

Department for Education
Primary Assessment and Accountability under the New
National Curriculum
11 October 2013

1. The NASUWT welcomes the opportunity to comment on the Department for Education (DfE) consultation on primary assessment and accountability under the new National Curriculum.
2. The NASUWT is the largest teachers' union in the UK representing teachers and school leaders.
3. The NASUWT's response examines the specific proposals set out by the DfE in the consultation document. In particular, attention is focused on the implications of proposals in relation to:
 - the implications for statutory and internal school assessment of the removal of level descriptions from the National Curriculum;
 - planned changes to the way in which individual pupil attainment and progress should be reported;
 - the assessment of pupils on entry to primary education and the role of this assessment in the development of pupil progress indicators;
 - the continued use of floor targets in the primary accountability framework;
 - the ways in which school-level data and information should be reported publicly, including the publication of performance tables;and

- ensuring that systems of school accountability recognise the achievements of all pupils.
4. However, it is critical at the outset that these proposals are placed into an appropriate broader policy context. The NASUWT's response therefore considers the principles upon which effective models of accountability within the education system should be based and the imperatives these principles identify for the future development of the school accountability framework in England.

GENERAL COMMENTS

5. The NASUWT is clear that the establishment of a fit-for-purpose framework of accountability is critical to ensuring that the state education system continues to secure the highest levels of public trust and confidence.
6. It is therefore a legitimate and important function of the Government to review the operation of the school accountability system to ensure that it promotes the highest standards of educational achievement. The Government should also identify and implement reforms to this system in circumstances where it is evident that accountability processes and practices are ineffective in this respect.
7. The appropriateness of the specific intended reforms to the design and operation of systems of school accountability proposed by the DfE is examined elsewhere in this response. However, in order to locate this assessment of the DfE's intended approach within an appropriate context, it is important at the outset to establish the principles upon which coherent and credible systems of school accountability are based, to assess the extent to which these principles are reflected in current policy and practice in England and to identify the basis upon which these principles can best be used to guide future approaches to reform.

8. In its report to its 2013 Annual Conference, *Maintaining World Class Schools*, the NASUWT set out a broad and evidence-based approach to building upon the world-class status of England's state education system in the development of future policy. The report includes an assessment of the implications for educational quality and public confidence in the education system of existing arrangements for school accountability, as well as an evaluation of the potential opportunities that might be generated by the adoption of alternative approaches to accountability to those in place currently.¹
9. In particular, the report examines the extent to which the current model of school accountability in England, based on the use of performance tables and 'floor targets' constructed from a narrow range of pupil performance indicators, alongside a system of punitive and data-driven school inspection managed by Ofsted, has failed to capture the totality of the work that schools, individually and collectively, undertake with pupils, and the benefits that derive from this work for individual learners as well as for the wider wellbeing of the society within which they live.
10. As a result of the high stakes for schools of perceived failure within the framework of school accountability in England, their ability to focus to a sufficient extent on their broader contribution to the development of children and young people's social, cultural, civic and democratic understandings has become constrained to an unacceptable extent. *Maintaining World Class Schools* makes clear that while a substantial focus of the work of the education system should centre on the core and enabling subjects in which pupils must be given effective opportunities to develop their skills and knowledge, it is essential, as authorities such as the Organisation for Economic Co-operation and Development (OECD) recognise, that accountability systems also operate in ways that

¹ NASUWT (2013). *Maintaining World Class Schools*, NASUWT, Birmingham.

complement the work of schools in other critical areas of children and young people's development.²

11. It is evident that the operation of performance tables, data-based floor targets and inspection has created an environment in the education system in England that continues to result in a skewing of the curriculum offered by schools and a disproportionate focus on core subjects. These approaches to school accountability have promoted an increasingly entrenched culture of teaching to the test and have put staff in schools under pressure to target resources at borderline achievers to push them above externally-imposed threshold levels of attainment rather than providing teachers and school leaders with appropriate scope to use their professional judgement and expertise to tailor learning experiences to meet the needs of pupils.³
12. Evidence also confirms that the work of schools in continuing to raise standards of educational progress and achievement is undermined by the operation of the school accountability system as a result of the significant and unnecessary workload burdens and levels of organisational bureaucracy with which it is associated. This feature of the school accountability system in England leads to circumstances within which teachers and school leaders are given fewer opportunities to concentrate on their core responsibilities for teaching and leading teaching and learning or to make effective use of their professional judgement and expertise to meet the needs of learners.
13. The results of *The Big Question*, a major survey of over 15,000 teachers and school leaders undertaken by the NASUWT during March and April 2012, established that internal school processes associated with the accountability system, such as record keeping and the management of unwieldy and burdensome internal target setting practices, were cited

² *ibid.*

³ *Ibid.*

most frequently by respondents working in the primary sector as causes of excessive workload.⁴

14. The deliberate focus of the current school accountability regime on performance at individual school rather than system level, reflects an ideological view, wholly unsupported by evidence, that competition between schools, undertaken in the context of a quasi-market for educational services, is the most effective means of securing the highest possible standards of progress and achievement for all pupils.
15. This understanding of the purposes of the school accountability system not only neglects the status of education as a public good, it also militates against securing the levels of collaboration between schools and other settings essential to ensuring that expertise is shared effectively across the education system and that the finite public resources allocated to education are used as efficiently as possible.⁵
16. The analysis set out in *Maintaining World Class Schools* establishes that the basis upon which schools in England are held to account currently for their activities and achievements is not only ineffective but also promotes a culture in which the focus of attention in relation to the challenges faced by the education system is located disproportionately towards schools rather than on all those with responsibilities for the strategic management and oversight of the education system, particularly ministers and other elected politicians.⁶
17. Given that the specific proposals for reform of the primary school accountability system set out in the consultation document and assessed in detail in this response seek in large part merely to retain or further embed and expand current arrangements for the use of floor targets and

⁴ NASUWT (2012), *The Big Question: An opinion survey of teachers and school leaders*. NASUWT, Birmingham.

