



House of Commons
Education Committee

Appointment of the Chief Regulator of Ofqual

Third Report of Session 2015–16



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*Report, together with formal minutes relating
to the report*

*Ordered by the House of Commons to be printed 16 March
2016*

The Education Committee

The Education Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Education and its associated public bodies.

Current membership

[Neil Carmichael MP](#) (*Conservative, Stroud*) (Chair)

[Lucy Allan MP](#) (*Conservative, Telford*)

[Ian Austin MP](#) (*Labour, Dudley North*)

[Michelle Donelan MP](#) (*Conservative, Chippenham*)

[Marion Fellows MP](#) (*Scottish National Party, Motherwell and Wishaw*)

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[Catherine McKinnell MP](#) (*Labour, Newcastle upon Tyne North*)

[Ian Mearns MP](#) (*Labour, Gateshead*)

[Rt Hon Stephen Timms MP](#) (*Labour, East Ham*)

[William Wragg MP](#) (*Conservative, Hazel Grove*)

Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via www.parliament.uk.

Publications

Committee reports are published on the Committee's website at www.parliament.uk/education-committee and in print by Order of the House.

Evidence relating to this report is published on the [inquiry publications page](#) of the Committee's website.

Committee staff

The current staff of the Committee are Richard Ward (Clerk), Kevin Maddison (Second Clerk), Anna Connell-Smith (Committee Specialist), Jack Dent (Inquiry Manager), Jonathan Arkless (Senior Committee Assistant), Simon Armitage (Committee Assistant), and Gary Calder (Media Officer).

Contacts

All correspondence should be addressed to the Clerk of the Education Committee, House of Commons, London, SW1A 0AA. The telephone number for general enquiries is 020 7219 1376; the Committee's email address is educom@parliament.uk.

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1 The recruitment process

Background

1. The Office of Qualifications and Examinations Regulation (Ofqual) is a non-ministerial department, established in April 2010 under Part 7 of the Apprenticeships, Skills, Children and Learning Act 2009. It regulates qualifications, examinations and assessments in England and vocational qualifications in Northern Ireland.
2. Ofqual's goals and objectives for the period 2015–18 are set out in its Corporate Plan:

Box 1: Ofqual's goals and objectives, 2015–18

Goal 1: Regulating and reforming general qualifications

- Objective 1: Regulate for the validity of general qualifications throughout their life cycle
- Objective 2: Oversee the introduction of reformed general qualifications
- Objective 3: Regulate for the validity of National Assessments

Goal 2: Regulating vocational and other qualifications

- Objective 4: Regulate for the validity of vocational and other qualifications throughout their life cycle
- Objective 5: Promote a healthy vocational qualifications market

Goal 3: Developing our people, resources and systems

- Objective 6: Build our capability and capacity
- Objective 7: Invest in better information management to improve the quality and accessibility of information
- Objective 8: Efficient and effective use of resources

Source: Ofqual Corporate Plan (March 2015), www.gov.uk/government/uploads/system/uploads/attachment_data/file/419223/2015-03-30-ofqual-corporate-plan-2015-18.pdf

3. The appointment of the Chief Regulator (Ofqual's Chief Executive) is subject to a pre-appointment hearing. The term of Ofqual's first Chief Regulator, Glenys Stacey, expired at the end of February 2016. On 13 August 2015, Nick Gibb MP, Minister of State for Schools, wrote to the Chair confirming Ms Stacey's decision not to seek reappointment and on 12 October 2015 with a copy of the proposed information pack for applicants. We commented on that information pack, stressing the need for the successful candidate to "command respect and inspire confidence in the education sector, the public, awarding organisations, Parliament and Ofqual itself".¹

4. The role was advertised from 16 October until 23 November 2015 on the Cabinet Office website and the website of the recruitment consultant Gatenby Sanderson, and appeared in the Sunday Times on 18 October. Gatenby Sanderson also undertook an 'executive search'. The recruitment panel was chaired by Shona Dunn (Director General, Education Standards Directorate, Department for Education), and comprised Amanda Spielman (Chair of Ofqual), Sir Daniel Moynihan (Chief Executive of Harris Academy Trust) and Christine Ryan (Chief Executive of the Independent Schools Inspectorate).

