

UCAS response to the Ofqual consultation on:

- Improving reviews and appeals of GCSE, AS and A level marking
- Withdrawing the GCSE, GCE, Principal Learning and Project Code of Practice
- New requirements on setting GCSE, AS and A level grade boundaries

January 2016

UCAS' vision is to inspire and facilitate progression in education through information and admissions services. Part of this is supporting learners from all backgrounds progress to higher education (HE).

Nearly 700,000 applicants apply to over 380 UK higher education providers (HEPs) through UCAS each year. These applicants make over 2.5 million applications to HE courses. UCAS' services currently support applications for full-time HNCs, HNDs and foundation degrees as well as undergraduate and some postgraduate degrees.

UCAS plays an integral role in the distribution of examination results to institutions via our Awarding Bodies Linkage (ABL) process. This allows institutions to make Confirmation decisions about applicants in an efficient manner without requiring action from an applicant. However, it should be noted that not all awarding bodies participate in this process for a range of reasons.

The focus of our response relates to *Improving Reviews and Appeals of GCSE, AS and A level Marking*. In our response, we would like to take the opportunity to detail the challenges that the increasing number of reviews and appeals can present to the HE sector. These comments are set in the context that we believe that all learners should be assured that the examination mark is a fair and accurate representation of their performance. If it is thought that this may not be the case, learners should be given access to a process that facilitates a review of the mark. This process should be equally accessible to all learners.

In the same way, universities and colleges need to be assured that the marks allocated to a learner are a fair and accurate representation of their performance to ensure that they fully understand the ability profile of their cohort.

We understand that the intention of the proposal to prevent examination boards replacing one reasonable mark with alternative reasonable mark is to create a cultural change overtime that will see a long-term reduction in enquiries about results (EARs). However, there is nothing within the proposals that addresses the short- to medium-term upward trend in EARs, which can cause challenges for HEPs as they seek to manage numbers at Confirmation and Clearing.

In 2015, we saw further increases in the number of EARs submitted to awarding organisations. For example, there were 39,900 priority enquiries, resulting in 5,000 changes in results. The sector recognises that 2017 will likely see a continuation of this upward trend as the first wave of reformed qualifications are awarded. The movement towards linear qualifications and the decoupling of the AS will see less certainty in predictions around grades likely to be achieved. This may create more surprises at results day, which will naturally provoke more EARs.

What happens when an applicant submits a post-results review?

The main area of interest for universities and colleges is the current Priority Service 2 as this is the process in place designed to support applicants to HE that have an offer that is conditional on a particular qualification or grade.

Whilst practices will vary across the sector, the general pattern is that the university or college would request notification from the applicant that a post-results review has been submitted. This notification would take place following the issuing of results to the applicant, which is also likely to be after the applicant has received an admissions decision from the HEP. This notification can be provided to the HEP via an email, phone call or central portal on their website.

Although there is no legal obligation for a HEP to keep the offer of a place open, once made aware that an applicant has requested a priority re-mark, HEPs will usually endeavour to keep a place open

until 31 August¹. However, this will depend on the course and institution, as well as their remaining capacity.

The UCAS Admissions Guide, a document aimed at admissions staff to support them in their activities, contains the following:

7.5 Re-marks and appeals

Applicants who use the re-mark and appeals services have no guarantee that their offers will remain open after 31 August. Providers are not obliged to wait for the result of the appeal as a reject decision will already have been recorded. However, providers should make their best endeavours to accept these students if at all possible. Providers should it clear to applicants what the chance of a place this cycle would be if a successful appeal comes through.

Each awarding body has its own appeals procedure and timetable for re-marks and you should consult their website for details for timings and procedures.

HEPs, generally speaking, do their best to honour an offer if an applicant has met the conditions through a re-mark. For example, we received feedback that in 2015, one institution converted an academic's office into a bedroom to support a learner who had met the terms of their offer following a re-mark.

What is the impact of the review process on institutions?

The HE sector is becoming increasingly more competitive as a result of funding and number control arrangements across the UK. Although universities and colleges in England have the freedom to recruit as many students as they want (for most HE subjects), there are physical limitations on teaching facilities and accommodation at most institutions, which restrict the number of new entrants who can, in practice, be accepted.

It should also be acknowledged that, whilst student number controls have been removed from the majority of courses in England, they have not been removed from all. For example, medicine courses at present still have strict number control arrangements. If an institution under or over recruits for these courses, they could face significant financial penalties. Increasing numbers of EARs can make the management of student numbers challenging for some institutions.

During the Confirmation and Clearing period, institutions will be accepting applicants that have listed them as their insurance choices, as well as considering near miss applicants. The growing number of EARs has challenged the sector in managing numbers at this period of peak activity, particularly if the institution seeks to retain a place for a learner until the outcome of their EAR submission.

Comments on proposals

UCAS is supportive of the aim to foster a more transparent system that is digestible to all parties. For example, we endorse the publishing of information on processes in addition to statistics on numbers of requests and changes to marks and grades.

UCAS has concerns with regard to the suggestion that AOs may determine their own timeframes, as this has far reaching implications for admissions to HE. During Confirmation, when the managing of

¹ It should be noted that the 18 day SLA in relation to Priority 2 re-marks extends into September for the 2016 entry cycle. Due to this, we have been in discussions with JCQ and awarding organisations about how we can provide consistent messaging to applicants in relation to the EAR process.

numbers is time critical, consistency of service level agreement (SLA) is essential to ensure a shared understanding of the system.

We would also be concerned that encouraging competition based on speed of re-mark might be at the expense of quality. Moreover, schools should not be encouraged to select particular AO qualifications based on their SLA as opposed to the design of the assessment. It would therefore seem more appropriate if an overarching organisation such as JCQ or Ofqual take responsibility for setting such timeframes following consultation with the secondary, FE and HE sectors.

A further point to note is that teachers and advisers would typically support a learner in obtaining a re-mark based upon their Uniform Mark Scale (UMS) score. As linear A levels are phased in over the next three years, UMS will cease to be available. UCAS understands that raw marks could provide a similar proxy for proximity to grade boundary and would suggest that Ofqual works with the AOs to explore the mechanism by which these could be provided to schools.

There also is a lack of clarity within the proposals as to how 'unreasonable' a mark must be before a whole cohort re-mark is triggered. Moreover, the consultation document appears to suggest the removal of 'protection' for those students that receive an erroneous mark, which is only found in light of review of marking requested by a different student. UCAS would highlight the challenge that such a proposal poses for HEPs in maintaining fair admissions. The scenario could unfold whereby a HEP accepts a learner on the basis of their results, which are then subsequently downgraded, whilst having rejected others based on their results, which are then later corrected upwards.

What is UCAS doing in this area?

UCAS has been asked by our university and college customers to explore what further support we can offer in relation to EARs. As a result, we have created an internal working group that is tasked with understanding the current post-results service, the involved stakeholders and their respective concerns.

A key outcome of this work will be enhanced information and advice ahead of Confirmation and Clearing 2016. UCAS is aware that for some schools, the EAR process is not well understood and therefore there is a risk to the support for the learner. It has also become apparent that, on occasions, applicants do not understand the EAR process and the associated timelines.

Furthermore, as part of the redesign of our products and services, we are also exploring potential enhancements that could further support the EAR process. These will require full sector consultation and UCAS would be keen to enter into dialogue with Ofqual once the findings of this consultation are available.