Teacher involvement in developing exam papers

Findings from our call for evidence

Contents

1. Summary

In September 2017, Ofqual began a review of the involvement of teachers in developing exams in the qualifications that they teach.

As part of this, we held a public call for evidence from 29 September 2017 to 31 October 2017. This provided an opportunity for anyone with insights into the exam system to share their views on the benefits and risks of teacher involvement in exam design and the safeguards associated with this.

We received 142 complete responses to our call for evidence. Of these, 127 were received from individuals. The majority of these respondents held multiple roles within the education system and included teachers, examiners, centres and parents.

A further 15 responses came from organisations including exam boards, teaching unions and professional associations.

The benefits of teachers developing exams in the qualifications that they teach

Almost universally, individuals and organisations emphasised the importance of retaining a strong link between teaching and examining. Writing exam papers requires considerable skill and experience.

Teachers have an in depth knowledge of the students being tested and the curriculum as it is enacted in schools. They also have applied assessment expertise. This allows them to design exams at the right level of demand for students of varying abilities; that use appropriate language and contexts; and that reflect what students are actually being taught in the classroom.

Most people who responded to our call for evidence strongly believed that the quality of exams will decline if teachers are not involved in their production. They told us that examiners who have no recent teaching experience can be out of touch with both students and the curriculum. This can result in exam questions which are not pitched at the right level of demand and use inaccessible language and contexts.

Given the close link between teaching and assessment, many respondents explained that the involvement of teachers in exam design has benefits for teaching and learning. It enhances teachers' subject knowledge and assessment expertise. Furthermore, it helps them to prepare students more effectively for exams in a quite legitimate way.

The risks of teachers developing exams in the qualifications that they teach

Over four fifths of respondents recognised that there are risks in a system which relies on teachers developing exams in the qualifications that they teach. This could include teachers leaking exam questions or giving more emphasis to particular subjects in their teaching or revision, whether intentionally or subconsciously.

This is not to say these risks are perceived as significant, however. While the risks were acknowledged, over a quarter of individuals said that in their experience malpractice was exceptionally rare.

They attributed this to teacher professionalism as well as effective sector-wide safeguards. However, a fifth of respondents believed that any risk of malpractice is heightened by significant pressures on teachers both from the accountability system and from within centres.

Effectiveness of current safeguards

Most people who responded to our call for evidence believed current safeguards are effective in preventing malpractice (over two thirds of respondents). There was an acknowledgement that this is reliant to a degree on the professionalism of the teachers involved. This was not generally seen to be a failing of the system, however.

Many respondents noted that other industries were equally reliant on the professionalism of the people they employ. Respondents stressed that the vast majority of teachers display the very highest integrity and called for a greater culture of trust in the teaching profession.

Individuals and organisations discussed the safeguards that they believed to be particularly important in preventing malpractice. Both mentioned examiner contracts, confidentiality clauses and monitoring of senior examiners as effective safeguards put in place by exam boards.

A more informal safeguard is the nature of the exam design process itself. With the long time lag between exam design and exam papers being taken by students in schools, respondents believed that many senior examiners would be unable to recall the details of the questions on a specific paper in any given year.

While organisations had favourable opinions of safeguards to prevent malpractice, a small minority of individuals were more critical. These cited their personal experience or the publicly reported cases of malpractice as evidence of a failure of safeguards.

Improvements to safeguards

Although most respondents believed that current safeguards were suitably robust, many still suggested improvements. These ranged from radical changes to minor adjustments to current processes.

In particular, there was significant debate around whether it is acceptable that practising teachers should be allowed to develop exams in the exact specifications that they teach. Individual respondents and organisations differed in their views on this.

Both agreed that it is essential to retain the involvement of teachers in exam design for reasons of exam quality. However, over a fifth of individuals suggested that while teachers should remain part of the system, they should not be able to develop exams in the specification that they teach.

In contrast, organisations told us that preventing teachers from developing exams in the specifications that they teach would bring more significant risks to the recruitment of suitably qualified examiners. This would undermine exam boards' ability to provide the exams needed (particularly in minority curriculum subjects), at the level of quality required.

Other widely suggested improvements included approaches to ensure that teachers do not know when, or even if, the materials they have developed will be used. Many respondents proposed the use of item banking. Here, teachers would submit individual exam question. These are then used in any combination for any given year.

Others suggested the use of a bank of whole exam papers, whereby multiple papers are developed, with only non-teaching examiners aware of which paper would be used in which exam series. Any potential breaches of confidentiality would therefore be minimised.

Other popular suggestions included improvements to the way exam boards manage examiners. Respondents believed there is scope to further improve monitoring of examiners by analysing the exam results gained by their students, and strengthening confidentiality agreements.

A final proposal was a review of sanctions for examiners who commit malpractice. At one end of the scale, respondents told us that more could be done to publicise sanctions for wrong doing, and the repercussions experienced by those who commit malpractice. Others suggested that sanctions could be strengthened to include bans from the teaching profession, or even criminal proceedings.

Not all respondents believed safeguards need improvement, however. A number of individual respondents observed that two seemingly isolated incidents of malpractice did not necessitate large scale reform.

Even amongst those who believed further improvements could be made, many were clear that any changes to the system must be proportionate and protect the integrity of the exam system without introducing another, potentially more significant, set of risks.

2. Introduction

In September 2017 we announced we would review:

- the risks and benefits of some teachers who write or contribute to exam papers 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 two high profile incidents during summer 2017 when teachers who were involved in writing exam papers for Pre-U qualifications disclosed information to their students about the contents of forthcoming exams.

As part of our evidence gathering to inform this review, we carried out a public call for evidence on teacher involvement in the development of the exams that they teach.

The public call for evidence ran from 29 September 2017 to 31 October 2017. Contributions were welcomed from either individuals or organisations through our website. We invited views on the following areas:

- the relative benefits and risks of teacher involvement in developing exams for qualifications they teach

- the effectiveness of the safeguards used to prevent disclosure

- the ability of a teacher who knows the content of an exam to disregard that when preparing their students for the same exam

- how current safeguards could be strengthened

In this document we report on the findings of our public call for evidence.
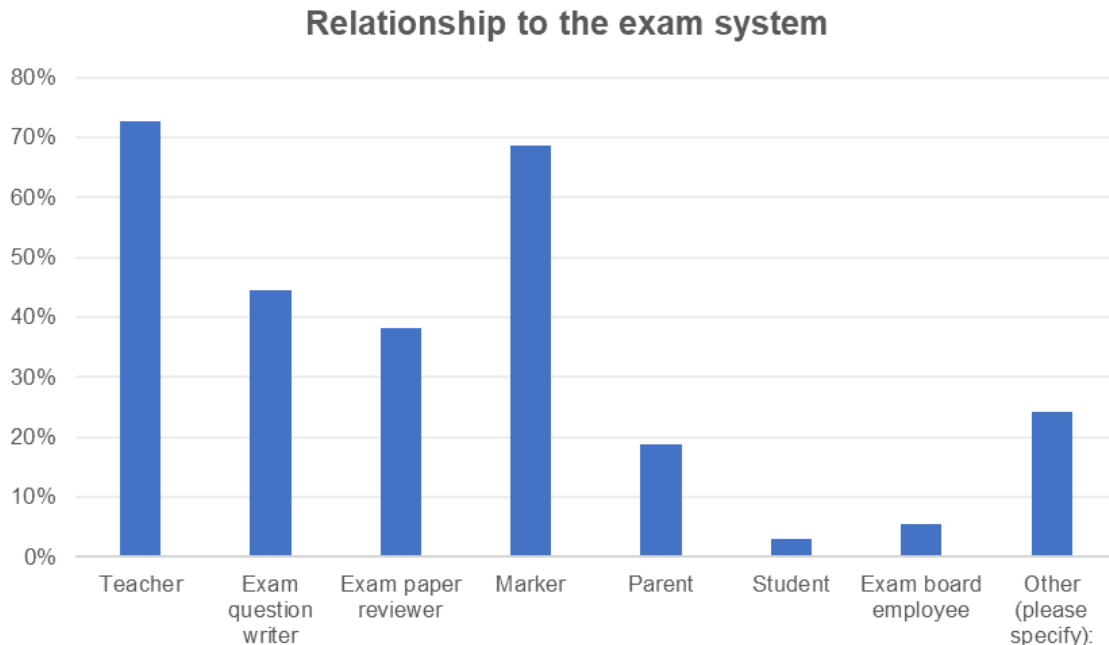
Profile of respondents

We received a total of 149 responses to our call for evidence. Of these, 7 were duplicated or incomplete responses, leaving a total of 142 complete single responses.

We received 127 completed responses from individuals. These individuals held a range of roles within the education system. Indeed, many held multiple roles, combining teaching with marking or designing exams.

