

# Consultation response

## Exceptional arrangements for exam grading and assessment in 2020

29 April 2020

### i. Centre assessment grades (p.15)

- 1. 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 this year?**

AQA strongly agrees. This will ensure teachers and centres understand their roles and responsibilities.

AQA would further propose to Ofqual that it issue guidance on the extent and format of data which schools retain on their centre assessment grades and student rank order, in the event that awarding organisations need to query them for investigations into malpractice and other matters.

- 2. 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?**

AQA strongly agrees. In practice, AQA will process all data received on centre assessed grades and grade rankings into the standardisation process, even when this declaration has not yet been received, in order not to disadvantage students.

However, we do not believe it would be appropriate to issue *results* to students without this declaration. This is because a declaration from the Head of Centre or their nominated deputy as to the accuracy and integrity of the submission provides an additional safeguard. It also underlines that the Head of Centre takes responsibility for the data provided by centres, so that if there are any issues that require investigation, the Head of Centre should be able to provide evidence for the accuracy and integrity of grades and rankings submitted by teachers at the school.

We recognise that clerical errors are made by schools each year. We also realise that the submission of calculated grades and grade rankings represents a new undertaking for thousands of teachers and schools during a difficult period.

We therefore recommend that Ofqual issue sufficiently clear guidance, instructions, as well as a checklist, for Heads of Centre, in order to ensure they submit correct declarations at the right time.

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Such guidance to Heads of Centre from Ofqual should also acknowledge that new Heads of Centre unfamiliar with their staff and students might consider nominating a deputy to issue the declaration either instead of or alongside them.

**3. 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?**

We recognise that there are arguments for and against this proposal. On balance AQA agrees with the proposal, and believes that the general declaration signed by Heads of Centre should have them declare that teachers have understood and considered Equalities Law, and the school's own equalities policies, in the grading and ranking of students.

**4. 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?**

AQA agrees with this proposal. We have received compelling representations from teacher associations about schools where Year 10 students were being legitimately entered this year and will be disadvantaged if they do not receive a grade. The proposal of a cut-off date for most Year 10 entries is also welcome to ensure schools are not incentivised to enter Year 10s they would not otherwise have entered. It would be useful, and indeed essential to ensure students are treated consistently, for Ofqual to provide further guidance to exam boards about what would be a 'compelling reason' to waive this deadline.

Further guidance about whether Year 10s being entered this year 'if they wish' refers to the pupil's wish, rather than that of the centre, and the implications of this on the Head of Centre's declaration would also be welcome.

**5. 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?**

AQA strongly agrees with this for the reasons outlined in Ofqual's consultation document. Pressure from parents, students and third parties must be avoided in order to help preserve the integrity of the 2020 qualifications. Disclosure of centre assessed grades and grade rankings would also be unfair if some students have sight of the rankings and others do not. We would also note that disclosure of such information is analogous to early release of results in a standard series, which is investigated as malpractice.

Notwithstanding the protection that will be afforded to centres by teachers having to consider such disclosure as malpractice, we nevertheless anticipate considerable pressure in light of subject access requests which can be made in the future – some teachers, parents and students will be aware *before* a teacher has submitted their grades and rankings, that later in the year, *after* results are published, these will be accessible through subject access requests.

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We therefore believe Ofqual should provide clarity regarding what additional measures will be implemented to protect teachers and centres in particular from inappropriate pressure in the context of such data being subsequently accessible.

We would also note that student and parental pressure to access data on centre assessed grades and rankings will most likely occur when students and parents are unhappy with the final awarded grades. This further underlines the responsibility of Ofqual to inform all stakeholders regarding the detail and rationale of the standardisation process.

## **6. Do you have any comments about our proposals for centre assessment grades?**

AQA is concerned that any divergence between teacher, parent and student perception regarding the process used to determine centre assessed grades on the one hand, and the actual applied process on the other – including the role of statistical standardisation – could result in dissatisfaction, or low levels of trust or confidence in the value of the grades. Such misperception could ultimately lead to co-ordinated action – beyond the use of the exceptional appeals process – including legal and other courses of action, in order to seek remedy. We recognise that in determining the exceptional awarding processes to be applied this year, it is Ofqual’s responsibility to ensure they are fully and appropriately understood by teachers, parents and students, and AQA will support Ofqual in fulfilling this responsibility.

