



Department  
for Education

# **Primary school pupil assessment: Rochford Review recommendations**

**Government consultation response**

**September 2017**

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## Introduction

Statutory assessment has an important role to play in ensuring that every child is supported to leave primary school prepared to succeed. It is vital that the statutory assessment system is fair and inclusive, and that it enables all pupils to show progress, regardless of any additional needs they may have. This reflects the fact that we are ambitious for all of our children, regardless of their background or circumstances.

To ensure that the statutory assessment system is as inclusive and effective as it can be, in 2015 the Minister of State for School Standards established an independent review of statutory assessment arrangements for pupils who are working below the standard of national curriculum tests, led by Diane Rochford. The review group was asked to advise whether existing arrangements remained fit for purpose in the light of wider changes to curriculum and assessment.

There is a proportion of pupils who have not completed the relevant programmes of study when they reach the appropriate age for statutory national assessments, and are therefore not able to sit the national curriculum tests. This is a diverse group, with above-average numbers of pupils with special educational needs and disabilities (SEND), pupils from disadvantaged backgrounds and pupils with English as an additional language (EAL). It is crucial that schools are recognised for the progress they make with all pupils, supporting them to achieve their potential, regardless of their background, needs or attainment on entry to school.

In December 2015, the Rochford Review published a set of interim pre-key stage standards for the statutory assessment of those pupils who are not assessed using P scales but are working below the standard of the national curriculum tests. These were first used in the 2015 to 2016 academic year, and were retained for the 2016 to 2017 academic year. The Rochford Review's final report was published in October 2016. In order to work with the sector to develop effective statutory assessment arrangements for pupils working below the standard of national curriculum tests, in March 2017 we launched a consultation on the final recommendations made by the Review. This consultation ran in parallel to the consultation 'Primary assessment in England', which considered broader statutory assessment arrangements for all pupils. Both consultations closed on 22 June 2017.

The consultation on the recommendations made by the Rochford Review received 594 submissions, with respondents providing a diverse and informed range of views. The consultation received responses from:

- 122 teachers working in special schools
- 77 teachers working in mainstream schools
- 68 headteachers of special schools
- 78 headteachers of mainstream schools
- 37 local authority representatives

- 69 special educational needs coordinators
- 18 organisations representing pupils with SEND
- 9 parents or guardians

The number of people whose views have been considered as part of this process is, however, greater than 594. Representative organisations such as the teaching unions canvassed their members before responding. People also contributed via consultation events and meetings. Responses have only been reported as percentages where consultation questions asked respondents to choose between a set of options, not where questions were framed in an open and discursive manner.

This report summarises responses to each consultation question and sets out the government's response regarding each of the Review's final recommendations.

## Inclusive assessment

*R1. The removal of the statutory requirement to assess pupils using P scales.*

*R2. The interim pre-key stage standards for pupils working below the standard of national curriculum tests are made permanent and extended to include all pupils engaged in subject-specific learning.*

This section refers to the statutory assessment arrangements for those pupils who are currently assessed using P scales, but who are engaged in subject-specific learning. P4 is the entry point for subject-specific learning, and the remaining four P scales, P5 to 8, are subject-specific.

The Rochford Review's final report recommended removing the statutory requirement for schools to use P scales to report the attainment and progress of pupils with SEN who are not working at the standard of national curriculum assessments. P scales were intended to create a common language around pupil attainment and to help schools know what to expect of pupils working at that standard. However, P scales are based on the old (pre-2014) national curriculum and therefore do not support pupils' progression onto the current national curriculum tests. As a result, the Review concluded that P scales were no longer fit for purpose.

The Review also recommended that the interim pre-key stage standards are made permanent and extended to include all pupils engaged in subject-specific learning, which would encompass the vast majority of pupils currently assessed using P scales. The recommendations for what should replace P scales for the statutory assessment of the small number of pupils nationally who are not engaged in subject-specific learning are detailed in subsequent sections of this response.

### We asked

**If the statutory requirement to assess pupils using P scales was removed, would any important information no longer be available to you?**

### We heard

Fifty-five per cent of consultation respondents said that the removal of P scales would not result in there being important information that was no longer available to them. Forty per cent of consultation respondents disagreed, and felt that there would be important information that they could no longer access. Where respondents did feel that they would lose important information, this was most often related to the loss of a clear and common sense of what pupils should be doing to be working at a particular standard. Similarly, some respondents who said that removing P scales would result in the loss of important information suggested that there would be a loss of common language and

understanding when it came to judging and discussing pupil progress across settings and local authorities, and in talking about pupil progress and attainment to parents.

Where respondents did not feel that the removal of P scales would result in the loss of any important information, a number of respondents felt that this was because schools had better ways of measuring the progress of these pupils. A number of respondents also felt that P scales were too focused on linear progress, which did not always reflect the reality of how this pupil group progresses.

