



By email

Kirsty Williams
Minister for Education

18 December 2020

Dear Minister,

We write in response to your letter and enclosed direction of 14 December 2020.

Our Board considered your direction as to the policy approach of the Welsh Government; as well as the recommendations of the Design and Delivery Advisory Group ("the DDAG"); the views of our own stakeholder group; the advice of our officers; and the wider context within which decisions about the assessment of qualifications due to be awarded in summer 2021 should be viewed at its Board meeting on 15 December 2020.

During that meeting the Board decided to regulate GCSE, AS and A level qualifications approved by Qualifications Wales in line with the policy approach adopted by the Welsh Government as articulated in your direction and the recommendations of the DDAG as set out in their consensus document.

In reaching its decision, the Board also considered other associated matters, and asked that the response to the direction provided its thoughts on the following:

- The 6th bullet point of the direction acknowledges that various further arrangements will need to be considered and put in place to support the general regulatory approach, including arrangements for reviews of marking and appeals, access to private candidates and special consideration procedures. The Board of Qualifications Wales decided that it would be appropriate for its officers to continue to hear the views of the DDAG on these issues, and we look forward to continuing to work with the DDAG on these and other issues associated with the delivery of qualifications in 2021.
- The Board noted that both you, and the "Independent Review of the Summer 2020 Arrangements to Award Grades, and Considerations for Summer 2021" ("the Independent Review") received assurances from Higher Education institutions that Welsh learners will not be disadvantaged by the decision not to go ahead with nationally co-ordinated and timetabled exams. We now need to work with you and others within the education sector in Wales to ensure that Higher Education institutions understand the proposed assessment methods and are assured on outcomes in Wales in 2021.

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- The Board considered the principle, as set out in our letter to you dated 1 December, that to ensure fairness for learners in Wales a similar standard to that used in GCSEs, AS and A levels in England and Northern Ireland should be used to award qualifications that are credible. Whilst assessment models may vary across jurisdictions, we consider this to be an important consideration in fulfilling our duty to have regard to the matters set out in section 3 of the Qualifications Wales Act 2015. In particular, the duty to have regard to whether qualifications indicate a consistent level of attainment with that indicated by whatever Qualifications Wales considers to be comparable qualifications, whether awarded in Europe or elsewhere. On 3 December 2020 the Department for Education in Westminster announced that awards in summer 2021, in England, should show similar overall levels of generosity as those made in summer 2020. This is clearly in line with our view that outcomes should be broadly in line with those seen in 2020 and the policy position set out in your direction. We will continue to monitor the question of comparability as more work is done to confirm the detailed procedures for awarding grades next summer.
- There is a need to reflect on the impact of our decisions in respect of Qualifications Wales approved GCSE, AS and A levels on vocational qualifications. The landscape for vocational qualifications is complex with a range of awarding bodies offering a breadth of qualifications with different purposes and progression routes. Most of the qualifications taken by learners in Wales are also available in other parts of the UK. Adaptations for vocational qualifications are being implemented by awarding bodies in accordance with the Extended Extraordinary Regulatory Framework (“the EERF”) we have put in place along with our fellow regulators in England and Northern Ireland. As part of the EERF we require awarding bodies, when considering the adaptations to make to their qualifications, to ensure as far as possible that learners taking vocational qualifications are not disadvantaged compared to their peers taking general qualifications. This will include consideration of whether any of the approaches put in place for general qualifications may be appropriate for vocational qualifications that are similar in structure and the progression routes they offer.

Given the need for a decision to be taken promptly on the planned approach to assessment in 2021, the Board proceeded to take its decision on 15 December 2020 as set out above. However, that decision was necessarily taken on the basis of the current health situation in Wales, with acknowledgement of the fluidity of the situation, which of course gives rise to risk. The Board felt it was appropriate to acknowledge the principal risks at this stage, to appraise you of them, and to ensure that contingency planning takes place in order that the risks can be mitigated as far as possible.

The risks which the Board identified and intend to plan around are:

- The awarding process, that is the process by which grade boundaries are established, will be challenging. For example, the internal assessments will make use of past papers where grade boundaries have been established under normal exam conditions. It may be necessary to set different grade boundaries given the different conditions under which these assessments will now be delivered, which may result in an atypical learner performance profile.

Whilst there are good technical reasons why this might be the case, there is a risk that stakeholders do not accept these reasons and seek to draw doubt on the process. Awards in 2020 were significantly more generous than awards made under normal exam conditions. It is accepted that awards in summer 2021 should reflect a similar overall level of generosity so that learners this year, who have been subject to substantial disruption to their learning, are not disadvantaged relative to their peers from last year. However, it should be noted that, as with all years, results at centre and subject level will vary compared to last year; that is, some centres will see results increase but others will see results fall compared to last year. Given that results varied significantly at a centre level in 2020, it is likely that the reintroduction of awarding based on assessment evidence (rather than the award of centre assessment grades by centres) will lead to a higher-than-normal level of volatility in results this year at a centre and subject level.

- Depending on changes to the public health situation in Wales, the assessment approach may become undeliverable if, for example, schools are forced to close again for a significant period. We intend to consider contingency arrangements and believe that there is merit in monthly discussions between us on this aspect to monitor the viability of the assessment approach contained in your direction.
- Between the DDAG and our own stakeholder group we have had input from many key stakeholders to the decisions on assessment which the Board took on 15 December 2020. Nevertheless, we are aware that there may be issues of wider stakeholder acceptability. Clearly there is never going to be a solution that satisfies everyone, but given the challenges faced by all parts of the education system there is a need for all in the system to pull together to support learners in achieving qualifications that will allow them to progress.
- Whilst accepting that flexibility is required to make assessments in summer 2021 possible, we must accept that assessment will not be taken under the same secure conditions, with all learners taking their exams at the same time. This shift may be perceived as an unacceptable compromise by some stakeholders. Such concerns can be only be mitigated by reliance upon those in the system not sharing information about assessments. To mitigate this risk, we intend to work with WJEC to communicate widely on the importance of maintaining the integrity of the approach to protect fairness for learners. It will also be important to look at the normal malpractice procedures to ensure that they, and their possible sanctions, are appropriate in the circumstances.

Other risks will emerge, and we will keep them under regular review. We will share our risks, together with contingencies and mitigations where these are possible, with your officials so that they are fully aware of level of risk associated with the approach.

It only remains to us to thank you, your officials, and the DDAG, for the constructive progress which has been made following your direction issued in November 2020 and our subsequent decision not to proceed with nationally co-ordinated and timetabled exams.

Yours sincerely,

A handwritten signature in black ink that reads "David Jones". The script is cursive and fluid.

David B Jones OBE DL
Chair

A handwritten signature in blue ink that reads "Philip Blaker". The script is cursive and fluid.

Philip Blaker
Chief Executive