

The Regulatory Landscape

Gavin Busuttil-Reynaud

Alpha*Plus* Consultancy Ltd.

March 2017



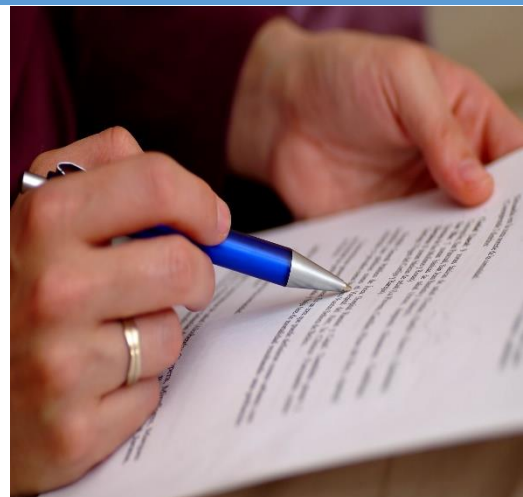
Partnership

We work in partnership with our clients. This is more than a cliché for us: we care about the services we provide and the impact they have on learners. Experience has shown us that the best impact our work can have is when it is undertaken alongside our clients so we make partnership a key feature of our project approach and management method.



Quality

We manage projects effectively and to the highest quality, freeing up experts to concentrate on their specialism, but ensuring that activities are managed to meet expectations. This means only making promises that we know we can keep, and remembering the promises we have made to make sure we deliver.



Expertise

We ensure our teams consist of genuine sector experts with understanding in breadth and depth of both the theory and the practical complex everyday challenges faced by education providers.



Development

We are committed to the improvement of our staff, both to promote the long-term development of our business and as an end in itself: we believe in the value of education for all.

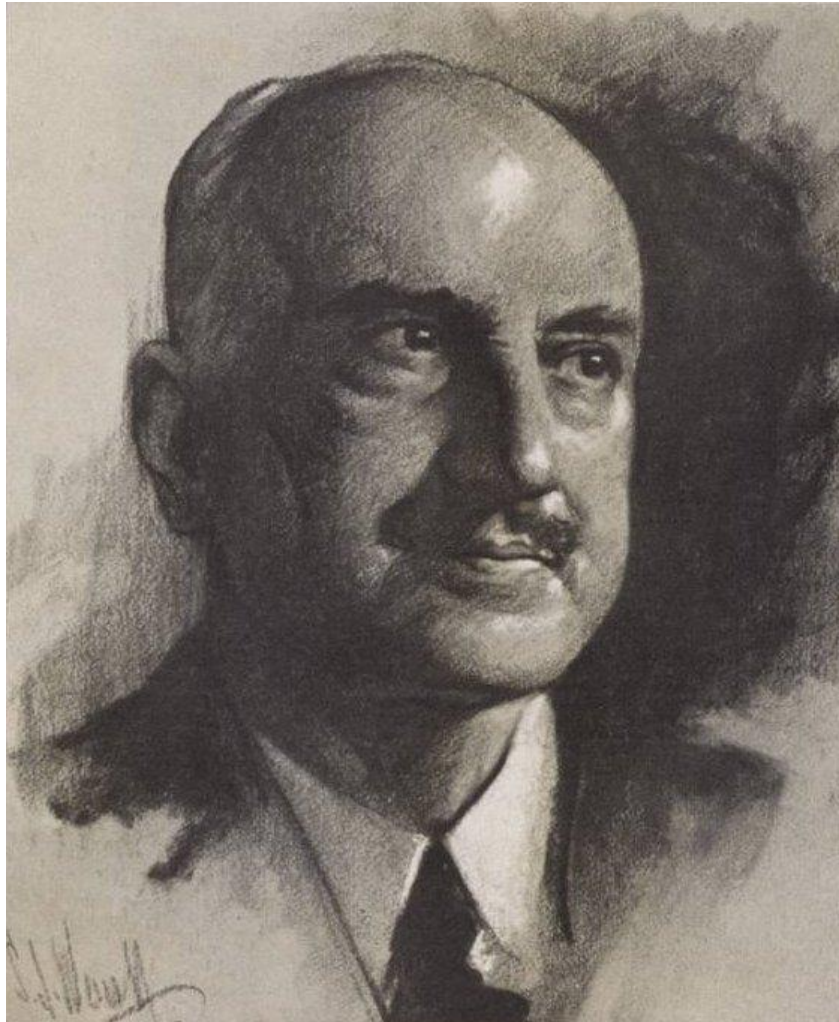


Educationalists

We are educationalists with a strong commitment to improving teaching, learning and assessment, based on intellectual integrity, sound evidence and innovative approaches.

