

AS and A Level Statistics

Consultation on Conditions and guidance



March 2016

Ofqual/16/5859

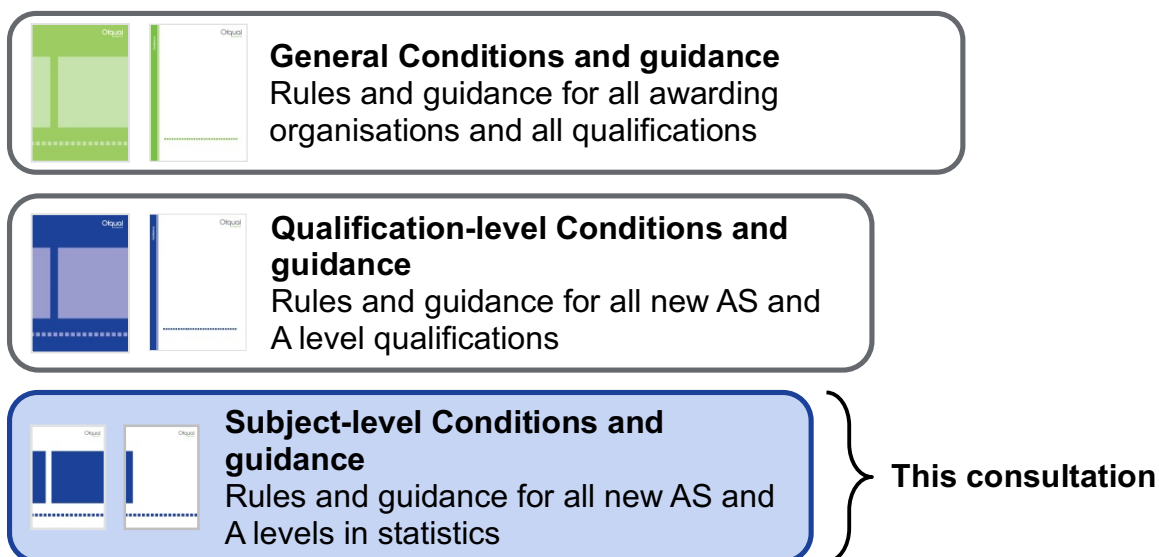
Contents

1. Introduction	3
Scope of this consultation	3
How to respond to this consultation	5
2. Regulating AS and A level statistics	6
Compliance with subject content and assessment objectives	6
3. Our proposed Conditions and guidance	9
Proposed Conditions and requirements for AS and A level statistics	9
Proposed guidance for AS and A level statistics.....	11
Questions on proposed Conditions, requirements and guidance	17
4. Equality impact analysis	18
Ofqual’s role, objectives and duties	18
Equality impact analysis relating to proposed changes to AS and A level statistics	18
Appendix A: Regulatory tools	20
Comparability and innovation.....	20
Conditions of Recognition	20
Regulatory documents	21
Statutory guidance	21
Appendix B: Ofqual’s role, objectives and duties	22
Responding to the consultation	25
Your details	25
Questions	29
Accessibility of our consultations	32

1. Introduction

- 1.1 As most readers will know, changes are being made to GCSEs, AS and A levels taken by students in England. New AS and A level qualifications in statistics will be taught in schools from September 2017.
- 1.2 Following an earlier consultation,¹ the Department for Education (DfE) has published the subject content² for AS and A level qualifications in statistics.
- 1.3 Following our own consultation on assessment arrangements for these subjects, we confirmed³ that new AS and A levels in statistics will be assessed entirely by examination.
- 1.4 We also confirmed the assessment objectives for AS and A level statistics.

Scope of this consultation



- 1.5 This consultation builds on our – and DfE’s – earlier decisions. It seeks views on the subject-specific rules and guidance we should put in place for AS and A level statistics.
- 1.6 As explained in Appendix A, and illustrated in the figure above, these new rules and guidance will sit alongside our existing rules and guidance for

¹ www.gov.uk/government/consultations/further-gcse-and-a-level-content-for-teaching-from-september-2017

² www.gov.uk/government/publications/gce-as-and-a-level-statistics

³ www.gov.uk/government/consultations/developing-new-gcses-as-and-a-levels-for-first-teaching-in-2017

- all qualifications,⁴ and
- all new AS and A level qualifications.⁵

1.7 This document sets out, and seeks views on:

- our proposed approach to regulating new AS and A levels in statistics; and
- the subject-specific Conditions, requirements and guidance we propose to introduce to implement that approach.

