qualifications with '*radically different structures.*' Depending on what is meant by this term it could result in a lot of pilots, which would be resource intensive and costly.

3.1.86 When it comes to cost almost all awarding organisations agreed that the purpose of the pilot is to reduce risk to learners and therefore should not be linked to value for money. They also felt it was unclear as to who decides whether or not a qualification requires a pilot? Who defines what a large number of candidates are? And who decides the time and length of the pilot?

3.1.87 Sector Skills Councils and government stakeholders felt no further safeguards are required. However one felt that they should be involved in piloting, including planning and evaluation of feedback. They could also be a role in providing advice.

'To facilitate innovation in assessment and qualification design, there is perhaps a need to provide more support/ guidance/ criteria to help reassure the market of the quality process operated in innovation and through piloting' (Government stakeholder)

3.1.88 Awarding organisations stated that piloting is costly and time consuming and can prove to be a burden on them. They felt that requiring piloting may discourage organisations to be innovative. In addition, they believed that they and not Ofqual should decide the length of the pilot.

3.1.89 Other points included::

- Having a point of contact at Ofqual with whom awarding organisations can confidentially discuss their ideas;
- Transparency in the way Ofqual reviews 'pilot qualifications' and in setting its own demands of new qualifications; and

- If Ofqual were to block an innovative proposal, awarding organisations should be given the right to appeal.

Question H – Approach to risk-based monitoring

3.1.90 There was significant consensus across all stakeholders that the proposed approach to risk-based monitoring was appropriate. None of those responding felt that it was inappropriate and, in fact, nine of the 43 respondents were strongly supportive, stating it was ‘very appropriate.’

Figure 5: How appropriate is our proposed risk-based approach to monitoring?

	Awarding organisation	Teaching Union	University / college	Gov't body	Teaching body	Sector Skills Council	Total
Very appropriate	3	3	0	1	1	1	9
Appropriate	22	1	2	2	2	2	31
Neither appropriate nor inappropriate	3	0	0	0	0	0	3
Inappropriate	0	0	0	0	0	0	0
Very inappropriate	0	0	0	0	0	0	0
Total	28	4	2	3	3	3	43

3.1.91 Although most felt the approach to be appropriate there was a mixture of opinions across the different stakeholder groups. Trade unions and Sector Skills Councils were generally more welcoming of the approach than awarding organisations. Government stakeholders agreed that what was proposed was appropriate and sensible but raised some important issues regarding how external factors could affect risk-based monitoring:

‘Changes in leadership can have a significant difference to the quality in centres. Whilst the nature of centres and awarding organisations are different, changes in leadership can change ethos,

culture and business intent – all of which may alter the quality of an awarding organisation and its qualifications.’ (Government stakeholder)

3.1.92 One teaching body welcomed the shift in monitoring – their belief was that previously procedures rather than quality of assessments have been the focus and Ofqual’s new approach will change this.

3.1.93 Awarding organisations responses varied – many felt the approach was sensible and acceptable while others required more guidance and clarification. Nonetheless all organisations made suggestions as to what factors should be taken into account when deciding on the focus and frequency and these have been summarised below:

- The monitoring process should focus more on the quality of the qualifications rather than the internal processes.
- The principles by which awarding organisations ‘risk’ is measured should not hold equal weights, one commented *‘we assume that each of these criteria will not carry equal weighting and that the proposed risk profile will take this into account.’*
- How ‘risk’ will be defined is also of key interest to organisations as many point out that it is difficult to apply an overall risk profile as problems tend to arise with qualifications/ centres rather than the organisation itself – *‘We are unclear at the moment as to how the regulator will decide upon a single risk rating or whether a single risk rating is appropriate’ (Awarding organisation).*
- Awarding organisations welcome the transparency in terms of reporting the outcomes and performance of an organisation but would like to ensure that this will remain confidential between the regulator and the awarding organisation. *‘We are strongly against the public disclosure of an awarding organisations profile as this could lead to confusion for the users of qualifications.’ (Awarding organisation)*
- Caution should be taken to ensure media and political interests are not driving factors when responding to public concerns.

- The impact of each risk upon the organisation should be taken into account rather than the number of risks potentially materialising.
- *'Awarding organisations should be involved in the development of the risk profile before it is rated'* (Awarding organisation)

3.1.94 Awarding organisations were also asked their views on risk profiles for each organisation and generally most were positive towards this. Many organisations agreed with the combined Federation of Awarding Bodies response which was as follows:

"FAB recognises that this is the recommended approach to government regulation in order to target Ofqual's resource appropriately and can see the advantages if this does result in effective high quality awarding bodies being subject to reduced monitoring activity."

Question I – Generic operating requirements and guidance

Q1 i) The proposal to develop a set of generic operating requirements

3.1.95 There was widespread support for the intention to develop generic requirements for all awarding organisations. A number of awarding organisations and other stakeholders commented that having *'a level playing field'* was commendable.

