

Date

25 September 2019

Title

Chief Regulator's Report

Report by

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Paper for information and discussion

Open paper

Recommendation

1. The Board is asked to note the matters reported.

Overview

2. The summer series and awarding this year was, overall, delivered smoothly and safely. There were a number of issues of which the Board is already aware, including the increasing number of 'fake' papers circulating, the A level maths leak, the awarding of 2018 A level maths and a late amendment by Pearson to the grading points for its L1/2 BTEC Technical Awards. We have committed to follow up work this autumn.
3. In August, the Chair and I met with the new Secretary of State, who the Board will recall now has responsibility for the Apprenticeships and Skills brief.

Summer series

Delivery of summer 2019 GCSEs, AS and A levels

4. In the main, GCSEs, AS and A levels were delivered safely this year. There were no serious errors in exam papers or other assessment materials and the number of security breaches down.
5. As previously reported to the Board, there was an increase this summer of fake exam papers being circulated on social media and a Pearson live A level maths paper was leaked by one or more members of staff from one centre. Two arrests were made and the police continue to investigate. The affected exam board announced shortly before A level results day that the results of 78

students who had entered for the qualification were being withheld pending the outcome of malpractice investigations. Other more contained breaches of exam papers were managed by the appropriate exam boards and we know that some students were disqualified from one or more qualifications as a result. We monitored how the exam boards ensured students who took the affected qualifications were treated fairly and we were satisfied with their approaches.

6. While such breaches of exam materials are rare, they damage public confidence in qualifications and can be deeply upsetting for students taking the qualifications. We have had an extended discussion with the exam boards about the changes they should make to established practices to reduce the risk of future exam paper leaks, both for 2020 and in the longer term.
7. As usual we will publish our report on the delivery of the summer series in December. We will also be publishing official statistics on malpractice.

National Reference Test Results 2019

8. On 22 August we published the results of the 2019 test, along with our Annual Statement confirming that we had not made an adjustment to grade standards in GCSE English language or GCSE maths.¹
9. Results showed that, compared with the 2017 baseline, the decrease at grade 4 in English and the increase at grade 7 in maths were statistically significant at the 0.01 level of significance (that is, the likelihood of the change being statistical noise rather than a genuine change is 1 in 100).
10. Results in maths were therefore in line with what we might expect to see in the third year of a new qualification, as teachers get used to the requirements of the new specifications. We therefore decided not to make any adjustment.
11. Results in English were unexpected. Analysis of the student survey suggested that students in 2019 were slightly less motivated on the English NRT and slightly less enthusiastic about the subject overall, compared to previous years. Having considered the evidence very carefully, we judged that there was not enough evidence to be confident that the decrease in NRT results would be reflected in poorer performance in GCSE English language - we decided not to make any adjustment.

Quality of marking, reviews of marking and appeals

12. We are receiving weekly updates from each exam board on the number of requests for reviews of marking being received and on the number and nature of any marking changes being made. We have also been clear with the exam boards that, as we expect the rules on review of marking to have bedded in such that marks are only changed following a review of marking to correct a marking error, we will now consider the review of marking data to provide an indication of the quality of their marking.

¹ See <https://www.gov.uk/government/publications/the-national-reference-test-in-2019>

13. We have provided feedback to the exam boards on how they conduct appeals. We expect them to make some enhancement to their arrangements in light of this feedback, this year.

Results apps

14. Once again, we offered a range of interactive visuals ('apps') on the [Ofqual Analytics](#) webpage to help stakeholders find out and understand more about the results. These apps use the results days GCSE, AS and A level data for England. The apps comprise:
 - a. A centre variability app – allowing users to understand the national England picture for different subjects and different sizes of centre;
 - b. 'The Map App' – allowing users to look at county outcomes for different subjects;
 - c. A GCSE 9-1 results app – giving people the chance to look at the relationship between outcomes in different reformed GCSE subjects; and
 - d. An Outcomes app – this presents overall entries and outcome data over time, for a range of subjects and subject groupings going back (where applicable) to 2008.
15. Over results fortnight we had over 30k views this year and they have had other exposure particularly through BBC regional news programmes (such as 'Look East') as well as social media. Interestingly, while most views are in the UK, many come from other parts of the globe (80 countries in all). We have received positive feedback from users and look to build in any good ideas they have for future years. This year, we have added more user-friendly options around accessing data from different years, some more options around downloading the images or summary data, and easier ways of sharing through social media.

General Qualifications

The report of the Independent Commission on Examination Malpractice

16. The report of the Independent Commission on Examination Malpractice established by Joint Council for Qualifications (JCQ) last summer was published on 9 September. We had observer status on the Commission and were able to input evidence and ideas. The report includes 78 wide-ranging recommendations, most of which have direct implications for the exam boards and their representative body, the JCQ. The exam boards made a commitment at the launch event to publish a progress report before the end of the year.

