

GCSE Reform: Equality Analysis Report



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1. Introduction

In June 2013 we published a consultation on reforming GCSEs.¹ The consultation included proposed key design features for the qualifications and proposals for regulating the new qualifications. We included in the consultation our initial analysis of the potential positive and negative impacts the proposals could have on students who share different protected characteristics. Prior to the consultation, we met with a number of groups representing a range of protected characteristics in order to help inform our initial consideration of the potential positive and negative impacts. To help people both consider the potential impacts we had identified and identify any we might have overlooked, we published with the consultation paper a literature review we had commissioned. This review identified and discussed research and writing that could help us to understand the potential impacts.

We have considered our initial analysis in light of the responses to our consultation. This report sets out our current analysis of the potential impact of the proposed reforms on different groups of students.

1.1 Ofqual's role, objectives and duties

Ofqual is a statutory body, established by the Apprenticeships, Skills, Children and Learning Act 2009. The Act sets out our objectives.²

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

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

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

¹ GCSE Reform Consultation: <http://comment.ofqual.gov.uk/gcse-reform-june-2013> (accessed 29th October 2013).

² Apprenticeships, Skills, Children and Learning Act 2009, section 129(1).

We also have duties under the Apprenticeship, Skills, Children and Learning Act 2009 to have regard to the reasonable requirements of relevant students, including those with special educational needs and disabilities, of employers and of the higher education sector.³ We are also under a duty to have regard to aspects of government policy when so directed by the Secretary of State.⁴

As a public body we are subject to the public sector equality duty (PSED).⁵ This duty requires us to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct which is prohibited under the Equality Act 2010;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

GCSEs are designed and awarded by bodies described in the Equality Act 2010 as 'General qualifications bodies', which, for the purposes of GCSEs, we call exam boards. These bodies are required by the Equality Act, among other things, to make reasonable adjustments for disabled people taking their qualifications, except where Ofqual has specified that such adjustments should not be made.

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

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

We have set out our equality duties in more detail in Annex A.

Legislation therefore sets out a legal framework within which we must operate. We are subject to a number of duties and we must aim to achieve a number of

³ Apprenticeships, Skills, Children and Learning Act 2009, section 129(2)(c).

⁴ *Ibid.*, section 129(6).

⁵ Equality Act 2010, section 149.

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

We place on the bodies we regulate general Conditions of Recognition.⁶ These are the rules that exam boards and the other awarding bodies that we regulate must follow. These general Conditions include a number of requirements on exam boards to design qualifications so that they do give a reliable indication of the knowledge, skills and understanding of those on whom they are conferred. The general Conditions also require the exam boards to avoid where possible features of a qualification that could, without justification, make a qualification more difficult for a student to achieve because they have a protected characteristic. The general Conditions require exam boards to monitor whether any features in their qualifications have this effect.

1.2 Our approach to equality

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

1.3 Gathering evidence

Our analysis of the potential impact of the proposed reforms to GCSEs has been informed by:

⁶ *General Conditions of Recognition*: www.ofqual.gov.uk/documents/general-conditions-of-recognition (accessed 29th October 2013).

- meetings with the National Children’s Bureau (NCB) and the Council for Disabled Children (CDC);
- meetings with members of our Equality Advisory Group and the Access Consultation Forum (see Annex B for details of the membership of these groups), also attended by representatives of the Equality and Human Rights Commission;
- workshops at which we discussed our proposals with teachers and a wide range of individuals from awarding organisations, professional and subject organisations and representatives of people sharing protected characteristics;
- a meeting with the Muslim Council of Britain, VIP Minds and the Joint Council for Qualifications on the impact of fasting on students taking exams;
- the external literature review⁷ we commissioned;
- additional research reports;
- our GCSE reform consultation.

We asked three specific questions in our GCSE reform consultation specifically targeting the equality impacts of our proposals:

Q.63: We have identified a number of ways the proposed requirements for the reformed GCSEs may impact (positively or negatively) on persons who share a protected characteristic. Are there any other potential impacts we have not identified?

Q.64: Are there any additional steps we could take to mitigate any negative impact on persons who share a protected characteristic resulting from these proposals?

Q.65: Taking into account the purpose of qualifications, could the proposed design of the reformed GCSEs be changed to better advance equality of opportunity between persons who share a protected characteristic and those who do not?

The responses to these questions (Annex C), as well as some comments made in response to other questions, have informed our understanding of the potential impact of our proposals on students who share protected characteristics.

⁷ Caplan, A and J Jackson (2013) *GCSE Reform Equality Analysis: Literature Review*. www.ofqual.gov.uk/files/2013-06-11-annex-2-gcse-reform-equality-analysis-literature-review.pdf (accessed 29th October 2013).

The following equalities organisations responded to our consultation:

- Alliance for Inclusive Education (ALLFIE)
- British Association of Teachers of the Deaf (BATOD)
- Centrepoint
- Independent Parental Special Educational Advice (IPSEA)
- KLS Support UK
- National Deaf Children's Society (NDCS)
- Royal College of Speech and Language Therapists (RCSLT)
- Royal National Institute of Blind People (RNIB)

We have directly quoted organisational respondents' views on specific aspects of how a reform will impact on particular characteristics where they have direct equality remit. Such organisations have unique insight into the issues faced by those with particular characteristics and therefore we have given due weight to their views.

1.4 Structure of this report

In this report we have considered, for the points on which we have consulted, the potential impact of the proposals on students who share protected characteristics and whether, and if so how, potential negative impacts could be mitigated. We have also considered the cumulative effect of all the proposals.

We have also considered the potential positive and negative impact our proposals may have in relation to socio-economic status, in addition to protected characteristics, where concerns have been identified. There is evidence that social class intersects with certain protected characteristics such as racial group⁸ and we have received a number of concerns from equality organisations and other respondents to the consultation about how our proposals may impact on students from disadvantaged backgrounds. However, socio-economic status is not, in itself, a protected characteristic, and therefore students who are disadvantaged by their socio-economic status are not protected by the Equality Act 2010 simply by virtue of

⁸ Croxford, L (2000) *Inequality in Attainment at Age 16: A 'Home International' Comparison*, CES; Cassen, R. and Kingdon, G (2007) *Tackling low educational achievement*, The Joseph Rowntree Foundation in Caplan, A and J Jackson (2013) GCSE Reform Equality Analysis: Literature Review.

possessing that status. Where, however, a student possesses a protected characteristic as defined by the Equality Act 2010 that student will, of course, be afforded protection in respect of that characteristic.

1.5 Summary of the key impacts identified

Our consultation and other research identified the following concerns and potential impacts:

- Our proposal that new GCSEs in English, English literature, geography and history should be untiered could have a negative impact on students who, because of their disability or because English is not their first language, may find it difficult to understand the more demanding questions in the assessments aimed at more able students. On the other hand untiered qualifications would allow students who were capable of achieving a high grade the opportunity to do so, when they might otherwise have been entered for the lower tier because their potential was not recognised by their teacher, for reasons possibly connected with a protected characteristic.
- Our proposal that new GCSEs in mathematics and the sciences should continue to be tiered was generally welcomed, although it would not remove any existing concerns that a student who had the potential to achieve at the highest grades could be entered for the lower tier.
- Students who do not perform well in exams, perhaps because of their disability, could be negatively affected if all assessment is by exam, rather than controlled or other forms of non-exam assessment, particularly if, as proposed, assessment takes place only at the end of the course.
- Our proposal that only exams in English language and mathematics would be available to be re-taken in November could have a negative impact on students who have not performed well in their exams for other subjects, or who were absent from them, because of their disability or because of another protected characteristic, such as pregnancy. This is because the student would have to wait for a full year to enter the examination again. This could have a negative impact on their opportunities to progress with their education or in employment.
- The proposed marks for spelling, punctuation and grammar could have a negative impact on students whose ability to demonstrate these skills is affected because of a disability or because English is not their first language.
- The proposal that there would be fewer grades available to recognise performance and progress at the lower end of the ability range could

demotivate, and therefore disadvantage, students who may be at the lower end of the range because of a disability.

2. Key design features – tiering

GCSEs are taken by students who have a wide range of abilities. For some subjects it is possible to design high-quality assessments that enable students of all abilities to demonstrate their knowledge, skills and understanding of the subject. For other subjects, however, a common assessment could increase the amount of time during which students needed to be assessed and also present students with questions which they were either not able to attempt, or questions that they found too easy.

Tiering can make a qualification more accessible to more students. However, because a school has to decide for which of the tiers to enter each student, and because students entered for the lower, or foundation tier, cannot be awarded the highest grades, there is a risk that students entered for the foundation tier might not be able to achieve a grade that reflects their true ability, or potential, in a subject. Therefore the student's opportunity to progress in the subject could be capped by the choice made by the school.

We set out in our consultation our proposal that qualifications should only be tiered in limited circumstances. We also set out the different models of tiering that can be used and the advantages and disadvantages of each.

Proposal

We sought views on our proposal that GCSEs should only be tiered if:

- manageable assessments cannot be designed that would both allow students at the lower end of the ability range to demonstrate their knowledge, skills and understanding and that would stretch the most able students;
- content that would be exclusive to the higher tier could be identified.

We proposed that with regard to the specific subjects on which we were consulting, mathematics, biology, chemistry, physics and double award science should be tiered and English language, English literature, geography and history should be untiered.

Of these subjects, all but history are currently tiered.

We also proposed that we should retain, but improve, the current overlapping tiers model.

Impact

Tiering could have a negative impact on students who had the potential to achieve a top grade but could not do so because they were entered for the foundation tier. On the other hand, students who are faced with questions they cannot attempt to answer because they were inappropriately entered for the higher tier could fail to achieve any grade at all and/or be demotivated by the experience.

In an untiered qualification teachers do not have to take decisions about the tier for which an individual student should be entered. This addresses the concerns that have been identified by some researchers that some teachers can underestimate a student's potential to achieve the higher grades and that such underestimation is more likely to occur for students from certain racial groups (Wilkin et al, 2010⁹) and, for mathematics and science, for girls (Elwood, 2005¹⁰). The potential impact of teacher expectation is also indicated by Hamer et al (2013, p.23) in their suggestion that the decision to enter students in different tiers is influenced by "factors such as socio-economic status".¹¹ Our proposal that GCSEs in most subjects should be untiered would address these concerns as they might otherwise be manifested in those subjects.

Concerns have been raised with us, however, that untiered papers may include questions that are worded using complex text or are ambiguous and/or long. Such questions could prevent students from demonstrating their knowledge, skills and understanding in an exam, which the student could have demonstrated had the questions been asked in a more straightforward way. These concerns have been raised particularly about some disabled students whose language development may have been affected by their disability, although their subject knowledge and understanding is strong. This issue may also impact on students with English as an

⁹ Wilkin, A, C Derrington, R White, K Martin, B Foster, K Kinder and S Rutt (2010) *Improving the outcomes for Gypsy, Roma and Traveller pupils: final report and literature review*, Research Report DFE-RR043: www.gov.uk/government/uploads/system/uploads/attachment_data/file/181669/DFE-RR043.pdf (accessed 25/05/2013) in Caplan, A and J Jackson (2013) GCSE Reform Equality Analysis: Literature Review.

¹⁰ Elwood, J (2005) 'Gender and Achievement: What Have Exams Got to Do With It?' *Oxford Review of Education* 31 (3) pp. 373–93 in Caplan, A and J Jackson (2013) GCSE Reform Equality Analysis: Literature Review.

¹¹ Hamer, J, R Murphy, T Mitchell, A Grant and J Smith (2013) *English Baccalaureate Certificate (EBC) Proposals: Examining With and Without Tiers*, Alpha Plus in Caplan, A and J Jackson (2013) GCSE Reform Equality Analysis: Literature Review.

additional language¹² but who have strong subject knowledge and understanding. In addition the issue of a candidate being de-motivated, raised as a concern with pupils entered inappropriately for a higher-tier paper, could also be the case for an untiered qualification where they may be faced with a number of questions that they are unable to answer.

In response to concerns about the language and complexity of questions in untiered papers relative to foundation tier papers, we are undertaking a piece of work to compare such questions. We already have in place a general Condition of Recognition (general Condition G3) requiring exam boards to use language and stimulus materials that are appropriate to the qualification in question, avoid ambiguity, except where ambiguity forms part of the assessment, and takes into account the age of learners. We will consider issuing statutory guidance to exam boards on the language and phrasing of questions in light of the findings of our further work and our plans to require assessment strategies from exam boards.

Currently schools can ask for exam papers to be modified so that questions are expressed in more straightforward language for students whose language development has been hindered by their disability. This is a reasonable adjustment for disabled students. Annex D sets out an example comparison between modified and unmodified examination papers for OCR GCSE English language and GCSE English literature. Exam boards are already subject to a Recognition Condition that requires them to design their exam papers in a way that permits reasonable adjustments to be made, whilst minimising the need for them (condition G.9b). They are also required by conditions to monitor for, and address where appropriate, features of their qualifications that may adversely affect particular groups of students. There is no reason why such reasonable adjustments should not continue to be made for disabled students where concerns about the readability of questions remain.

We have not identified anything about our planned approach to tiering that would have a negative impact on students because of their age, religion or belief, pregnancy or maternity or sexual orientation or as a result of gender reassignment. Nor has any adverse impact on these groups been communicated to us either through our meetings with representative groups or by respondents to our consultation.

¹² We are using English as an additional language as a proxy for national origin, which is a protected under the characteristic of race.

3. Key design features – assessment arrangements

3.1 Type and length of assessment

GCSEs are currently assessed in a range of different ways, according to the subject. Controlled assessments, in which assessments are completed under controlled conditions over an extended period of time, are currently used in many GCSEs. Such assessments are normally marked by the student's teacher. We set out in our consultation and in a separate report on the use of controlled assessment in GCSEs,¹³ our concerns about controlled assessments.

