

Mapping the Code of Practice against Ofqual’s regulatory framework



Table of Contents

Section 1 of the code	2
Section 2 of the code	18
Section 3 of the code	38
Section 4 of the code	57
Section 5 of the code	70
Section 6 of the code	99
Section 8 of the code	112
Appendix 1 to the code	120
Appendix 2 to the code	121
Appendix 3 to the code	124
Appendix 4 to the code	128
Appendix 5 to the code	131

The tables below show which of the requirements in the Code¹ are covered elsewhere in our regulatory framework² and which are not.

Section 1 of the code

Coverage, or contradiction, of the requirements in the Code by...					Requirements not covered
Para. no.	The Conditions	Statutory guidance to the General Conditions of Recognition	Draft statutory guidance on assessment strategies (for new GCEs and GCSEs only)	Other regulatory documents	
1.1	<p>Condition D1.1 states that a qualification must be fit for purpose.</p> <p>Condition D1.2(c) states that a qualification will only be fit for purpose if, as far as possible, that qualification secures the requirement of comparability.</p> <p>Condition D3.1 states that an AO must keep under review, and must enhance where necessary, it's</p>		<p>The qualification level section on delivering assessments states that assessment strategies should demonstrate how an AO will set and maintain grade standards, including -</p> <ul style="list-style-type: none"> • Detailing how it sets and maintains grade standards, 	<p>The Summer 2013 data exchange procedures) make provision for certain data to be sent to Ofqual and other AOs</p>	<p>There is no provision outside the Code which states that the performance of particular functions is the responsibility of an AO's governing body.</p>

¹ Sections nine and ten of the code were not included as these relate to enquiries about results and access to scripts which were being considered through our review of this process. Section seven was not included; this relates to candidates with particular requirements for which amended guidance is currently being consulted on.

² This mapping was completed in May 2014, therefore references are to the regulatory framework reflect the versions of those documents in force at the time.

<p>approach to the development, delivery and award of qualifications, so as to assure itself that its approach remains at all times appropriate.</p> <p>Condition D5.1 states that an AO must ensure that any qualification which it makes available, or proposes to make available, complies with any requirement relating to that qualification which is set out in a Regulatory Document.</p> <p>Condition D5.2 states that an AO must ensure that in the development, delivery and award of any qualifications which it makes available, or proposes to make available, it has regard to any guidelines and principles of good practice relating to that qualification which are set out in a Regulatory Document.</p> <p>Condition H3.1 states that before setting a specified level of attainment an AO must review the specified levels of attainment set for</p>		<ul style="list-style-type: none"> • Detailing how it collects and appropriately balances the full range of evidence, which may include statistical information and qualitative consideration of performance • Describing how its expertise in standard-setting facilitates appropriate consideration of evidence, • Outlining how it supports the awarding process as it takes place, such as by providing modelled and/or aggregated learner marks and subject outcomes in real-time during awarding meetings, and • Outlining its procedures for internal review and approval of awarding decisions and outcomes. 	<p>prior to award.</p>	
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	<p>similar qualifications made available by other AOs. The AO must use the results of this monitoring to ensure that the specified level of attainment it sets for the qualification will promote consistency in measuring the levels of attainment of learners' over time and between similar qualifications.</p> <p>Conditions GCSE2 and GCE2 require AOs to keep their assessment strategies under review to ensure that they meet the requirements of those Conditions.</p>		<p>It also states that assessment strategies should explain how the AO ensures that issues from reviews are addressed during the development of assessments.</p>		
1.2	<p>Condition A5.1 states that an AO must ensure that it has the capacity to undertake the development, delivery and award of qualifications.</p> <p>Condition A5.2 states that an AO must establish and maintain arrangements which will ensure it retains a workforce of appropriate size and competence.</p>	<p>The guidance to Condition A5 states that it will be a positive indicator of an AO's compliance with that Condition will be that the AO</p>			<p>There are no requirements outside the Code which stipulate that particular functions of an AO should be fulfilled by particular personnel.</p>

		(i) identifies and has in place the resource it needs to develop, deliver and award its qualifications, (ii) accurately forecasts the demand for its qualifications and puts in place resources to meet this demand, and (iii) acts quickly to address any shortcomings that it could not reasonably have foreseen in its capacity or ability to develop, deliver or			
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		award any of its qualifications			
1.3					There is no requirement outside the Code which states that where additional tiers of personnel are needed to cope with the numbers of learners involved in a particular specification, one person must have overall responsibility.
1.4	<p>Condition B4.1 states that where Ofqual serves a written notice on an AO requiring the AO to provide it with any information that it seeks for the purpose of performing its functions, the AO must comply with the terms of that notice.</p> <p>Condition B6.1 states that an AO must provide Ofqual with all such assistance as Ofqual may request for the purpose of undertaking, in accordance with its functions, an</p>				<p>Except where such access falls within Condition B6.1, there is no requirement outside the Code which states that the governing body must ensure the representatives of Ofqual are given access to such meetings and staff as the regulators deem necessary for them to carry out their duties.</p> <p>Likewise, there is no requirement which requires an AO to provide information</p>

	investigation into the activities of that AO.				to any other regulator or facilitate its access to meetings and staff.
1.5	<p>Condition B1.1 states that an AO must ensure that an individual is at all times appointed to act as its responsible officer.</p> <p>Condition B1.3 states that an AO must ensure that it's responsible officer serves as the authoritative point of contact for Ofqual in relation to all activities undertaken by the AO which are of interest to Ofqual in accordance with the Act, including in particular (i) any matters relating to its compliance with the Conditions, (ii) its ability to undertake the efficient development, delivery and award of qualifications, (iii) the standards of qualifications that it makes available or proposes to make available, (iv) any matters which may affect public confidence in qualifications, and (v) the accessibility of qualifications it</p>				<p>There is no requirement outside the Code which states that an AO will appoint a single named person to be accountable directly to its governing body for ensuring the quality and standards of its qualifications, adherence to the Code or the comparability of its awards.</p>

	<p>makes available, including its compliance with Equalities Law.</p> <p>Condition H3.1 states that before setting a specified level of attainment an AO must review the specified levels of attainment set for (i) the qualification previously, (ii) similar qualifications that it makes available, and (iii) similar qualifications made available by other AOs. The AO must use the results of this monitoring to ensure that the specified level of attainment it sets for the qualification will promote consistency in measuring the levels of attainment of learners' over time and between similar qualifications.</p>				
<p>1.6 - 1.7</p>	<p>Condition A5.1 states that an AO must ensure that it has the capacity to undertake the development, delivery and award of qualifications.</p> <p>Condition A5.2 states that an AO must establish and maintain arrangements which will ensure it</p>				<p>There are no provisions outside the Code which set out the roles of an AO officer or chair of examiners or state that certain functions must be discharged by persons in those roles.</p>

	retains a workforce of appropriate size and competence.				
1.8	<p>In relation to 1.8(iii) -</p> <p>Condition G1.1 states that in setting an assessment for a qualification which it makes available, an AO must ensure that the content of the assessment is consistent with the specification for that qualification.</p> <p>Condition G9.3 states that an AO must ensure that, on delivery of every assessment for a qualification that it makes available, the content of the assessment is consistent with the specification for that qualification.</p> <p>Conditions GCE(<i>subject</i>)1 and GCSE(<i>subject</i>)1 require an AO to comply with any requirements outlined in the relevant content</p>		<p>In relation to 1.8(iv) -</p> <p>The qualification level section on delivering assessments states that assessment strategies should demonstrate how an AO will, when producing assessments by examination, ensure that it meets regulatory requirements, such as weightings for assessment objectives and coverage of subject content, including describing its approach to sampling</p>		<p>There are no provisions outside the Code which set out the role of chief examiner or state that certain functions must be discharged by a person in that role.</p>

<p>document published by the Secretary of State.</p> <p>In relation to 1.8(v) –</p> <p>Condition H1.2 states that where (i) an AO offers an option as to tasks which may be completed by a learner in an assessment or as to assessments which may be completed by the learner (including units), (ii) the AO reasonably concludes that there is a material inconsistency between the level of demand of two optional tasks or assessments, and (iii) it is likely that the inconsistency will prejudice a group of learners, the AO must make a reasonable alteration to the criteria against which learners' performance will be differentiated for the optional task or assessment so as to prevent that prejudice from occurring.</p> <p>Condition H1.3 states that where such a reasonable alternation is</p>		<p>the required subject content.</p> <p>In relation to paragraph 1.8(v) –</p> <p>The individual subject level section on developing assessments states that assessment strategies should</p> <p>include a rationale for any optional routes through the qualification and between different specifications that are offered in a given subject, and explain how such optional routes will be comparable in terms of the level of demand and the amount of subject content</p>		
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<p>made for an optional task or assessment, an AO must ensure that the alteration is applied uniformly in the marking of every task or assessment in relation to which a learner has taken that option.</p> <p>Condition G1.2 states that an AO must take all reasonable steps to ensure that the level of demand of an assessment which it makes available is consistent (i) across all options as to tasks which may be completed by a learner for the purposes of the assessment, (ii) with the level of demand of any other assessment which may be completed by a learner, as an alternative to the assessment, for the purpose of the qualification, and (iii) with the level of demand of previous assessments and of any specimen assessment materials which the AO has published in relation to the qualification.</p>		<p>required to be taught and on which learners will be assessed.</p>		
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<p>1.9</p>	<p>In relation to 1.9(ii) –</p> <p>Condition H1.2 states that where (i) an AO offers an option as to tasks which may be completed by a learner in an assessment or as to assessments which may be completed by the learner (including units), (ii) the AO reasonably concludes that there is a material inconsistency between the level of demand of two optional tasks or assessments, and (iii) it is likely that the inconsistency will prejudice a group of learners, the AO must make a reasonable alteration to the criteria against which learners' performance will be differentiated for the optional task or assessment so as to prevent that prejudice from occurring.</p> <p>Condition H1.3 states that where such a reasonable alteration is made for an optional task or assessment, an AO must ensure that the alteration is applied uniformly in the marking of every task or assessment in relation to</p>		<p>In relation to paragraph 1.9(ii) –</p> <p>The individual subject level section on developing assessments states that assessment strategies should</p> <p>include a rationale for any optional routes through the qualification and between different specifications that are offered in a given subject, and explain how such optional routes will be comparable in terms of the level of demand and the amount of subject content required to be taught and on which learners will be assessed</p>	<p>There are no provisions outside the Code which set out the role of principal examiner or state that certain functions must be discharged by a person in that role.</p>
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which a learner has taken that option.

Condition G1.2 states that an AO must take all reasonable steps to ensure that the level of demand of an assessment which it makes available is consistent (i) across all options as to tasks which may be completed by a learner for the purposes of the assessment, (ii) with the level of demand of any other assessment which may be completed by a learner, as an alternative to the assessment, for the purpose of the qualification, and (iii) with the level of demand of previous assessments and of any specimen assessment materials which the AO has published in relation to the qualification.

