

CONSULTATION

# Proposed changes to the assessment of GCSEs, AS and A levels in 2022



Department  
for Education

**ofqual**

# Contents

|   |           |
|---|-----------|
| <b>Proposals at a glance .....</b>  | <b>3</b>  |
| <b>Audience .....</b>   | <b>3</b>  |
| <b>Consultation arrangements .....</b>                                    | <b>4</b>  |
| <i>Duration .....</i>   | <i>4</i>  |
| <i>Respond.....</i>   | <i>4</i>  |
| <b>Introduction .....</b>   | <b>5</b>  |
| <b>Consultation details.....</b>  | <b>7</b>  |
| 1 <i>Our proposals to change exam and assessment requirements.....</i>    | <i>8</i>  |
| 2 <i>Exam timetable .....</i>   | <i>20</i> |
| 3 <i>Contingency plans for exams in summer 2022 .....</i>                 | <i>21</i> |
| <b>Equality impact assessment.....</b>                                    | <b>21</b> |
| <i>Questions:.....</i>  | <i>23</i> |
| <b>Regulatory impact assessment .....</b>                                 | <b>23</b> |
| <i>Questions:.....</i>  | <i>24</i> |
| <b>Annex A: subject level proposals .....</b>                             | <b>26</b> |
| <b>Annex B: proposed changes to GCSE geography by specification .....</b> | <b>29</b> |
| <b>Annex C: consultation responses and your data .....</b>                | <b>35</b> |
| <b>Annex D: Ofqual’s role, objectives and duties.....</b>                 | <b>39</b> |

## Proposals at a glance

This joint consultation by the Department for Education and Ofqual invites your views on proposed adaptations to the assessment of GCSEs and GCE AS and A levels for students in England taking exams in summer 2022. A separate but related [consultation on proposed changes to assessments for vocational and technical qualifications \(VTQs\) in the 2021 to 2022 academic year](#) is taking place.

These proposals are made in the context of the coronavirus (COVID-19) pandemic, which has disrupted education during the current (2020 to 2021) and previous (2019 to 2020) academic years. This consultation covers the arrangements for exams and assessments to be taken in summer 2022 in light of this disruption and uncertainty about the continuing impact of the pandemic over the coming academic year.

The proposals in this document take account of the responses Ofqual received to its consultations on qualifications in July and December 2020, as well as more recent discussions with stakeholders. The proposals are in addition to the [changes to non-exam assessment \(NEA\) and fieldwork requirements for summer 2022](#) which were confirmed by Ofqual on 16 June following consultation.

This consultation proposes a package of measures to help mitigate the impact of disruption to students' education, and seeks views on proposals on the following areas:

- choice of topics in GCSE English literature, history, ancient history and choice of content in GCSE geography
- changes to the requirements for the delivery of practical activities in science subjects, and assessment in art and design
- the provision of advance information on the focus of the content of exams, in the majority of subjects at GCSE, AS and A level
- the provision of support materials in GCSE mathematics, physics and combined science exams

Our proposals for each subject are set out in Annex A.

## Audience

This consultation is likely to be of interest to:

- students, including private candidates, who are expecting to take GCSE, AS and A level exams in summer 2022 and their parents and carers
- teachers of these qualifications

- school and college leaders and heads of other types of exam centre
- unions
- exams officers
- the exam boards that will provide the exams
- those who use qualifications to make selection decisions: further and higher education institutions and employers

## Consultation arrangements

### Duration

The consultation will be open for 3 weeks starting on 12 July 2021 and ending on 1 August 2021 at 11:45pm. We have set the length of this consultation so that decisions can be announced early in the next academic year, giving students, teachers and exam boards time to plan for exams taking place next summer.

### Respond

Please respond to this consultation by completing the [online response form](#).

For information on how we will use and manage your data, please see Annex C.

# Introduction

This is a joint consultation by the Department for Education (DfE) and Ofqual on assessment arrangements for GCSEs, AS and A levels in England in summer 2022, in light of the impact of the COVID-19 pandemic on students entering these qualifications in summer 2022.

The DfE is responsible for those proposals that relate to policy intent and the scope of the subject content to be taught and assessed. Ofqual is responsible for those proposals that relate to assessment arrangements. This division reflects the key roles and responsibilities of the 2 organisations, and these responsibilities will be reflected in the decisions that are taken following the consultation.

In 2020 and 2021 it was, regrettably, necessary to cancel national exams. In 2020 exams were cancelled in light of school and college closures for the majority of students and uncertainty over whether exams could take place safely. In 2021 the government concluded that it would not be fair for exams to go ahead as planned once schools and colleges closed to the majority of students again in January 2021.

Students due to be entered for their qualifications in summer 2022 have also experienced considerable disruption to their education during this and the last academic year. Whilst GCSE, AS and A level courses will have begun in the 2020 to 2021 academic year for most students, disruption in the 2019 to 2020 academic year is likely to have had a knock-on impact on progression into the current academic year.

The disruption to each student's education will have varied over periods when schools and colleges have been closed to most students and as a result of differing experiences of periods of self-isolation outside of those periods. The extent to which students' education might be disrupted in the next academic year is also likely to vary. We also need to recognise that there remains a risk of further national or local school and college closures for public health reasons, and of further disruption to individual students' education as a result of the pandemic.

Whilst the path of the pandemic remains unpredictable, students will have every opportunity to make real progress over the coming year. The determination of teachers to help them progress is combined with the government investing over £3 billion in a package of measures to support education recovery, including tutoring, summer schools and mental health support, as well as further training and development for teachers. This package sits alongside the ongoing successful rollout of the vaccination programme, the ending of class and year group bubbles (from 19 July), the ending of legal requirements to self-isolate for contacts of a positive case

for everyone aged under 18 (from 16 August) and significant improvements in the ability of schools and colleges to deliver remote education where necessary. In this context, it is right that we aim for students to cover as much of the curriculum as possible. Our ambition is to make sure that they are in the best possible position to progress successfully to the next stage of their lives and ultimately to achieve their full potential.

It is, therefore, the government's policy that exams and assessments for GCSEs, AS and A levels (as well as for vocational and technical qualifications) should go ahead in summer 2022. We know that all other things being equal, exams and other formal assessments are the best and fairest means of assessment. In the last 2 years many students have been disappointed that they have not had the opportunity to show what they know and can do through sitting national exams. However, in order to ensure that they can do so fairly, we must recognise that students in the 2022 cohort have experienced significant disruption to their education, and we propose that exams and assessments should be adjusted to take this into account.

