

GCSE Food Preparation and Nutrition

Consultation on Conditions and Guidance



March 2015

Ofqual/15/5655

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About this consultation

We are seeking views on the regulatory requirements we propose to put in place for new GCSEs in food preparation and nutrition. New GCSEs in this subject 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.

Exam boards 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 exam board 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/gcse-as-and-a-levels-new-subjects-to-be-taught-in-2016

Summary of our proposals – GCSE food preparation and nutrition

- New GCSEs in food preparation and nutrition must comply with the Department for Education’s subject content requirements, and with our assessment objectives.
- For consistency and comparability, 50 per cent of the marks for all new GCSEs in food preparation and nutrition will be allocated to non-exam assessments, which will separately test students’ knowledge, skills and understanding of the planning, preparation, cooking and presentation of food (35 per cent of the total marks) and of the principles underlying the preparation and cooking of food (15 per cent of the total marks). Students will need to:
 - plan a menu of three dishes, then prepare, cook and present it in a 4 hour period; and
 - investigate and evaluate the working characteristics, functional and chemical properties of ingredients to achieve a particular result related to the preparation and cooking of food, and produce a 1,500–2,000 word report setting out their findings.
- Exam boards will set the non-exam assessment tasks. Non-exam assessment tasks may be marked by the exam board, or marked by teachers and moderated by the exam board.
- The remaining 50 per cent of the marks will be allocated to examinations, set and marked by the exam boards.

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-food-preparation-and-nutrition-consultation-on-conditions-and-guidance>;
- email your response to consultations@ofqual.gov.uk – please include the consultation title (Food Preparation and Nutrition 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: Food Preparation and Nutrition 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 food preparation and nutrition

1.1 We are proposing to introduce rules and guidance for new GCSEs in food preparation and nutrition that cover the following areas:

- content requirements in food preparation and nutrition;
- assessment requirements and guidance;
- assessment objectives;
- guidance on assessment objectives.

Content requirements in food preparation and nutrition

1.2 The Department for Education has published a document that sets out the new content for GCSE food preparation and nutrition. New GCSEs in food preparation and nutrition must comply with the requirements of that document,² and with our assessment objectives.

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

Condition	Compliance with content requirements
GCSE(Food Preparation and Nutrition)1	
GCSE(Food Preparation and Nutrition)1.1	In respect of each GCSE Qualification in Food Preparation and Nutrition 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 ‘Food preparation and nutrition GCSE subject content’,³ document reference DFE-00040-2015, (b) have regard to any recommendations or guidelines relating to that qualification set out in that document, and

² www.gov.uk/government/publications/gcse-food-preparation-and-nutrition

³ www.gov.uk/government/publications/gcse-food-preparation-and-nutrition

- (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(Food Preparation and Nutrition)1.2 In respect of each GCSE Qualification in Food Preparation and Nutrition 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.

Assessment requirements and guidance

1.4 We have previously consulted on and announced our decisions on assessment arrangements in GCSE food preparation and nutrition:

- All GCSEs in food preparation and nutrition will be untiered.
- All GCSEs in food preparation and nutrition will be assessed through a combination of 50 per cent assessment by examination and 50 per cent non-examination assessment.

1.5 We are also proposing to introduce a range of rules and guidance in relation to the design, setting and marking of assessments in GCSE food preparation and nutrition.

1.6 In order to do this, we are proposing to introduce a Condition that sets out the requirements in relation to the percentage of the qualification that should be assessed by examination and the percentage that should be assessed through non-examination assessment. The Condition also allows us to publish rules and guidance relating to assessment, and requires exam boards to comply with the rules and have regard to the guidance that we publish.

