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Consultation Document

Teacher assessment: strengthening arrangements to improve reliability, consistency and confidence

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Action required: Responses by 6 March 2015

Teacher assessment: strengthening arrangements to improve reliability, consistency and confidence

- Overview** The purpose of this consultation is to seek views on the following potential changes to improve reliability, consistency and confidence in teacher assessment. The proposals cover whether, and how, to:
- require local authorities (through regional consortia) to improve the application of teacher assessment
 - strengthen the existing system of cluster group moderation by introducing a statutory requirement for all schools at Key Stages 2 and 3 to participate
 - extend the existing system of cluster group moderation at Key Stages 2 and 3 to include the Foundation Phase
 - introduce a new system of external verification for Key Stages 2 and 3.
- How to respond** Responses to this consultation document should be e-mailed/posted to the address below to arrive by **6 March 2015** at the latest.
- Further information and related documents** Large print, Braille and alternate language versions of this document are available on request.
- The consultation documents can be accessed from the Welsh Government's website at www.wales.gov.uk/consultations
- Contact details** For further information:
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Data protection

How the views and information you give us will be used

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

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1. Introduction

Assessment is a process that helps focus the attention of students, parents, teachers, school leaders and policy makers on what matters most in an education system: the learning. Assessment of students is essential to measure their individual progress and performance and plan further steps for improvement of teaching and learning¹.

Assessment helps teachers. Assessment helps learners. Assessment also helps give the Welsh Government information on how learners are progressing during their school journey. There are different purposes and benefits of both formative and summative assessment.

Formative assessment focuses on the learner's achievement and on the ways in which they can move forward, rather than on the Foundation Phase Outcomes and National Curriculum Level Descriptions. Formative assessment is not something that could or should be regulated, but should be focused on the learner, their goals and their developmental steps. Through this, teachers gain a detailed knowledge of individual learners' strengths and of the areas that need further intervention and support which can then be included in future planning. Research supports the benefits of using formative assessment successfully². Formative assessment is an important feature of the current national curriculum, and essential to the delivery of the National Literacy and Numeracy Framework (LNF).

Statutory end of phase and stage assessment gives us an overview of the attainments of individuals and groups at that point in time. Through the measures, i.e. the Foundation Phase Outcomes and National Curriculum Level Descriptions, we can see the types and range of performance that learners working at a particular outcome or level should demonstrate. These measures are neither designed for day-to-day use with learners nor for the production of half-termly or termly data. They allow for checking progress at regular, reasonable intervals, give us a Wales-wide picture of progress (through its contribution to the National School Categorisation System) and provide robust, rounded data for transition from primary to secondary schools.

Following the publication of *Learning Pathways through statutory assessment: Key Stages 2 and 3* (Daugherty et al, 2004), Wales moved away from a test-based methodology of assessing learners to one based on teacher assessments against the above measures. We believe that this is the right way for learners to be assessed. However, confidence in the system depends on being able to trust that the assessment process is applied consistently and with common understanding of the Foundation Phase Outcomes and National Curriculum Level Descriptions.

¹ *Synergies for Better Learning: An International Perspective on Evaluation and Assessment*, OECD Reviews of Evaluation and Assessment in Education, OECD Publishing, Paris, doi: 10.1787/9789264190658-en.

² 'Assessment and classroom learning', P. Black and D. William (1998) *Assessment in Education*, Vol. 5 (1), pp.7–74.

Research that we commissioned in 2012 shows that while the current teacher assessment system in Wales has in place all the main components that high-quality teacher assessment systems across the world use, we have not yet achieved the level of proficiency required³. This is despite significant investment into teacher assessment. Evidence from schools, local authorities, workforce unions and Estyn shows considerable scope for improvement of the sector's confidence in the quality, consistency and reliability of assessments.

