

2018 national curriculum assessment

# Key stage 1

## 2018 teacher assessment guidance: key stage 1

For schools and local authorities



Standards  
& Testing  
Agency

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# 1. Summary

This publication provides statutory guidance from the Standards and Testing Agency (STA), an executive agency of the Department for Education. It has been produced to help schools and local authorities (LAs) understand the statutory requirements for teacher assessment (TA) in summer 2018.

## Review data

This guidance will be reviewed before October 2018.

## Who is this publication for?

This guidance is for:

- school leaders, school staff and governing bodies in all maintained schools, academies and free schools
- LAs

## What is this publication for?

This document supports schools in making statutory TA judgements at the end of key stage 1 (KS1), and schools and LAs in undertaking statutory moderation of these judgements.

The guidance sets out schools' and LAs' statutory duties relating to teacher assessment. It also provides non-statutory guidance to support assessment processes that are both rigorous and proportionate.

This 2018 publication provides additional information regarding changes that have been made to the frameworks for statutory teacher assessment and are taking effect this academic year. These are detailed in section 2.

## 2. Changes for 2017 to 2018

Following the removal of national curriculum levels, teacher assessment frameworks allow schools to fulfil their statutory duty to report outcomes for pupils at the end of key stages 1 and 2. The frameworks set out the standard(s) a pupil will be assessed against, based on expectations within the national curriculum, at the end of the key stage for each subject. The teacher assessment frameworks introduced in the 2015 to 2016 academic year were 'interim', so that STA could evaluate them based on how they operated in the classroom.

The [Primary assessment in England](#) public consultation, which closed in June 2017, heard strong support for the proposal to move to a more flexible approach to the assessment of English writing, and for this to be implemented as soon as possible. STA also conducted an evaluation of all of the interim teacher assessment frameworks during spring 2017, working with teachers and other educational experts. In response, changes have been made to the writing frameworks for use in 2017 to 2018.

The new English writing frameworks include:

- **A more flexible approach** – teachers can now use their discretion to ensure that, on occasion, a particular weakness does not prevent an accurate judgement of a pupil's overall attainment being made. The overall standard of attainment, set by the 'pupil can' statements, remains the same.
- **Revised 'pupil can' statements** – a greater emphasis on composition, while statements relating to the more 'technical' aspects of English writing (grammar, punctuation and spelling) are less prescriptive. All changes are in line with the attainment targets for the key stage 1 English national curriculum programme of study.

More detailed guidance on the changes to English writing is set out in section 6. Updated exemplification materials have also been published for this subject.

STA has also updated the guidance within the frameworks to clarify the process for making a statutory teacher assessment judgement, addressing previous misconceptions about the level of evidence required. Section 5 provides more detail.

The 'pupil can' statements within the frameworks for English reading, mathematics and science are unchanged this year. These formed part of the evaluation, but to avoid schools having also to adjust to changes in these frameworks this year, revised versions with amendments to the 'pupil can' statements, based on feedback from teachers and other educational experts, will be published in the 2018 spring term for use from the 2018 to 2019 academic year onwards.

### 3. Important dates

Date	Activity
September 2017	2018 teacher assessment frameworks are published, which include changes to English writing.
October 2017	Updated English writing exemplification is published.
November – December 2017	STA moderation training for LAs.
Friday 15 December 2017	Deadline for academies, and participating independent schools that wish to publish and compare their national curriculum assessment results with local / national data, to have a written agreement in place with their chosen LA for external moderation of their TA.
Friday 15 December 2017	Deadline for academies, and participating independent schools that wish to publish and compare their national curriculum assessment results with local / national data, to confirm to STA which LA they have selected to provide external moderation services.
Friday 15 December 2017	Deadline for LAs to confirm they have completed an internal plan detailing how they intend to meet statutory assessment duties.
Friday 15 December 2017	Deadline for LAs to complete an online survey to confirm to STA details of moderation manager and strategic lead.
Spring term 2018	2019 teacher assessment frameworks and pre-key stage standards are published for information only.
Spring term 2018	LA moderator standardisation exercises.
Monday 26 February 2018	LAs informed by STA, on or shortly after 26 February, if they are going to receive an external moderation visit.
Friday 16 March 2018	If selected for STA external moderation, deadline for LAs to submit their internal moderation plan to STA.
Friday 18 May 2018	Schools informed by the LA on, or after 18 May, if they are going to receive an external moderation visit.
Monday 4 June to Thursday 28 June 2018	LAs undertake external moderation of KS1 TA.
Thursday 28 June 2018	Deadline for schools to submit TA data to LAs.
Friday 27 July 2018	Deadline for LAs to submit TA data to the Department for Education

