

# Agenda – Children, Young People and Education Committee

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Meeting Venue:	For further information contact:
Video Conference via Zoom	<b>Llinos Madeley</b>
Meeting date: 18 August 2020	Committee Clerk
Meeting time: 13.00	0300 200 6565
	<a href="mailto:SeneddCYPE@senedd.wales">SeneddCYPE@senedd.wales</a>

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In accordance with Standing Order 17.46, after consultation between the Chair and the Presiding Officer, this meeting is being called in a week which is not a sitting week. In accordance with Standing Order 34.19, the Chair has determined that the public are excluded from the Committee's meeting in order to protect public health. This meeting will be broadcast live on [www.senedd.tv](http://www.senedd.tv).

## Private Pre-meeting

(13.00 – 13.30)

### 1 Introductions, apologies, substitutions and declarations of interest

(13.30)

(Pages 1 – 48)

Written statements from the following organisations have been received in advance of the meeting. These are relevant to all items on this agenda:

Association of School and College Lecturers (ASCL)

Children's Commissioner for Wales

Colegau Cymru

National Association of Head Teachers (NAHT)

Universities Wales

Welsh Local Government Association (WLGA)



**Senedd Cymru**  
**Welsh Parliament**

Correspondence on this matter received from the general public, including education staff and young people, has been shared with Committee Members in advance of the meeting to inform their scrutiny.

Attached Documents:

Association of School and College Lecturers (ASCL)

Children's Commissioner for Wales

Colegau Cymru

National Association of Head Teachers (NAHT)

Universities Wales

Welsh Local Government Association (WLGA)

## **2 COVID-19: Evidence session on the impact of COVID-19 on young people's examinations results 2020 – WJEC**

(13.30 – 14.15)

(Pages 49 – 50)

Ian Morgan, Chief Executive – WJEC

Elaine Carlile, Director of Qualifications, Assessment and Responsible Officer – WJEC

Attached Documents:

Research brief

## **3 Motion under Standing Order 17.42(ix) to resolve to exclude the public from the meeting for item 4**

(14.15)

## **Break**

(14.15 – 14.25)

**4 COVID-19: Consideration of evidence**

(14.25 – 14.45)

**5 COVID-19: Evidence session on the impact of COVID-19 on young people's examinations results 2020 – Qualifications Wales**

(14.45 – 15.30)

David Jones, Chair – Qualifications Wales

Philip Blaker, Chief Executive – Qualifications Wales

Jo Richards, Regulation Director – Qualifications Wales

**6 Motion under Standing Order 17.42(ix) to resolve to exclude the public from the meeting for item 7**

(15.30)

**Break**

(15.30 – 15.40)

**7 COVID-19: Consideration of evidence**

(15.40 – 16.00)

**8 COVID-19: Evidence session on the impact of COVID-19 on young people's examinations results 2020 – Welsh Government**

(16.00 – 17.00)

(Page 51)

Kirsty Williams MS, Minister for Education

Georgina Haarhoff, Deputy Director Curriculum – Welsh Government

Sinead Gallagher, Deputy Director of Higher Education – Welsh Government

Attached Documents:

Letter from the Minister for Education (18 August 2020)

## **9 Papers to note**

- 9.1 Letter from the Chair of the Children, Young People and Education Committee to the Llywydd – Request for the CYPE Committee to meet during a non-sitting week**

(Page 52)

Attached Documents:

CYPE(5)-19-20 – Paper to note 1

- 9.2 Letter from the Chair of the Petitions Committee regarding a Petition to award teacher predicted grades to all Welsh students for examination 2020**

(Pages 53 – 54)

Attached Documents:

CYPE(5)-19-20 – Paper to note 2

- 10 Motion under Standing Order 17.42(ix) to resolve to exclude the public for the remainder of the meeting**

(17.00)

- 11 COVID-19: Consideration of evidence**

(17.00 – 17.15)

14 August 2020

Dear Senedd Members,

I feel that I need to write to you on behalf of the Association of School and College Leaders Wales, regarding the recent exam results at both AS and A level.

You will already be aware, that we as a union are reasoned, measured and moderate and I would wish that you read and respond to this communication with that in mind.

Feedback from members regarding the grades awarded to students has revealed a very difficult picture of results awards in Wales. While the headline figures look healthy, this hides real volatility at individual student level. Indeed, one head teacher told me that his results were the best in their history, yet he had never been more angry in all his career.

It is not an exaggeration to say that colleagues who have contacted me have been distraught and indeed very angry at the clear injustices at pupil level that many of these results have produced. Granted, I have not spoken to all schools, but the many who have been in touch reveal that the statistical modelling applied to centre assessed grades has in many cases failed to reflect a fair outcome for learners. While we agree that results need to be standardised to maintain credibility, the learner seems to be lost in the algorithm.

Indeed, only yesterday at a WJEC briefing session, the meeting was told that outcomes, “would be difficult to unpick unless we look at pupils at individual level”. Surely any process of awarding results should at least function for the individual rather than serving a statistical outcome at national level. Our members are frustrated and upset by results which have served the machine of a statistical outturn, rather than all individual learners.

School leaders worked very hard to provide accurate grades to the WJEC exam board, carefully following all the guidance, and are dismayed that the statistical model then used to standardise these grades has had such a devastating impact. This is in terms of both the number of grades lowered, and some students’ results being pulled down by more than one grade. ASCL Cymru has always accepted that some form of standardisation was needed to provide consistency, and we recognise that this was never going to be easy.

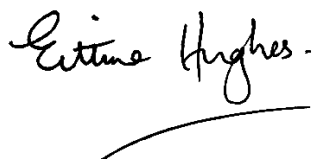
We are now calling on the Welsh government and the exam regulator Qualifications Wales to review the situation as a matter of urgency. We cannot accept that all is well with these results – they are not.

It is not sufficient to respond to these concerns by saying that schools and colleges can attempt to battle their way through the appeals process.

Our leaders are currently working extraordinarily hard on preparing schools to be ready for a September start. Having to process a large number of appeals, will place a huge strain on an already strained system and not support the well-being of young people who have already endured much.

We look forward to your response in this matter and I am more than happy for a meeting to further discuss the issues that have been raised and work together for a way forward. We, like you, want what is best for our learners in Wales.

Yours sincerely,

A handwritten signature in black ink that reads "Eithne Hughes." The signature is written in a cursive style and is underlined with a single horizontal stroke.

Eithne Hughes  
Director of ASCL Cymru / Cyfarwyddwr ASCL Cymru



**KING HENRY VIII SCHOOL**  
**YSGOL BRENIN HARRI'R VIII**

Headteacher/Prifathrawes: Mrs E. Lewis BA (Hons) MA Ed

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16 August 2020

Dear Eithne, can I first all thank you for efforts along with other ASCL officers in keeping the pressure on the Welsh Government to resolve the current crisis with regard to AS and A2 grades awarded last Thursday.

There is no doubt that the last minute decision to use AS grades if the generated A2 grade was lower has provided some protection to year 13 and their final A2 grades. Nearly all of our students have received offers to go to one of their chosen Higher Education Institutions, on to Further Education or work based employment or training. I am also heartened that due to pressure from schools and professional associations that the grounds of appeal seem to be widening. This will hopefully allow us to challenge grades that are below we would have expected.

My main concern is our students at both King Henry VIII and Croesyceiliog School that received their AS grades last week and the large number of adjustments made to the centre assessed grades. At KHS the number adjusted was 44.4% and at Croesy 65%. This is unacceptable and has had a detrimental impact on the wellbeing of a number of our students and staff. In a number of cases individual students have had their grades downgraded by up to three grades to a U grade. I also have an experienced a member of staff, who was previously a chief examiner at the WJEC, seeing her class downgraded so that 40% were given U grades. She has rarely ever had U grades.

This morning, Sunday, I have spoken to a parent governor whose son is in Year 12. On an individual level her son grades are lower than expected however she feels she has the capacity to reassure him to continue with his studies. She has reported that for those students who have grades downgraded by 2 or 3 grades they are now considering leaving education. Many are feeling why bother? Both my parent governor and I are very concerned about the impact this has had on the wellbeing of our students.

All through this on-going crisis the Welsh Government have told us as Head teachers that the wellbeing of our students is paramount. I would suggest that the wellbeing of year 12 has been sacrificed to maintain year on year comparisons of national data. My proposal is that student wellbeing should be placed centre stage and the Welsh Government should address this by accepting all centre assessed grades for these students.

From what I have read the algorithm used to calculate these grades is based on the average relationship between AS outcomes and GCSE outcomes at a national level. I also understand that allowances were made for small cohorts. As a head teacher I am concerned that this model has not worked at a school, subject and individual student level. My perception is that the following were not considered or undertaken:

- a. Historical value added data of individual subject, schools and colleges;
- b. The nature of small sixth forms and the significance variance of individual cohorts;
- c. Schools that have made recent changes to staffing to address performance concerns;
- d. Students who although average at GCSE have started to developed into independent learners at AS and have worked hard all year. Student 20 in the model below is a true example of this.
- e. Use of centre assessed grades – why were we asked to generate these when they do not seem to have been used except with small cohorts?
- f. No consideration of special circumstances adjustments.

Far greater use of centre assessed grades and discussions with schools as part of this process would have mitigated some of the issues that became apparent on results day. The lack of trust in teacher judgements and the arrogance of the WG, Qualification Wales and the WJEC to ignore these beggars belief. I would suggest that this episode may have broken this relationship and I am worried for the future.

Below are a few examples of what we consider are injustices. We have many more of these types of examples.

**Maths and further maths at KHS.**

Surname Forename	NC Year	Gender	Special Conditions Y12-CAG	KS5-Y12-CAG-Ma Y12-CAG	Rank Y12-CAG	Actual grade	Number of grade changes	Further maths grade	Number of grades change
1	12	M		A	1	A	0		
2	12	M		A	2	A	0	A	0
3	12	F		A	3	A	0		
4	12	M		A	4	A	0		
5	12	M		A	5	A	0		
6	12	M		A	7	A	0	A	0
7	12	F		A	8	A	0		
8	12	F		A	9	A	0		
9	12	M		A	10	A	0		
10	12	M		A	12	A	0		
11	12	M		A	13	A	0	B	0
12	12	F		A	14	B	-1	C	0
13	12	M		B	1	B	0		
14	12	F	Y	B	3	B	0	B	0
15	12	M		B	4	B	0	B	0
16	12	M		C	1	C	0		
17	12	M	Y	C	2	C	0		
18	12	F		C	3	C	0		
19	12	F	Y	C	5	E	-2		
20	12	M		C	6	U	-3	B	0
21	12	M		D	1	U	-2		

You will note the algorithm was applied to the maths class. Why have those students towards the bottom of the ranking had their grades adjusted most when compared to other students within the class? What justification has the WJEC have for awarding students a U grade even though they have not sat an examination? Why was the school not contacted to discuss their CAGs? And provide the objective evidence of the standard of work?

The Further Maths class was too small to apply the algorithm therefore final grades from what we can see were based on CAGs. Hence students 20 receives an AS 'B' grade for Further maths but has been downgraded by three whole grades in AS maths to a U grade. Student 20 is a student who cruised through GCSEs but has worked really hard this year. This is a brilliant example showing how a nationally applied algorithm does not transfer to individual students. This student is currently distraught and may not return to education.

Student 19 had special consideration and significant mental health issues. As part of the CAG process we were asked to take special considerations into account. The algorithm applied has not taken theses into account. Again this students is distraught and this whole episode has been detrimental to their already fragile mental health.

Finally there is the issue that if you were lucky enough to be in a small class then you seem more likely to have received your CAG. Surely no grade should be down to the size of your class.



## AS Chemistry

At AS the school has made a significant effort to improve the standard of outcomes. These standardised grades do not reflect the academic profile and work ethic of these students. GCSE outcomes for this class are exceptional and we are at a loss as to why final AS grades were significantly downgraded. Again the school was not contacted to discuss these. This picture is replicated at AS Physics.