In relation to 1.9(iii) –

Condition H1.1 states that an AO must have in place effective arrangements to ensure that, as far

	<p>as possible, the criteria against which learners' performance will be differentiated are (i) understood by assessors and accurately applied, and (ii) applied consistently by assessors, regardless of the identity of the assessor, learner or centre.</p>				
<p>1.10 – 1.11</p>			<p>The qualification level section on developing assessments states that assessment strategies should demonstrate how an AO will develop individual questions/tasks and mark schemes in accordance with the Conditions, including describing how the AO quality assures/controls question/task and mark scheme construction.</p>		<p>There are no provisions outside the Code which set out the roles of reviser or scrutineer or state that certain functions must be discharged by persons in those roles.</p>

<p>1.12 – 1.13</p>	<p>Condition H1.1 states that an AO must have in place effective arrangements to ensure that, as far as possible, the criteria against which learners' performance will be differentiated are (i) understood by assessors and accurately applied, and (ii) applied consistently by assessors, regardless of the identity of the assessor, learner or centre.</p>		<p>The qualification level section on delivering assessments states that assessment strategies should demonstrate how an AO promotes accurate and consistent marking through monitoring, including detailing the procedures used to support monitoring of marking quality.</p>	<p>There are no provisions outside the Code which set out the roles of examiner or general marker or state that certain functions must be discharged by persons in those roles.</p>
<p>1.14 – 1.15</p>	<p>Condition H2.1 states that where evidence is generated by a learner in an assessment is marked by a centre, the AO must have in place clear and effective arrangements to undertake moderation of the assessment.</p> <p>Condition H2.2 states that an AO must ensure that any such moderation which it undertakes allows it effectively to determine whether or not the criteria against which learners' performance is</p>		<p>The qualification level section on delivering assessments states that assessment strategies should demonstrate how an AO will promote uniform standards within and across centres through its moderation of non-examination assessments,</p>	<p>There are no provisions outside the Code which set out the roles of principal moderator or moderator or state that certain functions must be discharged by persons in those roles.</p>

	<p>differentiated are being applied accurately and consistently by assessors in different centres, regardless of the identity of the assessor, learner, or centre.</p> <p>Condition H2.3 states that an AO must (i) ensure that any such moderation which it undertakes ensures that it is able to make any necessary changes to a centre's marking of evidence generated by a learner in an assessment, and (ii) make such a change wherever it considers it necessary in order to ensure that the assessment remains fit for purpose or that the criteria against which learners' performance is differentiated are being applied accurately and consistently.</p>		<p>including providing details of its sampling regime and any evidence which shows the robustness of its approach.</p> <p>In relation to 1.14(vi) –</p> <p>The qualification level section on delivering assessments states that assessment strategies should demonstrate how an AO sets and maintains grade standards.</p>		
1.16	<p>Condition A5.1 states that an AO must ensure that it has the capacity to undertake the development, delivery and award of qualifications.</p> <p>Condition A5.2 states that an AO must establish and maintain arrangements which will ensure it</p>				<p>There are no provisions outside of the Code which set out the roles of assistant principal examiner, assistant principal moderator or team leader or state that certain</p>

retains a workforce of appropriate size and competence.

functions must be discharged by persons in those roles.

Section 2 of the code

Coverage, or contradiction, of the requirements in the Code by...					Requirements not covered
Paragraph number	The Conditions	Statutory guidance to the General Conditions of Recognition	Draft statutory guidance on assessment strategies (for new GCEs and GCSEs only)	Other regulatory documents	
2.1					<p>There is no requirement outside the Code which states that an AO's demands on centres must be the minimum necessary to support professional competence and maintain the integrity of the examination (although Condition C1.2 imposes a requirement in relation to the imposition of unnecessary burdens on third parties).</p> <p>Likewise, there are no requirements which state that AOs must agree</p>

					collectively, and comply individually, with common administrative and other practices in areas specified by the regulators to an agreed timetable and standard.
2.2	<p>Condition C2.3(d) states that an AO must, in its agreement with a centre, set out all of the requirements with which the centre must comply in order to continue to deliver the qualification.</p> <p>Condition C2.5 states that the AO must, in respect of the parts of the delivery of qualifications which the centre undertakes (i) provide effective guidance to the centre, and (ii) make available to the centre any information which, for the purposes of that delivery, the centre may reasonably</p>				<p>There is no requirement outside the Code which states that an AO must produce and distribute clear statements of administrative procedures and products that have an impact on centres.</p>

	require to be provided by the AO.				
2.3	<p>Condition C2.3(a) states that an AO must, in its agreement with a centre, include a provision which requires the centre to take all reasonable steps to ensure that the AO is able to comply with the Conditions.</p> <p>Condition G4.1 states that an AO must take all reasonable steps to maintain confidentiality in the contents of assessment materials where this is required to ensure that the assessment reflects an accurate measure of attainment.</p>				
2.4(i)	Condition C2.3(a) states that an AO must, in its agreement with a centre, include a provision which requires the centre to take all reasonable steps to ensure that the AO				

	<p>is able to comply with the Conditions.</p> <p>Under Condition C2.3(d) such an agreement must also set out all the requirements with which the centre must comply in order to continue to deliver the qualification.</p>				
2.4 (ii)	<p>Condition C2.3(a) states that an AO must, in its written agreement with a centre, include a provision which requires the centre to take all reasonable steps to ensure that the AO is able to comply with the Conditions.</p> <p>Condition G4.1 states that an AO must take all reasonable steps to maintain confidentiality in the contents of assessment materials where this is required to ensure that the assessment</p>	.			

	reflects an accurate measure of attainment.				
2.4 (iii)	<p>Condition C2.3(a) states that an AO must, in its written agreement with a centre, include a provision which requires the centre to take all reasonable steps to ensure that the AO is able to comply with the Conditions.</p> <p>Under Condition C2.3(d) such an agreement must also set out all the requirements with which the centre must comply in order to continue to deliver the qualification.</p>				
2.4(iv)	Condition C2.3(a) states that an AO must, in its written agreement with a centre, include a provision which requires the centre to take all reasonable steps to ensure that the AO is able to comply with the Conditions.				

	<p>Under Condition C2.3(d) such an agreement must also set out all the requirements with which the centre must comply in order to continue to deliver the qualification.</p> <p>Condition C2.3(j) states that such an agreement must set out any moderation processes that the AO will undertake or that will be undertaken on its behalf.</p> <p>Condition H2.1 states that where evidence generated by a learner in an assessment is marked by a centre, the AO must have in place clear and effective arrangements to undertake moderation of the assessment.</p>				
2.4(v)	<p>Condition C2.3(a) states that an AO must, in its written agreement with a centre, include a provision which</p>				

	<p>requires the centre to take all reasonable steps to ensure that the AO is able to comply with the Conditions.</p> <p>Under Condition C2.3(d) such an agreement must also set out all the requirements with which the centre must comply in order to continue to deliver the qualification.</p> <p>Condition G8.1 states that an AO must take all reasonable steps to ensure that (i) evidence generated by a learner in an assessment is generated by that learner, and (ii) where an assessment is completed under specified conditions, learners complete that assessment under those conditions (other than where any reasonable adjustments or special consideration require alternative conditions).</p>				
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	<p>Condition G9.1 states that an AO must ensure that every assessment is delivered effectively.</p>				
2.4(vi)	<p>Condition C2.3(a) states that an AO must, in its written agreement with a centre, include a provision which requires the Centre to take all reasonable steps to ensure that the AO is able to comply with the Conditions.</p> <p>Under Condition C2.3(d) such an agreement must also set out all the requirements with which a centre must comply in order to continue to deliver the qualification.</p> <p>Condition C2.3(j) states that such an agreement must set out any moderation processes that the AO will undertake or that will be undertaken on its behalf.</p>		<p>The qualification level section on delivering assessments states that assessment strategies should demonstrate how an AO will promote uniform standards within and across centres through its moderation of non-examination assessments, including providing details of its sampling regime and any evidence which</p>		

	<p>Condition H1.1 states that an AO must have effective arrangements in place to ensure that, as far as possible, the criteria against which learners' performance will be differentiated are understood and applied consistently by assessors.</p> <p>Condition H2.2(b) states that an AO must ensure that any moderation which it undertakes allows it effectively to determine whether or not the criteria against which learners' performance is differentiated are being applied accurately and consistently by assessors across different centres.</p>		<p>shows the robustness of its approach.</p>		
2.4(vii)	<p>Condition C2.3(a) states that an AO must, in its written agreement with a centre, include a provision which requires the centre to take all reasonable steps to ensure</p>				<p>There is no requirement outside the Code which states that an AO must require a centre to ensure that it avail itself of the training and guidance</p>

	<p>that the AO is able to comply with the Conditions.</p> <p>Under Condition C2.3(d) such an agreement must also set out all the requirements with which the centre must comply in order to continue to deliver the qualification.</p> <p>Condition C2.3(f) requires a centre to retain a workforce of appropriate size and competence to undertake the delivery of the qualification as required by the AO.</p>				<p>offered by the AO that is needed to ensure understanding of the expectations of the specification, including attendance at any compulsory training sessions for internal assessors.</p>
2.4(viii)	<p>Condition C2.3(a) states that an AO must, in its written agreement with a centre, include a provision which requires the Centre to take all reasonable steps to ensure that the AO is able to comply with the Conditions.</p> <p>Under Condition C2.3(d) such an agreement must</p>				<p>There are no requirements outside the Code which state that an AO must require centres to ensure that they retain learners' assessment evidence under secure conditions to allow for the possibility of enquiries about results or appeals.</p>

	<p>also set out all the requirements with which the centre must comply in order to continue to deliver the qualification.</p> <p>Condition I1.1 states that an AO must establish, maintain and comply with an appeals process which allows for the appeal of results of assessments.</p> <p>Condition I1.2(a) states that this appeals process must provide for the effective appeal of results on the basis that the AO did not apply procedures consistently or that procedures were not followed properly or that procedures were not followed properly and fairly.</p> <p>Condition I1.4 states that where the application of an appeals process leads an AO to discover a failure in its assessment process, it must</p>				<p>However, it is difficult to see how the requirements of Conditions I1.1, I1.2 and I1.4 could be met without the retention of learners' work by a centre until the final determination of all relevant appeals.</p>
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	<p>take all reasonable steps to (i) identify any other learner who has been affected by the failure, and (ii) correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure.</p>				
2.4(ix)	<p>Condition C2.3(a) states that an AO must, in its written agreement with a centre, include a provision which requires the centre to take all reasonable steps to ensure that the AO is able to comply with the Conditions.</p> <p>Under Condition C2.3(d) such an agreement must also set out all the requirements with which the centre must comply in order to continue to deliver the qualification.</p> <p>Condition I1.1 states that an AO must establish, maintain and comply with an appeals process which allows for the</p>				<p>There is no requirement outside the Code which states that an AO must require a centre must ensure that published appeals procedures relating to internal assessment decisions are made widely available and accessible to all learners.</p>

	appeal of results of assessments.				
2.4(x)	<p>Condition C2.3(b) states that an AO must, in its written agreement with a centre, include provisions which require the centre to take all reasonable steps to comply with requests for information or documents made by the AO or Ofqual as soon as possible.</p> <p>Condition C2.3(j) states that such an agreement must also set out any moderation processes that the AO will undertake or that will be undertaken on its behalf.</p> <p>Condition H2.1 states that where evidence is generated by a learner in an assessment is marked by a centre, the AO must have in place clear and effective arrangements to undertake</p>				

