Awarding body monitoring report for:
The Learning Machine (TLM)

October 2008

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Introduction

Regulating external qualifications

Responsibility for regulating external qualifications lies jointly with three regulators:

- the Office of the Qualifications and Examinations Regulator (Ofqual)

- the Department for Children, Education, Lifelong Learning and Skills (DCELLS), the body for Wales

- and the Council for the Curriculum, Examinations and Assessment (CCEA), the authority for Northern Ireland.

Following the accreditation of a qualification, the regulators systematically monitor awarding bodies against the requirements set out in the statutory regulations. The aim of this activity is to promote continuing improvement and public confidence in the quality of external qualifications.

Where an awarding body is found not to comply with relevant criteria, the regulators set conditions of accreditation. Even if an awarding body is compliant, the monitoring team may make observations on ways that the awarding body could change its systems and procedures to improve clarity or reduce bureaucracy.

Accreditation conditions and observations arising from this monitoring activity are specified at the end of each section of this report. Awarding bodies are required to produce an action plan to show how they will deal with accreditation conditions imposed as a result of a monitoring activity. The regulators will agree the action plan and monitor its implementation.

The regulators will use the outcomes of monitoring and any subsequent action taken by awarding bodies to inform decisions on the re-accreditation of qualifications, or, if necessary, the withdrawal of accreditation.

Banked documents

As part of its awarding body recognition processes the regulators require awarding bodies to submit certain documents to Ofqual for the purposes of 'banking' centrally. Information from banked documents will be used to inform monitoring activities and may also affect the awarding body's risk rating.

A suite of documents has been identified as suitable for banking and are those that are considered to be most crucial in supporting an awarding body's ability to operate effectively. To maintain the currency of the banked documents, awarding bodies are responsible for updating

them as and when changes occur. They are also reminded to review them at least annually at the time of completion of the self-assessment return.

About this report

The monitoring activity for The Learning Machine (TLM) was carried out by Ofqual on behalf of the regulators in August 2008.

This was the first monitoring activity of TLM and focused on the regulatory criteria relating to the following key areas:

- corporate governance
- resources and expertise
- application of assessment methods
    - quality assurance and control of independent assessment
- determination and reporting of results
- registration and certification
- malpractice
- equality of opportunity, reasonable adjustments and special consideration
- customer service statements
- enquiries and appeals
- monitoring and self assessment.

The monitoring activities included desk research of information already held by the regulators, including the awarding body application and scrutiny of the TLM website. The monitoring team visited TLM's head office to conduct interviews with staff and review documentation.

This report draws together the regulators' findings from these monitoring activities.

About TLM

TLM has developed a family of innovative qualifications enabling candidates to use the open systems and resources that are available through the World Wide Web. They call their awards INGOTS (International Grades Open Technologies). The awards range from entry level (Bronze INGOT) to level 2 (Gold INGOT). Further information on TLM and its qualification can be found on www.theingots.org.uk.

Corporate governance

This is subject to *The statutory regulation of external qualifications in England, Wales and Northern Ireland (2004)*, paragraphs 5, 6 and 7.

Findings

1. TLM was accredited as an awarding body in 2006 and currently has five vocationally related qualifications in the national qualifications framework. The awarding body is in its first year of delivering the qualifications, which means that some of the end of year procedures could not be fully tested at this monitoring activity.

2. The organisation is overseen by a management board made up of industry and sector representatives. It is chaired by the chief moderator. The management board meets formally once a year although there is ongoing communication throughout the year. Its remit is to ensure the validity and integrity of the awards and to ensure the quality assurance procedures are effective. It also considers potential new developments. The TLM chief executive reports annually to the management board. Since accreditation there have been some personnel changes on the management board although the membership structure remains the same.

3. Currently the management board is the only committee although the monitoring team noticed mention of an awards committee in some TLM documents. Staff stated that this committee currently does not exist but that provision has been made to pre-empt the need for such a committee in the future.

4. The TLM business plan is approved annually by the management board, but is amended as developments arise throughout the year.

Accreditation conditions

There are no accreditation conditions for this section.

Observations

1. The updated organisation chart reflecting changes in personnel, together with revised job descriptions to be submitted to Ofqual for banking.

Resources and expertise

This is subject to *The statutory regulation of external qualifications in England, Wales and Northern Ireland (2004)*, paragraphs 8 and 10.

