

# Access to education attainment data

A review of the continuing compliance with aspects of the Code of Practice for Official Statistics of school-level attainment statistics, produced by the Department for Education

# Contents

	Page
<b>1. Introduction</b>	<b>1</b>
<b>2. Summary conclusions and recommendations</b>	<b>3</b>
<b>3. Investigation and analysis</b>	<b>6</b>
<b>3.1 The effect of the absence of unregulated international GCSEs</b>	<b>6</b>
<b>3.2 User interest in performance including unregulated qualifications</b>	<b>10</b>
<b>3.3 Gap in coverage of the statistics</b>	<b>12</b>
<b>3.4 DfE's presentation of purpose, content and limitations</b>	<b>14</b>
<b>3.5 Data availability and access</b>	<b>17</b>
<b>Annex 1: Background information on the statistics</b>	<b>19</b>
<b>Annex 2: Limitations of our estimates of schools and pupils affected</b>	<b>24</b>

# Access to information about education attainment

## 1. Introduction

The Department for Education (DfE) publishes school-level attainment statistics for England as part of its online Performance Tables<sup>1</sup> alongside wider contextual information about the setting in which schools operate. It publishes the school-level attainment statistics in the form of performance measures. DfE told us that the primary purpose of the school-level attainment statistics in the Performance Tables is to act as an accountability tool that Ministers use to discharge their responsibilities to raise standards in education in England by holding state-funded schools to account for their performance. DfE said that it makes that performance information available publicly for a secondary purpose, which is to enable parents, school governors and others to hold state-funded schools to account. The Performance Tables as a whole contain information that people can use to inform their choices about schools, including both state-funded and independent schools<sup>2</sup>. Restricted access is given to pupil data through the National Pupil Database (NPD) – including on attainment – for purposes such as research and analysis (annex A1.4).

The UK Statistics Authority previously supported the publication of school-level attainment statistics for England in DfE's Performance Tables as we considered that it increased their public value<sup>3</sup>. We suggested that DfE should consider them as official statistics on the grounds that it uses them publicly in support of government decisions that are of clear public interest. We subsequently assessed<sup>4</sup> the school-level attainment statistics for England in the Performance Tables against the Code of Practice for Official Statistics (the Code)<sup>5</sup> and awarded National Statistics status after receiving evidence that DfE had met the various requirements that resulted from the assessment<sup>6</sup>.

Since the Authority made that judgment, we received additional evidence about the absence of unregulated international GCSEs from the school-level attainment statistics and the underlying data in the NPD (annex A1.4), leading to a potential gap in coverage in pupil attainment. During the course of our investigation, an additional question was raised about whether the school-level attainment statistics in the Performance Tables can continue to hold National Statistics status.

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<sup>1</sup> <https://www.compare-school-performance.service.gov.uk/>

<sup>2</sup> The information that DfE has statutory powers to collect, and as a consequence the amount of information it publishes, is less than for state-funded schools (annex A1.3)

<sup>3</sup> <https://www.statisticsauthority.gov.uk/publication/school-level-examination-statistics/>

<sup>4</sup> <https://www.statisticsauthority.gov.uk/publication/school-level-examination-statistics-for-england/>

<sup>5</sup> <https://www.statisticsauthority.gov.uk/monitoring-and-assessment/code-of-practice/>

<sup>6</sup> <https://www.statisticsauthority.gov.uk/publication/school-level-examination-statistics-for-england-letter-of-confirmation-as-national-statistics-1/>

## Access to information about education attainment

Ofqual regulates qualifications in England under section 96 of the Learning and Skills Act 2000. DfE publishes statistics on school-level attainment in accredited qualifications – that have been through Ofqual’s formal process of accreditation and that the Secretary of State for Education approves – through its Performance Tables. It makes data on pupil-level attainment in approved qualifications available through the NPD. DfE does not currently report attainment or supply data on unregulated qualifications such as international GCSEs that are not accredited and approved (annex A1.2). This affects the reporting of performance measures in the Performance Tables for a school or college in which pupils take unregulated qualifications. It does not alter the awards that an individual pupil has achieved.

This paper sets out our investigations into the absence from DfE’s statistics and data of unregulated international GCSEs and its consequences, and the related question of the appropriateness of the National Statistics status. It presents the Authority’s overall conclusion that the National Statistics status of the school-level attainment statistics for England in the Performance Tables should continue, but improvements must be made, and it sets out the actions that DfE should take to ensure continuing Code compliance.

We present our summary conclusions and the actions that we expect DfE to take in section 2. We summarise the results of our investigations and set out our investigations and analysis in more detail in the section 3. Annex 1 presents background information about DfE’s Performance Tables; the timeline of inclusion of international GCSEs in the performance measures; the performance measures that DfE reports in the tables; and the National Pupil Database. Annex 2 sets out the limitations of our estimates of schools and pupils affected by the absence of unregulated international GCSEs.

## 2. Summary conclusions and recommendations

The Authority awarded National Statistics status in 2014 to school-level attainment statistics for England as presented in DfE's Performance Tables. Following a recent enquiry that highlighted the absence of unregulated international GCSEs from attainment statistics, the Director General for Regulation commissioned an investigation to gather new evidence about the school-level attainment statistics and the underlying data, and to consider the implications for the National Statistics status of these statistics.

We concluded that:

- the absence of unregulated international GCSEs from DfE's headline performance measure almost exclusively affects the published results of independent schools (section 3.1)
- the absence of unregulated international GCSEs from the Performance Tables and the underlying data in the NPD means that reported school-level attainment statistics do not reflect the performance of all pupils (section 3.1)
- there is some, limited, evidence of user demand for information on pupil performance that includes unregulated international GCSEs although DfE has not yet investigated its extent and nature; other information providers and DfE's planned actions for improved data access may go some way to meet that demand (section 3.2)
- there is a gap in coverage – that is only partially covered by DfE's published statistics – of the performance of all pupils in all types of schools for all types of qualifications in England (section 3.3)
- the gap in coverage – whether measured by incompleteness of the statistics or unmet user demand – appears relatively small in scale. Consistent with other recent judgments, this does not undermine the current National Statistics status of the school-level attainment statistics that are presented in the Performance Tables (section 3.3)

The Performance Tables are primarily an accountability tool that Ministers in DfE use to hold state-funded schools in England to account for their performance. There is no reason in principle that statistics that are used as an accountability tool cannot have National Statistics status although their purpose should be adequately explained. In fact, we have previously said that, where data are used to drive performance or to provide accountability, we expected producers to publish these at least as official statistics and ideally as National Statistics<sup>7</sup>. It is worth noting that the consequence for the statistics of their intended use is that the nature of what is reported reflects

<sup>7</sup> <https://www.statisticsauthority.gov.uk/publication/official-statistics-performance-measurement-and-targets/>

## Access to information about education attainment

changing policy priorities and as a result may change over time. Considering all of this, we concluded that:

- as currently presented – in particular the lack of clarity about the purpose and content of the Performance Tables and the impact of the absence of international GCSEs – there is a risk that the school-level attainment statistics will mislead some users (section 3.4)

As a result of our focused assessment of continuing compliance with the Code, **our overall conclusion is that the National Statistics status of the school-level attainment statistics as presented in DfE's Performance Tables should continue, on the understanding that DfE implements the requirements that we have set out in this section.**

The Performance Tables as published are undoubtedly useful to answer a wide range of research questions on school and college attainment in England. It is not a necessary condition of National Statistics status that a particular set of statistics should meet the needs of all users. Instead, we would expect to see as full a picture as possible across the suite of published statistics and data on a particular topic that is of broad public interest.

