

CONSULTATION DECISIONS

# Technical Consultation – The General Qualifications Alternative Awarding Framework

Conditions and Requirements for GCSE, GCE, AEA and Project qualifications in summer 2021

**ofqual**

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# Introduction

On 25 February 2021 we published our decisions explaining how GCSE, AS, A level, Project and advanced extension award (AEA) qualifications would be awarded this summer. We made those decisions following a policy consultation conducted jointly with the Department for Education between 15 and 29 January 2021.

Alongside our policy decisions, we published [a technical consultation seeking views on the framework of conditions and requirements](#) we proposed to set to require awarding organisations to deliver and award qualifications in accordance with our policy decisions. We also sought views on two further documents, the ‘centre guidance<sup>1</sup>’ and the ‘objectivity guidance<sup>2</sup>’. The proposed conditions require an awarding organisation to take all reasonable steps to ensure a centre has appropriate regard to those documents.

We consulted between 25 February and 11 March 2021. As well as seeking views publicly, we held two workshops with the four awarding organisations recognised to award GCSE and GCE qualifications on 4 March and 8 March.

We received 242 completed responses to the technical consultation.

## Summary of decisions

We have published an analysis of responses we received to the technical consultation and now set out the decisions we have made about:

- the General Qualifications Alternative Awarding (GQAA) framework of conditions and requirements
- the final form of our ‘centre guidance’ document
- the final form of our ‘objectivity guidance’ document.

In summary, we have decided to set and publish the GQAA framework largely as set out in the consultation. The small amendments we have made are described in this decisions document, which also describes the changes we have made to the ‘centre guidance’ and ‘objectivity guidance’ following the technical consultation.

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<sup>1</sup> [‘Summer 2021 grades for GCSE, AS and A level, Project Qualifications and Advanced Extension Award in maths: Information for Heads of Centre, Heads of Department and teachers on the submission of Teacher Assessed Grades’](#)

<sup>2</sup> [‘Information for centres about making objective judgements’](#)

## Details

In this decisions document and the accompanying analysis we have not sought to discuss every point that has been made by those who responded to our consultation. However, in arriving at our final decisions in respect of the GQAA framework we have considered all the points made by those who responded to our consultation which pertained to the consultation. We explained in the technical consultation that responses which addressed the underlying policy decisions would be read but were out of scope for this consultation.

### Condition GQAA1: Application, interpretation and definitions

Conditions GQAA1.1 to GQAA1.3 deal with the application of the GQAA framework. They provide that the framework will apply to all GQ qualifications until Ofqual publishes a notice disapplying some, or all, of that framework in relation to one or more GQ qualifications.

Some respondents suggested it would be more appropriate to specify an end date and stressed the importance of reinstating exams for the 2022 series. We anticipate withdrawing the GQAA conditions and requirements in good time for the 2022 series, but do not consider it is necessary to set a speculative end date now.

Condition GQAA1.4 states that the interpretation and definition provisions in the pre-existing conditions - the General Conditions, Qualification Level Conditions and Subject Level Conditions - will apply to the GQAA framework unless different provision is made under Condition GQAA1.7. Condition GQAA1.7 provides some additional definitions that are used in the GQAA framework.

Conditions GQAA1.5 and GQAA1.6 state that the General Conditions, Qualification Level Conditions and Subject Level Conditions will continue to apply to GQ qualifications except where there is any inconsistency between a requirement in the GQAA framework and a requirement in a provision elsewhere in the regulatory framework. Where there is such an inconsistency, which means that an awarding organisation cannot comply with both requirements, the requirement in the GQAA framework will prevail and an awarding organisation does not have to comply with the other requirement.

Some awarding organisation respondents suggested it would provide greater clarity if Ofqual were expressly to disapply any pre-existing conditions which were inconsistent with the GQAA framework, although they recognised that this was not something we considered was appropriate for the reasons we set out in the technical consultation.

A small number of specific General Conditions were identified as examples, but we note those conditions either set outcomes which an awarding organisation must achieve ‘so far as possible’, which allows for the different context this year, or impose obligations which will not be engaged at all because awarding organisations are not setting any formal assessments this summer.

Awarding organisations were also concerned at the potential for a pre-existing condition to be inconsistent with our, or government’s, intended policy even where there was no apparent inconsistency with the GQAA framework. However, no specific examples were given and we note that the purpose of the GQAA framework was to implement the decisions we announced on 24 February.

Some respondents questioned whether our definition of Private Candidate would include all learners who considered themselves to be private candidates. In particular, a concern was raised that an external candidate might work with a centre to produce evidence for the purposes of a Teacher Assessed Grade (TAG) in a way which engaged the second limb of our definition of Relevant Centre.

