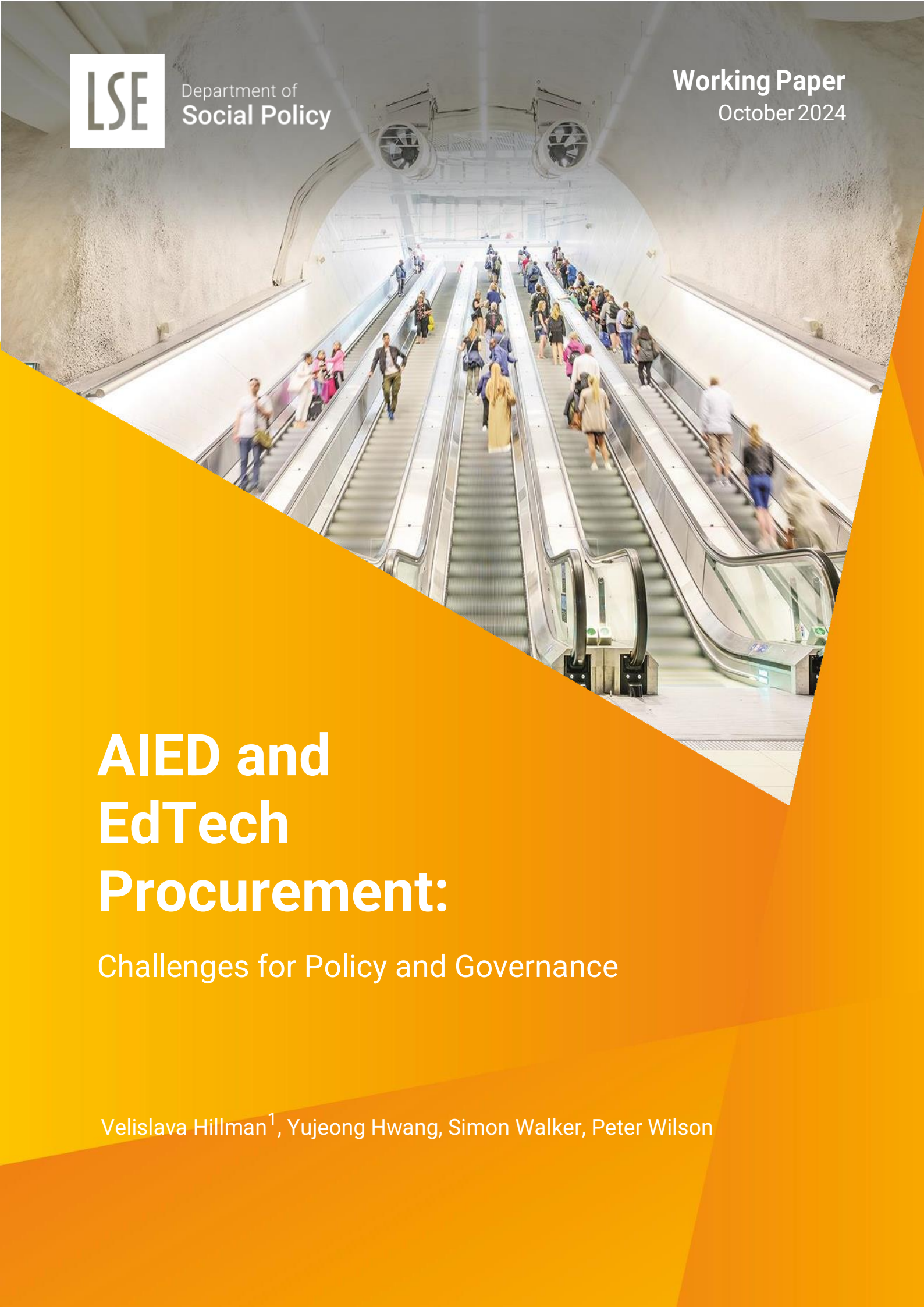




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A photograph of a busy subway station with multiple escalators and many people walking. The scene is brightly lit and has a modern, clean aesthetic. The image is partially obscured by a large orange diagonal shape in the foreground.

AIED and EdTech Procurement:

Challenges for Policy and Governance

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AIED and EdTech Procurement: Challenges for Policy and Governance

Velislava Hillman¹, Yujeong Hwang, Simon Walker, Peter Wilson

ABSTRACT

This report presents the outcomes of a recent roundtable consultation which addressed the challenges in procurement and governance of artificial intelligence for education (AIED) and educational technologies (EdTech) across all educational sectors in the UK. The consultation brought together representatives from higher education, further education, primary and secondary schools across the country to discuss the financial, regulatory, and operational barriers to effective AIED and EdTech procurement. The event aimed to crystallize current issues, propose necessary actions for short- and long-term procurement strategies, and outline a policy framework for better procurement and governance. Key themes included the lack of transparency in procurement processes, inadequate enforcement of data privacy and security standards, and the need for centralised and standardised frameworks to guide future AIED and EdTech procurement. Recommendations were formulated, focusing on enhancing regulatory oversight with stronger enforcement mechanisms, establishing clear standards for vendors, and increasing students' and teachers' involvement in decision-making processes. The report from this discussion aims to inform policy proposals to be presented to the Department for Education (DfE) and the Information Commissioner's Office (ICO), with further public consultation planned later in the year.

