



ANNUAL REPORT

2001

January 2002

1. THE EXAMINATIONS APPEALS BOARD

1.1 2001 report

This is the second annual report of the EAB, covering the year 2001 and appeals on the 2000 examinations. The Board would welcome comments on the report and any issues arising from it.

1.2 Administrative support

The EAB receives administrative support from the Qualifications and Curriculum Authority (QCA), funded by the Department for Education and Skills (DfES). The Principal Officer and the Appeals Officer deal with all enquiries to the EAB and offer information and advice to anyone experiencing problems with any stage of the enquiries and appeals process. The procedures can be confusing for anyone who has not worked through them on a previous occasion.

A list of Board members, panellists, the office staff and contact details is provided in Appendix 1.

1.3 Finance

Board members and panellists are paid a fee for each day they work. For the calendar year 2001, the cost of this was £14,340. The total budget for the financial year 2000–2001 was £42,500 and for 2001-2002 was £42,000.

1.4 The website

The EAB website (www.theeab.org.uk) contains all the information and guidance that we issue. The documents will be sent on request to anyone unable to access the website.

2. OUR WORK 2001

2.1 The enquiries and appeals process

Appeal to the EAB is the final part of the entire enquiries and appeals process. The awarding bodies deal with the earlier stages.

For the summer 2000 examinations there were enquiries to the awarding bodies about the results of 29,628 A level candidates (3.8% of all A level entries) and 57,772 GCSE candidates (1% of all GCSE entries).

Following enquiries about results, 260 centres or private candidates appealed to the awarding bodies on A level and 121 on GCSE results.

2.2 EAB cases

The EAB heard five appeals, all on A level, on the 2000 examinations in 2001. Three of these were allowed.

The Chairman declined to accept two applications: one was made before the centre had completed the awarding body's appeals process; the other did not fall within the EAB's remit. Another appeal was accepted but the centre withdrew its application before the appeal hearing as the awarding body had resolved the matter.

A list of cases is provided in Appendix 2. Summaries of the cases are available on our website.

2.3 The panel

In October 2001 we held our annual Panel Day, for the Board and panellists to review the year. Discussion centred mostly on issues connected with re-marks following EAB decisions (see 3.2 below). This formed a basis for a later meeting with the awarding bodies.

The Board is grateful to the panellists for their advice, support and professionalism. We are working well together as a team and our experience and expertise in appeals is increasing rapidly.

One panellist resigned this year, because of pressure of other commitments, leaving a pool of 14. The Board agreed there was no need to appoint a replacement at this stage but we will keep the situation under review, especially should the number of appeals increase.

2.4 Meetings

The annual meeting with representatives of the teachers' associations, in May 2001, resulted in the addition to our website of *Issues for centres* (see 3.3 below). We are all concerned that centres fully understand the part they play in the appeals process and how best to help their candidates.

There was constructive discussion at a meeting in November 2001 with the Joint Council for General Qualifications (JCGQ), the body through which the awarding bodies coordinate their work. We talked through issues arising from appeals and shared ideas on the conduct of re-marks arising from EAB decisions (see 3.2 below). This discussion will be carried forward at a meeting early in 2002, with a view to agreeing how such re-marks will be carried out and reported to the EAB. It will be helpful to the awarding bodies and to the EAB if there is consistency in this respect and centres will be able to feel increased confidence in the process.

We have regular contacts with the QCA and the DfES, raising issues, sharing ideas and asking for advice where appropriate.

All of us, the awarding bodies, teachers, regulators and government departments, are concerned that the examination system should reward candidates fairly for their achievements and be as good as we can make it. The EAB values the opportunity to work with all of them to improve and strengthen the system.