⁴ www.gov.uk/guidance/awarding-organisations-understanding-our-regulatory-requirements#requirements-for-all-awarding-organisations-and-all-regulated-qualifications

⁵ www.gov.uk/government/collections/new-a-level-and-as-level-qualifications-requirements-and-guidance

How to respond to this consultation

The closing date for responses is **8 April 2016**

Please respond to this consultation in one of three ways:

- Complete the online response at <https://www.surveygizmo.com/s3/2620073/AS-and-A-level-reform-regulations-for-statistics>
- Complete the consultation questions at the end of this document and email your response to consultations@ofqual.gov.uk. Please include the consultation title (AS and A level Statistics Consultation 2016) in the subject line of the email and make clear who you are and in what capacity you are responding
- Post your response to: AS and A level Statistics Consultation 2016, 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 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 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 **8 April 2016**

2. Regulating AS and A level statistics

Compliance with subject content and assessment objectives

- 2.1 As we explained in paragraph 1.2, DfE has published the subject content for new AS and A levels in statistics.⁶
- 2.2 One of the ways we ensure new GCSEs, AS and A levels are comparable across exam boards is by requiring them to be in line with the relevant subject content and our assessment objectives.
- 2.3 The approach we have taken in every other new GCSE, AS and A level qualification is to introduce subject-specific Conditions which:
- require exam boards to comply with the requirements of the subject content (and have regard to any guidance within the subject content); and
 - require exam boards to comply with our assessment objectives (and have regard to our guidance on those assessment objectives).
- 2.4 In all other subjects this Condition includes a provision which requires exam boards to interpret the subject content in line with any rules we set and to have regard to any guidance we publish. Although we do not always specify how the subject content should be interpreted, we think it is important for us to be able to do so when there is a good reason for that (for example, if a different interpretation could compromise qualification standards or comparability).
- 2.5 We see no reason to take a different approach for statistics. We are therefore proposing that we should introduce a Condition which requires exam boards to:
- comply with the requirements (and have regard to any guidance) set out in the subject content – this includes requirements and guidance in the proposed new appendices;
 - comply with any requirements (and have regard to any guidance) we publish on interpreting the subject content; and
 - comply with our assessment objectives (and have regard to our guidance on those assessment objectives).

⁶ www.gov.uk/government/publications/gce-as-and-a-level-statistics

Question 1: To what extent do you agree or disagree that we should introduce a Condition which requires exam boards to comply with the relevant subject content and assessment objectives?

Tolerances for assessment objective weightings

- 2.6 The approach we have taken to assessment objective weightings in AS and A level statistics is to set fixed weightings – this is the same as our approach in AS and A level mathematics and further mathematics, but different from most other AS and A levels.
- 2.7 In mathematics and further mathematics, we recognised that setting fixed weightings for assessment objectives can constrain assessment design in unhelpful ways. In extreme cases, an exam board might be unable to use their preferred questions because they would not fit with the prescribed weightings. To mitigate this, we chose to allow a limited tolerance (± 2 per cent) around the weightings.
- 2.8 We think the same potential concerns apply in AS and A level statistics, and – as with mathematics – we do not want the way we regulate statistics to constrain assessment design in this way. So we are also proposing to introduce the same limited tolerance (± 2 per cent) for all of the assessment objectives in AS and A level statistics.
- 2.9 We have considered whether to allow a larger tolerance for assessment objective AO1, which has a considerably larger weighting. Our view is that a 2 per cent tolerance provides exam boards the flexibility they need to minimise the risk of distorting assessment design, and any further flexibility is unnecessary. Larger tolerances would also present challenges for comparability, as they would permit larger differences between exam boards, and between assessment in different years, or both.

Question 2: To what extent do you agree or disagree with our proposal to permit a limited (± 2 per cent) tolerance for each of the assessment objectives in AS and A level statistics?