⁵ NASUWT (2013), *op.cit.*

⁶ *ibid.*

performance tables, it is evident that their implementation would fail to address the key accountability-related concerns described above.

18. Instead, the DfE should take forward work to recast the primary school accountability regime to address the profound limitations associated with current arrangements and establish an alternative approach, based on evidence and developed with the full engagement of relevant stakeholders. In particular, effective note should be taken of the fact that many of the education systems in other administrations regarded as high performing or fast improving, are able to establish and sustain accountability-related processes that maintain high levels of public confidence and also support system development and improvement without use of the high-stakes floor targets and performance tables that characterise arrangements in England.⁷

19. An objective and detailed review of the models of school accountability used in other education systems could represent a coherent starting point for further debate about the future of the school accountability framework in England. Clearly, such a review would need to take appropriate account of the political, social, economic, historical and cultural contexts within which each of these systems operate. However, a debate established on this basis would allow for consideration of the ways in which accountability systems in operation elsewhere work to engender enhanced levels of parental involvement in the education system, given evidence that the system in place in England, which is justified to a significant extent on the basis that it provides information about school performance to allow parents to make informed decisions about their children's education, continues to fail to secure enhanced levels of parental engagement in the state education system.⁸

⁷ Eurydice (2007), *School Autonomy in Europe: Policies and Measures*, Eurydice European Unit, Brussels.

⁸ NASUWT (2013), *op. cit.*

20. The concern of the NASUWT with current levels of parental engagement and commitment to the state education system reflects its understanding of education as a public good, underpinned by a culture of collaboration rather than contestability, and not as a commodity to be consumed by individual children and their families. As a result, debates about the future of the school accountability system should examine ways in which a more effective balance can be struck between accountability at school, local and system levels. Critically, the recasting of public discourses on school accountability on this basis would begin to address the debilitating and unjustified culture of vilification to which schools and teachers are subject and would instead promote the public valuing and celebration of the education system evident within other high-performing jurisdictions, such as South Korea and Finland.⁹
21. The NASUWT is clear that the development of a system of school accountability based on the principles described in *Maintaining World Class Schools* would address many of the concerns associated with current arrangements and allow for the establishment of an alternative, development-focused model, more reflective of the status of education as a public good and more able therefore to contribute positively to sustaining and raising further standards of educational achievement in England.
22. The NASUWT would welcome the opportunity to continue to explore in greater detail with ministers and relevant DfE officials the broader considerations set out above and to consider ways in which the issues highlighted by the Union in relation to school accountability could inform the development of effective alternative approaches in this critical area of public education policy.

⁹ *ibid.*

SPECIFIC COMMENTS

‘Secondary readiness’ and expectations of pupil performance

23. The NASUWT notes that a guiding aim of the DfE’s proposals is to evaluate and report upon the extent to which primary schools are able to ensure that as many of their pupils as possible are ‘secondary ready’ by the time they leave. The Union further notes that secondary readiness is conceptualised entirely in the consultation by reference to the achievement of defined levels of performance in statutory assessments undertaken at the end of Key Stage 2.
24. Specifically, the DfE maintains that the current national expectation of the performance of pupils on entry to secondary education, National Curriculum level 4, does not ‘guarantee secondary readiness’, as fewer than half the pupils in 2012 who had only just achieved a level 4 at the end of their primary education went on to achieve five A*-C GCSEs, including English and mathematics, by the end of Key Stage 4.
25. The NASUWT does not accept that the concept of secondary readiness as articulated by the DfE represents a coherent or convincing basis upon which to reform arrangements for school accountability and assessment in the primary sector. In particular, the Union is concerned that limiting definition of the aims of primary education explicitly in terms of pupil performance in assessments in a narrow range of subjects is inconsistent with the DfE’s stated intention that all state-funded primary schools should offer a curriculum that is balanced, broadly based and promotes the spiritual, moral, cultural, mental and physical development of pupils and of society.¹⁰

¹⁰ Department for Education (DfE) (2013a), *The National Curriculum in England: Key Stages 1 and 2 framework document*, (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/239849/PRIMARY_national_curriculum.pdf), accessed on 16.09.13.

26. The use by the DfE of the concept of secondary readiness further suggests a belief that the sole objective of primary education is to prepare pupils for secondary education rather than also to serve as a worthwhile and rewarding experience for pupils in its own right. The NASUWT is clear that this cannot be regarded as an acceptable basis upon which to establish expectations for the performance of primary schools or to set the parameters within which they should be held to public account for their work with pupils.
27. In addition to the unhelpful messages about the aims of primary education associated with the Coalition Government's conceptualisation of secondary readiness, it is also evident that the indicators of pupil performance used by the DfE to establish secondary readiness are highly problematic. In particular, the DfE appears to hold that lower levels of achievement within the level 4 boundary, often referred to as 'level 4c', do not represent an extent of prior pupil attainment adequate to ensure progress to the GCSE-based measure of benchmark pupil attainment at the end of Key Stage 4 referenced above. This position is justified in the consultation document on the basis that pupils with assessed performance beyond level 4c but within the level 4 boundary ('levels 4b or 4a'), or higher, are more likely to achieve the DfE's GCSE threshold performance measure by the age of 16.
28. The NASUWT is concerned that the construction of a measure of secondary readiness on this basis fails to reflect the profound limitations associated with use of National Curriculum sub-levels, such as level 4c, to make sufficiently valid and reliable assessments of pupil progress and attainment. These difficulties were highlighted specifically in the report on National Curriculum reform produced by the DfE's Expert Panel.¹¹ These limitations are emphasised by the fact that almost half of the pupils failing to meet the DfE's proposed benchmark of secondary readiness, level 4b, at the end of Key Stage 2 were able subsequently to achieve five GCSEs