Just under three quarters of individual respondents were current teachers (73%). An equally high proportion worked in the exam system. Sixty nine percent of respondents were exam markers, 45% were question paper writers and 37% were question paper reviewers. Parents made up around a fifth of respondents (19%), with

students making up a small proportion of responses (3%). Just under a quarter (24%) of respondents also identified 'other' roles. These included senior management positions in schools and colleges, senior examiner roles, exams officers and former teachers or examiners.

The 127 respondents also include 5 responses from centres. Due to the similarity of these responses to the individual respondents these centres have been analysed along with the individuals, rather than with the organisations.

In the analysis below, individual responses have been broken down by whether the respondent is involved in the development of exams. These are identified as those responding "yes" to the question "*Do you have sight of the questions for a particular year prior to them being sat by candidates*?". This accounted for just over half (52%) of the individuals responding to this call for evidence.

For the purposes of this report, we will refer to all those who are involved in exam development as "senior examiners" and those who are not involved as "non-senior examiners". Senior examiner and non-senior examiner responses were often extremely similar. Where there are differences, these are discussed in the body of the report.

Organisational responses

A further 15 complete responses were received from organisations. These included 5 exam boards or associated organisations:

- AQA (Assessment and Qualifications Alliance)

- CIE (Cambridge International Examinations)

- OCR (Oxford, Cambridge and RSA Examinations)

- Pearson

- JCQ (Joint Council for Qualifications)

Five responses were received from organisations identifying as unions or professional associations:

- NASUWT (National Association of Schoolmasters Union of Women Teachers)

- NAHT (National Association of Head Teachers)

- NEU (National Education Union)

- ASCL (Association of School and College Leaders)

- HMC (Headmasters' and Headmistresses' Conference)

Two were from subject associations or learned societies:

- CIEA (Chartered Institute of Educational Assessors)

- MEI (Mathematics in Education and Industry)

Other organisations responding to our call for evidence were:

- GSA (Girls' School Association)

- NFER (National Foundation for Educational Research)

- EOA (Examination Officers' Association)

Reporting

The responses to the call for evidence are reported question by question. Individual and organisational responses are reported separately in each section.

There is a degree of repetition throughout the call for evidence, particularly around themes of teacher professionalism, accountability pressures and the ability of teachers to develop exams in the same specifications that they teach.

Quotes have been included throughout the report to add context to the views expressed by respondents. Each quote has been attributed to the role that the respondent holds within the education system. Where there are multiple roles, the two most relevant to exam development have been included.

All figures in the report are expressed as percentages. Where these percentages refer to a low number of respondents (under ten), the number of responses is presented alongside the percentage figure.

3. The benefits of teacher involvement in developing exams for the qualifications they teach

In our call for evidence we asked respondents to give their views of the benefits of teacher involvement in developing exams for the qualifications that they teach. The responses emphasised just how significant this benefit is seen to be.

Only 3 of the 123 individuals responding to this question, suggested that there was no, or little benefit. Most were categorical as to the importance of retaining a strong link between teaching and examining.

Respondents talked in terms of the "*enormous*" and "*invaluable*" benefits that teacher involvement brings, and many were clear on the dangers of teachers not being part of this process.

> I cannot see how examining in a fair or meaningful way can be divorced from the teaching (Governor).
>
> I can't believe anyone but a teacher would have the expertise to do this…They know what students are capable of, know what they are learning, know how they learn, know the common misconceptions and know how to stretch and challenge (Teacher, Marker).

The most significant benefit was perceived to be the ability of teachers to use their applied assessment skills alongside their subject and student knowledge to make exams as valid and reliable as they could be.

Benefits to exam design

Over four fifths of all respondents (84%) believed that teachers could draw on their classroom experience to bring insight to exam design. This leads to better quality exams.

> Involving teachers leads to better quality, more reliable questions (Exam question writer/reviewer).
>
> Teaching requires almost continuous assessment of students; this experience enables them to be familiar with examinations and how they can be effective (Exam question reviewer).

Respondents gave a range of reasons why they believed teachers could design better exams, these are discussed below.

Appropriate demand

Half of all respondents told us that teachers were uniquely placed to ensure that exam questions are targeted at the right level of demand for students.

Their student experience means that teachers have realistic expectations of what can be achieved by students across all ability levels, from the lower performing to the most gifted. This ensures that exam questions strike the right balance between providing challenge for students while being accessible for the whole cohort.

Using practising teachers in exam design ensures that *"question content is usually age and development stage appropriate"* (Teacher, exam question writer).

> Teachers are experts in the levels of understanding across the range of candidates in schools. They are best placed to pitch exam papers at the right level of challenge and support for all learners (Teacher, Marker).

Senior examiners were particularly likely to mention this benefit. Fifty nine percent of those who develop exam papers told us that teachers were best placed to write exam papers at the correct level of demand, compared to 39% of non-senior examiners.

Language and structure of questions

Just under a quarter of respondents (24%) believed that teachers best understand the vocabulary and question structure needed to allow students to demonstrate their true understanding of a subject. They have the practical assessment experience to recognise how questions may perform in a live context.

> Teachers know first-hand how students respond to particular questions, both in terms of content and style, and this provides a valuable safeguard against eccentricity in questions (College Principal).

These respondents believed that teachers' experience with students allows them to identify where wording is inappropriate or ambiguous and that they are well placed to spot where "*an easy/hard question may be seen differently by students*" (Teacher, exam question writer). This helps to set clear, precise questions which test students on the constructs intended. A handful of respondents added that teachers can use this same insight to structure mark schemes.

> The major benefit is that teachers in schools have the best possible idea of how current students perform and relate to exam questions. This means the exam papers are more accessible and test the material on the specification not the ability to understand the way the question is written (Exam question writer/reviewer, Teacher).

Cultural context

A minority of respondents (8%) suggested that practising teachers have an insight into the real life experiences of students and how they relate to the subjects being taught. These respondents believed that this brings vital "*cultural capital*" which can help avoid papers "*full of unconscious bias that will discriminate against sections or groups within the exam cohort*" (Teacher).

This promotes accessible exam papers as examiners can construct question contexts and case studies which are relevant and familiar to students.

Another factor mentioned by 4 respondents (all current senior examiners) in relation to question paper design included the ability of teachers to construct papers which can realistically be completed in the time available.

Link to the curriculum

As well as assessment experience, teachers are considered to bring subject expertise to exam development. They have an up to date knowledge of the curriculum, and understand how it is enacted in the classroom. This was mentioned by just under a third of all respondents (32%).

> Very simply, it is the currency of their experience and knowledge of the specifications they are writing questions for (Teacher).

> Teachers…have subject knowledge rooted in the teaching of the subject (Exam question reviewer).

While other professionals may have subject experience, 15% of respondents believed it is this understanding of how the subject is enacted in schools which helps teachers to develop the very best exams. This includes how the subject links to assessment objectives, the inter-relationship of topics within it and the "*phraseology used in the teaching and learning*" (Teacher, Marker). Teachers can therefore ensure that students are assessed on what they are actually learning in the classroom.

> Students and teachers frequently complain about papers that do not seem to be fair or to be testing what they have been studying - having teachers involved in the process helps to minimise this issue (Exam question writer, Teacher).

"Out of touch" examiners

While it was implied in many of the responses above that non-teachers (including retired teachers) are not as well placed to set appropriate question papers, a fifth of individuals mentioned this specifically.

They stated that examiners who either have never, or who no longer teach, can be "*out of touch*" with students and the subject being taught. Perceptions of this were heavily linked to a respondent's role in the exam system. Of the 23 comments on this topic, 18 (78%) were made by senior examiners. Nine of these senior examiners explicitly drew on their own experience of working alongside non-teachers in their response.

> My experience of non-teachers setting examination papers is mixed at best (Exam question reviewer).

> As an examiner and reviewer, the quality of papers written by teachers is much higher than those written by individuals not involved with pupils on a regular basis (Exam question writer/reviewer, Teacher).

When elaborating, most of these respondents believed that non-teachers were too far removed from the students taking the qualification. While they may be an expert in their subject, they are less familiar with the cohort and their capabilities. This can result in questions that are too difficult, too easy or not suitably discriminating.

> I have a really good idea of what can be expected of an 16 year old student that I think perhaps universities and those who aren't in education don't and this informs the paper that I set" (Exam question writer/reviewer, Teacher).

Respondents identified both ex-teachers and those who have never taught the cohort, as those at risk of being 'out of touch'. However, they were most likely to pinpoint those working in Higher Education as being too distant from students.

> I have found that academics tend to use wording and vocabulary that students of the age group sitting A level exams do not 'get' (Exam question writer, Teacher).

Not all respondents believed that ex-teachers were not suitable examiners, however. Many made a distinction between recently retired teachers and those who have been out of the profession "*too long*".

