

CCEA

COUNCIL

Minutes of the one hundredth and forty-sixth meeting of Council held on Thursday 30 September 2021 at 1.30 pm via MS Teams.

Present : Mr T O'Reilly (Chair) Mrs D O'Connor
Dr L Caul Mrs K O'Hare
Mrs C Fitzsimons Professor P Hanna
Mrs P Leitch Ms P Slevin
Mr B Wilson Mrs A Kingsley
Mr H McCarthy Mrs S Sellars
Miss M Corrigan

Miss M Farragher (Interim Chief Executive)
Mrs L Scott (Director of Finance & Corporate Services)
Ms A Swann (Temporary Director of Examinations)
Mrs C Latham (Temporary Director of Curriculum & Assessment)
Mrs S King (Head of Regulation)
Mr J Daly (Financial Services Manager)

Miss N Kennedy (Manager, Council Secretariat)
Ms Clare Greenwood (Boardroom Apprentice)

Introduction

The Chair welcomed members and officers to the meeting.

1 Apologies

An apology was received from Mr Rob Smyth.

2 Conflict of Interests

A member declared a potential conflict of interest for Item 5 on the agenda and would leave the meeting for the discussion. This was formally noted for the record.

3 Chair's Business

Council Papers

The Chair advised that the agenda had been re-ordered to deal with those requiring approval and confirmed sufficient time was allocated for full discussion.

Council Away Days

The Chair confirmed Thursday 9 and Friday 10 December for the Council Away Days. The purpose would be Council development and discussions on key priorities for the organisation. The sessions would be managed by an external facilitator.

Correspondence

The Chair drew attention to the following correspondence:

- Advice Sought on Contingency Arrangements and Standards for Awarding of CCEA Qualifications in 2021/22
- Proposals for A Level Language Assessments and GCSE Mathematics

He reminded members that operational correspondence continued to be managed by the Executive.

A Council member sought clarification on the role of the Council in terms of provision of advice to DE, as correspondence was addressed directly to the Chief Executive and not the Chair. She suggested that approaches should be made directly to the Chair of Council in terms of protocol.

The Interim Chief Executive explained the process in that all advice requests are addressed to the Chief Executive as the person running the organisation, however when formal (policy) requests are made for advice, such requests are brought to the attention of Council.

The Interim Chief Executive confirmed she would seek clarification from DE and update at the next meeting. The Chair concurred with this suggestion.

Officer Attendance

The Chair confirmed that Amanda Swann (temporary Director of Examinations), Sharon King (Head of Regulation) and John Daly (Financial Services Manager) would speak to various items on the agenda.

4 Ratification of Council Minutes held on 27 May 2021

The minutes of the previous meeting held on 27 May 2021 were proposed by Mrs Paula Leitch and seconded by Mrs Kathleen O'Hare as a true and accurate record. A copy would be made available for the Chair to sign.

Action Points

The Chair confirmed the majority of the action points had been completed. Two co-optees had been appointed to the Regulation Committee. The Chair suggested that consideration would be given to approaching NISRA in relation to co-opting a statistical expert over the coming months.

Ratification of Council Briefings

24 June 2021

The minutes of the Council briefing held on 24 June 2021 were proposed by Mrs Sarah Sellars and seconded by Mr Brian Wilson as a true and accurate record. A copy would be made available for the Chair to sign.

26 August 2021

The minutes of the Council briefing held on 26 August 2021 were proposed by Ms Patricia Slevin and seconded by Mrs Paula Leitch as a true and accurate record. A copy would be made available for the Chair to sign.

5 Regulation

Due to a potential conflict of interest Mrs Kingsley exited the meeting for this item.

Ofqual and Quals Wales position – Standards 2022

The Head of Regulation (HoR) outlined Ofqual and Qualifications position in relation to Standards for 2022 and summarised as follows:

Ofqual

Ofqual's standards for 2022 will reflect a midway point between 2019 and 2021 for grade distribution. This approach (Option B) recognises the disruption experienced by candidates during the pandemic.

Qualifications Wales

Quals Wales position would be announced w/b 4 October, however it was anticipated that they may align with the approach taken in England to ensure learners in Wales were not disadvantaged in that the results will broadly reflect a midway point between 2021 and 2019.

Draft Advice on GCE and GCS Standards 2022

C/146/1

The HoR drew attention to the detail of the draft advice and outlined Options 1-5.