### **We asked**

**In your opinion, are the pre-key stage standards clear and easy to understand? If you answered no, which of the bulleted statements lack sufficient clarity to enable an effective teacher assessment to be carried out? Please explain why.**

### **We heard**

Sixty-five per cent of respondents agreed that the pre-key stage standards were clear and easy to understand, compared to 30% who disagreed. A small number of respondents who agreed that the pre-key stage standards are clear and easy to understand also said that they would benefit from further guidance on how to administer them.

Where respondents did not agree that the pre-key stage standards were clear and easy to understand, they were most likely to feel that the standards were too broad and needed to be broken down into smaller steps, or that they were too subjective and open to interpretation.

### **We asked**

**Do the pre-key stage standards support and encourage progression on to the statutory national curriculum tests for pupils who are able to do so? Please explain your reasoning and describe how the pre-key stage standards could be improved to support and encourage progression on to the statutory national curriculum tests.**

### **We heard**

Fifty-four per cent of respondents agreed that the pre-key stage standards support and encourage progression onto the statutory national curriculum tests, whereas 38% of respondents disagreed and felt that they did not support progression. Where respondents felt that the pre-key stage standards did encourage progression, reasons given included their ability to create a common language around progress and attainment, their focus on the core areas of a pupil's knowledge, and that they follow the same principles as the interim teacher assessment frameworks. Where respondents did not agree that they

supported progression, this was often because they felt that the steps between the standards were too large for pupils who may be progressing at a slower rate, or because they felt that the standards did not take account of pupils with complex needs.

## Government response

We agree with the Rochford Review that P scales are no longer fit for purpose. As they are based on the old national curriculum, they do not support pupils to progress onto the new national curriculum. In addition, they replicate the old system of levels, which over time came to dominate teaching, and prioritised pace over consolidation. On this basis, it is our intention to accept the Rochford Review recommendation to remove the statutory requirement for teachers to assess pupils using P scales. **We will remove the requirement to assess pupils engaged in subject-specific learning using P scales from the 2018 to 2019 academic year onwards;** teachers should continue to assess these pupils using P scales in the 2017 to 2018 academic year, while we take forward the necessary changes to legislation.

We recognise that a number of consultation respondents were concerned that the removal of P scales would result in the loss of a common framework and language in terms of how the progression of pupils working below the standard is measured and described, both across settings and in terms of discussing pupil performance with parents. In the case of pupils who are currently assessed using P scales and who are engaged in subject-specific learning, we believe that the interim pre-key stage standards can provide this consistent approach and common language to measuring and describing attainment and progress. **We will therefore accept the recommendation that the interim pre-key stage standards are made permanent and extended to cover all pupils engaged in subject-specific learning.** To give schools adequate time to prepare for these changes, this recommendation will take effect from the 2018 to 2019 academic year onwards.

Extending the interim pre-key stage standards so that they are used to assess all pupils engaged in subject-specific learning will ensure that the statutory assessment system is as inclusive as possible. The interim pre-key stage standards are better aligned with the national curriculum and sit directly below the mainstream teacher assessment frameworks, meaning that there is a clear route of progression to national curriculum assessments. We believe that this will better support pupils to progress onto national curriculum assessments, if and when they are ready.

The government response to the parallel 'Primary assessment in England' consultation sets out that we will, from the 2017 to 2018 academic year onwards, move to a more flexible approach of assessing English writing. This change will also apply when it comes to assessing pupils against the interim pre-key stage standards in writing. To support this change of approach, we have reviewed the mainstream teacher assessment frameworks in writing and have published revised versions for use from the 2017 to 2018 academic year onwards. To ensure that the interim pre-key stage standards in writing continue to align directly with the teacher assessment frameworks, we have also published revised

interim pre-key stage standards in writing, for use in the 2017 to 2018 academic year. However, only pupils that are working at the standard that is currently assessed using the interim pre-key stage standards should be assessed using these pre-key stage standards in 2017 to 2018. Pupils who are currently assessed using P scales but are engaged in subject-specific learning (broadly those currently working at P4 to P8), should only be assessed using the pre-key stage standards from the 2018 to 2019 year onwards, once the additional standards proposed by the Review have been introduced. This is detailed in the table below.

The pre-key stage standards will remain interim for a further year whilst they are reviewed. This review will involve curriculum and assessment experts, teachers, school leaders (mainstream and special) and inclusion experts and will take on board the feedback on the interim pre-key stage standards that we have gathered through this consultation exercise. This review will also encompass the two additional standards that were proposed by the Review in their final report ('emerging' and 'entry') to ensure that the standards can cover all pupils engaged in subject-specific learning. These additional standards will be introduced from the 2018 to 2019 academic year onwards. Following the review, we will publish final pre-key stage standards, including these additional standards, for use for all pupils who are engaged in subject-specific learning but not working at the standard of national curriculum tests, from the 2018 to 2019 academic year.

A number of consultation respondents suggested that, as is the case with the mainstream teacher assessment frameworks, materials that exemplify each of the pre-key stage standards would support teachers to make professional judgements using the standards. We agree, and we will therefore produce a suite of supporting exemplification materials to be used alongside the final pre-key stage standards from the 2018 to 2019 academic year onwards.