Before we received the enquiry, DfE had started work to improve access to pupil data. After our initial discussions it proposed additional actions to improve access to information about the reported performance of pupils affected by the absence of unregulated international GCSEs from performance measures.

The existing work and additional actions include:

- making available an alternative version of the NPD that contains a wider range of exam results for the purposes of research and analysis
- existing negotiations to arrange a data lab service that would extend secure access to the NPD data under appropriate safeguards
- publishing a prominent, clear explanation of the process for requesting supplementary data analysis

(section 3.5)

To improve access for parents and others with an interest in the performance of specific independent schools, in addition to implementing these actions, DfE should also take action to meet the following requirements:

- 1) **Signpost to alternative sources of information about unregulated international GCSEs**

Actions that DfE is taking may be sufficient to address the demand for information about unregulated international GCSEs. DfE should:

**2) Keep the demand under review to make sure that this is, and remains, the case**

Given the risk of misleading those users with an interest in performance that includes unregulated international GCSEs, DfE should:

**3) Improve its explanation of:**

- **the purpose of the Performance Tables – first as an accountability tool in relation to state-funded schools – which is not clear**
- **the description of zero per cent on the headline performance measure for some schools with links to clear and more detailed explanation**
- **the scale of the exclusion of international GCSEs, and the types of schools it affects**

We welcome DfE's openness to recognising shortcomings in the statistics that this enquiry highlighted, its positive approach to addressing these and its pre-existing work on extending access. **We will ask DfE to provide regular updates to the Authority on the progress it is making to implement these requirements with the first update no later than three months from the date of publication of this report.**

### 3. Investigation and analysis

The Authority received an enquiry in November 2015 about access to attainment data. We held a series of discussions with DfE and the enquirer to gather evidence and to ensure that we fully understood the backdrop of the school-level attainment statistics, the NPD and the Performance Tables; and the issues that were at the heart of the enquiry. We reviewed the available evidence and carried out a focused assessment of school-level attainment statistics to investigate continuing compliance with the Code. In particular we focused on the potential incompleteness of the statistics and the potential unmet user demand to understand the gap in coverage. We reviewed the suite of available statistics to see whether they filled the gap and considered how the gap affected the National Statistics status in this case, checking for consistency with previous judgments. We examined how clear DfE is publicly about the gap in coverage and considered concerns about access to the data and statistics on attainment.

The aspects that we considered are set out in the sections that follow:

- the effect of the absence of unregulated international GCSEs (3.1)
- possible demand for and uses of information about performance that included unregulated international GCSEs (3.2)
- the gap in coverage of the statistics (3.3)
- the extent to which DfE is clear publicly about the purpose and content of the statistics and the impact of the absence of unregulated international GCSEs (3.4)
- data availability and access (3.5)

#### 3.1 The effect of the absence of unregulated international GCSEs

**Summary:** DfE does not currently include unregulated international GCSEs in performance tables as they do not go through the same approval process as GCSEs (annex A1.2). In presentational terms, the most noticeable effect of not reporting unregulated international GCSEs in the measures of attainment is seen in DfE's headline performance measure of the percentage of eligible pupils achieving five or more A\* to C GCSE or equivalent qualifications including English and maths; the reported performance of affected schools is 0% on this headline measure. The absence of unregulated international GCSEs from the headline measure almost exclusively affects the published results of independent schools. We estimate that this issue might have affected the reported performance of up to around one-third of



independent schools and the reported performance of up to around two-thirds of pupils in independent schools in 2015<sup>8</sup>.

**Detailed analysis:** Table 1 shows that – for pupils in state-funded schools – entry to GCSE and equivalent qualifications<sup>9</sup> in 2015 is high regardless of the measure. Entry to GCSE and equivalent qualifications for pupils in independent schools decreases according to the strength of the measure and is lowest for entry to English or maths GCSEs or equivalents (34.3 per cent independent mainstream schools; 97.4 per cent state-funded mainstream schools). This led us to investigate the headline performance measure<sup>10</sup> of five or more A\* to C GCSEs or equivalent examinations including English and maths to understand the effect of the absence of unregulated examinations on reported – rather than actual – performance in the school-level attainment statistics in the Performance Tables. Where a school does not enter any pupils for English or maths GCSEs or equivalent qualifications, its performance on the headline measure in the school-level attainment statistics is recorded as 0%. DfE told us that there were two state-funded mainstream schools whose performance was recorded as 0% on the headline measure in 2015<sup>11</sup>.

Our analysis focuses on performance in independent schools that is recorded as 0% on the headline measure in the Performance Tables. We have taken this to mean that the school has not entered any pupils for either English or maths GCSE or equivalent qualifications<sup>12</sup> and instead has entered pupils for unregulated international GCSEs for at least one of English or maths. Based on evidence from various sources, we estimate that – among mainstream independent schools – excluding unregulated international GCSEs from DfE’s headline performance measure might have affected the reported performance of around one-third of mainstream independent schools<sup>13</sup> and up to around two-thirds of pupils in that type of school<sup>14</sup>. DfE confirmed our analysis that around one-third of mainstream independent schools were potentially affected. Expressed as a percentage of all pupils in mainstream schools this is around five per cent of pupils and as a percentage of all mainstream schools it is around seven per cent of schools.

Annex 2 sets out the limitations of our estimates of schools and pupils affected by the absence of unregulated international GCSEs from the headline performance measure that is reported in the Performance Tables.