Proposal

We proposed in our consultation that in new GCSEs non-exam assessment should only be used to assess essential aspects of a subject that cannot be validly assessed by exam. Assessment should otherwise be by way of externally set and marked exams. We also proposed that all exams should be taken at the end of the course, and not spread throughout the course – a terminal linear assessment model. This would reduce the disruption to effective teaching and learning and allow assessment to be in part synoptic while avoiding the difficulty in awarding that has sometimes affected modular GCSEs.¹⁴ The terminal linear assessment model will also help to ease the pressures on schools and students. These pressures can lead to preparation of controlled assessment to a point where the final work is not representative of a student's true level of replicable achievement, and sometimes also to over-marking, which in turn leads to unfairness to other students.

We proposed that whilst most exams would be held in the summer only, an exception should be made for English language and mathematics so that students could re-take their exams in these subjects. English language and mathematics are often needed for progression, and an early opportunity for students to re-take exams in these subjects would provide opportunities for some students to progress quickly into further education or employment. We also proposed that the November exams should be restricted to students in Year 12 and above.

¹³ *Review of Controlled Assessment in GCSEs*: www.ofqual.gov.uk/files/2013-06-11-review-of-controlled-assessment-in-GCSEs.pdf (accessed 29th October 2013).

¹⁴ In 2012 we concluded that strong pressure on schools to achieve GCSE English at grade C, over-marking of controlled assessments in some schools, the complexity and poor design of GCSE English exams, along with too much emphasis on school-based controlled assessment, led to some schools in England experiencing grade variations in the summer 2012 examination series. *Poor Design of GCSE English Exam Led to Grade Variations*: www.ofqual.gov.uk/news/poor-design-gcse-english-exam-grade-variations (accessed 8th October 2013).

We proposed that for the first set of reformed GCSEs the following minimum requirements should apply:

- a minimum of 3.5 hours of exam time for subjects in which the final grade is based on externally set and marked exams only;
- a minimum of 3 hours of exam time when additional forms of assessment contribute to the final grade.

We would expect these requirements to be spread over more than one exam. The time limits would be doubled for double award science. We would consult on the appropriate minimum assessments times for reformed GCSEs in subjects outside the first tranche, if we decided to impose a minimum exam time. For subjects with a significant practical component, and little that can be validly assessed by exam, lower minimum requirements would be likely to apply.

Where a subject includes assessments other than exams, we did not propose in the consultation that the timing of these assessments should be restricted, but the marks for these assessments should only be confirmed by exam boards at the time the overall outcome for the qualification is published.

Impact

Of all of our proposals for new GCSEs, assessment arrangements raised the most issues for students who share protected characteristics and prompted the most equality-related responses to our consultation. Concerns centre on the impact on students of being assessed in one concentrated period in the summer months and of being assessed predominantly by way of exam.

- *Concentrating examinations in the summer months*

In our initial analysis we considered the potential impact on students who are fasting during their exams, for example Muslim students who fast during Ramadan. We recognised that the impact on their overall attainment could be greater if all assessments were taken during a concentrated exam period that coincided with fasting, compared to the current situation in which, since 2010, exams for GCSEs could be taken during two assessment windows during the year and controlled assessment formed part of the qualification.

Since our initial analysis we have held a meeting with the Muslim Council for Britain (MCB), the charity VIP Minds and with the Joint Council for Qualifications (JCQ), which represents the exam boards, to consider how negative impacts on students who are fasting could be mitigated. VIP Minds had already considered the implications for Muslim students of Ramadan falling during the exam period from 2014–2019 (dates as set out in Annex E), and had sought views from young Muslims. Their initial feedback was that fasting students would prefer to take their

exams in the most critical subjects in the afternoon, because when Ramadan falls in the summer months fasting is broken late at night disrupting normal sleep patterns. The JCQ confirmed that it takes religious festivals and periods of observance into account when constructing the exam timetable. VIP Minds and the JCQ, with reference to the Muslim Council of Britain, will work together to consider how best the timetable can be constructed to reduce any negative impact of fasting on students during their exams.

Disabled students are entitled to have reasonable adjustments to the way their exams are conducted, where, because of their disability, they would be significantly disadvantaged relative to others, provided the examination still gives a reliable indication of attainment. Some disabled students are given extra time in which to complete their exams. A school or college will assess the student's current method of working and confirm to the exam board it has evidence to demonstrate that the student is disabled and that the disadvantage they would otherwise experience would be addressed in full, or part, by extra time. The extra time allocated can range from 25 per cent to, exceptionally, 100 per cent. The JCQ *Access Arrangements and Reasonable Adjustments: General and Vocational Qualifications* (2013) is clear that the school or college must consider the most reasonable and appropriate amount of extra time for the individual student's needs and that:

Centres should note that extra time of over 100% is likely to be counter-productive in terms of fatigue. Other access arrangements, particularly supervised rest breaks, should be identified to make this arrangement unnecessary.¹⁵

Concerns were raised with us by members of the Access Consultation Forum and the National Children's Bureau during the pre-consultation meetings that a disabled student who was eligible for extra time and/or breaks under existing access arrangements could therefore currently have exams that lasted for a full day.

Although it was not an issue raised widely in discussion or in consultation responses, there is some research that students born later in the year perform at a lower level in their exams than those born earlier. The Institute for Fiscal Studies (IFS) 2013 paper, *When you are born matters: evidence for England* found "large differences in educational attainment between children born at the start and end of the academic

¹⁵ JCQ (2013) *Access Arrangements and Reasonable Adjustments: General and Vocational Qualifications*, p.30: www.jcq.org.uk/download/exams-office/access-arrangements-and-special-consideration/regulations-and-guidance/access-arrangements-and-reasonable-adjustments-2013---2014-bookmarked-version (accessed 29th October 2013).

year in England.”¹⁶ It may be that the proposed reforms, whereby all students take their exams at the end of their course, rather than at stages throughout, could help to even out inequalities between students born at different times of the year. It is possible that this could have a positive impact on summer-born students as they will be at their oldest when taking their exams.

In our initial equality analysis, we considered whether the proposed assessment arrangements would adversely affect students who were pregnant or had recently given birth or who were undergoing or had undergone gender reassignment. We acknowledged that some students would be disadvantaged at whatever time assessments were taken. We did not identify any adverse impacts of the proposals on the basis of the gender or the sexual orientation of the student. Nor has any adverse impact been communicated to us either through our meetings with representative groups or by respondents to our consultation.

In contrast, concentrating examinations in the summer period may benefit some students. For example, a Gypsy/Roma/Irish Traveller student has the opportunity to take all examinations in one period, rather than potentially missing assessments due to moving location and school through the year.

■ *Assessment to be by external examination wherever possible*

In their responses to our consultation a number of people asserted that girls would be adversely affected by the removal of controlled assessment relative to boys, because, they said, girls perform less well in exams. We referred in our initial analysis to such views but also to the lack of conclusive evidence to support this position. We have looked at evidence from the available research to inform our understanding of the relative performance of boys and girls in exams and other forms of assessment, as detailed in Annex F.1. We have also analysed the relative performance of girls and boys in GCSE English between 1990 and 2000 and GCSE mathematics between 1988 and 1998; this does not support the view that girls have benefitted more than boys in that subject from the use of non-exam assessment (Annex F.2). These dates were selected for our analysis due to the changes to the weightings of GCSE coursework during this time. Professor Elwood suggested in 2005 that the differences between the results for girls and boys obscured the proportions of girls and boys being entered for different exams and individual performance variations.¹⁷ She concluded that

¹⁶ Institute for Fiscal Studies (2013) *When You Are Born Matters: Evidence for England*: www.ifs.org.uk/comms/r80.pdf , p.1 (accessed 29th October 2013).

¹⁷ Elwood, J (2005) ‘Gender and Achievement: What Have Exams Got to Do With It?’ p.380.

...the **actual** influence of coursework in contributing to girls' and boys' success is quite different to its **perceived** influence as understood by examiners, teachers and students.¹⁸

We have looked at the results of the National Curriculum assessments testing component, as this is taken under traditional exam conditions similar to GCSE exams; that is, the students are tested in a set amount of time, individually and in silence, with a teacher acting as an invigilator. Students sit National Curriculum assessments at Key Stage 2 (typically at age 11) which are made up of formal testing and teacher assessment. The results from this component in Annex G demonstrate that between 2007 and 2013 girls have consistently outperformed boys in the reading test at both level 4 and above and level 5 and above. In the spelling, punctuation and grammar test introduced in 2013, girls again outperformed boys at both level 4 and above and level 5 and above. Both these tests are taken under traditional exam conditions. Different results can be seen for mathematics where at level 4 and above girls and boys perform at the same level. However, within those who performed at level 4 and above, the results of students who performed at level 5 and above show that boys outperform girls. This data suggests that in the context of the National Curriculum assessment testing component, girls can perform at least as well as boys under exam conditions. This helps to support the findings in Annex F.2; however, the age difference between Key Stage 2 and GCSE must be taken into account and we do not know if girls at Key Stage 2 would have performed at an even higher level if the testing component was coursework-based.

The proposal that assessment should be predominantly by end-of-course exams raised a number of concerns for disabled students.

The Royal National Institute of Blind People (RNIB) in its response to the consultation, for example, wrote:

sight loss creates greater demands on memory and recall because learners are unable to grasp information as quickly and easily as those with normal sight. This issue, which relates to information processing rather than cognitive ability, increases the challenge of taking unseen timed exams for many [visually-impaired] students. (RNIB consultation response)

The British Association of Teachers of the Deaf (BATOD) suggested that reliance on “convoluted and wordy exam questions” would set children up to fail. This concern about the clarity of exam questions is the same as those made in response to the proposals about tiering, explored above. Other groups representing the interests of

¹⁸ *Ibid.*, p.386.

disabled students, including the Alliance for Inclusive Education (ALLFIE), the National Children's Bureau (NCB) and the Council for Disabled Children (CDC) also raised concerns about the impact on disabled students of qualifications assessed mainly or wholly by exam in a concentrated period at the end of two years.

Representatives from CDC and Acorn Care & Education raised concerns about the cumulative effect of exams on students with disabilities. Anecdotal evidence from these representatives showed that this was believed to be a forthcoming issue for learners, given the change from modular to linear qualifications for first teaching in September 2012 and certificating for the first time in summer 2014.

In addition, our GCSE Reform Equality Analysis: Literature Review noted that

pupils with physical disabilities affecting their energy levels or abilities to concentrate for extended periods may have problems demonstrating their complete and true capabilities with an assessment regime confined to one concentrated period of three hours upon which their entire course of study is evaluated¹⁹

but found little research to substantiate these concerns.

We have been told in many responses to our consultation that students who do not perform well in exams will be disadvantaged if they cannot compensate for poor exam performance by a stronger performance in controlled or other form of assessment. Students might not perform well for a wide range of reasons, for example they may find the exam experience stressful, they may experience fatigue because of a disability or because they are fasting or their performance may be adversely affected by hay fever. The opportunity to re-take GCSEs in English language and mathematics (discussed below in sections 7.1 and 7.3) would reduce the negative impact on students' opportunities to progress, although not remove them altogether.

We have been alerted to concerns that students who do not live in stable environments conducive to study, for example asylum seekers²⁰ who are not in settled accommodation, will be disadvantaged if most assessment is by way of exams. Controlled assessment, some respondents argued, enables students who cannot revise satisfactorily for exams to gain valuable marks to compensate for their exam performance.

¹⁹ GCSE Reform Equality Analysis: Literature Review, p.5.

²⁰ In this context, asylum seeking status is a proxy for national origin and hence racial group, a protected characteristic under the Equality Act 2010.

Conversely, a model in which students are required to undertake assessments at many points throughout a two-year course can also provide challenges for students whose schooling and home lives may be disrupted. Such disadvantages are not determined by students' protected characteristics, however, as they can affect students from all backgrounds and with a range of protected characteristics. Qualification design cannot address inequalities in society and in educational opportunity generally.

A pregnant student who gives birth before, or is due to give birth during, the exam period will not be able to take non-exam assessments at other times of the year. Likewise for a student who is undergoing gender reassignment during the exam period. However, current GCSEs require exams to be taken at fixed points, albeit with some choice, and as under the proposals there will be fewer points at which exams will be taken, students who are able to could plan around the exam dates.

We have not identified any aspect of our planned approach to assessment by external examination wherever possible that would have a negative impact on students because of their age, religion or belief or sexual orientation. Nor has any adverse impact been communicated to us either through our meetings with representative groups or by respondents to our consultation.

3.2 Re-takes

Proposal

We currently allow re-takes of English language and mathematics GCSEs in November, and in our consultation we proposed to continue to do so when reformed GCSEs are introduced. This recognises that qualifications in these subjects can be essential to a student's progression and that some students could be disadvantaged by having to wait a year to re-take. We are, however, concerned about the increasing trend of early entry and double entry in English and mathematics, because of the challenges they create for setting standards, as well as the potential impact on students.²¹ We therefore proposed in our consultation that November re-sits should be restricted to Year 12 and older students.

Impact

Students may be unable to sit their examinations in the summer or may not perform well due to a long-term illness, the consequences of pregnancy or of fasting during

²¹ Ofsted (2013): *Schools' Use of Early Entry to GCSE Examinations*: www.ofsted.gov.uk/resources/schools-use-of-early-entry-gcse-examinations (accessed 29th October 2013).

religious festivals, gender reassignment surgery, a change of location (affecting for example asylum seekers and Gypsy, Roma or Irish Traveller students) or issues that may impact on any students such as a bereavement or accident. Respondents to the consultation made the point that the negative impact on students affected in this way would be exacerbated by the lack of opportunity to re-take, except in English language and mathematics, until the following summer. They might not be able to progress into further education or employment and, if they are not able to continue to be taught for their subjects during the intervening time, their prospects of success a year on might be reduced.

We were advised by some who responded to our consultation to consider whether restricting November entry opportunities to students in Year 12 and above would be unlawful on the grounds of age discrimination. There is a material difference between students in year 12, who might need these qualifications to progress, and younger students who have to remain in full-time education and will normally be studying for their GCSEs. Our duty to refrain in the exercise of a public function from doing anything that constitutes discrimination does not apply to the protected characteristic of age so far as it relates to persons under the age of 18 under the Equality Act 2010.²² We wish to allow November re-takes in GCSE English language and mathematics in recognition of the important role those qualifications play in facilitating entry to both further education and employment. Students who are entered early do not have such pressures, however, and can re-enter exams the following summer (and may be able to re-take again the following November). Younger students are not disadvantaged by the proposed policy unless they are seeking to progress to further study at a younger age.