¹¹ DfE (2011), *The Framework for the National Curriculum: A report by the Expert Panel for the National Curriculum Review*, DfE, London.

at grades A*-C, including English and mathematics, by the age of 16. It is therefore legitimate to consider whether, even within the context of the definition of secondary readiness put forward by the DfE, the level of attainment represented currently by level 4b reflects an appropriate threshold measure of pupil performance, particularly for the purposes of school accountability.

29. The Union further notes that the DfE has consulted recently on proposals to replace the use of headline school performance measures based on the proportion of pupils gaining five GCSEs at grades A*-C at the end of Key Stage 4 with an alternative indicator based on attainment in English and mathematics GCSEs and an average point score derived from pupils' performance across eight subjects.¹² These proposed changes to the secondary accountability framework, if implemented, alongside the removal of levels from the National Curriculum, considered in further detail elsewhere in this response, would require the DfE to develop an alternative description of secondary readiness to that set out in the consultation document. This uncertainty about the way in which secondary readiness might be defined in future serves to hinder meaningful consideration of the DfE's proposed approach.

30. The NASUWT is therefore clear that it would be highly inappropriate for the DfE to take forward its proposals to develop reforms to the school accountability regime based on the notion of secondary readiness set out in the consultation document. As part of the consideration of alternative approaches to school accountability advocated in this response, the DfE should work with the NASUWT and other relevant stakeholders to explore more effective means by which primary schools can be held to account for their work with pupils, through which a more coherent approach might be taken to the use of pupil performance data in evaluations of educational effectiveness within the primary sector.

¹² DfE (2013b), *Secondary School Accountability Consultation*, (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/182150/Secondary_School_Accountability_e-con_consultation_document.docx), accessed on 16.09.13.

Assessment without levels

31. The primary National Curriculum programmes of study, published by the DfE in September 2013, confirm that the current system of National Curriculum levels and level descriptions is to be discontinued. The Union notes that this reform to the assessment dimensions of the National Curriculum is justified in the consultation document on the basis that it would give schools greater ability to establish their own ongoing assessment systems rather than make use of approaches based on the levels framework set out within existing statutory orders.
32. Notwithstanding the fact that schools have never been under a statutory requirement to use National Curriculum levels for their own internal assessment purposes, it is the case that schools have tended to make use of the level descriptions set out in the statutory National Curriculum orders for the purposes of non-statutory assessment. This is reflected in the significant adoption in schools of models such as the Assessing Pupils' Progress (APP) programme developed by the previous Government¹³ that incorporate use of National Curriculum levels in formative and diagnostic pupil assessment.
33. It is important to acknowledge evidence that the use of National Curriculum levels for these purposes has been associated with approaches to assessment that teachers identify as supportive of their professionalism and of their ability to make effective use of their skills and expertise to meet the needs of learners.¹⁴ It is therefore not evident, as the DfE suggests, that the existence of a national framework of level descriptions hinders the ability of schools to establish approaches to formative and diagnostic assessment that impede the scope available to teachers to make appropriate use of their professional judgement and expertise. It should also be recognised that levels-based assessment

¹³ Rowe, N. (2010), *Key stage 3 science teacher views of teacher assessment using Assessing Pupils' Progress (APP)*, NFER, Slough.

¹⁴ *ibid.*

systems, including APP, have been associated by Ofsted with effective school-level assessment practice.¹⁵

34. However, it is also clear that the National Curriculum was intended at the outset to be structured in a way that serves to secure an effective relationship between formative and summative assessment, including summative assessment conducted on a statutory basis, through the use of level descriptions as a key element of a coherent national assessment framework.¹⁶ This framework was also intended to support the development of shared understandings about levels of pupil performance between teachers, schools, the Government and external evaluators of school effectiveness.¹⁷

35. The NASUWT recognises that the current levels system has limitations, particularly in relation to the extent to which levels are used to draw comparisons between standards in different subjects or between different domains of learning within subjects, in ways that do not take into effective account important distinctions between different areas of learning incorporated into the National Curriculum framework. The Union also has longstanding concerns that the derivation of levels for Key Stage 2 and Key Stage 3 from distinct programmes of study has resulted in circumstances within which the ability of teachers and others to make meaningful and secure comparisons of pupil attainment between these phases of education is impaired due to the different skills, knowledge and understandings associated with corresponding levels across different Key Stages.

¹⁵ Ofsted (2011), *The impact of the Assessing Pupils' Progress initiative*, (<http://www.ofsted.gov.uk/resources/impact-of-assessing-pupils-progress-initiative>), accessed on 17.09.13.

¹⁶ Department for Education and Science/Welsh Office (1988), *National Curriculum Task Group on Assessment and Testing (TGAT)*, (<http://www.educationengland.org.uk/documents/pdfs/1988-TGAT-report.pdf>), accessed on 17.09.13.