## 4. The purposes of assessment

### 4.1 Different forms of assessment

Schools should develop their own approach to assessment which meets the needs of their pupils, parents, staff and curriculum. Statutory teacher assessment at the end of the key stage is just one part of the broader assessments that teachers make. There are 3 main forms of assessment in schools:

1. **Day-to-day formative assessment** – to inform teaching on an ongoing basis
2. **In-school summative assessment** – to understand pupil performance at the end of a period of teaching
3. **National statutory summative assessment** – to understand pupil performance in relation to national expectations and comparisons

In the context of statutory teacher assessment, it is a school's own assessment policy which forms the basis of a teacher's judgements about what pupils know and can do. This will provide the evidence upon which teachers make a judgement against the statutory teacher assessment frameworks, which are designed only to report an outcome to government at the end of the key stage.

Statutory teacher assessment, as one measure of pupil performance, helps teachers and parents to understand broadly what a pupil can do in relation to national expectations, and allows the government to hold schools to account for the education they provide to their pupils. However, pupils will have a wider range of knowledge and skills than that covered by statutory assessment. This may be evident through other forms of assessment that take place at school and should also be reported to parents.

Further information about the principles and purposes of assessment can found in the [Final report of the Commission on Assessment Without Levels](#).

### 4.2 Data and teacher workload

A school's assessment policy should outline when it is necessary to record assessment data and when the purposes of assessment do not require data to be collected. In developing their policies, schools should consider how to minimise teacher workload so that teachers can focus their efforts on teaching.

Evidence to inform statutory teacher assessment should come from the teaching of the knowledge and skills specified in the national curriculum. Teachers should not seek to track or record evidence solely to show that pupils have achieved the statements within the frameworks.

When data does need to be recorded, this should follow the principles and recommendations outlined in the independent report: [Eliminating unnecessary workload associated with data management](#).

## 5. Making statutory teacher assessment judgements

### 5.1 Statutory teacher assessments

The [teacher assessment frameworks](#) are for pupils who have completed the KS1 curriculum, and must be used to make statutory judgements in English reading, English writing, mathematics and science. The frameworks focus on key aspects of these core subjects for the specific purpose of statutory end-of-key stage assessment. They do not cover the full content of the national curriculum.

The [interim pre-key stage standards](#) are for pupils who are working below the overall standard of national curriculum tests. This means they will be below the lowest standard in the relevant framework for teacher assessment. The standards are used to make statutory judgements in English reading, English writing and mathematics for pupils who have reached the end of year 2, when an outcome must be reported for school accountability, but who have not completed the relevant KS1 programme of study. They are designed to capture attainment in these subjects, but do not cover the full breadth of knowledge and skills.

[P scales](#) are used for pupils working below the interim pre-key stage standards, to report a statutory assessment outcome when they have reached the end of year 2. The 2017 to 2018 academic year is the last year in which P scales will be used for pupils engaged in subject-specific learning, with additional pre-key stage standards being introduced for use in the 2018 to 2019 academic year.

### 5.2 'Pupil can' statements

**'Pupil can' statements** are performance indicators to give a snapshot of a pupil's attainment at the end of the key stage. The statements listed in a standard describe what a pupil working at that standard should be able to do. Teachers should follow the specific guidance set out for each subject in the frameworks and pre-key stage standards to reach their judgements about whether a pupil has met a standard.

**Qualifiers** are used in some statements to indicate the extent to which pupils demonstrate the knowledge or skill required. Where qualifiers are used, they have consistent meaning: 'most' indicates that the statement is generally met with only occasional errors; 'many' indicates that the statement is met frequently but not yet consistently; and 'some' indicates that the knowledge or skill is starting to be acquired and is demonstrated correctly on occasion, but is not yet consistent or frequent.

**Examples** are also used in some of the statements to clarify the knowledge or skill required. These do not dictate the evidence required, but show only how that statement might be met. Teachers should refer to the national curriculum to exemplify the statements, and can use STA's published exemplification materials to support them in this if they choose.



### 5.3 Evidence

While the teacher's knowledge of pupils can inform judgements, these must be based on sound and demonstrable evidence. This ensures that judgements are as objective as possible, and consistent between classes and schools. **Specific evidence does not need to be 'produced'; what pupils can do should be evident in their work.**

Evidence should come from day-to-day work in the classroom and can be drawn from a variety of sources: the only requirement is that it supports the judgement being made. The type of evidence will vary from school to school, class to class, and even pupil to pupil. **A pupil's work in books will often have all the evidence a teacher needs**, but evidence might come from a number of potential additional sources, such as projects, assessment notes (for example, guided reading records, phonics records, notes on mathematics exercises), classroom tests and assessments.