Findings

1. TLM is a small, family run organisation with four full time staff. Its chief executive also carries out the role of chief assessor. Another company director has responsibility for finance and administration. There is an accounts manager who carries out the moderation and a centre support officer. TLM contracts with a specialist in assessment who acts as the chief moderator. A further specialist provides technical support for the website.

2. TLM management are aware that should the organisation grow it will need to employ more staff. In reviewing its own capabilities TLM has identified the point at which existing staffing levels become critical. They have contingencies to use some known contacts whose experience can be called upon if demand requires, either on a temporary basis or as new employees.

3. In reality the chief executive, chief moderator and accounts manager all have a full awareness of procedures and of each other's roles, which enables them to provide consistency. All staff and management board members are trained as level 2 assessors, which the monitoring team considers to be good practice.

4. All staff are subject to a bi-annual appraisal that identifies any specific development needs. Although a small and closely knit organisation staff interviewed felt that this was a strength and that it made the appraisal more critical.

5. Each approved centre or academy is required to have a named principal assessor. All principal assessors are trained by TLM to become trainer assessors who are then able to train other staff in their centres as assessors for TLM qualifications.

6. TLM documents state that principal assessors are required to maintain their currency by attending one of two annual courses. However, as the centres are new TLM has been providing them with one-to-one training at centre visits. If recent one-to-one training has been provided the assessors may be exempt from attending the formal training. The course is documented and is also published on the website with exercises that can be used as revision tools.

7. All training is recorded, reviewed and monitored. The TLM system has a database that lists all assessors, the dates they were trained and registered with the level to which they are able to assess.

8. TLM relies heavily on electronic communication and the internet as web links are its main points of contact and assessment. The website is hosted externally with automated offsite back ups in two geographically distant locations. Backups of local company administration data, such as that used for accounting systems are taken regularly and stored in a physically separate location.

9. During its research, the monitoring team noted that the TLM website as identified on the national database of accredited qualification is no longer used to support the delivery of the accredited qualifications. All activities concerning the qualifications are sited at a registered trademark address theingots.org. TLM should seek to inform the web-based accreditation team of this change and also place a reference or signpost directing users to the correct place.

Accreditation conditions

There are no accreditation conditions for this section.

Observations

2. TLM should inform the regulators of the correct website details and signpost customers to direct them from the original site to that currently used.

Application of assessment methods: the quality assurance and control of independent assessment

This is subject to *The statutory regulation of external qualifications in England, Wales and Northern Ireland (2004)*, paragraphs 13, 38–42 and 56–58.

Findings

1. The five TLM qualifications range from entry level 1 to level 2 in the national qualifications framework. All qualifications are clearly mapped to the national curriculum. Progression starts at the entry level qualification followed by the levels 1 and 2 certificates in information and communication technology (ICT) systems and office applications. The other two qualifications are the level 1 and level 2 certificates in open systems, enterprise and business growth, neither of which has seen candidates through to certification at the time of monitoring.

2. Assessment is carried out in a variety of ways. Unit 1 of the entry level certificate in ICT systems and office applications is assessed wholly by criteria matching. These are assessed internally by centre assessors. For the other two units the criteria matching are followed up with a combination of externally set practical tasks and tests that includes multiple choice question tests. Although candidates are assessed internally for the criteria matching prior to assessments, the externally set and externally moderated tests and tasks verify the assessor's marks.

3. TLM has a documented process for developing assessment materials, tests and tasks. The process is published on the website in the policy and procedures section. New tests and tasks are currently written by the accounts manager. They are placed in an electronic development folder that can be accessed by the chief assessor and the chief moderator for review. All new tests are taken by the finance and administration manager to check for manageability and use of language.

4. There are two or three multiple choice question papers for each level available at any one time with a review every two months. During the review, questions are revised and new papers produced where necessary. TLM is working towards building an electronic question bank that will allow them to monitor performance of questions.

5. Other assessment methods used in TLM qualifications include the design of an e-portfolio, for the level 1 certificate in ICT systems and office applications and completion of an internet community project for the level 2 certificate in ICT systems and office applications. Candidates document their work on the project through a blog, which is also assessed.

6. All candidates are required to sign a declaration regarding authenticity before starting their blog. Currently, the majority of candidates are pupils known to their teachers but it is the responsibility of the assessors and ultimately the principal assessor for the centre to ensure candidate authenticity.

7. TLM is committed to online safety and encourages candidates to use pseudonyms with real names only visible to assessors and the awarding body. Anyone on the website can view candidate blogs but only TLM authorised assessors and moderators are able to comment on them. TLM has a published policy on acceptable use and blogs are monitored for this. The blogs are the formal basis on which assessment decisions are made so candidates are informed that any other electronic discussions should be made via the specific forums outside of the blog.

