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STANDARDS

A better approach to regulating qualification standards

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In light of the forthcoming Government White Paper on education due out in Autumn 2010, Cambridge Assessment explains here how new patterns of engagement between those concerned with the creation and use of assessments can lead to the better regulation of public examinations. This viewpoint was posted on the Cambridge Assessment website in September 2010.

The question of standards

The original purpose of public examinations (created in the mid-nineteenth century, mainly by universities) was to drive up standards at the lower levels of education and provide a stream of potential undergraduates. Grammar Schools and the Headmasters' and Headmistresses' Conference (HMC) Schools used them to certificate the learning being delivered. Subsequently, the Government required them to ascertain it was getting value for the money it spent on schools. That original purpose still stands today.

Exams have become crucial both for entry to a Higher Education (HE) sector taking nearly 50% of the cohort each year and for securing the bulk of jobs with progression prospects. In the late 1990s a more businesslike attitude took root among the exam boards, a school accountability framework based on exam results was introduced and, in 2002, a commercial exam board was introduced into the system.

This led to fears that boards could be lowering standards in order to achieve market share. The reality is that the aggregate market share of the boards has remained remarkably constant since the introduction of Curriculum 2000. Nevertheless, the question for the new century has changed from measuring whether education is good via examinations to whether the examinations in themselves are a good measure of that education.

Why there is a problem

Over the past forty years, exam boards became ever more concerned with technical accuracy while 'users' of qualifications such as HE and employers became more concerned with other issues. As a consequence, the British state ended up disintermediating subject communities, HE,

professional societies, employers, teachers and those developing and providing examinations by taking upon itself the role of defining the content of syllabuses and the way in which they were examined. Thus, 'users' were divorced from 'producers'. Producers have continued to carry out a difficult and arcane task with ever increasing accuracy but with little direct contact with users to help them re-balance that precision with some healthy macro overviews of the purpose of the exercise.

The current situation

The last Government sought to address the question of standards by setting up a new regulator, the Office of Qualifications and Examinations Regulation (Ofqual), which has a more clearly defined role than its predecessor, the Qualifications and Curriculum Authority (QCA). The Coalition Government has made it clear that it does not regard this as being the best way of ensuring standards are maintained and has committed to legislation giving Ofqual the powers it needs to enforce rigorous standards.

Ministers have already stated that they are not interested in the direct regulation of 'products' and are abolishing Ofqual's partner quango, the Qualifications and Curriculum Development Agency (QCDA). The QCDA is currently responsible for defining qualification (design) criteria – such as the number of units, the grading structure and methods of assessment – and subject (content) criteria.

The regulator is likely to be most effective if it is allowed to focus on a specific objective, rather than a collection of objectives which it currently holds. Narrow and deep regulation creates a more effective regulator than a broad and superficial approach.

How can standards best be maintained?

1   Users need to take the major role in specifying the content criteria of qualifications – enabling them to help set the standards.

2. Exam boards need to agree between themselves on design criteria – enabling them to set and maintain the standard in relation to each other.

3. 'Communities of practice' (see below) need to be set up around each qualification – enabling the standards of each qualification to be owned and maintained by all those with a direct interest in them.

4. The regulator must focus on standards alone rather than its other current objectives. Its role in this system would be to underpin inter-exam board agreements as well as those between boards and users.

The best international qualifications – the International Baccalaureate (IB), the Pre-U, the International General Certificate of Secondary Education (IGCSE) – are such because they have a minimum of state intervention, with producers and users of the qualification creating a community of ownership and practice that takes upon itself the responsibility for maintaining the integrity of the qualification.

If one gives users of qualifications a leading role in determining the content of those qualifications and creates communities of practice which include those users, the role that the regulator then plays can be redefined to better serve the nation's needs. Users are given a direct stake in maintaining the standard and a community is created that is bound to that standard. Therefore, the regulator goes from being a mediator between the users and producers of qualifications which makes its own decisions on the standard, to allowing those with an interest in maintaining the standard a greater role in doing so.

Not all of this requires legislation – but all parties must agree to meet their obligations as outlined below in order for a new regulatory approach to work.