The form of evidence supporting a teacher's judgement is entirely up to the teacher, provided that it meets the requirement of the frameworks.

**Teachers should avoid excessive evidence gathering.** The frameworks make clear that:

- **a pupil's work in the subject being assessed alone may provide sufficient evidence** to support the judgement, although evidence should ideally include work in other curriculum subjects
- **teachers may consider a single example of a pupil's work to provide evidence for multiple statements.** A teacher will, of course, see multiple statements evidenced across a collection of work

However, depending on the statements and the nature of the evidence, sometimes one example will be enough.

- In English reading, discussion with a pupil about a single book, at the right level, that they have read independently may provide a teacher with evidence that the pupil has met all of the statements within 'working at greater depth within the expected standard'.
- In English writing, it may be the case that a single, comprehensive example of writing is sufficient to show that a pupil can, for example, *write about personal experiences and real events*.
- In mathematics, it might be evident from one exercise that a pupil can *read scales in divisions of ones, twos, fives and tens where all numbers on the scale are given and use estimation to check that their answers to a calculation are reasonable*.
- In science, one piece of work might show that a pupil can *describe basic needs*

*of both plants and animals, while grouping and classifying things and carrying out simple comparative tests.*

- **Pupils' work which demonstrates that they have met a standard is sufficient to show that they are working above preceding standards.** Teachers should be confident that pupils have met the standards preceding the one at which they judge them to be working. However, they are not required to have specific evidence for that judgement.
- **In science, there is no requirement to have evidence from the classroom that pupils have met statements relating to science content taught before the final year of the key stage.** Year 2 teachers will not be expected to re-assess the science content taught in Year 1 of the national curriculum. Where possible, they should draw on assessment judgements that were made by year 1 teachers in determining whether the pupil has grasped that science content. This does not apply to 'working scientifically' statements.
- **Tests can be used as a useful indicator of a pupil's overall attainment,** and the statutory tests in English reading and mathematics must be used to inform teacher assessment judgements. A pupil's answers to specific questions in the statutory tests, or any test, are acceptable forms of evidence for certain statements. Depending on the subject and statement, this evidence might not be sufficient on its own:
  - for mathematics and science, a single test question may be sufficient to show that a pupil has grasped the knowledge or skill (for example, a pupil's answer in a mathematics test might show that they can *read the time on the clock to the nearest 15 minutes*)
  - for English reading and writing, discrete test questions will only supplement evidence that pupils have met statements: for example, a spelling test or handwriting exercise can provide additional evidence for these statements in English writing, but a teacher should also see these skills applied in the course of the pupil's writing

## 5.4 Exemplification

STA has produced exemplification materials to assist teachers when they are using the statutory teacher assessment frameworks to make judgements. Schools may choose to use the published exemplification of pupils' work to support teachers in making TA judgements or to validate judgements across the school. If teachers are confident in their judgements, there is no requirement for them to refer to the exemplification materials.

Exemplification materials illustrate only how ‘pupil can’ statements in the frameworks might be met. They do not dictate a particular method of teaching, or the evidence expected from the classroom, which will vary from school to school.

Local authorities may find it useful to refer to exemplification materials to support external moderation visits. The materials show what meeting the ‘pupil can’ statements might look like and moderator(s) should not expect or require teachers to provide specific evidence similar to the examples in this document.

## 5.5 Moderation

Moderation is a crucial part of teacher assessment. It allows teachers to benchmark judgements, while ensuring consistent standards and reliable outcomes. In the context of statutory teacher assessment, there are 2 forms of moderation:

- **Internal moderation** – a non-statutory but vital process conducted by schools internally and, where possible, with other schools. Moderation should be a collaborative process with colleagues across key stages and undertaken throughout the academic year. This supports the quality assurance of TA judgements and provides a valuable opportunity for professional development.
- **External moderation** – a statutory process conducted by local authorities. Every year, at least 25 per cent of schools have a sample of their English reading, English writing and mathematics outcomes moderated by LAs. This is to validate judgements and ensure that they are consistent with national standards. It is a collaborative process between schools and LA moderators. Section 8 provides more details about this process.

## 6. Guidance for English writing

### 6.1 A more flexible approach

The approach to teacher assessment of English writing differs from that adopted in other subjects. This difference recognises and reflects the nature of the subject and that a degree of subjectivity is needed to assess it. Teachers are therefore afforded more flexibility in reaching a rounded judgement about a pupil's overall attainment in writing.