We have not identified any potential impact on our planned approach to re-takes that would have a negative impact on students because of their gender and sexual orientation. Nor has any adverse impact been communicated to us either through our meetings with representative groups or by respondents to our consultation.

3.3 Spelling, punctuation and grammar

In our *Consultation on GCSE Reform*²³ in 2011, we considered the proposed allocation of separate marks for spelling, punctuation and grammar and found broad support for the proposal to add such marks to GCSE English literature, history, geography and religious studies (for first awards in summer 2013). When we took this

²² Equality Act 2010, section 28(1)(a).

²³ *GCSE Reform Consultation – June 2013*: <http://comment.ofqual.gov.uk/gcse-reform> (accessed 30th September 2013).

decision we considered concerns from equality organisations and other respondents that students with particular characteristics, such as dyslexia, would be penalised because they would achieve a lower mark than they would otherwise have achieved in the subject, even if they could demonstrate the required understanding, knowledge and skills. That is, a dyslexic student might not be able to access more than 95 per cent in these subjects, no matter how well they perform in the other parts of the assessment, if they are unable to spell. It is a legitimate policy that students' ability to spell, punctuate and use accurate grammar is assessed in GCSEs. Following our 2011 *Consultation on GCSE Reform*, marks were introduced in GCSEs in the subjects listed above for spelling, punctuation and grammar.

Five per cent of marks in English literature, geography, history and religious studies were allocated to these skills for GCSEs in the subjects awarded in 2013. This percentage is high enough to indicate to students and teachers that spelling, punctuation and grammar matter, and should be taken seriously, but not so high that it distorts the focus of the qualification. The questions to which these marks are allocated are flagged in exam papers to make students aware of the full requirements of the questions.

We are now considering what impact the provision has had on marking, attainment and grading or on the teaching and development of students' spelling, punctuation and grammar skills.

As part of our investigation, we asked teachers to complete a short online survey, promoted through the Association of School and College Leaders' (ASCL) newsletter and through other teaching networks. The survey was open from 17 September to 25 September 2013 and in total we received 242 responses from teachers. Our early findings (Annex H) indicate that the allocation of five per cent of marks to spelling, punctuation and grammar in English literature, geography, history and religious studies continues to provide a reasonable balance between demonstrating the importance of accurate communication and minimising the negative impact on students with particular characteristics. There was also a common view that the emphasis placed on spelling, punctuation and grammar in the examination had resulted in greater emphasis being placed on the teaching of these skills. However, the results also indicate concerns regarding the impact on students with English as an additional language, dyslexic students and those with special educational needs. We will further evaluate the spelling, punctuation and grammar policy once we have more conclusive evidence about its impact.

Proposal

In our consultation, we proposed that the current requirements should be carried forward to the reformed GCSEs in the subjects for which spelling, punctuation and grammar marks have already been introduced. As with current GCSEs, in English language a higher proportion of marks will be allocated to these skills, reflecting their

importance to the subject. The Department for Education's parallel consultation proposed a 20 per cent weighting in English language. The previous weighting in GCSE English language for quality of written communication, which incorporated spelling, punctuation and grammar, was at least 12 per cent.²⁴

Impact

A number of people raised concerns in the consultation on the impact of the five per cent allocation of marks for spelling, punctuation and grammar in English literature, geography and history on students with dyslexia, special educational needs and English as an additional language. As these subjects required a range of other skills over and above the ability to spell, punctuate and use grammar correctly, the allocation of marks for these skills was seen to be unnecessarily penalising some students.

Some students use a scribe or amanuensis because of a physical disability or a disability which affects their ability to write legibly and/or at speed. The 2013 JCQ guidelines for *Access Arrangements and Reasonable Adjustments: General and Vocational Qualifications*²⁵ set out the following advice for schools and colleges in relation to spelling, punctuation and grammar where a scribe, or voice-activated technology, is used by the student:

If a candidate chooses to dictate his/her spellings and/or punctuation, extra time of up to 50% may be awarded. An approved application for a scribe will allow the centre to grant extra time of up to 50% to the candidate when Spelling, Punctuation and Grammar is being assessed.²⁶

²⁴ The GCSE Subject Criteria for English Language (www.ofqual.gov.uk/downloads/category/192-gcse-subject-criteria?download=1237:gcse-subject-criteria-for-english-language-september-2011) incorporates these marks into Assessment Object 4: Writing, stating that: "At least one third of available credit for AO4 should be awarded to the use of a range of sentence structures for clarity, purpose and effect, with accurate punctuation and spelling." The Regulations for the Assessment of the Quality of Written Communication (www.ofqual.gov.uk/downloads/category/187-quality-of-written-communication-january-2012) provides additional information regarding the requirements exam boards must adhere to in relation to the quality of written communication (including spelling, punctuation and grammar) when preparing specifications and assessments.

²⁵ JCQ (2013) *Access Arrangements and Reasonable Adjustments: General and Vocational Qualifications*.

²⁶ JCQ (2013) *Access Arrangements and Reasonable Adjustments: General and Vocational Qualifications*, p.50.

The extra time is allowed in these cases to give the student the opportunity to spell out each word letter by letter, and to dictate the punctuation. This is the only way in which a student using a scribe or amanuensis can access marks for spelling and punctuation.

In the 2012 GCE and GCSE examination series, 32,376 requests for a scribe were granted, amounting to 14 per cent of all approved access arrangements and 0.23 per cent of the total 14,361,661 number of GCSE and GCE scripts marked in the 2012 summer examination series.²⁷ A number of consultation respondents considered that the allocation of five per cent of marks to spelling, punctuation and grammar would have a significant negative impact on such students. For example, an exam board, stated that

We recognise the requirement to include SPG as a proportion of marks in humanities subjects. However, we believe that this does disadvantage students with particular characteristics. Use of an amanuensis to demonstrate SPG increases the burden on these students and means that there is less time for them to demonstrate their knowledge and understanding of the subject. (Pearson)

An additional concern raised in responses to the consultation was that the increase from 12 per cent to 20 per cent of marks allocated to spelling, punctuation and grammar in English language may encourage students or schools to seek an inappropriate diagnosis of dyslexia for students who have difficulty spelling. This could then give the student the opportunity to ask for additional time in an examination. This would not be possible if the system of permitted access arrangements was sufficiently robust. For students who are dyslexic the provision of extra time might not assist them.

There will be some skills required for a qualification which some students might not be able to demonstrate because of a disability. These qualifications need to remain reliable indications of what students can do. A student studying French is expected to spell, punctuate and use grammar accurately in order to achieve the highest

²⁷ *Access Arrangements for GCE and GCSE: 2011/12 Examination Series:* www.ofqual.gov.uk/files/2012-10-31-access-arrangements-for-gcse-and-gce-2011-12-exam-series-data-tables.xls (accessed 2nd October 2013).

grades.²⁸ A student with dyscalculia taking GCSE mathematics may be unable to answer questions relating to measurements as a result of their condition and therefore cannot gain the marks for those questions. In the same way, it is legitimate for an exam assessing English language also to assess a student's proficiency in spelling, punctuation and grammar, and for this to be a considerable proportion of the assessment. We accept that this will impact on students with special educational needs and/or dyslexia and/or English as an additional language. For some students with these characteristics, arrangements such as additional time in the examination may be sufficient to access these marks. For other students, the current reasonable adjustments will not be sufficient. If a student is unable to spell, extra time in an examination may not offer a solution but instead could be more stressful for the student as they will be spending longer in the examination environment yet still unable to access the marks. This was highlighted as a key concern by a number of organisations representing particular characteristics, including BATOD and the British Dyslexia Association (BDA), in the pre-consultation discussions.

We have not identified any potential impact on our planned approach to spelling, punctuation and grammar that would have a negative impact on students because of their gender, age, religion or belief, pregnancy or maternity or sexual orientation or as a result of gender reassignment. Nor has any adverse impact on these groups been communicated to us either through our meetings with representative groups or by respondents to our consultation.

4. Key design features – reporting student performance

Individual student outcomes of qualifications are reported to:

- certificate their achievement;
- differentiate between students;
- indicate that a particular threshold has been reached, for example to progress to an A level or other Level 3 qualification.

GCSE outcomes are also used for school accountability purposes.

GCSE students are currently awarded one of eight grades: A*, A, B, C, D, E, F or G. There is also an Unclassified outcome (U).

²⁸ GCSE Subject Criteria for Modern Foreign Languages, p.6:

www.ofqual.gov.uk/downloads/category/192-gcse-subject-criteria?download-1294:gcse-subject-criteria-for-modern-foreign-languages-september-2011 (accessed 29th October 2013).

Performance at some of these grades is currently set out in grade descriptions in subject criteria. These grade descriptions give a general indication of the standards of achievement likely to have been shown by students awarded these grades.

Proposal

The GCSE grading system is long-established and familiar, but has drawbacks as well as advantages which we set out in our consultation. We considered the main alternatives to grading and the advantages and disadvantages of each option in detail in the consultation document.²⁹ We proposed to retain a grading model. A grading model may not be perfect, but we believe it strikes a reasonable balance between providing sufficient information to allow users to differentiate between students without suggesting unrealistic levels of precision.

We proposed that the new grades should be described by the numbers 1–8, with 8 representing the highest level of performance. The proposed new grades would not correspond precisely, or even necessarily approximately, to old grades, and so any continuation of the same grade names would be confusing. We sought views on this proposal and on alternative options.

We suggested that GCSE grading does not currently differentiate effectively throughout the ability range in all subjects. Some commentators suggest that there is insufficient differentiation at the higher end of the grade range, despite the introduction of the A* grade. On the other hand, there may be more grades than necessary below the C grade. Very few GCSEs are awarded at the lowest grades: in 2012 across all subjects there were more students achieving grade D (16 per cent) than grades E–G combined (14 per cent). In the consultation we also considered the benefits of reporting information on student performance in the different aspects of a subject; in particular, whether this might be useful to students or their future teachers.

Impact

Many commentators during the consultation raised the issue that for many disabled students and students with special educational needs achievement of a lower grade such as a grade E would represent an excellent accomplishment. Therefore if the number of grades at the lower end of the performance range was reduced, this could demotivate such students, and stop their achievements from being recognised. This view was supported by respondents to the consultation such as the RNIB, who said that the benefits of greater differentiation between students would be “at the expense of lower attaining students whose performance could end up being grouped together

²⁹ *Options for the Reformed GCSEs*: <http://comment.ofqual.gov.uk/gcse-reform-june-2013/4-key-design-features-reporting-student-performance/options-for-the-reformed-gcses> (accessed 20th October 2013).

in a basic ‘fail’ grade” when for some students a lower grade may “represent a considerable achievement which is worthy of appropriate recognition” (RNIB consultation response).

In relation to the benefits of reporting information on student performance in the different aspects of a subject, there were no comments indicating that this would have a negative impact on students with particular protected characteristics. However, the Alliance for Inclusive Education (ALLFIE) recommended that additional information about what a student had achieved would:

...allow employers and tutors to make judgements on what pupils have actually learnt and mastered, rather than depend on a value-laden grade. For instance, employers may be more willing to take on a student that has basic operational mathematical skills (addition, subtraction, multiplication and division) rather than a GCSE Grade D and below or an entry level award that carries negative connotations. (ALLFIE consultation response)

This recommendation may well aid students with particular characteristics. However, if intended on an individual basis, it would be a considerable burden on the awarding organisation, or school or college, to manage for each student; and, unless there was sufficient assessment of each skill/area of knowledge and more than there currently is, potentially unreliable. The quantity of additional assessment required to provide a fair, reliable reflection of students’ abilities, while maintaining standards over time, would in itself present implications for students with particular characteristics.

We have not identified that our planned approach to reporting student performance would have a negative impact associated with a student’s race, gender, age, religion or belief, pregnancy or maternity or sexual orientation or as a result of gender reassignment. Nor has any adverse impact on these groups been communicated to us either through our meetings with representative groups or by respondents to our consultation.

5. Full and short-course GCSEs

Proposal

We proposed that the time it will typically take a student to complete a course of study for one of the reformed GCSEs should be the same as, or similar to, the time required for current GCSEs (double award science will be the same as or similar to two current GCSEs). This means, as is the case with current GCSEs, students would normally study the reformed GCSEs over two years.

Exam boards currently offer short-course GCSEs too. These are available in a range of subjects including religious studies, citizenship studies, physical education and ICT, and some of them are taken by large numbers of students. In the consultation we proposed that versions of the reformed GCSEs could be made available in a short course.

In the light of the proposal that the reformed GCSEs should be linear, with all assessments taken at the end of the course, a short course of the qualification could not simply be half the modules of the full qualification. It would have to be separately designed and assessed.

Students could not build up a short-course GCSE into a full GCSE by carrying marks forward. However, students could decide, having taken the short qualification, to take the full course, and if there was common content students taking short and full forms could be taught together.

If an exam board wishes to offer a short-course option, the design of the full GCSE should not be compromised to facilitate the design and delivery of a short version.

Impact

There is broad support from equalities organisations for our proposal that exam boards could offer short courses which would not contribute to a full GCSE, with four of the six equalities organisations who responded to the question (Q.40) agreeing or strongly agreeing with the proposal. These included IPSEA, RNIB, ALLFIE and Centrepont. One equality organisation, BATOD, disagreed with the proposal but the reasons for disagreeing were not articulated, while the National Deaf Children's Society (NDCS) had no opinion on this issue. We have not identified any potential negative impact on our planned approach to full and short-course GCSEs that would have a negative impact on students because of their protected characteristic. Nor has any adverse impact on these groups been communicated to us either through our meetings with representative groups or by respondents to our consultation.