In response to this evidence, and in order to improve confidence in the current teacher assessment system, we propose to make some adjustments to the current system. A programme of work is being developed to add consistency and reliability into the system. It will draw on, and learn from, the lessons of previous work and international evidence. This proposed programme of work is supported by a number of documents: some have already been published (e.g. an end-to-end process for teacher assessment)⁴ whereas others will be drafted at a later date and influenced by the consultation outcomes.

The end-to-end process has been developed and co-constructed with regional consortia to show how we expect the teacher assessment process to work. In many cases, this is already typical; however in others it is less secure. A new, or more accurately, reinstated element of this is external verification (formerly external moderation).

Since March 2014, Professor Graham Donaldson has been conducting a fundamental review of curriculum and assessment arrangements in Wales from Foundation Phase to Key Stage 4. The independent review's report, due to be published early in 2015, will contain a new and clearer vision for education in Wales, from Foundation Phase to Key Stage 4. While we expect that the independent review will make far-reaching recommendations, we anticipate that the principles of standardisation, moderation and verification outlined in this document will be maintained, irrespective of the assessment model in operation.

³ *Transition from primary to secondary school: Current arrangements and good practice in Wales*, Robat Powell, Robert Smith, Gareth Jones and Angharad Reakes, Research Report, October 2006 and *An investigation into Key Stages 2 and 3 teacher assessment*, Australian Council for Educational Research (ACER), June 2013.

⁴ <http://learning.wales.gov.uk/resources/browse-all/process-for-teacher-assessment/?lang=en>

2. What is this consultation about?

This consultation seeks views on proposals for making the teacher assessment model more reliable and consistent, which will in turn build confidence in the system itself. Specifically it seeks views on the following.

School improvement

- From the 2015–16 academic year, to make regional consortia responsible for overseeing moderation, ensuring reliability and improving confidence in teacher assessment.

Cluster moderation

- From the 2015–16 academic year, to introduce a statutory requirement for all maintained schools to participate in cluster group moderation. This will add rigour and robustness to the school-based moderation.
- Whether to extend the cluster group moderation, in some way, to include the Foundation Phase.

External verification

- From the current academic year, i.e. 2014–15, to introduce a new system of external verification to cover Key Stages 2 and 3 and whether cooperation with such a system should become statutory.

This consultation also seeks to provide clarity and consistency in the Welsh Government terminology used in the teacher assessment process. The working definitions used in this document are as follows.

- **Standardisation** – using samples of the work of the same learner or of different learners to enable teachers to reach judgements on levels of attainment through a shared understanding of the characteristics of a level to ensure consistency in those judgements.
- **Moderation** – the next stage, where the best-fit teacher assessment judgement made in relation to a particular learner is evaluated and confirmed by teachers and schools' leaders. This process needs to take place within the school prior to cluster and wider moderation activities.
- **Verification** – a process whereby someone independent of the process confirms whether the overall teacher assessment of a learner in particular Areas of Learning or subjects is accurate and consistent with national standards and best-fit principles and if not, how the school must change it. Verification helps to ensure fairness, accuracy and consistency across the system.

3. What is the current position?

Following the implementation of recommendations from the Daugherty Review Group's report (2004) and the introduction of the revised school curriculum in 2008, the Welsh Government moved away from statutory testing as the main means of assessing learners. Instead, assessment and reporting has been mainly based on teachers' assessment of learner attainment at the end of the Foundation Phase and key stages.

The approach taken requires teachers to make judgements using Foundation Phase Outcomes and National Curriculum Level Descriptions for each Area of Learning or subject respectively. The Foundation Phase Outcomes and National Curriculum Level Descriptions are not related to a particular phase or key stage but describe the types and range of performance that learners working at a particular Outcome or level should characteristically demonstrate.

Since the move to a teacher assessment-only model of statutory assessment in Wales, there has been significant investment in work to increase the reliability and consistency of teacher assessment, primarily focused on end of Key Stage 3, but more recently looking also at Key Stage 2.