In addition, some respondents suggested that introducing formal moderation of the pre-key stage standards would help to ensure that the assessment data produced is consistent and of a high quality. In our response to the 'Primary assessment in England' consultation we have set out our intention to pilot a peer-to-peer approach to moderation in the 2017 to 2018 academic year. We believe that a peer-to-peer approach, where schools work together in local clusters to moderate each other's work, overseen by an external moderator, could be particularly appropriate for the moderation of pre-key stage standards if piloting indicated that it could be a successful model, as it could encourage collaboration between schools with pupils working below the standard of national curriculum tests, as was recommended by the Rochford Review. Should the initial pilot of a peer-to-peer approach to moderation of national curriculum assessments prove successful, we would intend to trial it for the pre-key stage standards in the 2018 to 2019 academic year.



**Future statutory assessment arrangements for pupils currently assessed using P scales:**

	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>
<b>Statutory assessment of pupils not engaged in subject-specific learning</b>	P scales	P scales	(Subject to recommendations being accepted following the pilot): assessment against the 7 areas of engagement for cognition and learning
<b>Statutory assessment of pupils engaged in subject-specific learning</b>	P scales	Pre-key stage standards	Pre-key stage standards

## Assessment for pupils not engaged in subject-specific learning

*R3. Schools assess pupils' development in all four areas of need outlined in the SEND Code of Practice, but statutory assessment for pupils who are not engaged in subject-specific learning should be limited to the area of cognition and learning.*

*R4. There should be a statutory duty to assess pupils not engaged in subject-specific learning against the following 7 aspects of cognition and learning and report this to parents and carers: responsiveness; curiosity; discovery; anticipation; persistence; initiation; and investigation.*

*R5. Following recommendation 4, schools should decide their own approach to making these assessments, according to the curriculum that they use and the needs of their pupils.*

This section refers to Rochford Review recommendations 3, 4 and 5. There are a small number of pupils whose special educational needs or disabilities are such that they will not be engaged in subject-specific learning by the time they reach the end of key stage 1 or 2. Currently, these pupils are assessed using the lowest P scales; however, the Review recommended that the statutory duty to assess pupils using P scales be removed. The pre-key stage standards discussed above are subject-specific, and therefore could not be used to assess these pupils.

The Rochford Review concluded that making cognition and learning the focus of statutory assessment for pupils with severe or profound and multiple learning difficulties would help to ensure that they are developing the right concepts and skills to progress on to those aspects of subject-specific learning assessed by the pre-key stage standards, if and when they are ready to do so. The Review was very clear, however, that focusing statutory assessment on cognition and learning should not undermine provision in the other areas of need set out in the SEND Code of Practice, all of which play a crucial role in promoting independence and quality of life.

In line with The Complex Learning Difficulties and Disabilities (CLDD) research project, commissioned by the department and published in 2011, the Review found that early development in cognition and learning centres on a range of skills that enable pupils to engage in learning situations and on their growing ability to seek out or direct learning opportunities autonomously. The Review therefore recommended that schools should have a statutory duty to assess pupils who are not engaged in subject-specific learning against the 7 areas of engagement for learning identified by the CLDD research project. These are: responsiveness, curiosity, discovery, anticipation, persistence, initiation, and investigation. These areas of engagement can be used as an observational framework to monitor the varying ways in which, and degrees to which, a pupil demonstrates attention, interest and involvement in new learning. The Review believed that statutory assessment

focusing on these areas would ensure that schools gave appropriate attention to the development of concepts and skills that are pre-requisites for progressing on to subject-specific learning.

Whilst the Review recommended that schools should have a statutory duty to assess pupils against the 7 areas of engagement for cognition and learning, it recommended that schools should be free to assess pupils against these 7 areas in a way that best reflects the needs of the individual pupil and the curriculum that they follow. This is because the needs of this group of pupils are such that their progression is not always linear, and it is therefore inappropriate to prescribe milestones that should have been met by a particular age.

### **We asked**

**Do you agree that statutory assessment should focus on cognition and learning? Please explain your reasoning and, if applicable, describe what should be assessed instead or in addition to cognition and learning, and why.**

### **We heard**

Fifty-four per cent of respondents agreed that statutory assessment should focus on cognition and learning, compared to 40% of respondents who disagreed. Where respondents agreed that statutory assessment should focus on cognition and learning, a number of respondents agreed that this should not undermine provision in the other areas of need identified by the SEND code of practice. A number of respondents who disagreed instead thought that statutory assessment should focus on all 4 areas of need identified by the SEND code of practice. Some respondents thought that statutory assessment should also focus on communication and interaction, whilst others thought it should consider social, emotional and mental health. A number of respondents thought that statutory assessment should also focus on sensory or physical health.