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<sup>8</sup> Annex A2.2 sets out the limitations of these estimates

<sup>9</sup> GCSE and equivalents are qualifications that are accredited by Ofqual and approved by the Secretary of State for Education (annex A1.2). They exclude unregulated international GCSEs and other unregulated qualifications

<sup>10</sup> See annex A1.3

<sup>11</sup> See annex A2.1 for the limitations of this estimate

<sup>12</sup> See annex A2.2 for the implications of this assumption

<sup>13</sup> See annex A2.2 for the limitations of this estimate

<sup>14</sup> See annex A2.2 for the limitations of this estimate

We based these estimates on the following calculations:

- a) *Entries* to Ofqual accredited English and maths GCSEs are particularly low for pupils attending independent mainstream schools (table 1: 34.3 per cent independent; 97.4 per cent state-funded). The headline measure in the Performance Tables might not have reported the performance of up to around two-thirds of pupils in independent mainstream schools because they were *not* entered for English or maths GCSEs or equivalents in 2015. This compares with state-funded mainstream schools, where we estimate that the headline measure might not have reported the performance of fewer than three per cent of pupils in those schools.

**Table 1: The percentage of pupils in state-funded and independent mainstream schools entered and not entered for GCSEs or equivalent qualifications**

2014/15	State-funded mainstream schools		Independent mainstream schools	
	% entered for ...	% not entered for...	% entered for...	% not entered for...
...any GCSE or equivalents	99.5%	0.5%	98.6%	1.4%
...five or more GCSEs or equivalents	97.2%	2.8%	71.7%	28.3%
...English or maths GCSEs or equivalents	97.4%	2.6%	34.3%	65.7%

Note: GCSEs or equivalents exclude unregulated international GCSEs and other unregulated qualifications

Note: Independent mainstream schools excludes non-maintained and independent special schools

Source: DfE published tables that accompany the Revised GCSE and equivalent results in England: 2014 to 2015; tables 3a, 4a: <https://www.gov.uk/government/statistics/revised-gcse-and-equivalent-results-in-england-2014-to-2015>

- b) If all eligible pupils in an independent school are entered for unregulated international GCSEs in at least one of English or maths in a particular year, reported performance for that school on the headline measure would be shown as 0% on the Performance Tables<sup>15</sup>.

<sup>15</sup> See footnote 10

Examples of reported performance on the headline measure for two independent schools are:

- Alleyn’s school in the London Borough of Southwark: 99% 2013; 0% 2014; 0% 2015<sup>16</sup>
- Scarborough College, North Yorkshire: 65% 2013; 0% 2014; 0% 2015<sup>17</sup>

A count of independent schools in the Performance Tables where the headline performance measure dropped from a previous high percentage to 0% in 2013 or later suggests that the exclusion of unregulated international GCSEs might have affected around 33 per cent of independent schools in 2015.

**Table 2: Estimated number of independent schools in DfE’s Performance Tables where the percentage achieving five A\* to C GCSE or equivalents has dropped sharply from a high percentage (up to 100%) to 0% since 2013<sup>18</sup>**

	Number	%
Other independent schools with GCSE and equivalent data available	841	100%
As above with changes from high percentage to 0% in five A* to C GCSE or equivalent performance measure since 2013	275	33%

Note: Other independent schools excludes independent special schools

Source: UK Statistics Authority; estimated from the Performance Tables (available at the time of the enquiry). The Beta version – introduced subsequently – is available through this link: <https://www.compare-school-performance.service.gov.uk/schools-by-type?step=phase&geographic=all&region=0&phase=secondary>

c) Table 3 shows – for all mainstream schools and for all independent mainstream schools in 2015 – the number of schools with pupils at the end of key stage 4<sup>19</sup> and the number of pupils at that stage. Twenty two per cent of all mainstream schools with pupils at the end of key stage 4 are independent and eight per cent of pupils at the end of key stage 4 in all mainstream schools are in independent schools. We applied these percentages to our estimates of pupils and schools affected to express them as a percentage of all mainstream schools and pupils.

<sup>16</sup> <https://www.compare-school-performance.service.gov.uk/school/100864>

<sup>17</sup> <https://www.compare-school-performance.service.gov.uk/school/121730>

<sup>18</sup> See annex A2.2 for the limitations of this estimate

<sup>19</sup> End of year 11; typically pupils aged 16 typically taking GCSEs or equivalent qualifications

**Table 3: Schools with pupils at the end of key stage 4 and pupils at the end of key stage 4 by all mainstream schools and independent mainstream schools**

2014/15	All mainstream schools with pupils at the end of key stage 4	Independent mainstream schools with pupils at the end of key stage 4	Independent as % of all mainstream schools with pupils at the end of key stage 4
Schools	3,917	848	22%
Pupils	589,675	46,361	8%

Note: 'All mainstream schools' = sum of all state-funded mainstream schools and independent mainstream schools in the published tables

Source: DfE published tables that accompany the Revised GCSE and equivalent results in England: 2014 to 2015; table 3a: <https://www.gov.uk/government/statistics/revised-gcse-and-equivalent-results-in-england-2014-to-2015>

### 3.2 User interest in performance including unregulated qualifications

**Summary:** It might be reasonable to assume from the available evidence – including the relative number of state-funded schools compared with independent schools that have pupils at the end of key stage 4 – that the majority of uses of the statistics focus on the performance of state-funded schools. At the same time we have some limited evidence – from this enquiry and elsewhere – of user interest outside of DfE in understanding performance that includes unregulated international GCSEs. Our investigation was intended to establish whether a demand existed rather than to estimate the size of that demand. For those with an interest in the performance of individual independent schools or in comparing more than one school in England, – including at least one that is independent – alternative sources of information may be available. This is not the case for those with an interest in aggregated performance in England that covers all schools including those that are independent.

**Detailed analysis:** The current enquirer has an interest in understanding the wider picture of all qualifications taken at the end of key stage 4. We reviewed the evidence gathered during our previous assessment of school-level attainment statistics for England in the Performance Tables in 2014 to establish whether we had more evidence of interest in this topic. For this previous assessment, DfE agreed that we should take over the pop-up feedback survey on the Performance Tables website as part of our user consultation. We received 188 responses over a two week period in March 2014; a small proportion of users accessing the Performance Tables. Where we could identify this, respondents to the survey were mainly parents, pupils and prospective pupils, teachers and school governors; a similar mix of users to that which DfE finds in its standard pop-up survey. People who responded were primarily using the Performance Tables for purposes such as choosing a school or

reviewing school performance. A small proportion was accessing the statistics for research purposes, either for their work or study.

One person who accessed the statistics to support their work and who completed the pop-up survey mentioned the issue of missing international GCSEs. This person worked for a charity that supports young people and was gathering background information for a project working across a number of schools. The person had noticed performance in some schools showing 0% on the headline performance measure and concluded that this was because of 'missing' international GCSE performance. They commented on the impact of the missing information on their use of the Performance Tables, saying that: 'For schools offering international GCSEs it makes this data difficult to compare over time and not particularly meaningful'.