There could in fact be a positive benefit for students who, perhaps because of their disability, found it difficult to complete a full GCSE course. These students could

nevertheless achieve a short-course GCSE in a chosen subject. In addition, students with particular protected characteristics who may not wish, or who may struggle, to attempt the full GCSE in a subject would have the opportunity to work towards a short-course GCSE in the same subject over two years instead. Therefore the proposal may have a positive impact on these students.

6. Regulating the reformed GCSEs

We have considered how best to ensure good quality assessments in the reformed GCSEs.

Exam boards are already required to comply with our *General Conditions of Recognition*³⁰ on assessment design and to make sure their assessments are fit for purpose, appropriate for the method of assessment chosen and consistent with the specification for that qualification. These conditions will continue to apply to exam boards offering the reformed GCSEs.

Proposal

In the consultation, we proposed that:

- awarding organisations should be required to use and assess the subject content requirements as set out by the Department for Education in the development of reformed GCSEs (for those subjects on which the Department of Education consults and publishes subject content requirements);
- exam boards should be required to develop assessment strategies for their reformed GCSEs;
- exam boards should be required to review systematically the effectiveness of their assessments for each of their reformed GCSEs;
- the reformed GCSEs should be subject to an accreditation requirement, as is the case for current GCSE qualifications. We are developing our accreditation process and we will consult on, and publish, the accreditation criteria in the autumn of 2013.

Impact

We have not identified anything in our planned approach to regulating the reformed GCSEs that would have a negative impact on students because of their protected characteristic. Nor has any adverse impact on these groups been communicated to us either through our meetings with representative groups or by respondents to our consultation. In fact, we can use the proposals to enhance the requirements on exam boards to consider the potential and monitor the actual impact on students who share different protected characteristics of the features of their qualifications and assessments and address any negative impacts.

³⁰ *General Conditions of Recognition*: www.ofqual.gov.uk/documents/general-conditions-of-recognition

We received a number of comments in the consultation which directly referred to subject content. However, subject content is managed by the Department for Education. We will consider these comments together with the Department for Education's equality analysis on their proposed subject content when deciding whether or not to incorporate the Department for Education's proposed content into our regulatory framework.

7. Subject-specific features of the reformed GCSEs

7.1 English language

English language GCSE will be a key qualification for students' progression into further and higher education and into work. We expect that the qualification will continue to have particular significance in any school accountability measures. The design of the qualification must reflect the particular uses to which the qualification is put and the pressures that may be placed on the qualification by school accountability measures.

Currently students can be entered for either GCSE English (taken by students who do not take a separate GCSE in English literature) or GCSE English language. This choice will end with the introduction of the reformed GCSEs: due to a change in government policy there will be reformed GCSEs in English language and English literature but no combined English option.

Proposal

In the consultation, we asked for views on our proposals that:

- the spoken language component included in the Department for Education's draft English language content should be assessed by teachers;
- the outcome of the spoken language assessment should be reported separately on the certificate and not form part of the overall grade.

We also sought views on how an exemption given to a disabled student who was unable to attempt the speaking assessment should be reported on his or her certificate.

Impact

Our concerns regarding the potential for inconsistencies in the setting and marking by teachers of speaking and listening controlled assessments, and the potential unfairness for students, led to our decision following consultation that in current GCSE English and English language a grade for speaking and listening should be reported separately, but alongside the grade for the written assessments. This prevents speaking and listening marks from counting towards the final grade for current GCSE English and GCSE English language qualifications.³¹

³¹ *Changes to GCSE English and English Language*: www.ofqual.gov.uk/news/changes-to-gcse-english-and-english-language (accessed 24th September 2013).

We understood, when taking this decision, that there were strong concerns that a student's poor performance in written assessments could not, in the future, be compensated for by a good performance in a speaking assessments marked by his or her teacher. We were also told that in some schools speaking skills would cease to be taught effectively, with a potentially negative impact on students who would benefit if their speaking skills were developed.

It was also suggested to us that girls outperform boys in speaking and listening assessments and that they would therefore be disadvantaged if their performance did not contribute to their overall grade. We do not have evidence to substantiate this claim. If there is evidence that girls outperform boys because of a particular style of assessment, this would itself indicate an inequality that might need to be addressed.

The Independent Parental Special Education Advice group (IPSEA) recommended that we work with JCQ and specialist groups (for example NDCS) to investigate whether hearing-impaired students could be examined in British Sign Language for the speaking component of English language. This would provide an alternative method for such students to demonstrate their ability to communicate. We will explore with representatives of the community whether BSL users would or would not wish to use BSL in an assessment of English. The separate reporting of the speaking component could allow for the certificate to record that the speaking component had been undertaken using BSL. This could be a positive outcome; currently the only option for these students is an exemption for part of the assessment, which is recorded on the certificate.

The response from NCB and CDC suggested the development of GCSE British Sign Language, which would allow hearing impaired students to demonstrate their communication skills. We will consider this as an option when the wider suite of GCSEs is developed.

We asked whether the outcome of the spoken language assessment should be reported separately on the certificate and not form part of the overall grade (Q.48). Five of the six equalities organisations who responded to this question, including BATOD, ALLFIE, NDCS, the Royal College of Speech and Language Therapists (RCSLT) and RNIB, disagreed or strongly disagreed with the proposal that the spoken language assessment should be reported separately. RCSLT expressed concerns that the proposal to report speaking and listening separately would result in students with

...very heterogeneous profiles with different areas of strength and need...[who]...may perform better in speaking than in reading and writing...[being prevented]...from having their spoken language skills reflected in their grades.

Both the RCSLT and NDCS stated that there was a risk that the separate reporting of speaking and listening would reduce the focus of these skills in the classroom. NDCS also raised the concern that:

...many deaf young people may struggle to continue to develop their speaking and listening skills at the same rate as their peers as their incidental learning of language...is significantly restricted due to their deafness. Failure to develop and improve their speaking and listening skills will not only affect their English results but will also impact on their wider attainment and life outcomes.

Such comments assume that skills that are not reported as part of the grade will not be properly and effectively taught in schools. But qualifications alone should not determine what schools teach. The proposal would allow students who, because of their disability, perform well in the written assessments but less well in the speaking and listening assessment, to have their high performance recognised.

Some disabled students may be granted an exemption from the spoken language assessment because of their disability, for example deaf or hearing-impaired students. We therefore asked whether the exemption should be shown on the certificate or if the certificate should just include the grade from the examination (Q.49). If the exemption is not reported, that part of the certificate would remain blank and give no indication of inability to participate in the assessment of any component. Three out of the four equalities groups that answered this question, including BATOD, NDCS and IPSEA, were of the view that the exemption should not be recorded, with the grade derived from the written assessments only being shown. NDCS raised the concerns that recording the exemption was:

...inherently unfair and could have the effect of stigmatising a disabled student in their future efforts to seek employment...[and could]...remove the incentive for the regulator and qualification bodies to ensure access to examinations; it is in effect a “get-out” clause for the regulator and qualification bodies.

Only one of the equalities organisations, RNIB, supported the reporting of an exemption in the case of the spoken language assessment of English language. Although the RNIB would prefer to see qualifications designed as far as possible “to be inclusive at the outset”, they believed that in this particular circumstance it would be a benefit to students. The RNIB suggested that an exemption would “avoid the risk of misleading potential future employers about the exact nature of the candidate’s skills” (RNIB consultation response). OCR took a different view and suggested that “A certificate indicator stating that something that has no bearing on the final result has not been completed due to a candidate’s disability may well be interpreted as discriminatory” (OCR consultation response).

We have not identified any potential impact on our planned approach to assessing and reporting spoken language in the new English language GCSE that would have a negative impact on students because of their race, gender, age, religion or belief, pregnancy or maternity or sexual orientation or as a result of gender reassignment. Nor has any adverse impact on these groups been communicated to us either through our meetings with representative groups or by respondents to our consultation. We have addressed the potential impact of the allocation of marks for spelling, punctuation and grammar in section 3.3 above.

7.2 English literature

Proposal

We proposed that English literature should be assessed by written examination, set and marked by the exam board.

Impact

The results of the qualitative data from the consultation showed few specific comments on the impact of our proposals for English literature on students with particular characteristics. However, the quantitative data from the consultation showed three of the four equalities organisations (BATOD, NDCS and IPSEA) who responded to the question about this proposal (Q.51), disagreed that the draft English literature content could be assessed by externally written examinations only. NDCS said that this would “significantly disadvantage deaf young people, many of whom may struggle with working memory”, linking this subject-specific proposal to wider concerns about a reduction in internal assessment (see section 3.1 for further details).

IPSEA suggested that alternative forms of assessment should be explored as part of the available access arrangements and reasonable adjustments.³²

We have not identified any potential impact on our planned approach to assessing the proposed new English literature GCSE that would have a negative impact on students because of their race, gender, age, religion or belief, pregnancy or maternity or sexual orientation or as a result of gender reassignment.

³² www.jcq.org.uk/Download/exams-office/access-arrangements-and-special-consideration/regulations-and-guidance/access-arrangements-and-reasonable-adjustments-2013---2014-bookmarked-version

7.3 Mathematics

Proposal

We have not identified any aspects of the proposed GCSE in mathematics that could not be validly assessed by way of written exams set and marked by the exam board. Mathematics does not include internal assessment currently and so was not considered as part of our controlled assessment review. The principles we have developed about when non-exam assessment should be used do not suggest that non-exam assessment should be included in the reformed GCSEs in mathematics.

Impact

Very few specific concerns regarding the impact of this proposal were made in the consultation. However, BATOD raised the concern that the use of “impenetrable language which obscures the mathematical concepts” in exam papers would disadvantage some students with particular characteristics, including some hearing-impaired students. We have considered the clarity with which questions should be written in section 2 above.

We have not identified any potential impact on our planned approach to mathematics that would have a negative impact on students because of their racial group, gender, age, religion or belief, pregnancy or maternity or sexual orientation or as a result of gender reassignment. Nor has any adverse impact on these groups been communicated to us either through our meetings with representative groups or by respondents to our consultation.

7.4 The sciences (biology, chemistry, physics and double award science)

There are currently GCSEs in chemistry, biology, physics, science and additional science. The Government’s policy is for there to be reformed GCSEs in chemistry, biology, physics and double award science.

Our *Review of controlled assessment in GCSEs*³³ found a good deal of consensus about the importance of practical work in the science subjects, and concerns that the teaching of practical skills would suffer if they were not part of the formal assessment arrangements at GCSE. The worry is that teachers would focus their time and resources on activities which link more directly to the end exam.

Proposal

We set out the following proposals in our consultation:

³³ *Review of Controlled Assessment in GCSEs*: www.ofqual.gov.uk/files/2013-06-11-review-of-controlled-assessment-in-GCSEs.pdf

- the Department for Education's draft content for science GCSEs includes practical elements. These practical elements cannot be assessed only by an external written exam;
- the practical science element should be assessed by teachers in accordance with exam board requirements;
- the practical science assessment element should contribute 10 per cent to the student's overall marks for the GCSE science qualifications.

Impact

Few respondents made specific comments concerning the impact of the proposals on students with disabilities. However, there were some concerns that "incorporating an assessment into science that is predominantly practical manipulative skills would preclude students with some physical disabilities from accessing those marks" (Centre for Innovation and Research in Science Education, University of York consultation response).

In order to mitigate the impact of the testing of practical elements on students with physical disabilities, the University of York suggested that practical skills be reported as a separate grade. This would be a similar method to that proposed for reporting speaking and listening skills in English and therefore "would not prejudice [the student's] grade on the written components" (Centre for Innovation and Research in Science Education, University of York consultation response). This idea was also suggested by several of the exam boards prior to the consultation.

This proposed mitigation to report practical elements separately has the potential to resolve the issue of students with certain physical impairments being unable to participate in this part of the assessment. Students who are unable to manipulate science equipment may be able to instruct a practical assistant to do so for them in the practical assessment. Of course this is only appropriate if the assessment remains valid and that will depend on what the qualification is actually assessing. Where students are not able to take part in the practical elements, they may be exempted from this component of the qualification – a reasonable adjustment "of last resort".³⁴

We have not identified any potential impact on our planned approach to the sciences (including biology, chemistry, physics and double award science) that would have a

³⁴ The GCSE, GCE, Principal Learning and Project Code of Practice defines a component as "a discrete assessable element within a qualification which is not itself formally reported".
www.ofqual.gov.uk/downloads/category/93-codes-of-practice?download=680%3Agcse-gce-principal-learning-and-project-code-of-practice-2011

negative impact on students because of their racial group, gender, age, religion or belief, pregnancy or maternity or sexual orientation or as a result of gender reassignment. Nor has any adverse impact on these groups been communicated to us either through our meetings with representative groups or by respondents to our consultation.

7.5 Geography

Our *Review of controlled assessment in GCSEs*³⁵ found a good deal of agreement that carrying out fieldwork is essential for students of GCSE geography. There was less agreement about whether it is possible to assess fieldwork skills as part of a GCSE geography exam, although there was a view that some of the skills – data manipulation, interpretation and analysis, for example – can be assessed through written exams. There were many concerns about the nature of school fieldwork exercises, which many schools complete in a single day. Even the most capable students are unlikely to have the time during one day of fieldwork to experiment with alternative approaches to data collection, which means that they are not able to reflect on, further analyse and evaluate their work.

There are also issues of fairness for all students. We found that if teachers designed poor fieldwork exercises it could prevent students from performing well, or from accessing all of the marking criteria.

Proposal

The Department for Education's draft geography GCSE content includes a fieldwork element but we proposed that the related knowledge and skills could be assessed by written exam, set and marked by the exam board.

Impact

None of the contributors to our pre-consultation work, or to our consultation, identified anything our planned approach to geography that would have a negative impact on students because of their protected characteristic. However, we note that certain types of fieldwork could impact on students with particular characteristics such as visually impaired students or students with physical disabilities who may not be able to access the chosen site of the fieldwork and that students with long-term illnesses and Gypsy/Roma/Irish Traveller students may not be in school when the fieldwork takes place.