Schools and local authorities annually receive detailed guidance published by Welsh Government, which concentrates on the importance of robust systems and procedures to ensure an agreed and shared understanding of national curriculum standards both within and between schools⁵.

Local authorities have statutory accountability for school performance and they have statutory powers of intervention and organisation of schools. These are detailed in the School Standards and Organisation (Wales) Act 2013⁶. Headteachers of maintained primary and secondary schools (mainstream and special schools) have a duty to ensure effective delivery of the national curriculum statutory assessment arrangements.

Local authority role in teacher assessment

Local authorities – through a variety of working arrangements – have practical arrangements to oversee or participate in the moderation process and support schools in the teacher assessment process.

This process has a more regulated framework where, in the opinion of a headteacher, a learner has (or probably has) special educational needs which are such that the local authority would be required to determine the special

⁵ [Statutory assessment arrangements for the end of Foundation Phase and Key Stages 2 and 3 \(2014\)](#)

⁶ Full descriptions of grounds for intervention are listed in the School Standards and Organisation (Wales) Act 2013 to be found at:
www.legislation.gov.uk/anaw/2013/1/contents/enacted

educational provision that should be made for them, and whether it might be appropriate to give a special direction.

Cluster group moderation: present arrangements

Currently, cluster group moderation is not a legislative requirement. Nevertheless the majority of schools participate in cluster moderation. Foundation Phase practitioners do not usually take part in cluster group moderation activities.

External verification: present arrangements

Presently, there is no system of external verification of sampling of learner profiles. However, between 2005–06 and 2011–12 the WJEC delivered a rolling programme of external verification and moderation for schools which consisted of:

- external verification of end of Key Stage 3 assessment in secondary schools covering all core and non-core subject departments
- a pilot to develop a programme of external verification for end of Key Stage 2 assessment, working with secondary school-led cluster groups
- a pilot of Key Stages 2 and 3 cluster group external verification, providing moderation of assessments of learners' attainment in English, Welsh and Welsh second language.

No independent evaluation of the above activity was carried out. However, the lessons learned from the pilot activities have been considered as part of planning for national implementation of an external verification programme.

End-to-end teacher assessment process

In December 2014 a clear end-to-end teacher assessment process reflecting the best practice was published to strengthen stakeholders' knowledge and understanding of the principles of teacher assessment.

The end-to-end teacher assessment process was co-constructed with the regional consortia and in consultation with Estyn. The purpose of this is to address the different approaches to teacher assessment by making the overall requirements and guidance as accessible as possible. This process forms a response to the Estyn recommendations regarding how level descriptions are applied consistently within teacher assessment.

Currently, regional consortia have a variety of procedures laid down to ensure moderation of teacher assessment within their respective areas. For instance, following a cluster moderation process, at least one consortium expects individual reports to be provided to each school, drawing attention to good practice as well as areas for improvement. An overall report, identifying good practice, was sent to the schools and local authorities within that consortium too. The role and involvement of local authority representatives in the end-to-end process also varies by consortium.

Review of the national curriculum and assessment arrangements in Wales

Professor Graham Donaldson is leading a comprehensive and independent review of the national curriculum and assessment arrangements in Wales. Following his review, Professor Donaldson will put forward recommendations for a clear vision for education in Wales, from Foundation Phase to Key Stage 4, linking directly to Wales' new qualifications system. The system of assessment in Wales from Foundation Phase to Key Stage 3 is part of this review.

While the system of assessment may change following the review, the proposals contained in this consultation document are unlikely to be affected by any such changes. Therefore, it is still appropriate to consult on these proposals.

4. Why are we proposing change?

Evidence for change

The assessment system for learners in Wales must be as consistent, reliable and dependable as possible, and it should have the full confidence of the education sector, parents and carers.

Since the move to a teacher assessment-only model of statutory assessment in Wales, there has been significant investment in ensuring reliability and consistency of assessment at the end of Key Stages 2 and 3.

