

## **Sixty fourth meeting of the Ofqual Board**

**Minutes of the meeting held at 10:00 on  
Wednesday 30 November 2016 at Ofqual, Spring Place, Coventry**

### **Present:**

#### **Board Members**

Tim Balcon  
Mike Cresswell  
Maggie Galliers  
Anne Heal  
Amanda Spielman (Chair)  
Roger Taylor  
Tom Taylor  
Neil Watts  
Julius Weinberg

#### **Ofqual**

Marc Baker	Chief Operating Officer
Phil Beach	Interim Executive Director for Vocational Qualifications
Vickie Bentley	Interim Board Secretary
Phil Bird	Associate Director, Finance (for item 56/16)
Sally Collier	Chief Regulator
Matthew Humphrey	Associate Director, Legal Moderation & Enforcement (for item 64/16)
Michelle Meadows	Executive Director for Strategy, Risk & Research
Dennis Opposs	Standards Chair (for item 58/16)
Natalie Prosser	Director of Legal
Julie Swan	Executive Director for General Qualifications

#### **Observers**

Jim Busher	Senior Manager, Strategic Policy (for item 57/16)
Chris Shadforth	Associate Director, Communications
Michael Hanton	Associate Director, Strategic Policy and Risk

51/16 **Closed Board Session**

52/16 **Welcome and Apologies for Absence**  
Apologies for absence had been received from Barnaby Lenon and Terri Scott.

53/16 **Declarations of Interest**  
There were no declarations of interest.

54/16 **Minutes**

The Board agreed the minutes of its meeting held on 28 September 2016 as a true record subject to minor editorial amendments.

Matters Arising

The Board considered and noted a paper on matters arising from past meetings:-

8/16, 18 May 2016 – the MoU with CCEA had been signed on 11 November 2016.

All other matters arising were addressed on the agenda.

55/16 **Chief Regulator's Report**

The Board considered and noted the report. The Chief Regulator gave an overview of the updates and key issues contained in the paper including:

- Vocational and Technical Qualifications
- Regulatory and Enforcement action
- Finance and resources

The Board discussed the Quality of Marking symposium which took place on 14 November 2016 where research carried out by Ofqual was presented and discussed.

The Board noted that it was important that Ofqual work with key stakeholders in relation to Quality of Marking and stressed the importance of concentrating on the substantive issues as well as addressing stakeholder perceptions.

It was noted that changes to the review and appeals system could drive negative perceptions. The Board were advised that the statistics for numbers of requests and changes to grades should be published in mid-December.

The Board were updated that the Ofqual Newsletter and webinars on 9-1 have been well received.

There was a discussion on the Staff Survey results and the Board were advised that the response rate was positive and an action plan was being drawn up to reflect on the results. The Board noted that this item would be discussed in more detail at item 56/16

The Board were advised that the ongoing work to review the exam boards' readiness to deliver the reformed GCSE's and A-Levels this summer and regulation of Vocational and Technical Qualifications remain two key priorities over the coming months.

The Board noted the change of name from Vocational Qualifications to Vocational and Technical Qualifications and were advised that this was to better reflect that the Directorate covers both vocational and technical qualifications.

56/16 **Chief Operating Officer's Report**

The Board considered and noted the report. The Associate Director, Finance, summarised the current financial position. The Board discussed in detail the current financial position and noted the risk of a potential underspend. The Board stressed the importance of proper probity in expenditure and noted ongoing plans for addressing any underspend ahead of year end.

The Board were advised that the Star Chamber process would review progress on current projects to ensure that they are on track and on budget and would assess business cases for new resource allocation. The Board were advised that recruitment to a number of posts had proved difficult and this had resulted in an impact on spend against forecasts as staff costs had been lower than anticipated.

The Board discussed the approach to financial and business planning going forward to ensure effective management of the budget. The Board were also advised that the new robust processes being used will help to keep up to date with the progress on projects enabling earlier identification of any issues which would affect financial planning.

The Board discussed the current sickness levels and noted the current number of cases. The Board were advised some of the cases were long-term illness conditions and that all cases were recently reviewed by the Chief Regulator. .

The Board acknowledged that it is important to ensure that work/life balance for staff is managed well. The Board commented that an effective people strategy was important in creating and maintaining a productive working environment.

The Board had a lengthy discussion surrounding the preliminary staff survey results which had recently been received. The Board commented that as well as it being important to compare the results to other civil service departments, it was important to compare to other types of organisation.

The Board were advised that the results of the survey had not been fully considered by the SMG and wider Leadership Team but that this was scheduled to take place. A full report would be delivered to the Board once this had happened.

The Board suggested that it may be helpful for members to contact the COO directly with any issues or questions they may have in respect of the staff survey results prior to the January Board so they could be answered fully at the next meeting. The Board agreed that a paper on the Staff Survey Results would be brought to the Board in January.

The board received an update on accommodation and were advised that plans were in progress and that a business case and more detailed update would be provided at the next Board Meeting.

57/16 **Strategy, Risk and Research Update**

The Board considered and noted the report.

The Board received an overview on key issues in the paper.