Condition	Assessment
GCSE(Food Preparation and Nutrition)2	
GCSE(Food Preparation and Nutrition)2.1	Condition GCSE4.1 does not apply to any GCSE Qualification in Food Preparation and Nutrition which an awarding organisation makes available or proposes to make available.
GCSE(Food Preparation and Nutrition)2.2	In respect of the total marks available for a GCSE Qualification in Food Preparation and Nutrition which it makes available, an awarding organisation must ensure that – (a) 50 per cent of those marks are made available through Assessments by Examination, and (b) 50 per cent of those marks are made available through assessments set by the awarding organisation that are not Assessments by Examination.
GCSE(Food Preparation and Nutrition)2.3	An awarding organisation must ensure that in respect of each assessment for a GCSE Qualification in Food Preparation and Nutrition which it makes available which is not an Assessment by Examination it complies with any requirements, and has regard to any guidance, which may be published by Ofqual and revised from time to time.

1.7 In June 2013, we published the outcome of our *Review of Controlled Assessment in GCSEs*.⁴ In that document, we set out the principles that we would use for reformed GCSEs to determine where we should use alternative assessment for elements that cannot be assessed by written exams. Of particular relevance to this consultation are the following:

- Non-exam assessment arrangements, including the weighting assigned to any non-exam assessment, should be designed to fit the requirements of the subject.

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http://webarchive.nationalarchives.gov.uk/20141110161323/http://ofqual.gov.uk/ofdoc_categories/regulations-and-guidance/gcse-a-to-g/gcse-controlled-assessment-regulations-gcse-a-to-g/

- Controls should be used to ensure that we can be confident that what is assessed is what was intended to be assessed.
- Where non-exam assessment contributes to the overall grade, we will require exam boards to put in place robust arrangements to make sure that the marks are valid and reliable.

1.8 For GCSE food preparation and nutrition, there are two areas of the subject content that cannot be assessed by written exams: the preparation of food, and the investigation of the principles underlying the preparation and cooking of food. We are proposing that these two areas should be assessed separately, using the following approach:

- The non-examination assessment must be set by the exam board and include separate assessments of students' knowledge, skills and understanding of the planning, preparation, cooking and presentation of food (35 per cent of the total marks) and of the principles underlying the preparation and cooking of food (15 per cent).
- Students will plan a menu of three dishes, then prepare, cook and present it in a 4 hour period. This task will be released after 1st January in the year that students take their exams.
- Students will also investigate and evaluate the working characteristics, functional and chemical properties of ingredients to achieve a particular result related to the preparation and cooking of food. This task will take place during the academic year in which students take their exams.
- Students' work will need to be evidenced (including the use of photographs), and exam boards will need to have appropriate safeguards in place to ensure that the work is the students' own.

1.9 We are also proposing to set requirements around the marking of students' work for GCSE food preparation and nutrition.

1.10 Non-examination assessment may be marked either by the exam board (external marking), or by teachers within their own schools (internal marking).

1.11 External marking allows for an independent assessment of students' work, and usually makes it easier for exam boards to ensure that markers are taking a fair and consistent approach – but it can be difficult, burdensome and costly to deliver. In GCSE food preparation and nutrition, the nature of the non-exam assessment tasks, and the short life of the product produced by the student, makes it difficult for exam boards to mark all students' work. We are therefore

allowing exam boards either to mark the assessments themselves or to moderate schools' internal marking.

- 1.12 We are, however, proposing to require exam boards to explain their approach to marking (and moderation where appropriate) in their assessment strategies, and how they are managing any particular risks associated with that approach.
- 1.13 We set out our proposed assessment requirements below.

Requirements in relation to assessments for GCSE Qualifications in Food Preparation and Nutrition

Condition GCSE(Food Preparation and Nutrition)2.3 allows us to specify requirements and guidance in relation to assessments for GCSE Qualifications in Food Preparation and Nutrition.

We set out our requirements for the purposes of Condition GCSE(Food Preparation and Nutrition)2.3 below.

Forms of non-examination assessment

The subject content for GCSE Qualifications (graded 9 to 1) in Food Preparation and Nutrition is set out in the document published by the Secretary of State entitled *Food preparation and nutrition GCSE subject content*, document reference DFE-00040-2015 (the 'Content Document').