8. As previously stated, centre assessors undertake to confirm that the criteria matching element of the qualifications has been met. They are only authorised to do so after being trained by TLM, as described in the resources and expertise section of this report. Assessors are linked to the centre and to the principal assessor. TLM's assessment specification and mark schemes are detailed in the assessor handbook. This is available in paper format as well as on the website.

9. Assessment decisions are entered onto an electronic mark book, which is submitted to the account manager for checking. Samples of completed tasks are also sent for confirmation of marks and moderation. The accounts manager stated that he moderates 10 % looking for work at the different levels of attainment. Moderation involves remarking work and to date TLM staff interviewed reported that any mark variances were between one or two marks.

10. If there is a small cohort then 100 per cent of work is moderated. TLM is aware that growth in numbers would require further moderators being trained, although both the chief executive and chief moderator are able to moderate if required. Currently, the centre support officer is also being trained to moderate.

11. Currently, the moderation procedures are not documented. To ensure consistency TLM must produce guidance for moderators that fully document the moderation process. The guidance must include the nature and rationale for sampling and specify minimum amounts for initial samples. The procedure must also include a mechanism for checking moderators' work.

12. Currently, work is being sent in when individual candidates have completed the tasks. TLM is therefore unable to forecast when work will arrive and plan for the moderation to take place. TLM has recognised that this could be an issue but anticipate that the on-demand system is more likely to spread the assessment workload over the academic year.

13. The mark schemes for the criteria matching, tests and tasks are clear and easy to follow. The nature of the qualifications ensures that there is little room for interpretation. Where judgment forms part of the assessment, as with the community project, there are level descriptors and a marking scheme based around usefulness of the project and the technical content. Grading rules are programmed onto the system, further minimising human error.

14. To date there has only been one discrepancy in marks identified from moderation. The accounts manager sought advice from the chief executive to secure a final outcome. Changes to marks made are retained in a separate file.

15. There is a process in place for monitoring standards over time, although as the TLM qualifications have not yet been operating for a full year, it is too soon for the information to produce any meaningful outcomes.

Accreditation conditions

1. TLM must produce written guidance for its moderators that includes the size and nature of samples, and that samples are taken from the full range of attainment and from all the assessors used (*The statutory regulation of external qualifications in England, Wales and Northern Ireland, (2004)*, paragraph 61d).

2. TLM must have a documented procedure in place for monitoring the work of all moderators used (*The statutory regulation of external qualifications in England, Wales and Northern Ireland, (2004)*, paragraph 61f).

Observations

There are no observations for this section.

Registration and certification

This is subject to *The statutory regulation of external qualifications in England, Wales and Northern Ireland (2004)*, paragraphs 11, 12, 21 and 22.

Findings

1. TLM approves two types of centre to deliver its qualifications. These are academies which are schools that operate with links to their feeder schools and smaller centres that operate on one site. These are usually further education colleges. The majority of TLM candidates are registered through academies. The only difference between the academies and the smaller centres is the fee structure.

2. All centres are approved in the same way. They contact TLM to express their interest in delivering the qualifications. The centre will then receive an advisory phone call from TLM's accounts manager who asks them to complete a short application form. Centres do not receive a specific approval visit. All centres receive a centre number but can only access the website and the qualifications once the principal assessor has received the required TLM training.

3. Centres and assessors are provided with the assessor handbook, which contains the specification for the qualifications, and the TLM policies and procedures both of which are also available on the website. TLM should revise its assessor guidance to strengthen its requirements. For instance the assessor handbook states that centres will receive 'occasional visits' although staff interviewed said that visits were planned to be annual.

4. The named point of contact at each centre is the principal assessor. They are required to confirm that they are responsible for the quality assurance of the qualifications and will adhere to TLM approval requirements. However, not all principal assessors have confirmed their acceptance of the approval arrangements. TLM has identified this weakness from their self monitoring process and are considering ways to enforce the requirement by applying sanctions. For example, centres may be prevented from accessing the certification section of the website. TLM must ensure that the principal assessors confirm in writing that they agree to be the named point of accountability.

5. A system of annual monitoring visits is in place although currently centre visits may be more frequent as they are new. The centre checklists for visits are not suitable as they do not contain sufficient detail to confirm TLM's approval requirements are being maintained. For example, the approval requirements state that principal assessors will observe assessors

annually, hold standardisation meetings and that the centre provides secure storage. There is currently no record of checks being made to ensure these requirements are being met.