5. Thirteen applications for the post were received, of which five were shortlisted by the panel. Four interviews were conducted across 14 and 17 December (one shortlisted candidate withdrew before the interview stage). Sally Collier was the sole candidate deemed 'appointable' by the recruitment panel. As is normally the case with such appointments, once recommended by the panel, she met the Secretary of State. Details of the appointment were then passed to the Prime Minister's office.

6. Glenys Stacey's time at Ofqual came to an end in February 2016 when she assumed the role of Her Majesty's Inspector of Probation. During the short interregnum Amanda Spielman, the Chair of Ofqual's board, assumed the role of 'Interim Chief Regulator'. Jeremy Benson, Ofqual's executive director of vocational qualifications, was temporary accounting officer. Although the recruitment process had been underway for some months, Ms Collier's details were only made available to us six working days before the date of her pre-appointment hearing.

2 The position of Chief Regulator

Role and person specification

7. The Chief Regulator is an appointment made by the Secretary of State for a term of five years. The Chief Regulator is the Chief Executive of Ofqual. The job description for Chief Regulator states that it is seeking a candidate “with regulatory experience at a senior level”. Candidates should have “substantial” experience in leadership and management and possess a “high degree of personal integrity”. The description asks for candidates who are aware of the Government’s reform programme and the role Ofqual has played in implementing the reforms.

8. The job description states that candidates should be aware that they would be joining Ofqual at a time of significant change and an individual must be capable of supporting “a major programme of reform”. Candidates should be able to co-ordinate this programme of reform across government and awarding bodies. Internally the Chief Regulator is responsible for overall management and staffing of Ofqual.

According to the role profile, their role is to:

Box 2: Job description for Chief Regulator (continues on next page)

- Lead Ofqual in acting as the independent regulator of qualifications and assessments in England;
- Represent Ofqual to the public, ministers, Parliament and the Northern Ireland Assembly;
- Lead public debate in relation to the maintenance of standards in examinations, qualifications and assessments;
- Ensure that qualification reform programmes are co-ordinated across Ofqual, government and awarding organisations;
- Be responsible for the overall management, organisation and staffing of the organisation;
- Be responsible for financial and other practices and procedures including conduct and discipline;
- Promote the values underpinning Ofqual, through personal leadership and example; and
- Coordinate and implement policies and actions determined by the Board.

Box 2: Job description for Chief Regulator (continued)

Applicants should be able to evidence the following skills and experience:

- Regulatory experience at a senior level;
Substantial organisational leadership skills including the oversight of complex programmes;
- Strong communication skills to build effective working relationships with government, the education sector, the media, awarding organisations and other key stakeholders;
- Excellent judgement under pressure;
- A high degree of personal integrity, so as to fulfil the statutory obligations to maintain standards in a highly contested environment;
- A good understanding of the current political landscape, in particular the Government's qualifications reform programme, and the role of the independent regulator in implementing the reforms; and
- Ability to command respect and inspire confidence in the education sector, the public, awarding organisations, Parliament and Ofqual itself.

Source: Department for Education

Ms Sally Collier, the Government's preferred candidate

9. The Government's preferred candidate, Sally Collier, has over 20 years' experience in the civil service. Since 2014 she has been the Chief Executive of the Crown Commercial Service, an executive agency sponsored by the Cabinet Office. Before this she was Acting Managing Director and Government Deputy Chief Procurement Officer at the Government Procurement Service. For twelve years previously Sally Collier had several different roles at the Office of Government Commerce. Ms Collier's CV is appended to this report.

