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QCA/DCELLS/CCEA - Strategic Regulation of Qualifications consultation: a response from Edexcel

Details

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This Paper provides an initial response from Edexcel to the QCA/DCELLS/CCEA consultation on the strategic regulation of qualifications.

Edexcel is a major unitary body offering on average 2.5 million qualifications of all types each year. It is also a leading participant in the tests and trials for the proposed QCF. It is noted that this is a high level consultation which says little as to how the regulatory proposals would work in practice. Edexcel therefore has a particular interest in this consultation. Given the brevity of the timescale for a response and the likelihood of further regulatory change following the recent announcement of proposed regulatory changes to QCA, Edexcel reserves the right to comment further as the consultation progresses.

At this stage, we would wish to emphasise the following points:

- Support for the principle of awarding body self assessment, particularly in the context of the move towards self regulation for the provider side and in the interests of further streamlining the qualification system (paragraph 14).
- Concern about any moves towards a two tier system of regulation. This concern heightened by the points made in paragraph 8; "we further recognise that the amount of scrutiny required would be different for employers proposing to offer and award units than for those proposing to award full qualifications".
- Whilst we initially support the concept of "authentication" we would welcome further guidance on this, and strongly support the development of clear criteria to ensure overall robustness (paragraph 11).
- Considerable interest in the relationship between these proposals and the proposals to grant SSCs 'approval' of reformed vocational qualifications and concern that there remains a lack of clarity about what "a strengthened role for SSCs in the accreditation process" really means (paragraph 13).
- A general concern that at a time when Leitch has endorsed the primacy of qualifications and users are seeking a simpler, more responsive system, changes such as these in this Paper appear to be considered in isolation from the bigger picture with a potential for greater rather than less complexity. The needs of the user must remain paramount in any change programme.

We have organised our response around the headings in the consultation document *Strategic Regulation of Qualifications*.

Preamble

The preamble introduces the wider interpretation of recognising bodies to offer qualifications by referring to 'recognising organisations to award or authenticate qualifications'.

The definitions of "authenticate" and "recognise" need to be clarified. The paper implies quite a bit about definition but some of it needs considerable clarification.

Introduction

The introductory rubric and first 3 paragraphs of the paper essentially emphasise the regulatory authorities wish to regulate at the overall, higher level of the organisation rather than at the level of individual qualifications. Current legislation refers only to regulation at the level of qualifications and the three administrations are minded to legislate in the forthcoming Education and Skills Bill along these lines. Levels of any regulatory authority intervention would be based on risk.

We note that qualifications in England and Wales are currently regulated by way of Sections 24 and 26 of the Education Act 1997 ("the Act") but that by virtue of the criteria set out "The Statutory Regulation of External Qualifications", QCA effectively regulates the Awarding Bodies themselves, with reference to Section 24 of the Act. Therefore, depending on what statutory powers are envisaged, there might be little impact on the existing awarding authorities. This does, however, depend very much on the detail of the statutory powers and the manner of their exercise.

This reflects our current understanding and how we have been working with the regulatory authorities to bring about the objective of 'lighter touch' regulation. Further information on key factors of the risk model, such as size of organisation ...and/or proven track record is needed.

Direction of travel

Paragraphs 4 and 5 are headed 'Direction of Travel'. Regulation at the higher level supports the reduction of bureaucracy and reduces costs. Self-assessment reporting by awarding bodies is an important component of this overall approach. Some qualifications such as A levels will continue to remain a main focus for regulatory activity though as will the monitoring of new and revised qualifications.

This concerns us given sight of the rest of the paper. Essentially this means more regulatory activity for unitary awarding bodies ... with established quality processes ... (including established self-assessment reporting systems) than for other organisations which may become eligible to award qualifications. The latter are likely to be vocational in nature which raises potential concerns for the integrity of vocational qualifications and the esteem in which they may be held.

The Qualifications and Credit Framework (QCF)

Paragraphs 6 and 7 are about the flexibility of the QCF, which is claimed will be essential if vocational qualifications are to meet the needs of individuals and employers, and focus on economically valuable skills.

It is suggested here that the regulatory body will focus on recognising organisations and have a hands off approach on units and qualifications. We would be grateful for clarification on this in the light of the comments in paragraph 4 which suggest that the regulatory authority will not abnegate responsibility for monitoring qualifications and in particular high stakes qualifications such as A levels. Is this suggesting a

two-tier system; one for schools qualifications, and another for adult learning? This would need careful consideration so as not to call into question standards for adult learning and qualifications.

Recognising employers and colleges

Paragraphs 8 and 9 are about 'Recognising Employers and Colleges' and arguably show the hand of government policy/intentions. Employers wishing to offer whole qualifications could become an awarding body or 'recognised' to offer units for use on the QCF. The same principles could apply to colleges and other training providers. The regulatory authorities desire to work in a streamlined, non bureaucratic way with such organisations is emphasised here. Further there would be less scrutiny for those offering units rather than whole qualifications.

