

AS and A level Modern Foreign Languages

Consultation on Conditions and Guidance

covering:

French

German

Spanish



February 2015

Ofqual/15/5622

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About this consultation

We are seeking views on the regulatory requirements we propose to put in place for new A levels and AS qualifications in modern foreign languages (French, German and Spanish). These new qualifications are due to be taught in England from September 2016.

We do not repeat the policy proposals for this qualification on which we consulted during 2014 or the options we considered when we did so. You can find the outcome of that consultation on our website,¹ along with a summary of the responses to the consultations and our equality and regulatory impact assessments.

Further information about the reform of GCSEs, AS qualifications and A levels can be found at www.gov.uk/government/publications/get-the-facts-gcse-and-a-level-reform.

¹ www.gov.uk/government/consultations/gcses-as-and-a-levels-reform-of-subjects-for-september-2016

Summary of our proposals – AS and A level French, German and Spanish

- New A levels and AS qualifications in French, German and Spanish must comply with the Department for Education's subject content requirements and with our assessment objectives.
- For all new A levels and AS qualifications in French, German and Spanish, 30 per cent of the marks will be allocated to non-exam assessment, taken during a five-week period in April and May, which will focus on students' ability to use spoken language effectively.
 - The assessment will last 12–15 minutes at AS, and 20–23 minutes at A level.
 - At AS, students will need to discuss two different unseen topics, set by the awarding organisation based on themes studied during the course. Students will have 15 minutes to prepare prior to the discussion.
 - At A level, students will discuss a single unseen topic, set by the awarding organisation based on themes studied during the course. They will also present and discuss the findings of their own independent research.
 - The non-exam assessment will be marked by the awarding organisation.
- The remaining 70 per cent of the marks will be allocated to examinations, set and marked by the awarding organisation.
 - We expect passages used for translation questions to be at least 70 words at AS, and at least 100 words at A level.
 - Students will not have access to any kind of dictionary for any of the assessments (or during the formal preparation time for the non-exam assessment), and will not be allowed to use their own copies of set texts in assessments.
- Awarding organisations may (but do not have to) publish vocabulary lists to act as an aid to teachers, provided they ensure this does not make assessments predictable. Any vocabulary list must be part of the qualification's specification.

How to respond to this consultation

The closing date for responses is 27th March 2015.

Please respond to this consultation in one of three ways:

- complete the online response at www.surveygizmo.co.uk/s3/2027485/as-and-a-level-modern-foreign-languages-consultation-on-conditions-and-guidance
- email your response to consultations@ofqual.gov.uk
Please include the consultation title (Modern Foreign Languages Consultation 2015) in the subject line of the email and make clear who you are and in what capacity you are responding; or
- post your response to: Modern Foreign Languages Consultation 2015, Ofqual, Spring Place, Coventry Business Park, Herald Avenue, Coventry, CV5 6UB.

Evaluating the responses

To evaluate responses properly, we need to know who is responding to the consultation and in what capacity. We will therefore only consider your response if you complete the information page.

Any personal data (such as your name, address and any other identifying information) will be processed in accordance with the Data Protection Act 1998 and our standard terms and conditions.

We will publish the evaluation of responses. Please note that we may publish all or part of your response unless you tell us (in your answer to the confidentiality question) that you want us to treat your response as confidential. If you tell us you wish your response to be treated as confidential, we will not include your details in any published list of respondents, although we may quote from your response anonymously.

Please respond by 27th March 2015.

Conditions of Recognition

Awarding organisations must comply at all times with our Conditions of Recognition. These are the main regulatory rules that we use. We can take regulatory action against an awarding organisation that breaches or is likely to breach a Condition.

There are three sets of Conditions that will apply to new A levels and AS qualifications (together 'the Conditions'):

- (i) the published *General Conditions of Recognition*² that apply to all regulated qualifications;
- (ii) the published *GCE Qualification Level Conditions and Requirements*;³
- (iii) GCE Subject Level Conditions that apply to a GCE in a specific subject.

The way the Conditions of Recognition work alongside our other regulatory tools is set out in Appendix A.

² www.gov.uk/government/publications/general-conditions-of-recognition

³ www.gov.uk/government/publications/gce-qualification-level-conditions-and-requirements

1. Draft GCE Subject Level Conditions and guidance for modern foreign languages (French, German and Spanish)

Content requirements in modern foreign languages

1.1 The Department for Education has published a document that sets out the new content for A levels and AS qualifications in modern foreign languages. New A levels and AS qualifications in French, German and Spanish must comply with the requirements of that document.⁴

1.2 To bring this about, we propose to introduce the following Condition:

Condition GCE(Modern Foreign Languages (French, German, Spanish))1 Compliance with content requirements

GCE(Modern Foreign Languages (French, German, Spanish))1.1

In respect of each GCE Qualification in French, German or Spanish which it makes available, or proposes to make available, an awarding organisation must –

- (a) comply with the requirements relating to that qualification set out in the document published by the Secretary of State entitled ‘Modern foreign languages GCE AS and A Level subject content’,⁵ document reference DFE-00694-2014,
- (b) have regard to any recommendations or guidelines relating to that qualification set out in that document, and
- (c) interpret that document in accordance with any requirements, and having regard to any guidance, which may be published by Ofqual and revised from time to time.

GCE(Modern Foreign Languages (French, German, Spanish))1.1 In respect of each GCE Qualification in French,

⁴ www.gov.uk/government/publications/gce-as-and-a-level-modern-foreign-languages

⁵ www.gov.uk/government/publications/gce-as-and-a-level-modern-foreign-languages

Languages (French, German, Spanish))1.2

German or Spanish which it makes available, or proposes to make available, an awarding organisation must comply with any requirements, and have regard to any guidance, relating to the objectives to be met by any assessment for that qualification which may be published by Ofqual and revised from time to time.