A teacher must still assess a pupil against **all** of the 'pupil can' statements within the standard at which they are judged to be working. While a pupil's writing should meet all the statements within that standard (since these represent the key elements of English writing within the national curriculum), teachers can use their discretion to ensure that a particular weakness does not prevent an accurate judgement of a pupil's overall attainment being made. A teacher's professional judgement takes precedence, but teachers must be able to justify their decisions during moderation.

When a teacher deems that a pupil meets a standard despite a particular weakness, they must have **good reason** to judge that this is the most accurate standard to describe the pupil's overall attainment. The reason for this is likely to vary from pupil to pupil but, in all instances, teachers must be confident that the weakness is an exception in terms of the pupil's overall attainment.

A **particular weakness** can relate to a part or the whole of a statement (or statements); the only consideration is whether it prevents an accurate judgement from being made overall.

A particular weakness may well relate to a specific learning difficulty, but it is not limited to this. In addition, a specific learning difficulty does not automatically constitute a particular weakness which would prevent an accurate judgement. The same overall standard must be applied equally to all pupils.

### 6.2 Independent writing

Pupils' writing upon which teachers base their judgements must be produced independently. The national curriculum is clear that writing should also be produced through discussion with the teacher and peers. This is particularly true at KS1, where discussion and oral rehearsal with teachers will feature more. The KS1 teacher assessment frameworks state that pupils should demonstrate the 'pupil can' statements *after discussion with the teacher*.

A piece of writing may provide evidence of a pupil demonstrating some 'pupil can' statements independently, but not others. For example, a pupil may produce an independent piece of writing which meets many of the statements relating to composition and the use of grammar, but they did not demonstrate independent

spelling where the teacher has provided the pupil with some domain specific words or corrected their spelling.

Teachers may choose to use success criteria in lessons to help pupils to understand what they have learnt and help them to judge whether a pupil has met the objectives for a piece of writing. Using success criteria does not mean that a pupil's writing is not independent; they would simply need to avoid modelling or over-scaffolding the expected outcome. Furthermore, using detailed success criteria as a teaching tool for one aspect of writing could still provide independent evidence of other 'pupil can' statements which have not been mentioned.

#### **Writing is likely to be independent if it:**

- emerges from a text, topic, visit, or curriculum experience in which pupils have opportunities to discuss and rehearse what is to be written about
- enables pupils to use their own ideas and provides them with an element of choice, for example writing from the perspective of a character they have chosen themselves
- has been edited, if required, by the pupil without the support of the teacher, although this may be in response to self, peer, or group evaluation
- is produced by pupils who have, if required, sought out classroom resources, such as dictionaries or thesauruses, without prompting to do so by the teacher

#### **Writing is not independent if it has been:**

- modelled or heavily scaffolded
- copied or paraphrased
- edited as a result of direct intervention by a teacher or other adult, for example when the pupil has been directed to change specific words for greater impact, when incorrect or omitted punctuation has been indicated, or when incorrectly spelt words have been identified by an adult for the pupil to correct
- produced with the support of electronic aids that automatically provide correct spelling, synonyms, punctuation, or predictive text
- supported by detailed success criteria that specifically direct pupils as to what to include, or where to include it, in their writing, such as directing them to include specific vocabulary, grammatical features, or punctuation

### **6.3 Spelling**

A pupil's standard in spelling should be evident throughout their writing. However, **spelling tests**, including the optional end-of-key stage 1 English grammar, punctuation and spelling test, can provide additional evidence of pupils' independent spelling.

When assessing pupils' writing, **phonically plausible but incorrect spellings** should be regarded as errors unless the statement makes it explicit that they can be accepted (for example, *spelling some words correctly and making phonically plausible attempts at others*).

The frameworks refer to the **word lists** within the spelling appendix to the national curriculum (English Appendix 1) to exemplify the words that pupils should be able to spell. The common exception words listed are non-statutory examples to show words with grapheme-phoneme correspondences that do not fit in with what has been taught so far. Pupils are not required to use all of the examples of the common exception words; teachers should assess the words that pupils do use.

Teachers and moderators should disregard incorrect spelling of words that require application of the statutory requirements for KS2, including the word lists for the KS2 programme of study (years 3 / 4 and years 5 / 6 lists in Appendix 1).

## 6.4 Handwriting

A pupil's standard of handwriting should be evident throughout their writing. When assessing it, teachers should consider evidence in a pupil's independent writing to judge whether the statements have been met. **Handwriting books or handwriting exercises** can provide additional evidence, but this would not be sufficient on its own.

