

GCSE, AS and A Level Modern Foreign Languages

Consultation on Conditions and guidance



February 2016

Ofqual/16/5838

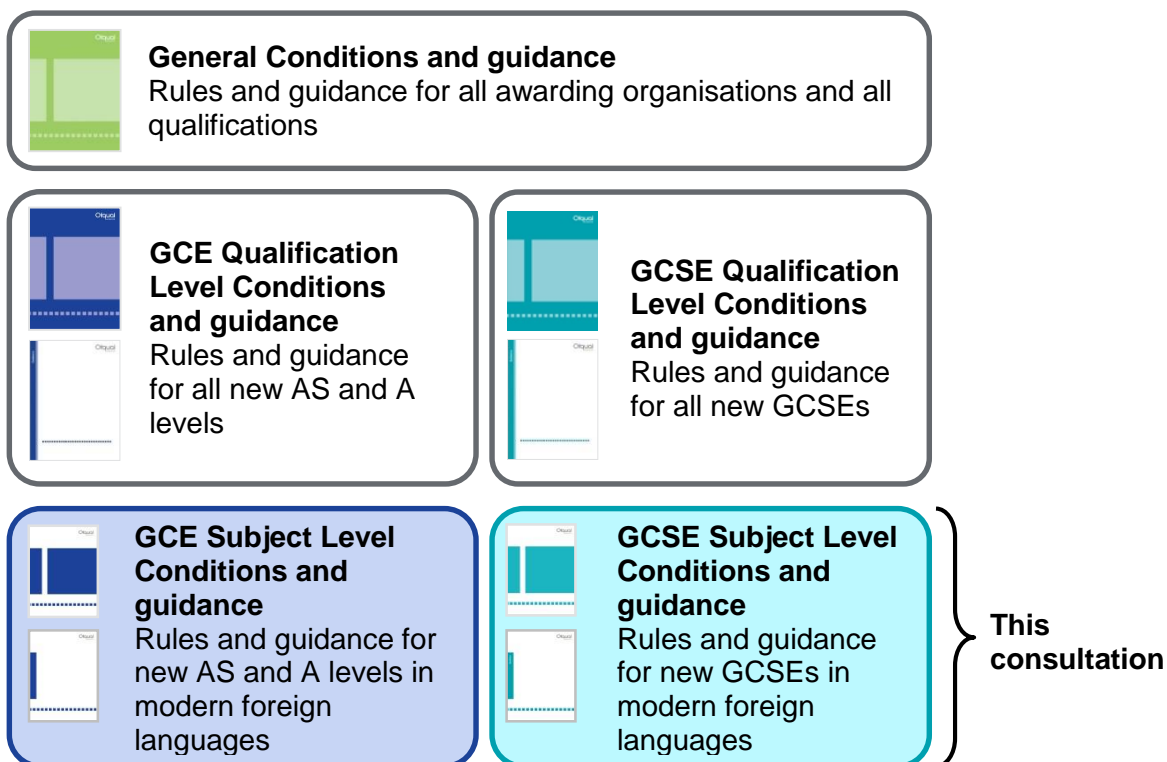
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Introduction

- 1.1 As most readers will know, changes are being made to GCSEs, AS and A levels taken by students in England.
- 1.2 GCSEs, AS and A levels in French, German and Spanish will be taught in schools from September 2016. We published our rules and guidance in relation to those qualifications in 2015.¹
- 1.3 We are now consulting on the rules and guidance that we plan to put in place for GCSEs, AS and A levels in other modern foreign languages that will start to be available for teaching in schools from September 2017. In order to do this we plan to amend and add to the current rules and guidance that are already in place for French, German and Spanish so they cover qualifications in all modern foreign languages. The rules and guidance that currently apply to qualifications in French, German and Spanish will remain substantively unchanged.

Scope of this consultation



¹ www.gov.uk/government/publications/gcse-9-to-1-subject-level-conditions-and-requirements-for-modern-foreign-languages, www.gov.uk/government/publications/gcse-9-to-1-subject-level-guidance-for-modern-foreign-languages, www.gov.uk/government/publications/gce-subject-level-conditions-and-requirements-for-modern-foreign-languages, www.gov.uk/government/publications/gce-subject-level-guidance-for-modern-foreign-languages

- 1.4 This consultation builds on our – and DfE’s – earlier decisions. It seeks views on the changes and additions that we propose to make to our currently published subject level conditions, requirement and guidance documents in order that they will apply to GCSEs, AS and A levels in additional modern foreign languages.
- 1.5 As explained in Appendix A, and illustrated in the figure above, these new rules and guidance will replace the current rules and guidance documents that have been published in relation to French, German and Spanish, and will sit alongside our existing rules and guidance for
- all qualifications,²
 - all new GCSE qualifications,³ and
 - all new AS and A level qualifications.⁴

² www.gov.uk/guidance/awarding-organisations-understanding-our-regulatory-requirements#requirements-for-all-awarding-organisations-and-all-regulated-qualifications

³ www.gov.uk/government/collections/gcses-9-to-1-requirements-and-guidance

⁴ www.gov.uk/government/collections/new-a-level-and-as-level-qualifications-requirements-and-guidance

How to respond to this consultation

The closing date for responses is **21 March 2016**.

Please respond to this consultation in one of three ways:

- Complete the online response at <https://www.surveymoz.com/s3/2605742/GCSE-AS-and-A-Level-Modern-Foreign-Languages>
- Complete the consultation questions at the end of this document and email your response to consultations@ofqual.gov.uk. Please include the consultation title (Modern Foreign Languages Consultation 2016) in the subject line of the email and make clear who you are and in what capacity you are responding
- Post your response to: Modern Foreign Languages Consultation 2016, Ofqual, Spring Place, Herald Avenue, Coventry, CV5 6UB, making clear who you are and in what capacity you are responding

Evaluating the responses

To evaluate responses properly, we need to know who is responding to the consultation and in what capacity. We will therefore only consider your response if you complete the information page.

Any personal data (such as your name, address and any other identifying information) will be processed in accordance with the Data Protection Act 1998 and our standard terms and conditions.

We will publish our evaluation of responses. Please note that we may publish all or part of your response unless you tell us (in your answer to the confidentiality question) that you want us to treat your response as confidential. If you tell us you wish your response to be treated as confidential, we will not include your details in any published list of respondents, although we may quote from your response anonymously.

Please respond by **21 March 2016**.

Regulating GCSE, AS and A level Modern Foreign Languages

Approach to the assessment of modern foreign languages

- 2.1 As we explained in paragraph 1.2, we have already published Conditions and Guidance documents that relate to GCSEs, AS and A levels in French German and Spanish.⁵ These qualifications will be taught in schools from September 2016.
- 2.2 We are now proposing to introduce Conditions and Guidance documents relating to GCSEs, AS and A levels in other modern foreign languages that will start to be taught in schools from September 2017. These other languages qualifications will be developed against largely the same subject content as GCSEs, AS and A levels in French, German and Spanish.⁶ The subject content documents have been subject only to a number of small changes since they were first published which make clear how they apply to a wider range of languages.
- 2.3 We previously consulted on our approach to the assessment of modern foreign languages GCSEs and A levels.⁷ Given that these other modern foreign languages qualifications are to be developed against largely the same subject content, and are to be at the same level of demand as the corresponding qualifications in French, German and Spanish, we propose taking the same approach to assessment for other modern foreign languages qualifications.
- 2.4 For more information on our approach to the assessment of modern foreign languages qualifications, we suggest that you review our earlier consultations and announcements relating to GCSEs, AS and A levels in French, German and Spanish.
- 2.5 New GCSEs in modern foreign languages require students to take reading, writing, listening and speaking assessments. For GCSEs in French, German or

⁵ www.gov.uk/government/publications/gcse-9-to-1-subject-level-conditions-and-requirements-for-modern-foreign-languages, www.gov.uk/government/publications/gcse-9-to-1-subject-level-guidance-for-modern-foreign-languages, www.gov.uk/government/publications/gce-subject-level-conditions-and-requirements-for-modern-foreign-languages, www.gov.uk/government/publications/gce-subject-level-guidance-for-modern-foreign-languages

⁶ www.gov.uk/government/publications/gcse-modern-foreign-languages, www.gov.uk/government/publications/gce-as-and-a-level-modern-foreign-languages

⁷ www.gov.uk/government/consultations/gcse-reform-regulations-for-modern-foreign-languages, <http://webarchive.nationalarchives.gov.uk/20141110161323/http://comment.ofqual.gov.uk/modern-foreign-and-ancient-languages/>, www.gov.uk/government/consultations/as-and-a-level-reform-regulations-for-modern-foreign-languages, www.gov.uk/government/consultations/gcses-as-and-a-levels-reform-of-subjects-for-september-2016

Spanish we set certain requirements around the length of listening and speaking assessments, and around the structure of speaking assessments.⁸ As all new GCSEs in modern foreign languages will be developed to the same subject content requirements (and therefore follow the same structure as GCSEs in French, German or Spanish), we are proposing to extend the rules we have in place around the speaking and listening assessments to those other languages.

- 2.6 We have set similar rules for the non-examination assessments in new AS and A levels in French, German and Spanish. We propose to extend those requirements to AS and A levels in other languages which are developed against this subject content.
- 2.7 Legacy AS and A levels in some of the languages which are currently less commonly taught in schools do not require students to understand and/or respond to the spoken form of the language. The Department for Education is considering the possible development of new subject content that will allow exam boards to develop AS and A level qualifications that are of comparable demand to AS and A levels in modern foreign languages but that take into account their lower take up in schools. These qualifications would be taught in schools from September 2018. If such new subject content is developed, we will develop and consult on appropriate regulatory requirements for qualifications developed to meet such subject content.
- 2.8 There are currently no plans to develop similar new subject content in relation to GCSE modern foreign languages qualifications.

Question 1: To what extent do you agree or disagree that we should adopt the same approach to the assessment of GCSEs, AS and A levels in modern foreign languages, as we did for GCSEs, AS and A levels in French, German and Spanish?

- 2.9 In order to give effect to our above policy proposal, we intend to revise our published modern foreign languages Conditions and Guidance documents which currently relate only to GCSEs, AS and A levels in French, German and Spanish, to include provision for GCSEs, AS and A levels in other modern foreign languages.

⁸ www.gov.uk/government/publications/gcse-9-to-1-subject-level-conditions-and-requirements-for-modern-foreign-languages, www.gov.uk/government/publications/gcse-9-to-1-subject-level-guidance-for-modern-foreign-languages

Question 2: To what extent do you agree or disagree that we should expand the existing GCSE and GCE Modern Foreign Languages(French, German, Spanish) Conditions and Guidance documents so that they apply to other modern foreign languages?

New Condition on interpretation and definition of ‘Modern Foreign Language’

2.10 Many of the changes that we are proposing to make to the existing Conditions and Guidance documents are simply to expand the current modern foreign languages Conditions, requirements and Guidance in order that they apply to other languages.

2.11 In order to do this we propose introducing a new Condition to both the GCSE and AS and A level documents on interpretations and definitions which defines the term ‘Modern Foreign Language’.

