

# Teacher involvement in developing exam papers and other confidential assessments

## Interim report



## Introduction

In September 2017 we announced we would review:

- the risks and benefits of the long-established practice of some teachers who write or contribute to exam papers<sup>1</sup> also teaching the qualification; and
- the effectiveness of the safeguards used to reduce the risk of malpractice where a teacher has this dual role.

We started this review following well-publicised incidents during summer 2017 when two teachers who were involved in writing examinations for Pre-U qualifications (an alternative to A levels) disclosed information to their students about the contents of forthcoming exams.

This interim report explains how we have gathered evidence to inform our review, the nature of that evidence, the options we are considering and our next steps.

## Gathering evidence

We have gathered evidence in several ways.

We held a public call for evidence from 29 September 2017 to 31 October 2017. We received 149 responses, 19% of which were from parents and 3% were from students. The rest were mainly from teachers, examiners and awarding organisations.

We commissioned an external expert to interview people who have worked as both teacher and exam writer. Some taught the qualifications for which they had written papers and others had written papers for one awarding organisation and taught for another.

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<sup>1</sup> Teachers contribute to the development of exam papers and other assessments in a range of ways, including as senior examiners who are responsible for the overall paper and as scrutineers who undertake a final check of the paper. Our considerations, explained in this paper, cover all roles teacher play in developing exams and other forms of assessment

We held an event which brought together a range of people with relevant insight and experience of the topic to discuss the risks and merits of the current practice and the existing and potential additional safeguards associated with it.

We reviewed whether teachers are involved in writing exams in nine other countries, including Scotland, and the safeguards that are used. One awarding organisation has shared with us the outcomes of a similar review it has undertaken, of a different range of countries.

The awarding organisations that provide GCSEs, A levels and the main alternative qualifications<sup>2</sup> (the exam boards) have provided detailed quantitative and qualitative information on how they engage teachers in exam writing, the range of safeguards they use to stop inappropriate disclosure and how they believe the current arrangements could be improved.

We also considered with representatives from a range of awarding organisations the package of additional safeguards that could be put in place and the potential costs and impact of doing so.

## **Our findings**

Writing exam papers requires considerable skill and experience. For GCSEs, AS, A levels and other similar qualifications, the questions must be comprehensible to students of a wide range of abilities and differentiate between students of different abilities in the subject so the full range of grades can be used.

For example, students from across the ability range take GCSE English language. The exam papers must be designed to stretch the most able – those aiming for a grade 9 – while including sufficient questions from across the curriculum to allow those aiming for a grade 1 to demonstrate their abilities too.

The papers must be capable of being completed within the allocated time. The questions must not be so predictable that students do not need to be taught the full curriculum, but neither must they stray from the curriculum.

Experienced teachers have detailed subject knowledge and understand how students are likely to respond to questions. They have traditionally been engaged by awarding organisations to write exam papers. From the evidence we have gathered we estimate that, in a typical year, approximately 1,300 teachers are involved in writing the exams taken in England for GCSEs, AS and A levels and the main alternative qualifications.

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<sup>2</sup> AQA, CAIE, IBO, OCR, Pearson and WJEC

Practice in other countries varies. Some do not involve teachers in the writing of exams and others use a range of safeguards to reduce the risks associated with their use.

Most people who responded to our call for evidence strongly believe that the quality of exam papers will decline if teachers are not involved in their production. Many raised concerns about the alternatives. For example, if university teachers wrote GCSE and A levels papers instead of school and college teachers, the exams would not function effectively as the examiners would not understand how the students taking the exams would respond (in the same way that A level teachers should not be expected to write undergraduate exam papers).

Some teachers involved with question paper production who also teach the specification believe they can properly manage their dual role. Others say they deliberately do not teach the specification for which they write exams, to avoid any real or perceived risk that they might consciously or subconsciously disclose confidential information or narrow their teaching. However, the exam boards tell us that few of their teacher examiners choose to teach an alternative specification in this way.

Awarding organisations use a range of safeguards to reduce the risk that examiners disclose confidential information to students or others. These include contractual and training arrangements. Some take extra steps to detect inappropriate disclosure, such as monitoring the performance of exam writers' students to look for unusual patterns of performance.

Proven cases of inappropriate disclosure by teachers who had been involved with developing assessment materials are rare: 3 cases in 2015, 1 in 2016 and three in 2017.

Nearly two million students took GCSE, AS and A level exams and alternative qualifications such as the Pre-U this summer and were awarded a total of c.6,365,000 qualifications. They studied in about 7,000 schools and colleges. Some 2,200 different exam papers were written, distributed to schools and colleges and marked. In this context, the number of incidents in which the integrity of the exams is brought into question by the behaviour teacher/examiners is very small.

## **The options we are considering**

The exam system clearly benefits from the contributions of teachers and we believe that the system generally works well. There is a risk the quality of exam papers will decline if teachers are not permitted to contribute to their development. No other pool of people has the specific subject knowledge and understands how students across the ability range will respond to the questions.

While incidents of the type we saw this summer are rare, they can be deeply damaging to public confidence. We believe the current safeguards should be strengthened to maintain public confidence in the exam system and reduce the risk of malpractice in future. We must make sure the benefits of any new safeguards justify any additional costs, which would likely be passed to schools and colleges in increased fees. We must also guard against putting in place new safeguards to reduce the risk of disclosure that could increase other risks, such as mistakes in exam papers.

