



ANNUAL REPORT

2003

January 2004

1. THE EXAMINATIONS APPEALS BOARD

1.1 2003 report

This is the annual report of the EAB for the year 2003, covering appeals on the 2002 examinations and one on a summer 2003 examination. We would welcome comments on the report and on any issues arising from it.

1.2 The Board

The members of the Board are appointed by Ministers for terms of three years. The Chairman, Jeff Thompson, was appointed in 2002; Gerry Kelly, deputy chairman, was reappointed in 2002 and Robin Trebilcock, deputy chairman, was appointed in 2003.

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 2003, the cost of this was £44,995.

The total budget for the financial year 2002-2003 was £41,200 and for 2003-2004 was £108,260. The increase in 2003-2004 was due to a rise in the number of appeals (see 2.1) and the costs entailed in the process of appointing new panellists (see 2.2) and a new Principal Officer.

1.5 The website

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

2. OUR WORK 2003

2.1 EAB cases

2.1.1 Numbers of appeals

In 2003, the EAB heard 15 appeals on the 2002 examinations: 8 on A level, 6 on AS and 1 on GCSE examinations.

There were seven other 2002 applications. Two centres had not appealed to the relevant awarding body and the EAB could therefore not consider the applications; the Chairman declined to accept one application where he concluded there were insufficient grounds for an appeal; two centres withdrew after their applications were accepted; and one did not pursue the appeal when asked to clarify the grounds for it. One application arrived in December and the appeal will be heard early in February 2004.

For the first time, the EAB received an application on a summer examination before the end of the year in which the examination took place. The application on a summer 2003 examination arrived in November and the appeal was heard at the beginning of December. It was most encouraging to find the enquiry and appeals process with the awarding body had been concluded so quickly in this instance.

2.1.2 Timescales

Our remit requires the EAB normally to hold hearings within two months of receipt of an application. In 2003 all cases except one were heard well within two months. The exception was where a centre applied just before the beginning of its summer holiday and was unable to send representatives to a hearing during that time. The appeal was therefore heard in mid-September, as soon as possible after the beginning of the autumn term.

In all cases, the detailed final decision letter was issued within 15 working days of the hearing. Five days of that period is allowed for the centre and awarding body to consider the factual accuracy of the draft text.

2.1.3 Outcomes of appeals

Two A level appeals were allowed. In both cases the EAB required the awarding body to have the scripts re-marked by an appropriate senior examiner who had had no previous involvement in the case, in the presence of an EAB observer.

In both cases the awarding body had the re-mark carried out on cleaned scripts, that is on copies from which all previous marks and comments had been removed. In one case the candidate's overall grade changed from B to A; in the other the candidate's unit grade changed from e to a.

One GCSE appeal was allowed in two subjects and not allowed in two others.

The appeal on a 2003 examination was not allowed.

2.1.4 Appeal from a Welsh-medium school

In 2003, the EAB heard an appeal from a Welsh-medium school against an English awarding body. The candidates had responded to the examination questions in Welsh and the school asked to make its presentation at the hearing in Welsh. The EAB therefore heard the appeal, in Cardiff, with simultaneous translation of Welsh into English, and issued the outcome in Welsh as well as English. The appeal was not allowed.

The EAB wishes to thank ACCAC for arranging the simultaneous translation service and providing the venue for the hearing.

2.1.5 Special consideration cases

This summer we asked DfES for a ruling on whether our remit extended to special consideration cases since there was confusion over this area, with some awarding bodies advising appellant centres that there was no appeal beyond the awarding body in such cases and one referring them to the EAB.

The DfES ruled that the remit does extend to special consideration matters and in the autumn the EAB heard its first such appeal, against the exceptional circumstance awards for one candidate in four GCSE subjects. The appeals on two subjects were allowed.

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

Currently, there are 17 panellists, two of whom sit with one Board member to hear each appeal. As well as hearing appeals, with all the preparatory and follow-up work that entails, panellists act as EAB observers in cases where the EAB requires an awarding body to re-mark scripts. This happened twice in 2003.

We operate a rolling programme to replace panellists in stages, instead of all at once, and in the summer advertised for new panellists. The response was very encouraging and short-listing from such a large number of well-qualified applicants was difficult. In September we interviewed a number of people and appointed five to join the pool of panellists in November 2003 and five to join in November 2004.

We wish to thank Brian Boyden, Jim Caves, Philip Davies, Hope Kerr and Gordon Whittleston, panellists who retired in November 2003, for the part they played in the work of the EAB from its inception. The expertise and professionalism of our panellists is a major strength of the EAB and we much appreciate their contribution and support.

In November 2003 we held our annual Panel Day. The Board, office staff and all panellists (current, about to retire and newly appointed) met to consider issues from this year and some matters which could affect our work in future. We received inputs on possible legal implications for our work, of increasing importance in these litigious times, and on the programme for modernising the examinations system, which could have considerable impact on appeals in the future.

