



ANNUAL REPORT

2002

January 2003

1. THE EXAMINATIONS APPEALS BOARD

1.1 2002 report

This is the third annual report of the EAB, covering the year 2002 and appeals on the 2001 examinations. We would welcome comments on the report and any issues arising from it.

1.2 The Board

The members of the Board, the Chairman and two deputy Chairmen, were appointed by Ministers for an initial term of three years in 1999. In 2002 we were reappointed for a further three years.

The Chairman, David Mallen, resigned to take up a new appointment, in July. We, the Deputy Chairmen, shared the work between us for the rest of the year.

1.3 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.

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

1.4 Finance

Board members and panellists are paid a fee for each day they work. For the calendar year 2002, the cost of this was £30,050. The total budget for the financial year 2001-2002 was £31,000 and for 2002-2003 was £41,200.

1.5 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 2002

2.1 EAB cases

The EAB heard nine appeals on the 2001 examinations, one on A level, six on AS and two on GCSE examinations. Two appeals, one on AS and one on GCSE, were allowed.

The Chairman declined to accept one application where he considered there were insufficient grounds for an appeal.

All but two of the hearings were held well within the deadline of two months from receipt of an application. The two exceptions were affected by the centres' summer holiday and were heard four days late in August and 14 days late in September. In future, as a result of changes to the EAB's *Remit and Procedures* following QCA's review of the EAB (see 2.4 below), long school holidays will be exempted from the deadline. In all cases, the detailed final decision letter was issued within the deadline of 15 days from the hearing. Five days of that period is allowed for the centre and awarding body to consider the factual accuracy of the draft text.

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

2.2 The panel

In 1999, the Board appointed fifteen panellists, initially for three years. Two panellists sit with one Board member to hear an appeal.

Because we were concerned that there should not be an entirely new group of panellists in the future, when periods of reappointment expired, we decided this year to set up a rolling programme of appointment and reappointment. Accordingly, four of the remaining fourteen panellists were selected to stand down; five were reappointed for one year and five for two years. In October we interviewed a number of people who had responded to the public advertisement for panellists in 1999 and who had been on the EAB's reserve list since then. We appointed seven people, initially for three years, so currently there are 17 panellists.

We wish to thank Paul Madge, Philip Roberts, Robin Trebilcock and Ann Williamson, the four retiring panellists, for their contribution to the work of the EAB from its inception. They, together with other panellists, have worked with us to establish the standards and style of the EAB and thereby have helped to lay the foundation of our service, based on meticulous consideration of relevant evidence, fairness to both sides in the hearings and careful adherence to our Remit and to the provisions of the Code of Practice.

In November 2002 we held our annual Panel Day to review the year's work. We updated the panellists on a number of areas, including QCA's review of the EAB (see 2.4 below), and had useful discussions on issues arising from 2001 cases.

A list of panellists is included in Appendix 1.

2.3 Meetings

At our annual meeting with representatives of the teachers' associations, in May 2002, the associations were very concerned about how long it still takes for some cases to reach the final stage of appeal. They also felt that many centres which embarked on the process gave up because the cost and timescales deterred them. The EAB passed these concerns to QCA and suggested that the associations themselves should also raise the matters directly with QCA at their next meeting.

We met the Joint Council for General Qualifications (JCGQ), through which the awarding bodies coordinate their work, in March and September 2002. We reached agreement on procedures to be followed at any re-mark resulting from an EAB decision; these will be reviewed as necessary. Other discussion focused chiefly on issues for awarding bodies from EAB appeals (see 3.3 below).

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

2.4 Review of the EAB

In last year's report we explained that, in collaboration with the other regulatory authorities, 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), QCA had conducted a review of the EAB.

The review reported that

- in general the EAB had been working effectively and efficiently
- the remit and procedures were workable and were being applied fairly and consistently
- the Board was clearly committed to ensuring that both centres and awarding bodies received a full and fair hearing and was sensitive to the particular needs of representatives from both sides
- feedback from centres about EAB performance was generally positive

The report made a number of recommendations, with a view to improving the EAB's practices still further.

We have therefore made some slight amendments to the wording of our *Remit and Procedures* document (available on the website or from the office); we have agreed, in liaison with the awarding bodies, to provide centres in appeals with more information on procedures used in examining; the Board will review the performance of all panellists as need arises or on at least an annual basis. Details of the EAB's complaints procedure are available on the website or from the office.

We welcome the review and its confirmation that the EAB is working well. The refinements to our remit and procedures, provided by the recommendations, should improve our efficiency.

