



Department  
for Education



Standards  
& Testing  
Agency

# **Primary school pupil assessment: Rochford Review recommendations**

**Government consultation**

**Launch date 30 March 2017**

**Respond by 22 June 2017**

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## Introduction

This consultation is about the future of statutory assessment arrangements for pupils working below the standard of national curriculum tests in England. It is concerned with statutory assessment at the end of key stages 1 and 2, by which we mean the summative assessment, prescribed by the government, which takes place at the end of a period of study, either through externally-set tests or teacher assessment.

In 2015, the Minister of State for School Standards established an independent review of statutory assessment arrangements for pupils who are working below the standard of national curriculum tests, led by Diane Rochford. The review group was asked to advise whether existing arrangements remained fit for purpose in the light of wider changes to curriculum and assessment.

There is a proportion of pupils who have not completed the relevant programmes of study when they reach the appropriate age for statutory national assessments, and are therefore not able to sit national curriculum tests. Through this consultation we will work to establish an appropriate means of assessment that allows these pupils to progress to the mainstream forms of statutory assessment if, and when, they are ready.

In December 2015, the Rochford Review published recommendations for an [interim statutory solution](#)<sup>1</sup> to assess pupils working below the standard of national curriculum tests who are not assessed using performance scales (P scales). This solution was adopted in developing the interim pre-key stage standards which were first used in the 2015 to 2016 academic year and which have since been retained for the 2016 to 2017 academic year. The Rochford Review's [final report](#)<sup>2</sup> was published in October 2016. We are now seeking views on the Review's final recommendations.

## Who this is for

This consultation is for anybody with an interest in primary education and the way that pupils are assessed in school. This includes:

- schools and school leaders, and organisations representing school leaders
- teachers, and organisations representing school teachers
- parents, carers and young people, and organisations representing them
- governors, and organisations representing governors
- organisations representing those with special educational needs and disabilities (SEND)
- local authorities
- other government bodies and departments

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<sup>1</sup> <https://www.gov.uk/government/publications/rochford-review-interim-recommendations>

<sup>2</sup> <https://www.gov.uk/government/publications/rochford-review-final-report>

## Issue date

The consultation was issued on 30 March 2017.

## Deadline

The consultation closes at 17:00 on 22 June 2017.

## Enquiries

If your enquiry is related to the policy content of the consultation you can contact the department on 0370 000 2288 or e-mail:

[Rochford.Review@education.gov.uk](mailto:Rochford.Review@education.gov.uk)

If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the DfE Ministerial and Public Communications Division by email: [consultation.unit@education.gov.uk](mailto:consultation.unit@education.gov.uk) or by telephone: 0370 000 2288 or via the [DfE Contact us page](#).

## Additional copies

Additional copies are available electronically and can be downloaded from [GOV.UK DfE consultations](#).

## The response

The results of the consultation and the department's response will be published on [GOV.UK](#) in September 2017.

## Respond online

To help us analyse the responses please use the online system wherever possible. Visit [www.education.gov.uk/consultations](http://www.education.gov.uk/consultations) to submit your response.

## Other ways to respond

If, for exceptional reasons, you are unable to use the online system, for example because you use specialist accessibility software that is not compatible with the system, you may download a word document version of the form and email it or post it.

### By email

[Rochford.Review@education.gov.uk](mailto:Rochford.Review@education.gov.uk)

### By post

Assessment Policy Team, Department for Education,  
2<sup>nd</sup> Floor, Sanctuary Buildings, 20 Great Smith Street, London, SW1P 3BT.

# Current assessment arrangements

## Context

Statutory assessment plays an important role in ensuring that every child is supported to leave primary school prepared to succeed. We believe that our assessment system should be robust, fair, and proportionate for both teachers and pupils. It should provide rigorous, reliable and trusted data that can be used to measure accurately and hold schools to account for the progress that they make with their pupils. It should reflect that we are ambitious for all of our children, regardless of their background or circumstances, and it must be inclusive in its design and operation. It is crucial that every child is able to demonstrate attainment and progress.