For the purposes of the GQAA framework, a centre will have materially contributed to the preparation of a learner for an assessment where the centre has provided teaching or instruction in relation to relevant content this academic year, and not where the centre has just set and marked an assessment or assessments taken by the learner.

For completeness, we observe that whether or not a learner is a Private Candidate does not affect the ability of an awarding organisation to issue a result to that learner.

## Condition GQAA2: Assessments under the GQAA Framework

Condition GQAA2 gives effect to the government’s decision that exams for GQ qualifications will not take place in England this summer. For consistency, and given the similar decisions made by the devolved administrations, the condition prevents exams for the GQ qualifications we regulate throughout the UK. The condition also suspends the requirement for moderation of centre marked assessments in respect of GQ qualifications this summer.

We explained when we announced our policy decisions why we considered it was appropriate to allow awarding organisations to offer exams for GQ qualifications to learners outside the UK; we note that some respondents disagree with that decision but it is out of scope for the technical consultation.

## **Moderation**

Some respondents questioned the wording of GQAA2.1(b) - concerning moderation – because they had anticipated awarding organisations would not use moderation this summer given the reliance on TAGs.

It will be for each awarding organisation to decide whether or not (and if necessary to what extent) it uses moderation this summer. However, moderation will only be possible where an assessment marked by the centre is an assessment for a qualification.

The majority of the evidence which will be used by centres for the purpose of determining TAGs will not be an assessment for a qualification, because the purpose of that assessment – whether not it relies on assessment materials made available by an awarding organisation – will be to inform a TAG. For example, a mock exam using a past paper will not be an assessment for a qualification this year just as it is not such an assessment in any other year.

It is only Non-Exam Assessment (NEA), which is identified in Subject Level Conditions as contributing to the final result for a qualification and which is set and marked by the centre in accordance with the qualification specification, which can be an assessment for a qualification marked by the centre. An awarding organisation is usually required to moderate NEA for a GQ qualification, and it is only in respect of NEA that an awarding organisation can elect to use moderation this summer.

We have made a minor change to Condition GQAA2.1(b), which now simply states that an awarding organisation is not required to moderate an assessment for a GQ qualification this summer.

If an awarding organisation decides to moderate its centres' marking of NEA for a qualification, the General Conditions and Qualification Level Conditions relevant to moderation will be engaged. In particular, the awarding organisation must:

- have in place effective arrangements for a centre to request a review of moderation<sup>3</sup>
- have in place effective arrangements for a centre to appeal following the outcome of a review of moderation<sup>4</sup>

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<sup>3</sup> In accordance with Conditions GCSE14, GCE14 and Project 8

<sup>4</sup> In accordance with Conditions GCSE18, GCE18 and Project12

We do not consider that any of these conditions (or those other conditions which are engaged as a consequence of any of these processes) will be engaged unless an awarding organisation decides to use moderation.

For completeness, we understand that no awarding organisation plans to use moderation for the GCSE or GCE qualifications we regulate in the UK this year.

Likewise, a centre's obligations in respect of review of marking<sup>5</sup> will not be engaged as any marking of NEA which does take place will be covered by the review and appeal processes put in place this year under Condition GQAA4.

## Condition GQAA3: Results for GQ qualifications

Condition GQAA3 sets the framework for results to be awarded for GQ qualifications this summer.

GQAA3.1 explains that all learners who enter for a GQ qualification before 18 June 2021 – the date by which we anticipate TAGs will be submitted - will be eligible to receive a result for that qualification this year. In addition, awarding organisations will be permitted to issue results to learners who anticipated taking a GQ qualification but where no entry was made by that date (or at all), for example because of a centre error.

Some respondents raised the possibility that allowing late entries could lead to 'gaming' such that learners who would not have been entered for an exam this year might receive grades. We recognise this possibility, but we have drafted the condition so an awarding organisation has discretion whether or not to issue a result in relation to an entry made after 18 June, which complements the safeguards in the Head of Centre declaration.

### *Determining Results*

GQAA3.2 specifies that an awarding organisation must determine the results it issues this summer in accordance with any requirements we specify.

Some respondents, including some awarding organisations, commented on the broad flexibility the condition gives Ofqual to set requirements and guidance in relation to the way results are determined. We hope it will not be necessary to set additional or alternative requirements this summer, but we think it is necessary that the GQAA framework should allow us to do so given the current exceptional circumstances. We will consult such persons as we think appropriate in the event we consider further requirements or guidance should be set.

