

National curriculum assessments

Regulatory framework



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Contents

Foreword.....	3
Introduction	4
Regulation of national curriculum assessments.....	4
Purpose of this document.....	4
The purpose of national curriculum assessments.....	4
Section 1: Roles and responsibilities	5
Ofqual.....	5
Qualifications and Curriculum Authority.....	6
Department for Children, Schools and Families	7
Section 2: Criteria for national curriculum assessments	8
Common criteria	9
Subject criteria.....	11
Section 3: Delivering national curriculum assessments	28
Communication and dissemination.....	28
Test development	28
Test security	29
Print and distribution of assessment materials	29
Test administration	30
Reasonable adjustments	30
Marking.....	30
Maladministration.....	31
Level setting	31
Data requirements, collection and reporting	31
Review of marking	31
Appeals.....	32
Evaluation.....	32
Procurement	32
Archiving.....	32
Section 4: Programme for monitoring national curriculum assessments.....	33
Implementing change	34

Foreword

Ofqual is accountable to the Secretary of State for Children, Schools and Families for securing public confidence in the validity, reliability and rigour of the national curriculum assessments.

This regulatory framework, with the *National curriculum assessments: code of practice*, provides the criteria and identifies the processes that we will apply to the regulation of national curriculum assessments.

Our regulatory responsibilities include:

- monitoring Qualifications and Curriculum Authority activity, including test development and delivery
- ensuring standards are maintained
- establishing whether the assessments are fair and effective in measuring achievement by pupils.

Our aim is to promote and protect best practice within national curriculum assessments and to safeguard the interests of the learner.

This revised framework replaces the version published in early 2006. Revisions to this publication have been informed by feedback from stakeholders and evidence from monitoring activities. The changes in this document are intended to achieve a more strategic approach to regulation, based on a system of self-assessment and continuous improvement.

We are committed to applying the government's five principles of good regulation (proportionality, accountability, consistency, transparency and targeted intervention) to our regulatory work. The publication of this regulatory framework places the criteria for the development and delivery of the national curriculum assessments in the public arena.

I am pleased to present this revised regulatory framework for 2009. If you have any comments about the framework, please send them to ncamonitoring@ofqual.gov.uk.

Isabel Nisbet

Acting Chief Executive, Ofqual

Introduction

Regulation of national curriculum assessments

1. The national curriculum assessments are produced by the Qualifications and Curriculum Authority (QCA). The production and delivery of these assessments are regulated by Ofqual against the *National curriculum assessments: code of practice*.
2. Regulation must be fit for purpose, transparent and clearly communicated. Intervention must be targeted, consistently applied and proportional to the task in hand. Ofqual will ensure a fair deal for learners and be accountable to the public, whose interests it seeks to safeguard, and to the government.

Purpose of this document

3. This document sets out:
 - Ofqual's role as regulator for the national curriculum assessments
 - the criteria against which each national curriculum assessment must be judged
 - the regulatory requirements for delivering the national curriculum assessments
 - the programme for monitoring national curriculum assessments
 - the procedures for monitoring national curriculum assessments.

The purpose of national curriculum assessments

4. National curriculum tests and tasks are used to assess pupils' attainment in English and mathematics at key stages 1 and 2, and science at key stage 2. The test results are intended to complement evidence of attainment collected by teachers through their own assessments, and at key stage 1 to help teachers make their assessment of pupils' achievement. The results are used to indicate the level of attainment of individual pupils and (when aggregated) the level of performance of schools and local authorities in England.

Section 1: Roles and responsibilities

5. Ofqual is the regulator for all national curriculum assessments (tests and tasks) taken by pupils aged 3–14. It is accountable to the Secretary of State for Children, Schools and Families for ensuring that the public is confident about the validity, reliability and rigour of these assessments and for maintaining standards over time.

Ofqual

6. Ofqual is committed to meeting the five principles of good regulation: proportionality, accountability, consistency, transparency and targeting.
7. Ofqual's responsibilities are to:
 - a) maintain a regulatory framework to monitor the development and delivery of national curriculum assessments for pupils aged 3–14
 - b) ensure that standards in these assessments are maintained over time
 - c) ensure that assessments are a fair and effective measurement of achievement
 - d) support an appeals process to ensure that complaints about the national curriculum assessment process, or the conduct of QCA and its contracted agencies, are investigated where appropriate
 - e) publish and keep under review the regulatory instruments, including the national curriculum assessment common and subject criteria, and the code of practice for the production and delivery of these assessments
 - f) ensure that the requirements of the common and subject criteria and the code of practice are fulfilled
 - g) employ, or commission, and train individuals who have appropriate expertise to undertake monitoring activities; these individuals will follow the procedures defined by Ofqual and adhere to a code of conduct
 - h) ensure that regulatory activities are coherent and implemented fairly
 - i) specify a programme of work for each year's regulatory activities
 - j) ensure that QCA is kept informed at all stages of the form and purpose of any regulatory activity

- k) provide advice on assessment policy and associated risks.