We were pleased to welcome Dr Ken Boston, Chief Executive of QCA, who outlined some forthcoming changes in the examinations system and predicted that the nature of appeals reaching the EAB would also change in consequence.

A list of panellists is included in Appendix 1.

2.3 Meetings

We met representatives of the teachers' associations, in May 2003, and had a useful discussion of issues of concern to centres, in general and arising from EAB cases (see 3.2 below). The EAB values this structured, regular contact with teachers' representatives and hopes that through it a better understanding of our work spreads out to the main body of the profession.

We met the Joint Council for General Qualifications (JCGQ), through which the awarding bodies coordinate their work, in May and November 2003. As usual, at both meetings we discussed issues arising from EAB cases.

In addition, in May, in view of the appeal the EAB had recently heard in the medium of Welsh, we raised the point that wider discussion of awarding bodies' good practice in the Welsh language area would be helpful. In November we began a shared consideration of issues of concern both to the awarding bodies and the EAB, with a view to improving the sensitivity of our responses to some of the more complex issues which appeals throw up. This will be continued at the next meeting in March 2004, with the new Joint Council for Qualifications which replaces JCGQ in January.

We wish to take this opportunity to thank John Milner, Convenor of JCGQ, for his unfailing courtesy and cooperation. His constructive approach to resolving the issues highlighted by our work has resulted in an improved relationship between the EAB and the awarding bodies and in awarding bodies presenting cases to the EAB in a more positive way. We are grateful for his support and wish him well in the future.

Our regular contacts with QCA and the DfES continue to be helpful and productive and are seen to be increasingly important, given the extensive changes which are taking place in the examination system.

3. ISSUES

We list below some of the issues raised in decisions on cases in 2003. They relate mostly to individual appeals but could have wider implications for other specifications and awarding bodies. The EAB's detailed 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 and, as necessary, with the regulatory authorities.

The EAB sometimes makes recommendations to centres, as well as to awarding bodies. Issues for centres are posted on our website.

3.1 Issues for awarding bodies

3.1.1 The role of principal examiners

The EAB is concerned in general terms with the role of principal examiners and how this is presented by awarding bodies. It believes that a distinction needs to be maintained between the principal examiner as custodian of the standard of the examination, as laid down by the Code of Practice, and the principal examiner as a marker, subject to the same

checks and monitoring as all other markers. More clarification for centres in appeals of how the work of senior examiners is monitored might be useful in this context.

3.1.2 Annotation, marking and re-marking of scripts and coursework

Clarification for centres of the differing requirements for the annotation of scripts and of coursework by awarding body markers would be helpful. External markers of coursework are required to enter marks on a cover sheet and not to annotate candidates' work, whereas each page of a script has to show evidence that it has been considered by the examiner and examiners are asked to write comments. It was not clear to the centre in one case that externally marked coursework is treated differently from examination scripts and it is understandable that centres should suppose that all externally marked components would be treated in the same way.

3.1.3 Mark schemes

One of the purposes of allowing access to scripts was to inform teaching and this cannot be achieved if teachers do not understand, at least in general terms, how mark schemes have been applied. Whilst appreciating that examiners are the main users of mark schemes, the EAB believes, nevertheless, that the whole of any examination should be readily comprehensible to its users and inspire them with confidence in the assessment process.

3.1.4 Question papers

Clearly it is essential that questions in examination papers should be unambiguous and intelligible to candidates. A lengthy debate in one hearing about the wording of a question raised issues about the use and definition of command words. If a command required a response in addition to the normal dictionary definition of the word it did not seem to the panel adequate to rely on 'precedent' and teachers' knowledge, drawn from INSET meetings and examiners' reports. It would seem appropriate for any such command words to be listed and defined in the specification - the one document from which all teachers work.

3.1.5 Guidance for teachers

In one case the EAB recommended that all awarding bodies review the conduct of their INSET meetings. It is essential that what is said to teachers in such meetings is consistent with written guidance and that centres can have confidence in the support provided by the awarding body, whether written or verbal. It might be helpful if examiners providing feedback to teachers placed more emphasis on the importance of the Assessment Objectives and their weighting. The EAB also asked all awarding bodies to ensure that their materials for teachers distinguished clearly between what was prescriptive and that which provided exemplification.

3.2 Issues for centres

3.2.1 Formal distinction between specification and guidance

Centres should be clear about the formal distinction between the specification and any guidance for teachers issued by awarding bodies. The specification sets out in detail the prescription for assessment in any examination and it is essential that teachers work closely with it.

3.2.2 Representation at appeal hearings

The EAB recommends to all centres that they send representatives to an awarding body's stage 2 appeal hearing. The hearing provides an opportunity not only to present the arguments for their case but also to question awarding body representatives directly on the central issues and to obtain further information.

