

The administration of examinations for 15-19 year olds in England

Ofqual's Response to the Education Select Committee Report (HC141-I)



Introduction

1. Ofqual regulates qualifications for young people in England¹. We are accountable to Parliament, but we have to have regard to Government policy, reflecting the important role that qualifications play in measuring and driving the success of the education system.
2. Ofqual was established in April 2010. We have made much progress since then, putting in place a new, more robust regulatory framework and getting a grip on standards. We are grateful that this was recognised by witnesses in their evidence to the Committee. But we know there is much still to do, and we are strengthening the organisation so it can meet the challenges we face.
3. Ofqual recently published its first corporate plan². It sets out our plans over the next three years to achieve our aims, which are:
 - to secure (and where necessary reset) the standards of qualifications and assessments, and promote confidence in them; and
 - to secure a healthy, robust and efficient qualifications system.
4. Ofqual welcomes the Education Select Committee's Report on exams administration³, and welcomes in particular the Committee's support for much of the work we have in hand. The Report discusses some important issues, which are rightly a matter of public interest and debate. We want to continue contributing to and informing that debate.

¹ Ofqual also regulates vocational qualifications in both England and Northern Ireland.

² www.ofqual.gov.uk/downloads/category/139-information?download=1404%3Acorporate-plan

³ www.publications.parliament.uk/pa/cm201213/cmselect/cmeduc/141/141.pdf

5. Some of the recommendations in the Report are for Ofqual; some are for Ofqual to consider in the light of the views of Ministers, when the Department for Education responds to the Report; and a small number of recommendations are for others to respond to, though we will have an interest in their responses. This document sets out Ofqual's responses to the recommendations addressed to us, and comments on those in which we have an interest. A full list of the Select Committee's recommendations is annexed.
6. In summary:
 - We welcome and agree with most of the Committee's recommendations. They show that there is a big agenda for us, and high expectations about what we will do.
 - It will be for Ministers to consider their response to the recommendations around national syllabuses and national subject committees.
 - We share the Committee's concerns about the risks attached to moving away from a multiple exam board model. There are some benefits to such a move, but also some significant risks which would need to be managed carefully.

Securing standards

7. Securing standards is at the heart of what Ofqual does. Given the scale and complexity of the qualifications system, and the range of pressures upon it, this will never be an easy task – as the issues experienced with GCSE English awarding this summer⁴ show. But we are getting a grip on standards. Working with assessment experts, we have opened up debate on standards issues. We have taken practical steps as well. So for example we have strengthened GCSEs in certain subjects, and continued to maintain standards using the comparable outcomes approach, a key factor in the stabilisation of results over time⁵.

Ofqual should continue to investigate grading issues as part of its programme of standards reviews and to engage publicly with debate on exam standards. Ofqual needs to be able to account for what AQA's Andrew Hall described as the "creep in grading standards", particularly in the commercially significant large entry subjects at GCSE, which are key to schools' performance in league tables and also in large entry A level subjects, commonly used for university entrance. (Paragraph 91)

⁴ www.ofqual.gov.uk/files/2012-08-31-gcse-english-awards-2012-a-regulatory-report.pdf

⁵ See www.ofqual.gov.uk/files/2012-05-09-maintaining-standards-in-summer-2012.pdf for more details.

We welcome Ofqual’s recent action to regulate grading standards and recommend that it continue with this approach for A level and, from summer 2012, for GCSE. The effect of this action is twofold: first it helps to control grade inflation and second it provides reassurance that the exam boards are not competing on grading standards. We recognise that the effect will take time to filter through the system and to help increase public confidence. (Paragraph 95)

If A levels are going to become more varied in structure, Ofqual needs to ensure that its collection of evidence and monitoring of standards are sufficiently robust to provide convincing reassurance that content standards are being maintained (Paragraph 106)

8. We therefore welcome and accept **recommendations 5 and 6**. These are fully in line with the plans to secure standards set out in our corporate plan. We also agree with **recommendation 10**: as our plans for A level reform are developed – our consultation will finish shortly⁶ – we will consider carefully the arrangements for securing standards that need to be put in place to underpin them.

If the system of multiple exam boards is retained, substantial improvements are needed in order to increase confidence in the system and maintain its credibility. We have serious concerns about the incentives in the current system for exam boards to compete on standards, in particular on content standards. We think that significant changes are needed to alter these incentives. (Paragraph 60)

9. The Committee expresses the view that the incentives in the current system drive exam boards to compete on standards, in particular on content standards (**recommendation 2**). We agree that the incentives in the system, on both exam boards and on schools and colleges, can put serious pressure on standards. Securing standards in the face of these pressures is at the core of our role as regulator. Our experience, though, is that these pressures apply – and need to be regulated – not just in relation to content standards, but across all aspects of qualifications that impact on standards, including the design of assessment, the structure of qualifications and the setting of grade boundaries. For example, when we announced in February this year how we were tackling the problems with standards in GCSE Geography⁷, the issues there were not

⁶ www.ofqual.gov.uk/files/2012-06-18-a-level-reform-consultation.pdf

⁷ www.ofqual.gov.uk/news-and-announcements/130-news-and-announcements-press-releases/820-ofqual-confirms-changes-to-gcses

just about subject content, but were about assessment design and qualification structure.