³⁵ *Review of Controlled Assessment in GCSEs*: www.ofqual.gov.uk/files/2013-06-11-review-of-controlled-assessment-in-GCSEs.pdf

7.6 History

Our *Review of controlled assessment in GCSEs*³⁶ found a consensus that internal assessment in history allows students to develop valuable research and planning skills that could not be assessed in an exam. However, there are also concerns that current controlled assessment tasks are too prescriptive and that this prevents students from demonstrating their knowledge, and that the time needed to conduct controlled assessment means teaching and learning time is reduced.

We found that the current controlled assessment encourages students to demonstrate historical enquiry skills in ways that would not be possible in a written exam, but we also found that the freedom to choose, plan, research and write up a piece of work allowed too many opportunities for plagiarism and use of writing frames as well as too much teacher input.

The Department for Education's curriculum consultation discusses the option of a historical investigation as part of the assessment of the history GCSE, but notes that there would be regulatory issues with such a proposal; it would be difficult to assess it reliably and with sufficient control without undermining the purpose of the proposed investigation.

Proposal

We proposed in the consultation that the Department for Education's draft history GCSE content could all be assessed by external written exam only.

Impact

We have not identified anything in to history that would have a negative impact on students because of their protected characteristic. Nor has any adverse impact on these groups been communicated to us either through our meetings with representative groups or by respondents to our consultation.

³⁶ *Ibid.*

Annex A: Our equality duties

A.1 Public sector equality duty

The Equality Act places on us a duty to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

In having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, we must have regard, in particular, to the need to:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected with that characteristic;
- take steps to meet the needs of persons who share a relevant protected characteristic where their needs are different from the needs of persons who do not share it;
- encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice and promote understanding.

The relevant protected characteristics are:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief

- Sex
- Sexual orientation.

A.2 Additional equality duties

As the qualifications regulator for England, we have further duties under the provisions of Sections 96(7) and 96(8) of the Equality Act³⁷ for “relevant qualifications” (GCSEs, A Levels etc). We must:

- determine any limitations on the use of reasonable adjustments for disabled learners;
- have regard for the need to:
 - minimise the extent to which disabled persons are disadvantaged in attaining the qualification because of their disabilities;
 - secure that the qualification gives a reliable indication of the knowledge, skills and understanding of a person upon whom it is conferred;
 - maintain public confidence in the qualification.

We also have a duty under section 129(2)(b) and 129(9) of ASCL: in performing our functions we must have regard to reasonable requirements of relevant learners, including persons with learning difficulties. “With learning difficulties” means:

- children with special educational needs;
- other persons who have a significantly greater difficulty in learning than the majority of persons of their age;
- other persons who have a disability which either prevents from or hinders them in making use of educational facilities of a kind generally provided for persons of their age.

The awarding organisations we regulate are subject to equality duties in their own right, including making reasonable adjustments in both general and vocational qualifications.

³⁷ Equality Act 2010.

Annex B: The Equality Advisory Group and Access Consultation Forum

As part of our pre-consultation work, we carried out an equality analysis screening exercise and discussed our proposals with our Equality Advisory Group and the Access Consultation Forum.

The Equality Advisory Group provides us with expert external advice, challenge and feedback on equality issues relating to the regulation of qualifications and assessments. We appoint members of the group using an open appointments process so that the membership includes experience of the range of protected characteristics. Group members are appointed for their personal expertise and experience and not as representatives of a particular group or characteristic. The group is invited to consider and advise on:

- the equality implications of significant reforms to qualifications and regulatory arrangements in their early stage and then as the reforms progress;
- the equality issues that arise from issues of strategic importance;
- our arrangements for assessing and managing equality issues in respect of our regulatory role.

The Access Consultation Forum is a multi-stakeholder group which supports our understanding of matters that affect disabled learners accessing qualifications and assessments. The members of the group are drawn principally from awarding organisations and groups representing disabled learners and their interests. The ACF advises us on:

- accessibility of the qualifications that we regulate and their assessments;
- reasonable adjustments to assessments.

Annex C: GCSE reform consultation 2013: responses to questions 63–65

We asked three specific questions in the GCSE reform consultation specifically targeting the equality impacts of our proposals:

Q.63: We have identified a number of ways the proposed requirements for the reformed GCSEs may impact (positively or negatively) on persons who share a protected characteristic. Are there any other potential impacts we have not identified?

Of the 317 respondents who answered this question, 224 (71 per cent) of these said there were no other potential impacts we had not identified. 93 (29 per cent) respondents said there were more potential impacts we had not identified. Of these, all six responses identified as being submitted by equalities organisations and three of the five responses from awarding organisations believed there were more potential impacts we had not identified. The majority of comments from the total 29 per cent of respondents related to the impact on students with special educational needs and disabilities; however, the impact on students with English as an additional language, students from racial groups other than White British and students disadvantaged by reason of their socio-economic background were also key concerns.

Q.64: Are there any additional steps we could take to mitigate any negative impact on persons who share a protected characteristic resulting from these proposals?

Of the 296 respondents who answered this question, 199 (67 per cent) of these said there were no additional steps we could take. 97 (33 per cent) respondents said there were additional steps we could take to mitigate any negative impact of the proposals. Of these, all six responses from equalities organisations, four of the five responses from awarding organisations and eight of the 15 responses from school representative bodies/unions believed there were additional steps we could take. Of these 97 respondents who commented further, a wide variety of additional steps was proposed. A popular choice was to retain controlled assessments (or return to coursework) and a modularised system. Another popular proposal was the retention of tiering. There were a number of requests to maintain the status quo.

Q.65: Taking into account the purpose of qualifications, could the proposed design of the reformed GCSEs be changed to better advance equality of opportunity between persons who share a protected characteristic and those who do not?

Of the 287 respondents who answered this question, 185 (64 per cent) of these said the proposed design could not be changed to better advance equality of opportunity. 102 (36 per cent) respondents said the proposed design of the reformed GCSEs

could be changed to better advance equality of opportunity. Of these, all six responses identified as being submitted by equalities organisations and two responses from the awarding organisations who responded to this question believed the proposed design could be changed. However, none of the eight independent school responses believed that the design could be changed. There was little consensus among respondents as to how the design could be changed. The main proposal was for a range of assessment types, or more coursework/controlled assessment, within the qualifications. Other points included tiering across all subjects, making the examinations accessible to all students and wider changes to the curriculum, for example incorporating functional numeracy skills in the foundation tier of mathematics.

Annex D: Language modified papers

The JCQ document *Access Arrangements, Reasonable Adjustments and Special Consideration 1st September 2013 to 31st August 2013* sets out the provision for candidate access to modified language exam papers.

Language modified papers are available for candidates who have persistent and significant reading difficulties when accessing and processing information. Modified papers have to be ordered separately. Awarding bodies do not require evidence of the candidate's difficulties. A large number of question papers are already modified since language specialists have been involved in the question-setting process. For example, AQA exam questions are language modified at source and therefore language modified exam papers are not available.

A comparison of the way in which modified and unmodified foundation-tier OCR GCSE English Language January 2012 exam papers were presented is given below:

Question	Foundation unmodified	Foundation modified
1(a)	From paragraph one (beginning “teenagers who send...”), give two reasons why some teenagers are likely to have trouble sleeping.	Read paragraph one (beginning “teenagers who send...”). Give two reasons why some teenagers are likely to have trouble sleeping.
1(b)	From paragraph three (beginning “As a consequence...”), write down two consequences of excessive texting.	Read paragraph three (beginning “As a consequence...”). Write down two results of texting too much.
1(c)	From paragraph four (beginning “Many young people...”), what is the cause of the stress mentioned, and what is the effect of the stress?	Read paragraph four (beginning “Many young people...”). What is the cause of the stress mentioned, and what is the effect of the stress?
1(d)	Re-read the passage from paragraph five (beginning “The study, presented at SLEEP 2008...”) to the end of the passage (“...in preparation	Re-read the passage from paragraph five (beginning “The study, presented at SLEEP 2008...”) to the end of the passage (“...in preparation for

	for sleep”). Using your own words as far as possible , outline the effects on teenagers of using mobile phones excessively.	sleep”). Some teenagers use their mobile phones too much. What effects will using their phones too much have on these teenagers? Use your own words as far as possible .
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Three out of four of the modifications in this example create two separate sentences out of the unmodified question. The last question modification contextualises the question with additional words and replaces the word ‘excessively’ with ‘too much’.

The foundation level insert accompanying these papers was also modified. The modification is given below:

Text A unmodified

As a consequence, ‘excessive texters’ felt more tired during the day and drank more caffeine to help them stay awake.

Text A language modified

As a result, young people who texted too much felt more tired during the day and drank more caffeine to help them stay awake.

A comparison of the way in which modified and unmodified higher and foundation tier GCSE English Literature summer 2012 exam papers were presented is given below:

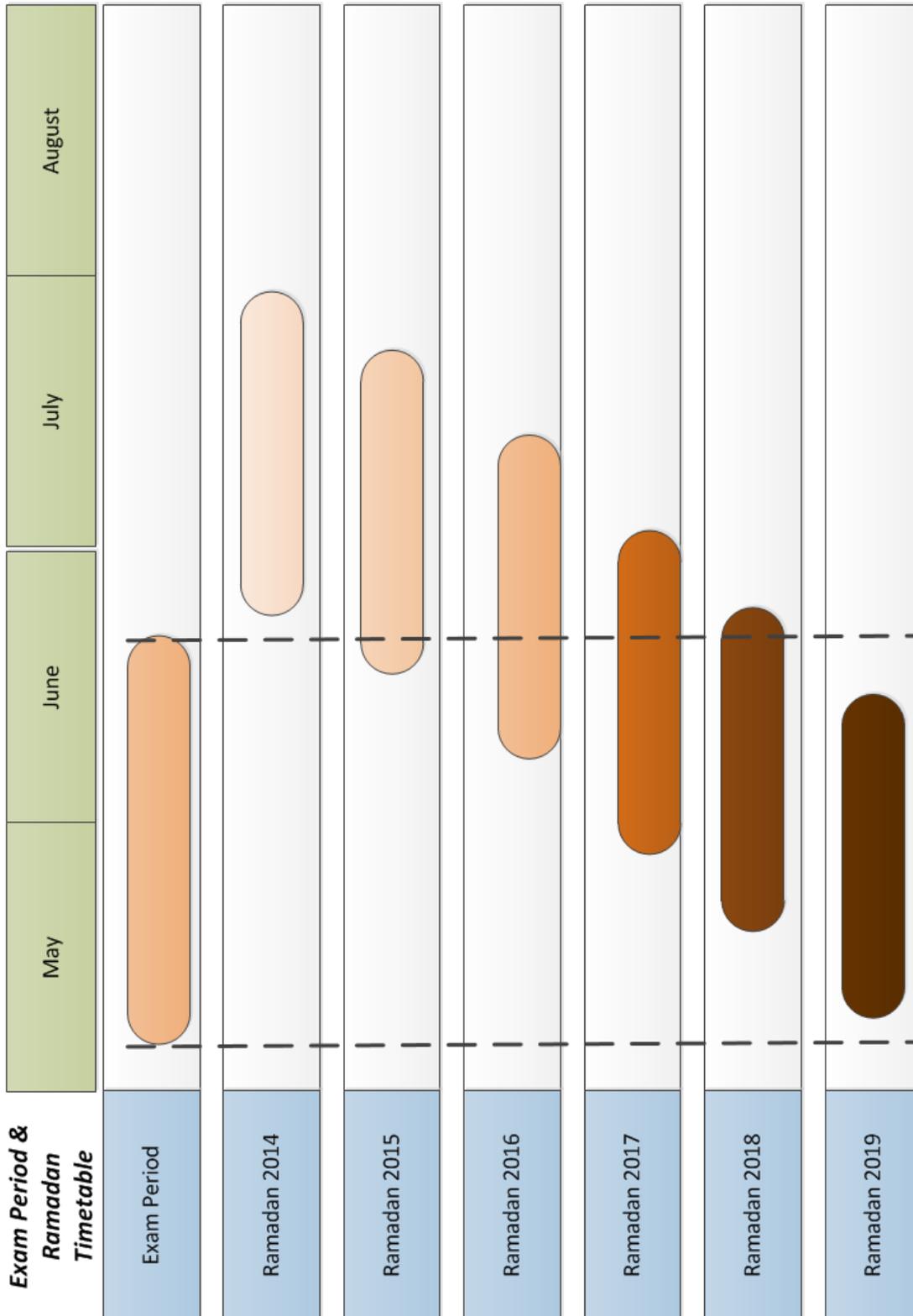
Question	Foundation unmodified	Foundation modified
1(a)	You should consider: • Darcy’s words and his behaviour	You should consider: • Darcy’s words and behaviour
4(a)	You should consider: • the feelings of Rhoda and farmer Lodge	You should consider: • the feelings of both Rhoda and farmer Lodge

6(b)	Do you blame Mr Hyde for Dr Jekyll's downfall and death, or Dr Jekyll himself?	Do you blame Mr Hyde or Dr Jekyll himself for Dr Jekyll's downfall and death?
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Question	Higher unmodified	Higher modified
2(a)	How does Eliot's writing here make this such a memorable turning-point in the novel?	How does Eliot's writing make this such a memorable turning-point in the novel?
3(a)	How does Golding's writing here make this passage so frightening and so revealing?	How does Golding's writing make this passage so frightening and so revealing?
3(b)	How far does Golding's writing persuade you that Ralph is bound to fail as the leader of the boys on the island?	How far does Golding's writing persuade you that Ralph is certain to fail as the leader of the boys on the island?
12(a)	In what ways does Zephaniah's portrayal make Jimmy such a sympathetic figure?	In what ways does Zephaniah's description of Jimmy make you feel sympathy for him?

Modifications in these examples show single word changes, with an alternative sentence construction for the last question.

Annex E: Dates of Ramadan 2014–2019



Annex F: Gender in relation to modular/linear assessment

We reviewed the existing research and statistical evidence regarding the impact of modular and linear assessment on girls and boys in order to address commonly held perception expressed by respondents to the consultation, and by individuals in our pre-consultation work, that girls are better at coursework than examinations. These reviews are set out below in sections F.1 and F.2.