10. In line with the guidance drawn up by the Liaison Committee on the conduct of pre-appointment hearings, our questioning sought to test Ms Collier's professional competence and personal independence. We explored the following areas with Sally Collier:

- Role of the Chief Regulator and the candidate's priorities
- Ofqual's relationship with the education sector
- GCSE and A-Level reforms
- The accreditation process of newly reformed qualifications
- The role of exam boards
- The future of Ofqual

11. As a long-standing senior civil servant, Ms Collier has extensive experience of leading organisations through periods of reform. She drew comparisons between the role of Chief Regulator and her current position in procurement, where she has worked in a complex regulated environment with many stakeholders. Her knowledge of the current reforms to GCSEs and A-levels was somewhat lacking, and she was unable to answer questions on subject comparability. She also said she did not know whether plans to change the grading structure would take place. She declined to give her judgement on several areas of the reforms and accepted that she would be on a 'steep learning curve'. However, Ms Collier demonstrated a fair appreciation of the role of an independent regulator.

12. The example she gave of a time when she had asserted her personal independence was not especially strong. She mentioned that she would 'relish' the opportunity to move into a role with greater independence, but did not, in our view, give sufficient voice to the weight of responsibility borne by a Chief Regulator. Ms Collier said it would be one of her key priorities to ensure that Ofqual was trusted by the education sector and that she would aim to 'reach out' to stakeholders in order to make this happen. She said that there must be focus on early and systematic dialogue with stakeholders, but did not go into detail on how she would lead that dialogue. Ms Collier advocated a 'multi-layered' approach to communicating with the complex school and college landscape.

3 Conclusion

13. On the basis of the evidence before us, we judge that Sally Collier is appointable to the position of Chief Regulator. She has demonstrated the wider professional competence required in order to lead a large and complex organisation, and acknowledges that she has some way to go in order to acquire the specific professional competence in terms of the qualifications and curriculum landscape. She asserted her determination to maintain Ofqual's position as the independent regulator of qualifications and examinations.

14. *We recommend that Ms Collier takes steps to rapidly acquire the specific professional competence in terms of qualifications and assessment, and look forward to further hearings with her as she grows into her new role.*

Appendix 1: Posts which are subject to pre-appointment hearings before the Education Committee

HM Chief Inspector of Education, Children's Services and Skills

Children's Commissioner for England

Chief Regulator for Ofqual

Chair of the Social Mobility and Child Poverty Commission

Appendix 2: Correspondence between the Secretary of State and the Chair

Letter dated 13 August 2015 from Nick Gibb MP, Minister of State for Schools, to the Chair

Glenys Stacey, Ofqual's Chief Regulator, has announced her intention not to seek re-appointment when her term of office comes to an end in February 2016.

I write to inform you that we will be undertaking a recruitment process to appoint a new Chief Regulator. I expect the process to begin in the autumn, following the appointment of search consultants. I will send you a copy of the applicant pack in due course, and Departmental officials will explore suitable dates for a pre-appointment hearing with the Committee Clerk.

Letter dated 12 October 2015 from Nick Gibb MP, Minister of State for Schools, to the Chair

I wrote to you in August to inform you that Glenys Stacey, Ofqual's Chief Regulator, will not seek reappointment when her current term of office ends in February next year.

We have, since then, begun the process to select a new Chief Regulator, and Gatenby Sanderson has been appointed as the search consultant to lead the process.

I would be very interested to read the Committee's views on the application pack, which I have included with this letter. I would be grateful if the Committee were able to review the pack ahead of the launch of the recruitment campaign, which is planned to take place on Friday 16 October.

The Department will continue to liaise with your Committee's staff about the pre-appointment hearing. If at all possible, I would like to complete the recruitment process by the end of February 2016.

Letter dated 14 October 2015 from the Chair to Nick Gibb MP, Minister of State for Schools

Thank you for your letter of 12 October and the draft application pack for the post of Ofqual Chief Regulator.

We regret that the late delivery of the application pack by your Department to our Committee staff limited the time available to us to scrutinise the documents. Nevertheless, my Committee took the opportunity today to examine the pack and identified a change which we wish to see to the draft role profile to ensure that the role of the Chief Regulator in relation to Parliament is sufficiently highlighted.