### ii. Issuing results (p.22)

## **7. 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 other means?**

AQA agrees with the intention of this proposal, given such consistency will benefit students and centres, as well as underpinning the legitimacy of grades issued this year.

However, we would note that there may be differences in systems developed to standardise and issue results for this exceptional series by exam boards, reflecting differences in legacy technologies and processes.

As such, any subsequent incorporation of a single approach to issuing results by exam boards into the regulatory framework may pose different challenges across the boards, and we believe this should be recognised in any enforcement activity applied by Ofqual in relation to these requirements.

AQA would also welcome clarity from Ofqual that plans for exam boards to publish component marks are for any series which occurs *after* this summer, not this summer itself, as it is grades not marks being issued this summer.

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

While not specified in current Conditions, we also reiterate our request that Ofqual formally acknowledges that the plans for exam boards to issue component marks will be in effect from autumn 2020, rather than summer 2020.

We would also request clarity from Ofqual regarding which Conditions are in force and which are not at any point during the summer 2020 series, and to what extent the taking of “all reasonable steps” and “best endeavours”, for example, will be interpreted particularly in the application of some of the very broad regulations, in the light of the exceptional and potentially fast-changing circumstances this summer.

iii. Impact on students (p.23)

**9. 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?**

AQA agrees strongly with this proposal. While there may be a small number of private candidates who consequently cannot be awarded a grade this year, this must be balanced with the need for integrity and fairness of results for other candidates. Heads of Centre should have to declare that they can provide evidence to substantiate the grade and ranking of any private candidates they are entering.

Further, AQA proposes that for candidates who were to be entered in a school’s cohort but who also have a relationship with a distance learning provider that is also an approved centre, and which has the evidence needed to provide the student with a grade and ranking, that Ofqual or exam boards be able to *compel* the school to withdraw the candidate so they can be entered instead by the distance learning provider.

**10. 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?**

AQA agrees that a common approach across the UK would be fairest and most helpful.

**11. 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?**

AQA agrees – students from elsewhere should not be excluded as long as they meet the requirements being applied in England.

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

AQA notes the literature review on bias in teacher estimations provided by Ofqual, and its conclusion that the evidence is mixed. This issue is already causing concern to multiple external stakeholders, so we would ask that Ofqual communicate to and reassure centres, teachers, students and civil society that these issues have been fully considered, even if they are not included as adjustments to rankings or the statistical standardisation.

iv. Statistical standardisation of centre assessment grades (p.27)

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

AQA agrees with these aims: statistical standardisation needs to provide transparency, deliverability, equality and fairness to the maximum extent possible, while accepting that there is a tension between some of the aims.

**14. 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?**

AQA agrees that this is the most appropriate way of ensuring the integrity of results, including maintaining a national grade distribution.

However, we would underline again Ofqual's responsibility to inform the perceptions of centres and teachers, given a disparity between a centre's estimations and the final results might also cause an increase in appeals, public criticism, and a lack of public confidence in the summer 2020 results.

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

AQA agrees that for the reasons set out by Ofqual in the consultation document, the trajectory of centre results should not be included in the statistical standardisation process. However, we would suggest that use of three years' historical outcomes will provide some adjustment for a trajectory effect.

Nevertheless, AQA acknowledges that those centres with legitimate reasons to believe their results were on a continued year-on-year trajectory of improvement are likely to be dissatisfied with the grades that are ultimately issued.

In the current circumstances, a nationally applied standardisation cannot take full account of a centre's previous trajectory of results, nor any cohort differences in a specific centre – for example, recent improvements in teaching and leadership, teacher training, and differences in cohort attainment at individual schools. These must be balanced, however, against the need for a robust mass model.

