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▼ Menu

[Home](#) > [Education, training and skills](#) > [School curriculum](#)

> [Secondary curriculum, key stage 3 and key stage 4 \(GCSEs\)](#) > [GCSE subject content and requirements](#)

> [GCSE qualifications in British Sign Language](#)



Consultation outcome

Decisions: GCSE qualifications in British Sign Language

Updated 21 December 2023

Contents

[Introduction](#)

[Summary of decisions](#)

[Details](#)

[Equality impact assessment](#)

[Regulatory impact assessment](#)

[Implementation and next steps](#)



[Print this page](#)

Introduction

In 2018, the Department for Education (DfE) decided to introduce a GCSE in British Sign Language (BSL). Following several years of development, in 2023 DfE and Ofqual published consultations setting out proposals for this new qualification.

DfE's consultation sought views [on its proposed subject content for GCSEs in BSL](#). DfE is responsible for setting the curriculum requirements and subject content for all GCSE qualifications, including for new GCSEs in BSL.

Ofqual published a consultation seeking views on the high-level assessment proposals at the same time as DfE consulted on its proposed subject content. Ofqual is responsible for how the subject content will be assessed and for ensuring that the assessment arrangements can support valid and reliable results. Ofqual's consultation included the approach to tiering, the use of non-exam assessment (NEA) and the assessment objectives, which indicate the percentage of marks that must be used for each aspect of the assessment.

Ofqual's [consultation](#) was open from 15 June 2023 until 7 September 2023, and received 331 responses. A [full summary and analysis of the responses](#) has been published at the same time as this decision document.

Summary of decisions

Ofqual has decided to implement all of the proposals set out in its consultation document, with one minor change to the wording of an assessment objective to improve clarity.

In summary, Ofqual has decided that GCSEs in BSL will:

- have one set of assessments for all levels of attainment (assessments that are not tiered)
- include assessments by examination to assess students' receptive language skills and their knowledge and understanding of the history of BSL, worth 40% of the total qualification marks
- include non-exam assessment (NEA) to assess students' productive and interactive language skills (including technical accuracy), worth 60% of the total qualification marks
- have assessment objectives that address receptive, productive and interactive language skills, technical accuracy, and knowledge and understanding of the history of BSL.

Ofqual's consultation also provided information about further considerations for the assessments: the language of the assessment and some specific assessment considerations. Ofqual invited views from interested parties to help inform its thinking in these areas. The feedback received from respondents is being considered as Ofqual undertakes the next stage of work to draft proposals for its consultation on the detailed rules and assessment requirements for exam boards offering this qualification. The detailed rules and assessment requirements would be set out in new Subject Level Conditions, Requirements and Guidance.

Details

The paragraphs below explain Ofqual's decisions relating to each proposal.

Tiering

[Ofqual proposed that GCSEs in BSL should have one set of assessments for all levels of attainment \(assessments that are not tiered\).](#)

There were 330 responses to this proposal. The majority, 81%, supported the proposal, while 8% did not. The remaining 11% neither agreed nor disagreed. In Ofqual's judgement, none of the feedback provided raised issues or evidence that made it necessary to reconsider the proposal.

Some comments reflected on, or related to, challenges arising from the expected nature of the cohort, which might include students who use BSL as their first or primary language (BSL users), as well as new learners. These comments focused on whether it would be possible to design one set of assessments that would be suitable for this full range of students. Some respondents expressed concern that assessments designed for proficient BSL users would be too difficult for new learners.

As explained in the consultation, Ofqual only requires qualifications to be tiered where it is necessary based on the expectations of DfE's subject content. In the case of BSL, DfE's proposals set out subject content that all students should be able to complete during the normal 2-year course of study for a GCSE. The proposed content does not require students to have any previous knowledge of BSL. As such, Ofqual will expect and require the assessments to be designed so that those students without any previous knowledge can access the full grade range, depending on their performance. Ofqual will expect student performance to be differentiated within the expectations set out in the subject content. The assessments should not be designed to provide greater challenge than that set out in the subject content. As such, students who already use BSL and who are able to demonstrate attainment beyond that prescribed might not find the qualification (or aspects of it) challenging. This is consistent with DfE's proposed subject content and its intention that GCSEs in BSL will provide "a foundation of how sign language works".