	<p>moderation of the assessment.</p> <p>Condition H2.2 states that an AO must ensure that any such moderation which it undertakes allows it effectively to determine whether or not the criteria against which learners' performance is differentiated are being applied accurately and consistently by assessors in different centres, regardless of the identity of the assessor, learner, or centre.</p> <p>Condition H2.3 states that an AO must ensure that any such moderation which it undertakes ensures that it is able to make any necessary changes to a centre's marking of evidence generated by a learner in an assessment.</p>				
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<p>2.4(xi)</p>	<p>Condition C2.3(a) states that an AO must, in its written agreement with a centre, include a provision which requires the Centre to take all reasonable steps to ensure that the AO is able to comply with the Conditions.</p> <p>Under Condition C2.3(d) such an agreement must also set out all the requirements with which the centre must comply in order to continue to deliver the qualification.</p> <p>Condition A8.1 states that an AO must take all reasonable steps to prevent the occurrence of any malpractice in the design, delivery and award of qualifications which it makes available or proposes to make available.</p> <p>Condition A8.3(a) states that an AO must establish and</p>				
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	maintain written procedures for the investigation of suspected or alleged malpractice.				
2.5 – 2.6	<p>Condition H6.1 states that an AO must, in relation to any qualification which it makes available, issue results for all units and qualifications.</p> <p>Condition J1.7 states that where an AO is required to publish a document or information, that document or information must be published in a way which is clear to its intended audience, and reasonably accessible (including by way of publication, if available, on the AO's website).</p>				There is no requirement outside of the Code which states that learners, centres and other recipients of information about results must receive such information in a standard format.
2.7	Condition C2.5 states that an AO must, in respect of the parts of the delivery of qualifications which the centre undertakes (i) provide effective guidance to the				There are no requirements outside of the Code which state that the AO must provide a mechanism for receiving and responding to comments from centres and

	<p>centre, and (ii) make available to the centre any information which, for the purposes of that delivery, the centre may reasonably require to be provided by the AO.</p> <p>In relation to the second clause in the first sentence –</p> <p>Conditions GCSE6.2 and GCE6.2 state that an AO must issue a single result or set of results and that once a mark or result has been communicated to a centre or learner no further evidence generated by the relevant learner will be admissible as part of the relevant assessment.</p>				<p>others about their examinations, or for providing information about the performance of learners where appropriate.</p> <p>Likewise, there is no requirement that where an AO offers examinations through the medium of Welsh or Irish, it must have a published policy about communicating bilingually with the centres involved and include the policy in its customer service statement.</p>
2.8	Condition C2.3(a) states that an AO must, in its written agreement with a centre, include provisions which				There are no requirements outside of the Code which state that the AO will take steps to help ensure that

	establish a sanctions policy to be applied in the event that the centre fails to comply with the requirements set out in Condition C2.				centres carry out their procedures correctly and that instructions given to centres have been followed.
2.9	Condition C2.5 states that an AO must, in respect of the parts of the delivery of qualifications which a centre undertakes (i) provide effective guidance to the centre, and (ii) make available to the centre any information which, for the purposes of that delivery, the centre may reasonably require to be provided by the AO.				There are no requirements outside the Code which state that an AO must ensure that centres have access to regular advice and guidance on the teaching of qualifications that are covered by this code of practice, or that the guidance given to centres must be supported by meetings as appropriate.
2.10	Condition C2.5 states that an AO must, in respect of the parts of the delivery of qualifications which a centre undertakes (i) provide effective guidance to the centre, and (ii) make available to the centre any information which, for the				There are no requirements outside the Code which state that an AO must provide appropriate support and guidance for teachers and internal assessors when a specification involving new techniques

	<p>purposes of that delivery, the centre may reasonably require to be provided by the AO.</p> <p>Condition H1.1 states that an AO must have effective arrangements in place to ensure that, as far as possible, the criteria against which learners' performance will be differentiated are understood and applied consistently by assessors.</p>				<p>and approaches is introduced.</p>
2.11					<p>There are no requirements outside the Code which state that an AO must provide opportunities, in the form of meetings or otherwise, where teachers and internal assessors can discuss relevant qualifications issues, particularly in the case of new specifications where difficulties may arise across centres.</p>

2.12

There are no requirements outside the Code which state that an AO must provide further guidance to centres that fail to meet the requirements for internal assessment.

Section 3 of the code

Coverage, or contradiction, of the requirements in the Code by...					Requirements not covered
Paragraph number	The Conditions	Statutory guidance to the General Conditions of Recognition	Draft statutory guidance on assessment strategies (for new GCEs and GCSEs only)	Other regulatory documents	
3.1	<p>Condition A5.1 states that an AO must ensure that it has the capacity to undertake the development, delivery and award of qualifications.</p> <p>Condition A5.2 states that an AO must establish and maintain arrangements which will ensure it retains a workforce of appropriate size and competence.</p>				There is no requirement outside the Code in regard to the personnel that are to be involved in setting assessments.
3.2(i)	Conditions D1 and E4.2(a) require an AO to ensure that a qualification is fit for purpose and that, when designing assessments for a		The individual specification level section on delivering assessments states that assessment	The content criteria and assessment objectives for individual subjects will outline the	There is no requirement outside the Code which states that achieving these

	<p>qualification, that those assessments are fit for purpose.</p> <p>Condition G1.1 states that in setting an assessment for a qualification which it makes available, an AO must ensure that the content of the assessment is consistent with the specification for that qualification.</p> <p>Conditions GCSE(<i>subject</i>)1 and GCE(<i>subject</i>)1 require that each GCSE and GCE qualification must comply with the content requirements published by the Secretary of State and the assessment objectives published either by the Secretary of State (in respect of GCSEs) or Ofqual (in respect of GCEs).</p>		<p>strategies should contain a grid mapping assessment components against assessment objectives.</p> <p>In addition, the individual specification level section on developing assessments contains material which states that assessment strategies should demonstrate how assessments meet the specification's content and assessment objectives³.</p>	<p>content and objectives that must be covered.</p>	<p>outcomes is the responsibility of the chief examiner and principal examiner.</p>
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³ The use of the term 'assessment objectives' in the Code appears to be different to that in the assessment strategy guidance and elsewhere in the regulatory framework. As used in the Code, the term refers to a specification and the term 'assessment criteria' seems to better mirror the term assessment objectives as used elsewhere.

3.2(ii)	<p>Condition G1.1 states that in setting an assessment for a qualification which it makes available, an AO must ensure that the content of the assessment is fit for purpose.</p> <p>Condition G3.2 requires an AO to ensure that assessments use language which is clear.</p>		<p>The individual specification level section on developing assessments states that assessment strategies should describe how a cross section of questions/tasks (or question/task types) have been developed and provide evidence of their intended validity.</p>		<p>There is no requirement outside the Code which states that achieving these outcomes is the responsibility of the chief examiner and principal examiner.</p>
3.2(iii)	<p>Conditions D1 and E4.2(a) require an AO to ensure that a qualification is fit for purpose and that, when designing assessments for a qualification, that those</p>		<p>The individual specification level section on developing assessments states that assessment strategies should demonstrate how</p>	<p>The content criteria and assessment objectives for individual subjects will outline the content and</p>	<p>There is no requirement outside the Code which states that achieving these outcomes is the responsibility of the chief</p>

	<p>assessments are fit for purpose.</p> <p>Condition G1.1 states that in setting an assessment for a qualification which it makes available, an AO must ensure that the content of the assessment is fit for purpose and consistent with the specification for that qualification.</p> <p>Conditions GCSE(<i>subject</i>)1 and GCE(<i>subject</i>)1 require that each GCSE and GCE qualification must comply with the content requirements published by the Secretary of State and the assessment objectives published either by the Secretary of State (in respect of GCSEs) or Ofqual (in respect of GCEs).</p>		<p>the questions/tasks (or question/task types) in a single assessment represent sufficient sampling of the subject content and appropriately target, or seek to credit, the assessment objectives.</p>	<p>objectives that must be covered.</p>	<p>examiner and principal examiner.</p>
<p>3.2(iv)</p>	<p>Condition D3.1 states that an AO must keep its approach to the development, delivery</p>		<p>The qualification level section on assessment</p>		<p>There is no requirement outside the Code</p>

	<p>and award of qualifications under review.</p> <p>Conditions GCSE2 and GCE2 require an AO to keep its assessment strategies under review to ensure that they meet the requirements of the condition.</p>		<p>monitoring states that assessment strategies should detail how monitoring will be fed back into assessment development.</p>		<p>which states that achieving these outcomes is the responsibility of the chief examiner and principal examiner.</p>
3.2(v)	<p>Conditions D1 and E4.2(a) require an AO to ensure that a qualification is fit for purpose and that, when designing assessments for a qualification, that those assessments are fit for purpose.</p> <p>Condition G1.1 states that in setting an assessment for a qualification which it makes available, an AO must ensure that the content of the assessment is fit for purpose and consistent with the specification for that qualification.</p>		<p>The qualification level section on developing assessments states that assessment strategies should demonstrate how assessments meet the specification's content and assessment criteria.</p>	<p>The content criteria and assessment objectives for individual subjects will outline the content and objectives that must be covered.</p>	<p>There is no requirement outside the Code which states that achieving these outcomes is the responsibility of the chief examiner and principal examiner.</p>

	<p>Conditions GCSE(<i>subject</i>)1 and GCE(<i>subject</i>)1 require that each GCSE and GCE qualification must comply with the content requirements published by the Secretary of State and the assessment objectives published either by the Secretary of State (in respect of GCSEs) or Ofqual (in respect of GCEs).</p>				
3.3	<p>In relation to the second sentence - Conditions A6.3 and A6.4 require an AO to maintain an up to date contingency plan which will allow it to mitigate, as far as possible, the adverse effect of any incident of which the AO has identified a risk or occurrence.</p> <p>Condition G4.1 states that an AO must take all reasonable steps to maintain confidentiality in the contents of assessment materials</p>				<p>There is no requirement outside the Code which states that question papers/tasks and mark schemes must be produced at the same time.</p>

	where this is required to ensure that the assessment reflects an accurate measure of attainment.				
3.4				The <i>Regulations for the Assessment of the Quality of Written Communication</i> (available here) provide detailed requirements concerning the assessment of the quality of extended written material in English, Welsh and Irish.	
3.5	Condition D3.1 states that an AO must keep its approach to the development, delivery and award of qualifications under review.		The qualification level section on assessment monitoring states that assessment strategies should detail how		There is no requirement outside the Code which states that a reviser must scrutinise the initial draft of

	<p>Conditions GCSE2 and GCE2 require an AO to keep its assessment strategies under review to ensure that they meet the requirements of the condition.</p>		<p>monitoring will be fed back into assessment development.</p>		<p>question papers/tasks and mark schemes, check that the nature and range of required responses is appropriate and comment on individual questions and the paper as a whole.</p>
<p>3.6</p>					<p>There is no requirement outside the Code which states that question papers/tasks and mark schemes must be amended in light of comments from the reviser and forwarded, with those comments, to</p>

					the AO officer for consideration by the evaluation committee.
3.7 – 3.9			The qualification level section on developing assessments states that assessment strategies should demonstrate how an AO develops individual questions/tasks and mark schemes.		There is no requirement outside the Code which states that achieving these outcomes is the responsibility of an evaluation committee.
3.10	<p>Condition G1.2(c) states that an AO must take reasonable steps to ensure that the level of demand of an assessment is consistent with the level of demand of previous assessments for the same qualification.</p> <p>Condition G4.1 states that an AO must take all reasonable steps to maintain</p>				