F.1 GCSE coursework and girls

Evidence from some studies show that coursework, together with the modular structure of GCSE exams, has had a positive impact on girls' performance. Tim Oates³⁸ cites several researchers (Boaler, Murphy, William, Elwood, Epstein, Rudduck, Younger & Warrington) who agree that girls do better in qualifications with coursework for a number of reasons: they do well when they can discursively explore a subject; they attend to all the pieces of work which contribute to the end grade even if they only count for a small percentage, whereas boys place greater status and emphasis on the 'big bang' of the exam. Oates concludes that all the small bits of diligence on the seemingly insignificant pieces of coursework add up to a better overall exam grade for girls.

A report by Ofsted³⁹ states that the gap between girls' and boys' achievement at GCSE has been roughly the same for several years. It acknowledges that whilst there are statistical difficulties in analysing the O level and CSE results of the 1980s, they appear to show that girls were already improving their performance before GCSEs were introduced. The report states that changes made to GCSE criteria in 1994 that reduced the coursework element did not immediately reduce the superiority of girls' performance. A 1996 QCA report on coursework⁴⁰ looked at the impact of the reduction in coursework weighting, and when considering English, where the weighting was reduced from 100 per cent to 40 per cent, the changes did nothing to narrow the performance gap between girls and boys. The report found that the gap in attainment between the genders widened between 1993 and 1994.

³⁸ Cambridge Assessment (2012) *What Is Happening to the Gap Between Boys and Girls at GCSE and A Level?*

³⁹ Ofsted (2008) *Boys' Achievement in Secondary Schools*.

⁴⁰ QCA (2006) *A Review of GCSE Coursework*.

A report by the then DCSF⁴¹ in 2009, looked at the gap in attainment by gender at GCSE between 1986 and 1998. The report states that the introduction of coursework in 1988 coincides with girls' performance overtaking that of boys at 16. It goes on to explain that boys tend to favour multiple-choice exam questions, whilst girls tend to perform better in essays and coursework. An evaluation of functional skills exams⁴² found that multiple-choice questions disadvantage girls. A study into performance in geography⁴³ found that boys' coursework is of a poorer quality than girls. The report states that boys struggle to articulate explanations and develop reasoned argument in writing compared to girls, and that they will frequently spend more time on describing processes and graphing and mapping data, but they appear less interested in interpreting and analysing this in depth. The report suggests that this often inhibits them from attaining the higher levels. There is evidence⁴⁴ that suggests, however, that boys performed well in coursework when given assistance with organising their work.

Coursework was replaced by controlled assessment in 2009. There is anecdotal evidence⁴⁵ that teachers perceive that girls preferred coursework to controlled assessment owing to the fact that it allowed them to reflect on their work and redraft. A study by the Centre for Education and Employment Research⁴⁶ states that the change from coursework to controlled assessment has not had an impact on the gender attainment gap, and it speculates that this is due to the modular structure of the GCSE.

September 2012 saw the effective end of the modular GCSE. There has been speculation in the press that these changes will disadvantage girls.⁴⁷ When considering modular versus linear assessment, Cambridge Assessment⁴⁸ found that

⁴¹ DCSF (2009) *Influences and Leverages on Low Levels of Attainment – A Review of Literature and Policy Initiatives*.

⁴² Warwick University (2007) *An Evaluation of the Functional Skills Trials*.

⁴³ Ofsted (2008) *Geography in Schools – Changing Practice*.

⁴⁴ Ofsted (2008) *Boys' Achievement in Secondary Schools*.

⁴⁵ QCA (2007) *Final Report for Case Study Schools Seminar*.

⁴⁶ Centre for Education and Employment Research/University of Buckingham (2011) *GCSE 2011*.

⁴⁷ BBC (2013) *GCSE Changes to Final Exams 'Will Disadvantage Girls'*: www.bbc.co.uk/news/education-21955004 (accessed 4th April 2013).

⁴⁸ Cambridge Assessment (2010) *Effects of Modularisation*.

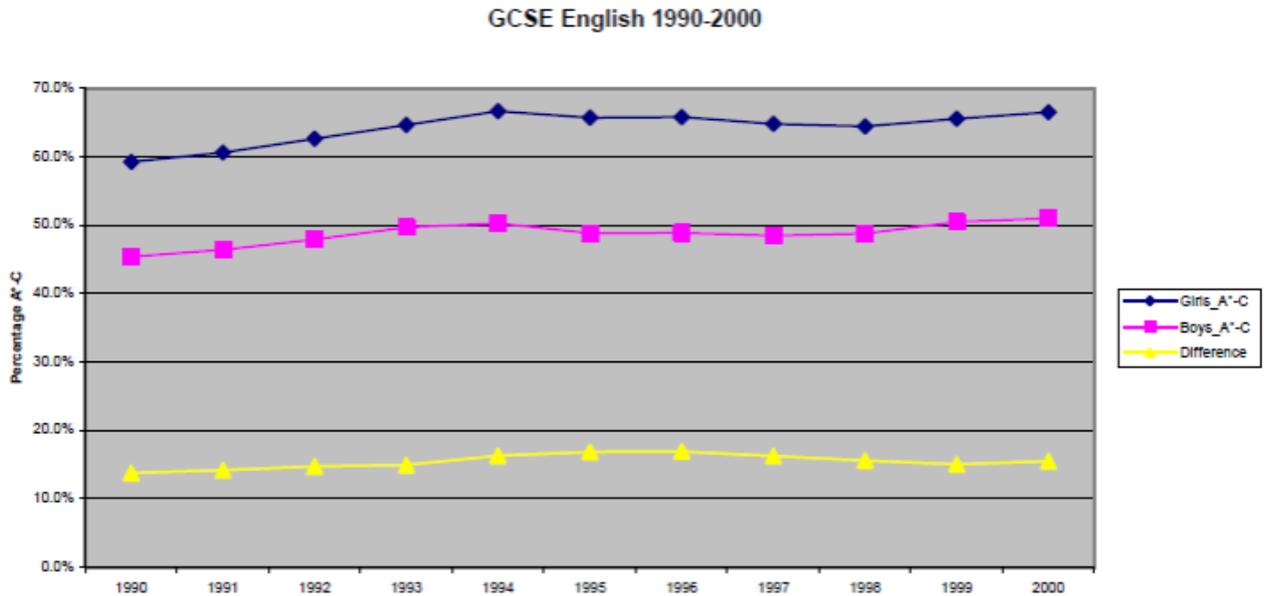
students opting for certificating at the beginning or midway through the course may be at a disadvantage compared to those who opt for certificating at the end and that girls might be at a greater disadvantage than boys. The report states that this suggests that students, in particular girls, could benefit from delaying examination to the later part of the course. The report also found however that, in some cohorts, girls following a linear assessment route and certificating early in the two-year course had higher probability of achieving a certain grade or above than those who certificated late.

F.2 GCSE English and GCSE mathematics coursework results statistics

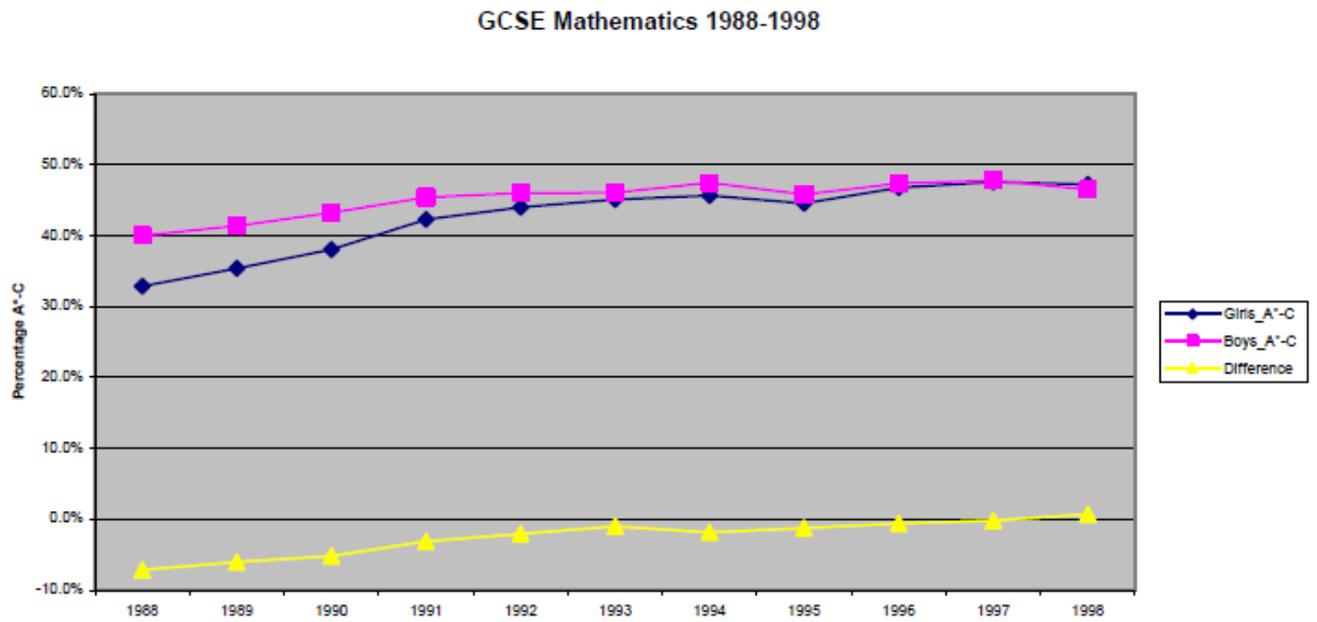
By looking at examples of past changes to coursework arrangements, it is possible to gauge what impact they had on results statistics. However, coursework weightings in individual subjects have been largely stable over the years so good examples are scarce.

The best example involves GCSE English. By the early 1990s about two-thirds of 16-year-olds were taking GCSE English through syllabuses that had no examinations – they were 100 per cent coursework. Following a change to the subject criteria, coursework was reduced to 40 per cent. The first results for the new specifications were issued in summer 1994. There was much concern at the time that the change could damage national results. In reality, the proportion achieving grades A*–C rose from 57 per cent in 1993 to 58.4 per cent in 1994.

One feature of GCSE English at the time was the differential performance of boys and girls (see yellow line on chart below). For those who thought that coursework gives girls a particular advantage, it would be a surprise to learn that reducing the coursework weighting from 100 per cent to 40 per cent did nothing to narrow the performance gap. In fact it widened between 1993 and 1994 at grades A*–C from 14.9 per cent to 16.3 per cent. (In 2012 it was 14.6 per cent.)



Another example involves GCSE mathematics from the same era. For the first three GCSE mathematics exams, coursework was optional and large numbers of schools and colleges did not choose it. From 1991 to 1993 it was a compulsory element weighted at a minimum of 20 per cent. From 1994 it again became optional. The yellow line on the chart of GCSE mathematics results below gives no real indication of the changes to coursework that occurred between 1990 and 1991 or between 1993 and 1994. (In 2012 boys outperformed girls at grades A*–C by 0.9 per cent.)

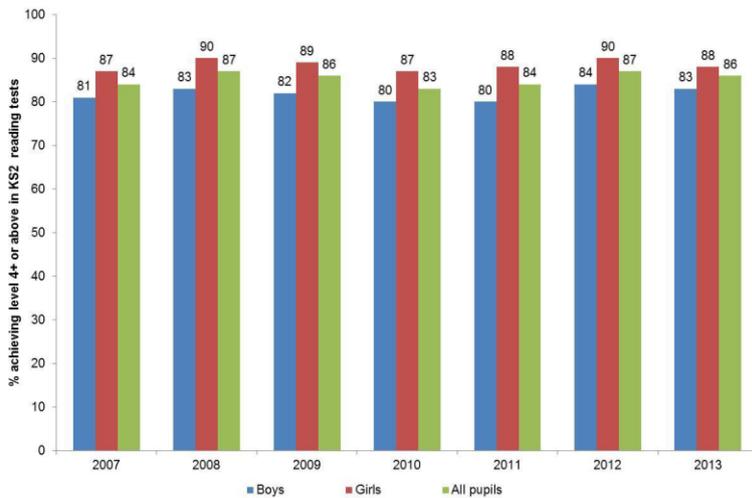


Given these charts it is difficult to conclude that major changes to coursework weightings will necessarily disadvantage girls.

Annex G: National Curriculum Assessment results – testing component

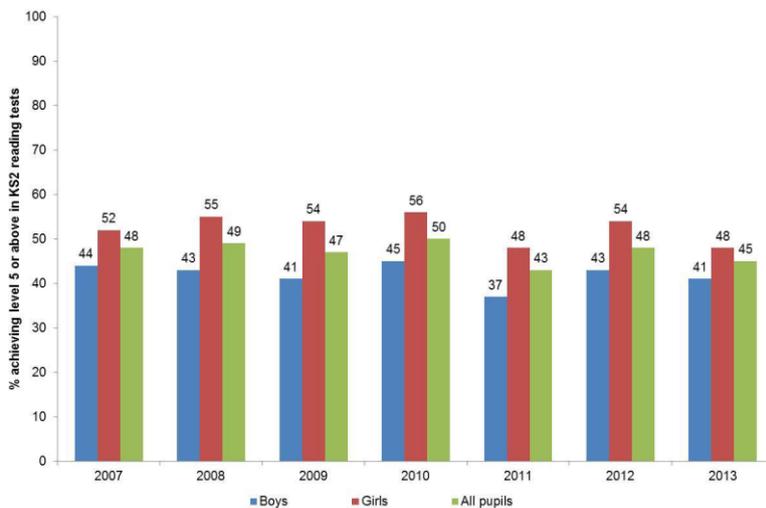
(The following information has been extracted from the *Statistical First Release 34/2013: National Curriculum Assessments at Key Stage 2 in England, 2013 (Provisional)* issued by the Department for Education in September 2013.)

