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Consultation outcome

Decisions on contingency arrangements 2022: GCSE, AS, A level, Project and AEA

Updated 11 November 2021

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Introduction

The Department for Education and Ofqual jointly consulted from 30 September to 13 October on proposed contingency arrangements for awarding Teacher Assessed Grades (TAGs), for use in the unlikely event that exams are not able to go ahead in summer 2022 due to the coronavirus (COVID-19) pandemic. The proposals covered GCSEs, AS and A levels, Project qualifications, and the Advanced Extension Award (AEA) in mathematics. [Contingency plans for the](#)

[awarding of vocational and technical qualifications and other general qualifications were confirmed in September this year.](#)

The government is clear that students entering GCSEs, AS or A levels in 2022 should expect to take exams in the summer. In recognition of the fact that students' education has been disrupted by the pandemic, they [will be given extra help to prepare for their exams as follows](#):

- students taking GCSEs in English literature, history, ancient history and geography will not need to cover the usual range of content in the exams
- students taking GCSEs in all other subjects will be given advance information about the focus of the content of the exams to help them focus their revision
- students taking AS and A levels will be given advance information about the focus of the content of the exams to help them focus their revision
- students taking GCSEs in mathematics will be given in their exams copies of formulae they would in other years have to memorise
- students taking GCSE physics and combined science will be given in their exams a sheet covering all the equations they might need to apply in the exams

The advance information for GCSE and AS and A levels will be published no later than 7 February 2022. The government retains the flexibility for advance information to be deployed at other points ahead of 7 February if circumstances require. The government will take account of the level of disruption to students' education being caused by the pandemic if and when it decides that advance information should be published earlier, and will give at least a week's notice of publication.

Some [changes have also been made to the way non-exam assessments that are used in some GCSE, AS and A level subjects are taken](#), to address difficulties that might otherwise be caused by the pandemic.

Ofqual has decided that [grade boundaries for summer 2022 will be set so that more students than was the case before the pandemic receive higher grades](#), providing a safety net for students in this transitional year.

Students taking Project qualifications and the Advanced Extension Award are expected to be assessed in summer 2022 in the normal way.

The government is firmly committed to exams going ahead in summer 2022. Nevertheless, we need to have contingency plans in place for the unlikely event that exams have to be cancelled again because of the pandemic.

If exams have to be cancelled in summer 2022, students' grades will instead be determined by their teachers, using a Teacher Assessed Grade (TAG) approach similar to that used in summer 2021. TAGs are based on teachers' assessment of their students' work.

If exams are cancelled the Secretary of State will set out in a direction to Ofqual the government's policy on how TAGs should be used to determine grades in

summer 2022. This direction would take account of the timing of the decision to cancel exams and any public health restrictions in place at the time.

Summary of decisions

As set out in our consultation, DfE and Ofqual both have responsibilities related to contingency arrangements and therefore consulted jointly on proposed contingency arrangements. These responsibilities are reflected in the decisions we have each taken following the consultation.

The DfE is responsible for its policy for qualifications (including whether the government considers that exams can safely or fairly go ahead as planned) and the subject content that is taught and assessed. Ofqual is responsible for assessment arrangements, and it is therefore responsible for setting regulations to implement contingency arrangements should they be required. It is Ofqual's responsibility, therefore, to decide how TAGs would function in the event that exams are cancelled, taking into account any policy direction set by the Secretary of State.

We have set out in this document which organisation has made each decision, reflecting these respective responsibilities, following our joint consultation on proposals.

In summary, Ofqual has decided to implement the proposals we set out in our consultation about the evidence that would be used to assess students' performance if exams are cancelled. Ofqual has published [guidance for teachers on how they should collect evidence of student performance](#). Ofqual has revised the guidance on which we consulted in response to feedback and to make it as clear and helpful as possible. Ofqual will not take a decision at this point about whether or not exam boards should be required to moderate non-exam assessment should exams be cancelled, as this would be influenced by the timing of any decision to cancel exams.