Nevertheless, the feedback from the sector demonstrates that more is needed to improve the reliability and consistency of teacher assessment. For example, Estyn's report *Evaluation of the arrangements to ensure the consistency of Teacher Assessment in the core subjects at Key Stage 2 and Key Stage 3*⁷ states that the:

. . . evidence from school inspections across Wales consistently indicate that about a quarter of schools inspected each year has shortcomings in aspects of assessment.

Another, more recent, report by Estyn⁸, *The Annual Report of Her Majesty's Chief Inspector of Education and Training in Wales 2012–2013*, confirms that:

The most common recommendation in inspection reports is about the need to improve assessment, with nearly 40% of schools inspected having this as a significant area for improvement.

In light of these concerns, and as part of an investigation into the fitness for purpose of teacher assessment at Key Stages 2 and 3, the Australian Council for Educational Research (ACER) was commissioned to undertake research into, and an evaluation of, existing Key Stages 2 and 3 teacher assessments in Wales⁹.

ACER noted that, overall, the current assessments were judged to reflect accurately the actual ability of the learner. However, ACER observed that there were differences in the opinions of the local authorities, cluster coordinators, and the secondary and primary schools. They also observed that although the current teacher assessment system in Wales has all of the main components of high-quality teacher assessment systems, it had not yet achieved the level of functioning required. ACER recommended that the teacher assessment process needed further improvement to achieve the desired level of quality, consistency and reliability.

⁷ Published by Estyn, March 2010.

⁸ Published by Estyn www.estyn.gov.uk/english/annual-report/annual-report-2012-2013/

⁹ An investigation into Key Stages 2 and 3 teacher assessment, prepared for the Welsh Government by the Australian Council for Educational Research (ACER), and published in June 2013.

5. What specific changes are being proposed?

School improvement

- From the 2015–16 academic year, to make regional consortia responsible for overseeing moderation, ensuring reliability and improving confidence in teacher assessment.

We wish to give regional consortia a key role in improving the confidence in the teacher assessment system.

Their participation in cluster moderation meetings, for instance, would provide an external perspective, with knowledge of how standards are being applied across the regional consortia, thus providing additional assurance of reliability. Moreover, if they were to report annually on the application of teacher assessment in their area, this information could be used to better inform schools for the next standardisation cycle as well as identify professional learning opportunities.

We have the option to legislate in this area by placing a specific duty on local authorities to report annually on the teacher assessment system in their area through the annual local authority prospectus. This would include information on how teacher assessment was carried out, how judgements were reached and note the key areas for improvement within that cluster for the following year. However, this would place a new and separate reporting and administrative burden on regional consortia and schools.

Another option would be to use an existing, non-legislative means to deliver the same objective. The *National model for regional working* provides a way for us to include improving teacher assessment within the annual regional consortia business plans. While not statutory, the model is a binding agreement to jointly construct a model for regional working that delivers efficient and effective school improvement services. One of the key elements within that model is the annual business plan, which is agreed by all local authorities within the regional consortia and signed off by the Minister for Education and Skills by the end of March every year. This business plan also provides a report summarising the performance of the schools in the consortium over the previous 12 months and the priorities for improvement. Some of the business plans for 2014–15 do include a commitment to improve standards of teacher assessment, but this is not consistent across all regional consortia.

On balance, we believe that we should initially use the national model as our vehicle for this objective. It is open, transparent and can meet our policy aims. We would review how well this works and would reserve the right to legislate at a later point, if we conclude it is required. With that in mind, it would be sensible and productive for the Welsh Government to provide guidance which lays out parameters and a framework for reporting. This will reflect upon the findings from the ACER report referenced in the previous section, as well as advice from the regional consortia. This will help to show rigour and give some consistency of approach across the regional consortia.

We therefore propose to include monitoring and improving standards of teacher assessment as a specific component of the business plans **from 2015–16**.

Question 1 – Do you agree with the benefits of requiring regional consortia to place the improvement of teacher assessment within the annual regional consortia business plans (as per the national model for regional working) from 2015–16?