Surname Forename	Gender	FSM	EMA	Cm CAG	Cm	Cm Actual	GCSE Cm grade	Nos of GCSE at A*/A	10 or more A*s at GCSE
1	M	N	0	B1	-2	D1	A	4	
2	F	N	0	B1	-2	D1	A*	12	
3	M	N	0	C1	-3	U1	A	4	
4	F	N	0	B1	-1	C1	A	11	
5	M	N	0	A1	-2	C1	A*	13	
6	F	N	0	A1	-1	B1	A*	13	Y
7	F	N	0	A1	-1	B1	A*	13	Y
8	F	N	0	C1	-3	U1	A	9	
9	F	N	Y	A1	-1	B1	A*	14	Y
10	M	N	0	A1	-1	B1	A	7	
11	M	N	0	B1	-3	E1	A*	12	
12	M	N	0	B1	-3	E1	A	10	

## AS music

Another example of an outstanding music student who has been downgraded by one grade and is not in line with his ability.

Surname Forename	Year	Gender	Mu CAG	Mu Change	Mu Actual	Comments
8	12	M	A1	-1	B1	Currently has grade 8 on piano. This equates to 2 grades higher than the expected standard at AS.

In all the above examples we shall appeal if we meet the criteria to do so. We trust the widening of the criteria will allow this.

So as an experienced head teacher and executive head teacher I am really worried about our current year 12 cohort across Wales and their wellbeing. What if we lose significant in school teaching due to local lockdowns in the next few terms? What if the summer examination series 2021 are unable to run due to the on-going crisis, what happens then? We do not know what the next academic year will bring. As we move through the year the importance of these AS grades may become critical. I would suggest the WG should accept all CAGs and put an end to the worry for many young people.

Following on from this debacle I am now very worried about our GCSE results and again the impact on the wellbeing of our students. I would suggest a statement to accept all CAGs before Thursday is the only way forward.

I am sure there are many head teachers working solidly through their holidays on behalf of their students. In addition we are still planning to fully open and do all the normal school activities including planning how we can further improve provision for our young students. It is a side point but the proposed pay award that is detrimental to school leaders and experienced teachers when compared to others within the profession is an insult after all we have done this year.

I am sure the examination debacle, the proposed pay ward and the ongoing COVID-19 crisis will impact on the decision of those to remain within the profession. As you stated in your press release 'enough is enough'. We need to the Welsh Government to listen and make the necessary changes. I know that your team within ASCL will continue to work on our behalf. I hope this letter and the sentiments contained within will help inform those discussions.

Yours faithfully

Elsbeth Lewis

Executive Head teacher

King Henry VII & Croesyceiliog Schools

## **Children's Commissioner for Wales**

### **Key Concerns and Policy Calls on Qualifications 2020**

On 13<sup>th</sup> May 2020 CCfW submitted a response to Qualifications Wales consultation on Arrangements for the Summer 2020 Exam Series (consultation response included). This response noted there must be a concerted effort on the part of all professionals involved to make decisions as fair as possible to young people, and called for central elements of the approach to change, these included calling for:

- More robust processes around centre assessment, with the need for internal and external moderation supported by clear guidance;
- A need to secure grades for private candidates (for example home educated young people) so that these young people are not left behind;
- A transparent appeals process that enables wider grounds of appeal than proposed;
- The need to consider predicted grades as a valuable evidence source in themselves.

**CCfW again raised concerns on 20<sup>th</sup> May 2020 in a joint letter between the Children's Commissioner and Equality and Human Rights Commission to the Minister for Education** (copy included), which further highlighted the need for equity and called for a more robust process to ensure equality and non-discrimination.

These concerns were again raised in a **meeting with the Minister of Education in June 2020, and follow up meetings and correspondence (letters and e mails) with Welsh Government officials and the Chief Executive of Qualifications Wales and his team throughout June, July and August.**

During this correspondence CCfW proceeded to:

- raise ongoing concerns about the centre-level assessment process and reiterate our concern that the consultation was too late as centres had already been issued guidance;
- made an offer to Qualifications Wales to review guidance for young people – this was not taken up (time constraints were cited);
- request that more information was made publically available by Qualifications Wales about the standardisation process before results days to aid transparency of decision making;
- recommend to Qualifications Wales that to ensure public confidence they publish performance data for summer 2020 disaggregated by protected characteristics and analysed to determine any statistical patterns that indicated bias;
- seek external expertise from Cardiff University to inform our analysis of the standardisation process;
- request several changes to the appeals and complaints process including the ability for young people to appeal centre level decisions and information for Governing Bodies.

During these meetings and this correspondence, the Welsh Government and Qualifications Wales responded with the following:

- That a comprehensive information pack would be published for young people and a wider audience and this would be shared with us the w/b 10 August;
- That every effort was made to ensure grades for private candidates, using similar methods suggested in our consultation response;
- That young people would have recourse to complaint and appeal, which would include appeal of the centre-level decision and the standardized decision, and that information about how to do this would be made available in their information pack;

- That centres were issued Ofqual's guidance on ensuring non-discrimination and bias;
- That the standardization model would take account of individual achievements and progress and not just cohort level data;
- That Qualifications Wales were reviewing equalities analysis from WJEC when signing off results and were intending to publish a preliminary equalities analysis on results day;
- That significantly anomalous centre level data would be investigated to ensure the standardisation model was effective;
- That WJEC would publish technical detail on the standardisation model on results day;
- That, following our intervention, Governing Bodies would be given guidance through the ADEW Governor Support Group about their role in the complaints procedure.

Prior to the week beginning 10<sup>th</sup> August CCfW main concerns were:

- that young people did not have the recourse to appeal that would normally be in place;
- that centre level assessment had not been supported with guidance or a requirement for an internal or external moderation process.

Due to the assurances we had been given, and in the absence of published detail, we anticipated that the standardisation model would be fairly applied, and well-tested. CCfW therefore focussed on ensuring the appeals and complaints process was well thought through and that young people would be well informed about how to appeal. CCfW deliberately did not publish any criticism of the awarding process prior to the 13<sup>th</sup> August, so to avoid any implication that undermined the achievements of young people receiving results.

In response to the Minister's announcement at 5pm on 12 August, [the Commissioner welcomed](#) the Minister's direction to widen the scope of the appeals process and announcement that appeals would be free, details of which were promised by 17 August (details yet to be published as at 1330, 17 August 2020).

On results day, the high levels of public dismay and the extent of individuals' injustice became quickly apparent and it was clear that the standardisation model was failing young people. CCfW made public calls in the following statements, with one dated 16 August directed at young people:

Friday 14<sup>th</sup> Aug: <https://www.childcomwales.org.uk/2020/08/childrens-commissioner-responds-to-a-level-results/>

Sunday 16<sup>th</sup> Aug:

- <https://www.childcomwales.org.uk/2020/08/commissioners-open-letter-to-young-people/>
- <https://www.childcomwales.org.uk/2020/08/commissioners-joint-call-to-universities/>

Monday 17<sup>th</sup> Aug: <https://www.childcomwales.org.uk/2020/08/commissioner-calls-for-children-in-wales-to-be-awarded-their-centre-assessed-grades/>

Further details of correspondence and concerns relating both to summer 2020 and beyond to 2021 can be provided.



## **Ymateb i Ymgynghoriad / Consultation Response**

**Date / Dyddiad: 13<sup>th</sup> May 2020**

**Subject / Pwnc: Arrangements for the Summer 2020 Exam Series**

### **Background information about the Children's Commissioner for Wales**

The Children's Commissioner for Wales' principal aim is to safeguard and promote the rights and welfare of children. In exercising their functions, the Commissioner must have regard to the United Nations Convention on the Rights of the Child (UNCRC). The Commissioner's remit covers all areas of the devolved powers of the National Assembly for Wales that affect children's rights and welfare.

The UNCRC is an international human rights treaty that applies to all children and young people up to the age of 18. The Welsh Government has adopted the UNCRC as the basis of all policy making for children and young people and the Rights of Children and Young Persons (Wales) Measure 2011 places a duty on Welsh Ministers, in exercising their functions, to have 'due regard' to the UNCRC.

This response is not confidential.

Submitted by:

Professor Sally Holland  
Children's Commissioner for Wales

**Consultation Response**

## Summary

I recognise the challenge faced by Qualifications Wales in the awarding of graded qualifications this summer. The necessary cancellation of all summer exams in response to the current pandemic leaves no perfect solution to ensuring all children and young people fairly receive qualifications and I acknowledge the recognition in the consultation documentation that these proposals may be seen as less desirable than normal arrangements.

I welcome the direct invitation in the consultation documents for respondents to contribute suggestions for improvement and in my response I have tried as far as possible to suggest other viable arrangements or steps that can be taken to mitigate some impacts of the proposals. I have also raised some concerns to which I cannot suggest a solution, as highlighting these issues will help ensure that they are considered as arrangements progress, even when solutions cannot easily be found.

My office has received a number of contacts from young people and their families about the cancellation of exams. It is important that we realise the range of ways that this is affecting young people, and the sense of frustration and disappointment that some young people feel. In my responses to young people I have emphasised that their exams are by no means the only important outcome of their education. But exam results can and do affect young people's opportunities, confidence and choices. Qualifications can have a long term socio-economic impact on individuals and can determine whether young people stay in education, what jobs they can apply for, and how they feel about their abilities.

Therefore, whilst decisions must be taken quickly, there must be a concerted effort on the part of all professionals involved to make decisions as fair as possible to young people, and with this in mind I consider there to be three central elements of the approach that should change:

- First, I recommend strongly that there is moderation of centre assessment within centres supported by clear guidance and that there is external moderation of this process conducted by WJEC;
- Second, every effort must be taken to secure grades for private candidates so that these young people are not left behind;
- Third, an appeals process should enable young people to appeal centre judgements and decision making as without this young people may rightly feel they have been treated unfairly.

## Consultation Questions

### Statistical Standardisation Model

4. **Learners for whom a qualification-level centre assessment grade and rank order are submitted will receive a grade.**

- a. To what extent do you agree with this aim?

***Agree.***

- b. Please clearly explain the reasons for your answer in the space below.

Given the public government commitments to issuing grades this summer<sup>1</sup> it would not be fair to young people if this commitment was not upheld. This is underlined by the fact that centres are already working to submit centre assessment grades<sup>2</sup> (with a potential deadline of the 29<sup>th</sup> May for submission of these grades).

As acknowledged in the consultation document there is a particular issue for young people who do not have an existing relationship with a centre. This group includes young people who are educated at home, young people following distance learning or learning for exams independently, and young people who are in receipt of some types of EOTAS (education other than at school) provision, for example those receiving home tuition provided by the local authority.

I welcome the note in the documentation that there is continued exploration of alternative options for these learners. As indicated there are centres in Wales that would be able to work with these learners remotely. This learning work could happen now and into the rest of the summer term, and would allow the young person to develop a portfolio of their work with a professional, which should not be purely written or electronic but could include contributions through conversations and video calling. Professionals would then be able to assess this work, and use this to submit an assessment grade, and a rank order against the work of other exam candidates at the centre.

For this to work equitably, there will need to be recognition that some young people entered for exams will not have readily available digital access so steps should be taken with the local authority to ensure they have access to hardware, an internet connection; and software. Provision of IT equipment is taking place through local authorities and these learners should be included in this provision. It should also be noted that learners will not necessarily have access to Hwb and the online tools that it provides. Home

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<sup>1</sup> <https://gov.wales/written-statement-written-statement-summer-examinations-2020>

<sup>2</sup> Qualifications Wales (2020) Summer 2020 grades for GCSEs, AS and A levels and Skills Challenge Certificate (SCC): Information for centres on the submission of Centre Assessment Grades. <https://www.qualificationswales.org/english/publications/information-for-centres-on-the-submission-of-centre-assessment-grades/>

educated young people, for example, do not have a Hwb login. This could be quickly resolved by providing Hwb login for candidates, through the exam centre at which they will take their exams (in the same way that such a centre administrates Hwb login for their learners on roll).

