



Northern Ireland
Assembly

**COMMITTEE
FOR EMPLOYMENT
AND LEARNING**

**OFFICIAL REPORT
(Hansard)**

Ofqual: Role in Northern Ireland

14 December 2011

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Thomas Buchanan (Deputy Chairperson)

Mr Jim Allister

Mr Sammy Douglas

Ms Michelle Gildernew

Mr Chris Lyttle

Mrs Sandra Overend

Witnesses:

Mr Ray Coughlin)

Ms Joan Gormley)

Ms Amanda Spielman)

Office of Qualifications and Examinations Regulations

The Deputy Chairperson:

I invite the witnesses from Ofqual to come forward. I apologise for holding you so long. We know that your time is limited. I invite you to give the Committee an overview. Members have the papers that you submitted, and will ask questions later. We have Amanda Spielman, chairperson of Ofqual; Ray Coughlin, board member for Northern Ireland; and Joan Gormley, head of operations for Northern Ireland. You are welcome. We again apologise for holding you.

Ms Amanda Spielman (Office of Qualifications and Examinations Regulations):

Good morning, Mr Deputy Chairman and Committee members. Thank you very much for accepting our request to come before the Committee today. My name is Amanda Spielman. I become the chair of the Ofqual in July, just a few weeks after the Committee received Ofqual's first annual report, which was given to the Assembly on 22 June. With the appointment of a new Committee after the election and a new chair and chief executive having been appointed to Ofqual this year, I thought that it was important to meet you. I am grateful to you for making that possible.

I am joined by Ray Coughlin, who is an Ofqual board member and the chair of our Northern Ireland committee. In a moment, he will talk about what he brings to our board and to the work of our committee here. Also with me is Joan Gormley, the head of our Northern Ireland operations. Joan will talk about how we work on the ground to secure standards in the qualifications that we regulate. After that, I hope that you will have some comments and questions for us on our work generally and on our first annual report. I hope that we will be able to deal with those.

First, I want to set out quickly some of the key principles behind our work. The first and obvious question is: what is Ofqual for? We regulate vocational qualifications in Northern Ireland, and academic and vocational qualifications in England. We do not regulate university degrees. As you would expect from a qualifications regulator, we put standards and the protection of learners at the centre of everything that we do. That is what is expected from a regulator, in whatever sector it operates. So, for example, the Food Standards Agency is expected to take steps to protect us from substandard food, and Ofcom is expected to prevent anything unlawful or too offensive from reaching our screens. Exactly the same expectations apply to Ofqual in the qualifications system. We are there to assure standards and to protect learners.

When we talk about qualification standards at Ofqual, we mean all the elements that come together to determine the quality, rigour and currency of qualifications. We must ensure that qualifications are fair and fit for purpose, and that they equip young people for progression into work or further study. We must make sure that there is public confidence in qualifications and that that confidence is fully justified. We believe that every employer and others who rely on

qualifications, such as universities and other higher education institutions, deserve the protection that a regulated system provides.

We recognise awarding bodies and accredit qualifications. We hold awarding bodies to account and we take action to protect learners if things go wrong. We have powers to prevent awarding bodies from operating in the regulated system, and we have various other sanctions that will soon include fining. We will not hesitate to take action if we think that there is a problem with any of the 100 or so awarding bodies that operate here.

We are funded for our work here by the Assembly through a transfer of funds from the Department for Employment and Learning. We are accountable to the Assembly for that funding.

We do not act alone in regulating qualifications here. We share that role with the Council for the Curriculum, Examinations and Assessment (CCEA), which is the regulator of academic or general qualifications here. Although we work independently, we collaborate wherever possible in the interest of learners, especially to reduce any unnecessary burden on the awarding bodies that we both regulate. We also have an agreement with our counterparts in the Republic of Ireland, and many UK qualifications can now be aligned to the framework in the Republic. We also work to co-ordinate the systems of regulations throughout the UK, and there is a strategic forum of regulators that includes counterparts in Wales and Scotland. We have also started to look internationally in Europe and beyond at how our qualifications compare with those abroad. We have done that initially and mainly with general qualifications.

We bring our expertise and commitment to the work of helping to maintain a top-class qualifications system to the forthcoming review of regulation, which I understand will be carried out jointly by the Department of Education and the Department for Employment and Learning. We look forward to contributing to the thinking about what kind of system will best serve the young people of this country.

Joan will talk to you shortly about the work that we are doing on the ground here. We want you to call on us whenever you need to, and Joan will be your first point of contact. I will finish by saying again how much I value this meeting. I hope that we can build on it and develop a

valuable relationship with the Committee and its members. Now, I would like to introduce and hand over to Ray Coughlin.