6. Centres apply electronically for a certificate when the candidate has achieved the requirements of the award. As certificates are given for each unit this may also be the point of registration. The centre inputs candidate details including name and date of birth. Once the first certificate is requested only TLM staff are able to edit any of the electronic data. The assessment details are verified by the accounts manager before authorisation is given to the centre to print the certificate. TLM sends blank certificates to their centres and once the authorisation has been given the centre downloads the information and prints it onto the certificate.

7. The authenticity of the certificate can be checked on TLM's website by inputting the certificate number and candidate name. Further verification can be obtained as each candidate certificate is linked to an assessor. TLM can track certificate usage at centres through a unique certificate number. However, the certificate number is included in the detail of the information that is downloaded in centres rather than on the actual certificate. TLM entrusts the principal assessor with the responsibility of securely storing blank certificate templates and checking and validating all printed certificates, although this is not specific within the assessor guidance. As previously stated there is no recorded checking to confirm that centres are adhering to TLM requirements being carried out at centre visits.

8. The monitoring team concluded that TLM does not have sufficient controls in place to know what exactly is being printed on the blank certificate. The practice of sending blank certificates, carrying regulatory logos, through the post must cease with immediate effect and an alternative means of issuing certificates sought.

9. Replacement certificates are currently described as duplicates, which would only be true for the first replacement. The word 'replacement' would be a better alternative and should be in a position where its removal (by using a guillotine, for example) would be easily noticeable by someone unfamiliar with the dimensions of a TLM certificate.

Accreditation conditions

3. TLM must have procedures for centre approval including an assurance that centres confirm their acceptance of the centre approval requirements, and having a named point of accountability for the quality assurance of TLM's qualifications (*The statutory regulations for external qualifications in England, Wales and Northern Ireland, (2004)*, paragraph 11).

4. TLM must have a fully documented system to monitor the work of centres and to maintain the integrity of the qualifications (*The statutory regulations for external qualifications in England, Wales and Northern Ireland, (2004)*, paragraph 35).

5. TLM must ensure that there are safeguards against the potential for fraudulent use of blank certificates (*The statutory regulations for external qualifications in England, Wales and Northern Ireland (2004)*, paragraph 22c).

6. TLM must ensure that replacement certificates are labelled as such and that the wording is printed more prominently on the certificate (*The statutory regulations for external qualifications in England, Wales and Northern Ireland, (2004)*, paragraph 22d).

Observations

4. TLM should consider revising its guidance to centres to make its requirements specific, clear and auditable.

Malpractice

This is subject to *The statutory regulation of external qualifications in England, Wales and Northern Ireland (2004)*, paragraph 28–31.

Findings

1. The malpractice policy is published on TLM's website as part of the policies and procedures section. The procedure met the criteria except for the fact that it did not mention that if certificates are found to be invalid TLM will inform the regulators. The policy was amended immediately at the monitoring.

2. TLM have not had any malpractice cases to date. If there was a case of malpractice reported to TLM they would investigate and inform the management board of their findings. They would also be able to revoke any certificates for the length of investigation and either reinstate them or delete them depending on the findings of the case. This is stated in the procedures and policies documents.

Accreditation conditions

There are no accreditation conditions for this section.

Observations

There are no observations for this section.

Equality of opportunity, reasonable adjustments and special consideration

This is subject to *The statutory regulation of external qualifications in England, Wales and Northern Ireland (2004)*, paragraph 9 and 14–20.

Findings

1. The equality of opportunity policy is published on the website as part of the policies and procedures section and meets the criteria. TLM's ethos is one of inclusion and they ensure that anyone who can meet the criteria can take their qualifications. They abide by all current legislation.

2. TLM's reasonable adjustments procedure is published along with the equality of opportunity statement on the website. It allows centres discretion to make reasonable adjustments for the entry level qualification. For the higher levels, the centres must defer to TLM's chief executive. The centre e-mails the chief executive who authorises the request. A record is kept, which will be monitored in future by being reported to the management board on an annual basis.

3. TLM needs to revise their special considerations procedure so that it is clearer for centres and candidates. It needs to include eligibility and application procedures that candidates or centres can follow where they believe the assessment was affected by a previously unforeseen event, such as disruption, temporary illness, or injury. TLM staff stated that candidates can take their assessment at any time but if special consideration were requested they would be offered an opportunity to retake the assessment.