	<p>confidentiality in the contents of assessment materials where this is required to ensure that the assessment reflects an accurate measure of attainment.</p>				
<p>3.11</p>					<p>Condition G1.2 is concerned with the consistency of the level of demand across assessments within a single specification.</p> <p>There is no requirement outside the Code which states that the level of demand of assessments for different specifications must be aligned.</p>

3.12			The qualification level section on developing assessments states that assessment strategies should demonstrate how an AO develops individual questions/tasks and mark schemes.		There is no requirement outside the Code which states that achieving these outcomes is the responsibility of an evaluation committee.
3.12(i)-(iv)					There is no requirement outside the Code regarding rubrics.
3.12(v)	Condition G1.1 states that in setting an assessment for a qualification which it makes available, an AO must ensure that the content of the assessment is fit for purpose and consistent with the specification for that qualification.		The qualification and individual specification level sections on developing assessments state that assessment strategies should demonstrate how assessments meet		

			the specification's content criteria.		
3.12(vi)	Conditions G1.1(a) and (b) state that, in setting an assessment, an AO must ensure that its content is fit for purpose and appropriate for the method of assessment chosen.				
3.12(vii)	Condition G3.2(c) states that an AO must ensure that the language used in assessments must be appropriate and must, in particular, be clear and unambiguous, except where ambiguity forms part of the assessment.				
3.12(viii)	Condition G3.2(d) states that an AO must ensure that the language used in assessments must be appropriate and must, in particular, not be likely to				

	cause unnecessary offence to learners.				
3.12(ix)	Condition G1.1(a) states that, in setting an assessment, an AO must ensure that the content of that assessment is fit for purpose. Fitness for purpose includes validity and the definition of comparability indicates that predictability would threaten validity.		The individual specification level section on developing assessments states that assessment strategies should demonstrate how the questions/tasks (or question/task types) in a single assessment and over a number of consecutive exam series will mitigate the risk of predictability.		
3.12(x)					There is no requirement, outside the Code, which states that question papers or tasks must

					show mark allocations.
3.12(xi)	<p>Condition D1.1 states that an AO must ensure that a qualification is fit for purpose.</p> <p>Condition D1.2(e) states that a qualification will only be fit for purpose if, as far as possible, it secures the requirements of minimising bias which is defined as ensuring that an assessment does not produce unreasonably adverse outcomes for learners who share a common attribute.</p> <p>Conditions D2.1, D2.2 and D2.3 require an AO to comply with equalities law in relation to each of its qualifications, monitor whether any feature of its qualifications could disadvantage learners with a particular protected characteristic and, where it</p>		<p>The qualification level section on developing assessments states that assessment strategies should include a description of the processes used to engage with a suitable range of equalities groups and to minimise unintended bias. The qualification level section on monitoring states that assessment strategies should include details of how the monitoring outcomes will be fed back into assessment development, including on including bias generally and in relation to particular characteristics.</p>		

	<p>identifies such a feature, remove any disadvantage which is unjustifiable.</p> <p>E4.2(f) requires an AO, in designing an assessment to ensure that the assessment allows each specified level of attainment detailed in the specification to be reached by a learner who has attained the required level of knowledge, skills and understanding.</p>		<p>The individual specification level section on developing assessments states that assessment strategies should describe how a cross-section of items (or item types) have been developed and provide evidence relating to their intended validity – including how they are designed to target their intended to promote accessibility and minimise bias.</p>		
3.12(xii)	<p>Conditions G1.2(a) and (b) require an AO to take all reasonable steps to ensure that the level of demand of an assessment is consistent across all options as to tasks</p>				

	that may be completed by a learner as part of the assessment and with any alternative assessment that may be taken by the learner for the purposes of the same qualification.				
3.12(xiii)	Condition E4.2(g) states that in designing an assessment, an AO must ensure that the assessment allows assessors to be able to differentiate accurately and consistently between a range of attainments by learners.				
3.12(xiv) – (xxi)	Condition G1.3 states that an AO must produce a mark scheme which sets out clear and unambiguous criteria against which learners' levels of attainment can be differentiated.		The qualification and individual specification level sections on developing assessments state that assessment strategies should outline procedures relating to the		

			<p>development of mark schemes.</p> <p>The individual specification level section on developing assessments also states that assessment strategies should demonstrate how mark schemes will promote (as far as possible, bearing in mind validity requirements) the reliability of marking, including accuracy and consistency.</p>		
3.12(xxii)	<p>Condition E4.2(b) states that in designing assessments, an AO must ensure that the assessment can be delivered efficiently.</p> <p>Conditions D1.1 and D1.2 state that an AO must ensure</p>		<p>In relation to the second sentence –</p> <p>The individual specification level section on developing assessments states</p>		

	<p>that a qualification is fit for purpose and that, in particular, it must secure, as far as possible, the requirement of manageability which is defined as placing reasonable demands on centres and learners.</p> <p>Condition E4.2(c) states that in designing assessments, an AO must ensure that the assessment allows centres to develop cost effective arrangements for its delivery, using only the resources which would be reasonably expected to be required or which are provided by the AO.</p>		<p>that in relation to non-examination assessments, assessment strategies should explain how an AO has considered the manageability of assessments for centres.</p>		
<p>3.13 - 3.17</p>			<p>The qualification level section on developing assessments states that assessment strategies should demonstrate how an AO develops</p>		<p>There is no requirement outside the Code which states that achieving these outcomes is the responsibility of</p>

			individual questions/tasks and mark schemes.		specific personnel.
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Section 4 of the code

Coverage, or contradiction, of the requirements in the Code by...					Requirements not covered
Paragraph number	The Conditions	Statutory guidance to the General Conditions of Recognition	Draft statutory guidance on assessment strategies (for new GCEs and GCSEs only)	Other regulatory documents	
4.1 - 4.2	<p>Condition A5.1 states that an AO must ensure that it has the capacity to undertake the development, delivery and award of qualifications.</p> <p>Condition A5.2 states that an AO must establish and maintain arrangements which will ensure it retains a workforce of appropriate size and competence.</p> <p>Condition C1.1 states that where an AO makes arrangements with a third party to undertake, on its behalf, any part of the</p>	<p>The guidance to Condition C1 states that it will be a positive indicator of an AO's compliance with that Condition that the AO has arrangements with third parties (such as examiners), appropriate to each parties' role, that enable the AO to meet the Conditions.</p>	<p>The qualification level section on delivering assessments states that assessment strategies should demonstrate how an AO will promote accurate and consistent marking through examiner training and standardisation.</p>		<p>There is no requirement outside the Code in regard to the personnel that are to be involved in marking assessments.</p>

	<p>development, delivery and award of qualifications it must ensure that those arrangements enable it to meet the Conditions.</p>				
<p>4.3 - 4.4</p>	<p>Condition C1.1 states that where an AO makes arrangements with a third party to undertake, on its behalf, any part of the development, delivery and award of qualifications it must ensure that those arrangements enable it to meet the Conditions. It must also monitor those arrangements to ensure that it is able to meet the Conditions.</p> <p>Condition H1.1 states that an AO must have effective arrangements in place to ensure that, as far as possible, the criteria against which learners' performance will be differentiated are</p>				<p>There is no requirement outside the Code which states that the training of general markers must be as rigorous as that for external markers and that the training and monitoring procedures for general markers be fully documented.</p>

	understood and applied consistently by assessors.				
4.5	<p>Condition C1.1 states that where an AO makes arrangements with a third party to undertake, on its behalf, any part of the development, delivery and award of qualifications it must ensure that those arrangements enable it to meet the Conditions. It must also monitor those arrangements to ensure that it is able to meet the Conditions.</p> <p>Condition H1.1 states that an AO must have effective arrangements in place to ensure that, as far as possible, the criteria against which learners' performance will be differentiated are understood and applied consistently by assessors.</p>				

4.6

Condition A4.2 states that an AO must identify and monitor any conflicts of interest that relate to it and any scenario in which it is reasonably foreseeable that any such conflict of interest will arise in the future.

Condition A4.3 states that an AO must take all reasonable steps to ensure that no conflict of interest has an adverse effect.

Condition A4.5 states that an AO must take all reasonable steps to avoid any part of the assessment of a learner being undertaken by any person who has a personal interest in the result of the assessment. Condition A4.6 states that where such a situation cannot be avoided, the AO must make arrangements for the relevant part of the

	assessment to be subject to scrutiny by another person.				
4.7 – 4.8	<p>Condition A5.1 states that an AO must ensure that it has the capacity to undertake the development, delivery and award of qualifications.</p> <p>Condition A5.2 requires an AO to establish and maintain arrangements which will ensure it retains a workforce of appropriate size and competence.</p>				There is no requirement outside the Code in regard to the personnel that are to be involved in marking assessments.
4.9	Condition H1.1 states that an AO must have effective arrangements in place to ensure that, as far as possible, the criteria against which learners' performance will be differentiated are understood and applied consistently by assessors.				
4.10	Condition A5.1 states that an AO must ensure that it has the capacity to undertake the				There is no requirement outside the Code

	<p>development, delivery and award of qualifications.</p> <p>Condition A5.2 states that an AO must establish and maintain arrangements which will ensure it retains a workforce of appropriate size and competence.</p>				<p>in regard to the team structure that must be used in marking assessments.</p>
4.11	<p>Condition A5.1 states that an AO must ensure that it has the capacity to undertake the development, delivery and award of qualifications.</p> <p>Condition A5.2 states that an AO must establish and maintain arrangements which will ensure it retains a workforce of appropriate size and competence.</p>				<p>There is no requirement outside the Code regarding the level of experience necessary for the appointment of a team leader or the membership of marking teams.</p>
4.12	<p>Condition H1.1 states that an AO must have effective arrangements in place to ensure that, as far as possible, the criteria against which learners' performance</p>		<p>The qualification level section on delivering assessments states that assessment strategies should</p>		

	<p>will be differentiated are understood and applied consistently by assessors.</p>		<p>demonstrate how an AO promotes accurate and consistent marking through monitoring, including –</p> <ul style="list-style-type: none">• Detailing the different marking schemes available and the procedures used to support monitoring of marking quality,• Explaining, with reference to previous examination series, the effectiveness of the different marking systems it uses, and• Detailing the principles it uses to guide the selection of marking systems for assessment components with		
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			different properties.		
4.13					There are no requirements outside the Code which state that principal examiners, assistant principal examiners and team leaders should gain direct evidence of learners' interpretation of questions and application of the mark scheme.
4.14 – 4.31	Condition H1.1 states that an AO must have effective arrangements in place to ensure that, as far as possible, the criteria against which learners' performance will be differentiated are		The qualification level section on delivering assessments states that assessment strategies should demonstrate how an AO promotes accurate and		There are no requirements outside the Code which prescribe the way in which standardisation must be carried out or the way in which any