Condition GCSE(Food Preparation and Nutrition)2.2(b) states that an awarding organisation must ensure that of the total marks available for a GCSE Qualification in Food Preparation and Nutrition, 50 per cent of those marks shall be made available through assessments set by the awarding organisation which are not Assessments by Examination.

In respect of that 50 per cent, an awarding organisation must ensure that –

- (a) 15 per cent of the total marks available for the qualification are made available through tasks which assess a Learner's knowledge, skills and understanding in relation to the principles underlying the preparation and cooking of food specified in paragraph 6, section C, of the Content Document (the 'Food Investigation Assessment'), and
- (b) 35 per cent of the total marks available for the qualification are made available through tasks which assess a Learner's knowledge, skills and understanding in relation to the planning, preparation, cooking and presentation of food as specified in paragraph 7 of the Content Document (the 'Food Preparation Assessment').

The Food Investigation Assessment

An awarding organisation must ensure that each Food Investigation Assessment comprises a single task, designed and set to –

- (c) require each Learner to –
 - (i) through practical experimentation, investigate and evaluate the working characteristics, functional and chemical properties of ingredients, as outlined in the fourth bullet point of paragraph 6, section C, of the Content Document, and

- (ii) use the findings of that investigation to achieve a particular result with respect to the preparation and cooking of food,
- (d) ensure that the only evidence which will be admissible in the assessment is –
 - (i) a report produced by the Learner which explains the findings of the Learner’s investigation and how these have been applied to achieve the relevant result, and
 - (ii) photographs and/or visual recordings which support the investigation,
- (e) be taken by each Learner in the academic year in which that Learner expects to be awarded the qualification, and
- (f) be taken under conditions specified by the awarding organisation, including, in particular, conditions which ensure that the evidence generated by each Learner can be Authenticated.

An awarding organisation must ensure that the total marks available for a Food Investigation Assessment are comprised as follows –

- (a) 10 per cent through marks available in respect of assessment objective AO2, and
- (b) 5 per cent through marks available in respect of assessment objective AO4.

An awarding organisation must not communicate the task that it has set for the Food Investigation Assessment to Centres before 1 September in the academic year in which the qualification is to be awarded.

The Food Preparation Assessment

An awarding organisation must ensure that each Food Preparation Assessment comprises a single task, designed and set to –

- (a) require each Learner to –
 - (i) prepare, cook and present a menu of three dishes within a single period of no more than 4 hours,
 - (ii) plan in advance how this will be achieved, and
 - (iii) produce evidence which –
 - i. includes photographs and/or visual recordings which demonstrate the Learner’s application of technical skills and the final outcome(s), and
 - ii. explains how the Learner has designed, executed and evaluated the preparation, cooking and presentation of the three dishes,
- (b) be taken by each Learner in the academic year in which that Learner expects to be awarded the qualification, and
- (c) be taken under conditions specified by the awarding organisation, including, in particular, conditions which ensure that the evidence generated by each Learner can be Authenticated.

An awarding organisation must ensure that the total marks available for a Food Preparation Assessment are comprised as follows –

- (a) 30 per cent through marks available in respect of assessment objective AO3 (the Food Preparation Assessment will therefore assess assessment objective AO3 in its entirety), and
- (b) 5 per cent through marks available in respect of assessment objective AO4.

An awarding organisation must not communicate the task that it has set for the Food Preparation Assessment to Centres before 1 January in the academic year in which the qualification is to be awarded.

Marking of assessments

Evidence generated by a Learner in an assessment for a GCSE Qualification in Food Preparation and Nutrition which is not an Assessment by Examination may be marked –

- (a) by the awarding organisation or a person connected to the awarding organisation,
- (b) by a Centre, or
- (c) through a combination of (a) and (b).

In any event, the awarding organisation must demonstrate to Ofqual's satisfaction in its assessment strategy that –

- (a) it has taken all reasonable steps to identify the risk of any Adverse Effect which may result from its approach to marking the assessments (and to Moderation where appropriate), and
- (b) where such a risk is identified, it has taken all reasonable steps to prevent that Adverse Effect or, where it cannot be prevented, to mitigate that Adverse Effect.