If it proves necessary to cancel exams in some parts of England, we have decided that exams should be cancelled for all students and the TAGs approach should be implemented nationally.

Ofqual has decided that exam centres should only be required to develop centre policies for the awarding of TAGs if exams are cancelled. It has not taken any other decisions about the quality assurance arrangements that would be used for TAGs in 2022, or about how appeals would work. This is because the quality assurance process and the appeals process would both be decided in part by the timing of any decision to cancel exams and the reason for that decision, including any public health restrictions in place at the time.

In this decisions document and the accompanying analysis we have not sought to discuss every point made by those who responded to our consultation. However,

in taking our respective decisions and finalising the guidance we have considered all the points made in response to the consultation.

Details

Teacher assessed grades as the contingency for 2022

1. The circumstances of the last 2 years aside, the government believes that exams and other formal assessments are the best and fairest means of assessment and the government's firm intention is that students will take national exams in summer 2022, set and marked by the exam boards.
2. If, and only if, the adaptations to exams previously announced by the government and Ofqual are not sufficient to allow exams to proceed, we will seek to maintain stability by implementing a process of Teacher Assessed Grades (TAGs) similar to that used in 2021. While we recognise that any contingency plan has its drawbacks, we believe TAGs are the best way to assess students if exams are not able to go ahead. The arrangements for TAGs in 2021 gave students a chance to show what they could do after a year of unprecedented disruption to their education. Under the challenging circumstances of the pandemic, the TAGs arrangement enabled exceptional assessment of only what students had been taught, and allowed flexibility on the timing of assessments enabling schools and colleges to take into account any local disruption.
3. Informed by feedback on, and a wider review of, the arrangements in place last year, we invited views in the consultation on how the process could be improved in 2022.

We sought views in the consultation on draft guidance for teachers on how they should collect evidence that would inform TAGs, should it prove necessary to cancel exams. We did not propose how teachers should use the evidence they collect to determine TAGs. We do not want teachers to spend time creating TAGs unless exams are cancelled and TAGs are needed. If exams are cancelled, Ofqual and the exam boards will set out how teachers should use the evidence to determine TAGs. Many respondents nonetheless made suggestions or asked questions about how to decide a grade.

Issuing guidance about how to determine TAGs in 2022 later, and only if using TAGs becomes necessary, will allow us to take account of the timing of the decision, the reason for the decision and any public health restrictions in place at the time. Teachers must not attempt to determine TAGs before any such guidance is published.

The evidence used to assess students' performance

We sought views on draft guidance on the collection of evidence that would inform TAGs. Our key aim for such guidance is to address concerns raised about the variable amounts and types of evidence on which 2021 TAGs were based.

We proposed that teachers should collect evidence at three points in the year that work best for them and their students, by assessing students in ways that would help them prepare for the exams we expect them to take next summer. The proposed guidance would be common across subjects and exam boards. While we anticipate that teachers will have taught students the full course of study for their qualification, taking into account any adaptations already announced, by the time they take their exams, we proposed that assessments taken to inform TAGs should cover only content the students had been taught by the time of each assessment.

More than 75% of respondents thought that the guidance we proposed was helpful, although views were more mixed on whether it would reduce pressure on students' and teachers' workload compared with the arrangements used for TAGs in 2021.

Ofqual has decided to publish [guidance for teachers on how to collect evidence of students' performance for use should TAGs be needed](#). In response to feedback received during consultation, Ofqual has made some changes to the guidance to make it clearer and more helpful.

Specifically, the revised guidance contains additional information around the conditions in which assessments should take place. This is to support teachers to ensure that the work is authentic and that assessments which would provide evidence for TAGs if necessary also support the preparation of students for exams in the summer. There is also increased information about the extent to which students should be aware of the content to be assessed.

Ofqual has also strengthened the guidance on the approach should a full cohort not be able to be assessed at the same time. This is to avoid potential unfairness should some students sit assessments at a later time and be aware of the questions. There have also been further additions to the guidance, which cover special consideration for students whose performance is affected by an event outside of their control.