In considering our approach to exams and assessments in 2021 to 2022, we are being guided by the principles of fairness, flexibility, and certainty. We believe that the best way to ensure fairness is to run exams and other assessments, but with adjustments to the assessments themselves in some subjects and additional support to mitigate some of the pressure on teaching time and the pressure that students experience when revising for and sitting exams. We want to ensure that there is sufficient flexibility in those arrangements to be able to respond to any further significant disruption to education over the coming year, whilst still enabling exams to go ahead. However, we also understand that students and teachers want as much certainty as possible going into the next academic year and we therefore need to strike the right balance between early certainty and flexibility to respond to changing circumstances.

As well as these guiding principles, the government's specific policy objectives with regard to exams and assessments next academic year are that:

- students can progress successfully to the next stage of their education or to employment
- every effort should be made to maintain the standard and rigour of the qualifications, to the extent this is possible, given the circumstances
- the subject content, specified by DfE, which forms the foundation of the qualifications should not be changed

As well as these proposed adaptations, Ofqual is also considering how best to grade qualifications in 2022 in a way that is as fair as possible to students in that year, those who took qualifications in previous years, and those who will take them in future. Ofqual has statutory responsibility for the maintenance of standards and for public confidence in qualifications, while taking account of government policy. Ofqual will make a decision once 2021 results are known, and will announce its decisions in the autumn.

We believe that the arrangements we set out in this consultation provide appropriate support for teachers and students to enable exams to go ahead fairly in 2022, and welcome your views. We will consider responses carefully and are aiming to announce our decisions by early September. These adaptations will apply for students entering the qualifications in summer 2022 only and it is our firm intention that exams will return to normal in 2023.

## Consultation details

Against the background set out above, we are now seeking views on whether and how the exam assessment arrangements (and some non-exam assessments) for GCSE, AS and A level qualifications should be adapted for students taking exams in summer 2022. The proposals are in addition to the [changes to non-exam assessments and fieldwork requirements](#) announced by Ofqual, following consultation, on 16 June 2021. These make allowances for potential issues caused by public health restrictions as a result of the pandemic in a range of subjects at GCSE, AS and A level. Details for each qualification can be found in the decisions document for that consultation.

In developing our proposals, we have considered the proposals consulted on and agreed for exams in 2021, had they gone ahead, and have reviewed their appropriateness for use in 2022. In July 2020, Ofqual ran a [consultation on a range of adaptations to assessments for GCSEs, AS and A levels in 2021](#) that would free up more teaching time, and in limited cases, required exam boards to change how they assessed content. Following the consultation, for GCSE English literature, history and ancient history, Ofqual required exam boards to offer centres some choice about the topics on which students would be assessed, beyond a common core identified for each specification in each subject.

In December 2020, Ofqual launched a [consultation on support materials and advance information for GCSE, AS and A levels in 2021](#). There was broad support for both support materials and advance information. With the closure of schools and colleges to the majority of students in January 2021, however, the government concluded that these proposals would not be sufficient to enable exams to go ahead fairly in 2021.

We have drawn on the feedback Ofqual received in response to the July and December 2020 consultations in putting together the proposals in this consultation. We have also discussed ideas with school and college leaders and with the exam boards, taking into account the different context which applies to the 2022 cohort. We have heard from teachers who are anxious about their students' ability to cover the full range of subject content, and also from teachers who believe this is possible and that the arrangements for the assessment of GCSEs, AS and A levels in 2022 should not be changed. We have heard from students about their varied experiences of the pandemic and remote education, including those outside of mainstream schools and colleges.

## 1 Our proposals to change exam and assessment requirements

We have considered the possibility of running exams as normal next year, without adaptations. We are mindful that past and ongoing disruption to education may mean that schools and colleges are finding it challenging to cover the full curriculum and students may be feeling more anxious than usual about their exams. Therefore, we are proposing a package of adaptations for students being entered for GCSE, AS and A level qualifications in summer 2022. These adaptations will provide students with a better opportunity to feel fully prepared for the material on which they will be examined and will help to make the exams less daunting.

We have looked closely at what adaptations are appropriate on a subject-by-subject basis. Because of the way qualifications are designed and structured it is not possible to take the same approach in all subjects without requiring significant changes to the curriculum and/or exam papers which would be confusing for both teachers and students who are in the middle of courses. However, for GCSEs, we have put together a proposed package of measures, taking into account the most common combinations of subjects that students take, which, when taken as a whole, we believe will have a significant positive impact on students' ability to prepare effectively for exams.

For the majority of GCSE subjects which had the highest number of entries this summer (based on provisional data), we are proposing changes that will help to free up teaching time as well as reducing pressures on students. We are proposing that exam boards should offer a choice of topics on which students are required to answer questions in the exams for GCSE English literature, history and ancient history, as was decided for 2021, and also a choice of content in GCSE geography. We are also proposing changes to the arrangements for practical activities in science GCSEs and assessment arrangements for art and design GCSE. In GCSE English language and maths, which have the highest number of entries, we do not propose



to make changes to free up teaching time as we believe it is essential that the full curriculum is covered in these key foundational subjects.

For GCSE subjects other than those where we have proposed a choice of topic or content to be covered, we are proposing that the exam boards should provide advance information about the focus of the content of the exams in each subject. We propose that, for subjects in which a choice of topic or content is provided (English literature, history, ancient history and geography), advance information about the focus of exams should not also be given. We believe the combination of the two measures would have the effect of giving students taking those subjects an unfair advantage and making the qualifications less rigorous.

In addition, we propose that students should be given support materials in the exam room for GCSE mathematics, physics and combined science, where feedback suggests that these would be particularly valuable to students.

At AS and A level we do not propose that exam boards should offer a further choice of topic or content given the importance of covering the full curriculum in these qualifications for transition to higher education and employment, and the fact that AS and A level students are more likely to have time available in their study programmes to cover all the content. However, we do propose that exam boards should be required to provide advance information about the focus of the content of exams at both AS and A level. We are also proposing changes to the assessment of art and design and to the arrangements for the delivery of science practicals.

We believe that taken as a whole, this package of measures will help to mitigate the disruption to students' education and reduce pressures on students and teachers in the coming year. The package of measures will help to reduce the amount of content students have to learn in some GCSE subjects, and to help students to target their revision at both GCSE and AS and A level.

All proposals are intended to apply to exams and assessments taken for grades awarded in summer 2022 only.

## ***1.1 Adaptations to exams and assessments***

### ***Adaptations already agreed***

Following a [consultation on NEA and fieldwork requirements](#), Ofqual published decisions on 16 June that allow for a range of adjustments to accommodate public health restrictions in dance, design and technology, drama (and theatre), film

studies, food preparation and nutrition, media studies, music, music technology, and physical education (PE).

