



Department
for Education

Reception Baseline Assessment

Equality Impact Assessment

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The Public Sector Equality Duty

1. The Equality Act 2010 identifies the following as protected characteristics for the public sector equality duty:
 - age
 - disability
 - gender reassignment
 - pregnancy and maternity
 - race (including ethnicity)
 - religion or belief
 - sex
 - sexual orientation

2. Under Section 149 of the Equality Act 2010, the Secretary of State is under a duty (the 'Public Sector Equality Duty') to have due regard to the need to:
 - a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or 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, in particular the need to:
 - remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and
 - encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, in particular the need to:
 - tackle prejudice; and
 - promote understanding

3. Any equality analysis of assessment should account for its express purpose in differentiating between pupils based on attainment against set criteria. Pupils should have equality of opportunity to demonstrate attainment and the government has a duty to mitigate any disproportionate impact on certain pupils. A difference of attainment in itself, however, is not considered unfair.

The Reception Baseline Assessment

4. In September 2017, the government confirmed that we would introduce a new teacher-mediated assessment in the reception year to provide a baseline measure to better track pupils' progress during primary school.¹
5. The reception baseline assessment (RBA) was scheduled to become statutory in September 2020. However, on 18 March 2020 the Secretary of State for Education announced that all statutory national curriculum assessments due to take place in primary schools in England would not take place in 2020 due to the coronavirus (Covid-19) outbreak. This included the RBA. Subsequently, the RBA will become statutory from September 2021.
6. The RBA will assess all pupils in early mathematics, literacy, communication and language and relates to the departmental priority of boosting and levelling up education standards. The RBA serves the aim of ensuring that pupils in the country are prepared with the knowledge and skills they need through forming part of the progress measure that will hold schools to account for their performance.
7. Data from the RBA will not be published at school level, and school-level data will not be shared with regional school commissioners, local authorities, or Ofsted. Individual pupil scores from the RBA will not be given to schools or parents, although they will receive a short narrative report.
8. Data from the assessment will be used 7 years later to create cohort level progress measures for primary schools, showcasing how much progress schools have made with their pupils from reception to the end of year 6 (key stage 2 (KS2)). The progress measures will be published at school level.
9. The RBA was introduced as the Department did not believe that the current key stage 1 (KS1) approach could be sufficiently improved to provide the baseline that the Department and the sector would want to see long-term, without adding undue burdens.² The introduction of the RBA should provide a reliable and trusted baseline that will enable the Department to work out how well, on average, a school's year 6 pupils do at KS2 compared to other pupils nationally with similar starting points. It should provide a better progress measure and once fully established, the intention is to make current statutory end of KS1

¹ ['Improvements to the primary assessment system announced'](#). Standards and Testing Agency, 14 September 2017.

² [Primary assessment in England Government consultation response](#). Department for Education, (2017).

assessments optional (that is, non-statutory), which includes the current statutory national curriculum tests and teacher assessments at the end of KS1.

10. Following an open procurement process, the National Foundation for Educational Research (NFER) was awarded the 4-year contract to develop, trial and deliver the initial years of the assessment.
11. The introduction of the RBA will affect reception aged pupils, and this document will assess the equality impact on this age group.

Methods

12. The protected characteristics under consideration here are age, disability, race, religion or belief, sex and sexual orientation. Other protected characteristics such as gender reassignment, marital and civil partnership, pregnancy and maternity are not considered applicable to reception aged pupils and therefore whilst acknowledged, do not form part of this analysis. Data was not collected for these characteristics. This assessment will also consider the impact of the RBA on the vulnerabilities of pupils with special educational needs and disabilities (SEND) and pupils with English as an additional language (EAL). Although not a protected characteristic, the impact of the assessment on pupils from socio-economically disadvantaged backgrounds will be considered as there is often a relationship between socio-economic disadvantage and protected characteristics.
13. To assess the impact on all the protected characteristics, STA and NFER have analysed quantitative evidence from the trial (2018/2019 academic year) and pilot (2019/2020 academic year) of the assessment alongside qualitative evidence gathered from STA school visits, quality monitoring visits by NFER, consultation responses, union panels and practitioner panels. For the pilot year, data from a sub-sample of 4,046 schools was analysed. This was a representative sample of the national school population, in terms of location, school type and KS1 attainment in reading, writing and mathematics (measured as the proportion of pupils reaching the expected standard or higher).
14. NFER and STA have been working with early years practitioners, schools and other education and SEND experts throughout the development process. All aspects of the assessment have been informed by an extensive evidence base of early years research,³ ensuring that the assessment is age-appropriate and inclusive. As part of the development process, assessment materials were reviewed by both a cultural reviewer and a SEND reviewer.