She confirmed that Option 2 (preferred Option) took account of the Minister's request to ensure that there should be some generosity of grading due to the impact of the pandemic and also represented the fairest way of awarding by using 2019 standard as the baseline.

- Options 1,3 and 4 : driven by comparable outcomes using statistics
- Option 2 *Aim for a subject level grade distribution higher than 2019, likely to be, that of 2020, with greater emphasis on examiner judgement to make the award and utilizing statistical predictions and historical data showing the relationship between unit level grade outcomes and subject level grade outcomes in each subject.*
- Option 5 is based on Ofqual's mid-point calculation between 2019-2021 outcomes.

The Chair, recognising further work was required, sought clarification on how Option 2 would work. How would it fit in with using examiner judgement by using the generous grading concept. The HoR explained component parts of the awarding process and outlined the way in which Regulation would ask the AO to build in the understanding, latitude and generous expectation of what the performance would be given the impact of Covid and loss of teaching and learning.

The Interim Chief Executive gave a brief overview of the challenges discussed across the 4 jurisdictions. She confirmed that for CCEA the optional Unit Omissions for 2022 had been welcomed by centres as this would support them in relation to loss of teaching and learning. She referred to the press coverage around late notice of adaptations in England and was confident that as CCEA

had communicated its adaptations in May 2021 it was in a good position to withstand some disruption and Option 2 allows the flexibility to recognise the good performance without being driven by statistics and provides a safety net that the standards do not go below 2019 to ensure fairness and support to the learners.

The Chair stated that the issue around standards was important and is likely to be at the forefront of discussions in 2022.

Members sought and received clarification and assurances on a wide range of matters. They were content with the explanations provided and recognised the need for CCEA to seek to ensure its approach continued to be similar to other jurisdictions.

The Interim Chief Executive assured members that algorithms would not be used and confirmed that a communication strategy would be developed to ensure accurate and clear messaging. She agreed it was essential that explanations were provided in the communications and suggested that Ofqual's position would be used as a guiding principle to ensure learners in NI were not disadvantaged. From a technical perspective it would be challenging to achieve comparability over the next 12 months given the different starting points of grade inflation, however as long as flexibility was maintained within Option 2, outcomes would be broadly comparable across the jurisdictions.

A Council member, whilst supporting Option 2 and teacher assessment said that consistency was important.

The Chair thanked members for their input and sought clarification on DE's preferred position. The Interim Chief Executive suggested that CCEA would maintain a watching brief on developments in England and align as much as possible with other jurisdictions whilst recognising the differing adaptations.

The Chair sought and received confirmation that Council were content to recommend :

Option 2: *Aim for a subject level grade distribution higher than 2019, likely to be, that of 2020, with greater emphasis on examiner judgement to make the award and utilizing statistical predictions and historical data showing the relationship between unit level grade outcomes and subject level grade outcomes in each subject.*

for 2022 year only, and the advice would go forward to DE on that basis.

Re-ordering of Agenda

The Chair confirmed that agenda was re-ordered at this point to discuss paper **C/146/4** *Draft Advice Contingencies 2021/22 – if examinations do not go ahead* in conjunction with *Contingencies and Mitigations for 2021-2022 Examinations* detailed on pages 13-15 of the draft advice at paper **C/146/1**.

The temporary Director of Examinations referred to previous advice provided on significant mitigations in relation to the option omissions for schools which would provide cover for a significant amount of disruption. She drew attention to the information and gave detailed overviews of what was considered in the context of if examinations go ahead with further disruption and also in the event of cancellation of examinations. These included:

- the use of Special Consideration (in exceptional circumstances)
- the Covid Tariff

- consideration of portfolio of evidence
- reviewing of timetable and reserve contingency examination series for A Level (running in July 2022).

The Head of Regulation advised that the main consideration from a regulatory perspective would be to ensure the appropriate mechanisms were in place to ensure fairness across the cohort, and a cohort within a cohort. She agreed with the Awarding Organisation on the proposed approach in relation to the Covid tariff and also concurred with a reserve timetable and reserve contingency examination papers.

Members sought and received clarification on a range of matters and were content with the explanations provided.

They agreed that the introduction of a covid-tariff or a timetable into July would be too high-risk and concurred that in the interests of fairness to candidates the recommendations outlined were appropriate.