Keywords: EdTech procurement, audit, public registry, primary and secondary schools, Further Education, Higher Education, AI

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Yujeong Hwang (Alyson) is a Senior Researcher at Policy Connect, where she leads various research projects tackling persisting issues in Education and Skills, and Technology policy. Her previous research at the University of Cambridge looked at pedagogy in computer science, and she has since built on this body of work to address inequalities in digital learning environments and skills needed for students and teaching staff to adjust to technological advancements in education.

Simon Walker works at LSE, Southampton, UCL, and King's College where he works on, and oversees various strategic projects. He is a senior consultant at Jisc. Professor Walker's expertise lies in learning design and assessment. His previous roles included Director of Programme Development at UCL and Head of Educational Development at the University of Greenwich.

Peter Wilson is the Research and Impact Manager at Policy Connect, delivering and supporting research activities across the think tank and working to maximise their impact. Since joining in May 2023, Peter has focused on education and skills policy, collaborating closely with the All-Party Parliamentary Group for Skills, Career & Employment, the Skills Commission, and the Higher Education Commission. Previously, Peter completed a PhD in Politics and International Studies at the University of Warwick, exploring how labour market policymakers should respond to involuntary unemployment.

1. ABOUT THE ROUNDTABLE

On July 26th, 2024, the London School of Economics and Political Science (LSE), together with the Data Science Institute, Eden Centre, Policy Connect, and Education Data Digital Safeguards, held an online roundtable with representatives from across the UK education sector on the various challenges facing institutions and schools regarding the procurement of educational technologies (EdTech) and artificial intelligence (AI). The roundtable focused on three key objectives:

- Crystallise the main issues and challenges in the current AI and EdTech procurement and adoption in light of high costs around digitisation and tight budgets to ensure effective choices
- Identify necessary next actions for immediate and mid to long-term AI and EdTech procurement
- Draft a policy proposal with recommendations and actionable points for government and senior education sector leaders, including those in higher education, further education, primary, and secondary schools.

The format of the online session included two brief presentations followed by breakout sessions each.

1. The first presentation outlined some of the challenges with AI and EdTech procurement and governance based on existing literature. This was followed by a 45-minute breakout session to gauge insights on participant experiences, concerns and practices with AI and EdTech governance and adoption.
2. The second presentation aimed to demonstrate existing good practice: one from a non-related field (with Achilles, a private company that provides a vendor database for the Utilities sector) and from education itself (with E-Act, a multi-academy trust in England). These presentations were also followed by a 45-minute breakout session with attendees discussing ways forward and action points for policy and governance.

This report presents the views shared during the roundtable and the participants' recommendations, as well as proposing next steps for governance and procurement of EdTech and AI across all levels of education. This discussion will be presented to the Department for Education (DfE) and the Information Commissioner's Office (ICO), with a follow-up event later in the year, to generate policy discussions with relevant regulators and stakeholders.

2. CONTEXT

The rapid advancement and encroachment of artificial intelligence (AI) and digital technologies (EdTech) in education create significant challenges at social, political, and economic levels in the UK and more widely, across the world. The global EdTech market is experiencing significant growth, primarily driven by advancements in digital learning tools (such as virtual learning platforms, digital assessment tools and platforms, or Generative AI/ Large Language Models) and infrastructure (such as learning management systems and student records). The aftermath of lockdowns during the COVID-19 pandemic that necessitated emergency remote learning further propelled the demand: in 2023, the global EdTech market size was estimated at USD 142.37 billion and is expected to grow at a compound annual rate of 13.4% from 2023 by the end of 2024 (Grand View Research, 2023). There are variations in market size estimations, which highlight the dynamic nature of the industry, but we reference the size to show the speed at which technologies are increasingly impacting the way education is developed and delivered.

The range of EdTech products and solutions available serve various purposes, whether they target the learner or the teacher. Specific technologies with advanced capabilities in automation, prediction and even behavioural control are tied up in broader societal processes worthy of critique, such as datafication and psychological governance (Macgilchrist, 2021). The market of EdTech and AI for education (AIED) is evolving at a rate that outpaces policy development and regulatory oversight: while many products are now streamlined and mediating high-stakes educational processes, their quality and impact have put a severe cost-burden on educational institutions. A good example in the UK is the 'Oak National Academy' case, which has been a subject of controversy and legal challenges since its establishment as an arms-length government curriculum body. The Academy was initially created in September 2022 alongside £43 million of public funding, with an additional £2 million for the specific development of AI lesson planning tools (Department for Education [DfE], 2023). Although the procurement and use of Oak

National Academy is and always has been optional, the establishment of the Academy as an arms-length body has been met with severe backlash from the EdTech and publishing industry. The High Court had granted permission for the British Educational Suppliers Association (BESA), the Publishers Association and the Society of Authors to pursue legal action, citing existential risk to their respective sectors and the growing concern that the Academy will reduce school autonomy and teachers' governance of their teaching materials (National Education Union, 2024). In 2024, the UK government launched an independent review of the Oak National Academy, although the current Education Secretary, Bridget Phillipson, has verbally committed to lowering funding for the Academy over the next years (Turner, 2024). The key issue is that although there has been a diverse range of views from stakeholders that are, at times, even opposing one another, there is a substantive lack of evidence that drives decision-making in procurement—especially regarding the value of any EdTech product or solution. Furthermore, interested commercial actors seem to be leading the conversation on which products get to be publicly procured by state schools and other public bodies, rather than teachers and senior leaders of educational institutions.

