

# General Qualifications Alternative Awarding Framework for Wales: Guidance

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## **Version**

This document was first published on 22 June 2021.

This guidance relates to Conditions GQAAFW4 (Stage 1 - Centre Review of provisional Centre Determined Grade) and GQAAFW5 (Stage 2 – Appeal to WJEC) of our General Qualifications Alternative Awarding Framework for Wales (GQAAFW). It also relates to our Requirements in relation to the determination of results for the purposes of Condition GQAAFW 3.3(a)(i).

Our General Qualifications Alternative Awarding Framework for Wales can be found [here](#).

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## Background

On 22 June 2021, we published the General Qualifications Alternative Awarding Framework for Wales (GQAAFV). The GQAAFV includes a relatively small number of key Conditions which set the high-level framework for awarding GQ Qualifications this summer.

The affected GQ Qualifications in respect of which the GQAAFV apply are:

- Approved GCSE qualifications;
- Approved GCE Advanced Subsidiary (AS) qualifications;
- Approved GCE A level qualifications;
- Welsh Baccalaureate Skills Challenge Certificate (SCC); and
- Legacy GCSE, GCE AS and GCE A level qualifications, which are only available to Learners in Wales.

The GQAAFV came into effect on 22 June 2021 for all of the affected General Qualifications.

With respect to all GQ Qualifications to which the Conditions set out in this document apply, save to the extent set out in those Conditions, WJEC must also comply with:

- Our Standard Conditions of Recognition, which apply to all awarding bodies and qualifications;
- Qualification Level Conditions;
- Approval Criteria; and
- any other relevant Regulatory Documents.

This guidance relates to Conditions GQAAFV4 (Stage 1 - Centre Review of provisional Centre Determined Grade) and GQAAFV5 (Stage 2 – Appeal to WJEC), as well as our Requirements in relation to the determination of results for the purposes of Condition GQAAFV 3.3(a)(i).

## Introduction

We publish guidance to help awarding bodies understand how to comply with their Conditions of Recognition. Awarding bodies that develop, deliver and award regulated qualifications must have regard to the guidance that we publish.

Guidance is not a further set of rules, and the approaches set out within it are not the only way to comply. However, if an awarding body chooses to take a different approach, it needs to be able to explain why it has done so.

As the only awarding body awarding the affected qualifications within our General Qualifications Alternative Awarding Framework for Wales, this guidance is likely to be of most interest to WJEC. Detailed guidance on the procedures that Centres need to follow is being provided separately by WJEC.

While that is the case, Centres responsible for managing Centre Reviews and submitting appeals this summer, and Learners who might require Centres to conduct such reviews and submit appeals may also have an interest in this guidance. This guidance relates to Conditions GQAAFW4 and GQAAFW5, as well as our Requirements in relation to the determination of results for the purposes of Condition GQAAFW 3.3(a)(i).

The guidance is not intended to be a comprehensive description of the Centre Review and appeals processes established under Conditions GQAAFW4 and GQAAFW5 and should not be read in this way. Rather, the guidance concerns those aspects of the process where we consider guidance might be of most benefit, including highlighting aspects of the process which are different this year to other years.

This year's alternative approach to awarding qualifications through Centre Determined Grades has required a new approach to reviews and appeals so that there is a fair and meaningful process for Learners. The approach to determining grades puts Centres at the heart of delivering a system that will enable Learners to progress. Centres also have a key role to play in making sure every Learner has access to fair review and appeals processes this year.

There are three stages in this year's appeals process.

Stage 1 enables a Learner to request a Centre Review of the provisional Centre Determined Grade on the grounds that there has been an error in the determination of their grade.

Stage 2 allows an appeal to be made to WJEC on the grounds that the judgement the Centre has made is unreasonable and/or a procedural error has been made. A Stage 2 appeal will be made by a Centre on behalf of a Learner.

Stage 3 allows a request to be made to Qualifications Wales for an Exam Procedures Review Service (EPRS) to review whether WJEC has followed our required regulatory requirements and their own procedures in dealing with the appeal.

The EPRS will not:

- review whether a Centre has complied with its own policies and procedures or those set by WJEC for it to follow- this takes place at Stage 2 of the appeals process by WJEC;
- review the accuracy of the grading decision and will not change any grades.

