

This Undertaking is given by Oxford, Cambridge and RSA Examinations (OCR) to Ofqual in accordance with Condition B8 of the General Conditions of Recognition.

## Background

GCE Qualification Level Condition GCE 17.6(b) and GCSE (9 to 1) Qualification Level Condition GCSE 17.6(b)<sup>1</sup> provide that:

*“An Assessor who was previously involved in the marking of a task in an assessment in respect of a Learner must not be involved in a review of marking of the Learner’s Marked Assessment Material in respect of that task”.*

OCR recognises that, in total, it failed to comply with the above Conditions in relation to 135 applications for review following the 2017 summer series and 149 applications for review following the 2018 summer series.

In each instance, the failure to comply was caused by an unanticipated shortfall in examiner capacity, such that affected panels of examiners comprised only one or two remaining individuals.

This undertaking sets out steps that OCR is taking:

- to secure compliance with the above Conditions for the 2019 summer series; and
- to mitigate the possibility of Adverse Effects should it be unable to comply.

## Undertaking

- 1) OCR has reviewed its approach to resourcing for the 2019 summer series and, in particular, has put in place processes to secure sufficient examiner capacity on all panels. OCR’s operating presumption is that sufficient capacity will be available to it to ensure that every request for a review of marking will be completed by an independent examiner who was not previously involved in the marking of the script in question.
- 2) OCR will dynamically monitor examiner capacity, and will put in place a decision-making framework to ensure appropriate action is taken in any and all of the following circumstances:
  - a) Should OCR consider **in advance of live marking** that there is a risk insufficient capacity will be secured to conduct reviews in compliance with the Conditions, including:
    - i) a description of the actions to be taken to prevent a failure to comply for the panel(s) in question.
  - b) Should OCR consider, during **the live series** that there is a risk insufficient capacity will be retained, in particular as a result of withdrawal or loss of examiners, to conduct reviews in compliance with the Conditions, including:

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<sup>1</sup> In each respect previously 17.5(b)

- i) a description of the actions to be taken to prevent a failure to comply for the panel(s) in question;
  - ii) a description of the actions to be taken should, exceptionally, OCR consider a failure to comply might be unavoidable;
- c) Should OCR identify, during **the reviewing period**, that it has, or there is a risk that it is likely to have, available to it insufficient capacity to conduct reviews in compliance with the Conditions, including:
- i) a description of the actions to be taken to prevent a failure to comply for the panel(s) in question;
  - ii) a description of the actions to be taken should, exceptionally, OCR consider a failure to comply might be unavoidable.
- 3) OCR will promptly notify Ofqual should it identify at any stage a shortfall in examiner capacity which it cannot resolve and which is likely to cause it to fail to secure compliance.
- 4) OCR will not take action which will cause it to be non-compliant, and in particular will not allocate to conduct a review any examiner who previously marked the relevant learner's response to any task which is the subject of the review, without the consent of the Executive Director for General Qualifications (Ofqual) or her designate.
- 5) OCR will comply with any written requirements Ofqual may make in respect of the conduct of any review other than in compliance with the Condition to which this undertaking relates.

#### **Statement of Assurance**

- 6) With a view to assuring Ofqual that it has complied with this undertaking, OCR will:
- a) before 4pm on Friday 9 August 2019, provide a Statement of Assurance confirming that it has put in place each of the processes and frameworks set out in this undertaking;
  - b) before 4pm on 1 December 2019, provide a Statement of Assurance either:
    - confirming that it complied with the Condition to which this undertaking relates in respect of every review conducted; or
    - confirming that it complied with this undertaking, and any requirement which Ofqual might have made in accordance with paragraph 5, above, in respect of every review for which it was unable to comply with the Condition to which this undertaking relates; or

- detailing in full any instance in which it failed to comply with the Condition to which this undertaking relates and failed to comply with any part of this undertaking.

7) Any Statement of Assurance provided in accordance with this undertaking will be signed by the Responsible Officer and Chair of the Governing Body on behalf of OCR.

**Declaration**

In giving this undertaking, I acknowledge on behalf of OCR that:

- i) Ofqual will publish this undertaking; and
- ii) Ofqual may take enforcement action in respect of any failure to comply with this undertaking.

Signed:



**Jill Duffy**

**Responsible Officer**

**OCR**

Date: 12/07/2019

