

CCEA

Minutes of a Special Council meeting held via MS Teams on Wednesday 27 May 2020 at 3.30 pm.

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

Mr J Edwards (Chief Executive)
Mrs L Scott (Director Finance & Corporate Services)

Miss N Kennedy (Manager, Council Secretariat)

Apologies

An apology was received from Mrs S Kirk, Mrs C Fitzsimons, Mr C McKinney and Miss M Farragher.

Chair's Business

None identified.

Main Business

Chief Executive's COVID-19 Situation Report

Corporate

Finance

The budget for 2020/21 has been received, with an increase to baseline funding from DE. The Finance team are currently working through the allocation.

Buildings

The Mallusk site is being prepared to re-open as soon as possible.

Business Planning

The Chief Executive advised that in the absence of the normal approvals process for business planning with DE, he moved to the contingency emergency plan by reporting through the Gold, Silver and Bronze teams model. This has been working successfully to date, with weekly reporting to DE on progress on contingencies

The 2020/21 Business Plan is being revised and the draft is being prepared in anticipation of a commission from Department of Education. The draft will include consideration of suspension and delay of certain targets due to the impact of Covid-19, and new activities to support recovery. The Chief Executive advised that there would be a very gradual return to normality.

DE will review its risk register and the CCEA CRR will be aligned as appropriate. This will come forward to ARAC once the DE risk register is shared and DE has asked CCEA to align. A Council member asked the Chief Executive to seek clarification from the Department in regards the flow of CCEA's risks to ensure they flow

upwards as well as downwards. This Chief Executive confirmed that risks were reported to DE via Audit and Risk Assurance meetings (at which DE was present), Governance Accountability Review and, at present, through the Gold Team report into the 'Standards and Learning' strand of the DE recovery project. On this basis risks were shared upwards as well as downwards.

Awarding

The Chief Executive confirmed that the awarding models were in the final stages of completion and were being reviewed by the Regulation team to ensure compliance. Regulation will consider for approval the models presented by the Awarding Organisation. Further detail is required on the models for AS and GCSE. He advised that this work was both complex and challenging.

Following the launch of the application to collect assessment grades and rank orders, the Chief Executive advised that to date 26% of centres had submitted their information. He was pleased to report feedback to date had been positive, and a daily report is provided to the GOLD team. CCEA would monitor those centres who are slightly behind to ensure support is provided, and no technical issues arise.

A 'Private Candidate' app will also be launched. A significant amount of work has been completed on data to provide more options for the provision of these candidates.

Regulation

The Appeals Consultation was on the agenda for this meeting, and the Head of Regulation would present on this item. The Chief Executive confirmed that he will present initial findings to the NI Assembly Education Committee on Wednesday 3 June. The Chair and the Head of Regulation would also be in attendance. The link would be issued to members should they wish to view the session.

He confirmed that Council would approve the new Appeals Process.

Vocational/Technical Qualifications

Work on VTQs and Essential Skills is developing at pace.

The Chief Executive confirmed he had met with senior representatives from the FE sector and relevant trade unions, and was pleased to report that no major concerns had been raised. Feedback from the Department for the Economy (DfE) has been positive, however recognised there would be challenges ahead. He said the challenge is the significant number of Awarding Organisations used by FE institutes, which create misunderstandings and variabilities. This could lead to delays and complexities, therefore careful monitoring and addressing of issues is required.

The Chair stated that anticipated issues should be priority.

He reported that one Awarding Organisation had furloughed NI based staff and informed the Head of Regulation in regards to the maintenance of support to ensure NI students and represented. (This protection is included in the GCoR). The Chief Executive stated that this was being monitored on a daily basis as it will be a risk if the issue was not resolved.

A Council member sought clarification on whether there was confidence that the FE sector would deliver the qualifications in a regulated manner. The Chief Executive advised that at present this was difficult to assess and was a matter for longer term resolution and contingency planning. However, in discussions with FE senior management he felt assured that matters were being taken seriously, however, suggested a cautionary risk appetite in regards to these arrangements.

The Chief Executive confirmed that the Permanent Secretary addressed the issue of Vocational Qualifications in his situation report to the NI Assembly on Wednesday 27 May, stressing that these were a matter for the Department for the Economy, however recognised that there would be a high degree of complexity in bringing the work patterns of both departments together.

Curriculum & Assessment

The Curriculum team continues to work with EA officers to produce resources for schools on the Hub. Work is also underway to develop a Resilience and Well-being hub.

Assessment advice has been issued. Schools are clear on requirements for the provision of information to DE. No negative feedback has been received to date.

