

**The use of pupil performance data in target setting and in the evaluation of the effectiveness and capability of teachers (England)**

## Introduction

The purpose of this document is to:

- identify the principal forms of performance data used in the education system in England;
- examine appropriate and inappropriate uses of these data sets, including in the formation of judgements of teacher effectiveness and capability, as well as in the development of school-level target setting processes; and
- enable NASUWT members and activists to engage confidently and on an informed basis with employers and fellow professionals on the use of performance data;

## Background

The use of data has become an increasingly prominent feature of the way in which judgements are made about the progress and attainment of individual pupils as well as the performance of schools, local authorities and the national education system in England. Given the greater emphasis placed on performance data, it is essential that teachers and school leaders are confident that they can engage in informed discussions about the various sources from which performance data sets are derived, as well as the appropriate use of data in making judgements about the quality of educational provision. It is also important that NASUWT members and those responsible for representing their interests understand the limits of acceptable use of pupil performance data and are able to challenge its inappropriate use effectively.

The NASUWT is not opposed in principle to the appropriate use of data to inform assessment of the progress made by individual pupils, classes and cohorts or to identify future development priorities for schools. Performance data can provide useful support to teachers, school leaders and relevant agencies and organisations in identifying effective approaches to meeting the educational needs of pupils.

However, the Union is concerned by practices that place a disproportionate emphasis on performance data and that can, as a result, have a significant and negative impact on the working lives of teachers and on their ability to use their professional skills and expertise to meet the learning needs of pupils. The NASUWT continues to receive regular feedback about the inappropriate use of such data to criticise the performance of individual teachers, headteachers, particular departments, teams or year groups within schools, or to challenge the effectiveness of whole-school approaches to raising standards of educational achievement.

The information provided in this document sets out practical information advice and guidance to help ensure that the individual and collective interests of teachers and school leaders can be well represented through the development of effective approaches to the use of performance data.

## The use of data in schools and NASUWT instructions on industrial action short of strike action

Approaches to the collection and use of pupil performance data can have a significant impact on the working conditions of teachers. In particular, policy and practice in schools in this area can lead to significant and unacceptable workload burdens and can be used to form detrimental and ill-informed judgements about teachers' performance and capability.

Schools at risk of being deemed underperforming, either as a result of an external inspection or through failing to meet official floor standards for pupil performance, are especially at risk of being subject to inappropriate arrangements for the use of performance data. It is vital that teachers and school leaders, with the assistance of the NASUWT where necessary, make use of the advice and guidance set out in this document to resist the adoption or continuation of poor practices in relation to the use of pupil performance data.

The NASUWT's instructions on taking action short of strike action apply to activities associated with the collection and use of performance data. The instructions on taking action short of strike action have been incorporated into this guidance. Further advice relating to the NASUWT's action instructions can be obtained from the NASUWT's website at [www.nasuwt.org.uk](http://www.nasuwt.org.uk).

## Key sources of pupil performance data used in schools

### The early years foundation stage profile

The Early Years Foundation Stage Profile (EYFSP) seeks to summarise the educational achievements of children before they enter Key Stage 1. Schools and other maintained early years settings are under a statutory obligation to complete the EYFSP for all children. There are no centrally set tests or tasks for pupils within the assessment arrangements for the EYFSP and all results are determined by ongoing teacher assessment.

The EYFSP consists of an assessment made of each child at the end of the Early Years Foundation Stage against 17 Early Learning Goals (ELGs) set out in the *Statutory Framework for the Early Foundation Stage*.<sup>1</sup> Each child is assessed to

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<sup>1</sup> Department for Education (DfE) (2012). *Statutory Framework for the Early Years Foundation Stage: Setting the standards for learning, development and care for children from birth to five*. ([www.education.gov.uk/publications/eOrderingDownload/EYFS%20Statutory%20Framework%20March%202012.pdf](http://www.education.gov.uk/publications/eOrderingDownload/EYFS%20Statutory%20Framework%20March%202012.pdf)); retrieved on 31/01/13.

determine the extent to which they have met each of the learning outcomes described within each ELG. More details about the ELGs and the EYFSP can be found on the early years section of the Department for Education (DfE) website at [www.education.gov.uk/childrenandyoungpeople](http://www.education.gov.uk/childrenandyoungpeople).