2.12 The interpretation we have proposed sets out that a Modern Foreign Language is a language, apart from English, which is in every day spoken use, and which is not an ancient language covered by our Conditions and requirements for ancient languages.⁹ This approach means that it will be possible for exam boards to develop GCSEs, AS and A levels in any such language against the published subject content.¹⁰

2.13 For the majority of the Conditions, requirements and Guidance, the only change we are proposing to make is to replace references to ‘French, German or Spanish’ with the term ‘Modern Foreign Language’. We are not proposing to make any further changes to the following Conditions, requirements or Guidance:

GCSE:

- Condition GCSE(Modern Foreign Languages (French, German, Spanish)1
Compliance with content requirements
- Condition GCSE(Modern Foreign Languages (French, German, Spanish)2
Assessing the full range of abilities

⁹ www.gov.uk/government/publications/gcse-9-to-1-subject-level-conditions-and-requirements-for-ancient-languages

www.gov.uk/government/publications/gce-subject-level-conditions-and-requirements-for-ancient-languages

¹⁰ www.gov.uk/government/publications/gcse-modern-foreign-languages

www.gov.uk/government/publications/gce-as-and-a-level-modern-foreign-languages

- Condition GCSE(Modern Foreign Languages (French, German, Spanish) 3 Assessment
- Condition GCSE(Modern Foreign Languages (French, German, Spanish) 4 Assessment of spoken language
- Condition GCSE(Modern Foreign Languages (French, German, Spanish) 5 Access to dictionaries
- Assessment objectives
- Tiering requirements
- Guidance on assessments
- Guidance on assessment objectives

AS and A level:

- Condition GCE(Modern Foreign Languages (French, German, Spanish)1 Compliance with content requirements
- Condition GCE(Modern Foreign Languages (French, German, Spanish) 2 Assessment
- Condition GCE(Modern Foreign Languages (French, German, Spanish) 3 Assessment of spoken language
- Condition GCE(Modern Foreign Languages (French, German, Spanish) 4 Access to dictionaries
- Assessment objectives
- Guidance on assessment objectives

2.14 We are also not proposing to make any changes to the assessment objectives at either level.

Question 3: To what extent do you agree or disagree that we should introduce a Condition on interpretation and definition which sets out what is meant by the term ‘Modern Foreign Language’?

Changes and additions to modern foreign languages Conditions and Guidance documents

2.15 The changes that we are proposing to make to our current rules and guidance do not change the substance of the rules and guidance that currently apply to French, German or Spanish qualifications.

2.16 We recognise that there are differences within the subject content documents and inherent differences between languages which, in certain cases, need to be reflected within our Conditions and Guidance documents. We are therefore proposing to add to the existing Conditions, requirements and Guidance in certain areas to cater for languages other than French, German and Spanish.

2.17 For GCSE, we are proposing (in addition to replacing references to 'French, German or Spanish' with the term 'Modern Foreign Language') to do the following:

- add a section on grammar requirements to the assessment requirements
- add to the guidance on length of translation exercises and length of extended written text in reading assessment in the guidance on subject content
- add a new Condition relating to the titling of modern foreign language GCSEs in Chinese
- add a new Condition on interpretation and definitions relating to the definition of 'Modern Foreign Language' (this is set out above).

2.18 For AS and A level we are proposing (in addition to replacing references to 'French, German or Spanish' with the term 'Modern Foreign Language') to do the following:

- add a section on grammar requirements to the assessment requirements
- move the guidance on length of translation exercises from guidance on assessment to guidance on subject content (for consistency with the GCSE Guidance document).
- add to the guidance on length of translation exercises in the guidance on subject content
- add a new Condition relating to the titling of modern foreign language AS and A levels in Chinese
- add a new Condition on interpretation and definitions relating to the definition of 'Modern Foreign Language' (this is set out above).

2.19 We deal with each of these changes/additions in the sections below, except for the addition of the Condition on interpretation and definitions which we have discussed in paragraphs 2.6 – 2.10 above.

Changes to assessment requirements

2.20 For GCSEs, AS and A levels in French, German and Spanish, the DfE has produced detailed grammar requirements, that form a part of the subject content documents.¹¹

2.21 The DfE has not included any grammar requirements for other languages within the subject content documents for GCSE, AS and A level, but has stated that grammar requirements must be included within relevant specifications, and must represent a level of challenge and breadth that is comparable to the requirements for French, German and Spanish.

2.22 We are of the view that the expected grammar requirements for a language link to the level of demand for a GCSE, AS or A level qualification in that language. We want to take steps to ensure that, so far as is possible, the grammatical requirements in each language at a particular level are comparable.

2.23 We are therefore proposing to add a section on ‘grammar requirements’ to the assessment requirements in the Conditions document. This will reflect the requirements in the subject content document with respect to languages other than French, German and Spanish, and set out additional requirements on the exam boards to demonstrate to our satisfaction that they have :

- set out in their specification the knowledge and understanding of grammar that will be expected of Learners, and
- taken all reasonable steps to ensure that, as far as possible, the level of demand of the grammatical content is comparable to that specified in the subject content for French, German and Spanish.

2.24 We do not propose making any changes to the other sections¹² in the current version of the assessment requirements. As set out above, we are proposing to take the same approach to the assessment of other languages as we have taken to the assessment of French, German and Spanish GCSEs, AS and A levels.

¹¹ www.gov.uk/government/publications/gcse-modern-foreign-languages
www.gov.uk/government/publications/gce-as-and-a-level-modern-foreign-languages

¹² At GCSE these sections relate to vocabulary lists, speaking assessments and listening assessments. At AS and A level these sections relate to vocabulary lists, access to texts and non-examination at both levels.

Question 4: To what extent do you agree or disagree with our proposed introduction of grammar requirements into the assessment requirements for GCSE, AS and A levels in Modern Foreign Languages?

Changes to guidance on assessment (AS and A level only)

2.25 In the current Guidance document for AS and A level modern foreign languages in French, German and Spanish, guidance on the length of translation exercises appears in the guidance on assessment, whereas at GCSE similar guidance appears in the section dealing with guidance on subject content.

2.26 We propose to move the guidance on the length of translation exercises from the section on guidance on assessment to the section dealing with guidance on subject content. This will secure consistency with the GCSE document.

2.27 There will be no change to the guidance itself. Awarding organisations are currently required to have regard to that guidance under Condition GCE(Modern Foreign Languages)2.3. Going forward this obligation will be under Condition GCE(Modern Foreign Languages)1.1(c).

Question 5: To what extent do you agree or disagree with our proposal to move the guidance on the length of translation exercises in the AS and A level Guidance document from the section on guidance on assessment to the section on guidance on subject content?

Changes to guidance on subject content

2.28 In the current Guidance documents for GCSE, AS and A level modern foreign languages in French, German and Spanish, we have set out guidance on the expected length of translation exercises.

2.29 For GCSE French, German or Spanish, this guidance states that we expect the length of any short passage or short text to be –

- for the foundation tier, a minimum of 35 words, and
- for the higher tier, a minimum of 50 words.

2.30 For AS and A level French German or Spanish, this guidance states that we expect the length of any unseen passage or passages or unseen sentences or short texts to be –

- in respect of A level qualifications, a minimum of 100 words, and
- in respect of AS qualifications, a minimum of 70 words.

- 2.31 We recognise that there are differences in the structure and lexicon of different languages. As a result, the same number of words or characters on a page may equate to a different level of demand for a student looking to translate it depending on the language they are translating from or to.
- 2.32 We do not intend to produce guidance on the expected length of translation exercises in every language. We are proposing instead that exam boards should set out their intended approach to the length of translation exercises in their assessment strategies for the qualifications.
- 2.33 We recognise that having guidance on our expectations for a number of languages will prove to be a useful reference point for exam boards when they are seeking to establish qualifications across a number of languages at an equivalent level of demand. And we would expect exam boards to have regard to that guidance in all languages.
- 2.34 We are proposing to leave in place the guidance relating to French, German and Spanish, and to produce alternative guidance relating to Chinese, Japanese and Russian. We have chosen to produce this guidance because:
- Chinese and Japanese use logographic scripts that present additional challenges for learners; and
 - fewer words are required to convey the equivalent meaning in Russian than in English, because Russian does not use articles and has a different verb system.
- 2.35 For GCSE Chinese and Japanese we are proposing the following:
- for the foundation tier, a minimum of 35 characters for translation from Chinese or Japanese into English, and a minimum of 20 words for translation from English into Chinese or Japanese, and
 - for the higher tier, a minimum of 50 characters for translation from Chinese or Japanese into English, and a minimum of 35 words for translation from English into Chinese or Japanese.
- 2.36 For GCSE Russian, we are proposing:
- for the foundation tier, a minimum of 25 words for translation from Russian in English, and a minimum of 35 words for translation from English into Russian, and
 - for the higher tier, a minimum of 35 words for translation from Russian in to English, and a minimum of 50 words for translation from English into Russian.

2.37 For AS and A level Chinese and Japanese, we are proposing:

- in respect of A level qualifications, a minimum of 80 characters for translation from Chinese or Japanese into English, and a minimum of 70 words for translation from English into Chinese or Japanese, and
- in respect of AS qualifications, a minimum of 60 characters for translation from Chinese or Japanese into English, and a minimum of 45 words for translation from English into Chinese or Japanese.

2.38 For AS and A level Russian, we are proposing:

- in respect of A level qualifications, a minimum of 70 words for translation from Russian into English, and a minimum of 100 words for translation from English into Russian, and
- in respect of AS qualifications, a minimum of 50 words for translation from Russian into English, and a minimum of 70 words for translation from English into Russian.

2.39 In developing these proposals we have consulted with subject specialists, but we would welcome views through this consultation on the approach that we have taken, and whether the figures we are proposing in relation to Chinese, Japanese and Russian qualifications are reasonable.

Question 6: To what extent do you agree or disagree with our proposed approach to setting additional guidance relating to the length of translation exercises at GCSE, AS and A level?

Question 7: Do you have any comments on the guidance that we are proposing in relation to the length of translation exercises?

2.40 In the current Guidance documents for GCSE modern foreign languages in French, German and Spanish, we have also set out guidance on the expected length for an extended written text in the reading assessment.

2.41 For GCSE French German or Spanish, this guidance states that we expect the length of any extended written text to be –

- for the foundation tier, a minimum of 90 words in length, and
- for the higher tier, a minimum of 150 words in length.

2.42 As with the guidance in relation to the length of translation exercise, we do not intend to produce guidance on the expected length of an extended written text in

every language. We are proposing instead that exam boards should set out their intended approach in their assessment strategies.

2.43 In line with our proposals in relation to guidance on the length of translation exercises, we recognise that having guidance on our expectations for a number of languages will prove to be a useful reference point for exam boards, and we would expect exam boards to have regard to that guidance in all languages.

2.44 So, we are proposing to leave in place the guidance relating to French, German and Spanish, and to produce alternative guidance relating to Chinese, Japanese and Russian as follows:

2.45 GCSE Chinese and Japanese:

- for the foundation tier, a minimum of 80 characters in length, and
- for the higher tier, a minimum of 130 characters in length.

2.46 GCSE Russian:

- for the foundation tier, a minimum of 65 words in length, and
- for the higher tier, a minimum of 105 words in length.

2.47 In developing this guidance we have again consulted with subject specialists, but we would also welcome views through this consultation on the approach that we have taken, and whether the figures we are proposing in relation to Chinese, Japanese and Russian qualifications are reasonable.

2.48 In relation to other languages, we are proposing that the exam boards should justify the approach they plan to take to the length of an extended written text in the reading assessment.

Question 8: To what extent do you agree or disagree with our approach to setting additional guidance relating to the length of an extended written text in the reading assessment at GCSE?

Question 9: Do you have any comments on the guidance that we are proposing in relation to the length of an extended written text in the reading assessment?

New Condition on the titling of Chinese qualifications

2.49 In current Chinese qualifications, exam boards offer reading and writing assessments in standard Chinese, but may offer speaking and listening assessments in either Mandarin or Cantonese.

2.50 In order that it is clear to qualification users in which dialect a Learner has been assessed, we are proposing to introduce a rule that sets out that modern foreign languages GCSE, AS and A levels must be titled either

- Chinese (spoken Mandarin), or
- Chinese (spoken Cantonese).

Question 10: To what extent do you agree or disagree that we should introduce a Condition on the titling of GCSE, AS and A level Chinese qualifications?