Communications

The Chief Executive reported a small issue with the 10 minute video blog to schools regarding modular GCSE awarding. This was rectified once identified, with a graphic inserted at the beginning of the video to ensure Year 11 students have a clear understanding of what is required. The video aimed to support the guidance documentation, which had not changed.

A Vocational Qualifications Blog will go live on Friday 29 May, with further clarification being provided as required.

AQA have announced that examiners will not be paid, this has resulted in negative media feedback. CCEA is monitoring this decision and communications in light of the potential decision that it will have to take.

Logistics & Closure

The Chief Executive advised that there were no issues to report on safe closure.

In regards to logistical issues, consideration of next year's range of matters is still at an early stage, the most pressing advice required from DE is that on how schools will re-open, however this has not yet been released.

DfE has provided advice on a range of measures to include social distancing and cleansing requirements.

General

The Chief Executive reported an increased number of calls for CCEA to adjust the specifications to reduce teaching requirements. He advised that Qualifications Wales and Ofqual are considering assessment arrangements for the new academic year. CCEA will give this due consideration of the health restrictions, however clarity was required from DE on how to proceed. He urged caution in a call for radical changes to subject content as this may risk breach of promise and maintenance of standards.

A Council member recalled the matter raised at the previous meeting in regards to CCEA seeking a view from DE on what schools will be required to do in terms of health and safety provision, social distancing measures and other arrangements to be put in place in advance of re-opening. He expressed concern that if these issues are not dealt with appropriately this could create a maelstrom. The Chief Executive concurred and assured members that DE have put in place a range of work streams through its 'Restart Programme'. He confirmed that he was a member of this programme and had raised several matters for consideration. He was aware that advice for return of schools was in development, however this advice would most likely only inform start in August and not extend into September or beyond.

The Chief Executive confirmed he had set up a working group between Regulation and the Awarding Organisation to review high level issues and prepare an appraisals document in regards to future arrangements, taking into consideration the range of health restrictions and PHA guidance, for Council consideration. It was anticipated that DE would commission an options appraisal which would be requested as formal Council advice.

A Council member raised the possibility of returning to Shorter Courses in order to meet requirements given the impact of Covid-19 restrictions continue to have across Education. The Chief Executive confirmed that in some subjects a short course option has been retained, however, he urged caution and would prefer not to roll out reduced content and changes to assessment arrangements to the point where standards might be compromised or breach of promise became an issue.

A Council member suggested that blended learning be enabled to allow teaching of the full specifications for subjects. The Chief Executive welcomed this and confirmed that both the Awarding and Regulation teams had raised this. Stakeholders will be consulted to ensure there are no gaps in progression during the revision of specifications, and the need to ensure they are fit for purpose and offer the breadth of qualifications available.

Members welcomed this development.

This concluded the Chief Executive's situation report to Council.

Regulation

Feedback on Appeals Process Consultation

The Head of Regulation gave a detailed presentation which focussed on the following areas:

- Background to the 'normal' appeals process;
- Appeals Consultation;
- Challenges for CCEA in the Appeals Process;
- The outcomes of the consultation : 753 responses received, consisting of 88% (664) individuals and 11% (85) organisations;
- Recommendations : which proposals to adopt;
- Proposals drawing particular disagreement;
- Appealing the statistical model;
- Equality Impact Assessment;

Where there could be instances of bias or discrimination in regards to the Teacher Professional Judgement (TPJ) this would fall into the maladministration category and would be dealt with through CCEA's Complaints Procedure as alleged malpractice by the Awarding Organisation.

The main risk in the provision of TPJ is protecting the integrity of the teachers' judgement, and CCEA has recommended not to allow an appeal of the TPJ, as it is not appropriate to do so. There will also be no opportunity to challenge the rank order.

CCEA also recommended not to allow an appeal of the statistical standardisation model. The Head of Regulation advised that there was still clarification required on what form the statistical model will take, however once agreed and published there will be a need for it to be applied consistently and fairly across the cohort to maintain public confidence. She informed Council of Ofqual's thinking around arrangements for special circumstances, and expressed a preference for all jurisdictions to be as similar as possible.

The Chair thanked Sharon for the information provided.

A Council member expressed disappointment that Council did not have the opportunity to discuss the process of the approach to model development. However, in terms of TPJ, he advised that the application should be considered as robust and not open to challenge. He referred to the process used in Higher Education, where external examiners provided additional assurance by double and treble marking. This ensured a robust and secure marking system. Whilst recognising that this was not possible given the constraints faced by the system, he suggested that CCEA take every precaution to ensure the system is integral, honest and professional in schools. Schools should be able to provide evidence of their checking process and also sign off what they are responsible for ensuring CCEA has a record on which it can stand over, should the need arise.

