

Consultation on marking reviews, appeals, grade boundaries and Code of Practice

Regulatory Impact Assessment



December 2015

Ofqual/15/5805

Contents

Introduction and summary	3
Options for revising reviews of marking	13
Key assumptions	13
Option 1 – Business as usual	13
Option 2 – Review plus tolerance	14
Option 3 – Clean re-mark model	16
Option 4 – Double clean marking plus resolution	17
Initial conclusions – Options 1 to 4.....	18
Option 5 – Enhancements to the current process – preferred option	18
Other changes	21

2. Introduction and summary

A range of post-results services are currently available to schools which have concerns about the marks awarded to their students. These services include a clerical check¹, a review of marking and access to scripts for some qualifications. If, following a review of marking, schools are concerned about whether procedures have been properly followed by the exam board, they can also consider appealing.

Exam boards tell us they work hard to ensure that marking is consistent; however some questions legitimately allow different markers, exercising their professional judgement, to give slightly different marks for the same answer. This does not mean that either mark is wrong, as both could represent a reasonable application of the mark scheme.

Our research found evidence that in the current system sometimes exam boards are changing marks that could have been reasonably awarded, making the process unfair for those who did not request a review of marking.

We are proposing new rules which exam boards must follow when reviewing marks and offering other post-results services.

The objectives of our proposals are to:

- make the review and appeal arrangements more transparent;
- promote a fairer approach including to students who do not request a review of their marking;
- allow schools that remain concerned about a mark, after the review process is complete, to appeal to the exam board on grounds that the mark could not reasonably have been given as well as on the grounds of a procedural failing;
- give exam boards more freedom to manage their GCSE, AS and A level arrangements so they are able to operate more efficiently and respond to the needs of schools and students.

The qualifications which are affected by these proposals are legacy and future GCSEs, AS and A levels.

This document considers the potential impacts of these new rules on exam boards, schools and students. We start in this section by presenting a summary of the options we first considered

¹ Clerical checks involve exam boards checking that all the pages have been marked, and the scores have been correctly added and recorded. In the future these will be known as administrative checks.

for a new process for reviews of marking, our preferred option for reviews of marking, then the impact of changes we are proposing to other post-results services. Details of the methodology and assumptions used can be found in the remainder of the document.

Table 1, below, sets out a summary of the estimated costs of the four options that were initially considered. We asked exam boards for information on their costs, and conducted our own research into the impact of each approach on students' final marks.

Table 1: summary of estimated costs for reviewing and re-marking models Option and brief description	One-off transition costs	Additional variable (per script) costs	Total costs to the system²
<p>Option 1 – Business as usual. Examiners review the marked script, seeing any marker annotations and the original mark. Although only marks that could not reasonably have been given should be changed, our research indicates that both marks that could reasonably have been given are sometimes changed as well as those that could not reasonably have been given.</p>			<p>The costs that we have estimated total around £7 million, although this does not include overheads and investments already made by exam boards.</p>
<p>Option 2 – Review plus tolerance. Numerical marking tolerances applied to the review of marking. If the review mark is within tolerance of the original mark then the original mark stands.</p>	<p>Between £520,000 and £720,000 would be required to be invested in changing IT systems and equipment to remove annotations from traditionally marked scripts.</p>	<p>Scripts where the review is not within tolerance would be escalated and re-marked. Some of these scripts will need to have annotations removed.</p>	<p>This option would add around £1 million to the system, of which around £600,000 comes from one off costs and £400,000 is a result of increased annual costs. Taken together with the business as usual costs the total is around £8 million.</p>

² Costs described will be incurred exam boards in the first instance. As exam boards are able to charge for these services it seems likely that some or all of these costs would be passed to those purchasing a review of marking or a re-mark. Therefore these costs are described as being to the system.

<p>Otherwise, a further clean script review takes place. .</p>			
<p>Option 3 – Clean re-mark model. The annotations on the script are removed, and a clean script is marked by an examiner. The new mark stands.</p>	<p>The additional fixed costs are the same as option 2, between £520,000 and £720,000, as IT systems would need a similar level of investment, and exam boards would have to invest in more equipment to remove annotations</p>	<p>The additional variable cost, compared with option 1, business as usual, is that of removing annotations from all scripts. We have assumed that markers would be paid the same per script rate as currently.</p>	<p>This option would add around £1 million to the system, costing around £8 million in total.</p>
<p>Option 4 – Double clean re-mark plus resolution. Annotations are removed from the script, then two examiners independently mark the clean script. Where the examiners disagree on the mark to be awarded the mark is resolved via telephone or face-to-face. Examiners record the conclusion.</p>	<p>The additional investment required to IT systems is likely to be considerably larger than options 1,2 and 3. In particular, IT systems would have to be able to assign four marks (the original, the two marks given independently on review and the final agreed mark) to the script and a summary of the resolution discussion. Additionally exam boards would still be required to invest in equipment to remove annotations. It is estimated this would cost between £760,000 and £1.08 million across the four exam boards.</p>	<p>As well as the cost of removing the annotations each script would have to be marked twice. Additionally considerable cost would be added as examiners would have to spend time discussing and agreeing the marks for a proportion of students.</p>	<p>Our central estimate suggests that this option could cost in the region of £12.6 million, around £5.6 million more than the current system. There is a risk that costs could be significantly higher because, as a large number of additional markers would be required, it is possible that exam boards would have to pay a higher rate to attract more markers. If so costs could increase by around £10 million.</p>

The next summary table considers our preferred option for reviewing marks, which involves a number of changes which will have impacts on schools as well as exam boards. Not included within the table are the impacts of being explicit that examiners must not change marks that could reasonably have been given. This may change the number of enquiries exam boards receive but will not add significant extra costs.

