

NAHT response to Ofqual consultation on exceptional arrangements for exam grading and assessment in 2020

Centre Assessment Grades

To what extent do you agree or disagree that we should incorporate the requirement for exam boards to collect information from centres on centre assessment grades and their student rank order, in line with our published information document, into our exceptional regulatory requirements for this year?

- Strongly agree
- Agree**
- Neither agree nor disagree
- Disagree
- Strongly disagree

To what extent do you agree or disagree that exam boards should only accept centre assessment grades and student rank orders from a centre when the Head of Centre or their nominated deputy has made a declaration as to their accuracy and integrity?

- Strongly agree
- Agree**
- Neither agree nor disagree
- Disagree
- Strongly disagree

To what extent do you agree or disagree that Heads of Centre should not need to make a specific declaration in relation to Equalities Law?

- Strongly agree
- Agree**
- Neither agree nor disagree
- Disagree
- Strongly disagree

To what extent do you agree or disagree that students in year 10 and below who had been entered to complete exams this summer should be issued results on the same basis as students in year 11 and above?

- Strongly agree
- Agree**
- Neither agree nor disagree
- Disagree

Strongly disagree

To what extent do you agree or disagree that inappropriate disclosure of centre assessment judgements or rank order information should be investigated by exam boards as potential malpractice?

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Do you have any comments about our proposals for centre assessment grades?

Centre assessed grades:

In our response to Ofqual's first consultation in March, NAHT raised concerns about allowing schools and colleges to decide whether and how to include evidence produced after school closures on 20th March. Ofqual did not set a definite cut-off date and instead urged caution over the use of any evidence produced by pupils after school closed where it suggested a change in performance.

We must reiterate that significant concerns remain. Members are still reporting that students in some schools are being asked complete work, such as mock exams, and to report the grade back to the school with the intention that this work will form part of the evidence of higher grade work.

Perhaps more concerning are the growing reports of students expressing their concerns as they speak to friends attending different schools and hear what practices are being adopted. Students think that teachers using any work completed after schools closed as evidence for their judgements is unfair. This growing sense of unfairness amongst the student body could undermine faith and trust in the whole awarding process this summer.

Rank order:

NAHT recognises the need for teachers to provide ranking of the students in the cohort of their subject. However, centres could find this difficult in most subjects even with relatively small cohorts of one teaching group but this difficulty will be exacerbated by larger cohorts, those where students in a cohort are "bunched" together in terms of their levels of achievement and those where subjects are taught by more than one teacher.

In some cases there would be no evidence to justify a teacher putting one pupil above or below another. If there is no evidential basis on which to make a decision, on what basis is such a decision being made? Forcing teachers to place one student above or below another in a rank order with no clear evidence on which to base this decision surely introduces potential issues of bias.

Additional support and guidance for centres must be provided by awarding organisations to enable them to provide an accurate, evidence-based rank order of students. It must also be permitted for centres to submit a rank order with "tied" students where there is no evidence to distinguish between them.

Submission of data by centres:

The consultation document states that awarding organisations will provide the timetables for submission of the data, the format in which it is submitted and how it should be transmitted. NAHT urges Ofqual to ensure that these expectations are consistent across all awarding organisations to avoid confusion and reduce unnecessary workload for teachers and leaders. Information about the submission of data is needed urgently by centres as teachers are already starting their work to make these judgements and they must be able to collate it in an appropriate format.

Head of centre declaration:

NAHT supports the proposal that exam boards should only accept centre assessment grades and student rank orders from a centre when the Head of Centre or their nominated deputy has made a declaration as to their accuracy and integrity. However, this must be one declaration to cover the whole cohort, in all subjects and for all awarding organisations; it would be unreasonable to expect a separate declaration for each awarding organisation used by the centre.

Exam entries:

NAHT agrees that all entries made up to the deadline of 21st February should be included in the process for summer 2020. However, centres must also be able to include entries which they would have submitted as “late entries” without unreasonable expectations put upon them to make a “compelling case” for this. Where centres had withdrawn early entry candidates, believing that these students would not be eligible to be awarded a result, they must be able to reinstate these entries easily. No centres should be subject to any additional costs relating to entries, late entries or modified entries.

Year 10 and below:

NAHT fully supports the proposal that students in year 10 and below who had been entered for exams this summer should be issued results. Schools and colleges should be able to choose to retain their early entries and submit centre assessed grades, knowing these will not be counted in 2021 performance data, or withdraw the entries and be fully refunded for them.