1.3 We are not proposing to produce any guidance on the subject content for A levels and AS qualifications in modern foreign languages, but this Condition keeps open the option of doing so in the future.

Conditions, requirements and guidance on assessment

1.4 All A levels and AS qualifications in French, German and Spanish are to be assessed through a mixture of assessment by examination and non-exam assessment. We have already consulted on and announced our decision⁶ in relation to the percentage of marks that should be assessed through non-exam assessment (30 per cent).

1.5 To give effect to this decision, we propose to introduce the following Condition:

Condition GCE(Modern Foreign Languages (French, German, Spanish))2

GCE(Modern Foreign Languages (French, German, Spanish))2.1

In respect of each GCE Qualification in French, German or Spanish which an awarding organisation makes available, or proposes to make available, Condition GCE4.1 does not apply.

GCE(Modern Foreign Languages (French, German, Spanish))2.2

In respect of the total marks available for a GCE Qualification in French, German or Spanish which it makes available, an awarding organisation must ensure that –

(a) 70 per cent of those marks are made available through Assessments by Examination, and

(b) 30 per cent of those marks are made available through assessments that are not Assessments by Examination.

⁶ www.gov.uk/government/consultations/gcses-as-and-a-levels-reform-of-subjects-for-september-2016

GCE(Modern Foreign Languages (French, German, Spanish))2.3

An awarding organisation must ensure that in respect of each assessment for a GCE Qualification in French, German or Spanish which it makes available it complies with any requirements, and has regard to any guidance, which may be published by Ofqual and revised from time to time.

- 1.6 This proposed condition also allows us to publish additional requirements and guidance on assessments for A levels and AS qualifications in French, German and Spanish.
- 1.7 We are proposing to publish a range of requirements and guidance. Some of these relate specifically to the non-exam assessment (which we discuss in more detail below), but we are also proposing to introduce:
- requirements and guidance in relation to vocabulary lists;
 - requirements around access to texts; and
 - guidance on the length of translation exercises.

Vocabulary lists

- 1.8 Currently the awarding organisations take different approaches to the use of vocabulary lists. In new A levels and AS qualifications, if vocabulary lists are provided by awarding organisations as a guide to teachers, assessment tasks should not be restricted to the vocabulary lists, as this could make assessments predictable. Any vocabulary lists should also form part of the qualification's specification.
- 1.9 To bring this into effect, we are proposing to introduce the following requirements and guidance:

Assessment requirements – GCE Qualifications in Modern Foreign Languages (French, German, Spanish)

Condition GCE(Modern Foreign Languages (French, German, Spanish))2.3 allows us to specify requirements and guidance in relation to assessments for GCE Qualifications in French, German and Spanish.

Condition GCE(Modern Foreign Languages (French, German, Spanish))2.2(b) further states that an awarding organisation must ensure that of the total marks available for a GCE Qualification in French, German or Spanish, 30 per cent of those marks shall be made available through assessments which are not Assessments by Examination.

We set out our requirements for the purposes of Condition GCE(Modern Foreign Languages (French, German, Spanish))2.3 below.

Unless otherwise specified, all of the requirements below apply to both A level and AS qualifications in French, German and Spanish which an awarding organisation makes available or proposes to make available.

Vocabulary lists

Where an awarding organisation publishes any information about the words and/or forms of words which Learners will be expected to use and understand (a 'vocabulary list') for a GCE Qualification in French, German or Spanish which it makes available, or proposes to make available, it must ensure that –

- any assessment for that qualification is not restricted to use of words and/or forms of words on the vocabulary list in such a way as to render the assessment predictable, and
- the vocabulary list is set out in the specification for the qualification.

Guidance in relation to assessments for GCE Qualifications in French, German and Spanish

Condition GCE(Modern Foreign Languages (French, German, Spanish))2.3 allows us to specify requirements and guidance in relation to assessments for GCE Qualifications in French, German and Spanish.

We set out our guidance for the purposes of Condition GCE(Modern Foreign Languages (French, German, Spanish))2.3 below.

Vocabulary lists

Provided that the requirements set out in the GCE Subject Level Conditions and Requirements for Modern Foreign Languages (French, German, Spanish) are met, awarding organisations are not precluded from publishing vocabulary lists to act as guides for Teachers of GCE Qualifications in French, German and Spanish which they make available or propose to make available. Neither are awarding organisations required to publish vocabulary lists.

Access to texts

1.10 Students will not be allowed to take their own copies of set texts for reference purposes into an exam. This is because we want to ensure students cannot use annotated copies in the exam, as this could give them an unfair advantage over other students. To bring this into effect, we propose to introduce the following requirements:

Access to texts

An awarding organisation must take all reasonable steps to ensure that no Learner has access to any text, or any part of a text, which is listed for study in the specification when taking any assessment for a GCE Qualification in French, German or Spanish, except where that text or part of a text has been provided as Stimulus Materials in respect of that assessment by the awarding organisation.

Length of translation exercises

1.11 The subject content requires students to translate:

- ‘an unseen passage or passages from the language of study into English at AS and A level’; and
- ‘unseen sentences or short texts at AS, and an unseen passage or passages at A level, from English into the language of study’.

1.12 The amount of text students have to translate will be an important aspect of the demand of the assessments. To help ensure awarding organisations take a consistent approach, we are proposing to introduce the following guidance:

Length of translation exercises

The document published by the Secretary of State entitled ‘Modern foreign languages GCE AS and A Level subject content’ , document reference DFE-00694-2014 states that GCE Qualifications in French, German and Spanish must require Learners to –

- [translate] an unseen passage or passages from the language of study into English at AS and A level,
- and
- [translate] unseen sentences or short texts at AS, and an unseen passage or passages at A level, from English into the language of study.