Other rules or guidance for modern foreign languages

2.51 We would welcome views from respondents to this consultation on whether there are any additional rules or guidance that we should introduce for modern foreign languages qualifications.

Question 11: Are there any additional rules or guidance that we should introduce in relation to modern foreign languages?

Impact of changes to the Conditions and Guidance documents on French, German and Spanish qualifications

2.52 The current rules which apply to GCSE qualifications in French, German and Spanish will remain unchanged apart from references to those languages being replaced by the new defined term 'Modern Foreign Language'. The guidance in respect of qualifications in these three languages will also remain unchanged apart from a minor change clarifying existing guidance to assessment objective AO1 .

2.53 The current rules and guidance in relation to AS and A level qualifications in these languages will also remain unchanged, save for the adoption of the new defined term 'Modern Foreign Languages' and the rebranding of existing guidance on assessment as guidance on subject content as described in paragraphs 2.20 – 2.21.

2.54 These changes will also not affect the accreditation requirements for GCSE, AS and A level qualifications in French, German and Spanish, and will not require any changes to be made to qualifications that have already been accredited..

Our proposed Conditions and guidance

3.1 As set out above, we are proposing to introduce amended subject-specific Conditions, requirements and guidance for modern foreign languages GCSEs, AS and A levels to implement the proposals in this consultation. We set out our proposed amended Conditions, requirements and guidance below.

Proposed Conditions and requirements for GCSE modern foreign languages

3.2 We are proposing to introduce the following amended Conditions and requirements which will apply to all new GCSE qualifications in modern foreign languages. We propose that the amended Conditions and requirements documents shall include:

- a Condition covering compliance with subject content and assessment objectives;
- a Condition which enables tiered assessments, and requires exam boards to follow our tiering rules;
- a Condition which allows us to specify more detailed requirements on assessment;
- a Condition which enables speaking assessments to take place other than by examination, and sets rules relating to speaking assessments;
- a Condition which prohibits access to dictionaries in GCSE modern foreign language assessments;
- a Condition on the titling of GCSE Chinese qualifications;
- a Condition which defines what constitutes a modern foreign language;
- assessment objectives for GCSE qualifications in modern foreign languages;
- our tiering rules; and
- rules on assessment, including rules around grammar requirements, vocabulary lists, speaking assessments and listening assessments

3.3 As set out above the only change we are proposing to make to the majority of the Conditions and requirements is to replace references to 'French, German or Spanish' with the term 'Modern Foreign Language'. In paragraph 2.13 we set out

details of the Conditions, requirements and guidance for which no substantive changes are being made.

3.4 As set out above, for GCSE we are proposing (in addition to replacing references to ‘French, German or Spanish’ with the term ‘Modern Foreign Language’) to do the following:

- add a section on grammar requirements to the assessment requirements
- add a new Condition relating to the titling of modern foreign language GCSEs in Chinese
- add a new Condition on interpretation and definitions relating to the definition of ‘Modern Foreign Language’ (this is set out above).

3.5 We therefore recommend that particular attention is paid to those sections of the Conditions and requirements.

| Condition GCSE(Modern Foreign Languages)1 | Compliance with content requirements |
|--|---|
| GCSE(Modern Foreign Languages)1.1 | <p>In respect of each GCSE Qualification in a Modern Foreign Language which it makes available, or proposes to make available, an awarding organisation must –</p> <p>(a) comply with the requirements relating to that qualification set out in the document published by the Secretary of State entitled ‘Modern languages GCSE subject content’¹³, document reference DFE-00348-2014,</p> <p>(b) have regard to any recommendations or guidelines relating to that qualification set out in that document, and</p> <p>(c) interpret that document in accordance with any requirements, and having regard to any guidance, which may be published by Ofqual and revised from time to time.</p> |

¹³ www.gov.uk/government/publications/gcse-modern-foreign-languages

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| GCSE(Modern Foreign Languages)1.2 | In respect of each GCSE Qualification in a Modern Foreign Language which it makes available, or proposes to make available, an awarding organisation must comply with any requirements, and have regard to any guidance, relating to the objectives to be met by any assessment for that qualification which may be published by Ofqual and revised from time to time. |
| Condition GCSE(Modern Foreign Languages)2 | Assessing the full range of abilities |
| GCSE(Modern Foreign Languages)2.1 | <p>In respect of each GCSE Qualification in a Modern Foreign Language that an awarding organisation makes available, or proposes to make available –</p> <p>(a) Condition GCSE1.1 does not apply, and</p> <p>(b) the awarding organisation must ensure that the qualification, and each assessment for it, complies with any requirements which may be published by Ofqual and revised from time to time.</p> |
| Condition GCSE(Modern Foreign Languages)3 | Assessment |
| GCSE(Modern Foreign Languages)3.1 | An awarding organisation must ensure that in respect of each assessment for a GCSE Qualification in a Modern Foreign Language which it makes available it complies with any requirements, and has regard to any guidance, which may be published by Ofqual and revised from time to time. |
| Condition GCSE(Modern Foreign Languages)4 | Assessment of spoken language |
| GCSE(Modern Foreign Languages)4.1 | In respect of each GCSE Qualification in a Modern Foreign Language which an awarding organisation makes available, or proposes to make available, Condition GCSE4.1 does not |

| | |
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| | apply to any assessment of a Learner's ability to speak that language effectively. |
| GCSE(Modern Foreign Languages)4.2 | In respect of each assessment for a GCSE Qualification in a Modern Foreign Language that it makes available and which is not an Assessment by Examination an awarding organisation must ensure that – <ul style="list-style-type: none"> (a) the awarding organisation sets the assessment, (b) the evidence generated by a Learner in the assessment is marked by the awarding organisation and/or a person connected to it, and (c) the awarding organisation is provided with a recording of the evidence generated by a Learner in the assessment. |
| GCSE(Modern Foreign Languages)4.3 | In respect of each GCSE Qualification in a Modern Foreign Language that an awarding organisation makes available, or proposes to make available – <ul style="list-style-type: none"> (a) Condition GCSE6.1 does not apply to any assessment of a Learner's ability to speak that language effectively, (b) the awarding organisation must ensure that each Learner completes any such assessment within a period of up to five weeks in the months of April and May in any single year, and (c) the awarding organisation must take all reasonable steps to minimise the predictability of each such assessment. |
| Condition GCSE(Modern Foreign Languages)5 | Access to dictionaries |
| GCSE(Modern Foreign Languages)5.1 | An awarding organisation must take reasonable steps to ensure that no Learner has access to a dictionary – <ul style="list-style-type: none"> (a) when taking any assessment for a GCSE Qualification in a Modern Foreign Language which it makes available, or (b) during any period of formal preparation time prior to such an assessment. |
| GCSE(Modern Foreign Languages)5.2 | For the purposes of this Condition 'formal preparation time' is a period of time immediately prior to the assessment during which the Learner is provided with previously unseen |

information relating to the assessment and is allowed to prepare for the assessment under conditions (including conditions as to supervision) which have been specified by the awarding organisation.

Condition

Titling

GCSE(Modern Foreign Languages)6

GCSE(Modern Foreign Languages)6.1

An awarding organisation must ensure that, for the purposes of compliance with Condition E2.1(d), the title on the Register of each GCSE Qualification in Chinese that it makes available indicates the content of that qualification in the following manner, as appropriate –

- (a) Chinese (spoken Mandarin), or
- (b) Chinese (spoken Cantonese).

Condition

Interpretation and definitions

GCSE(Modern Foreign Languages)7

GCSE(Modern Foreign Languages)7.1

In these Conditions the following words shall have the meaning given to them below (and cognate expressions should be construed accordingly) –

Modern Foreign Language

A language, apart from English –

- (a) which is in everyday spoken use, and
- (b) with respect to which an awarding organisation is not required to comply with the *GCSE (9 to 1) Subject Level Conditions and Requirements for Ancient Languages*¹⁴.

¹⁴ www.gov.uk/government/publications/gcse-9-to-1-subject-level-conditions-and-requirements-for-ancient-languages

Assessment objectives – GCSE Qualifications in Modern Foreign Languages

Condition GCSE(Modern Foreign Languages)1.2 allows us to specify requirements relating to the objectives to be met by any assessment for all GCSE Qualifications in a Modern Foreign Language.

The assessment objectives set out below constitute requirements for the purposes of Condition GCSE(Modern Foreign Languages)1.2. Awarding organisations must comply with these requirements in relation to each GCSE Qualification in a Modern Foreign Language they make available or propose to make available.

| | Objective | Weighting |
|-----|---|-----------|
| AO1 | Listening – understand and respond to different types of spoken language. | 25% |
| AO2 | Speaking – communicate and interact effectively in speech. | 25% |
| AO3 | Reading – understand and respond to different types of written language. | 25% |
| AO4 | Writing – communicate in writing. | 25% |

In each of AO2 and AO4, at least 10 per cent of the marks available for that assessment objective must be allocated to knowledge of, and accurate application of, the grammar and structures of the language prescribed in the specification.

Tiering requirements – GCSE Qualifications in Modern Foreign Languages

Condition GCSE(Modern Foreign Languages)2.1(b) allows us to specify requirements relating to assessing the full range of abilities for GCSE Qualifications (graded 9 to 1) in Modern Foreign Languages.

In accordance with Condition GCSE(Modern Foreign Languages)2.1(b) an awarding organisation must design, deliver and award each GCSE Qualification in a Modern Foreign Language that it makes available, or proposes to make available, in accordance with the requirements set out below.

Use of the overlapping tiers model

1. Each GCSE Qualification in a Modern Foreign Language must be tiered. An awarding organisation must design and set the assessments for each GCSE

Qualification in a Modern Foreign Language which it makes available, or proposes to make available, using an overlapping tiers model.

2. Such a model must use two tiers – a foundation tier and a higher tier – and each assessment must be designed and set in such a way as to fall within one of those two tiers only.

Preclusion of mixed tier entry

3. An awarding organisation must ensure that each Learner is permitted to take assessments in either the foundation tier or the higher tier only.

Grades available at each tier

4. The questions or tasks in foundation tier assessments must be targeted at the Level of Demand required for the award of grades 1 to 5. A Learner who takes foundation tier assessments must be awarded a grade within the range of 1 to 5, or be unclassified.
5. The questions or tasks in higher tier assessments must be targeted at the Level of Demand required for the award of grades 4 to 9. A Learner who takes higher tier assessments must be awarded a grade within the range of 4 to 9, or be unclassified. However, if the mark achieved by such a Learner is a small number of marks below the 4/3 grade boundary, that Learner may be awarded a grade 3.
6. The 3/U grade boundary for higher tier assessments is provisionally set by subtracting half the mark interval between the 5/4 and 4/3 grade boundaries (rounding up half marks) from the 4/3 boundary.

Assessing the full range of abilities

7. An awarding organisation must ensure that the assessments within each tier allow each specified level of attainment available for that tier to be reached by a Learner who has attained the required level of knowledge, skills and understanding.
8. An awarding organisation must ensure that the assessments both within each tier, and taken together across both tiers –
 - (a) ensure consistent and sufficient differentiation¹⁵ between Learners;

¹⁵ For the purposes of these requirements, 'differentiation' means the provision of opportunities in an assessment for Learners to generate evidence demonstrating different levels of attainment according to their knowledge, skills and understanding.

- (b) ensure consistent and sufficient discrimination¹⁶ between Learners; and
 - (c) ensure the accurate and consistent setting of grades across the full range of attainments demonstrated by Learners.
9. In designing assessments, an awarding organisation must take all reasonable steps to ensure, at each tier, that Learners achieving the lowest targeted grade have demonstrated attainment with regard to a sufficient range of the subject requirements, in terms of the areas of content, content domains and the assessment objectives. Equally, an awarding organisation must take all reasonable steps to ensure, at each tier, that Learners achieving the higher targeted grades must have demonstrated attainment with regard to suitably stretching and challenging requirements, in terms of the areas of content, content domains and the assessment objectives.