While we accept Ofqual's rationale for its lack of in-house subject expertise, criticisms from the subject communities lead us to conclude that Ofqual needs to be more transparent about its consultation with and use of external subject experts. (Paragraph 112)

10. The Committee proposes that its concerns about competition on subject content should be addressed through a system of national syllabuses, overseen by new national subject committees. Ofqual does not have accountability for curriculum issues, and nor do we have in-house subject expertise. We draw on external subject experts to help us check the curriculum demand of qualifications, and we accept **recommendation 13**, that we should be more transparent about how we use external subject experts; we will publish more information on our website in the autumn.

We believe that the current system incentivises downward competition on content standards and we recommend that the Government act immediately to change these incentives. We consider that national syllabuses would offer a way of addressing downward competition on content and provide reassurance on standards, without the risks, lost benefits and disruption involved in moving to a single board. The Government should begin by piloting a national syllabus in one large entry subject as part of the forthcoming A level reforms. Ofqual should review the effectiveness of the pilot, with a view to extending the approach across GCSE and A levels if appropriate. We believe that national syllabuses, coupled with a stronger Ofqual and greater involvement of subject communities in GCSEs and A levels, should help to maximise the benefits of having multiple competing exam boards while minimising the shortcomings. (Paragraph 81)

We recommend that Ofqual convene national subject Committees in large entry GCSE and A level subjects, drawing their membership from learned societies, subject associations, higher education and employers. Such Committees should include in their remit syllabus development and accreditation, as well as on-going monitoring of question papers and mark schemes, and oversight of comparable qualifications offered in the devolved nations. (Paragraph 115)

11. The curriculum is a policy issue for which Ministers are accountable, so it is for Ministers to consider **recommendations 3 and 14**. It would, though, be a substantial increase in our role to give us responsibility for national syllabuses, and it would risk diluting our regulatory focus. Were Ministers inclined to accept

these recommendations, we would want to consider carefully the implications for Ofqual, including the additional resources we would need.

12. Whether or not these recommendations are accepted, it is very important to the maintenance of standards in GCSEs and A levels that clear, robust arrangements are put in place for determining the core subject content for key subjects. Our consultation on A levels proposes that universities should have an important role here: even though different exam boards may propose different content requirements for their competing versions of each A level, all versions will have to be signed off by universities. As Ministers' thinking about the future arrangements for GCSEs is developed, we will consider and discuss with them how equally robust arrangements can be put in place to secure content standards here.
13. In the Education Act 2010, Ofqual's standards objective was amended so that we have to aim to secure comparability with international qualifications as well as comparability over time⁸. The Committee is concerned that we could be pulled in different directions, and recommends that the Government should set out whether the priority is standards over time or internationally. We would, of course, take account of any views Ministers had on this issue, but the judgement about how to balance objectives is for Ofqual itself to decide and be accountable for. We need to make sure that there is stability over time in the approach to standards.
14. In any case, we do not accept that there is in practice a significant tension here. International standards comparisons are broad indicators and are typically done over a period of time. By comparison, we secure standards over time by comparing demand regularly in particular qualifications. Therefore, the two approaches inform and contextualise each other rather than clashing. To meet the international objective we will undertake regular reviews of whether the standards that we are securing are at the right level, given international evidence. In this context, we will look both at the relative standards of

⁸ The new objective is to secure that:

(a) regulated qualifications give a reliable indication of knowledge, skills and understanding, and

(b) regulated qualifications indicate — .

(i) a consistent level of attainment (including over time) between comparable regulated qualifications, and .

(ii) a consistent level of attainment (but not over time) between regulated qualifications and comparable qualifications (including those awarded outside the United Kingdom) which are not qualifications to which this Part applies.

qualifications taken abroad (as for example we did with our recent A level study⁹) and any evidence of higher performance in other jurisdictions (such as the OECD's PISA study), and what that might tell us about standards in qualifications taken in England. We will also take a close interest in any work the DfE does to compare the curriculum in England with those used overseas, since that may have an impact on the qualifications used to assess that curriculum, notably GCSEs.