Guidance on assessment objectives

- 2.10 For all other new GCSE, AS and A level qualifications, we have published guidance which explains how exam boards should interpret our assessment objectives. This is designed to ensure exam boards have a common understanding of – and take a consistent approach to targeting – the different assessment objectives.

2.11 We are proposing we should introduce similar guidance for AS and A level statistics.

Question 3: To what extent do you agree or disagree that we should introduce guidance which clarifies how exam boards should interpret our assessment objectives?

3. Our proposed Conditions and guidance

3.1 As set out above, we are proposing to introduce subject-specific Conditions, requirements and guidance to implement the proposals in this consultation. We set out our proposed Conditions, requirements and guidance below.

Proposed Conditions and requirements for AS and A level statistics

3.2 We are proposing to introduce the following Conditions and requirements which will apply to all new AS and A level qualifications in statistics:

- a Condition covering compliance with subject content and assessment objectives;
- our assessment objectives (including requirements implementing the proposed ± 2 per cent tolerance).

Condition	Compliance with content requirements
GCE(Statistics)1	
GCE(Statistics)1.1	In respect of each GCE Qualification in Statistics which it makes available, or proposes to make available, an awarding organisation must – <ul style="list-style-type: none"> (a) comply with the requirements relating to that qualification set out in the document published by the Secretary of State entitled ‘Statistics GCE AS and A level subject content’⁷, document reference DFE-00059-2016, (b) have regard to any recommendations or guidelines relating to that qualification set out in that document, and (c) interpret that document in accordance with any requirements, and having regard to any guidance, which may be published by Ofqual and revised from time to time.
GCE(Statistics)1.2	In respect of each GCE Qualification in Statistics 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.

⁷ www.gov.uk/government/publications/gce-as-and-a-level-statistics

Assessment objectives – GCE Qualifications in Statistics

Condition GCE(Statistics)1.2 allows us to specify requirements relating to the objectives to be met by any assessment for GCE Qualifications in Statistics.

The assessment objectives set out below constitute requirements for the purposes of Condition GCE(Statistics)1.2. Awarding organisations must comply with these requirements in relation to all GCE Qualifications in Statistics they make available.

	Objective	Weighting (A level)	Weighting (AS)
AO1	Demonstrate knowledge and understanding, using appropriate terminology and notation, of standard statistical techniques used – <ul style="list-style-type: none"> ■ to collect and represent data ■ to calculate summary statistics and probabilities ■ in relation to hypotheses and inference. 	50%	60%
AO2	Interpret statistical information and results in context and reason statistically to make predictions, construct arguments, make decisions and draw conclusions.	25%	20%
AO3	Critically assess the reliability and validity of statistical methodologies and the conclusions drawn through the application of the statistical enquiry cycle.	25%	20%

In designing and setting each set of assessments⁸ for a GCE Qualification in Statistics which it makes available, or proposes to make available, an awarding organisation must –

- take reasonable steps to achieve the weighting specified above for each of the assessment objectives, and

⁸ For the purposes of this requirement a 'set of assessments' means the assessments to be taken by a particular Learner for a GCE Qualification in Statistics. For clarity, the assessments taken by Learners may vary, depending on any possible routes through the qualification.

- where it is not possible to achieve those weightings having taken reasonable steps, ensure that the weighting of each of assessment objectives AO1 to AO3 is within +/- 2% of the relevant weighting specified above.

Proposed guidance for AS and A level statistics

- 3.3 We are proposing to introduce guidance on assessment objectives which will apply to all new AS and A level qualifications in statistics.

Guidance on assessment objectives for GCE Qualifications in Statistics

Condition GCE(Statistics)1.2 allows us to specify requirements and guidance relating to assessment objectives for GCE Qualifications in Statistics.

We published our requirements in relation to assessment objectives in *GCE Subject Level Conditions and Requirements for Statistics*, and reproduce them in the table below.