The overlap at grades 4 and 5

10. An awarding organisation must take all reasonable steps in the design and delivery of the assessments and awarding processes to secure that the level of attainment indicated by grades 4 and 5 is comparable regardless of the tier for which a Learner is entered. Each awarding organisation must demonstrate in its assessment strategy the steps it has taken to secure such comparability between tiers, including on an ongoing basis. Such steps may include, but are not restricted to, the use of common questions/tasks between tiers.

Assessment Requirements - GCSE Qualifications in Modern Foreign Languages

Condition GCSE(Modern Foreign Languages)3.1 allows us to specify requirements and guidance in relation to assessments for GCSE Qualifications in Modern Foreign Languages.

We set out our requirements for the purposes of Condition GCSE(Modern Foreign Languages) 3.1 below.

Grammar requirements

The subject content for GCSE Qualifications in Modern Foreign Languages is set out in the document published by the Secretary of State entitled 'Modern languages GCSE subject content', document reference DFE-00348-2014 (the 'Content Document').

¹⁶ For the purposes of these requirements, 'discrimination' means the rank ordering of Learners on the basis of the different levels of attainment they have demonstrated in an assessment or set of assessments.

The Appendix to the Content Document sets out grammar requirements for GCSE qualifications in French, German or Spanish. The Content Document goes on to say:

For other languages, all specifications must include appendices, developed by the awarding organisation(s), setting-out requirements for grammar which represent a level of challenge and breadth that is comparable to the requirements for French, German and Spanish.

In respect of each GCSE Qualification in a Modern Foreign Language (other than French, German or Spanish) which it makes available, or proposes to make available, an awarding organisation must–

- set out in the specification for the qualification the knowledge and understanding of grammar that will be expected of Learners at each of the foundation tier and higher tier (the ‘Grammar Requirements’), and
- demonstrate to Ofqual’s satisfaction in its assessment strategy that it has taken all reasonable steps to ensure that, as far as possible, the Level of Demand of the Grammar Requirements is comparable to that of the grammar requirements specified in the Content Document for GCSE Qualifications in French, German and Spanish.

Vocabulary lists

Where an awarding organisation publishes any information about the words and/or forms of words which Learners will be expected to use and understand (a 'vocabulary list') for a GCSE Qualification in a Modern Foreign Language which it makes available, or proposes to make available, it must ensure that –

- any assessment for that qualification is not restricted to use of words and/or forms of words on the vocabulary list in such a way as to render the assessment predictable,
- foundation tier assessments for that qualification require Learners to understand and respond to common or familiar words and/or forms of words that are not on the vocabulary list,
- higher tier assessments for that qualification require Learners to understand and respond to words and/or forms of words that are not on the vocabulary list and which are less common or familiar than those used in relation to foundation tier assessments, and
- the vocabulary list is set out in the specification for the qualification.

Speaking assessment

An awarding organisation must design and set each assessment of a Learner's ability to speak a Modern Foreign Language effectively on the basis that:

- each Learner shall have the same amount of formal preparation time (as defined in Condition GCSE(Modern Foreign Languages)5.2 in relation to the assessment and that period of time must be between 10 and 12 minutes;
- the total period of time spent by each Learner in taking such assessments shall be –
 - for foundation tier assessments, between seven and nine minutes, and
 - for higher tier assessments, between 10 and 12 minutes.

Each assessment of a Learner's ability to speak the relevant Modern Foreign Language effectively must include:

- a conversation covering more than one topic, only one of which may be chosen by the Learner in advance of the assessment; and
- two further tasks, each of which must be one of the following:
 - a role play;
 - a response to Stimulus Materials containing pictures only;
 - a response to Stimulus Materials containing text only; or
 - a response to Stimulus Materials containing pictures and text.

Listening assessment

An awarding organisation must design and set each assessment of a Learner's ability to understand a spoken Modern Foreign Language effectively (which does not assess the Learner's ability to speak the language effectively) on the basis that the total amount of time spent by each Learner in taking such assessments shall be –

- for foundation tier assessments, 35 minutes (including five minutes reading time), and
- for higher tier assessments, 45 minutes (including five minutes reading time).

Proposed guidance for GCSE modern foreign languages

3.6 We are proposing to introduce the following amended guidance which will apply to all new GCSE qualifications in modern foreign languages. We propose that the amended guidance shall include:

- guidance on subject content setting out our expectations around the length of translation exercises and the length of extended written text in reading assessments;
- guidance on assessment setting out that we are neither expecting nor preventing exam boards from publishing vocabulary lists, and setting out our expectations around the assessment period for spoken language assessments; and
- guidance on assessment objectives.

3.7 As set out above the only change we are proposing to make to the majority of the Guidance is to replace references to 'French, German or Spanish' with the term 'Modern Foreign Language'. In paragraph 2.13 we set out details of the Conditions, requirements and guidance for which no substantive changes are being made.

3.8 As set out above, in the GCSE Guidance we are proposing (in addition to replacing references to 'French, German or Spanish' with the term 'Modern Foreign Language') to add to the guidance on length of translation exercises and length of extended written text in reading assessment in the guidance on subject content.

3.9 We therefore recommend that particular attention is paid to the guidance on subject content section.

Guidance in relation to subject content for GCSE Qualifications in Modern Foreign Languages

The subject content for GCSE Qualifications (graded 9 to 1) in Modern Foreign Languages is set out in the Department for Education's *Modern Languages: GCSE Subject Content*, document reference DFE-00348-2014 (the 'Content Document')¹⁷.

Condition GCSE(Modern Foreign Languages)1.1(c) requires awarding organisations to interpret the Content Document in line with any requirements, and having regard to any guidance, published by Ofqual.

We set out our guidance for the purposes of Condition GCSE(Modern Foreign Languages)1.1(c) below.

Length of translation exercises

The Content Document states that each GCSE Qualification in a Modern Foreign Language must require Learners to –

'translate a short passage from the assessed language into English' as part of the assessment of their ability to understand and respond to written language,

and

'translate sentences and short texts from English into the assessed language' as part of the assessment of their ability to communicate in writing.

We expect the length of any such 'short passage' or 'short text' in an assessment to be –

- for GCSE Qualifications in Chinese or Japanese:
 - for the foundation tier, a minimum of 35 characters for translation from Chinese or Japanese into English, and a minimum of 20 words for translation from English into Chinese or Japanese, and
 - for the higher tier, a minimum of 50 characters for translation from Chinese or Japanese into English, and a minimum of 35 words for translation from English into Chinese or Japanese.
- for GCSE Qualifications in Russian:

- for the foundation tier, a minimum of 25 words for translation from Russian in English, and a minimum of 35 words for translation from English into Russian, and
- for the higher tier, a minimum of 35 words for translation from Russian in to English, and a minimum of 50 words for translation from English into Russian.
- for GCSE Qualifications in French, German or Spanish:
 - for the foundation tier, a minimum of 35 words, and
 - for the higher tier, a minimum of 50 words.

For GCSE Qualifications in all other Modern Foreign Languages, we expect an awarding organisation to explain and justify (including by reference to our guidance on specific languages set out above) in its assessment strategy its approach to the length of 'short passages' and 'short texts' at each of the foundation and higher tiers.

Length of extended written text in reading assessment

The Content Document states that each GCSE Qualification in a Modern Foreign Language must require Learners to –

'recognise and respond to key information, important themes and ideas in more extended written text and authentic sources, including some extracts from relevant abridged or adapted literary texts'.

We expect an awarding organisation to interpret the reference to an 'extended written text' as being to a text which is –

- for GCSE Qualifications in Chinese or Japanese:
 - for the foundation tier, a minimum of 80 characters in length, and
 - for the higher tier, a minimum of 130 characters in length.
- for GCSE Qualifications in Russian:
 - for the foundation tier, a minimum of 65 words in length, and
 - for the higher tier, a minimum of 105 words in length.

¹⁷ www.gov.uk/government/publications/gcse-modern-foreign-languages

- for GCSE Qualifications in French, German or Spanish:
 - for the foundation tier, a minimum of 90 words in length, and
 - for the higher tier, a minimum of 150 words in length.

For GCSE Qualifications in all other Modern Foreign Languages, we expect an awarding organisation to explain and justify (including by reference to our guidance on specific languages set out above) in its assessment strategy its approach to the length of 'extended written texts' at each of the foundation and higher tiers.

Guidance in relation to assessments for GCSE Qualifications in Modern Foreign Languages

Condition GCSE(Modern Foreign Languages)3.1 allows us to specify requirements and guidance in relation to assessments for GCSE Qualifications in Modern Foreign Languages.

We set out our guidance for the purposes of Condition GCSE(Modern Foreign Languages)3.1 below.

Vocabulary lists

Provided that the requirements set out in the *GCSE Subject Level Conditions and Requirements for Modern Foreign Languages* are met, awarding organisations are not precluded from publishing vocabulary lists to act as guides for Teachers of GCSE Qualifications in Modern Foreign Languages which they make available or propose to make available. Neither are awarding organisations required to publish vocabulary lists.

Assessment period

Condition GCSE(Modern Foreign Languages)4.3(b) states that an awarding organisation must ensure that each Learner completes the assessment of his or her ability to speak a Modern Foreign Language effectively within an assessment period of up to five weeks in April and May in any single year.

This assessment period is not required to be continuous or the same every year. It may, for example, allow for a break to accommodate Easter in any given year.

Guidance on assessment objectives for GCSE Qualifications in Modern Foreign Languages

Condition GCSE(Modern Foreign Languages)1.2 allows us to specify requirements and guidance relating to assessment objectives for GCSE Qualifications in Modern Foreign Languages.

We published our requirements in relation to assessment objectives in *GCSE Subject Level Conditions and Requirements for Modern Foreign Languages*, and reproduce assessment objectives AO1 to AO4 and their respective weightings in the table below.

| | Objective | Weighting |
|-----|---|-----------|
| AO1 | Listening – understand and respond to different types of spoken language. | 25% |
| AO2 | Speaking – communicate and interact effectively in speech. | 25% |
| AO3 | Reading – understand and respond to different types of written language. | 25% |
| AO4 | Writing – communicate in writing. | 25% |

We set out below our guidance for the purposes of Condition GCSE(Modern Foreign Languages)1.2. This guidance explains how we expect awarding organisations to interpret these assessment objectives in terms of:

- the discrete ‘elements’ within each assessment objective that questions and tasks could target and/or seek to credit – our expectation is that each and every question/task should target or seek to credit at least one of these elements, and may target or seek to credit multiple elements across one or more assessment objectives;
- the coverage expectations, such as in relation to the different elements within each assessment objective and how those elements should be sampled over time; and
- the key areas of emphasis in each assessment objective and the particular meaning for the subject of any key terms and phrases used; defined terms are shown in bold text, followed by their definitions.