Mr Ray Coughlin (Office of Qualifications and Examinations Regulations):

Good morning, Chair and members of the Committee. As Amanda said, I am here to tell you about my position on Ofqual's board and my role as chair of the Regulation of Vocational Qualifications in Northern Ireland Committee. I represent Northern Ireland's interests on the Ofqual board. I was selected by public appointment following consultation with the Department for Employment and Learning. I bring to the board a wide range of experience in working with industry and commerce in Northern Ireland and elsewhere. My background is mainly in the financial services industry. I have held senior posts in HR and strategic management. In addition, I have served on a number of public bodies here.

One of the early actions of the Ofqual board was to establish the Regulation of Vocational Qualifications in Northern Ireland Committee. I was appointed chair of that committee. It was established to provide strategic advice to the board on the direction, implementation and impact of its regulation of vocational qualifications in Northern Ireland. The committee comprises eight independent members and three members of the Ofqual board, including me. Members from Northern Ireland are drawn from a range of backgrounds. Two members hold prominent positions in further education, namely the assistant chief executive of Belfast Metropolitan College and the director of curriculum and student services at the Southern Regional College. We also have a member who is the head of a private training organisation, and members who work in the social services and criminal justice sectors in Northern Ireland. We recently appointed a member from higher education, Professor Elizabeth Hull, and a member from the business community, Trevor Johnston, who is from SummitSkills, which is the sector skills council for the building services sector in Northern Ireland.

I see the Committee as vital to our engaging in Northern Ireland and to ensuring that we capture an understanding of the needs of learners, employers and others with an interest in vocational qualifications. In our meetings to date, we have had discussions with the Office of the Northern Ireland Adviser on Employment and Skills and representatives from DEL on proposals for the implementation of the skills strategy. We recognise that the strategy attaches to

qualification achievements as a proxy for skills acquisition.

In June, we held a round-table discussion with a group of employers to hear what they say about vocational qualifications. In the main, they had confidence in the system. They spoke of the value that they place on having a well-trained workforce whose skills can be mapped to regulated qualifications. We explored those questions further when we conducted two visits to Wrightbus in Ballymena and to Bombardier, where we were joined by Basil McCrea, the Chair of the Committee. Those highly successful companies invest heavily in qualifications and in apprenticeships in particular. They rely on the qualifications that they use to be fit for purpose and matched to the skills that they require. They rely on the qualification system being current and valid, and they look to the regulator in Northern Ireland to give that assurance.

Joan is in a much better position to set out what Ofqual does on the ground in Northern Ireland. I will pass over to her now.

Ms Joan Gormley (Office of Qualifications and Examinations Regulations):

Thanks, Ray. Good morning, everybody. First of all, I want to apologise for my voice. I am not usually quite as croaky as this. Hopefully, it will not run out before my remarks do.

I hope that you have heard enough from Amanda to understand why Ofqual exists, which is, obviously, to maintain standards, but, more importantly, to promote confidence in the regulated qualifications system. I will spend a few minutes talking about what we do to make sure that the qualifications that we regulate here, which are vocational qualifications, meet the needs of learners or employers in Northern Ireland.

I am head of operations in Northern Ireland. I head up a team of five staff who have worked in qualification regulation in Northern Ireland for over 15 years. Although Ofqual was established in 2010, the team that now operates in Ofqual has actually been working in the field of regulation — previously, of NVQs — for 15 or 16 years now. That brings a lot of experience and wealth of knowledge to the education and training system in Northern Ireland. We have strong long-standing links with stakeholder groups here that represent further education, higher education, training, business and, of course, government. Our link with government, primarily

through DEL officials, is, obviously, an important stakeholder network for us because it brings us into discussions on policy issues and the impact that they may have on vocational qualifications.

As part of the evolving work that we are involved in, we have just written to the Minister of Education and the Minister for Employment and Learning in Northern Ireland setting out to them our plans for work in and around our healthy markets work. We were very encouraged to receive a welcome response from Dr Stephen Farry asking us to engage with his officials in the new year on this particular piece of work, which is going to be very important to us.

As I said, engaging stakeholders in Northern Ireland is very important to us. It is a very important part of the work that we do on the ground. It is through that engagement that we get to hear what it is that people in Northern Ireland expect from a qualification system and, more importantly, what they actually think about the system and whether or not it is working for them. You heard from Ray about the engagement we have had with some employers this year. That has been very important to us too. They, after all, need to be confident in the system that regulates the qualifications they are looking for their employees or new entrants into employment to have.