Various sector agencies and stakeholders in the UK are concerned about the current trajectory of procurement policy, especially in light of the newly announced Procurement Act 2023. Although the previous Conservative government had scheduled the commencement to be in October 2024, the newly elected Labour government announced a delay until February 2025. The previous National Procurement Statement has been withdrawn, a mere 32 days before the act was due to commence.

The roundtable consultation that we held at LSE with key stakeholders across all levels of education in the UK aimed to address key issues and challenges on the topic. While AI and EdTech procurement challenges and opportunities are increasingly covered in academic research, our collective efforts were focused on identifying good practice for sustainable governance and formulating actionable policy points forward. With this consultation, our goal was to gather participants' diverse experiences and perspectives to create a comprehensive report reflecting best practice and actionable points for policy.

Two objectives framed the discussion and interpretation of the discussions during the roundtable.

- EdTech procurement matters: We led the conversation around the challenges described in various literature and recent research on fragmented EdTech procurement both in the UK (Policy Connect, 2020; Hillman, 2022; DfE 2024) and globally (UNESCO, 2023). We addressed EdTech procurement as a systematic process that requires financing, expertise, and sustainable processes of evaluating, understanding, and ensuring trust (see DfE, 2023); we are also supportive of a democratic process in the decision-making when adopting new digital technologies in the teaching and learning process. We advocate for pedagogic principles to underpin procurement and support the embedding of teacher and student voices. Unfortunately, end-users are rarely consulted when making decisions about purchasing EdTech solutions, which is a cause for concern (Scott and Gray, 2023).
- Standards for a licensing regime: We specifically wanted to focus the discussions not so much on the problems with EdTech and AI procurement but on actionable points and ways forward. As such, we drew from other sectors (utility services, for instance) where clear standards are required for service providers and product vendors to meet and be licensed before they sell to consumers. This helped to drive the discussion of what can be the next steps for such a regime to be introduced and what is still missing (where some standards such as data privacy protection or cybersecurity certification exist) to achieve a better and more trusted digital sector and a procurement process.

The roundtable consultation followed Chatham House Rules, capturing participants' voices and insights without specific reference to individuals or institutions.

3. THE PROBLEMS WITH EDTECH AND AIED PROCUREMENT ACROSS THE ENGLISH EDUCATIONAL ECOSYSTEM

3.1. The current landscape

The first breakout session focused on understanding the key stakeholders involved in the decision-making process for EdTech procurement across various educational institutions in the UK. Participants discussed the roles and influences of these stakeholders, including institutional leaders, IT staff, and educational practitioners.

The session also delved into current procurement practices, highlighting significant challenges and concerns. These included difficulties in assessing the effectiveness of EdTech solutions, ensuring quality and security through governance structures, and navigating complex procurement systems. Participants shared insights on how different educational sectors—such as schools, colleges, and universities—approach the procurement of EdTech and AI in education (AIED) and the impact of current procurement practices on long-term strategies for adopting these technologies.

Discussions touched on issues such as the effectiveness of governance structures, the influence of purchasing consortia and other frameworks, and the implications of short-term contracts and monopolistic supplier behaviours. The key questions that guided the first breakout session included:

- Who are the key stakeholders involved in decision-making during the procurement processes in different educational institutions (e.g. schools, colleges and universities)?
- How are decisions around adopting EdTech tools currently made, and what are the challenges with the current practices?
- How do institutions ensure the edtech tools they procure meet minimum standards for data privacy, cybersecurity, and accessibility?

- Once EdTech is procured and implemented, how do institutions measure their effectiveness and enforce compliance with policies?
- How are end-users engaged in providing feedback on the edtech tools?

One major issue highlighted by the majority of participants was ***the lack of transparency*** in the ***decision-making process surrounding EdTech and AIED adoption***. Participants expressed frustration with the opaque nature of these decisions, which impacted nearly everyone down the line. A senior representative from a technology organisation with a focus on data and Black communities noted:

What we found really interesting was the lack of clarity and the opaqueness around how decisions about EdTech applications are made. This lack of transparency affects not only parents and guardians but also staff members.

Another significant concern raised was the ***absence of effective enforcement mechanisms*** to ensure that EdTech vendors comply with essential standards such as data privacy, security, and accessibility, and human rights-respecting designs. Participants pointed out that current practices often rely heavily on existing vendor relationships rather than thoroughly assessing institutional needs when procuring new tools. The implications of this reliance were that it could lead to inadequate solutions that don't meet the specific requirements of the institution.

There was a clear call for ***stronger regulatory oversight from bodies like the Information Commissioner's Office (ICO)*** to prevent unethical practices by EdTech vendors, especially regarding the fast-encroaching Generative AI platform vendors. The need for more robust regulations to ensure compliance and protect educational institutions from exploitative practices was a recurring theme in the discussion.

A learning developer from one university raised concerns about the disparity in decision-making power within universities. She remarked:

Universities might be outmanoeuvred by better-funded lobbyists who know how to sell their products, putting unfair pressure on lower-grade university staff to make these decisions.

Additionally, an Innovation Lead at a Multi Academy Trust (MAT), discussed the challenges associated with managing both approved and unregulated EdTech tools. This participant explained:

We have a network of approved applications, but we also face challenges with what we call the 'Wild West' - tools that teachers can freely sign up for without proper oversight.