Question 2 – Do you agree that we do not presently need to place a statutory specific duty on local authorities to provide a separate annual report?

Cluster moderation

- From the 2015–16 academic year, to introduce a statutory requirement for all maintained schools to participate in cluster group moderation. This will add rigour and robustness to the school-based moderation.

We propose that the current system of cluster moderation at Years 6 and 9 (i.e. end of Key Stages 2 and 3) should be given a stronger statutory underpinning and brought into closer connection with school-based moderation. Decisions at cluster level must then be taken into account in the participating schools' own moderation.

To further strengthen the system, we envisage making a duty for headteachers and/or relevant senior staff to take part in the moderation of portfolios at each cluster moderation meeting. As well as providing an informed input to moderation discussions, this should also help to balance out discussions in cluster groups and avoid any one party monopolising decision making. Headteacher participation will ensure that all issues are resolved to mutual satisfaction and agreement. This system would also provide opportunity for local authorities (acting through regional consortia, which will be represented at cluster meetings) to monitor the process.

All primary schools (including those which feed into several secondary schools at the end of Key Stage 2 and thus do not have a principal secondary school) will be required to participate in cluster arrangements. If the intake of learners from one primary school is split between a number of secondary schools, to comply with the statutory participation requirement it will be up to the primary school to choose which cluster moderation meeting to attend, but it will usually be the cluster meeting where the majority of the intake is.

This will ensure that a consistent approach to teacher assessment is being undertaken by all primary schools and will support the generation of more reliable assessment data. It will also improve the dialogue between primary and secondary schools regarding the application of teacher assessment, which will in turn benefit the transition process between Key Stages 2 and 3.

Question 3 – Do you agree that statutory participation in cluster group moderation from 2015–16 will benefit teacher assessment reliability?

Extending the cluster group moderation to include the Foundation Phase

- To extend the cluster group moderation, in some way, to include the Foundation Phase.

We are investigating whether it would be worthwhile to extend the system of cluster moderation to include the Foundation Phase. Pending the outcome of this consultation, we would construct, again with regional consortia, an agreed process to assure the reliability and accuracy of end-of-Foundation Phase teacher assessment outcomes. This could be done on a voluntary basis or, later, through statutory guidance.

The process would require Foundation Phase and Key Stage 2 practitioners to attend and take an active part in cluster moderation meetings once a year. There will be many questions around the specific details, such as what this will include, how this might be designed, who this will involve and how this might work in different settings. These will need to be developed as part of the process. At this stage, we are seeking views on whether you agree in principle to the proposal. However, if you wish to provide evidence which can be considered as part of the development process, please use the form provided to do so.

Question 4 – Do you agree, in principle, that cluster group moderation should be extended to include Foundation Phase?

External verification

- From the current academic year, i.e. 2014–15, to introduce a new system of external verification, to cover Key Stages 2 and 3.

Currently, there is no external oversight or verification of the teacher assessment process although regional consortia sometimes provide some external input within their region.

We are proposing to introduce a new system of external verification through random and targeted sampling of learner profiles across Wales. Selected schools will be asked to provide learners' work (randomly selected by the verifier) for verification purposes. We are interested in your views on making use of both random and targeted sampling in this way.

The rationale behind this system is that it will provide some independent external overview of the teacher assessment process, allowing an additional layer of rigour, and is also intended to provide additional feedback to schools on how the assessment process has been applied. This will generate an increased understanding of the teacher assessment process, particularly if the

system changes following Professor Donaldson's report on the curriculum and assessment arrangements.

Under the proposed model, an organisation (independent of the local authority involved in cluster moderation) would be procured by the Welsh Government to coordinate and oversee the verification of the teacher assessment process, with schools and local authorities being required to support and participate. The external organisation will work on behalf of the Welsh Government to:

- perform external verification on a sample of evidence of learner attainment at different national curriculum levels, provided to them by schools from a random sample of learners
- report on the verification process to those schools, allowing schools to review scores if necessary
- report on the verification outcomes by relevant subjects, noting, for instance, how the level descriptions were applied, any trends in their application, and any lessons that should be applied for the next cycle of teacher assessment.