Feedback specifically highlighted concerns that the proposed guidance would not allow students to be given an indicative grade, which many felt was important for students in facilitating their learning. Additional information on marking has therefore been provided in the guidance to allow for students to be given sufficient information to be aware of their level of performance and understanding, and areas for development, while being clear that any indicative grade provided is not a TAG.

We received many comments about the support exam boards should provide to teachers determining TAGs should they be needed in 2022. If exams cannot go ahead, exam boards will provide a range of guidance and materials to teachers, schools and colleges.

Some respondents, in particular teachers, requested exam boards provide new assessment material. According to these respondents, if teachers only had access to prior assessment material, they would not have sufficient material to provide TAGs. Exam boards published a large amount of material to support teachers to determine grades in 2021. Any new assessment materials developed would not have tested mark schemes. Nor would they have grade boundaries, as in any normal year these are only set once papers are marked.

Many of the concerns raised highlighted that students could obtain access to past paper materials, compromising the integrity of assessments and creating inequalities with those who did not have access to the materials. However, even with new assessment material, the flexibility of the arrangements means that papers could be used at different times nationally, and therefore it still would not be possible to maintain the confidentiality of the assessment materials.

The nature and extent of support provided by exam boards will need to take account of the timing of any decision to cancel exams and the reason for the decision. Ofqual has therefore decided not to place any requirements on exam boards at this stage.

We also asked for views on our proposal that exam boards should not be required to moderate non-exam assessment should exams be cancelled. We are not taking decisions on this at this point, as this would be influenced, in part, by the timing of any decision to cancel exams.

A national approach

More than 80% of respondents agreed with our proposal that if it proves necessary to cancel exams and implement TAGs in some parts of the country, exams should be cancelled for all students and the TAGs approach should be implemented nationally. There were no responses which persuaded us that it would be acceptable or command public confidence to have different approaches to awarding grades for the same qualifications running in different parts of the country. We believe such an approach would lead to challenges about how different students should be assessed, for example if they lived in an area for which exams had been cancelled but attended a school in an area in which exams were going ahead, and vice versa.

We have decided that, if it proves necessary to cancel exams in some parts of England, exams should be cancelled for all students and the TAGs approach should be implemented nationally.

Private candidates

In our consultation we explained that private candidates do not study within the school, college or other exam centre, such as a private tutorial college with which they plan to take their exams. Private candidates are often home educated, studying with a distance learning provider, or students who are re-taking a qualification having left the school or college with which they originally studied. They may be studying with a distance learning provider, tutor, parent, or without any of these things.

In normal years, when exams take place, such candidates register with an exam centre – a school, college or other type of exam centre – which arranges for the candidate to take their exams alongside their students. As we expect exams to take place in 2022, private candidates should register with a centre to sit exams in 2022 in the usual way. The Joint Council for Qualifications (JCQ) has [a database of centres that are willing to support private candidates](#).

We proposed that we work with centres and private candidates to support students to find opportunities to generate the evidence that would be required for a TAG. Some respondents to the consultation highlighted difficulties that centres may face when determining TAGs for private candidates.

We also proposed that, should exams be cancelled, private candidates could undertake their assessments in a more concentrated period. Views on this proposal were mixed. Those who were against cited concerns about fairness, both in favour of and against private candidates, and the difficulties for centres in assessing private candidates given a shorter period of assessment. However, there were a number of respondents that noted the practical benefits of such an approach, due to increased flexibility.

Ofqual has included in the guidance additional information for exam centres considering providing assessment opportunities for private candidates. This guidance also outlines that private candidates who have not been assessed throughout the year could be assessed only if exams are cancelled, with students being assessed over a compressed period.

Quality Assurance

We are not taking any decisions about the quality assurance process at this time, with one exception.