Table 2: summary of estimated impacts of option 5

Enhancement	Change compared to the status quo	Impact on exam boards ³	Impact on schools and students
Exam boards make sure reviews of marking are undertaken by markers who have been specifically trained and prepared to undertake the review of marking role.	We do not currently require exam boards to train examiners used in the reviewing process for their review role. Exam boards may provide such training although its focus is not prescribed, and might not highlight the difference between initial marking and review.	Exam boards will have to invest time creating training materials. It is anticipated the training would be given online. We have assumed that the course may take between an hour, and three hours. If there are 5,000 examiners undertaking reviews who are paid £20 per hour this would cost between £100,000 and £300,000.	Improved training will lead to increased confidence in the final result received.
Exam boards should make sure marking reviewers do not review their own marking, including moderation (and where applicable the review of administrative errors).	The current set of rules state that this should be avoided where possible, but this change will represent a stronger requirement.	Exam boards may need to improve systems to track the allocation of markers for reviewing items/scripts. They may also need to hire additional markers, although it is likely that any impact will be small.	Schools and students can be assured that a different marker will review their script, improving confidence in the final result they receive.
Exam boards should monitor whether the examiners who are undertaking marking reviews are acting consistently and are	There is currently no such requirement.	Depending on how exam boards implement this it could lead to costs. They may choose to implement a similar approach to	Students and schools may have increased confidence in the result they receive following the review of marking.

³ As above where these impacts are costs, some or all of the costs may be passed on to those who purchase the review

<p>changing marks when an error has been made but are not substituting one legitimate mark for another.</p>		<p>that used for original marking, whereby examiners' marking is monitored by comparing, at regular intervals, their marks on 'seed' items/scripts with definitive marks for the scripts. This would be more costly to do as examiners who carry out reviews of marking are paid more than those who mark scripts in the main marking period.</p>	
<p>Where the review of marking found the original mark could have been reasonably given, exam boards should explain the reasons for that conclusion to the school/candidate; Where it was found the original mark could not have been reasonably given, exam boards must explain the reasons for that conclusion to the school/candidate, change the mark, change the grade where appropriate and issue the correct result.</p>	<p>There is currently no such requirement. Schools and students generally receive only their new score, following the review.</p>	<p>This would have costs to exam boards. They are likely to need to invest in their systems so that examiners can record comments. They may wish to have a quality assurance process to monitor and assess whether the comments provided by the examiners are appropriate to return to the school and student.</p>	<p>This would benefit schools and students as they could better understand how the mark scheme has been applied. It can also give increased confidence in marking through increased transparency.</p>

As well as improving the rules around reviews of marking we are making a number of other proposals to other post-results services. The table below sets out the proposals which will have more significant impacts on exam boards, schools or students.

Table 3: Summary of impacts of other significant change

Proposal	Status quo	Impact on exam boards	Impacts on schools and students
<p>Exam boards make available marked assessments scripts for GCSE as well as AS and A levels before any deadline by which requests for review of marking must be made. As currently exam boards will be allowed to charge for this service.</p>	<p>Currently scripts are only available for AS and A levels prior to the deadline for requesting a review of marking. Exam boards charge between £10.80 and £12.85 for this service.</p>	<p>Exam boards may have a larger number of requests for scripts, which may mean changing their systems. They will be able to cover these costs through charging. By providing access to scripts it may change the number and distribution of requests for reviews of marking they receive.</p>	<p>Schools and students can have increased confidence of the quality of marking of their script through increased transparency. It should improve the efficiency of the system as schools and students could decide only to ask (and pay for) for a review of marking where they believe there is a genuine error, rather than acting speculatively. Teachers may spend more time looking at returned scripts.</p>
<p>Allow exam boards to decide whether or not to accept requests and other post-results services for reviews of marking directly from students (external candidates will continue to be able to make such requests directly).</p>	<p>Under the current system requests must be received via the school (with the exception of external candidates). Exam boards do not have discretion to accept such requests directly from school-based students.</p>	<p>The removal of this restriction allows exam boards to develop their business models in a way they choose. Investment will be required in invoicing systems, but exam boards will be able to recoup costs via the fee they charge, so are likely only to offer this opportunity where it adds value to their business.</p>	<p>Students may be able to ask for a review of marking where otherwise they might not have been allowed by their school, if exam boards decide to allow this. However, they may be less aware of their chances of the review leading to a change in grade, so may make decisions which do not represent good value for money.</p>