1.14 We are also proposing to introduce the following guidance to support our requirements for the Food Investigation Assessment. This clarifies our expectation that the report that students will produce for this assessment should be between 1,500 and 2,000 words.

Guidance in relation to assessments for GCSE Qualifications in Food Preparation and Nutrition

Condition GCSE(Food Preparation and Nutrition)2.3 allows us to specify requirements and guidance in relation to assessments for GCSE Qualifications in Food Preparation and Nutrition.

We set out our guidance for the purposes of Condition GCSE(Food Preparation and Nutrition)2.3 below.

Guidance on the Food Investigation Assessment

We have set out our requirements for the purposes of Condition GCSE(Food Preparation and Nutrition)2.3 in *GCSE Subject Level Conditions and Requirements for Food Preparation and Nutrition*.

These include a requirement for an awarding organisation to ensure that –

15 per cent of the total marks available for the qualification are made available through tasks which assess a Learner's knowledge, skills and understanding in relation to the principles underlying the preparation and cooking of food specified in paragraph 6, section C, of the Content Document (the 'Food Investigation Assessment')

and a requirement that the evidence produced by the Learner for that task includes –

a report produced by the Learner which explains the findings of the Learner's investigation and how these have been applied to achieve the relevant result

We would expect the total length of such reports to be between 1,500 and 2,000 words.

Although we will expect an awarding organisation to set an indicative word limit within these parameters, we would not expect a Learner to be penalised solely on the basis that the length of his or her extended response(s) differed from that indicative word limit.

Assessment objectives

1.15 We have previously consulted on and announced our decisions on assessment objectives for new GCSEs in food preparation and nutrition.

1.16 We are proposing to make a minor change to the wording of three of the assessment objectives, replacing “food, cooking and nutrition” with “nutrition,

food, cooking and preparation”. This is to align with the wording used in the subject content requirements.

1.17 We set out our proposed revised assessment objectives in full in the table below.

	Objective	Weighting
AO1	Demonstrate knowledge and understanding of nutrition, food, cooking and preparation.	20%
AO2	Apply knowledge and understanding of nutrition, food, cooking and preparation.	30%
AO3	Plan, prepare, cook and present dishes, combining appropriate techniques.	30%
AO4	Analyse and evaluate different aspects of nutrition, food, cooking and preparation, including food made by themselves and others.	20%

Guidance on assessment objectives

1.18 The draft guidance on assessment objectives explains how we expect exam boards 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.

1.19 In line with the obligations set out in draft Condition GCSE(Food Preparation and Nutrition)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.

1.20 The subject content for GCSE food preparation and nutrition includes a significant amount of knowledge that students must be able to recall. We think this means that assessments could be designed in a way that focuses too much on assessing superficial subject knowledge, rather than on deeper understanding of ideas and concepts. In turn, this could lead to actual, or perceived, differences in demand across different specifications.

1.21 We have considered two approaches to address this issue:

- limiting the proportion of total marks available for questions/tasks that focus solely on rewarding recall of facts and other knowledge; and
- limiting the proportion of total marks that are used to reward recall of facts and other knowledge.

1.22 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 count towards the specified limit.

1.23 Where these approaches differ is in their treatment of questions that 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.

1.24 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.

1.25 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 these assessments in the same way.

- 1.26 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.
- 1.27 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 proposed options.
- 1.28 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 15 per cent of total marks would be sufficient to allow exam boards to sample the full range of knowledge requirements in the subject content effectively.
- 1.29 The draft guidance on assessment objectives is set out below.