There is a proportion of pupils who have not completed the relevant programmes of study when they reach the appropriate age for statutory national assessments, and are therefore not able to sit the national curriculum tests. This is a diverse group, with above average numbers of pupils with special educational needs and disabilities (SEND), pupils from disadvantaged backgrounds and pupils with English as an additional language. It is crucial that schools are rewarded for focusing on all pupils, supporting them to achieve their potential, regardless of their background, needs or attainment on entry to school.

## P scales

P scales were introduced in 1998 to sit below level 1 of the old national curriculum, because teachers working with children with complex needs found that the national curriculum level descriptors started at too high a point for their pupils.

There are eight levels within the P scales and each level contains broad descriptions of the performance expected of pupils working at that level. P1 represents the lowest level of attainment and P8 the highest. P1 to P3 describe early learning and development before pupils begin to engage in subject-specific learning. P4 is the entry point to subject-specific learning and the remaining four P scales, P5 to P8, are subject-specific.

It is currently a statutory requirement to use P scales to assess and report the attainment of pupils with SEND who are not working at the standard of mainstream statutory assessments. The removal of levels and the introduction of the new national curriculum in 2014, and wider changes to statutory assessment arrangements, prompted the government to establish the independent Rochford Review. Review group members were asked to look again at assessment arrangements for these pupils, and all other pupils working below the standard of national curriculum tests, to ensure that they are as appropriate and effective as they can be and that they allow for, and support, progression on to the new mainstream forms of statutory assessment.

## End of key stage statutory teacher assessment

Following the removal of national curriculum levels, interim teacher assessment frameworks were introduced in the 2015 to 2016 academic year to enable schools to report end of key stage statutory assessment for pupils who are working at the standard of national curriculum tests. These frameworks are being used again for the 2016 to 2017 academic year.

In December 2015, the Rochford Review published a set of interim pre-key stage standards for the statutory assessment of those pupils who are not assessed using P scales but are working below the standard of the national curriculum tests. These were first used in the 2015 to 2016 academic year, and have also been retained for the 2016 to 2017 academic year.

The interim pre-key stage standards follow the same principles as the interim teacher assessment frameworks, with each containing a number of ‘pupil can’ statements, in order to support progression on to mainstream assessment arrangements, if and when pupils are ready. The standards shown in italics below are the published interim teacher assessment framework standards. The standards in bold are the current interim pre-key stage standards.

### Pre-key stage 1 standards for English reading, English writing and mathematics

- *Working at greater depth at the expected standard*
- *Working at the expected standard*
- *Working towards the expected standard*
- **Foundations for the expected standard**

### Pre-key stage 2 standards for English reading, English writing and mathematics

- *Working at greater depth at the expected standard (writing only)*
- *Working at the expected standard*
- *Working towards the expected standard (writing only)*
- **Growing development of the expected standard**
- **Early development of the expected standard**
- **Foundations for the expected standard**

If a school decides not to enter a pupil for the tests, or if a teacher does not have evidence that a pupil consistently meets all the statements in the ‘working towards’ standard in the interim framework for teacher assessment, the interim pre-key stage standards should be used to provide a statutory assessment outcome for the pupil, unless their attainment is being reported using P scales.

This consultation seeks views on the Rochford Review's final recommendations and we will consider all responses before making any decisions about future policy. In the meantime, schools should continue to use the interim pre-key stage standards and P scales for the statutory assessment of pupils working below the standard of the national curriculum tests.

## Rochford Review final recommendations

The independent Rochford Review made the following recommendations for the statutory assessment of pupils working below the standard of national curriculum tests at the end of key stages 1 and 2:

1. The removal of the statutory requirement to assess pupils using P scales.
2. The interim pre-key stage standards for pupils working below the standard of national curriculum tests are made permanent and extended to include all pupils engaged in subject-specific learning.
3. Schools assess pupils' development in all four areas of need outlined in the SEND Code of Practice, but statutory assessment for pupils who are not engaged in subject-specific learning should be limited to the area of cognition and learning.
4. There should be a statutory duty to assess pupils not engaged in subject-specific learning against the following seven aspects of cognition and learning and report this to parents and carers:
  - responsiveness
  - curiosity
  - discovery
  - anticipation
  - persistence
  - initiation
  - investigation
5. Following recommendation 4, schools should decide their own approach to making these assessments, according to the curriculum that they use and the needs of their pupils.
6. Initial Teacher Training (ITT) and Continuing Professional Development (CPD) for staff in educational settings should reflect the need for teachers to have a greater understanding of assessing pupils working below the standard of national curriculum tests, including those pupils with SEND who are not engaged in subject-specific learning.
7. Where there is demonstrable good practice in schools, those schools should actively share their expertise and practice with others. Schools in need of support should actively seek out and create links with those that can help to support them.
8. Schools should work collaboratively to develop an understanding of good practice in assessing pupils working below the standard of national curriculum tests, particularly across different educational settings. Schools should support this by actively engaging in quality assurance, such as through school governance and peer review.

