

# The role of the state in educational assessment

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# What justifies government activity?

- Functions of government –
- Things that will not happen at all in government's absence
- Things that will not happen 'adequately' in government's absence

# The traditional role of government

- Protecting 'common goods' from despoilation.  
Traditionally, common land, fisheries – and, today, the air and atmosphere
- Providing 'public goods': goods that no market can provide effectively because you cannot charge for them/prevent 'free riding'
- Preventing and regulating monopolies

# Public goods include

- Defence
- Policing
- Law/courts
- **Weights and measures**
- Roads (for the moment...)
- Parks
- Street lighting

# Education (and training) were not traditionally included

- Education in the home
- Apprenticeships
- Universities - self-governing, though with church support
  
- State provided underpinnings of the system – law of contract, plus, sometimes, licensing to give guilds and universities monopolies on certain forms of education (leading, often, to licensed occupations)

# A little history

## Economic trends

- 18<sup>th</sup> century assault on monopolies, licences, barriers to trade
- 19<sup>th</sup> and early 20<sup>th</sup> century reaction – central & manpower planning. In UK, ‘licence to practice’ stays relatively rare.
- Late 20<sup>th</sup> century: re-embracing of the market, state as guarantor of competition, consumer rights, provider of information on products

## The nation-state

- Growth of national and nationalised education systems as a way of creating citizens with a common culture and identity
- Growth of welfare services – redistribution via services that are free at the point of use, usually on a universal rather than means-tested basis

# What might any of this imply for the state's role in education?

- National or state **curriculum** - common to almost all developed countries, although with varying degrees of specificity and universality
- Commitment to **equal opportunity** in terms of **access** to education (schooling free for ever-longer periods/ grants and loans for higher education) and in way that gatekeepers make decisions - demand that selection decisions be transparent and 'fair'.
- Direct state **provision** of education, on the (not universally accepted) grounds that only this can ensure good quality provision for all. Dominant pattern in early periods of universal education, although **subsidised** church-based provision has also been very common (with subsidies often reaching close to 100%).

Does any of this imply that the state needs to be heavily involved in assessment?

**NO**



# How the world works - dominant patterns in developed states (1)

- Curriculum-based systems are far more common than those which are examination and qualification-led at all stages
- Dominant mode of formal accreditation for schools is high-stakes at end of upper-secondary schooling only, which is often but not always administered or tightly regulated by the state; plus, in some countries, some state involvement in certification at end of lower secondary/compulsory schooling

## How the world works - dominant patterns in developed states (2)

- Vocational assessment: - ranges from no formal awards (Italy) to awards by regulated organisations with no direct state oversight of standards or exam content (Germany) to free-standing state licensing exams (USA) to state-organised qualifications for the young, combining teacher assessment with examined general education (France)
- Direct state involvement is, almost everywhere, confined to vocational education and training for the young.

What are the most valued certificates and qualifications of all, throughout the world?

Degrees- especially those awarded by autonomous universities in systems which are not state-run

In general, 'weights and measures' functions are taken care of through the licensing and oversight of *institutions*

'Equal access' issues are tackled by focusing on a few, high-stakes assessments or examinations, related to selection decisions, or to 'gate keeping' at important points of transition

So our current English  
system is very peculiar  
indeed

## A little more history: how qualifications became so important here

- Multiple examination boards providing academic exams for university entry/matriculation
- Multiple vocational awarding bodies, developing from trade bodies, charities etc
- Formal qualifications, developing organically, became more important – especially in the vocational field – than in most countries
- Post-war Labour governments introduced individual subject certification: also highly unusual in international terms
- No national curriculum until late 1980s
- However, exam boards created a de facto syllabus for middle and upper secondary pupils

# Nationalisation and Centralisation

- Increased concern over 'standards', among Labour and Tories. (Callaghan's 'Ruskin Speech')
- National curriculum and national testing
- Detailed supervision of GCSEs and A levels
- Infatuation with 'skills' as a strategy for growth and productivity leads to NVQs and nationalisation of vocational awards
- Growth of 'accountability', targets and Public Service Agreements requiring departments to achieve measured outcomes
- Government measures its own success by these, internally and against OECD tables
- The 'need' to count drives creation of common measurement scales for all qualifications – levels and points

# Regulatory agencies come, go and increase in number

- SCAA and NCC
- NCVQ
- ILBs
- QCA
- NAA
- QCDA
- Sector Skill Councils
- OFQUAL



So is this still a 'weights and measures' activity?



Or is government deciding  
exactly what should be stocked  
and offered?



Both of the above, and more: -

it is specifying what should be offered, what it should look like and also going into production on its own behalf....