We also spoke directly to a small number of known users of the Performance Tables who were academics, researchers or worked for education organisations. One researcher and education blogger – whose interest is in the effect of education policy in the state-funded system – had previously researched the use of GCSE equivalents in state-funded schools. More recently we spoke to an academic who uses extracts from the NPD to examine education attainment by background. He considers it is one of most sophisticated and comprehensive databases of student achievement in the world. He is aware that some categories of information are no longer included when policies are changed. He recognises that this is a problem for analysing change over time and uses methods that take that limitation into account. His interest is also in the state-funded school system and he accepts that the changes reflect what is included in that system at a point in time.

DfE told us that it monitors user interest in specific statistics by reviewing the enquiries it receives, and through a continuous user survey. Neither of these routes has identified significant user interest in data on unregulated international GCSEs. DfE recognises that this does not cover all user views.

Our investigation of actual demand was limited and we did not set out to estimate the extent of that demand. While it might be reasonable to assume that the majority of users focus on the performance of state-funded schools, it is possible to anticipate some uses where the inclusion of international GCSEs in performance measures would be of interest. For example, for those using the Performance Tables to support parental choice, the absence of unregulated international GCSEs makes it more difficult to compare across individual state-funded and independent schools. Other sources of information about performance including unregulated international GCSEs are available that may meet that need. The Independent Schools Council (ISC) publishes the results against performance measures that include unregulated international GCSEs for its member schools. Alternatively users interested in an independent school's performance could approach that school.

In many cases, the existing data would be sufficient for analysts and researchers to answer a wide range of research questions on school and college attainment in England. However, the absence of information on unregulated international GCSEs – particularly from the underlying data that is held on the NPD – would make it difficult for some analysts and researchers to investigate pupil performance across state-funded and independent schools in England; to assess the effectiveness of education policy or to set it in the wider context of education in England. For example, research about the effect of pupil attainment on progression of all pupils – that did not include data from independent schools – would give an incomplete or misleading picture.

### 3.3 Gap in coverage of the statistics

**Summary:** Setting aside the purpose of the Performance Tables, when judged by the incompleteness of the statistics (section 3.1) or the evidence of unmet user demand (section 3.2), we concluded that there is an apparent gap in coverage of attainment in England. *Level 2 and 3 attainment in England: Attainment by age 19 in 2015* reports pupil performance in all types of schools and for all types of qualifications across England in total. They do not explore the subject in more depth and so do not fully meet that gap. We judged that the gap was small compared with other recent cases where we have concluded that, despite identified gaps, the statistics in question should retain National Statistics status

**Analysis:** The Performance Tables as published are undoubtedly useful to answer a wide range of research questions on school and college attainment in England and the school-level attainment statistics fulfill their primary purpose to hold state-funded schools in England to account for their performance. It is not necessary that a particular set of statistics should meet the needs of all users. Instead, we would expect to see as full a picture as possible across the suite of published statistics and data about a particular topic that is of broad public interest. Following our analysis of the incompleteness of the statistics and our identification of unmet user demand, we concluded that there appeared to be a gap in coverage of attainment in England across all school and all types of qualifications across the suite of published statistics.

We discussed the gap with DfE, who suggested to us that the publication *Level 2 and 3 attainment in England: Attainment by age 19 in 2015*<sup>20</sup> filled that gap, although this may not be immediately apparent to a lay person from reading the publication and technical documentation.

This publication summarises pupil attainment for England rather than at school-level. It presents information about prior level 2<sup>21</sup> attainment at age 16<sup>22</sup> and attainment of

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<sup>20</sup> <https://www.gov.uk/government/statistics/level-2-and-3-attainment-by-young-people-aged-19-in-2015>

<sup>21</sup> Attainment of Level 2 equates to achievement of five or more GCSEs or similar qualification at grades A\* to C or a Level 2 vocational qualification of equivalent size

level 2 qualifications up to age 19. DfE told us that it reports qualifications on a different basis from the performance tables. In particular it includes unregulated international GCSEs in the reported performance of those who were 16 in 2013, 2014, and 2015<sup>23</sup> at a total level. It reports attainment of English and maths GCSE and equivalent examinations separately for state schools only.

*Level 2 and 3 attainment in England: Attainment by age 19 in 2015* presents attainment in GCSE and similar qualifications across all schools and all types of qualification for England in total. The publication does not break down the total, for example by type of school, pupil characteristic or by type of qualification and as a result the statistics do not fully meet the gap that we have identified.

We base our judgments about good practice in the production, dissemination and use of statistics on the Code of Practice for Official Statistics. Aspects of the Code could appear to support opposing approaches and some practices explicitly identify the need to weigh different considerations; for example between the need to protect the privacy of individual information while at the same time not unduly restricting the usefulness of the statistics<sup>24</sup>. As a result interpreting the Code requires professional judgment in determining appropriate trade-offs.

In such cases we apply the practices in the Code in ways that are most consistent with the higher level principles in the wider context of the public good. Reflecting the spirit of the Code, we make judgments based on the impact on the trustworthiness, quality and public value of the statistics. Our judgments are based on case history and precedent and evolve as the statistical system and what we expect of it evolves.

In this light, we considered the consistency of our view with other recent judgments where we said that the available statistics do not fully shine a light on a particular aspect of society. The gap in this case – measured by the incompleteness of coverage or unmet user need – is small compared with other recent cases<sup>25</sup> where we have concluded that, despite identified gaps, the statistics in question should retain National Statistics status.

### 3.4 DfE's presentation of purpose, content and limitations

**Summary:** The primary purpose of the school performance measures as presented in the Performance Tables is as an accountability tool to hold state-funded schools to account for their performance, allowing the Secretary of State for Education to fulfill

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<sup>22</sup> Age at end of academic year; different to end of key stage 4 where pupils are typically aged 16, though may include pupils of other ages

<sup>23</sup> Aged 19 at end of academic year 2016, 2017 and 2018

<sup>24</sup> Principle 5, practice 4

<sup>25</sup> These included our assessment of homelessness and rough sleeping statistics in England: <https://www.statisticsauthority.gov.uk/publication/statistics-on-homelessness-and-rough-sleeping-in-england-department-for-communities-and-local-government/>; and our correspondence about migration statistics: <https://www.statisticsauthority.gov.uk/wp-content/uploads/2016/03/Email-from-Ed-Humpherson-to-John-Pullinger-230316.pdf>

## Access to information about education attainment

her policy responsibilities. DfE does not clearly articulate this and other purposes for users of the Performance Tables.

DfE publishes a helpful explanation of the exclusion of unregulated international GCSEs and its effect on reported performance in its statistical first release: GCSE and equivalent results in England, 2014 to 2015<sup>26</sup>. At the time of the enquiry, and at the time of writing, the query button that appears on individual school pages did not explain the issue clearly. DfE published a Beta version of the revised Performance Tables website during the course of this investigation and is developing the commentary. At the time of writing the commentary does not yet explain either the purpose of the Performance Tables, or the absence of international GCSEs on the school pages. As a result we concluded that users were not properly informed about the content and limitations of the school-level attainment statistics as presented in the Performance Tables.