Assessment and Accountability in 2021:

NAHT has welcomed the clarity from the Department for Education about the approach to school and college accountability for 2019 to 2020.

However, it is vital that the impact of the huge disruption to education this year will have on 2021 is recognised and schools are reassured now that exams, assessment and the use of performance data next year will fairly reflect that impact.

There will need to be adjustments to the calculation of performance measures for 2021 as well as decisions about which measures are appropriate in these unprecedented circumstances. As no grades from 2020 will be carried forwards, those centres who enter students early for particular GCSE's and A levels will have gaps in their data. It is vital that the negative impacts arising from the exceptional processes of awarding in summer 2020 are alleviated in the fairest way possible for all centres. There will also need to be broad caveats around any performance data which is calculated and published in 2021.

In addition, our members have raised significant concerns regarding the impact of

school closures on current Year 10 and Year 12 students who are in effect missing months of learning before sitting GCSE's and A levels in 2021. As well as the impact on content coverage which would be assessed in linear exams in summer 2021, particular consideration must be given to the impact of school closures on missed opportunities for the planned completion of any non-exam assessment, particularly in practical subjects like photography and art. It would be unreasonable to expect that content which has been missed could be covered alongside the content planned for teaching in Year 11 and Year 13; this would place significant pressure on both teachers and students, impacting on both workload and wellbeing. NAHT believe that the right approach to alleviate this issue is the adjustment to assessments and exams in 2021 to take account of the fact that students will not have covered the full course content.

Confidentiality:

NAHT is disappointed that the consultation question takes the approach that is it the centre which needs to be deterred from sharing centre assessed grades and rank order data with students. We believe that it is schools and colleges who need to be protected from the challenges and conflicts which may result from requests to share this data.

Our members have raised significant concerns regarding any expectation that they share this data with students at any time, even after results are issued.

Ofqual's suggestion of only sharing this information following a formal request under data protection law, following the release of results, may lead to an increase in workload for schools in dealing with such requests, which could be numerous. This approach will not avoid some incredibly difficult and challenging conversations with students and parents post results, with individual teachers being pressured to justify judgements which were made.

NAHT urges Ofqual take action to ensure that centre assessment grades, rank order information, or the professional judgements which underpin them are exempted from being disclosed at any stage by centres. Appeals will be process based and requested by centres; centre assessed grades and rank orders form only part of the awarding process; centre assessed grades are not necessarily the grades which students will be awarded and students can choose to sit an exam in the autumn if they are not happy with their result, not if they are not happy with their centre assessed grade. There is therefore no reason why students would need to access this information.

If there can be no permanent exemption under data protection legislation, then NAHT suggests that students should submit any request to their awarding organisation to disclose this data. Awarding organisations will have all of the data used to award the student's grade and could develop an industry wide format for sharing it. This approach would also have the significant benefit of creating separation between individual teacher judgements and the final grade awarded to the student.

Issuing results

To what extent do you agree or disagree that we should incorporate into the regulatory framework a requirement for all exam boards to issue results in the same way this summer, in accordance with the approach we will finalise after this consultation, and not by any other means?

- Strongly agree
- Agree**
- Neither agree nor disagree
- Disagree
- Strongly disagree

Do you have any comments about our proposal for the issuing of results?

Impact on students

To what extent do you agree or disagree that we should only allow exam boards to issue results for private candidates for whom a Head of Centre considers that centre assessment grades and a place in a rank order can properly be submitted?

- Strongly agree
- Agree**
- Neither agree nor disagree
- Disagree
- Strongly disagree

To what extent do you agree or disagree that the arrangements we put in place to secure the issue of results this summer should extend to students in the rest of the UK?

- Strongly agree
- Agree**
- Neither agree nor disagree
- Disagree
- Strongly disagree

To what extent do you agree or disagree that the arrangements we put in place to secure the issue of results this summer should extend to all students, wherever they are taking the qualifications?

- Strongly agree
- Agree**

Neither agree nor disagree

Disagree

Strongly disagree

Do you have any comments about the impact of our proposals on any particular groups of students?

Private candidates:

Although NAHT recognises the potential negative impact of this summer's arrangements on private candidates, we advise caution regarding any expectations that centres may be able to provide the information required for awarding grades to such candidates. It should be noted that this may also apply to other candidates, for example those currently attending alternative provision, those attending lessons with a different provider to the centre at which they are entered and those candidates entered for examinations in native languages.

