

GCSE, AS and A Level Religious Studies

Consultation on Conditions and Guidance



March 2015

Ofqual/15/5650

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About this consultation

We are seeking views on the regulatory requirements we propose to put in place for new GCSEs, AS and A levels in religious studies, which are due to be taught in England from September 2016.

We do not repeat the policy proposals on which we consulted during 2014 or the options we considered when we did so. You can find the outcome of that consultation on our website,¹ along with a summary of the responses to the consultations and our equality and regulatory impact assessments.

Awarding organisations must comply at all times with our Conditions of Recognition. These are the main regulatory rules that we use. We can take regulatory action against an awarding organisation that breaches or is likely to breach a Condition. We explain how the proposed subject level rules and guidance (as set out in this consultation) will work alongside our other regulatory tools in Appendix A.

Further information about the reform of GCSEs, AS and A levels can be found at www.gov.uk/government/publications/get-the-facts-gcse-and-a-level-reform.

¹ www.gov.uk/government/consultations/religious-studies-gcses-as-and-a-levels-new-qualifications-for-2016

Summary of our proposals – GCSE religious studies

- New religious studies GCSEs must comply with the Department for Education's subject content requirements, and with our assessment objectives.
- In line with our previous decisions, and with current qualifications, new religious studies GCSEs will be untiered, and assessed solely by examinations.
- In line with our approach for new geography and history GCSEs (and current qualifications), new religious studies GCSEs will allocate 5 per cent of the total marks for accurate spelling, punctuation and grammar, and the use of specialist terminology.

Summary of our proposals – AS and A level religious studies

- New religious studies AS and A levels must comply with the Department for Education's subject content requirements, and with our assessment objectives.
- In line with our previous decisions, and with current qualifications, new religious studies AS and A levels will be assessed solely by examinations.

How to respond to this consultation

The closing date for responses is 24th April 2015.

Please respond to this consultation in one of three ways:

- complete the online response at <http://surveys.ofqual.gov.uk/s3/gcse-as-and-a-level-religious-studies-conditions-and-guidance>; or
- email your response to consultations@ofqual.gov.uk. Please include the consultation title (Religious Studies Consultation 2015) in the subject line of the email and make clear who you are and in what capacity you are responding; or
- post your response to: Religious Studies Consultation 2015, Ofqual, Spring Place, Coventry Business Park, Herald Avenue, Coventry, CV5 6UB, making clear who you are and in what capacity you are responding.

Evaluating the responses

To evaluate responses properly, we need to know who is responding to the consultation and in what capacity. We will therefore only consider your response if you complete the information page.

Any personal data (such as your name, address and any other identifying information) will be processed in accordance with the Data Protection Act 1998 and our standard terms and conditions.

We will publish the evaluation of responses. Please note that we may publish all or part of your response unless you tell us (in your answer to the confidentiality question) that you want us to treat your response as confidential. If you tell us that you wish your response to be treated as confidential, we will not include your details in any published list of respondents, although we may quote from your response anonymously.

Please respond by 24th April 2015.

1. Proposed rules and guidance for GCSE religious studies

Content requirements in religious studies

1.1 The Department for Education has published the new content for GCSE religious studies. Exam boards must comply with the requirements² and with our assessment objectives.

1.2 To bring this about, we propose to introduce the following Condition:

Condition	Compliance with content requirements
GCSE(Religious Studies)1	
GCSE(Religious Studies)1.1	<p>In respect of each GCSE Qualification in Religious Studies which it makes available, or proposes to make available, an awarding organisation must –</p> <ul style="list-style-type: none">(a) comply with the requirements relating to that qualification set out in the document published by the Secretary of State entitled ‘Religious Studies GCSE subject content’,³ document reference DFE-00045-2015,(b) have regard to any recommendations or guidelines relating to that qualification set out in that document, and(c) interpret that document in accordance with any requirements, and having regard to any guidance, which may be published by Ofqual and revised from time to time.
GCSE(Religious Studies)1.2	<p>In respect of each GCSE Qualification in Religious Studies which it makes available, or proposes to make available, an awarding organisation must comply with any requirements, and have regard to any guidance, relating to the objectives to be met by any assessment for that qualification which may be published by Ofqual and revised from time to time.</p>