It is also unclear from the consultation documentation what process is to be put in place for learners who do have an existent relationship with an exam centre but for whom the centre is unable to provide centre-assessment data supported by a declaration. This may apply to young people that have had sustained absences, or those for whom there is insufficient completed pieces of work. In these instances, a similar remote process could be in place to generate a portfolio over the summer term that can be assessed.

I strongly urge that such exploration with centres for these groups is conducted at pace, and arrangements put in place for all young people that don't have centre-assessment. This is essential so that they are not disadvantaged by not receiving a graded qualification in the same way as other exam candidates. A situation in which a few young people are not eligible to have grades submitted will have immediate and long-term implications for these young people; they will have an additional barrier to their continued education, which others do not have, and, as a minority group that are relatively few in number, it will be easy for their specific situation and needs to be forgotten or overlooked. Their situation may not be generally understood by the wider public (including future employers) who would expect them to have received a grade like the majority of other learners. Most of this group will also be beyond compulsory school age and their future funding or support needs may not be an immediate priority for local authorities, nor in national policy. It may also be impossible for some of these young people to take this exam in subsequent years. For example, home educated young people receive no funding, and their families may not be financially able to support them for an additional year of GCSE or A Level study.

Every effort should be taken to enable all young people to have a centre assessed grade submitted as without this there will be a disproportionate risk that young people without an existing relationship to a centre will not receive qualifications and this could impede their continued participation in education or cause them to miss out on future opportunities for employment or training.

**5. The outcomes for summer 2020 will be broadly similar to those in previous years.**

- a. To what extent do you agree with this aim?

***Agree.***

- b. Please clearly explain the reasons for your answer in the space below.

I agree, that unless 2020 outcomes are broadly similar to other years, there could be an unfairness that may affect learners from other year groups (if grades are generally higher this year), or affect this group of young people (if grades are generally lower this year). It is important that young people feel their results are credible and can stand up to public scrutiny: as proposed, a statistical standardisation model that aligns results with those of other years could help support this.

Whilst I broadly agree with this approach at a national level, there does need to be particular attention given to qualifications where there are fewer numbers of entrants, for example some A Level courses. In these examples there may be a greater degree of variation between cohorts each year due to the relatively small number of candidates – I suggest here, that a similar approach is taken to the one I outline in my answer to question 6 below.



6. **A statistical standardisation model which uses historical evidence of centre performance and the prior attainment of learners, along with the centre assessment data, is likely to be the fairest approach and produce more accurate calculated grades.**

a. To what extent do you agree with this aim?

***Partly agree and partly disagree***

b. Please clearly explain the reasons for your answer in the space below.

The consultation document shows that a range of statistical models are being considered. The preferred model determines the most likely distribution of grades for each centre based on the previous performance of the centre and the prior attainment profile of its learners, and then uses the submitted rank order to allocate grades to individual learners in line with this expected grade distribution.

I accept that this model is preferred as a fairer Wales-wide model and is informed by Baird's 1997 research<sup>3</sup> as included in Ofqual's literature review.<sup>4</sup> This research suggests that teachers' rank ordering of candidates has a degree of accuracy which is higher than that shown by teachers' predicted grades. However, the research base cited is not extensive and large centres where the cohort of pupils is taught by many teachers may have particular challenges in creating a rank order - the guidance for centres<sup>5</sup> gives no advice nor direction for how this should be approached.

I am also unsure how this preferred model will account for the assessed grades that centres will submit – the consultation indicates that predicted grades will have less 'weight' in the statistical model but it is unclear as to the degree of weight they will have, if any. It is important to clarify this as a statistical model alone will not account for variation between years within a centre.

These grades must be considered as a grade in themselves (in addition to the rank ordering) and to mitigate for subjectivity both internal moderation and external moderation could have been carried out for each exam centre, in the same way that non-examined assessment (coursework / controlled assessment) is moderated within and between centres – ensuring that grading is secure by comparing a sample of the cohort. As this has not been integrated into the current guidance<sup>6</sup> it may not now be practicable to put this in place but my preference is still that there is some form of internal moderation, where teachers within a department of a centre compare their evidence base for assessment - in fact I do not see how an entire cohort (which can be upwards of 200 pupils taught by different teachers) can be ranked without this internal moderation process.

I also would suggest an external moderation of the decision making process and the evidence used to reach assessment decisions by the WJEC, using a sample of assessment evidence, including the different forms listed on p. 4 on the guidance document for centres<sup>7</sup>. I appreciate that this is a change in practice

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<sup>3</sup> Baird, J. A. (1997). Teachers' Estimates of A level Performance. AEB Internal Report.

<sup>4</sup> Baird (1997) in Ofqual (2020) Equality Impact Assessment: literature review

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/879605/Equality\\_impact\\_assessment\\_literature\\_review\\_15\\_April\\_2020.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/879605/Equality_impact_assessment_literature_review_15_April_2020.pdf)

<sup>5</sup> <https://www.qualificationswales.org/english/publications/information-for-centres-on-the-submission-of-centre-assessment-grades/>

<sup>6</sup> [ibid](#)

<sup>7</sup> [ibid](#)

from the usual moderation conducted by the WJEC as they will need to be moderating a range of evidence that has been used to arrive at a grade rather than moderating the assessment of an individual piece of work. However, this should still be possible. Then, any centres that show a significant discrepancy between centre-assessed grades and historical data could have further scrutiny of grading by the awarding body. The guidance document<sup>8</sup> notes that work should be retained, so this approach would offer a practical means by which centre-assessed grades can be considered alongside the historical evidence of centre-performance. With this in mind it should be accepted that a grade distribution that takes account of centre-assessed grades may be different from historic distributions, but that there can be confidence in this due to a qualitative moderation process.

**7. As far as possible, we should ensure that the process for awarding grades in summer 2020 will not disadvantage groups of learners, including those with protected characteristics, relative to previous years.**

- a. To what extent do you agree with this aim?  
***Strongly agree***
- b. Please clearly explain the reasons for your answer in the space below.

The process for awarding grades this summer must be in line with Section 149 of the Equality Act 2010 and the the Public Sector Equality Duty (the 'PSED') and with the human right of children to equality and non-discrimination, (Article 2) which is a cross-cutting principle of the UNCRC, and an essential element of a children's rights approach.

The PSED requires all public authorities and those exercising a public function to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between those who share protected characteristics and those who do not.<sup>9</sup>

I recognise that the guidance for centres includes specific guidance to centres to account for agreed access arrangements for learners but it does not include any guidance for teachers, Heads of Departments or Heads of Centres about how they can minimise the risk of conscious or unconscious bias in the assessments of their individual classes or by working together as a staff team across the cohort. In the absence of any qualitative moderation process there is a greater risk of bias affecting the submitted assessment.

The consultation document cites Ofqual's literature review into evidence of bias in teacher predicted grades which concludes that while predicted exam grades can sometimes be linked to students' protected characteristics it is not possible to quantify this effect. This adds evidence to the need for a qualitative standardisation that includes standardisation of the grades for individuals.

I also recommend urgent guidance or, even better, an online training module, which is made available to centres to explain how to conduct internal moderation of their cohort using the different forms of evidence listed on p.4 of the current guidance document<sup>10</sup>. Within this there should be included guidance as to how to predict grades and to rank pupils in order to minimise the risk of conscious or unconscious bias. I am conscious that with the guidance to centres already in operation there is a risk that the opportunity to do

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<sup>8</sup> [ibid](#)

<sup>9</sup> Section 149, Equality Act 2010

<sup>10</sup> <https://www.qualificationswales.org/english/publications/information-for-centres-on-the-submission-of-centre-assessment-grades/>

this is limited, but I strongly recommend that this issue is raised urgently with centres in advance of May 29<sup>th</sup>.

I assume from the detail provided in 2.29 that there is already a requirement for centres to provide WJEC with sufficient data on socio-economic background and the protected characteristics of assessed pupils at the same time as the submission of centre-assessed grades.

If not, this should be requested as part of the submission and guidance should encourage centres to assess their approach to grading and ranking to identify if there may be any statistical patterns of assessment related to protected characteristic at a centre-level, and to ensure that these are not the result of bias. Where there appears to be statistical patterns of assessment related to protected characteristics in a centre the centre should further moderate their centre-assessed grades to ensure confidence in the assessment and in the ranked order of candidates. This should also be integrated into the external moderation process led by WJEC, as suggested in question 6.

I am pleased to see at 2.29 that at a national level attainment gaps linked to learner characteristics will be scrutinised to assess if they have substantially changed compared to previous years, and that this evidence will inform the choice of the final statistical standardisation model. I also accept the reasons stated for not making targeted corrections at a national level, which would adjust rankings within centres on the basis of learner characteristics. But this does mean that a qualitative moderation process is essential at a centre level, both within centres and by the WJEC, and expectations of this should be made clear to centres.

**8. Processes for issuing grades in summer 2020 will use results from any qualifications and units already completed and awarded. As such, the evidence used may differ across qualification types.**

- a. To what extent do you agree with this aim?  
*Strongly agree.*
- b. Please clearly explain the reasons for your answer in the space below. *(If you have disagreed or strongly disagreed, where possible, please outline what you consider to be a suitable alternative or solution.)*

I believe this is the only approach possible given the range of requirements for different qualifications.

**Appeals Process**

**9. Learners who are dissatisfied with their results this summer will not be able to appeal against the professional judgement made by their centre, or the procedure used by their centre to arrive at this judgement.**

- a. To what extent do you agree with this proposal?  
*Strongly disagree*
- b. Please clearly explain the reasons for your answer in the space below.

Accountability is a central element of any approach based in the human rights of children, as guaranteed by the UNCR. All organisations making decisions that affect the lives of children and young people should be accountable for these decisions, and young people have a right to information about this decision making.

General Comment No. 20 (2016) on the implementation of the rights of the child during adolescence<sup>11</sup> details how the general principles of the Convention pertain to adolescents, including the principle of the right to be heard and participation. This states that young people should be provided with, ‘safe and accessible complaint and redress mechanisms with the authority to adjudicate claims made by adolescents’ (paragraph 23). A transparent and accessible accountability mechanism also protects the right to equality and non-discrimination as it is likely that young people with parents or carers who have higher levels of education and more social confidence will be more likely to utilise a complex appeals process than those from disadvantaged backgrounds.

I note the current guidance to centres contains clear instruction that, *‘Centres must not, under any circumstances, share the centre assessment grades nor the rank order of learners with learners, or their parents or carers, or any other individuals outside the centre. This is to protect the integrity of the teachers’ judgements, and to avoid teachers, Heads of Department or Heads of Centre being put under pressure by learners and parents, to submit a grade that is not supported by the evidence. Since the final grades issued to some or all learners might be different from those submitted, it also helps to manage learners’ expectations.’*

I understand why this guidance is in place at this point and I agree it is a sensible approach. However, once qualifications have been awarded, it would seem fair and transparent if there was a way by which both organisations that have been instrumental in determining the grade (that is, the centre and the exam board) can be held accountable for the decision making process that led to this grade being awarded. If an internal moderation process is undertaken in centres as part of submitting their assessment and ranking, and if the WJEC also moderate this externally then there would be clear evidence that could be used to both assess the robustness of the process, and the quality of the professional judgement. Young people should be able to appeal to the WJEC so that both the process and judgement of the centre can be scrutinised.

Without this, there will undoubtedly be young people who feel they have been treated unfairly in a matter that can have significant and lifelong implications. Young people cannot be left with no means of requesting scrutiny of a decision that can have such a weight of impact on their lives. I can understand that there may be concerns about the numbers of young people that could appeal their grade, and that is another reason why a clearer process needs to be in place for the assessment submission, and why professional judgement should be substantiated. This does not necessitate a common set of evidence from each centre or against each qualification, which could be impossible. A more flexible approach could be taken, for example, centres could create a short narrative explaining each professional judgement (similar to a school report) and link this to relevant evidence sources where appropriate. Many centres may already be informally doing this in order to rank their learners, so this could in many cases formalise a process that is underway.

