

Rt Hon Gavin Williamson, MP
Secretary of State for Education
Sanctuary Buildings
20 Great Smith Street
London
SW1P 3BT

19th May 2020

Dear Rt Hon Gavin Williamson MP,

Equality considerations in relation to exceptional arrangements for exam grades and assessments in 2020

We hope this letter finds you in good health during this Covid-19 crisis.

On the 2nd of April 2020 a coalition of race equality organisations, including the Runnymede Trust, Race on the Agenda (ROTA), and several academic experts wrote an open letter to the Secretary of State for Education, Gavin Williamson, urging the Department to send guidance to teachers and schools to ensure accurate assessments of exam grades to minimise disproportionate impact on those who share Protected Characteristics.

This was followed by a letter to Rt Hon Gavin Williamson MP and Sally Collier, on the 29th of April 2020, with recommendations for the Department for Education and Ofqual on measures that could be put in place to ensure fair and accurate exam grading and assessments in 2020.

Both letters dated 2nd April 2020 and 29th April 2020 are enclosed for your perusal. While we are aware that the Department for Education are doing their best in these exceptional circumstances, we continue to be concerned that equalities issues are not given their due consideration. We are pleased to have been contacted by Ofqual in response to the letter dated the 29th of April, and the Runnymede Trust and ROTA had an e-meeting with several members of staff from Ofqual on (date). We are, however, concerned that we have had no response to either of the letters from the Department for Education.

We are pleased that following our meeting, Ofqual have taken on board some of our recommendations on how centres can fulfil their obligations under the PSED. The Ofqual guidance for centres on objectivity in grading and ranking now includes our recommendation on how centres could use data from previous years to help identify potential bias. However, we do still have concerns about most centres' understanding about how the equality duty must be applied in these exceptional circumstances and feel the guidance and information provided by Ofqual is not sufficient to ensure compliance with the duty. We believe DfE is better placed to provide centres with such guidance. To that end, we once again urge DfE to remind schools of their equality duty and to:

1. provide centres with guidance on carrying out an **equality impact assessment before CAGs are calculated**. This would enable centres to identify any systemic bias and disproportionate impact within the centre on those who share protected characteristics or socio-economic disadvantage in comparison to those who do not and **take steps to mitigate any disproportionate impact**. This should include,
 - an analysis of the difference between the grade attained and the predicted grade by the centre for each subject for 'A' Levels in the past 3 to 5 years between pupils who share particular protected characteristics and those who do not share the characteristic;
 - an analysis of all relevant data available to the school disaggregated by protected characteristics i.e. staff composition; complaints by staff or pupils relating to discrimination, harassment or bullying; composition of pupils; exclusions, both formal and informal;
2. provide guidance to centres on undertaking statistical **checks to test for bias and disproportionate impact after CAGs have been calculated and take steps to mitigate such impact**. This could include checking whether the ranking and the grade calculated by the centres for each subject this year is significantly different to at least the previous three years for those who share protected characteristics and / or on Free School Meals (FSM), in comparison to those who do not share protected characteristics and / or on FSM.

We appreciate the time pressure under which the Department for Education is currently operating. However, we believe you will agree that equalities consideration cannot be ignored especially in these extraordinary and difficult times.

Thanking you,

Yours sincerely,

Poornima Karunacadacharan
Senior Policy Officer