'Given the correct proposal that all awarding bodies should meet the same recognition criteria, it would instinctively follow that there should be a single set of generic operating rules' (Awarding organisation)

3.1.96 That said a number of awarding organisations, particularly small and specialist bodies asked for the requirements to contain enough flexibility for their unique circumstances to be recognised. At this early stage however, those concerns remain non-specific with stakeholders waiting until the detailed proposals are formulated.

3.1.97 A wider concern was if the operating requirements did not closely dovetail with recognition criteria then there would be a danger of creating an additional layer of detail and therefore bureaucracy for awarding organisations. A government stakeholder commented that:

‘A clear prerequisite for their success however, would be a clear articulation of how these operating requirements relate to other aspects of the regulatory arrangements.’ (Government stakeholder)

3.1.98 If this was not accomplished then the requirements would become an additional and distinct layer of bureaucracy.

3.1.99 There was a widely positive reception for the focus being placed on outcomes rather than processes or procedures. The only stakeholder to disagree was one teaching union, which argued that Ofqual should not lose sight of the importance of procedures, particularly where they can demonstrate robust quality assurance within an awarding organisation.

3.1.100 Some stakeholders mentioned the guidelines and had ideas about the scope and content. One suggested that it might take form of handbooks that would support awarding organisations through recognition and accreditation processes. Many expressed their keenness to work with Ofqual in the development of guidance materials, but one asked Ofqual to clarify what the legal status of the guidance would be.

Q1 ii) Any alternative approaches to guidance you would favour

3.1.101 The key requirements for the guidance were clarity and consistency. Ofqual was urged to be clear and consistent about its expectations of awarding organisations. The combined response from awarding organisations recounted experiences of inconsistent advice and guidance received from Ofqual and its predecessors. This response, which was repeated by many awarding organisations, suggested that qualification types could be reviewed from first principles.

‘We believe that there should be a limited number of qualification categories that reflect the different types of qualifications. These categories would need clear top level regulatory/operating rules that

would be set out as guidance. These categories do not necessarily need to perpetuate the current regulatory groupings – indeed there is an opportunity to think more radically about what constitutes the key differentiators between qualifications.’ (Awarding organisation)

3.1.102 Building on some of the concerns expressed under the previous question, some commented further on the need for flexibility within the guidance. As before this related to ‘specialist’ awarding organisations, but also to the fostering of innovation.

3.1.103 A specific concern from one awarding organisation was the lack clarity of the QCF and they requested clear guidance on the continuation of the NQF. As an alternative to providing guidance in traditional forms, one stakeholder suggested forums for sharing best practice.

‘Specific event that will enhance awarding organisations operations especially relating to policy work e.g. data protection, equal opportunities etc.’ (Sector Skills Council)

3.1.104 Another Sector Skills Council urged Ofqual to ensure that guidance does not become an operating checklist. A point that reinforced early comments to question I i).

QI iii) The type of behaviour that should be covered in the guidance

3.1.105 There was a concern among awarding organisations that a focus on behaviours is inherently subjective. Any assessments of behaviour would be qualitative in nature and therefore might not be rigorous. Perhaps of greater concern however was that behaviour might constitute a distinct and additional type of requirement on awarding organisations with the impact on bureaucracy again.

3.1.106 Some suggested that the consultation had not sufficiently explained what ‘behaviour’ meant, but others had ideas of what might be included. One teaching body felt that behaviours:

'Should align with the key objectives for ensuring confidence in standards they should also correspond to the recognition criteria, whilst adhering to the legislative requirements set out for Ofqual in the Act' (University / college)

- 3.1.107 A government stakeholders was more specific about what could be included, believing that awarding organisations should be *'open, transparent' fair and professional.* One felt that the Nolan Principles³ would provide a minimum starting point.
- 3.1.108 Two government stakeholders mentioned that collaboration should be a key behaviour. They should be expected to work in partnership with each other and Sector Skills Councils. They should also demonstrate a supportive relationship with Centres. This might take the forms of help with initial assessments and guidance on the suitability of qualifications for different types of learners.

Question J – Approach to enforcement

- 3.1.109 Most of those responding were content that the approach to enforcement was fair, reasonable and proportionate. Just two awarding organisations and one teaching union were either more reserved in their support or felt it was 'not at all' fair, reasonable and proportionate.

³ Selflessness; integrity; objectivity; accountability; openness; honesty; leadership. http://www.public-standards.gov.uk/Library/Seven_principles.doc

Figure 6: To what extent is the proposed approach to enforcement fair, reasonable and proportionate?

	Awarding organisation	Teaching Union	University / college	Gov't body	Teaching body	Sector Skills Council	Total
To a full extent	2	1	1	1	2	2	9
To a certain extent	23	2	1	3	0	1	30
Unsure	0	0	0	0	0	0	0
To a small extent	1	1	0	0	0	0	2
Not at all	1	0	0	0	0	0	1
Total	27	4	2	4	2	3	42

3.1.110 Nearly all stakeholder groups were welcoming of the power to give direction or withdraw recognition and felt the proposals were reasonable and fair. However many awarding organisations required clarity to ensure all parties understood what they would and would not be sanctioned for.

