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Consultation outcome

Subject-level conditions and guidance for new GCSEs in French, German and Spanish: consultation decisions

Updated 14 June 2022

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Introduction

In January 2022, following a review of the responses to its consultation and wider stakeholder feedback, the Department for Education (DfE) published the [new GCSE French, German and Spanish subject content](#). DfE confirmed that the new qualifications will be available for first teaching from September 2024, with first assessments in summer 2026.

Also in January 2022, Ofqual published the confirmed [assessment arrangements](#) for these new qualifications. This followed a review of the requirements for assessing the proposed new content, which the exam boards offering GCSE qualifications in French, German and Spanish must follow, and a public consultation that Ofqual conducted at the same time as the DfE consultation on the required subject content.

Ofqual then [consulted on the proposed subject-level conditions, requirements and guidance](#), that it proposed to put in place for all new GCSE qualifications in French, German and Spanish.

Ofqual has [now analysed the responses to this consultation](#), and this document presents our decisions.

Regulatory requirements

In order to ensure that regulated qualifications meet our requirements to be valid, reliable and comparable in terms of level of challenge with other similar qualifications, Ofqual sets out specific rules with which awarding organisations must comply, which are called 'conditions'.

For all of the qualifications that Ofqual regulates, awarding organisations must follow the [General Conditions of Recognition](#). For some qualifications, such as GCSEs, Ofqual sets [qualification-level conditions](#), which apply to all qualifications of that type. Ofqual also sets subject-level conditions for some qualifications of a particular type in a particular subject. GCSE qualifications must comply with the GCSE qualification level conditions, as well as with the subject-level conditions and assessment requirements which reflect the specific subject content document developed by the Department for Education (DfE).

Each set of conditions is accompanied by a guidance document, which helps exam boards understand how to comply with the conditions and requirements. When developing and delivering a regulated qualification, exam boards must have regard to the guidance that sits alongside the conditions. This means they must consider the guidance. If they choose not to follow the guidance, they must be able to explain how the alternative approach taken will also meet the regulatory requirements.

The GCSE qualification-level conditions require exam boards to maintain an assessment strategy for each GCSE they offer. The [GCSE qualification-level guidance](#) presents Ofqual's expectations, so that the strategy will set out how the exam board will ensure it remains compliant with the regulatory requirements for that qualification. The assessment strategy is a confidential, commercially sensitive document that is not published, given it contains detailed information about the assessment approach for that qualification.

Feedback received

Whilst we have read and considered all responses to the consultation, many respondents commented on aspects of the new GCSE French, German and Spanish qualifications that have already been confirmed, in particular, aspects of the subject content, and tiering. As such, they are out of scope of this consultation, and so are not covered in this decisions document.

Comments received on the regulatory proposals were often detailed and well thought out and we thank all those who took the time to respond.

Summary of decisions

Most of the changes made to the proposals on which Ofqual consulted represent refinements to clarify the wording of the conditions, requirements and guidance, rather than changes of substance.

In a few instances, we have amended the conditions, requirements and guidance to ensure that the regulatory approach will best support the delivery of the qualifications, or to ensure the requirements accurately reflect the content requirements.

Clarification of wording

Whilst the conditions, requirements and guidance set out the rules that exam boards must follow, as published documents they are also accessible to a wider audience. With this in mind, in some areas we have clarified some aspects of the requirements.

Some examples of changes to clarify the wording include the following:

- amended the reference to the subject content in the guidance on the assessment of speaking, to reflect the updated content requirement to “undertake a short unprepared conversation relating to the text”, following the read aloud task
- clarified that the word count requirements for understanding spoken extracts do not apply to the assessment of dictation
- clarified that the word count applies to the total number of words used in any extracts for translation
- amended the guidance on assessment objectives (AOs) to distinguish between the two separate skills covered in AO1, strand 2 bullet 1, and in AO2, strand 2 bullet 1
- changed the reference to “speaking and writing tasks” to “spoken and written language”, in order to broaden the application of AO3. This clarifies that marks for the read aloud, translation and dictation marks may be allocated here, which are not necessarily “speaking and writing tasks”, as they also draw on other skills

Detail of requirements

Some comments called for Ofqual to provide more information, including examples of how exam boards could comply with the regulatory and/or content requirements. These comments were often in response to the requirements for exam boards to demonstrate in their assessment strategies how they ensure their qualifications meet the content and assessment requirements, for example in relation to the requirements for vocabulary and grammar. Ofqual does not provide such examples, as to exemplify any one acceptable approach rather than any other could stifle innovation.

The subject level guidance illustrates to exam boards where an approach may be desirable to support compliance with regulatory requirements, but exam boards are free to use an alternative approach should they wish. They must be able to satisfactorily explain why they have taken that approach and why they consider it complies with the requirements. The subject level guidance does not include exemplification of how an assessment or specification may look, for the reasons stated.

Similarly, a few respondents suggested the requirements should specify under which assessment objective marks for the various tasks must sit. This is not specified, to allow exam boards to develop their own assessment approaches, whilst meeting the full range of regulatory requirements that apply to these qualifications.

Decisions

Subject Level Conditions

- Condition 1 – compliance with DfE content requirements
- Condition 2 – assessing the full range of abilities
- Condition 3 – compliance with Ofqual assessment requirements
- Condition 4 – assessment of spoken language
- Condition 5 – access to dictionaries

Although many comments related to the content requirements covered by these conditions, few related to the proposed regulatory approach. As such, we have not changed the conditions on which we consulted.