¹⁷ *ibid.*

36. However, while the commissioning of an objective review of the design and operation of levels would represent an appropriate and proportionate response to these concerns by the DfE, the decision to remove levels entirely from the National Curriculum framework risks compromising significantly the coherence and effectiveness of systems of pupil assessment within the primary sector. It should be acknowledged that the incorporation of such an assessment framework within the National Curriculum was identified at the outset as critical to its successful implementation.¹⁸
37. These hazards are illustrated particularly clearly by the confirmation in the consultation document that the DfE will continue to require all eligible pupils to be subject to statutory assessment at the end of Key Stage 2. The NASUWT notes that the DfE intends that the performance of pupils in these assessments, in the absence of National Curriculum levels, should be reported using a system of scaled scores. This specific proposal is considered in further detail below.
38. Nevertheless, in this context, it is important to recognise that the removal of levels would result in a decoupling of the formal system used to report pupils' attainment in statutory assessment from the frameworks used within schools for ongoing assessment, as there would be no descriptors of performance referenced against programmes of study that teachers could use to assess the progress and achievement of pupils.
39. The NASUWT is clear that teachers would have the professional skills and expertise to develop their own potentially effective approaches to assessment in such circumstances. However, the ongoing use of the outcomes of statutory pupil assessment at the end of Key Stage 2 in the school accountability regime is likely to continue to drive assessment practice because schools are likely, as at present, to place significant

¹⁸ *ibid.*

emphasis on monitoring the progress of pupils towards expected attainment levels at the end of their primary education.

40. It is also the case that Ofsted will want to ensure that schools adopt assessment practices that allow inspectors to assess the progress of pupils with direct reference to their likely performance in Key Stage 2 statutory assessment.
41. Schools will therefore be strongly incentivised to adopt internal assessment systems that reference pupil progress against expected outcomes at the end of Key Stage 2. Given the complexities involved in developing internal assessment systems on this basis, it is likely that schools will seek to obtain assessment materials that will fulfil this function from external sources.
42. This is confirmed by evidence from the United States, where schools have acted in this way as a result of changes to mandatory assessment and accountability arrangements that resemble those being proposed by the Coalition Government, specifically in relation to the establishment of curricular frameworks that lack assessment criteria linked to mandatory testing. This evidence also confirms that external moderators of school performance have tended to identify commercially produced sources of assessment information and data as more effective than those produced by schools on an individual or collective basis, particularly those resources that have been developed with or mandated by state authorities. This has intensified pressures on schools to adopt their use. Further, the adoption of commercially produced materials for these purposes has led to increased costs for schools as a result of the relatively high prices charged by suppliers.¹⁹ These suppliers have also sought to maximise their

¹⁹ Mitchell, K. (2012), *'Federal Mandates on Local Education: Costs and Consequences'*, Discussion Brief #8, Centre for Research, Regional Education and Outreach, State University of New York at New Paltz.

revenues by bundling additional curriculum and support materials into their assessment packages.²⁰

43. The intention of the DfE to replicate this model by working with commercial suppliers to 'provide examples of good practice' in a comparable assessment and accountability context to that in place in some jurisdictions in the United States therefore risks similar outcomes in terms of increased costs for a schools, wholly inappropriate reallocations of finite public resources away from pupil-centred activity towards the revenue streams of commercial organisations and declining levels of teacher discretion over approaches to internal assessment.
44. Throughout the DfE's consultation process on National Curriculum reform, the NASUWT has set out consistently its view that a decoupling of frameworks of pupil assessment from the programmes of study on which assessments are based would result in considerable incoherence and impede the ability of schools to ensure that all pupils are able to benefit from an effective and consistently-applied framework of curricular entitlements. It is therefore profoundly regrettable that the DfE has determined that it will persist with this approach to curriculum reform. The Union therefore continues to call on ministers to reconsider this policy to allow for the development of an alternative strategy that supports the ability of teachers to promote high standards through appropriately integrated curricular and assessment frameworks.

Use of scaled scores to report pupil outcomes in English, mathematics and science

45. The NASUWT notes that the DfE intends to continue to require pupils at the end of Key Stages 1 and 2 to be subject to statutory assessment in English and mathematics. The Union further notes that the Standards and

²⁰ Rotella, C. (2013), '*No child left untableted*', *New York Times*, (http://www.nytimes.com/2013/09/15/magazine/no-child-left-untableted.html?pagewanted=all&_r=0), accessed on 19.09.13.

Testing Agency (STA) will be remitted to produce new assessments to reflect the content of the revised National Curriculum by May 2016.

46. In light of the need for the STA to develop a revised grading structure for these assessments, given the proposed discontinuation of level descriptors and the complexities this presents in terms of securing the reliability and validity of these assessments, it is not clear that the timescale established by the DfE for the development of revised assessments will permit adequate testing and piloting. The DfE should therefore set out the basis upon which it has established this timescale to allow for more effective consideration of its proposals in this respect.
47. With specific regard to the reporting of the outcomes of National Curriculum assessments, the NASUWT notes that the DfE intends to develop a scaled score system that will aim to demonstrate whether pupils have met the expected standard in each assessed subject, based on its secondary readiness criteria. The NASUWT further notes that the consultation document cites the use of scaled scores in the tests administered by the OECD for its Programme for International Student Assessment (PISA) as evidence that such an approach is practicable .
48. Although precise details of the way in which scaled scores would be calculated in practice have yet to be set out by the DfE, it is clear that the use of this approach can be problematic given the methodological bases that underpin such systems. As the consultation document notes, the principal aim of scaled scores is to address the practical difficulties associated with seeking to create a series of annual assessments of precisely the same degree of difficulty and to take account of the variation in raw scores at a particular standard of attainment that results from this inevitable feature of test design. However, as Ofqual has confirmed in rejecting the DfE's proposal for the introduction of a system of scaled scores for general qualifications, the methodologies underpinning scaled score systems are highly complex and are particularly ill-suited to the

generation of valid, reliable and readily understandable learner-level assessment information.²¹