We recommend that the Government make its priorities clear to Ofqual, whether these are the maintenance of standards over time or making exams tougher, and that both the Government and Ofqual be open about the consequences of these policies for young people. (Paragraph 105)

15. If we were to conclude as a result of our work in this area that the standards of a particular qualification used in England were out of line with those taken abroad, we would need to consider what to do. One option would be to recalibrate the qualification, so that (in terms of content, assessment and/or grading) it became more demanding to get a particular grade – though there would be other options available to us, such as reviewing the grading scale. As the Committee says (**recommendation 9**), we would need to be open about the consequences of such a move, and we would take account of any views expressed by Ministers here too.

⁹ www.ofqual.gov.uk/downloads/category/96-international-comparability?download=1403%3Ainternational-comparability-summary-report

A strong regulator

16. There was much debate while the Select Committee was gathering evidence for this Report about our role and our capabilities. We accept that Ofqual is not yet at full strength – our corporate plan includes an objective to build organisational capability and capacity to match the job we have to do. The organisation has recently been restructured, and we are in the process of appointing a number of new senior members of staff. Our new staff will bring new skills and expertise, including research expertise and additional assessment experience, as well as much needed extra capacity in the organisation.

We recommend that Ofqual seek to build its assessment expertise and finds the resources to do so. We further recommend that Ofqual appoint an assessment expert to its board as soon as possible. (Paragraph 102)

17. The Committee recommends in particular (**recommendation 7**) that we appoint an assessment expert to the Board. We have recently established a Standards Advisory Group¹⁰, chaired by Ofqual’s Chair, whose members include many of the leading experts on assessment from academia and the exam boards. This Group has substantially strengthened the pool of expertise on which we are able to draw, and its input to our work has been invaluable. We accept that it would also be of benefit to have an assessment expert of the right calibre on the Board itself. Board appointments are made by the Secretary of State on the advice of Ofqual’s Chair. When there is next a vacancy on the Board, we will encourage suitably qualified assessment experts to apply and, if possible, our Chair will recommend one of them for appointment.

It is clear from the issues raised with us that further improvements are needed if Ofqual is to be a stronger, more challenging and more effective regulator. As AQA’s Andrew Hall put it “Ofqual is, in fairness, on a journey”. We believe that there is a strong argument in favour of allowing time for a strengthened Ofqual to take effect, as the changes it is making will take time to settle and bear fruit. But Ofqual must demonstrate that it is collecting the right sort of qualitative and quantitative evidence and using robust methodology to regulate effectively. Details of the evidence used by Ofqual in the regulation of standards, and any specific findings and regulatory action on standards, should be set out clearly in annexes to Ofqual’s annual report to Parliament. Ofqual must continue to show that it is prepared to take vigorous action when needed, in order to help increase public confidence in the exam system. (Paragraph 119)

¹⁰ www.ofqual.gov.uk/news-and-announcements/83-news-and-announcements-news/869-standards-advisory-group

18. We agree with **recommendation 16**, that we should report more fully on how we are securing standards in future annual reports to Parliament.

The operation of the qualifications market

We are pleased that Ofqual has recognised the need for closer monitoring of changes in market share between exam boards and recommend that it prioritise this work, in order to establish the reasons for changes at individual qualification level and whether there is any link to standards. (Paragraph 135)

The area of pricing is complex and Ofqual studies so far in this area have been limited. This hinders Ofqual from making a robust public critique of the high costs to schools. We agree with the Government that reassurance is needed that fees are set at an appropriate level. Ofqual also needs to demonstrate that overall the charges made to the public purse by the exam system are fair and appropriate. We also stress that any changes to the system, in particular a move to franchising, will need close attention to pricing by Ofqual. (Paragraph 141)

19. We accept and welcome **recommendations 19 and 20**, and we will consider these recommendations as we develop the plans for our healthy markets work. As part of strengthening Ofqual, we are increasing the capacity of our markets team, which will enable us to improve the level and quality of analysis we are able to do in support of our regulatory aims. This strengthening will also allow us to manage the implications of any changes to the qualifications market over the coming years.

We welcome Ofqual's decision to end exam board training on specific qualifications. Ofqual needs to monitor the impact of its decision and the activities and materials produced by exam boards to replace their seminars. We also recommend that Ofqual monitor other training offered by exam boards, such as marketing events to promote new syllabuses, and more general training, for example on improving results, taking further action if needed. Ofqual must ensure that a school's loyalty to a particular exam board cannot be rewarded with access to information not available to others. (Paragraph 149)

20. We agree with **recommendation 21**. We will be consulting later in the autumn on the detailed regulatory requirements underpinning our decision¹¹ to restrict the teacher training seminars that exam boards can provide, and these new

¹¹ www.ofqual.gov.uk/news-and-announcements/83/885

requirements will come into effect in September next year. We strongly agree with the Committee that schools should not be able to buy privileged access to information about exams: that undermines standards and confidence in the fairness of the exams system. We will monitor the impact of our changes, and look at other training offered by exam boards, as part of our ongoing regulatory monitoring activity.