² www.gov.uk/government/publications/gcse-religious-studies

³ www.gov.uk/government/publications/gcse-religious-studies

Guidance on comparability of optional routes

- 1.3 The GCSE subject content for religious studies allows students to study many different combinations of religions and beliefs, and allows different degrees of emphasis on different aspects as well. It also allows for two different approaches to the study of religion and belief – a ‘textual studies’ approach and a ‘religious, philosophical and ethical studies in the modern world’ approach. In turn, this means there is the potential for an unusually large number of optional routes through the qualification.
- 1.4 Both our General Conditions of Recognition, and our GCSE Qualification Level Conditions, require exam boards to do all they can to ensure optional routes through a qualification are equally demanding.
- 1.5 However, we recognise that the very large number of optional routes in this subject creates particular technical challenges that can make it difficult to secure absolute comparability across all options.
- 1.6 We are therefore proposing to publish the following guidance which clarifies our expectations.

Guidance on comparability of optional routes through GCSE Qualifications in Religious Studies

The subject content for GCSE Qualifications (graded 9 to 1) in Religious Studies is set out in the Department for Education’s *Religious Studies GCSE subject content*,⁴ document reference DFE-00045-2015 (the ‘Content Document’).

The Content Document allows for many different combinations of religions, permitting an awarding organisation to develop a GCSE Qualification in Religious Studies that has a large number of optional routes through it. Ofqual is particularly mindful of the risks to the comparability of standards that may arise in this qualification as a result of this large number of permitted optional routes.

General Condition G1.2 states that an awarding organisation must take all reasonable steps to ensure that the Level of Demand of an assessment for a qualification it makes available is consistent across all options as to tasks and alternative assessments which may be taken by the Learner for the purpose of the qualification.

⁴ www.gov.uk/government/publications/gcse-religious-studies

Ofqual's *GCSE (9 to 1) Qualification Level Guidance*⁵ states, in relation to Condition GCSE2 (Assessment strategies), that each awarding organisation's assessment strategy should explain how -

optional routes through the qualification... will be comparable in terms of the Level of Demand and the amount of subject content required to be taught and on which Learners will be assessed (D1.1, D1.2(c), G1.2).

We expect an awarding organisation to be able to demonstrate in its assessment strategy for a GCSE Qualification in Religious Studies that it has taken all reasonable steps to ensure that it will have maximum control over comparability of standards between different routes at all points within the cycle of setting and marking assessments and awarding the qualification. In particular, this control should be such that smaller entry routes are neither advantaged nor disadvantaged.

Assessment objectives

1.7 We have previously consulted on and announced our decisions on assessment objectives for new religious studies GCSEs. For completeness, we set out these final assessment objectives below.

	Objective	Weighting
AO1	Demonstrate knowledge and understanding of religion and belief, ⁶ including: <ul style="list-style-type: none"> ■ beliefs, practices and sources of authority ■ influence on individuals, communities and societies ■ similarities and differences within and/or between religions and beliefs. 	50%
AO2	Analyse and evaluate aspects of religion and belief, including their significance and influence.	50%

⁵ www.gov.uk/government/publications/gcse-9-to-1-qualification-level-guidance

⁶ Throughout this document, the term 'belief' includes religious beliefs and non-religious beliefs as appropriate to the subject content requirements.

Spelling, punctuation and grammar, and the use of specialist terminology

1.8 We are proposing that 5 per cent of the marks for the assessment objectives should reward accurate spelling, punctuation and grammar, and the use of specialist terminology. This is in line with the approach we have taken for other humanities subjects (geography and history) at GCSE, and with current GCSEs in religious studies.

1.9 To bring this about, we propose to introduce the following requirements:

In respect of each GCSE Qualification in Religious Studies which it makes available, or proposes to make available, an awarding organisation must –

(a) ensure that the total mark for the qualification consists of –

(i) marks allocated to assessment objectives AO1 to AO2 in line with the weightings outlined above (the ‘subject marks’), and

(ii) marks used to credit the accuracy of Learners’ spelling, punctuation and grammar and their use of specialist terminology,

(b) take all reasonable steps to ensure that the number of marks available to credit the accuracy of Learners’ spelling, punctuation and grammar and their use of specialist terminology is equal to 5 per cent of the subject marks.

Guidance on assessment objectives

1.10 The draft guidance on assessment objectives (set out below) explains how we expect awarding organisations to interpret the assessment objectives in terms of:

- the discrete ‘strands’ within each of the assessment objectives;
- the discrete ‘elements’ within each assessment objective and its strands that questions and tasks could target and/or seek to credit;
- the coverage expectations, such as in relation to the different elements within each assessment objective and how those elements should be sampled over time; and
- the key areas of emphasis in each assessment objective and the particular meaning for the subject of any key terms and phrases used; defined terms are shown in bold text, followed by their definitions.