Of course we also, very importantly, engage with learners. They are a major stakeholder for us. On that level of engagement, we have been concentrating this year primarily on some of the initiatives established by the Department, namely the Apprentice of the Year Awards and the vocational qualification Learner of the Year Awards. I have been involved in those in a judging capacity. It has been really important to us to have that access to learners who are undergoing the qualifications and are in the system and to hear from them just how it has been meeting their needs.

Obviously, since we have been established as Ofqual, we have been strengthening our engagement with the Department of Education, the Education and Training Inspectorate and the Careers Service. Each of us in those areas tends to have shared agendas, so it is important that we create links with them. We meet regularly with CCEA, our fellow regulator here in Northern Ireland.

I want to say a little bit about the work of regulation in Northern Ireland and the focus we have

on regulating awarding organisations and qualifications. I have brought copies of our annual report, and have seen a couple of you flicking through that. In reporting on our first year of operation, it sets out the approach to regulation based on a new set of criteria we have laid for awarding organisations to meet if they want to operate in the regulated system. This is quite a high hurdle setting for them, but it gives us very close control over market entry, which is important to us. However, once they are in the system, every organisation must then comply with a set of conditions. To emphasise their accountability for those, we have been engaging in a programme of visits to ensure that we meet individually each of the awarding organisations that want to operate in the regulated system here in Northern Ireland. By May 2012, we will have met every one of the awarding organisations that intend to operate in the regulated system in Northern Ireland. They will have submitted to us a statement of compliance against those conditions.

We will use that information and other intelligence that we gather to plan our monitoring activities. The monitoring of awarding organisations and qualifications is very much part and parcel of the quality assurance activities we take forward. Our monitoring activities will be based on risk and will include a wide range of interventions, from systems-wide audits to more thematic reviews of certain qualification types. That will allow, particularly in Northern Ireland, for focused monitoring of any qualification that might need a closer look.

My team is very much involved in providing to the overall risk assessment any factors that impact particularly in Northern Ireland. However, to be able to do that, we need to know about the qualifications market here. This year, we have instructed all awarding organisations operating in Northern Ireland to provide us with regional data. This is the first time that regional data of that type has been available to us. Using that data, we will be able to determine factors such as the highest achievement rates of qualifications, which sectors those sit in, at which levels and of which qualification types. We propose that that will feature much more heavily in our second annual report, by which time we will have gathered a full year's data. We will be laying that second annual report before the Assembly in June next year. If the Committee agrees, we would like to return after that to speak to you again about the work we will be reporting on.

We are interested in hearing any feedback you have about the first annual report, which we laid before the Assembly in June. If you have any views about how we might engage with you

going forward, we would welcome hearing those.

We look forward to participating in the review that Amanda mentioned. I will be leading our involvement in that review in Northern Ireland, making sure that we give all the evidence and assistance to the two Departments. I am happy to pick up with you after the meeting. If you want to raise anything with me or talk to me in more detail about our work in Northern Ireland, I will be very happy to hear from you.

The Deputy Chairperson:

Thank you for your presentation.

Mrs Overend:

Thanks very much for your presentation. You mentioned linking with Bombardier and other large organisations. Do you link up with small and medium-sized enterprises? Sometimes DEL feels that it is easier to link in with larger organisations and the smaller ones get left out, but those are the ones that need additional help with their staff gaining further qualifications and advancing their learning.

Ms Gormley:

Yes, that is a very true point. The stakeholder networks that we organised earlier this year included one or two of the small and medium but not the micro businesses. The truth is that many of the micro businesses are not engaged in the vocational qualifications system. We are giving some thought maybe to taking forward survey work next year on learners but also on employers who are not engaged. We did initial desk research and are beginning to understand some of the perceptions that those employers have about vocational qualifications. Not much evidence is available to us, so we may have to start to do something on that to get a benchmark for Northern Ireland to maybe to take a measure. We would be keen to look at that for next year.

Mrs Overend:

It may be useful to use an organisation such as the Federation of Small Businesses to reach those people.

Ms Gormley:

Absolutely.

Mrs Overend:

It is vital that those people are reached and have the opportunity to have an input into that. Are you involved in regulating online e-learning or anything like that?

Ms Gormley:

The learning element online is about the curriculum or the content of the learning. I suppose our interest would be primarily in the assessment arrangements around that, particularly on-screen tests. Any assessment part of a qualification falls within our regulation.

Mrs Overend:

We are trying to encourage more people to going into the subjects of science, technology, engineering and mathematics (STEM). Are you involved in promoting particular subjects? Is that in your remit?

Ms Spielman:

That generally falls outside the regulator's remit. Our job is to make sure that the qualifications are to an appropriate standard. We are not promoters of particular subject areas.