We expect the length of any ‘unseen passage or passages’ or ‘unseen sentences or short texts’ used in a translation task in an assessment to be –

- in respect of A level qualifications, a minimum of 100 words, and
- in respect of AS qualifications, a minimum of 70 words.

Conditions and requirements for non-exam assessment

1.13 In June 2013, we published the outcome of our *Review of Controlled Assessment in GCSEs*.⁷ In that document, we set out the principles we would use for reformed GCSE qualifications to determine where we should use alternative assessment for elements that cannot be assessed by written exams. We have subsequently chosen to use the same principles for non-exam assessment in A levels and AS qualifications. Of particular relevance to this consultation are the following:

- Non-exam assessment arrangements, including the weighting assigned to any non-exam assessment, should be designed to fit the requirements of the subject.
- Controls should be used to ensure that we can be confident that what is assessed is what was intended to be assessed.
- Where non-exam assessment contributes to the overall grade, we will require exam boards to put in place robust arrangements to make sure the marks are valid and reliable.

1.14 For each subject where there is non-exam assessment, we have considered carefully the controls we can put in place to ensure that non-exam assessment is valid and reliable. Our starting point is that we should put in place appropriate controls to secure the reliability and validity of the assessment. Those controls might, for example, concern the setting, conduct and/or marking of the non-exam assessment.

1.15 In the particular case of AS and A level modern foreign languages, the non-exam assessment will primarily test students' ability to communicate in speech, as this cannot be tested validly in an exam.

1.16 The way in which the non-exam assessment is conducted is likely to have a significant impact on the level of demand, so we are proposing to put strong controls in place to help secure comparability between specifications, and ensure assessments are fair for students. In particular, we are proposing controls around following aspects of the non-exam assessment:

- timing;
- marking;

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http://webarchive.nationalarchives.gov.uk/20141110161323/http://ofqual.gov.uk/ofdoc_categories/regulations-and-guidance/gcses-a-to-g/gcse-controlled-assessment-regulations-gcses-a-to-g/

- task setting;
- length; and
- conduct.

Timing and marking

- 1.17 We have considered carefully when students should be allowed to take the non-exam assessment. As at GCSE, we think there should be a restricted window for taking the assessment towards the end of the course – which for GCSEs we have set at five weeks.
- 1.18 Although fewer students take A levels and AS qualifications than GCSEs, the nature of the assessments means a shorter time period is unlikely to be deliverable. At the same time, we have concerns that a longer time period would make it more likely that students who take the assessment later could be unfairly advantaged (or disadvantaged) compared with students who take the assessment earlier.
- 1.19 In line with the approach we have adopted for reformed GCSEs in French, German and Spanish, we propose that all speaking assessments must be taken within a period of no more than 5 weeks in April and May. This period does not have to be continuous, and can vary from year to year (for example, to accommodate Easter). We welcome views on whether our proposals strike the right balance between deliverability, reliability and fairness for students, and any alternative suggestions.
- 1.20 At both AS and A level, the assessments will be marked by the awarding organisation. The student's performance in the assessment must be recorded so that the awarding organisation is able to mark it.
- 1.21 We have considered whether to specify the type of recording (audio or audiovisual) that schools must provide. We have considered whether audio and audiovisual recordings would be comparable, and whether, if we allow both to be used, this could lead to inconsistent approaches to assessment.
- 1.22 Our view is that what matters here is not the nature of the recording, but rather how it is used for assessment. A comparability issue only arises if some students are assessed solely on spoken language, but others are assessed on presentational skills as well as their spoken language. Provided awarding organisations ensure they only assess the spoken language (as required by our assessment objectives), and put in place safeguards to make sure this is the case, then audio and audiovisual recordings are comparable.

1.23 Consequently, we see no reason why we should prevent awarding organisations from requiring audiovisual recordings where these would have additional benefits outside the assessment (for example, by acting as a deterrent to malpractice).

1.24 To bring this about, we propose to introduce the following Condition:

Condition GCE(Modern Foreign Languages (French, German, Spanish))3

GCE(Modern Foreign Languages (French, German, Spanish))3.1

In respect of each assessment for a GCE Qualification in French, German or Spanish which is not an Assessment by Examination –

- (a) Condition GCE6.1 does not apply,**
- (b) the awarding organisation must ensure that each Learner completes any such assessment within a period of up to five weeks in the months of April and May in any single year, and**
- (c) the awarding organisation must take all reasonable steps to minimise the predictability of each such assessment.**

GCE(Modern Foreign Languages (French, German, Spanish))3.2

In respect of each assessment for a GCE Qualification in French, German or Spanish that it makes available and which is not an Assessment by Examination an awarding organisation must ensure that –

- (a) the evidence generated by each Learner in the assessment is marked by the awarding organisation and/or a person connected to it, and**
- (b) the awarding organisation is provided with a complete and unedited recording of the evidence generated by a Learner in the assessment by the Centre which delivered the assessment.**

1.25 To support Condition GCE(Modern Foreign Languages (French, German, Spanish))3.1, we also propose to introduce the following guidance:

Assessment period for non-examination assessment

Condition GCE(Modern Foreign Languages (French, German, Spanish))3.1(b) requires an awarding organisation to ensure each Learner completes any assessment which is not an Assessment by Examination within a period of up to five weeks in the months of April and May in any single year.

This assessment period is not required to be continuous or the same every year. It may, for example, allow for a break to accommodate Easter in any given year.

Task setting, duration and conduct

1.26 We are also proposing to introduce more detailed requirements around the setting, duration and conduct of the non-exam assessment, and the tasks within it. For consistency, these will sit alongside our more general assessment requirements described above.