None of the responses to the consultation led Ofqual to judge it would not be possible for new learners to be validly and fairly assessed in untiered assessments against the prescribed subject content.

Some respondents raised concerns related to the impact of proficient BSL user performance on standard setting and whether this might distort the standard expected of students to reach the highest grades. While Ofqual recognises the challenges presented by the likely nature of the cohort, this relates to how performance and grading standards will be set when qualifications are being awarded. As such this is a separate matter to the consideration of whether the qualification should be tiered or untiered, which is based on DfE's proposed subject content, as set out above.

Tiering Decision

Ofqual has decided that GCSEs in BSL will have one set of assessments for all levels of attainment (assessments that are not tiered).

Examinations and non-exam assessment

[Ofqual proposed that GCSEs in BSL should include assessments by examination and non-exam assessment \(NEA\)](#). NEA should be used to assess students' productive and interactive language skills.

Ofqual proposed that the qualification should be structured as follows:

- 40% of the qualification should be assessment by examination
- 60% of the qualification should be non-exam assessment

There were 330 responses to the proposal that NEA should be used to assess students' productive and interactive skills. Almost all respondents, 92%, supported the proposal, while 4% did not. The remaining 4% neither agreed nor disagreed.

There were 331 responses to the proposal that NEA should account for 60% of the total qualification marks. The majority, 78%, supported the proposal, while 11% did not. The remaining 11% neither agreed nor disagreed.

Many of the comments appear to have been influenced by the different thoughts and understandings about the nature of NEA. Most commonly, however, respondents welcomed the inclusion of practical assessment for productive and interactive skills. While a few indicated that all BSL use, including comprehension, could be assessed through interaction, these were balanced by those who commented on the importance of having rigorous exams. There was a slightly lower rate of agreement for the proposed 60% weighting, but respondents who commented did not identify a clear preference for an alternative weighting. There was a broadly equal split between those who suggested there could be more formal assessment and those who suggested there could be less.

None of the feedback raised issues or evidence that made it necessary to reconsider the proposal that 60% of the qualification should be assessed via NEA.

Comments and queries raised about the detail of the NEA arrangements are being considered as Ofqual develops the draft Conditions, Requirements and Guidance.

Non-Exam Assessment Decision

Ofqual has decided that GCSEs in BSL will include non-exam assessment (NEA) to assess students' productive and interactive language skills (including technical accuracy) worth 60% of the total qualification marks.

Assessment Objectives

[Ofqual proposed 4 assessment objectives, which reflect the expectations of DfE's proposed subject content](#), as follows:

Objective	Description	Weighting
AO1	Understand and respond to recorded and interactive BSL	35%
AO2	Produce BSL as rehearsed and unrehearsed language	30%
AO3	Articulate signs with accurate use of lexicon and grammar, and with appropriate use of placement and interaction strategies	20%
AO4	Demonstrate knowledge and understanding of the history of BSL	15%

There were 330 responses to this proposal. The majority, 88%, supported the proposed assessment objectives, while 5% did not. The remaining 7% neither agreed nor disagreed.

Two exam boards – one that agreed with the proposed assessment objectives and one that did not – commented on potential overlap between AO2 and AO3, noting that both will be rewarded in NEA tasks.

Ofqual considers it appropriate for NEA tasks to include separate marks for the production of BSL (AO2) and technical accuracy (AO3), as appropriate to the task. The inclusion of AO3 reflects the emphasis in DfE's subject content that students produce signs accurately, while not otherwise restricting students' access to marks for communication. There is precedent in other GCSE and GCE qualifications for the inclusion of dedicated and separate marks for technical accuracy alongside those for communication and use of language. This can be seen in the revised GCSE French, German and Spanish (20% weighting), in GCSE English language (20% weighting), and in GCE AS and A level modern foreign languages (30% weighting) qualifications. Ofqual's judgement is that it is not necessary to change the proposed approach for these 2 assessment objectives (AO2 and AO3). As with existing GCSE and GCE qualifications, Ofqual will provide statutory guidance to help exam boards understand Ofqual's expectations for each of the assessment objectives.