3. ISSUES

3.1 Evidence which can be accepted in appeals

In last year's report we discussed the increasing tendency for appellants in hearings to challenge the awarding bodies' interpretation and application of mark schemes and the

problem, in that context, of evidence which EAB panels can take into account before reaching a decision. At each hearing where this might be an issue, the Chairman has drawn attention at the beginning of the proceedings to the powers of the EAB and the fine line between properly considering evidence derived from scripts and the risk of usurping the role of senior examiners.

To clarify this matter and the powers of the EAB, we have revised the *Appeal Hearings: Information and Guidance* to include a section on evidence which can be accepted. The document, available on the website or from the office, is sent to the parties to an appeal when the Chairman accepts an application.

3.2 Issues for awarding bodies

We list below some of the issues raised in decisions on our cases. They mostly relate to individual appeals but could have wider implications for other specifications and other awarding bodies. The EAB's decision letters are copied to JCGQ, so all the awarding bodies see our decisions and recommendations, and we discuss issues from our appeal hearings at meetings with JCGQ.

- *Monitoring the marking of senior examiners*

The panel found in one case that the awarding body did not sample the marking of principal/chief examiners in the same way as that of assistant examiners nor in the way that another awarding body did. While not calling into question the marking of the scripts in that case, they considered it would be helpful for the awarding bodies to clarify their interpretation of the Code of Practice (Adjusting marks, paragraph 61) in cases where the initial marker was the principal/chief examiner. It was important that all awarding bodies followed identical procedures and used the same terminology to describe them. JCGQ is now discussing this.

In another case, the panel was very concerned that all awarding bodies should have in place procedures to supervise adequately the marking of senior examiners. This was particularly important where some time might have elapsed between the agreement of standards for a paper and the re-marking of a relatively small and possibly unrepresentative number of scripts in the following autumn.

- *Annotation of scripts*

Whilst appreciating that it is not a requirement of the Code of Practice for examiners to write comments on scripts, the panels in three cases were concerned that externally marked components were returned to centres with no comments, only final marks, on them. It is difficult for centres and candidates to see, in these circumstances, how and why marks have been awarded and to understand what must be done to improve performance in the future.

- *Mark schemes*

One centre had great difficulty in understanding how its candidates' marks had been awarded. In light of this, the panel recommended that the awarding body try to make matters clearer for centres. It is not an unreasonable expectation that even a generic mark scheme should give a clear indication of what would be rewarded. This would make access to scripts and re-marks more meaningful for centres.

In another case, the panel was concerned that the final mark scheme depended in part on verbal instructions given at the standardisation meeting. Where any guidance on the mark scheme is given to all examiners, whether at the standardisation meeting or at any other time, it must be circulated in writing as soon as possible.

- *Moderation, re-moderation and feedback to centres*

Two cases concerned moderation and re-moderation. Both raised issues about the procedures for moderation when a centre's marks were lowered significantly. Another problem had been inadequate feedback from the awarding bodies to centres.

- *Awarding bodies' appeals panels*

The awarding body's appeals panel had identified problems in connection with one case and made recommendations for rectifying them in future. No mention was made in the report of the hearing of any arrangements whereby that panel would satisfy themselves that the issues had been addressed. The EAB panel asked that all awarding bodies should consider how their appeals panels would be kept informed of progress in carrying out any work they required and implementing recommendations.

- *Guidance for teachers*

The panel asked one awarding body to review the conduct of its INSET and feedback meetings and ensure that the oral advice it gave teachers was consistent with the written guidance in the specification and the *Coursework and Teachers' Guide* and consistent across all regional meetings.

On another occasion the panel commended the use of INSET and asked all awarding bodies to continue to develop ways of clarifying for teachers the technical aspects of assessing and awarding.

- *Customer service*

Panels in several cases noted with regret the length of time taken for some cases to complete the appeals process. This sometimes arose from the awarding body's wish to be helpful to the centre, for example in arranging a visit from the Chief Examiner and then agreeing to resume its appeal process at a point where normally the case would have been considered long out of time and closed. The EAB asks all the awarding bodies to adhere to the timescale laid down by the Code of Practice. It is not good practice for a final appeal to be heard almost a whole year after the examination in question.

In other cases panels recommended the awarding body should review, in the light of its customer service standards, its procedures for correspondence and for keeping centres informed when there were delays.