This highlights the need for a more structured approach to managing EdTech procurement to balance innovation with appropriate controls. That said, many also criticised the labour and cost of any kind of procurement required for which many underfunded educational institutions cannot meet, which is acutely true for higher education institutions.

It should be noted that contracts are awarded at an average length of 3-5 years before it is renewed. In Policy Connect's report (2020), it was reported that there were cases of suppliers up-charging upon renewal, adding premium characteristics that are oftentimes not interoperable with other IT services already embedded into the digital ecosystem of a university.

On the other hand, a staff member from a university leading on procurement stated that another issue is the existence of multiple thresholds for procurement processes based on the value of the purchase. Another solution suggested here is increasing thresholds so that more user autonomy is granted to teachers and students.

It just takes ages, to procure anything...and people don't really appreciate or know that. [Quotation] thresholds mean that for anything less than £50,000, we have to trigger a formal process. That means greater cost in time and

resources for something we know is going to be a routine purchase – hugely frustrating.

A participant from a MAT pointed out the ***difficulty of disaggregating, managing and tracking the purchase of low-cost EdTech products*** across the Trust's schools. Disaggregating low-cost EdTech products means that school or MAT leaders are severely challenged by the lack of visibility and inefficiencies that arise from their decentralized purchases and uses of EdTech/AI products. The same MAT representative noted that central versus departmental or individual purchasing remains a significant issue for them. For example, ten schools within their Trust were unknowingly acquiring similar products. To address this, the MAT has implemented a dashboard to centralize and share information about the products being used all across, which aims to streamline and aggregate purchasing decisions. This participant emphasised that while centralisation is beneficial, it also requires substantial effort and cost to manage effectively.

3.2. Issues with regulation and enforcement

The second segment of questions of the roundtable discussion invited participants to address critical issues related to the regulation and enforcement of EdTech/AIED, focusing on vetting processes and the impact on product quality. The discussion highlighted several core problems, including ***the lack of statutory requirements for vendors, insufficient enforcement mechanisms***, and the ***challenges in evaluating EdTech products from a pedagogical perspective***.

Participants raised concerns about the inadequacies of current enforcement practices. An EdTech consultant noted the difficulty schools face in assessing whether EdTech vendors are complying with necessary standards. She highlighted the general lack of support and awareness in educational institutions. Another participant echoed this sentiment, questioning ***the effectiveness of reporting unethical practices to regulatory bodies*** like the Information Commissioner's Office (ICO), pointing out that the consequences for non-compliance are often unclear.

From a pedagogical standpoint, there was also an important discussion about the **challenges of measuring the effectiveness of EdTech tools**. Participants emphasised that focusing on metrics such as time spent on a platform might not necessarily correlate with educational outcomes. Instead, it is crucial to evaluate whether these tools genuinely enhance learning, teaching and assessment, rather than just meeting arbitrary targets.

The impact on educators and students was also a recurring concern. As in the previous subset of questions, we emphasised the importance of student voice, especially when it came to identifying the challenges in assessing the quality of EdTech and AI products. One student representative argued that there is a significant lack of transparency regarding the use and regulation of EdTech tools, highlighting the need for better awareness and explanation of the processes involved.

3.3. Issues beyond data privacy: AI influence and manipulation

In this segment of the roundtable discussion, participants were prompted to delve into critical issues surrounding data privacy and security considering advancing algorithmic technologies in education. While still thinking about effectiveness of procurement processes, the role of regulatory bodies, and the broader implications of data use were the focal point of this discussion.

Often, the lack of accountability and tangible enforcement in the present laws and regulations is part of the big problem with regards to EdTech and AIED procurement. In general, stakeholders doubted the likelihood of enforcement happening. One participant from a data protection organisation noted the challenge, stating:

My concern here is that it's not just about having the right procurement processes, although that's important. Organisations like the ICO need to enforce [regulatory processes], because actually enforcing those things [relating to procurement conditions and requirements] is really hard.

Another participant from an educational consultancy criticised the role of cybersecurity and GDPR consultants in the UK, suggesting their actions sometimes obstruct effective

data protection efforts. This participant highlighted the difficulty schools face in ensuring compliance with data privacy standards and questioned the effectiveness of reporting issues to the ICO, adding: 'Without the ICO or some of the enforcement agencies pulling their finger out...there is little consequence.' The discussion also revealed concerns about the enforcement of standards. The same participant pointed out:

I don't think there is any... I think the work we do with the US is significantly better because the Federal Trade Commission and schools are very much on it. I hope that with the new regime, things could change.

The same participant contrasted this with the more lenient approach observed in the UK and mentioned that international regulations, like FERPA and COPPA in the US, impose stricter controls on data use and contractual terms. Another representative of a non-governmental organisation countered this argument by pointing out that pressure should come from the educational institutions themselves.

I think the pressure has to come from institutions, it's schools, it's local authorities saying you actually need to do something. And I don't think that will come from the DfE.

Additionally, risks associated with algorithmic influence and discrimination were discussed. A participant from an advocacy group raised concerns about data used in educational settings potentially affecting individuals' access to services such as mortgages or jobs. She argued for a shift in perspective, stating,

We need to get away from talking about data privacy as just a regulatory issue. Privacy is a human right, and the fundamentals of human rights need to be respected by any actor entering a public state-funded education system.

