



ANNUAL REPORT

2009

January 2010

1. THE EXAMINATIONS APPEALS BOARD

1.1 2009 report

This is the Examinations Appeals Board (EAB) annual report for the year 2009 covering six appeals against awards made in 2008. 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.

In the expectation that the regulatory authority Ofqual will assume responsibility for the EAB, and to aid the transition, the Department agreed to appointment of two additional deputy chairpersons to serve from November 2009. Following an extensive recruitment and interview exercise the Secretary of State appointed Ms Caroline Blatchford and Mr David Snashall to the Board. Both new deputies have served previously as EAB panellists and their experience will be a significant addition to the Board's expertise.

1.3 EAB panellists

Throughout 2009 there were 16 panellists; for each appeal two of the panellists were selected to sit with a board member. 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.

David Snashall, Alan Richardson, Jim Haines, Paul Ashdown, Elizabeth Preston, David Turton and Graham Soles all retired having first been appointed in 2002. The Board is very grateful to them for their conscientious and disinterested approach to each appeal in which they were involved.

Given the small volume of appeals heard each year, the Board decided not to replace these retiring panellists.

The Board re-appointed, for a period of one year, those panellists first appointed in 2003.

In November 2009, 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.

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. From April 2010, administrative and financial support will be provided by Ofqual.

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

During the course of the year Ms Sam Debnam, during the period of her maternity leave, was replaced by Mr Gianni Bruggi. The Board congratulated Ms Debnam on the birth of her daughter.

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 2009, the combined cost of this was £27,988.

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 2009

2.1 EAB cases

2.1.1 Number of appeals

In 2009, the EAB heard six appeals on 2008 examinations: four on GCE and two on GCSE examinations. This represented a decrease in the volume of appeals from eight in 2008. Six further applications to appeal were received. In one case, the chairman did not accept the application as there had been no prior appeal to the awarding body. In three of the cases, the centre withdrew from the appeal after it had been accepted by the EAB. In the remaining two cases the chairman ruled that the applications were outside the EAB's remit.

Invitations to observe appeals are sent to the relevant qualifications' regulators and 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 2009, 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 62 days. This compares to 58 days in 2008.

The EAB was able to complete all hearings for 2008 examinations by the end of May 2009.

2.1.3 Outcomes of appeals

Of the six cases heard in 2009, 1 was allowed and 5 were not allowed.

	GCE	GCSE
Appeals allowed	1	0
Appeals not allowed	3	2

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 April the EAB met the Joint Council for Qualifications (JCQ), through which the awarding bodies coordinate their work. As usual the meeting 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 2009. 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 Subject specialists at EAB hearings

The EAB believes that hearings are enhanced when subject specialists attend as part of the awarding bodies' teams and is very grateful to the awarding bodies for the efforts that have been made to bring subject specialists to appeal hearings.

4. CONCLUSION

An important development for the EAB was an extension to its remit for appeals arising from 2009 examinations: This extension allows the EAB to hear appeals about Principal Learning and Project components of the Diploma qualification.

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 *Apprenticeships, skills, children and learning* Act of Parliament, states that Ofqual will 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. The Board also look forward to assisting Ofqual to implement its responsibilities under the Act in whatever way is deemed to be appropriate.

Jeff Thompson
Chairman

Mike Moran
Deputy Chairman

Robin Trebilcock
Deputy Chairman

THE EXAMINATIONS APPEALS BOARD

Board members

Jeff Thompson	Chairperson
Robin Trebilcock	Deputy Chairperson
Mike Moran	Deputy Chairperson
Caroline Blatchford	Deputy Chairperson from November 2009
David Snashall	Deputy Chairperson from November 2009

Panellists

Paul Ashdown	Retired November 2009
Michael Batten	
Caroline Blatchford	Appointed to membership of the Board
Paul Clark	
Andrew Collins	
Maggie Evans	
Mike Fletcher	
Jim Haines	Retired November 2009
Gerry Hayden	
Robert Nutter	
Liz Preston	Retired November 2009
Alan Richardson	Retired November 2009
David Snashall	Retired November 2009
	Appointed to membership of the Board
Graham Soles	Retired November 2009
David Turton	Retired November 2009
Neil Watts	

Office staff

Bryan Whittaker	Principal Officer
Sam Debnam	Appeals Officer (maternity leave from August 2009)
Gianni Bruggi	Appeals Officer (from September 2009)

Contact details

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Appendix 2

APPEALS HEARD ON 2008 EXAMINATIONS

Wayland Community High School	AQA GCSE Health and Social Care	Not Allowed
Little Heath School	OCR GCE History	Allowed
Abbey College	OCR GCE Physics	Not Allowed
Carmel College	OCR GCE History	Not allowed
Gravesend Grammar School	Edexcel GCE Design Technology	Not Allowed
Monmouth School	OCR GCSE English Literature	Not allowed

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