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<sup>5</sup> In accordance with Conditions GCSE14, GCE14 and Project 8

Some respondents noted that Condition GQAA3.2(b) does not impose an absolute obligation to issue results on the published results days and reflected that a failure to issue results on those days could be disruptive.

We do not intend to change the condition, which reflects the obligation in a normal year and which is necessary given the prohibition in Condition GQAA3.4, on issuing a result where there are unresolved quality assurance issues in relation to that result.

## ***Guidance for Centres***

GQAA3.3 gives effect to our policy decision that awarding organisations must provide guidance for centres in relation to their role in the determination of results for learners this year, as well as a route for a centre to obtain further assistance from the awarding organisation.

The condition allows us to review the guidance an awarding organisation provides or proposes to provide, and to give feedback to which the awarding organisation must have regard.

Several respondents stressed the importance of this guidance being made available as soon as possible and a number set out examples of the types of guidance they considered it would be useful for centres to have. Some respondents expressed concern that even with guidance different centres might apply different standards, and there was no effective system to enforce standards across the country.

We have already [decided that awarding organisations, and not Ofqual, will be responsible for providing the majority of guidance](#) for centres in respect of TAGs, quality assurance and appeals. A selection of the observations made in relation to what might usefully be included in that guidance are set out in our analysis of the consultation responses, and we have drawn this to the attention of awarding organisations.

We recognised, when we explained our policy decisions, that one of the consequences of exams not taking place this summer, and of our decision that centres should not be required to use external materials provided by awarding organisations, was there would be no external mechanism to align standards across centres this summer. The framework of conditions reflects the policy intent that teachers and centres should be trusted to make appropriate judgements, with advice, guidance and robust quality assurance to support those decisions.

## ***Quality Assurance***

GQAA3.4 gives effect to our policy decisions in respect of the quality assurance which must take place before results are issued. Quality assurance has two stages:

- awarding organisations will ensure quality assurance takes place at the centre by requiring the Head of Centre to sign a declaration that appropriate internal quality assurance has taken place
- awarding organisations will conduct their own quality assurance prior to issuing any results

Further detail about quality assurance is set out in requirements under Condition GQAA3.2(a)(i).

A number of respondents commented that it might be unfair for results to be delayed where there are ongoing quality assurance concerns, as Condition GQAA3.4(b) requires. However, this reflects our policy decisions so is out of scope for this consultation. Moreover, this reflects the position in a normal year where a small proportion of results are frequently withheld while an awarding organisation investigates potential irregularities affecting those results.

The alternative, which we consider less desirable, would be for an awarding organisation to revoke results after they have been issued, and potentially relied upon, where the result is found to be invalid as a result of a quality assurance concern.

We have however made a small amendment to Condition GQAA3.4(b) to confirm that it is only the results (or result) directly affected by an ongoing quality assurance issue which an awarding organisation must not issue.

## ***Confidentiality***

Condition GQAA3.5 requires an awarding organisation to take reasonable steps to ensure that the proposed results provided by centres are kept confidential by the awarding organisation and by centres and teachers. Proposed Condition GQAA3.6 required an awarding organisation to treat any breach of confidentiality as malpractice or maladministration.

A number of respondents highlighted the tension between the desirability of discussing with learners the evidence which might be used to determine their TAG, and the need to keep confidential the TAG submitted to the awarding organisation.

Respondents also noted the divergence of approach between England and Wales, such that a centre in Wales which delivers both qualifications regulated by Qualifications Wales and qualifications regulated by Ofqual might be required to tell a student their result in relation to some qualifications but have committed malpractice if they disclose the result for others.

We recognise that requiring an awarding organisation to treat a breach of confidentiality as malpractice or maladministration might be counterproductive in the

circumstances. But we remain of the view that keeping the TAG, once determined, confidential until results day is the fairest approach for learners.

We explained in the technical consultation that we did not intend for this condition to prevent teachers from marking and providing feedback to learners on their work, even where this might form part of the determination of a TAG, and it remains our intention that there should be discussion between teachers and learners about the evidence which will be used to determine TAGs.

We have adjusted the GQAA framework to clarify the position:

- we will not impose proposed Condition GQAA3.6 as part of the framework. Whether an awarding organisation treats a breach of confidentiality as malpractice or maladministration will be for the awarding organisation to determine in accordance with General Condition A8
- we have added to the requirements under Condition GQAA3.2(a)(i) a requirement that an awarding organisation must take all reasonable steps to ensure a centre explains to a learner the evidence on which it proposes to rely in determining a TAG

The confidentiality required by Condition GQAA3.5 is engaged only in relation to the TAG which will be submitted by the centre (the proposed result requested from the centre by the awarding organisation). It will not be engaged by the discussions which teachers and learners should have as a result of the new requirement and nor, necessarily, could it be engaged by the normal process of marking and providing feedback before those discussions take place.