### **We asked**

**Do you agree that assessing against the 7 areas of engagement listed above is the right model to be used in the statutory assessment of these pupils? Please explain your reasoning and, if applicable, provide details of robust alternative methods for the assessment of cognition and learning, or other SEND areas of need, which the department should explore.**

### **We heard**

Sixty-four per cent of respondents agreed that the 7 areas of engagement is the right model to be used in the statutory assessment of pupils not engaged in subject-specific learning, compared to 30% of respondents who disagreed. Where respondents agreed

that the model was the right approach, reasons given included that this would assess areas that are relevant to children with complex needs, and that it would provide useful information to support progress towards subject-specific learning. A number of respondents felt that the model was the right approach, but said that they would require further guidance on how to assess against the 7 areas of engagement.

Of those respondents who did not feel that the 7 areas of engagement was the right approach, a number commented that the model does not measure the right things, whereas others said that it did not address the specific needs of this pupil group. Other concerns raised included the subjectivity of the model, and the fact that it would not produce data that was comparable between schools.

### **We asked**

**Do you believe that assessing pupils against the 7 areas of engagement for cognition and learning would give parents and carers meaningful information about their child's attainment and progress?**

### **We heard**

Sixty-four per cent of respondents agreed that assessing pupils against the 7 areas of engagement would give parents and carers meaningful information about their child's attainment and progress, whereas 30% of respondents disagreed. Where respondents agreed, reasons given included that the model would provide useful, individual information on pupil progress. A number of respondents did, however, comment that they felt that parents might need additional help in interpreting results. Where respondents did not agree that the approach would give parents meaningful information about attainment and progress, reasons included concerns that parents would not understand the language of the model, that the model is too subjective, and that the model would not produce comparable data.

### **We asked**

**If you did not agree that statutory assessment should only focus on cognition and learning, do you think that the 7 areas of engagement would be useful in assessing the other areas of need as outlined in the SEND Code of Practice: 0-25 years (communication and interaction; social, emotional and mental health; sensory and/or physical)?**

### **We heard**

Thirty-two per cent of respondents did not answer this question, this is likely to be due to the fact that many agreed that statutory assessment should focus on cognition and learning. Forty-eight per cent of respondents agreed that the 7 areas of engagement

would prove useful in assessing the other areas of need outlined in the SEND Code of Practice, whereas 20% of respondents disagreed.

### **We asked**

**For those working in educational settings, if the government accepted the recommendation that schools should decide the best way to assess the 7 engagement areas of cognition and learning, would you be able to assess pupils against the 7 areas using the guidance provided in the Rochford Review's final report?**

### **We heard**

Fifty-three per cent of respondents felt that they would be able to assess pupils against the 7 areas of engagement of cognition and learning using the guidance provided by the Rochford Review, whereas 35% said that they would not be able to assess pupils using this guidance. Even where respondents did feel that they would be able to assess using the existing guidance, a number commented that having examples of good practice would be helpful. Other respondents commented that the approach would support them to develop their own systems. Some respondents raised the concern that assessing pupils against this approach would require additional time and resources in schools. Where respondents did not feel that they would be able to assess pupils against the 7 areas of engagement, reasons given included that the principles were too generic and that the time and resource burden associated with developing their own systems would be excessive.

### **Government response**

We agree with the principle set out by the Rochford Review that statutory assessment of pupils not engaged in subject-specific learning should primarily focus on the areas of cognition and learning. This ensures that statutory assessment is as consistent as possible for all pupils, so that pupils are supported to progress onto subject-specific learning if and when they are ready. However, as the Review set out, we are very clear that the focus of statutory assessment on cognition and learning should not undermine provision in any other areas of need set out by the SEND code of practice. As was emphasised by a number of consultation respondents, all of these areas are fundamentally important to pupil development and play a crucial role in promoting independence and quality of life. It is important that schools continue to monitor and support pupils' development in all 4 areas to foster engagement with the world and to encourage autonomy.

We also agree with the Rochford Review that the ability to engage with education is an essential pre-requisite for cognitive development among pupils with severe, profound and multiple learning disabilities. We think that there is merit in statutory assessment focusing on areas that support the development of concepts and skills that are pre-requisites for

progressing onto subject-specific learning.

Those pupils who are not engaged in subject-specific learning have particularly complex, individual needs. It is important that statutory assessment takes account of these needs. As pupils with the most severe or profound and multiple difficulties frequently do not make progress in a linear way, the Review recommended that schools should have greater freedoms in how they assess these pupils, in order to develop approaches that work for their pupils and the curriculum that they follow. Allowing schools the freedom to select an approach appropriate to their pupils would mean that the information captured by the assessment is not limited to any specific type outlined in a prescribed model. The approach could therefore demonstrate every kind of progress made by a pupil, be it linear, lateral or consolidation. We know that the teachers and other school staff that work with these pupils have the best expertise and understanding of their complex and individual needs, and therefore recognise that there may well be value in them having greater flexibility in terms of how they carry out assessment.