## P-scales

Although not a statutory requirement, the P-scales assessment system is used in many schools as a way of further refining performance data generated through use of the EYFSP. P-scales were developed originally to describe the attainment of pupils working below National Curriculum level 1 through an eight-point graded scale.

## PIVATS

The Performance Indicators for Value Added Target Setting (PIVATS) system developed by Lancashire County Council is also used in a significant number of early years settings and expands the data generated through P-scales by dividing each P-scale descriptor into a series of additional sub-levels. The DfE website ([www.goo.gl/qF9Yn](http://www.goo.gl/qF9Yn)) contains a helpful description of the P-scale system and more information about PIVATS can be found on the Lancashire County Council website at [www.lancashire.gov.uk/education/pivats](http://www.lancashire.gov.uk/education/pivats).

## EYFSP data in practice

The EYFSP was designed to be a holistic and development-focused way of assessing the progress of young learners before they reach statutory school age. However, the data it generates has become used for an increasing number of high-stakes accountability purposes. While EYFSP data is not used in published tables of school or setting performance, local authorities' overall performance in relation to children in early years settings in receipt of state funding is monitored partly through the use of aggregated EYFSP scores.

Ofsted also uses EYFSP data to make judgements about performance of the early years settings it inspects. Use of EYFSP for high-stakes accountability purposes can therefore put pressure on teachers to adopt approaches to teaching and learning that overemphasise the need to ensure that children's assessed learning and development outcomes are seen as satisfactory by local authorities and Ofsted.

This aspect of the EYFSP can be a particularly important consideration when pupils transfer from private, voluntary or independent (PVI) settings to maintained schools, especially when pupils enter reception classes having previously attended a PVI setting. Many of the staff working in such settings are not qualified teachers and do not therefore possess the levels of training and expertise in making assessments using the EYFSP expected of teachers.

While it can be difficult in some cases to validate the accuracy of assessments obtained from some PVI settings, teachers working with children transferring from these settings are expected to demonstrate progress in relation to children's assessed EYFSP outcomes. Teachers can therefore face difficulties when initial assessments appear to have been undertaken on an unsatisfactory basis. Concerns about the quality of EYFSP assessments in such circumstances should therefore be shared by teachers with their line managers or with their headteacher as soon as they become apparent.

The use of P-scales must also be treated with caution. While P-scales to some extent represent comparable levels of attainment to those reflected in ELGs, there is no direct correlation between the assessment outcomes generated by the two systems. The information on P-scales data on the DfE website referenced previously sets out additional useful information on the limitations on its use in an early years context. The PIVATS system should also be treated with similar caution as, like P-scales, it is designed for use with pupils in Key Stages 1-4 rather than being tailored specifically to the requirements of the ELGs and the EYFSP.

## Statutory end of Key Stage assessment

Although arrangements for national assessment of pupil attainment in English, mathematics and science are statutory for all pupils at the end of Key Stages 1-3, it is important that teachers are aware of important differences in the ways in which performance data is generated at different Key Stages.

At Key Stage 1, pupils' attainment is measured through a single assessment in each core National Curriculum subject, derived through moderated teacher assessments of pupils' work during the course of the year. Although tests and tasks continue to be used at Key Stage 1, the results of these assessments are not reported and are intended to be used solely to inform teacher assessment levels.

Pupils at Key Stage 2 undertake nationally set and externally marked tests in mathematics, reading and spelling, punctuation and grammar. Statutory assessment of the 'compositional' aspects of writing is secured through an externally moderated teacher assessment process.

Pupils at the end of Key Stage 3 are no longer required to sit externally marked, statutory tests. However, there remains a requirement for each pupil to be assessed for each National Curriculum attainment target in English, mathematics, science and Modern Foreign Languages (MFL) and to be given an overall subject level in each of the core and non-core curriculum subjects. While the DfE's Standards and Testing Agency (STA) does not prescribe the way in which this teacher assessment should be undertaken, two frequently used approaches include pupils sitting tests developed by the STA, which are then marked internally,

or through use of the Assessing Pupil Progress (APP) materials produced by the former Department for Children, Schools and Families (DCSF).

Extensive guidance and support materials, developed in collaboration with the NASUWT, setting out ways in which APP should and should not be used and how the assessment data APP generates should be interpreted, can be accessed online at [www.goo.gl/cmLw5](http://www.goo.gl/cmLw5).

