

National Assembly for Wales
Children and Young People Committee
Pre Legislative scrutiny of the Qualification (Wales) Bill
CYPE(4)–12–13 – Paper 1
Response from : WJEC

Background

The invitation from the Committee states that the Welsh Government has given an “early indication that the main purpose of the Qualifications (Wales) Bill is twofold”:

- to establish a single body to be responsible for the regulation and quality assurance of non-degree qualifications in Wales and remove the current regulatory responsibility for qualifications from Ministers; and
- in due course, for the body to take responsibility for awarding most qualifications for 14 to 16-year-olds as well as A levels and the Welsh Baccalaureate.

The Committee has indicated that its pre-legislative scrutiny therefore focuses on four broad areas, and these have been used as the four main sections of this paper.

1. “Is the proposed vision and remit for Qualifications Wales an effective organisational model?”

In considering the proposed remit for Qualifications Wales, detailed consideration needs to be given to the meaning and relevance of “regulation”, “quality assurance” and “responsibility for awarding”.

There is already a blueprint for qualifications regulation that is manifest in the current regulatory role fulfilled by the Welsh Government within the three-country approach that exists for general qualifications and the four-country approach that exists for aspects of vocational qualifications provision.

In relation to quality assurance, it is important to take into account that awarding organisations will themselves have arrangements in place for quality assurance in relation to all aspects of the development and delivery of qualifications. It therefore becomes important that consideration is given to the scope of the complementary work that Qualifications Wales should undertake in relation to quality assurance – much of this may in fact be undertaken by setting out criteria or design principles for qualifications, coupled with the process of accrediting qualifications against those criteria. These aspects of quality assurance are well aligned with the regulatory role and should therefore be effective components of the organisational model. A separate question is the extent to which Qualifications Wales will engage with quality assurance matters relating to learning providers, or whether this continues to be a matter for the independent inspection service, Estyn. A further consideration is whether Qualification Wales will engage directly with awarding organisations’ quality assurance systems on matters such as teacher-assessed components which contribute to a qualification award.

In relation to responsibility for awarding, there are key responsibilities relating to the awarding framework which Qualifications Wales will need to take on from the outset. This relates in the first instance to the awarding of the new AS qualifications in Wales in summer 2016, less than twelve months after the establishment of Qualifications Wales. It may therefore be helpful if the organisation's interim CEO could be in a position to engage in discussions relating to the setting and maintenance of awarding standards from very soon after appointment.

Within responsibility for awarding, a major issue is that Qualifications Wales will need to set a clear policy from the outset on setting and maintaining awarding standards. Whilst the "comparable outcomes" approach is currently favoured within the three-regulator framework for GCSEs and GCEs, the implications of continuing with this need to be fully explored and understood. This approach is currently implemented on the basis of "comparable statistical outcomes" in terms of percentages of each year's cohort, which of course is not necessarily the same as "comparable standards of performance" from year to year. This distinction is particularly important when a new qualification is introduced to succeed a previous version. Much work will need to be undertaken to establish an appropriate methodology for setting and maintaining standards for Wales' qualifications and this will need to be supported by a robust and transparent communications strategy in order to provide the high level of confidence necessary when establishing new high stakes qualifications.

Awarding organisations themselves have responsibilities for implementing a full range of processes relating to awarding, which interface with the high volume work involved in developing, issuing and marking examinations and moderating teacher assessments. In considering an effective organisational model for Qualifications Wales, it would seem to be important to avoid the inefficiencies which would arise through any duplication of the awarding work in which awarding organisations engage, the latter including checking and ratification of awards. In fact, as a regulator that may need to scrutinise matters relating to awarding, it will be important for Qualifications Wales to retain its independence from the awarding work undertaken by an awarding organisation.

It will be important for Qualifications Wales to establish itself within the community of qualifications regulators, given that there are technical matters from which there is much to be gained from shared dialogue. The major awarding organisations find that there is much to be gained from the JCQ^{CIC} network of which they are members. Qualifications Wales will find that as an independent regulator it is better able to make the most of these wider opportunities for engagement.

2. "What good practice can be adopted from other countries on separating the roles of exam regulator and awarding organisation within one body?"

Policies do not necessarily transfer readily from one country to another, not least because countries' circumstances tend to be very different from each other. It is also the case that there are not any examples of an examinations regulator and an awarding organisation existing within one body that are relevant to Wales' specific circumstances, in which:

- there are high stakes general qualifications at age 16 as well as at age 18
- such qualifications use brands (GCSE and GCE) that have to date been associated with regulation that is independent of awarding organisations
- qualifications under those brands will continue to be independently regulated in a large neighbouring country.

The priority therefore is to establish in Wales an independent regulator that is capable of addressing, to the satisfaction of stakeholders, the very significant regulatory challenges which exist in the qualifications environment. This requires independence from government (see also section 3.1) and from awarding organisations as well as complete clarity as to the respective roles of Qualifications Wales and awarding bodies in relation to quality assurance and complementary aspects of the awarding function.

Assuming that Qualifications Wales is set up in autumn 2015, this will be at a time when the most major reform programme for general qualifications ever undertaken in Wales is scheduled to be two thirds of the way towards completion. The first tranche of reformed GCSEs and GCEs, as well as the reformed Welsh Baccalaureate, will have been accredited during 2014 for first teaching from September 2015, the second tranche will have been submitted to the Welsh Government for accreditation in the summer of 2015 ahead of teaching from September 2016, and major policy decisions will need to have been made by early 2015 in relation to the remaining general qualifications that are to be reformed for teaching from 2017. WJEC would suggest that considerable work also needs to be undertaken in relation to a policy for IVET qualifications (see section 4) ahead of the time when Qualifications Wales is set up.

