

**The End Of Zero Risk Regulation:
Risk Toleration In Regulatory Practice – 12 September 2007
Abstract For Paper from Isabel Nisbet and Alan Greig, Qualifications and
Curriculum Authority**

The paper from the Qualifications and Curriculum Authority (QCA)* will approach the question of risk toleration in the regulation of qualifications from both a theoretical and empirical perspective. It will apply the current thinking about risk to qualifications regulation and explore how reputational risk has a significant impact on the actions of the key players – Ministers, regulators and awarding bodies. Examples from current and recent practice will be used to illustrate the argument that over time successive incidents and mishaps with qualifications has led to increasingly detailed regulations.

As a key educational public body QCA is being urged to conform to the current regulatory direction of travel – to regulate at a higher level, to be mindful of bureaucratic burdens, to allow innovation, and to place responsibility in the hands of those closest to delivery. However, risk tolerance with regard to highly visible qualifications and tests remains extremely low. Government action mirrors this dilemma, as Ministers establish detailed and prescriptive arrangements for the awarding of A level grades on the one hand while, on the other, introducing a new, complex qualification without any trialling or testing of the content. The paper will ask whether such wildly different approaches to risk need to co-exist, and, if they do, what the implications are for regulation.

The paper will conclude that the pragmatic approach to the regulation of qualifications which is adopted as a consequence of these dilemmas is in fact one that could be adopted in other sectors, but that there is a need to develop appropriately versatile regulatory instruments. The experience of QCA as a relatively new regulator may thus have lessons to offer to the theoretical study of regulation.

Isabel Nisbet and Alan Greig

*QCA is a non-departmental public body, sponsored by the Department for Children, Schools and Families. QCA maintains and develops the national curriculum and associated assessments, tests and examinations. QCA is also responsible for the regulation of examinations (including GCSEs and A levels), national curriculum assessments, and a wide range of other qualifications. In this context its core task is to ensure that standards are maintained and that learners get the results their work deserves.