49. It should also be noted in the case of the use of scaled scores in PISA that the assessments used in this programme are accessed by a small sample of its target population every three years and are designed specifically to provide assessment information about cohorts of learners, rather than individuals. This is in clear contrast to the system of statutory assessment in England in which assessment is conducted annually to all pupils with the intention of providing pupil-level assessment data. The OECD confirms that its tests are designed to assess the nature and extent of skills and knowledge across populations, rather than to provide assessment information on individual learners.²²

50. As referenced elsewhere in this response, it is essential to consider issues relating to statutory assessment within the high-stakes school accountability context within which these assessments are located. The consultation document confirms that the outcomes of statutory assessments will continue to be used by the DfE and Ofsted to make judgements about the effectiveness of schools. This will continue to involve the establishment of a threshold measure of individual performance, based on the notion of secondary readiness examined above and an expectation on schools that a specific proportion of their eligible pupil cohort will achieve or exceed this threshold measure of performance.

51. The use of a scaled score approach suggests that threshold performance will be articulated with reference to a particular target score, below which pupil performance will be deemed to have not met the expected standard. However, it is important to recognise that all assessments are subject to a degree of reliability error and that, as a result, marginal differences in pupil outcomes as measured on the basis of numerical scores may not

²¹ Ofqual (2013), *GCSE reform consultation*, (<http://www.ofqual.gov.uk/files/2013-06-11-gcse-reform-consultation-june-2013.pdf>) accessed on 23.09.13.

²² OECD (2012), *PISA 2009: Technical Report*, OECD, Paris.

represent substantive differences in performance.²³ The use of levels or grades in assessment systems, as has been the case to date with statutory assessment at Key Stages 1 and 2, serves to mediate this feature of assessment by avoiding an implication of a degree of precision in assessment arrangements that cannot reliably be assured in practice.²⁴

52. For these reasons, the NASUWT is clear that it would be highly inappropriate for the DfE to introduce a system in which a particular score is identified as a threshold measure of pupil performance in circumstances where the data derived from statutory assessment continues to be used for the purposes of high-stakes school accountability. As part of a broader reconsideration of the way in which pupil performance data might be used to support a recast system of school accountability, the DfE should work with the NASUWT and other stakeholders to consider in further detail how issues of assessment reliability and validity might best be addressed in the design of mandatory assessments.

Reporting pupil attainment by decile

53. The Union notes the proposal in the consultation document to report each pupils' ranking in the national cohort by decile with the stated aim of demonstrating each pupil's performance relative to their peers nationally. The NASUWT notes that the consultation document appears to indicate that this information would be restricted to parents and pupils but it must be recognised as a clear risk that it could be liable to Freedom of Information Act requests, leading to the publication of potentially misleading school-level performance data, notwithstanding the implied view of the DfE that decile information should not be used for this purpose.

54. The NASUWT is concerned that the development of decile based indicators, through which the performance of pupils is assessed against that of their peers and not objective assessment criteria, is antithetical to

²³ William, D. (2000), '*Reliability, validity, and all that jazz*', *Education* 29(3); pp9-13,

²⁴ Ofqual (2013), *op.cit.*

the DfE's stated objective of ensuring that assessments focus on the progress and achievement of all pupils and thereby act to support work to raise standards. The norm-referenced basis of decile performance indicators merely provides information about the position of pupils in the distribution of assessment outcomes rather than the skills, knowledge and experiences of these pupils. The Union therefore believes that implementation of deciles is inappropriate.

On-entry baseline indicators

55. While the significant emphasis placed by the DfE on its notion of secondary readiness appears to suggest a prioritisation of assessment of attainment over that of progress, the NASUWT notes the interest of the DfE in the development of revised progress indicators.

56. The Union recognises that the construction of progress measures across the primary phase must, of necessity, involve an 'on-entry' assessment of pupil attainment against which their attainment at the end of Key Stage 2 can be compared. It is for this reason that the NASUWT does not oppose, in principle, the use of such baseline measures of progress, given that crude measures of pupil attainment at the end of Key Stage 2 cannot, of themselves, reflect accurately the value of the contribution made to pupils' learning by schools.

57. However, the suggestion in the consultation document that statutory national assessment at Key Stage 1 should be retained as a form of baseline assessment would be highly problematic. Assessment of pupils at age seven would not generate a valid baseline indicator of pupil attainment, given that most primary schools educate pupils between the ages of 5 and 11. A baseline measure established on this basis would therefore fail to reflect the entirety of pupils' primary education. Further, the NASUWT cannot support the DfE's proposal to add the results of Key Stage 1 assessments to performance tables in the context of the current school accountability regime, as this would serve simply to establish an

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additional high-stakes indicator of primary school performance alongside that in place presently at the end of Key Stage 2.