The exam board which disagreed with the proposed assessment objectives also raised a query about the way in which AO1 is currently articulated, and the expectation for students to "respond to" recorded and interactive BSL. The exam board said it is not clear what is intended by "respond to" and how this is distinct from "understand".

As set out in the consultation, the emphasis for AO1 is on receptive skills and students' ability to demonstrate comprehension of BSL. The use of the wording "understand and respond to" reflected a similar use in the revised GCSE French, German and Spanish assessment objectives. For these qualifications, Ofqual's statutory guidance explains that "students will demonstrate their understanding through their responses". Ofqual expects in due course to provide the same guidance for GCSE BSL. This intended guidance is expected to clarify that where AO1 is credited the focus must be on students' understanding and not on the quality of their response, which should be assessed under AO2 and AO3, as appropriate.

Ofqual considers that the emphasis of AO1, on students' comprehension, remains appropriate and notes that this is supported by responses to the consultation. It is important, however, to ensure the articulation of the assessment objective is clear and capable of being understood and applied consistently. In light of the feedback and for the avoidance of doubt, therefore, Ofqual has decided to reword AO1 so that it makes clear its sole focus is on students demonstrating their understanding of recorded and interactive BSL.

The revised wording of AO1 is as follows: "AO1: Demonstrate understanding of recorded and interactive BSL".

In rewording the assessment objective, Ofqual has not changed the expectation for students to demonstrate, or to be rewarded for demonstrating, their understanding of BSL (AO1) in the NEA during interactive tasks. In order to interact and have a conversation in BSL students will need to use both their receptive and productive skills and, as such, both should be acknowledged and rewarded.

Ofqual recognises there is some potential for AO1 to overlap with AO2 when rewarding students' responses to NEA tasks, given that students' understanding will be evident through their responses. This is partly reflected in the lower weighting of AO1 within the NEA. Ofqual does, however, consider it possible for exam boards to design suitable NEA tasks that allow for both AO1 and AO2 to be targeted and credited appropriately.

Ofqual considers the revised wording of AO1, and the intended guidance referenced above, will provide sufficient and ongoing clarity about the expectations. While Ofqual has made its decision, there will be an opportunity for interested parties to share any further views in response to the next consultation on the detailed rules. As Ofqual develops those draft Conditions, Requirements and Guidance, it will consider whether further guidance about the targeting of the assessment objectives within NEA tasks would be helpful. In doing so, however, it will be mindful of the need to avoid overly constraining exam boards in the design of their assessments.

Many respondents commented on the wording and weighting of AO4. This assessment objective explicitly reflects the expectations of DfE's subject content, which requires the history of BSL to represent 15% of the qualification content. Given that respondents commented on the inclusion of this content or its weighting in the qualification – rather than how it is to be assessed – and DfE has not changed this aspect of its subject content or its expected weighting, there is no scope for Ofqual to change AO4.

Ofqual acknowledges the feedback provided by respondents on other aspects of the assessment objectives but notes that no issues or evidence were raised that made it necessary to further reconsider the proposals.