## National Curriculum levels

For all statutory assessment at Key Stages 1-3, pupils' attainment is measured through use of the National Curriculum level descriptions for each subject. At Key Stage 1, level 2 represents the national benchmark level of achievement although, for reporting purposes, level 2 is divided into three sub-levels, 2c, 2b and 2a, to demonstrate differential rates of progress within the overall level. The national benchmark attainment for Key Stage 2 is level 4, and level 5 at Key Stage 3.

While the data generated by statutory end-of-Key Stage assessment can provide useful information about pupil progress and attainment, it is important that key contextual considerations are taken into account in relation to the use in practice of the data that these assessments generate. With regard to statutory assessment at the end of Key Stage 2, particular concerns continue to be identified about the use of the data generated by these assessments to inform high-stakes measures of pupil performance, including performance tables, and the extent to which this puts pressure on teachers to 'teach to the test' in order to generate assessment outcomes that are seen as acceptable for the purposes of external accountability.

A report by the Statistics Commission, a highly respected independent public body established to give objective and expert advice on official statistics, highlighted the impact this context has on the reliability of end-of-Key Stage performance data.<sup>2</sup> This is a particularly important consideration in relation to the requirement on teachers to demonstrate pupil progress where the benchmark for such progress is based on end-of-Key Stage assessment data. The same report also set out concerns that the aggregation of such data, for example to make judgements about particular classes or whole school cohorts, gives insufficient account to the fact that National Curriculum tests are designed primarily to give information about individual pupil progress and attainment rather than aggregated measures of performance.

## Year 1 phonics screening check

From 2012, all Year 1 pupils in state-funded schools, including academies and free schools, must complete the Year 1 phonics screening check. The stated

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<sup>2</sup> Statistics Commission. (2005). Measuring standards in English primary schools, report number 23. London: Statistics Commission.

objective of the check is to ‘confirm whether children have learnt phonics decoding to an appropriate standard’.<sup>3</sup> The check comprises a list of 40 real and pseudo-words that pupils are required to read on a one-to-one basis with a teacher with whom they are familiar. The intended purpose of the pseudo-words is to assess whether pupils can decode unknown words solely through use of phonic cues.

The results of the check are not published in school performance tables although schools are required to inform parents of their children’s results. However, school level data derived from the check is made available to all schools on the DfE/Ofsted RAISEonline data set and can therefore be accessed by local authorities and other external organisations, including academy sponsors, for performance monitoring purposes. School level results will also be used by Ofsted to inform the judgements made by inspection teams about the performance of schools. It should be recognised that the current school inspection framework in relation to schools and other settings with pupils in Key Stage 1 places particular emphasis on pupils’ acquisition of phonics skills and knowledge.

Notwithstanding the omission of the results of the check from school performance tables, their use in other high-stakes systems of school accountability, including inspection, means that schools can experience pressure to ensure that they generate pupil outcomes that will be regarded as acceptable, thereby limiting the ability of the check to serve as a means by which effective assessments of pupils’ progress can be made.

In relation to the reliability and validity of performance data generated by the check, the DfE’s evaluation of pre-implementation trials highlighted significant concerns. In particular, the clear majority of participant teachers in the trial stated that the check failed to assess accurately the decoding ability of pupils for whom English is an additional language or of pupils with speech and language difficulties. The evaluation also found that the use of pseudo-words in the check led to confusion on the part of pupils, particularly the most able, and failed therefore to reflect accurately their ability to use phonics effectively in their reading.<sup>4</sup>

## General qualifications

Despite their distinctive purpose as the means by which students’ learning is formally accredited, results of general qualifications continue to represent an important additional source of performance data for schools in the secondary

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<sup>3</sup> DfE (2012) ‘Year 1 phonics screening check FAQs’. 17 May. ([www.education.gov.uk/schools/teachingandlearning/pedagogy/phonics/a00198207/faqs-year-1-phonics-screening-check](http://www.education.gov.uk/schools/teachingandlearning/pedagogy/phonics/a00198207/faqs-year-1-phonics-screening-check)): retrieved on 02/02/12.

