



Rt Hon Gavin Williamson CBE MP
Secretary of State for Education
Sanctuary Buildings
20 Great Smith Street
LONDON
SW1P 3BT

24 February 2021

Dear Secretary of State

Thank you for your letter of 23 February, setting out your direction to Ofqual in relation to the government's policy regarding exams and other assessments in 2021. As you note, we had over 100,000 responses to our joint consultations. I am pleased at the way in which my staff and your officials have worked to analyse the responses quickly to allow the arrangements for this summer to be confirmed.

Your direction sets out that government policy is that exams for GCSEs, AS and A levels and a number of other similar qualifications in England cannot go ahead. It confirms your policy that GCSE, AS and A level students should be issued results, based on teachers' judgements about their performance, to allow them to progress to further study or employment. It also confirms your policy that different approaches should be taken to determining results for three broad groups of vocational and technical qualifications (VTQs) and sets out your view on what those approaches should be.

In response to the current exceptional circumstances and having due regard both to government policy as set out in your direction and the responses to our recent joint consultation, we have taken decisions about the arrangements for awarding that will be put in place this year. We are committed to playing our part to allow students to receive grades and progress to the next stage of their education or training or into employment. All the decisions we have taken following consultation are set out in full in the two documents attached as annexes to this letter.

GCSE, AS and A levels

Our decisions document, How GCSE, AS and A level grades should be determined in summer 2021, sets out all the decisions we have taken to allow students to be issued results this year based on their teachers' judgements about their performance.

It confirms teachers will be asked to make grading judgements about their students in relation to the subject content that has been delivered to them by their teachers and assuming that overall it is no easier or harder for a student to achieve a particular grade this year compared to previous years. This is to allow teachers to take account of the way in which the pandemic has disrupted teaching in their school or college. Teachers will not be asked to make individual grading judgements which require them to imagine the pandemic had not happened. This means that the impact the pandemic has had on what students have been taught will be reflected in the grades determined, but that any wider implications of the disruption that the pandemic has caused for individuals' learning may not be reflected.

We will regulate so that exam boards put in place the arrangements which will allow teachers to make their grading judgements and to deliver the quality assurance that will underpin this year's grades. We recognise that nonetheless the arrangements will place an additional responsibility on teachers. Their judgements will, in many cases, determine their students' progression opportunities and also whether their students will progress successfully. We will require the exam boards to support teachers in doing this by providing information and guidance.

There are two decisions we have taken about this year's arrangements that I wish to highlight because of the differences from a year when exams and other formal assessments take place. I welcome your recognition of both of these issues in your direction; it will be particularly important that students, parents and carers and those who rely on these qualifications are aware of them.

First, Ofqual and exam boards normally use a range of tools to secure consistent standards between students, and over time. It will not be possible to use the same approaches this year because exams will not take place. We will instead require exam boards to make sure centres quality assure their own judgements and undertake quality assurance of centres' arrangements to promote results that best reflect the evidence of students' performance and consistency of approach between centres. However, absent the mechanisms we normally deploy to secure standards over time and between students, outcomes may this year look different from previous years.

Second, appeals against results are normally determined by exam boards reviewing their marking of an exam paper or their moderation of teachers' marking of other assessments. This year, students who wish to do so will challenge results that have been based on a more diverse range of evidence, with judgements made against a broader set of criteria.

We can regulate for the position you set out in your direction where exam boards review centres' judgements to identify whether those judgements are supported by the evidence, or if the centre made a procedural error in determining a student's grade. Given the nature of the evidence and criteria to be used, exam boards will be able to identify where there is a significant failing on the part of a school or college in a judgement they have made. They should only revise a student's grade at appeal where the boards find the evidence on which the grade was determined cannot reasonably support that grade, rather than as a result of marginal differences of opinion. The appeals arrangements will therefore provide an important safety net in what we expect to be a small number of cases where schools and colleges might make procedural errors or where they have made judgements that are not reasonable based on the evidence.

We also note your expectation that students are given the opportunity to take a full exam series in GCSE, AS and A levels in the autumn. In light of this we will consult on the options for how to regulate for this expectation.

VTQs and other general qualifications

Our decisions document, *Alternative arrangements for the award of VTQs and other general qualifications in 2021*, sets out the decisions we have taken to permit awarding organisations to award qualifications in line with the government policy you have set out.

