

Pearson response to the Ofqual Consultation Regulating Endorsement and Examiner Author Conflicts April 2014

Organisation details

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Would you like us to treat your response as confidential?* If you answer yes, we will not include your details in any list of people or organisations that responded to the consultation.

Yes No

Are the views you express on this consultation an official response from the organisation you represent or your personal views?*

Personal views
 Official response from an organisation/group (please complete the type of responding organisation tick list)

If you ticked 'personal views', which of the following are you?

Student
 Parent/carer
 Teacher (but not responding on behalf of a school or college)
 Other (including general public) (please state capacity)

If you ticked 'official response from an organisation/group', please respond accordingly:

Type of responding organisation*

- Awarding organisation
- Local authority
- School/college (please complete the next question)
- Academy chain
- Private training provider
- University or other higher education institution
- Employer
- Publisher of resources
- Other representative group/interest group (please skip to type of representative group/interest group)

School/college type

- Comprehensive/non-selective academy
- State selective/selective academy
- Independent
- Special school
- Further education college
- Sixth form college
- None of the above (please state what)

Type of representative group/interest group

- Group of awarding organisations
- Publisher
- Employer/business representative group
- Subject association/learned society () Equality organisation/group
- School/college or teacher representative group
- None of the above (please describe the nature of your group)

Nation*

- England
- Wales
- Scotland
- Northern Ireland
- Other EU country (please state which)
- Non-EU country (please state which)

How did you find out about this consultation?

- Our newsletter or another of our communications
- Via internet search
- From our website
- From another organisation (please state below)
- Other (please state below)

May we contact you for more information?

Yes

No

*Denotes mandatory fields

Questions

A. To what extent do you agree or disagree that the endorsement of resources by awarding organisations for the teaching and learning of qualifications should be allowed.

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- Don't know/no opinion

Please provide comments or evidence to support your answer

Publishers of resources aim to make their materials align with the content requirements of the qualifications from one or more awarding organisation. A properly conducted endorsement process can give customers and users of those resources appropriate assurance that those resources do cover the necessary qualification content, and meet published quality criteria that ensure the resources promote a rich learning experience rather than a narrow diet of preparation for assessment.

B. To what extent do you agree or disagree that we have correctly identified the risks that endorsement creates.

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- Don't know/no opinion

Please provide comments or evidence to support your answer

We agree that the risks identified are all a potential outcome of an inappropriately conducted endorsement process. We believe that the benefits of endorsement are such that these risks should be clearly identified so that they can be properly and publicly mitigated.

C. To what extent do you agree or disagree that where an endorsement process is set up, the controls we are proposing are appropriate to manage these risks sufficiently.

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- Don't know/no opinion

Please provide comments or evidence to support your answer

We support all the controls being proposed, and having already put most of these controls in place already can confirm that they are deliverable and, we believe, effective. We also believe, however, that in some places the proposed controls could be tighter to more fully mitigate the risks identified. Please see below for further information against each proposed condition.

D To what extent do you agree or disagree that the draft new guidance in relation to Condition A4, about conflicts of interest when a senior examiner also prepares resources for a qualification, is appropriate?

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- Don't know/no opinion

Please provide comments or evidence to support your answer

We support the direction of travel, and agree that there are potential conflicts when 'senior examiners ... are involved in the preparation of a resource designed to support the preparation of learners ... for assessments for a qualification [for which they are a senior examiner].

However we recommend that the term 'senior examiner' is redefined so that it covers all who will have an involvement in the development and review of live papers. This is likely to include a wider range of people than those with the three roles listed (Chair of examiners, Chief and Principal examiner) and could include roles such as Revisers, Scrutineers and sometimes Principal Moderators.

The proposal is that staff and contractors in such roles 'promptly notify the awarding organisation of all instances in which they have been, or are currently, involved in the preparation of a resource.' We believe that in order to properly address this conflict of interest simply monitoring the instances where it happens is insufficient. There should be a contractual requirement that people in such roles do not get

involved in the development of associated commercially produced materials at all, whether as author, series editor or adviser.

We also recommend that such a ban on preparing resources should not be limited to qualifications for which the individual is a 'senior examiner'. We believe that the ban should relate to any published materials for that particular subject at that particular level. The wording at present could be taken to mean that it would be inappropriate for a Pearson chief examiner for GCSE History to write a book aimed at supporting the Pearson GCSE History course, but that it would be permissible for that individual to write a book supporting a different GCSE History course, or GCSE History in general. We do not think that this example would promote the level of public confidence necessary.