1.11 In line with the obligations set out in draft Condition GCSE(Religious Studies)1.2, awarding organisations must have regard to any guidance on the assessment objectives. For example, an awarding organisation could map how it has regard to the guidance as it:

- develops its sample assessment materials;
- delivers the qualification;
- develops and applies its approach to sampling the elements into which the assessment objectives are divided; and
- monitors the qualification to make sure it addresses all elements appropriately.

1.12 The nature of the subject content in GCSE religious studies means we have particular concerns that assessments might focus too heavily on assessing superficial subject knowledge, rather than on deeper understanding of religion and belief. In turn, this could lead to actual, or perceived, differences in demand across different specifications.

1.13 To address this issue we have considered limiting the total marks:

- available for questions/tasks that focus solely on rewarding recall of facts and other knowledge; and
- used to reward recall of facts and other knowledge.

1.14 Both of these approaches would limit the extent to which questions could solely reward students for recalling facts they have learned. In both cases, single-mark questions requiring factual responses would count towards the specified limit, as would short-answer questions where the student simply has to recall facts to gain all the marks. Questions that require students to do more than just recall facts – for example where students need to select appropriate facts to evidence an argument – would not.

1.15 Where these approaches differ is in their treatment of questions which require students to ‘recall and apply’ knowledge. Because the first approach focuses on individual questions, a single question requiring students to ‘recall and apply’ knowledge would not count towards the specified limit.

1.16 The second approach, however, targets any marks that are used to reward recall of facts and other knowledge, including where those marks are part of a larger question. So any marks awarded for recall within a ‘recall and apply’ question would count towards the specified limit.

- 1.17 Although this difference is subtle, it is important. The first approach draws a distinction between an assessment that asks separate, linked questions requiring students to 'recall' and 'apply' knowledge (where the marks for recalling knowledge would count against the limit), and an otherwise identical assessment that uses single questions requiring students to 'recall and apply' knowledge (where the marks for recalling knowledge would not count against the limit). The second approach treats both of these assessments in the same way.
- 1.18 We think that there is no material difference in demand between these two different ways of structuring questions. Treating them differently (which the first approach would do) could potentially undermine comparability, and could have undesirable impacts on assessment design.
- 1.19 Our view is that the second approach (a limit on the total marks that reward recall) is less likely to compromise comparability, or to have harmful impacts on assessment design. It is also slightly simpler. However, we would welcome views on both the options we have proposed.
- 1.20 We would also welcome views on what limit we should place on the proportion of total marks that reward recall of facts and other knowledge. Our view, as set out below, is that 20 per cent of total marks would be sufficient to allow awarding organisations to effectively sample the full range of knowledge requirements in the subject content.

AO1: Demonstrate knowledge and understanding of religion and belief, including:			50%
Strands	Elements	Coverage	Interpretations and definitions
1 – Demonstrate knowledge and understanding of religion and belief, including beliefs, practices and sources of authority.	This strand is a single element.	<ul style="list-style-type: none"> ■ Full coverage in each set of assessments⁷ (but not every assessment). <ul style="list-style-type: none"> □ For the short course qualification, assessments may not target all three strands. ■ No more than 20% of the total marks for the qualification should reward demonstrating knowledge in isolation.⁸ 	<ul style="list-style-type: none"> ■ The strands represent the different aspects of the subject content in an overarching sense. The weighting of each strand, and the extent to which a given strand is reflected within an assessment may vary, depending on the awarding organisation’s approach to assessment design and on the route through the qualification taken by the Learner.
2 – Demonstrate knowledge and understanding of religion and belief, including influence on individuals, communities and societies.	This strand is a single element.		
3 – Demonstrate knowledge and understanding of religion and belief, including similarities and differences within and/or between religions and beliefs.	This strand is a single element.		

⁷ For the purposes of this guidance, a ‘set of assessments’ means the assessments to be taken by a particular Learner for a GCSE Qualification in Religious Studies. For clarity, the assessments taken by Learners may vary, depending on any possible routes through the qualification.

