

Apprenticeships, Skills, Children and Learning Bill

COMMONS COMMITTEE STAGE REPORT

Cambridge Assessment is seeking greater **accountability** for Ofqual than that currently outlined in the Bill. The public interest and the securing of public confidence demands the transparent administration of the qualifications system and decisions related to it. Enhanced accountability and transparency will lead the regulator to be more inclined to act thoughtfully and responsibly.

On accountability, we suggested amendments to MPs on Clause 162 seeking to securely tie Ofqual's annual reporting process to Ofqual objectives and to secure notable parliamentary attention for the annual report. We also suggested amendments to Schedule 9 to ensure that senior management appointments within Ofqual be scrutinised by Parliament.

Cambridge Assessment believes that if Ofqual is to fulfil expectations then it is crucial that the regulator has clear **autonomy** from government. However several provisions within the Bill reserve powers for the Secretary of State. Most prominent is Clause 138, which the media have now also focused upon, that will offer sweeping powers to a DSCF Secretary.

On autonomy, we suggested amendments to MPs on Clause 138 seeking to ensure the involvement of the Secretary of State should only occur in extremis and on a pre-agreed and understood basis. We also suggested that the text in the Bill's explanatory notes on restricting

DSCF powers be put on the face of the Bill. The Liberal Democrats pushed hard on this issue but were outvoted by government MPs.

The performance of duties in a timely manner is a crucial requirement for Ofqual. **Timeliness** is at the very heart of Ofqual's capacity to ensure a fit-for-purpose qualifications system. The Bill currently contains no duty on Ofqual to carry out its functions in a 'timely' manner.

On timeliness, we suggested amendments to MPs on Clause 125 and Clause 126 seeking to instil timeliness as an important objective and value for Ofqual to pursue. Conservative MPs supported these, as did the Liberal Democrats, but government MPs declined.

Central to the upkeep of standards is the setting of Qualification **Design Criteria**. The Bill alludes to 'consultation' on this, but it is essential that Ofqual has a duty to seek and assess a broad range of expert views and practical experience when considering criterion relating to qualifications. This will assist with building enhanced public confidence and trust.

On criteria, we suggested amendments to MPs on Clause 130, 137 & Clause 140 amendment seeking to establish a procedure whereby the regulator utilises the best evidence available to it when setting criteria and ensure that Ofqual's consultations are meaningful surveys of a range of informed opinion and evidence. Liberal

Democrat and Conservative MPs made note of these points in their comments.

[The full text of debates can be found on the Parliamentary website.](#)

The House of Commons Report and Third Reading stages are expected in late April. The Bill will then go through its stages in the House of Lords in May and June. Updates on these stages and Cambridge Assessment activity will be put on the website.