## Condition GQAA4: Appeals

Condition GQAA4 describes a two-stage review and appeal process, the first stage managed by the centre and the second by the awarding organisation.

### *The Centre Review*

GQAA4.1(a) sets out the first appeal stage by requiring awarding organisations to take all reasonable steps to make sure centres put in place effective arrangements for a learner to request a review of a result on the basis of a procedural or administrative error by the centre. Conditions GQAA4.2 and 4.3 explain further information about the centre review stage.

Where the centre identifies a procedural or administrative error and considers a result should be changed, it will submit the proposed new result to the awarding organisation and explain why it considers the change is necessary. Condition GQAA4.4 provides that the awarding organisation will decide whether or not to revise the learner's result and, where it is revised, what the new result will be.

A learner's result may go up, stay the same or go down following a centre review.

Some respondents suggested that it might not be sufficiently clear from the wording of the condition that the centre, not the awarding organisation, is responsible for the centre review stage. However, we do not regulate centres so all of the conditions we set must require action by an awarding organisation; it is the awarding organisation which is responsible for making sure each centre has in place the appropriate review process.

Several respondents referred to the need for centres to have clear advice and guidance in respect of reviews. Condition GQAA4.11 provides that an awarding organisation must publish such guidance.

GQAA4.4 explains the process where, as a result of a review, a centre considers a learner's result should be changed. Some respondents suggested that an awarding organisation should be required to justify a decision not to issue a replacement result or to issue a replacement which is not in line with the centre's proposal.

The wording of the condition reflects our policy decision that, where it considers it made an administrative or procedural error, the centre would explain the error and ask the awarding organisation to change the result; the awarding organisation would have the final decision. To require the awarding organisation to provide reasons for its decision could add delay and would provide little benefit given the awarding organisation's decision is final.

## ***Appeal to the Awarding Organisation***

GQAA4.1(b) sets out the second appeal stage by requiring an awarding organisation to put in place a process to allow a learner to appeal a result to the awarding organisation, after the centre review, on the basis of a procedural failing by the centre or on the basis that a result reflects an unreasonable exercise of academic judgement by the centre.

A number of respondents expressed concern about the appeals process, stressing the need for clarity for learners as to the potential grounds of appeal, as well as explaining that appeals could lead to an increased workload for centres and teachers.

Awarding organisations made a number of representations in respect of the appeals process. In particular, awarding organisations identified that a learner might seek to appeal on the basis either that a TAG was determined using the wrong evidence or that the evidence used indicated a higher grade than the TAG.

Awarding organisations questioned whether a learner wishing to challenge the selection of evidence would do so under GQAA4.1(b)(i) (procedure) or 4.1(b)(ii) (unreasonable academic judgement). If such an appeal would be procedural,

awarding organisations suggested we might usefully clarify that ‘unreasonable academic judgement’ concerns only the determination of a TAG from the evidence, and does not extend to the selection of evidence.

In our policy decisions, we described the appeal process in these terms:

If a student believes their centre’s judgement was wrong they will ask their centre to submit an appeal on their behalf to the exam board. The centre will provide the exam board with the evidence used to determine the student’s grade, together with the centre’s justification for the grade, the student’s concerns and, if the exam board does not already hold it, details of the process used to determine the grade. The exam board will consider whether the evidence of the student’s performance indicates that the grade represents a reasonable exercise of academic judgement. If it decides the grade is supported by the evidence it will not change the grade. If it does not, it will change the grade. The exam board might also consider the process used by the centre.

We note that a learner’s concerns could include that the evidence selected was not reasonably representative of their performance, as well as that the result derived from representative evidence was itself unreasonable. We do not think it follows from our policy decisions that we should prevent a learner asking an awarding organisation to consider whether the selection of evidence was an unreasonable exercise of academic judgement.

In particular, this is because whether or not a learner will be able to challenge the selection of evidence on procedural grounds will depend on the procedure used by their particular centre. Different centres will determine TAGs and select evidence for that purpose in a variety of different ways. Awarding organisations must provide advice and guidance to centres but it follows from our policy decisions that awarding organisations will not dictate how centres must select evidence or the approach they must take to the determination of TAGs. Although each centre will have a procedure in relation to TAGs, different centres will have different procedures and this, combined with the differential effect of the pandemic across centres, means it is likely that teachers at some centres will have greater discretion in the evidence used than teachers at other centres.