⁸ Marks that ‘reward demonstrating knowledge in isolation’ means any mark awarded solely for recalling facts or other knowledge that is part of the specification. It does not include marks awarded for selecting appropriate knowledge (for example to evidence an argument), or for applying knowledge to a particular context.

AO2: Analyse and evaluate aspects of religion and belief, including their significance and influence.			50%
Strands	Elements	Coverage	Interpretations and definitions
n/a	1a – Analyse aspects of religion and belief, including their significance and influence.	<ul style="list-style-type: none"> ■ Full coverage in each set of assessments (but not every assessment). ■ A reasonable balance between elements 1a and 1b. 	<ul style="list-style-type: none"> ■ In the context of this assessment objective: <ul style="list-style-type: none"> □ Analyse means deconstructing information and/or issues to find connections and provide logical chain(s) of reasoning. □ Evaluate means appraising and/or making judgements with respect to information and/or issues. □ Analysis and evaluation should draw on underpinning knowledge and understanding. ■ The emphasis here is on the Learner constructing coherent and reasoned responses, supported by evidence.
	1b – Evaluate aspects of religion and belief, including their significance and influence.		

2. Proposed rules and guidance for AS and A level religious studies

Content requirements in religious studies

2.1 The Department for Education has published new content for AS and A levels in religious studies. Exam boards must comply with the requirements.⁹

2.2 To bring this about, we propose to introduce the following Condition:

Condition	Compliance with content requirements
GCE(Religious Studies)1	In respect of each GCE Qualification in Religious Studies which it makes available, or proposes to make available, an awarding organisation must – (a) comply with the requirements relating to that qualification set out in the document published by the Secretary of State entitled ‘Religious Studies AS and A level subject content’,¹⁰ document reference DFE-00041-2015, (b) have regard to any recommendations or guidelines relating to that qualification set out in that document, and (c) interpret that document in accordance with any requirements, and having regard to any guidance, which may be published by Ofqual and revised from time to time.
GCE(Religious Studies)1.2	In respect of each GCE Qualification in Religious Studies which it makes available, or proposes to make available, an awarding organisation must comply with any requirements, and have regard to any guidance, relating to the objectives to be met by any assessment for that qualification which may be published by Ofqual and revised from time to time.

Guidance on comparability of optional routes

2.3 As at GCSE, the subject content for AS and A level religious studies allows students to study different combinations of religions and beliefs. It also allows for

⁹ www.gov.uk/government/publications/gce-as-and-a-level-religious-studies

¹⁰ www.gov.uk/government/publications/gce-as-and-a-level-religious-studies

different approaches to the study of religion and belief. There are fewer possible optional routes than at GCSE, but there is still a significant number.

- 2.4 We are therefore proposing to publish the following guidance, which clarifies our expectations for AS and A level religious studies.

Guidance on comparability of optional routes through GCE Qualifications in Religious Studies

The subject content for GCE Qualifications in Religious Studies is set out in the Department for Education's *Religious Studies AS and A Level Subject Content*,¹¹ document reference DFE-00041-2015 (the 'Content Document').

The Content Document allows for many different combinations of religions, permitting an awarding organisation to develop a GCE Qualification in Religious Studies that has a large number of optional routes through it. Ofqual is particularly mindful of the risks to the comparability of standards that may arise in this qualification as a result of this large number of permitted optional routes.

General Condition G1.2 states that an awarding organisation must take all reasonable steps to ensure that the Level of Demand of an assessment for a qualification it makes available is consistent across all options as to tasks and alternative assessments which may be taken by the Learner for the purpose of the qualification.

Ofqual's *GCE Qualification Level Guidance*¹² states, in relation to Condition GCE2 (Assessment strategies), that each awarding organisation's assessment strategy should explain how -

optional routes through the qualification... will be comparable in terms of the Level of Demand and the amount of subject content required to be taught and on which Learners will be assessed: (D1.1, D1.2(c), G1.2)

We expect an awarding organisation to be able to demonstrate in its assessment strategy for a GCE Qualification in Religious Studies that it has taken all reasonable steps to ensure that it will have maximum control over comparability of standards between different routes at all points within the cycle of setting and marking assessments, and awarding the qualification. In particular, this control should be such that smaller entry routes are neither advantaged nor disadvantaged.

¹¹ www.gov.uk/government/publications/gce-as-and-a-level-religious-studies

¹² www.gov.uk/government/publications/gce-qualification-level-guidance

Assessment objectives

2.5 We have previously consulted on and announced our decisions on assessment objectives in new AS and A levels in religious studies. These final assessment objectives are repeated below for completeness.