In addition, Ofqual announced that:

- in relation to GCSE, AS and A level geography and geology and AS and A level environmental science:
  - across all these subjects, exam centres will not have to declare to exam boards that students have had the opportunity to undertake a mandated number of occasions or days of fieldwork activities outside of the school or college premises
  - students will not have to answer questions in GCSE and AS geography written examinations about fieldwork that they have undertaken themselves
  - for A level geography, the NEA will be retained but exam boards should consider how they can be flexible in their requirements for students to use primary data
- in GCSE English language, the requirement for teachers to submit an audio-visual recording of a sample of students undertaking their spoken language assessments will be removed
- in GCSE modern foreign languages (MFL):
  - there will be an assessment of speaking skills in the normal way, through a formal speaking test, with the contingency of using the published criteria to award an endorsed grade should it not be possible for the formal tests to proceed
  - exam boards will not have to include vocabulary that is not on the vocabulary lists for assessments

These decisions were made ahead of wider decisions on adaptations for 2022 exams because they affected non-exam assessments and related activities that commonly take place in the summer term in the year before the final exams. Ofqual made clear in its consultation that there would be further consultation on any other proposed changes to GCSE, AS and A levels for 2022.

In addition, in academic year 2020 to 2021, Ofqual encouraged exam boards to include an extra optional question in the writing assessment for GCSE modern foreign languages which would enable students to focus on fewer themes in their writing. We intend that this will also be the case in academic year 2021 to 2022.

## **Additional adaptations proposed**

### *Choice of topic or content in GCSE English literature, history, ancient history and geography*

Following the July 2020 consultation, it was decided that for [GCSE English literature, history and ancient history](#), centres should have some choice of topics beyond a common core identified in each specification on which their students would answer questions. This helped address teacher concerns about their ability to cover all the required subject content in the time available and enabled them to focus teaching time where necessary in a number of core subjects. These changes have generally been welcomed and we propose to carry them forward for 2022 exams.

Following feedback last year and given the patterns students tend to adopt in their choice of subjects, we are additionally proposing that exam boards should provide a degree of content optionality in GCSE geography in 2022.

As with English literature, history and ancient history, reflecting the differences in the way the specifications are designed, the proposals for geography (set out at Annex B) are different for each specification. These changes would be in addition to the changes relating to the assessment of fieldwork in geography GCSE which Ofqual announced on 16 June and which are set out above. We believe that, in the circumstances, this is acceptable and the fairest way to mitigate the impact of the pandemic for students taking GCSE geography exams in summer 2022 and that the proposed changes will not have an undue impact on students' successful progression to A level geography.

#### **Questions:**

To what extent do you agree or disagree that centres should have some choice of topics on which their students will answer questions for GCSE English literature exams in 2022?

Do you have any comments on our proposed approach to carrying forward [specific assessment arrangements for GCSE English literature in 2021](#) into 2022?

To what extent do you agree or disagree that centres should have some choice of topics on which their students will answer questions for GCSE history exams in 2022?

Do you have any comments on our proposed approach to carrying forward [specific assessment arrangements for GCSE history for 2021](#) into 2022?

To what extent do you agree or disagree that centres should have some choice of topics on which their students will answer questions for GCSE ancient history exams in 2022?

Do you have any comments on our proposed approach to carrying forward [specific assessment arrangements for GCSE ancient history for 2021](#) into 2022?

To what extent do you agree or disagree that we should allow centres to have some choice of content on which their students will answer questions in GCSE geography, on the lines set out at Annex B?

Do you have any comments on our proposed approach to allowing centres to have some choice of content on which their students will answer questions in GCSE geography exams in 2022?

### *Practical science work*

In the [specific assessment arrangements for 2021](#), GCSE biology, chemistry, physics and combined science teachers were given the opportunity to deliver practical science work by demonstration over the academic year 2020 to 2021. The same opportunity was given to teachers of GCSE geology and astronomy and to teachers of AS biology, chemistry, physics and geology and AS and A level environmental science. We propose that these opportunities are carried forward to the academic year 2021 to 2022 so that students could observe a demonstration by the teacher or observe the practical work being undertaken remotely, for example by watching a demonstration online or on video. As recognised in the response to the July 2020 consultation, we are aware this approach could potentially limit the opportunity for the practical application of key concepts and in consolidating knowledge. While it would always be preferable for students to undertake the

practical work themselves, we believe it would be acceptable in these exceptional circumstances to carry forward this change, allowing teachers to decide how best to use the available teaching time and allow for any public health restrictions that might be in place.

**Questions:**

To what extent do you agree or disagree that we should carry forward into academic year 2021 to 2022 the arrangements in place for 2021 to 2022, that allow centres to deliver practical work in GCSE biology, chemistry, physics, combined science, geology and astronomy, AS level biology, chemistry, physics and geology, and AS and A level environmental science by demonstration?

Do you have any comments on our proposed approach to carrying forward specific assessment arrangements for 2021 into 2022 for GCSE biology, chemistry, physics and combined science, geology and astronomy, AS biology, chemistry, physics and geology, and AS and A level environmental science?

The [requirements for the Practical Endorsement in A level biology, chemistry, physics and geology](#) were also changed for the academic year 2020 to 2021. Teachers were allowed to assess the Common Practical Assessment Criteria (CPAC) across the minimum number of practical activities required for students to demonstrate their competence rather than students being required to complete at least 12 practical activities as determined by the DfE subject content. We propose that this provision is carried forward to the academic year 2021 to 2022. While it would always be preferable for students to undertake all the practical activities, we believe it would be acceptable in these exceptional circumstances to carry forward this change, allowing teachers more freedom to decide how best to use the available teaching time and allow for any public health restrictions that might be in place.

The exam boards were permitted to monitor centres' application of CPAC by remote means and we propose that this is also carried forward to the academic year 2021 to 2022 to allow for any public health restrictions that might be in place.

**Questions:**

To what extent do you agree or disagree that we should carry forward from academic year 2020 to 2021 into academic year 2021 to 2022 the arrangements that allow centres to assess the CPAC across the

minimum number of practical activities required to enable students to demonstrate their competence in A level biology, chemistry, physics and geology?

To what extent do you agree or disagree that we should carry forward from academic year 2020 to 2021 into academic year 2021 to 2022 the arrangements to allow the remote monitoring of centres' application of CPAC?

Do you have any comments on our proposed approach to carrying forward specific assessment arrangements from academic year 2020 to 2021 into academic year 2021 to 2022 for A level biology, chemistry, physics and geology?

#### *Art and design qualifications*

For GCSE, AS and A level art and design, we propose that we carry forward the requirements that were introduced in academic year 2020 to 2021. In these qualifications, students are usually required to complete both a portfolio of work and a task set by the exam board under timed, supervised conditions. Between 10 and 15 hours must be set aside for the completion of the task (depending on the qualification). Students might need access to specialist equipment within their school or college to complete their work – it cannot simply be undertaken at home. In addition, in response to previous consultations, teachers of subjects other than art and design emphasised the wider impact on other timetabled lessons of students completing the exam board set task. We propose that, to mitigate the pressures of time that the pandemic has created and future proof against the risk of further public health restrictions, in academic year 2021 to 2022, students should be assessed on their portfolio only, as they were in academic year 2020 to 2021. This means that where specifications include an exam board set task, this would be removed in 2021 to 2022.