The concern outlined in the consultation document is that the emergency situation, the lack of training and lack of moderation means that a process that allows for appeals against centre judgements could be deemed to be unfair, and moreover that the possibility of appeal would inhibit teachers from openly and honestly awarding grades. There is also a concern noted about the capacity of centres and the WJEC to respond to such appeals.

However, the consultation does propose the following at 2.61, *‘Although we propose that a learner who believes they have been given the wrong grade will not be able to ask the centre to review its judgements, we do believe that a learner who thinks a centre may have made an error when submitting the data to WJEC,*

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<sup>11</sup> General Comment No 20 (2016) on the implementation of the rights of the child during adolescence [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f20&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f20&Lang=en)

*should be able to ask their centre to review the accuracy of the data it submitted. If the centre finds it made an error, or it considers that WJEC made an error in the way it processed the centre's data, the centre should submit an appeal'. It seems to me that such an informal review process could lead to the same concerns as outlined, but without the protections afforded by a more formal appeal by the learner. I would suggest that this proposal is modified so that this suggested review is integrated as part of an appeal process that has clear guidelines for both appellants and the centre to follow. I also believe that this would give greater protection to individual professionals as guidance around appeals can make clear that due to the emergency professionals have not received the usual training, guidance or support to make these decisions and are not working in usual circumstances. Guidance around the appeals process should state clearly that unless there is malpractice there must be no repercussions for individual professionals if any decision making or judgements are reconsidered and that accountability for decision making lies with the centre as a corporate body, and not with individual professionals.*

**10. Centres will be able to appeal to WJEC on the grounds that they used the wrong data when calculating a grade, the calculated grades generated by the statistical standardisation model were incorrectly allocated or communicated and/or there was some other procedural failing on the part of WJEC.**

- a. To what extent do you agree with this proposal?  
***Agree.***
- b. Please clearly explain the reasons for your answer in the space below.

This is an important mechanism but it should be accompanied by the opportunity for a learner to challenge the grade submitted by the centre as detailed in my response to question 9.

**11. For results issued this summer, we should require WJEC to only consider appeals submitted by centres, and not those submitted by individual learners.**

- a. To what extent do you agree with this proposal?  
***Strongly disagree***
- b. Please clearly explain the reasons for your answer in the space below.

As explained in my answer to question 9, WJEC should consider appeals submitted by individual learners in addition to those submitted by centres.

**12. If an appeals process identifies an error that would result in a lower grade for learners other than those cited in the appeal, then WJEC should not lower these grades.**

- a. To what extent do you agree with this proposal?  
***Strongly agree.***
- b. Please clearly explain the reasons for your answer in the space below.

In addition to the rationale provided in the consultation, I would like to add that young people who were due to take exams in summer 2020 have been faced with a number of significant challenges, all of which could be having inimical effects on their wellbeing, their confidence and their ongoing education.

Lowering grades of an entire cohort on the basis of an appeal by one individual in the cohort will first make it less likely that centres will support an appeal and therefore undermines the appeal process. Second, this could lead to social difficulties for individual young people within a community – some centres may face challenges in keeping the identity of appellants anonymous. Third the lowering of grades for a whole cohort would be an unexpected blow to a group of young people that have already over the last six months faced high levels of uncertainty and change, which they may continue to endure in the coming period.

**13. WJEC should be required to take all reasonable steps to ensure that all appeal decisions are taken by people who were not involved in the process leading to the issue of those results.**

- a. To what extent do you agree with this proposal?

***Strongly agree***

- b. Please clearly explain the reasons for your answer in the space below.

Taking reasonable steps to ensure an independent reviewer is an important part of a robust appeals process.

**14. WJEC should be permitted to run a simplified appeals process whereby the decision-maker considers a report by the member of staff conducting the administrative review and any representations made by the centre in light of that report.**

- a. To what extent do you agree with this proposal?

***Partly agree and partly disagree***

- b. Please clearly explain the reasons for your answer in the space below.

I accept the rationale for a simplified appeals process and do not object to this in principle, providing that the following elements are integrated into this process:

- Young people are able to appeal the centre process and/or the professional judgement submitted by the centre;
- Where relevant to the appeal, the report under consideration also contains information about the rationale for the professional judgement and details of the moderation process that was undertaken by the centre;
- Young people are given clear information about how to appeal and about what the process of appeal involves;
- Young people that appeal are provided with clear reasons for the final decision, presented to them in a way they can understand.

**15. The only functions of the Exam Procedures Review Service (EPRS) this summer will be to review:**

- 1. the extent to which WJEC was compliant with our requirements and with their own policies and procedures, or**
- 2. if any error was identified in the data used to generate the calculated grade(s) and/or in the grade(s) issued, whether that error was properly corrected.**

- a. To what extent do you agree with this proposal?

### ***Partly agree and partly disagree***

Please clearly explain the reasons for your answer in the space below.

I would agree with this proposal if it was part of a modified appeals process that includes the steps I have outlined in previous answers.

#### **Regulatory Impact Assessment**

1. In relation to the regulatory impacts that we have identified in this section, are there any additional steps that we could take to reduce them? If so, please outline these steps in the space below.
  - Put in place a process to enable private candidates without an existent relationship with a centre to receive a centre assessed grade. My suggestion for how this could be achieved is detailed in my response to Q4.
  - Paragraph 3.11 notes that there may be financial impacts on individuals but goes on to state that candidates, 'will have an opportunity to take exams in the scheduled November 2020 exam series or in summer 2021; however, this will delay their progression. This could also include some private candidates for whom a grade cannot be calculated.' In reality, not all candidates will have this opportunity as financial pressures will be such that they are unable to continue in education beyond this summer. This is important to note as it underlines the urgency of enabling private candidates without an existent relationship with a centre to receive a centre assessed grade. My suggestion for how this could be achieved is detailed in my response to Q4. In addition, another option that could be explored is to investigate funding opportunities for young people wishing to take exams in the November 2020 exam series, and these opportunities would need to cover young people that are home educated and young people that are in receipt of EOTAS provision, for example home tuition. These options would also need to be available for young people above compulsory school age.
  - Similarly, if there are any young people that do not receive grades this summer as they didn't have centre assessment, then in addition to the effort to inform tertiary and higher education institutions to explore options, there must also be a concerted effort made to raise awareness among employers that not all young people expecting qualifications were able to obtain them – and that this was due to circumstances entirely beyond their control.
  - I'm pleased to see the acknowledgement of the impact of this on learner wellbeing at 3.13. All organisations working with or on behalf of children and young people in Wales must take steps to support their wellbeing at this time. Transparency and ongoing accessible communication is an important part of this, therefore I strongly recommend the proposals around the appeals process are reviewed so that young people can appeal centre judgements and decision making. This is important in order for young people to feel they have an opportunity to be heard and to be treated fairly.

2 a. Are there any **other** positive or negative regulatory impacts (intended or unintended) that we have not already identified? *(If you have identified both positive and negative impacts, please select both options in the list below)*

#### **Yes, there are other negative impacts**

2b. Please explain your answer in the space below, clearly outlining what other impacts you have identified and any steps we could take to reduce this impact.

- Consideration must also be undertaken now for what might be the fairest process to undertake in November 2020 if that exam series is also cancelled.
- Consideration must be undertaken now for how private candidates who may wish to take exams in November 2020 can ensure a relationship with a centre from an early date in case this exam series is cancelled.
- Consideration should be given to how professionals in centres are supported to make judgements about rank order of candidates particularly in large centres where cohorts of entrants for one qualification are taught by several teachers. Guidance and online training is needed.
- Consideration should be given to how professionals are protected in centres during appeals processes. Guidance around the appeals process should state clearly that unless there is malpractice there must be no repercussions for individual professionals if any decision making or judgements are reconsidered and that accountability for decision making lies with the centre as a corporate body, and not with individual professionals.
- Consideration should be undertaken as to how children and young people can meaningfully participate in ongoing decisions that could significantly affect their lives, in line with the cross-cutting children's rights principle of participation. I welcome the inclusion of a young person's consultation document and survey as part of this consultation. Responses to this will be invaluable in ensuring that solutions are ones supported by the people they will most greatly affect. However, my office has been contacted through social media with the concern that the survey is inaccessible for young people due to the technicality of the language used. I appreciate that there are challenges in presenting complex information in an accessible way and also the difficulty of doing this at pace in the dynamic context of this work. I would however recommend that future consultations with young people on any subsequent decisions provide options for young people so that they can engage with the central concepts and principles in different ways: some young people will have been able to engage with the consultation without help; but many others would have benefitted from a simpler and a more accessible way to contribute views.

### **Equalities Impact Assessment**

1. In relation to the impacts that we have identified in this section, are there any additional steps that we could take to reduce them? If so, please outline these steps in the space below.

- I recommend urgent guidance supplemented with an online training module, which is made available to all centres to explain how to conduct internal moderation of their cohort using the different forms of evidence listed on p.4 of the current guidance document<sup>12</sup>. Within this, there should be included guidance as to how to predict grades and to rank pupils in order to minimise the risk of conscious or unconscious bias.
- Guidance should encourage centres to assess their approach to grading and ranking to identify if there may be any statistical patterns of assessment related to protected characteristic at a centre-level, and to ensure that these are not the result of bias. Where there appears to be statistical patterns of assessment related to protected characteristics in a centre the centre should further moderate their centre-assessed grades to ensure confidence in the assessment and in the ranked order of candidates.
- This internal moderation process should be supplemented by an external moderation of centres conducted by the awarding body and this should integrate an analysis of equalities

<sup>12</sup> <https://www.qualificationswales.org/english/publications/information-for-centres-on-the-submission-of-centre-assessment-grades/>



data to ensure that there are not statistical patterns that are the result of bias. In order to achieve this, centres should provide WJEC with sufficient data on socio-economic background and the protected characteristics of assessed pupils at the same time as the submission of centre-assessed grades.

- Please see my response to the Regulatory Impact Assessment with regards to additional steps that can be taken to protect private candidates from potential discrimination. I note that this group will include home educated young people, which is a population with a higher incidence of additional learning needs than the general population. It will also include young people in receipt of Education Other than At School, which is also a population with a higher incidence of ALN, and with a higher number of young people entitled to free-school meals.<sup>13</sup> Again, in reality many of these young people may not be able to access exams in the November 2020 series, sometimes due to economic constraints.

2a. Are there any **other** positive or negative impacts (intended or unintended) for individuals or groups who share protected characteristics that we have not identified? *(If you have identified both positive and negative impacts, please select both options in the list below).*

**Yes, there are other negative impacts**

2b. Please explain your answer in the space below, clearly outlining what other impacts you have identified and any steps we could take to reduce this impact.

- An open and accessible accountability mechanism protects the right to equality and non-discrimination as it is likely that young people with parents or carers who have higher levels of education and more social confidence will be more likely to utilise a complex appeals process than those from disadvantaged backgrounds. Limiting the right to appeal so that young people cannot appeal the judgements or decision making of centres will disproportionately affect young people already disadvantaged.
- Please also note my response to the Regulatory Impact Assessment about how the young person's consultation documents could have provided additional accessible option(s) to contribute views. This could have enabled participation in the consultation from a wider range of young people, including more children and young people with Additional Learning Needs. There has not been a specific route for some young people with Additional Learning Needs, nor those who are less confident readers to inform decision making in this consultation. Including an additional simplified or accessible version of the consultation could have enabled participation that would be more representative of the cohort as a whole.

### Welsh Language Impact Assessment

1a. Are there any positive or negative impacts (intended or unintended) on **opportunities for people to use the Welsh language** that we have not identified? *(If you have identified both positive and negative impacts, please select both options in the list below)*

**No, there are no other impacts**

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<sup>13</sup> <https://gov.wales/sites/default/files/statistics-and-research/2019-07/pupils-educated-other-school-september-2018-august-2019-644.pdf>

1b. Please explain your answer in the space below, clearly outlining what other impacts you have identified and any steps we could take to reduce this impact.

2a. Are there any positive or negative impacts (intended or unintended) in relation **to treating the Welsh language no less favourably than the English language** that we have not identified? *(If you have identified both positive and negative impacts, please select both options in the list below)*

**No, there are no other impacts**

21b. Please explain your answer in the space below, clearly outlining what other impacts you have identified and any steps we could take to reduce this impact.