³ [The Reception Baseline Assessment](#). National Foundation for Educational Research, (2018).

Consideration of the protected characteristics identified in the Equality Act 2010

Age

15. With the introduction of the RBA, the Department does not consider there to be any negative impact concerning age.
16. The assessment was designed to be an age-appropriate assessment for all reception aged pupils with content based on the early years outcomes in the early years foundation stage (EYFS) and reflecting aspects of the learning and development requirements of the EYFS. Tasks assessing skills associated with different ages and stages of development are included in the assessment. These range from the statements that indicate typical development for children aged from 22 months to the 15 early learning goals that are used to assess pupils at the end of the reception year. It should be noted that the RBA can also be taken by pupils who are older than the standard reception age (4 to 5 years old) but have been included in a reception cohort. The Baseline ePortal (BeP), the system used by schools to upload RBA data, will accept data input for reception pupils aged between 4 years 0 days and 6 years 364 days within the academic year.
17. The practitioner panel reviewed all the content domains of the assessment and confirmed that they were appropriate. Feedback from the first half term of the pilot of the RBA indicated that the majority of practitioners felt that the assessment tasks were appropriate for pupils in reception.⁴ Feedback from the pilot (practitioner feedback n=2,507) indicated that the majority of practitioners felt that the assessment tasks were appropriate for children in reception. In total, 84% of practitioners rated the children's interest and enjoyment of the tasks as at least 'satisfactory'. An even higher proportion, 89%, said that the children's understanding of the tasks was 'satisfactory' or better.
18. During the pilot year of the RBA, a clear trend was seen between age (in months) and performance, with older pupils outperforming the younger members of the cohort. This could be seen to have a negative impact on younger pupils however, differences in performance of sub-groups are not necessarily a sign of bias in an assessment and may just reflect differences in prior experience. This is the case with the RBA: with pupils being exposed to a range of experiences before starting school, they will inevitably be at different

⁴ [Reception baseline assessment validity report](#). Standards and Testing Agency, (2020).

stages of their development. Tasks assessing skills associated with different ages and stages of development are included in the assessment to mitigate any negative impact as much as possible. In addition, such differences are not a cause for concern as the RBA is a starting point, with scores from the assessment used 7 years later to place pupils into prior attainment comparison groups, grouped with others with a similar RBA attainment, in order to form a cohort level progress measure at KS2. The differences would only be a concern if the assessment was designed to be an individual or absolute measure of attainment at this age.

Disability (including SEND)

19. The Department was careful to ensure that the RBA should be an inclusive assessment and should not negatively impact pupils with disabilities including SEND. We intend that 99% of pupils should be able to access the assessment.

20. The January 2020 school census on pupils with special educational needs (SEN) showcases that 8.2% of 4-year-olds and 11.2% of 5-year-olds in state-funded primary schools receive SEN support.⁵ 1.2% of 4-year-olds and 1.6% of 5-year-olds in state-funded primary schools have an Educational Health Care (EHC) Plan.⁶ In state-funded special schools, 3.8% of 4-year-olds and 1.5% of 5-year-olds have SEN support,⁷ with 96.2% of 4-year-olds and 98.5% of 5-year-olds with an EHC Plan.⁸ Although this is specific to pupils with SEN rather than SEND, this information provides an indication of the pupils within this protected characteristic that the introduction of the assessment could impact.

21. To avoid discrimination and advance equality of opportunity, consideration has been given to the accessibility requirements for pupils with different needs, and modified materials have been developed to ensure that the assessment is suitable for pupils with hearing and/or visual impairments. We have listened to practitioner feedback from the pilot phase of the assessment and have amended the guidance on modified materials for pupils with SEND, making it easier for practitioners to assess all pupils, no matter their background. The SEND reviewer commented that the assessment 'shows an excellent regard for the barriers that SEND children may face'. Furthermore, it was felt that the

⁵ Source: '[Age and gender - by SEN provision, type of need and school type](#)' from '[Special educational needs in England](#)', January 2020.

⁶ Source: '[Age and gender - by SEN provision, type of need and school type](#)' from '[Special educational needs in England](#)', January 2020.