We are, however, aware that a number of individual respondents and representative organisations have expressed concerns about the introduction of a statutory requirement to assess pupils against the 7 areas of engagement, given that it was not originally designed as a statutory assessment tool, and it is relatively untested in its proposed form. Concerns have also been raised by some respondents about whether the model assesses the appropriate aspects of cognition and learning. We are clear that all statutory assessment arrangements must be robust, reliable and fair. We are committed to introducing a stable, sustainable assessment system, and it is therefore important that we are completely confident in any change that we introduce, to avoid having to make further changes to assessment arrangements in the future. **We will therefore pilot the Review's recommended approach to assessing pupils not engaged in subject-specific learning in the 2017 to 2018 academic year, before taking any final decisions on whether to implement this approach on a statutory basis.** This will mean that, if accepted following the pilot, changes would take effect from the 2019 to 2020 academic year onwards, following amendment to the relevant legislation. In the meantime, schools should continue to assess pupils not engaged in subject-specific learning using the P scales.

The pilot will explore whether the 7 areas of engagement is an appropriate model to assess cognition and learning, and whether the model is appropriate for use in statutory assessment. The pilot will also consider whether schools are able to adapt the 7 areas of engagement into an assessment model that is relevant and useful to them and to others, including parents, governors, local authorities, inspectors and regional schools commissioners. This will allow us to consider whether it is proportionate and effective to provide schools with greater freedoms in assessing pupils not engaged in subject-specific learning. The pilot will also explore what support schools require to be able to assess pupils against the 7 areas, so that the department is in a position to provide effective support to schools to adopt this approach, should it be introduced. This will be particularly important given that a substantial number of consultation respondents said

that they would benefit from additional information on good practice and examples of assessing against the 7 areas of engagement.

## Reporting assessment data

*R9. There should be no requirement to submit assessment data on the 7 areas of cognition and learning to the Department for Education, but schools must be able to provide evidence to support a dialogue with parents and carers, inspectors, regional schools commissioners, local authorities, school governors and those engaged in peer review to ensure robust and effective accountability.*

This section refers to Rochford Review recommendation 9. Schools currently have a statutory duty to submit P scale data to the department and this data is made available at national level only. Once the use of P scales has been made non-statutory, this duty will cease. Whilst schools will continue to have a statutory duty to report judgements against the pre-key stage standards for pupils engaged in subject-specific learning, the Rochford Review recommended that schools should not be required to submit the data they collect for pupils not yet engaged in subject-specific learning when assessing them against the 7 areas of engagement. This is because a specific reporting format would require a specific form of assessment, which contradicts the Review's recommendation that schools should be free to assess these pupils in a way that is appropriate for the needs that they have and the curriculum that they follow.

Whilst schools would not have to submit the data they collect from assessing these pupils against the 7 areas of engagement, they would have to report the number of their pupils that were not engaged in subject-specific learning.

### We asked

**The Rochford Review recommends that schools should not be required to submit assessment information to the department for pupils not engaged in subject-specific learning. Do you agree with this recommendation?**

### We heard

Seventy-two per cent of respondents agreed that schools should not be required to submit assessment information for pupils who are not engaged in subject-specific learning, whereas 22% disagreed. Where respondents agreed, reasons given included that progression and attainment should be monitored through broader dialogue, and that assessment data should not be reported if schools are developing their own assessment models. A number of respondents suggested that it would be useful to have further information on how to report assessment against the 7 areas of engagement to parents, Ofsted and other stakeholders. Where respondents disagreed, reasons given included the view that if data is collected for other pupils, the same should be done for this group, and that it is important to be able to make comparisons between schools on the attainment and progress of their pupils. Some respondents were concerned that this approach would reduce overall accountability for this group of pupils.



## Government response

The government collects assessment data from schools in order to provide a picture of standards at a national level, to provide parents and others with useful information about a school, to recognise and celebrate the progress that schools make with their pupils, and in some cases, to begin a conversation about any further support that a school may benefit from. We only collect assessment data from schools when it is useful, robust and – most importantly in this case – nationally consistent.

As we set out earlier in this document, we will consider whether schools should have a greater degree of flexibility over how they assess pupils who are not engaged in subject-specific learning against the 7 areas of engagement for cognition and learning through the pilot in the 2017 to 2018 academic year. We will take a final decision on whether or not to accept the Review's recommended approach to assessing these pupils following this pilot. This pilot will also consider the extent to which the Review's recommended approach provides information that is able to robustly evidence pupil progress, and the extent to which assessment data can be collected. Following this pilot, we will also determine what, if any, assessment data will be collected by the department.

Were we to fully accept the Review's recommended approach, we would not be able to collect nationally-consistent data for pupils not engaged in subject-specific learning. This is because a specific format for reporting would presuppose a specific form of assessment result, which would undermine the freedom to assess against the 7 areas of engagement in a way that is most suited to the needs of individual pupils. Were recommendation 9 to be accepted, schools would have to report that these pupils have not demonstrated evidence at 'entry to the expected standard' on the pre-key stage standards, and are therefore being assessed against the 7 areas of engagement for cognition and learning, but would not have to provide any more detailed information about their progress against the areas of engagement.