Qualifications and Curriculum Authority

- 8. The chief executive of QCA is ultimately accountable for the integrity and quality of national curriculum assessments and for maintaining assessment standards.
- 9. QCA maintains public confidence and standards in two ways. First, it has defined criteria (both common and subject specific) against which the assessments are judged. Second, it has established processes by which the development and delivery of assessments are monitored and quality assured.
- 10. QCA develops the assessments. QCA's responsibilities are to:
 - a) ensure that national curriculum assessments meet the requirements of the common and subject criteria and the code of practice; QCA will be expected to provide evidence to show that each of the common criteria has been met
 - b) make available relevant information requested by Ofqual and allow Ofqual reasonable access to premises, dissemination events, meetings, documents, data, QCA staff and agency staff, where appropriate
 - c) ensure that all contracted external agencies and consultants are aware of, and comply with, the relevant sections of this document and the code of practice
 - d) alert Ofqual to any major risks and issues that could affect the integrity or delivery of the assessments
 - e) provide Ofqual with up-to-date management information, including process maps of test development and delivery
 - f) inform Ofqual of any proposed changes to the test development and delivery processes and procedures
 - g) provide timely responses to issues raised by Ofqual and any recommendations for change
 - h) provide advice on assessment policy and associated risks.

Department for Children, Schools and Families

11. The Department for Children, Schools and Families (DCSF) will set the remit for QCA to develop and deliver statutory assessments in line with current policy as determined by the Secretary of State. Ofqual's role is to monitor the development and delivery of these statutory assessments by QCA to time and to quality. From time to time Ofqual will provide advice to the Secretary of State on the progress made by QCA towards timely and quality development and delivery of these statutory tests.

Section 2: Criteria for national curriculum assessments

12. The five common criteria outlined in this section apply to all aspects of test development, delivery, marking and reporting. QCA must ensure that the procedures for each aspect reflect the common criteria where appropriate and that the common criteria are considered during any evaluation.
13. The subject criteria supplement the common criteria and describe the form of assessment and coverage of each subject at each key stage. Test specifications and associated assessment instruments must be developed against these criteria.

Table 1: Key stages and regulatory criteria

Assessment	Regulatory criteria	
Key stage 1 English	The five common criteria: <ul style="list-style-type: none"> ■ validity ■ reliability ■ comparability ■ minimise bias ■ manageability 	Subject-specific criteria for key stage 1 English previously published in the 2006 <i>National curriculum assessments: regulatory framework</i>
Key stage 1 mathematics		Subject-specific criteria for key stage 1 mathematics previously published in the 2006 <i>National curriculum assessments: regulatory framework</i>
Key stage 2 English		Subject-specific criteria for key stage 2 English
Key stage 2 mathematics		Subject-specific criteria for key stage 2 mathematics
Key stage 2 science		Subject-specific criteria for key stage 2 science

14. Subject criteria will be reviewed annually and revised in line with the programme of work identified in Section 4. They may change year on year to reflect the monitoring and evaluation of the national curriculum assessment arrangements, any changes in national curriculum assessment policy, or revised statutory orders or national curriculum requirements.
15. The subject criteria will be used for national curriculum assessments developed after the publication of this framework. As some tests are developed on a rolling programme, with a reserve test one year becoming the next year's live test, each key stage subject indicates the first test series on which these criteria will have an impact.

Common criteria

16. The national curriculum assessments must generate results that provide a valid measure of the required knowledge, skills and understanding as defined by the national curriculum and subject criteria.
 - a) The test specification, produced by QCA and approved by the regulator, must define:
 - i. the curriculum coverage to be included within the total assessment
 - ii. the degree of coverage of content and skills within the identified programme of study, level descriptions and attainment targets
 - iii. how the tests effectively sample attainment at each level covered in the test and how this will be reflected in the marks allocated.
 - b) Assessment materials must:
 - i. reflect current best classroom practice
 - ii. expose and complement the richness of the curriculum where this can be achieved in a written test
 - iii. use, over time, a range of stimulus materials and item types.
17. The national curriculum assessments must generate results that provide a reliable measure of pupils' performance.
 - a) QCA will describe the processes and demonstrate, through pre-test data, level setting, analysis of pupil performance in the 'live' tests and evaluation, that the tests:

- i. deliver levels that are awarded consistently
 - ii. deliver consistent marks in order to discriminate effectively between pupils' performance
 - iii. provide appropriate arrangements to ensure schools administer the tests fairly and effectively
 - iv. ensure that markers are trained to apply the mark scheme consistently
 - v. use measures and materials that are appropriate for the age of the pupils.
18. The national curriculum assessments must generate results that provide comparability of standards.
- a) QCA will:
- i. demonstrate that assessments are of comparable difficulty over time, between key stages, between tiers and between question options, allowing comparisons to be made of pupil performance
 - ii. indicate the degree to which such comparability is achieved
 - iii. ensure thresholds are equivalent in demand to previous years and in relation to total marks in any specific subject at any key stage, and remain as stable as possible from year to year, making sure unavoidable variations do not result in an overall drift over time
 - iv. ensure continuity with previous years' material in terms of style, format and difficulty
 - v. make clear the possible impact of any changes in assessment procedure, format or content.
19. The national curriculum assessments must generate results that minimise bias, differentiating on the basis of pupils' ability to meet the requirements.
- a) Assessments must:
- i. be designed to engage pupils and effectively elicit optimum performance, providing opportunities for different groups of pupils to demonstrate their abilities to meet the full range of requirements

- ii. be free from any covert or overt discrimination, through either wording or content
 - iii. ensure where source materials are used that these contain appropriate subject matter and language
 - iv. use language suitable for the target group, clear diagrams where appropriate, and comprehensive and accessible rubrics.
- b) QCA, in its products and processes, will:
- i. ensure access and equality of opportunity while safeguarding the integrity of the assessment
 - ii. not create barriers to achievement
 - iii. ensure fair assessment for all pupils, including those with particular assessment requirements
 - iv. take account of all current legislation in relation to equality of opportunity.
20. The national curriculum assessment system must be manageable.
- a) QCA will demonstrate that the assessment system will be delivered on time and be manageable:
- i. for pupils to complete assessments within given time constraints
 - ii. to administer
 - iii. in terms of equipment and material required, as specified by QCA in advance of the assessments taking place
 - iv. in terms of not making unreasonable demands on schools
 - v. for markers.

Subject criteria

21. The following pages identify the specific subject criteria for:
- key stage 2 English
 - key stage 2 mathematics
 - key stage 2 science.

22. National curriculum assessment materials have been developed for key stage 1 English and mathematics to inform teacher assessment. QCA has already completed the test development cycle and conducted level confirmation exercises for materials that will be released to schools from 2006/7., Key stage 1 materials are therefore not covered in the following subject criteria. Published test materials will identify the version of the regulatory framework used during their development.
23. QCA has the right to modify subject criteria during a test development cycle where it is deemed to be in the interest of the learner or secures the integrity of the assessment, subject to agreement from Ofqual.

English subject criteria

Table 2: English subject criteria for key stage 2

Key stage	2
Target year group	6
Assessment type	Tests
Assessment series	National curriculum assessment
Levels assessed	3–5
Tiering arrangements	N/A
Legal status	Statutory for local-authority-maintained schools Optional for non-maintained schools following the statutory timetable
Delivery mode	Printed and distributed to schools
Timetable	Administered in schools to published timetable
Test security	Confidential
Pupil eligibility	Pupils whom the teacher assesses to be working at level 3 or above as identified in the English national curriculum and who have completed the key stage 2 English programme of study
Model of assessment	Two tests: <ul style="list-style-type: none"> ■ reading ■ writing, comprising: longer writing task, shorter writing task and spelling.
Timing	Reading test = 45 minutes, plus 15 minutes' reading time. Writing test, comprising: <ul style="list-style-type: none"> ■ longer writing task = 45 minutes, including up to 10 minutes' planning time ■ shorter writing task = 20 minutes, including

	<p>up to five minutes' planning time</p> <ul style="list-style-type: none"> ■ spelling test = approximately 10 minutes.
<p>Available marks</p>	<p>Reading test = 50 marks.</p> <p>Writing test = 50 marks, comprising:</p> <ul style="list-style-type: none"> ■ longer task = 31 marks (including 3 marks for handwriting) ■ shorter task = 12 marks ■ spelling test = 7 marks. <p>Pupils' marks from the reading test will provide a reading level of 3, 4 or 5.</p> <p>Pupils' marks from the writing tasks and spelling test will be aggregated to calculate an overall writing level of 3, 4 or 5.</p> <p>Pupils' marks from the reading and writing tests will be aggregated to calculate an overall English level of 3, 4 or 5.</p> <p>Pupils who narrowly fail to achieve a level 3 for English overall will be awarded a level 2 compensatory award.</p>
<p>Curriculum coverage</p>	<p>The key stage 2 tests must be designed to test pupils' knowledge, skills and understanding as outlined in the national curriculum key stage 2 English programmes of study for reading and writing.</p> <p>Pupils should be prepared to:</p> <ul style="list-style-type: none"> ■ answer questions on any texts from the ranges specified in the key stage 2 English programme of study ■ write in any of the forms covered in the key stage 2 English programme of study.