- *Documentation*

One case, where all the scripts had been lost, gave rise to three general recommendations to all awarding bodies:

- (i) a certificate of posting should be obtained for all packages of scripts, mark sheets, awarding body forms etc by centres *and* examiners
- (ii) receipt of all packages of scripts should be logged at the awarding body
- (iii) documentation, such as mark sheets, forms relating to the checking process etc, should never be sent in the same package as scripts

While it will never be possible to guard against all loss of items in transit, it is important that awarding bodies protect centres' and candidates' interests in every way possible and can show that they have procedures in place to do so. In connection with this issue, we await with interest the outcome of the current consideration by QCA and the DfES of the possibility of establishing marking centres, which would appear to offer greater security against the loss of scripts.

3.3 Issues for centres

Issues for centres from this year's appeals:

- *Information and training*

The EAB recommends to all centres that they take full advantage of all information and training on offer from the awarding bodies. It is essential that centres be aware of all the teaching and assessment implications of subject specifications. From our consideration of several cases it would seem that not all teachers are yet persuaded of the need to adjust their teaching strategies to the requirements of new curricula and to take account of the changes in weighting in judging the allocation of marks.

In one case the panel recommended that the centre should look carefully at the Assessment Objectives for the specification and how they were weighted. This had implications for teaching and for how candidates addressed questions.

4. CONCLUSION

David Mallen's unexpected departure in July was a considerable shock. He was instrumental in 1999 in establishing the new appeals body and its professional working relationship with centres, awarding bodies and the regulatory authorities. While his approach was friendly and informal, he established exacting standards of performance and gave his total commitment to working for a better and more transparent examinations system and justice for candidates. He has left a significant legacy of good practice and principle to the EAB.

He will be succeeded as Chairman by Jeff Thompson who was appointed in December 2002. Jeff Thompson has been a Deputy Chairman of the EAB since 1999. He is Professor of Education at the University of Bath where he works mainly on curriculum and assessment in the context of national and international systems. A replacement for Professor Thompson as Deputy Chairman will be sought in early 2003.

Following concern about this summer's A level results and the Tomlinson Inquiry into A level standards, there has been speculation as to likely numbers of appeals on the summer 2002 examinations. While some increase in appeals to the EAB would be natural, especially with the rise in numbers of candidates taking AS examinations, it is too early to know whether there will be any significant increase in applications this year as most appeals have not yet reached the final stage with the awarding bodies.

We were interested to see that the Final Report of the Tomlinson Inquiry, as well as addressing issues for the entire examinations system, identified the kind of concerns from centres that the EAB regularly encounters in appeals, such as the quality of communication and feedback from awarding bodies and the difficulty for centres in understanding how raw marks translate to UMS scores. We look forward to the gradual implementation of the recommendations of the Final Report. The 'professionalisation of the examinations system', with enhanced transparency of the whole process and a reduced bureaucratic burden on centres, will result in a system which will function more efficiently and in which all users can have confidence.

Jeff Thompson
Chairman

Gerry Kelly
Deputy Chairman

Appendix 1

THE EXAMINATIONS APPEALS BOARD		
The Board:		
	David Mallen Gerry Kelly Jeff Thompson	Chairman until July 2002 Deputy Chairman Deputy Chairman
Panellists:		
<i>Current:</i>	Paul Ashdown Brian Boyden Jim Caves Peter Clare Simon Cooper Bob Cummings Philip Davies Jim Haines Hope Kerr	Jill Platt Liz Preston Alan Richardson David Snashall Graham Soles David Turton Gordon Whittleston Dylan Wyn
<i>Retired November 2002:</i>	Paul Madge Robin Trebilcock	Philip Roberts Ann Williamson
The Office:	Philomena Waldron Kate Watters	Principal Officer, Appeals Appeals Officer
Contact details:	The EAB, 83 Piccadilly, London W1J 8QA www.theeab.org.uk Telephone: 020 7509 5995 Fax: 020 7509 6975 e-mail: waldronp@qca.org.uk	

Appendix 2

APPEALS HEARD ON 2001 EXAMINATIONS		
All Saints' RC School	AQA AS Biology	Not allowed
Sullivan Upper School	Edexcel AS Religious Studies	Not allowed
Collegiate Grammar School	Edexcel AS Religious Studies	Not allowed
Nottingham High School for Girls	AQA AS Home Economics	Not allowed
Harrow School	OCR GCSE English Literature	Not allowed
King David High School	AQA GCSE English Literature	Not allowed
The Rutland College	Edexcel AS Art and Design Photography and Graphic Design	Not allowed
Beauchamp College	AQA AS Information and Communication Technology	Allowed
Invicta Grammar School	Edexcel GCSE Religious Education	Allowed

Summaries of closed cases are available on our website or from the office.