The Sykes Report[1] stated "The primary determinants of the content …of A levels should be the requirements of the subject and of the users of the qualification", with which Cambridge Assessment agrees. The same approach holds good for Level 2 qualifications (GCSE and others), with the users being subject communities and learned societies, schools and colleges managing progression, and businesses where appropriate.

Subject professionals then take the major role in determining the knowledge, skills and understanding they expect of a candidate in a subject (academic or vocational) at that point in their learning. They also continue to engage actively with awarding bodies over the lifetime of the qualification. Those professionals therefore have a direct interest in preserving the currency of the specific qualification in which they are involved – and a method by which they can ensure that the currency is upheld.

For the purposes of A level, it makes sense for the Government and HE to make clear that the primary purpose of A levels is for HE entry; this sends signals to the exam-taking cohort as to which qualifications are worth taking and that HE is prepared to take a major role in preserving the currency of the qualifications used for entry to it.

Users also have a role in suggesting design criteria but assessment expertise is primarily located within exam boards. Thus, design criteria are best developed by those experts in assessment working in close consultation with the teaching community, the subject community and users. In this way, the users' preferences would be taken into account, set against the practicalities of assessment practice (time, cost, question type in relation to knowledge, and so forth).

Different subjects may well choose different styles of examination that most suit the teaching and assessment of their subject (e.g. some favouring a linear approach, others two units, three or more). Given that the users would be the guarantors of the standard, there is no need for a regulator to insist on direct similarities in interests of bureaucratic symmetry.

In order to hold the standard over time, it is vital that 'communities of practice' are created. That is, "groups of people who share…a passion for something they do and learn how to do it better as they interact regularly…Membership…implies a commitment to the domain, and therefore a shared competence that distinguishes members from other people… [they] engage in joint activities and discussions, help each other, and share information…build relationships that enable them to learn from each other. They develop a shared repertoire of resources…This takes time and sustained interaction."[2]

Qualification communities of practice bring together leading users, subject specialists, teachers, syllabus designers and question writers to share a particular view of what constitutes the standard in relation to a subject level. Because they work together, continually improving their understanding, they own the standard and protect it in on a day to day basis against the vagaries of pedagogical or political fashion. This is the way in which the IGCSE, the IB and the Cambridge Pre-U manage standards – without the agency of the state.

By giving awarding bodies greater ownership over the development of qualification and subject criteria, they become more accountable to users and to the general public. Rather than acting as a conduit between the state's requirements and the end user, which confuses the accountability process, direct interaction with users means that awarding bodies are incentivised to be more accountable to those end users – and therefore to the wider public.

With this approach, the regulator is set free to focus wholly upon standards and the protection of the public from the production of worthless qualifications. For these purposes it requires only Objective (a) as set out in the Apprenticeships, Skills, Children and Learning (ASCL) Act 2009 – the qualifications standards objective[3] – but only through maintaining the standards of the bodies that award qualifications.

The responsibility for maintaining standards of the bodies that award qualifications can be undertaken by setting criteria for systems, structures, procedures, quality assurance and continuous improvement, and licensing the organisation for the production of one or more types of qualification on the grounds that it meets the criteria. The responsibility for setting the standard of each individual qualification would be taken up by the user group and the maintenance of it undertaken by communities of practice that necessarily include those users. They would, in legal language "ensure that qualifications give a reliable indication of knowledge, skills and understanding". Therefore, Ofqual would no longer accredit individual qualifications at this level. Provided the awarding body had the engaged support of a sufficient number of users (the number set possibly through regulation) and had a community of practice, or had plans to create one, Ofqual would merely register the qualification.

Ofqual would have a role in signing off the design criteria as agreed jointly by the awarding bodies in consultation, for the sole purpose of ensuring a level of equivalency of qualifications within each subject (not between subjects). If a user group favoured a course which did not fit with these agreed qualification criteria, it would make a case for a derogation from the norm. Ofqual would also have a role in ensuring that the awarding body was holding its standard over the lifetime of the

1   http://www.conservatives.com/News/News_stories/2010/03/~/media/Files/Downloadable%20Files/Sir%20Richard%20Sykes_Review.ashx

2. Wenger, Etienne (2006). Communities of Practice: A brief introduction. http://www.vpit.ualberta.ca/cop/doc/wenger.doc

3. The qualifications standards objective – to secure that regulated qualifications give a reliable indication of knowledge, skills and understanding, and indicate a consistent level of attainment (including over time) between comparable regulated qualifications.

qualification through active management of its community of practice. It would also undertake most of the national, intra-UK and international comparability studies required to keep England's qualifications at the forefront of international practice. The regulator's responsibilities would therefore become more about monitoring the standard over time, as well as having the powers to instruct people to move back to the standard they set on the first iteration of the qualification if they have shifted from it.