	Objective	Weighting (A level)	Weighting (AS)
AO1	Demonstrate knowledge and understanding, using appropriate terminology and notation, of standard statistical techniques used – <ul style="list-style-type: none"> ■ to collect and represent data ■ to calculate summary statistics and probabilities ■ in relation to hypotheses and inference. 	50%	60%
AO2	Interpret statistical information and results in context and reason statistically to make predictions, construct arguments, make decisions and draw conclusions.	25%	20%
AO3	Critically assess the reliability and validity of statistical methodologies and the conclusions drawn through the application of the statistical enquiry cycle.	25%	20%

We set out below our guidance for the purposes of Condition GCE(Statistics)1.2. This guidance explains how we expect awarding organisations to interpret these assessment objectives in terms of:

- the different 'strands' within each of the assessment objectives;
- the discrete 'elements' within each assessment objective and its strands which questions and tasks could target and/or seek to credit – our expectation is that each and every question/task should target or seek to credit at least one of these elements, and may target or seek to credit multiple elements across one or more assessment objectives;
- 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.

In line with the obligations set out in Condition GCE(Statistics)1.2, we expect awarding organisations to be able to demonstrate how they have had regard to this guidance. 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.

AO1: Demonstrate knowledge and understanding, using appropriate terminology and notation, of standard statistical techniques used – <ul style="list-style-type: none"> ▪ to collect and represent data ▪ to calculate summary statistics and probabilities ▪ in relation to hypotheses and inference 			50% (A level) 60% (AS)
Strands	Elements	Coverage	Interpretations and definitions
1 – Demonstrate knowledge and understanding, using appropriate terminology and notation, of standard statistical techniques used to collect and represent data	This strand is a single element	<ul style="list-style-type: none"> ▪ Full coverage in each set of assessments⁹ (but not in every assessment). ▪ A reasonable balance between the strands within this assessment objective. ▪ Awarding organisations should justify the balance between 	<ul style="list-style-type: none"> ▪ Both here and in AO2, standard statistical techniques means the techniques set out in the document published by the Secretary of State entitled ‘Statistics GCE AS and A level subject content’, reference DFE-00059-2016 (the ‘Content Document’). These techniques should be understood in the context of the statistical enquiry cycle outlined in appendix 4 to the Content Document. ▪ Notation refers to standard statistical notation, rather than any notation related to specific software tools. ▪ The correct use of appropriate terminology and notation is expected in all responses, though this would not necessarily be credited specifically. ▪ Tasks may be broken down into a number of steps or parts, provided this does not undermine the expectation that
2 – Demonstrate knowledge and understanding, using appropriate terminology and notation, of standard statistical techniques used to calculate summary statistics and probabilities	This strand is a single element	<ul style="list-style-type: none"> ▪ Awarding organisations should justify the balance between 	<ul style="list-style-type: none"> ▪ Both here and in AO2, standard statistical techniques means the techniques set out in the document published by the Secretary of State entitled ‘Statistics GCE AS and A level subject content’, reference DFE-00059-2016 (the ‘Content Document’). These techniques should be understood in the context of the statistical enquiry cycle outlined in appendix 4 to the Content Document. ▪ Notation refers to standard statistical notation, rather than any notation related to specific software tools. ▪ The correct use of appropriate terminology and notation is expected in all responses, though this would not necessarily be credited specifically. ▪ Tasks may be broken down into a number of steps or parts, provided this does not undermine the expectation that

⁹ For the purposes of this guidance, a ‘set of assessments’ means the assessments to be taken by a particular Learner for a GCE Qualification in Statistics. For clarity, the assessments taken by Learners may vary, depending on any possible routes through the qualification.

AO1: Demonstrate knowledge and understanding, using appropriate terminology and notation, of standard statistical techniques used – <ul style="list-style-type: none"> ▪ to collect and represent data ▪ to calculate summary statistics and probabilities ▪ in relation to hypotheses and inference 			50% (A level) 60% (AS)
Strands	Elements	Coverage	Interpretations and definitions
3 – Demonstrate knowledge and understanding, using appropriate terminology and notation, of standard statistical techniques used in relation to hypotheses and inference	This strand is a single element	strands in their assessment strategies.	Learners should demonstrate their ability to understand the statistical enquiry cycle as a coherent whole. <ul style="list-style-type: none"> ▪ Learners should be expected to use statistical functions on their calculators where appropriate during the assessment. This does not prevent awarding organisations setting questions/tasks which require Learners to apply one or more specific formulae manually.