Where a centre’s policy allows a teacher some discretion in the selection of evidence, an appeal on procedural grounds may be of little assistance to a learner who considers that a teacher exercised that discretion unreasonably.

We consider it is appropriate therefore that an appeal under GQAA4.1(b)(ii) could be made where a learner considers a TAG was affected by unreasonable academic judgement in respect of the choice of evidence, as well as unreasonable academic judgement about the grade indicated by that evidence.

We explained in the technical consultation that whether a centre's academic judgement was unreasonable will be for an awarding organisation to consider on a case by case basis. We have set guidance under Subject Level Conditions for GQ qualifications on the unreasonable academic judgement test in the context of assessment decisions made by assessors appointed, trained and standardised for that purpose by an awarding organisation and who are marking to the same mark scheme. We make clear in that guidance that the starting point is the decision being challenged and not the alternative suggested in the appeal; the question is whether the original decision was one which was beyond the bounds of what might be expected in the circumstances, and not whether the alternative advanced in the appeal might have been as appropriate, or more appropriate.

We agree with awarding organisations that the unreasonable academic judgement threshold may be particularly difficult to reach in relation to TAGs because non-standard evidence will be used, and this is consistent with our policy decision that teachers and centres will be trusted to determine results. It is perhaps harder still where the appeal concerns the selection of evidence because that decision takes the awarding organisation further outside its usual area of expertise, and centres will normally be best placed to determine which evidence to select. It will be necessary for the learner to make the positive case that the selection of evidence was unreasonable, not merely that different choices could reasonably have been made, or might have preferable.

We recognise, however, that the appeals process this year is novel and potentially complex and that it would be useful for the process to be as clear as it can be. For that reason, we have decided to set guidance for awarding organisations in respect of Condition GQAA4. We anticipate that we will consult publicly on the proposed guidance before the end of April 2021.

We anticipate that by bringing greater clarity to the appeals process, setting guidance will contribute to managing workloads for centres and teachers, as well as for awarding organisations.

### ***Awarding organisation administrative errors***

Some respondents suggested that there might be circumstances in which an awarding organisation makes an administrative error, such as mixing up two students with similar names. We agree that the appeal arrangements should allow for this possibility and have added a condition at GQAA4.1(b)(iii).

### ***Submitting the appeal***

Some respondents suggested that a centre should be given discretion to refuse to submit a learner's appeal to an awarding organisation where it considers that appeal

to be without merit. This reflects the position in other years, when the centre and not the learner decides whether the appeal should be submitted, and, it is argued, would reduce burden on centres and awarding organisations.

Other respondents suggested that we should recast the conditions so the learner could submit the appeal directly to the awarding organisation, without the need for the centre to become involved.

The wording of the conditions reflects our policy decision that, for this year, each learner should have an individual right to appeal their results. This in turn reflects that the centre will have determined the result being appealed, such that it would be surprising if it were able to prevent the learner seeking an appeal. The requirement for the centre to submit the appeal on behalf of the learner reflects the administrative arrangements the awarding organisations have in place, which cannot readily be changed, and must not act as any impediment to an appeal by a learner.

## ***Grade Protection***

Conditions GQAA4.4 and 4.5 each require that an awarding organisation must issue a revised result following a centre review or appeal only where the awarding organisation considers it appropriate under Condition GQAA4.10.

Condition GQAA4.10 requires that before correcting a result the awarding organisation must first have regard to our [guidance on correcting incorrect results](#). The purpose of that guidance, which sets out a number of factors which an awarding organisation should take into account, is to help an awarding organisation to decide whether it is appropriate to correct a result.

This means results could go down as well as up following an appeal, but only where the awarding organisation considers it is appropriate to lower the result. In practice, where the incorrect result affects the learner who appealed, the awarding organisation will usually correct the result, because it will have identified that the original result reflects an unreasonable exercise of academic judgement (or a process failure) and the learner chose to submit the appeal.

In other years an awarding organisation must correct any incorrect result which it discovers through its reviews and appeals process, whether the correction is up or down. This applies equally to the learner for whom the appeal is made and to other learners, including those who did not know about the appeal. Allowing awarding organisations discretion in relation to incorrect results discovered through the appeals process this year – as they have in other years when the incorrect result comes to light other than through an appeal – is a significant change which reflects the potential complexities this year.