	Objective	Weighting (A level)	Weighting (AS)
AO1	Demonstrate knowledge and understanding of religion and belief, ¹³ including: <ul style="list-style-type: none"> ■ religious, philosophical and/or ethical thought and teaching ■ influence of beliefs, teachings and practices on individuals, communities and societies ■ cause and significance of similarities and differences in belief, teaching and practice ■ approaches to the study of religion and belief. 	40%	50%
AO2	Analyse and evaluate aspects of, and approaches to, religion and belief, including their significance, influence and study.	60%	50%

Guidance on assessment objectives

2.6 The draft guidance on assessment objectives (set out below) explains how we expect awarding organisations to interpret the assessment objectives in terms of:

- the discrete ‘strands’ within each of the assessment objectives;
- the discrete ‘elements’ within each assessment objective and its strands that questions and tasks could target and/or seek to credit;
- the coverage expectations, such as in relation to the different elements within each assessment objective and how those elements should be sampled over time; and

¹³ Throughout this document, the term ‘belief’ includes religious beliefs and non-religious beliefs as appropriate to the subject content requirements.

- the key areas of emphasis in each assessment objective and the particular meaning for the subject of any key terms and phrases used; defined terms are shown in bold text, followed by their definitions.
- 2.7 In line with the obligations set out in draft Condition GCE(Religious Studies)1.2, awarding organisations must have regard to any guidance on the assessment objectives. For example, an awarding organisation could map how it has regard to the guidance as it:
- develops its sample assessment materials;
 - delivers the qualification;
 - develops and applies its approach to sampling the elements into which the assessment objectives are divided; and
 - monitors the qualification to make sure it addresses all elements appropriately.
- 2.8 As at GCSE, the nature of the subject content for AS and A level religious studies means we have particular concerns that assessments might focus too heavily on assessing superficial subject knowledge, rather than on deeper understanding of religion and belief. In turn, this could lead to actual, or perceived, differences in difficulty across different specifications.
- 2.9 In line with the approach we have proposed at GCSE, we are proposing to limit the proportion of total marks that are used to credit recall of facts and other knowledge.
- 2.10 The range of knowledge requirements in the subject content is less than at GCSE. AS and A levels should also be more demanding than GCSEs. Our view is that 10 per cent of total marks is the most appropriate limit for AS and A levels, but we would welcome views on this point.

AO1: Demonstrate knowledge and understanding of religion and belief, including: <ul style="list-style-type: none"> ■ religious, philosophical and/or ethical thought and teaching ■ influence of beliefs, teachings and practices on individuals, communities and societies ■ cause and significance of similarities and differences in belief, teaching and practice ■ approaches to the study of religion and belief. 			<p>40% (A level)</p> <p>50% (AS)</p>
Strands	Elements	Coverage	Interpretations and definitions
1 – Demonstrate knowledge and understanding of religion and belief, including religious, philosophical and/or ethical thought and teaching.	This strand is a single element.	<ul style="list-style-type: none"> ■ Full coverage in each set of assessments¹⁴ (but not every assessment). ■ No more than 10% of the total marks for the qualification should reward demonstrating 	<ul style="list-style-type: none"> ■ Knowledge and understanding should usually be assessed in combination. ■ The strands of this assessment objective represent the different aspects of the subject content in an overarching sense. The weighting of each strand and the extent to which a given strand is reflected will depend on the exam board’s approach to assessment design and on the route through the qualification taken by the Learner.
2 – Demonstrate knowledge and understanding of religion and belief, including influence of beliefs, teachings and practices on individuals, communities and societies.	This strand is a single element.		

¹⁴ For the purposes of this guidance, a ‘set of assessments’ means the assessments to be taken by a particular Learner for a GCE Qualification in Religious Studies. For clarity, the assessments taken by Learners may vary, depending on any possible routes through the qualification.

AO1: Demonstrate knowledge and understanding of religion and belief, including: <ul style="list-style-type: none"> ■ religious, philosophical and/or ethical thought and teaching ■ influence of beliefs, teachings and practices on individuals, communities and societies ■ cause and significance of similarities and differences in belief, teaching and practice ■ approaches to the study of religion and belief. 			40% (A level) 50% (AS)
Strands	Elements	Coverage	Interpretations and definitions
3 – Demonstrate knowledge and understanding of religion and belief, including cause and significance of similarities and differences in belief, teaching and practice.	This strand is a single element.	knowledge in isolation. ¹⁵	
4 – Demonstrate knowledge and understanding of religion and belief, including approaches to the study of religion and belief.	This strand is a single element.		