AO2: Interpret statistical information and results in context and reason statistically to make predictions, construct arguments, make decisions and draw conclusions.			25% (A level) 20% (AS)
Strands	Elements	Coverage	Interpretations and definitions
n/a	<p>1a – Interpret statistical information and results in context</p> <p>1b – reason statistically to make predictions, construct arguments, make decisions and draw conclusions</p>	<ul style="list-style-type: none"> ■ Full coverage in each set of assessments (but not in every assessment). ■ A reasonable balance between the elements within this assessment objective. ■ Awarding organisations should justify the balance between elements in their assessment strategies. ■ Each set of assessments – <ul style="list-style-type: none"> □ should include questions/tasks which target AO2 using results given in the question/task, and using results calculated by the Learner as part of the question/task □ need not target every combination of elements 1a and 1b with each of given results and calculated results. 	<ul style="list-style-type: none"> ■ See guidance in relation to AO1 for the definition of standard statistical techniques. ■ Interpret statistical information and results in context means relating information and/or results to the context provided in the question/task – for example by showing what they mean in that specific context or situation. ■ Reason statistically means forming a statistical judgement using appropriate statistical terminology. This may be linked to, or independent of, element 1a.

AO3: Critically assess the reliability and validity of statistical methodologies and the conclusions drawn through the application of the statistical enquiry cycle.			25% (A level) 20% (AS)
Strands	Elements	Coverage	Interpretations and definitions
n/a	<p>1a – Critically assess the reliability and validity of statistical methodologies</p> <hr/> <p>1b – Critically assess the reliability and validity of the conclusions drawn through the application of the statistical enquiry cycle</p>	<ul style="list-style-type: none"> ■ Full coverage in each set of assessments (but not in every assessment). ■ A reasonable balance between the elements within this assessment objective. ■ Awarding organisations should justify the balance between elements in their assessment strategies. 	<ul style="list-style-type: none"> ■ In the context of this assessment objective – <ul style="list-style-type: none"> □ critically assess means to make a judgement as to the strengths and weaknesses of a methodology or conclusion □ reliability means the extent to which an experiment or procedure produces the same, or compatible results on repeated trials □ validity means the extent to which a tool or procedure measures what it is designed to measure □ statistical methodologies refers to the theoretical analysis of the statistical techniques applied during the statistical enquiry cycle.

Questions on proposed Conditions, requirements and guidance

Question 4: Do you have any comments on our proposed Conditions and requirements for AS and A level statistics?

Question 5: Do you have any comments on our proposed guidance for AS and A level statistics?

4. Equality impact analysis

Ofqual's role, objectives and duties

4.1 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 AS and A level statistics

4.2 We have considered the potential impact on students who share protected characteristics¹⁰ of the application of the principles and features that will apply to all new AS and A level qualifications. Our equality impact analysis for our earlier consultation on AS and A level reform¹¹ is therefore of interest and we encourage you to read it.

4.3 Issues concerning the proposed subject content have been considered by DfE, who have published their own Equalities Impact Analysis on their subject content proposals.¹²

4.4 We have also previously considered the potential impact on students who share protected characteristics of our decisions on assessment arrangements for this subject.¹³

4.5 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 new proposals in this consultation, and from the way in which we are implementing our previous policy decisions.

4.6 We have not identified any additional negative impacts on students who share protected characteristics which would result from the proposals in this consultation (beyond those that we and DfE have already identified in our earlier reports).

¹⁰ For the purposes of the public sector equality duty, the protected characteristics are disability, racial group, age, religion or belief, pregnancy or maternity, sex, sexual orientation, gender reassignment.

¹¹ <http://webarchive.nationalarchives.gov.uk/20141031163546/http://www.ofqual.gov.uk/files/2012-06-18-equality-analysis-of-the-a-level-reform-consultation.pdf>

¹² www.gov.uk/government/consultations/further-gcse-and-a-level-content-for-teaching-from-september-2017

¹³ www.gov.uk/government/consultations/developing-new-gcses-as-and-a-levels-for-first-teaching-in-2017

- 4.7 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.
- 4.8 Exam boards are required to consider the accessibility of their qualifications at the design stage and to remove any unjustifiable barriers.