#### **Questions:**

To what extent do you agree or disagree that we should carry forward from academic year 2020 to 2021 into academic year 2021 to 2022 the arrangements to remove (where applicable) the exam board set task in GCSE, AS and A level art and design?

Do you have any comments on our proposed approach to carrying forward from academic year 2020 to 2021 into academic year 2021 to 2022 the specific assessment arrangements for GCSE, AS and A level art and design?

## 1.2 Advance information

In December 2020, Ofqual ran a [consultation on the provision of advance information for GCSE, AS and A levels in 2021](#). The analysis of responses to this consultation was published but, as exams for 2021 had been cancelled, no decisions were taken.

Ofqual proposed that the following principles should apply to advance information:

1. The advance information should not be so detailed that students are able to memorise answers to write in the exam. This would give an advantage to students who are good at memorising or rote learning – it would not be a true assessment of the student’s ability. Students might also memorise answers that someone else had written, so the exam would not be a true assessment of the student’s ability in a subject.
2. The advance information should not be so extensive or specific that it would damage a student’s progression to higher level qualifications in the subject. Students would focus on the topics that they know would be covered in the exam, but there are some aspects of the content that will be important to be able to study the subject at a higher level. The advance information should not discourage students from investing in further learning.
3. It should still be possible to differentiate between students on the basis of their performance. The results of these qualifications will be used as an important measure of a student’s ability when they apply for jobs, or to universities, schools and colleges for further learning. It should be possible to identify stronger and weaker candidates, despite the use of advance information. It should not allow students to predict the questions and prepare answers in advance.

The consultation responses showed strong support for advance information (with 83% of respondents in favour) and for the principles set out above. We therefore propose that the exam boards should provide advance information about the focus of the content of the exams in the majority of subjects at GCSE, AS and A level for 2022 exams, in line with the principles above.

In the response to Ofqual's December consultation the subjects most frequently indicated as inappropriate for advance information (at GCSE, AS and A level) were dance, art and design and mathematics. However, these subjects were only cited by a minority of respondents. We believe that the fairest approach would be to offer advance information in all subjects which have exams but where we are not proposing to offer a choice of topic or content and we therefore propose to do so.

We believe that offering advance information in subjects where adaptations are being made to exams to offer a choice of topic or content would be likely to give an unfair advantage to students studying those subjects, and could undermine the rigour and value of the qualifications. Subject to final decisions on the introduction of optionality, we do not therefore propose to offer advance information in GCSE English literature, history, ancient history or geography. Should we decide, following this consultation, not to introduce a choice of topic or content in any of these subjects, we would propose to offer advance information instead.

Given the uncertainty of the course of the pandemic, coupled with two consecutive years without national exams, it is important that we build in the ability to adjust plans if needed for the coming academic year. It is the government's intention that advance information is issued in the spring term to help students to focus their revision time. The government believes it is important that students cover the curriculum as fully as possible, so that they are as well prepared as possible for progression to the next stage of their education. However, should the impact of the pandemic worsen, it would be possible for the exam boards to issue advance information earlier in the academic year to help teachers focus their remaining teaching time. We plan to monitor the ongoing impact of the pandemic on education and to keep the timing of publication of advance information under review in light of this.

### **Questions:**

To what extent do you agree or disagree that exam boards should provide advance information about the focus of the content of exams for the majority of GCSE, AS and A level subjects?



To what extent do you agree or disagree that we should be flexible in the timing of the release of advance information in order to respond to the impact on education of any potential worsening of the pandemic?

Do you have any comments on the proposed flexible approach to the timing of the release of advance information in 2022?

To what extent do you agree or disagree that for GCSE English literature, where we propose that centres should have some choice of topics on which their students will answer questions, the exam boards should not provide advance information about the focus of the content of exams in addition?

Do you have any comments on our proposal not to provide advance information for 2022 for GCSE English literature?

To what extent do you agree or disagree that for GCSE history, where we propose that centres should have some choice of topics on which their students will answer questions, the exam boards should not provide advance information about the focus of the content of exams in addition?

Do you have any comments on our proposal not to provide advance information for 2022 for GCSE history?

To what extent do you agree or disagree that for GCSE ancient history, where we propose that centres should have some choice of topics on which their students will answer questions, the exam boards should not provide advance information about the focus of the content of exams in addition?

Do you have any comments on our proposal not to provide advance information for 2022 for GCSE ancient history?

To what extent do you agree or disagree that for GCSE geography, where we propose that centres should have some choice of content on which their students will answer questions, the exam boards should not provide advance information about the focus of the content of exams in addition?

Do you have any comments on our proposal not to provide advance information for 2022 for GCSE geography?

Are there any GCSE, AS or A level subjects for which advance information about the focus of the content of exams should NOT be given to students in advance of the exam?

If you have identified any subjects above, do you have any comments on the subjects that should NOT be given advance information about the focus of exams in 2022?

### ***1.3 Support materials***

Ofqual's consultation in December 2020 also asked for views on the provision of support materials in exams. In some GCSE subjects, students normally have to memorise key information and recall it when they need to use it to answer a question in the exam.

We asked respondents whether they were in favour of students taking GCSE, AS or A level exams in 2021 having access to support materials in some subjects. Respondents were strongly in favour (88%) of this proposal.

GCSE mathematics was identified as a subject where this support would be particularly appropriate and we therefore propose that students should be allowed access to a formulae sheet in the exam room in this subject.

There was also strong support for support materials for GCSE biology, chemistry, physics and combined science in the December 2020 consultation. It was suggested that this could be in the form of access to additional equations in the exam. However, there are no clear or useful equations that can be provided for GCSE biology or chemistry so this would only be an appropriate solution for exams in GCSE physics and combined science. It would also benefit higher tier students to a greater extent than foundation tier students as equations are usually provided as part of questions for students on the foundation tier.

Students sitting physics and combined science papers currently have access to an equations sheet giving more complex equations but are expected to memorise between 20 and 23 equations depending on the subject and tier, and exams test recall of these equations. If all equations are provided, the exam boards would not be able to include questions that required students to recall the equations and would need to replace these with other low tariff questions. As students are normally given an equation sheet in the exams and next year's students will be familiar with the content of the sheet, there is a risk if this is changed that students will be confused.

Nevertheless, in the circumstances of the pandemic we think that it is right to consider providing additional support to students by providing all relevant equations on the equations sheet and would welcome views on this.