'There is a significant lack of clarity in this section. The sanctions do not make sense, some are weak whereas others seem harsh. The term – 'reasonable' is used a lot and we do not think that this helps us to understand what is meant so clarification would be welcomed to ensure consistent and accurate interpretation by all parties' (Awarding organisation)

3.1.111 The level of sanction was also an area of concern for the organisations. Some felt it was not clear what level of sanction would be applied to which incident or problem but there was an agreement that it should be a linear process.

'I would support a clear linear progression where Ofqual is required to start with a lesser sanction and proceed to a greater one if compliance is not achieved' (Awarding organisation)

3.1.112 Many awarding organisations stated that Ofqual should use this power 'sparingly' and only in situations where reputation and learners were put at risk. Learners were often the key focus and many stated that powers should only be used when they are at risk. One awarding organisation stated that Ofqual should use its powers of direction to achieve its core standard objectives. A Sector Skills Council expanded on this further, stating that powers should be used for malpractice, poor support to centres and learners and products of poor quality.

3.1.113 When asked what steps could be taken to protect learners, particularly if recognition is surrendered, many agreed with the combined Federation of Awarding Bodies responses in that they have already experienced this issue and the processes have worked well:

'Awarding bodies have experience, built up over a number of years, of taking on learners registered with other awarding bodies when that awarding body withdraws from the award qualifications. To date these processes have worked well...'

3.1.114 Those who have not experienced it suggest clear guidelines, a good practice guide or protocol. A Sector Skills Council suggested that learners should have full access to unit certification and transcripts of learning so that a transfer to another awarding organisation is not detrimental. Education bodies suggested that systems should be in place to support the transfer of qualifications/ learners.

Question K – Procedures for directing an awarding organisation and withdrawing recognition

3.1.115 Awarding organisations were split in the extent of their support for the draft procedures on directing and withdrawing recognition. One felt that they were not fair and reasonable and 11 others agreed only to a small extent. There was some uncertainty amongst other stakeholders, with two government stakeholders and one Sector Skills

Council marking that they were unsure. On balance though, around half of respondents (21) felt that the draft procedures were fair and reasonable to either a full or great extent.

Figure 7: To what extent are the draft procedures for directing an awarding organisation and withdrawing recognition fair and reasonable?

	Awarding organisation	Teaching Union	University / college	Gov't body	Teaching body	Sector Skills Council	Total
To a full extent	2	2	1	1	1	2	9
To a great extent	9	2	0	1	0	0	12
Unsure	4	0	1	2	0	1	8
To a small extent	11	0	0	0	0	0	11
Not at all	1	0	0	0	0	0	1
Total	27	4	2	4	1	3	41

3.1.116 Awarding organisations expressed clear support for the process and procedures that Ofqual would take in the event of having to direct them or withdraw recognition from them. Indeed, there was support for the principle of Ofqual taking action and that the process should be linked to its risk monitoring approach was accepted as sensible. One awarding organisation believed that the procedures were:

'To be based on the pertinent factors, such as impact, risk, learner and public confidence, the number and scope of qualifications offered, who identified the problem and previous history and experience.'

(Awarding organisation)

3.1.117 Another recognised that a previous history of non-compliance was a key factor, but a different awarding organisation believed that action should relate directly to qualifications issues, not administrative matters.

- 3.1.118 Although the process to intervene was generally accepted, there was however a request for greater clarity around the steps to be taken prior to any decision. Most awarding organisations and other stakeholders called for greater clarity and transparency about the procedures that would trigger Ofqual into action and the process for representation or consultation that should follow.
- 3.1.119 Specifically, awarding organisations asked whether risk monitoring would lead to specialist investigations. They also highlighted a lack of transparency around the management of the action, with one organisation for example questioning whether it would be handled by an individual within Ofqual. It was felt that there should be mechanism for representations to be made.
- 3.1.120 A government stakeholder highlighted questions around the timescale for giving notice and reviewing a decision, suggesting that shorter time periods for both stages, than those suggested in the consultation, would reduce the risk to learners.
- 3.1.121 Those sector skills councils and teaching organisations that responded to this question briefly expressed support for the proposals and believed that the measures laid out would allow awarding organisations the opportunity to respond before action was taken.

Question L – Entry and inspection conditions

- 3.1.122 There was significant opposition to the proposed entry and inspection conditions from awarding organisations. Although it was not a universal opinion nine of the 27 felt that the proposals were 'not at all' reasonable. Ten felt that they were, to a 'full' or 'great' extent but a further six were unsure. Amongst other stakeholders there was less disagreement. Teaching unions and other representative bodies tended to agree with the proposals, as did other government stakeholders.

Figure 8: To what extent are the proposed entry and inspection conditions reasonable?

