

Decisions on Final Entries to Legacy GCSEs, AS and A Levels



In December 2015 we published a consultation about proposals for resits in ‘legacy’ GCSE, AS and A levels that are being replaced by new reformed versions. We also consulted on the rules that we proposed to put in place to give effect to our proposals.

We have reviewed the responses to the consultation and are now announcing our decisions. We are also publishing a more detailed analysis of the responses alongside this document.¹

Summary of our decisions

Following consultation, we have decided that:

- Students taking legacy AS and A levels will have the opportunity to resit these qualifications after the final scheduled award, regardless of the subject. These resits will be in May or June of the following year.
- At GCSE we will require exam boards to provide:
 - two resit opportunities in relation to legacy GCSEs in English, English language and mathematics (including linked pair maths GCSEs – ‘applications of mathematics’ and ‘methods in mathematics’), one in November 2016 and one in summer 2017, and
 - a resit opportunity, no later than summer 2018, in all GCSE science and additional science qualifications they currently offer. Exam boards may decide to offer GCSEs in Biology, Chemistry and Physics but we will not require them to.
- At GCSE we will also allow, but not require, exam boards to offer a single resit opportunity in the year following the last scheduled sitting in any other legacy GCSE subject
- There will be restrictions on who can take the GCSE, AS and A level resits.

¹ <https://www.gov.uk/government/consultations/resits-for-legacy-gcse-as-and-a-levels>

We summarise below what respondents told us in response to our consultation. We also set out further details of our decisions, including who can take these resits and the regulatory requirements we will use to give effect to our decisions.

Resits in AS and A level qualifications

For AS and A levels we proposed that:

- Students taking AS and A levels in the last scheduled sitting should have the opportunity to resit these qualifications after the final scheduled award, regardless of the subject and exam board.
- Resit opportunities in AS and A level subjects where new qualifications were introduced in September 2015², will be available in the legacy qualifications in May/June 2017. AS and A2 units for these qualifications will be available to all students in the normal way in May/June 2016.
- Resits will take place in May or June.
- Students will be able to resit any AS or A2 units (including controlled assessment units).
- Only those students who have taken the qualification previously, or who had good reason not to have taken it when planned (such as illness) can take a resit.
- Similar arrangements should be put in place for the later phases of AS and A level reform.³

Most consultation respondents, 95 per cent of those who responded, agreed with our proposed approach to the availability of resit arrangements in legacy AS and A level qualifications. Five per cent of respondents neither agreed nor disagreed with what we proposed – with many commenting that they did not teach A level qualifications, or their school did not offer A level qualifications. Only one respondent disagreed with the approach.

We have identified no issues with the proposals we consulted on and have therefore decided to confirm our approach to resits in AS and A levels , as proposed.

² New AS and A levels available for first teaching from September 2015: art and design, biology, business, chemistry, computer science, economics, English language, English language and literature, English literature, history, physics, psychology, sociology.

³ www.gov.uk/guidance/withdrawal-of-legacy-gcses-as-and-a-levels

Resits in GCSE English, English language and mathematics qualifications

For GCSEs in English, English language and mathematics we noted in our consultation that we had already confirmed that:

- Students taking GCSEs in English, English language and mathematics (including linked pair maths GCSEs – ‘applications of mathematics’ and ‘methods in mathematics’) in summer 2016 will have a resit opportunity in November 2016.
- If a student resits any of these qualifications, then – as now – they will need to resit all the exams for that qualification.
- Students will be able to carry forward the results of the speaking and listening controlled assessment in GCSE English and GCSE English language (including between the two subjects when resitting with the same exam board) but they will also be able to resit this part of the qualification if they prefer.
- Only those students who have taken the qualification previously, those who had good reason not to have taken it when planned (such as illness), or who are aged 16 or above on 31 August in the year of the last scheduled sitting can take these resits.

We sought views on whether students should also have a further resit opportunity in May/June 2017, and suggested that this should be limited to those aged 16 or over on 31 August in the year of the last scheduled sitting.

A majority of respondents, 96 percent of those responding, agreed that a further resit opportunity should be made available in English, English language and maths. A small number of respondents, including some of the exam boards that offer these qualifications, raised concerns about the manageability of such a resit in terms of issues relating to timetabling and entry dates and also in relation to the burdens such a resit would impose.

The majority of respondents raised different issues. As we set out in our consultation, these qualifications are required for progression for many students. Many respondents reiterated that point, and noted that this means that there is significant demand for these subjects to be delivered over one year to students who had not already achieved at least a grade C. The fact that government expects that students will continue to study English and mathematics post-16 if they have not achieved a grade C or above in these GCSEs is one reason why the numbers undertaking such courses are likely to be significant.