Respondents also identified GCSE English literature as a subject where support materials, specifically the provision of the required poetry anthology, would be appropriate. However, some respondents highlighted that support materials in exams can be distracting depending on the extent to which the student needs to refer to them throughout the exam, and that students need to be familiar with using them for them to be an effective support.

Furthermore, if the proposal to allow students a choice of topics on which to answer questions in GCSE English literature is agreed, students who opt to do the poetry element would be unfairly advantaged over those who choose an alternative option if they had access to the poetry anthology in the exam. The proposal to allow a choice of topics in GCSE English literature already offers significant support for students in this subject. We are not therefore proposing to provide support materials in English literature.

### **Questions:**

To what extent do you agree or disagree that a formulae sheet should be provided in the exam room for GCSE mathematics in 2022?

Do you have any comments on the proposal to provide a formulae sheet in the exam room for GCSE mathematics in 2022?

To what extent do you agree or disagree that a revised equation sheet covering all relevant equations should be provided in the exam room for GCSE physics and combined science in 2022?

Do you have any comments on the proposal to provide a revised equation sheet covering all relevant equations in the exam room for GCSE physics and combined science in 2022?

## 2 Exam timetable

As part of the plans for exams in 2021, Ofqual consulted on a short delay to the start of the exam period to allow for more teaching time in schools and colleges. The consultation, and further conversations with the exam boards, indicated that there would be significant delivery risks and that these would be exacerbated if a similar change were to be made in 2022. For this reason we are not proposing a delay to the exam period in 2022.

The summer exam series for 2022 will therefore take place at the same time as in a typical year, for all AS and A levels and GCSEs, allowing students, parents and teachers to plan ahead.

The Joint Council for Qualifications (JCQ) will consult schools and colleges in the autumn term on how the exams should be sequenced during this period, ensuring that papers in the same subject are spaced out as much as possible. This should reassure students that they will have the best possible opportunity to take at least one paper in a subject, in the event that they are ill or self-isolating during the exam period.

Results days for GCSE, AS and A levels (and VTQs) will also be confirmed in the autumn term.

### 3 Contingency plans for exams in summer 2022

There is of course continued uncertainty about the path of the COVID-19 pandemic, including whether further disruption may occur over the course of the 2021 to 2022 academic year. We believe it should be possible for students to take exams safely next year, but we need to have plans in place for the unlikely event that that is not possible. There also remains a small risk that there is further disruption to education during the next academic year which is so extensive that even with remote education in place and the adaptations we propose, going ahead with exams would not be the fairest approach for students.

DfE and Ofqual are therefore working together to develop contingency plans for scenarios where exams cannot be held for any reason, either locally or nationally, or where individual students are unable to sit exams due to illness or self-isolation. It will be essential that any contingency approach delivers grades that support students to progress and does not detract from high quality teaching and preparation for exams.

In 2021 schools and colleges are using the Teacher Assessed Grades (TAGs) process for the award of student grades. Teachers have drawn on a range of evidence to determine grades, including the optional use of questions provided by exam boards, as well as mock exams, coursework, or other work completed as part of a student's course. This process has provided schools and colleges with the flexibility to select the range of evidence on which students are assessed, and ensured that students were only assessed on content they have been taught.

In order to inform our contingency planning we want to understand how arrangements this year could be improved upon should TAGs form part of the approach in 2022. Our [survey for teaching staff on teacher assessed grades](#) and our [survey for students on teacher assessed grades](#) both close on 7 August 2021.

We will undertake further planning on contingencies and announce measures in the autumn term, once this summer's results have been published and we have been able to reflect with stakeholders on lessons learned from this year's experience.

## Equality impact assessment

As public bodies, both DfE and Ofqual are subject to the public sector equality duty.

We have considered whether any of our proposals might impact (positively or negatively) on students who share particular protected characteristics.

All students who are preparing to take GCSEs, AS and A levels next year will have been affected by the pandemic. Most will have been directly affected by the closure of schools and colleges to the majority of students. Students who were studying independently, for example because they are home educated, might have been less directly affected by these closures, but they will, nevertheless, have been affected by changes to other aspects of their lives.

There is no doubt that the disruption to some students' education will have been more severe than others. Some students will have had the opportunity to – and chosen to – engage in a full programme of remote education facilitated by their school or college. Others will have been less able to take advantage of remote education, for a variety of reasons. The impact of the lost education on students might also vary according to the period over which they were studying the GCSE content, as some schools teach GCSEs over 3 years rather than 2.

Those students whose education might have been and might continue to be most badly disrupted include:

- students with caring responsibilities
- those whose homes are not conducive to study
- students without access to the internet or a computer
- students with SEND who have not been able to access their normal learning support and/or who might be particularly vulnerable to coronavirus (COVID-19)
- students from Gypsy Roma and Traveller communities
- students from black, Asian, and minority ethnic communities whose families might have been disproportionately affected by coronavirus (COVID-19) or who themselves felt particularly vulnerable to the virus
- students whose first language is not English
- students in lower socio-economic groups

The government's planned measures to support education recovery will target some such students. Nevertheless, there is concern – and we share that concern - that attainment gaps between different groups of students might grow in 2022. While we can bring about some adjustments to the way students are assessed and examined, as proposed in this consultation, it will always be the case that students who have been better prepared for the exams and assessments will be likely to perform better than others.

In proposing changes to the exams and assessments for 2022, we have sought to guard against proposing changes that would further advantage students whose education has been less disrupted than that of others. However, changes to exams and other assessments cannot effectively address the differential impact on students of the disruption as any changes must apply equally to all students taking the assessment.

In proposing changes to exam and assessment arrangements we have taken care to consider how any changes might have an impact on disabled students, some of whom will have reasonable adjustments when taking their exams and assessments. We believe, for example, that changes that would make exam times longer or exam papers unfamiliar could be particularly problematic for some disabled students.

We have not identified any aspects of our proposed changes to the way GCSEs, AS or A levels are assessed in 2022 that would have a negative impact on students who share particular protected characteristics.

We have considered whether the proposed adaptations for GCSE English literature, history, ancient history and geography would limit the breadth of content studied so that students would not study topics about different nations or different groups of people. We are confident that this will not be the case.

## Questions:

Are there other potential equality impacts that we have not explored?  
*[Yes or no]*

If yes, what are they?

Do you have any suggestions for how any potential negative impacts on particular groups of students could be mitigated?

## Regulatory impact assessment

Our aim in proposing changes to the exam and assessment arrangements for students taking their exams in summer 2022 is to help schools and colleges manage any public health restrictions that may be in place at the time and to make the exams and assessments more accessible to students, while ensuring the qualifications remain valid and meaningful.