Chart 1: Percentage of pupils achieving Level 4 or above in the Key Stage 2 reading test by gender, 2007–2013 (all schools)



Attainment in the reading test has remained at a similar level to that in 2008 following a small dip between 2009 and 2011. Girls have continued to outperform boys in the reading test. The gap in attainment between boys and girls has continued to narrow, reducing from six percentage points in 2012 to five percentage points in 2013.

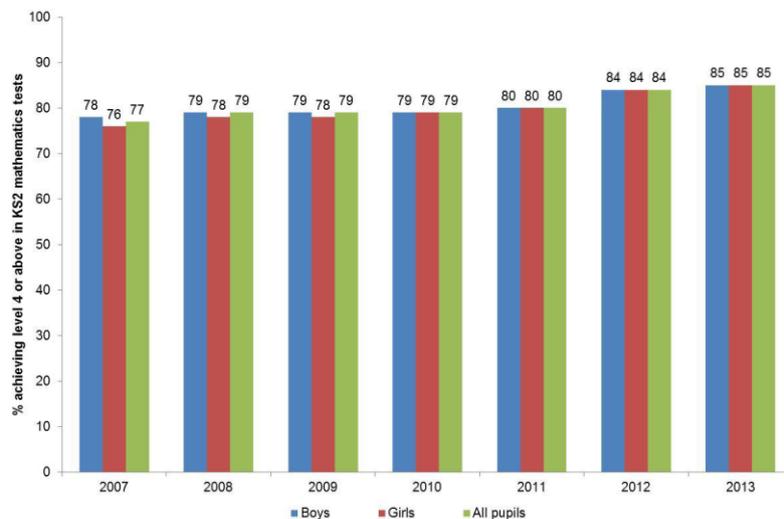
Chart 2: Percentage of pupils achieving Level 5 or above in the Key Stage 2 reading test by gender, 2007–2013 (all schools)



Attainment at Level 5 or above fell between 2012 and 2013. Attainment at this level for girls fell by considerably more than for boys (five percentage points compared to two percentage points). As a result the gap in attainment has narrowed considerably from ten percentage points in 2012 to seven percentage points in 2013.

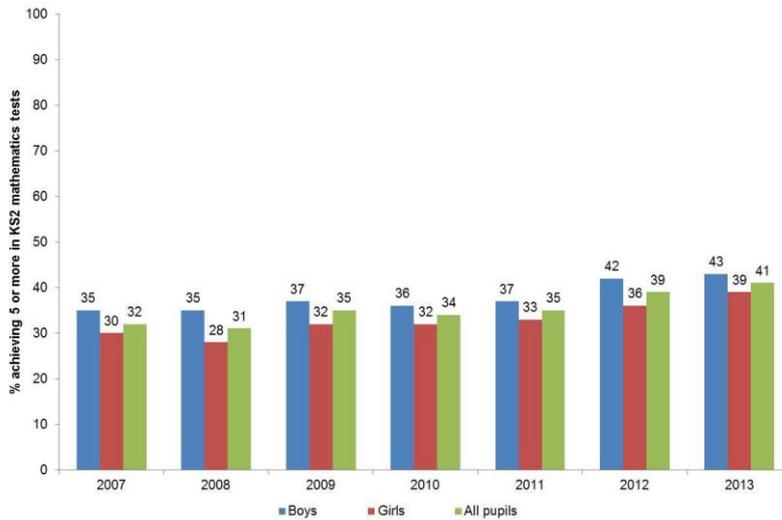
In 2013, zero per cent of pupils were awarded a Level 6 in reading (note a Level 6 was awarded to approximately 2,178 pupils in reading, but as a percentage this rounds to zero), no change from the figure of zero per cent last year.

Chart 3: Percentage of pupils achieving Level 4 or above in the Key Stage 2 mathematics test by gender, 2007–2013 (all schools)



Unlike the reading tests, there have been similar levels of achievement and improvement for girls and boys in the mathematics tests over recent years. Attainment of all pupils has increased slightly between 2012 and 2013 following the large increase last year.

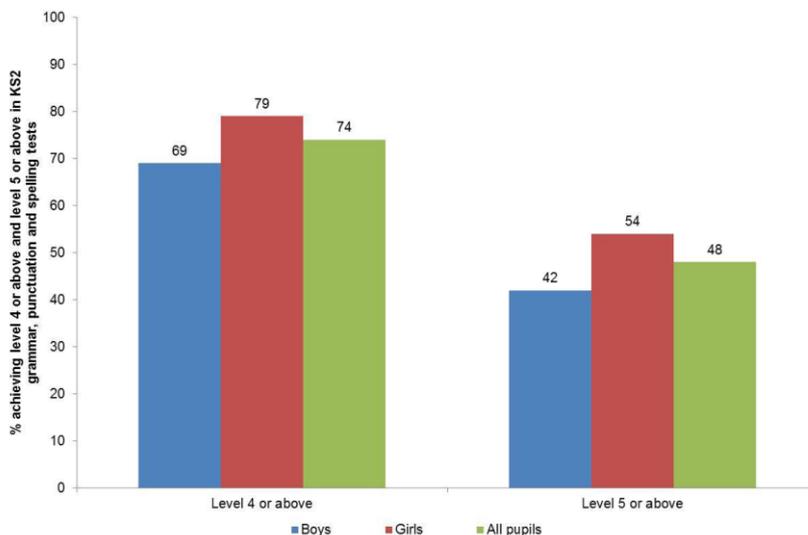
Chart 4: Percentage of pupils achieving Level 5 or above in the Key Stage 2 mathematics test by gender, 2007–2013 (all schools)



Achievement at Level 5 or above in the mathematics tests has also improved over time; however, unlike at Level 4 or above, there is a difference in the levels of achievement for boys and girls. Boys tend to outperform girls at this level, with 43 per cent achieving Level 5 or above compared to 39 per cent of girls. The year-on-year improvement between 2012 and 2013 showed that girls improved more than boys – one percentage point for boys compared to two percentage points for girls.

Level 6 was awarded to seven per cent of pupils, an increase of three percentage points from last year’s figure of three per cent. Boys outperformed girls at this level, with eight per cent of boys and five per cent of girls achieving the level.

Chart 5: Percentage of pupils achieving Level 4 or above and Level 5 or above in the Key Stage 2 grammar, punctuation and spelling test by gender, 2013 (all schools)



A new test of grammar, punctuation and spelling was introduced in 2013, on which 74 per cent of pupils achieved Level 4 or above. Girls outperformed boys in the grammar, punctuation and spelling test, with 79 per cent of girls achieving Level 4 or above compared to 69 per cent of boys.

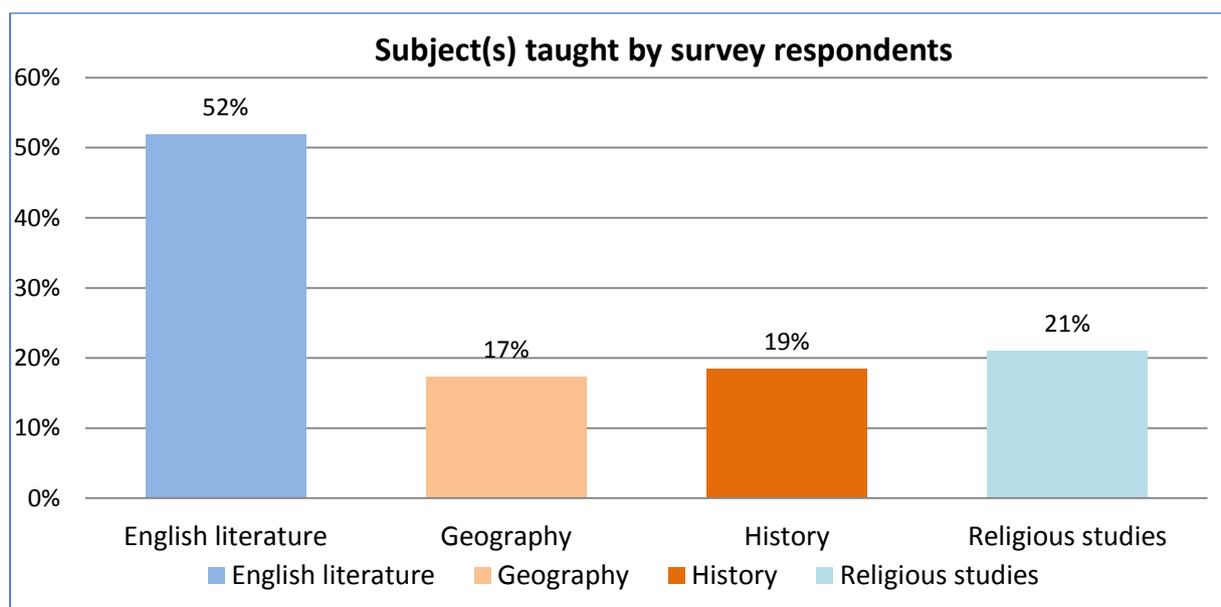
Girls also outperformed boys at Level 5 or above, with 54 per cent of girls achieving Level 5 or above compared to 42 per cent of boys.

A Level 6 test in grammar, punctuation and spelling was also introduced this year, on which two per cent of pupils were awarded Level 6.

Annex H: Summary Report – Teacher review of the assessment of spelling, punctuation and grammar in GCSE English literature, geography, history and religious studies

- Spelling, punctuation and grammar was introduced into English literature, geography, history and religious studies with first teaching in 2011
- Summer 2013 saw the first awards
- This short online survey of teachers aimed to understand the impact of introducing spelling, punctuation and grammar assessments on teaching these subjects.
- Survey promoted via ASCL newsletter, various stakeholder groups, Ofqual social media
- Survey was opened to respondents on 17th September 2013 and closed on the 25th September 2013
- 225 responses were received

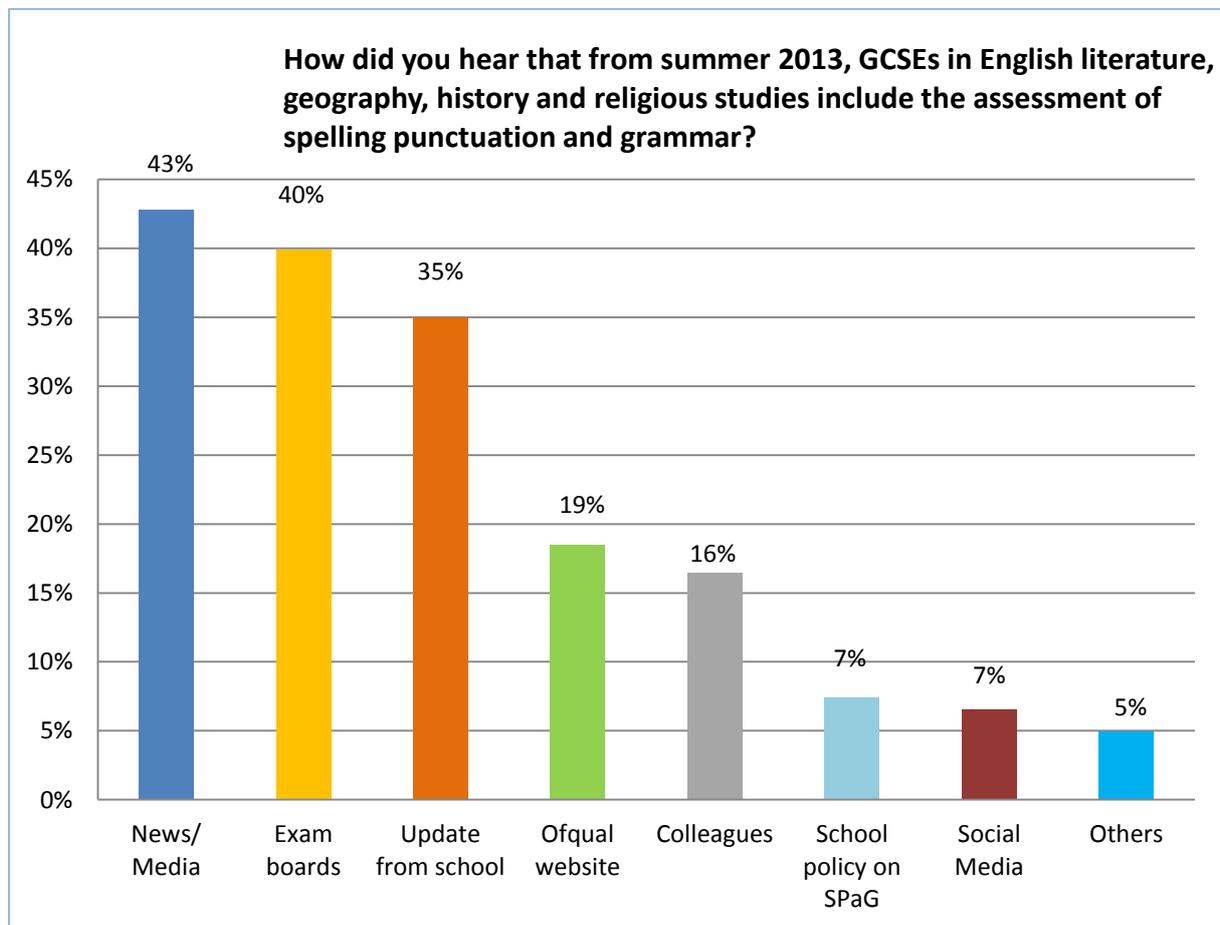
Over half of all respondents teach English literature; geography, history and religious studies are taught by around one in five respondents each*



- Teachers and subject heads mainly reported teaching one subject (225 respondents)