58. These considerations suggest that if baseline measures are to be introduced, they should be developed on the basis of assessments undertaken as close as possible to pupils' entry to compulsory primary education. However, it is important to recognise the challenges associated with development of a coherent baseline indicator in the context of the DfE's broader proposals for reform of the primary assessment and accountability system. In particular, for baseline assessments to generate valid outcomes against which later pupil attainment can be compared, it is essential that the content specifications underpinning them reflect those used in subsequent assessments. Without an assessment framework comparable to the current system of National Curriculum levels, which establishes a clear learner progression pathway across the primary phase, it is difficult to envisage how a valid baseline assessment might be established.

59. These considerations emphasise further the need for the DfE to ensure that all statutory assessment is undertaken in the context of a coherent, universal framework, linked to the National Curriculum, that allows for effective comparisons to be made about performance throughout pupils' primary education. The considerations also emphasise the importance of securing a common approach to baseline assessment in all schools.

60. It is also important to note that in order to secure an acceptable degree of validity, assessments of young children must be undertaken in an appropriate learning context and on a one-to-one or small group basis by adults with whom pupils are familiar.²⁵ As a result, such assessments are relatively resource and time-intensive if they are to be undertaken on an effective basis. The NASUWT is therefore concerned by the proposal in the consultation document that baseline assessment might be undertaken

²⁵ Nelson, K. (ed). (1998), *Principles and Recommendations for Early Childhood Assessments*, Diane Publishing, Collingdale, PA.

on the basis of a 'simple check.' This appears to suggest that the DfE is contemplating the introduction of a baseline assessment modelled on the current Year 1 phonics reading check, the methodology of which has been identified in DfE-commissioned research as an inappropriate means by which valid and reliable assessments of pupils' development in literacy can be secured.²⁶

61. It is therefore clear that the implementation of an effective baseline assessment would require sufficient investment by the DfE to ensure that it could be undertaken in a way that generates meaningful assessment information and avoids unacceptable manageability and workload issues in schools. Given that the introduction of baseline assessment on this basis would represent the principal assessment of pupils at the start of their primary education, it is evident that the Year 1 phonics reading check would serve no useful purpose in these circumstances. Discontinuation of the check would also release resources at national and school level that could be reallocated to support the introduction of baseline assessment.
62. As the DfE recognises, the introduction of a national system of baseline assessment would invite consideration of the assessment functions of the current Early Years Foundation Stage (EYFS) Profile completed for all pupils immediately prior to entry into Key Stage 1. In its response to the consultation undertaken by the DfE between July and September 2011 on proposed revisions to the EYFS, the NASUWT set out its view that the evidence collation and moderation requirements of the Profile generate excessive and unnecessary workload and manageability issues in schools. The introduction of a baseline assessment administered on-entry to primary education would therefore provide an opportunity to replace the Profile with a more effective form of early assessment. The NASUWT would therefore welcome the opportunity to work with the DfE to explore the implications of the introduction of baseline assessment for other

²⁶Walker, M., Bartlett, S., Betts, H., Sainsbury, M. and Mehta, P. (2013), *Evaluation of the Phonics Screening Check: First Interim Report*, NFER, Slough.

statutory assessments undertaken during the early stages of pupils' primary education.

Floor targets

63. As considered elsewhere in this response, the NASUWT remains clear that the use of floor targets within the context of a high-stakes school accountability regime is inappropriate. The Union is therefore disappointed that the DfE has set out its intention in the consultation document to retain floor targets as a fundamental feature of the school accountability framework.

64. The NASUWT notes that the DfE intends to introduce a revised attainment element of the floor target that would require schools to demonstrate that at least 85% of pupils at the end of Key Stage 2 have met its criteria for secondary readiness. As considered above, it is reasonable to conclude that this standard would equate to level 4b in the current National Curriculum assessment framework. However, the Union further notes that, unlike the existing floor target system, the DfE appears to propose that schools with 'good progress results' but that fall below the target level of attainment may also be deemed to have met the floor target, notwithstanding the fact that they may be more likely to be inspected by Ofsted. This would represent a change from current floor target arrangements, in which schools are expected to meet progress *and* attainment indicators of performance.

65. The NASUWT shares the view set out in the consultation document that accountability frameworks should take into account the progress made by all pupils, as indicators established on this basis are able to reflect more accurately the developing knowledge and understanding of all pupils than those based on attainment. Progress measures, as the DfE recognises, can work to ameliorate the tendency of high-stakes attainment indicators to encourage a disproportionate focus on pupils near performance-threshold borderlines. However, it should be recognised that the use of school progress indicators based on the average progress levels secured

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by learners in a relevant cohort, as proposed by the DfE, can also create comparable pressures to concentrate activity on pupils with rates of progress slightly below national expectations.

66. Nevertheless, it is clear from the consultation document that progress indicators would only be taken into account for those schools below the attainment floor target that have 'particularly challenging intakes'. Without an explicit definition of the criteria that would be used to categorise schools on this basis, it can only be concluded that the majority of schools would not be subject to these arrangements and would instead be confronted by a floor target determined by attainment indicators alone. Incentives to focus on pupil performance near threshold borderlines would continue to be present.

67. In addition to attainment and progress measures, the NASUWT notes the suggestion in the consultation document that an average-point-score attainment measure could also be included in the floor target to 'prevent schools being above floor standards by focusing on pupils close to the expected standard.' However, without a clear description of the way in which such an indicator might be established in practice or of the threshold level of acceptable school performance, it is not possible to determine how its introduction would address the pressures on schools to focus on specific pupils whose results are particularly influential in securing school-level outcomes deemed acceptable by the requirements of the school accountability system.