3.4. Student and teacher voices and participation in procurement

The third part of the session focused on the involvement of end-users, such as students and teaching staff, in the procurement and implementation stages of EdTech products.

Participants highlighted a significant issue with the lack of end-user engagement during the tendering and piloting phases, which affects whether the selected technology truly meets the needs of its users. There is often no clear visibility into what is being procured, how frequently it is used, or whether it is underutilised. Additionally, concerns were raised about the potential for discrimination and exacerbation of inequalities due to algorithmic biases, as there is often insufficient understanding of how these algorithms influence decision-making. This has been evident across all levels - from primary and secondary to FE and HE.

This lack of involvement mainly suggests (as we will elaborate in the next section) that there is a need for more transparent and inclusive processes to ensure that edtech and AIED effectively support key stakeholders (teachers, students) and clearly provides transparency around possible risks and limitations of their use.

An important point at the consultation was to stress the role of student and teacher voice across the whole educational ecosystem. For that, we (the organisers) ensured student representation during the sessions. Important feedback emerged from students. For example, there is a predominant ***lack of awareness among students*** about the EdTech tools being used. Equally, the implications for their own personal data privacy were also emphasized. Participants called for greater transparency and increased student involvement in the procurement process to ensure that their needs and concerns are adequately addressed. A former teacher-turned EdTech consultant who works with numerous schools, described the situation as chaotic, stating:

Procurement is done at the individual teacher level, leading to a mess. Most state school leaders would struggle to map out even the basic EdTech tools used throughout their schools.

One student shared her concerns about EdTech and AI in education, noting something fundamentally basic:

None of us are completely [aware] of what EdTech even means. It sounds very abstract to us. So, as you said, I'm sure I have been exposed to

EdTech products, but I'm completely unaware of what they are, unless I have some particular interest in what it is. So, like getting an insight into this sort of conversation, it feels very much like everything's going on behind the student's backs. How can you possibly regulate something that's being directly used on and by students if we're totally unaware of it all? Surely, we need to be exposed to the entire process, or at least have it explained to us? I think maybe if there was some sort of policy that enforced, like a sort of, explicit declaration, like this, 'these are the tools that we're going to be using on your work, this is how we're going to be accessing your data...', then maybe you will start to have a bit more awareness but also anger and prepare to resist this.

This lack of transparency the student pointed out, creates a feeling of being excluded from decisions that directly impact students. The student suggested that policies should enforce explicit declarations about the tools being used, including how data is accessed and managed. This would not only increase awareness but also empower students to make informed decisions and potentially resist misuse.

Much to the concern with untested products and low threshold to market entry related to the lack of transparency and enforcing compliance around data protection. We have seen that the EdTech sector and broadly the digital technology industry is full of examples where student or children's data has been misused, commercialised unfairly, and exploited (see Human Rights Watch 2023, IDAC 2022, and the most recent case with Oracle [Reuters 2024] and Microsoft [Federal Trade Commission 2023]). To these misuses in relation to inadequate EdTech procurement, the same student noted:

I think one of the problems is that a lot of people my age and younger, we were born almost into an information age. So, we're sort of numb to our data being used unfairly. We, you know, we sign up, we put our password and email everywhere without thinking twice. So, I think there's a slight risk that even if we are more exposed, like to the knowledge, we might not react angrily where we should be. Because we've almost been like

propagandised into believing that it's okay to have our information completely in the open.

Another comment was made with regards to digital tools and platforms and whether their impact on learning and assessment was positive or not. The executive of an organisation that works with schools and supports procurement argued that assessing value and impact are more nuanced and it is difficult to make blanket statements for all products. He added:

I think things like impact are different. It's very contextualised, about how the tools are used. And I don't think that's an area that can be completely externally passed over. I think they should have better insight and knowledge there.

Another participant represented an organisation of students and joined the discussion to represent peer voices. They made the point about **the pedagogic impact of generative AI tools**. The student acknowledged that these tools could enhance personalised teaching and feedback and offer considerable benefits to students from disadvantaged backgrounds, including disabled, international, and first-generation university students (Johnston et al., 2024). However, there were concerns expressed about institutions using software to detect if students have used AI-generated content which can be considered supportive to non-English speaking students. The student pointed to studies (Bentley et al., 2023; Liang et al., 2023), which indicate that such software often fails to accurately classify texts by these students, and therefore, these limitations should be considered in procurement.

The same student additionally argued against moving towards purely exam-based assessments as a response to the use of generative AI. He emphasized that such tools are likely to be used in the workplace after graduation, making it impractical and counterproductive to exclude them from academic assessments (Johnston et al., 2024). Instead, integrating these technologies into educational practices in a responsible manner could better prepare students for their future careers.

This points to the need for institutions to have better internal capacity and knowledge to assess the actual impact and pedagogical value of EdTech tools, rather than relying solely on external assessments. However, this incurs costs and expertise that many institutions cannot afford considering the current financial landscape and warrants a sector-wide approach for sharing information on vendors and their products.

4. WAYS FORWARD: IMPLICATIONS FOR POLICY AND ACTION

The second breakout session showcased two types of effective practice for management and procurement. The first was by Dr. Neelam Parmer from E-ACT, a MAT, who detailed their Trust's new central platform which aims to allow Trust leaders to track and evaluate EdTech products, ensure compliance with data protection regulations, identify redundancies and importantly—let their teachers to share ideas on usage and feedback. While costly, the approach aimed to promote a collaborative culture, optimise investments, and enable data-driven decisions.