We have developed these proposals with input from the exam boards, with the aim of putting in place arrangements that are both appropriate and manageable.

We anticipate that schools and colleges will experience some, but limited, burden from these proposals. They will need to take time to understand subject by subject the implications of the changes proposed and may need to re-plan teaching and

exam preparation in light of those changes in some subjects. They may need to secure additional resources to support changes to teaching e.g. to support students to observe science practical activities rather than undertake them themselves. We hope that these will be available free of charge, or at low cost, for example from subject associations or as freely available web resources. Some of the changes, as outlined above, are intended to reduce burden on centres, to enable more time for teaching.

Exam boards will incur costs to understand and implement changes to the exam and assessment arrangements, although these proposals would not require them to undertake major changes. We would not require the qualifications to be re-accredited. That would be disproportionate, as the changes are intended to be in place for one further year only and as there are limited ways in which the exam boards could respond to the changes.

Because we are not proposing significant changes to the format of exams we do not believe that it would generally be necessary for the exam boards to issue new sample assessment materials. Depending on the changes introduced to GCSE geography, there may be additional but limited materials provided by the exam boards.

The exam boards would have to change the information they provide about their exam and assessment arrangements to help teachers and students understand any changed arrangements and to prepare appropriately. They would also have to provide exemplar advance information materials to ensure that teachers and students were aware of the kind of information that would be provided in relation to the 2022 exams. This would impose a cost on them.

We believe that students should not experience additional costs from the proposed changes and would welcome views on this.

## Questions:

Are there additional activities associated with changing the exam and assessment arrangements for students taking GCSE, AS and A level qualifications in summer 2022 that we have not identified above? *[Yes or no]*

If yes, what are they?



What, if any, additional costs do you expect you would incur if the proposed changes to the exam and assessment arrangements were introduced for summer 2022?

Do you have any suggestions for alternative approaches that could reduce burden and costs?

## Annex A: subject level proposals

Ofqual have already announced [changes to non-exam assessment \(NEA\) and fieldwork requirements for summer 2022](#), following consultation. These changes apply to:

- GCSE, AS and A level
  - dance
  - design and technology
  - drama (and theatre)
  - film studies
  - geography
  - geology
  - media studies
  - music
  - physical education
- GCSE
  - engineering
  - English language
  - food preparation and nutrition
  - modern foreign languages (MFL)
- AS and A level
  - environmental science
  - music technology

In addition, in academic year 2020 to 2021, Ofqual encouraged exam boards to include an extra optional question in the writing assessment for GCSE modern foreign languages which would enable students to focus on fewer themes in their writing. We intend that this will also be the case in academic year 2021 to 2022.

### *Adaptations to exams and assessments*

We are seeking views on proposed changes in 2022:

***For GCSE English literature, history and ancient history:***

- choice of topics beyond a common core on which students would answer questions in the exams

***For GCSE geography:***

- choice of content beyond a common core on which students would answer questions in the exams, which is exemplified in Annex B

***For GCSE biology, chemistry, physics and combined science, AS biology, chemistry, physics and geology and AS and A level environmental science:***

- teachers are provided with the opportunity to deliver practical science work by demonstration so that students could observe a demonstration by the teacher or observe the practical work being undertaken remotely, for example, by watching a demonstration on-line or on video

***To the Practical Endorsement for A level biology, chemistry, physics and geology:***

- teachers are allowed to assess the Common Practical Assessment Criteria (CPAC) across the minimum number of practical activities required for the student to demonstrate competence rather than being required to complete at least 12 practical activities as required by the DfE subject content
- the exam boards are permitted to monitor centres' application of CPAC by remote means

***For GCSE, AS and A level art and design:***

- students should be assessed on their portfolio only

## ***Advance information***

We are proposing the following in **all subjects except GCSE English literature, ancient history, history and geography and GCSE, AS and A level art and design** in 2022:

- the provision of advance information about the focus of the content of exams

## ***Support materials***

We propose the following in 2022:

### ***For GCSE mathematics:***

- access to a formulae sheet in the exam room

### ***For GCSE physics and combined science:***

- access to a revised equation sheet in the exam room, showing all relevant equations

# Annex B: proposed changes to GCSE geography by specification

## AQA

### ***Paper 1 – Living with the physical environment***

No Change.

### ***Paper 2 - Challenges in the human environment***

#### *Current structure*

Students answer questions on:

- Section A: Urban issues and challenges
- Section B: The changing economic world
- Section C: The challenge of resource management

#### *Proposed change*

Students answer questions on:

- Section A: Urban issues and challenges **AND EITHER**
- Section B: The changing economic world **OR**
- Section C: The challenge of resource management (to be a comparable number of marks to Section B)

### ***Paper 3 – Geographical applications***

No Change (Questions on students' own fieldwork already removed for 2022).

## OCR A

### ***Paper 1 - Living in the UK today***

No Change.

### ***Paper 2 - The World Around Us***

#### *Current structure*

Students answer all questions on:

- Section 2.1 Ecosystems of the Planet
- Section 2.2 People of the Planet
- Section 2.3 Environmental Threats to our Planet

*Proposed change*

Students answer questions on:

- Section 2.2 People of the Planet **AND EITHER**
- Section 2.1 Ecosystems of the Planet **OR**
- Section 2.3 Environmental Threats to our Planet

***Paper 3 – Geographical Skills***

No Change (Questions on students' own fieldwork already removed for 2022).

***OCR B***

***Paper 1 - Our Natural World***

*Current structure*

Students answer all questions on:

**Section A**

- Topic 1 - Global Hazards
- Topic 2 - Changing Climate
- Topic 3 - Distinctive Landscapes
- Topic 4 - Sustaining Ecosystems

**Section B**

- Physical Geography Fieldwork (Questions on students' own fieldwork already removed for 2022)

*Proposed change*

Students answer questions on:

**Section A**

- Topic 2 - Changing Climate **AND**
- Topic 3 - Distinctive Landscapes **AND EITHER**

- Topic 1 - Global Hazards, **OR**
- Topic 4 - Sustaining Ecosystems **OR**
- Topic 8 - Resource Reliance

**Section B**

- Physical Geography Fieldwork (Questions on students' own fieldwork already removed for 2022)

***Paper 2 - People and Society***

*Current structure*

Students answer all questions on:

**Section A**

- Topic 5 - Urban Futures
- Topic 6 - Dynamic Development
- Topic 7 - UK in the 21st Century
- Topic 8 - Resource Reliance

**Section B**

- Human Geography Fieldwork (Questions on students' own fieldwork already removed for 2022)

*Proposed change*

Students answer all questions on:

**Section A**

- Topic 5 - Urban Futures
- Topic 6 - Dynamic Development
- Topic 7 - UK in the 21st Century

**Section B**

- Human Geography Fieldwork (Questions on students' own fieldwork already removed for 2022)

Note: Topic 8 Resource Reliance moved to Paper 1 as part of the optionality

***Paper 3 – Geographical Exploration***

No Change.