In our consultation we proposed that exam centres should only develop centre policies for the awarding of TAGs if exams are cancelled, to avoid them diverting resources from other priorities. We also said that centre policies would need to reflect the detailed arrangements for determining, quality assuring and submitting

grades once those arrangements had been decided following any announcement to cancel exams.

The majority of respondents (70%) supported this proposal. While we acknowledge that the guidance Ofqual is publishing alongside this document will mean that some centres would have more work to do to update their centre policies from 2021 than others, we believe that it would not be proportionate for centres to devote resources to their centre policies at this time, when we expect exams to take place next summer.

In particular, given the expectations set out in guidance, some centres may need to revise their previous policies to reflect the new expectations of what evidence may contribute to a TAG, should they be needed.

Ofqual has decided that exam centres should only be required to develop centre policies for the awarding of TAGs if exams are cancelled.

Appeals

In our consultation we made proposals in relation to appeals. However, we are not taking any decisions about the appeals process at this time. Some appeals in respect of 2021 grades are still being considered. Ofqual will wish to learn from the appeal arrangements in place this year before deciding how appeals would work in 2022 should exams be cancelled. However, should exams be cancelled, we would take decisions quickly, taking into account the responses received in the consultation. We would communicate those decisions clearly to both centres and students.

Equality impact assessment

We considered whether the proposals in the consultation might impact (positively or negatively) on students who share different protected characteristics. We set these considerations out in the Equality Impact Assessment included in the consultation document and invited views on those, on impacts we may not have identified and on ways to mitigate them.

The majority of respondents believed that the proposed contingency arrangements would neither impact positively nor negatively on particular groups of students because of their protected characteristics, beyond those impacts we identified in the consultation. Seventy two per cent reported that there would not be any positive impact and 75% that there would be no negative impact.

Respondents who said our proposals would have a negative impact often

commented on the risk of unconscious bias by teachers determining TAGs towards those who share one or more particular protected characteristics. Respondents felt that provision of suitable training would help to mitigate this. Teachers are not currently being asked to determine TAGs, and would only be asked to do so, and provided with guidance to help them do so, should exams be cancelled.

Ofqual provided guidance to centres on how to make objective assessments in both 2020 and 2021. Should teachers be required to determine TAGs under these contingency arrangements, Ofqual will again provide guidance on making objective assessments, drawing on any lessons learned from 2021. JCQ provided training in 2021 and we would expect them to do so again if the timing of the decision allowed in 2022.

Should exams be cancelled, we will help students understand how they can raise concerns if they think they have evidence of discrimination against them. We will work with the Equality Advisory and Support Service (as we did in 2020 and 2021) so that students with evidence of discrimination are aware of that service to seek advice on issues relating to equality. Any such evidence could be investigated by the exam boards as potential malpractice.

Many of the respondents who raised concerns focused on difficulties for private candidates being assessed at different points during the year.

We highlighted in the consultation that private candidates would be able to seek to work with a centre with which they already had a relationship or which was willing to undertake assessments across a period of time for this purpose. Alternatively, private candidates might complete assessments over a more condensed period should exams be cancelled. Should exams be cancelled on public health grounds so that it is not possible to sit assessments within centres, this might present the risk that private candidates are unable to be assessed. However, the regulatory arrangements Ofqual put in place for TAGs in 2021 did not prevent centres from relying on evidence from assessments that had been conducted remotely. We do not anticipate setting any such restriction if TAGs become necessary in 2022.

The flexibility of the planned approach should help private candidates to produce the evidence necessary for a centre to provide them with a TAG should exams be cancelled. However, we acknowledge the greater difficulties that private candidates may face compared with students who are studying in the centre where they will take their exams. If exams are cancelled, the Department for Education would again explore ways to encourage centres to work with private candidates and to provide affordable opportunities for private candidates to work with centres. JCQ will also produce a list of centres willing to work with private candidates who wish to enter GCSEs, AS levels or A levels in summer 2022.