2.5 Review by the regulatory authorities

When the EAB was established in 1999, it was announced that QCA, in collaboration with Awdurdod Cymwysterau, Cwricwlwm ac Asesu Cymru/the Qualifications, Curriculum and Assessment Authority for Wales (ACCAC) and the Northern Ireland Council for the Curriculum, Examinations and Assessment (CCEA), would evaluate the operation of the new body after its second year of hearings, reporting the findings and making recommendations to Ministers.

QCA conducted the review on behalf of the regulatory authorities and sent its report to the DfES in December 2001. We await a response from the DfES in 2002.

3. ISSUES

3.1 Evidence which can be accepted in appeals to the EAB

Now that centres have access to their candidates' scripts, appeals increasingly focus on challenges to the awarding body's interpretation and application of its mark scheme. The Chairman of each hearing where this applies has found it necessary to draw attention at the beginning of the proceedings to the powers of the EAB and what evidence the panel can take into account in reaching its decision.

Our *Remit and Procedures* document states that the EAB may properly consider whether the procedures of the awarding body are consistent with the regulatory authorities' code of practice and whether they have been applied properly and fairly. Investigation of this could cover any of the full range of processes involved in and leading to the award of grades: the setting of papers; marking and moderation; the grade award; enquiries about results and appeals and administrative arrangements. However, the appeals process is not concerned with making judgements about candidates' work in the examination, since that is properly the responsibility of the senior examiner of the awarding body.

It is legitimate for a centre to challenge the consistency of the awarding body's procedures with the code of practice or the way those procedures, for example the marking criteria and the mark scheme, have been applied. The EAB panel, however, is not competent, in either the legal or the academic sense, to enter into judgement about what specific mark is appropriate to a particular answer in the examination. While it may require the awarding body to carry out a re-mark, it cannot insist on a particular outcome of that process.

Nevertheless, the *Remit and Procedures* commits the panel to giving consideration, where appropriate, to evidence derived from candidates' scripts. There is a fine line to be drawn between, on the one hand, evaluating evidence, possibly derived from scripts, that has a bearing on the consistency of procedures with the code of practice or with their proper and

fair application, and, on the other, entering into arguments on subject-specific detail or differences of opinion between subject professionals.

Centres are asked to bear this in mind in their presentations at hearings but often cross that 'fine line'. Usually, in the interests of allowing them to present the whole of their argument, the Chairman of the hearing does not interrupt but, in their discussion after the hearing, the panel will note where the 'line' has to be 'drawn'. At the same time, awarding bodies should be aware that panels will expect to hear them address apparently well-founded arguments made by centres for a more generous application of the mark scheme. The panel must feel confident that it has heard evidence justifying the appropriateness of the marks awarded.

3.2 The role of the EAB observer at re-marks

When a panel allows an appeal and directs the awarding body to re-consider the case, the EAB is able to appoint 'a non-participating observer to monitor [the] awarding body's reconsideration...' (*Remit and Procedures*).

This has happened so far in one 1999 case and three 2000 cases, when the awarding body has been asked to re-mark the candidates' scripts. The observer, one of the two panellists who heard the appeal, reports directly to the Chairman of the hearing.

It became clear that the role of the observer needed to be defined, both for the panellists and the awarding bodies, so that there was a common understanding of that role. Since such re-marks are not covered by the code of practice, agreed protocols for them would ensure greater consistency in the future. This issue was the focus of discussion at the Panel Day in October and for a useful meeting with the JCGQ in late November 2001. We hope to finalise guidelines for our observers after a further meeting with the JCGQ early in 2002 (see 2.4 above).

3.3 Issues for centres

In our first report we drew attention to the EAB's recommendations to centres in appeals since they have implications for centres in general. We discussed these issues with the teachers' associations at our meeting in May and, as a result of their advice, all the recommendations now appear in summary on our website.

Recommendations made since our last report are that centres should

- appreciate that the only way of obtaining an investigation of their candidates' results is to instigate correctly an enquiry about results, possibly followed by an appeal, with the awarding body. Writing letters of concern, about question papers, marking or any aspect of the examination or results, does not log a centre into the process by which candidates' scripts will be re-marked.
- make use, from time to time and not only when there are changes to a specification, of any service offered by an awarding body to advise on the suitability of centre-set tasks and performance indicators.