The Chair, in summarising the views of members, said Council felt that the Unit Omissions approach that has been adopted remains the most effective way (including the consideration of using Special Consideration and a portfolio of evidence as additional contingencies) of dealing with the issues as we continue to deal with the impact of the pandemic should examinations proceed in 2022.

Members concurred with this approach.

Mrs Kingsley re-joined the meeting at this point on the agenda.

Draft Advice : Contingencies for 2021/22 if Examinations do not go ahead

C/146/4

The temporary Director outlined the contingencies that would be taken in the event of a partial or full cancellation of examinations for 2022. She drew attention to the range of enhancements to the summer 2021 (section 3) alternative arrangements and the option ratings (at section 4 of the paper).

The Head of Regulation concurred with the approach proposed by the Awarding Organisation in relation to the range of contingencies proposed and that this would be accepted by the Regulator.

Members welcomed the pragmatic approach and referred to the lessons learned, in particular, to guard against overassessment of children reoccurring. Clear communication for centres was essential to ensure schools have a good awareness of how the contingencies will work.

The Chair sought and received confirmation that the intention would be to formalise the use of CCEA assessments rather than giving flexibility to centres to ensure the same level of assurance and consistency is achieved.

The Interim Chief Executive referred to 2021 guidance and stated that CCEA assessments were strongly recommended in the guidance . She confirmed that the full range of stakeholders have a good understanding of the assessments for 2022 and assured members that communication would be enhanced to discourage overassessment.

A Council member suggested that Assessment for Learning be considered for discussion at future meeting. The Chair concurred with this.

The Chair sought and received agreement that the options be released to DE and confirmed that engagement with DE would continue on contingencies.

Draft Informal Advice GCE Languages and GCSE Mathematics

C/146/5

The Chair referred to the email correspondence from DE and the potential changes on departmental position.

The temporary Director of Examinations provided a detailed overview on GCSE Mathematics (Appendix 1) and Draft Advice GCE Languages (Appendix 2).

GCSE Mathematics

CCEA considered providing advanced notice of topics that would be assessed in examinations for November 2021 and Summer 2022. Following consideration of the high level of risks associated with Options 1 and 2 (Appendix 1), CCEA does **not** recommend advance notification for GCSE Mathematics.

GCE Languages

CCEA considered the option to reinstate speaking assessments and make other adjustments to the assessments (outlined in Appendix 2). Following consideration of the benefits and high-level risks associated with the proposals, CCEA recommended that the current arrangements announced on 17 May remain in place.

Members concurred with the position around mathematics and understood the rationale for languages, however in principle, recognised the importance of learners being assessed in their oracy of languages.

The Interim Chief Executive reiterated that this was an informal request to provide this advice. She confirmed that the papers had been submitted to DE setting out clearly the concerns in relation to both subjects. No formal request for advice had been received and clarification would be sought from DE as to whether the matters have been resolved/closed.

The Chair referred to the way in which formal advice is requested from Council. He said an e-mail was not an appropriate way to request advice and thanked the Interim Chief Executive for making it clear to DE in asking them to formalise the request for Council to reconsider the matter.

He asked members to note the information provided and should a formal request be received then this will form the basis of the advice should it come forward. The Interim Chief Executive confirmed that she would proactively seek reassurance that the matter was closed.

The agenda reverted back to its original running order at this point in the meeting.

6 Education

For Information

2020/21 Lessons Learned Report

C/146/2

The Director of Finance & Corporate Services (DoFCS) presented the draft report on 2020/21 Lessons Learned Exercise (internally commissioned by the Interim Chief Executive) and confirmed these had been incorporated into plans for 2021/22. She outlined the range of stakeholders involved and confirmed that feedback received had been positive.

Feedback has been received from DE and this would be taken into consideration in advance of a final report being issued.

The Chair sought and received confirmation that the report would include the potential for improvements to arrangements for 2022. The temporary Director of Examinations confirmed that issues, including those on the post-results service, continued to be logged and progressed as they arise to ensure they are dealt with as appropriate.

Members welcomed the information provided. The Chair thanked the DoFCS for her input.

Summer 2021/22 Results & Post Results Update

C/146/3

The Chair reminded members that a significant amount of this information had already been presented to the August meeting.

The temporary Director of Examinations updated members on the level of appeals received and processed to date. She confirmed that the judicial review appeal had not been upheld within findings in CCEA's favour.

The Chair asked that the appeals process continued to be reviewed, particularly in advance of a return to examinations.

