

CCEA

COUNCIL

Minutes of an extraordinary Council Meeting held on Sunday 16 August 2020 at 10 am via MS Teams.

Present : Mr T Carson (Chair) Mrs C Harpur
 Dr L Caul Ms R Byrne
 Mr RJ Thompson Mrs K O'Hare
 Dr A Kerr Mr C McKinney
 Mr B Wilson Ms P Slevin
 Mrs C Fitzsimons

 Mr J Edwards (Chief Executive)
 Miss M Farragher (Director of Education)
 Mrs L Scott (Director of Finance & Corporate Services)
 Mrs S King (Head of Regulation)

 Miss N Kennedy (Manager, Council Secretariat)

The Chair thanked members and officers for accommodating this extraordinary meeting at very short notice and under the current circumstances.

1 Apologies

Apologies were received from Mrs Paula Leitch and Mrs Marlene Kinghan.

2 Conflict of Interests

Mr Brian Wilson declared a conflict of interest and attended the meeting in an observer capacity.

3 Main Business

The Chair reminded members of the highly confidential nature of the information issued and thanked members for their understanding. He asked the Chief Executive to explain the rationale of the options presented for consideration.

Options for GCSE : Highly Sensitive and Confidential

Council Ext/1608/01

The Chief Executive again thanked members for accommodating the meeting at such short notice and apologised for the late issue of the paper. He explained that matters were developing quickly and this required late updates to the paper.

He reminded members of the extensive media coverage following the issue of AS and A2 results (Thursday 13 August 2020), and updated members on developments in regards to discussions with the Department of Education, the Children's Commissioner and Regulators within other jurisdictions. He outlined the projected emerging pressure of appeals. He recognised the feedback from centres in regard to the additional requirements to be made to comply with the Restart Programme, Curriculum content changes for 2021; and the significant burden across the Education Sector – schools, learners and CCEA simultaneously. He also drew attention to the potential burden on young people.

The Chief Executive said he had been in a position to view the initial and provisional, GCSE outcomes and advised that it was important for Council to be aware that almost all grades had increased from 2019,

and the directed approach had showed no widening of the attainment gap on gender or school type. It was also worth noting that there was no indication of any disadvantage to non-selective school students.

The Chief Executive drew attention to the detail of the paper and explained the rationale for bring the options forward for Council consideration.

The advantages and disadvantages for each were outlined as follows :

Option 1 : Continue with the solution and provide the outcomes as directed, but with a widened appeals process.

Advantages

- Appeals model already established and in place, which considers prior performance, and provides most opportunity to redress perceived or actual unfairness.
- Results will be issued on time, and will be in keeping with the original direction.
- Provisional results show improved performance at key grades, consistent with patterns at C/4 with regards to gender. Gains for non-selective (secondary) over Grammar at C/4 grades, showing that the attainment gap narrows with the current approach.
- Maintains a consistent approach with A-Level and AS qualifications.

Disadvantages

- A significantly large quantum of appeals, which may be unmanageable within the JCQ time commitment, as an insufficient technical resource to process potential volume.
- CCEA will face continued scrutiny over whether the decision was taken to go ahead with a model that leads to students receiving grades lower than CAGs and units already completed.
- Grades issued that are lower than expectations might be cited as causing wellbeing challenges.
- CCEA GCSE model is not based on prior attainment such as KS2 data in England, therefore it could be subject to more scrutiny and increase uncertainty.
- There has been more negative press coverage in NI than in England or Wales regarding the standardisation process.
- The increased amount of GCSE entries will increase the potential for total anomalous grades to account for than in A-Level.

The Chief Executive expressed concern that to maintain Option 1, without changes, and the inevitability of a substantial number of appeals (up to 1000 per day), to fulfil JCQ's 42 day deadline of completing appeals would be extremely challenging for CCEA staff, in particular the technical resource. Other challenging factors in regards to the lack of prior attainment data and the reliability of the statistical model will lead to more scrutiny of the award.

Therefore to proceed with Option 1 would be high risk.

Option 2

Award Centre Assessed Grades to all candidates

Advantages

- Increased students would progress to post-16 study.