4. TLM must also state in their special considerations procedure the minimum evidence required to make an aegrotat.

5. It is too soon for TLM to have sufficient data on the use of its reasonable adjustments and special consideration procedures. However, TLM must put a mechanism in place to monitor and evaluate these arrangements in future.

Accreditation conditions

7. TLM must revise their special consideration procedure so that the arrangements for candidates are clear (*The statutory regulations for external qualifications in England, Wales and Northern Ireland (2004)*, paragraph 18).

8. TLM must specify the minimum evidence required to make an aegrotat (*The statutory regulations for external qualifications in England, Wales and Northern Ireland (2004)*, paragraph 19b).

Observations

5. TLM should consider how it will monitor and evaluate its procedures for reasonable adjustments and special consideration.

Customer service statements

This is subject to *The statutory regulation of external qualifications in England, Wales and Northern Ireland (2004)*, paragraph 32 and 33b.

Findings

1. TLM's customer service statement is published on the website in the policies and procedures section. They specify an ambitious number of customer service targets, which they monitor by spot-checking. However, this checking is informal and there is no record of the findings that could be used to monitor the effectiveness of these targets.

2. The TLM fee structure is included on the customer service statement as well as elsewhere on the website. It might be advisable to signpost their fee information so that they do not have to keep updating their policy when their fees change.

3. Opportunities are provided for centres and candidates to send feedback on the content and usability of pages on TLM's website and community site. To date, however, they have had very little response. Most feedback is being received through centre visits and other individual contact with centres such as e-mail. TLM should consider ways in which it can encourage feedback and put in place mechanisms for how it will use this feedback to make improvements.

Accreditation conditions

9. TLM must have formal procedures in place to monitor performance against its customer service targets (*The statutory regulations for external qualifications in England, Wales and Northern Ireland (2004)*, paragraph 33b).

Observations

6. TLM should consider reviewing its customer service statement and whether its targets are realistic and may also wish to consider signposting to where the information on fees can be found to avoid duplication.

Enquiries and appeals

This is subject to *The statutory regulation of external qualifications in England, Wales and Northern Ireland (2004)*, paragraph 23–27.

Findings

1. TLM's enquiries and appeals statement is published on their website in the policies and procedures section. They have not received any appeals to date.

2. TLM must revise their enquiries and appeals procedure to provide more clarity. TLM includes an independent person for the enquiries procedure, which is good practice but not a regulatory requirement. However, they must also include an independent person for the appeals process where it is a regulatory requirement. It is not clear at which point an enquiry will become an appeal as the enquiry process concludes with a final decision. It is more usual that unresolved enquiries go forward to the appeals process. There is confusion between the enquiries procedure, the complaints procedure and the appeals procedure.

3. The appeals procedures state that the appellant may seek an independent arbiter and whilst this can still occur, TLM are required to provide an independent person as part of the decision making process.

4. TLM must also include in its appeals procedure that they will provide a written acknowledgement for every appeal. They will also include information on how they will provide the appellant with written outcomes of the appeals while having a provision that unresolved appeals will be put to independent review.

Accreditation conditions

10. TLM need to revise their appeals process in order to clearly separate the enquiries and appeals processes (*The statutory regulations of external qualifications in England, Wales and Northern Ireland (2004)*, paragraph 23).

11. TLM must amend their appeals procedure to include an independent person in the appeals process (*The statutory regulations of external qualifications in England, Wales and Northern Ireland (2004)*, paragraph 25a).

12. TLM must include in their appeals procedure that they will provide written acknowledgement and also written outcomes (*The statutory regulation of external qualification in England, Wales and Northern Ireland (2004)*, paragraph 25c).

13. TLM must also include provision for unresolved appeals to go to independent review (*The statutory regulation of external qualifications in England, Wales and Northern Ireland (2004)*, paragraph 25e).

Observations

There are no observations for this section.

Monitoring and self-assessment

This is subject to *The statutory regulation of external qualifications in England, Wales and Northern Ireland (2004)*, paragraph 33a, 34, 35 and 37.

Findings

1. TLM has not yet been required to submit their self assessment return to Ofqual. However, they have already undertaken their own review against the statutory regulations, which is good practice. The review has identified areas for improvement, which the chief executive has put in order of priority with a named responsible person and target dates for completion.

2. The management board has already met this year but from now on TLM will ensure that they have agenda items for the various areas of the criteria that need to be monitored and evaluated.

Accreditation conditions

There are no accreditation conditions for this section.

Observations

There are no observations for this section.