- look at mark schemes in their entirety. The level descriptors and their relationship to the assessment objectives are of key importance. The question-specific mark scheme, which is neither prescriptive nor exhaustive, does not offer a set of model answers, for examiners or teachers, but provides general guidance.

3.4 Issues for awarding bodies

We highlight below some of the issues raised by EAB panels in their decisions on cases. Like those listed above for centres, they referred to one specific case but could have wider implications for other syllabuses and other awarding bodies. The EAB decision letters are copied to the JCGQ so all the awarding bodies see our decisions and recommendations.

- Mark schemes need to demonstrate more clearly the relationship of the assessment objectives and level descriptors to the marks to be awarded.
- In one examination, there had been a progressive narrowing over some years of the range of marks awarded on one paper. The EAB asked the awarding body to address the issue of making that paper more accessible to candidates. It also recommended a proactive approach to ensuring that examiners award positively across the complete range of responses.
- The awarding body's question paper evaluation committee should look at the issues raised by a centre which, it claimed, might have affected candidates' performance. These might relate to the layout, ambiguity, punctuation and language of questions. The committee might also consider a range of possible alternative interpretations of questions for inclusion in mark schemes.
- The awarding body should consider the advice and guidance offered to centres in the specification and in the support material provided for teachers in order to make fully explicit what is expected of candidates.

4. CONCLUSION

We have, in our second year, sought to continue the processes we established from the beginning: to be open in our dealings with both centres and awarding bodies; to use our independent position to help the regulatory authorities and the awarding bodies improve what is already basically a system in which the public can have confidence; to identify topics which we consider important to be debated and resolved; to highlight issues which arise from hearings we conduct which have a wider bearing on the whole examination process.

We have been helped enormously by both the staff of the Board and the panellists. In our surveys of centres we are regularly told how very helpful our Principal Officer and her assistant have been and how they have dealt with enquiries courteously and promptly. Often the advice given helps the centre resolve the matter without further involvement of the EAB. We could not ask for better support. Similarly, the panellists have continued to provide us with all the benefits of their wide range of experience, both at the hearings themselves and at the Panel Day when we discuss the wider implications of some of the issues which have emerged. We should like to record our thanks and acknowledge our debt to them all.

We shall shortly be receiving the report of the QCA review of our first two years of work. While we expect – indeed, hope for – some recommendations to improve processes, we are hopeful that the general conclusion will be that our small part in the whole examination process has been conducted in a way which helped both centres and their students, and the awarding bodies.

David Mallen
Chairman

Gerry Kelly
Deputy Chairman

Jeff Thompson
Deputy Chairman

THE EXAMINATIONS APPEALS BOARD**The Board:**

David Mallen	Chairman
Gerry Kelly	Deputy Chairman
Jeff Thompson	Deputy Chairman

The Panel:

Brian Boyden
Jim Caves
Peter Clare
Simon Cooper
Bob Cummings
Philip Davies
Hope Kerr
Paul Madge
Jill Platt
Philip Roberts
Robin Trebilcock
Gordon Whittleston
Ann Williamson
Dylan Wyn

The Office:

Philomena Waldron	Principal Officer, Appeals
Kate Watters	Appeals Officer

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Appendix 2**APPEALS HEARD ON 2000 EXAMINATIONS**

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| 1. | Edward Greene's Tutorial Establishment/AQA A level History | Allowed |
| 2. | The Ecclesbourne School/OCR A level Computing | Not allowed |
| 3. | Brighton & Hove High School/Edexcel A level History | Allowed |
| 4. | Notre Dame Sixth Form College/AQA A level Law | Not allowed |
| 5. | Bloxham School/AQA A level History | Allowed |

Summaries of the cases are available on our website.