1.27 At AS, we are proposing that the non-exam assessment should consist of two discussions, based on two different themes drawn from the subject content. Both discussion tasks will be set by the awarding organisation.

1.28 At A level, the subject content also requires students to:

- develop research skills in the language of study, demonstrating the ability to initiate and conduct individual research on a subject of personal interest, relating to the country or countries where the language is spoken
- identify a key question or subject of interest and select relevant information in the language of study from a range of authentic sources, including the internet
- use information to illustrate knowledge and understanding of the research subject
- analyse and summarise research findings, elaborating on key points of interest, as appropriate, through oral presentation and discussion.

1.29 We propose that this element of the A level content should be incorporated into the non-exam assessment, with students presenting their research and then answering questions based on it. The remainder of the non-exam assessment will comprise a single discussion task around a theme drawn from the subject content, which will be set by the awarding organisation.

- 1.30 Because students can pre-prepare their presentations, the presentation element of the A level non-exam assessment is likely to be less demanding than the more spontaneous, discussion-based tasks that follow. To help ensure comparability between specifications, we are proposing to limit both the length of the presentation task to no more than 2 minutes, and its weighting to no more than 20 per cent of the non-exam assessment.
- 1.31 There is likely to be a strong relationship between the length of the non-exam assessment and its overall level of demand. To help ensure comparability between specifications, we propose to limit the length of non-exam assessments to between 12 and 15 minutes at AS, and between 21 and 23 minutes at A level.
- 1.32 Similarly, the amount of time students have to prepare for spontaneous discussions is likely to affect the level of demand. So we are proposing that all AS students should have 15 minutes to prepare prior to the assessment, and that all A level students should have 5 minutes during the assessment to prepare for the discussion task set by the awarding organisation.
- 1.33 There are two different ways in which non-exam assessment can be conducted: by an external examiner, or by a teacher within the student's own school. Our view is that these two approaches can lead to very different experiences for the student. The best way to ensure comparability would be to require all assessments to be conducted the same way – either by teachers, or by external examiners. But we think that either of these approaches poses significant logistical challenges – awarding organisations may struggle to recruit sufficient external examiners, and schools may not always have teachers available who can conduct the assessment.
- 1.34 We are therefore proposing to allow both approaches, but also require awarding organisations to ensure that students are not unfairly advantaged or disadvantaged by the way their assessment is conducted. In particular, we are proposing that students should only be allowed to take the non-exam assessment once, as students being assessed by an external examiner will not have an opportunity to repeat the assessment.
- 1.35 We are therefore proposing to introduce the following requirements for the AS and A level non-exam assessment:

Assessment requirements – GCE Qualifications in Modern Foreign Languages (French, German, Spanish)

Condition GCE(Modern Foreign Languages (French, German, Spanish))2.3 allows us to specify requirements and guidance in relation to assessments for GCE Qualifications in French, German and Spanish.

Condition GCE(Modern Foreign Languages (French, German, Spanish))2.2(b) further states that an awarding organisation must ensure that of the total marks available for a GCE Qualification in French, German or Spanish, 30 per cent of those marks shall be made available through assessments which are not Assessments by Examination.

We set out our requirements for the purposes of Condition GCE(Modern Foreign Languages (French, German, Spanish))2.3 below.

Unless otherwise specified, all of the requirements below apply to both A level and AS qualifications in French, German and Spanish which an awarding organisation makes available or proposes to make available.

[...]

Non-Examination Assessment (A level)

The requirements in this section apply to each GCE A level qualification in French, German or Spanish which an awarding organisation makes available, or proposes to make available.

An awarding organisation must ensure that each assessment which is not an Assessment by Examination is designed and set –

(a) to comprise the following tasks –

- (i) a presentation in the target language, with a duration of no more than 2 minutes, by each Learner on an independent research project which has been selected by the Learner and which meets the requirements in paragraph 14 of the document published by the Secretary of State entitled 'Modern foreign languages GCE AS and A Level subject content',⁸ document reference DFE-00694-2014 (the 'Content Document'),
- (ii) the provision of oral responses in the target language by each Learner to questions regarding the Learner's independent research project which are set and asked by the person delivering the assessment, and

⁸ www.gov.uk/government/publications/gce-as-and-a-level-modern-foreign-languages

- (iii) a discussion in the target language concerning one theme set by the awarding organisation in line with the requirements in paragraph 7 of the Content Document, and
- (b) so that the total period of time spent by each Learner in taking that assessment shall be between 21 and 23 minutes, which must include a single period of 5 minutes for the Learner to prepare for the discussion outlined at (iii) above.

An awarding organisation must ensure that no more than 20 per cent of the total marks available in respect of an assessment which is not an Assessment by Examination is made available in respect of the presentation outlined at (i) above.

Non-Examination Assessment (AS)

The requirements in this section apply to each GCE AS qualification in French, German or Spanish which an awarding organisation makes available, or proposes to make available.

An awarding organisation must ensure that each assessment which is not an Assessment by Examination is designed and set –

- (a) to comprise two discussions in the target language on two different themes from the areas of interest specified in paragraph 7 of the Content Document,
- (b) on the basis that the total period of time spent by each Learner in taking that assessment shall be between 12 and 15 minutes, and
- (c) such that all tasks are set by the awarding organisation.

An awarding organisation must take all reasonable steps to ensure that each Learner shall have 15 minutes formal preparation time (as defined in Condition GCE(Modern Foreign Languages (French, German, Spanish)4.2).

Delivery of Non-Examination Assessments (A level and AS)

Any assessment for a GCE Qualification in French, German or Spanish which is not an Assessment by Examination may be delivered –

- (a) by the awarding organisation or a person connected to the awarding organisation,
- (b) by a Centre, or
- (c) through a combination of (a) and (b).