	Awarding organisation	Teaching Union	University / college	Gov't body	Teaching body	Sector Skills Council	Total
To a full extent	5	2	1	1	1	1	11
To a great extent	5	1	0	2	1	1	10
Unsure	6	1	1	0	0	0	8
To a small extent	2	0	0	0	0	1	3
Not at all	9	0	0	0	0	0	9
Total	27	4	2	3	2	3	41

3.1.123 Few awarding organisations believed that Ofqual needed the power to enter and inspect their premises. The combined Federation of Awarding Bodies response stated that:

'The regulator would have the ultimate power to withdraw recognition if an awarding body did not comply with an Ofqual direction. If there was a suspicion of more serious misconduct such as fraud or an awarding body refuses entry when timely regulator involvement is of the essence, Ofqual would have recourse to the courts for power of entry.'

(Federation of Awarding Bodies)

3.1.124 Furthermore the expectation of access and inspection was felt to be impractical and unworkable. Although this was the prevailing opinion, not all awarding organisations felt this way. Some considered the proposals to be fairly similar to previous regulatory experience. Others believed that, given the established powers within the new legislation, the procedures that were set out seemed fair, reasonable and robust. A few awarding organisations and other stakeholders expected that the powers should clearly be used as a last resort only. One awarding organisation highlighted a specific issue around the

collection and logging of documentation, making the suggestion that Ofqual could follow best practice from the Office of Fair Trading, among other regulators.

3.1.125 The proposed safeguards around written notice and time restrictions provided one awarding organisation with reassurance. Another though focused on the issue of its non-qualification related and hence unregulated activities. There was concern around data protection issues for awarding organisations that are also professional bodies. In these cases Ofqual may need to clarify the scope of its actions so that the awarding organisations can exclude any personal data that is connected to its non-regulatory activities.

3.1.126 Teaching organisations expressed broad support for the proposals as one necessary element to protect the interests of learners. Another stakeholder suggested that Ofqual could help awarding organisations by clarifying what it means by '*reasonable attempts*' to arrange access without regard to the statutory powers.

Question M – Publication of fees and other charges

3.1.127 There was uncertainty among teaching unions and Sector Skills Councils about whether the publication of fees information would promote efficient purchasing. Awarding organisations were more positive that this would happen, but still seven out of 27 felt that it was 'unlikely' or 'very unlikely' and a further six were unsure.

Figure 9: How likely is it that advance publication of information on fees and other charges would promote efficient purchasing decisions?

	Awarding organisation	Teaching Union	University / college	Gov't body	Teaching body	Sector Skills Council	Total
Very likely	1	0	3	1	1	0	6
Likely	13	1	0	1	1	0	16
Unsure	6	1	0	1	0	3	11
Unlikely	5	0	0	0	1	0	6
Very unlikely	2	2	0	0	0	0	4
Total	27	4	3	3	3	3	43

3.1.128 Many awarding organisations highlighted that they already publish their fees and related charges in advance to their customers and are therefore unclear as to what is meant by 'advance.' Awarding organisations raised concerns that publishing fees in 'advance' would not be commercially viable. The constant pressure for qualifications to be delivered to market as soon as possible makes it difficult to provide fees in advance.

'Considerable pressure to deliver qualifications to market as soon as possible and on an ongoing basis mean that the publishing of fees at a prescribed advance period basis...would not be practical' (Awarding organisation)

3.1.129 Publishing fees too far in advance could lead to inaccurate and/ or overpricing due to all factors not being taken into account and a few awarding organisations felt strongly about having maximum flexibility when it comes to fees charged to their customers. Being forced to publish prices in advance will reduce their ability to be more flexible with the clients and limit them from offering 'bespoke packages' or 'special deals,' as were mentioned by some.

'Given the variety of different business models and the increasing expectations that awarding bodies will offer maximum flexibilities to our customers we believe that any move to standard format for publishing fees would not be of benefit to providers overall' (Awarding organisation)

3.1.130 Interestingly, one education body felt that awarding bodies should not be allowed to offer customers bespoke packages or special deals as it causes undercutting. If Ofqual should have a role in this, their view is that it should be to *'determine and impose realistic minimum lower bound on costs of qualification offered by more than one body.'*

3.1.131 An important point to recognise is that most, if not all, awarding bodies agreed that fees contribute to the decision making process but does not ultimately decide what is purchased. Factors such as reputation and content are considered more important when

making a decision. One awarding body raised a different viewpoint in that although price is not currently a deciding factor, there is a possibility that it could be in the future:

...the current changes to funding and the perception (however wrong) that awarding organisation fees are a significant part of a centres expenditure it is likely that this will become more important so the more timely manner we can get fee information to the market the better'
(Awarding organisation)

Question N – Requiring additional financial information

3.1.132 Among awarding organisations there was strong opposition to the proposal that would require them to provide financial information over and above that which is commonly found in their published set of accounts. Only two of 26 found the idea to be reasonable, 22 out of 26 thought that it was either 'unreasonable' or 'very unreasonable.' Teaching organisations were more receptive to the proposals, but all three other government stakeholders and two out of the three Sector Skills Councils also expressed reservations.