Kirsty Williams AS  
Gweinidog Addysg

Dydd Mercher 20 Mai 2020

Annwyl Weinidog,

### **Pwnc: Camau sydd eu hangen i sicrhau cydraddoldeb a pheidio â gwahaniaethu wrth ddyfarnu cymwysterau'r haf hwn**

Diolch am eich ymroddiad a gwaith caled i sicrhau bod y system addysg yng Nghymru yn parhau'n ganolog bwysig yn ystod y pandemig coronafeirws. Cefnogwn yn fawr y gwaith a wneir gan Lywodraeth Cymru a Chymwysterau Cymru i sicrhau y gwneir yr asesiadau TGAU, Safon UG a Safon Uwch cyn teced â phosib yr haf hwn.

Croesawn ymroddiad Cymwysterau Cymru i sicrhau bod y broses gyffredinol ar gyfer darparu graddau arholiad i fyfyrwyr yn deg ac yn gallu nodi a lliniaru tuedd wrth i ganolfannau arholiad rhagfynegi graddau. Ond yn ein barn ni nid yw'r cynigion a amlinellir yn ymgynghoriad diweddar Cymwysterau Cymru yn darparu mecanweithiau digonol i sicrhau hynny.

Mae ein sefydliadau ill dau wedi ymateb i'r ymgynghoriad ac wedi codi gofidion am degwch y broses ac yn arbennig effaith tuedd ymwybodol ac anymwybodol wrth ragfynegi graddau arholiad, a allai rhoi rhai grwpiau myfyrwyr o dan anfantais.

I gryfhau'r ymagwedd a gwybodaeth ar gyfer canolfannau arholi a gyhoeddwyd gan Gymwysterau Cymru, argymhellwn fod Llywodraeth Cymru yn gweithio ar y cyd â Chymwysterau Cymru a CBAC i gyhoeddi canllaw ar frys i gefnogi ysgolion ac athrawon ar yr ymagwedd y dylent ei chymryd wrth ragfynegi graddau a rhestru disgyblion, er mwyn lleihau'r risg o duedd ymwybodol ac anymwybodol gymaint â phosib.

Rhaid i'r ymagwedd hon gynnwys proses cymedroli mewnol ac allanol sydd yn galluogi craffu sail y dystiolaeth ar gyfer asesu. Hebdi nid yw'n bosibl gweld sut y gall cohort cyfan, y gall gynnwys i fyny hyd at 200 o ddisgyblion a ddysgir



gan athrawon gwahanol mewn un sefydliad eu rhestru'n deg yn gymharol i'w gilydd.

Argymhellwn hefyd fel rhan o gyflwyno data asesu, bod canolfannau'n cynnwys data digonol ar gefndir cymdeithasol-economaidd a nodweddion gwarchoddedig disgyblion sydd wedi'u hasesu, i gefnogi dadansoddiad i wirio am fantais neu anfantais systemig.

Rydym yn gweithio i sicrhau bod effaith y pandemig coronafeirws ar gydraddoldeb a hawliau dynol wedi'i ddeall ac y caiff ei ystyried wrth wneud penderfyniadau. Gall graddau cymhwyso effeithio'n barhaus ar fywydau pobl ifanc. Mae plant a phobl ifanc o rai cefndiroedd lleiafrifol ethnig, disgyblion anabl a'r sawl sydd ag anghenion dysgu ychwanegol eisoes o dan anfantais anghymesur, gyda thystiolaeth yn amlygu bylchau cyrhaeddiad sylweddol ar gyfer y grwpiau hyn.

Atodwn ein hymatebion i ymgynghoriad Cymwysterau Cymru; sydd yn cynnwys y cyhoeddiad hwn a rhai pwyntiau ychwanegol ar gyfer eu hystyried wrth lunio canllaw. Byddai'r ddau sefydliad yn hapus i gynnig ein cefnogaeth, gwybodaeth ac arbenigedd wrth lunio'r canllaw hwn.

Byddem yn croesawu'n fawr iawn y cyfle i drafod yr argymhelliad hwn yn bellach â chi a'ch uwch swyddogion, yn ogystal â thrafodaeth gyda Cymwysterau Cymru. Gwerthfawrogwn y galwadau enfawr ar eich amser ond byddai cyfarfod byr yn werthfawr o ystyried pwysigrwydd a blaenoriaeth y mater hwn.

Yr eiddoch yn ddiffuant,

Parch. Ruth Coombs  
Pennaeth Cymru  
Wales | Cymru

Sally Holland  
Comisiynydd Plant Cymru  
Children's Commissioner for Wales

Kirsty Williams AS  
Minister for Education

Wednesday 20 May 2020

Dear Minister,

**Subject: Actions needed to ensure equality and non-discrimination in awarding qualifications this summer**

Thank you for your commitment and hard work to ensure the education system in Wales remains of central importance during the coronavirus pandemic. We strongly support the work being done by Welsh Government and Qualifications Wales to ensure the GCSE, AS Level and A Level assessments can be made as fair as possible this summer.

We welcome Qualifications Wales' commitment to ensure that the overall process for providing exam grades for students is fair and can identify and mitigate bias in predicted grades provided by exam centres. But we do not feel that the proposals outlined in Qualifications Wales' recent consultation provide sufficient mechanisms to ensure this.

Both our organisations have responded to the consultation and raised concerns about the equity of the process and in particular the impact of conscious or unconscious bias in predicting exam grades, which could disadvantage some groups of students.

To strengthen the approach and information for exam centres published by Qualifications Wales, we recommend that Welsh Government works with Qualifications Wales and the WJEC to issue urgent guidance to support schools and teachers on the approach they should take when predicting grades and ranking pupils, in order to minimise the risk of conscious or unconscious bias.

This approach must include a process of internal and external moderation that enables scrutiny of the evidence base for assessment. Without this it is not possible to see how an entire cohort, which can be upwards of 200 pupils taught by different teachers in one institution, can be fairly put into a ranked order relative to each other.



We also recommend that as part of the submission of assessment data, centres include sufficient data on socio-economic background and the protected characteristics of assessed pupils, to support analysis to check for systematic advantage or disadvantage.

We are working to ensure the impact of the coronavirus pandemic on equality and human rights is understood and is considered within decision making. Qualification grades can have a lasting effect on young people's lives. Children and young people from certain ethnic minority backgrounds, disabled pupils and those with additional learning needs are already disproportionately disadvantaged, with evidence highlighting significant attainment gaps for these groups.

We attach our responses to the Qualifications Wales consultation; which includes this issue and some additional points for consideration in preparing guidance. Both organisations would be happy to offer our support, knowledge and expertise in developing this guidance.

We would very much welcome the opportunity to discuss this recommendation further with you and your senior officials, as well as discussing with Qualifications Wales. We appreciate the enormous demands on your time but a short meeting would be valuable given the importance and priority of this issue.

Yours sincerely,

Rev Ruth Coombs  
Head of Wales  
Wales | Cymru

Sally Holland  
Comisiynydd Plant Cymru  
Children's Commissioner for Wales



**Senedd Cymru:  
Children, Young People and Education  
Committee**

**Summer 2020 qualification results**

17 August 2020

## 1. Introduction

1.1 ColegauCymru welcomes the opportunity to respond to the Senedd’s Children, Young People and Education Committee’s call for evidence on exam results in summer 2020.

1.2 ColegauCymru is a post-compulsory education charity; we promote the public benefit of post compulsory education and learning. We also convene the Further Education (FE) Principals’ Forum, which represents Further Education colleges and FE institutions (FEIs) in Wales. ColegauCymru also undertakes research, policy development and provides practical support to FE colleges in Wales, including on work-based learning (WBL) which is a key part of FE college activity.

1.3 ColegauCymru acknowledges the difficulties of assessing the summer 2020 cohort of learners in the absence of the usual examination and assessment arrangements. The challenges of finding a method that was not starkly out of keeping with previous trends, enables confidence in qualifications awarded this year and that is fair to learners and the staff who have supported them is not confined to one country or one government. Wales, Scotland, England and Northern Ireland all struggled with this issue and no-one set out to build a system that was not fit for purpose or that was deliberately unfair. What matters now is how we address the injustices that have arisen as a result of this year’s system, minimise the negative consequences, including the mental health impact on learners, and learn lessons for the future.

1.4 In this light, ColegauCymru welcomes the Education Minister’s announcement on 17 August 2020 that Centre Assessed Grades (CAGs) will now be used for summer 2020 examination results. This is not a solution without problems but is likely to be the best available that minimises the impact and stress on learners and staff under the circumstances.

## 2. The picture in numbers *prior to move to CAGs*

**AS and A Level 2015-2019: Number of qualifications taken:**

	AS	A Level
<b>2020</b>	45,435	30,450
<b>2019</b>	39,645	31,485
<b>2018</b>	42,915	32,445
<b>2017</b>	46,130	33,295
<b>2016</b>	49,145	35,535
<b>2015</b>	52,770	36,035



### Headline figures 2020 – A Level:

- 29.9% achieved A\*- A, up 2.9% on previous year
- 98.6% achieved A\*- E, up 1% on previous year

### Cumulative Grades Awarded

	A*	A*-A	A*-E
2020	3,100	9,110	30,030

### Difference between Centre Assessed Grades (CAGs) and grades actually awarded: A Level

	-4	-3	-2	-1	0	1	2	3
Grades	15	165	1,555	11,110	16,225	1,225	25	5
Percentage	-	0.5	5.1	36.7	53.5	4	0.1	-

### Headline Figures 2020 – AS Level:

- A - 22.2%, up 1.9% on previous year
- A-E - 91.4%, up 1.4% on previous year

### Cumulative Grades Awarded:

	A	A-E	Number Sat
2020	10,070	41,540	45,435

### Final AS Grades in relation to CAGs

	-4	-3	-2	-1	0	1	2
Grades	35	765	4120	14,340	24,545	1030	25
Percentage	0.1	1.7	9.2	32	54.7	2.3	0.1

All the above data is from: [Overview of AS, A level and Advanced Skills Challenge Certificate results in Wales – Summer 2020](#)

Although overall grade analysis was better than historical trend, this trend was not reflected across all centres where this would have been a reasonable expectation, for example, Coleg Meirion Dwyfor.

### **3. Process of awarding grades, including Centre Assessment Grades (CAGs) element**

3.1 Following the cancellation of the summer 2020 exam series, the FE sector in Wales worked with Qualifications Wales, WJEC and other awarding bodies (including a number of vocational awarding bodies) and responded to the relevant consultations, including those from Ofqual, where relevant. Colleges meticulously followed both the guidance set and their own robust internal processes to ensure the fair and accurate grading of qualifications. The WJEC have recognised the validity of these professional judgements: “The centre assessment grade is a professional judgement, based on a broad range of objective evidence, of the most likely grade a learner would have achieved if they had sat the exams.”<sup>1</sup>

3.2 In response to the Qualifications Wales consultation on the summer 2020 exam series, ColegauCymru and individual colleges expressed some reservations about ensuring that outcomes for summer 2020 should be broadly similar to those in previous years, highlighting some of the potential problems with this. These comments were made by a number of different respondents to the consultation and are reflected in the Qualifications Wales published response to the consultation.<sup>2</sup> While we accept that Qualifications Wales consulted the education sector and the wider public on their proposals, this in itself did not mean that the process chosen could not therefore be flawed.

3.3 In addition, the summer 2020 series of results was inevitably going to be impacted by some unique circumstances. For example, using the end of March 2020 as a cut-off date and awarding all learners attending courses at this point a grade meant that a greater proportion of learners would achieve a result; it was not possible to account for those who would have left courses for a variety of different circumstances after the end of March 2020, but before summer assessment. This would likely be in the region of 5-8 per cent. All colleges would expect to have a greater number of learners in March each year than in June.

3.4 Likewise, every year, there are learners who again, for a variety of personal circumstances do not achieve the results of which they are capable during exam assessment. This does not mean that they were not capable of achieving their predicted results, only that they did not do so at the time of assessment. While recognising that this is inevitable, it is not possible to predict which learners would have experienced this. As a result, the move to award CAGs seems the fairest route available, although it also leaves some challenges.