<p>Review of marking of centre-marked assessments</p>	<p>Currently students do not always know the marks they have been given by their teacher or that they can request a review of those marks. Our proposals will require exam boards to make sure schools tell students their marks for internal assessment as well as communicate that they have process in place to allow for a review.</p>	<p>Exam boards will have to adapt the agreements they have with schools.</p>	<p>Students will be more aware of whether they can and should ask for a review, which may mean that teachers may be asked to spend more time reviewing the marking of others. For subjects in which a school has only one teacher the school will have to make special arrangements to secure an objective review. Students will benefit as they will have the opportunity to ask for a review of their assessment regardless of whether it is marked by their school, or by the exam board.</p>
<p>Exam boards set and publish reasonable deadlines by which schools and colleges must request the return of a script, notify the exam board of an apparent administrative error, request a review of marking, or an appeal.</p>	<p>Exam boards are currently required to operate within specific deadlines set out in the Code of Practice.</p>	<p>This represents a removal of regulation for exam boards, although they will still be expected to act reasonably. Exam boards will be free to set their own deadlines. This provides an opportunity to reduce costs, or set a deadline which most fits with schools' and students' needs.</p>	<p>There may be some confusion for schools if exam boards set different deadlines, potentially making administration more difficult. If it leads to either longer deadlines or cheaper services for schools and students then this could have benefits. However, exam boards may work together to choose an agreed timetable.</p>

<p>Exam boards publish key metrics for their post-results services in a form that we may prescribe.</p>	<p>We currently publishes some metrics, based on data provided by the exam boards, however this requirement extends the metrics which must be published and places the requirement on exam boards.</p>	<p>Exam boards may have little additional costs as they already collect the data. However, the requirements to publish information about the reasons for decisions could add to their costs.</p>	<p>Schools and students will still be able to access additional data about exam boards' performance against key metrics.</p>
<p>Changes to the appeals process. Appeals will also be allowed on the grounds that a mark did not represent a reasonable application of professional judgement as well as on procedural grounds.</p>	<p>Currently appeals are restricted to procedural matters.</p>	<p>Exam boards might receive higher numbers of appeals which will increase their costs. They will, however, be able to charge a fee for appeals which will offset or cover their costs.</p>	<p>Schools and students will have a clear idea of what the appeals process is for and their likely chances of success.</p>

3. Options for revising reviews of marking

We initially considered three options to improve the current arrangements for the review of marking, collecting information from exam boards on costs, as well as conducting our own study into the number of mark changes and the proximity of the reviewed mark to the true score.⁴ We have published the report of our study⁵.

The cost information provided here should be used with some caution. It can be difficult to cost accurately potential changes to the system. The data we have used are based on the exam boards' estimations of costs. Where assumptions are made we have conducted sensitivity analysis so that we can be sure that if costs were significantly higher than initially estimated then the same policy decision would be taken.

Key assumptions

A number of key assumptions have been made in this paper in order to conduct a meaningful analysis of the options.

1. There will be no change in the number of service 2 requests, either due to continued trend, a change in Enquiries About Results (EAR) process or a change in the number of candidates sitting GCSEs, AS or A levels.
2. The cost of marking scripts is largely driven by the length of time candidates have to complete the exam – the more time they have, the more material they will produce. Differences across exam boards and subjects have not been included in this model. We have used an average of marking costs based across 2 units at GCSE and 3 units at AS and A level.
3. The fee paid to examiners remains constant.

Option 1 – Business as usual

In order to understand the impacts of our policy options we first considered the cost to exam boards of continuing to run the current system. We used information provided to us by exam boards on the likely variable costs of each review of marking request (including information on how much it costs an exam board to review a script). In practice there are further fixed costs (such as maintenance of IT systems for reviewing scripts) which must be paid for and corporate overheads which fees for post-result services contribute to. These

⁴ In Classical Test theory, a true score is the notional score of a candidate were there no random error in the measurement. The true score is defined as the mean score of an infinite number of observed scores (i.e. marks) from independent administrations of the test. The best approximation to a true score from one particular administration of a test can be obtained from taking the mean from multiple independent measurements of the work. In the research study, we were able to derive a 'true score' for each script because each script was marked multiple times in Model 3 by independent examiners. We could then compare all script marks with the true score for each script.

⁵ <https://www.gov.uk/government/publications/alternative-marking-review-processes-for-exams>

kinds of costs are complex to estimate, and are not relevant for this kind of analysis, as they will remain unchanged regardless of the option, so have not been included within the baseline.

Based on the evidence from exam boards the estimated total costs of the current system (excluding fixed costs and contribution to overheads) is around £7 million annually, across all exam boards. Exam boards charge a fee to those who ask for their script to be reviewed. Where a grade is changed as a result the exam board refund the fee.