We had proposed to go further and to prevent an awarding organisation from lowering any incorrect result it discovered through an appeal process other than for

the learner who appealed. However, following the technical consultation we have decided that it is not necessary to prevent an awarding organisation from lowering a result for a learner who did not appeal. We think providing grade protection in these circumstances could have unintended consequences, and could create unfairness where the discovery of a protected incorrect result for one learner during an appeal leads a centre or an awarding organisation to discover other incorrect results (which would not be protected) through a different process.

We think it is sufficient that an awarding organisation should have discretion whether or not to correct a result however the incorrect result is discovered.

We required awarding organisations to protect grades last year, but this was in part because we perceived a risk that a centre which had mixed-up two learners, so one received a lower than expected result and the other a higher than expected result, might be reluctant to submit an appeal on behalf of the former unless the latter's grade was protected. In practice, we were made aware of a number of cases last year where the awarding organisation, the centre and the learner agreed that a result should be lowered but the awarding organisation was unable to change the result without breaching our conditions. Moreover, we do not think the risk we identified last year will exist this year, because the learner and not the centre will decide whether an appeal should be submitted.

Respondents to the technical consultation expressed differing views about grade protection, with some favouring universal grade protection to allow all learners a risk free appeal and others taking the contrary position. For the reasons set out above, we consider allowing awarding organisations to decide whether to correct results, having regard to our guidance, is the most appropriate balance.

## ***Awarding organisation guidance***

GQAA4.11 sets out a number of matters in relation to reviews and appeals in respect of which an awarding organisation must publish guidance.

As with Condition GQAA3.3 respondents were concerned that awarding organisations should make any guidance available promptly and a number made suggestions as to the detailed content of that guidance which we have drawn to the attention of awarding organisations.

## ***AEA***

We have added Condition GQAA4.12 to clarify our decision that General Condition I1, which also specifies arrangements for appeal, will not apply to the advanced

extension award qualification this year. The review and appeal arrangements for AEA qualifications will be those specified by Condition GQAA4<sup>6</sup>.

## The Proposed GQAA3.2(a)(i) Requirements

We will set requirements under Condition GQAA3.2(a) in relation to the determination of results. The purpose of the requirements is to set out in greater detail the steps we consider an awarding organisation must take to realise our policy decisions in relation to the determination of results for GQ qualifications this summer.

### *Introduction*

This section sets out the starting principles:

- results for GQ qualifications taken in the UK this summer must be determined by awarding organisations on the basis of judgements by schools and colleges (centres) in respect of their learners
- if an awarding organisation makes exams available for GQ qualifications taken outside the UK this summer, results following those exams must be determined in accordance with the normal regulatory framework<sup>7</sup>

### *Teacher Assessed Grades*

This section requires awarding organisations to request from each centre a ‘Teacher Assessed Grade’ in respect of each learner (including a private candidate) eligible to receive a result for a GQ qualification and provides further information about Teacher Assessed Grades (TAGs).

In particular, the section refers to our proposed ‘centre guidance’<sup>8</sup> which describes at a high level how we consider teachers and centres might usefully approach making the necessary judgements. In the final version, we have also referred directly to our objectivity guidance<sup>9</sup>. An awarding organisation must take all reasonable steps to ensure centres have regard to these documents when generating TAGs.

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<sup>6</sup> General Condition I1 does not apply to GCSE, GCE and Project qualifications at any time.

<sup>7</sup> To be clear, an awarding organisation may make a GQ qualification available to learners assessed outside the UK either in accordance with the normal regulatory framework of General Conditions, Qualification Level Conditions and Subject Level Conditions (some of which have been adapted for 2021) or in accordance with the GQAA Framework.

<sup>8</sup> [‘Information for heads of centre, heads of department and teachers on the submission of teacher assessed grades: summer 2021’](#)

<sup>9</sup> [‘Information for centres about making objective judgements’](#)

Several respondents disagreed, some strongly, with the description of the grades proposed by a centre as Teacher Assessed Grades. Respondents expressed the view that this terminology had contributed to a perception that individual teachers, and not the centre as a whole, were responsible for learners' results; teachers had already come under pressure from students and parents in relation to the TAGs they might recommend.

We adopted the term Teacher Assessed Grades because the direction given by the Secretary of State for Education specified that it was government's policy '...GCSEs, AS and A levels should be awarded this year using teacher assessed grades based on a range of evidence'.

We recognise the strength of feeling expressed, and agree that teachers will not be solely responsible for the determination of TAGs, something which we think is clear from the GQAA framework generally. We note, however, that similar concerns about pressure on teachers existed in 2020 when we used the term Centre Assessment Grades.