The longer the period of retirement, the greater the perceived risk of being out of touch. Recently retired teachers were therefore seen by some as a good option for designing exam papers;

> I firmly believe questions should be set by individuals with recent teaching experience. I believe recently retired teachers may be the best option personally (Teacher, Marker).

As well as being distant from the students, 6 respondents believed that non-teachers are less familiar with the subject being assessed and the concepts being covered;

> Although non-teachers should be very aware of the specification they are often out of date (Exam question writer, Teacher).

Overall, the weight of opinion was that practising teachers brought huge strengths to exam design. Teachers understand what students are learning, how they respond to assessment in the real world and what might realistically be expected of them.

Benefits to teaching

Over a quarter of respondents (28%) told us that involvement in the exam system also benefits teaching and learning itself.

This was most likely to be highlighted by non-senior examiners. Thirty five percent of non-senior examiners mentioned this compared to 21% of senior examiners.

It may be of note that respondents did not state that involvement in *designing* exams was essential here, and we might infer that at least some of the same insight could be gained through marking papers alone.

Eleven percent of all respondents talked in general terms of examining being a vital way of improving teaching practice.

> Teachers have been encouraged to be examiners for a very long time. It is essential CPD for them (Centre).

> Given that assessment and learning are so imbricated, there are clear advantages for exam boards and teachers in their working together closely (Centre).

A handful of respondents broke this down further: perceived benefits included increased improved knowledge of the subject and specification (8 respondents), and greater expertise in assessment which they can apply in the classroom to aid learning (4 respondents).

> It helps them gain and develop their subject knowledge, questions setting skills and case setting skills (Exam question reviewer, Teacher).

Two respondents also noted that developing exam papers was a stimulating task, which "*keeps the subject interesting and fresh*" (Exam question reviewer, teacher).

As well as general improvements to teaching, 16% of respondents believed exam design gives teachers insight into what actually is being tested in exams allowing them to prepare their students better.

This knowledge can be cascaded down through centres. These respondents focused on quite legitimate ways of doing this, and in this section there was no mention of any malpractice.

> I think for teachers, schools, and candidates then they get a better insight into how the examination will probe knowledge and understanding, and how the mark-schemes will be applied (Exam question writer/reviewer).

The benefits of teacher involvement in developing exams for qualifications that they teach were dominated by the broad themes above. There were few remaining responses which did not fit into either category. These are briefly discussed below.

Four respondents believed that teacher involvement in designing exams lends a legitimacy to the system. It builds confidence amongst teachers, students and parents. The involvement of teachers adds a perceived soundness to the system as

teachers are not only experts in their subjects and students, but are also invested in making exams as good as they can be for their students.

> Teachers already have very little confidence in exam boards…. The only measure of confidence that remains is that if the people setting the papers currently teach, and teach pupils who will sit that exam (Teacher, Marker).

> There are benefits to society, in that exams are seen as belonging to the wider community rather than being abstract and remote imposition from examination boards (College Principal).

Four respondents discussed how the smooth running of the exam system depended on teacher involvement in exam design.

Two senior examiners discussed their experiences of writing papers with non-teachers. They both claimed that a lower level of subject and student knowledge resulted in more revisions to question papers, incurring increased time and costs for exam boards. One centre suggested that using practising teachers as examiners is;

> The only way in which the system can be made affordable and the only way in which the relevant body of expertise can be found (Centre).

Organisational responses

The views given by the 15 organisations responding to our call for evidence were similar in many ways to the individuals reported above. Organisations discussed at length the significant benefits that they believed existed when teachers write the exam papers that they teach. There were no evident patterns in the nature of responses by organisational type. Where any do occur they are identified below.

High quality assessment

Organisations told us that involving teachers in exam design results in the production of high quality, valid, assessments. Fourteen of the 15 organisations mentioned this, including all exam boards responding to this call for evidence.

> Having teachers involved in the setting and reviews of examination papers brings significant benefits to the quality, validity and differentiation of questions and papers (JCQ).

> The employment of practising teachers in the drafting and production of exam questions and papers results in significant benefits to the education system and to the quality of assessment (NAHT).

As with the individual respondents, organisations were most likely to talk in terms of teachers being able to construct exam papers which are at the right level of demand for the cohort.

This means that they are both challenging but accessible and allow discrimination between candidates. This was mentioned by 11 organisations. Two of these noted that this is particularly important in the context of some reformed GCSE exams, where one untiered paper needs to be accessible to the full ability range.

> Helps ensure questions are appropriate to the age and ability-range of candidates (CIE).

> Teacher-examiners…possess a greater understanding of the range of abilities of all students and what will therefore stretch and challenge different types of students (ASCL).

Six organisations believed that teachers were particularly well placed to develop exams as they understand how the relevant cohort responds to live assessments.

This helps them to construct exams which allow students to demonstrate their knowledge of the subject, rather than any irrelevant factors. This includes a clear understanding of what language to use in exam questions.

> High-quality assessment is wholly undermined if language used in exams is not appropriate. On the one hand, this relates to the prosaic consideration of knowing the typical vocabulary of current students. However, it also relates to the knowledge that Senior Associates have of students' understanding of subject matter and differences in conceptual vocabulary among them (AQA).

> Teachers with recent and relevant experience can make a valuable contribution to the test development process and help to ensure its validity. This includes being aware of…the importance of accessibility for all students including removing construct irrelevant variance (NFER).

Six organisations (including 5 exam boards) also told us that this understanding of how students respond to exam questions allows teachers to construct the best mark schemes. This was an area which was not strongly emphasised by the individual respondents.

> They have an appreciation of the range of likely student responses and are therefore able to construct excellent draft marking schemes that encompass a range of valid student responses (JCQ).

Link to the curriculum

Ten organisations referred to the subject knowledge that teachers bring to exam design. Not only are they subject experts but they understand how the specification is delivered in schools, ensuring the exam is rooted in the curriculum.

School curriculums are continually developing and evolving. The employment of practising teachers provides a 'direct line of sight' between an expanding curriculum, teaching and exam assessment (AQA).

Teachers understand the "delivered" as well as "intended" curriculum/specification and ensure that exams are constructed giving due regard to this (NEU).

Benefits to teaching

Six of the 15 organisations noted that involvement in exam design provides valuable Continuing Professional Development (CPD) for teachers. They believed that it improved both subject and assessment knowledge and helps teachers prepare student better for exams in a quite legitimate way.

Becoming an examiner is an excellent form of continuing professional development (CPD) for teachers… Through examining, individual teachers develop their assessment expertise including knowledge of the specification and strengthening of their subject knowledge (NAHT).

Viability of the exam system

Organisational responses were far more likely than the individual ones to discuss the role of teachers in ensuring the viability of the exam system.

This was mentioned by 7 organisations, including 3 exam boards. These respondent all noted that using teachers is essential in securing a large enough pool of qualified examiners to design the number of exams required. These may be difficult to recruit otherwise, particularly in minority subjects.

It would seem pertinent to ask the question 'If not teachers, who would do it?' While there may be a sufficient pool of retired teachers who have recent experience to enable the needs of the system to be met in the short term, this is unlikely to prove sustainable over the longer term (CIEA).

It keeps the costs for the system at the current levels, because teachers who work in question/question paper do not see the money they earn as their main motivators (OCR).

Public confidence

Organisations were also more likely than individuals to highlight that teachers have a role in ensuring both public and professional confidence in the exam system. This was mentioned by 5 of the 15 organisations replying to our call for evidence.

It builds professional confidence in the quality of the examination system, because teachers know that their colleagues are involved in the system, and they have confidence in their professional integrity and in their familiarity with the specification and the required standard (OCR).

Unlike individual respondents, organisations did not overtly question the ability of non-teaching examiners. Only NAHT suggested that the benefits of teachers designing exams "*cannot be substituted by relying on examiners who are not practising teachers.*"

4. Risks of teacher involvement in developing exams for the qualification that they teach

Just 2% (3) of the 123 respondents responding to this question told us that there was no risk where teachers taught and developed the same qualifications. In contrast almost four fifths of respondents (78%) perceived there to be some risk of malpractice in such a system.

This is not to say that these respondents identified a significant risk. Many said that while a breach in confidentiality was possible, in practice exam board controls and teacher professionalism were likely to mitigate this.

The remaining respondents did not give an explicit view on whether there were risks where teachers taught and developed the same qualifications.

Size of the risk of malpractice

Few respondents explicitly described the size of the risk involved. Where they did, 13% of all respondents perceived it to be a small one.

> I think this is a very low risk, and certainly not as bad as some of that shown in the press. As usual most of the cases where things go wrong are in the public domain whereas the vast majority of good practice remains unnoticed (Exam paper reviewer).