Assessment Objective Decision

Ofqual has decided that GCSEs in BSL will have 4 assessment objectives that address receptive, productive and interactive language skills, technical accuracy, and knowledge and understanding of the history of BSL. The assessment objectives are as follows:

Objective	Description	Weighting
AO1	Demonstrate understanding of recorded and interactive BSL	35%
AO2	Produce BSL as rehearsed and unrehearsed language	30%
AO3	Articulate signs with accurate use of lexicon and grammar, and with appropriate use of placement and interaction strategies	20%
AO4	Demonstrate knowledge and understanding of the history of BSL	15%

Language of the assessments

In the consultation, Ofqual reflected on challenges around the use of BSL as a reasonable adjustment in this GCSE qualification. The [consultation explained that Ofqual was considering a possible approach where exams could be offered in both English and BSL](#) so that students who use BSL as their first or primary language because of a disability need not apply for a reasonable adjustment. Ofqual is considering the feedback provided in response to this suggestion as it develops draft Conditions, Requirements and Guidance.

Assessment considerations

Ofqual invited views on [some of the assessment expectations it is considering including in the regulatory requirements](#). It will consider any feedback made on these expectations as it develops draft Conditions, Requirements and Guidance.

Equality impact assessment

In the consultation, [Ofqual considered the potential impact of its proposals on persons with particular protected characteristics](#). Ofqual explained that it did not consider its proposals would have any equalities impact on students with the following protected characteristics:

- age
- gender reassignment

pregnancy and maternity

- race
- religion or belief
- sex
- sexual orientation

None of the responses received made it necessary to reconsider the potential for impact on any of the above protected characteristics.

Disability

BSL is a visual-spatial language and, as such, there are some students, such as those who have a disability, who might not be able to engage with some, or all, of the required skills. For example, DfE's proposed subject content for this qualification is unlikely to be fully suitable for a student who is blind or who does not have sufficient manual dexterity to produce signs that would enable them to demonstrate the knowledge, skills and understanding required for the qualification.

In its consultation, Ofqual did not identify any adjustments that could be made for such students that would still enable them to demonstrate the knowledge, skills and understanding required for the qualification. Ofqual explained that this was because the qualification must remain a reliable indication of what each student can do in relation to the specific expectations of DfE's subject content.

Ofqual has considered all the feedback received in response to the equality impact assessment. Most of the concerns raised relate to the extent to which all students will be able to meet the expectations of DfE's subject content, as explained below. Ofqual has not identified any issues or evidence that make it necessary to reconsider the proposals that GCSE qualifications should be untiered, include 60% NEA to assess students productive and interactive skills, and use the 4 assessment objectives set out above.

In its consultation Ofqual asked respondents whether there were any potential equality impacts associated with its proposals that had not been identified, and 80% of respondents answered 'no' while 20% answered 'yes'. Ofqual asked respondents to explain any impacts it had not identified. It also asked if they had any suggestions for how any potential negative impacts on particular groups of students could be mitigated, and received 67 and 120 comments respectively.

Respondents' comments confirmed that some students with different types of disability, impairment or learning difficulty might not be able, or might find it particularly challenging, to demonstrate the required knowledge, skills and understanding. Some raised concerns that some students would, therefore, be excluded from taking the qualification. They identified issues such as:

- physical impairments that prevent the effective use of facial expressions or of both hands
- visual impairments or blindness that prevent effective engagement with the visual-spatial language or colour blindness that might impact on engagement with other visual stimuli used in assessments
- dyslexia that might impact on accuracy of finger spelling

- students with English as an additional language who might have additional difficulties with the new language

Some respondents suggested changes to the content and assessment expectations to address these impacts. For example, by allowing students with visual impairments to use hands-on BSL or be assisted by deafblind relay interpreters to translate, or allowing BSL signs to be modified to accommodate one-handed signers.

Some respondents suggested adjustments that might support students to demonstrate the required skills without changing the knowledge, skills and understanding being assessed. For example, for visually impaired (but not blind) students, the use of larger stimulus materials and ensuring NEA environments allow signing to take place in closer proximity and in well-lit areas, or the use of extra time for students whose dexterity is impaired.

Ofqual has explored these issues again, including with subject matter specialists, to understand whether there is anything more (or different) that could be considered to mitigate the impacts identified. Ofqual has also discussed these observations with DfE, who received similar feedback in response to its consultation on the proposed subject content.