During the current first tranche of qualifications reform (for teaching from 2015), some good practice should have emerged in relation to the ways in which a regulator (currently the Welsh Government) can work with awarding organisations (mainly WJEC, but also some others) on policies which address a Wales agenda. As well as informing working arrangements for the second tranche of reform (qualifications for teaching from 2016), this should also be drawn on by Qualifications Wales in establishing its own ways of working.

Amongst Qualifications Wales' immediate tasks will be establishing policies that will underpin the awarding standards to be used by awarding organisations for the reformed AS qualifications in Wales (to be awarded for the first time in summer 2016) and also accreditation during summer 2016 of the third tranche of reformed GCSEs and GCEs (for teaching from 2017). For both these tasks, achieving clarity and independence of the respective roles of Qualifications Wales and awarding organisations will be fundamentally important.

3. “Will the relationships between Qualifications Wales (and awarding organisations including the WJEC in the short term) and the Welsh Government work effectively?”

3.1 Relationship between Qualifications Wales and the Welsh Government

There is no *a priori* reason why the relationship between Qualifications Wales and the Welsh Government should not work effectively, but in order to create as favourable a climate as possible for this relationship there is a need for clarity from the outset regarding respective remits.

For example, it may well be that the Welsh Government retains responsibility for overall curriculum policy including for the 14-19 age range. This could include the determination of taught content in “core” subject areas. The government should also retain the overall lead on high level policy in relation to qualifications, e.g. whether there should be regulated qualifications aimed at the 14-16 age group and whether

there should be a Baccalaureate style qualification. The Welsh Government would clearly retain the responsibility for resourcing the education system and for monitoring the performance of elements within that system: hence the government would need to decide on how to make appropriate use of data relating to qualification outcomes within performance measures.

It would be natural for Qualifications Wales, as regulator, to take responsibility for: recognising awarding organisations and monitoring their work, for accrediting qualifications in terms of specifications (syllabuses) and specimen assessment materials (this provides a major regulatory lever in terms of compliance and quality assurance). Qualifications Wales would also take overall responsibility for determining the general approach to be taken by awarding organisations in setting and maintaining standards. At times of qualifications reform, Qualifications Wales would have a key role to play in managing overall system risk, especially in relation to the interests of candidates and wider stakeholders. The independence of the regulator from government is vitally important in relation to matters relating to standards and overall risk in the system.

There are several "grey areas" for which it is debatable whether the Welsh Government or Qualifications Wales should lead. These might include the overall policy for Wales in relation to whether general qualifications should be linear or unitised, the extent to which qualifications for the 14-16 age group should be tiered, the nature of the grading systems that should be used, and the extent to which teacher-assessed elements should be included within the overall assessment schemes of 14-19 qualifications. Even if government considered that it should be the decision-maker on such matters, it would seem sensible for it to at least take advice from its qualifications regulator, given that there are significant "technical" considerations which relate to each of these.

3.2 Relationship between awarding organisations and the Welsh Government

Even with an independent qualifications regulator in place in Wales, the direct relationship between awarding organisations (including WJEC) and government will continue to be important. This is currently evidenced by the importance of the Welsh Government curriculum team's contribution to discussions relating to GCSE qualifications reform, and is paralleled by the importance of the contribution of the DfE at Westminster to equivalent discussions in England.

Also, there are important contributions which awarding organisations make to the provision of continuing professional development opportunities for teachers and to the development and publication of teaching and learning resources. These are matters which have a policy interface that can be broader than that of the qualifications regulator, especially in the bilingual context of the education system in Wales within which WJEC plays a significant role.

Awarding organisations (including WJEC) would therefore typically expect to have positive and constructive engagement with relevant policy teams in the Welsh Government both in the short and medium term after the establishment of Qualifications Wales.

4. “What will be the impact of Qualifications Wales on the accreditation of vocational qualifications (including apprenticeships)?”

Within the context of the Review of Qualifications recommendation that Wales should develop an approach to vocational qualifications that is based on the European convention of IVET and CVET, it would seem likely that the CVET (*continuing vocational education and training*) area will remain geared towards the use of qualifications that are commonly used across the UK. It therefore becomes important that Qualifications Wales should establish itself as an organisation that is well able to represent the perspective and interests of Wales alongside those other regulators who are involved in regulating these qualifications within their respective jurisdictions (Ofqual, SQA and possibly, in the future, CCEA).

However, in relation to the IVET (*initial vocational education and training*) area, it is WJEC’s view that there is very considerable scope for Qualifications Wales to work with awarding organisations and sectoral stakeholders to develop a national suite of IVET qualifications that draws on the best European practice of successfully blending the IVET vocational experience with the general education that is provided for the same learners. The Welsh Baccalaureate provides a very appropriate framework for doing this, ensuring that IVET learning programmes in Wales are designed to lead to high class qualifications that provide an assured progression route to more occupationally specific CVET programmes of learning as well as allowing young people to choose more general progression routes.

5. Conclusion

In the context of WJEC’s experience as an awarding organisation operating on a significant scale in two of the countries that are within the current three-regulator framework, the matters which require very careful consideration in the context of establishing Qualifications Wales include the following:

- establishing effective and efficient ways of working between the new regulator and those awarding organisations, including WJEC, that are committed to serving the needs of Wales through the development and delivery of general and vocational qualifications
- recognise how the complementary strengths and capacities of awarding organisations and a regulator can work together to best effect, even when the former are regulated by the latter
- establish appropriate mechanisms for securing the availability of high quality qualifications that meet Wales’ policy requirements, including addressing the needs of areas of learning where qualification provision is not straightforward if reliant on the “market” providing
- achieve clarity in defining a “responsibility for awarding” that focuses on the policies and practices that underpin the arrangements for setting and maintaining the standards of qualifications in Wales.

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