<p>Question types</p>	<p><i>Reading test</i></p> <p>The test will be keyed to the following assessment focuses (AFs), based on the level descriptions:</p> <ul style="list-style-type: none"> ■ AF1 Use a range of strategies, including accurate decoding of text to read for meaning ■ AF2 Understand, describe, select or retrieve information, events or ideas from texts and use quotations and references to text ■ AF3 Deduce, infer or interpret information, events or ideas from texts ■ AF4 Identify and comment on the structure and organisation of texts, including grammatical and presentational features at text level ■ AF5 Explain and comment on writers' uses of language, including grammatical and literary features at word and sentence level ■ AF6 Identify and comment on writers' purposes and viewpoints and the overall effect of the text on the reader ■ AF7 Relate texts to their social, cultural and historical contexts and literary traditions. <p>The test should be based on a small number of stimulus texts (usually three or four) of appropriate length that are accessible to a level 3 reader and yet cover the range of demand to level 5.</p> <p>Texts should represent a selection from the range of reading material described in the national curriculum key stage 2 English programme of study, including those from other cultures and traditions, and over a number of years must reflect coverage of the full range of material described in the programme of study. Texts may be literary, related to other subjects in the national curriculum or the world beyond.</p>
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	<p>The texts should be linked by a common theme, offer a cohesive focus across the texts and provide opportunity for overview questions.</p> <p>Texts should be of good quality and unlikely to have been experienced by a significant number of pupils.</p> <p>There should be a range of question types, including those requiring an extended written response.</p> <p>Each of the questions should relate to one specific reading AF.</p> <p>Questions should be varied and appropriate to the topics and AFs.</p> <p>The balance of marks for each AF will vary from year to year, but the test should always include questions on reading AF2–6.</p> <p><i>Writing test</i></p> <p>The test will be keyed to the following AFs, based on the level descriptions:</p> <ul style="list-style-type: none"> ■ AF1 Write imaginative, interesting and thoughtful texts ■ AF2 Produce texts which are appropriate to task, reader and purpose ■ AF3 Organise and present whole texts effectively, sequencing and structuring information, ideas and events ■ AF4 Construct paragraphs and use cohesion within and between paragraphs ■ AF5 Vary sentences for clarity, purpose and effect ■ AF6 Write with technical accuracy of syntax and punctuation in phrases, clauses and sentences
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	<ul style="list-style-type: none"> ■ AF7 Select appropriate and effective vocabulary ■ AF8 Use correct spelling. <p>There will be one longer task and one shorter task. There should be sufficient differentiation between the longer and shorter writing tasks in terms of purpose, form, context and level of formality. These tasks should provide opportunities for pupils to respond creatively and imaginatively.</p> <p>Both tasks should cover, over time, the range of purposes and forms detailed in the national curriculum for key stage 2 English programme of study.</p> <p>There will be a planning sheet for the longer and shorter writing tasks but planning will not be marked.</p> <p>Handwriting will be assessed through the longer writing task.</p> <p>Tasks should be clearly and concisely worded, offering an appropriate level of contextual support while allowing opportunities for pupils to interpret the tasks.</p> <p>Writing tasks should be presented clearly and attractively.</p> <p>Mark schemes should relate to the writing AFs and draw them into three strands for the longer writing task:</p> <ul style="list-style-type: none"> ■ composition and effect (AF1–2) ■ text structure and organisation (AF3–4) ■ sentence structure and punctuation (AF5–6) <p>and two strands for the shorter writing task:</p> <ul style="list-style-type: none"> ■ composition and effect (AF1–2) ■ sentence structure, punctuation and text
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	<p>organisation (AF3–6).</p> <p><i>Spelling test (AF8)</i></p> <p>The test will comprise 20 target words which will be drawn from a passage read aloud by the test administrator. The number of correct spellings is converted to a mark out of 7.</p> <p>The target words should take account of pupils' developing ability to spell accurately a wide range of words, including common polysyllabic words, polysyllabic words that conform to regular patterns and words with complex regular patterns. The spelling test should take account of provision for spelling in the guidance of the national strategies.</p>
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Mathematics subject criteria