A number of concerns are raised by this. Concerns expressed by the regulatory authorities on conflicts of interest between bodies awarding and delivering qualifications seem to be dissipating here. Whatever powers are proposed, it is important to Edexcel that a common set of regulatory criteria should apply to all organisations who award such qualifications, whether or not those organisations are existing awarding bodies such as Edexcel or employers or other organisations seeking to become awarding organisations. For example, we assume that employers would be able to provide training, in addition to producing qualifications and deciding whether a particular learner is of a standard to achieve that qualification. Fairness and ensuring national standards require that existing awarding bodies should be in the same position as employers, in relation to their ability to provide the education or training that leads to a qualification, in addition to producing the qualification. This would be the only way to ensure a level playing-field between existing awarding bodies, employers and other prospective awarding organisations.

We also query whether a rise in the number of awarding bodies is being/to be encouraged. These have been reduced over the last few years in the name of quality, integrity and rationalisation of the overall qualification offer. Not only that but the lessening of scrutiny and 'proportionate approach to regulation' might be taken to mean a much less stringent regime for new organisations (particularly employers) wishing to offer qualifications/units than for unitary awarding bodies.

The area of recognition of units/parts of qualifications needs further exploration. Qualifications are made up by aggregating awarded units, and so the level of scrutiny for awarding units should not be less than for qualifications. It is different if you are simply putting a unit into the bank. Is there a parallel between recognition of CABs and DABs for the diploma? The hierarchy works the other way round there, with more responsibilities and requirements on CABs than the aggregating DABs.

Externality

'Externality is discussed via paragraphs 10-12 and relates to the situation whereby qualifications are 'awarded or authenticated' by an organisation different (e.g. Edexcel) to the one providing the learning, training and sometimes the assessment leading to the qualification. Guidance is to be developed for the authentication role to enable organisations to be 'authenticators' even if they do not wish to award qualifications. The regulatory authorities see authentication as 'essentially, a form of quality assurance.'

We would be grateful for clarification as to what is proposed. In particular, we would like to understand how the 'authenticator' would provide proper quality assurance.

Streamlined accreditation processes

Paragraph 14 outlines how the process of accrediting qualifications can be further streamlined.

It would seem sensible for SSCs to be part of the WBA dialogue process and that support be given though that medium. However, many SSCs are lacking in the required technological expertise - so this may be a while coming.

The new function

'The New Function' is the focus for paragraphs 15 and 16. It refers to making explicit in legislation the regulatory authorities' function of recognising awarding or authenticating organisations as 'recognised bodies.' It then asks for views on appropriate criteria for recognising organisations for the functions described.

For awarding qualifications offering units, the criteria in the main should be taken from the statutory regulation of external qualifications in England, Wales and Northern Ireland (2004) and from the awarding body self-assessment guidance for evaluating and improving performance.

In our view however, greater clarification should be first sought from the regulatory authorities on new roles such as those of 'authenticator' , on employers and others as awarding bodies and on organisations recognised to offer units.

Conditions and directions

Paragraph 17 covers Conditions and Directions, essentially re-promulgating the intention to scrutinise at organisational rather than qualification level. Views are then sought as to how such a system might best be introduced.

We note that this is a high level consultation which says little as to how the regulatory proposals would work in practice. Edexcel therefore reserves the right to make further comments on the proposals as they evolve and requests that a full consultation take place at each stage of the process.

A vital first step would be to provide the unitary awarding bodies with the courtesy of an opportunity to discuss and clarify potential issues of concern. One of the outcomes sought from such a process would be to reach clear agreement/understanding of roles especially in relation to 'authentication'.

A trial/pilot operation, under regular review should be established involving a specified number of employer organisations, training providers with awarding bodies wherever appropriate. The potential role of the authenticator could arise/be trialled in such an instance.

At the same time another selected group of organisations could trial an alternative approach based on co-operative working practice between relevant organisations e.g. an awarding body working with one or more colleges and other organisations where each of these retain their original role but work to overcome unnecessary bureaucracy whilst attempting to achieve the same/similar outcomes to the other trial group.

The experience of such a pilot over a 2-3 year period would inform development of appropriate criteria for successful operation, quality processes and procedures as well as clarification/definition of terms.

All participators should subscribe to self-assessment reporting.

On a final note, any developments need safeguards for the integrity of vocational qualifications given a) the effectively deregulated scenario proposed here and b) the fact that specified general qualifications will meet with continuing levels of regulator scrutiny whilst bureaucracy will be kept to a minimum for 'new organisations'.