

**Minutes of the 73<sup>rd</sup> meeting of the Ofqual Board held on Wednesday 28 March at 10.00am in room 4 Spring Place, Herald Avenue, Coventry, CV5 6UB.**

**Present:**

Ian Bauckham	
Sally Collier	Chief Regulator
Mike Cresswell	
Anne Heal	
Hywel Jones	
Barnaby Lenon	
Christine Ryan	
Terri Scott	
Roger Taylor	Chair
Tom Taylor	
Frances Wadsworth	
David Wakefield	

**Ofqual**

Salma Ahmed	Board Secretary
Marc Baker	Chief Operating Officer
Phil Beach	Executive Director, Vocational and Technical Qualifications
Paul Bird	Associate Director, Finance - <b>for item 85/17 only</b>
Christine Forde	Associate Director, for Regulation Development & Impact - <b>for item 83/17(ii) only</b>
Michael Hanton	Associate Director, for Strategic Policy and Risk - <b>for item 82/17 and 83/17(i) only</b>
Matthew Humphrey	Director of Legal Moderation and Enforcement - <b>for item 87/17 only</b>
Andy Lester	Senior Manager, Strategy and Risk
Michelle Meadows	Executive Director, Strategy, Risk and Research
Daniel Gutteridge	Acting Director of Legal
Julie Swan	Executive Director, General Qualifications
Anona White	Private Secretary to the Chief Regulator

## Observers

Delroy Beverley  
Jo Saxton  
Lesley Davies

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### 77/17 **Welcome and Apologies for absence**

The Chair formally welcomed the newly selected members of the Board; Ian Bauckham who's term of appointment commenced on 1 March 2018 and the remaining new members of the Board; Delroy Beverly, Lesley Davies OBE and Dr Jo Saxton who had attended the Board meeting in the capacity of observers only until their terms of appointment commenced on the 1 April 2018.

The Chair formally thanked the departing Board members Anne Heal, Tom Taylor, Barnaby Lenon and Terri Scott for their work with Ofqual over the years.

There were no apologies to note.

### 78/17 **Declarations of interest**

The following declarations of interests were made:

David Wakefield declared that he had been appointed as Chair of the University Hospitals of North Midlands NHS Trust.

Ian Bauckham declared that he was a Trustee of NFER.

Mike Cresswell declared that he was a pensioner in the AQA Pension Scheme.

Christine Ryan declared that she had been appointed as a member of the advisory Board of Education Investor Magazine.

### 79/17 **Minutes of the meeting held on 31 January 2018 and Matters arising from past meetings of the Board**

The Board agreed the minutes of the Ofqual Board meeting held on 31 January and the matters arising as a true and accurate record.

#### **80/17 Chairman's Stakeholder Feedback**

The Chair provided the Board with a verbal update on the meetings and events that he had attended since the Board last met.

The Chair along with the Chief Regulator had met with the Secretary of State for Education, the Rt Hon Damian Hinds MP.

The Chair had spoken at a BBC event on careers and apprenticeships week, and attended Ofqual's Awarding Organisation (AO) Conference as well as the All-Staff Event. He noted that both events were successful and he commended colleagues who had organised the events.

#### **82/17 Chief Regulator's Report**

The Chief Regulator notified the Board that the new format for the Board papers included a paper from the Chief Regulator and in addition to this, separate papers which contained decisions for the Board to consider, or papers that would require the Board to consider policy issues and where they may be invited to make decisions.

Following the 31 January 2018 Board meeting, the Chief Regulator had attended meetings with the Secretary of State and the Minister for School Standards, Nick Gibb.

The Chief Regulator had observed an Ofsted inspection, the aim of which was to gain an understanding of the weight inspectors placed on exam results and their knowledge of reform. The Chief Regulator advised that she will also be observing inspections of a Further Education (FE) college and an Apprenticeships training provider in due course.

The Enforcement Committee had issued OCR with a Notice of Intention to fine £125,000 for a series of failures relating to malpractice in GCSE Computing.

The Consultation on teacher-examiner safeguards had been launched attracting some national coverage. The Board was notified that there was no intention of prohibiting teachers from writing examination papers and teaching from the specifications for the same exam boards.

The Chief Regulator thanked the departing members of the Board for their time and commitment to Ofqual over the years and the Chief Operating Officer (COO) who was due to leave Ofqual at the end of April.

### **General Qualifications update**

This section has been redacted, as its publication would be prejudicial to the effective conduct of public affairs.

### **Malpractice**

The Board was notified that the teacher/examiner consultation had been published on 14 March and the summer 2018 malpractice campaign would be informed by the behavioral insights advice that Ofqual had commissioned into teacher and student malpractice

This section has been redacted, as its publication would be prejudicial to the effective conduct of public affairs.