Option 2 – Review plus tolerance

In this option exam boards apply numerical marking tolerances to their reviews of marking, which would be conducted with full sight of the original examiner's marks and annotations. If the review mark was within tolerance of the original mark, the original mark would stand. However, in the version of the model considered here, if the review mark was out of tolerance of the original mark, a clean script re-mark would be undertaken. Whichever of the first two marks (the original mark and the review mark) was closest to the mark produced by the clean script re-mark would then stand.

Additional direct fixed costs

Exam boards would incur costs to change their IT systems to allow for those reviews which are deemed to be out of tolerance to be identified and escalated for re-mark. These costs are estimated between £70,000 and £100,000 for each exam board (£280,000 to £400,000 to the system).

In one version of this model, escalated scripts would receive a clean script re-mark. Some scripts are still marked traditionally (that is, on the original paper) and would require the removal of annotations prior to being re-marked. There is an additional ongoing cost to this (for each paper) and exam boards would also need to invest in their systems to enable a clean script re-mark. It has been estimated that the fixed costs of this are between £60,000 and £80,000 per exam board (£240,000 to £320,000 to the system in total).⁶

The total increase in one-off, fixed costs of changing the systems to escalate those out of tolerance and cleaning scripts gives a total range of £520,000 to £720,000. Later these costs are apportioned between GCSE and A level reviews of marking, based on the volume of EAR service 2 requests received in 2014.

Variable costs

As with the current arrangements exam boards would have to undertake a review of the script and incur the same base administration costs.

⁶ We have assumed that the amount of additional equipment that will need to be bought to remove annotations will be the same regardless of whether it is just those which are escalated or all scripts. In reality this figure may be lower.

There would be additional variable cost of introducing an escalation process for those scripts which are out of tolerance. The script would need to be re-marked by another examiner. The additional cost of re-marking each script is assumed to be the same as the initial cost of the review of marking. There would be additional administrative costs for each script too, based on the per script administrative costs in the business as usual scenario; this was estimated at an additional £2 per script which is escalated.

For traditionally marked scripts which are escalated annotations would need to be removed. This can take considerable time as the script is photocopied and comments are manually removed. It has been estimated that it could cost around £10 per script to identify the script and remove the annotations. This estimate is probably at the high end, but has little impact on the final numbers as the number of scripts which would have annotations removed is relatively small, because most are now marked online. The number of scripts which would need to be cleaned in this way is dependent on the proportion of scripts which are escalated, and the proportion of these scripts which are currently traditionally marked. Using information we have gained from the exam boards about their plans to introduce on-screen marking it is expected that only around six per cent of scripts would be marked traditionally by 2017.

Based on information provided by the exam boards we have assumed that between 8 per cent and 15 per cent of scripts would be escalated for a clean re-mark.

Overall this gives a total cost of around £7.9 million, which equates to an additional cost of around £1 million compared with the current arrangements. This breaks down into a one-off transition cost averaging around £620,000 and an additional annual cost of around £400,000. We have shown these costs as the central scenario, in table 4 below. This would add around £2 to the cost of each enquiry, as set out in table 5. Tables 4 and 5 show the likely range of costs driven by the range of fixed costs and the range of out of tolerance escalations set out above.

Table 4 Total estimated cost of introduction of an enhanced review of marking in the first year

	Low cost scenario	Central scenario	High cost scenario
GCSE	£ 5,100,000	£ 5,200,000	£ 5,300,000
A level	£ 2,700,000	£ 2,700,000	£ 2,700,000
Total cost	£ 7,800,000	£ 7,900,000	£ 8,000,000

Table 5 Additional estimated cost for each script compared to option 1 (Business as usual) in the first year

	Low cost scenario	Central scenario	High cost scenario
GCSE	£ 1.80	£ 2.03	£ 2.25
A level	£ 1.91	£ 2.14	£ 2.36

Option 3 – Clean re-mark model

Under this option all scripts would be re-marked using a clean copy (with the mark and marker annotations removed), the results of which would be taken as the new mark.

Additional direct fixed costs

The additional fixed costs of option 3 are the same as option 2. These are the general costs of changing the IT systems, and so on, as well as the costs of buying more equipment to remove annotations in traditionally marked scripts. Therefore additional fixed costs are estimated to be the same as in option 2 which is a range of £520,000 to £720,000, as a one-off cost.

Variable costs

Because all scripts would be marked without visible annotations, adopting this option would mean that, as with option 2, all traditionally marked scripts would need to be cleaned. As with option 2 it is anticipated that only around six per cent of scripts would be marked traditionally by 2017. Like option 2 we have estimated that it would cost an additional £10 per script to manually remove all of the annotations from the manually marked scripts.

Feedback from the exam boards suggests that the actual cost of marking a clean script would be very similar to the cost of conducting a review of marking; that is, business as usual. It has been assumed that overall administrative costs would be the same.

In this option the score awarded through the clean re-mark would be that awarded to the student, regardless of its relation to the original mark.