## ***Pearson Edexcel A***

### ***Paper 1 – The Physical Environment***

No Change.

### ***Paper 2 - The Human Environment***

#### *Current structure*

Students answer questions on:

- Topic 4: Changing cities
- Topic 5: Global development
- Topic 6: Resource management (this topic has optional questions)

#### *Proposed change*

Students answer questions on:

- Topic 4: Changing cities **AND EITHER**
- Topic 5: Global development **OR**
- Topic 6: Resource management (this topic has optional questions).

### ***Paper 3 - Geographical Investigations: Fieldwork and UK Challenges***

No Change (Questions on students' own fieldwork already removed for 2022).

## ***Pearson Edexcel B***

### ***Paper 1 - Global Geographical Issues***

#### *Current structure*

Students answer questions on:

- Topic 1: Hazardous Earth
- Topic 2: Development dynamics
- Topic 3: Challenges of an urbanising world.



*Proposed change*

Students answer questions on:

- Topic 1: Hazardous Earth **AND EITHER**
- Topic 2: Development dynamics **OR**
- Topic 3: Challenges of an urbanising world

***Paper 2 - UK Geographical Issues***

No Change (Questions on students' own fieldwork already removed for 2022).

***Paper 3 - People and Environment Issues - Making Geographical Decisions***

No Change.

*Eduqas A*

***Paper 1 - Changing physical and human landscapes***

No Change.

***Paper 2 - Environmental and Development Issues***

*Current structure*

Students answer all questions on:

- Core Theme 5 (Weather, Climate and Ecosystems)
- Core Theme 6 (Development and Resource Issues)

Students answer one question (from a choice of 2):

- Theme 7 (Social Development Issues)
- Theme 8 (Environmental Challenges)

*Proposed change*

Students answer 1 of 2 questions on **EITHER**:

- Core Theme 5 (Weather, Climate and Ecosystems) **OR**
- Core Theme 6 (Development and Resource Issues)

Students answer one question (from a choice of 2):

- Theme 7 (Social Development Issues)

- Theme 8 (Environmental Challenges)

### ***Paper 3 - Applied fieldwork enquiry***

No Change (Questions on students' own fieldwork already removed for 2022).

## ***Eduqas B***

### ***Paper 1 - Investigating Geographical Issues***

#### ***Current structure***

Students answer all questions on:

- Theme 1, Changing places - changing economies
- Theme 2, Changing environments
- Theme 3, Environmental challenges

#### ***Proposed change***

Students answer all questions on:

- Theme 1, Changing places - changing economies
- Theme 2, Changing environments **EITHER** questions on Key Idea 2.1: Shaping the landscape coasts and coastal management, Key Idea 2.3: Weather and climate and Key Idea 2.4: Climate change – cause and effect **OR** Key Idea 2.2: Shaping the landscape - rivers and river management, Key Idea 2.3: Weather and climate and Key Idea 2.4: Climate change – cause and effect **AND**
- Theme 3, Environmental challenges **EITHER** questions on Key Idea 3.1: how ecosystems function and 3.2: ecosystems under threat **OR** Key Idea 3.3: water resource and management and Key Idea 3.4: Desertification

### ***Paper 2 - Problem solving geography***

No Change.

### ***Paper 3 - Applied fieldwork enquiry***

No Change (Questions on students' own fieldwork already removed for 2022).

# Annex C: consultation responses and your data

## *Why we collect your personal data*

As part of our consultation process, you are not required to provide your name or any personal information that will identify you. However, we are aware that some respondents would like to provide contact information. If you or your organisation are happy to provide personal data, with regard to this consultation, please complete the details below. We would like to hear as many views as possible and ensure that we are reaching as many people as possible. In order for us to monitor this, understand views of different groups and take steps to reach specific groups, we may ask for sensitive data such as ethnicity and disability to understand the reach of this consultation and views of specific groups. You do not have to provide this information and it is entirely optional.

**If there is any part of your response that you wish to remain confidential, please indicate at the appropriate point in the survey.**

Where you have requested that your response or any part remains confidential, we will not include your details in any published list of respondents. However, we may quote from the response anonymously in order to illustrate the kind of feedback we have received.

## *Your data*

Your personal data:

- will not be sent outside of the UK unless there are appropriate safeguards in place to protect your personal data
- will not be used for any automated decision making
- will be kept secure

We implement appropriate technical and organisational measures in order to protect your personal data against accidental or unlawful destruction, accidental loss or alteration, unauthorised disclosure or access and any other unlawful forms of processing.

## *Your rights: access, rectification and erasure*

As a data subject, you have the legal right to:

- access personal data relating to you

- object to the processing of your personal data
- have all or some of your data deleted or corrected
- prevent your personal data being processed in some circumstances
- ask us to stop using your data, but keep it on record

If you would like to exercise your rights, please contact us using the details below. You can also find out more about [Ofqual's privacy information](#).

## ***Freedom of Information Act and your response***

Please note that information in response to this consultation may be subject to release to the public or other parties in accordance with access to information law, primarily the Freedom of Information Act 2000 (FOIA). We have obligations to disclose information to particular recipients including members of the public in certain circumstances. Your explanation of your reasons for requesting confidentiality for all or part of your response would help us balance requests for disclosure against any obligation of confidentiality. If we receive a request for the information that you have provided in your response to this consultation, we will take full account of your reasons for requesting confidentiality of your response and assess this in accordance with applicable data protection rules.

Members of the public are entitled to ask for information we hold under the Freedom of Information Act 2000. On such occasions, we will usually anonymise responses, or ask for consent from those who have responded, but please be aware that we cannot guarantee confidentiality.

If you choose 'no' in response to the question asking if you would like anything in your response to be kept confidential, we will be able to release the content of your response to the public, but we won't make your personal name and private contact details publicly available.

## ***How we will use your response***

We will use your response to help us shape our policies and regulatory activity. If you provide your personal details, we may contact you in relation to your response. We will analyse all responses and produce reports of consultation responses. In the course of analysis, we will where possible avoid using your name and contact details. We will only process the body of your response, but we are aware that in some cases, this may contain information that could identify you.

## ***Sharing your response***

This is a joint consultation undertaken by Ofqual and the Department for Education (DfE), with Ofqual collecting the responses. Therefore, your consultation response will be shared with DfE as this forms part of work involving both organisations.

Where we share data, we ensure that adequate safeguards are in place to ensure that your rights and freedoms are not affected. You can read DfE's [personal information charter](#) to find out how they process personal data.