	<p>understood and applied consistently by assessors.</p>		<p>consistent marking through monitoring, including –</p> <ul style="list-style-type: none"> • Detailing the different marking schemes available and the procedures used to support monitoring of marking quality, • Explaining, with reference to previous examination series, the effectiveness of the different marking systems it uses, and • Detailing the principles it uses to guide the selection of marking systems for assessment components with different properties. 		<p>corrective action must be taken.</p>
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<p>4.32 – 4.33</p>	<p>Condition H5.1 states that an AO must ensure that the result of each assessment taken by a learner reflects the level of attainment demonstrated by that learner in the assessment.</p>		<p>The qualification level section on delivering assessments states that assessment strategies should demonstrate how an AO promotes accurate and consistent marking through monitoring, including detailing the procedures used to support monitoring of marking quality.</p>		<p>There are no requirements outside the Code in relation to the way in which marking must be checked.</p>
<p>4.34 – 4.37</p>	<p>Condition H5.1 states that an AO must ensure that the result of each assessment taken by a learner reflects the level of attainment demonstrated by that learner in the assessment.</p>				<p>There are no requirements outside the Code in relation to the conduct of a marking review or any requirement for the original mark to be replaced by any revised mark</p>

					with the result being automatically recalculated.
4.38 – 4.40	<p>Condition C2 states that where a centre undertakes any part of the delivery of a qualification on an AO's behalf, the AO must have a written and enforceable agreement with the centre which (i) requires the centre to take all reasonable steps to ensure that the AO is able to comply with the Conditions, and (ii) sets out all the requirements with which the centre must continue to comply in order to continue to deliver the qualification.</p> <p>Condition G8.1 states that an AO must take all reasonable steps to ensure that (i) evidence generated by a learner in an assessment is generated by that learner,</p>		The qualification level section on delivering assessments states that assessment strategies should demonstrate how an AO effectively administers assessments, including how it ensures the proper conduct of assessments by centres.		In relation to paragraphs 4.39 and 4.40, there are no requirements outside the Code in relation to the requirements that an AO must place on centres regarding the giving of assistance to learners during an assessment.

	<p>and (ii) where an assessment is completed under specified conditions, learners complete that assessment under those conditions (other than where any reasonable adjustments or special consideration require alternative conditions).</p> <p>Condition G9.1 states that an AO must ensure that every assessment is delivered effectively.</p>				
4.41	<p>Condition I1.1 states that an AO must establish, maintain and comply with an appeals process which allows for the appeal of results of assessments.</p> <p>Condition I1.2(a) states that this appeals process must provide for the effective appeal of results on the basis that the AO did not apply procedures consistently or that procedures were not</p>				<p>There is no requirement outside the Code which states that an AO must ensure that learners' work is available for reference during the awarding meeting.</p> <p>By contrast, it is difficult to see</p>

	<p>followed properly or that procedures were not followed properly and fairly.</p> <p>Condition I1.4 states that where the application of an appeals process leads an AO to discover a failure in its assessment process, it must take all reasonable steps to (i) identify any other learner who has been affected by the failure, and (ii) correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure.</p>				<p>how the requirements of Conditions I1.1, I1.2 and I1.4 could be met without the retention of learners' work by an AO until the final determination of all relevant appeals.</p>
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Section 5 of the code

Coverage, or contradiction, of the requirements in the Code by...					Requirements not covered
Paragraph number	The Conditions	Statutory guidance to the General Conditions of Recognition	Draft statutory guidance on assessment strategies (for new GCEs and GCSEs only)	Other regulatory documents	
5.1 - 5.3	<p>Condition A5.1 states that an AO must ensure that it has the capacity to undertake the development, delivery and award of qualifications.</p> <p>Condition A5.2 states that an AO must establish and maintain arrangements which will ensure it retains a workforce of appropriate size and competence.</p> <p>Condition C1.1 states that, where an AO makes arrangements with a third party to undertake, on its behalf, any part of the</p>	<p>The guidance to Condition C1 states that it will be a positive indicator of an AO's compliance with that Condition that the AO has arrangements with third parties (such as examiners), appropriate to each parties' role, that enable the AO to meet the Conditions.</p>			<p>There is no requirement outside the Code in regard to the specific personnel that are to be involved in moderation.</p>

	<p>development, delivery and award of qualifications, it must ensure that those arrangements enable it to meet the Conditions.</p> <p>Condition H2.1 states that where evidence generated by a learner in an assessment is marked by a centre, the AO must have in place clear and effective arrangements to undertake moderation of the assessment.</p>				
5.4 – 5.5	<p>Condition C1.1 states that, where an AO makes arrangements with a third party to undertake, on its behalf, any part of the development, delivery and award of qualifications, it must ensure that those arrangements enable it to meet the Conditions. It must also monitor those arrangements to ensure that</p>	<p>The guidance to Condition C1 states that it will be a positive indicator of an AO's compliance with that Condition that the AO makes clear to the third parties with which it works what it expects of them.</p>	<p>The qualification level section on delivering assessments states that assessment strategies should demonstrate how an AO will promote uniform standards within and across centres through its moderation of non-</p>		<p>There are no requirements outside the Code which state that an AO must provide training for internal assessors and teachers.</p>

	<p>it is able to meet the Conditions.</p> <p>Condition C2.3(j) states that an AO must, in its agreement with a centre, set out any moderation process that the AO will undertake or that will be undertaken on its behalf.</p> <p>Condition H1.1 states that an AO must have effective arrangements in place to ensure that, as far as possible, the criteria against which learners' performance will be differentiated are understood and applied consistently by assessors.</p> <p>Condition H2.2(b) states that an AO must ensure that any moderation which it undertakes allows it effectively to determine whether or not the criteria against which learners' performance is differentiated</p>	<p>Although it constitutes neither guidance, nor a regulatory document, we note that the <i>Frequently Asked Questions on the General Conditions of Recognition and Recognition Criteria – 1st June 2012</i> state, in relation to Condition C2.3(j), that Standard 12 of the <i>National Occupational Standards for Learning and Development (March 2010)</i> (available here) provides a good description of the areas that external quality assurers should normally cover as part of</p>	<p>examination assessments.</p>		
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	are being applied accurately and consistently by assessors across different centres.	arrangements with centres regarding moderation.			
5.6	<p>Conditions D1 and E4.2(a) require an AO to ensure that a qualification is fit for purpose and the assessments designed for a qualification are also fit for purpose.</p> <p>Condition G1.1 states that in setting an assessment for a qualification which it makes available, an AO must ensure that the content of the assessment is fit for purpose and consistent with the specification for that qualification.</p>			<p>The <i>GCSE Controlled Assessment Regulations</i> (available here)</p> <p>specify a degree of control from limited to high which must be exercised by an AO in relation to the setting of controlled assessments for particular subjects. Different requirements in this regard are then outlined in respect of each subject in line with the degree of control specified.</p>	
5.7	Conditions D1 and E4.2(a) require an AO to ensure that		The qualification level section on	The <i>GCSE Controlled</i>	

	<p>a qualification is fit for purpose and the assessments designed for a qualification are also fit for purpose.</p> <p>Condition G1.1 states that in setting an assessment for a qualification which it makes available, an AO must ensure that the content of the assessment is fit for purpose and consistent with the specification for that qualification.</p> <p>Conditions GCSE(<i>subject</i>)1.1 and GCE(<i>subject</i>)1.2 require that each GCSE and GCE qualification must comply with the assessment objectives published by the Secretary of State (in respect of GCSEs) and Ofqual (in respect of GCEs).</p>		<p>delivering assessments states that assessment strategies should demonstrate how any non-examination assessment tasks are set and undertaken to ensure the requirements within and across centres are consistent and that the intended skills are targeted.</p>	<p><i>Assessment Regulations</i> state that, for qualifications for which a limited level of control has been specified in regard to task setting, requirements include that tasks must be designed by a centre according to criteria set by the AO.</p>	
5.8				The <i>Regulations for the Assessment of</i>	

				<p><i>the Quality of Written Communication</i> provide detailed requirements concerning the assessment of the quality of extended written material in English, Welsh and Irish.</p>	
5.9	<p>Conditions D1 and E4.2(a) require an AO to ensure that a qualification is fit for purpose and the assessments designed for a qualification are also fit for purpose.</p> <p>Condition G1.1 states that in setting an assessment for a qualification which it makes available, an AO must ensure that the content of the assessment is fit for purpose and consistent with</p>		<p>The qualification level section on delivering assessments states that assessment strategies should demonstrate how any non-examination assessment tasks are set and undertaken to ensure the requirements within and across centres</p>		

	<p>the specification for that qualification.</p> <p>Conditions GCSE(<i>subject</i>)1.1 and GCE(<i>subject</i>)1.2 require that each GCSE and GCE qualification must comply with the assessment objectives published by the Secretary of State (in respect of GCSEs) and Ofqual (in respect of GCEs).</p>		<p>are consistent and that the intended skills are targeted.</p>		
5.10 – 5.11	<p>Condition C2 states that, where a centre undertakes any part of the delivery of a qualification on an AO's behalf, the AO must have a written and enforceable agreement with the centre which (i) requires the centre to take all reasonable steps to ensure that the AO is able to comply with the Conditions, and (ii) sets out all the requirements with which the centre must continue to comply in order</p>	<p>The guidance in relation to GCE History, GCE English Literature, GCE English Language and GCE English Literature and Language indicates word limits which Ofqual will expect to be applied in respect of non-examination</p>	<p>The qualification level section on delivering assessments states that assessment strategies should demonstrate how an AO effectively administers assessments, including how it ensures the proper conduct of</p>	<p>The <i>GCSE Controlled Assessment Regulations</i> state that where drafting is inherent in the skills being assessed, an AO's guidance must include details of interim assessment by teachers and exemplify ways in which learners show evidence of</p>	<p>There is no specific requirement outside the Code, other than that in relation to GCSEs found in the <i>GCSE Controlled Assessment Regulations</i>, which states that an AO must specify the degree to which</p>

	<p>to continue to deliver the qualification.</p> <p>Condition G8.1 states that an AO must take all reasonable steps to ensure that (i) evidence generated by a learner in an assessment is generated by that learner, and (ii) where an assessment is completed under specified conditions, learners complete that assessment under those conditions (other than where any reasonable adjustments or special consideration require alternative conditions).</p> <p>Condition G9.1 states that an AO must ensure that every assessment is delivered effectively.</p>	<p>assessment in those subjects.</p>	<p>assessments by centres.</p>	<p>redrafting (paragraph 19).</p> <p>In addition, the regulations state that where drafting is not one of the skills being assessed, an AO's guidance must make clear that teachers may review learners' work, and provide advice at a general level. The guidance must also make clear that teachers must not provide detailed and specific advice on how a draft could be improved to meet the assessment criteria (paragraph 20).</p> <p>In relation to the last sentence in</p>	<p>learners are allowed to redraft work prior to it being marked by an internal assessor.</p>
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				<p>paragraph 10, the <i>GCSE Controlled Assessment Regulations</i> state that, to ensure manageability, controlled assessment components/units must be defined by word and/or time limits (paragraph 15) and sets out principles on which guidance regarding such limits must be based (paragraph 16).</p>	
5.12	<p>Condition C2 states that, where a centre undertakes any part of the delivery of a qualification on an AO's behalf, the AO must have a written and enforceable agreement with the centre which (i) requires the centre to take all reasonable steps</p>		<p>The qualification level section on delivering assessments states that assessment strategies should demonstrate how an AO effectively administers</p>	<p>The <i>GCSE Controlled Assessment Regulations</i> specify a degree of control from limited to high which must be exercised by an AO in relation to the</p>	<p>There is no requirement outside the Code which states that an AO must require internal assessors to record full details of the nature of</p>