The costs of this option are very similar to option 2, as the additional costs of removing annotations on all scripts are balanced by the savings of no longer having to escalate scripts where the review of marking is outside of tolerance. The cost of marking is estimated to be the same as examiners would receive the same pay for reviewing a paper or re-marking it. The total cost is estimated at £7.9 million, around £1 million more than current arrangements. This adds around £2 to the current costs.

Table 6 Total estimated cost of introduction of a clean script re-mark in the first year

	Low cost scenario	Central scenario	High cost scenario
GCSE	£ 5,100,000	£ 5,200,000	£ 5,300,000
A level	£ 2,600,000	£ 2,700,000	£ 2,700,000
Total cost	£ 7,800,000	£ 7,900,000	£ 8,000,000

Table 7 Additional estimated cost for each script compared to option1 (Business as usual) in the first year

	Low cost scenario	Central scenario	High cost scenario
GCSE	£ 1.82	£ 2.05	£ 2.27
A level	£ 1.71	£ 1.93	£ 2.16

Option 4 – Double clean marking plus resolution

In this option all scripts would receive two clean script re-marks. Where the mark allocated by the two examiners in this process differs the examiners would discuss and agree a final mark.

Additional fixed costs

As with options 2 and 3 there are the same fixed costs of buying extra equipment to remove annotations on traditionally marked papers (£240,000 to £320,000). The changes to IT systems would be more significant in this option as each paper could have up to four total marks allocated to it (the original mark, two clean re-marks and a resolved mark). This means that the costs of changing the systems would also be more significant. It could cost each exam board in the region of £130,000 to £190,000 to make these changes (£520,000 to £760,000 to the system). Together this amounts to between £760,000 and £1.08 million across four exam boards.

Variable costs

The clean script would then be marked by two examiners. This means that there would be double the time spent marking the script. Like option 3 there are variable costs in removing annotations from all traditionally marked scripts at a cost of around £10 per script. Again, as with earlier options, conversations with exam boards suggest that by 2017 only around six per cent of scripts would be marked traditionally.

Where the clean script marks do not agree the two examiners would discuss their respective marks and conclude a final mark. As part of our research we asked examiners how long these discussions took. It was estimated that it took a pair of examiners 60 minutes to resolve a set of 10 scripts (that is, six minutes per script, per examiner). This did not involve writing any comments down by either examiner. It is envisaged that one examiner would write a short conclusion of the discussion which the other examiner agreed. In the central case it is assumed that this would take in the region of two minutes for each examiner, making a total average time of eight minutes for each examiner. If an examiner gets paid the equivalent of £20 per hour this would equate to paying each examiner £2.67 per script, which would add an additional £5.33 to the cost of the re-mark. In the table below we have shown costs where each examiner spends eight minutes discussing and concluding a script, and a high costs scenario where it takes each examiner ten minutes to discuss and record the conclusion. It is likely that examiners would agree entirely on the marks of some scripts in which case there would be no need for a discussion. It has been assumed that examiners would need to have conversations in 80 per cent of cases.

Overall this gives a total cost to the system of around £12.6 million, costing around £5.6 million more than the current EAR service 2 arrangements, of which around £900,000 are one-off costs, and £4.7 million would be incurred annually. This could add around £12 to a review of a GCSE mark and £13.63 to a review of an A level mark.

Table 8 Total estimated cost of introduction of double blind re-mark in the first year

	Low cost scenario	Central scenario	High cost scenario
GCSE	£ 7,900,000	£ 8,300,000	£ 8,700,000
A level	£ 4,100,000	£ 4,300,000	£ 4,600,000
Total cost	£ 12,000,000	£ 12,600,000	£ 13,300,000

Table 9 Additional estimated cost for each script compared to option1 (Business as usual) in the first year

	Low cost scenario	Central scenario	High cost scenario
GCSE	£ 10.81	£ 12.23	£ 13.66
A level	£ 12.20	£ 13.63	£ 15.06

For all options we have assumed that the cost of hiring an examiner stayed the same. However, exam boards have told us they find it difficult to hire good quality examiners, and that some of the options considered would significantly increase the volume of work examiners would need to do. We conducted sensitivity analysis to understand what the cost to the system would be if exam boards had to pay examiners more to attract additional examiners. This analysis was particularly important for option 4 where the total workload would be more than doubled. Based on an increase in the rates paid to examiners of 60 per cent the additional cost of option 4, compared with the status quo, would be around £10 million.

Initial conclusions – Options 1 to 4

We weighed the costs set out above against the benefits of each option. The principal benefits of these processes is the potential to increase the proximity of the final mark to the true score. Based on the research we carried out (detailed in the main consultation paper and in a separate report) the model which produced outcomes closest to the true mark was option/model 4 (double clean marking plus resolution), with other models providing similar outcomes to the business as usual model (option 1) (in some cases with increased variability).

Using these results we decided that the costs would be disproportionate to the realised benefits of implementing any of these options. Instead we have put together a final preferred option – option 5 – which improves the process without imposing unnecessary costs.