> I believe that this risks is incredibly small. The professionalism involved in both teaching and exam work is paramount (Exam paper writer, Teacher).

In contrast, 2 respondents believed that the risk was significant, while a further 2 (both senior examiners) stated that it was impossible to know how big it was;

> Clearly it does happen sometimes, but it is impossible to tell if the cases last summer are isolated incidents or if this sort of thing happens more frequently but goes undetected (Exam paper writer/reviewer, Teacher).

> Significant in their current format because of the issue surrounding confidentiality (Teacher, Marker).

The nature of the risk of malpractice

Just under a quarter (24%) of all respondents talked in broad terms about access to exam papers raising a risk to confidentiality. These mentioned information being "*leaked*" or students being advantageously prepared for exams in some way.

> There is an obvious risk in teachers disclosing confidential information about the content of the papers (Exam paper writer/reviewer, Teacher).

Some were more specific on what form this risk might take. A fifth of respondents talked about teachers "*teaching to the exam*" by focusing teaching on topics that they knew would be covered and omitting areas which would not be assessed.

This narrows the curriculum for students but also gives them an "unfair advantage" when it comes to the exam. Senior examiners were slightly more likely to mention this than those who don't develop exams.

> I cannot see how any teacher would not steer their teaching toward certain topics if they had prior knowledge of the questions (Exam paper writer/reviewer, Teacher).

> There is always a risk that the person developing the exam will teach to the exam rather than delivering a whole learning experience for the student (Teacher, Marker).

A minority of respondents (9%) believed the main risk was that teachers might reveal the questions on the exam paper, or give their students or colleagues strong hints as to the nature of these.

> At worst case scenario some teachers have actually 'leaked' the questions evidenced by the fact certain topics had never been examined in a certain way (Teacher, Marker).

Many of those who highlighted a risk of malpractice discussed whether the leaking of information may be intentional or subconscious. Overall, the balance of opinion was that "*unscrupulous examiners*" were more likely to be an issue.

One fifth of respondents believed that examiners may deliberately leak subject areas or the content of questions, in order to gain an advantage for their centre. Another 11% believed that it may be difficult to avoid giving away some aspect of an exam paper subliminally. This would most likely take the form of giving slightly more emphasis to areas of the curriculum which teachers know will be on the exam paper.

> Even with the most stringent confidentiality clauses it is impossible for a teacher who knows what will be in the exam to not, perhaps subconsciously, focus slightly more on those areas of the specification in revision sessions (Exam paper writer, Teacher).

Five percent of all respondents (6) believed that the risk of malpractice was much higher in the 'smaller qualifications' rather than A levels and GCSEs. Most of these mentioned the Pre-U qualification specifically.

Finally, a small number of respondents (4%, n=5) stated explicitly that the benefits of having teachers developing the qualifications that they teach is significant enough that it outweighs the risks inherent in this.

> The benefits to pupils in having current teachers as examiners far outweighs the risk (Teacher).

Generally the views of senior examiners were in line with those who were not involved in developing papers. They acknowledged a risk of malpractice and were more likely than not to identify this as a small risk.

However, at times their responses were more polarised than amongst those who don't develop papers. While many were emphatic that any risk was low and linked to the actions of a rare unscrupulous examiner, others argued that it could be "*unavoidable*" for any senior examiner to prevent their knowledge of the exam from dictating their coverage of the syllabus.

> Of course there is the danger that revision and coverage will be guided by what one has set and I am not sure how this can be avoided….To that extent it cannot be fair I am afraid (Exam paper writer, Teacher).

Experiences of malpractice

In evaluating risks, many respondents discussed their own experiences of malpractice (or more usually the lack of such incidents).

In most cases this drew on their own examining experience or their contact with a teaching colleague, who developed exam papers. Of the 35 individuals (29% of all respondents) who spoke about incidents of malpractice, 31 suggested it was extremely rare.

> It is also worth noting that the VAST majority of all examiners have not leaked their questions (Teacher, Marker).

The main reason given for low level of malpractice was that of teacher professionalism. Current teachers and examiners emphasised both their own integrity and those of the examiners that they know personally and professionally.

> I have worked with many Principal Examiners for many years now and I cannot imagine a single one of them using their position to advantage themselves, their school or their pupils (Marker).

Indeed, a minority of respondents (6%, n=7) told us that teacher-examiners were so professional that they may even over compensate and disadvantage their students in an attempt to ensure that they didn't give any details of an exam paper away. Six of these were senior examiners speaking from personal experience of balancing teaching and examining roles.

> If anything, I go to the opposite extreme and ensure that the widest possible range of work and questions are covered (Exam paper writer/reviewer, Teacher).

Eight percent of respondents pointed to aspects of the exam design process which minimise incidence of malpractice. Senior examiners were more likely to provide these insights.

Exam papers are designed well in advance of being 'live' and senior examiners are likely to have designed a number of subsequent papers in the interim.

This means that they often cannot recall in detail what will be on a paper for any series. Equally, questions undergo many iterations and there is no guarantee that a question submitted by an examiner is still on a paper, or in anything resembling its original form.

> For many setters there is such a long time gap between setting and the paper date, and there are so many different papers that one has set, that you forget any significant details of the papers altogether. I haven't a clue what questions are coming up on the papers I've set! (Exam paper writer, teacher).

However, a small number of respondents said they were aware that incidents of malpractice do take place. Two of these talked in general terms, and another 2 mentioned specific incidents that they had encountered.

> Teachers can direct revision in their classes to the topics and the aspect of that topic that will be examined. They also tend to share this knowledge with colleagues in the same setting in my 30 years of experience (Retired teacher, Marker).

Pressure on teachers

In their assessment of the risks of teachers developing exams in the same qualifications that they teach, a fifth of respondents discussed the enormous pressure that teachers are under. This was perceived to intensify any risk.

> Teachers who are under extreme pressure to perform and fear losing their jobs if their students do not meet their targets can have their professional ethics warped out of all reasonable shape (Teacher).

Seven percent of respondents (9) saw this pressure as coming from within centres. Senior examiners were particularly likely to discuss pressure placed on them from centres. Three discussed their own experiences of being pressurised by centre management to breach confidentiality to improve their students' results.

> Teachers are under pressure to get good results. Head teachers tend to adopt the 'by any means' approach and teachers who are examiners are urged to use their specialist insight into achieving these results (Exam paper writer).

> There is an expectation, not always unspoken, that if you know what is on the paper, you will share that with your candidates, often by arranging a revision class on that topic (Exam paper writer, Retired teacher).

In contrast, one senior examiner explained that they had never been put under any pressure by their centre to commit malpractice.

Other sources of pressure on teachers included accountability measures and government agencies, the incentive of performance related pay, school fees, students, as well as the pressure that teachers might put on themselves for their students to get the best marks possible.

> School fees, league tables, accountability regimes and appallingly harsh management regimes are the true culprits here (Teacher).

Trust in the teaching profession

In discussing risks of malpractice, 14% of respondents expressed a belief that the system is inherently based on trust and that we must have faith in the professionalism of those involved.

Teachers are trusted to maintain confidentiality in other aspects of their teaching role and examining should be no different. Throughout the consultation, senior examiners were most likely to call for a greater trust in teachers. In this instance, they accounted for 11 of the 16 responses on this topic.

> Teachers are professionals and should be expected to show moral integrity in this and in all aspects of their work. The assumption should always be that they can be trusted, as indeed it is clear the overwhelming majority can be - these high profile cases are evidence of individuals who lacked integrity, not a broader structural problem (Centre).

A further 3% of respondents (4), all of whom were senior examiners, suggested that there is always a risk of malpractice in any industry, where professionals are entrusted with confidential information. They did not believe this represented any inherent systemic problem.

> There is always an element of risk when anyone is exposed to confidential information - in any sphere, from that of the doctor's receptionist to the member of a jury provided with information concerning a trial. Teachers are always privy to confidential information… they are professionals and keep this information to themselves in the vast majority of cases. There has to be an element of trust (Chair of examiners, Teacher).

Thirteen percent of respondents made comments which did not fit into the themes above. These are summarised briefly below.

A minority of respondents (9%) believed that one of, if not, the major risk of teachers developing the qualifications that they teach, is that the exam could become weighted towards the teachers own areas of expertise, or that its demand reflects the ability of the cohort the examiner teaches.

A further 5% of respondents (6) told us that examiners should not be allowed to develop exams in the specification that they teach.

> I was shocked to hear that teachers who write the exam paper can teach that too. Whether they mean to or not the temptation must be there to teach their students to the paper - how can you not? Teachers who write that exam paper should not under any circumstances be allowed to teach that paper (Teacher, Marker).

Organisational responses

The nature of organisational responses was slightly different to the individual responses above. Amongst organisations there was little discussion of the nature of the risks of teacher involvement in developing exams. Instead responses focused on the low incidence of malpractice and the need to ensure that any action to tackle any risk is proportionate.