A Council member welcomed the reassurance that steps had been taken to improve the process and lessen the workload on CCEA staff.

7 Audit

Chair's Report : ARAC : 7 September 2021

The Chair advised that in the absence of the Chair of the ARAC, this update would be deferred to the November meeting of Council.

For Information

Corporate Risk Register Summary – August 2021

C/146/6

The DoFCS drew attention to the summary of the CRR – August 2021 and gave an overview of the corporate risks rating, recognising the organisation continued to operate within a high-risk environment.

Members noted the information provided.

For Approval

Internal Audit Charter 2021/22

C/146/7

The DoFCS confirmed the document provided the framework which guides CCEA's internal audit activity over the next 3 years and was being presented for approval.

Members were satisfied with the detail provided and were content to approve the Internal Audit Charter for 2021/22.

8 Finance

Chair's Report Finance Committee - 16 September 2021

The Chair of the Committee confirmed Clare Greenwood, Boardroom Apprentice had attended the meeting. He provided a brief report on the main items discussed and referred to those on the agenda for this meeting.

Finance Update

C/146/8

The Financial Services Manager (FM) reported an overspend of £40K (0.5%) with Capital expenditure on track as at 31 July 2021. He referred to the detail provided to support the July 2021 budget position, in particular, the un-apportioned budget; discounting; allocation and budget updates together with allocation movements.

Statement of Financial Position as at 31 July 2021

Members noted the statement of financial position as at 31 July 2021.

October 2021 Monitoring Round

C/146/9

The FM referred to the detail of the paper and gave a summary of CCEA's October Monitoring Round submission.

Members noted the information

2022-25 Recurrent Funding Information Gathering Exercise and Capital Funding 2022-26

C/146/10

The DoFCS confirmed DE had commissioned an information gathering exercise in respect of multi-year pressure and savings estimates for both recurrent and capital funding. She outlined the approach taken in conducting the exercise with both CCEA budget-holders and DE officials.

She referred to the detail provided and gave a high-level overview of the main financial pressures facing the organisation in the medium term. In relation to Capital, a number of cumulative pressures had been identified and reported back to DE.

Other areas under active consideration or requiring policy decision were also highlighted.

The Chair sought clarification on whether consideration had been given to developing a strategy to address the forecasted deficit of £10M? He referred to the 4 areas identified for discussion and asked if educational priorities such as Fair Start, or other areas had been considered for inclusion,

and what the role of Council would be in considering its primary policy decisions over the coming years.

The DoFCS indicated that she would welcome discussions with Council on the organisational priorities and other initiatives, including the Fair Start Programme and the Independent Review of Education and how these would be catered for (either in terms of within the existing budget allocation or additional funding being provided).

It was recognised that there was a need for a discussion on how CCEA was funded moving forwards. The DoFCS stated that there was also limited scope for income generation, including fees (with CCEA continuing to be the cheapest provider of examinations in the UK).

The Interim Chief Executive concurred and suggested that Council have more input into shaping priorities and that perhaps this could be on the agenda for the December Council development sessions.

The Chair thanked members for their input and advised that this would be an item for continuous discussion moving forwards.

For Approval

Discount Options for Summer 2021 Charges

C/146/11

The DoFCS drew attention to the information at paper C/146/11 and gave an overview of the options and financial considerations to offer a discount of 75% (which has been factored into the October monitoring round return). She confirmed that the Finance Committee at its meeting on 16 September had discussed and agreed in principle for a discount to be offered, and members had recommended this to come forward to Council for final consideration/ratification.

Members were content to approve, in principle, the option for a discount to be offered to centres, following the completion and approval of a Business Case.

9 Any Other Business

A Council member raised the possibility of moving to face to face meetings in the near future. The Chair agreed to consider the request.

10 Date of Next Meeting

The Chair confirmed that the informal briefing scheduled for Thursday 28 October would be stood down and would consider conducting the Council meeting on Thursday 25 November face to face in adherence to government guidelines and also CCEA's safe return to work guidance.

He confirmed that, if possible, the Council December sessions would be conducted face to face, adhering to government guidelines.

11 Below the Line Business

The Chair asked members to note the ratified minutes of the Finance Committee held on 20 May 2021, and the Audit and Risk Assurance Committee held on 15 June 2021.

This concluded the formal business meeting.

The Chair thanked members and officers for their contributions to the meeting.