9. There should be no requirement to submit assessment data on the seven areas of cognition and learning to the Department for Education, but schools must be able to provide evidence to support a dialogue with parents and carers, inspectors, regional schools commissioners, local authorities, school governors and those engaged in peer review to ensure robust and effective accountability.
10. Further work should be done to consider the best way to support schools with assessing pupils with English as an additional language.

# Future arrangements as proposed by the Rochford Review

## Inclusive assessment

This section refers to Rochford Review recommendations 1 and 2. The final report recommends removing the statutory requirement for schools to use P scales to report the attainment and progress of pupils with SEND who are not working at the standard of national curriculum assessments. P scales were intended to create a common language around pupil attainment (for use, for example, by local authorities when making and evaluating the impact of their commissioning decisions for pupils for whom they have responsibility because they had Statements of SEN) and to help schools know what to expect of pupils working at that standard. However, the Review concluded that P scales are no longer fit for purpose. This is because they are based on the old national curriculum and therefore do not support pupils' progression onto the new national curriculum. Also, they are not formally moderated and, like national curriculum levels, they have not always been used in the way they were intended, which can confuse the distinction between curriculum and assessment.

The interim pre-key stage standards developed by the group also create a common language and are designed to align with the requirements of the new national curriculum and to support progression on to mainstream statutory national curriculum assessments. The Review therefore recommends that the interim pre-key stage standards are made permanent and extended to include all pupils engaged in subject-specific learning, which would encompass the vast majority of pupils currently assessed using P scales. Their recommendations for what should replace P scales for the statutory assessment of the small number of pupils nationally who are not yet engaged in subject-specific learning, are detailed in subsequent sections of this consultation.

There are clear benefits to an approach that creates a clear pathway for as many pupils as possible to progress onto the new national curriculum and its statutory assessments. We would welcome your views on both the removal of the statutory requirement to assess using P scales and on the substance of the pre-key stage standards. The pre-key stage standards developed by the group and the proposed additional standards (emerging and entry) can be found in the group's [final report](#)<sup>3</sup>.

It should be noted that any alterations made to the mainstream teacher assessment frameworks, as discussed in the parallel government consultation 'Primary assessment in England', will also need to be reflected in the interim pre-key stage standards, to

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<sup>3</sup> <https://www.gov.uk/government/publications/rochford-review-final-report>.

ensure that pupils working below the standard of the national curriculum tests are able to transition on to mainstream assessment arrangements if, and when, they are ready.

**Q1. If the statutory requirement to assess pupils using P scales was removed, would any important information no longer be available to you?**

- Yes
- No

**Please explain your reasoning and provide any further evidence we should take into account.**

**Q2a. In your opinion, are the pre-key stage standards clear and easy to understand?**

- Yes
- No

**Q2b. If you answered no, which of the bulleted statements lack sufficient clarity to enable an effective teacher assessment to be carried out? Please explain why.**

**Q3. Do the pre-key stage standards support and encourage progression on to the statutory national curriculum tests for pupils who are able to do so?**

- Yes
- No

**Please explain your reasoning and describe how the pre-key stage standards could be improved to support and encourage progression on to the statutory national curriculum tests.**

## **Assessment for pupils not engaged in subject-specific learning**

This section refers to Rochford Review recommendations 3, 4 and 5. There is a small number of pupils whose special educational needs and disabilities are such that they will not be engaged in subject-based learning by the time they reach the end of key stage 1 or 2. The pre-key stage standards could not be used to assess these pupils. We are seeking your views on what form statutory assessment should take for these pupils if P scales were to be made non-statutory.