<sup>4</sup> Coldwell, M.; Shipton, L.; Stevens, A.; Stiell, B.; Willis, B. and Wolstenholme, C. (2011) Process evaluation of the year 1 phonics screening check pilot. Department for Education; London.

sector. Although the data reproduced in school performance tables at Key Stage 4 is focused principally on the proportion of pupils achieving five GCSEs at grades A\*-C, or qualifications deemed to be equivalent, it is important that school level approaches to the use of performance data recognise that awards made to pupils below grade C also represent a significant source of performance data, particularly when judgements are made about the progress made by particular pupils, classes or cohorts. In schools and colleges with post-16 pupils, similar considerations apply in respect of the results of A-levels and other equivalent qualifications.

It should be noted that general qualifications are the subject of rigorous procedures to secure their continued reliability, validity and comparability. However, it is essential that school policies and practices take into full account the fact that qualifications are designed to assess the attainment of individual learners and are therefore less able to reflect the progress and achievement of classes or cohorts of pupils.

## Official value-added performance measures

Official value-added (VA) indicators of attainment were developed to overcome the inability of end-of-Key Stage statutory assessment data to reflect the progress of pupils between Key Stages. VA indicators therefore seek to factor out the impact of contextual influences on pupil performance, particularly pupils' prior attainment, and therefore represent an attempt to mediate the difficulties associated with raw pupil performance data in this respect.

The current system of VA used by the DfE seeks to estimate pupil performance at the end of Key Stages 2 and 4, based on prior attainment as measured in statutory National Curriculum assessments referenced against the performance nationally of pupils with comparable levels of prior attainment. The VA performance of pupils or pupil cohorts in individual schools can therefore be determined by the extent to which the progress made by pupils meets, exceeds or falls short of these expectations.

In the DfE's performance tables, the expected or 'median' performance of schools is given a statistical value of 100; schools with VA scores above the median (i.e. above 100) are identified as having exceeded national expectations while those with scores below the median are deemed to be underperforming in relation to the value they have added to their pupils' progress and attainment. Further details about the composition of the DfE's VA model and the statistical assumptions underpinning it can be found on the DfE website at [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/271161/dzjf6.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/271161/dzjf6.pdf).

It is important to note that while VA data may not be as readily understandable to non-specialist external audiences as National Curriculum levels and general qualification grades, it plays an important role in the assessment of school performance by Ofsted, the DfE and local authorities.



However, while VA data represents an attempt to take into account important contextual factors that can impact on pupil attainment and progress, the extent to which such systems measure effectively the impact of teaching on pupil outcomes has been called into question, on the basis that there is a tendency in the way in which VA is calculated to underestimate the progress made by pupils in schools with relatively low raw aggregate scores.<sup>5</sup>

It is particularly important to note that VA data fails to take into effective account the well-established impact that factors such as special educational needs, ethnicity, socioeconomic status and frequent movement by pupils between schools can have on rates of progress and levels of achievement. In this respect, VA is significantly distinct from the Contextual Value Added (CVA) system it replaced, in which these factors were taken into account. The NASUWT is therefore clear that VA represents a limited measure of pupils' progress, as it fails to recognise important influences on performance that are beyond the legitimate control of teachers and school leaders.

## Other value-added systems

Concerns that de-contextualised performance tables, based on raw National Curriculum levels or general qualification results attained at the end of Key Stages, misrepresent the progress made by pupils has prompted many schools to import commercially-produced value-added systems, in an attempt to gain a more accurate view of the progress of individual pupils, classes or cohorts. The use of such systems is now a well-established feature of assessment and data practice in many schools. Among the most widely used are the Fischer Family Trust materials and, in the secondary sector, the Advanced Level Information System (ALIS), the Year 11 Information System (YELLIS) and the Middle Years Information System (MIDYIS) developed by the Centre for Educational Management at the University of Durham.

Each value-added system is distinct and is based on different baseline data sets and assumptions about the most important influences on pupil progress. It is therefore not prudent to attempt to imply that the characteristics of one system can be translated easily to other systems or to the DfE VA model. However, all the most frequently employed non-official VA systems seek to incorporate a wide range of contextual factors into their statistical models and, given the complexity inherent in the methodologies associated with each system, it is important that teachers and school leaders seek to familiarise themselves with the basic principles upon which systems in use in their schools are based.