⁷ Source: '[Age and gender - by SEN provision, type of need and school type](#)' from '[Special educational needs in England](#)', January 2020.

⁸ Source: '[Age and gender - by SEN provision, type of need and school type](#)' from '[Special educational needs in England](#)', January 2020.

RBA guidance documentation 'sets high expectation for pupils with SEND, contrary to the general tendency to assume that pupils with SEND will perform poorly' reflecting on the accessibility of the assessment for pupils with SEND.

22. The assessment can be paused when necessary and does not have to be taken in one sitting, accounting for the potential difficulty of the assessment for a pupil with a disability. Feedback from the pilot has suggested that the 'pause' feature was particularly helpful to practitioners, allowing the assessment to be adapted for individual pupils' needs. Pilot analysis demonstrates that the disapplication and discontinue functions were also used appropriately to ensure that pupils did not have to complete the assessment if they could not access it. The assessment is routed, which means that pupils should not be presented with a significant number of activities that are too difficult for them.
23. It is also possible to discontinue a child from one assessment component (i.e. mathematics or literacy, communication and language (LCL)) and not the other. However, during the pilot discontinuation rates were very low, with 0.2% of mathematics assessments discontinued, and 0.3% of LCL, demonstrating that the assessment remains accessible to the majority of pupils.
24. In exceptional circumstances, headteachers may decide that, even when using suitable modified resources, a pupil is unable to participate in the RBA, and should be disapplied. Headteachers must make the final decision about whether it is appropriate for a pupil to take the RBA, and in these cases, a headteacher should: discuss the pupil's circumstances and needs with their parents and teachers, and, if appropriate, consult with the school's Special Educational Needs Coordinator (SENCO), educational psychologist, medical officer, or other specialist staff to consider whether modified materials may make the assessment accessible.

Gender reassignment, Pregnancy and Maternity, Marriage and Civil Partnership

25. The Department does not consider these characteristics relevant to reception pupils and the introduction of the RBA. Nonetheless, we do not believe there to be any direct negative impact on these characteristics from the introduction of the RBA.

Race (including ethnicity)

26. In terms of the materials provided for the assessment, a potential negative impact could have been on cultural and ethnic representation. However, there was careful consideration when selecting materials to avoid discrimination. The cultural reviewer considered that 'All the materials are acceptable from a cultural point of view' and are '... unproblematic across a wide spectrum of religious and ethnic communities'.⁹ The inclusive nature of the images was also remarked upon since they 'include variations of skin tone without exaggerating physical differences.'
27. Pupils with English as an Additional Language (EAL) are likely to perform less well on language-based elements of the RBA than numeracy-based items as was observed in the 2019 pilot. Data from the January 2020 school census indicates that 21.3% of pupils in state-funded primary schools and 14.8% of pupils in state-funded special schools have a first language that is known or believed to be other than English.¹⁰ This data is not specific to reception-aged pupils; however, in 2018, 79% of pupils at the end of KS2 with a first language other than English joined a school in England in reception rather than at a later stage.¹¹ Therefore the data on pupils in primary school with a first language other than English, is a sufficient indicator of the number of pupils with this protected characteristic in reception that could potentially be impacted by the introduction of the RBA.
28. Furthermore, this school census illustrates that EAL is closely linked to ethnicity whereby specific ethnic groups tend to have a high percentage of pupils with English as an additional language. Annex A and B demonstrate that for both state-funded primary schools, and state-funded special schools, a high percentage of pupils from Indian, Chinese, Pakistani, White backgrounds other than Irish and British, and Bangladeshi ethnicities, have English as an additional language. More than 50% of pupils within each of these ethnic groups have EAL with the highest percentage seen in the Bangladeshi ethnic group (Annex A and B). As a result, the accessibility of the assessment could impact pupils from specific ethnic groups differently to others and thus risk disadvantage. However, as outlined below, mitigations have been put in place which avoid this.

⁹ [Reception baseline assessment validity report](#). Standards and Testing Agency, (2020).

¹⁰ ['Pupil characteristics - free school meals, ethnicity and language' from 'Schools, pupils and their characteristics'](#), Department for Education, 2020.

¹¹ [Attainment of pupils with English as an additional language](#). Department for Education, (2019).