The Rochford Review drew on the four areas of need outlined in the [SEND Code of Practice: 0-25 years](#)<sup>4</sup> (cognition and learning; communication and interaction; social, emotional and mental health; sensory and/or physical). The Review recommends that statutory assessment of pupils that are not engaging in subject-specific learning should focus on cognition and learning. This is consistent with mainstream statutory assessment arrangements, which focus on learning and development in English reading, English writing and mathematics. A focus on cognition and learning for the statutory assessment of pupils not engaged in subject-specific learning would support schools to ensure that these pupils are developing the necessary building blocks to move on to subject-specific learning if and when they are ready.

**Q4. Do you agree that statutory assessment should focus on cognition and learning?**

- Yes
- No

**Please explain your reasoning and, if applicable, describe what should be assessed instead or in addition to cognition and learning, and why.**

The Rochford Review drew on the work of [The Complex Learning Difficulties and Disabilities \(CLDD\) research project](#)<sup>5</sup> commissioned by the department and published in 2011, when considering how cognition and learning can be demonstrated and assessed for pupils with severe, profound and multiple learning difficulties. Based on this research, the Review recommends a statutory duty to assess seven areas of engagement for cognition and learning for pupils not yet engaged in subject-specific learning.

The Review concluded that the ability to engage with learning is an essential prerequisite for cognitive development among pupils with severe, profound and multiple learning disabilities. As such, assessing areas of engagement allows teachers and educational professionals to observe and monitor the varying degrees of attention, interest and involvement that pupils demonstrate when they are sufficiently motivated to participate in new learning, and thus are able to progress towards acquiring new skills and concepts. The seven areas are:

1. Responsiveness
2. Curiosity
3. Discovery

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<sup>4</sup> <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

<sup>5</sup> [http://complexld.ssatrust.org.uk/uploads/CLDD\\_project\\_report\\_final.pdf](http://complexld.ssatrust.org.uk/uploads/CLDD_project_report_final.pdf)

4. Anticipation
5. Persistence
6. Initiation
7. Investigation

**Q5. Do you agree that assessing against the seven areas of engagement listed above is the right model to be used in the statutory assessment of these pupils?**

- Yes
- No

**Please explain your reasoning and, if applicable, provide details of robust alternative methods for the assessment of cognition of learning, or other SEND areas of need, which the department should explore.**

**Q6. Do you believe that assessing pupils against the seven areas of engagement for cognition and learning would give parents and carers meaningful information about their child's attainment and progress?**

- Yes
- No

**Please explain your reasoning and provide any further evidence we should take into account.**

**Q7. If you did not agree that statutory assessment should only focus on cognition and learning, do you think that the seven areas of engagement would be useful in assessing the other areas of need as outlined in the [SEND Code of Practice: 0-25 years](#)<sup>6</sup> (communication and interaction; social, emotional and mental health; sensory and/or physical)?**

- Yes
- No

**Please explain your reasoning and, if applicable, describe which other areas should be assessed and why.**

Pupils do not always make progress in a linear way, particularly those who are not engaged in subject-specific learning. The Review's report describes how the nature of progress can be determined by the individual's profile of needs, and therefore recommends that schools should be free to assess these pupils against the seven

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<sup>6</sup> <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

areas of engagement for cognition and learning in a way that is appropriate for the needs that they have and the curriculum that they follow.

For these pupils, progress is not always about acquiring new knowledge and skills, but can often be about applying existing knowledge to new contexts or consolidating an existing skill. Allowing schools the freedom to select an approach appropriate to the pupils they teach would mean that this progress could be captured in all its forms. Schools would be expected to move on to assessment using the pre-key stage standards if and when pupils begin to engage in subject-specific learning.

To support schools in selecting their own approaches, the Review's final report provides a number of principles for assessing pupils who are not engaged in subject-specific learning. These principles can be found on page 22 of the final report.