Figure 10: How reasonable would it be for Ofqual to require awarding organisations to provide it with financial information that was not in their published accounts?

	Awarding organisation	Teaching Union	University / college	Gov't body	Teaching body	Sector Skills Council	Total
Very reasonable	0	2	1	0	1	0	4
Reasonable	2	2	1	0	1	1	7
Neither reasonable nor unreasonable	2	0	1	2	0	1	6
Unreasonable	7	0	0	1	0	1	9
Very unreasonable	15	0	0	0	0	0	15
Total	26	4	3	3	2	3	41

3.1.133 Awarding organisations referred to this proposal as an administrative burden. They agreed with the Federation of Awarding Bodies response in that there were other ways Ofqual could regulate value for money than asking additional financial information.

'We believe that Ofqual can meet its legal duty to secure the efficient provision of regulated qualifications that represent value for money, in other ways than scrutinising financial data from awarding bodies.' (Awarding organisation)

3.1.134 A potentially more important issue was that due to their internal systems and structures it could be difficult or impossible to produce separated financial information that is specific to their qualifications business. Many pointed out that they were charities or larger organisations with a wide range of business activities and did not publish accounts that divided their work accordingly. So they felt this would raise their costs.

'We would hope that safeguards are put in place to ensure data collection is set at a level that does not entail additional costs to the awarding organisations' (Awarding organisation)

3.1.135 While many had a negative approach, two awarding organisations welcomed the regulation but within limits:

'It is reasonable to require this with sufficient notice to the awarding organisation; however reasons for requesting this information must be weighed against the reduction of 'burden' philosophy'

'Reasonable depending on the extent of the detail required, frequency and the avoidance of enquires without sufficient notice for coding and similar routines'

3.1.136 Sector Skills Councils required more detail from Ofqual as to what the additional information they require would include. This would then allow them to examine the amount of time required to produce the information.

Question O – Judging fees and other charges

3.1.137 There was broad support for the concept of judging fees and other charges as ‘fair and reasonable’ if they covered the efficiently incurred costs of qualifications plus the cost of capital. Fifteen of the 27 awarding organisations felt that this was either ‘appropriate’ or ‘very appropriate.’ Eight of them disagreed however and there was some uncertainty amongst other government stakeholders, however those Sector Skills Councils that responded to the question were in agreement as were the teaching bodies.

Figure 11: How appropriate would it be to judge fees and other charges as ‘fair and reasonable’ if they enabled an awarding organisation to recover the efficiently incurred costs of providing qualifications, including the cost of capital?

	Awarding organisation	Teaching Union	University / college	Gov’t body	Teaching body	Sector Skills Council	Total
Very appropriate	11	1	1	0	0	0	13
Appropriate	4	1	1	0	2	3	11
Neither appropriate nor inappropriate	4	2	1	2	0	0	9
Inappropriate	5	0	0	1	0	0	6
Very inappropriate	3	0	0	0	0	0	3
Total	27	4	3	3	2	3	0

3.1.138 As these answers suggest, the principle of it being fair and reasonable to judge fees on the basis of costs incurred and the cost of capital was widely accepted. However, many stakeholders full answers focused on complications that Ofqual will need to consider. As

with other consultation questions on economic regulation, many suggested that definitions of the qualification markets and of terminology will be important. In this case clarification of terms such as 'efficiently incurred costs' and 'value for money' were considered crucial for Ofqual proposals in the future.

3.1.139 Some awarding organisations and government stakeholders pointed out that the charitable status of many awarders would mean that the judgment of fees would have to be taken in context. Some felt there was a presumption that fees and therefore surpluses, in the not for profit context, may be too high. Those in that sector though pointed out that restrictions within their articles of association and regulation by the Charity Commission would be a safeguard against high surpluses. That not all awarding organisations are driven by the profit motive means that consideration of social value would form part of the search for the drivers of cost.

3.1.140 Along these lines, many suggested that the way awarding organisations cross-subsidise some qualifications may be a complicating factor. The judgement of fees for high volume qualifications may be appropriate, but they might often subsidise specialist qualifications for small numbers of learners, as dictated by the mission of the awarding body.

3.1.141 The combined Federation of Awarding Bodies response also raised the issue that many qualifications are linked together for progression and that early qualifications are subsidised by later ones. They felt that this would be a potentially complicating factor in the analysis of fees.

3.1.142 Other cost factors were identified:

- Research and new product development;
- Marketing;
- Compliance with regulation – such as the submission of data to Ofqual and others; and

- Professional competence and continuous development of their staff with items such as attendance at conferences, training and Sector Skills Council meetings.

Question P – Market dominance

3.1.143 Very few awarding organisations supported conditions relating to market dominance. In fact 19 of 27 marked ‘not at all’ when asked whether they supported the proposal. There was also uncertainty among teaching organisations and other government stakeholders. Overall, just nine out of 43 response expressed support to either a ‘great’ or ‘full extent’ whilst 24 supported it either ‘to a small extent’ or ‘not at all.’