Legislative outcomes

The Regulator

This approach focuses the regulator on the key issue of standards in public qualifications. There are other reasons for removing some of its other objectives.

Professor Alison Wolf, Professor of Public Sector Management at King's College, London, makes it clear[4] that the principal tools of regulation in education are:

1. Initial and permanent licensing of providers
2. Regular re-licensing of providers
3. Inspection
4. Publishing quantitative measures of individual providers' output and/or quality
5. Direct control and regulation of products and/or delivery mechanisms

Professor Wolf writes extensively on which of these tools work best. Her analysis makes it clear that at least three of Ofqual's objectives can be secured in better ways than via an exams regulator.

- The system laid out above requires Ofqual to continue to have the powers given to it under Objective (a), the qualifications standards objective[5]. This is best done by ensuring awarding bodies are 'fit and proper' providers through licensing or re-licensing procedures – not by looking on the standard of every individual qualification. It therefore does not require Sections 138–140.

- Ofqual's assessments standards objective (b)[6] relates exclusively to statutory national curriculum and Early Years Foundation Stage assessments and we would agree that Ofqual should continue to have a role in maintaining the standard of these assessments. We would argue that because qualifications communities of practice are unlikely to form to the same extent around the content and form of assessments at this level, Ofqual needs to maintain a role in this area.

- Ofqual's public confidence objective (c)[7] is best achieved by performing the task, as with all other regulators, of upholding standards. To have a specific objective like this encourages the employment of ever larger communications teams delivering ever more communications programmes rather than a commitment to proper investigation and research. The re-linking of HE, business and subject communities directly with awarding bodies means that the users of qualifications give or withhold their support and the confidence of the public in the ability of a qualification to deliver progression is assured without the need for a regulator to engage in PR activities. The regulator does not need to build its own reputation – the qualifications should build their own reputation through the recognition of their users.

- Ofqual's awareness objective (d)[8] seems to replicate and place into a central structure the marketing operations of the awarding bodies which seek to bring attention to their individual qualifications and the benefits of them. A vibrant market is the best guarantee of public awareness of the available opportunities. In addition, the past decade has seen the creation of large numbers of comparison websites which might take on this role, or be encouraged to do so. UCAS could use its knowledge to provide such a service, particularly if Higher Education and sectoral business groups rise to the challenge of the Minister for Higher Education and start to send out clearer signals as to which qualification is best for their purposes. The Objective also leads to loss of focus and requires additional resources. The previous government's determination to bring all those businesses that provide their own or sectoral qualifications into the regulated sector essentially marketed the regulator's role. We would submit that if the regulator succeeds in establishing itself as competent in its main role, such potential market entrants will find their own way to it.

- Ofqual's efficiency objective (e)[9] is best secured through proper competition. Ofqual has commissioned six market studies so far, none of which has indicated the making of extraordinary profit/surplus by any agents. The 'markets' are many and varied, while the provision of 'free' services[10] attached to qualifications is an immensely complicated arena. We would submit that the Competition Commission or the Office of Fair Trading has a far wider and deeper knowledge of complex markets than Ofqual can ever match. This area of responsibility could therefore usefully be transferred to either of them, with a consequent reduction in the cost of the regulator.

Users

The structures which will encourage users to engage will need to be laid out – either by Order or through primary legislation. For example, in the case of HE, the Quality Assurance Agency (QAA) might include engagement with awarding bodies as one of its criteria for defining a 'quality Higher Education Institution', or the QAA Code of Practice on Programme Design (Section 7) could usefully include reference to the need to take note of the incoming knowledge and skills of students when designing a course.

4. Wolf, A. (2010). *How to shift power to learners*. London: LSN Centre for Innovation in Learning. https://crm.lsnlearning.org.uk/user/order.aspx?code=100006

5. The qualifications standards objective – to secure that regulated qualifications give a reliable indication of knowledge, skills and understanding, and indicate a consistent level of attainment (including over time) between comparable regulated qualifications.