- Reduces burden on schools, who would most likely have to submit increased appeals, at a time when they are preparing for restart, and may not detrimentally impact student wellbeing to any greater or lesser extent than previous cohorts.
- Reduces burden on CCEA in terms of appeals.

Disadvantages

- Loss of standardisation would result in inflationary rises of GCSE grades.
- There would likely be no basis for an appeal, given that the teacher judgement cannot be appealed in keeping with our original consultation. Therefore, any complaint would require management by schools directly.
- We would break standards at GCSE with other jurisdictions that share the same brand. CCEA may face scrutiny over whether the decision was regarding the model – even though this is not the case.
- Risks attention being further focused on the A-Level / AS approach.
- A further review of statistical solutions for GCSE for Summer 2021 will be required.
- There will likely be some loss of income and re-profiling will be required.

The Chief Executive stated that Option 2 will result in an estimated inflationary rise of at least 7% points at A*-C Grade in comparison to 2019 and would likely lead to other educational challenges. However, he advised that the main advantages would be a reduction of the burden on schools; and providing a smoother progressing to post-16 study. This Option would also alleviate the anxiety and burden on young people and, given the public debate, may contribute to the protection of their health and well-being.

He summarised the disadvantages (outlined above). He confirmed that he had initially discussed the Options with the Department of Education, and, on balance, recommended Option 2 for Council consideration, and ultimately to provide advice to the Minister. He stated that this Option was not without risk and would need careful management and clear communications.

He suggested that should there be a need to return to the Options presented, he would prefer to advise the Minister in as timely a manner as possible.

General

The Chief Executive stated that it was clear that his aspiration was to return to the normal examinations process (adhered to in previous years), however should there be arrangements for localised shutdowns, appropriate JCQ guidance had been put in place and these would be adhered to.

He referred to Scotland's position and stated that this decision had left CCEA in a challenge position of public discourse.

Members noted that DE had not asked for options for future scenarios at this point in time, however work has commenced on the thinking around this for 2021.

This concluded the Chief Executive's summary.

Council Discussion

Members supported the proposal for Option 2, however, a significant number of points were raised and clarification was provided (as follows).

- In favouring Option 2 concern was expressed at the backlash regarding A and AS levels and a demand for TPJ to be followed on these grades.

The Chief Executive advised that this was a known risk and that it was difficult to proceed with changing the A-level position without agreement with the other jurisdiction that used the A-level brand and without such agreement may put mobility of Northern Ireland candidates at risk. He also informed members that approximately 1 in 5 A-Level candidates did not take CCEA examinations.

- Regrettable situation CCEA was in and guard against this happening again. Concern at the lack of comparison of standards across jurisdictions, and the need for alignment with England and Wales.
- CCEA to form alliance with Wales, as Ofqual's Board had intervened which changed their direction of challenge.
- Ofqual do not award grades.
- Council need to protect the organisation and staff.
- CCEA should seek assurances from other jurisdictions that they are following the same option.
- CCEA is confident that a second wave of challenge on A levels will not happen, and CCEA is satisfied that the Minister is confident, following discussions with staff, that he is confident with the direction CCEA is proposing to take.

The Chief Executive (CE) clarified that :

- In discussion with the Department of Education on 15 August, he did not get the sense that the advice from CCEA would be rejected (in regards to GCSE awards). The Chief Executive was clear that CCEA had done exactly what had been asked of the organisation.

The CE recognised the focus would be deferred back to A Levels, and there was full cognisance of the risk to university progression.

- The Chief Executive outlined that discussion with England and Wales had indicated that there was no imminent shift on the GCSE position, although he understood that Wales was considering late enhancements to their model.

The Director of Education (DoE) confirmed that NI models differed from other jurisdictions due to the differing nature of examinations (modular & linear). She advised that CCEA's A Level model was strong. However, in regards to the model for GCSE there was no prior attainment data on which to award grades. She recognised that there would be a grade inflation, however the children would still be in the system and would be supported by teachers through to A Level.

She drew attention to the fact that 12 % increase in NI domiciled students being accepted to University in 2020.