Pupils who are physically unable to write may use a word processor. Pupils who are physically able to write may also choose to word-process some of their writing, where appropriate. When pupils are using a word processor, it is advised that the spelling and grammar check functions are disabled, in order for the teacher to verify that they are able to meet the relevant 'pupil can' statements independently.

## 7. Assessing pupils with disabilities

All schools are required to make **reasonable adjustments** for pupils with disabilities. Disability is defined in the Equality Act 2010, as a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The [special educational needs and disability \(SEND\) Code of Practice 2015](#) includes a reminder of the breadth of this definition. Teachers should also recognise the progress of individual pupils, setting targets that reference agreed outcomes within the Code of Practice where appropriate.

When teachers assess pupils against the ‘pupil can’ statements, they should base their judgements on what disabled pupils can do when reasonable adjustments are in place (for example, reducing anxiety by providing a quiet area, or allowing more time to process instructions).

If a pupil has a disability that prevents them from demonstrating attainment in the way described in a ‘pupil can’ statement, their **individual method of communication or learning is applicable** (for example, using a visual phonics system for a pupil with a hearing impairment, or using a computer for a pupil with vision impairment because they cannot read back their handwriting). Teachers should ensure that all pupils have the opportunity to demonstrate attainment with reasonable adjustments in place, but the standards of the assessment should not be compromised and must be met in an equivalent way. Teachers should use their professional discretion in making such judgements for each pupil, and be able to justify these during moderation.

If a pupil has a disability that **physically prevents them from demonstrating a ‘pupil can’ statement altogether**, even with reasonable adjustments in place, these statements can be excluded from the teacher assessment judgement (for example, handwriting if the pupil is physically restricted when writing or for phonics if a pupil is deaf and unable to make use of a visual phonics system). Teachers should use their professional discretion in making such judgements for each pupil and be able to justify these during moderation.

## 8. External moderation

### 8.1 Overview

External moderation is a collaborative process between the LA moderator(s) and the school. Teachers should consider it a positive part of their professional development. It offers the opportunity to discuss judgements on pupils' performance against the requirements of the teacher assessment frameworks.

KS1 TA for English reading, English writing and mathematics forms part of schools' published accountability data. Statutory external moderation helps quality-assure these judgements. It is used to confirm that TA judgements for KS1 are accurate and consistent with national standards, as stated in the [Education Order 2004](#), as amended. This ensures that schools are assessing accurately against national standards and the system is fair to all pupils.

Anyone responsible for KS1 TA in a school or LA must comply with the following guidance to ensure that the external moderation process results in valid and accurate TA judgements. It should be used alongside the [KS1 assessment and reporting arrangements](#) (ARA).

LAs are required, on behalf of the Secretary of State for Education, to validate a sample of KS1 TA judgements in English reading, English writing and mathematics. Every year, LAs must externally moderate a sample of at least 25 per cent of LA maintained schools, plus 25 per cent of academies and participating independent schools that opt to be included in the LA's external moderation provision. LAs must ensure that all schools they are responsible for are moderated once every 4 years, or more frequently if required.

Academies and participating independent schools are responsible for confirming their choice of LA external moderation provider to STA by Friday 15 December.

Academies and participating independent schools are treated in the same way as maintained schools in the external moderation process.

### 8.2 Local agreements

External moderation arrangements that are communicated to schools by LAs and that lie outside the scope of this document are by local agreement only and must be clearly stated as non-statutory.

Local agreements should be drawn up in consultation with, and with the agreement of, all stakeholders and revised annually. A local agreement should be signed by both LA and school. All schools should have a written copy.



### 8.3 Process

LAs must tell schools on, or after, Friday 18 May 2018 if they are going to be moderated. LAs must give at least 2 schools days' notice of an external moderation visit and let the school know who will be attending. Visits will take place between Monday 4 June and Thursday 28 June 2018.

STA does not require LAs to ask schools for pupil data in advance of an external moderation visit.

In the majority of cases, STA would expect only one LA external moderator per visit. However, if the school has a large cohort, or the LA external moderator is being quality assured, or if the visit forms part of moderator induction, there may be additional LA external moderators conducting the visit. The school must be made aware of this in advance of the visit.

The LA external moderator(s) will visit the school to review work from a sample of pupils from the cohort. The sample chosen by the LA must include pupils assessed at all of the standards within the TA frameworks across the cohort. This does not include pupils working within the interim pre-key stage standards.

To confirm that a pupil within the sample has met the specified standards within the TA frameworks, the LA external moderator(s) must review the presented pupil's work and hold a professional discussion with the year 2 teacher(s).