As you recognise, arrangements for awarding in 2021 needs to reflect the circumstances of this most challenging of years as well as the breadth of VTQs and other general qualifications that are not GCSEs, AS or A levels. The diversity of the landscape and the varying experiences of learners means that arrangements cannot be the same for every qualification.

For many VTQs, formal exams and assessments, including internal assessments marked by teachers and tutors, take place during a programme of study. Our decisions will enable teacher assessed grades, based on the judgement of teachers and tutors, as well as or instead of assessment evidence arising from completed formal exams or assessments, to play a central role in determining learners' results.

Our decisions will support consistency and fairness as far as that is possible. It is important that teacher assessed grades are based on appropriate evidence so that they are sufficiently valid and reliable. We will

require awarding organisations to set out the different sources of evidence that might be used.

Additionally, our decisions mean that awarding organisations can, whilst being coherent with similar qualifications, implement arrangements for awarding that are most appropriate for their qualifications and learners.

Qualifications similar to GCSEs, AS and A levels used for progression to further or higher education

As a consequence of the pandemic, some learners will not have covered the content that they would have in a normal year. In line with government policy that it is not viable for external exams for these qualifications to go ahead, and to be as fair as possible, our decisions make clear that we expect those qualifications taken alongside or instead of GCSEs, AS and A levels, including other general qualifications, to take a similar approach to determining grades as far as possible. The expectation is that the performance standard for these qualifications should be broadly the same as in previous years.

From the consultation, we know that many centres who previously believed they were on track to complete internal assessment by the end of the academic year no longer consider this to be the case. Our position is that internal assessment should continue where it is appropriate and possible; for example, because it is needed to provide evidence to help determine a result. We will however permit awarding organisations to make awards when not all internal assessments have been completed for this group of qualifications. This approach brings further alignment with that being implemented for GCSEs, AS and A levels.

Qualifications used to demonstrate occupational or professional competence to enter directly into employment

For qualifications that are predominantly skills-based, that confirm occupational or professional competency or proficiency, or act as a licence to practise, we will require awarding organisations to only award those qualifications on the basis of exams and assessments which have been completed by the learner. We will however continue to permit awarding organisations to make adaptations to these qualifications where this is necessary to comply with public health guidance. This will enable employers to have confidence in the knowledge, skills and understanding of these learners, and particularly of their competence and readiness for employment.

Qualifications not similar to GCSEs, AS or A levels and used for mixed purposes

We expect awarding organisations to continue to make exams and assessments available for these qualifications where this can be done, either remotely, or in person where safe to do so. Functional Skills and ESOL Skills for Life qualifications will fall into this group. We will encourage awarding organisations to build on the remote solutions they already have in place to maximise the opportunities for assessments. However, where learners cannot access these assessments and need a result to progress, we will expect awarding organisations to enable these learners to receive a result based on a teacher assessed grade. We will work with awarding organisations to develop consistent approaches as far as possible.

Autumn series

We note your request for our advice on whether there is need to supplement the existing autumn and winter assessment opportunities for VTQs to enable students to improve on their teacher assessed grade where they wish to do so. We will consult on this issue, in addition to working with awarding organisations to explore whether the existing provision is sufficient to meet this potential need.

Next steps

We will now consult on the detail of the regulations we will put in place to give effect to the decisions we have taken for how qualifications will be delivered this summer and also on how we regulate for GCSE, AS and A level exams this autumn as well as to consider the need for any additional VTQ assessments in the autumn. The scope of our consultations on the arrangements for qualifications this summer is limited to the regulations we plan to put in place to reflect our policy decisions; we will not consult again on our policy which is now settled. We plan to put the put these regulations in place quickly so that exam boards and other awarding organisations can confirm the guidance and other materials they will make available to schools, colleges and training providers as soon as possible.

Students, parents, teachers and all those who rely on these qualifications can be assured we will continue to work across the sector to put in place for this summer the fairest possible arrangements in the circumstances of the pandemic.

I am copying this letter to the recipients of yours: Robert Halfon MP as chair of the Education Select Committee; to Kirsty Williams AM and Peter Weir MLA as Education Ministers in Wales and Northern Ireland respectively; and to John Swinney MSP as Cabinet Secretary for Education and Skills in the Scottish Government.

Yours sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a wavy line that tapers to the right.

Simon Lebus

Chief Regulator

Enc.

Annex A: How GCSE, AS and A level grades should be determined in summer 2021

Annex B: Alternative arrangements for the award of VTQs and other general qualifications in 2021