She concurred with the fact that Ofqual do not award grades.

A Council member commended the Chief Executive for the resilience shown during the adverse media attention.

The Chair expressed disappointment at the behaviour displayed by a member of the NI Assembly Education Committee, which should have been addressed by the Chair of that Committee.

- Concern was expressed at CCEA's credibility, and the risk of a call for a judicial review. Members were reminded of the impact the global Covid-19 pandemic has had on CCEA and the immense risk to the operations of the organisation.

A Council member wished to place on record the fact that he was compromised in terms of his role as Head of Centre and role as a Council member. He recognised the extraordinary times and inordinate pressure put on CCEA during the global pandemic. These circumstances are global and called for extraordinary responses. He believed that the decision on GCSEs would impact on the decision taken on A and AS Level grades.

He outlined the pressures on schools in providing the information regarding appeals and also stated that this was a duplication of the information sent to create the CAG (Centre Assessed Grade) largely without exception.

He recognised the importance of standardisation across the 3 jurisdiction, however this was proving difficult.

He asked for clear and concise communication to be put out by CCEA and welcomed the move to a more defined position regarding GCSEs.

The Chair recognised that there would be heightened media coverage and public attention and asked that this be managed as carefully as possible.

A Council member expressed her anxiety as discussions progressed, and whilst recognising that the Council fulfils its responsibilities in ratifying decisions, noted that members would be held to account, and would need to be ready to stand over the decision taken.

The Chief Executive confirmed that CCEA operate under Ministerial direction and act upon instruction. He recognised the political matters, however stated that CCEA's advice was from a technical and professional perspective and it would be for the Minister to decide to act upon that advice or not

A Council member suggested that it would be beneficial for the Chief Executive, moving forward, to emphasise the point that CCEA does what it is directed to do and defer to Ministerial direction. She asked that in moving forwards (to put CCEA in a more positive light), if CCEA could respond to:

- The backlash regarding A and AS level grade awards?
- Was there clarity from the Universities?
- Did the testing of the model produce the 36% disparity and if not, what were the expectations?
- Over-confidence of teachers in judgement.

The Chief Executive confirmed that clarity was received from UCAS and CAO at the beginning of the process and this informed the implementation of advice (A and AS Level). He stated that QUB had their own decision regarding offers made.

The DoE referred to a report from UCAS (2016) which was referred to at Stormont. She recognised that the use of CAG may have been better clarified, and there had been differences in opinion in teachers in regards to the standardisation process.

Several Council members recognised the exceptional circumstances and challenge for the organisation in provision of technical and statistical information, and the associated complexities. To explain statistical standardisation to the broad range of stakeholders was also challenging, as there was an apparent lack of understanding from the media and public.

Members wished to place on record their support for the Chief Executive and members of the Executive team and recognised the importance of striking a balance and being mindful of health.

Clarification was sought on whether CCEA provided Council with professional indemnity insurance in the event of a high court challenge. The Chief Executive clarified that he would provide advice, on behalf of Council, and would seek Direction from the Minister. The decision to accept this professional advice lay with the Minister, not CCEA Council members.

The Director of Finance and Corporate Services confirmed that CCEA officers did have professional indemnity insurance but was not in a position to advise on whether this covered Council members, as they were Ministerial appointments.

The Chief Executive said that it may be appropriate for him to cite this situation as being novel and contentious to DE and that it was a matter of Accounting Officer (CCEA) and that direction was required.

General

A Council member asked for an explanation on the A and AS Level algorithm. The Chief Executive agreed. The Director of Education confirmed that a webinar had been recorded on this and would forward the link to the Council. The Chair agreed that this would be adequate as he did not wish to impose any additional pressure at this time. Electronic information would be welcome.

Formal Proposal

The Chair thanked members for their input and sought agreement that the general consensus of the Council was to recommend Option 2 with the caveat that it is not without a high degree of risk, would require careful management and a clear communications strategy.

Members asked that once the Minister's decision was made it be communicated to Council as soon as possible. This was agreed.

Option 2 was formally proposed by Mrs Christine Harpur and seconded by Mrs Kathleen O'Hare.