Risk of malpractice

Ten organisations agreed that there was a degree of risk in teachers developing exams in the qualifications that they teach. Generally there was only a very general acknowledgement of risk, without much expansion on what form this might take.

> JCQ and awarding organisations acknowledge that there are risks, as there are with any system that could be adopted and for any profession that requires integrity (JCQ).

Only Pearson discussed the possibility of teachers leaking information deliberately, or subconsciously by directing teaching to certain subjects.

CIEA also noted that a distinction should be made between the risks for those who teach the qualification that they set an exam in, and for those who teach the specific syllabus. The latter *"creates the most obvious conflicts of interest for individuals"* (CIEA).

Three organisations noted, however, that the risk of malpractice must be balanced against the huge benefits that teachers bring to the system.

> The significant benefits of involving teachers in the design and production of assessment materials must be balanced against the risks of any malpractice taking place (ASCL).

Incidence of malpractice

The main theme from the organisational responses was that the level of malpractice was believed to be very low. This view was stated by 12 of the 15 organisations responding.

> The two cases this year involving our qualification were as rare as they were serious (CIE).

> A few high-profile cases in some examined courses do not necessarily indicate a systemic problem. The baby should not be thrown out with the bathwater (NEU).

When discussing the low incidence of malpractice, organisations were most likely to attribute this to the professionalism of examiners.

> A critical factor is the professional integrity of our examiners. Our senior examiners are teaching and assessment professionals, often with years of experience in both careers. Their strong ethical drive mitigates the risk of malpractice (Pearson).

Much like the individual responses, 3 organisations believed there is even a risk of examiners disadvantaging their own students in an attempt to embody complete integrity.

> Experience of GSA heads suggests that teachers who are examiners go out of their way to avoid using material which may come up in an examination, sometimes to the detriment of their own candidates (GSA).

Finally, 3 exam boards suggested that the low levels of malpractice was also due to their own safeguards and the nature of the exam design process.

Given this low level of perceived malpractice, organisations were forthright in their belief that any response to risk must be proportionate and must not damage the integrity of the exam system.

> Any additional response to manage those risks must be proportionate to the size of the problem and the impact of any actions on the system as a whole must be carefully considered (NAHT).

Trust in teachers

Five organisations discussed trust in teachers. These agreed that we must have trust in the teaching profession to act with integrity, and that teachers almost universally uphold the trust placed in them.

> It is important that teachers continue to be a part of the examination system and that they are trusted to do so (OCR).

Another 5 organisations noted that there are many other industries or sectors which rely on the integrity of professionals. They did not believe that the exam system compared unfavourably with these.

AQA specifically proposed that Ofqual carry out some research to establish the level of risks across comparable industries.

> In a system based on personal integrity, we believe the numbers bear comparison with instances of irregularities in other professions (AQA).

5. Views on the effectiveness of the current safeguards used to prevent disclosure

Respondents were asked to give their views on the effectiveness of the current safeguards used to prevent disclosure of confidential information by the examiners developing them. A total of 118 individuals responded to this question.

Safeguards are effective

Over 60% of respondents believed that safeguards are strong enough. Nine percent of the total felt strongly on this declaring that the controls in place are "*excellent*" and "*very effective".*

> The system is highly effective, clearly, as so few incidents ever arise (Exam paper writer, Teacher).

A smaller number of respondents were less emphatic, and talked in terms of safeguards being good enough, although possibly open to abuse by those who set out to commit malpractice.

> Adequate but open to abuse by unscrupulous teachers (Exam paper reviewer, Teacher).

Five percent of respondents (6) pointed to the few instances of malpractice which occur every year as evidence that safeguards are working.

> Given the high number of examinations per year, and the low number of 'leaks' the effectiveness seems high (Teacher, Marker).

Over a quarter of those who believed that safeguards are effective did caveat that this relied to a degree on the integrity of those working in the system.

In most cases, respondents believed this reliance on teacher integrity was warranted. Many based this on their own experience of working in examining, or on their contact with examining colleagues who embody the high professional standards required.

> Good. Ultimately it's down to a professional acting with integrity. The risk here is no greater than in many other professions where boundaries can be crossed (Exam paper reviewer, Teacher).

> To a certain extent all exams are built on trust. No inspection system could guarantee that every exam is honest but the expectation is that they will be and the vast majority are (Ex-head teacher).

Formal and informal controls

In their assessment of safeguards, respondents discussed the effectiveness of both formal and informal controls in place at exam boards. Some responses were very general in nature, while others provided much more detail.

Formal controls relate to the safeguards designed into the system by exam boards. Eighteen percent of people responding to our call for evidence mentioned specific formal controls in their discussion of why safeguards were so effective.

The safeguards mentioned were varied, with no one control particularly singled out for approval. Most references (8 responses) were made regarding robust monitoring and investigation systems and the sanctions in place for anyone found to be guilty of malpractice. The impact on future livelihood was perceived to be significant if a teacher was caught cheating;

> How much would it be worth for a teacher-examiner to disclose information? Several million pounds, I would think - enough to retire on...we all know that we would lose both our day job and our examining job if we were found out (Exam paper writer/reviewer, Teacher).

A further 7 respondents discussed the effectiveness of confidentiality agreements, with 6 more mentioning the efficacy of secure IT systems in safeguarding confidential information. Finally, 2 respondents praised examiner recruitment and training processes as a means to safeguard against malpractice;

> Training is provided to ensure this is achieved. I believe this and the constant reminders of what is expected is appropriate (Exam paper writer/reviewer, Teacher).

Informal controls can also mitigate the risk of malpractice. These were referenced by 9% of respondents in their discussion of why safeguards were effective. Most of these discussed the nature of the exam design process.

As previously discussed, the length of this and the number of people involved can make breaches of confidentiality less likely as senior examiners simply cannot recall what is on the paper.

> I worked with a colleague for many years who set questions for A-level mathematics. He explained… this process seemed to be designed to take a number of years, so that it was impossible to predict either whether or when a question that you had devised would actually be used. Nor was it possible to be confident that the question would be used in its original form (College Principal).

Four respondents also discussed the power of a 'community of practice' within examining teams as a safeguard against malpractice.

Professional pride and loyalty to these teams reinforces the need to uphold the climate of professional confidentiality within the team.

> The team that work together on the papers for my subject respect each other's professionalism and are fully aware of the hundreds of hours' worth of work that would be obliterated if anyone in that team were to divulge the contents of any one exam paper" (Chair of Examiners, Teacher).

Senior examiners were no more or less likely to believe that safeguards are effective, despite their far greater familiarity with the controls in the system.

Safeguards are not effective

While most respondents believed exam system safeguards to be sound, 15% of respondents believed that safeguards are not effective enough. Again, senior examiners were just as likely to identify a weakness in safeguards as those who were not involved in developing exams.

There was less explanation of why safeguards were insufficient, with many responses limited to a few words; "*weak*", "*inadequate*".

> They are simply not effective. Teachers will naturally use the knowledge that they have to attempt to maximise the achievement of their students. There are no safeguards. Not ones that work anyway (Ex-head teacher).

> There is little safeguarding that I am aware of (Exam paper writer/reviewer, Teacher).

Three respondents pointed to public or personal experiences of malpractice as evidence that safeguards are flawed.

> They don't work. I had a colleague share what topics to cover and what to avoid, she'd made notes on the paper she'd set (Teacher, Marker).

A handful of respondents were more specific on the safeguards that they believed to be ineffective. Three respondents criticised the security of online systems used in exam development. They believed that systems are not robust enough to prevent some examiners retaining access to a version of the exam paper.

> In my former capacity as a Head of Centre, I was shocked at the ability and the speed of access staff who were social media savy and IT savy to bypass safeguards and gain privileged information (Marker).

Two senior examiners said they had experienced a lack of training in how to manage the conflict of interests in their teacher-examiner role.

> Not very effective. I had no training at all on managing the potential conflict between roles of teacher and examiner, no one even spelt out to me that

there WAS a potential conflict. It was just tacitly assumed that we would behave honourably (Exam question writer/reviewer, Teacher).

The remaining responses to this question did not directly give a view of the effectiveness of safeguards. Ten percent of respondents stated they didn't know enough about the processes in place to judge their effectiveness.

The remainder talked more generally about the risks of malpractice and the factors which mitigate or encourage/enable cheating. These responses are discussed below.

Trust in the teaching profession

Twelve percent of respondents (most of which were senior examiners) spoke further on the integrity of teachers. Once again, most responses of this kind suggested that teachers were highly trustworthy individuals and called for a greater culture of trust in teachers in education.

In a similar vein, 4 respondents warned against overhauling the system due to the actions of a few unscrupulous individuals.