Question 6: We have not identified any ways in which the proposals for AS and A level statistics would impact (positively or negatively) on persons who share a protected characteristic.¹⁴ Are there any potential impacts we have not identified?

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?

Question 8: Do you have any other comments on the impacts of the proposals on students who share a protected characteristic?

¹⁴ '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.

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 or 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 standards are maintained and comparability is secured, we review AS and A level qualifications before they can be made available, by applying an accreditation requirement to the qualifications, and we oversee the awarding of AS and A level qualifications.

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

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.

There are three sets of Conditions that will apply to new AS and A level qualifications:

- (i) the published *General Conditions of Recognition*¹⁵ that apply to all regulated qualifications;

¹⁵ www.gov.uk/government/publications/general-conditions-of-recognition

- (ii) *GCE Qualification Level Conditions and Requirements*¹⁶ that apply to all new AS and A level qualifications;
- (iii) GCE Subject Level Conditions that apply to new AS and A level qualifications in a specific subject. We are consulting now on draft GCE Subject Level Conditions for Statistics.

Regulatory documents

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

We are not proposing to introduce any regulatory documents for AS and A level statistics.

Statutory guidance

We publish guidance to help exam boards identify the types of behaviour or practices they could use to meet a Condition. Exam boards 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 exam board that decides to take a different approach to that set out in our 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 new AS and A levels in statistics.

¹⁶ www.gov.uk/government/publications/gce-qualification-level-conditions-and-requirements

Appendix B: Ofqual’s role, objectives and duties

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

- (a) give a reliable indication of knowledge, skills and understanding; and
- (b) indicate:
 - (i) a consistent level of attainment (including over time) between comparable regulated qualifications; and
 - (ii) a consistent level of attainment (but not over time) between qualifications we regulate and comparable qualifications (including those awarded outside 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.¹⁷ This duty requires us to have due regard to the need to:

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

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

¹⁷ Equality Act 2010, section 149.

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

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

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

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

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

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

The protected characteristics under the Equality Act 2010 are:

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

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

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 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: To what extent do you agree or disagree that we should introduce a Condition which requires exam boards to comply with the relevant subject content and assessment objectives?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Please explain your reasons:

.....

.....

.....

Question 2: To what extent do you agree or disagree with our proposal to permit a limited (± 2 per cent) tolerance for each of the assessment objectives in AS and A level statistics?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Please explain your reasons:

.....

.....

.....

Question 3: To what extent do you agree or disagree that we should introduce guidance which clarifies how exam boards should interpret our assessment objectives?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Please explain your reasons:

.....

.....

.....

Question 4: Do you have any comments on our proposed Conditions and requirements for AS and A level statistics?

- Yes No

.....

.....

.....

Question 5: Do you have any comments on our proposed guidance for AS and A level statistics?

- Yes No

.....

.....

.....

Question 6: We have not identified any ways in which these proposals would impact (positively or negatively) on persons who share a protected characteristic.¹⁸ Are there any potential impacts we have not identified?

Yes No

.....
.....
.....

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

.....
.....
.....

Question 8: Do you have any other comments on the impacts of the proposals on students who share a protected characteristic?

Yes No

.....
.....
.....

¹⁸ '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.

Accessibility of our consultations

We want our consultations to be read and understood by as many people as possible. We would appreciate it if you could spare a few moments to answer the following questions. Your answers to these questions will not be considered as part of the consultation and will not be released to any third parties.

We want to write clearly, directly and put the reader first. Overall, do you think we have got this right in this consultation?

Yes No

Do you have any comments or suggestions about the style of writing?

Yes No

.....

.....

.....

How many of our consultations have you read in the last 12 months?

1

2

3

4

5

More than 5

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 2016

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
Coventry Business Park
Herald Avenue
Coventry CV5 6UB

2nd Floor
Glendinning House
6 Murray Street
Belfast BT1 6DN

Telephone 0300 303 3344

Textphone 0300 303 3345

Helpline 0300 303 3346