Table 3: Mathematics subject criteria for key stage 2

Key stage	2
Target year group	6
Assessment type	Tests
Assessment series	National curriculum assessment
Levels assessed	3–5
Tiering arrangements	N/A
Legal status	Statutory for local-authority maintained schools Optional for non-maintained schools following the statutory timetable
Delivery mode	Printed test materials and mental mathematics CDs centrally produced and distributed to schools
Timetable	Administered in schools to published timetable
Test security	Confidential
Pupil eligibility	Pupils whom the teacher assesses to be working at level 3 or above as identified in the mathematics national curriculum and who have completed the key stage 2 mathematics programme of study
Model of assessment	Two written tests, A (non-calculator) and B (calculator), and a recorded mental mathematics test delivered by CD
Timing	Pupils are allowed 45 minutes to complete each of the written tests. For the recorded mental mathematics test, pupils are allowed 5, 10 or 15 seconds to respond to individual items. The whole test will take approximately 20 minutes. The tests will take 1 hour 50 minutes in total.

Available marks	<p>Tests A and B have 40 marks each, giving a total of 80 marks.</p> <p>The mental mathematics test consists of 20 marks.</p> <p>Total available marks = 100.</p> <p>Pupils' marks will be aggregated to calculate an overall mathematics level of 3, 4 or 5.</p> <p>Pupils who narrowly fail to achieve a level 3 will be awarded a level 2 as a compensatory award.</p>
Permitted equipment	<p><i>Tests A and B</i></p> <ul style="list-style-type: none"> ■ A ruler (showing centimetres and millimetres) ■ An angle measurer or protractor ■ Tracing paper ■ A mirror ■ A calculator (for Test B only) <p><i>Mental mathematics</i></p> <ul style="list-style-type: none"> ■ No mathematical equipment permitted
Permitted formulae	N/A
Balance of marks across the programme of study	<p>The number of marks available for each national curriculum attainment target across the three tests should be in the following ranges:</p> <ul style="list-style-type: none"> ■ number = 59–63 marks (target 61 marks) ■ shape, space and measures = 23–27 marks (target 25 marks) ■ handling data = 12–16 marks (target 14 marks). <p>On each test, the balance of marks across attainment targets should be broadly consistent</p>

	<p>from year to year.</p> <p>Across tests A and B, approximately 10 marks will also address Using and applying mathematics. The aim should be for these marks to be spread equally across tests A and B and the three strands of Using and applying mathematics, and for the marks to be reasonably balanced across the attainment targets and levels.</p>
<p>Balance of marks across the levels</p>	<p>The number of marks available at each level across the three tests should be in the following ranges:</p> <ul style="list-style-type: none"> ■ level 3: 31–33 marks (target 32 marks) ■ level 4: 35–37 marks (target 36 marks) ■ level 5: 31–33 marks (target 32 marks). <p>On each test, the balance of marks across levels should be reasonably consistent from year to year.</p> <p>Questions on tests should be arranged, where possible, in ascending order of difficulty.</p>

<p>Curriculum coverage</p>	<p>The questions included in the tests will sample the full range of the key stage 2 mathematics programme of study.</p> <p><i>Ma2 Number</i></p> <ul style="list-style-type: none"> ■ Using and applying number ■ Numbers and the number system ■ Calculations ■ Solving numerical problems <p><i>Ma3 Shape, space and measures</i></p> <ul style="list-style-type: none"> ■ Using and applying shape, space and
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	<p>measures</p> <ul style="list-style-type: none"> ■ Understanding properties of shape ■ Understanding properties of position and movement ■ Understanding measures <p><i>Ma4 Handling data</i></p> <ul style="list-style-type: none"> ■ Using and applying handling data ■ Processing, representing and interpreting data
Question types	<p>A range including:</p> <ul style="list-style-type: none"> ■ calculation ■ questions requiring the application of mathematical processes in contexts of Ma2, Ma3 and Ma4 ■ questions linking sections of the programme of study ■ questions requiring pupils to explain their answers using mathematical reasoning ■ questions requiring pupils to produce unsupported solutions to multi-step problems ■ questions drawn from both real-life and mathematical contexts ■ questions requiring pupils to select the appropriate information needed to solve a problem ■ questions requiring pupils to consider appropriate units for their answers
Question contexts	<p>Contextual questions should make use of real-life as well as mathematical contexts.</p>

	<p>The contexts of questions should:</p> <ul style="list-style-type: none">■ engage pupils whatever their cultural or social backgrounds or life experiences■ reflect common life experiences of 10- and 11-year-old pupils in schools in England.
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Science subject criteria