If we identify that WJEC has failed to comply in some way, we will:

- require WJEC to consider our findings, and
- consider whether that failure has a bearing on the accuracy of the grade.

In practice, the EPRS will only identify procedural failures on behalf of WJEC and is unlikely to lead to changes in decisions on academic judgement as a result.

## Qualifications Wales Guidance

### **The Learner's right to a review and appeal**

1. The GQAAFW requires that, where requested by a Learner (including a Private Candidate) when the Learner has identified an error, a Centre must conduct a review in relation to any provisional Centre Determined Grade for a GQ Qualification that it determined for that Learner. Following the outcome of this Centre Review, where a Learner remains concerned that there is an error in respect of their Centre Determined Grade after that review, the GQAAFW also requires that the Centre must submit an appeal on the Learner's behalf to WJEC, where requested. An appeal must not be submitted on behalf of a Learner without that Learner's consent.
2. WJEC must take all reasonable steps to ensure Centres have in place the necessary arrangements for Centre Reviews and appeals. This means that, as well as providing advice and guidance to Centres, WJEC should react promptly should information come to light which indicates any Centre does not have the necessary arrangements in place. This includes, but is not limited to,

responding promptly to complaints from Learners that a Centre has refused to conduct a review or submit an appeal.

3. We will expect WJEC to do what it can to try to ensure that a Learner is not disadvantaged where they miss any deadline for submitting an appeal to WJEC because a Centre wrongly fails to conduct a review or submit an appeal for that Learner or does not do so in a timely manner.

### **Grounds for Centre Review (Stage 1)**

4. If a Learner identifies that an error has been made in the determination of their grade, they can ask the Centre to review the decision. Learners must state clearly where they believe an error has been made when submitting the review.
5. Grades are being determined by Centres using a wide range of evidence which will vary from Centre to Centre. The Centre Determined Grade is a judgement based on a balance of evidence that demonstrates the Learner's level of attainment.
6. Centres will be best placed to review the evidence and make a judgement on whether the grade is correct. For example, having reviewed the original decision the Centre could conclude that a Learner awarded a grade D for their GCSE History should have received a C, which would reflect an error had been made in determining the original grade.
7. These are some examples of what may constitute an error in the determination of the provisional Centre Determined Grade:
  - the grade for the Learner was incorrectly documented;
  - Reasonable Adjustments or Special Considerations were not taken into consideration when they should have been;
  - assessment evidence that was part of the assessment plan was not taken into account, and
  - the grade is not supported by the information in the decision-making record.
8. A procedural error might be identified by the Centre following a Learner's request for a Centre Review or by WJEC where the Learner's grounds of an appeal raise procedural issues. In practice, Centres will usually be best placed to identify whether they have failed to follow their procedures properly and consistently. This means that the majority of such errors are likely to be detected at the Centre Review stage.

9. A Centre may identify as part of a Centre Review that it made an administrative error in connection with a Centre Determined Grade. Whether an administrative error occurred – for example transposing Centre Determined Grade for Learners with similar names – is a matter of fact, which can be determined by the Centre on the information available to it. It is anticipated that most administrative errors will have been corrected during a Centre Review.

### **Grounds for Appeal (Stage 2)**

10. Stage 2 appeals can be submitted to WJEC on grounds of an unreasonable academic judgement and on procedural grounds. However, a Stage 2 appeal on these grounds cannot be submitted unless a Stage 1 Centre Review has been completed.
11. A Stage 2 appeal can be submitted without having first been through the Stage 1 Centre Review process before results day if WJEC has made an administrative error in processing the grade, for example, the Centre submitted a provisional C grade, and the grade issued by WJEC was a D.
12. Centres must inform Learners of their right to request a Stage 2 appeal on completion of the Centre Review and must submit the appeal on behalf of the Learner if requested. Unlike previous years, a Centre will not have discretion as to whether to submit an appeal to WJEC.
13. An appeal is not an investigation by WJEC but an evaluation of the Learner's result in light of the grounds of appeal.
14. It is for the Learner to present the grounds of appeal but in doing so should not require any particular skill. The most effective grounds of appeal may be those which explain simply and clearly what the Learner considers went wrong and how they think this made a difference to the provision of the Centre Determined Grade by the Centre. An effective appeals process will lead the Learner step by step to explain, as appropriate:
  - (a) what they consider the Centre failed to do, why that was a failure to follow the Centre's procedures, and why that failure was important to the determination of the Centre Determined Grade.
  - (b) in what way they consider there was an unreasonable exercise of academic judgement in the determination of a Centre Determined Grade from the selected evidence.