Despite not producing nationally-consistent data, assessment against the 7 areas of engagement would provide further information to support accountability for the work schools do with these pupils. Not having nationally-consistent data would not mean that schools' accountability for this group of pupils would be any less; it is simply the case that schools would be held to account in a way that was slightly different. Schools would have to be able to evidence pupil attainment and progress through discussion, including with parents, governors, local authorities, Ofsted and regional schools commissioners. These discussions would cover the variety of ways in which pupils with the most severe or profound and multiple needs make progress and would be supported by a range of evidence that underpins teachers' judgements about their pupils. There would, however, be no expectation that performance and pupil-tracking information should be presented in a particular format.

It should be noted that, if they were to be accepted following piloting, the Rochford Review recommendations on the assessment of pupils not engaged in subject-specific learning would only take effect from the 2019 to 2020 academic year onwards. In the

2017 to 2018 and 2018 to 2019 academic years, schools should continue to report assessment outcomes using P scales for this group of pupils.

## Implementation

*R6. Initial Teacher Training (ITT) and Continuing Professional Development (CPD) for staff in educational settings should reflect the need for teachers to have a greater understanding of assessing pupils working below the standard of national curriculum tests, including those pupils with SEND who are not engaged in subject-specific learning.*

*R7. Where there is demonstrable good practice in schools, those schools should actively share their expertise and practice with others. Schools in need of support should actively seek out and create links with those that can help to support them.*

*R8. Schools should work collaboratively to develop an understanding of good practice in assessing pupils working below the standard of national curriculum tests, particularly across different educational settings. Schools should support this by actively engaging in quality assurance, such as through school governance and peer review.*

This section refers to Rochford Review recommendations 6, 7 and 8. The Rochford Review made a number of recommendations on the implementation of changes to assessment arrangements for pupils working below the standard of national curriculum tests. These include the recommendation that initial teacher training (ITT) and continuing professional development (CPD) should facilitate greater understanding of how to assess pupils working below the standard of the national curriculum tests, and that schools should work collaboratively to share expertise and good practice on assessment of these pupils.

### We asked

**How can we ensure that ITT and CPD provision adequately supports those who work in schools with the assessment of pupils who are not working at the standard of national curriculum tests? What kind of training, materials and support would be helpful?**

### We heard

Many respondents said that there should be specific training modules within ITT that focus on the assessment of pupils with special educational needs and disabilities. A number of respondents suggested that there should be more placements in special schools available, during ITT and beyond, whereas many respondents suggested that there should be greater collaboration between special and mainstream schools. Other suggestions included the provision of training materials (both online and face-to-face) on assessing pupils working below the standard of national curriculum tests, the sharing of best practice and exemplification materials, and further CPD being made available from specialist providers.

## We asked

**The Review suggests that schools should work collaboratively across different types of educational settings. How could schools best be supported to share good practice?**

## We heard

Many respondents suggested that schools should work together through local groups or networks, and a number of respondents said that collaboration between special and mainstream schools should be particularly encouraged. Other suggestions included designating specific funding to encourage schools to support each other, having specialist leaders with expertise in assessing pupils working below the standard in each area, and schools working within teaching school alliances. A number of respondents also commented on the need for time to be made available for staff to collaborate across settings.

## Government response

We agree that ITT and CPD must support teachers and school leaders to develop their understanding of assessment for pupils working below the standard of national curriculum tests.

The government is committed to ensuring that the education system can recruit, train, develop and retain the best possible teachers. Key to this ambition is strengthening the quality and content of ITT programmes so that new teachers enter the classroom fully equipped for success with a depth of subject knowledge, practical behaviour management strategies, a sound understanding of special educational needs, and an ability to use the most up-to-date research on how pupils learn.

As part of our commitment to strengthen how new teachers are trained, in July 2016 we published the new framework of core content for ITT.<sup>1</sup> Standard 5 within this framework details how to '*adapt teaching to respond to the strengths and needs of all pupils*' and therefore contributes towards taking forward the Review's recommendations regarding ITT. To build on this work, key stakeholders including the Universities' Council for the Education of Teachers (UCET) and the National Association of School-Based Teacher Trainers (NASBTT) are developing more detailed 'toolkits' for ITT providers to use alongside the framework, which will include training and other resources. As part of this,

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<sup>1</sup>[A framework of core content for initial teacher training \(ITT\).](#)

UCET and NASBTT are working with SEND organisations to develop specific SEND resources for teacher training in line with the new framework.

While strengthening how teachers are trained through the new ITT framework, we also understand the importance of ongoing professional development throughout a teacher's career. That is why we are promoting a culture of high-quality professional development in schools and helping teachers and school leaders to identify and participate in the most effective activities, for example through our publication of the Standard for Teachers' Professional Development and the Teaching and Leadership Innovation Fund. Published in 2016, and developed by an independent expert group, the Standard helps schools, teachers and professional development providers to identify and deliver the best opportunities for teachers. The Teaching and Leadership Innovation Fund provides around £75m for evidence-based and high-quality professional development in areas of the country where it is most needed. We will explore the training materials and additional support that could be offered to schools to help teachers to have a greater understanding of assessing pupils working below the standard of national curriculum tests. Furthermore, we are giving schools the freedom to work together to identify and participate in high-quality development opportunities that respond to teachers' needs.