The second presentation was by Kiki De Brujin of Achilles, a company specializing in utility supplier assessment and sustainability. While not related to education, Achilles' platform demonstrated a form of good practice that exists in the utilities sector. Their platform standardises the evaluation of suppliers by measuring compliance with legislation, ethical practices, and sustainability goals. It provides an overall sustainability score using a blend of self-reported data, third-party information, and on-site audits. A similar database can be developed to include EdTech suppliers who meet minimum appropriate efficacy, safety, and lawful criteria. Following these two presentations of existing practice, we split the audience again to discuss actionable points forward.

4.1. Feedback on the existing 'good practice'

Dr. Parmer's presentation highlighted E-ACT's successful implementation of a centralised dashboard designed to manage and track EdTech and AIED products across their Trust. In her words:

[The platform] gives us a lot of data insights of how we can save money, what we're going to use, what we're not going to use, and we can look at licensing costs, pedagogical impact, and training needs of our staff.

She emphasised the dashboard's role in fostering a collaborative culture and sharing best practice.

Similarly, De Bruijn showcased their platform, which is designed to evaluate utility suppliers' adherence to legislation, ethical standards, sustainability practice, and other requirements. The platform generates an overall sustainability score along with detailed sub-scores for specific areas. It employs a mix of self-reported data, third-party feeds, and on-site audits to assess suppliers comprehensively.

Nevertheless, during the breakout discussions, some participants expressed scepticism with the demonstrated solutions. They viewed them as largely symbolic rather than substantively impactful. Some perceived these initiatives as commercial ventures that provide a superficial endorsement rather than a rigorous, enforceable assessment of vendors. Concerns were raised that such practice might serve more as a marketing tool or symbolic certification rather than implementing strict accountability and robust enforcement mechanisms to ensure vendors adhere to critical standards—one proposed 'blacklisted vendors' to be made available!

One academic suggested that while dashboards provide useful data, it would still be insufficient as a standalone endeavour to expect any rigorous scrutiny and oversight of the providers. She suggested that there is a need for a centralized agency or unified set of processes that can streamline assessment across institutions and expect more accountability.

Some participants stressed their concerns about the lack of enforcement and accountability within current systems, which would make any such efforts futile. Few participants also showed total distrust in any kind of system being set to provide governance and transparent processes. An executive of an NGO said:

I know of a case where a sport-related Edtech tool [company owner] was wining and dining, you know, [with] Trust executives. So, I think we should be cautious about suggesting...there's no, you know, outside incentives or interests being played, wherever, wherever the marketing is done.

Another respondent from an HE institution highlighted a critical gap, saying,

If, as a supplier, you are caught in a lie without any enforcement power, this is still the thing that I think remains a significant gap for me.

An HE procurement representative noted that:

Without the ICO or some of the enforcement agencies pulling their finger out, and actually if I report if I'm running one of these management tools ethically and I report them to the ICO, what is the consequence?

This reflects frustration with the limited effectiveness of current regulatory mechanisms.

Concerns were raised about the effectiveness of centralised platforms on several more occasions. One participant shared their experience of involving students directly in the procurement process, explaining:

I have brought students directly into the procurement process to be one of the scorers. That takes time because you've got to build a trust relationship with that student.

Another participant expressed scepticism about the feasibility of improving enforcement, noting, 'I worry slightly if saying we want to see better enforcement with the ICO is beyond our reach. If we think that is beyond our reach, then we are in very deep trouble.'

4.2.Observations from the discussions

The feedback from the roundtable discussions reveals a critical perspective on the current state of EdTech and AIED procurement. Participants consistently ***raised concerns about the transparency and enforcement of standards in the EdTech sector***. Frustration was strong over the overall ineffective enforcement mechanisms. Some questioned the ability of regulatory bodies, such as ICO, to impose meaningful penalties on non-compliant vendors. The lack of robust consequences for breaches and unethical practices points to a broader issue within the sector: ***inadequate protection for institutions and students with regards to data protection but also their own voice*** in the matter.

A major issue identified was the fragmentation and inefficiency caused by the lack of centralised mechanisms to vet and monitor EdTech products. Yet, even when such centralised mechanisms were presented as steps in the right direction, scepticism questioned whether such solutions genuinely enforce accountability or merely provide a veneer of compliance.

The general apprehension that these initiatives might serve primarily as marketing or symbolic endorsements rather than rigorous assessment mechanisms reflects a broader dissatisfaction with the current approaches to EdTech/AIED procurement and vendor management.

Difficulties in tracking and aggregating low-cost EdTech purchases across institutions and departments would often lead to a lack of visibility which complicates any efforts to standardise and optimise the available resources. This fragmentation not only turns out to impede effective oversight but also risks stifling individual innovation.

Challenges with regards to supplier networks and legislation were highlighted throughout the discussions. One participant mentioned that informal 'whisper networks' among professionals could offer deeper insights into suppliers than the dashboards alone, which she argued indicated a gap in transparency and communication. A representative of FE mirrored these concerns and added that the current legislation and regulations used by these dashboards are inadequate for ensuring robust safeguarding. She advocated for more frequent and rigorous impact assessments to enhance compliance and protect

institutional interests. She highlighted that the lack of oversight in FE is particularly critical and needed. In this regard, she also expressed frustrations with regards to the numerous available frameworks of evaluation out there and advocated for a consensus on which (any) one specific should be adopted and vendors and their products - assessed and evaluated on.