AO1: Demonstrate knowledge and understanding of nutrition, food, cooking and preparation.			20%
Strands	Elements	Coverage	Interpretations and definitions
n/a	<p>1a – Demonstrate knowledge of nutrition, food, cooking and preparation.</p> <p>1b – Demonstrate understanding of nutrition, food, cooking and preparation.</p>	<ul style="list-style-type: none"> ■ Full coverage in each set of assessments⁵ (but not in every assessment). ■ No more than 10% of the total marks for the qualification should reward demonstrating knowledge in isolation.⁶ ■ A reasonable balance between nutrition, food, cooking and preparation in each set of assessments (but not in every assessment). 	<ul style="list-style-type: none"> ■ Individual questions/tasks do not need to address nutrition, food, cooking and preparation in combination. Awarding organisations should justify their approach to targeting nutrition, food, cooking and preparation in their assessment strategies.

⁵ 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 Food Preparation and Nutrition. For clarity, the assessments taken by Learners may vary, depending on any possible routes through the qualification.

⁶ 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: Apply knowledge and understanding of nutrition, food, cooking and preparation.			30%
Strands	Elements	Coverage	Interpretations and definitions
n/a	This AO is a single element.	<ul style="list-style-type: none"> ■ Full coverage in each set of assessments (but not in every assessment). ■ A reasonable balance between nutrition, food, cooking and preparation in each set of assessments (but not in every assessment). 	<ul style="list-style-type: none"> ■ Application could relate to practical and/or theoretical contexts. ■ Individual questions/tasks do not need to address nutrition, food, cooking and preparation in combination. Awarding organisations should justify their approach to targeting nutrition, food, cooking and preparation in their assessment strategies.

AO3: Plan, prepare, cook and present dishes, combining appropriate techniques.			30%
Strands	Elements	Coverage	Interpretations and definitions
n/a	<p>1a – Plan dishes combining appropriate techniques.</p> <p>1b – Prepare, cook and present dishes, combining appropriate techniques.</p>	<ul style="list-style-type: none"> ■ Full coverage in each set of assessments (but not in every assessment). ■ No more than 25% of the marks for AO3 for element 1a. 	<ul style="list-style-type: none"> ■ Plan means deciding how to prepare, cook and present dishes, including managing time effectively, selecting appropriate techniques to use, and devising a process of one or more steps (including their order and timings) to deliver the dishes. ■ Appropriate refers to the selection and use of techniques in each phase (plan, prepare, cook and present) to achieve the intended outcome. ■ Techniques means the skill groups and techniques listed in paragraph 7 of the Content Document.⁷Awarding organisations should justify their approach to coverage of techniques in their assessment strategies.

⁷ www.gov.uk/government/publications/gcse-food-preparation-and-nutrition

AO4: Analyse and evaluate different aspects of nutrition, food, cooking and preparation, including food made by themselves and others.			20%
Strands	Elements	Coverage	Interpretations and definitions
n/a	<p>1a – Analyse different aspects of nutrition, food, cooking and preparation, including food made by themselves and others.</p> <p>1b – Evaluate different aspects of nutrition, food, cooking and preparation, including food made by themselves and others.</p>	<ul style="list-style-type: none"> ■ Full coverage in each set of assessments (but not in every assessment). ■ At least 40% of the marks for AO4 for each of elements 1a and 1b. 	<ul style="list-style-type: none"> ■ Analyse includes: <ul style="list-style-type: none"> □ interpreting data/information; □ identification of component parts, ingredients and/or commodities, and processes; and □ making links between findings and potential development, for example, to suit the needs of a target group. ■ Evaluate includes: <ul style="list-style-type: none"> □ using findings to justify and make informed decisions; and □ reviewing work completed, reflecting on outcomes and suggesting possible improvements and/or alternatives. ■ Element 1a includes sensory and nutritional analysis. ■ Individual questions/tasks do not need to address nutrition, food, cooking and preparation in combination. Awarding organisations should justify their approach to targeting nutrition, food, cooking and preparation in their assessment strategies. ■ Individual questions/tasks do not need to address both food made by themselves and food made by others. Awarding organisations should justify their approach to

AO4: Analyse and evaluate different aspects of nutrition, food, cooking and preparation, including food made by themselves and others.			<i>20%</i>
Strands	Elements	Coverage	Interpretations and definitions
			targeting food made by themselves and food made by others in their assessment strategies.

