



ANNUAL REPORT

2008

February 2009

1. THE EXAMINATIONS APPEALS BOARD

1.1 2008 report

This is the Examinations Appeals Board (EAB) annual report for the year 2008 covering eight appeals against awards made in 2007. The EAB welcomes comments on this report and on any issues arising from it.

1.2 EAB members

Ministers at the Department for Children, Schools and Families (DCSF) appoint EAB members for three-year terms. The chairman, Jeff Thompson, was first appointed in 2002 and re-appointed in 2005 for a further period of three years. In 2007, the appointment was extended for a further year until 2009.

Deputy chairman Mike Moran was appointed in 2005 for a period of three years. Deputy chairman Robin Trebilcock was first appointed in 2003 and re-appointed in 2006 for a further period of three years.

In the expectation that the regulatory authority Ofqual will assume responsibility for appeals sometime in 2009, the Department extended the appointments of both deputy chairmen until November 2009.

1.3 EAB panellists

Currently there are 16 panellists, two of whom sit with one board member to hear each appeal. In addition to hearing appeals, panellists act as observers in those cases where the EAB requests an awarding body to re-mark or re-moderate work. This happened three times in 2008.

In October 2008, the EAB held its annual panel training day. The members, panellists and office staff met to consider issues arising from the year's operations and other matters that could affect the EAB's work in future.

In the expectation that the regulatory authority Ofqual will assume responsibility for appeals sometime in 2009, the EAB re-appointed for an additional period of one year all those panellists who were first appointed in 2002. The Board is grateful to the panellists for agreeing to serve a further period.

The expertise and professionalism of the panellists is a major strength of the EAB and the panellists' contribution and support is much appreciated.

1.4 Administrative and financial support

The EAB receives administrative and financial support from the Qualifications and Curriculum Authority (QCA). The EAB depends greatly on the qualities and experience of its two officers who handle all enquiries to the EAB and offer information and advice to those involved at any stage of the enquiries and appeals process. They also provide professional support to the Board and panellists before, during and after each hearing.

Feedback from awarding bodies and from centres following the completion of the appeal process has consistently commented on their appreciation of the high quality of the support received from the EAB officers.

EAB members and panellists are paid a fee for each day they work and their out of pocket expenses are also met. For the calendar year 2008, the combined cost of this was £32,914.

1.5 EAB website

The EAB website (www.theeab.org.uk) contains copies of all the information and guidance that EAB issues. In addition, the office will send documents to anyone unable to access the website and can also provide most documents in Welsh.

2. EAB WORK IN 2008

2.1 EAB cases

2.1.1 Number of appeals

In 2008, the EAB heard eight appeals on 2007 examinations: two on GCE, five on GCSE and one on GNVQ examinations. This represented an increase in the volume of appeals from six in 2007. Eight further applications to appeal were received. In two cases, the chairman did not accept the application as there had been no prior appeal to the awarding body. In three of the cases, the applications could not be accepted, as they had not been submitted by the centres in question. In two cases, the centre withdrew its application after it had been accepted by the EAB. In the remaining case the chairman ruled that the application had been made too far beyond the three-week deadline.

Invitations to observe appeals are sent to the relevant qualifications' regulators and to the relevant government departments. In addition, dates of forthcoming appeals are published on the EAB website and members of the public are welcome to observe the hearings.

2.1.2 Timescales

The EAB's remit requires it to hold hearings within two months of receipt of an application. In 2008, all cases were heard within two months. In all cases, the detailed final decision letter was issued within the required 15 working days of the hearing. From the receipt of the appeal application, the average time taken to complete an appeal was 53 days. This compares to 58 days in 2007.

The EAB was able to complete all hearings for 2007 examinations by the end of July 2008.

2.1.3 Outcomes of appeals

Of the eight cases heard in 2008, 4 were allowed and 4 were not allowed.

	GCE	GCSE	GNVQ
Appeals allowed	0	3	1
Appeals not allowed	2	2	0

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

2.2 Meetings with interested parties

In May and December 2008, the EAB met the Joint Council for Qualifications (JCQ), through which the awarding bodies coordinate their work. As usual, at both meetings the EAB discussed issues arising from EAB cases.

The EAB's regular contacts with the regulators and the DCSF continue to be helpful and productive and are seen to be increasingly important, given the extensive changes that are taking place in the examination system.

3. ISSUES

Below is a list of some of the issues raised in decisions on cases heard in 2008. They arise mostly from individual appeals but could have wider implications for other subject specifications and awarding bodies.

The EAB's detailed decision letters are copied to JCQ (as well as to the regulators and the relevant government departments), so all the awarding bodies can become aware of its decisions and recommendations. In addition, the EAB discusses issues from the appeal hearings at meetings with JCQ and, as necessary, with the regulators.

Sometimes, the EAB makes recommendations to examination centres and to awarding bodies. Issues for centres are posted on the EAB website.

3.1 Importance of an audit trail

In some cases, the panels were concerned at the absence of full audit trails of marking decisions. Awarding bodies were reminded of the importance of keeping a clear and transparent audit trail.

3.2 Online marking

In one case the scripts that had been returned to the centre did not carry any marks or annotations made by the examiner. The EAB asked that awarding bodies make efforts to ensure that such annotations are made available for the sake of demonstrating the basis of marking decisions.

3.3 Re-moderation

The Code of Practice requires that awarding bodies should ensure that, where possible, coursework is re-moderated by someone other than the original moderator. In one case, the original moderator was the principal moderator. When the centre then requested re-moderation, the scripts were sent back to this principal moderator. The EAB believes that in such circumstances another senior marker should be asked to carry out the re-moderation, whenever possible.

3.4 Subject specialists at EAB hearings

The EAB is very grateful to the awarding bodies for the efforts that have been made to bring subject specialists to appeal hearings.

4. CONCLUSION

The EAB wishes to thank the awarding bodies for their continued cooperation and their willingness to take action on the recommendations that follow appeals.

The public consultation *Confidence in Standards*, conducted by the DCSF last year, made clear the intention that Ofqual should, sometime in 2009, assume responsibility for the final appeals mechanism provided up to now by the EAB. The EAB pledges itself to maintain up until that point the highest standards of stakeholder relations and stands ready to be of support to its successor body in terms of offering its knowledge and expertise.

Jeff Thompson
Chairman

Mike Moran
Deputy Chairman

Robin Trebilcock
Deputy Chairman

THE EXAMINATIONS APPEALS BOARD

Board members

Jeff Thompson	Chairman
Robin Trebilcock	Deputy Chairman
Mike Moran	Deputy Chairman

Panellists

Paul Ashdown	Gerry Hayden
Michael Batten	Robert Nutter
Caroline Blatchford	Liz Preston
Paul Clark	Alan Richardson
Andrew Collins	David Snashall
Maggie Evans	Graham Soles
Mike Fletcher	David Turton
Jim Haines	Neil Watts

Office staff

Bryan Whittaker	Principal Officer
Sam Debnam	Appeals Officer

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APPEALS HEARD ON 2007 EXAMINATIONS

Billericay School	Edexcel GCE History	Not Allowed
The Swaminarayan School	AQA GCSE ICT	Allowed
The Swaminarayan School	AQA GCE ICT	Not Allowed
King James's School	AQA GCSE English	Not allowed
Corby Community College	AQA GNVQ ICT	Allowed
Royton and Crompton School	AQA GCSE English	Not allowed
Portslade Community College	OCR GCSE English Literature	Allowed
Yarm School	OCR GCSE Classical Civilisation	Allowed

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