29. To understand whether there was construct bias in the assessment, that would contribute to pupils with EAL being unable to access the assessment items, differential item functioning (DIF) analysis was carried out as part of the pilot. This analysis highlighted items in the assessment where the EAL group of pupils' performance was different to that expected based on their overall performance. Items flagged as exhibiting DIF were then reviewed to ensure that the difference in performance was not due to construct irrelevant bias¹² with the assessment. All ten LCL items flagged (seven were in favour of pupils with English as a first language) were deemed not to be suffering from construct irrelevant bias as were the seven mathematics items (all in favour of pupils with EAL) flagged for DIF.
30. Although it was recognised that a potential negative impact for pupils with EAL is that they may have additional difficulties with the LCL items on the assessment, it was not felt that any of the assessment content needed to be removed, as the removal of items would mean that it would not be possible to ensure coverage of all content domains for all pupils. At all stages of the process, however, question wording was reviewed and simplified as far as possible. In the assessment more broadly, there were also items included that favoured pupils with EAL (the seven mathematics items), advancing the equality of opportunity for pupils with this protected characteristic. This has been reflected in the statutory RBA.
31. While difficulties with specific components on the assessment due to EAL may result in a lower RBA score for a pupil, this should not necessarily translate into a negative impact for pupils with this characteristic because the RBA is not an assessment of overall individual attainment. Rather, the purpose of the assessment is to see where pupils are at the start of their primary school education and the resultant score is only used to create a progress measure. It should be stressed that individual scores are never made public: when the progress measure is created at the end of key stage KS2, pupils with similar RBA scores will be placed in a group and it will be these groups that will be used to form the school level comparison. This eliminates the risk of any perceived disadvantage of a potential low individual assessment score for pupils with this protected characteristic. Schools, meanwhile, will be assessed on a fairer progress measure which will account for the different starting points pupils with EAL may have on entry to primary school.
32. Ultimately, the RBA should ultimately have positive outcomes for pupils with EAL. The narrative statements will aid teachers in identifying where additional

¹² Construct irrelevant bias is when something in the assessment has created unintended variance from what should be measured. These extraneous factors impact the meaning of a score.

support may be required with individual pupils. Once the progress measure has been created, the Department will be able to determine how much progress schools with significant proportions of pupils with EAL have made with these pupils since they started in full-time English language speaking education, via school level data analysis. This will provide important information to aid the Department in making its decisions, such as where to target additional support for schools.

Religion or Belief

33. We have no evidence to show, and no representations have been made to suggest that the introduction of the RBA would disproportionately impact pupils attending a faith school or who observe a religion or belief. The RBA will provide a baseline measure for all pupils regardless of their school or religious belief. As mentioned above, the RBA was reviewed by a cultural reviewer who considered that 'All the materials are acceptable from a cultural point of view' and that the materials are unproblematic across a wide spectrum of religious communities.¹³

Sex

34. The Department is not aware of any evidence that the introduction of the RBA will disproportionately impact pupils of a particular sex. DIF analysis (see paragraph 29) was carried out by sex using data from the first half term of the RBA pilot. This revealed that both the LCL and mathematics components had one item which exhibited differential item functioning in favour of boys. This should be interpreted in the context that girls answered more questions correctly on average than boys on both components overall; this is part of the reason why the two items were flagged, due to this sub-group performing differently relative to their overall performance. These two items were both subject to routing and in both cases a larger proportion of girls were presented with the item but, of the pupils attempting the item, a larger proportion of boys answered correctly. Items identified in DIF analysis are not necessarily biased towards one group or another; the results may reflect genuine differences in performance. The analysis only gives indications as to which items may need further investigation. Upon further investigation of the two items, there was no evidence to suggest these differences could have been due to any construct

¹³ Further information on this can be found in the [Reception Baseline Validity Report](#). Standards and Testing Agency, (2020).

irrelevant bias. These items are therefore not considered a negative impact of the RBA on this protected characteristic.

Sexual orientation

35. The Department does not consider this characteristic to be negatively impacted by the introduction of the RBA and is not aware that there will be any direct impact from its introduction.

Socio-economically disadvantaged pupils

36. The Department does not consider the introduction of the RBA to negatively impact socio-economically disadvantaged pupils. The assessment is not a measure of attainment, rather a means to assess all pupils on-entry, accounting for any impact on their experiences up to this point and comparing their prior attainment to other pupils with similar prior attainment nationally. The RBA could have a positive impact on disadvantaged pupils by ensuring that schools place emphasis on making good progress with all pupils throughout their primary school education, not just those close to a particular attainment threshold. In turn, full credit can be given to schools for the important work they do with these pupils between reception and the end of KS2.