We fully agree with the Review that schools should actively seek to collaborate and share their expertise and practice on assessing pupils working below the standard of national curriculum tests with others. There should be a sense of a responsibility to share knowledge and experience where possible, both from those schools where there is already demonstrable good practice, by sharing the work they are doing, and from those schools who are less confident in their approach, by seeking out opportunities to learn from others. The government's role in this collaboration is to empower schools by promoting and supporting a culture within the profession that constantly seeks to improve, uses evidence, and stays ahead of the curve by supporting developments such as the Chartered College of Teaching. Through the Chartered College, the teaching profession will drive its own improvements in practice. The College will focus on helping teachers to access high-quality professional development and to use the available evidence base on effective teaching to inform their own practice.

We will continue to consider how we can further support and encourage this collaboration. For example, should, following piloting in the 2017 to 2018 academic year, peer-to-peer moderation be introduced as a system for formally moderating teachers' judgements against the pre-key stage standards, we believe this quality assurance process will support effective collaboration, by bringing together schools in local clusters.

## Pupils with English as an additional language (EAL)

*R10. Further work should be done to consider the best way to support schools with assessing pupils with English as an additional language.*

The Rochford Review also focused on the number of pupils who are not yet working at the standard of national curriculum tests because they do not speak English as their first language. The Review recommended that further work should be done to consider how schools can best be supported to assess these pupils.

### We asked

**Would additional guidance for the statutory assessment of pupils who are not yet working at the standard of national curriculum tests and who have English as an additional language be helpful?**

### We heard

Eighty-three per cent of respondents agreed that additional guidance on the statutory assessment of pupils who are not yet working at the standard of national curriculum tests and who have English as an additional language would be helpful. Nine per cent of respondents did not agree that additional guidance would be helpful. Some respondents were keen to see examples of good practice and tools, whereas others suggested that the department could provide guidance on how language develops.

### Government response

We agree that further work should be done to consider the best way to support schools to assess pupils with English as an additional language (EAL) who are working below the standard of national curriculum tests.

Pupils with EAL can fit a wide range of profiles. Some may be newly-arrived to the country and may have come from difficult circumstances in their home country. Others may always have lived in the UK, but may come from homes where English is not spoken. Others may already be bilingual or multilingual. The right approach to supporting assessment for all these pupils may be different. Whilst it is important that these pupils can be assessed within wider statutory assessment arrangements, additional advice or guidance may be required to help teachers with making their assessments accurately and effectively.

The statutory assessment and reporting arrangements (ARA) set out the process to be followed if a pupil's limited ability to communicate in English means that he or she is unable to access the test and should not take them. We plan to update this statutory assessment guidance to provide further information on assessing pupils with EAL to

support teachers in making these judgements. We will also consider whether there is any further guidance that it would be appropriate for us to provide.

We also support the work of the Education Endowment Foundation (EEF) who are working in partnership with The Bell Foundation and Philanthropy Unbound to fund trials of different approaches to raising the attainment of pupils who are classed as having EAL and are from socio-economically disadvantaged backgrounds.<sup>2</sup> All of the projects will be evaluated rigorously by EEF-appointed independent researchers, and individual evaluation reports will be published from spring 2018 onwards.

In addition, The Bell Foundation is separately funding and running a five-year programme focused on improving outcomes for disadvantaged EAL pupils.<sup>3</sup> The programme includes a project led by EAL experts to develop a dedicated national framework for assessing pupils from linguistically-diverse backgrounds when they enter school, and activities which aim to build capacity of the EAL teachers in ITT and in schools.

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<sup>2</sup> Full details of the projects are available on the [EEF website](#).

<sup>3</sup> Details of this work are available on [The Bell Foundation website](#).

## Reducing burdens within the assessment system for pupils working below the standard of national curriculum tests

Statutory assessment will always create some burdens for teachers and schools. It is crucial that these burdens are minimised, and that they are balanced against the benefits brought about by assessment. We are continually considering ways in which we can further minimise the burdens brought about by the statutory assessment system. It is for this reason that we sought views on whether there were additional steps that we could take to reduce any burdens associated with the statutory assessment of pupils not yet working at the standard of national curriculum tests.

### We asked

**What steps could we take to reduce any burdens on those involved in the statutory assessment of pupils not yet working at the standard of national curriculum tests?**

### We heard

A number of respondents suggested that improved guidance on statutory assessment arrangements would reduce burdens, whereas other respondents suggested that further sharing of good practice would be helpful. Some respondents said that schools should have more freedom over how they conduct statutory assessment. A number of respondents said that statutory assessment arrangements should be simplified. Other suggestions included reducing the amount of administration associated with assessment.

### Government response

We believe that the approach to the assessment of pupils working below the standard of national curriculum tests set out in this document will work to reduce the burdens placed on teachers and schools. In terms of those pupils not engaged in subject-specific learning, if the recommendations were to be accepted following trialling, providing schools with a greater degree of freedom over how they assess pupils against the 7 areas of engagement could reduce burdens by allowing schools to develop a system that suits the individual needs of their pupils. Whilst schools would still have to demonstrate pupils' attainment and progress, through discussions with parents, inspectors, local authorities, school governors and regional schools commissioners, there would be no expectation that performance and pupil-tracking information should be presented in any particular format.