We suggest that the final bullet point of the section on skills and experience on page 5 should read:

- Ability to command respect and inspire confidence in the education sector, the public, awarding organisations, Parliament and Ofqual itself

We look forward to holding a pre-appointment hearing with your preferred candidate in due course. As you will know, the Cabinet Office guidance requires the name of the candidate and other information to be submitted to the Committee at least one week before any proposed date for a hearing. We will therefore expect to hear from you by mid-February unless your timetable slips.

Letter dated 9 November 2015 from Nick Gibb MP, Minister of State for Schools, to the Chair

Thank you for your letter of 14 October regarding the draft application pack for the post of Ofqual's Chief Regulator.

I appreciate the Committee taking the time to examine the pack and provide us with comments at such short notice. We have made the helpful amendment that the Committee recommended to the section on skills and abilities, for candidates to have the ability to inspire respect in Parliament.

I would also like to ask the committee to consider a date for the pre-appointment hearing. The Secretary of State will decide upon her preferred candidate in early February 2016 and if it is helpful to give our steer on timings, we would prefer the hearing to take place soon after February recess.

I look forward to hearing from you with a confirmed date.

Letter dated 7 March 2016 from the Secretary of State to the Chair

As you will be aware, I have been working with Ofqual's Board to identify and appoint a successor ahead of Glenys Stacey's departure from Ofqual at the end of February. Further to our correspondence in November, I am now pleased to put forward my preferred candidate, Sally Collier, for the Committee's consideration.

Sally has over 20 years' experience in the civil service. She has held numerous senior positions including her current role as CEO of the Crown Commercial Service, a Cabinet Office Executive Agency and Trading Fund. Sally has significant experience in the complex environment of public procurement and in leading and managing large teams through periods of significant change. She is experienced in building deep and productive relationships in the public and private sectors.

All candidates were informed prior to appointment that the position is subject to scrutiny by the Education Select Committee.

I wanted also to inform you of the interim arrangements I have agreed should be put in place following the end of Glenys Stacey's term as Chief Regulator. Ofqual's Chair,

Amanda Spielman, has assumed the role of Interim Chief Regulator pending a permanent appointment. Jeremy Benson, Executive Director Vocational Qualifications, has assumed the Accounting Officer Role.

Relevant information relating to the recruitment process is set out in the attached annex.

Appendix 3: Details of the recruitment process

Job advertisement

Ofqual Chief Regulator - c. £135,000 - Coventry with significant travel

The Secretary of State for Education is seeking a new Chief Regulator for Ofqual for a term of five years, commencing March 2016.

Ofqual regulates qualifications and examinations in England and vocational qualifications in Northern Ireland. It ensures high standards and public confidence in the qualifications system. In recent years its remit has expanded to ensure that UK qualifications maintain their standards when compared with international counterparts. The Chief Regulator is the Chief Executive of Ofqual.

The Secretary of State is seeking a candidate with regulatory experience at a senior level. Candidates will bring substantial organisational leadership experience, skills including the management of complex programmes and a high degree of personal integrity. Candidates will also bring an awareness of the current political landscape, in particular the Government's qualifications reform programme, and the role of the independent regulator in implementing the reforms.

Candidates will bring the ability to command the respect of and inspire confidence in the education sector, the public, awarding organisations and Ofqual itself, and strong communication skills to build effective working relationships with a wide range of partners and stakeholders.

The new Chief Regulator will be joining Ofqual at a time of significant change in qualifications and examinations and this role presents the opportunity to support a major programme of reform, and continue to develop Ofqual as a strong and credible regulator that contributes to making the qualifications system an integral part of a truly top-class education system.

Role profile

The Chief Regulator is the Chief Executive of Ofqual. Their role is to:

- lead Ofqual in acting as the independent regulator of qualifications and assessments in England;
- represent Ofqual to the public, ministers, Parliament and the Northern Ireland Assembly;
- lead public debate in relation to the maintenance of standards in examinations, qualifications and assessments;
- ensure that qualification reform programmes are co-ordinated across Ofqual, government and awarding organisations;

- be responsible for the overall management, organisation and staffing of the organisation;
- be responsible for financial and other practices and procedures including conduct and discipline;
- promote the values underpinning Ofqual, through personal leadership and example; and
- coordinate and implement policies and actions determined by the Board.