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We believe these considerations underline the need for Ofqual to communicate and explain to centres why trajectory cannot be taken into account prior to results being issued in order to manage public expectations, and support teachers whose students are disappointed with their results.

**16. 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?**

AQA agrees with this approach. While acknowledging that equalities issues must rightly be given due consideration, it is impossible to account for which teachers will and will not have tried to eliminate bias in their grading and rankings, or in what regard they might have done so, or to what extent, or how consistently.

Ultimately, in the current circumstances, it is the responsibility of centres to ensure that centre assessed grades and grade rankings are fair, accurate and not biased for or against students who share a protected characteristic.

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

AQA agrees.

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

AQA believes the standardisation approach set out and ultimately approved by Ofqual represents the fairest one in the circumstances.

v. Appealing the results (p.32)

**19. 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?**

AQA agrees.

AQA further has concerns about who in an exam board would be qualified to query a teacher's estimated grade and ranking, given they will have applied their professional judgement, supported by their own unstandardised and varied individual methods, rather than the uniform use of exam papers written by exam boards and sat in exam conditions.

**20. 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?**

AQA fully agrees. Any such appeal would impact on other students unfairly. The rankings submitted by teachers should, where possible, have been ratified by

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another teacher and will have been approved by a Head of Centre to give reassurance of their fairness. Interfering with a centre's rankings, when centres will have such varied evidence will be difficult - if not impossible - to do consistently. Support should be given to centres to minimise error in inputting their rankings.

**21. 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?**

AQA agrees with this approach for the reasons set out in the consultation document.

While acknowledging that some students and parents may be frustrated not to have recourse to such a process, any such process would in reality be impractical, pose severe implementation challenges, and would involve interrogation of procedures that, by definition, will not be standardised across centres.

**22. 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?**

AQA agrees that appeals should be permissible where there is evidence to suggest a data-processing error has been made by an exam board.

We also believe that a centre should be able to appeal to an exam board on the grounds of errors in the data submitted to the board, on the condition that the centre can provide clear and unequivocal evidence of the error.

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

AQA agrees, for the reasons set out in the consultation document. It reflects the current appeals process and the awarding process we have to apply in the circumstances this summer, which by its nature does not lend itself to individual students being able to assess whether they have grounds for lodging an appeal.

**24. 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?**

AQA disagrees – consent should be sought if a student's results could be lowered as a result of such an appeal. If, on an exceptional basis this year, students' results are protected from changing, particularly from being lowered, then consent is less necessary.



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**25. 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 being submitted on behalf of another student?**

AQA agrees with this proposal, while it is recognised that, as now, grades found to have been given erroneously should be corrected.

There is the possibility that not putting down the grades of other students could create perverse incentives.

Nevertheless, we believe it would be unfair to lower a student's results, unless an entire centre-level cohort was appealing and the candidates had all given their consent. Alternatively, Ofqual could implement other mechanisms, for example, requiring whole-cohort appeals if centres wanted to appeal the grades of more than 20% of the cohort.

**26. 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?**

AQA agrees. Those with the knowledge of the standardisation process and the relevant skills to engage with the appeals process are likely also to be those involved with calculating the results. Personnel issues affecting all organisations at the moment may also mean there are limitations to who is available to consider appeals when the time comes, so restrictions on who can be involved may be burdensome, and so this exception should be made this year.

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

AQA strongly agrees. Time will be of the essence, particularly if there is to be an autumn series, so a simplified appeals process would be necessary.

We would further question what additional safeguard could be provided by an independent decision-maker, particularly as they will be unable to deviate from the standardisation process being applied by exam boards and will be unable to ask the centres for further information. To mitigate this concern, however, AQA and other exam boards could be required to tell centres they must submit any evidence they wish to have considered alongside their appeal at the time of the appeal, with no opportunity to submit further evidence (to ensure a timely as well as simplified process).

**28. 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?**

AQA strongly agrees for the reasons set out by Ofqual in the consultation document.

**29. To what extent do you agree or disagree with our proposal to make the EPRS available to centres for results issued this summer?**



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AQA agrees with this proposal, although at this stage, it is not clear to AQA what the specific value and scope of the EPRS would be.