Public reporting of school performance

68. The NASUWT notes the restated commitment of the DfE to procure a data warehouse or portal to store all the information on pupils that it holds currently and to provide 'access to it in the most flexible way.' The NASUWT also notes the continued assertion of the DfE that such an approach would support the ability of parents to engage effectively in

understanding their own children's performance, that of individual schools and of the education system more generally.

69. The NASUWT is clear that public accountability systems should be transparent and should allow all stakeholders to gain access to valid, reliable and meaningful information and data about the state education system. The Union also recognises that information technology, applied appropriately, can play an important role in making this information available in a way that supports its effective use.

70. However, it is evident that this critical objective will not be achieved simply through the publication of all pupil and school data held by the DfE on an unmediated and decontextualised basis. As *Maintaining World Class Schools* confirms, the OECD has made clear its concern that the provision of information and data on the basis proposed by the DfE can lead to a distorted understanding of the effectiveness of individual schools or of the education system overall.²⁷ Evidence commissioned by the DfE also makes clear that in terms of supporting parental engagement, the publication of decontextualised performance data is of limited value in supporting parents' engagement with their children's learning.²⁸

71. More broadly, the experience of data warehousing in the United States is worthy of specific note in this context, given that its introduction has been justified on a basis comparable to that advanced by the DfE, particularly in relation to the extent to which data warehousing is advocated as a means of securing increased levels transparency,

²⁷ NASUWT (2013), *op. cit.*

²⁸ Goodhall, J. and Verhaus, J. (2011), *Review of Best Practice in Parental Engagement*, DfE Research Report RR 156. (<https://www.education.gov.uk/publications/eOrderingDownload/DFE-RR156.pdf>), accessed on 27.09.13.

accountability and parental engagement within publicly funded education systems.²⁹

72. It is evident that the introduction of data warehousing in the United States has given rise to important concerns in relation to data security, respect for parental rights to control the uses to which information held about their children is put,³⁰ the development of highly misleading, non-official measures of school, system and individual teacher effectiveness,³¹ and the unacceptable use by private sector organisations of school performance information and data to secure commercial profits from materials generated and maintained through use of public money.³²

73. These consequences of data warehousing are wholly inconsistent with the provision of education in a context within which it is recognised as a 'public good' and in which the legitimate expectations of pupils, parents and members of the wider education workforce, that such data will be used responsibly in ways that respect their legitimate civil and human rights, are upheld. The outcomes of data warehousing have also served to undermine the entitlement of teachers and school leaders to be subject to assessments of their individual performance and that of the institutions within which they work that are based on informed, objective and holistic information and data about the full range of their activities and that take meaningful account of the extent to which the progress and attainment of pupils is subject to influence by extra-school factors.

²⁹ Thorn, C. and Harris, D. (2012), *The Accidental Revolution: Teacher Accountability, Value-Added and the Restructuring of the American School System*, The Association for Education Finance and Policy, (<http://www.aefpweb.org/sites/default/files/webform/Thorn%20Harris%20Paper.pdf>), accessed on 27.09.13.

³⁰ Kemeretz, A. (2013), 'Big data and schools: Education nirvana or privacy nightmare?' *The Hechinger Report*, (6 March). (http://digital.hechingerreport.org/content/big-data-and-schools-education-nirvana-or-privacy-nightmare_402/), accessed on 27.09.13.

³¹ Exley, S. (2013), 'Named, ranked and blamed,' *The Times Educational Supplement*, (14 March). (<http://www.tes.co.uk/article.aspx?storycode=6323230>), accessed on 27.09.13.

³² Simon, S. (2013), 'K-12 student database jazzes tech start-ups, spooks parents'. *Reuters US Online Edition*, (3 March), (<http://www.reuters.com/article/2013/03/03/us-education-database-idUSBRE92204W20130303>), accessed on 27.09.13.

74. These concerns are emphasised by the serious impact that the invalid and decontextualised use of the forms of performance data incorporated into data portals in the United States has had on public confidence in the education system and on the professional and personal lives of teachers.³³
75. The NASUWT therefore has profound reservations in relation to the DfE's proposal to establish data warehousing systems in England and seeks urgent further engagement with ministers and relevant officials on the potential implications of the introduction of systems modelled on current practice in some jurisdictions in the United States.
76. The DfE has also not made clear what function would be served by continuing to require schools to publish public reports of pupil performance in circumstances where it may be possible to make key data and information available in real time through the use of online platforms.
77. The Union notes that beyond the development of the data portal, the DfE will continue to publish key school indicators in performance tables, including the percentage of learners meeting the secondary readiness standard, average scaled scores and where the attainment and progress of pupils sits in the national cohort.
78. For the reasons set out elsewhere in this response, the NASUWT is disappointed that the DfE intends to continue to make use of a highly limited range of pupil performance indicators in its proposed model for performance tables in the primary sector.
79. The NASUWT remains concerned about the extent to which performance tables fail to take effective account of year-on-year variation in pupil performance. As the DfE recognises, this feature of the current

³³ Exley (2013), *op. cit.*

performance system can have significant implications for small schools, where the attainment of individual pupils can have a disproportionate effect on school performance data.

80. The Union therefore welcomes the acknowledgement in the consultation document of this concern and notes positively the DfE's proposal to develop indicators based on three-year rolling averages. However, the positive potential of an indicator established on this basis would be undermined significantly by the fact that year-on-year data would continue to be published and that key floor target indicators would continue to be based on year-on-year performance data alone.