We believe that disabled candidates are disproportionately represented among private candidates. Ethnic minority students are also likely to be disproportionately represented in private candidate entries for some foreign language qualifications.

There was strong feeling that the need to take additional assessments to inform a

TAG would negatively impact private candidates with Special Education Needs and Disabilities (SEND) because of the resource needed to provide additional assessments and any associated reasonable adjustments. This could mean that the possible difficulty of finding a centre to work with could be a particular issue for private candidates with SEND. This may lead to anxiety for these students and could disadvantage this group of students.

The guidance Ofqual has published on how assessments should be conducted allows some flexibility in the approach as to how students are actually assessed. For example, it could be in a classroom setting, and need not be a whole exam paper in one sitting. This could reduce the risk that private candidates with SEND could have particular difficulties in finding a centre to work with.

We have also considered the impact of the arrangements on disabled students more broadly. Centres have a responsibility under the Equality Act to put in place reasonable adjustments for disabled students. We expect that reasonable adjustments should be made for disabled students when taking assessments that could inform TAGs.

If, for any reason, students are assessed without a reasonable adjustment being in place, Ofqual's guidance makes clear that centres would need to record this, along with the reason that this was not in place. If a student's need for a reasonable adjustment is only identified after an assessment has taken place, their teacher should record the reason for this late identification and allow the student to undertake a different, but equivalent, assessment with the reasonable adjustment in place.

Each exam centre will decide when the assessments will take place, taking account of the Ofqual guidance. There is a risk that some students will be absent for the assessments. The likelihood of being absent might be higher for some students, including some disabled students, and Gypsy, Roma or Traveller students. We have edited the guidance to outline that, in exceptional circumstances, it might be necessary for work carried out prior to publication of the guidance to be used to inform a TAG.

Many of the comments focused on wider impacts that went beyond those covered by protected characteristics.

Respondents cited students' mental health as a common concern in relation to both exams and TAGs, with positive and negative impacts of each presented. Some felt exams would cause more anxiety for some groups of students, whereas others suggested TAGs would extend the assessment period, which could also cause greater anxiety for some students. Some suggested that having assessments over a longer period could have a greater negative impact on some disabled students, for example autistic students. In Ofqual's guidance, we do maintain that students should ideally be assessed at 3 points across the academic year. This is so that there would be some evidence to base a TAG on, should exams be cancelled, and no further assessment is possible due to pandemic disruption. However, the guidance also suggests that the total assessment time

should not normally exceed the total exam time for the specification. We have also strengthened the guidance to include specific reference to guarding against over-assessment.

Our planned approach is designed to minimise anxiety for students, and Ofqual will provide clear, accessible information to students on the contingency arrangements, and specifically on the guidance for teachers on collecting evidence of student performance. However, the regulatory approach cannot itself fully mitigate the impacts on students' mental health caused by the effects of the pandemic generally or by any cancellation of exams specifically.

Other concerns were raised which were not related to the proposals in the consultation, often where the benefits of assessment using TAGs in place of exams (and vice versa) were presented. It is government's policy that GCSE, AS and A level exams are the fairest means of assessment and that they should go ahead in summer 2022, unless the course of the pandemic means this is not possible.

The guidance that students should only be assessed on content they have been taught will go some way to address the impact on students of the disruption to their education caused by the pandemic. However, there is evidence that the impact of disruption has affected students from disadvantaged groups more than others. Many respondents also referred to variable lost learning in relation to socio-economic status or ethnicity, where poorer students or students from ethnic minorities may have been disproportionately affected by the pandemic.

Some students will have a poorer knowledge and understanding of the topics they have been taught because of the impact on them of the disruption to their education, for example, limited access to resources. If qualifications are to continue to link higher grades with higher standards of performance, none of the options available can fully remove the way the disruption to a student's education might have an impact on the grade they will receive.

The government has put in place additional support and catch-up measures for particular students, which should help to reduce the negative impact of the disruption to their education.