## Government's role has been transformed

- It no longer concentrates on its traditional 'weights and measures' function, checking that qualifications give 'true weight'
- Nor is its involvement simply a way of ensuring a common curriculum is delivered: – it is as well as a common curriculum
- Though referred to as 'regulation', it has actually been **tight supervision** and, in key cases, **direct production** of qualifications

Progressive extension of state control  
assumes that government can be both  
effective and impartial

**It also implies that it is more  
effective, and more impartial, than  
independent bodies can be, even  
under regulation**



Criticism of the current complex  
regulatory structure has been  
widespread

Condemning overload, rigidities,  
unnecessary costs is the bread and  
butter of politicians' speeches

# Wasn't this the bad old days?

Doesn't Ofqual signal a move back to light regulation, and an emphasis on truthful product labelling?

# Unfortunately not -

Not the way the current legislation proposes, not the way Ofqual is currently constituted, and not the way human beings behave

# Why this might not be true..(1)

- ‘Regulatory capture’ - the mutual self-interest of regulators and established producers, as opposed to new entrants and innovators
- Regulation in itself tends to reduce competition and the degree to which there is response to multiple signals from the market – i.e. the consumer
- At its most extreme it *creates* monopolies

# Why this might not be true... (2 & 3)

- If governments are measuring their own success through the performance of tightly supervised, or nationalised, agencies, they have a strong incentive to influence the way outcomes are measured.
- (Goodhart's Law: any measure used for control purposes is unreliable)
- Experience indicates that governments have little ability (or incentive) to take account of the costs of regulation – which further reduces efficiency of the regulated industry

# Why this might not be true...(4)

- Public agencies, like any other body, will seek to promote their own importance, power, and size, and to make themselves very difficult to abolish
- If agencies are given powers they will, sooner or later, use them
- Entrepreneurial agencies will build on their remit, be creative in suggesting the need for further action, and progressively extend their reach

# Ofsted and the working mothers

- ‘Ofsted has lost the plot over childminding case’ (Independent) 9.09
- ‘Working Mums are now seen as suspect’ (Sunday Express) 9.09
- Childcare Act 2006: anyone in England looking after children ‘for reward’ must be registered and inspected
- Ofsted statement (9.09): ‘Reward is not just a case of money changing hands. The supply of services and good....can also constitute reward.’
- Ofsted statement (10.09) ‘Ofsted welcomes the moves to clarify the regulations’

# Local Government Surveillance Powers

- Tens of thousands of requests made/granted
- “The Regulation of Investigatory Powers Act has been used in ways that were never intended, as an umbrella for all sorts of activities by public organisations.....It was never envisaged – indeed it was categorically denied by the Home Office at the time – that it would apply to local authorities.” Lord Morris of Aberavon (Labour), debate on the Constitutional Committee’s report on Surveillance, House of Lords 19.6.09 (HLDeb c 1287)
- If a power is there, it will be used – sometimes later, sometimes sooner



How might this apply to Ofqual?

# Regulation AND Accreditation

One more layer than standard regulatory bodies require: and reserve powers include the ability to 'call in' any qualifications which a (regulated) body had not submitted for full accreditation

And that is just the legislation –  
what is demanded goes well  
beyond that

Ofqual has is the inheritor and  
beneficiary of QCA's entrepreneurial  
activities

# Regulation AND Accreditation AND the Credit Framework

**‘Qualifications and Credit Framework’ goes well beyond the existing qualifications framework – which itself is uniquely all-embracing, and makes claims unrivalled by any other system**

# One Awarding Body's experience and conclusions

- 'The AAT has always been sceptical about the value of the QCF.....Nothing that has happened has led us to change our view'
- 'The QCF has imposed on us a significant administrative and financial burden with no obvious benefit to our students or employers'
- Cost of reworking qualifications 2008-10 (based on detailed breakdowns): £594,000

# The Qualifications and Credit Framework

- Non-statutory
- Created by an entrepreneurial quango
- Highly restrictive
- Creates strong disincentives to innovate
- Extremely expensive to implement
- Justified in relation to government's determination to shape the overall size, nature and content of qualifications
- Valued for potential contribution to piling up qualifications - which remains the prime way in which Treasury constructs PSAs with the two education departments, and in which the government measures its own success

## Regulating qualifications – a recapitulation

- Weights and measures function – ensuring basic quality and accuracy of information. A PRODUCER CANNOT ALSO BE AN HONEST INSPECTOR –AND GOVERNMENT IS NOW A PRODUCER
- Risk of monopolies/cartels BUT GOVERNMENT PLACES EVER MORE BARRIERS IN THE WAY OF ENTRY, INNOVATION, AND FLEXIBILITY
- Imposing, broad educational aims BUT WE ALREADY HAVE A NATIONAL CURRICULUM