Schools and colleges should be supported to make a professional decision, without undue influence or perverse incentives, on whether they have sufficient information and evidence to make such a judgement. It is unlikely that centres will be able to verify any evidence provided by such candidates without creating significant additional workload. It is possible that evidence provided would enable a centre to be able to give the candidate a centre assessed grade but placing the candidate in the rank order of the student cohort might be more problematic. The current social distancing measures add more challenges to achieving a judgement about which the Head of Centre could submit a declaration with absolute confidence.

NAHT therefore believes that instances where a Head of Centre can submit a centre assessed grade and rank order for private candidates are likely to be rare.

Statistical standardisation of centre assessment grades

The proposed aims of the standardisation process are as follows:

- to provide students with the grades that they would most likely have achieved had they been able to complete their assessments in summer 2020;
- to apply a common standardisation approach, within and across subjects, for as many students as possible;
- to use a method that is transparent and easy to explain, wherever possible, to encourage engagement and build confidence;
- to protect, so far as is possible, all students from being systematically advantaged or disadvantaged, notwithstanding their socio-economic background or whether they have a protected characteristic;
- to be deliverable by exam boards in a consistent and timely way that they can quality assure and can be overseen effectively by Ofqual.

We will seek to meet these aims while maintaining the standard of qualifications over

time. Where the aims listed above are in tension (for example, accuracy of approach versus ease of explanation), we will seek to find an optimal balance.

To what extent do you agree or disagree with the aims outlined above?

- Strongly agree
- Agree**
- Neither agree nor disagree
- Disagree
- Strongly disagree

To what extent do you agree or disagree that using an approach to statistical standardisation which emphasises historical evidence of centre performance given the prior attainment of students is likely to be fairest for all students?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree**
- Strongly disagree

To what extent do you agree or disagree that the trajectory of centres' results should NOT be included in the statistical standardisation process?

- Strongly agree
- Agree**
- Neither agree nor disagree
- Disagree
- Strongly disagree

To what extent do you agree or disagree that the individual rank orders provided by centres should NOT be modified to account for bias regarding different students according to their particular protected characteristics or their socio-economic backgrounds?

- Strongly agree
- Agree**
- Neither agree nor disagree
- Disagree
- Strongly disagree

To what extent do you agree or disagree that we should incorporate the standardisation approach into our regulatory framework?

- Strongly agree
- Agree**
- Neither agree nor disagree
- Disagree
- Strongly disagree

Do you have any comments about our proposals for the statistical standardisation of centre assessment grades?

Historical evidence of centre performance:

NAHT members have raised concerns about the emphasis on historical evidence of centre performance given the prior attainment of students. Some centres results might not fit the pattern of their previous results for a variety of reasons and there must be a way to recognise this. The most important outcome for 2020 is that students get the results they deserve and they should not be penalised for a centre's past performance; this would be unfair.

Relying too heavily on historical data will disadvantage schools on 'turnaround' journeys. These are, almost by their nature, schools serving deprived communities and their students could be further disadvantaged by Ofqual's approach to the use of historical data to standardise grades. Applying a historical view on the school's teacher assessed grades will likely see these grades reduced and those students not receive the improved outcomes they actually deserved.

We urge Ofqual to take these concerns into account when trialling different approaches about how best to combine evidence and evaluating the optimal span of historical centre outcomes so as not to further disadvantage particular groups of students.

Following decisions about the statistical model, Ofqual must explain to the sector, including leaders, teachers, students and parents, why the approach selected will be the most accurate in standardising students' grades and recognising any inherent limitations. This transparency will help to maintain confidence in the system.

Correcting for potential bias in centre assessment grades:

NAHT would welcome clarification of Ofqual's proposal that 'Where possible, technical choices will be made to ensure so far as is possible that students are not systematically advantaged or disadvantaged on the basis of their socio-economic background or their protected characteristic'. Whilst NAHT welcomes this in principle, we would highlight that the concerns rightly raised by Ofqual in relation to the third approach of modifying individual rank orders to account for bias, also apply to this second approach of modifying centre results to account for systemic bias: the assumption that differences in centre patterns found this year would reflect bias rather than the likely outcomes had examinations proceeded as planned, remains questionable. NAHT believes that clear evidence linking changes in centre patterns to systemic bias would be required to employ this approach.

Appealing the results

To what extent do you agree or disagree that we should not provide for a review or appeals process premised on scrutiny of the professional judgements on which a centre's assessment grades are determined?

- Strongly agree**
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

To what extent do you agree or disagree that we should not provide for a student to challenge their position in a centre's rank order?

- Strongly agree**
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

To what extent do you agree or disagree that we should not provide for an appeal in respect of the process or procedure used by a centre?