Centres should note that the EAB will not hear an appeal in the absence of personal representation from the centre and the awarding body. This is not a new requirement but we have now revised the wording of our *Remit and Procedures* document to reflect it. We consider the opportunity to question representatives, to obtain any supplementary information or clarification, to be an inherent part of the EAB's process.

3.2.3 Awarding body training

The EAB recommends that centres take full advantage of all the information and training on offer from the awarding bodies. It is essential that centres are aware of the teaching and assessment implications of specifications and do not rely simply on past experience. While this is particularly important for centres engaging with a new specification, it is also very valuable in general for keeping teachers in touch with assessment requirements and the standard of the examination.

In some recent cases the EAB has seen centres which had been very successful in the past and which could not understand the low grades their candidates had achieved. The awarding bodies demonstrated that different skills were being tested now from those tested by legacy syllabuses. In addition to appreciating this, centres need to be aware of the implications of the weighting of components and of how much time to spend on different areas of a specification.

4. CONCLUSION

After the increase in enquiries and appeals to awarding bodies, following the 2002 examinations and the Tomlinson Inquiry, we feared at one point that the EAB might be faced with an unmanageable caseload in 2003. However, although the number of appeals we heard was up on previous years it was within our capacity and still only a tiny fraction of the total dealt with by the awarding bodies.

Whilst appeals to the EAB are so few in number that it is usually difficult to draw statistical information from them or to discern trends, it is becoming apparent that centres are appealing increasingly on behalf of individual candidates, rather than on behalf of their entire entry for the examination or a group of candidates. This appears to be the result of the possibility of grades now going down as well as up on enquiry and appeal.

We have been most encouraged this year by very positive responses from awarding bodies to issues we have raised with them. They are all concerned to improve the handling of enquiries and appeals and have put mechanisms in place to effect this and to avoid the recurrence of past problems. We are confident that this will contribute to expediting the appeals process and to less frustration for centres and candidates.

We will watch developments in the modernisation programme with keen interest since the proposed changes should ensure that marking and awarding are more secure. Any progress towards greater transparency and accuracy brings us nearer to the time when the EAB will be unnecessary because there will be no need for appeals – a state of affairs we would warmly welcome and to which we have always been committed.

Jeff Thompson
Chairman

Gerry Kelly
Deputy Chairman

Robin Trebilcock
Deputy Chairman

THE EXAMINATIONS APPEALS BOARD**The Board:**

Jeff Thompson	Chairman
Gerry Kelly	Deputy Chairman
Robin Trebilcock	Deputy Chairman

Panellists:*Current:*

Paul Ashdown	Jill Platt
Caroline Blatchford	Liz Preston
Peter Clare	Alan Richardson
Simon Cooper	David Snashall
Bob Cummings	Graham Soles
Maggie Evans	David Turton
Jim Haines	Neil Watts
Mike Moran	Dylan Wyn
Robert Nutter	

Retired November 2003:

Brian Boyden
 Jim Caves
 Philip Davies
 Hope Kerr
 Gordon Whittleston

The Office:

Philomena Waldron	Principal Officer <i>until 6/2/04</i>
Bryan Whittaker	Principal Officer <i>from 7/2/04</i>
Kate Watters	Appeals Officer

Contact details:

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Appendix 2**APPEALS HEARD ON 2002 EXAMINATIONS**

1.	Cardinal Vaughan Memorial School/Edexcel A level History	Not allowed
2.	Malvern Girls' College/AQA AS Philosophy	Not allowed
3.	Bedford School/OCR A level History	Allowed
4.	Surrey College/OCR A level German	Not allowed
5.	King Edward VI College/AQA AS English Language and Literature	Not allowed
6.	Ysgol Bro Myrddin/AQA A level Government and Politics	Not allowed
7.	Eton College/OCR A level History	Allowed
8.	King's School/AQA AS Spanish	Not allowed
9.	Haberdashers' Aske's Boys' School/OCR A level Government and Politics	Not allowed
10.	Trinity Catholic High School/Edexcel A level Biology & Chemistry	Not allowed
11.	Merchant Taylors' School/OCR AS Latin Literature	Not allowed
12.	Ampleforth College/OCR A level History	Not allowed
13.	Rydal Penrhos School/OCR AS History	Not allowed
14.	Redland High School for Girls/Edexcel AS Drama & Theatre Studies	Not allowed
15.	Thornden School/AQA GCSE Mathematics, Science, Art, French	Allowed: Mathematics & Science; Not allowed: Art & French

APPEALS HEARD ON 2003 EXAMINATIONS

1.	Canford School/Edexcel A level Religious Studies	Not allowed
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Summaries of closed cases are available on our website or from the office.