



Rt Hon Gavin Williamson CBE MP
Secretary of State

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DIRECTION UNDER S 129(6) OF THE APPRENTICESHIPS, SKILLS, CHILDREN AND LEARNING ACT 2009

The education system and the whole country faces unprecedented challenges in dealing with the impact of the coronavirus pandemic. I am determined that we should address this situation using all necessary measures to protect our nation's health, while at the same time ensuring that the educational progress of our young people faces as little disruption as possible. I know you share my determination that we identify creative solutions to these challenges.

As I announced in Parliament on 18 March, we have made the difficult decision to close schools and colleges and early years settings to everyone except the children of critical workers and vulnerable children. Another issue – separate from, but related to, the closure of schools and colleges – is the summer exam series in England, during which over one million students were due to sit their GCSE, AS and A level exams in May and June this year. The purpose of this letter is to direct Ofqual, in line with section 129(6) of the Apprenticeships, Skills, Children and Learning Act 2009, in relation to the Government's policy regarding the summer exam series. It is my policy that the 2020 summer exam series for GCSEs, AS and A levels in England cannot proceed as planned.

I have considered whether the exam series could be postponed by a matter of weeks, or longer. As you know, it is no simple matter to push back those dates due to the uncertainty of the current public health situation. A delay to exams and the issue of results would also risk prolonging the disruption experienced by students into the next academic year and would have significant repercussions for schools, further and higher education providers, and employers.

I understand that the decision to cancel, and not reschedule, this year's exam series will give rise to concern that this year's GCSE, AS and A level students will be disadvantaged in comparison to previous and future years. Therefore, despite the cancellation of exams, it is Government policy that this year's cohort of GCSE, AS and A level students be issued a set of results this summer in order to allow them to progress to further study or employment.

As such, it is Government policy that these students should be issued with calculated results based on their exam centres' judgements of their ability in the relevant subjects, supplemented by a range of other evidence. A number of students will already have completed non-exam assessments in some subjects and, where that evidence usually counts towards a grade, it should be taken into account in generating centres' judgements.

In order to mitigate the risk to standards as far as possible, the approach should be standardised across centres. Ofqual should also mandate the method of calculating final grades based on the evidence provided for each student. Ofqual should ensure, as far as is possible, that qualification standards are maintained and the distribution of grades follows a similar profile to that in previous years.

It is important that students should have access to a right of appeal if they believe the process was not followed correctly in their case. Ofqual should therefore develop such an appeal process, focused on whether the process used the right data and was correctly applied, rather than seeking to overturn teachers' professional judgement on individual students' ability.

That said, I understand that some students will feel that they would have done better had they had the opportunity to prove themselves in an exam rather than relying on teacher judgements to calculate their grades. The Government considers that students who do not feel their calculated grade reflects their ability should be afforded an opportunity to sit an exam at the earliest reasonable opportunity. Accordingly, I hereby direct Ofqual to take account of this policy and work with the exam boards and others to plan to enable this group of students to sit exams as soon as reasonably possible after schools and colleges are open again, pursuant to the power of direction referenced above.

There will of course be other difficulties and risks with the approach outlined above, but I am confident that Ofqual can work with exam boards to mitigate these as far as possible.

I would ask that Ofqual makes the appropriate changes to its regulatory framework, and works with exam boards, teachers and other professionals in the education sector, to give effect to the policy positions outlined above. I will also be writing to you separately about the arrangements for vocational and technical qualifications.

This letter will be published as a direction under section 129(7) of the Apprenticeships, Skills, Children and Learning Act 2009. I am copying it to: Roger Taylor, Chair of Ofqual; Robert Halfon MP as chair of the Education Select Committee; to Kirsty Williams AM and Peter Weir MLA as Education Ministers in Wales and Northern Ireland respectively; and to John Swinney MSP as Cabinet Secretary for Education and Skills in the Scottish Government.



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Secretary of State for Education