- (c) in what way they consider the Centre or WJEC made an administrative error, and what difference it made to the determination of the Centre Determined Grade.
15. An explanation why a Learner considers a decision was unreasonable need not be detailed or complex. WJEC needs to know why the Learner considers the Centre Determined Grade derived from the evidence used was unreasonable because, for example, it did not reflect the standard shown by that evidence.
  16. It will not usually assist a Learner's appeal to explain whether they consider a procedural error, or an unreasonable exercise of academic judgement, to be deliberate or accidental, or to allege any particular motive. It is not necessary for WJEC to consider such questions to decide the appeal. Rather, the question is whether or not the Centre followed its procedure properly and consistently, or whether or not the determination of the Centre Determined Grade represents an unreasonable exercise of academic judgement.
  17. Where a Learner's appeal includes procedural grounds, WJEC must evaluate whether or not the Centre deviated from its own procedures in the way(s) identified by the Learner in the grounds of appeal. The determination of such an appeal does not require a comprehensive or step-by-step evaluation of the merits of the procedure set by the Centre. The appropriateness of the Centre's procedure will have been checked by WJEC as part of its external quality assurance. The question on appeal is the application of the procedure, that is, whether the Centre followed that procedure properly and consistently in arriving at the Learner's Centre Determined Grade.
  18. A Learner may appeal on the basis that the Centre or WJEC introduced an administrative error, for example, when issuing a revised result following the Centre Review or by transposing Centre Determined Grades for Learners with similar names when issuing results. Where such an error occurs, Centres will be well placed to assist WJEC to consider such appeals by supporting the Learner to identify and explain the error in their grounds of appeal.

### **Unreasonable academic judgement (Stage 2)**

19. WJEC must have in place an appeals process which includes arrangements for an appeal to WJEC on the basis that a result reflects an unreasonable exercise of academic judgement by the Centre.
20. The appeal must be upheld if the person determining the appeal considers the Centre Determined Grade provided by the Centre represents an unreasonable exercise of academic judgement.

21. We set out below our guidance on unreasonable academic judgement in respect of results derived from Centre Determined Grades.
22. Where academic judgement must be exercised, there will often be a range of different decisions which could reasonably be made in the circumstances. It is only where the original decision represents an unreasonable exercise of academic judgement that a result will be incorrect.
23. The starting point for considering whether a Centre Determined Grade represents an unreasonable exercise of academic judgement is always the Centre Determined Grade itself, and not any alternative Centre Determined Grade which the Learner considers could or should have been determined.
24. A Centre Determined Grade represents an academic judgement of the Learner's performance and is holistic in nature. In considering an argument that academic judgement was unreasonable, it will be appropriate for the decision-maker to take a similarly holistic approach. The question is whether the original academic decision is one which could reasonably have been made, not whether different decisions might also have been justified.
25. WJEC will consider the Learner's decision-making record and related evidence and determine whether the grade is reasonable. A Centre Determined Grade will only be considered unreasonable if it is well outside the bounds of reasonable academic judgment and that evidence cannot reasonably support the grade awarded. For example, a decision to award a grade B will not be unreasonable where the decision maker for the appeal considers the evidence would support either a grade A or a grade B. Both would be reasonable and therefore neither would be unreasonable. The judgement would be considered unreasonable if it were such that no other Centre in the same position, and acting reasonably, could have reached the same judgement.
26. An exercise of academic judgement will not be unreasonable simply because a Learner considers that different evidence should have been selected. All Centres have set out as part of their Centre assessment policies the evidence that would be used in the determination of the Centre Determined Grade. An exercise of academic judgement will not be unreasonable simply because a Learner considers that the evidence which was selected could have supported a higher result. There will often be a range of different decisions which could reasonably be made in relation to the weighting of that evidence, in the determination of a Centre Determined Grade.
27. The Stage 2 appeal on the grounds of unreasonable academic judgement is an important safety net to ensure fairness for Learners who consider there has

been a significant error of judgement in the Centre's grading decision or that the decision by the Centre has been affected by bias or discrimination.