George Santayana 1863-1952

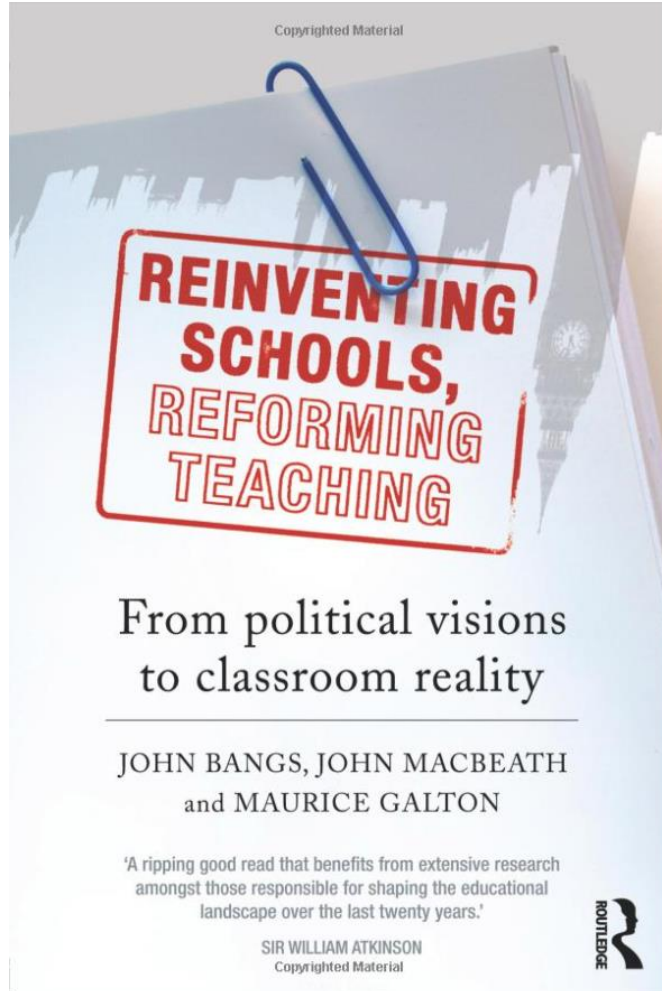
Philosopher, essayist, poet & novelist



Those who cannot remember the past are
condemned to repeat it.

Vol I, Reason in common Sense

A flashback to 2010



- "Education, education, education"
- To paraphrase Education Secretaries from 1979 to 2010 "If we'd known we'd be in power for so long we'd have done things very differently!"

Policy initiatives are like waiting for a bus – if you miss one another soon comes along!

- **Sir Mike Tomlinson interview excerpt:**

There's nothing rational about decision-making and policy making at all. There's a rationale behind the headline but there is rarely a rationale behind the operationalisation of that headline. I'm known to say on many occasions, 'Please do not imagine that politicians make decisions based on logic and a broad base of evidence, because they don't.'