In line with the obligations set out in Condition GCSE(Modern Foreign Languages)1.2, we expect awarding organisations to be able to demonstrate how they have had regard to this guidance. For example, an awarding organisation could map how it has regard to the guidance as it:

- develops its sample assessment materials;
- delivers the qualification;
- develops and applies its approach to sampling the elements into which the assessment objectives are divided; and
- monitors the qualification to make sure it addresses all elements appropriately.

| AO1: Listening – understand and respond to different types of spoken language | | | 25% |
|---|------------------------------|---|--|
| Strands | Elements | Coverage | Interpretations and definitions |
| n/a | This AO is a single element. | Full coverage in each set of assessments ¹⁸ (but not in every assessment). | <ul style="list-style-type: none"> ■ The different types of spoken language are aspects of subject content. Awarding organisations should explain their approach to targeting them in their assessment strategies. ■ It is not possible to assess Learners’ ability to ‘understand’ and ‘respond to’ spoken language separately. Rather, Learners should demonstrate their understanding through their responses. ■ Responses should be written, either in the assessed language or in English. ■ Responses to questions in the assessed language may include (but are not limited to): single letters, numbers and/or percentages in figures, names, single words and/or phrases in the assessed language. ■ Responses should only assess the skill of understanding spoken language. Responses in the assessed language should not be assessed for quality of language, but purely for comprehension. ■ Where questions and/or rubrics are set in the assessed language, the reading requirements in those questions and/or rubrics should not be beyond the level of the language in the listening material, in terms of both complexity and length. |

¹⁸ For the purposes of this guidance, a ‘set of assessments’ means the assessments to be taken by a particular Learner for a GCSE Qualification in a Modern Foreign Language. For clarity, the assessments taken by Learners may vary, depending on any possible routes through the qualification.

| AO2: Speaking – communicate and interact effectively in speech | | | 25% |
|--|-----------------------------|---|---|
| Strands | Elements | Coverage | Interpretations and definitions |
| n/a | 1a – Communicate in speech. | Full coverage in each set of assessments (but not in every assessment). | <ul style="list-style-type: none"> ■ Communicate means conveying information, which includes but is not limited to: presentation, speech and monologue. ■ Interact includes but is not limited to: conversation, discussion, answering and asking questions, and exchanging opinions. ■ Communicate and interact should generally be assessed together. ■ Some tasks may assess communication only. However, there should be follow-up interaction for example questions and discussion. ■ The emphasis here should be on Learners' fluency in their use of spoken language, rather than on accuracy. Learners attempting more complex language and/or demonstrating increased spontaneity should not be penalised if the language is less accurate. |
| | 1b – Interact in speech. | | |

| AO3: Reading – understand and respond to different types of written language | | | 25% |
|--|------------------------------|---|--|
| Strands | Elements | Coverage | Interpretations and definitions |
| n/a | This AO is a single element. | <ul style="list-style-type: none"> ■ Full coverage in each set of assessments (but not in every assessment). ■ 10% to 15% of marks for AO3 for questions/tasks requiring translation. | <ul style="list-style-type: none"> ■ The different types of written language are aspects of subject content. Awarding organisations should explain their approach to targeting them in their assessment strategies. ■ It is not possible to assess Learners’ ability to ‘understand’ and ‘respond to’ written language separately. Rather, Learners should demonstrate their understanding through their responses. ■ Responses should be written, either in the assessed language or in English. ■ Responses to questions in the assessed language may include (but are not limited to): single letters, numbers and/or percentages in figures, names, single words and/or phrases in the assessed language. ■ Responses should only assess the skill of understanding written language. Responses in the assessed language should not be assessed for quality of language, but purely for comprehension. ■ Where questions and/or rubrics are set in the assessed language, the reading requirements in those questions and/or rubrics should not be beyond the level of the language in the reading material and/or texts, in terms of both complexity and length. |

| AO4: Writing – communicate in writing. | | | 25% |
|--|------------------------------|--|---|
| Strands | Elements | Coverage | Interpretations and definitions |
| n/a | This AO is a single element. | <ul style="list-style-type: none"> ■ Full coverage in each set of assessments (but not in every assessment). ■ 20% of marks for AO4 for questions/tasks requiring translation. | <ul style="list-style-type: none"> ■ Communicate means conveying information in writing. ■ Awarding organisations should explain in their assessment strategies how they will assess Learners’ ability to communicate in writing “for a variety of purposes across a range of specified contexts” (as required by the Content Document). ■ It should be noted that the Department for Education’s <i>Modern Languages: GCSE Subject Content</i> states that all questions and task instructions in assessments for qualifications in languages using logographic systems – such as Mandarin Chinese and Japanese – must be set in English, as the sole use of hanzi or kanji is deemed too challenging at GCSE. |

Proposed Conditions and requirements for AS and A level modern foreign languages

3.10 We are proposing to introduce the following amended Conditions and requirements which will apply to all new AS and A level qualifications in modern foreign languages. We propose that the amended Conditions and requirements documents shall include:

- a Condition covering compliance with subject content and assessment objectives;
- a Condition which sets out that 30 per cent of the qualification will be through non-exam assessment, and which allows us to specify more detailed requirements on assessment;
- a Condition which sets rules relating to non-exam assessments (i.e. the speaking assessment);
- a Condition which sets out rules around access to dictionaries in AS and A level modern foreign language assessments;
- a Condition on the titling of AS and A level Chinese qualifications;
- a Condition which defines what constitutes a modern foreign language;
- assessment objectives for AS and A level qualifications in modern foreign languages; and
- rules on assessment, including rules around grammar requirements, vocabulary lists, access to texts, and non-examination assessment for both AS and A levels.

3.11 As set out above the only change we are proposing to make to the majority of the Conditions and requirements is to replace references to 'French, German or Spanish' with the term 'Modern Foreign Language'. In paragraph 2.13 we set out details of the Conditions, requirements and guidance for which no substantive changes are being made.

3.12 As set out above, for AS and A level we are proposing (in addition to replacing references to 'French, German or Spanish' with the term 'Modern Foreign Language') to do the following:

- add a section on grammar requirements to the assessment requirements

- move the guidance on length of translation exercises from guidance on assessment to guidance on subject content (for consistency with the GCSE Guidance document).
- add to the guidance on length of translation exercises in the guidance on subject content
- add a new Condition relating to the titling of modern foreign language AS and A levels in Chinese
- add a new Condition on interpretation and definitions relating to the definition of 'Modern Foreign Language' (this is set out above).

3.13 We therefore recommend that particular attention is paid to those sections of the Conditions and requirements.

| | |
|--|---|
| <p>Condition GCE(Modern Foreign Languages)1</p> | <p>Compliance with content requirements</p> |
| <p>GCE(Modern Foreign Languages)1.1</p> | <p>In respect of each GCE Qualification in a Modern Foreign Language which it makes available, or proposes to make available, an awarding organisation must –</p> <ul style="list-style-type: none"> (a) comply with the requirements relating to that qualification set out in the document published by the Secretary of State entitled ‘Modern foreign languages GCE AS and A level subject content’,¹⁹ document reference DFE-00694-2014, (b) have regard to any recommendations or guidelines relating to that qualification set out in that document, and (c) interpret that document in accordance with any requirements, and having regard to any guidance, which may be published by Ofqual and revised from time to time. |
| <p>GCE(Modern Foreign Languages)1.2</p> | <p>In respect of each GCE Qualification in a Modern Foreign Language which it makes available, or proposes to make available, an awarding organisation must comply with any requirements, and have regard to any guidance, relating to the objectives to be met by any assessment for that qualification which may be published by Ofqual and revised from time to time.</p> |
| <p>Condition GCE(Modern Foreign Languages)2</p> | <p>Assessment</p> |
| <p>GCE(Modern Foreign Languages)2.1</p> | <p>In respect of each GCE Qualification in a Modern Foreign Language which an awarding organisation makes available, or proposes to make available, Condition GCE4.1 does not apply.</p> |
| <p>GCE(Modern Foreign Languages)2.2</p> | <p>In respect of the total marks available for a GCE Qualification in a Modern Foreign Language which it makes available, an awarding organisation must ensure that –</p> <ul style="list-style-type: none"> (a) 70 per cent of those marks are made available through Assessments by Examination, and |

| | |
|---|--|
| GCE(Modern Foreign Languages)2.3 | <p>(b) 30 per cent of those marks are made available through assessments that are not Assessments by Examination.</p> |
| | <p>An awarding organisation must ensure that in respect of each assessment for a GCE Qualification in a Modern Foreign Language which it makes available it complies with any requirements, and has regard to any guidance, which may be published by Ofqual and revised from time to time.</p> |
| Condition GCE(Modern Foreign Languages)3 | Non-examination assessment |
| GCE(Modern Foreign Languages)3.1 | <p>In respect of each assessment for a GCE Qualification in a Modern Foreign Language that it makes available which is not an Assessment by Examination an awarding organisation must –</p> <p>(a) ensure that each Learner completes any such assessment within a period of up to five weeks in the months of April and May in any single year, and</p> <p>(b) take all reasonable steps to minimise the predictability of each such assessment.</p> |
| GCE(Modern Foreign Languages)3.2 | <p>In respect of each assessment for a GCE Qualification in a Modern Foreign Language that it makes available which is not an Assessment by Examination an awarding organisation must ensure that –</p> <p>(a) the evidence generated by each Learner in the assessment is marked by the awarding organisation and/or a person connected to it, and</p> <p>(b) the awarding organisation is provided with a complete and unedited recording of the evidence generated by a Learner in the assessment by the Centre which delivered the assessment.</p> |
| Condition GCE(Modern Foreign Languages)4 | Access to dictionaries |

¹⁹ www.gov.uk/government/publications/gce-as-and-a-level-modern-foreign-languages

| | |
|---|--|
| GCE(Modern Foreign Languages)4.1 | An awarding organisation must take reasonable steps to ensure that no Learner has access to a dictionary – |
| | <p>(a) when taking any assessment for a GCE Qualification in a Modern Foreign Language which it makes available, or</p> <p>(b) during any period of formal preparation time prior to such an assessment.</p> |
| GCE(Modern Foreign Languages)4.2 | For the purposes of this Condition, ‘formal preparation time’ is a period of time immediately prior to the assessment, or a task within an assessment, during which the Learner is provided with previously unseen information relating to the assessment or task and is allowed to prepare for the assessment or task under conditions (including conditions as to supervision) which have been specified by the awarding organisation. |
| Condition GCE(Modern Foreign Languages)5 | Titling |
| GCE(Modern Foreign Languages)5.1 | <p>An awarding organisation must ensure that, for the purposes of compliance with Condition E2.1(d), the title on the Register of each GCE Qualification in Chinese that it makes available indicates the content of that qualification in the following manner, as appropriate –</p> <p>(a) Chinese (spoken Mandarin), or</p> <p>(b) Chinese (spoken Cantonese).</p> |
| Condition GCE(Modern Foreign Languages)6 | Interpretation and definitions |
| GCE(Modern Foreign Languages)6.1 | In these Conditions the following words shall have the meaning given to them below (and cognate expressions should be construed accordingly) – |
| Modern Foreign Language | |
| A language, apart from English – | |
| | (a) which is in everyday spoken use, and |

(b) with respect to which an awarding organisation is not required to comply with the *GCE Subject Level Conditions and Requirements for Ancient Languages (Classical Greek, Latin)*²⁰.

Assessment objectives – GCE Qualifications in Modern Foreign Languages

Condition GCE(Modern Foreign Languages)1.2 allows us to specify requirements relating to the objectives to be met by any assessment for GCE Qualifications in Modern Foreign Languages.

The assessment objectives set out below constitute requirements for the purposes of Condition GCE(Modern Foreign Languages)1.2. Awarding organisations must comply with these requirements in relation to all GCE AS and A level Qualifications in Modern Foreign Languages they make available.

| | Objective | Weighting (A level) | Weighting (AS) |
|----------|--|---------------------|----------------|
| AO1 | Understand and respond: <ul style="list-style-type: none"> ■ in speech to spoken language including face-to-face interaction; ■ in writing to spoken language drawn from a variety of sources. | 20% | 20% |
| AO2 | Understand and respond: <ul style="list-style-type: none"> ■ in speech to written language drawn from a variety of sources; ■ in writing to written language drawn from a variety of sources. | 30% | 30% |
| AO3 | Manipulate the language accurately, in spoken and written forms, using a range of lexis and structure. | 30% | 30% |
| AO4 (AS) | Show knowledge and understanding of, and respond critically to, different aspects of the | n/a | 20% |

²⁰ www.gov.uk/government/publications/gce-subject-level-conditions-and-requirements-for-ancient-languages

| | | | |
|---|--|-----|-----|
| | culture and society of countries/communities where the language is spoken. | | |
| AO4 (A level) | Show knowledge and understanding of, and respond critically and analytically to, different aspects of the culture and society of countries/communities where the language is spoken. | 20% | n/a |
| Across assessment objectives AO1 and AO2, no more than 10 per cent of the total marks for the qualification may be used for responses in English, including translation into English. | | | |

Assessment requirements – GCE Qualifications in Modern Foreign Languages

Condition GCE(Modern Foreign Languages)2.3 allows us to specify requirements and guidance in relation to assessments for GCE Qualifications in Modern Foreign Languages.