Under the Equality Act 2010, exam boards must already make reasonable adjustments for disabled students to make sure they can demonstrate the required knowledge, understanding and skills. The purpose of reasonable adjustments, however, is not to change the nature of what is being assessed by the qualification, but to provide students with a fair opportunity to demonstrate what they know and can do in relation to that qualification. If any adjustments changed what was being assessed, then the qualification would no longer provide a reliable indicator of what each student can do in relation to the specific expectations of the subject content.

This means that in the context of the current subject content the use of hands-on BSL or one-handed BSL, for example, would not provide a valid, alternative method for students to demonstrate their ability to understand and produce BSL.

This does not prevent exam boards from considering other reasonable adjustments – including those outlined above - as they design their assessments. In addition, not all of the potential impacts identified by respondents would prevent a student being able to engage with the prescribed subject content. GCSEs are compensatory qualifications in which students' grades reflect their overall performance, rather than highlighting any particular strengths or weaknesses.

Some respondents raised concerns related to home educated students and private candidates who do not attend mainstream schools. These concerns related to the availability and accessibility of the qualification for these students. Ofqual will reflect on this matter as it considers the detailed assessment requirements.

Ofqual will continue to reflect on, and be mindful of, all the feedback provided here as it develops its draft Conditions, Requirements and Guidance.

BSL as a reasonable adjustment

In the consultation, Ofqual outlined a possible approach where exams could be offered in both

English and BSL so that students who use BSL as their first or primary language because of a disability need not apply for a reasonable adjustment. Ofqual is considering the feedback provided in response to this suggestion as it develops draft Conditions, Requirements and Guidance.

Regulatory impact assessment

In the consultation [Ofqual identified a range of cost implications and potential burdens](#) for schools, colleges and exam boards that might arise from the proposals. This included costs for familiarisation, development work, recruitment and training in a variety of contexts.

Ofqual sought views on its initial regulatory impact assessment by asking respondents whether there were any potential costs or burdens associated with its proposals we had not identified. In response, 70% of respondents answered 'no' while 28% answered 'yes'. Ofqual asked respondents to explain what impacts it had not identified. It also asked if there were any steps Ofqual could take to reduce the costs and burdens, and received 98 and 110 comments respectively.

The vast majority of responses identified costs that had already been considered. Many of these related to issues outside of Ofqual's control, such as teacher training and school funding. This feedback has been passed to DfE.

Similarly, where respondents suggested steps that could be taken to reduce costs and burdens, these related to matters outside of Ofqual's control. For example, many respondents suggested that funding should be provided for teacher training, as well as for current and future school staff who wish to deliver the GCSE. Others suggested there should be discounts and concessions on any training costs.

Some respondents suggested that the importance of delivering the qualification and ensuring the approach is right should outweigh any costs and burdens.

Ofqual has considered all the feedback raised in response to the regulatory impact assessment. Most of the concerns raised relate to unavoidable costs and burdens associated with the delivery and assessment of a GCSE in this new subject. Some of these arise because students will be required to respond to recorded and interactive BSL, however, as set out in the consultation, these are necessary to reflect the expectations of DfE's subject content.

Ofqual has not identified any issues or evidence that made it necessary to reconsider its proposals that GCSE qualifications should be untiered, include 60% NEA to assess students productive and interactive skills, and use the 4 assessment objectives set out above. Ofqual will continue to reflect on, and be mindful of, the feedback provided here as it develops the draft Conditions, Requirements and Guidance.

Implementation and next steps

Ofqual has published these decisions alongside [DfE's decisions on the required subject content for GCSEs in BSL](#).

As part of the next stage of work, Ofqual is now developing draft detailed requirements relating to the assessments. These will form the proposed Subject Level Conditions, Requirements and Guidance that will apply to GCSEs in BSL. Ofqual will consult publicly on the draft regulatory framework in 2024 before it finalises these documents. Once the Subject Level Conditions, Requirements and Guidance have been published, any interested exam boards will be able to develop draft specifications and assessments.

[Back to top](#)

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