Option 5 – Enhancements to the current process – preferred option

A number of changes are proposed to improve the current process relating to review of marking requests. The main change which will lead to improved fairness is that we are proposing that examiners must not change the original mark if it could have been reasonably given. This helps achieve one of our principal objectives, that is, a fairer approach including to students who do not request a review of their marking.

For exam boards the direct cost of this will be small (and is considered in part a below). However, over time this could lead to a secondary effect of a change in the number and distribution of enquiries received, as it should lead to a reduction in the number of mark (and grade) changes. This impact has not been assessed. Below we have assessed the direct impacts of the enhancements individually.

(a) Make sure reviews of marking are undertaken by markers who have been specifically trained and prepared to undertake the review of marking role

In our research we found a lack of consistency of approach between reviewing markers and some confusion about the role of the reviewing marker. We propose that examiners, through our requirements, must not change a mark that could have reasonably been given. By requiring the exam boards to make sure that the reviews of marking are carried out by those trained specifically in this area it will ensure that they are aware of this requirement. We anticipate this will improve the consistency of approach and in due course public confidence in the final mark.

There will be costs associated with introducing this approach. Some training is already undertaken by those involved in reviewing papers, but this is usually with respect to correctly applying the mark scheme, not preparing them specifically to review the marking of others. We have not prescribed the duration of the training. We have estimated that if there are 5,000 examiners involved in this process and they are paid around £20 to complete an hour-long training course online the cost to the system would be £100,000. If the training course lasts three hours it would cost the system £300,000.

Exam boards would also spend time developing this course. Whilst some of the content will be generic it is envisaged that there will be some real examples from the specific exam which examiners will be reviewing. This could be a significant cost depending how much time is spent developing the course for each unit.

(b) Make sure marking reviewers do not review their own marking

We currently do not know the extent to which marking reviewers review their own marking. The Code is clear that this is not desirable and should only occur where there is no alternative. This requirement represents a strengthening of the current position. It makes sense that it would be difficult for reviewers to be completely objective reviewing their own marking, and may not be able to spot their own mistakes. Implementation of this proposal should give students increased confidence in their final result.

This proposal may add more costs to exam boards as they may have to allocate work in a different way. For some subjects it may be difficult to do as there may not be very many markers, so the probability of a script being reviewed by the original marker is

relatively high. This could lead to a need to recruit extra markers in a small number of subjects.

(c) Monitor whether the examiners who are undertaking marking reviews are acting consistently and are changing marks when an error has been made but are not substituting one legitimate mark for another

Exam boards are currently required to monitor the consistency with which the original markers are applying the mark scheme. The Code does not require them to monitor how well and consistently markers undertaking reviews of marking are working. Under the new proposals exam boards will be required to carry out monitoring. Monitoring the examiners will improve the quality of marking as those which are not properly applying the mark scheme will be identified.

Under some arrangements for first-time marking of the scripts exam boards seed extra scripts or items to assess how examiners perform against scripts which others have already marked. Exam boards might decide to meet our proposed condition by applying this approach to the review of marking. This approach would effectively equate to additional marking for examiners to complete. Per script marking rates are typically higher for reviews of marking, with most scripts attracting between one and a half and two times the rate paid for marking over the summer exam period. This means that if extra monitoring requires extra scripts to be marked then the cost of monitoring could be proportionately higher per script for reviews than in the summer marking period.

Exam boards would also have to spend time choosing items to be seeded. To avoid using an item where the school or student did not request a review of marking the chief examiner might have to wait until requests were received or make other arrangements to ensure that this did not slow down the process for schools and students requesting reviews of marking early in the period.

It may be that exam boards are able to find alternative methods of meeting this condition which are less costly. The process and associated costs outlined here are an example of how it might be met.

(d) Where the review of marking found the original mark could have reasonably been given explain the reasons for that conclusion to the school/candidate; where the original mark could not have reasonably been given explain the reasons for that conclusion to the school/candidate, change the mark, change the grade where appropriate and issue the correct result

To incorporate this requirement exam boards will need to change their systems, and the way that the results and feedback are passed on to students, schools and colleges. Depending on how this is implemented there could be relatively large additional costs. For some scripts it may be that feedback is required on an item-by-item basis, for

example where there are numerous mark changes, particularly in different directions, or the script is distributed by item to multiple examiners, rather than the whole script going to a single examiner. Exam boards may need to employ staff to quality assure feedback where it is found that the marks originally awarded could not reasonably have been given. It may also result in additional customer services enquiries.

We anticipate that if exam boards explain the reasons for either confirming the original mark or for changing the mark, schools and students will develop a better understanding of the application of mark schemes and, in time, develop greater confidence in the review of marking process. They might in time become better at identifying marking that was not reasonable and for which a review of marking might be appropriate and so make more informed decisions about when to request a review of marking.