The Board received an overview of the outcome of the Quality of Marking symposium held on 14 November 2016 and were advised that it had been very well received.

The Board were advised that SRR has been increasing their focus on supporting the work of VTQ Directorate and the planned future focus on applied technical qualifications including BTEC.

The Board discussed the public commentary made in relation to KS2 maths and English tests. They commented that this was an important area and noted our attention and scrutiny of the area.

The Board discussed the new grading system which was to be used for the first time this coming summer for reformed GCSEs and that it was important to make sure that the public was aware of the changes. The Board were advised that this was in progress and that a comprehensive communications campaign was underway.

#### 58/16 **Inter-subject Comparability**

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

#### 59/16 **Vocational and Technical Qualifications Update**

The Board considered and noted the issues raised within the report. The Interim Executive Director for Vocational and Technical Qualifications gave an overview of the key points including the changes made to the Directorate structure and the change of name to the Vocational and Technical Qualifications (VTQ) Directorate.

The Board noted that a baseline review of VTQ directorate regulatory activity had been undertaken covering risk, a stocktake of current audit activity and systems and process review.

The Board considered the range of work currently underway in VTQ including work on applied generals, functional skills reform, apprenticeships and regulation of qualifications used in 14-19 performance tables. The Board also considered a new programme of work related to accountability for awards. The Board noted concerns about the delegation of awarding under 'direct claims status' where AO's permit centres to claim for awards with limited pre-award external scrutiny or sampling of assessment evidence. The Board noted that a strategic approach to this work was underway.

#### 60/16 **General Qualifications Update**

The Board received an overview of the key points in the paper.

The Board discussed progress on accreditation. The Board were advised that they would be provided a link detailing the progress on accreditation following the meeting.

The Board discussed the restrictions on AOs to stop their employees, or others with whom they have (or have had) a connection, who have had access to confidential assessment materials, from providing training at 'live' training events for teachers. They were advised that it appears that the rules are not fully understood by the AOs as some appear to be going well beyond compliance other may not be doing enough. The Board suggested that it may be advantageous to provide better guidance so the rules are clearly understood.

The Board discussed the readiness review which was taking place to ensure that the exam boards were ready to deliver the reformed qualifications in 2017. They were advised a review of the exam boards readiness to deliver the qualifications was planned. The Board agreed that it was critical we make sure we are asking the exam boards the right questions and ensure any system changes have been tested sufficiently.

The Board discussed GCSE Computer Science and how this subject should be assessed. The Board commented that it was important to look at what creates and preserves the classroom environment and that there were opportunities to consider alternative assessment approaches.

**61/16 Report on the work of the Board Committees**

The Board considered and noted the minutes from Committee meetings which had been held since the last Board Meeting and received an update from the Chairs of the Committees.

**62/16 Dates for Board and Committee meetings in 2017/18**

The Board considered and noted the paper.

**The Board agreed the dates proposed in the paper.**

**63/16 Annual Review of the Governance Framework**

The Board considered the update and discussed issues raised. It was agreed that some further changes should be proposed. In particular, the Board requested that the quoracy levels be reviewed in light of practice in other statutory bodies and that other minor amendments be made.

**The Board agreed that further amendments should be made to the Governance Framework and once these had been done, the amendments could be agreed.**

**64/16 Managing Enforcement Issues**

The Board considered and noted the paper

The Board discussed the proposed developments to Ofqual's enforcement strategy which were set out in outline in the paper.

The Board noted that it was important to act in appropriate cases when there is a breach and not to be lenient. Compliance with the conditions is essential if Ofqual is to meet its statutory objectives and enforcement acts as a deterrent against non-compliance. Undue leniency risks encouraging non-compliance and can create unhelpful precedents.

The Board discussed the creation of a standing Enforcement Policy Group, comprising Board Members and relevant senior staff, to guide the development of detailed proposals consistent with those outlined in the paper.

The Board agreed that the group would not have delegate of powers. Substantive proposals would be considered by the main Board in due course.

The Board discussed the potential for two Board Members to act as sounding Board, where appropriate, for investigations and pre-enforcement cases and noted that the Board Members taking that role would not take part in any Enforcement Committee on any case they had discussed in that capacity. The Board agreed that a 6-month term for taking that role would be appropriate.

**The Board agreed recommendations a, d, e and f as proposed. Recommendations b and c should be revised to:**

**There should be an Enforcement Policy Group made up of 3 members of the Board and representatives from the key Directorates and that the Group should develop and consider detailed policy proposals to propose to the Board for agreement.**

#### 65/16 **Publication of Papers**

The Board agreed that, the papers would be reviewed by the Chief Regulator and Chair and subject to some any redactions, all open papers for this meeting would be published.

#### 66/15 **Other Business**

As this was the Chair's last meeting, the Board took the opportunity to thank her for her dedication and commitment during her service and wished her well in her new position. The Board also thanked Julius, the Deputy Chair, for stepping into the role of Interim Chair whilst the recruitment process was underway.

#### 67/16 **Date of Next Meeting**

The next Board meeting would be on Wednesday 25 January 2017.