> The cases in the media in recent weeks, and this review, are reactions to people acting inappropriately. The whole system does not need to be overhauled because of the actions of a tiny majority (Exam paper writer, Teacher)

Some responses on teacher trust were more neutral or negative. Five simply noted that the current safeguards:

> Rely on the professional integrity of teachers, and as we've seen this summer that is lacking in some cases (Exam paper writer, Teacher).

Teachers teaching the same specification that they develop exams in

This theme was raised by 8% of respondents discussing safeguards. Half of these volunteered the fact that they did not teach the specification that they designed exams for.

While this was seen to avoid a conflict of interest, it was also noted that this can mean that they are less in touch with students and curriculum developments.

> I do not teach subject where I have set exam papers out of choice as I do not think it is possible for a teacher to (not) have some bias in teaching/revision (Exam question writer, Teacher).

Three respondents believed that the only way to truly safeguard the confidentiality of exams is to prevent examiners from teaching the exact specification that they develop exams for.

Accountability

Four respondents believed that the pressures on teachers both from management and the accountability system may undermine the effectiveness of safeguards.

> I can imagine a teacher threatened with improving exam results or losing their job - as many are - giving into this pressure and disclosing information (Exam paper writer, Teacher).

Organisational responses

Responses from the 15 organisations were similar in opinion to the individuals, as they also believed safeguards to be broadly effective.

Nine organisations believed this to be the case. It should be noted, however, that 4 of these responses came from the exam boards who have designed these safeguards (CIE, AQA, JCQ and Pearson).

> JCQ and the major awarding bodies take the integrity of exams very seriously and have robust procedures to secure against malpractice (NAHT).

Seven organisations cited the low number of incidents of malpractice as evidence of the effectiveness of existing safeguards.

> Overall, the current arrangements are effective as the number of incidents reported (and alleged) are very small in comparison with the number of teachers who have access in advance to examination material (CIEA).

Seven organisations described aspects of safeguards which they believed to be effective in preventing malpractice. Four exam boards mentioned the effectiveness of contracts and confidentiality clauses in preventing malpractice. Five organisations discussed the effective monitoring of examiners. JCQ, AQA, NAHT and HMC referred to statistical monitoring of the results gained by students in the centre where an examiner teaches. CIE referred to social media monitoring for evidence of malpractice.

Six organisations praised the effectiveness of responses to malpractice, including use of sanctions. The repercussions for committing malpractice were believed to act as a powerful deterrent to examiners who may be at risk of breaching confidentiality.

> Compromising the security of examinations has led to severe punishment for teachers – often dismissal – and that is a powerful incentive for teachers to maintain the integrity of the system (MEI).

Four organisations (including 3 exam boards) believed that the guidance and training provided by boards was effective in ensuring that examiners understand the confidential nature of their work.

AQA and CIE told us that they had robust procedures to allow individuals to report suspected malpractice. CIE believed that these are working in so far as head teachers, teachers, candidates and others are willing to report allegations of malpractice.

One organisation - the GSA - believed that while safeguards work well in GCSEs and A Levels, this may not be the case in smaller qualifications;

> The dangers which have occurred this summer have been centred on small examination boards or papers set for small cohorts (GSA).

Unlike the individual responses, no organisations told us that safeguards were not good enough. Of the remaining 6 organisations, 5 did not express an explicit view on this and 1 said they did not know if they were effective. Two organisations (NASUWT, ASCL) noted that it was appropriate that Ofqual regularly review the effectiveness of safeguards in the exam system, however.

Finally, 4 organisations reiterated the need to trust in the professionalism of teachers. These organisations noted that teachers are a central part of the exam system and their integrity and professionalism should be recognised.

> Across the GCE/GCSE system there is a long-standing and deep-rooted culture of professionalism and integrity. Any changes to the current arrangements need to build on that and not seek to undermine it (CIEA).

6. Improving safeguards against malpractice

Of the individuals responding to our call for evidence, respondents commented on how safeguards used to prevent disclosure in exams, might be improved if teacher involvement in exam design were to continue.

Just under three quarters (74%) made specific suggestions for improvements. These related to aspects of assessment design, the profile of the examiners themselves, how examiners are managed by exam boards and sanctions for malpractice.

There isn't always a clear sense of how important these improvements were seen to be. Some respondents made it clear that they could only suggest tweaks to an already robust system, however other respondents simply listed the improvements that might be made.

Examining personnel

Forty percent of respondents suggested improvements to the system relating to the senior examining personnel developing the exams.

The primary theme discussed was one which reoccurred throughout the call for evidence- whether teachers should be allowed to develop that specification that they teach.

Just over one fifth of respondents (22%) believed that safeguards could only be improved if teachers were prevented from teaching and developing exams in the same specification.

This was slightly higher amongst senior examiners (27%). These respondents stated that teachers should continue to develop exams but only for either a different specification or a different board. They believed this would allow teachers to bring their subject and student knowledge to the exam process, but without the risk of disclosure.

> There would be a logic to not to allowing teachers to set, moderate or otherwise have sight of papers before they are sat by their pupils. In other words teachers could mark a specification sat by their pupils but not be involved in setting it. But they could set or moderate a paper for a different board (Centre).

While this was the most frequent suggestion, not all of those who proposed it were categorical in their support. Respondents pointed out that this change to the system may have a major impact on senior examiner recruitment and their knowledge of a specification. One respondent noted that it would also be difficult to implement for small qualifications where there is only one exam board or specification.

> In subjects only offered by one awarding organisation by definition all exam writers who also teach the subject would be involved with the same syllabus; I do not know how safeguards could be strengthened (Exam question writer/reviewer).

> This would be a pity since it in in their own course that teachers have the greatest expertise (Exam question writer, Teacher).

Furthermore, 3 respondents strongly opposed this suggestion to prevent teachers from developing exams in the specifications that they teach.

Of the 68 senior examiners responding, 16% revealed that they taught a different specification from the one that they developed (sometimes for a different exam board). In contrast 22% develop exams in the specification that they teach.

While many respondents debated whether teachers should be prevented from designing exams that they deliver, 9% of respondents suggested this could continue, so long as different personnel were used for different aspects of exam development.

So while current teachers (who may be teaching the specification) could design questions, they may only be able to see an early draft of the paper. Later iterations or final checks of the paper could only be developed by retired or non-teachers.

> Those who make the final decisions on which questions go into a particular year's paper ought not to be current teachers in schools. Up until this point, there is great advantage in having serving teachers developing and testing banks are questions, but it will require a very small number of people to make the final decision and there is no need for these people to be serving teachers (College Principal).

Another suggestion, made by 8% of respondents, was that exam boards should increase their reliance on recently retired teachers in designing exams. These individuals have teaching and student experience but do not have the same incentives to commit malpractice.

> The alternative is only use professional writers such as teachers who have very recently left teaching and who have wide experience with different student groups (Marker).

Finally, 6% of respondents (7) emphasised how practising teachers must remain part of the assessment design process.

> I cannot emphasise strongly enough about how teacher involvement MUST continue if we are to have relevant, appropriate exams set at the right level (Exam question writer/reviewer).

Assessment design

One quarter of respondents made suggestions for improving safeguards related to assessment design. The majority of these focused on the use of a bank of items (or scripts).

This was mentioned by 18% of respondents. Most of these proposed that examiners could design individual questions for exams papers. These would be stored in a repository and could be used in any exam series in any combination.

Respondents suggested that exam papers be constructed either electronically or by non-teaching personnel. Others suggested a similar model but whereby whole scripts were stored in a bank ready to be used for any exam series. Therefore no teacher would be aware of exactly what was on any paper in any specific series.

> Teachers could be employed, as now, to write questions, but produce a bank of questions rather than a whole paper. Then a recently retired teacher could put the questions together to make exam papers for e.g. five series (Teacher, Marker).

A suggestion made by 6% of respondents (7) was that technology could be further improved to maintain security of papers. Most of these respondents proposed the use of enhanced software which does not allow any copies of materials to be made by examiners on their home computers.

> Insist that work is done only on password protected websites so no material exists outside them (Exam question writer).

Senior examiners were much less likely to suggest changes to assessment design. While they made up 53% of respondents to this question, just 30% of suggested changes to assessment design were made by this group.

Exam boards management of senior examiners

Just under a quarter (24%) of respondents proposed that safeguards could be enhanced if exam boards improve how they manage senior examiners.

Twelve percent believed that boards could do more to monitor senior examiners. In most cases, respondents proposed greater scrutiny of the results of students in centres of any examiners who taught and developed the exams.

Suggestions included performing statistical analyses on centre results, as well as having students' exam papers scrutinised by other examiners to check for signs of malpractice.

> Greater scrutiny into the exam papers completed by children in the centres of those involved prior to awarding should mean that any attempt to gain advantage is not worth the risk (Teacher, Marker).