### **Correcting Results**

28. Under Condition GQAAF3.4(b), WJEC must not issue a result where any issues identified as part of its quality assurance have not been resolved to WJEC's satisfaction.
29. Condition GQAAF5.8 requires that WJEC must have regard to our *Guidance on Making Changes to Incorrect Results*, published in Appendix 1 of this guidance document whenever it identifies an incorrect result through the appeals process. In practice, this might arise:
  - (a) following an appeal, where WJEC finds that the result for the Learner who requested the appeal was incorrect;
  - (b) following an appeal, where WJEC discovers that a result issued to a different Learner was incorrect.
30. Not all procedural and administrative errors will affect the Learner's Centre Determined Grade. In some cases, it will be clear that had the error not occurred, a different Centre Determined Grade would have been determined, but in other cases it will be clear to the person conducting the review or appeal that the issue had no effect on the Centre Determined Grade.
31. Where WJEC determines that a procedural or administrative error has occurred, but that error did not affect the Centre Determined Grade, it should make that fact clear when it reports the outcome of the appeal.
32. Where WJEC decides, following an appeal in which it finds that the result for the Learner who requested the appeal should be changed, to seek the views of the Centre as to the appropriate revised result, it must have regard to our *Guidance on Making Changes to Incorrect Results* when it decides whether the revised result should be in line with the Centre's views.
33. Whenever an incorrect result is identified through the appeals process established under Condition GQAAF5, that result may go up, down or may stay the same. Our *Guidance on Making Changes to Incorrect Results* explains the factors WJEC should take into account in deciding whether to correct the result.
34. The *Guidance on Making Changes to Incorrect Results* indicates that the default position is that WJEC should correct an incorrect result unless it would not be reasonable to do so in light of any negative impact that correction might have.

The Guidance then provides a series of factors to support WJEC's analysis in that regard. Where the outcome of an appeal indicates that a result for the Learner who requested the appeal was too low, it is our expectation that the factors identified in the *Guidance on Making Changes to Incorrect Results* will usually indicate that result should be corrected.

## Appendix 1 - Guidance on Making Changes to Incorrect Results

We expect WJEC to issue correct results to Learners. But where WJEC discovers that, despite its controls, it has issued an incorrect result, it must have regard to this guidance when deciding what to do.

We set out our guidance on making changes to incorrect results under the General Qualifications Alternative Awarding Framework for Wales (GQAAFV) below.

An incorrect result is one that does not accurately reflect a Learner's performance in his/her assessment. It could be higher or lower than the level of attainment which the Learner demonstrated. WJEC may discover that it has issued an incorrect result in different ways, including:

- through the application of its own quality assurance processes;
- through its investigations into malpractice or maladministration; or
- where the appeals process reveals an issue which is relevant to other Learners' assessments.

Where WJEC discovers an error through the appeals process, (and regardless of whether it is higher or lower than the level of attainment demonstrated by the Learner), WJEC must decide what action to take, and whether or not to correct the result.

This guidance identifies a number of Conditions that place requirements on WJEC which are relevant to this issue. It explains what WJEC should do when it discovers it has issued an incorrect result, how WJEC should decide what action to take and some of the factors it should consider and what it should do after deciding what action to take. The importance of these factors will vary between cases, but WJEC should adopt a consistent approach to determine which are relevant and how to balance them.

### **What should WJEC do when it discovers it has issued an incorrect result?**

Where WJEC discovers that it has issued an incorrect result, we expect it to:

- understand what has happened. It should make sure it gathers adequate information on which to base any decision about what to do next and whether to correct the result;
- determine whether the issue of the incorrect result has caused any Adverse Effect or whether there is the potential for any Adverse Effect to occur;

- notify Qualifications Wales, where any Adverse Effect has occurred or could occur (in accordance with Condition B3.1);
- determine what action to take, including whether or not to correct the result and whether any other action should be taken, and
- keep a record of the decision it makes in respect of: whether any Adverse Effect has occurred or is likely to occur, whether or not to correct the result and on any other action it takes to prevent, mitigate or correct any Adverse Effect. It should be able to explain, on a case-by-case basis, what action it has taken and why.