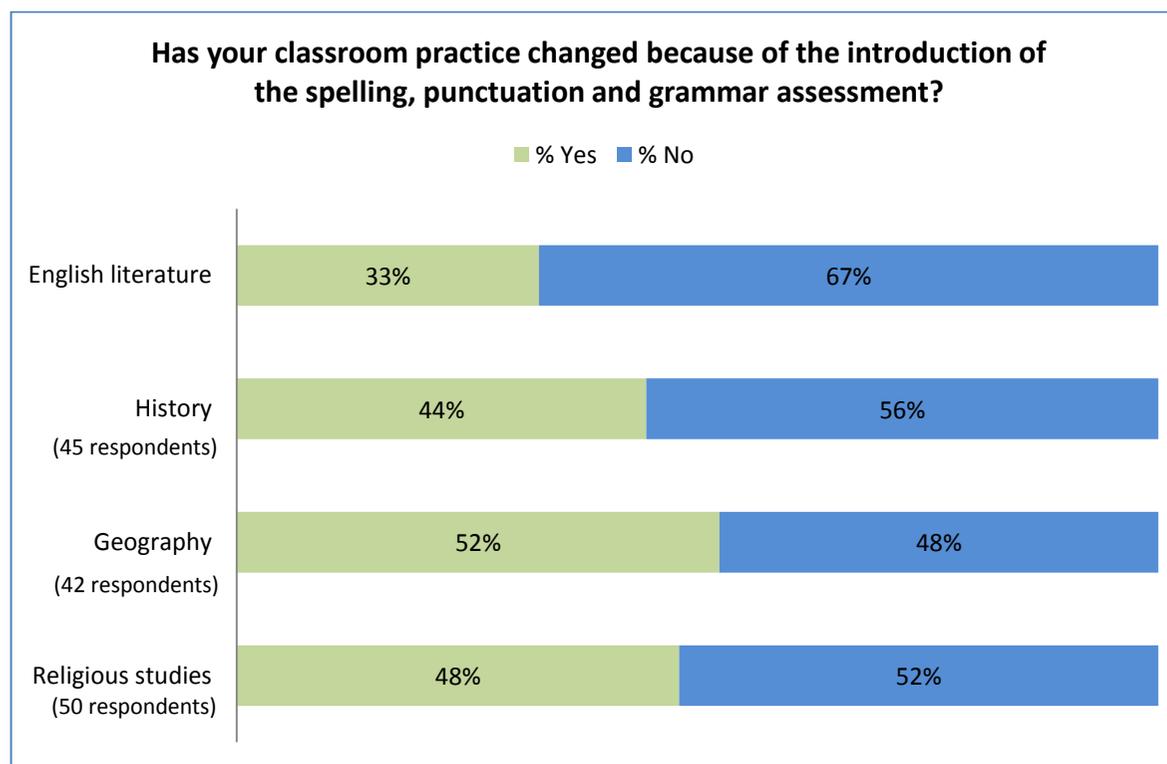
- *15 respondents teach more than one subject
- Three respondents did not specify the subject(s) they teach
- Some respondents reported covering three or four subjects – these were generally part of the school management team (6 respondents)
- Three respondents also acted as literacy co-ordinators and one as a SENCO

Respondents mainly became aware of the inclusion of spelling, punctuation and grammar assessment from the news/media, from exam boards, or from their school



- ‘Others’ covered a variety of sources including the ASCL website, TES, parents and the LEA
- Some schools reported that they already had a spelling, punctuation and grammar policy

Almost half of all teachers reported a change in their classroom practice since the introduction of spelling, punctuation and grammar assessment. Where not, they often reported that spelling, punctuation and grammar has always been promoted, which was more often the case with English literature teachers

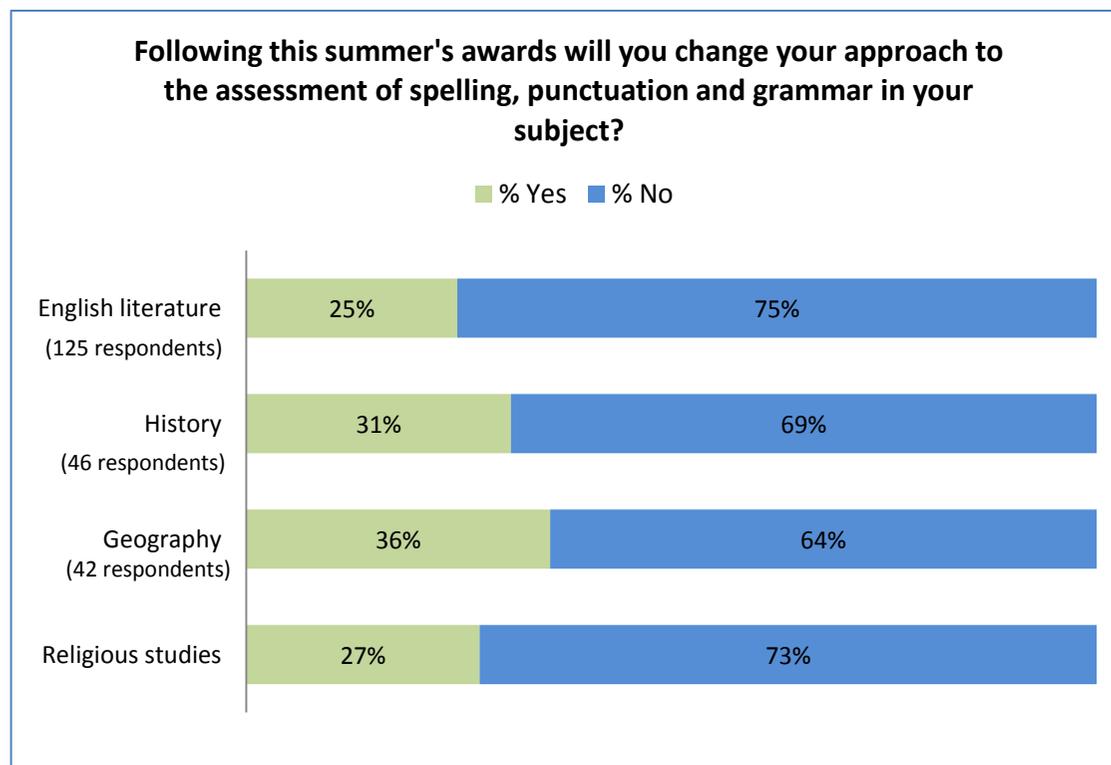


“I have always promoted the importance of SPaG in my lessons but now take more time to emphasise the examination requirements and provide regular assessment opportunities. The approach of the students has changed. Some students, in the past, were lazy in their application of SPaG, despite my efforts and good levels in English, but now they apply themselves more, and

- **Spelling, punctuation and grammar is beginning to be included in the teaching of all subjects**
- **Whole-school approaches/policies**

- **Raising student awareness of importance of spelling, punctuation and grammar (where previously had said it isn't important), including peer review**
- **Focus on key vocabulary/terminology**
- **Teachers are assessing and correcting spelling, punctuation and grammar as well as subject knowledge in classwork**

Most teachers are happy with their approach to spelling, punctuation and grammar assessment following summer awarding. Where changes are to be made, these invariably mean a greater focus on spelling, punctuation and grammar.

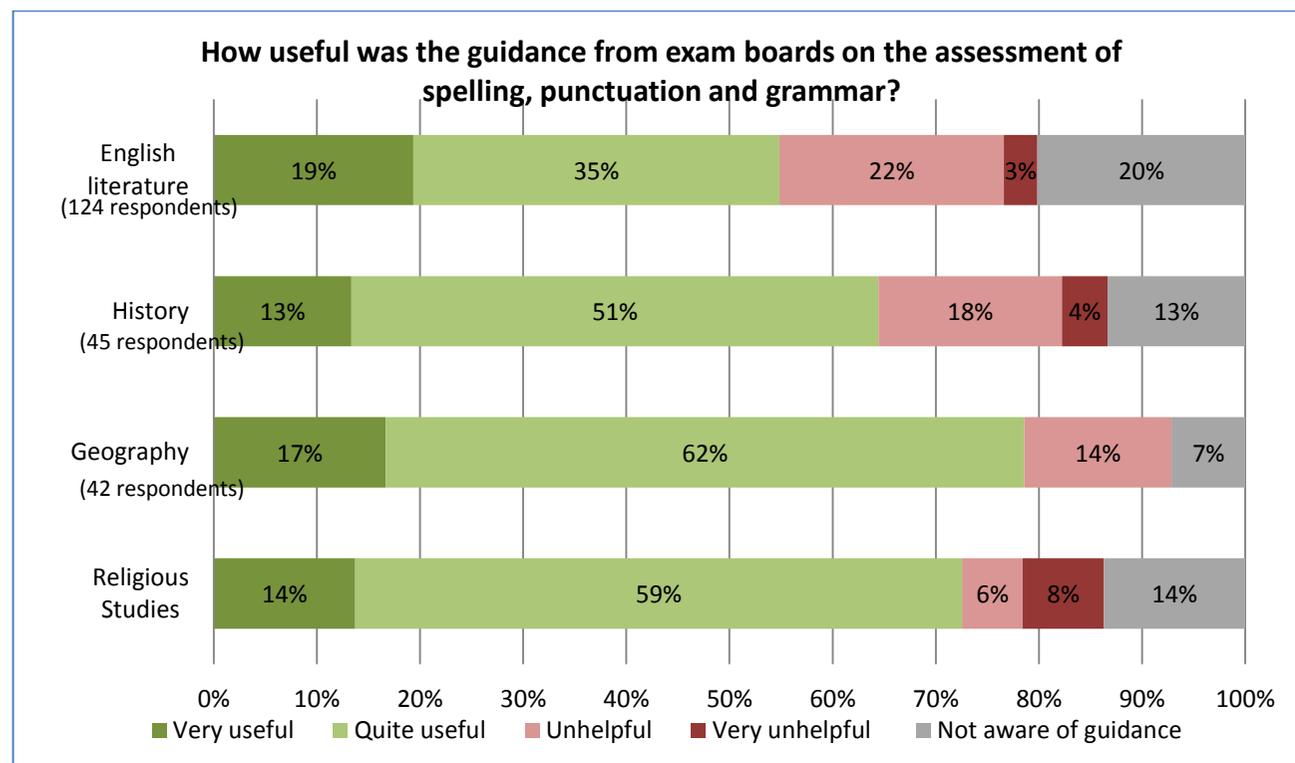


There was a common opinion that centres would place extra emphasis on the teaching of SPaG within class time and a greater effort to draw pupils' attentions to the use of correct grammar in their work

- More explicit teaching of spelling, punctuation and grammar such as spelling tests introduced
- More spelling, punctuation and grammar feedback alongside marks in mocks/internal assessment
- Targets for spelling, punctuation and grammar achievement to improve performance, especially for those students around the C/D grade boundary

- Review the spelling, punctuation and grammar criteria more closely

Most teachers found the guidance from their exam boards useful – although one in five English literature teachers were not aware of the guidance and over one in four History teachers felt the guidance was not helpful



Where guidance was not felt to be helpful, this was due to lack of clarity and detail

Why do you say

Most reported that the guidelines were some help, with one respondent saying that they were “useful and relevant”, but many said that examples of marking or how the guidelines were applied would have been more useful. Some thought that the guidelines were vague and general, while one reported that the guidelines were “poor and confusing” as they only applied to one paper.

As you weren't aware of the information provided by exam boards for religious studies, please could you detail what guidance you have received and where this has come from?

- I mark for the exam board
- Social media professional networks

Although some centres found the guidance from exam boards useful and clear the overall feeling was that centres would like clearer marking criteria. Centres would like all exam boards to provide exemplar materials, where these were provided they were found to be very useful. Overall, centres did not like having to locate guidance on the exam board’s websites and would prefer guidance to be provided in hard copy.

Overall, respondents report that spelling, punctuation and grammar assessment is a positive addition, although concerns exist around students with weaker literacy skills

Any other comments?

Centres reported the implementation of spelling, punctuation and grammar to be a positive and important addition to religious studies as it enabled students to argue, express opinions and evaluate arguments with clarity

Concerns were raised about the impact on students... such as [those with] special educational needs (SEN) and those with English as an additional language (EAL). Teachers felt that these students are being penalised as they are now at a disadvantage in religious studies if their skills are weak as it’s not just their knowledge that is assessed.

“Literacy has always been a huge focus of our lessons in the Humanities faculty. During lessons students are taught techniques for spelling, punctuation and grammar. Therefore the additional SPaG marks do not phase us. However I am appalled that students with SEND difficulties are penalised so brutally by this criteria. “

Most respondents say that they teach spelling, punctuation and grammar as a normal part of their practice and those students without sufficient literacy skills would have problems accessing resources and writing accurately enough to do well anyway. However, most also comment that the new assessment is unfair on students with learning difficulties such as dyslexia and that the new assessment penalises students with weak spelling, punctuation and grammar twice as poor communication of ideas and comprehension is assessed alongside the new assessment. **(History)**

“Ofqual guidance on students who have scribes is farcical, and the whole policy negates the creativity of students in their language development, as they will be fearful of using sophisticated terminology in case they spell it wrong.” One respondent said that the new assessment seemed “bolt-on”. **(History)**

“Impact on SEN and EAL students double that of other students. Where students have weaker SPaG, they don't usually write sufficiently well to gain good marks per question anyway. To then penalise them again for the same thing is patently unfair and totally unrelated to their knowledge, skills and understanding of the subject. This whole thing is a politically motivated, highly retrograde step. I would love to see the policy tested in a disability discrimination or race discrimination case as I am sure it would be won.” **(Geography)**

More support for spelling, punctuation and grammar assessment, while other teachers raised concerns around the quality of spelling, punctuation and grammar teaching

Any other comments?

Although spelling, punctuation and grammar has been received fairly favourably amongst centres, concerns were raised about the impact on students with protected characteristics such as special educational needs (SEN) and those with English as an additional language (EAL). Teachers felt that these students are being penalised as they are now at a disadvantage in geography if their skills are weak as it's not just their knowledge that is assessed.

Concerns reported over the standard of grammar of the teachers who will be teaching spelling, punctuation and grammar. Several concerns were highlighted about students who have weaker literacy skills and students where English is not their first language. 'For students with dyslexia, this has meant the difference between different grades being awarded. Is this fair?' Extremely important. Students cannot argue, express opinions or evaluate arguments without good grammar. "We are extremely concerned about the way SPAG has been marked on the English Lit papers. Very able, accurate pupils achieving A* on the writing section of Language only awarded 2 marks for SPaG on Lit paper. Absolutely no consistency whatsoever."
(English literature)

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