In its assessment strategy the awarding organisation must demonstrate that –

- (a) it has taken all reasonable steps to identify the risk of any Adverse Effect which may result from the way the assessment is delivered, and
- (b) where such a risk is identified, it has taken all reasonable steps to prevent that

Adverse Effect or, where it cannot be prevented, to mitigate that Adverse Effect.

In respect of each GCE Qualification in French, German or Spanish, an awarding organisation must take all reasonable steps to ensure that each Learner takes the assessments which are not Assessment by Examination only once prior to being issued with a result for that qualification.

Access to dictionaries

1.36 We propose to introduce rules on the use of dictionaries in AS and A level modern foreign language assessments so that all awarding organisation take a common approach. For consistency with our approach at GCSE, we are proposing that students should not have access to any kind of dictionary during assessments, or in any formal preparation time prior to them.

1.37 To bring this about, we propose to introduce the following Condition:

Condition GCE(Modern Foreign Languages (French, German, Spanish))4

GCE(Modern Foreign Languages (French, German, Spanish))4.1

An awarding organisation must take reasonable steps to ensure that no Learner has access to a dictionary –

(a) when taking any assessment for a GCE Qualification in French, German or Spanish which it makes available, or

(b) during any period of formal preparation time prior to such an assessment.

GCE(Modern Foreign Languages (French, German, Spanish))4.2

For the purposes of this Condition, ‘formal preparation time’ is a period of time immediately prior to the assessment during which the Learner is provided with previously unseen information relating to the assessment and is allowed to prepare for the assessment under conditions (including conditions as to supervision) which have been specified by the awarding organisation.

Assessment objectives

1.38 We have previously consulted on and announced our decisions on assessment objectives in A levels and AS qualifications in modern foreign languages. The final assessment objectives are repeated below for completeness.

	Objective	Weighting (A level)	Weighting (AS)
AO1	Understand and respond: <ul style="list-style-type: none"> ■ in speech to spoken language including face-to-face interaction; ■ in writing to spoken language drawn from a variety of sources. 	20%	20%
AO2	Understand and respond: <ul style="list-style-type: none"> ■ in speech to written language drawn from a variety of sources; ■ in writing to written language drawn from a variety of sources. 	30%	30%
AO3	Manipulate the language accurately, in spoken and written forms, using a range of lexis and structure.	30%	30%
AO4	Show knowledge and understanding of, and respond critically to, different aspects of the culture and society of countries/communities where the language is spoken.	n/a	20%
AO4 (A level)	Show knowledge and understanding of, and respond critically and analytically to, different aspects of the culture and society of countries/communities where the language is spoken.	20%	n/a

Guidance on assessment objectives

1.39 This draft guidance explains how we expect awarding organisations to interpret these assessment objectives in terms of:

- the different 'strands' within each of the assessment objectives;

- the discrete ‘elements’ within each assessment objective and its strands which questions and tasks could target and/or seek to credit;
- the coverage expectations, such as in relation to the different elements within each assessment objective and how those elements should be sampled over time; and
- the key areas of emphasis in each assessment objective and the particular meaning for the subject of any key terms and phrases used; defined terms are shown in bold text, followed by their definitions.

1.40 In line with the obligations set out in Condition GCE(Modern Foreign Languages (French, German, Spanish))1.2, we expect awarding organisations to be able to demonstrate how they have had regard to this guidance. For example, an awarding organisation could map how it has regard to the guidance as it:

- develops its sample assessment materials;
- delivers the qualification;
- develops and applies its approach to sampling the elements into which the assessment objectives are divided; and
- monitors the qualification to make sure it addresses all elements appropriately.

1.41 The draft guidance on assessment objectives is set out below.

AO1: Understand and respond: <ul style="list-style-type: none"> ■ in speech to spoken language including face-to-face interaction ■ in writing to spoken language drawn from a variety of sources 			20% (A level) 20% (AS)
Strands	Elements	Coverage	Interpretations and definitions
1 – Understand and respond in speech to spoken language including face-to-face interaction.	This strand is a single element.	<ul style="list-style-type: none"> ■ Full coverage in each set of assessments⁹ (but not every assessment). 	<ul style="list-style-type: none"> ■ Face-to-face interaction includes direct interaction in person, but could also be facilitated or simulated using technology. ■ Sources of spoken language are aspects of subject content. Awarding organisations should explain their approach to targeting them in their assessment strategy. ■ Learners will demonstrate their understanding through their response, so understanding and response should normally be assessed together. ■ This assessment objective does not include assessment of the content of what is communicated in responses – this should be credited under AO3. ■ In the context of this assessment objective:
2 – Understand and respond in writing to spoken language drawn from a variety of sources.	This strand is a single element.		

⁹ For the purposes of this guidance, a ‘set of assessments’ means the assessments to be taken by a particular Learner for a GCE Qualification in French, German or Spanish. For clarity, the assessments taken by Learners may vary, depending on any possible routes through the qualification.

AO1: Understand and respond: <ul style="list-style-type: none"> ▪ in speech to spoken language including face-to-face interaction ▪ in writing to spoken language drawn from a variety of sources 			20% (A level) 20% (AS)
Strands	Elements	Coverage	Interpretations and definitions
			<ul style="list-style-type: none"> □ responses in speech should always be in the target language, and should be assessed for the quality of what is communicated – including how well the Learner interacts with the person delivering the assessment; □ responses in writing can be in either the target language or English, and may include (but are not limited to) single letters, numbers and/or percentages in figures, names, single words and/or phrases. They may be assessed for the quality of what is communicated, but only where the response is in the target language and of sufficient length to allow meaningful assessment.