- Strongly agree**
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

To what extent do you agree or disagree that we should provide for a centre to appeal to an exam board on the grounds that the exam board used the wrong data when calculating a grade, and/or incorrectly allocated or communicated the grades calculated?

- Strongly agree**
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

To what extent do you agree or disagree that for results issued this summer, exam boards should only consider appeals submitted by centres and not those submitted by individual students?

- Strongly agree**
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

To what extent do you agree or disagree that we should not require an exam board to ensure consent has been obtained from all students who might be affected by the outcome of an appeal before that appeal is considered?

- Strongly agree
- Agree**
- Neither agree nor disagree
- Disagree
- Strongly disagree

To what extent do you agree or disagree that exam boards should not put down grades of other students as a result of an appeal submitted on behalf of another student?

- Strongly agree**
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

To what extent do you agree or disagree that exam boards should be permitted to ask persons who were involved in the calculation of results to be involved in the evaluation of appeals in relation to those results?

- Strongly agree
- Agree**
- Neither agree nor disagree
- Disagree
- Strongly disagree

To what extent do you agree or disagree that exam boards should be able to run a simplified appeals process?

- Strongly agree
- Agree**
- Neither agree nor disagree
- Disagree
- Strongly disagree

To what extent do you agree or disagree that we should not provide for appeals in respect of the operation or outcome of the statistical standardisation model?

- Strongly agree
- Agree
- Neither agree nor disagree**
- Disagree
- Strongly disagree

To what extent do you agree or disagree with our proposal to make the Exam Procedures Review Service (EPRS) available to centres for results issued this summer?

- Strongly agree
- Agree**
- Neither agree nor disagree
- Disagree
- Strongly disagree

Do you have any comments about our proposals for appealing results?

Fees for appeals:

In the exceptional circumstances of awarding this summer, NAHT believes that no centres should face any additional costs including fees for appeals. We would therefore press Ofqual to prevent exam boards from charging centres a fee for an appeal this year, with any additional costs incurred by exam boards borne centrally by government.

Reasons for appeals:

NAHT recognises that the consistent application of the statistical standardisation process is central to the maintenance of standards in these qualifications this year.

However, some of our members remain concerned that there will be no way to challenge results issued which are significantly out of line with the centre's expectations in a subject. This may be the case if too much emphasis is given to historical data when standardising grades. Some schools may have made positive changes to their curriculum, improved the teaching workforce, prioritised support and intervention for groups of students and so have expected a significant improvement

in the results of a subject this summer. Where this is the case, centres will be justifiably unhappy with a set of subject results which does not reflect this. Current plans mean that the only recourse for centres in this position would be to advise their students to sit an exam in the planned autumn series and some of our members will not feel this is a satisfactory resolution to the issue.

NAHT therefore believes there should be an additional reason for a centre to appeal to cover these circumstances.

An autumn exam series

To what extent do you agree or disagree that entries to the autumn series should be limited to those who were entered for the summer series, or those who the exam board believes have made a compelling case about their intention to have entered for the summer series (as well as to students who would normally be permitted to take GCSEs in English language and mathematics in November)?

- Strongly agree
- Agree**
- Neither agree nor disagree
- Disagree
- Strongly disagree

To which qualifications the emergency regulatory measures will apply

To what extent do you agree or disagree that we should apply the same provisions as GCSE, AS and A level qualifications to all Extended Project Qualifications and to the Advanced Extension Award qualification?

- Strongly agree
- Agree**
- Neither agree nor disagree
- Disagree
- Strongly disagree

Do you have any comments about the qualifications to which the exceptional regulatory measures will apply?

Building the arrangements into our regulatory framework

To what extent do you agree or disagree that we should confirm that exam boards will not be permitted to offer opportunities for students to take exams in May and June 2020?

- Strongly agree
- Agree**
- Neither agree nor disagree
- Disagree
- Strongly disagree

To what extent do you agree or disagree with our proposals that exam boards will not be permitted to offer exams for the AEA qualification or to moderate Extended Project Qualifications this summer?

- Strongly agree
- Agree**
- Neither agree nor disagree
- Disagree
- Strongly disagree

Do you have any comments about our proposals for building our arrangements into our regulatory framework?

Equality impact assessment

Are there other potential equality impacts that we have not explored? What are they?

NAHT believes that the impact of low attendance on teacher assessment could have an equality impact that requires further exploration. As stated in the Equality impact assessment: literature review, Marcenaro-Gutierrez & Vignoles (2015) found that pupils with lower attendance were underrated in teacher assessments when compared to test performance. Research highlights that certain groups with protected characteristics are more likely to have low attendance records.