### **30. Do you have any comments about our proposals for appealing results?**

AQA believes these proposals provide a balanced approach in the context of an exceptionally difficult situation, and are appropriate to the nature of this summer's exceptional process.

We refer to our replies to questions 6 and 14, above, in which we emphasise the vital importance of Ofqual communicating to teachers, parents and students the nature of the two parts of that process: i) teachers' professional judgements; and ii) exam boards' application of the statistical standardisation process approved by Ofqual. Some dissatisfaction with results may still occur, but understanding of the necessary process will help to allay concerns.

It will be necessary for Ofqual to provide sufficient clarity about what information can be used as the basis for an appeal on the grounds that the wrong data has been used by the exam board. For example, this may be necessary to preclude centres seeking to incorporate evidence on why higher grades were expected for a specific cohort, such as the recruitment of a new teacher – this is not relevant to the standardisation model, so should not be taken account in the appeal process.

#### vi. An autumn exam series (p.41)

### **31. 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 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)?**

AQA agrees that entries to an autumn 2020 series should be limited to those who were entered for the summer 2020 series, and those able to provide compelling evidence that they should have been entered for the summer series, but were not.

We believe these restrictions are necessary to prevent any students or centres from seeking to exploit the series for advantage over others.

These restrictions also represent a recognition that while there may be other students who would wish to enter an exceptional autumn series, centres and exam boards should also be focused during the autumn on supporting current Year 10s and Year 12s who have missed out on extensive teaching time in preparation for the summer 2021 GCSE and A-level series.

#### vii. To which qualifications will the exceptional regulatory measures apply? (p.45)

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**32. 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?**

AQA agrees, although we note that the methods used for assessing EPQs are very different and schools are usually actively discouraged from making predictions about them.

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

The process used for vocational and technical qualifications should be aligned to the process describe in this consultation as much as is possible and appropriate.

viii. Building the arrangements into our regulatory framework (p.46)

**34. 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?**

AQA strongly agrees. This must be a decision made for the entire sector, and it would be very problematic for centres and students if, for example, there were a change in 'lockdown' policy, and some boards went on to offer exams and others did not.

**35. 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?**

AQA strongly agrees for the reasons outlined above.

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

AQA agrees, while noting that time is limited and clarity would be appreciated sooner rather than later. Adding to our reply to Question 8, above, we recognise that some general and subject-level Conditions will change or indeed not be applicable this summer, but we would request clarity about: i) which Conditions will apply, and ii) how they will be interpreted. It is important to establish that clarity now, before the summer series, so that all involved share and apply the same level of risk tolerance in making what are increasingly and loosely being described as "best endeavours" to deliver the exceptional summer series. Without such clarity before the series, there remains a dangerous asymmetry in the regulatory system

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ix. Equality impact assessment (p.49)

**37. Are there any other potential equality impacts that we have not explored? If yes, what are they?**

Further consultation with civil society organisations representing people who share a protected characteristic would be appropriate, particularly in light of coverage in traditional and online media, and in Westminster, about the prospects from black and minority ethnic students being disadvantaged this year. This check would be appropriate regardless of any practicalities that initially appear to preclude any adjustments being feasible.

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

No further comments.

x. Regulatory impact (p.54)

**39. Are there any additional activities associated with the delivery of the revised approach that we have not identified above? If yes, what are they?**

It is important to note the cumulatively burdensome regulatory impact of these extraordinary plans for the summer series, an as-yet-unplanned autumn series, and changes that will probably be needed for the 2021 summer series.

**40. What additional costs do you expect to incur through implementing this approach?**

AQA is currently calculating this.

**41. What costs will you save?**

AQA is currently calculating this. In the meantime, AQA has stated publicly that it would never want to gain financially from this summer's extraordinary circumstances, and if the agreed arrangements for this summer's grading lead to any savings for the organisation, AQA will look to pass these back to centres.

**42. We would welcome your views on any suggestions for alternative approaches that could reduce burden.**

AQA has no suggestions further to those included in the answers above.