We use Citizen Space, which is part of Delib Limited, to collect consultation responses and they act as our data processor. You can view [Citizen Space's privacy notice](#).

Your response will also be shared internally within Ofqual in order to analyse the responses and shape our policies and regulatory activity. We use third party software to produce analysis reports, which may require hosting of data outside the UK, specifically the US. Please note that limited personal information is shared. All personal contact information is removed during this process. Where we transfer any personal data outside the UK, we make sure that appropriate safeguards are in place to ensure that the personal data is protected and kept secure.

Following the end of the consultation, we will publish an analysis of responses on [the Ofqual website](#). We will not include personal details in the responses that we publish.

We may also publish an annex to the analysis listing all organisations that responded but will not include personal names or other contact details.

### ***How long will we keep your personal data?***

Unless otherwise stated, Ofqual will keep your personal data (if provided) for a period of 2 years after the consultation closing date.

### ***Our legal basis for processing your personal data***

Where you provide personal data for this consultation, we are relying upon the public task basis as set out in Article 6(1)(e) of UK GDPR to process personal data which allows processing of personal data when this is necessary for the performance of our public tasks. We will consult where there is a statutory duty to consult or where there is a legitimate expectation that a process of consultation will take place. Where you provide special category data, we process sensitive personal data such as ethnicity and disability, we rely on Article 9(2)(g) of UK GDPR as processing is necessary for reasons of substantial public interest.

## ***The identity of the data controller and contact details of our Data Protection Officer***

This privacy notice is provided by The Office of Qualifications and Examinations Regulation (Ofqual). The relevant data protection regime that applies to our processing is the UK GDPR<sup>1</sup> and Data Protection Act 2018 ('Data Protection Laws'). We ask that you read this privacy notice carefully as it contains important information about our processing of consultation responses and your rights.

### ***How to contact us***

If you have any questions about this privacy notice, how we handle your personal data, or want to exercise any of your rights, please contact our data protection officer at [dp.requests@ofqual.gov.uk](mailto:dp.requests@ofqual.gov.uk).

We will respond to any rights that you exercise within a month of receiving your request, unless the request is particularly complex, in which case we will respond within 3 months.

Please note that exceptions apply to some of these rights which we will apply in accordance with the law.

You also have the right to lodge a complaint with [the Information Commissioner](#) (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at:

ICO  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5A  
Tel: 0303 123 1113

---

<sup>1</sup> Please note that as of 1st January 2021, data protection laws in the UK have changed. The General Data Protection Regulation (EU) 2016/679(GDPR) no longer applies to the UK. However, the UK has incorporated GDPR into domestic law subject to minor technical changes. The Data Protection, Privacy and Electronic Communications (Amendment etc.) EU exit Regulations (DPPEC) came into force in the UK on 1st January 2021. This consolidates and amends the GDPR and UK Data Protection Act 2018 to create the new UK GDPR.

## Annex D: Ofqual's role, objectives and duties

### *The Apprenticeship, Skills, Children and Learning Act 2009*

Ofqual has 5 statutory objectives, set out in the Apprenticeship, Skills, Children and Learning Act 2009:

- 1) **The qualification standards objective**, which is to secure that the qualifications we regulate:
  - a) give a reliable indication of knowledge, skills and understanding; and b) indicate:
    - i) a consistent level of attainment (including over time) between comparable regulated qualifications; and
    - ii) a consistent level of attainment (but not over time) between qualifications we regulate and comparable qualifications (including those awarded outside of the UK) that we do not regulate
- 2) **The assessment standards objective**, which is to promote the development and implementation of regulated assessment arrangements which:
  - a) give a reliable indication of achievement, and
  - b) indicate a consistent level of attainment (including over time) between comparable assessments
- 3) **The public confidence objective**, which is to promote public confidence in regulated qualifications and regulated assessment arrangements
- 4) **The awareness objective**, which is to promote awareness and understanding of:
  - a) the range of regulated qualifications available,
  - b) the benefits of regulated qualifications to Students, employers and institutions within the higher education sector, and
  - c) the benefits of recognition to bodies awarding or authenticating qualifications
- 5) **The efficiency objective**, which is to secure that regulated qualifications are provided efficiently, and that any relevant sums payable to a body awarding or authenticating a qualification represent value for money.

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

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

## ***The Equality Act 2010***

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

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

The awarding organisations that design, deliver and award qualifications are required by the Equality Act, among other things, to make reasonable adjustments for disabled people taking their qualifications, except where we have specified that such adjustments should not be made.

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

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

We are subject to a number of duties and we must aim to achieve a number of objectives. These different duties and objectives can, sometimes conflict with each other. For example, if we regulate to secure that a qualification gives a reliable indication of a Student's knowledge, skills and understanding, a Student who has not been able to demonstrate the required knowledge, skills and/or understanding will not be awarded the qualification.



A person may find it more difficult, or impossible, to demonstrate the required knowledge, skills and/or understanding because they have a protected characteristic. This could put them at a disadvantage relative to others who have been awarded the qualification.

It is not always possible for us to regulate so that qualifications give a reliable indication of knowledge, skills and understanding and advance equality between people who share a protected characteristic and those who do not. We must review all the available evidence and actively consider all the available options before coming to a final, justifiable decision.

Qualifications cannot mitigate inequalities or unfairness in the education system or in society more widely that might affect, for example, Students' preparedness to take the qualification and the assessments within it. While a wide range of factors can have an impact on a Student's ability to achieve a particular assessment, our influence is limited to the qualification design and assessment.

We require awarding bodies to design qualifications that give a reliable indication of the knowledge, skills and understanding of the Students that take them. We also require awarding organisations to avoid, where possible, features of a qualification that could, without justification, make a qualification more difficult for a Student to achieve because they have a particular protected characteristic. We require awarding organisations to monitor whether any features of their qualifications have this effect.

In setting our proposed requirements, we want to understand the possible impacts of the proposals on Students who share a protected characteristic. The protected characteristics under the Equality Act 2010 are:

- age
- disability
- gender reassignment
- marriage and civil partnerships
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

With respect to the public sector equality duty under section 149 of the Equality Act, we are not required to have due regard to impacts on those who are married or in a civil partnership.



© Crown Copyright 2021

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated.

To view this licence, visit

[www.nationalarchives.gov.uk/doc/open-government-licence/](http://www.nationalarchives.gov.uk/doc/open-government-licence/)

or write to

Information Policy Team, The National Archives, Kew, London TW9 4DU

Published by:

**ofqual**

Earlsdon Park  
53-55 Butts Road  
Coventry  
CV1 3BH

0300 303 3344

[public.enquiries@ofqual.gov.uk](mailto:public.enquiries@ofqual.gov.uk)

[www.gov.uk/ofqual](http://www.gov.uk/ofqual)