

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT

Second Delegated Legislation Committee

DRAFT EDUCATION (REPEAL OF
ARRANGEMENTS FOR VOCATIONAL
QUALIFICATIONS AWARDED OR
AUTHENTICATED IN NORTHERN IRELAND)
ORDER 2016

Wednesday 20 April 2016

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Sunday 24 April 2016

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The Committee consisted of the following Members:

Chair: MR GARY STREETER

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| † Barclay, Stephen (<i>North East Cambridgeshire</i>)
(Con) | † Jayawardena, Mr Ranil (<i>North East Hampshire</i>)
(Con) |
| † Blackwood, Nicola (<i>Oxford West and Abingdon</i>)
(Con) | † Jenkyns, Andrea (<i>Morley and Outwood</i>) (Con) |
| Bradshaw, Mr Ben (<i>Exeter</i>) (Lab) | † Metcalfe, Stephen (<i>South Basildon and East
Thurrock</i>) (Con) |
| † Dakin, Nic (<i>Scunthorpe</i>) (Lab) | † Smith, Jeff (<i>Manchester, Withington</i>) (Lab) |
| † Dowd, Peter (<i>Bootle</i>) (Lab) | Timms, Stephen (<i>East Ham</i>) (Lab) |
| † Drummond, Mrs Flick (<i>Portsmouth South</i>) (Con) | † Warburton, David (<i>Somerton and Frome</i>) (Con) |
| † Elliott, Julie (<i>Sunderland Central</i>) (Lab) | † Wragg, William (<i>Hazel Grove</i>) (Con) |
| † Gibb, Mr Nick (<i>Minister for Schools</i>) | Marek Kubala, <i>Committee Clerk</i> |
| † Howlett, Ben (<i>Bath</i>) (Con) | † attended the Committee |

Second Delegated Legislation Committee

Wednesday 20 April 2016

[MR GARY STREETER *in the Chair*]

Draft Education (Repeal of Arrangements for Vocational Qualifications Awarded or Authenticated in Northern Ireland) Order 2016

2.30 pm

The Minister for Schools (Mr Nick Gibb): I beg to move,

That the Committee has considered the draft Education (Repeal of Arrangements for Vocational Qualifications Awarded or Authenticated in Northern Ireland) Order 2016.

It is a pleasure to appear under your chairmanship again, Mr Streeter. The draft order, which was laid before both Houses on 11 March of this year, repeals the provision that makes Ofqual, the English examinations regulator, the regulator of vocational qualifications for Northern Ireland. Instead, the Northern Ireland Council for the Curriculum, Examinations and Assessment, which already regulates GCSEs, A-levels and other non-vocational qualifications, operating as CCEA Regulation will become responsible for regulating all types of qualifications awarded in Northern Ireland. The draft order brings qualifications regulation in Northern Ireland into line with that in Scotland and Wales, where specific regulatory bodies oversee all qualifications awarded in their respective countries.

When Ofqual was established in 2009 and assumed the regulatory functions of the Qualifications and Curriculum Authority, which regulated vocational qualifications in Northern Ireland, the Northern Ireland Department for Employment and Learning proposed that Ofqual take on QCA's responsibilities in Northern Ireland, and that was included in the legislation that established Ofqual. In recognition of the fact that the Northern Ireland Administration committed to keep the arrangements for regulating qualifications under review, the Apprenticeships, Skills, Children and Learning Act 2009 made provision for Ofqual's responsibilities in Northern Ireland to be removed by order. The Northern Ireland Administration now wish to make use of that provision.

The Northern Ireland Department for Employment and Learning reviewed the regulatory arrangements last year and concluded that it would be more appropriate for a single body to be responsible for the regulation of all qualifications in Northern Ireland, including vocational qualifications. The Minister for Education in Northern Ireland, John O'Dowd, endorsed the proposal in December 2015. In January 2016, the Northern Ireland Minister for Employment and Learning, Dr Stephen Farry, wrote to my right hon. Friend the Secretary of State for Education requesting the assistance of the Department for Education in amending the 2009 Act to remove the responsibility for regulating vocational qualifications in

Northern Ireland from Ofqual to allow CCEA Regulation to perform that duty under article 75 of the Education (Northern Ireland) Order 1998.

The UK Government and Parliament should not take a view on policy decisions made by the Northern Ireland Administration, so in responding to that request we have sought only to ensure that the decision made in Belfast is implemented properly, fairly and efficiently and does not adversely affect people taking these qualifications in England or Ofqual's ability to regulate the qualifications for which it is responsible. These proposals and the practical arrangements that sit alongside them achieve that. The Department for Education here in London has worked with our Northern Ireland counterparts, Ofqual and CCEA Regulation to implement the changes, and I am grateful to all those organisations for their co-operation. The Northern Ireland Office has been informed of the proposed changes.

Since the beginning of the year, CCEA Regulation and Ofqual have communicated with all the awarding organisations affected by the change. The two regulators will continue to work together and with their counterparts in other parts of the United Kingdom to minimise burdens on the awarding organisations that they regulate jointly. Ofqual intends to sign a memorandum of understanding with CCEA Regulation as it takes on its new responsibilities and has recently done the same with the new qualifications regulator in Wales, as many similar qualifications are used in all three jurisdictions.

As a result of this legislative change, Ofqual's small office in Belfast will close. The Northern Ireland Department for Employment and Learning will provide funding for any associated costs and the change will be cost-neutral for Ofqual.

The draft order and the changes are just one example of devolution in action. Each part of the United Kingdom should be able to make arrangements for regulating qualifications that support its objectives and priorities, and to change those arrangements where appropriate. That is what the Northern Ireland Administration are doing, and that is what this order enables for vocational qualifications. I commend it to the Committee.

2.35 pm

Nic Dakin (Scunthorpe) (Lab): As always, it is a pleasure to serve under your chairmanship, Mr Streeter.

The Minister has outlined very clearly the reasons for taking these steps, which we support. The CCEA Regulation already regulates the majority of qualifications in Northern Ireland, so it makes great sense to introduce this measure. The Northern Ireland Executive have requested the changes and it is right and proper that the UK Government accede to that request. The Minister clearly spelt out the policy background, which is plainly stated in paragraph 7.1 of the explanatory memorandum and gives us context for today's debate.

I have only a couple of questions for the Minister. He spoke very helpfully about the communication and practical steps already in place, but will he say what steps are being taken to ensure the smoothest possible transfer from Ofqual to the CCEA? Also, will he reassure us about the support being given to the staff affected by the closure of the small Ofqual office in Belfast?

2.36 pm

Mr Gibb: There has been consultation with CCEA Regulation and officials have been working behind the scenes to ensure a smooth transition. There are also memorandums of understanding in place to ensure that the awarding bodies—the exam boards—are not burdened by having two sets of regulators regulating the same type of qualification.

Ofqual is managing the consequences of the change for its three members of staff in Belfast. I asked it

particularly to do everything to ensure the best preparation for those staff and to help them in any way possible. Any financial consequences of the closure of the office will be borne by the Department for Employment and Learning in Northern Ireland. I hope the draft order has the support of the Committee.

Question put and agreed to.

2.37 pm

Committee rose.