We agree with Ofqual that the market has not been regulated tightly enough with regard to training and textbooks and we believe that this has allowed conflicts of interest to arise. Ofqual's healthy markets work is welcome, if overdue, as it is clear that many of the issues raised with us have gone unchecked for some time. We welcome Ofqual's recent report on exam board seminars and look forward to its publication of an action plan relating to textbooks and study aids in September 2012. Proper regulatory control and scrutiny of these issues will help to increase public confidence in the exam system. (Paragraph 169)

We are concerned that there is a potential conflict of interest for examiners involved in question paper setting also writing textbooks that are linked closely to the same syllabus. We welcome indications that exam boards may place tighter restrictions on the role of examiners in textbook authorship. We recommend that Ofqual make clear the expected future role of examiners in textbook authorship, in order to ensure a consistent industry-wide approach. (Paragraph 154)

We recommend that Ofqual consider restricting exclusive endorsement arrangements between exam boards and publishers in future. (Paragraph 156)

We have serious misgivings about the language used to market some endorsed textbooks and would urge exam boards and publishers to move away from marketing textbooks in this way. (Paragraph 158)

In order to strengthen the links between textbooks and the curriculum, as well as assessment, we recommend that in future A level textbooks be endorsed by the universities involved in developing a particular syllabus rather than by the exam board. At GCSE much will depend on the outcomes of the National Curriculum review and the ensuing reforms to GCSE, but a possible way forward might involve learned bodies endorsing textbooks instead of exam boards. (Paragraph 167)

We recommend that Ofqual, as part of its healthy markets work, take a clear view on the broader question about how much exam boards should

be involved in helping to improve results as well as in the impartial assessment of attainment. (Paragraph 170)

21. We welcome **recommendation 28**. We will report next month on our work on textbooks, done as part of our healthy markets work. There are issues here both about the operation of the market and about the predictability of assessments, and our report will cover both. This report will set out our response to **recommendations 22, 23, 25 and 27**. We will also consider as part of the healthy markets work the role of exam boards in helping schools to improve results (**recommendation 29**), and we will provide the Select Committee with an update on this work next spring.

Ofqual needs to be satisfied that Pearson has sufficient firewalls in place to ensure that its publishing and examining activities are separate, including syllabus development, and to say so publicly. (Paragraph 157)

We welcome Pearson's statement that it is moving away from a shared design between Edexcel syllabus materials and Pearson textbooks, as we agree that this can unhelpfully overstate the link between the two. Pearson should give even-handed treatment to Edexcel Own and endorsed resources from other publishers on the Edexcel website. (Paragraph 159)

22. Our work on textbooks has highlighted a number of concerns relevant to **recommendations 24 and 26**. The research has included collection of evidence on any particular concerns relating to Pearson, and we will be discussing with Pearson its response to these recommendations.

We recommend that the Government ask Ofqual to gather data from the exam boards to enable it to identify the extent of multiple entry and then offer advice on whether, and what, action is needed to limit the practice (Paragraph 188)

23. We will consider and discuss with the Government the best way of obtaining data on multiple entries to exams (**recommendation 35**).

Qualifications reform

24. It is legitimate for Ministers to decide to reform qualifications, where they come to the view that current qualifications do not support or drive their policy objectives. Our role as regulator is to provide wise advice on qualifications reform, and in some cases it will be for us to use regulatory levers to make a reality of policy objectives – we are required to have regard to Government policy when directed to do so. For example, we are currently consulting on reforms to A levels which reflect in part Ministerial policy priorities.

Overall, we conclude that the costs, heightened risk and disruption likely to be generated by moving to a single board outweigh the potential benefits. Furthermore, evidence suggests that some key issues identified with the current system, such as comparability of standards over time and across subjects and the role of examiners in training and textbooks, would remain. New problems, such as a lack of incentive to innovate, the risk of higher fees and a reduced quality of service to schools, may be generated. There may also be the potential for increased political interference, as well as the issue of whether to limit schools' choice of exams to those offered by the single board. (Paragraph 55)

While we can see that the second option we outline—franchising of subjects to exam boards—offers a way to address downward competition on content, we have concerns about the long-term impact and suggest that there may be serious downsides to such a change that need to be better understood before it can be recommended. (Paragraph 82)

25. Like the Committee (**recommendations 1 and 4**), we are concerned about the costs, risks and disruption that would be involved in any move to a single exam board or a franchise model. Just as with a multiple exam board model, it would be a significant regulatory challenge to secure standards under these models, and there would be additional risks to efficiency and delivery – particularly if the changes were to be done at the same time as reforms to other parts of the system. If Ministers decided to move to one of these models, we would advise them to do so fully aware of the risks, and to allow the time necessary to implement the new arrangements properly. We would engage fully with any such change, and review the regulatory arrangements we would need to put in place to secure standards and minimise the delivery risks.