Table 4: Science subject criteria for key stage 2

Key stage	2
Target year group	6
Assessment type	Tests
Assessment series	National curriculum assessment
Levels assessed	3–5
Tiering arrangements	N/A
Legal status	Statutory for local-authority maintained schools Optional for non-maintained schools following the statutory arrangements
Delivery mode	Printed and distributed to schools
Timetable	Administered in schools to published timetable
Test security	Confidential
Pupil eligibility	Pupils whom the teacher assesses to be working at level 3 or above as identified in the science national curriculum and who have completed the key stage 2 science programme of study
Model of assessment	Two tests, test A and test B
Timing	Pupils are allowed 45 minutes to complete each of the tests. 1 hour 30 minutes in total.
Available marks	Tests A and B have 40 marks each, giving a total of 80 marks. Pupils' marks from both tests will be aggregated to calculate an overall science level of 3, 4 or 5. Pupils who narrowly fail to achieve a level 3 will be awarded a level 2 as a compensatory award.

Permitted equipment	<ul style="list-style-type: none"> ■ A ruler (showing centimetres and millimetres)
Balance of marks across the programme of study	<p>The balance of marks will be between the following attainment targets of the national curriculum key stage 2 science programme of study in the approximate ratio 2:1:1:1:</p> <ul style="list-style-type: none"> ■ Sc1 Scientific enquiry ■ Sc2 Life processes and living things ■ Sc3 Materials and their properties ■ Sc4 Physical processes. <p>Sc1 Scientific enquiry is mainly assessed within the context of the other attainment targets.</p>
Balance of marks across the levels	<p>The balance of marks should be distributed across the levels as follows:</p> <ul style="list-style-type: none"> ■ 20% level 3 marks, 50% level 4 marks and 30% level 5 marks (ratio 2:5:3). <p>A tolerance of $\pm 2\%$ is acceptable (1–2 marks, depending on the level).</p>
Curriculum coverage	<p>The range of questions included in the tests will sample the full range of the science national curriculum key stage 2 programme of study:</p> <ul style="list-style-type: none"> ■ Sc1 Scientific enquiry <ul style="list-style-type: none"> □ Ideas and evidence □ Investigative skills ■ Sc2 Life processes and living things <ul style="list-style-type: none"> □ Life processes □ Humans and other animals □ Green plants □ Variation and classification

	<ul style="list-style-type: none"> □ Living things in their environment ■ Sc3 Materials and their properties <ul style="list-style-type: none"> □ Grouping and classifying materials □ Changing materials □ Separating mixtures of materials ■ Sc4 Physical processes <ul style="list-style-type: none"> □ Electricity □ Forces and motion □ Light and sound □ The Earth and beyond.
Question types	<p>A range including:</p> <ul style="list-style-type: none"> ■ questions requiring the application of scientific processes in the contexts of Sc2, Sc3 and Sc4 ■ questions linking sections of the programme of study ■ questions requiring pupils to justify their answers using scientific reasoning ■ questions requiring pupils to produce unsupported solutions to multi-step problems ■ questions requiring pupils to select the appropriate information and, where necessary, use it to solve a problem ■ questions requiring pupils to deduce, infer or interpret information, events or ideas ■ questions requiring pupils to produce diagrammatic responses.

Question contexts	<p>The majority of questions will be in the context of the science attainment targets.</p> <p>Questions should explore the national curriculum breadth of study, for example:</p> <ul style="list-style-type: none">■ exploring a range of domestic and environmental contexts that are familiar and of interest■ looking at the part science has played in the development of many useful things■ using a range of sources of information and data.
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Section 3: Delivering national curriculum assessments

24. National curriculum test specifications, and associated assessment materials under development, will be evaluated on their potential to deliver results that match the five common criteria (see paragraphs 12–20), their fit with the subject criteria and their identified quality assurance procedures. QCA will be expected to provide data and management information as evidence that the code of practice has been met.
25. For each stage of the test development and delivery process, QCA will provide the regulator with descriptions of the procedures being operated, the controls and potential points of failure, how risks will be minimised and what contingency plans exist. To enable transparency, QCA will establish defensible, measurable characteristics and evidence of success for each process. These characteristics should be clear and robust, providing a mechanism for regulation and self-assessment. The regulator will agree with QCA the tolerances (including timing) outside of which the regulator must be informed. QCA must ensure that, within the risk management framework, business continuity plans are maintained and regularly practised and reviewed to prepare for major incidents that could adversely affect the assessment systems.
26. QCA's procedures must be consistent with the *National curriculum assessments: code of practice* and the models for ensuring the maintenance of standards over time (see the appendices to the code of practice).

Communication and dissemination

27. QCA is responsible for the timely communication and dissemination of all statutory requirements and associated information concerning national curriculum assessment to schools and local authorities, using circulars, publications, electronic media, conferences, etc, as appropriate. QCA will ensure that it meets agreed customer service standards and that telephone helplines are set up to deal with enquiries on all aspects of test administration, including external marking, data collection and reasonable adjustments, during the assessment cycle.