¹⁵ Marks that ‘reward demonstrating knowledge in isolation’ include any mark awarded solely for recalling facts or other knowledge that is part of the specification. It does not include marks awarded for selecting appropriate knowledge (for example to evidence an argument), or for applying knowledge to a particular context.

AO2: Analyse and evaluate aspects of, and approaches to, religion and belief, including their significance, influence and study.		60% (A level) 50% (AS)	
Strands	Elements	Coverage	Interpretations and definitions
n/a	Analyse aspects of, and approaches to, religion and belief, including their significance, influence and study.	<ul style="list-style-type: none"> ■ Full coverage in each set of assessments (but not every assessment). 	<ul style="list-style-type: none"> ■ In the context of this assessment objective: <ul style="list-style-type: none"> □ Analyse means deconstructing information and/or issues to find connections between them and to provide logical chains of reasoning. □ Evaluate means appraising and/or making judgements with respect to information and/or issues. □ Analysis and evaluation should draw on underpinning knowledge and understanding. ■ Aspects of, and approaches to, religion and belief refers to the subject content in an overarching sense, encompassing, as appropriate, the study of religion, textual approaches and philosophical and ethical views. ■ The emphasis here is on the Learner constructing coherent and reasoned responses, supported by evidence.
	Evaluate aspects of, and approaches to, religion and belief, including their significance, influence and study.		

3. Equality impact analysis

Ofqual's role, objectives and duties

- 3.1 We are subject to the public sector equality duty. We have set out in Appendix B how this duty interacts with our statutory objectives and other duties.

Equality impact analysis relating to proposed changes to GCSE, A level and AS qualifications

- 3.2 We have considered the potential impact on students who share protected characteristics¹⁶ of the application of the principles and features that will apply to all new GCSE, A level and AS qualifications. Our equality impact analyses for our earlier consultations on GCSE,¹⁷ AS and A level¹⁸ reform are therefore of interest and we encourage you to read them.
- 3.3 Any issues concerning the proposed content have been considered by the Department of Education, who have published their own equalities impact analysis on their subject content proposals.¹⁹
- 3.4 We have also previously considered the potential impact on students who share protected characteristics of the policy proposals we are implementing for GCSE, AS and A level religious studies.²⁰
- 3.5 We do not repeat here all of the evidence we have considered, as this can be found in our earlier reports. We focus instead on the specific issues that arise from the way in which we are implementing our previous policy decisions.
- 3.6 We have not identified any additional negative impacts on students who share protected characteristics which would result from our proposed approach to implementing assessment arrangements in GCSE, AS and A level religious studies (beyond those that we have already identified in our earlier reports).

¹⁶ For the purposes of the public sector equality duty, the 'protected characteristics' are disability, racial group, age, religion or belief, pregnancy or maternity, sex, sexual orientation, gender reassignment.

¹⁷ <http://webarchive.nationalarchives.gov.uk/20141110161323/http://comment.ofqual.gov.uk/gcse-reform-june-2013/category/8-equality-impact-analysis/>

¹⁸ <http://webarchive.nationalarchives.gov.uk/20141110161323/http://comment.ofqual.gov.uk/a-level-regulatory-requirements-october-2013/category/part-3-impact/equality-impact-analysis/>

¹⁹ www.gov.uk/government/publications/religious-studies-gcse-and-a-level-content-equality-analysis

²⁰ www.gov.uk/government/consultations/religious-studies-gcses-as-and-a-levels-new-qualifications-for-2016

- 3.7 During this consultation, we will continue to seek and consider evidence and feedback to our proposals that might help us identify any potential subject-specific impacts on students who share a protected characteristic.
- 3.8 Awarding organisations are required to consider the accessibility of their qualifications at the design stage and to remove any unjustifiable barriers.

Responding to the consultation

Your details

To evaluate responses properly, we need to know who is responding to the consultation and in what capacity. We will therefore only consider your response if you complete the following information section.

We will publish our evaluation of responses. Please note that we may publish all or part of your response unless you tell us (in your answer to the confidentiality question) that you want us to treat your response as confidential. If you tell us that you wish your response to be treated as confidential, we will not include your details in any published list of respondents, although we may quote from your response anonymously.