He suggested the same format should be followed for the statistical model, ensuring that the supporting literature is robust and not open to challenge. He would welcome the Council's participation to ensure it can describe the process in the event of a challenge.

The Chair sought clarification on whether, within the current arrangements, schools were required to give rank order. The Chief Executive confirmed that this was not a requirement.

The Chief Executive advised that :

1. The Technical and Head of Centre Guidance is available and sets out the checks centres are expected to undertake. Ofqual, Qualifications Wales and CCEA Regulation have similar documents and the expectation is that it is followed by awarding bodies and centres. He confirmed that CCEA, as awarding body, has provided direct centre support at subject and technical level.
2. CCEA is currently looking at a review of the statistical models (with the other jurisdictions) to ensure a consistent approach on the academic literature integrated with the Regulators.

He recognised the need for rigour processes to be in place to be able to defend the models in the event of a challenge, and confirmed he would issue the Technical Guidance to members for information.

A Council member suggested that existing guidance (previously available for examiners and on malpractice) to include additional guidelines and advice on what is required under the current circumstances. The Chief Executive confirmed that the JCQ guidance and Malpractice Booklet would be considered and updated accordingly, and assured members that the Director of Education and her team have been involved in testing to ensure sufficient information is provided. He advised that the sanction levels can be adopted, however further guidance is required on how to deal with complaints at a centre level to allow bias or discrimination to be investigated. A working group has been established to look at the security of the current process and update as required.

Members sought and received clarification on several data protection matters.

The Chief Executive confirmed he would be presenting the feedback to the NI Assembly Education Committee on 3 June, and would brief the Council at its weekly meeting.

The Chair thanked members for their input and provided a summary of the issues discussed, and asked that any existing documentation be updated to ensure guidance and advice is up to date and reflects the nuances encountered in the current circumstances.

A Council member expressed concern in regards to Ofqual consideration of allowing some challenge on the statistical model. The Chief Executive suggested that he discuss the matter with the Chief Executive of Ofqual and CCEA would welcome a similar approach across the jurisdictions to ensure confidence. Should there be a need for intervention at a higher level, he would bring the matter back to Council.

The Chair thanked members and officers for their input into the item.

Finance

Options Paper on Payment of Fees Summer 2020

CB/27May/1

The Director of Finance & Corporate Services (DoFCS) drew attention to the information provided, and confirmed that the paper had been updated to address issues raised by DE. She advised that the position remained that CCEA will charge for entries for the 2020 series and invoices should be issued to centres, however will not collect late fees, amendments and withdrawals. The situation will be reviewed on a quarterly basis in the context of any decisions made.

The DoFCS said it was worth noting that CCEA's fees were considerably less than other Awarding Organisations in the UK and stated that examinations were heavily subsidised, with the contribution from schools being minimal.

She advised that the additional bid for COVID-19 related activities had not yet been approved.

Members discussed the issues in detail and agreed that it was important to ensure that the communications were articulated very clearly, consistently and accessible to all. All the decisions agreed should be outlined in one package. It should also include the fact that schools have already been allocated a budget for examinations fees and the Minister has confirmed that they are not expected to pay this back, and therefore the funds are available to be paid to CCEA.

The DoFCS confirmed that all decisions would impact on other areas and these would be set out with integrity and clarity. She advised that work was still being completed on options for the Senior Examining Teams and these would come forward to the Council in due course.

A Council member suggested that the communication articulates the fact that if CCEA does not spend the funds are surrendered back to DE, and university fees are also subsidised.

Members indicated they were content to endorse the proposal. This was formally proposed by Mrs Kathleen O'Hare, and seconded by Mr Robert Thompson.

Any Other Business

A Council member commended the significant amount of work undertaken by the Chief Executive and his team. The Chair concurred and wished to place on record his thanks to staff, in particular, the key members who were going the extra mile to ensure issues were being dealt with efficiently and effectively.

A Council member raised the matter of staff being encouraged to take their leave entitlement. The Chief Executive confirmed that he had included this in an all staff message on Tuesday 26 May 2020 and it had been well received. He recognised the commitment of staff who continued to work under significant pressure to implement solutions at short notice.

Date of Next Meeting

The Chair confirmed that the next Council Briefing would take place on Wednesday 3 June 2020 at 2.30 pm.

He thanked members and officers for their contributions to the meeting.