Respondents said that without a resit opportunity in summer 2017, students in this year of reform would be placed at a disadvantage compared to those in any other

year who are able to carry on studying the qualification they have already begun. New GCSEs in English, English language and mathematics have different content and assessment requirements, so students would otherwise find a proportion of the new GCSE content unfamiliar.

We asked in the consultation for further evidence on this issue. The consultation has shown clear evidence of the demand for an additional resit opportunity and the impact not having such a resit opportunity would have on a significant number of students. We have considered the manageability concerns that have been raised if a second resit opportunity is provided. We judge that these can be addressed. We have therefore decided that there will be two resit opportunities in relation to legacy GCSEs in English, English language and mathematics (including linked pair maths GCSEs – ‘applications of mathematics’ and ‘methods in mathematics’), one in November 2016 and one in summer 2017. In line with our proposal in the consultation, this second resit will be limited only to those that are aged 16 on 31 August 2016.

In mathematics GCSE, we know that some exam boards offer two very similar qualifications. They cover the same content in the same way, and the only significant difference between them is the assessment structure in terms of the number of papers students must sit. This is because one qualification was designed to be modular whilst the other was linear. The fact that all GCSEs are now taken in a linear fashion means that there is no significant difference between them. Given this, while we will require all exam boards to provide resits in both these qualifications in November 2016, we will require them to provide a resit in only one of the two qualifications in summer 2017. Details of all the qualifications that are available as resits can be found on exam boards’ websites and on our ‘Register of regulated qualifications’.

Resits in GCSE science qualifications

We proposed that there would be no resit opportunities in other GCSE subjects that are subject to reform, although we asked in the consultation specifically whether there should be a resit in GCSE science subjects.

A significant number of respondents to the consultation, 42 per cent of those responding, disagreed with our proposal that GCSE resits should only be available in GCSEs in English, English language and mathematics, with several specifically mentioning that resits should be available in science GCSEs. We noted in the consultation that GCSE science is a requirement for some specific destinations, such as initial teacher training. Respondents to the consultation also highlighted this, and the fact that it is required for some other courses, such as nursing and midwifery. They also noted that there are significant differences between the content and structure of reformed science GCSEs and the legacy versions. In particular, some

respondents said that for students who had studied the current qualifications, it would be particularly difficult to access the new GCSEs as an alternative, as the new practical skills expectations are based around students completing a two year course of study.

Some respondents noted the disadvantages of allowing resits in other GCSE subjects such as science, highlighting the likely low uptake, financial implications for exam boards and other concerns around timetabling and standards.

Informed by this feedback, we have decided to require exam boards to provide a resit in GCSE science and additional science. Students will be able to resit their exams in these subjects. Where they do they will need to resit all the exams for that qualification and either carry forward their controlled assessment results or resit this part of the qualification. This will allow a resit opportunity for those students who need GCSE science qualifications in order to progress. Students who originally entered for the separate sciences – biology, chemistry physics – will also be able to enter the science or additional science resit.

We have decided not to require exam boards to offer all qualifications within the existing GCSE science suite. We think that science and additional science will support students' progression. To require exam boards to offer all of their existing science GCSEs would place a significant additional burden on them. We will not prevent exam boards from offering a wider range of GCSE science resits should they wish to do.

So long as only one resit opportunity is provided in each GCSE science and additional science qualification an exam board is offering we do not think that there is a compelling case for us to specify the timing of it. For this reason, the timing of these resits is a decision that will be taken by exam boards, though the resits must be offered not later than summer 2018. Only students who have taken any GCSE science qualification previously or who had good reason not to have taken one (such as illness) or who are 16 or above on 31 August in the year of the last scheduled sitting can take these resits.

Resits in other GCSE qualifications

As set out above, 42 per cent of respondents to the consultation disagreed with our proposal that GCSE resits should not be available in other GCSE subjects. A number of those respondents mentioned subjects that form part of the government's English Baccalaureate performance measure specifically as ones for which a resit should be offered.

Our proposed approach to requiring resit opportunities to be made available has been on the basis of whether the qualification is needed for students' progression. For AS and A level subjects, and for GCSEs in English, English language, mathematics and science, progression is the guiding principle we have used in our decision-making to require resit opportunities to be provided.

For other GCSE subjects, we have not judged it necessary to require exam boards to provide a resit opportunity. These subjects are not normally specifically required for progression. Currently very few students take resits in the subjects. We set out the numbers of students that resit GCSE qualifications currently in our consultation.⁴ Outside the subjects for which we have required resits, and based on current patterns, we estimate the number of students that normally resit other GCSE subjects not to be higher in any subject than about 200 students per year in any of the subjects. As we set out above, some respondents to our consultation noted the disadvantages of allowing resits in other subjects, highlighting that they thought resits in other GCSE subjects are likely to be taken by only small numbers of students, are expensive for exam boards to provide, create issues with timetabling and make setting appropriate standards difficult.

