

Part of **Education and childcare during coronavirus**



Guidance

# Summary guidance on appeals, malpractice and maladministration complaints for GCSE, AS and A level grades in England.

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## 1. How grades were determined in summer 2020

Exams were cancelled this year following the closure of schools and colleges to pandemic students, as part of the response to the coronavirus (COVID-19) problem. Students have nevertheless received GCSE, AS and A level grades as well as grades for the Extended Project Qualification and Advanced Extension Award.

Schools and colleges submitted to the exam boards their judgement of the grade a student would most likely have received if the exams (and any non-exam assessments) had taken place. The exam boards asked schools and colleges to develop these centre assessment grades (CAGs) in line with Ofqual's published [guidance for heads of centre, heads of department, subject leads and teachers](#).

Schools and colleges were asked to make holistic, professional judgements about a student's likely grade taking into account evidence such as any mock results, other assessments, assignments, performances in subjects such as music, classwork and homework. To help them make realistic judgements, schools and colleges were asked to take into account how this year's students compared to those of previous years, the prior attainment of this year's students relative to that of previous students and previous results in the school or college in the subject (noting that Ofqual's data shows that for most centres any year-on-year variation in results for a given subject is normally quite small).

For A levels, these judgements were taken at a different time and made to a different set of expectations than predicted grades provided to UCAS in support of university applications. CAGs and predicted grades provided to UCAS were legitimately different for some students, as were mock exam grades and predicted grades used in progress reviews.

The range, nature and amount of evidence available to inform the judgements varied both within different subjects in schools and colleges and between different schools and colleges. We asked schools and colleges to balance the different sources of evidence available to them.

We also suggested that at least 2 teachers should consider each grade, [1 of whom should have been the head of department or subject lead](#).

The head of centre (for example the head teacher or college principal) then submitted the grades to the exam board with a declaration that the grades honestly and fairly represented the grade the student would have been most likely to have achieved if the exams had taken place.

Ofqual made clear that CAGs would be subject to a process of standardisation that would combine a range of evidence including:

- expected grade distributions at national level
- results in previous years at individual centre level
- the prior attainment profile of students at centre level

We also made it clear that, if the profile of grades submitted by a centre was substantially different from what might be expected based on that centre's historical results and the prior attainment of that year's students, the grades for the centre would be adjusted to bring them into line with national standards.

Following concerns about the standardised results, students have received the higher of the grade their school or college expected them to receive (the CAG) or the standardised grade. Given the exceptional way grades were determined this year, more high and fewer low grades have been issued this year than in previous years. The data shows that, on average, students have received higher grades than they would have been most likely to have achieved had they taken their exams. Nevertheless, as in any year, some students will be disappointed with their results. Some will wish to question them.

## 2. Grounds for appeal

Following our consultation on [exceptional arrangements for exam grading and assessment in 2020](#), we published the grounds on which a school or college can submit an appeal to an exam board. These grounds include where the exam board did not apply its procedures properly and fairly or where the data used by the exam board to calculate results contained an error. Examples of the sorts of errors that the data could contain include the following:

1. The head of centre has evidence that the school or college made a mistake when submitting the centre assessment grades to the exam board (see below for what might be classified as a mistake).
2. The head of centre has evidence that the exam board introduced an error into the centre assessment grade data submitted to it or when it communicated a grade.
3. The exam board used the wrong data when statistically standardising some students' results.

Appeals must be made by the school or college to the exam board by 17 September. A student cannot appeal directly to an exam board.

A student cannot appeal because they disagree with their school's or college's professional judgement of the grade the student would most likely have achieved if exams had taken place.

We confirmed in April, following consultation, that students would not be able to appeal against the judgement of their school or college about the grade they would most likely have achieved had the exams taken place.

### 2.1 Mistakes when submitting centre assessment grades to the exam board

A school or college that has evidence it made a mistake when submitting information to the exam board about its judgement of a student's likely grade can take that evidence to the exam board. Examples of this include an exceptional clerical error or a failure to take into account important information about a student's likely performance that should have been included and was taken into account for other students. The exam board will need to understand how the school or college made a mistake that resulted in the head of centre making an incorrect declaration.

If the exam board is satisfied that the evidence shows the school or college made a mistake and that the school or college should therefore have submitted a different judgement, it can change the grade awarded.

A school or college cannot raise concerns about its CAGs on the basis that another institution took a different approach, that different teachers could have come to a different judgement, or because the national process of standardisation did not operate as expected. Instead, the school or college would need to provide evidence of the original approach that it took and show why this was not appropriate, given the published guidance. Exam boards would need to be satisfied that the approach taken by the school or college was inappropriate, not that a different judgement about a CAG could have been reached, to allow an appeal on the basis that the original judgement was flawed. In such cases, the exam board will take into account the nature of the school's or college's mistake and how it came about when deciding whether it should take any follow up action against the school or college.

Given the care with which schools and colleges determined CAGs, we expect that it would be very unusual for them to identify such issues with CAGs. A school or college that took into account the distribution of centre assessment grades compared with grades achieved by the centre's students in previous years will have acted within the guidance. The taking into account of such information is not, therefore, an error.

### 2.2 Concerns about malpractice, including bias or discrimination

If a student thinks their grade might have been affected by wrongdoing or a lack of care taken by their school or college (malpractice or maladministration) they should first discuss this directly with their school or college and, if appropriate, raise a complaint through the school or college's complaints policy. If a student feels their concerns have not been addressed, they could then consider raising their concerns about malpractice or maladministration with the exam board.

A student who has evidence of bias or discrimination and who does not wish to raise this with their school or college should give the evidence to the relevant exam board directly. If malpractice is proved, the exam board will consider whether the student's grade should be changed.

Guidance on the kinds of evidence that would be considered for this purpose is available in our [student guide to appeals, malpractice & maladministration complaints: summer 2020](#).

## 3. Further help and support

### Ofqual

**Telephone** 0300 303 3344

**Email** [public.enquiries@ofqual.gov.uk](mailto:public.enquiries@ofqual.gov.uk)

Contact Ofqual Public Enquiries if you want to find out more information about how to make an appeal or how to raise a concern about bias or discrimination.

### Exam Results Helpline

**Telephone** 0800 100 900

[www.nationalcareers.service.gov.uk](http://www.nationalcareers.service.gov.uk)

The Exam Results Helpline can provide information on appeals or complaints.

### Equality Advisory and Support service (EASS)

**Telephone** 0808 800 0082

**Textphone** 0808 800 0084

[www.equalityadvisoryservice.com](http://www.equalityadvisoryservice.com)

The Equality Advisory and Support Service (EASS) can provide advice on discrimination claims under the Equality Act 2010. EASS advises and assists individuals on issues relating to equality and human rights.

### Information Commissioner's Office (ICO)

[www.ico.org.uk](http://www.ico.org.uk)

The ICO can provide advice on issues relating to data protection law. They have produced specific [guidance for teachers and schools on students' access to information about their exam results](#).

### 3.1 Exam boards

The Joint Council for Qualifications (JCQ) have published [a guide to the awarding bodies' appeals processes](#).

#### AQA

**Telephone** 0800 197 7162

[www.aqa.org.uk](http://www.aqa.org.uk)

#### OCR

**Telephone** 01223 553 998

[www.ocr.org.uk](http://www.ocr.org.uk)

#### Pearson

**Telephone** 0345 618 0440

[www.pearson.com](http://www.pearson.com)

#### WJEC Eduqas

**Telephone** 029 2105 5443

[www.eduqas.co.uk](http://www.eduqas.co.uk)

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