4. Other changes

In addition to proposed changes to reviews of marking we are consulting on other changes to post-results services. Here we have assessed the changes which are more likely to have major implications for exam boards, schools and students.⁷

1. Access to scripts

Currently schools can ask an exam board to return an AS or A level script before a decision is made to request a review of marking. Exam boards charge a fee for this service which ranges between £10.80 and £12.85. We have proposed requiring exam boards to extend this service to GCSEs. Currently marked GCSE scripts can be requested but these do not have to be provided before the date for requesting a review of marking has passed.

It is anticipated that this will improve the efficiency in the system as students, teachers, or other parties could review the scripts to assess whether an administrative error has been made, or whether there is reason to ask for a review of marking.

This should reduce the number of speculative requests for a review of marking, which could reduce the overall cost of post-results services to schools (and in some cases students). The actual impact on the total cost of post-results services depends on the prices charged, and the reduction in the number of unsuccessful reviews of marking. Exam boards charge between £10.80 to £12.85 for a copy of a script, and a review of marking costs on average £30.80 per script at GCSE.⁸ This means that schools could save money if the number of unsuccessful requests for a review of marking at GCSE was reduced by around a half or

⁷ Other changes are: Reviews of Moderation (New GCSE 9), Appeal of Moderation (New GCSE 13), Failure in Assessment Processes (New GCSE 18), and Publication of Review Arrangements and Appeals Process (New GCSE 19).

⁸ This is a weighted average based on 2015 fees and the number of service 2 requests each exam board received in 2014.

more through asking for a copy of the script in advance of making the decision.⁹ Whilst this may result in a financial saving to those who pay for reviews of marking there may be additional non-financial costs for teachers, who may spend more time considering the scripts and advising students on whether to request a review.

Exam boards could see a change in the profile of their costs. There is a higher volume of requests for marking for GCSEs than AS and A levels due to the number of students who sit them and the number of subjects studied by each student. This could mean that there is a large increase in the number of scripts required, meaning that some exam boards may have to invest in new systems. We have not stipulated whether a fee should be charged or how it should be derived, but it may be that any additional costs are passed on to those who request a copy of a script. Exam boards may choose to include a copy of the script as part of the fee for the original qualification, automatically making scripts available to all.

Additionally, if the proportion of speculative requests is reduced it may lead to an increased proportion of requests where the fee is refunded. If exam boards aim to break even across their post-results services they may need to change their charging structure to reflect this.

We have also proposed that exam boards publish their approach to, and their target times for, returning scripts. We anticipate that this would have minimal burden for exam boards.

2. Allow exam boards to accept such requests directly from students who are not external candidates

Currently we prohibit, through the Code of Practice, exam boards from accepting requests directly from students who are not external candidates. Our draft conditions would allow exam boards to accept requests directly from students if they wish, and require all exam boards to publish their approach to this.

As a result of such a change each exam board would have to make a business decision as to whether to allow students who are not external candidates to request a review of marking. Overall it represents a removal of an unnecessary restriction. We do not have information on whether the exam boards will wish to offer these services to students in this way, or if they were to be offered how many students would take these services up.

Exam boards are likely to choose to offer services to students where they feel it will add value to their business (in a financial or a non-financial sense) beyond the additional costs that will be incurred through changing their processes, for example how they invoice.

For students it may mean they have an opportunity to have their script reviewed where they otherwise might not. There is value attached to the freedom granted to the student by allowing them this choice, as well as the value that is attached to receiving the grade their exam merited. As exam boards will still be able to charge a fee for this product there will be

⁹ On the assumption that costs remain broadly the same.

costs incurred by the student (or others) in asking for a review. Students are likely to have less of an understanding of the probability of receiving a grade change, compared with schools (although some may be able to gain good advice from teachers or parents). This may mean that the student is not fully able to assess the value of the service they are buying.

3. Review of marking of centre marked assessments

Currently, where assessments are marked in schools, students do not necessarily know the mark their teacher has given and so are not able to query it if they disagree with it (despite the requirement on exam boards to require schools to have review arrangements in place). We are proposing to introduce a requirement which requires exam boards to build into their agreements with schools provisions to make sure schools:

- allow students to seek a school-based review of the school's marking, that students know they can do so, that they can have access to information about the review arrangements and that the review is undertaken at a time that meets the exam board's moderation timetable;
- give students the marks of the school-marked assessment in time to enable them to request a review if they wish;
- make sure students have the materials they need to consider whether to request such a review;
- undertake the review using a marker who did not do the original marking or, where this can't be avoided, require that someone else oversees the review;
- correct any administrative errors if these are found during the review;
- re-mark the task if the original mark was found to have been unreasonable;
- tell the student the outcome of the review; and
- are aware they need to submit their marks and assessment materials.

For exam boards this proposal is not likely to add significant extra work. For schools and teachers, as well as adopting a policy around reviews of marking of moderation, the improved transparency may result in more requests for reviews of teacher marking. Depending on the number of students who ask for a review of marking this could be significant. We do not have information regarding how many reviews schools can expect.

For students it means that they have the same opportunity to ask for a review of marking whether the assessment is marked by a teacher or by the exam board. This should increase confidence in marking.

