



Guidance for Results Days in 2020

NEU + NAHT



Coronavirus crisis
Workplace checklist



In any normal year there can be great anxiety for students, parents, carers and education staff in and around results day. This year will be no different but will have the added complexity of the extraordinary situation for awarding grades, appeals and entries into the autumn series.

This document is intended as guidance to help members consider their options for dealing with issues which may arise. This document cannot offer definitive advice on issues relating to data protection or legal matters; these will require schools and colleges to seek the assistance of the relevant data protection or legal professionals, in line with their usual policies and procedures.

Handing out results

A key thing to note for this year is that the embargo on handing out results has moved to 8am and no students should have access to their results before this time. Previously, results could be handed out from 6am but this is no longer allowed.

Given the varying public health situation across the country, a key decision for schools and colleges will be how to organise results days. There are several options available:

- Giving out results in person. Suitable spaces organised to maintain social distancing and members of staff available to support and advise those students who need it.
 - The benefits of this approach are that students can be congratulated in person on their achievements and it could help to provide some level of closure on the year that may have been missed during lockdown.
 - The challenges of this approach one that it may necessitate more staff than usual and it may be difficult to prevent groups of students gathering together and therefore maintain social distancing.
- Giving out results via post or email and planning for students to arrange a time to meet, in person or virtually, with a member of staff if they need help and advice on their next steps.
 - The main benefit of this approach is that the challenges of social distancing and following public health requirements are largely avoided.
 - There may be a logistical challenge with many students wanting to speak to a member of staff and this approach may necessitate staff being available for appointments with students over several days.
- A hybrid version with some students invited in to collect their results in person and others receiving their results by post or email.
 - The positives of this approach is that it allows flexibility and for appropriate responses to the situation individual students find themselves in.
 - One challenge with this approach is that it is likely that schools will invite in those students whose results are not as good as predicted in order that they can talk through their options and be supported by staff in deciding their next steps. Students will realise this, so receiving an invitation to come into school on results day may mean they experience increased worry and stress.

Sharing Centre Assessed Grades (CAGs) and rank orders with students

The grades students receive on results day will be their calculated grades – the grades the exam board has calculated after applying Ofqual’s standardisation procedure to the CAGs, and rank orders submitted to them by schools and colleges.

It is possible that a student’s result in a subject may be different to the CAG your school or college submitted to the exam board. Students may wish to know their CAG, particularly if they are disappointed with a grade. As has always been the case, **CAGs or rank orders cannot, under any circumstances, be shared with students, parents, carers or anyone outside the school or college before results day.** Doing so would constitute malpractice and could lead to an investigation from the exam board.

However, after considering the legal issues, DfE and Ofqual have said that under the EU General Data Protection Regulation (GDPR) and the UK Data Protection Act (2018) students have a legal right to know the grades that the school or college submitted, after results have been issued, via a Subject Access Request (SAR). Although there may have been an impression that these grades would remain permanently confidential, neither DfE nor Ofqual can supersede the law with any decisions they take and so this is something schools, colleges and education staff should be prepared for.

Depending on what is asked for, a SAR may require a school or college to give students access to all data and information relating to them and their CAG. This could be a significant burden for schools and colleges when, in many instances, it is possible that the student only really wanted to know the CAG that was submitted to the exam board.

It would therefore be sensible to plan for what to do if a student asks to know their CAG on or after results day, as it could avoid the lengthier process of preparing all documents, data and emails relating to the student and their CAG. For school and college leaders, this is an opportunity to put a plan in place and communicate this clearly to teachers, lecturers and other education staff. Your school or college should, have or have access to, a Data Protection Officer (DPO). It is strongly advisable to talk to your DPO (if your school or college does not have their own you should have access to one in your local authority or trust) in advance of results day, in order to ensure you are compliant with data protection law and that all staff know what they need to do.

Individual members of staff should not be expected to deal with any type of request for information themselves, even if they are the one who taught the student in question. It is the responsibility of the school or college to provide the information to the student, not of the individual member of staff. To avoid putting staff in a potentially awkward position and to ensure a consistent approach, it would be advisable to ensure all staff know who to pass a request on to, in advance of results day and to prepare for how the school or college will respond. This could include preparing a template letter or email to ensure students’ requests are responded to in a consistent manner.

It is important to know what specifically the student has asked for, in order to be able to accurately fulfil the request. If students make a SAR, the law requires that they are made in writing so staff will be able to pass this on. If they simply ask for their CAG and/or rank order verbally it may be prudent to ask staff to write down what was said. Make sure all staff are clear about the specific information to pass on, such as whether the CAG or rank order was asked for and in which subject or subjects.