Mr Allister:

There are 102 organisations providing qualifications in Northern Ireland. That is a staggering number.

Ms Gormley:

It seems large.

Mr Allister:

It does. Presumably that throws up difficult issues about disparity in cost, that is, the charge-out costs for undertaking the qualifications. That may lead to issues around quality and disparity. Do you monitor the cost dimension and the quality dimension?

Ms Gormley:

The vocational qualification landscape, even in Northern Ireland, is about meeting the needs of employers and learners. Although there are some big players in the market, there are a large number of small, niche sector-specific organisations that have probably come up mainly through employer bodies that are establishing qualifications that meet a specific sectoral need.

With regard to monitoring, particularly the focus of our attention on the regulation of the market place, we would be working very closely to examine costs as well as quality.

Mr Allister:

Is there much disparity in cost?

Ms Gormley:

We do not have the evidence at the minute, unfortunately, Mr Allister. We just —

Mr Allister:

According to your last report, you monitored only 18 of them.

Ms Gormley:

In the report, we said we had a close look at some of the qualification bodies that we recognise as being big players in Northern Ireland. In the course of this year, we will be meeting with each of the 102 that intend to operate here.

Mr Allister:

Will there be some sort of filter as a consequence of the monitoring exercise for some who currently offer but may be thought no longer fit to offer?

Ms Gormley:

I mentioned the entry criteria, and I again emphasise that this represents quite a new and high benchmark for new entrants into the system. It may well be that some do not —

Ms Spielman:

If I may step in there: in England, we have turned down potential new entrants in the past few months who failed to meet our criteria.

Mr Allister:

And what if it is an existing provider?

Ms Spielman:

We have not yet felt the need to derecognise any existing provider.

Mr Allister:

Your annual report refers to monitoring 18 providers last year in Northern Ireland. Were those all positive or were there some negatives?

Ms Gormley:

The monitoring activities focused on particular qualifications, and no evidence arose that caused any concern on our part.

Mr Allister:

Is it a good or a bad thing to have 102 different organisations?

Ms Spielman:

The 80:20 rule applies in qualifications, as elsewhere. If you want strong employer ownership of vocational education, which is generally perceived to be a good thing, it is important to have quite a number of, effectively, employer-owned or heavily employer-influenced small awarding bodies in their particular sectors, as well as the bigger bodies that tend to specialise in the more general qualifications in IT, business and things that —

Mr Allister:

Will your monitoring ever result in the production of what one might call a league table?

Ms Spielman:

I think that is very unlikely.

Mr Allister:

So what purpose does it serve?

Ms Spielman:

If I may give you the example from England, for which I apologise, but it relates to problems that have not yet presented in Northern Ireland. We have had to keep some would-be awarding organisations out of the market because it was clear that they could not operate qualifications that were of comparable standard to others already in the system. We have also had to decline to accredit qualifications, particularly recently in English as a second language, where problems resulted in part from visa conditions that stipulate the achievement of English language qualifications. Some really quite difficult practices are developing there. So there are a surprising number of places in the system where it is important to have somebody taking a hard look at —

Mr Allister:

OK. You have turned some away, but you have not turned any out. Does that indicate that the monitoring is rigorous enough?

Ms Gormley:

To return to the plan that I outlined: the focus for work at the moment is to set the conditions for continued involvement in the system. We have given awarding organisations until May 2012 to, in effect, declare their ability to comply with our recognition conditions. We are working with the system to make sure that they are provided with the means to be able to comply, if they can do so. However, if they do not comply, that is when they will be asked to leave the system.

Mr Allister:

So there may not be 102 at the end of this process?

Ms Gormley:

There may not be that many.

Mr Allister:

And would that be a good thing?

Ms Gormley:

That would be a matter for us to look at and decide whether we in Northern Ireland in particular have learners who do not have access to qualifications that they would normally have had. One of the things that we have to understand about the number of awarding organisations is that some of them are very small and are here because there is a very small niche market in Northern Ireland for particular qualifications. For as long as I have confidence that learners in Northern Ireland have access to all the qualifications that they wish —

Mr Allister:

Do those qualifications travel well?

Ms Gormley:

Those qualifications are exactly the same as the qualifications taken by learners in England.

Mr Allister:

But, if there are a lot of small niche qualifications, and someone goes seeking employment elsewhere, do those qualifications from that niche standing travel well?

Ms Gormley:

Within that sector, of course they do, because it is the sector that has developed those qualifications and the sector that is probably very involved in awarding them.

Mr Allister:

Thank you.