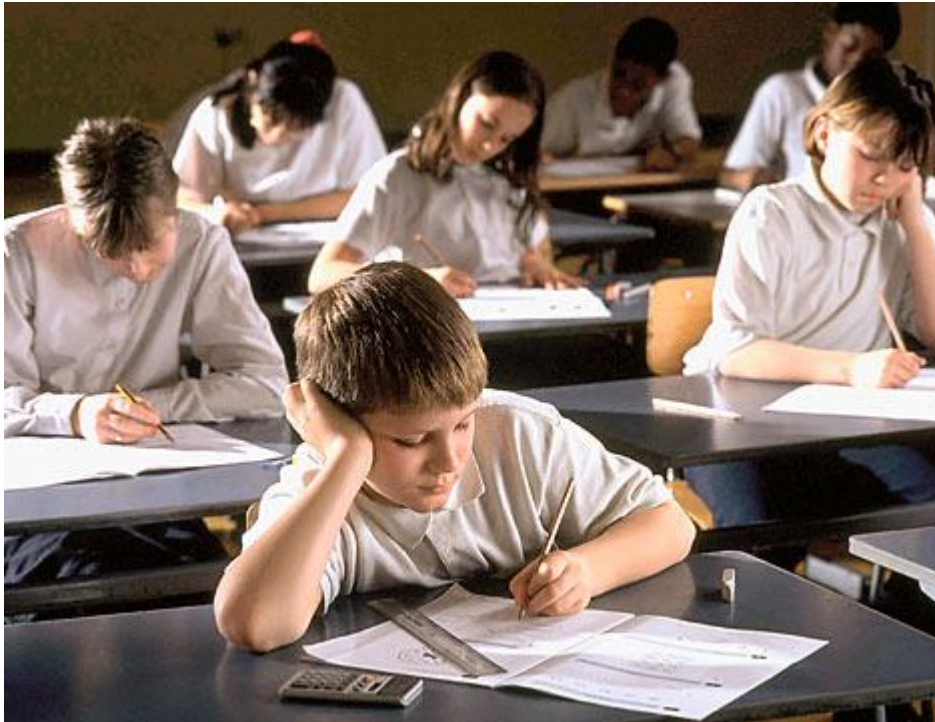
Regulation – a complex picture

- Ofqual: moved to 'principles based' regulation grounded on validity
- Increasing divergence between the qualifications overseen by the UK national regulators: Ofqual, SQA, Qualifications Wales and CCEA
- Direct role of DfE in VQ regulation through control of admission of qualifications to performance tables and funding
- Devolved role of DfE in VQ regulation through SfA and IfA, plus (un)intended consequences of the Levy
- Regulation of English National Assessments rest with Ofqual, but historically STA operating independently

Key qualifications (and assessments)

- National Assessments (EYFS, KS1, KS2)
- GCSE
- 14-16 Vocational qualifications
- 16-19 Vocational qualifications
- Functional Skills
- Apprenticeships

National Assessments



- Considerable recent change and unrest over current system
- Purpose of national assessments and their regulation under great scrutiny:
 - Education select committee review
 - Ofqual planning to review approach to national assessment
 - DfE/STA review of purpose
 - STA review of errors in 2016
- Promise of 'no changes' until 2018/19 academic year

GCSE



- Increasing divergence across UK
- Focus on roll-out of new specification GCSEs graded 1 to 9
- Requirement for post-16 resits in Maths and English changing cohort and pass rates
- Ofqual National Reference tests in Maths and English first run in 2017
- To become 'most stable' sector of regulated qualifications?

14-16 & 16-19 Vocational Qualifications



- Vocational qualifications are theoretically all regulated by Ofqual on the basis of validity, but;
- In practice qualifications seeking public funding and adoption by schools must meet DfE requirements.
- Employer / progression gatekeeper endorsement influential
- Some requirements 'undocumented' and poorly coordinated with Ofqual

Functional Skills



- Reformed qualifications to be introduced in 2019
- Post-16 English and Maths provision dominated by requirement for GCSE resit
- Unclear how Functional Skills will fit into future post-16 skills provision
- Ofqual inherited specifications and provide regulation: move to standards owned by sector

Apprenticeships



- Government policy dominated by drive for numbers (3 million 'starts')
- Clear policy for compulsion on funding (Levy) and employer ownership of standards
- Less clear implementation and regulation
 - Quality assurance of end-point assessment
 - Entry onto register for trainers and assessors

Sainsbury Review

- Banksy 2006, *Barely Legal*/exhibition in Los Angeles



Sainsbury Review / Technical and Further Education Act

- Act received Royal Assent on 27th April 2017 empowering IfA
- Over-arching role of Institute for Apprenticeships, covering school and college based vocational education
- Sainsbury review proposed approach for IfA implementation:
 - 15 national pathways to cover all VQ provision as alternatives to academic pathways
 - Single AO/consortium responsible for each pathway
 - National branding for VQ route independent of pathway
 - IP for qualifications rests with the crown
- Unclear how this will impact on the future regulation of VQs by Ofqual
- Public funding, including student loan funding likely to be limited to the 15 pathways