### **What should WJEC consider when deciding what action to take?**

Where WJEC discovers that it has issued an incorrect result, it must take all reasonable steps to prevent any Adverse Effect which could be caused or, where this is not possible, to mitigate and correct any Adverse Effect. An Adverse Effect is most likely to be caused where the issuing of the incorrect result:

- prejudices the Learner who has been issued with the result or prejudices other Learners; or
- adversely affects public confidence in regulated qualifications.

In some instances, issuing an incorrect result could cause more than one Adverse Effect and these could happen at different times.

Where the issuing of the incorrect result has had or could have an Adverse Effect, the default position is that WJEC should correct the result. In most cases this will either prevent the Adverse Effect from occurring or otherwise mitigate or correct it.

However, we recognise that correcting the result may have a negative impact such that, balancing this impact against the Adverse Effect(s) involved, it would not be a reasonable step for WJEC to correct the result.

Even where WJEC does not consider the issuing of the incorrect result has had or could have an Adverse Effect, it will have breached a Condition. Correcting the result will help remedy that breach. Again, we recognise that in some cases the negative impact of correcting the result may be such that this would not be a reasonable course of action for WJEC to take.

We expect WJEC to consider all relevant factors in order to:

- identify any Adverse Effects caused (or potentially caused) by issuing the incorrect result; and

- decide what action it would be reasonable to take, balancing any Adverse Effect against any negative impact which may be caused by correcting the result.

The list below sets out factors which we expect WJEC to consider when deciding on a reasonable course of action (alongside any other relevant factors).

- Impact on the Learner who has been issued with an incorrect result - WJEC should consider whether allowing an incorrect result to stand or correcting the result could prejudice the Learner. For example, prejudice may be caused if the result is corrected where the original result has already been used to make decisions, such as whether to re-take a qualification, enrol in further or higher education, or enter employment. Conversely, in some situations allowing a Learner to rely on a result which he/she has not actually achieved may prejudice that Learner;
- Impact on other Learners - WJEC should consider whether allowing an incorrect result to stand could prejudice other Learners. For example, Learner A could miss out on a progression opportunity to Learner B because Learner B has incorrectly been given a higher result than his/her performance merited;
- Public confidence - WJEC should consider the impact on public confidence in regulated qualifications of it issuing an incorrect result and of the action it takes in response;
- Number of Learners affected - The impacts on other Learners, on standards and on public confidence are likely to be greater if many Learners are affected;
- Reliance on the incorrect result by third parties - Where third parties have relied on, or are likely to rely on, the incorrect result, WJEC should consider whether that increases the possibility of an Adverse Effect.
- Timing - The length of time since the result was issued and any indication given by WJEC that the result may or may not be final, and
- Malpractice - Whether the Learner's own actions (including malpractice) contributed to the incorrect result being issued.

The extent to which each factor is relevant, and whether there are any others that should be considered, will vary. This could depend, for example, on the purpose of the qualification and how it is used by the Learner or other Users of qualifications. Consideration of all the factors may not all point towards one action.

WJEC should determine which factors are relevant and give appropriate weight to these in each case when deciding on its course of action.

## **What should WJEC do after deciding what action to take?**

In all cases, after deciding what action to take, WJEC should take all reasonable steps to communicate any change in result to any affected Learners and, where appropriate, reissue results and/or certificates.

Condition I4.2(a) requires WJEC to take all reasonable steps to issue a certificate and any replacement certificate. Where WJEC has decided to correct the result, it should ensure it does this.

WJEC should consider any further actions it needs to take. In accordance with Condition B3.5, WJEC should notify Qualifications Wales of any steps that it has taken or intends to take to prevent an Adverse Effect, or to correct or mitigate any Adverse Effect that occurs.

In accordance with Condition A6, WJEC should consider whether or not its contingency plan should be updated.