### **Vocational and Technical Qualifications update**

This section has been redacted, as its publication would be prejudicial to the effective conduct of public affairs.

### **Corporate Plan 2017/18 Tracker**

The Board considered and noted the Corporate Plan 2017/18 tracker which detailed the end of year progress against the Corporate Plan commitments.

The Board noted that during the past year, the majority of the organisation's commitments had been achieved with the detail set out in the covering paper and the tracker itself where the organisation's commitments were met in full, substantially met, or not met.

In response to the Board's question on how the commitments that had not been met this year would be carried forward to the new year, the Board was notified that those areas that were colour coded red or amber would be addressed in the new Corporate Plan reporting, to assure the Board of the actions that would be taken to address those commitments.

This section has been redacted, as its publication would be prejudicial to the effective conduct of public affairs.

83/17

## **Corporate Plan and Regulatory Burden Statement**

The Board considered and noted a paper on the Corporate Plan and the Regulatory Burden Statement and it was requested to agree the Corporate Plan for publication on 3<sup>rd</sup> April 2018 and to endorse the Regulatory Burden Statement.

### Corporate Plan

The Associate Director Strategic Policy and Risk outlined for the Board how the strategic direction given by the Board at the strategy day in February 2018 had translated into the proposed Corporate Plan, included in the Board papers.

In the meeting, Board members received a hardcopy of the new design for the plan, and were notified of drafting changes since the version provided in advance of the meeting.

The Board suggested that Goals 2 and 3 should be made more distinct in their presentation, that a definition of validity be included in the plan, that the context for the data in the infographic be clarified, and that the measuring our impact section referred to assessments of burden.

The Board was notified that its feedback on the design would be addressed as appropriate prior to the publication of the Corporate Plan.

**The Board agreed the Corporate Plan, for publication on 3 April 2018.**

### Regulatory Burden Statement

The Board was notified that Ofqual had a duty to publish the Regulatory Burden Statement and the organisation had a statutory duty to not impose or maintain any unnecessary burdens. The Statement detailed the work the organisation had undertaken over the last 12 months, in addition to proposals over the forthcoming year, to reduce regulatory burden or manage it where it was necessary.

The Board was requested to review and endorse the Statement.

**The Board agreed to endorse the Regulatory Burden Statement.**

This section has been redacted, as its publication would be prejudicial to the effective conduct of public affairs.

## **87/17 Membership of the Enforcement Committee**

The Board was notified that the Enforcement Committee was currently considering two cases which were expected to come to an end at the end of March 2018. However, there was a likelihood that the cases could continue beyond this date. The current Terms of Reference for the Enforcement Committee require two members of the Enforcement Committee to step down from the Committee once their terms of appointment came to an end on 31 March 2018. As such the Board was requested to approve:

- a. that membership of the Enforcement Committee should be extended to include former Board members where those Board members are part of an Enforcement Committee on the date their board term expires;
- b. that former Board members taking part in the Enforcement Committee should be remunerated;
- c. that decisions as to the revision of the Terms of Reference and as to the Terms and Conditions of appointment should be delegated to the Chief Regulator.

## **88/17 Report on the work of the Board committees**

The Chair formally thanked the new Board members for joining Ofqual and for attending their first Board meeting.

The Board was also notified that Delroy Beverley and Hywel Jones had agreed to join the Finance Committee and Lesley Davies had agreed to join the ARAC.

The Chairs of the individual Committees provided the Board with a brief update on the work of their Committees.

This section has been redacted, as its publication would be prejudicial to the effective conduct of public affairs.

## **89/17 Publication of Papers**

The Board agreed to the publication of the open papers for the meeting.

## **90/17 Other Business**

The Board considered the first edition of the Board newsletter and it agreed that the newsletter would serve as a conduit between Board meetings.

The Board was notified that the new Board members would undergo an induction programme in May, following which, a longer term Board development programme was planned to be rolled out across the year for all members of the Board. This would involve teach in sessions and presentations delivered by external speakers.

The Board was notified that the membership of the independent members of the Standards Advisory Group would be renewed for a further year. In addition to this the Chair invited Barnaby Lenon to return to the group as an independent member and both Daniel Mujis, Head of Research, Ofsted and Ian Stockford, Director of Qualifications and Markets, AQA had also been approached to join the group.

The Board thanked the Chair, Chief Regulator and members of Ofqual staff involved with the drafting of the Board papers for their efforts in producing summarised and succinct Board papers.

**91/17      Date of Next Meeting**

The next Board meeting will be on Wednesday 23 May 2018.

Paper to be published	Yes – after the meeting (with some sections closed as indicated above)
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