We further recommend that a clear difference is drawn between commercially produced materials and those materials produced by the awarding organisation under regulatory conditions for the guidance of teachers. These guidance materials are often produced under the heading of "getting started" and might include exemplar schemes of work, further exemplification on how to apply mark-schemes or further examples of assessment items. We believe it is entirely appropriate for senior examiners to be involved in the development of these materials. Such materials would be produced entirely under the aegis of the awarding organisation and so any issues of conflict of interest or confidentiality (cf Condition G4) would be fully and properly managed.

E To what extent do you agree or disagree that the draft new guidance in relation to Condition G4, about maintaining confidentiality of assessment material, is appropriate?

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- Don't know/no opinion

Please provide comments or evidence to support your answer

We agree that maintaining the confidentiality of assessment materials is paramount. We understand that where there is a limited pool of potential authors and examiners there may be permitted exceptions to any ban on senior examiners writing resources. However we believe that this will be the genuine case in very few instances and such instances should be carefully scrutinised. The first bullet point in the proposed positive indicators could be strengthened to reflect this.

F To what extent do you agree or disagree that the draft new guidance in relation to Condition F2, about packaging qualifications and resources together, is appropriate?

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- Don't know/no opinion

Please provide comments or evidence to support your answer

We understand the potential risks involved if an awarding body were to work exclusively with a particular publisher, as stated in paragraph 77, and we therefore have an open endorsement policy that means we will endorse resources from any publisher if they meet our published endorsement requirements.

We believe that providing integrated packages to support learners in their study for qualifications can have demonstrable benefits. However we do not think that awarding organisations should make qualifications available only as part of a package with other paid for products – the different components should also be available separately. We therefore support the proposed addition to Condition F2 that awarding organisations have a policy to determine when it is appropriate to make available such packages, and believe that the right test is the positive or negative impact provision of such a package has on students and/or purchasers of qualifications.

G To what extent do you agree or disagree that the draft new condition C3 and related, about awarding organisations arrangements with publishers, is appropriate?

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- Don't know/no opinion

Please provide comments or evidence to support your answer

If we believe, as we do, that the benefits of endorsement outweigh the risks, then it is essential that each awarding organisation clearly and publicly states the criteria it uses to decide whether or not to endorse a particular resource. We would recommend an additional positive indicator – that the awarding organisation makes it clear to customers of any endorsed resource what the 'endorsed' status of the resource does and does not mean.

H. To what extent do you agree or disagree that public confidence in these arrangements will be improved as a result of the proposals.

- Strongly agree
- Agree
- Disagree
- Strongly disagree
- Don't know/no opinion

Please provide comments or evidence to support your answer

These proposals will ensure that measures are put in place that should go a long way to improving public confidence. However there is currently only a partial awareness of the measures that already exist, so there will need to be a consistent (but not necessarily high profile) message that can be shared with key policy formers and influencers. This will make them aware of the new processes and safeguards that will ensure that endorsement is carried out for the benefit of learners while confirming the integrity of the qualification system.

I. Are there any other alternatives to introducing regulatory controls that we should be considering for endorsement processes?

J. What criteria for endorsement would you like exam boards to use to improve the quality of endorsed resources?

We believe that awarding organisations should make endorsement available to all publishers whose resources meet published criteria. These criteria should ensure teaching and learning resources focus on the subject content of the qualification rather than preparation and practice for assessment, although it is legitimate that a resource aimed at supporting a learner throughout their course should also give some guidance on the assessment requirements. Where the declared purpose of a resource is to support end of course revision then the balance between subject content and assessment practice and guidance will be necessarily different.

K. Are there any specific positive or negative impacts on people who share particular characteristics¹ that we should consider in relation to these draft Conditions? If so, what are they and how could we address any negative impacts?

We do not believe that there are any specific impacts on people who share particular characteristics that need to be considered.

¹ Including those defined by the Equality Act 2010, namely: age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex, sexual orientation.

L. Would any of our proposals have financial or wider resource consequences, positive or negative, for schools, exam boards, publishers or others? Please provide evidence to support your answer.

It is only possible to respond to this question from Pearson's perspective. As we already have most of the proposed arrangements in place we believe that these proposals will have little or no financial or wider resource consequences, positive or negative, for schools or ourselves as both an AO and publisher. We wish to make our publications widely accessible. Please contact us if you have any specific accessibility requirements