Test development

28. QCA is responsible for ensuring the production of high-quality national curriculum assessment materials (including modified materials) for each core subject at each key stage. QCA will explain the system of development, trialling, pre-testing and review that will ensure final

versions of test materials are fit for purpose, free from error and capable of generating robust results. QCA must provide test development agencies with specifications for the development process linked to the common and subject criteria.

29. All materials must be designed for use with the full range of pupils who are working at the appropriate levels and have followed the relevant key stage programme of study. As far as is practicable, the test materials should ensure equality of access for all eligible pupils.

Test security

30. QCA will ensure that procedures are established, documented and supplied to all relevant staff, agencies, consultants and markers to maintain the integrity of the tests. QCA will ensure that procedures for maintaining test security, with reference to delivery, storage and administration before, during and after the tests are communicated to schools. Clear guidance should be provided for schools and local authorities on what constitutes maladministration and the possible sanctions.
31. The regulator must be informed of any breaches of security that have the potential to compromise the integrity of an assessment. QCA must have contingency plans in place to be able to respond to any breach of security that has compromised the integrity of an assessment.

Print and distribution of assessment materials

32. QCA is responsible for the timely and secure distribution of appropriate quantities of assessment materials (including modified materials) to schools, enabling the effective and efficient administration of the tests and tasks. QCA will ensure that schools and local authorities are fully informed about how and when materials will be delivered. QCA will have procedures in place to deliver to Service Children's Education schools overseas.
33. QCA will establish systems to receive information on the successful delivery of materials so that it can remedy failures. Where distribution problems or errors occur, QCA will have procedures in place to ensure that additional or replacement assessment materials are supplied in good time so that schools can meet their statutory obligations.

Test administration

34. Arrangements for test administration will be specified and published. The arrangements should not impose unnecessary demands on schools or local authorities, or on pupils with special assessment needs.
35. Pupils must be systematically registered for national curriculum assessments without undue burden or unnecessary demands being placed on schools.
36. At key stage 1, QCA will establish procedures to support the internal test administration that informs statutory teacher assessment. QCA will demonstrate how these activities ensure the maintenance of nationally agreed standards.
37. For maintained schools, QCA will provide guidance for local authorities on carrying out their statutory responsibilities to monitor:
 - a) the integrity of test administration at key stage 2
 - b) the quality of the moderation of teacher assessment at key stage 1.
38. For non-maintained schools participating in the statutory national curriculum assessments, QCA has a statutory duty to monitor:
 - a) the integrity of test administration at key stage 2
 - b) the quality of the moderation of teacher assessment at key stage 1.

Reasonable adjustments

39. QCA will demonstrate how it will ensure access for pupils with particular assessment needs, in line with the requirements of current legislation, without invalidating the test or disadvantaging other pupils, and publish these arrangements to schools.
40. QCA will demonstrate the arrangements by which special consideration will be given to pupils whose performance in the test is affected by distressing circumstances and publish these arrangements to schools.

Marking

41. At key stage 1, QCA will ensure that schools and local authorities have the necessary materials to understand the teacher assessment process and their responsibilities.
42. At key stage 2, QCA will ensure that:

- a) external markers are trained so that they understand their responsibility and consistently apply the mark scheme, in line with the agreed national standard
- b) external markers do not mark test papers from schools in which they have a personal interest
- c) marking is monitored, reviewed and, where necessary, adjusted to ensure consistent standards are applied
- d) published deadlines for marked tests to be returned to schools are met.

Maladministration

- 43. QCA must investigate any matter brought to its attention that relates to doubt over the accuracy or correctness of pupils' results.
- 44. QCA must inform Ofqual of all cases leading to the annulment of results.

Level setting

- 45. QCA is responsible for setting level thresholds that ensure test standards are maintained from year to year. The position of these thresholds is based on statistical evidence from the pre-tests and, where appropriate, evidence from pupils' performance on the tests.
- 46. QCA must ensure that the level thresholds are published in a timely fashion.

Data requirements, collection and reporting

- 47. QCA must have thorough and robust systems for collecting and checking all pupil performance data as defined by the DCSF in its technical requirements. QCA must ensure that the data are accurate, up to date and complete to enable the distribution of test, task and external marking materials to schools as well as the reporting of test results by the published date.

Review of marking

- 48. QCA must establish a review mechanism to address teachers' concerns about the quality of marking and accuracy of results. The cost to schools for requesting a review of marking must not be prohibitive.
- 49. QCA must have procedures in place for monitoring, evaluating and reporting annually on the review arrangements, sharing relevant data with the regulator on request.