81. The Union also notes that the DfE proposes to introduce a measure into the performance tables that will seek to demonstrate the percentage of pupils achieving a high-scaled score in each subject. However, the aims of this revision to the performance tables system or the level of attainment that would be required to categorise pupil performance as high achieving have not been set out in the consultation document. It is therefore not possible to consider meaningfully the potential implications of this proposal without additional information from the DfE about the purposes and likely composition of this indicator.

82. The NASUWT further notes the proposal to introduce headline measures intended to show how schools perform compared to other similar schools, as well in as in comparison with national performance benchmarks, developed through a prior attainment-based statistical neighbours approach.

83. The DfE will be aware of the recent development of a school banding system in Wales, which attempts to benchmark school performance against other schools deemed to be operating in comparable circumstances and which also uses a statistical neighbours approach as a central element of its methodology. However, implementation by the Welsh Government of school banding has highlighted significant

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shortcomings in measures of school effectiveness constituted on this basis. In particular, it has become evident that statistically insignificant changes in pupil attainment data in individual schools can lead to substantial variations in the indicators of overall school effectiveness generated by the banding system, thereby creating wholly inaccurate impressions of changes in the quality of education accessed by pupils.³⁴

84. Introduction of a similar approach to school benchmarking in England would therefore replicate concerns in relation to the validity and reliability of indicators of school effectiveness constituted on this basis, compounded by the fact that, unlike in Wales, the DfE intends to exclude contextual factors from its determination of school comparability. The NASUWT is therefore clear that the DfE must not proceed with proposals for school benchmarking on this basis.

85. The NASUWT notes the intention of the DfE to publish parallel school performance data, based on the indicators described above, for pupils eligible for the pupil premium. The DfE will be aware of the NASUWT's broader concerns about the composition of the pupil premium and the distribution methodology with which it is associated. These concerns were set out in detail in the NASUWT's response to the DfE's proposed reforms to funding arrangements for 2013/14, published in February 2013.

86. Notwithstanding these concerns, the Union supports the development of school accountability frameworks that seek to recognise the work undertaken by schools with pupils facing socioeconomic disadvantage and to evaluate the extent to which dedicated public funding for these pupils is used effectively across the education system. However, given the flawed basis upon which performance tables are constructed, particularly in relation to their inability to reflect the full breadth of pupils'

³⁴ Evans, D. (2012), *'Banding is attached but primary plans press ahead'*, *Times Educational Supplement*, (21 December), (<http://www.tes.co.uk/article.aspx?storycode=6311666>), accessed on 27.09.13.

educational development or the contribution made by schools to their wellbeing and future life chances, it is not evident that development of school-level performance tables for pupils eligible for the pupil premium on the terms proposed by the DfE will fulfil this purpose appropriately. The NASUWT is also concerned that this proposal could lead to the identification of individual children in schools where relatively few pupils are eligible for pupil premium funding.

87. Therefore, as part of the fundamental review of school accountability proposed in this response, the DfE should work with the NASUWT and other relevant stakeholders to explore ways in which school and system accountability frameworks might be developed that reflect the progress and achievement of disadvantaged children and young people most appropriately.

Recognising the attainment and progress of all pupils

88. The NASUWT agrees with the important principle set out by the DfE in the consultation document that the accountability system should seek to recognise the achievements of all pupils, including those with special educational needs (SEN). However, as the DfE recognises, the nature of the challenges that many children and young people with SEN face are such that established, data-based models of school accountability tend to under-emphasise the extent of their achievements, given the difficulties these pupils can face in accessing the National Curriculum statutory assessment processes from, which school performance data is derived.

89. The Union notes that the DfE intends to consider further ways in which the school accountability system can more successfully capture the progress and attainment of pupils in such circumstances and, by extension, how their performance can be factored into the setting of threshold or floor targets for schools.

90. The obstacles to achievement of this objective within the context of current approaches to school accountability are recognised in practice by the DfE through the exemption from floor targets granted to special and alternative settings, including Pupil Referral Units (PRUs). The NASUWT welcomes the confirmation of the DfE that it does not intend to alter this policy.

91. However, many nominally mainstream settings that are subject to minimum threshold expectations of performance have significant numbers of pupils with SEN on roll. Therefore, the use of floor targets, particularly those based on attainment, penalise unfairly schools with relatively high levels of SEN pupil admissions. The failure of the DfE to take account of contextual factors, including the SEN status of pupils, in the development of its measures of progress and attainment is also clearly pertinent to the judgements formed currently about pupil progress within the framework of the school accountability system.

92. These considerations highlight the severe limitations on the ability of the existing school accountability system to reflect accurately the value of the work undertaken by teachers, school leaders and other members of the education workforce in ensuring that children and young people with SEN are able to access high quality, relevant and engaging learning experiences. The DfE's proposed revisions to this system would, if implemented, not only fail to address these concerns but would also exacerbate the inability of the school accountability system to take effective account of the circumstances of pupils with SEN in mainstream settings, given the intensified use of statutory assessment and qualification outcome performance data on which these revisions are based.

93. With specific regard to pupils working below National Curriculum level 1, the NASUWT is aware that Ofsted is currently undertaking work to scope the extent to which existing approaches to measuring pupil progress and attainment distort the capacity of the school accountability process to

reflect the progress and achievement of pupils with SEN. As part of the fundamental review of school accountability recommended by the NASUWT, the DfE should take full account of this work in determining the basis upon which more effective alternative approaches might be developed in future.

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