AO2: Understand and respond:			30% (A level) 30% (AS)
Strands	Elements	Coverage	Interpretations and definitions
1 – Understand and respond in speech to written language drawn from a variety of sources.	This strand is a single element.	<ul style="list-style-type: none"> Full coverage in each set of assessments (but not every assessment). 	<ul style="list-style-type: none"> Sources of written language are aspects of subject content – and may include texts read prior to the assessment, or provided as Stimulus Materials. Awarding organisations should explain their approach to targeting them in their assessment strategy. Learners will demonstrate their understanding through their response, so understanding and response should normally be assessed together. This assessment objective does not include assessment of the content of what is communicated in responses – this should be credited under AO3. In the context of this assessment objective: <ul style="list-style-type: none"> responses in speech should always be in the target language, and should be assessed for the quality of what is communicated – including how well the Learner interacts with the person delivering the assessment;
2 – Understand and respond in writing to written language drawn from a variety of sources.	This strand is a single element.		

AO2: Understand and respond: <ul style="list-style-type: none"> ▪ in speech to written language drawn from a variety of sources ▪ in writing to written language drawn from a variety of sources 			30% (A level) 30% (AS)
Strands	Elements	Coverage	Interpretations and definitions
			<ul style="list-style-type: none"> □ responses in writing can be in either the target language or English, and may include (but are not limited to) single letters, numbers and/or percentages in figures, names, single words and/or phrases. They may be assessed for the quality of what is communicated, but only where the response is in the target language and of sufficient length to allow meaningful assessment.

AO3: Manipulate the language accurately, in spoken and written forms, using a range of lexis and structure			30% (A level) 30% (AS)
Strands	Elements	Coverage	Interpretations and definitions
n/a	1a – Manipulate the language accurately in spoken forms, using a range of lexis and structure.	<ul style="list-style-type: none"> Full coverage in each set of assessments (but not every assessment). 	<ul style="list-style-type: none"> Manipulate means selecting and using language in a range of forms, contexts and tasks. Accurately refers to the correct application of the grammar and syntax of the language and, when speaking, to the quality of the pronunciation and intonation.
	1b – Manipulate the language accurately in written forms, using a range of lexis and structure.		

AO4 (AS): Show knowledge and understanding of, and respond critically to, different aspects of the culture and society of countries/communities where the language is spoken			n/a (A level) 20% (AS)
Strands	Elements	Coverage	Interpretations and definitions
n/a	<p>1a – Show knowledge and understanding of different aspects of the culture and society of countries/communities where the language is spoken.</p> <p>1b – Respond critically to different aspects of the culture and society of countries/communities where the language is spoken.</p>	<ul style="list-style-type: none"> ■ Full coverage in each set of assessments (but not every assessment). 	<ul style="list-style-type: none"> ■ Respond critically may include, but is not limited to: <ul style="list-style-type: none"> □ presenting and justifying points of view, □ developing arguments, and □ drawing conclusions based on understanding. ■ Countries/communities means at least one country or community. However, specifications should include reference to a range of countries and communities where the language is spoken. ■ In the context of this assessment objective, knowledge and understanding should be demonstrated through the Learners' ability to communicate information about, and to demonstrate their appreciation of, different aspects of culture and society.

AO4 (A level): Show knowledge and understanding of, and respond critically and analytically to, different aspects of the culture and society of countries/communities where the language is spoken			20% (A level) n/a (AS)
Strands	Elements	Coverage	Interpretations and definitions
n/a	<p>1a – Show knowledge and understanding of different aspects of the culture and society of countries/communities where the language is spoken.</p> <p>1b – Respond critically to different aspects of the culture and society of countries/communities where the language is spoken.</p> <p>1c – Respond analytically to different aspects of the culture and society of countries/communities where the language is spoken.</p>	<ul style="list-style-type: none"> ■ Full coverage in each set of assessments (but not every assessment). 	<ul style="list-style-type: none"> ■ Respond critically and analytically may include, but is not limited to: <ul style="list-style-type: none"> □ selecting relevant material, □ presenting and justifying points of view, □ developing arguments, □ drawing conclusions based on understanding, and □ evaluating issues, themes, and cultural and social contexts. ■ Countries/communities means at least one country or community. However, specifications should include reference to a range of countries and communities where the language is spoken. ■ In the context of this assessment objective, knowledge and understanding should be demonstrated through the Learners' ability to communicate information about, and to demonstrate their appreciation of, different aspects of culture and society.

2. Equality impact analysis

Ofqual's role, objectives and duties

- 2.1 We are subject to the public sector equality duty. We have set out in Appendix B how this duty interacts with our statutory objectives and other duties.

Equality impact analysis relating to proposed changes to A levels and AS qualifications

- 2.2 We have considered the potential impact on students who share protected characteristics¹⁰ of the application of the principles and features that will apply to all new A levels and AS qualifications. Our equality impact analysis for our earlier consultation on A level and AS qualification¹¹ reform is therefore of interest and we encourage you to read it.
- 2.3 Any issues concerning the proposed subject content have been considered by the Department for Education, who have published their own Equalities Impact Analysis on their subject content proposals.¹²
- 2.4 We have also previously considered the specific impacts on students who share protected characteristics of the policy decisions we have made about the assessment arrangements in AS and A level modern foreign languages,¹³ which we are now implementing.
- 2.5 We do not repeat here all of the evidence we have considered, as this can be found in our earlier reports. We focus instead on the specific issues that arise from the way in which we are implementing our previous policy decisions.
- 2.6 We have not identified any additional negative impacts on students who share protected characteristics which would result from our proposed approach to implementing assessment arrangements in AS and A level French, German and Spanish (beyond those that we have already identified in our earlier reports).

¹⁰ For the purposes of the public sector equality duty, the protected characteristics are disability, racial group, age, religion or belief, pregnancy or maternity, sex, sexual orientation, and gender reassignment.