Condition GCE(Modern Foreign Languages)2.2(b) further states that an awarding organisation must ensure that of the total marks available for a GCE Qualification in a Modern Foreign Language, 30 per cent of those marks shall be made available through assessments which are not Assessments by Examination.

We set out our requirements for the purposes of Condition GCE(Modern Foreign Languages)2.3 below.

Unless otherwise specified, all of the requirements below apply to both A level and AS qualifications in a Modern Foreign Language which an awarding organisation makes available or proposes to make available.

Grammatical content

The subject content for GCE Qualifications in Modern Foreign Languages is set out in the document published by the Secretary of State entitled ‘Modern foreign languages GCE AS and A level subject content’,²¹ document reference DFE-00694-2014 (the ‘Content Document’).

²¹ www.gov.uk/government/publications/gce-as-and-a-level-modern-foreign-languages

The Annex to the Content Document sets out grammatical content for GCE Qualifications in French, German or Spanish. The Content Document goes on to state that lists of grammatical content for other languages:

must be developed by awarding organisations and included as appendices to relevant specifications, to represent a level of challenge and breadth that is comparable to the requirements for French, German and Spanish

In respect of each GCE Qualification in a Modern Foreign Language (other than French, German or Spanish) which it makes available, or proposes to make available, an awarding organisation must –

- set out in the specification for the qualification the knowledge and understanding of grammar that will be expected of Learners (the ‘Grammar Requirements’), and
- demonstrate to Ofqual’s satisfaction in its assessment strategy that it has taken all reasonable steps to ensure that, as far as possible, the Level of Demand of the Grammar Requirements is comparable to that of the grammar requirements specified in the Content Document for GCE Qualifications in French, German and Spanish.

Vocabulary lists

Where an awarding organisation publishes any information about the words and/or forms of words which Learners will be expected to use and understand (a ‘vocabulary list’) for a GCE Qualification in a Modern Foreign Language which it makes available, or proposes to make available, it must ensure that –

- any assessment for that qualification is not restricted to use of words and/or forms of words on the vocabulary list in such a way as to render the assessment predictable, and
- the vocabulary list is set out in the specification for the qualification.

Access to texts

An awarding organisation must take all reasonable steps to ensure that no Learner has access to any text, or any part of a text, which is listed for study in the specification when taking any assessment for a GCE Qualification in a Modern Foreign Language, except where that text or part of a text has been provided as Stimulus Materials in respect of that assessment by the awarding organisation.

Non-Examination Assessment (A level)

The requirements in this section apply to each GCE A level qualification in a Modern Foreign Language which an awarding organisation makes available, or proposes to make available.

An awarding organisation must ensure that each assessment which is not an Assessment by Examination is designed and set –

- (a) to comprise the following tasks –
 - (i) a presentation in the target language, with a duration of no more than 2 minutes, by each Learner on an independent research project which has been selected by the Learner and which meets the requirements in paragraph 14 of the Content Document,
 - (ii) the provision of oral responses in the target language by each Learner to questions regarding the Learner's independent research project which are set and asked by the person delivering the assessment, and
 - (iii) a discussion in the target language concerning one theme set by the awarding organisation in line with the requirements in paragraph 7 of the Content Document, and
- (b) on the basis that the total period of time spent by each Learner in taking that assessment shall be between 21 and 23 minutes, which must include a single period of 5 minutes formal preparation time (as defined in Condition GCE(Modern Foreign Languages)4.2) for the Learner to prepare for the discussion outlined at (iii) above.

An awarding organisation must ensure that no more than 20 per cent of the total marks available in respect of an assessment which is not an Assessment by Examination is made available in respect of the presentation outlined at (i) above.

Non-Examination Assessment (AS)

The requirements in this section apply to each GCE AS qualification in a Modern Foreign Language which an awarding organisation makes available, or proposes to make available.

An awarding organisation must ensure that each assessment which is not an Assessment by Examination is designed and set –

- (a) to comprise two discussions in the target language on two different themes from the areas of interest specified in paragraph 7 of the Content Document,
- (b) on the basis that the total period of time spent by each Learner in taking that assessment shall be between 12 and 15 minutes, and
- (c) such that all tasks are set by the awarding organisation.

An awarding organisation must take all reasonable steps to ensure that each Learner shall have 15 minutes formal preparation time (as defined in Condition GCE(Modern Foreign Languages)4.2).

Delivery of Non-Examination Assessments

Any assessment for a GCE Qualification in a Modern Foreign Language which is not an Assessment by Examination may be delivered –

- (a) by the awarding organisation or a person connected to the awarding organisation,

(b) by a Centre, or

(c) through a combination of (a) and (b).

In its assessment strategy the awarding organisation must demonstrate that –

(a) it has taken all reasonable steps to identify the risk of any Adverse Effect which may result from the way the assessment is delivered, and

(b) where such a risk is identified, it has taken all reasonable steps to prevent that Adverse Effect or, where it cannot be prevented, to mitigate that Adverse Effect.

In respect of each GCE Qualification in a Modern Foreign Language, an awarding organisation must take all reasonable steps to ensure that each Learner takes the assessments which are not Assessments by Examination only once prior to being issued with a result for that qualification.

Proposed guidance for AS and A level modern foreign languages

3.14 We are proposing to introduce the following amended guidance which will apply to all new AS and A level qualifications in modern foreign languages. We propose that the amended guidance shall include:

- guidance on subject content setting out our expectations around the length of translation exercises;
- guidance on assessment setting out that we are neither expecting nor preventing exam boards from publishing vocabulary lists, and setting out our expectations around the assessment period for spoken language assessments; and
- guidance on assessment objectives.

3.15 As set out above the only change we are proposing to make to the majority of the Guidance is to replace references to 'French, German or Spanish' with the term 'Modern Foreign Language'. In paragraph 2.13 we set out details of the Conditions, requirements and guidance for which no substantive changes are being made.

3.16 As set out above, in the AS and A level Guidance we are proposing (in addition to replacing references to 'French, German or Spanish' with the term 'Modern Foreign Language') to do the following:

- move the guidance on length of translation exercises from guidance on assessment to guidance on subject content (for consistency with the GCSE Guidance document).
- add to the guidance on length of translation exercises in the guidance on subject content

3.17 We therefore recommend that particular attention is paid to the guidance on subject content section.

Guidance in relation to subject content for GCE Qualifications in Modern Foreign Languages

The subject content for GCE Qualifications in Modern Foreign Languages is set out in the Department for Education's *'Modern foreign languages GCE AS and A level subject content'*,²² document reference DFE-00694-2014 (the 'Content Document').

Condition GCE(Modern Foreign Languages)1.1(c) requires awarding organisations to interpret the Content Document in line with any requirements, and having regard to any guidance, published by Ofqual.

We set out our guidance for the purposes of Condition GCE(Modern Foreign Languages)1.1(c) below.

Length of translation exercises

The Content Document states that each GCE Qualification in a Modern Foreign Language must require Learners to –

- [translate] an unseen passage or passages from the language of study into English at AS and A level,
- and
- [translate] unseen sentences or short texts at AS, and an unseen passage or passages at A level, from English into the language of study.

We expect the length of any 'unseen passage or passages' or 'unseen sentences or short texts' used in a translation task in an assessment to be –

- for GCE Qualifications in Chinese or Japanese:
 - in respect of A level qualifications, a minimum of 80 characters for translation from Chinese or Japanese into English, and a minimum of 70 words for translation from English into Chinese or Japanese, and
 - in respect of AS qualifications, a minimum of 60 characters for translation from Chinese or Japanese into English, and a minimum of 45 words for translation from English into Chinese.
- for GCE Qualifications in Russian:
 - in respect of A level qualifications, a minimum of 70 words for translation from Russian into English, and a minimum of 100 words for translation from English into Russian, and

- in respect of AS qualifications, a minimum of 50 words for translation from Russian into English, and a minimum of 70 words for translation from English into Russian.
- for GCE Qualifications in French, German or Spanish:
 - in respect of A level qualifications, a minimum of 100 words, and
 - in respect of AS qualifications, a minimum of 70 words.

For GCE Qualifications in all other Modern Foreign Languages, we expect an awarding organisation to explain and justify (including by reference to our guidance on specific languages set out above) in its assessment strategy its approach to the length of any 'unseen passage or passages' or 'unseen sentences or short texts' used in translation tasks.

Guidance in relation to assessments for GCE Qualifications in Modern Foreign Languages

Condition GCE(Modern Foreign Languages)2.3 allows us to specify requirements and guidance in relation to assessments for GCE Qualifications in Modern Foreign Languages.

We set out our guidance for the purposes of Condition GCE(Modern Foreign Languages)2.3 below.

Vocabulary lists

Provided that the requirements set out in the *GCE Subject Level Conditions and Requirements for Modern Foreign Languages* are met, awarding organisations are not precluded from publishing vocabulary lists to act as guides for Teachers of GCE Qualifications in Modern Foreign Languages which they make available or propose to make available. Neither are awarding organisations required to publish vocabulary lists.

Assessment period for non-examination assessment

Condition GCE(Modern Foreign Languages)3.1(b) requires an awarding organisation to ensure each Learner completes any assessment which is not an Assessment by Examination within a period of up to five weeks in the months of April and May in any single year.

²² www.gov.uk/government/publications/gce-as-and-a-level-modern-foreign-languages

This assessment period is not required to be continuous or the same every year. It may, for example, allow for a break to accommodate Easter in any given year.

Guidance on assessment objectives for GCE Qualifications in Modern Foreign Languages

Condition GCE(Modern Foreign Languages)1.2 allows us to specify requirements and guidance relating to assessment objectives for GCE Qualifications in Modern Foreign Languages.

We published our requirements in relation to assessment objectives in *GCE Subject Level Conditions and Requirements for Modern Foreign Languages*, and reproduce them in the table below.

| | Objective | Weighting (A level) | Weighting (AS) |
|---------------|---|---------------------|----------------|
| AO1 | Understand and respond: <ul style="list-style-type: none"> ■ in speech to spoken language including face-to-face interaction; ■ in writing to spoken language drawn from a variety of sources | 20% | 20% |
| AO2 | Understand and respond: <ul style="list-style-type: none"> ■ in speech to written language drawn from a variety of sources; ■ in writing to written language drawn from a variety of sources | 30% | 30% |
| AO3 | Manipulate the language accurately, in spoken and written forms, using a range of lexis and structure | 30% | 30% |
| AO4 (AS) | Show knowledge and understanding of, and respond critically to, different aspects of the culture and society of countries/communities where the language is spoken | n/a | 20% |
| AO4 (A level) | Show knowledge and understanding of, and respond critically and analytically to, different aspects of the culture and society of countries/communities where the language is spoken | 20% | n/a |

Across assessment objectives AO1 and AO2, no more than 10% of the total marks for the qualification may be used for responses in English, including translation into English.

We set out below our guidance for the purposes of Condition GCE(Modern Foreign Languages)1.2. This guidance explains how we expect awarding organisations to interpret these assessment objectives in terms of:

- the different ‘strands’ within each of the assessment objectives;
- the discrete ‘elements’ within each assessment objective and its strands that questions and tasks could target and/or seek to credit – our expectation is that each and every question/task should target or seek to credit at least one of these elements, and may target or seek to credit multiple elements across one or more assessment objectives;
- the coverage expectations, such as in relation to the different elements within each assessment objective and how those elements should be sampled over time; and
- the key areas of emphasis in each assessment objective and the particular meaning for the subject of any key terms and phrases used; defined terms are shown in bold text, followed by their definitions.