The pupil's work must show that they consistently demonstrate attainment in line with the wording of the 'pupil can' statements within the standard they have met, taking account of any qualifiers. This does not mean that the pupil must demonstrate the 'pupil can' statement 100 per cent of the time. Pupils are likely to have improved over the course of the year and may make occasional mistakes with something that the teacher knows they are actually secure in.

**In all subjects**, when making a decision that a pupil consistently demonstrates the 'pupil can' statements within a standard, teachers are expected to exercise their professional judgement. They should be prepared to discuss this with the LA external moderator(s), with reference to the pupil's work.

**In English writing**, while teachers must assess their pupils against all aspects of the frameworks, they can exercise professional judgement to determine that a pupil has met a standard overall, despite a particular weakness which might relate to a part or whole of a statement or statements. Such judgements about a pupil's overall attainment will be borne out in their classroom work, and the teacher should be able to use this to justify their decision during moderation.

The teacher and LA external moderator(s) must be confident that the pupil meets all the 'pupil can' statements in the preceding standard(s), but there is no requirement to

produce specific evidence for this. Pupils' work which demonstrates that they meet a standard is sufficient to show that they are working above any preceding standard(s).

LAs should refer to the KS1 exemplification materials if guidance is required when undertaking an external moderation visit.

If the evidence from pupils' work is insufficient to support teachers' judgements, the LA external moderator(s) will request to see other examples and, potentially, will expand the sample. Following this, if the lack of evidence to support TA judgements is systematic, the LA moderator(s) must report this to STA as maladministration by contacting the NCA helpline on 0300 303 3013.

#### **8.4 In advance of an external moderation visit**

The best way for a school to prepare for an external moderation visit is to have robust internal assessment processes, based on teachers' understanding of the teacher assessment frameworks and collaboration with other schools.

Evidence of pupil performance should be derived from normal classroom practice across the curriculum and KS1 test outcomes. LAs must not dictate what schools' evidence should look like or how it is presented for an external moderation visit. Teachers should not set specific tasks to generate evidence for moderation or produce portfolios of pupils' work in preparation for an LA external moderation visit.

LAs must:

- confirm arrangements to schools regarding the process and location (if held at a venue other than the school)
- ensure that where external moderation takes place at a venue other than the school, all statutory requirements for a school visit are in place
- give schools at least 2 school days' notice of an external moderation visit
- choose how many LA external moderators are appropriate for each visit, depending on the size of cohort, quality assurance, training processes and resources available
- clearly communicate with the school the number of LA external moderators that will be attending, who they are, and their role in the external moderation process (the school must be aware of this at least 2 school days in advance of the meeting)
- ensure that any additional LA arrangements are communicated as non-statutory, in the form of a written local agreement
- ensure that the school is aware of the LA appeals process

Schools must ensure that:

- judgements against the TA frameworks are available for external moderation,

and should also subject them to internal moderation prior to an LA external moderation visit

- evidence of pupils' work and of KS1 test papers is available for external moderation in order to demonstrate attainment of the 'pupil can' statements at the standard the pupil has been judged to have met; this should be in the form of day-to-day work and KS1 test outcomes

## 8.5 During an external moderation visit

LA external moderator(s) must:

- ensure that all individuals present at the external moderation visit are aware of each other's roles and responsibilities, especially when more than one LA external moderator is present
- ensure that a clear timetable is agreed before the visit, including when teachers are required and when they can be released
- select an initial sample of 10 per cent of pupils from across the cohort or, in the case of a single class, a minimum of 3 pupils per subject
- different pupils must be selected for each subject (English reading, English writing and mathematics), to allow the sample to cover as many different pupils as possible
- review evidence for each pupil in the sample against the 'pupil can' statements from the TA frameworks within the standard they have met
- hold a professional discussion with the year 2 teacher(s) to understand how the TA judgements have been reached and to discuss any gaps in evidence against the TA frameworks
- provide the opportunity for year 2 teachers to articulate their understanding of the standards as set out in the TA frameworks
- be satisfied that pupils' work is independent by using the criteria in this document (see sections 5 and 6). If a pupil has received additional support, this should be clarified by the school
- request additional evidence and / or expand the sample if there is insufficient evidence or concern about the accuracy of a judgement. In certain cases, the sample may be expanded to include the whole cohort
- ensure that LA external moderator(s) directly refer to the LA's appeals process if any judgements have been amended
- report the school to STA's maladministration team via the NCA helpline on 0300 303 3013, if they are unable to validate judgements due to a systematic lack of evidence
- **not** dictate what schools' evidence should look like or how it is presented for an

external moderation visit; in particular, LAs should not expect portfolios or checklists of evidence

LAs should refer to the KS1 exemplification materials if guidance is required when reviewing evidence.