We believe that this process will provide useful information for clusters, as well as to all schools in terms of lessons learned in the short and longer term. For instance, there are clear subsequent benefits to be gained in terms of identifying opportunities for professional development as well as the additional verification of the application of teacher assessment.

Since all parties have something to gain from this process, we do not propose to legislate on this at this stage. We propose to begin the first round of this process in 2014–15 (the current academic year) assuming that clusters will consent to be part of this. If the evidence shows that participation isn't strong enough to allow for a sturdy external verification process, only then will we legislate to require schools' participation.

Question 5 – Do you agree that the teacher assessment standards will be improved by introducing a new system of external verification from 2014–15?

Question 6 – Are you content for this model to commence in 2014–15 on a consensual basis, with legislation to follow only if required?

Legislation

It is proposed that the statutory element of the suggested changes will be brought forward through the introduction of relevant subordinate legislation.

Statutory element

- From the 2015–16 academic year, to introduce a statutory requirement for all schools to participate in cluster group moderation at Key Stages 2 and 3.

It is proposed that non-statutory elements of the suggested changes will be effected through relevant statutory guidance (based on School Standards and Organisation (Wales) Act 2013, and subject to the terms and exceptions within that Act¹⁰) which the parties will be expected to follow unless they have exceptionally good reasons to deviate from it.

Non-statutory elements

- Placing a requirement within annual regional consortia business plans to monitor and improve standards of teacher assessment from 2015–16, legislating at a later date, only if required.
- Extending the cluster group moderation to include the Foundation Phase.
- Introduction of a new system of external verification from 2014–15, to cover Key Stages 2 and 3 with an expectation on schools to cooperate, legislating only if required.

Publications and guidance

The end-to-end process for teacher assessment has been published to show the expected steps for teacher assessment. In many cases, this represents normal practice, but should help exemplify a consistent process in future. Accompanying good practice guidance will follow early in 2015.

<http://learning.wales.gov.uk/resources/browse-all/process-for-teacher-assessment/?lang=en>

This end-to-end process will be provided to all primary and secondary schools, local authorities and regional consortia. The guidance will provide additional information on the end-to-end process to support and strengthen stakeholders' knowledge and understanding of the principles of teacher assessment. It will articulate clearly the roles and responsibilities for local authorities, regional consortia, schools and teachers in securing teacher assessment, and clarify the procedure which teachers should undertake in forming a judgement of 'best fit' when forming a summative assessment of a learner.

¹⁰ Full description of exceptions is listed in section 35 of the School Standards and Organisation (Wales) Act 2013 can be found at:
www.legislation.gov.uk/anaw/2013/1/contents/enacted

6. What outcomes do we anticipate?

By introducing the proposed changes we are seeking to achieve the following outcomes.

Main outcome

- A more rigorous system of teacher assessment as a key means of measuring learners' progress by building up confidence in its reliability and consistency.

Monitoring and improving standards of teacher assessment with regional consortia business plans

- Improved consistency and application of teacher assessment through regional consortia expectations to improve the reliability of teacher assessment.

Statutory school participation in cluster moderation at Key Stages 2 and 3

- Greater alignment with school-based moderation by strengthening teacher assessment at end of Key Stages 2 and 3.
- Consistent application of agreed standards by individual teachers after primary/secondary cluster group moderation meetings.

Extension of cluster moderation to include the Foundation Phase

- Improved confidence in the accuracy of end-of-phase teacher assessment outcomes at the point of transition between the Foundation Phase and Key Stage 2.

Introduction of external verification

- An established system to continually improve and maintain teacher assessment standards based on random and targeted sampling of learner profiles for Key Stages 2 and 3.