**Q8. For those working in educational settings, if the government accepted the recommendation that schools should decide the best way to assess the seven engagement areas of cognition and learning, would you be able to assess pupils against the seven areas using the guidance provided in the Rochford Review's final report?**

- Yes
- No

**Please explain your reasoning and describe what additional support you might need in order to make these assessments?**

## **Reporting assessment data**

This section refers to Rochford Review recommendation 9. Schools currently have a statutory duty to submit P scale data to the department. This data is made available at local and national level only. If P scales were to be made non-statutory, this duty would cease. Instead, the department proposes to collect information about which pre-key stage standard pupils are at. This data would be collected for all pupils who are not yet working at the standard of the national curriculum tests, and would include a requirement to report any pupils who are not yet demonstrating all the requirements for any of the pre-key stage standards, including those not yet engaged in subject-specific learning. We will consider carefully the implications of this recommendation on school attainment and progress measures and will explore this further with the sector.

The Rochford Review recommends that schools should not be required to submit the data they collect for pupils not yet engaged in subject-specific learning when assessing them against the seven engagement areas of cognition and learning. This is because a specific reporting format would require a specific form of assessment, which goes against the Review's recommendation that schools should be free to assess these

pupils in a way that is appropriate for the needs that they have and the curriculum that they follow. It recommends that instead schools must be able to provide this evidence when required and must continue to meet their statutory duty to report to parents and carers. This could take the form of dialogue between parents, carers, schools and those working with them, such as Ofsted inspectors, local authorities, regional school commissioners and governors. These discussions could cover the variety of ways in which these pupils make progress and should be supported by a range of evidence that underpins teacher's judgements about their pupils.

**Q9. The Rochford Review recommends that schools should not be required to submit assessment information to the department for pupils not engaged in subject-specific learning. Do you agree with this recommendation?**

- Yes
- No

**Please explain your reasoning and provide any further evidence we should take into account.**

## **Implementation**

This section refers to Rochford Review recommendations 6, 7, 8 and 10. The Rochford Review makes a number of other recommendations for the implementation of these assessment arrangements for pupils working below the standard of national curriculum tests. These recommendations include that Initial Teacher Training (ITT) and Continuing Professional Development (CPD) should reflect the need for staff working in educational settings to have a greater understanding of assessing these pupils, with specific focus on the approach to assessment of those not yet engaged in subject-specific learning. The Review found that school-to-school engagement can be an effective way to improve assessment practice and that this is particularly beneficial where different types of schools provide each other with support, such as mainstream schools and special schools working together.

The Review also focused on there being a number of pupils who are not yet working at the standard of national curriculum tests because they do not speak English as their first language. It recommends that further work take place to consider the best way to support schools in assessing these pupils.

**Q10. How can we ensure that ITT and CPD provision adequately supports those who work in schools with the assessment of pupils who are not working at the standard of national curriculum tests? What kind of training, materials and support would be helpful?**

**Q11. The Review suggests that schools should work collaboratively across different types of educational settings. How could schools best be supported to share good practice?**

**Q12. Would additional guidance for the statutory assessment of pupils who are not yet working at the standard of national curriculum tests and who have English as an additional language be helpful?**

- Yes
- No

**Please explain your reasoning and, if applicable, describe what areas the guidance should cover?**

The department is committed to ensuring that assessment is not burdensome. We would welcome views on how the statutory assessment of pupils working below the standard of national curriculum tests could be streamlined, for both teachers and pupils.

**Q13. What steps could we take to reduce any burdens on those involved in the statutory assessment of pupils not yet working at the standard of national curriculum tests?**

## Equalities

We are committed to ensuring equality of opportunity for all children in the education system. It is important to us to consider the possible impact that the proposed policies stated in this consultation could have on different groups. This will help not only to identify, avoid and manage any possible negative impacts, but also to make the most of any opportunities for positive impact. Only then can we provide a world-class education system that allows every child to reach their potential, regardless of their background, their needs or where they live.

We have a duty to promote equality and in accordance with the Equality Act 2010, when making decisions public bodies must have “due regard” to: the need to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations, in relation to relevant protected characteristics.

The purpose of this section is to ask for your views on the proposals set out above in this consultation, and whether they are likely to have a positive or negative disproportionate impact on any pupils with relevant protected characteristics under the Equality Act 2010.

**Q14. Do you think that any of these proposals could have a disproportionate impact, positive or negative, on specific students, in particular those with 'relevant protected characteristics' (including disability, gender, race and religion or belief)?**

**Please provide evidence to support your response.**

**Q15. How could any adverse impact be reduced and are there any ways we could better advance equality of opportunity?**

**Please provide evidence to support your response.**



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