**Detailed analysis:** The Secretary of State for Education has a policy responsibility to improve– and is accountable for – standards of education in state-funded schools in England. DfE told us that the primary purpose of the school-level attainment statistics as presented in the Performance Tables is as an accountability tool to hold state-funded schools in England to account for their performance. In the interests of transparency, DfE makes performance information available publicly for a secondary purpose, which is to enable parents, school governors and others to hold schools to account. The Performance Tables as a whole include information by which people can make choices about schools and the underlying data in the NPD gives restricted access for use that includes for research and analysis. DfE did not explain the purpose of the Performance Tables in the 2015 version that was available at the time of the original enquiry. DfE is redeveloping the Performance Tables website, and recently published a Beta version during the course of this investigation<sup>27</sup>. It does not currently include an explanation of purpose in the Beta version.

In the Performance Tables, the most immediate opportunity to draw people's attention to the absence of unregulated international GCSEs is at the point of accessing the statistics for an individual school. In the version of the Performance Tables for 2015 that were publicly available at the time the enquiry was made, a query button on the headline performance measure cautioned that reforms introduced in 2013/14 have had varying impact on schools' reported results, meaning that figures were not directly comparable between this and previous years (figure 1).

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<sup>26</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/494073/SFR01\\_2016.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/494073/SFR01_2016.pdf)

<sup>27</sup> See footnote 1



**Figure 1: Extract from an individual school performance, showing 0% reporting and the query button explanation for this apparent change.**

**Year on year comparisons**

Percentage achieving 5+ A*-C GCSEs (or equivalent) including English and maths GCSEs	2012	2013	2014 ?	2015 ?
School	100%	99%	0%	0%
LA	58.8%	65.2%	62.5%	64.5%
England - All Schools	59.4%	59.2%	53.4%	53.8%

**KS4 exam results**

Reforms introduced in 2013/14 have had a varied impact on school results data, making figures for schools not directly comparable between this year and previous years. Please refer to the user guidance 'About the 2014 KS4 results' section for more detail on the reforms

Source: DfE Performance Tables: extract from individual independent school results<sup>28</sup>

The query button referred people to an accompanying document. This document did not explicitly explain the exclusion of unregulated qualifications including international GCSEs. Instead it referred the user to the publication *Revised GCSE and equivalent results in England, 2013 to 2014*<sup>29</sup>, which gave helpful guidance about the effect of changes to Ofqual accredited qualifications and confirmed that the changes in performance of independent schools using the headline measure was primarily due to changes related to international GCSEs.

DfE is continuing to add supporting information to its new Beta website. At the time of writing, the query button was not yet available on the headline measure for the individual school statistics in the Beta version of the 2015 Performance Tables. DfE told us that it was considering the wording of an explanation of the change in the headline performance measure from a high percentage to 0%.

Accompanying guidance that was published alongside the version of the Performance Tables that were available at the start of the enquiry touched on what counts towards the performance measures, changes that removed unregulated qualifications and the consequent effect on the reported performance of some schools. None of the previously available guidance explicitly said that unregulated international GCSEs – or other unregulated qualifications – were excluded from the performance measures.

At the bottom of each school page on the Beta version of the website there is a reference in 'About this data' to qualifications that are included in the measures:

'The figures cover key stage 4 qualifications that are Ofqual regulated and also on the list of approved qualifications for 2015'.

<sup>28</sup> This screen shot is taken from the version of the Performance Tables that were available at the time of the enquiry. That version is no longer available to view in the format shown

<sup>29</sup> <https://www.gov.uk/government/statistics/revised-gcse-and-equivalent-results-in-england-2014-to-2015>

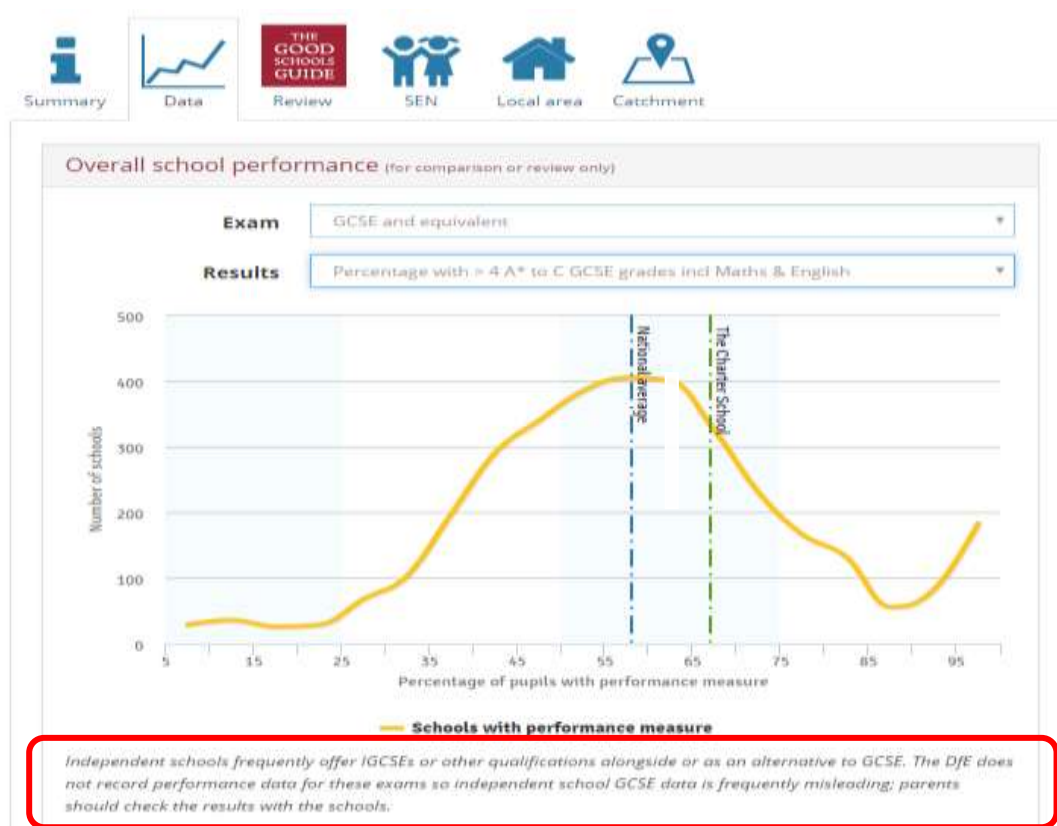
## Access to information about education attainment

In the supporting documentation for the Beta version DfE says that: 'We don't include data on all key stage 4 qualifications in secondary performance tables' and makes it clear that: 'only approved qualifications count'<sup>30</sup>. A separate document informs that it is not always possible to compare results across years<sup>31</sup>.