We recommend that the Government and Ofqual seek to increase the involvement of learned bodies as well as universities in the content of A levels, while allowing exam boards to retain control of question papers and examination design to ensure best assessment practice. The Government and Ofqual must also ensure that the whole of the university sector is consulted on the proposed A level reforms, as well as schools, colleges, learned bodies and employers. (Paragraph 128)

We recommend that Ofqual involve national subject Committees in the development of criteria for and accreditation of new A levels. (Paragraph 130)

26. We agree with **recommendation 17** on A level reform. For many subject communities, learned bodies or subject societies will be able to play an important role in helping to define the needs of the subject at A level. Under the

proposed new arrangements, we will expect exam boards to continue to be accountable for standards in their qualifications, which means retaining control of assessment, as the Committee proposes. Our consultation on A level reform finishes next week; we have been seeking views and encouraging comments on our A level proposals from a wide range of organisations, including the whole of the university sector. We will need to consider **recommendation 18** in the light of Ministerial decisions on recommendation 14 and the responses to our consultation.

How Ofqual regulates

27. The Committee makes a number of recommendations relating to the detail of how Ofqual regulates. We have made significant progress in putting in place our new risk-based framework for securing standards, starting with publishing our General Conditions of Recognition¹², but there is more to do.

We recommend that individual accreditation of all new syllabuses, including our recommended national syllabuses, remain a part of Ofqual’s continuing regulation of GCSEs and A-levels and, indeed, of any qualifications that are deemed equivalent to GCSEs and A-levels. With this in mind, Ofqual needs to demonstrate that its accreditation procedures are rigorous and transparent, and that it draws on appropriate respected subject and assessment expertise when reviewing draft syllabuses and their associated materials. We recommend that Ofqual review and strengthen its regulation of content standards, including accreditation procedures, seeking and acting upon advice from its standards advisory group as appropriate. (Paragraph 110)

28. The Committee expresses concern (**recommendation 12**) about the suggestion that we may not require new GCSEs and A levels in future to be checked (‘accredited’) by Ofqual. In broad terms we accept this recommendation: our regulation of exam boards is not yet well-developed enough, with transparent quality assurance arrangements within exam boards, that we could consider removing the accreditation requirement for these qualifications, and we may never do so. We have not yet got to the point where we can remove the accreditation requirement for any other qualifications, though it remains our intention to do so. We also accept that there is more to do to develop our accreditation processes so that they are sufficiently rigorous. As we build the capacity of the organisation, we will develop our accreditation arrangements in line with the Committee’s recommendation.

¹² www.ofqual.gov.uk/for-awarding-organisations/96-articles/611-the-general-conditions-of-recognition

We recommend that Ofqual review its arrangements for ensuring comparability of standards between England, Wales and Northern Ireland, and that it continue to monitor standards in GCSE and A level examinations offered by WJEC and CCEA, as well as the English providers as part of its ongoing regulation of standards. We also believe that a debate is needed on the importance of standards comparability between the home nations, with a Ministerial conference to decide whether and what action is necessary. (Paragraph 107)

29. Ofqual regulates qualifications in England¹³, though many of the qualifications that are taken in England are also taken in Wales and Northern Ireland. Students often move across borders when they apply for employment or university places. And any problems with qualifications in one part of the UK (or beyond) could impact on standards and confidence elsewhere. We therefore work closely with our fellow regulators in Wales (the Welsh Government) and Northern Ireland (CCEA) to secure consistency of standards in the qualifications that are taken across the three countries, and a consensus on the best approach to regulation of standards. We acknowledge that each regulator is working with a different organisational status and legal framework, as well as a different policy context; but standards must be right in England, and we will not compromise on that. We accept the thrust of **recommendation 11**, though we would not want to imply that monitoring of standards across borders should be a one-way process; we would equally expect our fellow regulators to take an interest in the standards of qualifications offered by English-based exam boards in their countries, and in the performance in England of the exam boards in which they have a particular interest.
30. Securing comparability across the three countries will become increasingly difficult if policy objectives diverge in the different countries. That might mean in particular that the purposes and the content of qualifications start to differ, and there is a limit to how far we and our fellow regulators can secure standards in that context. The risks here are significant: it would undermine the value of qualifications if the same titles were used for different qualifications in different parts of the UK; it would leave employers and universities uncertain of the meaning of the qualifications that students presented them with. We would therefore welcome any initiative by Ministers across the three countries to consider what they can do, in the context of the devolution settlement, to minimise the risk of that happening, given the risks to students in all three countries if it did.