50. QCA will publish arrangements for schools seeking a review of the marking of their tests and will respond to all issues and complaints raised by schools or individuals during the test period.

Appeals

51. Schools must be able to appeal against QCA's final decision in cases of malpractice. QCA will ensure that, once the malpractice process has been completed, schools wishing to appeal are provided with the necessary procedures. The appeals will be carried out by independent appointees.

Evaluation

52. QCA must ensure that its evaluation activities and self-assessment support continuous improvement. QCA must ensure that their evaluation of processes outlined in this regulatory framework and the *National curriculum assessments: code of practice* (revised 2009) considers:
- a) the suitability of all materials and the validity of outcomes
 - b) the effectiveness of administration arrangements
 - c) the manageability of data collection arrangements.
53. QCA should actively seek the involvement of stakeholders, specifically local authorities, schools and pupils, at each key stage to inform the evaluation of each year's assessments.

Procurement

54. The regulator must be informed of any major procurement activities such as the appointment of test development or test operations agencies. The regulator must make it known to QCA if it wishes to contribute to the procurement exercise.

Archiving

55. The regulator will agree with QCA detailed arrangements for archiving materials from each test cycle.

Section 4: Programme for monitoring national curriculum assessments

56. Ofqual will use the five principles of good regulation (proportionality, accountability, consistency, transparency and targeting) to inform its regulatory activities:
- a) proportionality: regulators should only intervene when necessary; remedies should be appropriate to the risk posed, and costs should be identified and minimised
 - b) accountability: regulators must be able to justify decisions and be subject to public scrutiny
 - c) consistency: rules and standards must be linked and implemented fairly
 - d) transparency: regulators should be open and make regulations simple and easy to use
 - e) targeting: regulation should focus on problems and seek to minimise side effects.
57. Ofqual will apply the five principles of good regulation when:
- a) approving QCA's national curriculum assessment programme of work, including the proposals that QCA produces at the beginning of the development cycle to meet the common and subject criteria
 - b) monitoring QCA products and processes, specifically test development, marking and level setting
 - c) monitoring all final level setting meetings for the statutory national curriculum assessments
 - d) undertaking investigations and reviews that focus on specific areas or issues. This may deal with consistency and standards, subject- or key-stage-specific aspects of the development or delivery processes, or enquiries into specific problems
 - e) working with QCA on an effective mechanism for regulatory self-assessment with an emphasis on continuous improvement
 - f) publishing regulatory documents.

58. Ofqual will ensure that all people involved in regulation identify any potential conflict of interest and take action accordingly.
59. Ofqual will inform QCA of the focus for regulation annually. Performance will be judged against compliance with the relevant common and subject criteria and code of practice.

Implementing change

60. From time to time it may be necessary to amend the national curriculum assessments, the subject criteria, common criteria or the requirements for a particular process. This may be required for a variety of reasons, for example:
 - a) policy changes requested by ministers or the DCSF
 - b) curriculum developments requested by QCA
 - c) outcomes of Ofqual monitoring activities
 - d) continuous improvement through QCA self-assessment
 - e) modernisation programmes or e-assessment initiatives.
61. Any change to the national curriculum assessments affects the comparability of standards and delivery of the assessments. Consequently, QCA and Ofqual must be able to manage and justify changes in the system. Where appropriate, the need for and impact of change will be informed through discussion with stakeholders, including teachers, professional associations and others as appropriate.
62. Where changes are proposed to content, structure or processes, QCA will provide Ofqual with an impact analysis of the proposed changes. This analysis should be evaluated against the appropriate common criteria (identified in Section 2) and must address issues of comparability and standards over time. Ofqual will review the impact analysis to ensure that risks are acceptable and minimised.
63. Based on the scale of the changes proposed, QCA and Ofqual will agree on the appropriate level of change management and the involvement of the QCA Executive, QCA Board, DCSF and ministers.
64. The following principles will apply when implementing change:
 - a) where feasible, Ofqual will incorporate changes into common and subject criteria

- b) Ofqual will work in partnership with QCA to explain and justify changes
 - c) where appropriate, written consent will be obtained from DCSF
 - d) where change to the system is proposed, risks will be identified, evaluated and included in Ofqual's risk register and issues log.
65. Depending on the scale of proposed changes to the content, format or methods of assessment, QCA will negotiate with Ofqual a timescale for implementation. QCA will ensure that adequate notice is given to effect change so that the integrity of the tests is maintained. QCA must ensure that adequate notice is given to schools so that the interests of pupils are protected.
66. Ofqual may recommend piloting any proposed changes before full implementation. Decisions on whether to implement any piloted activities, and how these activities should be monitored, would be agreed with QCA.

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