

Sally Collier
Chief Regulator
Ofqual
Earlsdon Park
53-55 Butts Road
Coventry
CV1 3BH

26th May 2020

Dear Sally,

I am writing to you from the New Schools Network (NSN), a charity improving the life chances of young people by supporting the creation and long-term success of new schools.

Following the publication of the consultation outcome, I am seeking urgent clarification on the arrangements for exam grading and assessment in 2020 for free schools.

Throughout the pandemic, NSN has been in regular dialogue with free school leaders. It has become evident that the proposed statistical standardisation for grading and assessment, as laid out in your consultation response, will have a disproportionately negative impact on pupils in certain types of school.

Whilst I understand that these announcements are being published in unprecedented and extremely challenging times, I and other educationalists across the country believe this issue must be addressed immediately.

During your consultation, NSN submitted evidence highlighting the problem of how assessment will impact schools with no prior exams.

Disadvantaged students at free schools outperform their peers in other types of schools. It is also true that free schools are the highest performing schools at externally assessed grades including GCSE and A level, despite their lack of historical performance.

Although in this academic year schools will not be part of a comparative accountability framework, the arrangements for issuing qualifications this year is impactful for a generation of students. The decision to prioritise 'historical evidence of centre performance' over other methods therefore pitches different types of school against each other, issuing unfair outcomes for these children.

It is not clear that the circumstances of these children have been considered in your consultation. There are indeed concerns that in this model, children who are educated in private schools will receive more favourable results than those in the state system with a limited track record, such as free schools. This is counter to social mobility.

As a result of this, I am writing to you to seek answers to the following questions:

- How will you statistically compare schools with little or no historical data?
- What assessment have you done on the impact of your decisions on schools which do not have an extended track record?
- How have you calculated the impact of your proposed arrangements on the most disadvantaged children?

There are, at least, 158 schools in our network that do not have enough historical evidence, as determined by your method of calculation. Of those free schools that have previously received exam results, over 60% do not have the full track record as outlined in the outcome of the consultation¹.

There are at least 21 free schools which have no previous assessment data and from these schools, 100% that responded to our survey said that they were concerned or very concerned that their results would be negatively impacted by a perceived lack of track record. I have included at the bottom of this letter a summary of these views.

It is easy to bury these arrangements in scientific modelling, but the issues here will affect at least a generation of children, but more likely those that come after it too.

I will be sending a copy of this letter to each exam board for their reference, as well as to the Secretary of State for Education, Minister of State for School Standards, and Chair of the Education Select Committee.

I look forward to receiving a response, and as ever, I would be very happy to discuss this with you further.

¹ Our estimations are: 29 free schools received GCSE results in 2019 and 2018, but not in 2017; 28 free schools received GCSE results in 2019, but not in 2018; three free schools received too few GCSE results in 2019 for their data to be published (either LOWCOV or SUPP codes); four free schools received A level results in 2019, but not in 2017 or 2018; 14 free schools received results in 2019, but not in 2018; 10 free schools received too few A levels in 2019 for their data to be published (either NE or SUPP codes). At least 21 free schools will receive results this year (for either GCSE or A level) that have not previously received externally assessed exams.

Yours sincerely,



Unity Howard
Director

CC: The Rt Hon. Gavin Williamson MP, Secretary of State for Education
The Rt Hon. Nick Gibb MP, Minister of State for School Standards
The Rt Hon. Robert Halfon MP, Chair, Education Select Committee
Mark Bedlow, Interim CEO, AQA
Sir David Melville MBE, Chairman (Qualifications and Standards Committee), Pearson Edexcel
Jill Duffy, Chief Executive, OCR
Ian Morgan, Chief Executive, WJEC

Free school views

We asked free schools to tell us their biggest concerns regarding the proposed grading system. Some examples have been included below:

- **Sir Iain Hall, CEO, Great Schools Trust:** “The use of historical data penalises schools that are on the road to recovery in terms of reaching nationally expected outcomes. Many of these schools will, in the last 12 months, have invested in new teachers and better pedagogical approaches to further improve the performance of their students. This decision will negate their efforts and harm the future social mobility of their young people.”
- **Exeter Mathematics School:** “Our results are improving year on year, both for achievement and progress. This year's cohort is projected to have the highest ever, significantly better than the previous year. We are very concerned that if our upward trend in results is not taken into account, our students will be unfairly down-graded as part of the standardisation process.”
- **Cobham Free School:** “Our first cohort was unusual, with many casual admissions, school refusers and a high proportion of pupils with no KS2 data due to coming from the private system. This was due to the fact we were new and had spaces for quite a while after opening, and parents were cautious about making a leap of faith... While we had some very strong results, mostly above national average, we anticipated this year would show an even greater improvement, with greater consistency across all the subjects. We are concerned that in some subjects the results would have been much better than last year but we have no track record beyond the first set of results.”
- **Bohunt School Worthing:** “I believe our situation to be unique nationally as the 2018/19 cohort only joined the school as Y8 students due to a remodelling of the middle school system in the area. This means they had only four years with us and a two year GCSE cycle. Our current cohort has had a full five years and been on a 3 year GCSE cycle. We would expect significant

improvement in headline figures and a number of subjects but are concerned if we put these forward we will be unfairly downgraded to the detriment of our students yet there appears to be no way to represent this case to the exam boards.”

- **Hoe Valley School:** 43% of our students arrived at Hoe Valley with lower than average SATs scores and the majority of our students were on course to pass their English and Maths as well as other subjects, even if they had a level 1 in their SATs. I am truly concerned that these students maybe downgraded based on the law of averages. We are an outstanding School and were looking forward to our forward to our first set of results.
- **The Fermain Academy (Alternative Provision):** “Most of our learners are Duel [Registered], so there could well be conflict with the grade we are submitting compared to [Ofqual’s] views and this could make our students achieve a lower grade.”
- **Big Creative Academy (post-16 GCSE resits):** “That we will be downgraded, as year on year we have improved. Last year we submitted outstanding results for GCSE resits”.