Schools must:

- ensure that the LA external moderator(s) have a quiet area to conduct the external moderation visit
- meet requests from the LA external moderator(s) for samples of pupils' day-to-day classwork or any other information reasonably required, including the pupils' KS1 test papers
- ensure that evidence demonstrates each of the 'pupil can' statements within the standard at which pupils have been judged
- ensure that year 2 teachers are released for all, or part of, the visit for a professional discussion of the evidence presented
- encourage teachers to draw upon examples of pupils' work from across the curriculum to support their judgements, although work in the subject being assessed alone may produce the depth of evidence required
- identify independent work, and clarify the degree of support a pupil has received

## 8.6 The professional discussion

The professional discussion between the year 2 teachers and LA external moderator is essential and should be central to the process. This allows the teacher to talk through their judgements using evidence to support their decision and articulate their understanding of the standards.

It should provide a shared understanding of how judgements have been reached and the opportunity to discuss any gaps in evidence against the TA frameworks.

Evidence will consist of:

- examples of pupils' work
- KS1 tests
- teachers' knowledge of their pupils

### English writing

When a teacher deems that a pupil meets a standard in English writing despite a particular weakness, the moderator(s) should scrutinise whether there was **good reason** to reach this judgement. That simply means that, through a professional discussion, it is clear that the pupil's weakness is an exception to their overall

attainment, and that the standard at which they are being judged has been convincingly met.

## **8.7 Re-moderation**

At the time of the external moderation visit, there may be pupils who have not yet demonstrated a small number of the 'pupil can' statements. If the school and the LA external moderators(s) agree that these pupils will be able to consistently demonstrate the relevant knowledge or skills after the external moderation visit, but before the deadline for TA submission of Thursday 28 June 2018, the LA can agree to accept additional evidence for the pupils in order to validate the proposed standard. The LA's record of the visit should also include the next steps.

If all of the schools' TA judgements were accepted in full by LA external moderator(s), any pupils that the school and the LA external moderator(s) agree demonstrate the potential to meet the next standard (before the data submission deadline), can have evidence internally moderated by the school without the need for a LA review of evidence.

If the schools' TA judgements were not fully accepted by the LA external moderator(s), any pupils that the school and the LA external moderator(s) agree demonstrate the potential to meet the next standard (before the data submission deadline), must have evidence reviewed by the LA before final submission of the TA data.

## **8.8 End of an external moderation visit**

LA external moderator(s) must:

- provide formal feedback to the headteacher or a representative of the senior leadership team
- explain how the LA will carry out any agreed re-moderation of evidence
- ensure that the school is aware of the LA appeals process

They must provide the school with the LA's completed record of the visit, which includes:

- the agreed, validated judgements for all moderated pupils
- any revised judgements if the LA external moderator(s) deems that evidence for the standard a pupil was judged to have met was insufficient, or if the LA external moderator(s) considered the pupil to be working at a higher standard
- any decisions that the school intends to appeal
- any concerns that require further action by the school or LA (such as a re-visit)

The record of the visit must be signed by the headteacher (or representative) and LA external moderator(s).

At the end of the moderation visit, schools must:

- ensure that the headteacher or representative is available to meet with the LA external moderator(s) to receive formal feedback and to sign the written record of the visit
- ensure that any changes to TA judgements as a result of an external moderation visit are accurately reflected in their submitted TA data

## 8.9 Pupils outside the moderation sample

When moderating, the focus is on the pupils who are part of the moderation sample. However, since moderation is about ensuring the accuracy of the teacher's judgements and their understanding of the standards, the judgements made for the pupils in the moderation sample will always have implications for similar judgements made for pupils outside that sample.

Where issues are identified in application of the standards, and the moderator(s) make changes to standards awarded to pupils in the sample, the moderator(s) and teacher will need to have discussed – but not necessarily reviewed in detail – the evidence for any similar pupils in the cohort.

Any potential changes to judgements between the moderation visit and the TA data submission must be recorded on the LA record of visit. If this only affects a small number of pupils, each pupil's unique pupil number (UPN) can be recorded, but when there is a larger number, the moderator(s) could simply record the number of pupils where a change might be made. This is so that the LA data checks of submitted data against moderation decisions can take into account any agreed potential changes.

Before changing any TA outcomes, the school would need to have sufficient additional evidence for the pupils concerned. If, during the visit, school TA judgements were accepted in full by the LA, this additional evidence must be internally re-moderated by the school. If school TA judgements were not accepted in full by the LA during the visit, then additional evidence must be submitted to the LA for review. It is for LAs to determine what evidence they need to see based on the moderation visit.