	<p>to ensure that the AO is able to comply with the Conditions, and (ii) sets out all the requirements with which the centre must continue to comply in order to continue to deliver the qualification.</p> <p>Condition G8.1 states that an AO must take all reasonable steps to ensure that (i) evidence generated by a learner in an assessment is generated by that learner, and (ii) where an assessment is completed under specified conditions, learners complete that assessment under those conditions (other than where any reasonable adjustments or special consideration require alternative conditions).</p> <p>Condition G9.1 states that an AO must ensure that</p>		<p>assessments, including how it ensures the proper conduct of assessments by centres.</p>	<p>authentication of work completed by learners in controlled assessments for particular subjects. Different requirements in this regard are then outlined in respect of each subject in line with the degree of control specified.</p>	<p>all assistance given to individual learners which is beyond that of the teaching group as a whole, or the varying assistance given between teaching groups.</p> <p>Likewise there is no requirement that an AO must require internal assessors to take any assistance into account according to the AO's instructions when assessing learners' work.</p>
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	every assessment is delivered effectively.				
5.13 – 5.15	<p>Condition C2 states that, where a centre undertakes any part of the delivery of a qualification on an AO's behalf, the AO must have a written and enforceable agreement with the centre which (i) requires the centre to take all reasonable steps to ensure that the AO is able to comply with the Conditions, and (ii) sets out all the requirements with which the centre must continue to comply in order to continue to deliver the qualification.</p> <p>Condition G8.1 states that an AO must take all reasonable steps to ensure that (i) evidence generated by a learner in an assessment is generated by that learner, and (ii) where an assessment is completed</p>		<p>The qualification level section on delivering assessments states that assessment strategies should demonstrate how an AO effectively administers assessments, including how it ensures the proper conduct of assessments by centres.</p>	<p>The <i>GCSE Controlled Assessment Regulations</i> specify a degree of control from limited to high which must be exercised by an AO in relation to the authentication of work completed by learners in controlled assessments for particular subjects. Different requirements in this regard are then outlined in respect of each subject in line with the degree of control specified.</p>	

	under specified conditions, learners complete that assessment under those conditions (other than where any reasonable adjustments or special consideration require alternative conditions).				
5.16	Condition G8.1 states that an AO must take all reasonable steps to ensure that (i) evidence generated by a learner in an assessment is generated by that learner, and (ii) where an assessment is completed under specified conditions, learners complete that assessment under those conditions (other than where any reasonable adjustments or special consideration require alternative conditions).				
5.17	Condition C2.5 states that an AO must, in respect of the parts of the delivery of			The <i>Regulations for the Assessment of the Quality of</i>	There is no requirement outside the Code

	<p>qualifications undertaken by a centre (i) provide effective guidance to that centre, and (ii) make available to the centre any information which, for the purposes of that delivery, the centre may reasonably require from the AO.</p>			<p><i>Written Communication</i> state that relevant assessment criteria must be written into mark schemes concerning the quality of written communication (QWC) (paragraph 18).</p> <p>In addition, the Regulations state that assessments must clearly indicate when QWC is being assessed.</p>	<p>which states that an AO must require internal assessors to show clearly how credit has been assigned in relation to the criteria defined in the specification.</p>
5.18				<p>The <i>GCSE Controlled Assessment Regulations</i> state that where drafting is inherent in the skills being assessed AO</p>	

				<p>guidance must include details of interim assessment by teachers and exemplify ways in which learners show evidence of redrafting (paragraph 19).</p> <p>In addition, those regulations state that where drafting is not one of the skills being assessed, AO guidance must make clear that teachers may review learners' work, and provide advice at a general level. The guidance must also make clear that teachers must not provide detailed and specific advice on</p>	
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				how the draft could be improved to meet the assessment criteria (paragraph 20).	
5.19 – 5.20	<p>Condition C2.3(j) states that an AO must, in its agreement with a centre, set out any moderation process that the AO will undertake or that will be undertaken on its behalf.</p> <p>Condition H1.1 states that an AO must have effective arrangements in place to ensure that, as far as possible, the criteria against which learners' performance will be differentiated are understood and applied consistently by assessors.</p> <p>Condition H2.2(b) states that an AO must ensure that any moderation which it undertakes allows it effectively to determine</p>				There is no specific requirement outside the Code which states that an AO must provide an opportunity for centres to check that they are applying the assessment criteria properly.

	<p>whether or not the criteria against which learners' performance is differentiated are being applied accurately and consistently by assessors across different centres.</p>				
<p>5.21</p>	<p>Condition C2.3(j) states that an AO must, in its agreement with a centre, set out any moderation process that the AO will undertake or that will be undertaken on its behalf.</p> <p>Condition H1.1 states that an AO must have effective arrangements in place to ensure that, as far as possible, the criteria against which learners' performance will be differentiated are understood and applied consistently by assessors.</p> <p>Condition H2.1 states that, where evidence generated by a learner in an</p>		<p>The qualification level section on delivering assessments states that assessment strategies should demonstrate how an AO will promote uniform standards within and across centres through its moderation of non-examination assessments.</p>		

	<p>assessment is marked by a centre, the AO must have in place clear and effective arrangements to undertake moderation of the assessment.</p> <p>Condition H2.2(b) states that an AO must ensure that any moderation which it undertakes allows it effectively to determine whether or not the criteria against which learners' performance is differentiated are being applied accurately and consistently by assessors across different centres.</p>				
5.22	<p>Condition H2.3 states that an AO must (i) ensure that any moderation which it undertakes ensures that it is able to make any necessary changes to a centre's marking of an internal assessment, and (ii) makes such changes wherever it</p>		<p>The qualification level section on delivering assessments states that assessment strategies should demonstrate how an AO will promote uniform standards</p>		

	considers it necessary in order to ensure that the assessment remains fit for purpose or that the criteria against which learners' performance is differentiated is being applied accurately and consistently.		within and across centres through its moderation of non-examination assessments, including detailing how it determines and applies any adjustments to centre marked assessments.		
5.23					There is no requirement outside the Code which states that an AO must provide centres with details of moderation procedures which amplify the description of which procedures contained in the specification.

5.24	Condition H2.3 states that an AO must (i) ensure that any moderation which it undertakes ensures that it is able to make any necessary changes to a centre's marking of an internal assessment, and (ii) makes such changes wherever it considers it necessary in order to ensure that the assessment remains fit for purpose or that the criteria against which learners' performance is differentiated is being applied accurately and consistently.		The qualification level section on delivering assessments states that assessment strategies should demonstrate how an AO will promote uniform standards within and across centres through its moderation of non-examination assessments, including detailing how it determines and applies any adjustments to centre marked assessments.		There is no requirement outside the Code which states that in making adjustments to marks awarded by a centre an AO must not change that centre's rank order, unless the centre marks are demonstrably inconsistent.
5.25					There is no requirement outside the Code which states that statistical information must be used, where

					applicable, to inform an AO's final judgements on the marks awarded.
5.26 – 5.27 (see also discussion of Appendix 1 to the Code in Annex 8 below)	Condition H2.1 states that, where evidence generated by a learner in an assessment is marked by a centre, the AO must have in place clear and effective arrangements to undertake moderation of the assessment.		The qualification level section on delivering assessments states that assessment strategies should demonstrate how an AO will promote uniform standards within and across centres through its moderation of non-examination assessments, including detailing its sampling regime.		There is no requirement outside the Code which states that that an AO must use specific moderation techniques for particular qualifications, such as those outlined in Appendix 1 to the Code. Likewise, there are no requirements outside the Code in relation to the moderation of (i) assessments taken in Irish or

					Welsh, (ii) the sampling of written work, or (iii) the moderation of ephemeral assessments.
5.28	<p>Condition C1.1 states that where an AO makes arrangements with a third party to undertake, on its behalf, any part of the development, delivery and award of qualifications it must ensure that those arrangements enable it to meet the Conditions. It must also monitor those arrangements to ensure that it is able to meet the Conditions.</p> <p>Condition H2.1 states that where evidence generated by a learner in an assessment is marked by a centre, the AO must have in place clear and effective</p>				There are no requirements outside the Code which state that an AO must provide training and follow-up guidance for moderators.

	arrangements to undertake moderation of the assessment.				
5.29	Condition H2.1 states that where evidence generated by a learner in an assessment is marked by a centre, the AO must have in place clear and effective arrangements to undertake moderation of the assessment.				There is no requirement outside the Code in relation to the standardisation of moderators.
5.30					There is no requirement outside the Code which states that principal moderators, assistant principal moderators and team leaders must undertake some first-hand moderation of centres' assessments in

					each examination series.
5.31					There is no requirement outside the Code which states that the standards applied by each moderator must be checked by a more senior moderator.
5.32	Condition H2.1 states that, where evidence generated by a learner in an assessment is marked by a centre, the AO must have in place clear and effective arrangements to undertake moderation of the assessment.				There is no requirement outside the Code which states that a senior moderator must complete a report for the AO on the work of each moderator. Likewise, there is no specific requirement that

					<p>moderators whose work is judged unsatisfactory must not continue moderation and may not be used by an AO in future. This would be covered in Condition H2.1, however, as it is difficult to see how the requirements of that Condition could be met through the continued use of an unsatisfactory moderator.</p>
5.33	<p>Condition H2.1 states that, where evidence generated by a learner in an assessment is marked by a</p>				<p>There is no specific requirement outside the Code</p>

	<p>centre, the AO must have in place clear and effective arrangements to undertake moderation of the assessment.</p>				<p>which states that where a learner's moderated work cannot be posted or discussed at a meeting, a senior moderator must normally accompany the moderator on at least one visit to a centre to check his or her judgements.</p>
<p>5.34</p>	<p>Condition C1.1 states that, where an AO makes arrangements with a third party to undertake, on its behalf, any part of the development, delivery and award of qualifications it must ensure that those arrangements enable it to meet the Conditions.</p> <p>Condition H6.1(d) states that an AO must issue results which accurately and</p>				<p>There are no specific requirements outside the Code which state that an AO must provide moderators with clear instructions, including details of how to record, transcribe and</p>

	completely reflect the marking of assessments (including the outcome of any moderation process).				<p>check moderated marks.</p> <p>Likewise there is no requirement outside the Code which states that checks are made of the accuracy with which moderators record and transcribe marks.</p>
5.35	Condition GCSE(English Language)3.2(d) states that an AO must ensure that, following the issue of a certificate, a learner can use the mark for a non-examination assessment (the speaking and listening assessment) as part of a further GCSE English language qualification made available by the same AO.				<p>Apart from Condition GCSE(English Language)3.2(d), there is no other provision outside the Code which allows moderated marks for internally assessed work in linear qualifications to be carried</p>

					forward by learners.
5.36	Condition C2.5 states that an AO must, in respect of the parts of the delivery of qualifications undertaken by a centre (i) provide effective guidance to that centre, and (ii) make available to the centre any information which, for the purposes of that delivery, the centre may reasonably require from the AO.				There is no specific requirement outside the Code which states that an AO must provide centres that fail to meet its requirements with further guidance.
5.37	Condition A6.2 states that, where an AO has identified the risk of occurrence of any incident which could have an adverse effect, it must take all reasonable steps to (i) prevent the incident from occurring or, where it cannot be prevented, reduce the risk of that incident occurring, and (ii) prevent any adverse effect that the incident could have were it to				There is no requirement outside the Code which states that an AO must approve and monitor a centre's arrangements for assessment and standardisation where a

	<p>occur or, where it cannot be prevented, mitigate that adverse effect as far as possible.</p> <p>Condition A7.1 states that, where an incident occurs which could have an adverse effect, an AO must promptly take all reasonable steps to prevent the adverse effect and, where that adverse effect occurs, to mitigate it as far as possible.</p> <p>Condition B3.1 states that an AO must promptly notify Ofqual when it has cause to believe that any event has occurred, or is likely to occur, which could have an adverse effect. Condition B3.5 states that, where an AO notifies Ofqual of such an event, it must also notify Ofqual of any steps it has taken, or intends to take, to prevent the event having an adverse effect or to correct</p>				<p>significant problem occurs.</p> <p>Likewise, there is no requirement to inform Ofqual of such steps (except where the significant problem has had an adverse effect) or other AOs.</p>
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	of mitigate that adverse effect if it occurs.				
5.38					There is no requirement outside the Code which states that where a centre fails to engage in compulsory training, the AO must take such steps as are necessary to safeguard the interests of learners in future awards.