Figure 12: To what extent do you support the proposal that specific conditions could be placed on organisations that are dominant in the qualifications market?

	Awarding organisation	Teaching Union	University / college	Gov't body	Teaching body	Sector Skills Council	Total
To a full extent	0	0	0	0	1	1	2
To a great extent	2	1	2	1	0	1	7
Unsure	3	3	0	3	1	0	10
To a small extent	3	0	1	0	0	0	4
Not at all	19	0	0	0	0	1	20
Total	27	4	3	4	2	3	43

3.1.144 The vast majority of awarding organisations felt that any undue market dominance would be a matter for the Office of Fair Trading rather than a concern for Ofqual. A few smaller awarding organisations and other stakeholders acknowledged dominance by one or a few organisations may require action if this led to detrimental effects to the market or by ‘*inhibiting innovation.*’

- 3.1.145 Many stakeholders felt that the qualifications market was not well enough understood. There is a lack of evidence at present and awarding organisations in particular believed the consultation document to presuppose that there are dominant organisations without having evidence to support this. The issue of market understanding or definition was considered crucial. Many felt that Ofqual had not defined the market and was treating it as one single entity when there are actually many different markets. For example, they commented that smaller awarding organisations may appear to be in a dominant position, but this may be due to their specialist status as professional bodies for example.
- 3.1.146 Other not for profit awarding organisations offer low volume qualifications at a loss to a niche group of learners in a specialised market into which others would have little incentive to enter. Choice may be affected if action were taken in these cases. This theme was picked up by others who felt that neither market share nor the level of fees would necessarily be key indicators of a market requiring intervention.
- 3.1.147 Government stakeholders suggested that the definition of what is a dominant position would benefit from greater clarity.

'An awarding organisation may challenge an Ofqual view of what dominance is, if it is seen to be excessively stringent when compared with other business rulings related to monopolies etc.' (Government stakeholder)

- 3.1.148 More than one government organisation pointed out that a dominant position might not necessarily cause consumer detriment. They joined some awarding organisations in suggesting that those in a market leading position may be there due to a range of positive reasons, such as: being innovative and first into the market; offering value for money or a quality service. Government stakeholders also pointed out that the unitary status of the GCSE and A-Levels section of the qualifications market means that market share and competition are not relevant factors.

Question Q – Fee capping procedures

3.1.149 Few awarding organisations believed the proposed fee capping procedures to be appropriate. Twenty out of 26 felt that they were ‘inappropriate’ or ‘very inappropriate,’ but that contrasted sharply with other stakeholders who gave the proposal a more positive reception. Three of the four teaching unions that responded felt that it was ‘very appropriate’ and only one non-awarding organisation felt that the idea was inappropriate.

Figure 13: How appropriate is the proposed fee-capping procedure?

	Awarding organisation	Teaching Union	University / college	Gov't body	Teaching body	Sector Skills Council	Total
Very appropriate	0	3	1	0	0	0	4
Appropriate	2	1	1	2	1	1	8
Neither appropriate nor inappropriate	4	0	0	1	0	1	6
Inappropriate	13	0	0	0	0	1	14
Very inappropriate	7	0	0	0	0	0	7
Total	26	4	2	3	1	3	39

3.1.150 As is obvious from the figure above the majority of responses stated that they believed the fee-capping proposals to be inappropriate. However given that the powers lie within the Act there was a general call for greater detail about the capping procedures. Those awarding organisations and other stakeholders that did see fee-capping proposals as appropriate, also asked for more detail and were of the belief that it should always be a last resort. Some of those receptive comments focused on the protection of value for money and against the dominance of large awarding organisations.

3.1.151 Indeed a couple commented that to have reached the point of introducing fee-capping was an admission in itself that the market had failed and Ofqual's other methods of

management or intervention had been unsuccessful. One awarding organisation pointed out that price regulation has been shown as unlikely to address structural market features⁴.

3.1.152 Some awarding organisations felt that there was sufficient competition within the market to negate the need for fee-capping and that their own status as registered charities meant that there was little incentive to over-price. The combined Federation of Awarding Bodies response uniquely highlighted one issue which it said would make fee-capping difficult to achieve.

'Distortions in the market arising from funding policy which change[s] year on year ... the setting of fees is a complex activity and the capping of fees would be a blunt instrument in this context'

3.1.153 There were a number of comments on the proposed independent review process. A trade union noted that the credibility and independence of the reviewer would be crucial. Another government stakeholder asked who would determine if the reviewer is independent and suitably qualified to investigate. Another asked whether the independent reviewer itself should be appointed by a third-party and not Ofqual.

3.1.154 One government stakeholder and one awarding organisation queried the review process (30 days for request and 60 days for completion) as being too long given the impact it could have on business as usual. Without more detail on the review stages and timescales would a few stakeholders found it difficult to comment further on the procedure.