Conclusion

37. The evidence gathered indicates that the design of the RBA mitigates any potential equality impact associated with the need to have an effective baseline assessment from which to measure the progress schools have made with their primary school pupils. We have taken steps to make the RBA as accessible as possible and to mitigate any negative impact on those with protected characteristics, enabling it to be accessible as possible to, and appropriate for, the greatest number of pupils. Although naturally with a baseline assessment there will be differential outcomes due to differential starts in life, the RBA should have a positive impact on some groups, as progress measures encourage schools to focus on the attainment of all pupils, and not just those at a particular attainment threshold.

38. The Standards and Testing Agency will continue to review the impact of the assessment on those with protected characteristics, in line with the periodic review of the content in the assessment. This includes monitoring any adverse or negative impacts identified in this equality analysis.

Annex A: EAL by Ethnicity – State-funded primary schools, Jan 2020

	Known or believed to be English	Known or believed to be other than English	Unclassified	Total	Known or believed to be English %	Known or believed to be other than English %	Unclassified %
White - British	3028877	32218	3243	3064338	99%	1%	0%
Traveller of Irish Heritage	4987	62	10	5059	99%	1%	0%
White - Irish	11200	308	10	11518	97%	3%	0%
White and Black Caribbean	72141	2113	83	74337	97%	3%	0%
Black Caribbean	41016	1844	77	42937	96%	4%	0%
White and Asian	58587	14821	159	73567	80%	20%	0%
White and Black African	32919	9420	100	42439	78%	22%	0%
Any Other Mixed Background	82645	32687	268	115600	71%	28%	0%
Information Not Yet Obtained	19914	7073	1713	28700	69%	25%	6%
Refused	17168	6429	1230	24827	69%	26%	5%
Any Other Black Background	23317	12973	148	36438	64%	36%	0%
Gypsy / Roma	9713	9062	36	18811	52%	48%	0%
Black - African	74849	100371	845	176065	43%	57%	0%
Indian	46520	107513	375	154408	30%	70%	0%
Pakistani	54626	153599	429	208654	26%	74%	0%
Any Other Asian Background	22516	65788	326	88630	25%	74%	0%
Chinese	4428	18519	114	23061	19%	80%	0%
Any Other White Background	66454	279831	590	346875	19%	81%	0%
Bangladeshi	13782	66753	176	80711	17%	83%	0%

Any Other Ethnic Group	16490	81002	294	97786	17%	83%	0%
All	3702149	1002386	10226	4714761	79%	21%	0%

Source: School census, January 2020

Note - includes middle deemed primary

Annex B: EAL by Ethnicity – State-funded special schools, Jan 2020

	Known or believed to be English	Known or believed to be other than English	Unclassified	Total	Known or believed to be English %	Known or believed to be other than English %	Unclassified %
White - British	88894	582	108	89584	99%	1%	0%
White - Irish	343	4		347	99%	1%	0%
White and Black Caribbean	2383	34	6	2423	98%	1%	0%
Traveller of Irish Heritage	153	2	1	156	98%	1%	1%
Black Caribbean	1715	39	4	1758	98%	2%	0%
White and Asian	1245	183	4	1432	87%	13%	0%
White and Black African	978	174	3	1155	85%	15%	0%
Any Other Mixed Background	2475	613	10	3098	80%	20%	0%
Refused	630	122	40	792	80%	15%	5%
Any Other Black Background	1100	321	4	1425	77%	23%	0%
Information Not Yet Obtained	950	222	137	1309	73%	17%	10%
Gypsy / Roma	302	185	1	488	62%	38%	0%
Black - African	3090	2719	25	5834	53%	47%	0%
Indian	983	1430	15	2428	40%	59%	1%
Any Other Asian Background	862	1556	9	2427	36%	64%	0%
Pakistani	2083	3955	27	6065	34%	65%	0%
Any Other White Background	1793	3483	11	5287	34%	66%	0%

Any Other Ethnic Group	661	1609	11	2281	29%	71%	0%
Chinese	112	303	3	418	27%	72%	1%
Bangladeshi	608	1673	9	2290	27%	73%	0%
All	111360	19209	428	130997	85%	15%	0%

Source: School census, January 2020