The latest Department for Education data on pupil absence in schools from 2018-2019 found that the absence rates for pupils on Free School Means (FSM) was almost double the rate of non-FSM pupils (7.5% compared to 4.2%). Travellers of

Irish heritage pupils and Gypsy/Roma had the highest overall absence rates at 18.0% and 12.6% respectively compared with an average absence rate of 4.7%. Pupils with a Special educational need (SEN) statement of education healthcare plan had an absence rate (8.7%) that was double the rate for pupils with no identified SEN (4.3%). Therefore, these groups are most likely to be affected by the underrating of pupils with low attendance.

We would welcome your views on how any potential negative impacts on particular groups of students could be mitigated:

NAHT agrees with Ofqual's conclusions that the evidence presented in the Equality impact assessment: literature review is neither sufficiently robust nor directly applicable to these exceptional circumstances to justify adjustments to the proposed awarding process.

Instead, NAHT believes this highlights the need for clear guidance to teachers which emphasises the requirement to award the grade they believe a pupil would have achieved in their examinations and highlight the difference between this and a predicted grade. This could potentially mitigate some of the over-prediction that is known to occur with grade prediction.

Regulatory impact assessment

Are there additional activities associated with the delivery of the revised approach that we have not identified above? What are they?

NAHT notes that the increased workload which will be required from school leaders and teachers to produce the centre assessed grades and rank order has not been specifically recognised. There will likely be an increase the working hours for school staff to collate and review all the evidence required to establish a grade for individual pupils and the cohort rank order.

What additional costs do you expect you will incur through implementing this approach?

Under the current proposals, schools and colleges will incur additional costs, which might include but not be limited to:

- Additional staff time required for judgements to be made on a centre assessed grade and rank order for each student in each subject when these staff are already both caring for those students still attending school and supporting the continued learning of significant numbers of students at home.
- Additional working time for the Head of Centre to review the evidence and decisions made by centre staff.
- Additional staff time required to collate and submit the centre assessed grades and rank order required for each awarding organisation in each subject for every student.
- If a school has reduced staff capacity due to staff self-isolating, then there may be an increased need for agency staff to support with the continued

running of the open school and online learning for schools to allow the appropriate teaching staff to work on centre assessed grades:

- Exam entry fees, particularly for late or modified entries which have been necessary in the circumstances as the situation has developed and decisions have been made by Ofqual.
- Additional staff resource, and expert advice if required, to deal with formal requests for centre assessed grades and rank orders by students under data protection law.
- Fees for appeals requested by centres.
- Significant costs relating to running a larger autumn series of exams which might include additional staffing needs, invigilators, provision for access arrangements and loss of income from rental of large spaces which will be needed for exams.

NAHT strongly believes that school and colleges should not incur any additional costs as a result of the exceptional arrangements for awarding in summer 2020 and the proposed autumn exam series. Any such costs must be borne centrally by government.

What costs will you save?

There will likely be no savings made by schools or colleges in implementing the approach proposed by Ofqual.

It is likely that the awarding organisations will accrue savings in light of the cancellation of exams and assessments and centres have an expectation that there will be significant rebates on exam fees for summer 2020. These savings must be passed on to centres in the most appropriate way. NAHT believes that there should be an industry wide approach to this, supported by Ofqual, with clear messaging to centres.

NAHT is aware that awarding organisations will also face additional costs to meet the demands of the exceptional arrangements for awarding this summer. Those additional costs must not be passed onto centres either in fees for future years, or in reductions in the rebate to centres this year. Extraordinary costs, related only to implementing the processes and systems for 2020, must be funded from government. These unprecedented costs should include those where awarding organisations believe they have an ethical duty to ensure their senior examiners are not denied crucial income streams due to the cancellation of exams.

We would welcome your views on any suggestions for alternative approaches that could reduce burden:

NAHT has suggested throughout this response where the potential financial burden on schools and colleges could be reduced:

- No centres should be subject to any additional costs relating to entries, late entries or modified entries.
- There should be permanent exemption under data protection legislation from centre assessment grades, rank order information, or the professional judgements which underpin them being disclosed at any stage by centres.
- Ofqual should prevent exam boards from charging centres a fee for an appeal with any additional costs incurred by exam boards borne centrally by government.

In addition, to remove the potentially significant financial burden of schools and colleges running an autumn series, NAHT believes that the best solution would be for local hub centres to be set up for these exams to be taken, with costs borne centrally by government.