3.5 Overall, Centre Assessed Grades were always likely to be higher than actual grades because of the timing of the CAGs. In practice, colleges report particularly with AS Levels, that around Easter, many students make their own decisions in terms of the courses or subjects where they will prioritise their efforts. For some courses, certain students may just

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<sup>1</sup> <https://www.wjec.co.uk/media/ugef00dy/wjec-guide-to-results-and-appeals-v10-4.pdf>, page 6.

<sup>2</sup> <https://qualificationswales.org/media/6182/arrangements-for-summer-2020-exam-series-findings-from-the-consultation.pdf>

stop revising or possibly not turn up for the exam, resulting in E or U grades. Asking colleges to assess as at March 2020 means that they conducted assessments on performance to date. This almost certainly reduced the numbers of low grades that would have been achieved.

3.6 In a June 2020 meeting with ColegauCymru and Qualifications Wales, WJEC said that they would contact colleges if there was a significant discrepancy between CAGs and the moderated results. One college originally saw their A-C results at AS reduced by 18 per cent but were not contacted. There was also no scope for a narrative to explain trends. Again, one college saw their best ever A Level results in 2020 whereas their AS results were more like 2017. In 2019 they had improving A2s and the best ever AS results. The algorithm for AS had not been able to recognise changes such as improvements to quality and raising entry requirements. This must be taken into account in any future attempts to develop standardisation models.

3.7 Public assertions that teaching staff were overly generous in predicting grades were neither helpful nor accurate. They called into question the integrity and professionalism of not only teachers but managers and senior staff who oversaw the moderation process for every course in their college. Such statements may not have been intended to cause further distress but have done so and should be avoided in future.

3.8 ColegauCymru is not aware of any discussions of a process of external verification of CAGs rather than use of standardisation algorithm. This would have been a useful option to explore or to understand why such a process was ruled out.

## **4. Appeals**

4.1 ColegauCymru had called for Qualifications Wales, WJEC and Welsh Government to clarify the appeals process for those learners whose A Level grades were lower than their predicted, centre assessed grades, but higher than their AS results. In light of the Education Minister's announcement on 17 August, this is no longer necessary.

4.2 The Education Minister's prior announcement that no learner would receive an A Level grade below their AS grade, without the need for appeal, was welcome but brings the anomaly whereby there is no A\* grade at AS Level, while there is at A Level, into sharp relief. This anomaly must be rectified in future years. Despite the AS safety net, colleges had already reported significant numbers of appeals, and likely far in excess of being able to respond to university place requests as swiftly as necessary.

4.3 Qualifications Wales have told us that WJEC will issue final grades to learners whose grades have changed on Tuesday 18 August. Given the Education Minister's announcement regarding the move to CAGs, further clarification of this date might still be required.

4.4 Qualifications Wales had widened the appeals process to include "4. there is evidence of internal assessment that has been judged by the school or college to be at a higher grade than the calculated grade awarded".<sup>3</sup> As demonstrated in the data shown earlier in this

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<sup>3</sup> <https://qualificationswales.org/english/results-2020/appeals-explained/>

submission, this included a large number of learners. It is not clear how such appeals would have been decided. If appeals reverted to the CAGs, it is not clear why this should not be applied to all learners. If appeals did not revert to CAGs, how would such decisions have been made?

4.5 It is important to remember that while appeals would have been necessary and understandable in the current circumstances, they would inevitably have necessitated a large amount of staff time. This would have been during a period when colleges and schools are preparing to welcome returning and new cohorts of learners and adjusting to the changes mandated as a result of Covid-19. It would have put additional pressure on staff who have already spent considerable time undertaking activity such as contacting universities to explain CAGs awarded to students and trying to support learners who had seen their results downgraded to still be able to attend the institution of their choice or access the apprenticeship of their choice.

4.6 We understand that Ofqual had previously confirmed that students could not challenge their individual centre assessment grades this year, as any appeal would have to be undertaken by someone better placed than teachers to judge their likely grade if assessments had taken place. In the unique circumstances of this summer, Ofqual did not believe there was any such person.

4.7 It would not have been acceptable for Qualifications Wales to replicate this approach, embedding the unintentional individual injustices experienced by learners into the summer 2020 results. A method that allows learners to receive fair grades must be found and ColegauCymru welcomes the Education Minister's announcement to use CAGs.

## **5. Impact on disadvantaged groups/groups with protected characteristics**

5.1 Across the four countries of the UK, it appears that learners from deprived areas were impacted more by standardisation and lowering of grades than those from more affluent areas. The impact on learners from groups with protected characteristics is yet to emerge clearly. There is more work to be undertaken to obtain a detailed and thorough picture. Research into this area should be commissioned by Welsh Government in order to learn lessons now to inform any future modelling that might be necessary. Although larger data is not yet available, the results from one college with a significant amount of learners from BAME backgrounds, suggested that these learners would have been disproportionately affected by standardisation and grade lowering.

5.2 For example:

Overall breakdown of those who sat AS and A Levels:  
70% White; 30% BAME

The impact of downgrading, if looked at statistically, matches this overall and would appear to show there was no differential impact for downgrading by 1 or 2 grades. However, learners who had results downgraded by 3 grades were all BAME.

Those downgraded by 1 grade:  
72% White; 28% BAME

Those downgraded by 2 grades:  
70% White; 30% BAME

Those downgraded by 3 grades:  
100% BAME

When looking at the impact on individual learners across their grade profiles it appears that there is evidence of greater negative impact on BAME learners:

- 1 BAME learner downgraded by 5 grades over his grade profile (studied three subjects).
- Of the learners downgraded by 4 grades over their profile - 64% BAME.
- The data for those downgraded by 3, 2 or 1 grades over their individual profiles more closely matches the overall breakdown and does not show a differential impact.
- Of those who had the most positive impact across their grade profiles – 88% were White and 12% BAME.

Examples of learners from BAME backgrounds who suffered significant negative impact:

<b>Specific examples of adjustments to CAGs</b>
A2 ICT B to E AS Business D to E AS Maths A to B -5 grade points lost overall
AS Business D to U AS Law D to U -4 grade points lost overall
AS Graphics C to D AS English D to U AS Law C to D -4 grade points lost overall
AS Sociology C to D AS Business D to E AS Law D to U -4 grade points lost overall
AS Maths C to D AS ICT E to U AS Computer Science D to U -4 grade points lost overall
AS Maths C to D AS Biology C to E

AS Chemistry C to D -4 grade points lost overall
AS Maths C to D AS Economics C to U -4 grade points lost overall
AS Computer Science B to C AS ICT D to U -3 grade points lost overall
AS Mathematics E to U AS Computer Science D to U -3 grade points lost overall
AS Law D to U A Level English Literature B to C -3 grade points lost overall
AS Mathematics D to E AS Computer Science C to E -3 grade points lost overall

## 6. Specific concerns regarding AS results

6.1 Colleges across the FE sector were deeply concerned with the impact the standardisation process had on AS results. There were considerable issues in relation to AS grades and the FE sector had serious reservations as to the reliability of the standardisation models and algorithms used by WJEC and approved by Qualifications Wales in reaching this year's outcomes. Again, we welcome the Education Minister's intervention to use CAGs for all 2020 summer examinations but recognise that this is not a perfect solution.

6.2 AS levels are qualifications in their own right and deserve to be taken seriously. They must not just be treated as the part pathway to an A Level. Qualifications Wales had clarified that if a learner was carrying on to the full A Level, the calculated AS grade from summer 2020 could not be used in the aggregation of A Level grades because it would be a grade and not a mark and that this has been made clear in all their correspondence with centres and wider stakeholders.

6.3 The Education Minister's previous announcement that for those learners applying to university for entry in September 2021, their referees would have been able to add their predicted AS grades and context of the achievements was also welcome. Again, this did not change the fact that learners would have been applying with awarded AS grades that in many cases were below their predicted grades and what they had good reason to expect to achieve.

6.4 2020 AS resit grades were officially issued by WJEC to a number of learners. It was stated and then subsequently contradicted by WJEC that the upgrade or protection offered by the Education Minister only applied to 2019 AS grades. The 2020 resit grades appear to have been through the moderation process and are now official. Some clarification might still be needed here.

## 7. Vocational qualifications

7.1 The majority of attention has been focused on A and AS Level results but it is crucial to remember the large number of learners studying vocational qualifications receiving results this year. Anecdotal evidence suggests that there were fewer issues with downgrading of vocational results.

7.2 Colleges report that vocational awarding bodies mostly accepted CAGs and, if there was a query, they contacted the college to discuss. They also provided for a narrative explaining if there were differences in trend results, which was submitted at the same time as the CAGs. This meant that they took into account the individual circumstances – allowing colleges to explain, for example, that they perhaps only had a two year trend due to changes to entry qualifications and teaching, or that there were fewer Distinctions because a new qualification was adopted and the staff and learners were adapting to new specifications.

7.3 However, problems remained. Vocational results should all have been issued Thursday 13 August 2020. As of 17 August, one college reported that 200 learners still had not received grades. This has caused great distress to learners and many staff worked over the weekend to provide support. Usually in such instances, colleges receive a warning report from awarding bodies to let them know if grades are missing. This did not happen this year, possibly due to a number of awarding bodies furloughing staff.

7.4 The Education Minister’s announcement about the move to use CAGs does not clarify the situation for all vocational learners, noting “Other Awarding Bodies across the UK are involved in the determining the approach to vocational qualifications. This continues to be the case but it is important that I give assurance to GCSE, AS and A level student at the earliest opportunity.” It is vital that all vocational learners receive fair and final results as soon as possible, ending the uncertainty they face.

7.5 Lastly, as a result of the need to complete practical assessments in many cases, there remain a considerable number of learners who have yet to complete vocational qualifications that they would have expected to finish in summer 2020. The need to ensure that learners and colleges are supported to complete these assessments continues to be vitally important, and should not be forgotten despite the announcement about using CAGs for summer 2020 results.

## 8. GCSE results

8.1 The risk that similar problems were replicated with the summer 2020 GCSE results was enormous. This would have affected greater numbers of learners, and would likely have led to a considerable number of appeals. For many people in Wales, GCSE or other Level 2 qualifications, are their highest level of qualification:

	No qualifications	Below L2	L2 or above	L3 or above	L4 or above
YE 2019	8.2	12.7	79.1	59.4	38.8
YE 2018	8.4	12.7	78.9	59.1	37.8
YE 2017	8.7	12.8	78.5	58.3	37.5

Source: Stats Wales.

8.2 GCSEs are not merely a stepping stone to higher level vocational qualifications or A Levels for a sizeable proportion of the population. For this reason, it is imperative that the same mistakes were not repeated, and that learners received a fair result.

8.3 FE colleges were already committed to taking on board the professional viewpoint and recommendations of schoolteachers as the sector supported and guided those who would not, and still may not, receive the results they anticipated. In practical terms, colleges will exercise even greater flexibility in their admissions process, offering enhanced enrolment and initial assessment processes to ensure that students are placed on the most suitable course, and one that takes their choices into account as far as possible.

8.4 ColegauCymru noted the decision in Northern Ireland to award GCSEs on the basis of teacher assessments and was pleased that the Education Minister has taken the same approach in Wales.<sup>4</sup>

## **9. Wellbeing, progression and the economy**

The human cost of learners receiving results lower than those they were predicted, and had good reason to expect, should not be underestimated. This would undoubtedly have impacted their future study plans and ultimately, their career prospects, but also their mental health and wellbeing. At a time when the economy is still managing the effects of Covid-19, further disadvantaging learners who receive qualifications in summer 2020 should be avoided as far as possible. Similarly, this group of predominantly young people have undergone challenges which no previous cohort of learners has had to face, with negative impact on their mental and physical health and wellbeing. The announcement by the Education Minister about using CAGs is very welcome in this respect.