Given this, we have concluded that there are no other subjects, in addition to those noted above, for which we will require exam boards to provide a resit opportunity. However, we do not think it is necessary to prohibit exam boards offering resits in other subjects if they wish. Therefore, we have decided to allow exam boards to provide one resit opportunity in any other GCSE subject. That way if there is demand for a resit in a particular subject, exam boards will be able to meet it. If an exam board decides to offer such a resit opportunity, we will require it takes place in the academic year following the last scheduled sitting and that the restrictions on who can take the resit that we have put in place for other GCSE subjects will apply.

We recognise that exam boards will consider the costs of providing resits and that fees for resits might be higher than those for current qualifications. We will not require exams boards to offer a resit for a qualification that no student wishes to take. Exam boards will set the dates by which entries must be made.

New General Condition of Recognition

We consulted on introducing a new General Condition of Recognition that will require exam boards to comply with any requirements we set when an accredited qualification ends.

Most consultation respondents did not raise any issues with the draft Condition. We have adopted the draft Condition D9 into our General Conditions of Recognition.

Saving and transitional provisions

The saving and transitional provisions we consulted on provide the mechanism by which we give effect to the detailed decisions we have taken.

Several comments in response to our consultation noted that the draft saving and transitional provisions refer to resit opportunities being available to those who have certificated, and noted that this may rule out learners who were 'unclassified'. Our intention was not to prevent students who sat the exams but achieved an

⁴ www.gov.uk/government/consultations/resits-for-legacy-gcse-as-and-a-levels

'unclassified' result from resitting the qualification. We have revised the drafting of this provision, to ensure that those with 'unclassified' results are not excluded from being able to resit.

We have also changed these regulations to allow students who planned to or took their GCSE, AS or A levels before the last sitting to be able to resit these qualifications with another exam board. The draft proposals we consulted on would have prevented this, and we do not think it is necessary to do so. This means anyone who is eligible to access a resit can take it with any exam board that offers that qualification. We have not required that exam boards must allow results achieved in other exam boards' qualifications to be carried forward to their qualifications.

In addition, we have expanded the availability of resits for those that do not take a GCSE, AS or A level exam because of an event beyond their control. Our consultation proposals limited access to resits for these students to those who were unable to take the exam in the last scheduled sitting. We have decided that a student who planned to take the qualification both at and before the final sitting, and was prevented from taking it because of an event beyond their control, can access a resit.

No further relevant comments were made in relation to the drafting of the saving and transitional provisions, and we have adopted these requirements into our regulatory framework, subject to some changes to reflect the decisions outlined above.

Equalities impact assessment

The consultation responses highlighted no substantive new issues in addition to those we considered in the equalities impact assessment we set out in our consultation proposals⁵. As we set out in that document, our decision not to require exam boards to make available a resit in all GCSE subjects may have a negative impact on a student with a protected characteristic should that student because of their disability, or as a result of their pregnancy, maternity or gender reassignment, not take their assessments when planned. We balanced this potential impact against the costs and difficulties that offering resits in all GCSE subjects would present. As set out above, although we have not decided to require resits in these subjects, we will allow exam boards to offer them. This may mitigate the negative impact such students could face.

The changes we have made to our consultation proposals, to require an additional summer resit in GCSE English, English Language and Mathematics and in GCSE science and additional science qualifications, will address some concerns raised about negative impacts on students with particular protected characteristics.

Next steps

We have published regulatory requirements to give effect to our decisions. Exam boards will offer resit opportunities for the relevant qualifications as set out in this

⁵ www.gov.uk/government/consultations/resits-for-legacy-gcse-as-and-a-levels

document and, in detail for each subject, on our website at the link below. In addition, exam boards may decide to offer resit opportunities in other GCSE subjects.

Impact for each existing GCSE, AS and A level subject

We have set out for all legacy GCSE, AS and A level subjects:

- when the last courses begin (assuming a two-year course of study for GCSEs, and a coupled two-year course of study for AS and A level, with AS exams taken at the end of year 12 or 13, and A level exams taken at the end of year 13)
- when the last exams will take place, and our requirements for if (and when) students will have an opportunity to resit their exams
- which (if any) reformed qualification will replace it
- if a subject is not being replaced, the reason why.

This can be found here: <https://www.gov.uk/guidance/timings-for-the-withdrawal-of-legacy-gcses-as-and-a-levels>