¹³ We also regulate vocational qualifications in Northern Ireland, though these are largely outside the scope of this Report.

Ofqual should instigate discussions with the JCQ to clarify roles and responsibilities in areas where there is a joint interest and publish information about this to schools and colleges as appropriate. (Paragraph 117)

31. **Recommendation 15** relates to the Joint Council for Qualifications (JCQ). Ofqual recognises the helpful role JCQ plays on behalf of its members (which includes all the exam boards offering GCSEs and A levels) in co-ordinating some activities across the sector and providing common facilities and guidance, and therefore reducing burden. We have regular discussions with JCQ officials and its member exam boards in particular about the delivery of exams. We will consider with the JCQ where further work needs to be done to clarify roles and responsibilities, and how this could be communicated. However, we do not regulate the JCQ directly; we expect the exam boards to be accountable for the decisions taken through JCQ which they then choose to follow.

We welcome the findings of Ofqual’s investigation into the errors in summer 2011. It is vital that Ofqual acts swiftly and robustly (including, where appropriate, using its power to fine) in the event of errors in order to protect the integrity of the system and the interests of young people. (Paragraph 172)

Ofqual must investigate allegations of improper conduct by exam boards thoroughly, taking vigorous action if necessary, to ensure that candidates are awarded the grades they deserve and to protect the integrity of the exam system. (Paragraph 177)

We welcome Ofqual’s work to agree a common approach across exam boards to deal with concerns about marking and to ensure students are treated fairly across the system. (Paragraph 178)

We accept that there is some research evidence to show that online standardisation is as effective as (but, if our reading of the research is correct, not necessarily more effective than) face-to-face standardisation. We can also see that it brings other benefits, such as reduced costs, an accelerated marking process and real-time monitoring of marking. We believe, however, that exam boards should continue to monitor the effectiveness of online standardisation and should consider offering opportunities for face-to-face discussion between examiners. (Paragraph 181)

32. We note and welcome **recommendations 30, 31 and 32**. We are now exploring the issues around the quality of marking, and we intend to publish our findings next spring. We will draw the attention of the exam boards to

recommendation 33; as regulator, our concern is that standardisation is effective, and we expect exam boards as a matter of course to monitor the arrangements they have in place.

Conclusion

33. The Select Committee's report provides a valuable set of recommendations about some key areas of our work. We welcome the Committee's support for the work we have done, and we are pleased that we have been able to agree with the vast majority of its recommendations. We welcome a spotlight being thrown onto the way we regulate: the principles of transparency and accountability are important to us as regulator. It can only help confidence in the qualifications system if people have an opportunity to understand, debate and challenge the work that we do. We would be pleased to have an opportunity to discuss further with the Committee the issues set out in this response.

Ofqual, 7th September 2012

Annex: list of recommendations

Paragraph references are to the Select Committee's report.

1. Overall, we conclude that the costs, heightened risk and disruption likely to be generated by moving to a single board outweigh the potential benefits. Furthermore, evidence suggests that some key issues identified with the current system, such as comparability of standards over time and across subjects and the role of examiners in training and textbooks, would remain. New problems, such as a lack of incentive to innovate, the risk of higher fees and a reduced quality of service to schools, may be generated. There may also be the potential for increased political interference, as well as the issue of whether to limit schools' choice of exams to those offered by the single board. (Paragraph 55)
2. If the system of multiple exam boards is retained, substantial improvements are needed in order to increase confidence in the system and maintain its credibility. We have serious concerns about the incentives in the current system for exam boards to compete on standards, in particular on content standards. We think that significant changes are needed to alter these incentives. (Paragraph 60)
3. We believe that the current system incentivises downward competition on content standards and we recommend that the Government act immediately to change these incentives. We consider that national syllabuses would offer a way of addressing downward competition on content and provide reassurance on standards, without the risks, lost benefits and disruption involved in moving to a single board. The Government should begin by piloting a national syllabus in one large entry subject as part of the forthcoming A level reforms. Ofqual should review the effectiveness of the pilot, with a view to extending the approach across GCSE and A levels if appropriate. We believe that national syllabuses, coupled with a stronger Ofqual and greater involvement of subject communities in GCSEs and A levels, should help to maximise the benefits of having multiple competing exam boards while minimising the shortcomings. (Paragraph 81)
4. While we can see that the second option we outline—franchising of subjects to exam boards—offers a way to address downward competition on content, we have concerns about the long-term impact and suggest that there may be serious downsides to such a change that need to be better understood before it can be recommended. (Paragraph 82)
5. Ofqual should continue to investigate grading issues as part of its programme of standards reviews and to engage publicly with debate on exam standards. Ofqual needs to be able to account for what AQA's Andrew Hall described as the "creep in grading standards", particularly in the commercially significant

large entry subjects at GCSE, which are key to schools' performance in league tables and also in large entry A level subjects, commonly used for university entrance. (Paragraph 91)