4. Exam boards set and publish reasonable deadlines by which schools and colleges must request the return of a script, notify the exam board of an apparent administrative error and request a review of marking and publish information about their performance

The current arrangements in the Code set explicit dates which all exam boards, schools and colleges must abide by. The proposed change means that exam boards would be free to set their own dates. In some cases this would give the opportunity to exam boards to have a longer turnaround time for reviews of marking. This could cut costs allowing exam boards to employ fewer examiners and administrators, but over a longer period of time. On the other hand, an exam board may set a more intensive timetable which meant they had a shorter time in which to respond to requests, particularly when schools and colleges demanded such an approach. In other cases exams boards may take the opportunity to allow students, schools and colleges longer to decide whether to make a review or request a review on the grounds of a potential administrative error and reduce the time in which they will respond.

Currently we have information which suggests that some exam boards easily meet the currently required turnaround time. This suggests that there may be a move towards lengthening the time in which schools and colleges have to decide whether to ask for a review or that some exam boards might set more ambitious deadlines for themselves than those currently in place.

If exam boards were to choose different deadlines it may be confusing for schools and colleges where they buy different qualifications from different exam boards. The positive impact of this is that it may lead to positive competition between the exam boards. Exam boards will be required to publish the dates by which they require request to be made and their target dates for dealing with requests.

We also propose that exam boards should publish data to show the number and the percentage of times in which they achieves their published deadlines, for example with regard to giving access to marked assessments. Some exam boards do this already, although not always in the same way. Because we are proposing to set out the form and timing of their reporting it will help schools, colleges and students compare the services which exam boards offer, potentially leading to positive competition between exam boards.

5. Exam boards publish key performance indicators for their post-results services

These are the number of

- administrative errors found and corrected and a summary of the nature of the errors and the frequency with which they occurred;
- requests for a review of marking it has dealt with and the outcome of the reviews and an overview of the reasons for mark changes;

- requests for appeals and the outcomes of appeals and the reasons for appeal decisions.

Exam boards would be expected to publish these in such form and such a time as we prescribe.

We currently publish data showing the number of requests for reviews of marking and their outcomes, based on data provided by exam boards. It is anticipated that exam boards will have little additional work to do to publish this data. Schools, colleges, and to some extent students will benefit by knowing how exam boards perform against each other, and will provide an additional incentive to exam boards to reduce the number of administrative errors and improve the quality of marking.

6. Appeals

We are proposing that exam boards will

- (a) allow schools that, following a review of marking, remain concerned about a mark to appeal to the exam board on the grounds that:
 - the exam board did not apply its procedures properly or fairly – this includes failure to apply its mark scheme;
 - the mark given could not have been reasonably given in light of the evidence generated by the student and the mark scheme and any relevant procedures;
- (b) permit appeals from schools on the grounds that the exam board:
 - failed properly to comply with its policy on special consideration;
 - failed to make a reasonable adjustment for a disabled student;
- (c) prohibit schools appealing about the setting of a grade boundary;
- (d) constitute a panel to hear the appeal, one of which is not an employee of the exam boards, an assessor working for it or are otherwise connected with it, and have not been so connected within the previous five years;
- (e) set reasonable deadlines for the submission by the school of its grounds of appeal and publish information about any appeal fee and any circumstances in which the fee will be refunded.

There is already an appeals process in place, however the new requirements extend the scope of the appeals process so that appeals can be brought on the grounds that the mark could not have been reasonably given as well as the grounds of a procedural error. This additional area of appeal means that the number of appeals made might change as a result,

and at least initially increase. Exam boards currently charge for appeals, so it is likely that those who appeal will pay for additional costs in this area.

For exam boards the type of evidence they collect to inform the outcome of the appeal may change. It is possible that they will need to employ experts to assess whether the mark given was reasonable. As exam boards charge a fee it is possible that extra costs will also get passed back to schools or students.

With respect to who should be on the panel (d) we have not proposed any changes to the current arrangements.

With regard to when the appeal must be lodged (e) we have allowed exam boards the freedom to set their own, reasonable, deadlines. This removes an administrative burden for exam boards as they can set their process up to run to their own timetable. Again there is a risk for schools, colleges and students that if exam boards set different deadlines, it may be difficult for them to keep track of the different deadlines.

We have proposed that exam boards publish their target deadlines and the frequency with which they achieve them. This will provide increased transparency for schools and colleges when comparing the quality of service an exam board offers.

We wish to make our publications widely accessible. Please contact us at publications@ofqual.gov.uk if you have any specific accessibility requirements.



© Crown copyright 2015

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit <http://nationalarchives.gov.uk/doc/open-government-licence/version/3> or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: publications@ofqual.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.uk/ofqual.

Any enquiries regarding this publication should be sent to us at:

Office of Qualifications and Examinations Regulation

Spring Place 2nd Floor
Coventry Business Park
Herald Avenue
Coventry CV5 6UB

Glendinning House
6 Murray Street
Belfast BT1 6DN

Telephone 0300 303 3344
Textphone 0300 303 3345
Helpline 0300 303 3346