Another academic from HE proposed pooling resources for procurement but questioned which central organisation would oversee such a process. This does exist (see JISC n.d.) which suggests that it may not be well known. Similarly, the British Educational Suppliers Association (BESA) has the Code of Practice, which is a mandatory membership commitment given by the members of their organisation. It requires any members looking to engage with schools to meet the ethical standards around quality and standards; integrity; transparency and openness; safeguarding and data security; and discriminatory conduct. Despite this, there was still a need for a more coordinated approach and to consider all levels of education.

The question of 'open source' was also raised. One participant asked whether institutions need to purchase proprietary software or if open-source alternatives could be viable. She advocated for a more strategic and transparent decision-making in software adoption along with **greater investment in open-source solutions**. She recommended that fostering an open-source-friendly environment could provide more flexible and cost-effective options for institutions.

The same participant also suggested that while creating a new public body might be slow and bureaucratic, existing organizations like ALT and Jisc could play a crucial role in enhancing procurement practices, especially with the latter's involvement in CHEST procurement initiatives.

Taking these results, we took the next step to compile several actionable steps forward with specific attention to policy.

5. ACTIONS FOR TACKLING THE ISSUES WITH EDTECH PROCUREMENT AND GOVERNANCE

1. Streamline the process of procurement to save on costs and prevent redundancies

- Implementing a comprehensive and centralised procurement strategy for EdTech and AIED will minimise the current substantial costs and unwise investments, eliminate redundancies (e.g., several institutions assessing the same vendor), and reduce financial burdens on government and educational institutions. This approach will also ensure that resources are better allocated and that institutions have more power to negotiate better contracts and terms.

2. Increase transparency and accountability for EdTech/AIED vendors

- Regulatory bodies like the ICO must increase enforcement and impose meaningful consequences on EdTech vendors that fail to comply with data privacy, security, and ethical standards. Schools and institutions need clear avenues to report non-compliant vendors, and the regulatory bodies must demonstrate that they will take swift action, such as fines or revoking vendor access when violations are identified.

3. Establish clear standards and guidelines for EdTech/AIED vendors

- While there are already proposals in the field, the DfE, in collaboration with regulatory bodies such as ICO and experts on aspects such as data privacy, pedagogy, digital accessibility, cybersecurity, and ethics should develop a comprehensive set of standards and guidelines for EdTech and AIED vendors.
- These standards should cover areas such as data privacy, security, accessibility, pedagogical evidence, and ethical business practices. Institutions should then be empowered to only procure from vendors that can demonstrate compliance with these established standards, creating a clear incentive for vendors to meet the expected requirements.
- The framework of standards and requirements should be regularly updated by incorporating evidence from licensed vendors, industry and stakeholder feedback, and any other factors that may necessitate revisions, new conditions, or additional considerations.

4. Develop centralized repositories through web portals/APIs

- Create a single web portal or API that provides a comprehensive list of vetted and audited EdTech and AIED vendors. Such a platform or public registry should be accessible to all educational institutions and follow a consensus framework to ensure transparency and consistency.
- An educational institution can customize and develop their version further by including their teaching staff and other products they integrate into their programs.
- It should also be able to allow educators within educational institutions to share good practices and experiences with EdTech and AIED tools; support collaboration and the dissemination of successful strategies across institutions.

5. Set up public reporting on vetting/audits

- Implement a system for regular, public reporting on the outcomes of vendor vetting and audits. These reports should be clear, readable, and accessible to all stakeholders to enhance transparency and accountability.
- While naming and shaming are not recommended, implementing transparency and clear-cut rules - such as revoking licenses and maintaining a public record of fines - should be mandated to ensure that the education sector and its key stakeholders are adequately protected.

6. Develop integrated and harmonised frameworks for assessments

- Standardise assessments such as Data Protection Impact Assessments (DPIAs), cybersecurity evaluations, and pedagogical reviews across the sector. This integration should aim to reduce redundancy and subjectivity in the assessment process.
- Harmonise individual frameworks. For example, existing cybersecurity frameworks are broad enterprises that overburden vendors and educational institutions. New frameworks have been developed to address the unique requirements of the education sector. These should be considered standard across the EdTech/AIED industry (see resources).

- Ensure independent oversight of these assessments and track the development of the sector (where those who have not met certain requirements should be transparent and known when they subsequently have achieved compliance or met the necessary standards).
- Along with these set-ups, regular training for procurement and Data Protection Officer (DPO) personnel within institutions, similar to the training offered by the National College, will be necessary. This training should cover procurement best practice, regulatory compliance, and emerging trends in EdTech.

7. Provide vendor training and education as part of the licensing regime

- Ensure that all EdTech and AIED vendors undergo regular training to adhere to safety, security, and legal requirements. This training should be consistent across the industry to promote uniform standards and practices.

8. Enhance end-user participation

- Develop a framework to involve students directly in the EdTech/AIED procurement process (see the new Quality Code For Higher Education: Quality Assurance for Higher Education [2024] about involving students in design in education). This could include allocating (public) funding to train students to research and evaluate the EdTech tools used in their institutions. By incorporating student perspectives, institutions can gain valuable insights into the effectiveness and impact of these tools.
- Extend involvement to educators by including them in the evaluation and selection of EdTech/AIED products. This approach should ensure that the tools selected align with teaching needs and pedagogical goals, thereby improving their overall effectiveness and integration.