As part of the pilot on assessing pupils against the 7 areas of engagement for cognition and learning, we will consider how schools can best be supported to move to this model. This will enable us to provide the appropriate support and guidance, so that schools face minimal burdens in this change of approach.



In terms of pupils engaged in subject-specific learning, we believe that the simplified pre-key stage standards will reduce burdens in terms of the evidence that teachers have to collect about each pupil. The full review of the interim pre-key stage standards that will commence this autumn will also consider the guidance to accompany the standards, to ensure that it is as clear, concise and as helpful as possible. To further support schools to assess pupils against the pre-key stage standards, we will produce supporting exemplification materials. This will aim to reduce burdens by providing further clarity on what a pupil must demonstrate in order to be working at a particular standard.

## Equalities

We asked whether any of the consultation proposals could have a disproportionately negative impact on pupils with protected characteristics, and if so, what could be done to mitigate this.

### We asked

**Do you think that any of our proposals could have a disproportionate impact, positive or negative, on specific students, in particular those with 'relevant protected characteristics' (including disability, gender, race and religion or belief)? Please provide evidence to support your response.**

### We heard

A number of respondents said that the Rochford proposals would not have a disproportionate impact on pupils with relevant protected characteristics, with a further number expecting that any impact would be positive. Some respondents were concerned that there would be a disproportionate negative impact on pupils as the Rochford proposals were not aspirational, whereas a small number felt that there would be a negative impact as the proposed system would isolate pupils from their mainstream peers. Other responses included concerns that there would be a negative impact on pupils, as there would be less data to hold schools to account with.

### We asked

**How could any adverse impact be reduced and are there any ways we could better advance equality of opportunity? Please provide evidence to support your response.**

### We heard

Suggestions for ways that any adverse impact could be reduced included providing improved guidance on assessing pupils working below the standard of national curriculum tests, reporting the assessment outcomes of all pupils, introducing formal moderation of the assessment outcomes of this pupil group, and providing greater access to support on how to assess pupils using the proposed statutory assessment system.

### Government response

The impact of the policies set out in this document on pupils with protected characteristics are considered in full in the equalities impact assessment, which has been published alongside this response. In summary, we believe that the proposals set out in

this document will have a positive impact on pupils working below the standard of national curriculum tests, a large proportion of whom have disabilities, which is a protected characteristic under the 2010 Equality Act.

Extending the interim pre-key stage standards to cover all pupils engaged in subject-specific learning will ensure that the statutory assessment system is as inclusive as possible, so that pupils can be supported to progress on to national curriculum assessments, if and when they are ready. For those pupils who are not yet engaged in subject-specific learning, piloting the engagement model proposed by the Review will ensure that statutory assessment of these pupils is suitable so that all pupils are able to demonstrate progress, whatever form this may take.

In addition, the Review recommended that further work be done to provide guidance on assessing those pupils with EAL who are working below the standard of national curriculum tests. We will update existing assessment guidance to provide further information on how these pupils should be assessed, and will consider whether there is any further guidance we can provide. We expect that this will have a positive impact on pupils with EAL.

## Annex A: List of organisations that responded to the consultation

- Achievement for All
- Ambitious about Autism
- Association of Educational Psychologists
- Association of School and College Leaders (ASCL)
- Association of Teachers and Lecturers (ATL)
- B Squared
- British Association of Teachers of the Deaf (BATOD)
- Cognition and Learning team, Nottinghamshire County Council
- Chadsgrove Teaching School Alliance
- Driver Youth Trust
- Engagement 4 Learning
- Essex County Council
- Federation of Leaders in Special Education
- GL Assessment
- Hackney Learning Trust
- Hampshire County Council
- Hampshire SLD Headteachers Group
- Hawthorns School
- I CAN, the children's communication charity
- Islington SENCo Network
- Kent County Council
- LKMco
- London Borough of Ealing
- NASEN
- NASUWT
- Natalie Packer Educational Consultancy Ltd
- National Association of Head Teachers (NAHT)
- National Association of Independent Schools and Non-Maintained Special Schools (NASS)
- National Deaf Children's Society
- National Governors' Association
- National Network of Parent Carer Forums
- National Subject Association for English as an Additional Language (NALDIC)
- National Union of Teachers (NUT)
- Northumberland County Council
- Nottingham City Council
- Oak Field School and Sports College
- Ofqual

- OFSTED
- Perseid School
- Portswood Teaching Schools Alliance
- Samuel Pepys School
- SENSible Consultancy
- Sensitive Education Consultancy Ltd
- Southampton Inclusion Partnership
- Southampton Local Authority
- Southwark Local Authority
- Special Education Consortium
- The Bell Foundation
- The Communication Trust
- The National Sensory Impairment Partnership (NatSIP)
- Voice The Union
- Vulnerable Learners Service North Somerset Council



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