2. Equality impact analysis

Ofqual's role, objectives and duties

- 2.1 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 qualifications

- 2.2 We have considered the potential impact on students who share protected characteristics⁸ of the application of the principles and features that will apply to all new GCSE qualifications. Our equality impact analyses for our earlier consultation on GCSE reform⁹ is therefore of interest and we encourage you to read it.
- 2.3 Any issues concerning the proposed content have been considered by the Department for Education, who have published their own equalities impact analysis on their subject content proposals.¹⁰
- 2.4 We have also previously considered the potential impact on students who share protected characteristics of the policy proposals we are implementing for GCSE food preparation and nutrition.¹¹
- 2.5 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.
- 2.6 We have not identified any additional negative impacts on students who share protected characteristics that would result from our proposed approach to implementing assessment arrangements in GCSE food preparation and nutrition (beyond those that we have already identified in our earlier reports).

⁸ 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 and gender reassignment.

⁹ <http://webarchive.nationalarchives.gov.uk/20141110161323/http://comment.ofqual.gov.uk/gcse-reform-june-2013/category/8-equality-impact-analysis/>

¹⁰ www.gov.uk/government/publications/gcse-and-a-level-subject-content-equality-analysis-3-subjects

¹¹ <https://www.gov.uk/government/consultations/gcses-as-and-a-levels-new-subjects-to-be-taught-in-2016>

- 2.7 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.
- 2.8 Exam boards 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 food preparation and nutrition GCSEs?

Yes No

If yes, please provide them here:

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Question 2

Do you have any comments on our draft requirements and guidance for assessments in new food preparation and nutrition GCSEs?

Yes No

If yes, please provide them here:

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Question 3

Do you have any comments on our proposed change to the assessment objectives for new food preparation and nutrition GCSEs?

Yes No

If yes, please provide them here:

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Question 4

Do you have any comments on our proposed approach to limiting the amount of recall rewarded by new food preparation and nutrition GCSEs?

Yes No

If yes, please provide them here:

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Question 5

Do you have any comments on the draft guidance on assessment objectives for new food preparation and nutrition GCSEs?

Yes No

If yes, please provide them here:

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Question 6

We have not identified any ways in which the proposed requirements for new food preparation and nutrition GCSEs would impact (positively or negatively) on persons who share a protected characteristic.¹² Are there any potential impacts we have not identified?

Yes No

If yes, please provide them here:

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¹² '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 7

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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Question 8

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

Yes No

If yes, please provide them here:

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Appendix A: Regulatory tools

Comparability and innovation

Exam boards 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 and colleges, which is one of the benefits of a qualifications market. Exam boards must, however, make sure that the levels of attainment indicated by their qualifications are comparable to those of other exam boards' versions of the qualifications. The exam boards cooperate in a range of ways to make sure that the standards of their respective qualifications are comparable. To make sure that standards are maintained and comparability is secured, we review GCSEs before they can be made available, by applying an accreditation requirement to the qualifications, and we oversee the awarding of GCSEs.

We do not wish to close down opportunities for exam boards 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 exam boards to distinguish their qualifications from others and stop choice for schools or colleges. On the other hand, if exam boards 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 exam boards 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*¹³ that apply to all regulated qualifications;

¹³ www.gov.uk/government/publications/general-conditions-of-recognition

- (ii) *GCSE (9 to 1) Qualification Level Conditions and Requirements*¹⁴ 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 food preparation and nutrition.

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 consulting now on one draft regulatory document – the assessment requirements for GCSE food preparation and nutrition.

These requirements will have effect as if they were part of a Condition. They will comprise a stand-alone section of the Conditions document because they are technical and detailed, so sit better as separate to, rather than within, the Condition itself.

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 food preparation and nutrition GCSEs.

¹⁴ www.gov.uk/government/publications/gcse-9-to-1-qualification-level-conditions

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.¹⁵ 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; and
- (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 GCSEs, AS and A levels 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.

¹⁵ 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; and
- (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 that 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 GCSEs, AS and A levels, 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; and
- 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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