¹¹ <http://webarchive.nationalarchives.gov.uk/20141110161323/http://comment.ofqual.gov.uk/a-level-regulatory-requirements-october-2013/category/part-3-impact/equality-impact-analysis/>

¹² www.gov.uk/government/publications/a-level-subject-content-equality-impact-assessment

¹³ <http://webarchive.nationalarchives.gov.uk/20141110161323/http://comment.ofqual.gov.uk/developing-new-qualifications-for-2016/4-equality-impact-analysis/assessment-arrangements/>

- 2.7 During this consultation, we will continue to seek and consider evidence and feedback to our proposals that might help us identify any further potential subject-specific impacts on students who share a protected characteristic.
- 2.8 Awarding organisations are required to consider the accessibility of their qualifications at the design stage and to remove any unjustifiable barriers.

3. Responding to the consultation

Your details

To evaluate responses properly, we need to know who is responding to the consultation and in what capacity. We will therefore only consider your response if you complete the following information section.

We will publish our evaluation of responses. Please note that we may publish all or part of your response unless you tell us (in your answer to the confidentiality question) that you want us to treat your response as confidential. If you tell us you wish your response to be treated as confidential, we will not include your details in any published list of respondents, although we may quote from your response anonymously.

Please answer all questions marked with a star*

Name*

Position*

Organisation name (if applicable)*

Address

Email

Telephone

Would you like us to treat your response as confidential?*

If you answer yes, we will not include your details in any list of people or organisations that responded to the consultation.

Yes No

Is this a personal response or an official response on behalf of your organisation?*

Personal response (Please answer the question “If you ticked ‘Personal response’...”)

Official response (Please answer the question “If you ticked ‘Official response’...”)

If you ticked ‘Personal response’ which of the following are you?

Student

Parent or carer

Teacher (but responding in a personal capacity)

Other, including general public (Please state below)

If you ticked ‘Official response’, please respond accordingly:

Type of responding organisation*

Awarding organisation

Local authority

School or college (please answer the question below)

Academy chain

Private training provider

University or other higher education institution

Employer

Other representative or interest group (please answer the question below)

School or college type

- Comprehensive or non-selective academy
 - State selective or selective academy
 - Independent
 - Special school
 - Further education college
 - Sixth form college
 - Other (please state below)
-

Type of representative group or interest group

- Group of awarding organisations
 - Union
 - Employer or business representative group
 - Subject association or learned society
 - Equality organisation or group
 - School, college or teacher representative group
 - Other (please state below)
-

Nation*

- England
- Wales
- Northern Ireland
- Scotland
- Other EU country: _____
- Non-EU country: _____

How did you find out about this consultation?

Our newsletter or another one of our communications

Our website

Internet search

Other

May we contact you for further information?

Yes No

Questions

Question 1

Do you have any comments on the draft Conditions for new A levels and AS qualifications in modern foreign languages (French, German and Spanish)?

Yes No

If yes, please provide them here:

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Question 2

Do you have any comments on the draft conditions, requirements and guidance on assessment for new A levels and AS qualifications in modern foreign languages (French, German and Spanish)?

Yes No

If yes, please provide them here:

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Question 3

Do you have any comments on the draft conditions and requirements for non-exam assessment for new A levels and AS qualifications in modern foreign languages (French, German and Spanish)?

Yes **No**

If yes, please provide them here:

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Question 4

Do you have any views on our proposed approach to the recording of non-exam assessments for new A levels and AS qualifications in modern foreign languages (French, German and Spanish)?

Yes **No**

If yes, please provide them here:

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Question 5

Do you have any comments on the draft conditions on access to dictionaries for new A levels and AS qualifications in modern foreign languages (French, German and Spanish)?

Yes **No**

If yes, please provide them here:

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Question 6

Do you have any comments on the draft Guidance on assessment objectives for new A levels and AS qualifications in modern foreign languages (French, German and Spanish)?

Yes **No**

If yes, please provide them here:

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Question 7

We have not identified any ways in which our proposals would impact (positively or negatively) on persons who share a protected characteristic¹⁴ (beyond those we have considered in earlier consultations). Are there any potential impacts we have not identified?

Yes No

If yes, please provide them here:

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Question 8

Are there any additional steps we could take to mitigate any negative impact resulting from these proposals on persons who share a protected characteristic?

Yes No

If yes, please comment on the additional steps we could take to mitigate negative impacts:

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¹⁴ 'Protected characteristic' is defined in the Equality Act 2010. Here, it means disability, racial group, age, religion or belief, pregnancy or maternity, sex, sexual orientation and gender reassignment.

Question 9

Have you any other comments on the impacts of the proposals on persons who share a protected characteristic?

Yes **No**

If yes, please provide them here:

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Appendix A: Regulatory tools

Comparability and innovation

Awarding organisations operate in a market. They can design and deliver their qualifications in different ways, within the parameters we set. This provides some choice to schools or colleges, which is one of the benefits of a qualifications market. Awarding organisations must, however, make sure that the levels of attainment indicated by their qualifications are comparable to those of other awarding organisations' versions of the qualifications. The awarding organisations cooperate in a range of ways to make sure that the standards of their respective qualifications are comparable. To make sure standards are maintained and comparability is secured, we review A levels and AS qualifications before they can be made available, by applying an accreditation requirement to the qualifications, and we oversee the awarding of A levels and AS qualifications.

We do not wish to close down opportunities for awarding organisations to design and deliver their qualifications in different ways. Indeed, we have a statutory duty to have regard to the desirability of facilitating innovation in connection with the provision of regulated qualifications and a statutory objective with regard to the efficiency with which the qualifications market works. If we adopt a regulatory approach in which all aspects of a qualification are very tightly defined, we could effectively remove scope for awarding organisations to distinguish their qualifications from others and stop choice for schools or colleges. On the other hand, if awarding organisations have too much scope to vary their approach their qualifications might not be comparable.