Please answer all questions marked with a star*

Name*

Position*

Organisation name (if applicable)*

Address

Email

Telephone

Would you like us to treat your response as confidential?*

If you answer yes, we will not include your details in any list of people or organisations that responded to the consultation.

Yes No

Is this a personal response or an official response on behalf of your organisation?*

Personal response (please answer the question “If you ticked ‘Personal response’...”)

Official response (please answer the question “If you ticked ‘Official response’...”)

If you ticked “Personal response”, which of the following are you?

Student

Parent or carer

Teacher (but responding in a personal capacity)

Other, including general public (please state below)

If you ticked “Official response”, please respond accordingly:

Type of responding organisation*

Awarding organisation

Local authority

School or college (please answer the question below)

Academy chain

Private training provider

University or other higher education institution

Employer

Other representative or interest group (please answer the question below)

School or college type

- Comprehensive or non-selective academy
 - State selective or selective academy
 - Independent
 - Special school
 - Further education college
 - Sixth form college
 - Other (please state below)
-

Type of representative group or interest group

- Group of awarding organisations
 - Union
 - Employer or business representative group
 - Subject association or learned society
 - Equality organisation or group
 - School, college or teacher representative group
 - Other (please state below)
-

Nation*

- England
- Wales
- Northern Ireland
- Scotland
- Other EU country: _____
- Non-EU country: _____

How did you find out about this consultation?

Our newsletter or another one of our communications

Our website

Internet search

Other

May we contact you for further information?

Yes No

Questions

Question 1

Do you have any comments on the draft Conditions for new religious studies GCSEs?

Yes No

If yes, please provide them here:

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Question 2

Do you have any comments on the draft guidance on comparability of optional routes for new religious studies GCSEs?

Yes No

If yes, please provide them here:

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Question 3

Do you have any comments on our proposed approach to spelling, punctuation and grammar, and the use of specialist terminology in new religious studies GCSEs?

Yes **No**

If yes, please provide them here:

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Question 4

Do you have any comments on the draft guidance on assessment objectives for new religious studies GCSEs?

Yes **No**

If yes, please provide them here:

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Question 5

Do you have any comments on our proposed approach to limiting the amount of recall rewarded by new religious studies GCSEs?

Yes No

If yes, please provide them here:

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Question 6

Do you have any comments on the draft Conditions for new religious studies A levels and AS qualifications?

Yes No

If yes, please provide them here:

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Question 7

Do you have any comments on the draft guidance on comparability of optional routes for new religious studies A levels and AS qualifications?

Yes No

If yes, please provide them here:

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Question 8

Do you have any comments on the draft guidance on assessment objectives for new religious studies A levels and AS qualifications?

Yes No

If yes, please provide them here:

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Question 9

We have not identified any ways in which the proposed requirements for new religious studies GCSEs, A levels and AS qualifications would impact (positively or negatively) on persons who share a protected characteristic.²¹ Are there any potential impacts we have not identified?

Yes No

If yes, please provide them here:

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Question 10

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

Yes No

If yes, please comment on the additional steps we could take to mitigate negative impacts:

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²¹ 'Protected characteristic' is defined in the Equality Act 2010. Here, it means disability, racial group, age, religion or belief, pregnancy or maternity, sex, sexual orientation and gender reassignment.

Question 11

Have you any other comments on the impacts of the proposals on students who share a protected characteristic?

Yes No

If yes, please provide them here:

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Appendix A: Regulatory tools

Comparability and innovation

Awarding organisations operate in a market. They can design and deliver their qualifications in different ways, within the parameters we set. This provides some choice to schools or colleges, which is one of the benefits of a qualifications market. Awarding organisations must, however, make sure that the levels of attainment indicated by their qualifications are comparable to those of other awarding organisations' versions of the qualifications. The awarding organisations cooperate in a range of ways to make sure that the standards of their respective qualifications are comparable. To make sure standards are maintained and comparability is secured, we review GCSE, A level and AS qualifications before they can be made available, by applying an accreditation requirement to the qualifications, and we oversee the awarding of GCSE, A level and AS qualifications.