6. The assessments standards objective – to promote the development and implementation of regulated assessment arrangements which give a reliable indication of achievement, and indicate a consistent level of attainment (including over time) between comparable assessments.

7. The public confidence objective – to promote public confidence in regulated qualifications and regulated assessment arrangements.

8. The awareness objective – to promote awareness and understanding of the range of regulated qualifications available, the benefits of regulated qualifications to learners, employers and the higher education sector, and the benefits of recognition to bodies awarding or authenticating qualifications.

9. The efficiency objective – to secure that regulated qualifications are provided efficiently and in particular that any relevant sums payable to a body awarding or authenticating a qualification represent value for money.

10. e.g. training, syllabus provision, teaching tools.

Elsewhere, the Higher Education Funding Council for England (HEFCE) might inherit some of the money saved from the abolition of the QCDA for funding engagement activities, similar to the Aimhigher programme[11] – and of a similar order. It is likely that a small funding stream will need to be made available in order that universities can allow staff adequate time to engage in this process, thereby ensuring 'quality' rather than 'tick box' engagement.

It may be that seconding academics to awarding bodies during the early stages of the design process to ensure the standard was properly set would be a good use of seedcorn monies. Certainly, continuous engagement from early design through to production will require some element of incentivisation, given the vast range of other duties expected of the modern academic.

The impact criteria of the Research Assessment Exercise (RAE) could also provide a helpful lever. There is a perfectly reasonable case to be made that disseminating knowledge to the next level down of the education system is nearly as important as some other RAE criteria. Clearly, it would not rate as importantly as an academic paper but is of great importance to the long-term health of the nation.

And it may well be that the HE Academy could usefully turn its mind to how it might provide a service both to HE and wider education by providing structures and resource to encourage such engagement.

Stability

A current unhelpful part of the process is the frequency of qualification 'accreditation cycles'. The frequency of these changes is driven by regulatory pressures rather than by a change in the structure and content of knowledge in subject areas, change in effective pedagogy, evidenced innovation in curriculum practices, or emerging needs in the learner group. None of these factors work to particular timescales.

Because the reaccreditation process occurs on a frequent basis and requires the change of a qualification across all subject areas, awarding bodies are required to engage across the whole of the user group and in a limited period of time. This reduces the likelihood of quality engagement. In addition, repeated changes to qualifications which are beyond and more frequent than those necessitated by subject and pedagogical change, as mentioned above, can have a negative impact on maintaining the standard of qualifications.

Regulatory engagement ought to be based on a presumption in favour of stability which should prevail over the current approval process of synchronised accreditation to ensure compatibility across boards. A General Duty under the current Section 129 (1)[12] would embed a more acceptable approach into the process.

In summary, our thesis is that: standards of qualifications are better maintained if they are owned by the users and deliverers rather than through a bureaucratic process. If this responsibility is returned to users and communities of practice, minimal and useful regulation can then follow.

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11. Aimhigher is a national programme which aims to widen participation in higher education by raising HE awareness, aspirations and attainment among young people from under-represented groups. http://www.aimhigher.ac.uk/practitioner/programme_information/about_aimhigher.cfm

12. Section 129 General duties: (1) So far as is reasonably practicable, in performing its functions Ofqual must act in a way – (a) which is compatible with its objectives, and (b) which it considers most appropriate for the purpose of meeting its objectives.

Statistical Reports

The Statistics Team Research Division

The ongoing 'Statistics Reports Series' provides statistical summaries of various aspects of the English examination system such as trends in pupil attainment, subject uptake, qualifications choice and subject provision at school. These reports, produced using national-level examination data, are available on the Cambridge Assessment website:

http://www.cambridgeassessment.org.uk/ca/Our_Services/Research/Statistical_Reports

The following reports have been published since Issue 10 of *Research Matters*:

● Statistics Report Series No. 20: How old are GCSE candidates?

● Statistics Report Series No. 21: A-Level uptake and results by gender, 2002–2009

● Statistics Report Series No. 22: GCSE uptake and results by gender, 2002–2009

● Statistics Report Series No. 23: A-Level uptake and results by school type, 2002–2009

● Statistics Report Series No. 24: GCSE uptake and results by school type, 2002–2009