In striking a balance, we use a range of tools to regulate qualifications and the awarding organisations that provide them. The main regulatory tools we use for the qualifications in this consultation are explained below.

Conditions of Recognition

Awarding organisations must comply at all times with our Conditions of Recognition. These are the main regulatory rules that we use. We can take regulatory action against an awarding organisation that breaches or is likely to breach a Condition.

There are three sets of Conditions that will apply to new A levels and AS qualifications (together 'the Conditions'):

- (i) the published *General Conditions of Recognition*¹⁵ that apply to all regulated qualifications;

¹⁵ www.gov.uk/government/publications/general-conditions-of-recognition

- (ii) *GCE Qualification Level Conditions and Requirements*¹⁶ that apply to all new A levels and AS qualifications;
- (i) GCE Subject Level Conditions that apply to all new A levels and AS qualifications in a specific subject – we are consulting now on draft GCE Subject Level Conditions for modern foreign languages (French, German and Spanish).

Regulatory documents

In some Conditions we refer to published regulatory requirements. We publish these in regulatory documents. The Conditions require awarding organisations to comply with such documents.

We are proposing to introduce regulatory documents for A levels and AS qualifications in modern foreign languages (French, German and Spanish) covering the assessment requirements for these subjects. The requirements will have effect as if they were part of a Condition. The requirements are in a stand-alone section of the Conditions document, simply because they are technical and detailed so they sit better as separate to, rather than within, the Condition itself.

Statutory guidance

We publish guidance to help awarding organisations identify the types of behaviour or practices they could use to meet a Condition. Awarding organisations must have regard to such guidance, but they do not have to follow this guidance in the same way that they must comply with the Conditions; they are free to meet the outcomes of the Conditions in their own ways. An awarding organisation that decides to take a different approach from that set out in the guidance must still be able to show that it is meeting the Condition or Conditions to which the guidance relates.

We are consulting now on draft guidance for modern foreign languages (French, German and Spanish).

¹⁶ www.gov.uk/government/publications/gce-qualification-level-conditions-and-requirements

Appendix B: Ofqual's role, objectives and duties

Our statutory objectives include the qualifications standards objective, which is to secure that the qualifications we regulate:

- (a) give a reliable indication of knowledge, skills and understanding; and
- (b) indicate:
 - (i) a consistent level of attainment (including over time) between comparable regulated qualifications; and
 - (ii) a consistent level of attainment (but not over time) between qualifications we regulate and comparable qualifications (including those awarded outside of the UK) that we do not regulate.

We must therefore regulate so that qualifications properly differentiate between students who have demonstrated that they have the knowledge, skills and understanding required to attain the qualification and those who have not.

We also have a duty under the Apprenticeship, Skills, Children and Learning Act 2009 to have regard to the reasonable requirements of relevant students, including those with special educational needs and disabilities, of employers and of the higher education sector, and to aspects of government policy when so directed by the Secretary of State.

As a public body, we are subject to the public sector equality duty.¹⁷ This duty requires us to have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited 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;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The exam boards that design, deliver and award GCSEs, A levels and AS qualifications are required by the Equality Act, among other things, to make reasonable adjustments for disabled people taking their qualifications, except where we have specified that such adjustments should not be made.

¹⁷ Equality Act 2010, section 149.

When we decide whether such adjustments should not be made, we must have regard to:

- (a) the need to minimise the extent to which disabled persons are disadvantaged in attaining the qualification because of their disabilities;
- (b) the need to secure that the qualification gives a reliable indication of the knowledge, skills and understanding of a person upon whom it is conferred;
- (c) the need to maintain public confidence in the qualification.

Legislation therefore sets out a framework within which we must operate. We are subject to a number of duties and we must aim to achieve a number of objectives. These different duties and objectives can, from time to time, conflict with each other. For example, if we regulate to secure that a qualification gives a reliable indication of a student's knowledge, skills and understanding, a student who has not been able to demonstrate the required knowledge, skills and/or understanding will not be awarded the qualification. A person may find it more difficult, or impossible, to demonstrate the required knowledge, skills and/or understanding because they have a protected characteristic. This could put them at a disadvantage relative to others who have been awarded the qualification. It is not always possible for us to regulate so that we can both secure that qualifications give a reliable indication of knowledge, skills and understanding and advance equality between people who share a protected characteristic and those who do not. We must review all the available evidence and actively consider all the available options before coming to a final, rational decision.

Qualifications cannot be used to mitigate inequalities or unfairness in the education system or in society more widely than might affect, for example, students' preparedness to take the qualification and the assessments within it. While a wide range of factors can have an impact on a student's ability to achieve a particular mark in an assessment, our influence is limited to the way the qualification is designed and assessed.

We require the exam boards to design qualifications to give a reliable indication of the knowledge, skills and understanding of those on whom they are conferred. We also require the exam boards to avoid, where possible, features of a qualification that could, without justification, make a qualification more difficult for a student to achieve because they have a particular protected characteristic. We require exam boards to monitor whether any features of their qualifications have this effect.

In setting the overall framework within which exam boards will design, assess and award the reformed GCSEs, A levels and AS qualifications, we want to understand the possible impacts of the proposals on persons who share a protected characteristic.

The protected characteristics under the Equality Act 2010 are:

- age;
- disability;
- gender reassignment;
- marriage and civil partnerships;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

It should be noted that with respect to the public sector equality duty under section 149 of the 2010 Act, we are not required to have due regard to impacts on those who are married or in a civil partnership.

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