A number of respondents stressed the need for clear and timely guidance from awarding organisations to assist in the determination of TAGs. Other respondents noted the effect of our policy decisions was that there was scope for different centres to make different decisions about grading standards in the absence of centralised materials. Those responses do not affect the wording of the requirements.

As explained above (Condition GQAA3.5) we have added a requirement that an awarding organisation must take all reasonable steps to ensure before determining their TAG a centre discusses with a learner the evidence which will be used to make that determination.

## ***Additional Assessment Materials***

This section gives effect to our policy decision that awarding organisations must make available a suite of assessment materials that centres may choose to use to inform the judgements they will make to support TAGs, as well as to our decisions about what the assessment materials should include.

The majority of respondents to the technical consultation who commented on this section raised issues which either relate to the underlying policy decisions or which concerned operational delivery. None of those matters affects the wording of the requirement itself.

We have however made a number of changes to this section as a result of feedback from awarding organisations.

- we have clarified that although Additional Assessment Materials must include questions and tasks, mark schemes, and information and guidance for

teachers about content coverage, topic selection and marking, the other materials specified (attainment data and exemplar materials) need only be provided where this is appropriate

- we have amended the requirement about publication of Additional Assessment Materials:
  - to allow some materials to be published before others
  - to allow some materials to be published on a private centre-facing website before they are made available in a publicly accessible form
  - to allow an awarding organisation to publish some materials – for example those which relate only to the marking of assessments – on its private centre-facing website only

We have recognised in the requirements that there may be some questions and tasks which rely on stimulus materials which an awarding organisation is prevented by copyright law from making publicly available.

### ***Internal quality assurance by centres***

This section specifies the arrangements we consider will be necessary for internal quality assurance by centres of the judgements they will make in relation to Teacher Assessed Grades.

A number of respondents questioned whether 2020 data should be used as part of the cross-check of TAGs against previous results. Our 'centre guidance' document specifies that any cross-check should be against previous results where exams took place.

We have made a minor change to reflect that a cross-check of TAGs against previous results might give a useful indication as to whether TAGs are lenient or harsh, but that check alone is unlikely to ensure this is not the case. We have also corrected the erroneous references to 'quality assessment' which should read 'quality assurance'.

### ***External quality assurance by awarding organisations***

In this section we specify that an awarding organisation must have in place effective arrangements for external quality assurance and set out what those arrangements must include. Other than where this is not reasonably practicable, external quality assurance will include a check on the internal quality assurance processes at every centre as well as more detailed checks, including reviewing some of the evidence relied on by the centre, at a sample of centres.

A number of respondents questioned the timeline for external quality assurance, as well as when it would be conducted. We have made a minor change to reflect that the more detailed checks – part b of the requirement – will be conducted after TAGs have been submitted to the awarding organisation.

Other respondents commented that it was important centres have further information about the process as soon as possible. This is an operational delivery issue which is not directly relevant to the conditions and requirements because awarding organisations are responsible for the detailed process. Similarly, to the extent that comments were made about the criteria which might suggest a centre should be targeted for more detailed checks, we note that the requirements only suggest some possible criteria; awarding organisations will determine the criteria which they consider appropriate.

We have added a further example to the list of potential criteria, to make clear that an awarding organisation might be more likely to sample evidence from any centre which submits TAGs late.

## 'Summer 2021 grades for GCSE, AS and A level, Project Qualifications and Advanced Extension Award in maths: Information for Heads of Centre, Heads of Department and teachers on the submission of Teacher Assessed Grades

We have updated the information for heads of centre, informed by the consultation responses as well as feedback from stakeholders, including those representing private candidates and equalities groups. The main changes and additions are as follows.

We have reflected concerns expressed to us about students and parents/carers putting inappropriate pressure on teachers to submit higher grades. We have added a requirement that heads of centre should document such cases and we have been clear that exam boards might investigate such cases as potential malpractice.

We have provided more detail about how centres should compare their historical results with grades to be submitted in 2021. Exam boards will target their external quality assurance based on a number of factors, including where a centre's results – for all GCSE subjects overall, or all A level subjects overall – are considerably lower or higher than in recent years when exams took place (2017, 2018 and/or 2019). We have also clarified that we expect centres to compare their 2021 grades with results from recent years and record the likely reasons for any differences. If the centre is

selected for external quality assurance, the exam board might ask to see the reasons for any differences.

There were concerns about the requirement that students should be taught sufficient content to enable them to progress to the next stage of their education, training or work. Respondents and stakeholders noted that this is not easy to define, and will vary by qualification and grade, as well as a student's intended destination. We have therefore changed this requirement so that heads of centre should instead confirm that students have been taught sufficient content to provide the basis for a grade.