Question R – Promoting awareness and public confidence in regulated qualifications

QR i) The steps we should take to promote understanding of the benefits of regulated qualifications and confidence in regulated qualifications and assessments

3.1.155 There was widespread support for Ofqual's intention to promote understanding of the benefits and confidence in regulation. The issue mentioned by most stakeholders regarded the perception of equality between vocational and academic qualifications. They

⁴ CC3 Market Investigation References, Competition Commission Guidelines, pp.4.25

suggested that it should be an Ofqual priority to explain that there are different pathways for learners and the qualifications are equally regulated regardless of the options chosen. Ofqual was urged to specifically rebut the view that there is a *'hierarchy of qualifications.'* In terms of audience, this was considered particularly important for parents, young people and the media in general – whose messages tended to denigrate vocational routes.

3.1.156 One awarding organisation suggested that surveys would be a useful mechanism to determine the degree of understanding or confusion that exists and the level of confidence in the range of qualifications. There was recognition that the terminology can be confusing and the system of qualification appears complex, even for those within the market. Ofqual's messages should recognise that other changes (NQF to QCF for example) are still being communicated and so not overwhelm lay stakeholders with more information about change.

3.1.157 A few commented that by consistent application of its remit Ofqual will, over time, provide reassurance and build confidence.

'A public view that the regulator is robust and well run will offer a significant means to secure that confidence, though this will take some time to achieve. Like Ofsted, Ofqual will take several years to establish a full public profile.' (Government stakeholder)

QR ii) The information that should appear on the register

3.1.158 Many stakeholders mentioned that similar data to that which might appear on the register is currently held on the National Database of Accredited Qualifications (NDAQ)⁵ and / or the LSC Learning Aims Database⁶. Awarding organisations in particular cautioned against duplication and the confusion that can arise when different databases do not match. One Sector Skills Council suggested that this represented an opportunity to rationalise the current databases into one.

⁵ <http://www.accreditedqualifications.org.uk/index.aspx>

⁶ <http://providers.lsc.gov.uk/LAD/aims/searchcriteria.asp>

3.1.159 There were many suggestions as regards the contents of the register. One Sector Skills Council wrote that supply-side information is of crucial importance for them. This meant data on *'volumes and priority qualifications; provision of providers and AOs surrendering recognition to award specific qualifications.'* Also unit and credit values and Guided Learning Hours (GLH).

3.1.160 A few felt that Ofqual should guard against offering more than simple factual information as this might lead into an information and advisory role that would be inconsistent with Ofqual's regulatory responsibilities. Indeed one government stakeholder requested that Ofqual confirm whether the register would be publicly facing.

3.1.161 On a more simple level, a number of stakeholders requested that the register had link to the awarding organisation and single point of contact information. Other ideas included:

- Searching for shared units;
- Confirming recognition;
- Measures of performance that allow the comparability of standards to be assessed;
- Indication of risk status (suggested by a Sector Skills Council);
- Pricing information (suggested by a trade union and a Sector Skills Council);
and
- Number of awarding centres.

3.1.162 A couple of awarding organisations specifically did not want plans for future qualifications and detailed implementation statistics to be included because of their commercial sensitive nature.

Question S – Regulation of National Curriculum and Early Years' Foundation Stage (EYFS) assessments

3.1.163 There were a range of opinions on the priorities for Ofqual as regards its regulatory duties in these areas, but a number mentioned the core mission to provide validity. Validity in terms of assessments, but also related to confidence, fairness, consistency and

reliability. A challenge to the goal of fairness and comparability was identified by a couple of respondents in relation to single level and end of key stage tests.

3.1.164 More than one reflected in particular on 'public confidence.' The promotion of understanding amongst candidates, parents, employers plus teachers. One government stakeholder commented on how this might be achieved by promoting the benefits of regulated qualifications; celebrating achievements; asserting its impartiality; proactively managing risks and outwardly addressing real and perceived issues; and sharing monitoring feedback with others.

3.1.165 There was a request for Ofqual to provide more detail about self-assessment for National Curriculum tests. It was also suggested that the changing landscape of national curriculum assessment would require greater Ofqual involvement in the development and revision of national exemplification materials to support teacher assessment and advice and training provided for local moderation so that:

'Ofqual can be seen to [be] carrying out its remit in this area and so that schools are confident that they are developing and using approaches which are nationally agreed, valid and consistent'

(Government stakeholder)

Question T – Regulatory principles for National Curriculum and EYFS assessments

3.1.166 Only one of 18 responding organisations felt that the regulatory principles for national curriculum and early years' foundation assessments were unhelpful. Thirteen expressed their support which was especially strong among teaching unions.

Figure 14: How helpful are the principles of validity, consistency, reliability, manageability and minimising bias for the regulation of national curriculum and early years' foundation stage assessments?