There are three key risks associated with the current practice, that:

1. a teacher deliberately discloses to students and/or to teaching colleagues the contents of a forthcoming exam;
2. a teacher who knows the questions or the specific topics on which his or her students will be assessed will, consciously or sub-consciously, narrow his or her teaching;
3. public confidence in the qualification system, which may have been damaged by the incidents reported this summer, will decline unless further safeguards are introduced to reduce the risks of 1 and 2.

We are considering options to address these risks in three broad categories:

- the processes used to produce confidential assessment materials;
- arrangements to support the appropriate behaviour of teachers who develop assessment materials;
- improved detection of inappropriate disclosure where this occurs.

## **Potential changes to assessment material production processes**

We have considered if teachers who have been involved with developing, or have seen, an exam paper or other assessment should be prohibited from teaching students who will take that exam/assessment. Although at first sight this appears a straightforward option, it would be difficult to introduce and enforce. It could stop teachers moving jobs and prevent schools and colleges that employ teachers involved with developing assessments from switching awarding organisations and/or offering new qualifications.

At times of qualification reform, when schools and colleges are particularly likely to switch awarding organisation, it would make the recruitment of teachers to be involved in qualification development extremely challenging. Further, awarding organisations

tell us that this approach might threaten the provision of low uptake qualifications, reducing the breadth of the examined curriculum.

An alternative approach would be to make sure that teachers do not know whether the materials they have developed or seen will actually be used, either at all or at any given time. More questions and exam papers would be developed than would be needed, with only people who do not teach knowing which would be used. We are considering the ways this could be introduced, the degree of unpredictability that would make the approach effective, the additional costs that would be incurred, and the number of extra people who would be needed to develop assessment materials.

Any changes to assessment production processes would need to be implemented so that quality is maintained – so assessments are sufficiently valid and error free. The changes would take time to implement and could introduce new risks to the delivery of good quality assessments. It may be prudent to consider either a large-scale pilot or a phased implementation. Such changes would introduce new costs and we are mindful these would likely be transferred to schools and colleges.

## **Potential changes to support the appropriate behaviour of teachers who develop assessment materials**

We have considered whether the risk of confidential materials being disclosed could be reduced by focusing on how teacher/examiners should behave. Awarding organisations could strengthen the steps they take to make sure teacher/examiners and the schools and colleges in which they teach fully understand their responsibilities and are supported to act with integrity at all times.

For example, awarding organisations could:

- maintain up to date registers in which the conflicts of interests of all their examiners are recorded;
- have direct contact with each school and college that employs a teacher involved with developing assessments to make sure ethical practice is valued and supported;
- require annual declarations from teacher/examiners that they understand and at all times comply with their obligations to protect the confidentiality of assessment materials.

We already require awarding organisations to take all reasonable steps to make sure confidential assessment materials, such as exam questions, are not disclosed. We could make our rules more expansive to require the use of the types of safeguards set

out, or include them in our guidance to our current rules (to which awarding organisations are required by law to have regard). We might wish to recognise in our approach that different qualifications might benefit from different safeguards.

We are also considering what others could do to help people understand the behaviour expected of them, how to resist pressures on them to deviate from these expectations and the consequences for them should they do so. For example, the government might consider when it next reviews the Teachers' Standards<sup>3</sup> including explicit reference to ethical assessment practice.

Some of the safeguards outlined above could be implemented much sooner than any changes to assessment production processes. They are also likely to cost less.

## **Improving detection and deterrence**

We believe awarding organisations could do more to detect inappropriate disclosure of confidential information, by developing and expanding on the good practice we have seen. For example, by:

- routinely reviewing the work of students whose teacher had prior knowledge of the assessments to look for any unusual patterns in their responses;
- sampling the teaching plans and materials used by teachers who have prior knowledge of assessments to look for signs they are narrowing their teaching;
- extending their monitoring of social media to look for signs that confidential information has been disclosed.

Such steps could also protect teachers from spurious allegations. We believe such additional safeguards could be introduced quickly and at reasonable cost.

We already encourage students and teachers to report any concerns about malpractice to us or to the awarding organisations directly; for example, we run an annual campaign encouraging teachers and students to report any issues, providing posters to every school and college at exam time to help those who are concerned know what to do. Suspicions of malpractice are brought to our attention, and that of awarding organisations, in this way. We plan to refresh our campaign for summer 2018.

We are designated under the Public Interest Disclosure Act, so teachers are protected from detrimental treatment or victimisation if they blow the whistle on wrong doing

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<sup>3</sup> <https://www.gov.uk/government/publications/teachers-standards>

within their school or college. We have made it easy for people to raise concerns with us.

The National College for Teaching and Leadership (NCTL), acting on behalf of the Secretary of State for Education, determines whether teachers and head-teachers in schools in England who have committed malpractice should be prohibited from teaching. We have already asked the main exam boards to remind schools and college of their duty to consider whether a teacher who has committed malpractice should be referred to the NCTL.

## **Next steps**

We expect to finalise our preferred package of safeguards in January 2018, on which we will then consult. We will be particularly keen to hear more parents' and students' views on our proposals.

As many exam papers are written a year or more before the exam is taken the package should include safeguards that could be introduced in 2018, including those focused on detecting the disclosure of confidential information. Our preferred package of measures for the longer term is likely to introduce additional safeguards when assessment materials are developed, checked and selected for use.

We believe additional safeguards should be introduced for all regulated qualifications that use confidential assessment materials, not just for general qualifications taken in schools. Our consultation will consider the extent to which common or separate safeguards would be appropriate for all.

We will continue to liaise with CCEA Regulation and Qualifications Wales who regulate qualifications in Northern Ireland and Wales respectively.