We have clarified the position relating to a centre's choice of the range of evidence to be used. Centres should make sure that students are aware of the evidence to be used, and should record the reasons for selecting that evidence, as well as the reasons for any exceptions made (or requested and turned down).

Several respondents to the consultation asked for more clarity over the number of pieces of evidence required, or what would constitute a piece of evidence. We believe that this would be impossible to define in a meaningful way. The range of evidence that might be appropriate will vary between subjects and between grades. The evidence likely to be used to determine high grades in A level maths will be very different from the range of evidence used for GCSE design and technology. And even within a subject there will be variations, with the range of evidence selected for a foundation tier GCSE maths class likely to be different from the evidence used for a higher tier class aiming for grades 8 and 9.

Several respondents to the consultation raised concerns about where the physical evidence of an assessment is no longer in the centre's possession, because it has been returned to students as feedback on their performance. An example might be a mock exam where completed papers were marked and returned to students. We have clarified that records of such assessments can be used as evidence if the centre has, in the case of a mock exam, a copy of the original paper that was given to students, along with the grade boundaries used and a record of the marks achieved by the students. We have also clarified the expectation that centres will retain the evidence from any assessments taken from now on.

We have also made some amendments to reflect the position regarding private candidates, and we have updated the head of centre declaration to reflect changes to the document as a whole.

## **'Making objective judgements'**

We have refreshed the '[Information for centres about making objective judgements](#)' document, informed by the consultation responses we received as well as further feedback from external stakeholders, including equalities groups and objectivity experts. The document is applicable across the range of qualifications we regulate,

where objective judgements are part of the assessment for that qualification. For GQ qualifications this document should be read alongside the '[Information for heads of centre, heads of department and teachers on the submission of teacher assessed grades: summer 2021](#)' document which has also been updated following this consultation. The changes made are as follows.

### ***About this document***

- The context has been updated for 2021.
- We have made the purpose of the document more explicit.

### ***Making objective judgements***

- We have set out the sections of the document in bullet points and referenced the potential relevance of the document to centres' duties under the Equality Act.

### ***Basing decisions on evidence***

- The revised wording places additional emphasis on performance evidence being the basis for objective decisions.
- The factors which should not affect judgements have been extended to give further examples of factors beyond protected characteristics – for example, perceived English language proficiency and knowledge of grades needed to meet needed to meet a university offer.

### ***Being aware of unconscious effects on objectivity***

- We have added an introduction and extended the list of types of bias to include conformity bias and affinity bias.
- We have also noted that the list is not exhaustive.

### ***Using other evidence to identify possible bias***

- We have clarified how centres might use other relevant sources of evidence to check for bias in judgements.

### ***Reviewing judgements with others***

- We have added further explanation of the importance of reviewing judgements.

- We have added further examples of staff who might be involved in reviewing judgements.

## **Conclusion**

- This new concluding point reiterates that teacher judgements should be determined by the specific performance of each student in relation to each qualification.

## **Equality impact assessment**

We carefully considered whether any of our proposals might impact (positively or negatively) on students who share particular protected characteristics as part of the policy consultation, and again when we made our policy decisions.

We explained in the technical consultation our view that, in their own terms, our proposed conditions and requirements did not create any additional equalities impacts.

Although a number of respondents made representations about the impact our approach to awarding GQ qualifications this summer might have on persons who share protected characteristics, those representations pertained to the underlying policy decisions. Respondents did not suggest that the wording of the conditions and requirements specifically gave rise to any impacts we have not already considered.

## **Regulatory impact assessment**

We carefully considered the impact of our proposals on awarding organisations and on centres as part of our policy consultation and again when we explained our policy decisions.

We explained in the technical consultation our view that because the proposals were technical in nature and reflected the policy decisions we had announced, we did not consider that there were any additional regulatory impacts in relation to those specific proposals.

We have carefully considered the representations made in respect of the impact of our approach to awarding GQ qualifications this summer on teachers, centres and awarding organisations. We recognise that delivering the exceptional arrangements we have made as a result of the pandemic will be resource intensive, but we remain of the view that the impact arises from our policy decisions and not from the specific technical decisions in relation to the wording of the GQAA Framework of Conditions and Requirements.



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Published by:

**ofqual**

Earlsdon Park  
53-55 Butts Road  
Coventry  
CV1 3BH

0300 303 3344

[public.enquiries@ofqual.gov.uk](mailto:public.enquiries@ofqual.gov.uk)

[www.gov.uk/ofqual](http://www.gov.uk/ofqual)