6. We welcome Ofqual's recent action to regulate grading standards and recommend that it continue with this approach for A level and, from summer 2012, for GCSE. The effect of this action is twofold: first it helps to control grade inflation and second it provides reassurance that the exam boards are not competing on grading standards. We recognise that the effect will take time to filter through the system and to help increase public confidence. (Paragraph 95)
7. We recommend that Ofqual seek to build its assessment expertise and finds the resources to do so. We further recommend that Ofqual appoint an assessment expert to its board as soon as possible. (Paragraph 102)
8. We are concerned that the amendment to Ofqual's qualification standards objective could over a period of time pull it simultaneously in different directions and recommend that the Government give a clear indication to Ofqual about which should be the priority: the comparability of standards over time in England or benchmarking against the standards of qualifications in other countries. (Paragraph 104)
9. We recommend that the Government make its priorities clear to Ofqual, whether these are the maintenance of standards over time or making exams tougher, and that both the Government and Ofqual be open about the consequences of these policies for young people. (Paragraph 105)
10. If A levels are going to become more varied in structure, Ofqual needs to ensure that its collection of evidence and monitoring of standards are sufficiently robust to provide convincing reassurance that content standards are being maintained (Paragraph 106)
11. We recommend that Ofqual review its arrangements for ensuring comparability of standards between England, Wales and Northern Ireland, and that it continue to monitor standards in GCSE and A level examinations offered by WJEC and CCEA, as well as the English providers as part of its ongoing regulation of standards. We also believe that a debate is needed on the importance of standards comparability between the home nations, with a Ministerial conference to decide whether and what action is necessary. (Paragraph 107)
12. We recommend that individual accreditation of all new syllabuses, including our recommended national syllabuses, remain a part of Ofqual's continuing regulation of GCSEs and A-levels and, indeed, of any qualifications that are deemed equivalent to GCSEs and A-levels. With this in mind, Ofqual needs to demonstrate that its accreditation procedures are rigorous and transparent, and

that it draws on appropriate respected subject and assessment expertise when reviewing draft syllabuses and their associated materials. We recommend that Ofqual review and strengthen its regulation of content standards, including accreditation procedures, seeking and acting upon advice from its standards advisory group as appropriate. (Paragraph 110)

13. While we accept Ofqual's rationale for its lack of in-house subject expertise, criticisms from the subject communities lead us to conclude that Ofqual needs to be more transparent about its consultation with and use of external subject experts. (Paragraph 112)
14. We recommend that Ofqual convene national subject Committees in large entry GCSE and A level subjects, drawing their membership from learned societies, subject associations, higher education and employers. Such Committees should include in their remit syllabus development and accreditation, as well as on-going monitoring of question papers and mark schemes, and oversight of comparable qualifications offered in the devolved nations. (Paragraph 115)
15. Ofqual should instigate discussions with the JCQ to clarify roles and responsibilities in areas where there is a joint interest and publish information about this to schools and colleges as appropriate. (Paragraph 117)
16. It is clear from the issues raised with us that further improvements are needed if Ofqual is to be a stronger, more challenging and more effective regulator. As AQA's Andrew Hall put it "Ofqual is, in fairness, on a journey". We believe that there is a strong argument in favour of allowing time for a strengthened Ofqual to take effect, as the changes it is making will take time to settle and bear fruit. But Ofqual must demonstrate that it is collecting the right sort of qualitative and quantitative evidence and using robust methodology to regulate effectively. Details of the evidence used by Ofqual in the regulation of standards, and any specific findings and regulatory action on standards, should be set out clearly in annexes to Ofqual's annual report to Parliament. Ofqual must continue to show that it is prepared to take vigorous action when needed, in order to help increase public confidence in the exam system. (Paragraph 119)
17. We recommend that the Government and Ofqual seek to increase the involvement of learned bodies as well as universities in the content of A levels, while allowing exam boards to retain control of question papers and examination design to ensure best assessment practice. The Government and Ofqual must also ensure that the whole of the university sector is consulted on the proposed A level reforms, as well as schools, colleges, learned bodies and employers. (Paragraph 128)