Section 6 of the code

Paragraph number	Coverage, or contradiction, of the requirements in the Code by...				Requirements not covered
	The Conditions	Statutory guidance to the General Conditions of Recognition	Draft statutory guidance on assessment strategies (for new GCEs and GCSEs only)	Other regulatory documents	
6.1 - 6.4	<p>Condition A5.1 states that an AO must ensure that it has the capacity to undertake the development, delivery and award of qualifications.</p> <p>Condition A5.2 states that an AO must establish and maintain arrangements which will ensure it retains a workforce of appropriate size and competence.</p>		<p>The qualification level section on delivering assessments states that assessment strategies should demonstrate how an AO will set and maintain grade standards, including -</p>		<p>There is no requirement outside the Code in regard to the personnel that are to be involved in awarding.</p> <p>There is also no requirement outside the Code which states that an AO must have an awarding committee.</p>
6.5	<p>Condition H3.1 states that before setting a specified level of attainment an AO must review the specified</p>		<ul style="list-style-type: none"> • Detailing how it sets and maintains 		<p>There is no requirement outside the Code which states that it is the responsibility of the</p>

	<p>levels of attainment set for (i) the qualification previously, (ii) similar qualifications that it makes available, and (iii) similar qualifications made available by other AOs. It must ensure that the specified level of attainment it sets will promote consistency in measuring learners' levels of attainment over time and between similar qualifications.</p> <p>Condition H5.1 states that an AO must ensure that the result of each assessment taken by a learner reflects the level of attainment demonstrated by that learner in the assessment.</p>		<p>grade standards,</p> <ul style="list-style-type: none"> • Detailing how it collects and appropriately balances the full range of evidence, which may include statistical information and qualitative consideration of performance, • Describing how its expertise in standard-setting facilitates appropriate consideration of evidence, • Outlining how it supports the awarding process as it takes place, such as by providing 		<p>awarding committee to ensure that the required standards are brought to bear in awarding and to assist the chair of examiners in arriving at recommended grade boundaries.</p>
6.6	<p>Condition H3.2 states that before setting a specified level of attainment an AO must review the specified levels of attainment set for</p>				<p>There is no specific requirement outside the Code which states that for the first award of qualifications with no</p>

	<p>(i) the qualification previously, (ii) similar qualifications that it makes available, and (iii) similar qualifications made available by other AOs. It must ensure that the specified level of attainment it sets will promote consistency in measuring learners' levels of attainment over time and between similar qualifications.</p> <p>Condition H5.1 states that an AO must ensure that the result of each assessment taken by a learner reflects the level of attainment demonstrated by that learner in the assessment.</p>		<p>modelled and/or aggregated learner marks and subject outcomes in real-time during awarding meetings, and</p> <ul style="list-style-type: none"> • Outlining its procedures for internal review and approval of awarding decisions and outcomes. 		<p>cognate predecessor the objective of AO is to establish appropriate grade boundaries, unless that requirement can be read into Condition H3.</p>
<p>6.7 (see also discussion on Appendices</p>					<p>There is no requirement outside the Code which states that the awarding committee must make boundary recommendations based</p>

2 to 4 to the Code in Annexes 9 to 11 below)					on aggregated subject outcomes.
6.8	Condition H3.1(a) states that before setting a specified level of attainment an AO must review the specified levels of attainment set for the qualification previously.				
6.9	<p>In relation to paragraph 6.9(iii), Condition A6.1 requires an AO to take all reasonable steps to identify the risk of occurrence of any incident which could have an adverse effect.</p> <p>Conditions A6.2 and A7.1 require an AO to take all reasonable steps to prevent or mitigate any adverse effect resulting from such an incident.</p>				There is no requirement outside the Code which states that an AO must ensure that sufficient marks are on its system to inform grading decisions and appropriate ranges of learner work are available for the award.

6.10					<p>There is no requirement outside the Code which states that, if principal examiners and principal moderators are asked to propose preliminary ranges of marks at key grade boundaries, those recommendations are made following consideration of sufficient learners' work.</p>
6.11					<p>There is no requirement outside the Code concerning the range of learner's work that the awarding committee must have for its consideration.</p>
6.12					<p>There is no requirement outside the Code which states that an AO must provide the awarding body with procedures that are consistent with the Code and that these must be used to conduct the award.</p>

6.13	<p>In relation to paragraph 6.13(xvi) - Condition H3.2(c) states that before setting a specified level of attainment an AO must review the specified levels of attainment set for similar qualifications made available by other AOs.</p>				<p>There is no requirement outside the Code regarding the evidence that must be used to inform the determination of key grade boundaries.</p> <p>In particular, there is no requirement outside the Code which requires an AO to take into account any written instruction from Ofqual specifying particular evidence that must inform the awarding process for a particular series (as the power in Condition H4 becomes available only after award).</p>
6.14					<p>There is no requirement outside the Code which states that awarders must consider a sufficient amount of learners' work for each key boundary and that, at this stage of the</p>

					process, awarders must work independently.
6.15				Appendix 1 to the Summer 2013 data exchange procedures makes provision for the circumstances in which the A* conversion or boundary point may be moved.	There is no requirement outside the Code which states that a single grade boundary must be recommended to the chair of examiners or outlines the procedure which must then be followed by the chair of examiners to set a grade boundary.
6.16					There is no requirement outside the Code which states that, where there are a number of different routes to a subject grade, the chair of examiners must ensure comparable standards for the award of grades derived from each route. Likewise, there is no requirement outside the Code which states that

					where a unit or component is shared between specifications or options the same grade boundary must be used.
6.17					There is no requirement outside the Code which states that where the boundary marks for an internally assessed component/unit have been preset the distribution must be reported to awarders.
6.18 – 6.19					<p>There are no requirements outside the Code in relation to the circumstances in which grade boundaries for internally assessed components/units may be carried forward.</p> <p>Likewise, there are no requirements outside the Code in relation to the setting of grade boundaries for internally assessed components/units where</p>

					these have not been carried forward.
6.20					There are no requirements outside the Code in relation to units entirely composed of multiple-choice questions.
6.21 (see also discussion of Appendix 5 to the Code in Annex 12 below)					There are no requirements outside the Code in relation to the arrangements which apply to specifications or options with small entries.
6.22	Condition H3.1 states that before setting a specified level of attainment an AO must review the specified levels of attainment set for (i) the qualification previously, (ii) similar qualifications that it makes available, and (iii) similar qualifications made				There is no requirement outside the Code which states that the chair of examiners' recommendations must be reviewed by a particular person within the AO, or the evidence that must be

	<p>available by other AOs. It must ensure that the specified level of attainment it sets will promote consistency in measuring learners' levels of attainment over time and between similar qualifications.</p>				<p>considered as part of that review.</p>
<p>6.23 – 6.27</p>					<p>There are no requirements outside the Code in relation to the process that must be followed by the AO in finalising grade boundaries.</p> <p>In particular, there is no requirement which states that Ofqual must be informed, before a final decision is taken, where the AO selects a grade boundary not supported by the chair of examiners.</p> <p>Likewise, there is no requirement which states that the AO must reconsider that selection in</p>

					light of any correspondence from Ofqual (as the power in Condition H4 becomes available only after the award).
6.28	Condition H3.1(a) states that before setting a specified level of attainment an AO must review the specified levels of attainment set for the qualification previously. It must ensure that the specified level of attainment it sets will promote consistency in measuring learners' levels of attainment over time and between similar qualifications.				There is no specific requirement outside the Code which states that an AO must maintain an archive of particular material in relation to past awards (although it is difficult to see how an AO could meet the requirements of H3.1(a) without such an archive).
6.29					There are no requirements in Ofqual's regulatory framework, outside the Code, which state that an AO must supply materials in accordance with the

					requirements of the National Archive.
6.30	Condition H6.1 states that an AO must publish expected dates or timetables for the issue of results, ensure that the issue of results is timely and take all reasonable steps to meet any date or timescale it has published.				
6.31	<p>In relation to the first sentence - Condition H5.1 states that an AO must ensure that the result of each assessment taken by a learner reflects the level of attainment demonstrated by that learner in the assessment.</p> <p>Condition H5.2(b) states that an AO must ensure that the awarding of a qualification takes into account all admissible evidence generated by a</p>				

learner as part of an assessment.

In relation to the second sentence - Condition B3.1 states that an AO must promptly notify Ofqual of any event that has occurred or is likely to occur which could have an adverse effect.

In relation to the third sentence - Condition B4 states that an AO must comply with a written notice from Ofqual requiring it to provide specified information.

Section 8 of the code

Coverage, or contradiction, of the requirements in the Code by...					Requirements not covered
Paragraph number	The Conditions	Statutory guidance to the General Conditions of Recognition	Draft statutory guidance on assessment strategies (for new GCEs and GCSEs only)	Other regulatory documents	
8.1	<p>Condition A8.1 states that an AO must take all reasonable steps to prevent the occurrence of any malpractice in the design, delivery and award of qualifications which it makes available or proposes to make available.</p> <p>Condition A8.3(a) states that an AO must establish and maintain written procedures for the investigation of suspected or alleged malpractice.</p>	<p>The guidance to Condition A8 states that it will be a positive indicator of an AO's compliance with that Condition that an AO makes sure that individuals involved in the delivery and award of qualifications understand and routinely follow its ways of working in regard to the reduction of risk of incidents of</p>			

	<p>Condition A8.5 states that an AO must, following a request from a centre, provide guidance to the centre on how best to prevent, investigate and deal with malpractice.</p> <p>Condition C2.5 states that an AO must, in respect of the parts of the delivery of qualifications undertaken by a centre, make available to the centre any information which, for the purposes of that delivery, the centre may reasonably require from the AO.</p>	malpractice occurring.			
8.2	Condition A8.1 states that an AO must take all reasonable steps to prevent the occurrence of any malpractice in the design, delivery and award of qualifications which it makes available, or proposes to make available.				