Other suggestions linked to management of examiners included more rigorous confidentiality agreements (8%) and improved training (5%).

In the latter case, face to face training was seen to be particularly important in communicating expectations and fostering a community of practice within an examining team.

Again, senior examiners were less likely to suggest improvements on this theme. For example, of the 16 respondents who believed greater scrutiny of senior examiners would help to safeguard the system, 6 of these were senior examiners.

Increased sanctions for malpractice

Fourteen per cent of respondents believed that increasing (or publicising) sanctions for malpractice could help to safeguard the security of exams.

Most of these suggested that sanctions should be harsher. This included instant dismissal from an exam board or centre, and even criminal proceedings. A handful of these respondents noted that sanctions should be applied to the centre as well as the teacher, given that the pressure to cheat may have originated here.

> Perhaps penalties could be made more severe - criminal proceedings rather than just dismissal for instance. That would bring the education sector in line with other industries (Centre).

> The school should lose its OFSTED Outstanding or Good if found guilty of disclosure (Teacher).

Respondents noted that the publicity given to cases of malpractice was an effective deterrent. The reporting of the "*catastrophic consequences*" for the teachers involved is an excellent deterrent and these felt more should be done to publicise this.

> Perhaps greater sanctions for those found to be breaking their contracts could be introduced… however, seeing as those involved this summer have lost their jobs, careers and future income, I would have thought that would be more than sufficient deterrent (Exam question writer, Teacher).

System level changes

A minority of respondents (6%, n=7) reiterated that management or accountability pressures were likely to be a causal factor in instances of malpractice. They therefore believed that teachers should be better supported and that the government should place less importance on league tables.

> Gaming the system will be attempted and will continue as long as the pressure on teachers and organisations continues to be solely exam data driven (Marker).

No improvements required

The responses above cover suggested improvements to safeguards. However, not all respondents believed that this was necessary. Indeed, 15% of respondents simply restated that no improvements were required.

> I do not believe that current safeguards need to be strengthened (Exam question writer, Teacher).

Some respondents stressed that a move to improve safeguards after two apparently isolated incidents of malpractice would represent an over-reaction by Ofqual.

> They should not be strengthened - we should not automatically assume greater oversight and bureaucracy is needed every time an individual abuses their position (Centre).

Organisational responses

Compared to previous questions, organisations gave significantly more discussion to the consideration of potential system improvements. As well as suggesting specific improvements, many organisations also gave a detailed evaluation of the viability and risks of any potential changes.

While most organisations previously stated that safeguards were effective enough, 13 of the 15 suggested improvements ranging from small 'tweaks' to the system, to more radical changes.

Examining personnel

Similar to the individual responses, most responses focused on examining personnel.

However, although many individuals suggested that teachers might be prevented from developing exams in the specification that they teach, there was little support for this amongst organisations.

Of the 9 organisations which mentioned this, only the Exam Officers Association (EOA) believed this was a desirable solution. The NASUWT noted that Ofqual might need to consider the viability of this.

The remaining 7 organisations were critical of the suggestion that teachers be prevented from developing exams in the specifications that they teach. All 4 individual exam boards warned against this.

Organisations felt such a response was disproportionate, and that it introduced its own, more serious set of risks. The most obvious risk was that to recruitment. They

believed that teachers are likely to be far less incentivised to develop exams in a specification that they do not teach as it may not be seen to offer the same CPD benefits. This could lead to a reduction in the size of the pool of senior examiners.

> If teachers were not allowed to author questions/question papers for the qualification they tech, the supply of authors would decrease and most likely disappear, this is because teachers prefer to work with the qualification they teach for CPD reasons (OCR).

Additionally, CIE, AQA, Pearson and MEI noted that such a move could result in a narrowing of the curriculum by threatening the viability of qualifications in minority or low entry subjects where examiner recruitment is already difficult.

> This is unworkable in a number of small subjects where only one board offers this qualification, and so could not be used as a system-wide approach (Pearson).

A further 6 organisations reiterated the importance of keeping teachers involved in the exam design process. Any move to remove teachers from the assessment design process was believed to pose a threat to quality, to the supply of qualified examiners and to the provision of certain minority qualifications.

> Some suggestions for strengthening safeguards have been made which NAHT believes would be disproportionate to the size of the problem and introduce additional risks the system.

> These include having no involvement of teachers in the system at all, or no involvement of teachers in the setting and reviewing of papers for the specifications they are teaching. Both of these options would introduce risks to the quality and validity of exams as well as a broader risk of reducing the available workforce (NAHT).

Four organisations discussed the merits of a public register of senior examiners. All were insistent that this should not be implemented. They believed this would expose examiners to a heightened risk of suspicion as well as creating more opportunities for malpractice, as students and teachers actively seek out these examiners.

> If names of question/question paper authors were published, it might actually achieve the opposite from what is intended: Students might seek out these teachers…and attempt to gain privileged information (OCR).

Other suggestions made regarding the use of exam personnel included:

- The use of different personnel for different aspects of exam design, whereby current teachers would not have sight of final papers or carry out final checks on a specification that they teach (GSA, ASCL, AQA*).*

- Exploring whether responsibilities of some senior examiners could be taken by others, for example, by recruiting scrutineers from other boards (AQA).

- Review the size of the senior examining team which develop exams (CIE).

Management of examiners

Nine organisations discussed improvements in the way in which examiners are managed. Five focused on improvements to training, particularly on ensuring that teacher-examiners understand how they should manage any conflict of interests. Four organisations suggested that contracts and confidentiality agreements could be strengthened, or at least reviewed.

Another 4 discussed improvements to monitoring examiners. These focused on statistical methods for monitoring examiners by analysing the results gained by students in the centres where they teach.

> The attainment of students who are taught by practising teachers who act as questions setters must also be monitored closely in order to detect any irregularities (ASCL).

Finally on this theme, AQA and ASCL both suggested that safeguarding of exams could be improved by strengthening the communities of practice in examining.

> We have noticed that loss of respect by colleagues had a significant impact on those Senior Associates who committed irregularities. This "public opprobrium" safeguard is well-developed in other, comparable, industries… We are exploring ways in which the Senior Associate community of practice can be further strengthened (AQA).

Changes to assessment design

Seven organisations mentioned changes to assessment design which might improve exam security.

Five believed that item or script banking may be an appropriate way of improving safeguards. They were cautious in their support for this however, and most caveated that there were risks and difficulties involved, not least in resourcing the additional workload.

Two exam boards (AQA and Pearson) were supportive of the concept of banks of questions. Both expressed a commitment to this in their own organisations, however both noted that it was a medium-to-long term project which could not be realised quickly, due to the workload and significant risks involved.

However, MEI and JCQ told us that item banking was not desirable. They believed that this was either not appropriate in particular subjects, or that it was not feasible given the increased work, costs and unknown, untested risks involved.

> We note that some examination systems make use of question banks; this would not be possible for either GCSE or A level Mathematics in view of the complexity of rules regarding assessment objectives and sampling of content (MEI).

Sanctions

Seven organisations made comments in relation to sanctions for malpractice. These were varied in nature. Four believed that government bodies or exam boards could do more to publicise the sanctions for those who breach confidentiality.

They could also publicise the details of individual teachers who have committed malpractice and the repercussions these individuals experience.

> Ofqual may wish to consider measures that could be taken to publicise the identity of external examiners sanctioned for malpractice. Such publicity is fairly common in professional communities (AQA).

Three organisations stressed there must be a joined up approach across exam boards in dealing with examiners who have committed malpractice. This included the same sanctions being applied across the sector.

In order to disincentivise malpractice, 4 organisations suggested strengthening of existing sanctions. Most proposed that new sanctions could be applied through the National College for Teaching and Leadership (NCTL). AQA and CIEA both explicitly suggested that examiners sanctioned for malpractice could be barred from teaching in the UK. AQA also suggested the consideration of civil or criminal proceedings.

> At a sectoral level, Ofqual and JCQ could consider strengthening safeguards and sanctions, including, more stringent bans from the teaching profession, wider publicity, and the possibility of civil and criminal action against senior examiners, although the potential consequences of such measures on examiner recruitment would need to be carefully evaluated (AQA).

System level changes

Seven organisations noted that centres could play a greater role in safeguarding the system through supporting teacher-examiners to manage conflicts of interest. This was an area which did not attract much comment from individual respondents.

> We welcome suggestions that encourage senior leaders and teachers to be aware of their staff and colleagues who are involved in question paper

setting and ensuring they get the right support and guidance to help manage any risks (JCQ).

A number of other suggestions were made outside of the themes above. These are summarised below:

- JCQ and NAHT believed that there is a need to communicate the extent of the safeguards in place to the public to improve confidence in the system.