## **10. Looking ahead to 2021**

10.1 As the impact of the disruption to academic year 2019-20 flows through into 2020-21, learners, parents/carers, employers and the education sector more widely must have confidence that the lessons of 2020 will be acted on to safeguard their futures. ColegauCymru is keen to work with Qualifications Wales, WJEC and others but calls for a clear outline and plan detailing how examination and assessment will likely take place next summer. This must be in place later this autumn so that colleges and schools are able to plan and deliver effectively.

10.2 Likewise, firm plans need also to be put in place to accommodate possible future disruption in the eventuality of another flare up of Covid-19 and local or national lockdown situations.

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<sup>4</sup> <https://www.bbc.co.uk/news/uk-northern-ireland-53802428>



## 11. Conclusion

While the Education Minister's decision to use CAGs as the basis of results for summer 2020 assessment is the best available solution, some issues remain unresolved. The next steps that need to be addressed include:

- Urgent clarification on the status of vocational awards and whether Centre Awarded Grades will also apply here.
- Addressing issues with regard to missing vocational results and ensure learners waiting to complete assessment can do so at the earliest opportunity.
- Clarity on the status of 2020 AS resit grades.
- A\* grade to be introduced at AS Level for future years.
- A review of the process of developing and awarding qualification results for summer 2020 that looks in detail at whether and why particular groups of learners had their results downgraded with a view to learning lessons and developing better data analysis and prediction in future.
- A clear outline and plan detailing how examination and assessment will likely take place in summer 2021 must be developed and agreed with colleges and schools by late autumn 2020.
- A plan, developed in conjunction with the further education sector, of how disruption to learning, including work-based learning, will be managed in the eventuality of local or national lockdown situations due to Covid-19.
- Ongoing support to the further education sector to meet the challenges of adapting to Covid-19, including but not limited to, addressing the digital divide in online and blended learning.

Dr Rachel Bowen

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## NAHT Cymru statement RE qualification grading

NAHT is the UK's largest professional association for school leaders. We represent more than 30,000 head teachers, executive heads, CEOs, deputy and assistant heads, vice principals and school business leaders. Our members work across: the early years, primary, special and secondary schools; independent schools; sixth form and FE colleges; outdoor education centres; pupil referral units, social services establishments and other educational settings.

In addition to the representation, advice and training that we provide for existing senior leaders, we also support, develop and represent the senior leaders of the future, through NAHT Edge, the middle leadership section of our association. We use our voice at the highest levels of government to influence policy for the benefit of leaders and learners everywhere.

NAHT Cymru thanks for the committee for considering our response to the situation regarding the grades process in Wales.

From the outset, we raised concerns with the standardisation process, namely the weight given to the past performance of a school and the little value placed on teachers' professional opinions. We felt that past performance data would have a detrimental impact on learners who were performing well at an underperforming school and that schools who, for example, had seen a change of leadership in recent years, would again be negatively affected. We also felt that more trust should have been placed in the views of the people who know their students best, their teachers. Those concerns were raised during meetings with Qualifications Wales, WJEC and Welsh Government officials.

On the eve of A level grades being published in Wales, changes were made to mitigate against the issues with the algorithm used and the 'no detriment' floor and widening of the appeals process. These changes were announced after NAHT Cymru questioned why CAG were not going to be used, given the identified flaws in the process, only to be told that CAG has 'greater unreliability' than the process being used. NAHT Cymru believes that judgement to be an insult on the profession and completely uncalled for.

Once results were made public, it was clear that the mitigating measures brought in by Welsh Government were still not going to go far enough to redress the situation and again NAHT Cymru publicly called for CAG to be used.

The announcement yesterday (Monday, July 17) that all qualification grades this summer will revert to CAG is welcomed news. In the current circumstances it is right to trust the professional judgement of the people who know their students best.

However, we do not yet know what this delay will mean for students who have already missed out on their first choice of university. This will undoubtedly load more and more difficulty onto universities and their capacity to meet all the demand for places that will now inevitably come their way. For them, the problem is far from over.

We appreciate that this was always going to be a difficult time and there is no perfect method by which to award grades. However, taking this decision now will mean students expecting their GCSE results can have confidence that they will not experience the same unfairness or disadvantage as their older peers.

We urge Welsh Government to continue to have the confidence in their educational professionals in Wales. During the pandemic, teachers have stepped up to the challenge of supporting their learners, staff and extended school families during incredibly difficult times. They have proved their worth and their integrity and professional judgement should not be questioned to this extent in the future.

Laura Doel  
Director  
NAHT Cymru

## **Universities Wales response to CYPE HE Approach and Position 18 August 2020**

In challenging circumstances, students have shown themselves to be resilient, dedicated and adaptable, and universities in Wales are committed to doing all they can to support students' progress to higher education.

Admissions are a matter of institutional autonomy and academic freedom, so approaches will inevitably vary by institution. However, learners can be assured that every effort will be made by universities to ensure that they are not disadvantaged by this year's processes.

While this is a unique year, universities and their staff are well used to supporting students who have not quite achieved the grades they needed and admissions teams are on hand to help those students.

This year more than ever, universities in Wales will be fair and flexible to consider an applicant's context. This includes how universities can provide support for disadvantaged students entering university, and in taking contextual factors into account which can be vital in reflecting an individual student's circumstances and potential.

It's also important to remember that places are not decided on grades alone, with information in personal statements and references part of the decision-making process, along with any interview, portfolio, audition or other relevant information.

Welsh universities will maintain as much flexibility as possible to keep places open for those considering appeals or defaulting to a centre assessed grade - recognising the difficult situation for English applicants which does not appear to be fully replicated and of the same scale for Welsh applicants. During this time, universities will keep their applicants up-to-date on the implications of the appeals process for 2020 entry.

It is worth noting that at this stage of the cycle, UCAS figures indicate that 9110 Welsh domiciled applicants have been placed in Welsh institutions, an increase on the 2019 figures despite the demographic dip in 18 year olds. 2020 also sees a record proportion of Welsh students entering higher education across the UK. This coupled with a 7% increase in English domiciled students being placed in Welsh institutions demonstrates the flexibility that our members have already shown.

We hope any appeals are completed as quickly as possible, both to help bring clarity for students and because universities will start welcoming students very soon. However, we do note that the longer the delay the harder it will be for Welsh institutions to maintain ultimate flexibility due to the impact on the learner, with issues such as social distancing remaining key to planning and student experience. It's also important to note that universities' wish to support applicants by providing flexibility on dates and holding offers does have limitations for courses that have placements such as medicine and nursing which must abide closely to professional body regulations.

Our advice to students who don't get the required grades would be to contact their first choice university, who will be happy to discuss their options, with some potentially willing to reduce grade requirements. We would also advise students to consider all of the options available through Clearing, which has been enhanced to provide more tailored options than ever before.

It is vital that the admissions process remains fair, consistent, and in the best interests of all students, and it is important that all parties – universities, Qualifications Wales, HEFCW and Welsh Government - work together on this.

# WLGA COMMENT

## SCRUTINY OF AWARDING OF EXAM RESULTS

### CHILDREN, YOUNG PEOPLE AND EDUCATION COMMITTEE



CLILC • WLGA

17<sup>th</sup> August 2020

1. The Welsh Local Government Association (WLGA) represents the 22 local authorities in Wales, and the three national park authorities and the three fire and rescue authorities are associate members.
2. The WLGA is a politically led cross-party organisation, with the leaders from all local authorities determining policy through the Executive Board and the wider WLGA Council. The WLGA also appoints senior members as Spokespersons and Deputy Spokespersons to provide a national lead on policy matters on behalf of local government.
3. The WLGA works closely with and is often advised by professional advisors and professional associations from local government, however, the WLGA is the representative body for local government and provides the collective, political voice of local government in Wales. Discussion with ADEW has helped inform this response.

#### WLGA POSITION ON THE AWARDING OF EXAM RESULTS

4. The WLGA's position on the award of examination results is as follows:
  - Local government believes that the use of teacher assessments – Centre Assessed Grades – is the only fair way of determining A level, AS and GCSE grades this year;
  - The approach adopted by the regulators to determining A' level grades is random, arbitrary and focuses on the needs of institutions rather than individual learners:
  - We need to put the learners at the heart of the process and trust in the profession – no one knows learners and their performance better than their teachers:
  - The current methodology relies on historic data at school level and ignores the performance, needs or expectations of individual learners:
  - It's disadvantaging learners from poorer communities and learners from Wales when compared with learners from the rest of the UK:
  - The learner voice has been ignored throughout the process both in developing and implementing the methodology:
  - From discussion with Qualifications Wales to date, the benefit of any appeals process is unclear and seems minimal:
  - In the absence of an exam, any appeals would simply consider the application of a flawed methodology:
  - This matter must be resolved with urgency to enable A level students from Wales to access university places as soon as possible:
  - We need to avoid the same fiasco with GCSE results later this week:
  - The risk with GCSE results is the quantum and impact is much larger. We stand the risk of losing a whole set of children who will be off our radar and likely fall into NEET:
  - An independent review is needed to assess whether Qualifications Wales is fit for purpose.

5. The WLGA cabinet members for education have met with Philip Blaker, the Chief Executive of Qualifications Wales and Ian Morgan, Chief Executive of the WJEC on three occasions (May, June and July), with Kirsty Williams, the Minister for Education, in attendance at the third meeting. The purpose of the meetings was to discuss concerns raised regarding the process for determining the A Level, AS and GCSE results 2020 and the appeals process, and also the assessment process for 2021.
6. The WLGA and Cabinet Members expressed concern about the methodology at early meetings and wrote to the WJEC and Qualifications Wales on 9<sup>th</sup> June outlining these concerns. Members' priority was to ensure that learners were to be awarded a fair grade but were particularly concerned given part of the evidence to be used would have been historical data and performance which would favour learners and schools where performance had been strong, but would depress the outcomes for individual learners whose schools had not performed well in the past.
7. During weekly bilateral meetings with Kirsty Williams and Cllr Andrew Morgan WLGA Leader, Cllr Ian Roberts WLGA Education Spokesperson, Cllr Ellen ap Gwynn WLGA Deputy Education Spokesperson and WG colleagues, concerns have been raised consistently regarding the final assessment process for A Levels, AS and GCSE results.

The following are supporting documents:

- Letter to WJEC and Qualifications Wales from the Education Spokesperson – 9<sup>th</sup> June 2020
- WLGA Press Statement – 13<sup>th</sup> August
- WLGA Press Statement – 17<sup>th</sup> August
- WLGA Press Statement – 17<sup>th</sup> August

**Ein Cyf /Our Ref:**

**WLGA/Schools&Colleges/200609**

**Dyddiad /Date:**

09 June 2020

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**CLILC • WLGA**

**To:**

Mr Ian Morgan  
Chief Executive  
Welsh Joint Education Committee (WJEC)  
245 Western Avenue  
Cardiff  
CF5 2YX

Annwyl/Dear Ian Morgan

### **WJEC and Qualification Wales summer 2020 arrangements**

I am writing this letter following the LA Cabinet Members for Education meeting which was held on the 29<sup>th</sup> May 2020. May I take this opportunity to thank you both for your attendance at the meeting and for your participation throughout the meeting, especially the questions and answer session.

The main purpose of the meeting was to review the status of planning around the examinations system, the arrangements for appeals process, raising local authority issues regarding, grading - GCSE & A Level result awards, and to seek clarification from both the WJEC and Qualifications Wales following the Minister's announcement in March regarding the cancellation of summer exams.

Whilst I recognise that these are indeed unprecedented times due to the COVID-19 pandemic and recognise the task of producing an alternative 'process' that has the best interest of learners, not just on their education, but on their well-being, and future pathways is not an easy one.

However, I write to continue to raise the concerns that schools and local authorities have in connection to the arrangements for the summer results.

Learners this summer will be awarded a fair grade to recognise their work, drawing on the range of information. This is stated in your FAQs page on the Qualifications Wales website.