There is a further complexity with the rank orders that were submitted in each subject: in giving information to students, schools and colleges must be sure that this does not reveal information about other students. In most circumstances it seems reasonable that telling a student what their CAG was should not reveal information about other students.

However, given the size of the cohort in any given subject, there may be circumstances in which revealing the position in the rank order that a certain student was placed, may reveal information about the rankings of other students. An extreme example would be any subject for which the centre has only entered two candidates. Revealing the rank order of one of the candidates would enable that candidate to easily deduce the rank order of the other.

This is something that would need to be considered on a case-by-case basis. The law is such that if it does not reveal information about other candidates then it is a student's right to know that information, if they ask for it.

The Information Commissioner's Office (ICO), which is the UK authority who deal with matters relating to data protection, have prepared guidance which gives factual information about how this year's extraordinary circumstances relate to the law.

This guidance can be found [here](#).

Appeals

The way in which appeals are made should be no different to any normal year. Schools, colleges, students and staff should know the process for making appeals and how to contact the relevant exam board.

However, as there were no exams and therefore no marking to be reviewed, the grounds for appeal are different this year. [Ofqual](#) have said that appeals can be made by schools and colleges:

- ❑ if they believe something has gone wrong in processing their results – for example, if a centre believes it has made an error when submitting its information; or similarly, that an exam board made a mistake when calculating, assigning or communicating a grade.
- ❑ if they can evidence grades are lower than expected because previous cohorts are not sufficiently representative of this year's students

They have said that examples of evidence that previous cohorts are not sufficiently representative of this year's students include:

- ❑ if a single-sex school has changed to co-educational
- ❑ if the centre has had a significant change in leadership or governance and can provide objective evidence that its previous grades are not a reliable indicator of its 2020 results
- ❑ where a centre experienced a monumental event (flooding or fire which meant students has to re-locate) which affected one year's results in the historical data used in the model
- ❑ or where – because of the ability profile of the students - a centre was expecting results this year to show a very different pattern of grades to results in previous years. That could include where the grades of unusually

high or low ability students [have] been affected by the model because they fall outside the pattern of results in that centre in recent years. In most cases, this will only be apparent by reviewing centre wide data. Therefore centres, rather than individual students, will be best placed to consider whether this has occurred

Appeals cannot be made against the grade submitted by a centre (unless an error was made and the grade submitted by the centre was not the one it intended, in which case an appeal could be made under the first bullet point above).

In order for schools and colleges to know whether or not the standardisation model was applied accurately or produced results that are representative of this year's cohort, exam boards are required by Ofqual to provide, upon request, the information used to calculate the result. They must do so in enough time to allow students, schools and colleges to consider whether to make an appeal.

Full information about what exam boards should use to calculate the results can be found [here](#).

As in normal years, exam boards are permitted to charge for appeals. The appeals cannot be made by individual learners but must be made by the school or college.

The deadline for appeals is 17 September.

Autumn Series

There will be an opportunity for students who were entered in the 2020 summer series to sit exams in autumn 2020, should they wish. The school or college in which they would have sat the exam, had it taken place in the summer, is responsible for entering students. [Guidance](#) from DfE states that alternative arrangements can be made between centres where, for example, a student may have moved since the summer series.

It appears that exam boards will charge fees for entries to the autumn series. Exam boards are refunding a proportion of the fees paid for this summer's entries and it is hoped that any refund should be sufficient to cover additional entries in the autumn. We are continuing to push DfE to ensure that schools and colleges do not incur costs for the extraordinary autumn series that are greater than any rebates from the exam boards, and that if they do, these costs are reimbursed by government.

The deadline for entries for AS and A-Levels is 4 September, with exams due to start from 5 October. The deadline for entries for all GCSEs except English Literature and maths, is 18th September. English literature and maths GCSE entries can be made until 4 October. GCSE exams will begin on 2 November.

Schools and colleges will need to consider the number of students sitting exams in the autumn and plan how this will operate alongside the timetable for the rest of their students, in the context of the potential health and safety measures that will need to be in place.

University entry for 2020 A-Level students

The fact that A-Level students will be able to sit exams in the autumn series if they are not happy with their results this summer has potential impacts for those with a place at university. The results for A-Levels taken in the autumn series will be issued before Christmas and so we have been asking whether universities will take in students, who choose to sit in October, onto their courses in January.

Our understanding is that universities' decisions may vary by institution, by department and by individual course. We understand that many universities think it would be problematic for students to start an undergraduate programme in January 2021, however this will not always be the case, so we would advise students to make contact with their prospective university before making the decision to sit exams in October.