Regulation summary

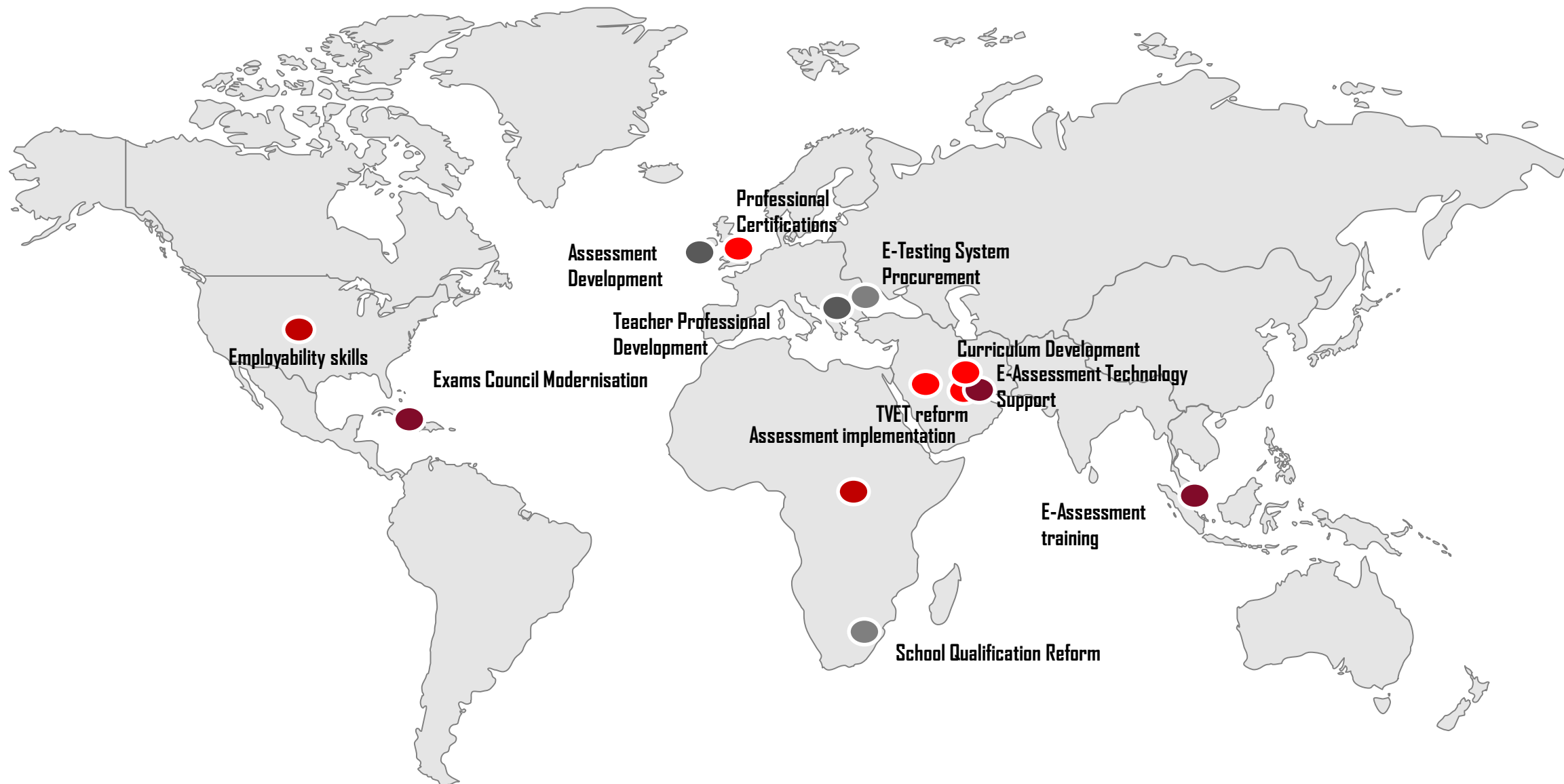
- Extremely complex – relationships between multiple government bodies and regulators not always clear
- Confusing mix of written and unwritten / informal rules
- Written rules not always aligned to Guiding Principles
- Importance of 'case-law', employer influence and first-mover advantage in areas with poorly documented requirements
- Two years ago headlines were about rise of principles-based regulation which placed the onus on AOs and stakeholders to demonstrate validity
- Current approach nominally safeguards quality and standards but overwhelming focus is on political requirements and funding rules

Lessons we can draw from history

- Education is an intensely political issue (in the UK)
- Politics is about selling people a vision whilst managing the 'down-side'
- Change is a fact of life – speed and level of adoption is important
- Longevity is driven by financial sustainability: Risk management by ADs (Diplomas?)