How will WJEC and Qualification Wales guarantee this, when part of the evidence used to determine a 'fair grade' is based on historical data and performance? This would favour learners and schools where past performance has been strong, yet could depress the outcome for learners and schools that have not performed as well in the past, but had worked tirelessly during this academic year to improve outcomes and are showing an upward trajectory. The danger is that learners and schools could be penalised, especially when considering the 3% variation that has been discussed when using the statistical standardised model.

I am aware of the Qualifications Wales consultation regarding the summer arrangements which closed on the 13<sup>th</sup> May, included a proposal on the appeals process. I urge that the findings from this consultation be shared as soon as is possible. The fear of the option for learners who are dissatisfied with their grades and not being able to appeal

Dr Chris Llewelyn  
Prif Weithredwr  
Chief Executive

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the decisions with WJEC but to directly contact their school is a real concern. Clarity is needed not only to ensure consistency of approach and the role of the WJEC in the process, but also to reduce the vulnerability that schools might find themselves in regarding pressures from individual learners and their parents.

During the Q&A session of the meeting a question was asked regarding the examination fees. Ian, you answered explaining that further discussions were taking place in due course, finalising 'what a reduction fee would look like'. Again, I urge that the finalised details be shared with schools as soon as is possible to reduce further stress and speculation.

I hope that the comments above are useful and I respectfully ask that due care is applied to the response regarding the above concerns.

I look forward to hearing from you soon.

**Yn gywir/Yours Sincerely**

A handwritten signature in black ink that reads "Ian B. Roberts". The signature is written in a cursive style with a clear, legible font.

**Y Cyng Cllr. Ian Roberts**  
**Llefarydd addysg CLILC**  
**WLGA Education Spokesperson**

**WLGA PRESS RELEASE**  
**Thursday 13 August 2020**

**WLGA congratulates learners but urges Minister to act swiftly on individual A' level concerns and discrepancies**

The WLGA has congratulated A level students in Wales on their remarkable achievements in unprecedented and challenging circumstances. The Association welcomed the Minister for Education's confirmation that Welsh learners' grades will be no lower than their previous AS results and that there will be a free appeals process. The late changes to the qualifications system across the UK have been unsettling and have caused confusion and concern for learners, parents and guardians. As a result, schools' and councils' focus today and in the coming weeks will be on the wellbeing of learners and providing advice, support and reassurance to the large number of students who will have received lower than expected grades. The WLGA will assess today's results when the full picture is clearer, in the meantime we urge the Minister to take swift action to correct any local concerns and discrepancies.

Cllr Ian Roberts (Flintshire), WLGA Education Spokesperson said:

"We are pleased for our learners who have shown commitment and worked hard for several years and who will be receiving their A level results today. They have shown remarkable resilience in recent months and through no fault of their own, have been unable to complete their course work or sit their exams this year. This has been the most challenging of times for our school children and learners and whilst many students will be celebrating, many will be disappointed that they have not received the grades that they and their teachers were expecting."

"This has been an unprecedented period for all involved in education, for learners, parents, schools and teaching staff and for councils and national governments. Whilst it is important that employers and universities have confidence in the qualifications system, it is more important that learners themselves have confidence and feel their efforts and their potential have been fairly recognised in their qualifications."

"The past week has been incredibly unsettling for learners across the UK and there will be some concern and continued confusion. We welcome yesterday's reassurance from the Minister that students will receive grades that are the same or higher than their AS levels, however, this will still mean that the results some students receive today will need to be revised upwards. Many will still be lower than they had reasonably expected, based on their mock exam performance and improvements during the past year. We therefore welcome the Minister's confirmation of a free appeals process for all students."

"The welfare and well-being of learners is always paramount for schools and councils and it is more important than ever that students are at the heart of every decision taken within the education system at this time. These were the core messages that I and the 22 education cabinet members raised with Qualifications Wales, WJEC and the Welsh Government during several meetings earlier this summer about the plans for awarding A levels and GCSEs. It is important therefore that we learn lessons from this experience, and with our partners from across the UK. We are especially concerned that Welsh students are not disadvantaged in relation to students from other parts of the UK, particularly when applying for university places, apprenticeships or jobs."

- ENDS

**WLGA PRESS RELEASE**  
**Monday 17 August 2020**

**Focus on the Needs of Learners and Trust Teachers**

Welsh local government believes that the use of teacher assessments – Centre Assessed Grades – is the only fair way of determining A level, AS level and GCSE grades this year and is calling on the Education Minister to implement this policy change immediately even if it delays Thursday’s GCSE results. This approach should also be applied retrospectively and with urgency to all A’ level and AS grades.

Now that the full picture of A’ level and AS results across Wales is clearer, the WLGA believes that the approach adopted by Qualifications Wales- the regulator- in determining A’ level and AS grades has been arbitrary and has focused on the needs of institutions rather than individual learners. It has created confusion and concern and has been unfair, it has not given individual learners the results they expected and would probably have achieved had they sat the exams. We need to put learners at the heart of the process and trust in the teaching profession, as no one knows learners and their performance better than their teachers.

This matter must be resolved with urgency to enable A level students from Wales to access university places as soon as possible and to avoid the same situation with GCSE results later this week.

Cllr Ian Roberts, WLGA Education Spokesperson said:

“The WLGA Leader and I met with the Education Minister on Thursday morning, and we highlighted emerging local anomalies and concerns; clearly these are not just local concerns but there are systemic issues and we therefore call for an urgent review of grades, and the awarding of Thursday’s GCSE results to be based on the CAGs (Centre Assessed Grades).”

“I and Cabinet Members for Education met with WJEC and Qualifications Wales earlier this summer and we raised concerns and sought assurances about the fairness of the proposed system. We were particularly concerned given part of the evidence to be used would have been historical data and performance which would favour learners and schools where performance had been strong, but would depress the outcomes for individual learners whose schools had not performed well in the past. We will be feeding our views into the recalled Senedd’s Children, Young People and Education Committee’s discussions tomorrow.”

The WLGA is also calling for a review of Qualifications Wales and whether or not the organisation is fit for purpose.

- **ENDS**

## Datganiad CLILC / WLGA Statement

Dydd Llun 17 Awst 2020 / Monday 17 August 2020

***I'w ryddhau ar unwaith / To be released immediately***

**Please scroll for English**



Mae CLILC yn croesawu cyhoeddiad y Gweinidog yn cadarnhau y bydd canlyniadau arholiadau eleni yn cael eu dyfarnu ar sail asesiadau athrawon. Diolchwn i'r Gweinidog am wrando ar ein galwadau ni a rhai eraill ac, yn anad dim, am lais y dysgwyr. Dyma'r ymagwedd decaf, mae'n rhoi barn broffesiynol athrawon ac yn sicrhau nad yw myfyrwyr Cymru dan anfantais o'u cymharu â myfyrwyr mewn rhannau eraill o'r Deyrnas Unedig. Mae'n bwysig felly bod Llywodraeth y Deyrnas Unedig yn dilyn y dull hwn o ystyried bod nifer o ysgolion a myfyrwyr Cymru yn astudio pynciau drwy system arholiadau Lloegr.

Bydd CLILC yn bwydo i mewn i sesiwn Pwyllgor y Senedd yfory ac mae'n bwysig bod y cyngor a roddir i'r Gweinidog yn ystod y cyfnod cyn cyhoeddi'r canlyniadau yn cael ei graffu, a bod Llywodraeth Cymru yn adolygu Cymwysterau Cymru ar fyrder.

### ***WLGA Statement***

*The WLGA welcomes the Minister's announcement confirming that examination results this year will be awarded on the basis of teacher assessments. We thank the Minister for listening to our and others' calls and, above all, the voice of learners. This is the fairest approach, trusts the professional views of teachers and will ensure that Welsh students are not disadvantaged compared to students elsewhere in the UK. It is therefore important that the UK Government follows this approach given several Welsh schools and students study subjects through the English exam system.*

*The WLGA will feed into tomorrow's Senedd Committee session and it is important that the advice given to the Minister in the run up to the publication of the results is scrutinised and that the Welsh Government urgently reviews Qualifications Wales.*

Document is Restricted

Kirsty Williams AS/MS  
Y Gweinidog Addysg  
Minister for Education



Llywodraeth Cymru  
Welsh Government

Lynne Neagle MS  
Chair of the Children, Young People and Education Committee  
Welsh Parliament  
Cardiff Bay  
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Lynne.Neagle@Senedd.wales

18 August 2020

Dear Lynne Neagle MS

Thank you for your invitation to attend the Children, Young People and Education Committee to discuss the arrangements that have been put in place this year for learners to be awarded grades following the cancellation of the summer exam series.

I am pleased you recognise the unprecedented steps that I had to take in cancelling this summer's exams and establish the extraordinary arrangements to award grades. I appreciate these have caused some concern. Learners are also understandably likely to be worried given the last minute developments in other parts of the UK and the associated media coverage. I welcome the opportunity to attend the Committee to help provide clarity and assurance about the steps we have are taking in Wales.

You will however note that this Committee meeting is scheduled for two days before GCSE results day and as such, whilst I will be able to answer questions about the approach to awarding GCSE grades, I will be unable to provide any detail about the results themselves. This position will also apply to Qualifications Wales and to WJEC. In light of this, I would be happy to attend a further Committee meeting on this matter after Thursday, or to provide written evidence to assist scrutiny.

Yours sincerely

**Kirsty Williams AS/MS**  
Y Gweinidog Addysg  
Minister for Education

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Elin Jones MS, Llywydd

Dyddiad | Date: 14 August 2020

Pwnc | Subject: **Request for the CYPE Committee to meet during a non-sitting week**

Annwyl Lywydd,

In light of recent developments in relation to the rewarding of examination results, the Children, Young People and Education Committee would like to meet during the week commencing 17 August to scrutinise the WJEC, Qualifications Wales and the Minister for Education. As this is not a sitting week, in accordance with Standing Order 17.46, I am writing as Chair to consult with you on this request.

While more detailed, longer-term consideration will need to be given to this complex matter, Members are keen to hold a short, sharp scrutiny session (in advance of next week's GCSE results) in order to seek reassurances that:

- key issues in relation to all examination results and associated appeals processes are in hand;
- fairness, clarity and accuracy will be provided for learners, parents and carers, and education staff in Wales.

I am sure that you will agree that the Committee has an important role in holding the Welsh Government and public bodies to account on the approaches adopted in response to this pandemic. Given the significant concerns and complexities surrounding the awarding of exam results this year, I would be grateful if you could confirm as soon as possible that the Committee will be able to hold a formal public meeting (virtually, given the current public health situation), to scrutinise these matters further as a matter of priority. Subject to witnesses' availability, our aim is to meet on Tuesday 18 August.

Kind regards,



**Lynne Neagle MS**  
**Chair**

Croesewir gohebiaeth yn Gymraeg neu Saesneg | We welcome correspondence in Welsh or English.



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Lynne Neagle MS  
Chair, Children, Young People and Education Committee  
Welsh Parliament

17 August 2020

Dear Lynne

**Petition: Award teacher predicted grades to all Welsh students for examination 2020**

The Petitions Committee has received the following petition, which is currently collecting signatures on our website.

***Petitions Text***

*A significant number of Welsh students have been unfairly disadvantaged by the mathematical algorithm applied to them for examination results 2020. This will disadvantage Welsh young people in their future life chances, which is unfair. Scottish students are receiving teacher predicted grades and will therefore be more likely to secure their first choice university place in 2020. This will not be the case for Welsh students. The process does not treat Welsh students as individuals.*

Since it was published on Friday 14 August, the petition has received more than 27,000 signatures, further highlighting the strength of the concerns that many children and young people have been disadvantaged by the standardization model applied to A level and AS grades this year.

In light of the recall of the Children, Young People and Education Committee for urgent scrutiny of the award of exam results to pupils this year, and the time constraints due to the imminency of the offer of university places for young people receiving A-Level grades, I felt it was important to formally bring this petition to the attention of your Committee in advance of your session tomorrow.

We will also bring your meeting to the attention of those people who have signed the petition so that they can follow the proceedings tomorrow.

If you have any queries, please contact the Committee clerking team at the e-mail address below.

Yours sincerely



Janet Finch-Saunders MS  
Chair