In line with the obligations set out in Condition GCE(Modern Foreign Languages)1.2, we expect awarding organisations to be able to demonstrate how they have had regard to this guidance. For example, an awarding organisation could map how it has regard to the guidance as it:

- develops its sample assessment materials;
- delivers the qualification;
- develops and applies its approach to sampling the elements into which the assessment objectives are divided; and
- monitors the qualification to make sure it addresses all elements appropriately.

| AO1: Understand and respond: <ul style="list-style-type: none"> ■ in speech to spoken language including face-to-face interaction; ■ in writing to spoken language drawn from a variety of sources | | | 20% (A level) 20% (AS) |
|---|----------------------------------|--|--|
| Strands | Elements | Coverage | Interpretation and definitions |
| 1 – Understand and respond in speech to spoken language including face-to-face interaction. | This strand is a single element. | Full coverage in each set of assessments ²³ (but not every assessment). | <ul style="list-style-type: none"> ■ Face-to-face interaction includes direct interaction in person, but could also be facilitated or simulated using technology. ■ Sources of spoken language are aspects of subject content. Awarding organisations should explain their approach to targeting them in their assessment strategy. ■ Learners will demonstrate their understanding through their response, so understanding and response should normally be assessed together. ■ This assessment objective does not include assessment of how accurately the Learner manipulates the language – this should be credited under AO3. ■ In the context of this assessment objective: <ul style="list-style-type: none"> □ Responses in speech should always be in the target language, and should be assessed for the quality of what is communicated – including how well the Learner interacts with the person delivering the assessment. □ Responses in writing can be in either the target language or English, and may include (but are not limited to) single letters, numbers |
| 2 – Understand and respond in writing to spoken language drawn from a variety of sources. | This strand is a single element. | | |

²³ For the purposes of this guidance, a ‘set of assessments’ means the assessments to be taken by a particular Learner for a GCE Qualification in a Modern Foreign Language. For clarity, the assessments taken by Learners may vary, depending on any possible routes through the qualification.

| AO1: Understand and respond: <ul style="list-style-type: none"> ▪ in speech to spoken language including face-to-face interaction; ▪ in writing to spoken language drawn from a variety of sources | | | 20% (A level) 20% (AS) |
|---|----------|----------|---|
| Strands | Elements | Coverage | Interpretation and definitions |
| | | | and/or percentages in figures, names, single words and/or phrases. They may be assessed for the quality of what is communicated, but only where the response is in the target language and of sufficient length to allow meaningful assessment. |

| AO2: Understand and respond: | | | 30% (A level) 30% (AS) |
|--|----------------------------------|--|--|
| <ul style="list-style-type: none"> ■ in speech to written language drawn from a variety of sources; ■ in writing to written language drawn from a variety of sources | | | |
| Strands | Elements | Coverage | Interpretation and definitions |
| 1 – Understand and respond in speech to written language drawn from a variety of sources. | This strand is a single element. | Full coverage in each set of assessments (but not every assessment). | <ul style="list-style-type: none"> ■ Sources of written language are aspects of subject content – and may include texts read prior to the assessment, or provided as Stimulus Materials. Awarding organisations should explain their approach to targeting them in their assessment strategy. ■ Learners will demonstrate their understanding through their response, so understanding and response should normally be assessed together. ■ This assessment objective does not include assessment of how accurately the Learner manipulates the language – this should be credited under AO3. ■ In the context of this assessment objective: <ul style="list-style-type: none"> □ Responses in speech should always be in the target language, and should be assessed for the quality of what is communicated – including how well the Learner interacts with the person delivering the assessment. □ Responses in writing can be in either the target language or English, and may include (but are not limited to) single letters, numbers and/or percentages in figures, names, single words and/or phrases. They may be assessed for the quality of what is communicated, but only where the response is in the target language and of sufficient length to allow meaningful assessment. |
| 2 – Understand and respond in writing to written language drawn from a variety of sources. | This strand is a single element. | | |

| AO3: Manipulate the language accurately, in spoken and written forms, using a range of lexis and structure | | | 30% (A level) 30% (AS) |
|--|---|--|--|
| Strands | Elements | Coverage | Interpretation and definitions |
| n/a | 1a – Manipulate the language accurately in spoken forms, using a range of lexis and structure. | <ul style="list-style-type: none"> Full coverage in each set of assessments (but not every assessment). | <ul style="list-style-type: none"> Manipulate means selecting and using language in a range of forms, contexts and tasks. Accurately refers to the correct application of the grammar and syntax of the language and, when speaking, to the quality of the pronunciation and intonation. |
| | 1b – Manipulate the language accurately in written forms, using a range of lexis and structure. | | |

| AO4 (AS): Show knowledge and understanding of, and respond critically to, different aspects of the culture and society of countries/communities where the language is spoken | | | n/a (A level) 20% (AS) |
|--|--|--|---|
| Strands | Elements | Coverage | Interpretation and definitions |
| n/a | 1a – Show knowledge and understanding of different aspects of the culture and society of countries/communities where the language is spoken. | Full coverage in each set of assessments (but not every assessment). | <ul style="list-style-type: none"> ■ Respond critically may include, but is not limited to: <ul style="list-style-type: none"> □ presenting and justifying points of view; □ developing arguments; and □ drawing conclusions based on understanding. ■ Countries/communities means at least one country or community. However, specifications should include reference to a range of countries and communities where the language is spoken. ■ In the context of this assessment objective, knowledge and understanding will be demonstrated through the Learners' ability to communicate information about, and to demonstrate their appreciation of, different aspects of culture and society. |
| | 1b – Respond critically to different aspects of the culture and society of countries/communities where the language is spoken. | | |

| AO4 (A level): Show knowledge and understanding of, and respond critically and analytically to, different aspects of the culture and society of countries/communities where the language is spoken | | | n/a (AS) 20% (A level) |
|--|--|--|--|
| Strands | Elements | Coverage | Interpretation and definitions |
| n/a | 1a – Show knowledge and understanding of different aspects of the culture and society of countries/communities where the language is spoken. | Full coverage in each set of assessments (but not every assessment). | <ul style="list-style-type: none"> ■ Respond critically and analytically may include, but is not limited to: <ul style="list-style-type: none"> □ selecting relevant material; □ presenting and justifying points of view; □ developing arguments; □ drawing conclusions based on understanding; and □ evaluating issues, themes, and cultural and social contexts. ■ Countries/communities means at least one country or community. However, specifications should include reference to a range of countries and communities where the language is spoken. ■ In the context of this assessment objective, knowledge and understanding will be demonstrated through the Learners' ability to communicate information about, and to demonstrate their appreciation of, different aspects of culture and society. |
| | 1b – Respond critically to different aspects of the culture and society of countries/communities where the language is spoken. | | |
| | 1c – Respond analytically to different aspects of the culture and society of countries/communities where the language is spoken. | | |

Questions on proposed Conditions, requirements and guidance

Question 12: Do you have any comments on our proposed amendments or additions to the Conditions and requirements for GCSE, AS or A level modern foreign languages?

Question 13: Do you have any comments on our proposed amendments or additions to the guidance for GCSE, AS or A level modern foreign languages?

Equality impact analysis

Ofqual's role, objectives and duties

- 4.1 We are subject to the public sector equality duty. We have set out in Appendix B how this duty interacts with our statutory objectives and other duties.

Equality impact analysis relating to proposed changes to GCSE, AS and A level modern foreign languages

- 4.2 We have considered the potential impact on students who share protected characteristics²⁴ of the application of the principles and features that will apply to all new GCSE, AS and A level qualifications. Our equality impact analyses for our earlier consultations on GCSE,²⁵ AS and A level reform²⁶ are therefore of interest and we encourage you to read them.
- 4.3 Issues concerning the proposed subject content have been considered by DfE, who published their own Equalities Impact Analysis on their subject content proposals.²⁷
- 4.4 We have also previously considered the potential impact on students who share protected characteristics of our decisions on assessment arrangements for this subject.²⁸
- 4.5 We do not repeat here all of the evidence we have considered, as this can be found in our earlier reports. We focus instead on the specific issues that arise from the new proposals in this consultation.
- 4.6 We have not identified any additional negative impacts on students who share protected characteristics which would result from the proposals in this

²⁴ For the purposes of the public sector equality duty, the protected characteristics are disability, racial group, age, religion or belief, pregnancy or maternity, sex, sexual orientation, gender reassignment.

²⁵ <http://webarchive.nationalarchives.gov.uk/20141031163546/http://comment.ofqual.gov.uk/gcse-reform-june-2013/category/8-equality-impact-analysis/>

²⁶ <http://webarchive.nationalarchives.gov.uk/20141031163546/http://www.ofqual.gov.uk/files/2012-06-18-equality-analysis-of-the-a-level-reform-consultation.pdf>

²⁷ www.gov.uk/government/publications/gcses-reformed-content

²⁸ www.gov.uk/government/consultations/gcse-reform-regulations-for-modern-foreign-languages <http://webarchive.nationalarchives.gov.uk/20141110161323/http://comment.ofqual.gov.uk/modern-foreign-and-ancient-languages/> www.gov.uk/government/consultations/as-and-a-level-reform-regulations-for-modern-foreign-languages, www.gov.uk/government/consultations/gcses-as-and-a-levels-reform-of-subjects-for-september-2016

consultation (beyond those that we and DfE have already identified in our earlier reports).

- 4.7 During this consultation, we will continue to seek and consider evidence and feedback to our proposals that might help us identify any potential subject-specific impacts on students who share a protected characteristic.
- 4.8 Exam boards are required to consider the accessibility of their qualifications at the design stage and to remove any unjustifiable barriers.

Question 14: We have not identified any ways in which the proposals for GCSE, AS and A level modern foreign languages would impact (positively or negatively) on persons who share a protected characteristic.²⁹ Are there any potential impacts we have not identified?

Question 15: Are there any additional steps we could take to mitigate any negative impact resulting from these proposals on persons who share a protected characteristic?

Question 16: Do you have any other comments on the impacts of the proposals on students who share a protected characteristic?

²⁹ 'Protected characteristic' is defined in the Equality Act 2010. Here, it means disability, racial group, age, religion or belief, pregnancy or maternity, sex, sexual orientation and gender reassignment.

Appendix A: Regulatory tools

Comparability and innovation

Exam boards operate in a market. They can design and deliver their qualifications in different ways, within the parameters we set. This provides some choice to schools or colleges, which is one of the benefits of a qualifications market. Exam boards must, however, make sure that the levels of attainment indicated by their qualifications are comparable to those of other exam boards' versions of the qualifications. The exam boards cooperate in a range of ways to make sure that the standards of their respective qualifications are comparable. To make sure standards are maintained and comparability is secured, we review GCSE, AS and A level qualifications before they can be made available, by applying an accreditation requirement to the qualifications, and we oversee the awarding of GCSE, AS and A level qualifications.

We do not wish to close down opportunities for exam boards to design and deliver their qualifications in different ways. Indeed, we have a statutory duty to have regard to the desirability of facilitating innovation in connection with the provision of regulated qualifications and a statutory objective with regard to the efficiency with which the qualifications market works. If we adopt a regulatory approach in which all aspects of a qualification are very tightly defined, we could effectively remove scope for exam boards to distinguish their qualifications from others and stop choice for schools or colleges. On the other hand, if exam boards have too much scope to vary their approach their qualifications might not be comparable.

In striking a balance, we use a range of tools to regulate qualifications and the exam boards that provide them. The main regulatory tools we use for the qualifications in this consultation are explained below.

