

Introductory notes

Codes of practice, protocols, principles etc permeate our lives, and are increasingly being used by professional bodies (for self-regulation), by governments (for pursuing public policy objectives) and agencies charged with maintaining and enhancing safety and quality.

Have they increased public goods? In some manufacturing sectors the implementation of codes has increased quality (and consistency, where safety issues are critical) but this has resulted in increased costs. In some sectors, this has adversely affected small, innovative companies, who face significant costs in respect of submitting products for testing and approval. In these contexts there is a complex balance of benefits in terms of reconciling the tensions between securing public goods and ensuring that innovation continues.

Developing codes and ensuring adherence to them operates with different force in different settings – it tends to be the case that there is more impetus towards a national/international common consensual code where high stakes obtain – such as in medicine, in the airline industry. The consequences of error or non-compliance tend to be stark in such circumstances.

As a result of the increasing use of codes as instruments of policy and control, and because of their status and potential power, there is a danger of proliferation of codes in many settings. In educational testing and measurement, is the current trajectory of the creation of codes likely to result in convergence or divergence in tests and test forms? It all depends on the nature of the codes and their implementation. If there is one, or only a few codes, of high levels of generality which are capable of highly variable interpretation, then divergence and diversity remains possible. Many general codes is not the same as many specific codes. One highly specific code can reach down deeply into practice.

To this it's important to add that codes are not, and should not be, static. It's not just a question of developing a code – the code also has to be monitoring in its effects, and changed over time. Societies develop, values shift, the science of measurement improves. Codes should lead the operation of tests and measurements but at the same time be led by improvements. Educational systems are complex social systems, with assessment assuming a complex role within them – codes are an exercise in understanding the operation of complex systems – and then re-expressing them as principles and rules.

I take a realist position on social science and measurement – some approaches are better than others. If we are to reduce the risk to learners (and to society and the economy) from less effective or unethical approaches, then some poorer quality processes should cease. As part of this, the high-stakes versus low-stakes distinction (which is central to the operation of some codes of practice) is spurious, and should not be used to structure codes and their operation. There is nothing intrinsically high-stakes or low-stakes about a specific measurement – information can be used and misused some time after it was created; seemingly low stakes feedback to learners can substantially affect their identity (I am no good at X) and radically affect their learning- and life-trajectories.

Codes are powerful instruments and any authors (and adherents) must be self-critical. Since they are associated with power, codes will be developed and enforced by a range of agencies not solely on the basis of their technical quality and their utility. We should constantly review codes for their aims, technical characteristics, and their hidden and overt effects. We should constantly deconstruct them. Am I against codes? Not at all. I am against codes which are oppressive, which are unethical, which are anti-scientific, and have undesirable effects – in part or in whole. Is a progressive code possible – one which allows innovation yet encourages convergence on good practice? Yes...but it requires extraordinarily careful development, operation and review – it should be the object of constant deconstruction and the subject of constant discussion.

Tim Oates
November 2006