

Written evidence submitted by Dennis Sherwood

Written evidence from Dennis Sherwood in connection with fair appeals

I write this on 28th July, a few days after Ofqual's [Summer Symposium](#), and just three weeks before the announcement of the A level results.

Many dice are cast, but there remains, perhaps, one possibility for change: to ensure that the appeals process for this year's exam-free grades is [open and fair](#). Which currently it is not.

There are two reasons, in my view, why this is necessary.

1. To provide a [safety net](#) for those treated unfairly by 'the model'. However 'clever' the model, and however much of it is disclosed, it cannot be perfect. And those treated unfairly currently have no recourse.

2. To provide a safety net for those treated unfairly in a manner that is neither a consequence of the model, nor could ever be detected by the model: an unfairness attributable to the rank order, resulting, perhaps, from unintentional - or worse - deliberate [bias](#). Only the student would be able to sense this, and feel that the grade as awarded is not as merited. But the current rules deny access to justice.

The second, I believe, is a more important factor than the first, for although Heads have been asked to sign a declaration, many things remain hidden. To identify just one possibility. Consider a subject taught in two sets in a school, with one teacher being dominant and assertive, the other young and uncertain. The two teachers discuss the overall rank order. Might it be possible that the more dominant teacher captures the lion's share of the higher ranks?

The [IB](#) has recently made their appeals process less rigid, and [Scotland](#) too changed their approach to make it free, and based on 'further, evidence-based consideration of grades if schools and colleges do not think awarded grades fairly reflect learner performance'.

An objection that will be raised will be "this will simply attract every chancer and fraudster in the land". The objection is valid. But not a blocker. Rather an incentive to design the process wisely. One possibility, for example, is for the schools - and bodies such as ASCL, NAHT, HMC and the unions - to take a much more active part, pre-vetting appeals before they enter the 'pipe-line' and ensuring that any appeal that is progressed is supported by valid and robust evidence. This would show that some form of [self-regulation](#) can actually work - which was [singularly lacking](#) in the submission of the centre assessed grades. ASCL and the rest therefore need to be an integral part of the process design, and exercise meaningful leadership.

It is deeply regrettable that, despite the recent [recommendations](#) of the Committee, Ofqual continue to be opaque. The key slide of their recent Symposium is, I am afraid, a [disgrace](#).

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