18. We recommend that Ofqual involve national subject Committees in the development of criteria for and accreditation of new A levels. (Paragraph 130)
19. We are pleased that Ofqual has recognised the need for closer monitoring of changes in market share between exam boards and recommend that it prioritise this work, in order to establish the reasons for changes at individual qualification level and whether there is any link to standards. (Paragraph 135)
20. The area of pricing is complex and Ofqual studies so far in this area have been limited. This hinders Ofqual from making a robust public critique of the high costs to schools. We agree with the Government that reassurance is needed that fees are set at an appropriate level. Ofqual also needs to demonstrate that overall the charges made to the public purse by the exam system are fair and appropriate. We also stress that any changes to the system, in particular a move to franchising, will need close attention to pricing by Ofqual. (Paragraph 141)
21. We welcome Ofqual's decision to end exam board training on specific qualifications. Ofqual needs to monitor the impact of its decision and the activities and materials produced by exam boards to replace their seminars. We also recommend that Ofqual monitor other training offered by exam boards, such as marketing events to promote new syllabuses, and more general training, for example on improving results, taking further action if needed. Ofqual must ensure that a school's loyalty to a particular exam board cannot be rewarded with access to information not available to others. (Paragraph 149)
22. We are concerned that there is a potential conflict of interest for examiners involved in question paper setting also writing textbooks that are linked closely to the same syllabus. We welcome indications that exam boards may place tighter restrictions on the role of examiners in textbook authorship. We recommend that Ofqual make clear the expected future role of examiners in textbook authorship, in order to ensure a consistent industry-wide approach. (Paragraph 154)
23. We recommend that Ofqual consider restricting exclusive endorsement arrangements between exam boards and publishers in future. (Paragraph 156)
24. Ofqual needs to be satisfied that Pearson has sufficient firewalls in place to ensure that its publishing and examining activities are separate, including syllabus development, and to say so publicly. (Paragraph 157)
25. We have serious misgivings about the language used to market some endorsed textbooks and would urge exam boards and publishers to move away from marketing textbooks in this way. (Paragraph 158)

26. We welcome Pearson's statement that it is moving away from a shared design between Edexcel syllabus materials and Pearson textbooks, as we agree that this can unhelpfully overstate the link between the two. Pearson should give even-handed treatment to Edexcel Own and endorsed resources from other publishers on the Edexcel website. (Paragraph 159)
27. In order to strengthen the links between textbooks and the curriculum, as well as assessment, we recommend that in future A level textbooks be endorsed by the universities involved in developing a particular syllabus rather than by the exam board. At GCSE much will depend on the outcomes of the National Curriculum review and the ensuing reforms to GCSE, but a possible way forward might involve learned bodies endorsing textbooks instead of exam boards. (Paragraph 167)
28. We agree with Ofqual that the market has not been regulated tightly enough with regard to training and textbooks and we believe that this has allowed conflicts of interest to arise. Ofqual's healthy markets work is welcome, if overdue, as it is clear that many of the issues raised with us have gone unchecked for some time. We welcome Ofqual's recent report on exam board seminars and look forward to its publication of an action plan relating to textbooks and study aids in September 2012. Proper regulatory control and scrutiny of these issues will help to increase public confidence in the exam system. (Paragraph 169)
29. We recommend that Ofqual, as part of its healthy markets work, take a clear view on the broader question about how much exam boards should be involved in helping to improve results as well as in the impartial assessment of attainment. (Paragraph 170)
30. We welcome the findings of Ofqual's investigation into the errors in summer 2011. It is vital that Ofqual acts swiftly and robustly (including, where appropriate, using its power to fine) in the event of errors in order to protect the integrity of the system and the interests of young people. (Paragraph 172)
31. Ofqual must investigate allegations of improper conduct by exam boards thoroughly, taking vigorous action if necessary, to ensure that candidates are awarded the grades they deserve and to protect the integrity of the exam system. (Paragraph 177)
32. We welcome Ofqual's work to agree a common approach across exam boards to deal with concerns about marking and to ensure students are treated fairly across the system. (Paragraph 178)
33. We accept that there is some research evidence to show that online standardisation is as effective as (but, if our reading of the research is correct,

not necessarily more effective than) face-to-face standardisation. We can also see that it brings other benefits, such as reduced costs, an accelerated marking process and real-time monitoring of marking. We believe, however, that exam boards should continue to monitor the effectiveness of online standardisation and should consider offering opportunities for face-to-face discussion between examiners. (Paragraph 181)

34. We have seen no evidence to suggest that having competing exam boards has contributed to the burden of assessment. The number of exams taken by young people is linked to Government policy and to decisions made by schools responding to pressures from the accountability system. (Paragraph 185)
35. We recommend that the Government ask Ofqual to gather data from the exam boards to enable it to identify the extent of multiple entry and then offer advice on whether, and what, action is needed to limit the practice (Paragraph 188)
36. The Government should not underestimate the extent to which the accountability system incentivises schools to act in certain ways with regard to exams. Sometimes these may be in students' interests; sometimes, however, they are not. We recommend that the Government look afresh at current accountability measures, with a view to reducing the dominant influence of the measure of 5 GCSE A*–C or equivalent including English and mathematics and to increasing the credit given to schools for the progress made by all children across the ability range. (Paragraph 192)