



Date

Wednesday 22 May 2019

Venue

Room 6016/17, Earlsdon Park, Coventry

Attendees

Board

Ian Bauckham

Delroy Beverley

Sally Collier

Mike Cresswell

Lesley Davies

Until 15:00

Hywel Jones

Dame Christine Ryan

Jo Saxton

Roger Taylor

Chair

Frances Wadsworth

Ofqual

Varinder Bassan

Acting Board Secretary

Phil Beach

Executive Director, Vocational and Technical Qualifications

Michael Hanton

Associate Director, Strategic Policy and Risk

Katy Harding

Associate Director, Finance and Commercial (Item 11/19)

Adrian Higginbotham

National Reference Test Senior Manager (Item 10/19)

Cath Jadhav

Director of Standards and Comparability (Item 09/19)

Andy Lester

Senior Manager, Strategic Policy (Item 07/19)

Michelle Meadows

Executive Director, Strategy, Risk and Research

Sean Pearce

Chief Operating Officer

Natalie Prosser

Director, Legal

Julie Swan

Executive Director, General Qualifications

Anona White

Private Secretary to the Chief Regulator

Catherine Large

Director, Vocational and Technical Qualifications (Item 08/19)

Observers

Katy Harding

Marie Vernon

Lucy Sydney

Helen Bowles

Lucy Sydney

Board CPD Session

The Board was given a presentation by Daisy Christodoulou, Director of Education, No More Marking.

01/19 Closed Session

02/19 Welcome and apologies

Apologies were noted from David Wakefield.

03/19 Declarations of interest

Hywel Jones confirmed his entry but advised he did not receive a salary from the Inspiration Trust.

Lesley Davies advised there were amendments to her entry which she would sent through via email.

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

04/19 Minutes and Matters arising

The Board agreed the minutes of the meeting held on 27 March 2019 to be a true and accurate record and noted the matters arising since the last meeting of the Board.

05/19 Chair's update

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

The Chair updated the Board on his attendance at two seminars. The first was with the Chief Executive of the Civil Service, John Manzoni and the second with the Minister for Implementation, Oliver Dowden. Both seminars followed a common thread which was the separation of policy formation from implementation; the use of more technology; and building trust with people who our services affected i.e. the end users of our qualifications.

The Board was advised of the publication of a research report on 'The impact of modular and linear exam structures at GCSE'. Ofqual had hosted an event to present and discuss the findings and it was noted that while these are technically difficult and controversial issues, this was exactly what Ofqual should be doing.

The Board acknowledged the distribution of the Board Effectiveness Review and agreed with the recommendations contained within it.

The Board recommended starting work on the recommendations as soon as possible especially on those which could be resolved quickly such as discussions reflecting on Ofqual's powers and duties. The Board felt this would also help with the induction of the new Board Members later in the year.

The Board was advised that in November 2019 Ofqual would be subject to a tailored review and noted the opportunity to complete some of the recommendations from the Effectiveness Review ahead of this.

06/19 Chief Regulator's report

The Chief Regulator provided a report on the work of the organisation since the last meeting of the Board.

Overview

The Board was made aware of a letter to The Guardian newspaper, and a related article, which claimed Ofqual was ‘killing off’ modern languages because of the difficulty of language GCSE and A level exams. The letter had been signed by around 150 academics.

The Board was advised the Chief Regulator would be meeting with the lead author of the letter. Ofqual was also working with DfE to explore the range of issues that might affect take up of modern foreign languages in schools and colleges.

The Board observed that the issue was not restricted to Ofqual’s jurisdiction, for example, the number of students taking GCSE French in Northern Ireland had also decreased.

Ofsted Inspection Framework Consultation

The Board noted and commented on Ofqual’s response to the Ofsted consultation.

Action

The Board asked for the wording of the response to be amended and the response re-circulated

Exam Procedure Review Service (EPRS)

The Board was advised Ofqual had received six responses to its consultation on EPRS in November 2018. Overall there was broad agreement with the proposals, although some reservations about the removal from the process of independent panellists.

The Board was advised that reluctance from some respondents to remove the independent panellists might be caused by a lack of understanding of their role.

Decision

The Board agreed:

- *that EPRS should be reformed to remove the requirement for some final decisions to be taken by a panel including external members;*
- *that EPRS should be extended to include Technical Qualifications (TQs);*
- *that the agreed changes are implemented for cases from the 2019 summer series;*
- *that the final wording for the decisions document, and the necessary decisions for implementation are delegated to the Chief Regulator.*

T Levels

The Board was informed that the Institute for Apprenticeships and Technical Education's governance processes to approve Technical Qualifications were very complex.