	<p>Condition C2.3(a) states that in its written agreement with a centre, an AO must include a provision which requires the centre to take all reasonable steps to ensure that the AO is able to comply with the Conditions.</p> <p>Condition C2.3(e) states that such a written agreement must also include a provision which establishes a sanctions policy to be applied in the event that the centre fails to comply with the agreement.</p>				
8.3	<p>Condition B3.1 states that an AO must notify Ofqual when it has cause to believe that any event has occurred which could have an adverse effect.</p> <p>Condition B3.2(g) states that an AO must notify Ofqual where it believes that there has been an incident of malpractice which could</p>				<p>There is no requirement outside the Code which states that an AO must report significant cases of malpractice to Ofqual where these may not have an adverse effect or do not</p>

	<p>either invalidate the award of a qualification which it makes available or could affect another AO.</p> <p>Condition B4.1 states that where Ofqual serves a written notice on an AO requiring the AO to provide it with any information that it seeks for the purpose of performing its functions, the AO must comply with the terms of that notice.</p> <p>In relation to the second sentence - Condition A8.2 states that where an AO suspects malpractice, and there are reasonable grounds for that suspicion, it must, so far as possible, establish whether or not malpractice has occurred.</p> <p>Condition A8.6 states that where an AO establishes that</p>				<p>fall within Condition B3.2(g).</p> <p>There is also no requirement outside the Code which states that an AO must cooperate with Ofqual in any investigation which is not in connection with the AO's activities.</p> <p>Likewise, there is no requirement to cooperate with any other regulator save where this could fall within the reasonable steps obligation in Condition A8.6.</p>
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any malpractice has occurred in the design, delivery or award of qualifications which it makes available, or proposes to make available, it must promptly take all reasonable steps to (i) prevent that malpractice from reoccurring, and (ii) take proportionate action against those responsible, or seek the cooperation of third parties in taking such action.

Condition A8.7 states that where an AO has cause to believe that an incident of malpractice, or any connected occurrence, may affect another AO it must inform that AO.

Condition B6.1 states that an AO must provide Ofqual with all such assistance as Ofqual may request for the purpose of undertaking, in accordance with its functions, an

	investigation into the activities of that AO.				
8.4	Condition A8.2 states that where an AO suspects malpractice, and there are reasonable grounds for that suspicion, it must (i) so far as possible establish whether or not malpractice has occurred, and (ii) promptly take all reasonable steps to prevent any adverse effect to which it may give rise and, where any adverse effect occurs, mitigate it as far as possible and correct it.				
8.5	Condition A8.6 states that where an AO establishes that any malpractice has occurred in the development, delivery or award of qualifications which it makes available, or proposes to make available, it must promptly take all reasonable steps to (i) prevent that malpractice from reoccurring, and (ii) take				Save where covered by Condition A8.7, there is no requirement outside the Code which states that an AO must inform other AOs of the action it has taken

	<p>proportionate action against those responsible, or seek the cooperation of third parties in taking such action.</p> <p>Condition A8.7 states that an AO must inform another AO where it believes that an occurrence of malpractice or maladministration, or any connected occurrence may affect that other AO.</p>				<p>against teachers, assessors or centres where malpractice has been established.</p>
8.6	<p>Condition C2.3(a) states that in its written agreement with a centre, an AO must include a provision which requires the centre to take all reasonable steps to ensure that the AO is able to comply with the Conditions.</p> <p>Condition A8.2 states that where an AO suspects malpractice, and there are reasonable grounds for that suspicion, it must, so far as</p>				<p>There is no specific requirement outside the Code which states that the head of a centre will normally be asked to provide a written report, or supporting documentation, to an AO as part of its</p>

	possible, establish whether or not malpractice has occurred.				investigation into malpractice.
8.7	<p>Condition A8.2 states that where an AO suspects malpractice, and there are reasonable grounds for that suspicion, it must, so far as possible establish whether or not malpractice has occurred.</p> <p>Condition A8.6 states that where an AO establishes that any malpractice has occurred in the design, delivery or award of qualifications which it makes available, or proposes to make available, it must promptly take all reasonable steps to (i) prevent that malpractice from reoccurring, and (ii) take proportionate action against those responsible, or seek the cooperation of third parties in taking such action.</p>				

Appendix 1 to the code

Coverage, or contradiction, of the requirements in the Code by...					Requirements not covered
Paragraph number	The Conditions	Statutory guidance to the General Conditions of Recognition	Draft statutory guidance on assessment strategies (for new GCEs and GCSEs only)	Other regulatory documents	
1 - 5					There are no requirements outside the Code in relation to the moderation arrangements which must be used for GCE qualifications in applied subjects or principal learning and project qualifications.

Appendix 2 to the code

Coverage, or contradiction, of the requirements in the Code by...					Requirements not covered
Paragraph number	The Conditions	Statutory guidance to the General Conditions of Recognition	Draft statutory guidance on assessment strategies (for new GCEs and GCSEs only)	Other regulatory documents	
1 - 3			The qualification level section on delivering assessments states that assessment strategies should demonstrate		There are no requirements outside the Code which state that the key grade boundaries for non-unitised GCSEs must be set judgementally and the others which must be set arithmetically.
4 - 5			how an AO sets and maintains grade standards, in line with the prescribed regulatory		There are no requirements outside the Code in relation to the way in which provisional boundaries for a non-unitised GCSE qualification as a whole are established.

6 -11

approach, and promotes comparability between awarding organisations and over time, including how it supports the awarding process as it takes place, such as by providing modelled and/or aggregated learner marks and subject outcomes in real time during awarding meetings. In addition, that section also states that assessment strategies should

There are no requirements outside the Code in relation to the how grade boundaries for non-unitised GCSE and GCSE short courses are to be set.

			demonstrate how an AO scales and aggregates results for individual assessment components in line with regulatory requirements and in a manner that is technically sound, including detailing any design principles used to guide its approach to the scaling of learners' marks.		
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Appendix 3 to the code

Coverage, or contradiction, of the requirements in the Code by...					Requirements not covered
Paragraph number	The Conditions	Statutory guidance to the General Conditions of Recognition	Draft statutory guidance on assessment strategies 9for new GCEs and GCSEs only)	Other regulatory documents	
1			The qualification level section on delivering assessments states that assessment strategies should		There is no requirement outside the Code which states that aggregate marks must be calculated on the basis of a uniform mark scale (UMS).
2			demonstrate how an AO sets and maintains grade standards, in line with the prescribed regulatory approach, and		There is no requirement outside the Code which states that where a learner has taken more than the required number of units the AO will generate the best grade for that learner. Nor is there any requirement that, for GCSEs first taught in 2009,

			promotes comparability between awarding organisations and over time, including how it supports the awarding process as it takes place, such as by providing modelled and/or aggregated learner marks and subject outcomes in real time during awarding meetings. In addition, that section also states that assessment strategies should demonstrate		at least 40% of assessments must be taken in the terminal series before certification.
3	<p>Conditions GCSE6.1 and GCE6.1 both state that examinations may only be taken in May and/or June except where alternative subject specific provision has been made.</p> <p>Conditions GCSE(English Language)2.2 and GCSE(Mathematics) 2.2 both state that in respect of GCSE English Language and Mathematics qualifications, examinations may be taken in the month of November in addition to May and/or June.</p> <p>Conditions GCSE(English Language)2.3 and GCSE(Mathematics) 2.3 state that an AO must take all reasonable steps to ensure that any learner who takes</p>				<p>There are no requirements outside the Code in relation to how many times a unit may be taken and that the best mark must count towards a learner's final grade.</p> <p>In addition, there is no requirement which states that where a learner takes more than one GCSE science qualification those externally assessed units common to both must be retaken and the result from internally assessed units may be used towards both titles.</p>

	examinations for the relevant subjects in November has reached at least the age of 16 on or before 31 August in the same calendar year.		how an AO scales and aggregates results for individual assessment components in line with regulatory requirements and in a manner that is technically sound, including detailing any design principles used to guide its approach to the scaling of learners' marks.		
4 - 13					There are no requirements outside the Code in relation to the conversion of raw marks to the UMS in GCE qualifications, how grade boundaries for such qualifications must be set or the use of the UMS in the setting of those boundaries.
14 - 16					There are no requirements outside the Code in relation to how grade boundaries for GCSEs in applied subjects must be set.
17 - 20					There are no requirements outside the Code in relation to how grade boundaries for tiered components, units or modules must be set.

21					<p>There is no requirement outside the Code which states that where a unit or module has two or more components the key grade boundary for each must be determined separately.</p> <p>Likewise, there are no requirements in relation to scaling component boundary marks to arrive at unit boundary marks, or how the latter are then used as a basis for conversion to uniform marks.</p>
22 - 25					<p>There are no requirements outside the Code in relation to the conversion of raw grade boundary marks in GCSE qualifications to the UMS.</p>

Appendix 4 to the code

Paragraph number	Coverage, or contradiction, of the requirements in the Code by...				Requirements not covered
	The Conditions	Statutory guidance to the General Conditions of Recognition	Draft statutory guidance on assessment strategies (for new GCEs and GCSEs only)	Other regulatory documents	
1				<p><i>The Requirements from Arrangements for Awarding and Setting Standards in the Diploma</i> (available here) set out the grades which must be used at each level for diploma qualifications (p. 3).</p>	<p>There are no requirements outside the Code which specifically state the grading scales which must be used in principal learning and project qualifications in the same way that the Code does. However, those grading scales may be inferred from the <i>The Requirements from Arrangements for Awarding and Setting Standards in the Diploma</i>.</p>

2 - 3					<p>There are no requirements outside the Code which state that principal learning qualifications must be offered only once (summer) during the first year they are offered.</p> <p>Likewise, there is no requirement which states that for an initial period determined by Ofqual such qualifications must only be awarded twice a year.</p>
4					<p>There are no provisions outside the Code which state that principal learning units may be retaken and no requirement that an AO must reissue a certificate if a unit resit improves the grade awarded for the qualification.</p>
5 - 6					<p>There are no requirements outside the Code in relation to how grade boundaries for</p>

					each principal learning unit and project must be set.
7 - 10					There are no requirements outside the Code in relation to the translation of raw marks into standardised scores for the purposes of aggregation.

Appendix 5 to the code

Coverage, or contradiction, of the requirements in the Code by...					Requirements not covered
Paragraph number	The Conditions	Statutory guidance to the General Conditions of Recognition	Draft statutory guidance on assessment strategies (for new GCEs and GCSEs only)	Other regulatory documents	
1 - 5			<p>The qualification level section on delivering assessments states that assessment strategies should demonstrate how an AO will set and maintain grade standards, including -</p> <ul style="list-style-type: none"> • Detailing how it sets and maintains 		There are no requirements outside the Code in relation to the way in which an awarding committee may determine provisional grade boundaries in specifications or options with small entries.

			<p>grade standards,</p> <ul style="list-style-type: none">• Detailing how it collects and appropriately balances the full range of evidence, which may include statistical information and qualitative consideration of performance <p>Describing how its expertise in standard-setting facilitates appropriate consideration of evidence,</p> <ul style="list-style-type: none">• Outlining how it supports the awarding process as it takes place, such as by providing modelled		
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			<p>and/or aggregated learner marks and subject outcomes in real-time during awarding meetings, and</p> <ul style="list-style-type: none">• Outlining its procedures for internal review and approval of awarding decisions and outcomes.		
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