We do not wish to close down opportunities for awarding organisations to design and deliver their qualifications in different ways. Indeed, we have a statutory duty to have regard to the desirability of facilitating innovation in connection with the provision of regulated qualifications and a statutory objective with regard to the efficiency with which the qualifications market works. If we adopt a regulatory approach in which all aspects of a qualification are very tightly defined, we could effectively remove scope for awarding organisations to distinguish their qualifications from others and stop choice for schools or colleges. On the other hand, if awarding organisations have too much scope to vary their approach their qualifications might not be comparable.

In striking a balance, we use a range of tools to regulate qualifications and the awarding organisations that provide them. The main regulatory tools we use for the qualifications in this consultation are explained below.

Conditions of Recognition

Awarding organisations must comply at all times with our Conditions of Recognition. These are the main regulatory rules that we use. We can take regulatory action against an awarding organisation that breaches or is likely to breach a Condition.

There are three sets of Conditions that will apply to new GCSEs (together 'the Conditions'):

- (i) the published *General Conditions of Recognition*²² that apply to all regulated qualifications;

²² www.gov.uk/government/publications/general-conditions-of-recognition

- (ii) GCSE (9 to 1) Qualification Level Conditions and Requirements²³ that apply to all new GCSEs;
- (iii) GCSE Subject Level Conditions that apply to a new GCSE in a specific subject – we are consulting now on draft GCSE Subject Level Conditions for religious studies.

There are three sets of Conditions that will apply to new A level and AS qualifications (together ‘the Conditions’):

- (i) the published *General Conditions of Recognition*²⁴ that apply to all regulated qualifications;
- (ii) *GCE Qualification Level Conditions and Requirements*²⁵ that apply to all new A level and AS qualifications;
- (iii) GCE Subject Level Conditions that apply to a new A level and AS qualifications in a specific subject – we are consulting now on draft GCE Subject Level Conditions for religious studies.

Regulatory documents

In some Conditions we refer to published regulatory requirements. We publish these in regulatory documents. The Conditions require awarding organisations to comply with such documents.

We are not proposing to introduce any new regulatory documents for GCSE, A level or AS qualifications in religious studies.

Statutory guidance

We publish guidance to help awarding organisations identify the types of behaviour or practices they could use to meet a Condition. Awarding organisations must have regard to such guidance, but they do not have to follow this guidance in the same way that they must comply with the Conditions; they are free to meet the outcomes of the Conditions in their own ways. An awarding organisation that decides to take a different approach to that set out in guidance must still be able to show that it is meeting the Condition or Conditions to which the guidance relates.

We are consulting now on draft guidance for religious studies.

²³ www.gov.uk/government/publications/gcse-9-to-1-qualification-level-conditions

²⁴ www.gov.uk/government/publications/general-conditions-of-recognition

²⁵ www.gov.uk/government/publications/gce-qualification-level-conditions-and-requirements

Appendix B: Ofqual's role, objectives and duties

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

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

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.

As a public body, we are subject to the public sector equality duty.²⁶ 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 exam boards that design, deliver and award GCSE, A level and AS 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.

²⁶ Equality Act 2010, section 149.

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.

Legislation therefore sets out a framework within which we must operate. We are subject to a number of duties and we must aim to achieve a number of objectives. These different duties and objectives can, from time to time, conflict with each other. For example, if we regulate to secure that a qualification gives a reliable indication of a student's knowledge, skills and understanding, a student who has not been able to demonstrate the required knowledge, skills and/or understanding will not be awarded the qualification. A person may find it more difficult, or impossible, to demonstrate the required knowledge, skills and/or understanding because they have a protected characteristic. This could put them at a disadvantage relative to others who have been awarded the qualification. It is not always possible for us to regulate so that we can both secure that qualifications give a reliable indication of knowledge, skills and understanding, and 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, rational decision.

Qualifications cannot be used to mitigate inequalities or unfairness in the education system or in society more widely than 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 mark in an assessment, our influence is limited to the way the qualification is designed and assessed.

We require the exam boards to design qualifications to give a reliable indication of the knowledge, skills and understanding of those on whom they are conferred. We also require the exam boards to avoid, where possible, features of a qualification that could, without justification, make a qualification more difficult for a student to achieve because they have a particular protected characteristic. We require exam boards to monitor whether any features of their qualifications have this effect.

In setting the overall framework within which exam boards will design, assess and award the reformed GCSE, A level and AS qualifications, we want to understand the possible impacts of the proposals on persons 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.

It should be noted that with respect to the public sector equality duty under section 149 of the 2010 Act, we are not required to have due regard to impacts on those who are married or in a civil partnership.

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