

## Further decisions on implementing new requirements for reviews of marking, reviews of moderation, and appeals

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We announced decisions<sup>1</sup> about new arrangements for reviews of marking, reviews of moderation, and appeals services in July 2016. This followed public consultation in late 2015<sup>2</sup> and spring 2016<sup>3</sup>.

We made these changes so that marking errors in GCSEs, AS and A levels are found and corrected in a consistent and fair way for all students. We also took the opportunity to remove some duplicated rules.

When we published these decisions in July 2016, we said that we would defer decisions in some areas while we gathered further evidence on the impact of the particular requirements. We are grateful to those who provided input and evidence to inform the decisions that we are now announcing.

### Summary of decisions

This document covers four areas for which we wanted to gather additional evidence about the impact of new arrangements before deciding on the most appropriate time to bring the rules into effect.

In addition, in the original consultation, we proposed that exam boards should set their own deadlines and timescales for their review and appeal processes, setting common dates if they wished. Respondents generally felt that a common approach was important for centres and/or students. As a result, we consulted on a proposed framework of key dates, which received mixed views. We therefore decided to gather further evidence on the potential impact on schools and colleges, exam boards and other stakeholders.

In light of this feedback, we have decided:

- we will introduce the requirement for exam boards to make marked GCSE scripts available to centres, before their deadline for requesting a review of marking, for the summer 2020 exam series onwards. Some exam boards intend to make marked scripts available from this

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<sup>1</sup> <https://www.gov.uk/government/consultations/changes-to-regulations-for-enquiries-and-appeals>

<sup>2</sup> <https://www.gov.uk/government/consultations/markings-reviews-appeals-grade-boundaries-and-code-of-practice>

<sup>3</sup> <https://www.gov.uk/government/consultations/changes-to-regulations-for-enquiries-and-appeals>

summer. We are encouraging others to do so sooner than the 2020 deadline where possible.

- we will introduce the requirement for exam boards to provide the reasons for review of marking decisions automatically for the summer 2020 exam series onwards. Exam boards are already required to provide a reason if one is requested. We are encouraging them to provide reasons automatically sooner than the 2020 deadline where possible;
- we will introduce the requirement for exam boards to grant learners the ability to request results of centre-marked assessments for the summer 2018 exam series onwards. This reinforces existing exam board expectations that centres should provide such marks to students. We will also introduce some associated requirements about how reviews must be conducted at the same time;
- we will defer implementation of the removal of automatic grade protection that currently applies, following a review of moderation for at least two years. During this time, we will review the approaches exam boards take to moderation before deciding whether to remove this protection;
- the requirements for key dates for the completion of reviews and appeals. These ensure common, minimum timelines for centres and students. Exam boards have told us that they plan to continue to adopt common dates that meet our new requirements.

We are publishing the [Notices](#) formally confirming these decisions and that give effect to the relevant Conditions, at the same time as announcing these decisions. The Notices apply to GCSE (9-1), GCE, GCSE (A\*-G), and Pre-reform GCE.

### **Requiring exam boards to make marked GCSE scripts available to centres in time for them to consider whether to ask for a review**

Schools and colleges were clear in their responses to our consultation; they wanted this requirement brought into force sooner rather than later. Responses from exam boards differed. While one indicated they were in a position to meet the requirement immediately, others told us that system changes would be required in order to be able to meet the requirement. One indicated it would not be able to implement the system changes required before 2020.

Having considered further information from exam boards about the potential impact of this requirement, we decided to bring the condition into force in 2020. This date does not prevent any exam board from responding more quickly, but makes sure we do not introduce unmanageable risks to the secure delivery of exams at a time when the introduction of reformed GSCEs, AS and A levels has created other pressures on exam boards. We know that some boards plan to make this change straight away and that others are likely to follow suit. We

will encourage all boards to adapt their systems sooner than 2020, wherever possible.

### **Requiring exam boards to provide the reasons for review of marking decisions automatically**

Many respondents to the consultation agreed with our proposal to introduce this requirement immediately. However, exam boards raised concerns about the impact of the requirement, in particular in relation to system changes that would be required.

We explored the implications for exam boards and understand that significant development work will be required to allow reasons to be provided automatically; their systems are not currently designed to provide reasons. We reviewed data on the relatively low number of requests for reasons for review of marking decisions from the summer 2016 series. We also know exam boards already provide reasons automatically to all students where mark changes result in grade changes of two or more grades.

We decided to bring the condition into force in 2020. This gives exam boards sufficient time to adjust their systems, without distracting from the secure delivery of exams series. There is, however, nothing in our rules to prevent exam boards from responding to the requirement sooner, if they are able. In the intervening period, we will use our schools guide<sup>4</sup> and other channels to make it clear to schools and colleges that they are entitled to request reasons from exam boards for the decisions on any review of marking or review of moderation they submit.