Mr Coughlin:

Just to add a general point about the market: there is a supply and demand factor in the provision of the 102. In the past year, we have been trying to establish data to see how big this market is — you raised the issue of cost — in terms of providers and how many courses have been offered. We have tried to get a feel for the extent of the cost of purchase of that, to give us overall figures on how big the market is here. That is an activity — a database that we want to spend some time looking at and gathering information on this year.

Mr Lyttle:

Thank you very much for your presentation; it was really helpful to hear from you on this issue. Skills development is obviously critical in the current economic climate. I will try to ask a couple of quick questions to keep us moving on; I know that we are pushed for time. Is it best practice to have two different bodies regulating vocational and academic qualifications in Northern Ireland? What sort of interaction is there with schools about their careers advice and guidance? Do all our schools give proper esteem to the merit of vocational qualifications? How do our qualifications compare with those of other countries?

Ms Spielman:

I will take the first part of your question and then hand over to Joan for the second. As to whether having two regulators is best practice, our job is to operate the system as it has been set up by legislation; it is not to have opinions on the best system. We understand that the review will look at the regulatory model, and we will, of course, contribute whatever information we can on how the system works at the moment.

Ms Gormley:

It was an interesting question, particularly in relation to our responsibility for regulating vocational qualifications in Northern Ireland, wherever they are taken. In my opening remarks, I talked about our emerging talks with the Department of Education. Now that schools are preparing for the full-blown implementation of the entitlement framework, we want to make sure that we make that available to the Department that may ultimately take the responsibility to approve qualifications for use in schools. On that basis, the qualifications that are available to learners in schools, if they are vocational qualifications, will be the same as those vocational

qualifications that are available to learners anywhere else in the system. There will be no difference and no lack of parity in relation to their counterparts anywhere else.

Mr Lyttle:

Obviously, we have a fairly fragmented education system in this neck of the woods. You said that you are not remitted to promote certain skills or be involved in that way, but are you confident that careers guidance in our schools is properly referencing the opportunities that are available to learners in vocational qualifications?

Ms Gormley:

We have no influence on the Careers Service. I also said in my opening remarks that we want to engage with the Careers Service because it is facing some the questions that are coming from learners. We will learn a little bit more about the kinds of choices that are available to learners before coming back next time when we will actually have spoken to the Careers Service.

Ms Spielman:

One of the strands in our strategic plan for the coming year will be about improving the quality of information that is made available to schools and colleges through the regulatory information system.

Mr Lyttle:

You obviously have extensive expertise in the vocational qualifications that are available. We need to ensure that all our schools avail themselves of the skills and expertise that you have available to help to inform the best choices that they can make for their careers.

Mr Douglas:

I apologise for being late. I am sorry that I missed part of the presentation. Joan, you talked about Wrightbus, which the Committee hopes to visit. In these times of economic doom and gloom, it seems that Wrightbus is bucking the trend. It has been hugely successful. Northern Ireland is proud of the great work that it has done. Part of employment and learning is the whole training aspect. I imagine that every aspect of whatever it is doing is hugely successful to get to this stage. It was said that 102 organisations provide those services. Is it part of your role to

highlight what Wrightbus is doing and that it is successful and will save companies money? Maybe 30 or 40 of those 102 are not doing the same thing.

Ms Gormley:

Wrightbus is a purchaser or user of the qualifications that are made available by the 102 awarding organisations. Wrightbus, like any organisation, has made a choice of which provider it has bought. I presume that its choice was a sectoral one; it chose the organisations that are in a position to offer it products to meet its training needs. That is the case very much in any organisation that we have gone to look at. Organisations like Bombardier or Wrightbus, and others that we work with like Mivan and Schrader have long-standing arrangements with sector-specific awarding organisations, and they have very, very good things to say about their relationships with those bodies.

The larger number of awarding organisations operate in the larger colleges, where they are dealing with a multiplicity of sectors and learning interests. Young people come across the threshold and want to do course A leading to qualification B. Any college that is worth its salt will want to make that provision available to them, which is why there are so many courses and qualifications available. The training that Wrightbus offers is very, very targeted and very, very specific.

Mr Coughlin:

There is a direct correlation between the success of those companies and the extent of the planning that they undertake and their investment. They see enhancement of the capability as something that is necessary for them to develop their products and skills for the markets that they are starting to explore. When you visit Wrightbus, as we found out, you see that some of the new markets that it is doing test work in are quite amazing. So, investment in skills is a necessary means to an end.

The Deputy Chairperson:

Thank you for coming and giving your presentation to the Committee today, taking the questions and bringing us up to speed with the work that you are doing. We look forward to hearing from you again in the future.