- OCR and CIE both suggested that *"the system would benefit from a more explicit discussion on ethics in examining"* (OCR).

- AQA proposed Ofqual could undertake a comparison of the prevalence of malpractice and use of safeguards in other comparable industries or sectors.

- ASCL proposed that whistleblowing procedures could be improved.

7. Insight from other systems and sectors

Respondents were asked whether they could provide insight from any other education systems or sectors which might help to inform safeguards in general qualifications. Thirty five responses were received.

Experiences from other countries and education systems

The highest number of responses (29%) discussed other education systems. There were no common themes amongst these, although two responses noted that the scale of the issues faced with confidentiality in England appeared to be unusual due to the multiple exam boards.

> The fact that we have a range of private companies, developing a range of exams, leaves us open to much more abuse than in countries where there is a centralised system (Teacher, Marker).

One respondent suggested that other countries have a greater reliance on the use of teacher assessments than in the UK. Another noted that item banking was used in other jurisdictions. Comments were often unrelated to issues of developing exams and the safeguards around this, and more on how centralised the exam system was or how papers are marked.

Experiences from other exam boards

Four responses focused on use of teachers as examiners at the International Baccalaureate Organisation.

> International Bacc do not allow teachers to participate in question setting for the May or November session their candidates are examined in; however, in my experience this robs us of valuable human resources in each session and should NOT be emulated in UK system (Exam question writer/reviewer).

Experiences from other sectors

Two respondents discussed the lack of safeguards in higher education, while one suggested that education could learn from business, particularly in terms of intelligent accountability systems.

> I also teach in Higher Education where the safeguards are almost non-existent and yet there is no worry here (Teacher, Marker).

Experiences from other qualification types

Two respondents discussed safeguards in vocational and technical qualifications. These were believed to be less tightly regulated than general qualifications.

> I have experience of assessing apprentices. I would suggest that although there are no examinations as such assessors can still have opportunity to 'cheat' the system if they so wish… Checks and balances are there but not to the same extent as the formal examination system. (Exam question reviewer).

Ten other responses were received which didn't directly answer the question above. These covered improvements which could be made to the current system, or comments on examiners themselves. Two respondents suggested that controls on access to exam papers once they have arrived in schools could be improved.

Organisational responses

Four organisations brought their insights from other systems or countries to this call for evidence. Both NFER and GSA noted that the involvement of practising teachers in assessments was considered necessary in other education system, including Hong Kong and Germany.

> My experience from other countries is of greater teacher involvement in final assessments, for example in Germany, rather than less (GSA).

Pearson commented that teachers are encouraged to design international test items such as PISA, TIMMS, as well as in national assessments at Key Stage 2 in England and Wales.

> Teachers are still integral to the development and marking of national curriculum tests, which are now considered to be high stakes assessments due to their use in accountability measures (Pearson).

Finally, Pearson also noted that academics are trusted to develop and mark exams for their own students in Higher Education.

> In HE, lecturers who deliver courses routinely set and mark examinations….In this scenario, the professional integrity of the academic is the only means of ensuring no unfair advantage is given; this is considered to be an effective safeguard by the sector (Pearson).

8. Other comments

Finally, respondents were able to provide any other comments on the call for evidence. Sixty additional comments were made, almost two thirds of which came from senior examiners.

Comments in this section echoed those already made elsewhere in the call for evidence. The majority of these were made about the examiners themselves, although respondents also commented on their perceptions of the exam system in general and reiterated specific improvements which could be made to safeguards.

Examiners and their role

Two thirds of respondents discussed examiners themselves. These responses were particularly wholehearted. Over half strongly emphasised the need for teachers to continue to develop exams. Primarily this was felt to be a quality issue, with practising teachers best placed to understand the students, the curriculum and how exams work in the real world. Respondents also believed that exam boards would face problems recruiting examiners if teachers were barred from developing papers.

> I urge you not to move towards a system of exam papers written by non-practising teachers, as the quality of the papers would diminish which would undermine the validity. Teachers are the lifeblood of awarding organisations (Exam question writer/reviewer).

A further third of respondents emphasised how important it was to trust teachers in their roles as both teachers and examiners. Many provided anecdotes and reflections from their own experience of examining to evidence that these teachers displayed the professional integrity required of them in their dual roles.

> A culture of trust must be built up and acknowledging the professionalism of teachers in regard to upholding standards. There will always been the odd rogue teacher but that's the same for any profession (Teacher).

Many respondents were categorical in their belief that it is unhelpful to be mistrustful of examiners because of a small number of cases of malpractice. A fifth of respondents warned against Ofqual making any "*knee jerk*" reactions based on the events of summer 2017, which would undermine the quality of the exam system.

> Please do not respond in a knee jerk fashion that would be to the detriment of the integrity of the exam system in England - the exams would suffer and so would students. There are no better people to have involved in the writing of exams than those who teach the subjects and the courses (Exam question writer, Teacher).

Five respondents referred to changes that had already been made to the exam system as a result of similar concerns, namely the ban on teacher-examiners

providing training. These respondents warned against a similar reaction from Ofqual to this issue.

Finally, three respondents restated that teachers should not be allowed to develop the same specification that they teach, but that they could work to develop different specifications or for different boards.

Comments on the exam system

Just over a third of responses were comments on aspects of the exam system. Most were positive in their view of the system. These believed that the system was generally a good one, which required little change.

> The exams have become much better in my years of teaching (Teacher).
>
> The system in general works. Tweak it. Don't destroy it (Exam question writer, Teacher).

Two pointed out that the low number of incidents of malpractice was a positive reflection on the exam system and warned against unnecessary change.

Four respondents viewed the system more critically. Two cited malpractice that they had witnessed, and condemned exam board responses to these.

> There are many cases of malfeasance in exams which are not reported to the boards and when they are, despite clear evidence, the board tends to side with the centre. The investigation of malfeasance should not be conducted by examination boards as they have an on-going contractual and financial relationship with the centre. It is in their interest to find no evidence. I know of a number of occasions where they have been presented with incontrovertible proof but have taken no action (Ex headteacher).

Improvements to the exam system

Thirteen percent of respondents (8) reiterated suggested improvements to the exam system. These included item banking, marking improvements and a reduction in the number of exam boards and/or exam papers.

Comments on the wider education system

Another 13% (8) commented on aspects of the wider education system. Most of these criticised government agencies and their responses to past issues.

> I fear that under pressure from the government, in response to elements in the media, we might head for another 'sledge hammer to crack a small nut' as was the case when people involved with setting exam papers were prevented from involvement in training (Exam question writer, teacher).

Three respondents mentioned the pressure placed on teachers by current accountability measures, and how this can incentivise malpractice.

Finally, 7% of comments (4) fit outside the themes above. Three of these related to internal assessment, and the potential for malpractice here.

> The removal of coursework will do much to restore the system. This had become an absolute mockery… Any assessment system which involves pupils unsupervised and/or marking by teachers (whose pay may depend on the outcomes), will be abused and must not be trusted (Exam question writer/reviewer, Teacher).

Organisational responses

Five additional responses were received from organisations. Again, most related to examiners and their role. Four commented further on this topic. Pearson and GSA both re-emphasised the importance of retaining teachers in exam development.

> We advocate the use of teachers as senior examiners for the clear benefit that they bring in terms of producing valid and appropriate examination papers. We believe that any system where teachers were not part of our senior examining teams would have more disadvantages than advantages. While it would reduce security risks it would compromise the quality of examination papers (Pearson).

Pearson and JCQ both noted that teachers have a crucial role in developing exams in other education systems;

> We would encourage Ofqual to look at Scotland, where there is an expectation that teachers will set the question papers, as well as other nations (JCQ).

In contrast, the EOA reiterated its suggestion that teachers should not be able to develop exams in the specification they teach.

Other responses were made by single organisations only. JCQ urged caution in any responses by Ofqual to the risk of examiner malpractice. Such a response must be both proportionate and informed;

> In looking at possible changes, we urge Ofqual to consider whether they are proportionate to the risks that exists, whether they introduce new risks or merely shift the existing risks elsewhere, and to work closely with awarding organisations who will undoubtedly will be directly affected. What may appear to be a small change could have a significant impact on processes and have unintended consequences (JCQ).

GSA noted the pressures placed on teachers by the accountability system and by senior leaders within schools. Despite this they maintain that most teachers working *as* examiners are extremely trustworthy;

> The dangers in our examination system come from the accountability measures which government and or senior leaders place on teachers. If a teacher who is an examiner lacks integrity, he or she may be tempted to try to cheat the system. However, all my experience suggests that this eventuality does not take place and the teachers who are examiners go to extreme lengths to preserve the integrity of the examination system (GSA).

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Office of Qualifications and Examinations Regulation

Spring Place
Coventry Business Park
Herald Avenue
Coventry CV5 6UB

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