Exam board training for teachers

17. We continue to monitor the quality of the training events exam boards provide for teachers. Our particular concern is that confidential information about future exam content is not disclosed. While our rules should stop anyone who has knowledge of such confidential information being present at any such training, the monitoring provides an extra safeguard.

IGCSEs and International GCSEs

18. There have been a number of media reports raising concerns that, by accepting International or IGCSEs rather than reformed GCSEs, some universities are admitting students from independent schools with a lower standard of qualification than those taken by students from maintained schools. We expect this interest to continue. The lack of alignment of the grading scales between the qualifications makes some of the concerns particularly difficult to address.

National Assessments

19. We continue to monitor whether the change of supplier for the delivery of national assessments could have an impact on their validity. We wrote a year ago to both the previous Secretary of State and the Education Select Committee to confirm that our focus during the change of supplier will continue to be on the validity of the assessments. As there is direct Ministerial oversight and cross-governmental scrutiny of the delivery arrangements we add most value by supporting the maintenance of assessment quality and standards.

Vocational and Technical Qualifications

Apprenticeships

20. We continue to progress with our discussions with the Institute for Apprenticeships and Technical Education (the Institute) following their request for us to play a larger role in the EQA of Apprenticeships. Our regulatory approach to EQA is progressing to plan; we published our annual report to the Institute in August.

T Levels

21. The second 'interim' submissions from the contracted Awarding Organisations for Wave 1 Technical Qualifications (the first three, scheduled for first teaching in September 2020) are due later this month. We have our processes in place to review these, having reflected on the process for the first interim submissions.

Functional Skills Qualifications (FSQs) English and Maths

22. Reformed FSQs were made available for first teaching on 1 September 2019. As of 13 September, nine of the 11 awarding organisations intending to offer the new qualifications had completed the technical evaluation process, which gives good coverage across the breadth of the market. We published a [blog](#) on maintenance of standards in the new qualifications, and our detailed guidance to AOs setting out how we expect them to do this. We will monitor the situation as the new qualifications bed in, seeking feedback from contacts in the sector.

Essential Digital Skills Qualifications (EDSQs)

23. We held a meeting with AOs in June to talk through our Conditions, Requirements and Guidance for EDSQs. We are finalising arrangements for technical evaluation with AOs, working towards a first teach date of August 2020.

Digital Functional Skills Qualifications (Digital FSQs)

24. Our policy consultation closed on 26 July and we received 16 responses. Respondents were generally in favour of our proposals but some identified challenges. These included the feasibility of assessing some of the practical digital skills in an authentic way in a formal assessment (in particular those which required access to the internet). AOs also raised concerns about the market demand for both Digital FSQs and EDSQs.
25. We have worked with the Department to address these concerns. We held a joint workshop on 21 August to review the latest draft of the subject content. We also hope to hold a joint workshop with a sample of AOs and centres to review the revised subject content before it is finalised by the Department.

English for Speakers of other Languages (ESOL)

26. We continue to work with the Department as it develops its new English Language Strategy. We hosted a joint meeting in July to give awarding organisations the opportunity to hear about the work on the Strategy and to provide some high level feedback on our current regulatory arrangements for ESOL qualifications.
27. We are in the process of finalising arrangements for a programme of technical evaluation of the existing ESOL qualifications which will provide an evidence base to inform our future regulatory approach and enable us to respond in an informed way to any expectations emerging from the development of the English Language Strategy.

Accountability for Awards

28. Following our update at the previous Board meeting, we presented the detail of our updated proposals to the Reform Committee on 6 September. We will launch our technical consultation on 19 September, setting out our proposed Conditions, requirements and guidance; at the same time we will publish our decisions and analysis for our policy consultation. Our technical consultation runs for 8 weeks and we have a consultation event scheduled for 29 October. We plan to bring the outcomes from this technical consultation to the Board in early 2020.

AO engagement

29. We have confirmed that the 2020 Awarding Organisation conference will be on 19 March.

Tailored Review

30. As previously discussed with the Board, in November our Tailored Review will begin. Each Arm's Length Body in government is subject to a Tailored Review once per parliamentary term, in a programme sponsored by Cabinet Office. The review itself will be led by staff from the Department.

ANNEXES

- A Confidential Items (Closed)
- B Evidence to the Education Select Committee’s inquiry into Adult Skills and Lifelong Learning (Closed)
- C Response to the Department for Education’s L4/5 consultation (Closed)
- D Summer media coverage (Closed)

Paper to be published	YES
Publication date (if relevant)	
If it is proposed not to publish the paper or to not publish in full please outline the reasons why with reference to the exemptions available under the Freedom of Information Act (FOIA), please include references to specific paragraphs	