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

Accountability for Awards

The Board discussed the initial feedback from AOs to the Accountability for Awarding consultation. It was advised that some AOs had concerns about the proposals to require them to make unannounced visits. Their view was that this approach might be disproportionate.

The Board felt we may need to tailor our approach to the AOs in question. It was advised we were exploring all avenues to ensure burden was consistent with the size of the AO and the qualifications they offered.

Reform – Functional Skills English and Maths

The Board noted that Pearson had now been approved to deliver both L1/L2 and Entry Level Function Skills in English and Maths, and that AQA has been approved to deliver L1/2 Maths. The Board was advised that whilst there were some issues, the AOs would continue work to address them but the Executive were confident their qualifications were fit for purpose.

Post 16 Qualifications review

The Board noted the consultation response and requested some revisions.

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

Action

- *Recirculate a revised response to the Board electronically prior to submission.*

Maintaining Standards in Applied Generals

The Board was informed that research into four large entry Applied General qualifications had shown that standards were not maintained over time or aligned between AOs. This information had been shared with the AOs involved.

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

Memorandum of understanding with the STA

The Board was advised that Ofqual and the STA had agreed, in principle, a memorandum of understanding to provide greater clarity about their engagement and to support effective ways of working.

Decision

The Board agreed to delegate authority to sign the memorandum of understanding with the Standards Testing Agency to the Chief Regulator.

National Reference Test (NRT)

The Board was advised the tests had been successfully delivered and marked on time. Results would be released on GCSE results day to avoid speculation and anxiety.

Associate Director HR, L&D and Facilities

The Board noted that the new Associate Director for HR, L&D and Facilities was now in post.

07/19 Strategic Dashboard

The Board noted the Strategic Dashboard and was reminded it had been considered by the Audit Risk and Assurance Committee at its meeting on May 08 2019 which had approved the changes to definitions of risk E and G.

The Board was informed that a number of fake GCSE and A level exam papers had been found on social media sites. Ofqual was checking each of these with the appropriate exam board. Many were obviously fake and students commenting of social media had quickly recognised this. Others were more sophisticated.

The Board was informed of two incidents where at least some questions from live papers appeared to have been leaked before the exam was taken.

Ofqual was overseeing the exam boards' investigations into these security breaches. The Board was advised the Chief Regulator would be writing to all schools reminding them to protect secure materials, to encourage their students not to be distracted by exam-related posts on social media, and to be aware of the consequences for students and staff of malpractice.

08/19 External Quality Assurance of Apprenticeships

The Board considered the slides, which were presented by the Executive Director for VTQ and the Director for VTQ.

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

Action

Circulate a list of EPAOs to the Board members.

Decision

The Board agreed

- *with the response subject to delegate sign-off to the Chief Regulator in consultation with the Chair*

09/19 Improving the quality of expert judgement in setting grade boundaries (Closed)

The Board was advised of an alternative approach to collecting examiner judgement in GCSEs, AS and A Levels awards that had been piloted in 2018 and for which there were plans to pilot more extensively in 2019.

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

Decision

The Board:

- *agreed to approve the change to the National Reference Test (NRT) contract with the National Foundation for Educational Research (NFER) as set out in the Board paper;*

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

11/19 Financial update [Closed]

The Board noted the provisional financial position at 31 March 2019 subject to the final audit.

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

Decision

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

12/19 Report on the work of the Board committees

The Board was provided with verbal updates from the Audit and Risk Assurance Committee meeting which took place on 08 May 2019, and the Finance Committee meeting which took place on 10 May 2019.

Decision

The Board:

- *agreed the minutes of Finance Committee 26 February 2019;*
- *agreed the minutes of ARAC 13 March 2019;*
- *agreed the amendment to the ARAC Terms of Reference to include the AD Finance and Commercial to the list of named attendees;*
- *agreed the amendment to the Enforcement Committee Terms of Reference to allow one member of the Enforcement Committee to be a former member of the Board;*
- *agreed to the delegate authority to approve the revised Enforcement Committee Terms of Reference to the Chief Regulator.*

13/19 Publication of papers

The Board agreed for all open items to be published.

14/19 Other Business

There were no items of any other Business.

15/19 Date of the next meeting

19 June 2019 – Skype Meeting to agree Annual Accounts

25 June 2019 – Board CPD

17 July 2019 – Board Meeting