### **Requiring learners to have access to the results of centre-marked assessments and associated requirements**

We received mixed responses to the consultation on this issue and have decided to undertake further analysis of the potential impact. Concerns about introducing new requirements in this area centred on requiring students to have access to the results of centre marked assessments before they are moderated by exam boards.

During October and November 2016, we ran an online survey of teachers for two weeks, receiving approximately 300 responses. We also held two teacher focus groups. These asked when we should introduce the requirement to give students access to the results of centre marked assessments. Again, responses and feedback were mixed. Some argued for this requirement to be introduced immediately, others raised concerns about the potential impact on students' confidence in the assessment process, and others noted the likelihood of an increase in requests for reviews of centre decisions. We also considered the fact that our rules already make clear that students must be given the opportunity to request a review of the centre's marking of an assessment; in order to be properly informed in doing so, students need to know their marks. We also reflected on the fact that exam boards already

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<sup>4</sup> <https://www.gov.uk/guidance/regulation-of-gcses-as-and-a-levels-guide-for-schools>

expect their centres to provide marks to students even though we have not yet introduced this rule.

We decided to bring this Condition into force in 2018. This will allow time for schools and colleges that have not made provision for such reviews in the past to do so.

### **Removing the automatic grade protection for candidates that currently applies following a review of moderation**

A number of respondents to our consultation noted that, because a review of moderation must relate to a centre's whole cohort, any removal of automatic protection may make many centres reluctant to seek a review of moderation. This is because centres may decide to seek agreement from all students who could be affected before making any submission, in the absence of a guarantee that students' grades will not go down as a result of the review. This is likely to be difficult for them to secure and therefore could lead to a reduction in the number of centres seeking review.

To explore this issue further, we reviewed data showing the total number of candidates who had automatic protection applied to their marks and/or grades in the summer 2016 series. This was small in relation to overall candidate numbers. We also expect that because of the reduction in the amount of non-exam assessment in reformed qualifications, these figures will reduce still further over the next few years.

As a result of the concerns expressed about the potential impact of the removal of automatic protection and the relatively low impact on results that having this requirement in place has had, we decided to defer implementation of changes in this area. This is while we review the approaches exam boards take to moderation more generally.

We still maintain our view that, in principle, however errors are found in marking and moderation, a consistent approach should be taken. Following our review, we will consider whether the current automatic protection arrangements should be removed. Given the timescales for this review, we can confirm that automatic protection will remain in place following reviews of moderation for both the 2017 and 2018 summer exam series.

### **Introducing requirements for key dates for the completion of reviews and appeals**

A significant number of those that responded to our first consultation<sup>5</sup> expressed a strong desire for a common approach to the timescales by which certain key stages in the process for reviews of marking and appeals occur. In response to this, we proposed timeframes that exam boards should not exceed. While some respondents agreed with this, some raised concerns over the timeframes. As a result, we explored implications further with stakeholders and

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<sup>5</sup> <https://www.gov.uk/government/consultations/marking-reviews-appeals-grade-boundaries-and-code-of-practice>

decided on the requirements for key dates as set out in the extracts from the updated qualification level conditions and requirements for GCSE (9-1)<sup>6</sup>, GCE<sup>7</sup>, GCSE (A\*-G)<sup>8</sup>, and Pre-reform GCE<sup>9</sup> which will come into force on 1 May 2017. The dates broadly align with the length of time that is seen in current arrangements and reflect changes to the system, such as the new requirement on exam boards to provide reasons for reviews of marking and moderation decisions.

Exam boards are required to set their own deadlines for submitting a review or appeal and timescales for each of the processes, within the timeframes we have prescribed. The timeframes ensure a common minimum window for centres and/or students, and allow exam boards to set common dates if they wish. The approach also allows an exam board to respond to demands from schools and colleges for more innovative, efficient or centre/student focused approaches. Exam boards have told us that they plan to continue to put in place common dates that meet our expectations. We will require exam boards to publish their individual performance against their timescales.

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<sup>6</sup> <https://www.gov.uk/government/publications/gcse-9-to-1-qualification-level-conditions>

<sup>7</sup> <https://www.gov.uk/government/publications/gce-qualification-level-conditions-and-requirements>

<sup>8</sup> <https://www.gov.uk/government/publications/gcse-a-to-g-qualification-level-conditions-and-requirements>

<sup>9</sup> <https://www.gov.uk/government/publications/gce-qualification-level-conditions-for-pre-reform-qualifications>