Conditions of Recognition

Exam boards must comply at all times with our Conditions of Recognition. These are the main regulatory rules that we use. We can take regulatory action against an exam board that breaches or is likely to breach a Condition.

There are three sets of Conditions that will apply to new GCSEs (graded 9 to 1):

- (i) the published *General Conditions of Recognition*³⁰ that apply to all regulated qualifications;

³⁰ www.gov.uk/government/publications/general-conditions-of-recognition

- (ii) GCSE (9 to 1) Qualification Level Conditions and Requirements³¹ that apply to all new GCSE qualifications;
- (iii) GCSE Subject Level Conditions that apply to new GCSEs (graded 9 to 1) in a specific subject. We are consulting now on draft GCSE Subject Level Conditions for modern foreign languages.

There are also three sets of Conditions that will apply to new AS and A level qualifications:

- (i) the published *General Conditions of Recognition*³² that apply to all regulated qualifications;
- (ii) *GCE Qualification Level Conditions and Requirements*³³ that apply to all new AS and A level qualifications;
- (iii) GCE Subject Level Conditions that apply to new AS and A level qualifications in a specific subject. We are consulting now on draft GCE Subject Level Conditions for modern foreign languages.

Regulatory documents

In some Conditions we refer to published regulatory requirements. We publish these in regulatory documents. The Conditions require exam boards to comply with such documents.

We are proposing to introduce amended/updated Conditions and requirements documents for GCSE, AS and A level modern foreign languages. These documents include the following regulatory documents:

GCSE:

- tiering requirements
- assessment requirements

AS and A level:

- assessment requirements

The requirements will have effect as if they were part of a Condition. The requirements will be set out in a stand-alone section of the Conditions document,

³¹ www.gov.uk/government/publications/gcse-9-to-1-qualification-level-conditions

³² www.gov.uk/government/publications/general-conditions-of-recognition

³³ www.gov.uk/government/publications/gce-qualification-level-conditions-and-requirements

simply because they are technical and detailed so they sit better as separate from, rather than within, the Condition itself.

Statutory guidance

We publish guidance to help exam boards identify the types of behaviour or practices they could use to meet a Condition. Exam boards must have regard to such guidance, but they do not have to follow this guidance in the same way that they must comply with the Conditions; they are free to meet the outcomes of the Conditions in their own ways. An exam board that decides to take a different approach to that set out in our guidance must still be able to show that it is meeting the Condition or Conditions to which the guidance relates.

We are consulting now on amended/updated draft guidance for new GCSEs, AS and A levels in modern foreign languages.

Appendix B: Ofqual's role, objectives and duties

Our statutory objectives include the qualifications standards objective, which is to secure that the qualifications we regulate:

- (a) give a reliable indication of knowledge, skills and understanding; and
- (b) indicate:
 - (i) a consistent level of attainment (including over time) between comparable regulated qualifications; and
 - (ii) a consistent level of attainment (but not over time) between qualifications we regulate and comparable qualifications (including those awarded outside the UK) that we do not regulate.

We must therefore regulate so that qualifications properly differentiate between students who have demonstrated that they have the knowledge, skills and understanding required to attain the qualification and those who have not.

We also have a duty under the Apprenticeship, Skills, Children and Learning Act 2009 to have regard to the reasonable requirements of relevant students, including those with special educational needs and disabilities, of employers and of the higher education sector, and to aspects of government policy when so directed by the Secretary of State.

As a public body, we are subject to the public sector equality duty.³⁴ This duty requires us to have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Equality Act 2010;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The exam boards that design, deliver and award GCSE, AS and A level qualifications are required by the Equality Act, among other things, to make reasonable adjustments for disabled people taking their qualifications, except where we have specified that such adjustments should not be made.

³⁴ Equality Act 2010, section 149.

When we decide whether such adjustments should not be made, we must have regard to:

- (a) the need to minimise the extent to which disabled persons are disadvantaged in attaining the qualification because of their disabilities;
- (b) the need to secure that the qualification gives a reliable indication of the knowledge, skills and understanding of a person upon whom it is conferred;
- (c) the need to maintain public confidence in the qualification.

Legislation therefore sets out a framework within which we must operate. We are subject to a number of duties and we must aim to achieve a number of objectives. These different duties and objectives can, from time to time, conflict with each other. For example, if we regulate to secure that a qualification gives a reliable indication of a student's knowledge, skills and understanding, a student who has not been able to demonstrate the required knowledge, skills and/or understanding will not be awarded the qualification. A person may find it more difficult, or impossible, to demonstrate the required knowledge, skills and/or understanding because they have a protected characteristic. This could put them at a disadvantage relative to others who have been awarded the qualification. It is not always possible for us to regulate so that we can both secure that qualifications give a reliable indication of knowledge, skills and understanding and advance equality between people who share a protected characteristic and those who do not. We must review all the available evidence and actively consider all the available options before coming to a final, rational decision.

Qualifications cannot be used to mitigate inequalities or unfairness in the education system or in society more widely than might affect, for example, students' preparedness to take the qualification and the assessments within it. While a wide range of factors can have an impact on a student's ability to achieve a particular mark in an assessment, our influence is limited to the way the qualification is designed and assessed.

We require the exam boards to design qualifications to give a reliable indication of the knowledge, skills and understanding of those on whom they are conferred. We also require the exam boards to avoid, where possible, features of a qualification that could, without justification, make a qualification more difficult for a student to achieve because they have a particular protected characteristic. We require exam boards to monitor whether any features of their qualifications have this effect.

In setting the overall framework within which exam boards will design, assess and award the reformed GCSE, A level and AS qualifications, we want to understand the possible impacts of the proposals on persons who share a protected characteristic.

The protected characteristics under the Equality Act 2010 are:

- age;
- disability;
- gender reassignment;
- marriage and civil partnerships;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

It should be noted that with respect to the public sector equality duty under section 149 of the 2010 Act, we are not required to have due regard to impacts on those who are married or in a civil partnership.

Responding to the consultation

Your details

To evaluate responses properly, we need to know who is responding to the consultation and in what capacity. We will therefore only consider your response if you complete the following information section.

We will publish our evaluation of responses. Please note that we may publish all or part of your response unless you tell us (in your answer to the confidentiality question) that you want us to treat your response as confidential. If you tell us you wish your response to be treated as confidential, we will not include your details in any published list of respondents, although we may quote from your response anonymously.

Please answer all questions marked with a star*

Name*

Position*

Organisation name (if applicable)*

Address

Email

Telephone

Would you like us to treat your response as confidential?*

If you answer yes, we will not include your details in any list of people or organisations that responded to the consultation.

Yes No

Is this a personal response or an official response on behalf of your organisation?*

Personal response (please answer the question ‘If you ticked “Personal response”...’)

Official response (please answer the question ‘If you ticked “Official response”...’)

If you ticked “Personal response”, which of the following are you?

Student

Parent or carer

Teacher (but responding in a personal capacity)

Other, including general public (please state below)

If you ticked “Official response”, please respond accordingly:

Type of responding organisation*

Awarding organisation

Local authority

School or college (please answer the question below)

Academy chain

Private training provider

University or other higher education institution

Employer

Other representative or interest group (please answer the question below)

School or college type

- Comprehensive or non-selective academy
 - State selective or selective academy
 - Independent
 - Special school
 - Further education college
 - Sixth form college
 - Other (please state below)
-

Type of representative group or interest group

- Group of awarding organisations
 - Union
 - Employer or business representative group
 - Subject association or learned society
 - Equality organisation or group
 - School, college or teacher representative group
 - Other (please state below)
-

Nation*

- England
- Wales
- Northern Ireland
- Scotland
- Other EU country: _____
- Non-EU country: _____

How did you find out about this consultation?

Our newsletter or another one of our communications

Our website

Internet search

Other

May we contact you for further information?

Yes No

Questions

Question 1: To what extent do you agree or disagree that we should adopt the same approach to the assessment of GCSEs, AS and A levels in modern foreign languages, as we did for GCSEs, AS and A levels in French, German and Spanish?

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

Please explain your reasons:

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Question 2: To what extent do you agree or disagree that we should expand the existing GCSE and GCE Modern Foreign Languages(French, German, Spanish) Conditions and Guidance documents so that they apply to other modern foreign languages?

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

Please explain your reasons:

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Question 3: To what extent do you agree or disagree that we should introduce a Condition on interpretation and definition which sets out what is meant by the term ‘Modern Foreign Language’?

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

Please explain your reasons:

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Question 4: To what extent do you agree or disagree with our proposed introduction of grammar requirements into the assessment requirements for GCSE, AS and A levels in Modern Foreign Languages?

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

Please explain your reasons:

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Question 5: To what extent do you agree or disagree with our proposal to move the guidance on the length of translation exercises in the AS and A level Guidance document from the section on guidance on assessment to the section on guidance on subject content?

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

Please explain your reasons:

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Question 6: To what extent do you agree or disagree with our proposed approach to setting additional guidance relating to the length of translation exercises at GCSE, AS and A level?

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

Please explain your reasons:

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Question 7: Do you have any comments on the guidance that we are proposing in relation to the length of translation exercises?

Yes No

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Question 8: To what extent do you agree or disagree with our approach to setting additional guidance relating to the length of an extended written text in the reading assessment at GCSE?

Strongly agree

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Please explain your reasons:

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Question 9: Do you have any comments on the guidance that we are proposing in relation to the length of an extended written text in the reading assessment?

Yes No

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Question 10: To what extent do you agree or disagree that we should introduce a Condition on the titling of GCSE, AS and A level Chinese qualifications?

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

Please explain your reasons:

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Question 11: Are there any additional rules or guidance that we should introduce in relation to modern foreign languages?

- Yes No

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Question 12: Do you have any comments on our proposed amendments or additions to the Conditions and requirements for GCSE, AS or A level modern foreign languages?

- Yes No

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Question 13: Do you have any comments on our proposed amendments or additions to the guidance for GCSE, AS or A level modern foreign languages?

Yes No

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Question 14: We have not identified any ways in which the proposals for GCSE, AS and A level modern foreign languages would impact (positively or negatively) on persons who share a protected characteristic.³⁵ Are there any potential impacts we have not identified?

Yes No

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Question 15: Are there any additional steps we could take to mitigate any negative impact resulting from these proposals on persons who share a protected characteristic?

Yes No

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³⁵ 'Protected characteristic' is defined in the Equality Act 2010. Here, it means disability, racial group, age, religion or belief, pregnancy or maternity, sex, sexual orientation and gender reassignment.

Question 16: Do you have any other comments on the impacts of the proposals on students who share a protected characteristic?

Yes No

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Accessibility of our consultations

We are looking at how we provide accessible versions of our consultations and would appreciate it if you could spare a few moments to answer the following questions. Your answers to these questions will not be considered as part of the consultation and will not be released to any third parties.

We want to write clearly, directly and put the reader first. Overall, do you think we have got this right in this consultation?

Yes No

Do you have any comments or suggestions about the style of writing?

Yes No

.....
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.....

Do you have any special requirements to enable you to read our consultations? (for example, screen reader, large text, and so on)

Yes No

Which of the following do you currently use to access our consultation documents? (select all that apply)

Screen reader / text-to-speech software

Braille reader

Screen magnifier

Speech-to-text software

Motor assistance (blow-suck tube, mouth stick, and so on)

Other

Which of the following document formats would meet your needs for accessing our consultations? (select all that apply)

- A standard PDF
- Accessible web pages
- Large-type PDF (16 point text)
- Large-type Word document (16 point text)
- eBook (Kindle, iBooks, or similar format)
- Braille document
- Spoken document
- Other

How many of our consultations have you read in the last 12 months?

- 1
- 2
- 3
- 4
- 5
- More than 5

We wish to make our publications widely accessible. Please contact us at publications@ofqual.gov.uk if you have any specific accessibility requirements.



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