One exam board queried the proposal to place the expectations for the 5-week speaking assessment period in the conditions, rather than in the guidance as in the current requirements for GCSE MFL. Placing this as a requirement in the conditions will ensure that all exam boards' speaking assessments take place within a 5-week period, giving certainty to centres. The 3 exam boards that offer GCSEs in MFL already follow this approach.

One exam board suggested changing the wording of Condition 4.4. We have not changed this from the consultation wording. The condition permits, but does not require, the 5-week period to be continuous to enable public and/or school and college holidays to be accounted for without disadvantaging learners.

Requirements

- Tiering requirements
- Assessment Requirements:
 - Grammar and sound-symbol correspondence requirements
 - Vocabulary requirements
 - Assessment of speaking
 - Understanding spoken extracts
 - Dictation
 - Understanding written language
 - Translation

A few respondents commented on the reference to covering the “parts of speech” in the vocabulary requirements. This is no longer a requirement in the subject content and we have therefore removed this wording.

A number of respondents suggested that the proposed preparation time for the assessment of speaking (10 to 12 minutes, consistent with the current requirements) was insufficient given the new content requirements. We have amended this to require between 12 and 15 minutes preparation time.

The word count proposed for foundation tier assessment of understanding of spoken extracts was felt by some respondents to be too limiting. They argued that including

more words can make the assessment more accessible, as it can allow for repetition of key points, or it can provide helpful context to support students' understanding of an extract. In response, we have raised the upper limit on the foundation tier from 500 to 550 words, such that the required word count for this assessment is 450 to 550 words at foundation tier, with 700 to 850 words at higher tier.

One representative or interest group sought clarity on how each language would be assessed in the dictation given the languages differ in terms of the number of words used and the sound-spelling correspondence. We have decided not to amend the conditions, requirements and guidance here, given the requirements already cover "reference to the sound-symbol correspondence list in the Subject Content, its approach to different languages and the level of accuracy required".

The proposed regulatory requirements for the assessment of understanding written language were based on the number of words to be used, with a maximum number of words for any single text, and a maximum number of texts. Respondents commented that the maximum number of texts, in combination with the other requirements, allowed for little variation in size of text. This would limit the scope for exam boards to use shorter texts, which can help students settle into an assessment, or to allow for a variety of types of texts, or in tasks targeting the lower grades. We accepted these points and have removed the limit on the number of texts, rewording the requirements for clarity and brevity.

Subject Level Guidance

- Assessment of speaking
- Assessment of writing
- Infer meaning
- Dictation of short spoken extracts
- Guidance on the new assessment objectives

Some respondents felt that the role play requirements should specify that the instructions and prompts must be in English, given the requirements in the subject content that instructions about what to say are unambiguous. We have not specified this as a requirement; however we have clarified in the guidance to the assessment objectives that any questions or task prompts seeking a response in the assessed language, may be in English or the assessed language. We recognise that there may be different approaches that could comply with the requirement for instructions to be unambiguous in English or the assessed language and we do not want to limit the range of assessment methods used.

Some respondents commented on the guidance on AO2, seeking to clarify expectations to allow for tasks with stimuli or prompts in English. Whilst visual stimuli were covered in the AO2 guidance, we accept that prompts in English were not referenced. We have amended the wording to state that written prompts may be in the assessed language and/or in English.

A few respondents commented on the reference to "intonation" in AO3. This is no longer a requirement in the subject content and we have therefore removed this wording.

Implementation timescales

These new requirements relate to the new GCSE qualifications in French, German and Spanish, which are due to be introduced in schools and colleges for first teaching in September 2024, and for first assessment from summer 2026.

The publication of these requirements means there will be 2 versions of the subject-level conditions for GCSE French, German and Spanish in effect at the same time: the current requirements for cohorts sitting the current GCSE assessments from 2022 to 2025, as well as these new requirements for the cohort sitting the first assessments of the new GCSE qualifications in 2026. For this period, we will ensure that both versions of the conditions, requirements and guidance will be available, although these new requirements will only come into effect for the assessment of the new GCSE subject content for French, German and Spanish, from 2026 onwards.

Once students in the cohort taking GCSE French, German and Spanish in 2025 have received their certificates, the current subject-level conditions and guidance for GCSE modern foreign languages will no longer apply to GCSE qualifications in French, German and Spanish. The new subject-level conditions and guidance for French, German and Spanish will therefore apply to assessments for the 2026 cohort onwards.

The current subject-level conditions and guidance for GCSE modern foreign languages will therefore need to be revised to clarify that they will not apply to GCSE qualifications in French, German and Spanish after the 2025 assessments.

As with all amendments to regulatory requirements for GCSE qualifications, these revisions will be subject to a public consultation.

Equalities impact assessment

A number of responses queried how the qualifications will reflect the diversity of society. These considerations are covered by existing requirements: exam boards must comply with the requirements of Equalities Law in relation to each of the qualifications which it makes available (see Condition D2 of the [General Conditions of Recognition](#)). Regulated qualifications must comply with these [requirements in order to be accredited by Ofqual](#), which allows a qualification to be awarded by an exam board and taken by students in schools and colleges.

Regulatory impact assessment

Respondents noted the costs that will be incurred by schools and colleges because of the introduction of the new qualifications. Ofqual recognises that there will be costs associated with familiarisation with the new qualifications and development of the new teaching materials.

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