	Awarding organisation	Teaching Union	University / college	Gov't body	Teaching body	Sector Skills Council	Total
Very helpful	0	3	1	0	0	0	4
Helpful	4	1	1	1	0	2	9
Neither helpful nor unhelpful	3	0	0	0	1	0	4
Unhelpful	0	0	0	0	1	0	1
Very unhelpful	0	0	0	0	0	0	0
Total	7	4	2	1	2	2	18

3.1.167 Given that awarding organisations made up the majority of responses to the consultation, there were relatively few comments on issues related to the National Curriculum and EYFS. Most recognised the principles stated as being a sound basis for assessment and many expressed their keenness to work with Ofqual and all those who are involved in the development and promotion of the assessment process. Some responses focused on the importance of fairness in assessment, whether through elements of objectivity or the involvement of practitioners, for examples.

3.1.168 Two stakeholders asked Ofqual to consider the impact of the assessment process on teaching and the general practice of early years education. One specifically questioned who should have an input into whether a test is 'manageable.'

'Should that be the learner, school, local authority or supplier, or a combination of these and others?' (Government stakeholder)

Question U – Risk factors for monitoring activities (National Curriculum and EYFS) assessments

3.1.169 Although again many responding organisations felt that this area was not relevant to them, those that did felt that the proposed risk factors were appropriate. Fifteen out of 19 believed that they were either ‘appropriate’ or ‘very appropriate.’

Figure 15: How appropriate are the proposed risk factors for determining the nature, scope and frequency of our monitoring activities?

	Awarding organisation	Teaching Union	University / college	Gov't body	Teaching body	Sector Skills Council	Total
Very appropriate	0	2	1	0	0	0	3
Appropriate	5	2	1	1	1	2	12
Neither appropriate nor inappropriate	3	0	0	0	1	0	4
Inappropriate	0	0	0	0	0	0	0
Very inappropriate	0	0	0	0	0	0	0
Total	8	4	2	1	2	2	19

3.1.170 For a couple of stakeholders the list of risk factors was felt to be comprehensive. A teaching union felt that stakeholder involvement in the process would be crucial and that the arrangements for parental engagement were important.

3.1.171 One teaching organisation suggested that additional criteria may be needed for new / innovative assessments. An awarding organisation noted a lack of clarity on the contractor / supplier relationship between Ofqual and QCDA (point 22.29) and suggested that changes to the national curriculum and test development model should be added to the list of risk factors. A government stakeholder requested more detail on how risk would be determined and how that would be conducted proportionately. Furthermore Ofqual should specify how identified risk would be reviewed and adjusted over time.

4 List of consultation responses

4.1.1 The following organisations and individuals responded to the consultation:

- Advisory Committee on Mathematics Education (ACME) and Joint Mathematical Council of the UK (JMC)
- Agored Cymru
- ALP (Association of Learning Providers)
- AoC (Association of Colleges)
- APM (Association for Project Management)
- AQA
- Ascentis
- ASCL (Association of School and College Leaders)
- ASE (Association for Science Education)
- Aspect (The Association of Professionals in Education and Children's Trusts)
- ATL (Association of Teachers and Lecturers)
- BATOD (The British Association of Teachers of the Deaf)
- BCS (British Computer Society)
- BIIAB
- CWDC (Children's Workforce Development Council)
- CII (Chartered Insurance Institute)
- CIPS (Chartered Institute of Purchasing & Supply)
- CISI (Chartered Institute for Securities & Investment)
- City & Guilds
- CMI (Chartered Management Institute)

- Construction Skills
- Council for Administration
- CPCAB (Counselling and Psychotherapy Central Awarding Body)
- CYQ (Central YMCA Qualifications)
- Disability Action
- EAL
- East Sussex RPA
- Edexcel
- EDI
- ETC Awards
- Equestrian Qualifications GB
- FAB (Federation of Awarding Bodies)
- Geographical Association
- GoSkills
- GQA (Glass Qualifications Authority)
- Highfield Awarding Body for Compliance
- Hodder Education
- IAM (Institute of Administrative Management)
- ILM (Institute of Leadership and Management)
- Improve
- International Baccalaureate
- Institute of Hospitality
- IOE (Institute of Education)
- ISMM (Institute of Sales and Marketing Management)

- Lambeth Academy
- Lantra
- LSC / Skills Funding Agency
- LSC / Young People's Learning Agency
- Mathematics in Education and Industry
- Ms S Kay Oliver
- NAHT
- NCFE
- NEBOSH
- NFER (National Foundation for Education Research)
- NOCN (National Open College Network)
- NUT (National Union of Teachers)
- OCN Northern Ireland
- OCR
- QCDA (Qualification and Curriculum Development Agency)
- QAA (Quality Assurance Agency)
- RNIB (Royal National Institute of the Blind)
- Royal Academy of Dance
- Royal Statistical Society
- SCORE
- Sector Skills Council Alliance
- Signature
- Skill (National Bureau for Students with Disabilities)
- Skills for Logistics

- Skillsmart Retail
- SQA (Scottish Qualifications Authority)
- Telford & Wrekin LA
- The Department for Employment and Learning (DEL) and the Education and Training Inspectorate (ETI), Northern Ireland
- The Learning Machine
- The Royal Society
- University of Sheffield
- University of York, Department of Education Studies: Centre for Innovation and Research in Science Education
- Voice

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