The Good Schools Guide<sup>32</sup> is a commercial publication that uses performance data from DfE for its schools information. The information it reports is affected by the gap in coverage. Figure 2 shows how the guide tells people about the gap in coverage in DfE's headline performance measure for independent schools. The guide includes the following text (indicated by the red box in figure 2):

'Independent schools frequently offer international GCSEs or other qualifications alongside or as an alternative to GCSE. The DfE does not record performance data for these exams so independent school GCSE data is frequently misleading; parents should check the results with the schools.'

**Figure 2: Good Schools Guide: presentation of limitations - example school**



Source: Good Schools Guide: results for example school: <https://www.goodschoolsguide.co.uk/> accessed 10/05/2016

<sup>30</sup> <https://www.gov.uk/government/publications/school-performance-tables-how-we-report-the-data/school-performance-tables-how-we-report-the-data>

<sup>31</sup> <https://www.gov.uk/government/publications/school-performance-tables-how-to-interpret-the-data/school-performance-tables-how-to-interpret-the-data>

<sup>32</sup> <https://www.goodschoolsguide.co.uk/>

### 3.5 Data availability and access

**Summary:** Currently DfE does not process data on unregulated international GCSEs and does not include those data in the NPD extracts that it gives out to researchers. It is investigating how it can make a wider range of qualifications available through the NPD. DfE sets out a clear process to access data held by the NPD that balances ease of access with data confidentiality. It does not offer alternative access for those not meeting the NPD data security requirements, but is working to achieve this. DfE is working to make its process for requesting ad hoc statistical analysis clearer publicly.

**Detailed analysis:** We highlighted in section 3.2 that there was likely to be different types of demand for information about school-level attainment statistics and that alternative sources may be available for those who want to find out more about attainment in individual schools in England. In this section we investigated how DfE might meet the needs of those with other interests including giving access to data – through the NPD (annex A1.4) – or supplying analysis in response to ad hoc requests.

DfE does not publish or produce statistics on qualifications in England that have not been through a formal process of accreditation and are not approved by the Secretary of State for Education (Annex A1.2). DfE receives information from awarding organisations about international GCSEs that are unregulated. It retains unprocessed data about unregulated international GCSEs. This unprocessed data are not held in the NPD and are never included in the data extracts given out as part of NPD access. DfE told us that it is exploring how it can make alternative versions of the NPD available that contain a wider range of exam results for the purposes of research and analysis.

As part of our investigations we reviewed DfE's published processes that enable access to the underlying attainment data on the NPD. The process that those applying for access to data contained in the NPD should follow is clearly set out on GOV.UK<sup>33</sup>. DfE gives access to NPD data extracts for research and other specified purposes (annex A1.4) to successful applicants who satisfy data security requirements. We consider that its process seeks to strike the appropriate balance between data confidentiality and the practical utility of data that underlie the statistics. DfE does not currently offer – as an alternative – data access through a secure data lab. It is actively seeking to introduce such arrangements, to extend accessibility to those unable to satisfy all of the necessary data security criteria through their own IT system.

Another way of accessing information about attainment is to request ad hoc analysis from DfE. DfE told us that it is able to satisfy a number of ad hoc requests by

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<sup>33</sup> <https://www.gov.uk/guidance/national-pupil-database-apply-for-a-data-extract>

## **Access to information about education attainment**

pointing the enquirer to published data tables. For analysis requests that DfE cannot satisfy in this way, it suggests that enquirers convert their enquiry to an FOI request. DfE told us that it operates a threshold for FOI data requests based on the estimated time and cost of analysis and suggests a compromise analysis that is possible where these are exceeded. Where DfE receives multiple requests on similar issues it told us that it considers building these into its statistical reporting for the following year. However, none of this process is made clear to people seeking access to attainment statistics or data. DfE has recognised this and has said it will improve how it communicates its ad hoc request processes to potential users.

## Annex 1: Background information on the statistics

### A1.1 DfE's Performance Tables and National Statistics

DfE first published its Performance Tables - initially consisting solely of school-level attainment statistics for England - in 1994. DfE told us that the primary purpose of the school-level attainment statistics in the Performance Tables is to act as an accountability tool that helps Ministers discharge their responsibilities to raise standards in education in England by holding state-funded schools to account for their performance. DfE said that it makes that performance information available publicly for a secondary purpose, which is to enable parents, school governors and others to hold state-funded schools to account.

The Performance Tables as a whole include information that people can use to inform their choices about schools. For that purpose, DfE includes information about independent schools as well as state-funded schools. It told us that it publishes less information about independent schools than about state-funded schools. This is because its statutory responsibilities for independent schools are fewer and, as a consequence, the information that it has statutory power to collect is less.

Restricted access is given to pupil data that includes attainment through the National Pupil Database for purposes such as research and analysis (annex A1.4).

In our 2013 Monitoring review of school-level attainment statistics<sup>34</sup>, we supported the publication of the statistics in the Performance Tables as in our view it increased their public value. We suggested that the school-level attainment statistics for England within the Performance Tables be considered official statistics - on the grounds that they are used publicly in support of government decisions of clear public interest - and be assessed against the Code.

We designated the school-level attainment statistics for England, as presented in the Performance Tables, as National Statistics in 2014. The Authority previously confirmed – in 2010 – the National Statistics status of the statistical first release that presents the picture of attainment at key stage 4<sup>35</sup> for England as a whole.

In 2015 The Authority published its report on the approach it expected to see in the production and presentation of official statistics – including those drawn from administrative data – where the data are used to measure performance or achievement against targets<sup>36</sup>. It gave a clear expectation that, where a performance measure or target is used to drive performance or provide accountability, the statistical information underpinning it should be published as at least as official statistics, and preferably as National Statistics.

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<sup>34</sup> <https://www.statisticsauthority.gov.uk/publication/school-level-examination-statistics/>