Applicants should be able to evidence the following skills and experience:

- Regulatory experience at a senior level;
- Substantial organisational leadership skills including the oversight of complex programmes;
- Strong communication skills to build effective working relationships with government, the education sector, the media, awarding organisations and other key stakeholders;
- Excellent judgement under pressure;
- A high degree of personal integrity, so as to fulfil the statutory obligations to maintain standards in a highly contested environment;
- A good understanding of the current political landscape, in particular the Government's qualifications reform programme, and the role of the independent regulator in implementing the reforms; and
- Ability to command respect and inspire confidence in the education sector, the public, awarding organisations, Parliament and Ofqual itself.

Recruitment panel

The recruitment panel consisted of: Shona Dunn (chair - DG Education Standards Directorate, DfE), Amanda Spielman (Ofqual Board Chair), Sir Daniel Moynihan (CEO Harris Academy Trust) and Christine Ryan (CEO Independent Schools Inspectorate).

Outcome of recruitment process

Table 1: Outcome of recruitment process

Applications received	13
Applications longlisted	No formal longlisting stage due to number of applications received
Applications shortlisted	5
Candidates interviewed	4 (one candidate dropped out prior to interview)
Candidates considered appointable	1

Source: Department for Education

The role was advertised from 16 October to 23 November on the Cabinet Office website and the website of the recruitment consultant, Gatenby Sanderson and also in the Sunday Times on 18 October. Gatenby Sanderson undertook an executive search. Interviews were conducted on 14 and 17 December.

Diversity information

The diversity of the field during the competitions is set out below.

Table 2: Diversity of candidates

	Number of applicants	Shortlist	Appointable candidates
Candidates	13	5	1
Diversity monitoring questionnaires returned	9	3	Information withheld on grounds of confidentiality
Male	4	1	
Female	5	2	
Black, Asian and mixed Minority Ethnic background	2	0	
Declared disability (diversity questionnaire or Interview Access Scheme form)	0	0	

Source: Department for Education

Appendix 4: Details of the candidate

The candidate's CV was provided by the Department to the Committee.

Sally Collier FCIPS

Experience and Achievements

Chief Executive, Crown Commercial Service (CCS), Cabinet Office

February 2014 to date

Leading a newly formed Cabinet Office trading fund as Chief Executive - acting as Accounting Officer for circa 850 staff in four principal locations with a budget of £70m.

Operating an external board comprising a non-executive chairman and directors with Audit and Risk and HR sub committees. The first report and accounts were published on time.

Accountable for delivery of £380 million of savings in 2015/6 across the public sector from the letting and managing of circa 100 cross-government commercial arrangements. On track to achieve this target.

Currently transforming the organisation's people, processes and systems. Effected 80 exits and 200 recruitments in the last 12 months and commenced a digital transformation programme.

Responsible for providing procurement shared services to seven government departments for the first time.

Responsible for procurement policy advice to Ministers: developed the negotiating strategy and implemented a new set of EU procurement directives into UK law ahead of any other member state with significant wins for the UK.

Representing CCS and the commercial profession to the public and private sectors.

Acting Managing Director and Government Deputy Chief Procurement Officer, Government Procurement Service, Cabinet Office

May 2013 - February 2014

Led a Cabinet Office trading fund as Accounting Officer for circa 350 staff with a budget of £40m.

Operated an external board comprising non-executive chairman and directors with Audit and Risk sub committees.

Assumed rapid responsibility following the unforeseen departure of the incumbent MD, and successfully concluded the year-end report and accounts and finalisation of savings.

Prepared the organisation for assimilation into the Crown Commercial Service by setting an agenda for change and beginning to build the management team.

Executive Director Policy & Capability, Office of Government Commerce, HM Treasury and subsequently Efficiency & Reform Group, Cabinet Office

October 2006 - May 2013

Acted as a member of OGC's management board 2006–2010, then member of ERG's senior management team following machinery of government change. Responsible for a directorate of circa 65 staff in three locations and a budget of £6m.