For now, as well as publishing guidance for centres on collecting evidence to inform TAGs should they be needed, Ofqual will require exam boards to make sure centres are made aware of that guidance. Ofqual will also be publishing information for students on the arrangements currently in place, including information specifically for private candidates. In the unlikely event that exams are cancelled, we will work with our extensive stakeholder networks to make sure additional information on how grades will be determined is accessible for all student groups in different formats.

Centres and exam boards will be required to comply with their obligations under the Equality Act, however grades are awarded. Exam boards will continue to be subject to Ofqual's regulatory requirements to comply with equalities law too.

Regulatory impact assessment

A key theme in the responses to the consultation was the impact on teacher workload of creating, marking and moderating assessments. In particular, some respondents suggested that preparing for both exams and TAGs would create additional pressure on teachers.

The guidance Ofqual has published aims to enable teachers to collect evidence at points of the year that work best for them and their students, and encourages the use of the normal formative assessment arrangements where appropriate.

The guidance sets out how teachers should collect evidence to inform TAGs should exams be cancelled. The guidance is clear that teachers must not develop TAGs unless exams are cancelled, in which case further information on how to use the collected evidence would be provided. The final stages of contingency arrangements would only be delivered in place of, rather than in addition to, summer exams. Some respondents, in particular school or college staff, also suggested that the approach would lead to increased financial costs to schools and colleges. For example, this might include the costs of external invigilators, staffing costs to support different access arrangements and the appeals process, as well as cover for assessment standardisation. Centres do not have to use external invigilation, but in the guidance we suggest that the conditions in which the assessments are undertaken should be similar to those students will experience when they take their exams in the summer. We recognise that the assessments might take place in the classroom.

Ofqual believes that any potential costs to support access arrangements would be proportionate. Centres have a responsibility to put in place reasonable adjustments for disabled students and we expect that reasonable adjustments should be made for disabled students when taking assessments.

Any potential costs related to the appeals process would only be incurred should exams be cancelled. A number of respondents highlighted that, should exams be cancelled, there would be potential cost savings in relation to external invigilation, which may offset some of these proposed costs in relation to the appeals process.

Some respondents suggested that the burden on schools and colleges could be reduced by exam boards providing additional assessment materials, including mark schemes and exemplar grade boundaries, and supporting the marking of assessments. The nature and extent of support provided by exam boards will need to take account of the timing of any decision to cancel exams and the reason for the decision. Any new materials would have untested mark schemes, and grade boundaries can only be determined once papers have been sat – any indicative boundaries would not be able to ensure parity between exam boards.

Many respondents called for exam boards to reduce their fees should exams be cancelled in 2022. In both summer 2020 and summer 2021, exam boards refunded a proportion of their fees to reflect the cost savings made. Ofqual

anticipates that they would do so again should exams be cancelled and their savings exceed any additional costs incurred.

Some respondents believed that delivery of the proposed contingency arrangements would impact on available teaching time. The intention is that the assessments can also be used as formative information, to inform teaching and learning. Ofqual has considered how the assessment burden could be reduced further. However, given the uncertain course of the pandemic, we believe it would be prudent for teachers to gather evidence of student performance at different points in the year. The guidance is clear that teachers should not set a disproportionate amount of assessment. We believe that for many centres the assessments suggested by the guidance would reflect the formative assessments they usually set their students.

The exam boards identified a range of both savings and costs associated with the proposed arrangements, such as savings on print and distribution costs and markers' fees should exams not go ahead. A number of respondents noted that any potential savings would be dependent on the timing of any decision to cancel exams. Teachers, schools and colleges and exam boards emphasised the need to make prompt decisions as to whether exams can go ahead. The government remains committed to exams going ahead if possible, and therefore the timing of any decision to cancel them will be dependent on the path of the pandemic.

We recognise that there will be some costs involved, even with the preliminary steps we are taking now. However, we consider those costs to be proportionate to the aim of preparing for the possibility that it might not be possible for exams to go ahead due to the pandemic.

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