Our decision to export

Recent International Projects



Standards, Assessment & Curriculum: Our clients

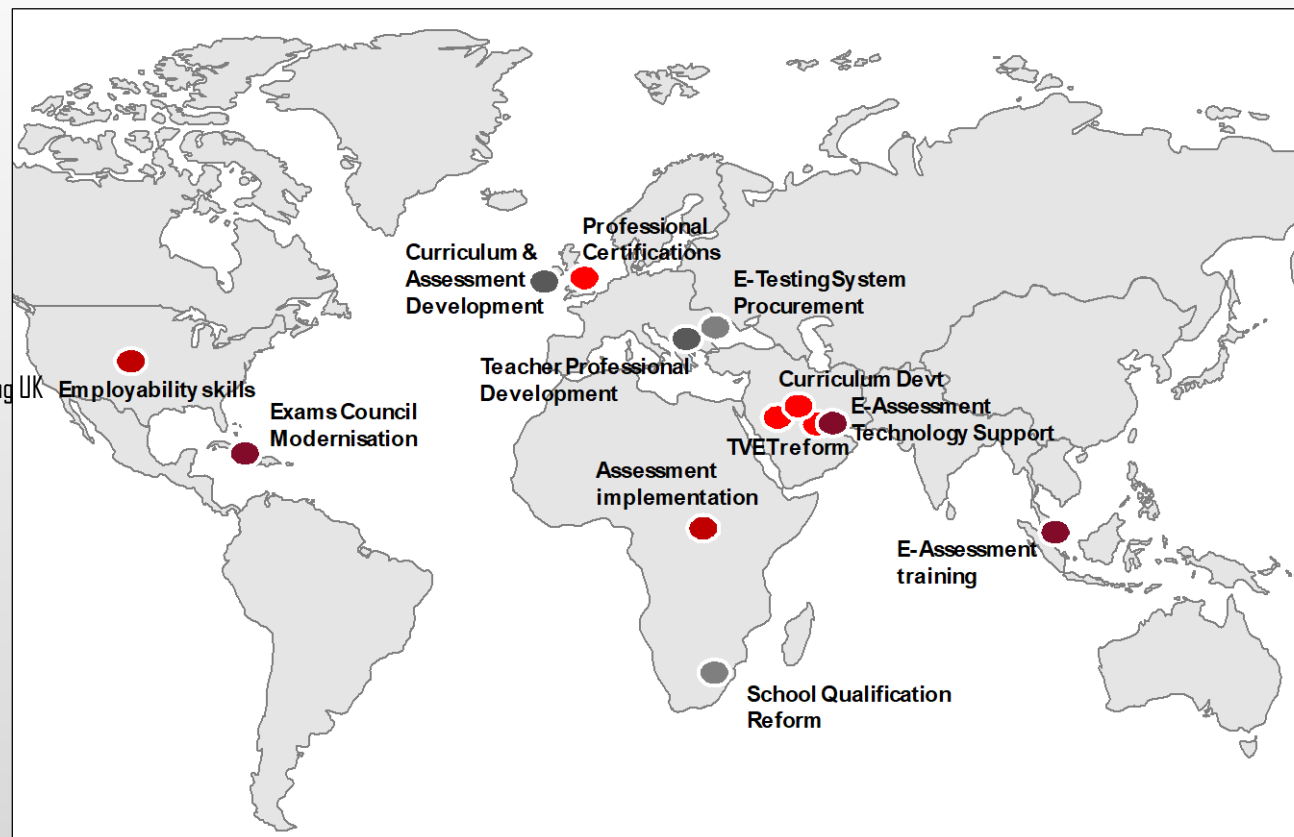
UK clients

Government

Dept for Business Innovation and Skills
Department for Education
European Union
National College for Teaching and Leadership (NCTL)
Standards and testing agency (STA)
Teaching Agency
UK Apprenticeship Agency (UKAA)
Welsh Government
Education Endowment Foundation
Learning & Skills Improvement Service Lifelong Learning UK
Ofqual

School & vocational education

AQA
City & Guilds
CACHE
Engineering Awards Ltd
Pearson Edexcel
NCFE
OCR
WJEC
Cambridge Assessment
Cambridge International Examinations
Scottish Qualifications Authority (SQA)



International clients

BAE Systems
Caribbean Examinations Council
Centre for British Teaching (CFBT)
Eastern Samar State University (ESSU)
Education Development Trust (CFBT)
Government of Anguilla
Govt of Saudi Arabia (Dorob Project HRDF Takamol)
Ireland Further Education Training Authority (SOLAS)
Lesotho Ministry of Education
Mozambique Ministry of Education
Paradigm GPT
PeopleCert
Abu Dhabi Crown Prince Court
Qatar Investment Authority (QIA)
Qatar Supreme Education Council
Royal Saudi Airforce
Saudi Arabia National Guard
Saudi Arabia Colleges of Excellence
Saudi Skills Standards
Singapore Examinations and Assessment Board
Singapore Ministry of Education
University of Pristina in Kosovo

Professional Bodies

Association of Accounting Technicians
Association of Chartered Certified Accountants (ACCA)
Association of International Accountants (AIA)
BCS Analysis and training
Chartered Institute of Insurers
Chartered Institute of Taxation (CIOT)
European Society of Cardiology
General Pharmaceutical Council

Institute of Chartered Accountants in England & Wales (ICAEW)
Institute of physics (IoP)
Royal College of Surgeons
Solicitors Regulation Authority (SRA)
Training and Development Agency for Schools