

Apprenticeships, Skills, Children and Learning Bill

LORDS STAGES Briefing

Clause 125: Objectives

Clause 126: General Duties

Issue: Timeliness

In the House of Commons stages - most notably at Commons Committee Stage – points relating to the core themes of independence, transparency and efficiency were made many times. Indeed several votes were forced on these issues - regarded as crucial to sustaining public trust and confidence in the qualifications system.

While Cambridge Assessment broadly welcome the Government's wish to formally institute an independent Regulator of qualifications, we believe the Bill, as currently drafted, will fall short of delivering an independent, accountable and effective Ofqual.

There is extensive support from the public, Parliament and education stakeholders for transparency and accountability. The evidence for this is set out later in this paper but we believe these are powerful reasons why Peers should actively probe, query and persuade government on specific core issues.

Need to perform duties on time

A core issue relates to both Clause 125 and Clause 126; the Bill currently contains no duty on Ofqual to carry out its functions in a 'timely' manner.

Suggested Amendment

Clause 125, page 76, (1) insert (f) the timeliness objective

Suggested Amendment

Clause 126, page 77, line 35 after 'effectively' insert 'and in a timely manner'

These amendments will ensure that the regulator regards time as a crucial factor and performs its functions and duties in a timely manner.

Timeliness lies at the very heart of Ofqual's capacity to ensure a fit-for-purpose qualifications system. The timeliness of the delivery of a qualification, its accreditation and related critical decisions, is a basic yet critical factor in the development process. Awarding Bodies have long experience of delays caused by the previous regulator's failure to act in a timely fashion and its failure to deliver projects on time.

Dangers of time delays

Delays experienced early in the development process can either cause a reform to miss its slot (e.g. for first teaching in Sept 2009) or, more probably, cause significant problems later with essential tasks inappropriately rushed within severely compressed timeframes.

Delay also drives up the cost of qualifications as designers work overtime and extra staff are brought in to meet deadlines. It results in oversights requiring re-design and re-training, making the maintenance of standards more challenging.

All this impacts on public confidence.

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Teachers, colleges and schools need twelve months notice in order to thoroughly absorb projected changes, get the training they need and alter their teaching patterns to changing syllabuses and specifications.

It is crucial that teachers, colleges and schools are able to prepare properly for new qualifications. Nobody wants to see a reoccurrence of the introduction of Curriculum 2000 which, due to compressed timetables, saw courses starting before text books were printed.

In the Commons, Ministers sought to elide 'timeliness' with 'efficiency'. This is not accurate – one can be efficient yet untimely, and timely but inefficient. Ministers also stated that *"timeliness is not an objective in itself; it is a means by which other objectives, such as public confidence, are achieved."*¹ In the context of the production of syllabuses and the examination of them, timeliness helps ensure the maintenance of standards. It is through the maintenance of standards that public confidence is upheld.

Parliamentary Support

There is overwhelming cross-party *political support* for unequivocal Ofqual autonomy and accountability; a survey of 150 MPs², found over 90% of MPs agreeing that a regulator should have a duty to report its key regulatory decisions to Parliament, that Parliament should play a key role in ensuring regulators operate independently from government and that Parliamentary scrutiny is critical to making sure regulators are accountable and transparent.

Educational Endorsement

Most *education stakeholders are supportive* of the points in this briefing including

- ❖ **ASCL** (Association of School & College Leaders) representing over 14,500 senior school & college leaders
- ❖ **ATL** (Association of Teachers & Lecturers) representing over 160,000 teachers across the UK
- ❖ **HMC** (Headmasters' and Headmistresses' Conference) representing 250 independent schools
- ❖ **NAHT** (National Association of Head Teachers) representing over 28,000 school & college leaders
- ❖ **NUT** (National Union of Teachers) representing over 292,000 teachers

Opportunity to instil a timeliness objective

It is disappointing the Government chose not to support amendments at Commons Committee Stage that sought to ensure Ofqual performs its duties in a timely manner – through the inclusion of a timeliness objective for Ofqual. We urge their Lordships to take the opportunity in the Lords Stages of the Bill's passage to instil timeliness as a key objective for Ofqual.

For further information contact:

Sean McKee on e-mail: McKee.S@cambridgeassessment.org.uk or call: 07884 252881
Bene't Steinberg on e-mail: steinberg.b@cambridgeassessment.org.uk or call: 07803 727611

¹ Sarah McCarthy-Fry, Thursday 26th March 2009

² Undertaken by ComRes for Cambridge Assessment, March 2009