Responsible for the UK's procurement policy ensuring value for money policy was protected in Europe and internationally. The role also included pursuing with stakeholders the use of procurement to deliver other government policies including environmental sustainability and social agendas.

Senior Responsible Owner for a programme of Procurement Capability Reviews to increase commercial capability and capacity across 17 central government departments.

Led programmes of reform to raise capability and capacity in the Government's procurement and project and programme management skills. In procurement skills this involved enhancing graduate entry, revitalising the 'Government Procurement Service' offering and developing talent management and succession planning.

Director of Government Markets, Office of Government Commerce, HM Treasury

April 2004 - October 2006

Led programmes with a budget of some £2m and a team of some 40 staff in three locations to make the government marketplace more open and competitive.

Shaped and contributed to Sir Christopher Kelly's report to the Chancellor into improving competition and long term capacity planning in major government markets.

Programme Director for a Ministerial initiative to encourage small and ethnic minority businesses to compete in the government marketplace.

Led a project in the West Midlands with a variety of stakeholders including government departments, local authorities and a diverse group of local and national business representatives. The project delivered electronic advertisement of opportunities, a streamlined procurement process and a training programme for small businesses and procurers. The results included a doubling of the success rate of businesses participating in the pilot. The pilot was subsequently nominated for a national award.

Frequently asked to address conferences in the UK and EU on government procurement matters. Presented to Ministers including the Chief Secretary to the Treasury and the Chancellor.

Director of Change, Office of Government Commerce, London

December 2001 - April 2004

Established change unit, reporting directly to the Chief Executive of a then recently formed public sector organisation, implementing the integration of three predecessor organisations in six locations, with 400 staff.

Established the Change Management Unit from infancy and acted as programme manager for integration of diverse policies and processes from three organisations.

Key contributor to the organisation's strategy, including design of the new organisational structure.

Project manager for the organisational restructure, completing to time and budget. Programme included closure of two regional offices, a voluntary redundancy scheme, divestment of a number of non-core activities, job design and mapping of 400 staff to new posts. The project required: The management of a communications programme including consultation with the trade union side, large staff presentations and 1:1 coaching for board members. The operation of a rigorous and successful risk management process.

Led a review of the organisation's governance procedures, which resulted in a restructuring, and refocusing of the Executive Board.

Affiliations

Fellow, Chartered Institute of Purchasing and Supply.

Education

City College, Norwich

1999–2001

Diploma in Management Studies - Distinction

Salford University

1986–1990

BA (Hons) French/German (3 years of study)

Previous

3 x A levels (ABB)

10 x O levels

Conflicts of interest

Ms Collier has declared she has no conflicts of interest and does not hold any public office.

Formal Minutes

Wednesday 16 March 2016

Members present:

Neil Carmichael in the Chair

Lucy Allan	Catherine McKinnell
Michelle Donelan	Ian Mearns
Suella Fernandes	Stephen Timms
Lucy Frazer	William Wragg

Draft Report (*Appointment of the Chief Regulator of Ofqual*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 14 read and agreed to.

Four papers were appended to the Report.

Resolved, That the Report be the Third Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available (Standing Order No. 134).

[Adjourned till Wednesday 23 March at 9.00 am

Witness

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Wednesday 16 March 2016

Sally Collier, Government's preferred candidate for Chief Regulator of Ofqual

[Q1-44](#)

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website.

Session 2015–16

First Report	The role of Regional Schools Commissioners	HC 401
Second Report	Holocaust Education	HC 480
First Joint Special Report	Education, skills and productivity: commissioned research	HC 565
First Special Report	Apprenticeships and traineeships for 16 to 19 year olds: Government Response to the Committee's Sixth Report of Session 2014-15	HC 317
Second Special Report	Extremism in schools: the Trojan Horse affair: Ofsted Response to the Committee's Seventh Report of Session 2014-2015	HC 324