<sup>35</sup> See footnote 19

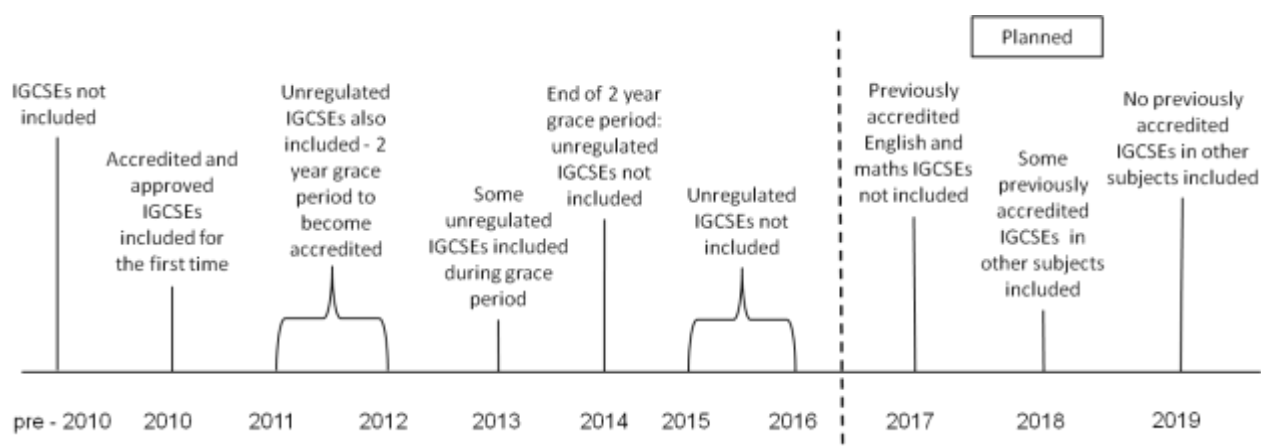
<sup>36</sup> See footnote 6

## A1.2 International GCSEs: inclusion in the Performance Tables

DfE publishes statistics about the examination system in England that Ofqual regulates under section 96 of the Learning and Skills Act 2000. The Performance Tables – that present school-level results – and the associated publication – that presents aggregated GCSE and equivalent results for England – report attainment through performance measures in all qualifications that have been through Ofqual’s formal process of accreditation and are approved by the Secretary of State for Education. Unregulated qualifications in this context are those that are not accredited and approved. The Performance Tables have not reported performance on unregulated qualifications except for a two-year period from 2011.

The types of qualifications that DfE reports in the Performance Tables have also changed over time. In 2010 accredited qualifications included GCSEs, international GCSEs, Vocationally Related Qualifications, NVQs and Functional Skills. This was changed in 2014.

**Figure 3: Timeline of changes to inclusion of international GCSEs in the Performance Tables**



Source: UK Statistics Authority

### Changes between 2010 and 2014

Some international GCSEs were first regulated by Ofqual and approved by the Secretary of State for inclusion in the Performance Tables for the first time in 2010, where they counted towards performance indicators<sup>37</sup>. International GCSEs were included for exams taken in 2010 if they were accredited before DfE published the aggregated GCSE and equivalent results for England. International GCSEs that were not accredited at that point were not included in the published results.

Unregulated international GCSEs were subsequently included in performance measures for a period of two years, commencing from the point at which

<sup>37</sup> [http://www.education.gov.uk/schools/performance/archive/schools\\_10/s4.shtml](http://www.education.gov.uk/schools/performance/archive/schools_10/s4.shtml)

replacement Ofqual accredited versions became available for teaching. In practice this meant that DfE phased out the inclusion of unregulated international GCSEs in the school-level attainment statistics in the Performance Tables between 2013 and 2014.

DfE noted that after the two year exclusion period, schools – almost exclusively independent schools – have continued to enter pupils for unregulated international GCSEs that do not count towards performance measures<sup>38</sup>.

### Planned changes

In 2015, DfE announced that changes to GCSEs in English language, English literature and maths mean that from 2017 only these reformed GCSEs would count towards performance measures of attainment<sup>39</sup>. DfE announced subsequently that it would no longer approve – and as a result would no longer report as equivalent to GCSEs – Ofqual accredited international GCSEs in English and maths that are currently approved and included in the measures<sup>40</sup>. Changes to GCSEs in other subjects mean that the measures will not include some previously accredited international GCSEs in 2018. From 2019 the performance measures will not include any previously accredited international GCSEs.

### **A1.3 Performance Tables and performance measures**

The Performance Tables publish school-level information – including measures of attainment – for state-funded and independent schools. The attainment measures cover three main stages of education including key stage 4. The end of key stage 4 typically coincides with the end of year 11 when DfE measures performance – typically of 16 year olds – using results from GCSE and equivalent examinations.

A headline performance measure at key stage 4 – that currently is a component of the minimum floor standards that are used to hold individual state-funded schools to account – is the percentage of pupils achieving five or more A\* to C GCSEs or equivalent qualifications including English and maths. Where a school does not enter any pupils for English and maths approved examinations, the Performance Tables would report the performance of that school as 0% on the headline performance measure.

Changes to accredited and approved qualifications that are included as GCSE and equivalents in the Performance Tables – and to whether performance tables included unregulated qualifications – have in particular affected the reported performance of independent schools.

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<sup>38</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/494073/SFR01\\_2016.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/494073/SFR01_2016.pdf)

<sup>39</sup> <https://www.gov.uk/government/news/qualifications-counting-in-future-performance-tables>

<sup>40</sup> <https://www.gov.uk/government/news/qualifications-included-in-performance-tables>

## Access to information about education attainment

The aggregated results for England demonstrate the overall effect on reported performance in independent schools. In 2009, before international GCSEs were included in the Performance Tables and counted towards performance measures, DfE pointed to apparent reductions in performance of pupils in independent schools on the headline measure. It said that this was 'most likely due to independent schools choosing qualifications that are not accredited'<sup>41</sup>.

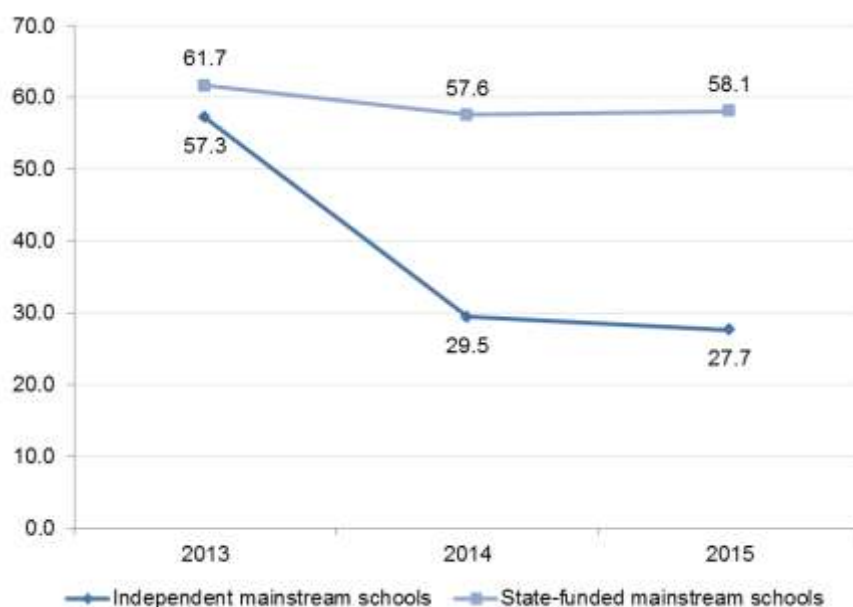
In 2010, when some international GCSEs were accredited and approved, DfE noted about those that remained unregulated that:

'Many of these are in the subjects of mathematics and single sciences and this continues to impact on some of the indicators published in this SFR, particularly on indicators that include schools in the independent sector.'<sup>42</sup>

DfE described and showed the effect of more recent changes in its publication that gives aggregated results:

'The proportion of pupils in independent schools [reported as] achieving 5+ A\*-C grades (including English and maths) has changed significantly over the last three years... In 2013, 57.3% of pupils in independent schools [were reported to have] achieved the measure, but this fell to 29.5% in 2014 and to 27.7% in 2015...'<sup>43</sup>

**Figure 4: Percentage of pupils achieving five or more A\* to C including English and maths England, mainstream schools, 2013-2015**



<sup>41</sup>

[http://webarchive.nationalarchives.gov.uk/20101008101451/http://www.dcsf.gov.uk/rsgateway/DB/SFR/s000909/SFR01\\_2010.pdf](http://webarchive.nationalarchives.gov.uk/20101008101451/http://www.dcsf.gov.uk/rsgateway/DB/SFR/s000909/SFR01_2010.pdf)

<sup>42</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/219143/sfr01-2011.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/219143/sfr01-2011.pdf)

<sup>43</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/494073/SFR01\\_2016.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/494073/SFR01_2016.pdf)



Source: DfE; Revised GCSE and equivalent results in England, 2014 to 2015, SFR 01/2016  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/494073/SFR01\\_2016.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/494073/SFR01_2016.pdf)

#### A1.4 The National Pupil Database<sup>44</sup>

DfE processes data that it collects about pupils and students from sources that include schools, Local Authorities and awarding bodies. The NPD matches and holds the data about children at different phases of their education<sup>45</sup>.

The NPD holds attainment data for pupils and students in England in all state-funded schools, non-maintained special schools, sixth form and further education colleges and (where available) independent schools. The NPD also includes information about the characteristics of pupils in the state sector and non-maintained special schools.

DfE makes data available for more detailed research on attainment through the NPD. Its guidance<sup>46</sup> says that:

‘subject to approval, extracts of NPD data are available for use by any organisation or individual who, for the purpose of promoting the education or wellbeing of children in England is:

- conducting research or analysis;
- producing statistics;
- providing information advice or guidance.’

People requesting access also need to demonstrate that they will comply with all of the relevant requirements of the data protection act 1988. Applicants need to complete two forms: the NPD data request application form – in which they present their case for access – and the Information security questionnaire.

At the time of writing, people requesting access to NPD data extracts also need to demonstrate that they will comply with all of the relevant requirements of the data protection act 1988. This is because data is supplied for use on the applicant’s own IT system. DfE’s proposals to allow access through a secure data lab would extend access to those whose IT systems do not meet data security requirements.

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<sup>44</sup> <https://www.gov.uk/government/collections/national-pupil-database>

<sup>45</sup> The NPD is a not a flat file but a series of extracts from multiple sources

<sup>46</sup> <https://www.gov.uk/government/publications/national-pupil-database-user-guide-and-supporting-information>

## **Annex 2: Limitations of our estimates of schools and pupils affected**

We presented our estimates of the numbers of schools and pupils whose reported performance might be affected by the absence of unregulated international GCSEs in the headline performance measure in section 3.1. In this section we outline the main limitations of those estimates.

### **A2.1 State-funded mainstream schools**

DfE told us that there were two state-funded mainstream schools with pupils at key stage 4 whose performance is recorded as 0%. It is possible that other state-funded schools have entered pupils for a mixture of unregulated international GCSEs in English or maths and approved GCSEs or equivalents in those subjects, although we have no evidence about how many state-funded schools this would affect. Over 14,000 (2.6 per cent) pupils at key stage 4 in state-funded mainstream schools were not entered for approved GCSEs or equivalent in either English or maths in 2015, although we have no evidence about how many of those pupils were instead entered for unregulated international GCSEs in those subjects.

### **A2.2 Independent mainstream schools**

We estimated that – among mainstream independent schools – excluding unregulated international GCSEs from DfE’s headline performance measure might have affected up to around two-thirds of pupils and around one-third of schools. Expressed as a percentage of all pupils in mainstream schools this is around five per cent of pupils and as a percentage of all mainstream schools it is around seven per cent of schools. Expressing the percentage affected as a percentage of all mainstream schools does not mean that the effects are equally distributed across those schools. As we discussed in section 3.1, the effect of the absence of unregulated international GCSEs in the headline performance measure of attainment is almost exclusively on the published results of independent schools.

If some independent schools entered their pupils for a mixture of unregulated and approved qualifications in English or maths, our estimate of the number of independent schools affected would be higher. Alternatively not all pupils entered for examinations will achieve five or more A\* to C grades including English and maths. We have no evidence that would help us calculate either of these effects on independent schools. Our estimate for the number of pupils in independent schools that might be affected by mixed unregulated and approved entries would be unchanged, while the effect of lower achievement than entry would reduce our estimate of the number of pupils whose qualifications were not reported in the Performance Tables.

It is possible that one or more pupils at a school whose performance is recorded as 0% were entered for English and maths GCSEs but did not pass five or more

GCSEs or equivalents including both English and maths at A\* to C grade. If this was the case it would reduce our estimates of the percentage of pupils affected.

Our estimates in table 2 (section 3.1) are based on an approximate count of the individual school results from 'other independent schools'<sup>47</sup> in the Performance Tables that had key stage 4 data available. The count was taken from the version of the Performance Tables that was available at the time of the enquiry. The fact that these estimates are an approximate count means that they are more uncertain than the statistics shown in tables 1 and 3. It excludes schools whose reported performance initially changed to 0% and increased again in subsequent years.

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<sup>47</sup> Excludes independent special schools



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### **About the UK Statistics Authority**

The UK Statistics Authority is an independent body operating at arm's length from government as a non-ministerial department, directly accountable to Parliament. It was established on 1 April 2008 by the *Statistics and Registration Service Act 2007*.

The Authority's overall objective is to promote and safeguard the production and publication of official statistics that serve the public good. It is also required to promote and safeguard the quality and comprehensiveness of official statistics, and good practice in relation to official statistics.

The Statistics Authority has two main functions:

1. oversight of the Office for National Statistics (ONS) – the executive office of the Authority;
2. independent scrutiny (monitoring and assessment) of all official statistics produced in the UK.

### **Contact us**

Pat MacLeod

Tel: 0845 604 1857

Email: [authority.enquiries@statistics.gsi.gov.uk](mailto:authority.enquiries@statistics.gsi.gov.uk)

Website: [www.statisticsauthority.gov.uk](http://www.statisticsauthority.gov.uk)

UK Statistics Authority  
1 Drummond Gate  
London  
SW1V 2QQ