9. Set up active licensing and certification frameworks

- Increase investment in and support for open-source EdTech solutions. Develop policies to make institutions more open-source friendly, including providing training and resources for adopting and managing open-source tools. Provide funding for collaborative projects between technology companies and academic institutions, similar to existing Knowledge Transfer Partnerships (KTP) programs to drive innovation and adoption in the education sector. Include education as a distinct focus area within KTP or similar initiatives to promote targeted development and implementation.
- Encourage collaboration among institutions to share best practice and resources for evaluating and implementing open-source software.

10. Promote and support open-source software for specific cases

- Develop a licensing system for all EdTech and AIED products that have undergone rigorous training and audits (see above). This system should ensure that only certified products are available for procurement, similar to how online gambling and financial vendors are regulated, for instance.
- Low-stakes open-source software should be supported with consideration for any others where the trade-off is never a risk to privacy.
- Consider costs in innovation, maintenance, and private cases where open-source software is really better than market (Big Tech) solutions.

11. Define and be guided by clear educational and pedagogical objectives

- All of the above should be aligned with and guided by the goals the government has for the education it aims for its society.
- The policy that will be established in light of the above action points should mandate a clear definition of educational purposes and pedagogical goals for all EdTech and AI systems.
- This should include setting explicit criteria for how these tools support teaching and learning outcomes and align with educational expectations, standards, and objectives.

- Implement regular reviews to ensure that the use of these technologies remains consistent with their intended pedagogical purposes and contributes effectively to educational advancement. This pertains specifically to primary and secondary education. This action will help ensure that any procurement decisions are guided by clear educational goals.

12. Prioritise human-led teaching approaches in procurement policies

- As the EdTech market evolves with new technologies and methodologies, procurement policies must prioritise and support human-led teaching approaches. Technologies should complement and enhance the expertise and role of educators rather than overshadow or replace them. By emphasising this priority, policies can ensure that EdTech tools are integrated in a way that supports and enhances human interaction and established teaching methods.
- Policy should thus take a more risk-based approach, acknowledging that while technologies can indeed offer significant benefits, the deployment of often obscure, untested, and speculative products should be carefully managed to avoid undermining educators' critical role in fostering student learning. Such a focus ensures that innovations serve to empower teachers, support pedagogical goals, and maintain the essential human element in education, which is vital for effective teaching and learning outcomes.
- EdTech and AIED should not substitute teachers and human-led education. From a pedagogical and social-developmental perspective, the socialisation of education is more important than any other interaction. Human involvement in the processes of education is crucial, and it should be prioritized (and kept in mind in any procurement practices across the whole education ecosystem).

13. Establish clear scope of what are the educational purposes and benefits EdTech and AIED promise

- Processing data ‘for educational purposes’ and promising quality education for all are elusive terms, and so is the collection of ‘evidence,’ which is a slippery slope that should not guide policymaking. Given the concerns raised by regulatory bodies such as the ICO and the Irish Data Protection Commission about the alignment of commercial interests with the best interests of students and individuals (especially when those are children), it is imperative to establish clear boundaries between public and commercial data processing which is a big part of the assessment and procurement requirements.
- Procurement policies should explicitly delineate these boundaries to ensure that educational tools and services prioritise student welfare over their commercial gain. The DfE should introduce stringent rules that govern how data is handled and processed by commercial entities, especially considering the advancement of AI in education. This approach should aim to protect students’ privacy and ensure that commercial interests do not compromise educational integrity.

6. CONCLUSION

The discussions and feedback collected during the online roundtable highlighted the pressing need for comprehensive reforms in the procurement and governance of EdTech, including the advancing AI systems. The size of attendance (see below the list of attendees) itself was an indicator of how important this discussion is to all educational institutions—from primary and secondary to further and higher education.

Participants pointed out significant concerns about the transparency, accountability, and effectiveness of current practices, revealing a broad consensus on the inadequacies of existing systems. Central issues included the fragmentation of low-cost EdTech purchases, the lack of rigorous enforcement mechanisms, and the insufficient integration of data privacy and security standards, among others. These challenges emphasise the necessity for a robust framework that balances oversight with flexibility and ensures that educational institutions can make informed decisions about technologies while still keeping abreast with digitisation and innovation.

To address these concerns, several actionable policy points have been proposed with the aim of presenting them to relevant authorities and regulators such as the DfE and ICO as well as the wider public. Importantly, these recommendations came from key stakeholders across all the educational sectors. As such, they are also intended to engage other educational institutions, decision-makers, and the more comprehensive student and teaching community. Establishing clear and consistent standards for EdTech and AIED procurement, enhancing regulatory oversight, and integrating comprehensive assessment frameworks are crucial steps toward supporting meaningful digital advancement of the education sector.

Additionally, fostering collaboration among institutions, investing in open-source solutions where possible and adequate, and clearly defining the scope of educational purposes are essential to aligning procurement practices with educational goals and safeguarding student welfare. By implementing these recommendations, policymakers can create a more transparent, accountable, enforceable, and effective procurement process, ultimately advancing the quality and integrity of educational technologies while protecting the interests of students and educators.

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