

COVID-19 AND SCHOOL EXAMS IN 2020 (GCSE, AS & A LEVELS)



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In light of the Coronavirus ('COVID-19') pandemic, the Secretary of State for Education has announced that the 2020 exam series in England will be cancelled.

The Office of Qualifications and Examinations Regulation ('OFQUAL') has confirmed that pupils taking GCSEs and A-Levels will now have their final grades determined by a combination of teacher assessment, class ranking and the past performance of their schools.

In the short term, the cancellation of exams may come as a relief to some pupils. Despite this, few will welcome the fact that they have been denied the chance to affect the final outcome of their GCSEs and A-Levels. In reality, many students treat exam preparation as a sprint rather than a marathon. None will have expected to reach the finish line so soon.

Whilst OFQUAL has been forced to implement this new assessment process in exceptionally difficult circumstances, it is obvious that it has significant imperfections which may result in gross unfairness to certain pupils. A few examples include:

MITIGATING CIRCUMSTANCES

Some pupils will have been affected by circumstances beyond their control, which have adversely affected their previous academic performance (e.g. short-term medical issues, bereavements, etc). Many will not have informed their school in the hope that they could improve their performance in the upcoming exams. As a result, there is a risk that these candidates will now be judged on a previous performance which does not accurately reflect their actual academic abilities.

In such circumstances, a pupil wishing to challenge a grading decision will need to establish that (i) they have been affected by mitigating circumstances, (ii) which have adversely affected their performance, and (iii) that there were good reasons why they failed to inform the school before they undertook the affected exams.

If these points can be established, a pupil may have good grounds for arguing that their appointed grade does not properly reflect the mark that they would have achieved, if given the opportunity to sit the examination.



SUBJECTIVE VARIATION & BIAS

In some instances, a pupil may be concerned that their teacher will treat them less favourably than their peers because of unfamiliarity, caprice or bias. The risk of such problems arising is clear given that the new system replaces an objective examination process with the subjective judgement of teachers.

Whilst OFQUAL intends to 'standardise' expected grades between schools, it does not appear to address the risk of teachers discriminating between pupils within the same classroom. A teacher's impression of a particular pupil may, consciously or subconsciously, be coloured by a range of factors, which may be irrelevant or unfair.

DISCRIMINATION

Under the new assessment regime, a pupil's grading will be determined on an array of factors, including the previous attainment of pupils from their particular school. This has the potential to operate unfavourably towards pupils from disadvantaged backgrounds, who are less likely to attend 'good' schools with an impressive attainment record.

Disadvantaged pupils - including those who meet the criteria of disabled under the Equality Act 2010 - may also have less consistent academic records given the various headwinds faced by them compared to their more advantaged peers. Being denied a further chance to demonstrate their true capabilities may particularly disadvantage these students.

OFQUAL has confirmed that pupils will be allowed to undertake the scrapped exams at a later time, if possible. This option may not be feasible for students from less privileged backgrounds, who may not enjoy the luxury of waiting for final grades or progress decisions.

APPEALS PROCESS

The process for appeals under the new assessment regime has not yet been explained. Any appeals process must be fair, objective and transparent. It is hoped that OFQUAL will clarify the appeals process quickly to ensure that it is an effective route to redress.

Clearly, for the appeals process to be meaningful it must result in timely decisions so that pupils will not be disadvantaged by a delay in confirmation of their final grades; particularly those students waiting to find out whether they can undertake a particular University course.

Under present proposals, OFQUAL has confirmed that a pupil cannot demand that their school informs them of their proposed grades prior to submission to the examination board. This lack of transparency does not augur well for the fairness of the appeals process, nor would it enable a pupil to properly appraise the basis of their appointed grades before deciding whether any appeal has merit. OFQUAL's intended approach to Subject Access Requests has not yet been explained.

Please do not hesitate to contact us at Alpha Academic Appeals if you need any assistance with an appeal or complaint.

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