If the re-moderated evidence for one or more of the pupils in the sample was not agreed by the LA, then it is the responsibility of the headteacher to review other proposed changes to pupils outside of the sample, to ensure all pupils are at the correct standard. Headteachers have a duty to ensure TA judgements are an accurate assessment of pupils' attainment and must submit accurate TA data.

## 9. Appeals

Each LA must have an appeals process for schools which, after escalation within the LA, includes a second external moderation visit or review by a different LA.

LAs must:

- make schools aware of the LA's appeals process prior to, and at the end of, the visit
- ensure that LA external moderator(s) directly refer to the LA's appeals process during the external moderation visit, if any judgements have been amended
- include details of an independent review by the LA and arrangements for a different LA to conduct either a second external moderation visit, or a review of evidence in their appeals process

Schools must provide evidence to the LA to support any appeal claim before it is processed. The evidence can only be based on that seen by the external moderator during the LA external moderation visit.

## 10. Data submission

Schools must:

- submit accurate TA data to the LA by Thursday 28 June 2018
- if selected for external moderation, not submit their data until after the visit has taken place
- only re-submit data to the LA after Thursday 28 June 2018 when required to do so by STA or the LA. If authorisation is not provided, it will be investigated as maladministration. STA should be informed via the NCA helpline on 0300 303 3013

LAs must:

- have a defined data validation process, using local intelligence to investigate any unexpected pattern of attainment for any school
- have a process which ensures that all pupil evidence provided for re-moderation is reviewed by the LA and that only the LA can confirm the final TA judgement for that pupil (this process is not to be used if the school is allowed to re-moderate without LA review)
- have a process to analyse submitted TA data to check that it matches external moderation decisions
- not shorten the moderation window by requesting TA data prior to midday on Monday 25 June 2018
- escalate any concerns about the integrity of the assessment to STA's maladministration team via the NCA helpline on 0300 303 3013

If the school is appealing against the LA's decision, the escalation to STA must include details of the appeal.



# 11. LA management of the external moderation process

## 11.1 Local authority responsibilities

LAs have a statutory responsibility to externally moderate a minimum sample of 25 per cent of their LA maintained schools, plus 25 per cent of academies, including participating independent schools that opt to be included in the LA's external moderation provision.

LAs must:

- be accountable to STA (on behalf of the Secretary of State for Education) for delivery of their statutory duties in relation to external moderation of KS1 TA and, if chosen for the 2017 to 2018 academic year, comply with requirements for an STA external moderation visit
- have a named accountable LA officer who is strategically responsible for planning, implementing and quality assuring external moderation of KS1 TA
- provide STA with the contact details for the accountable officer and external moderation manager and make sure STA is updated with any changes. If the roles are held by the same individual, details of a senior LA manager or director must be provided to STA
- complete a short survey by Friday 15 December 2017, detailing the names of the moderation manager and strategic lead, and confirming that they have an internal plan
- have a full internal plan that details how the LA will deliver its statutory duties for external moderation of KS1 TA. The plan must address any concerns that arose from the 2017 external moderation process. If selected for external moderation, this must be submitted to STA no later than Friday 16 March 2018
- base their sample of maintained schools for external moderation on their own local intelligence

Although LAs should be mindful of schools being selected repeatedly, triggers for external moderation may include:

- new teaching staff
- new senior leadership team
- schools with a year 2 cohort for the first time
- Ofsted concern
- unusual patterns of attainment
- date and / or outcome of last external moderation visit
- concern relating to the 2016 to 2017 assessment cycle, including

maladministration

LAs must also:

- ensure academies and participating independent schools that have opted into their externally-moderated provision are included at least once every 4 years, or more frequently if required. Any academy changing their previously chosen LA provider must give the new provider a copy of the outcomes of their most recent external moderation visit
- maintain an accurate record of external moderation visits, including the reasons for each visit
- ensure their external moderators do not visit schools where they have a potential or perceived conflict of interest

## 11.2 Recruitment of local authority moderators

LAs must recruit an external moderation team with appropriate and recent experience of KS1. They must also train and quality assure LA external moderators so that external moderation is delivered consistently and accurately against the standards within the TA frameworks, throughout the external moderation window.

All LA external moderators must:

- be qualified teachers with recent and relevant experience of KS1 assessment and internal or external moderation
- successfully complete the STA standardisation process for moderation of KS1 writing
- be able to:
  - systematically review evidence against the TA frameworks and adhere to STA guidance
  - manage a professional discussion with teachers about the evidence presented and how a pupil's work meets the standard
  - where appropriate, discuss and explain why a school's TA judgements cannot be validated
  - provide accurate written and verbal feedback to the teacher(s) and headteacher

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