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<sup>5</sup> Gorard, S. (2006) Re-analysing the value-added of primary schools, Department of Educational Studies Research Paper 2006/02. University of York; York. ([www.york.ac.uk/media/educationalstudies/documents/research/Paper15Value-addedinprimaryschools.pdf](http://www.york.ac.uk/media/educationalstudies/documents/research/Paper15Value-addedinprimaryschools.pdf)); retrieved on 02/02/13.

The Fischer Family Trust ([www.fischertrust.org](http://www.fischertrust.org)) and CEM ([www.cemcentre.org](http://www.cemcentre.org)) websites provide useful summaries of the basic operation of their respective systems, but further advice on the operation of any value-added system should always be sought in cases where there is doubt or concern about the way in which it is being used at school level.

It is important to note that the developers of most of the widely used value added systems make clear that these systems generate estimates rather than predictions or targets of pupil performance and that there are therefore legitimate reasons why these estimates may differ from eventual pupil outcomes. Further helpful information from the Fischer Family Trust on the appropriate use of its system in this regard is available at [www.goo.gl/Mjy56](http://www.goo.gl/Mjy56).

## Data generated by schools' internal assessment procedures including the STA optional tests

There are a wide range of assessment approaches that schools can adopt to augment data generated through statutory assessment, the results of general qualifications and internal value-added data systems. Externally produced tests are often used in schools as a means by which pupil progress and potential can be assessed. Examples include verbal and non-verbal reasoning tests and the Cognitive Ability Test (CAT) used to establish the learning potential of pupils on entry into secondary education. All such tests seek to quantify the learning ability or 'intelligence' of pupils in ways that allow for comparison between pupils or of individual pupils over time. Schools also make use of commercially produced tests in particular subjects, particularly reading and mathematics, for similar subject-specific purposes.

It is important to seek advice if there is any doubt about the way in which a particular test or assessment system is being used and accompanying material, if available, should always be consulted if the data generated by such assessments is being used to evaluate the work of teachers in supporting pupil progress. Some commercial tests and assessments, particularly verbal and non-verbal reasoning tests, are very narrowly focused and are therefore unable to reflect the full range of pupils' abilities and achievements.

The use of 'optional' test materials produced by the STA for assessment of pupils in mid-Key Stage year groups remains a common feature of assessment practice in many schools. These tests replicate the statutory tests at the end of Key Stage 2 through their use of National Curriculum level descriptions to describe pupil performance. However, unlike Key Stage 2 tests, schools are required to make their own arrangements for marking and collating associated assessment data.

Although the STA's test materials are accompanied by mark schemes to support the ascription of National Curriculum levels to pupils' work, the lack of a means

by which marks can be externally verified highlights an important distinction between these tests and externally marked tests undertaken on a statutory basis. For this reason, it is not possible to assert with complete certainty that the level of pupil progress demonstrated by the results of optional tests taken over time is entirely reliable, as a result of the possibility that the mark schemes for tests taken at the point at which pupils' progress and attainment is being assessed may not have been applied in a verifiably comparable way when pupils have been tested previously.

The use of internal teacher assessment of pupils' ongoing work as a means of generating performance data has become a well-established feature of practice in schools. While some schools have adopted commercial schemes, others have developed their own methods of assessing and moderating pupil achievement. Although such practices vary according to the models developed in each school, systems often incorporate key common features. In particular, the division of each National Curriculum level into three further sub-levels is often associated with internally-devised approaches to teacher assessment. This practice is frequently justified on the basis that it is not expected that the majority of pupils will progress through a complete National Curriculum level in each year and that use of sub-levels allows progress to be measured and demonstrated more accurately.

It should be noted that the practice in some forms of internal teacher assessment of dividing National Curriculum levels into further sub-levels, apart from arrangements in place at Key Stage 1 in respect of assessment at level 2, is not officially sanctioned or regulated by the DfE or the STA and there is therefore no objective means by which the sub-levels can be demonstrated to represent equal steps of learning progression. This limits their ability to be used as a reliable means by which pupils' progress in all aspects of their learning can be assessed.

## Dealing with the use of performance data in practice

Notwithstanding the legitimate role that data can play in informing the work of teachers in planning pupils' learning and evaluating progress, difficulties can arise when attempts are made to use performance data inappropriately. An overarching consideration in all cases involving the use of performance data is that its use must be proportionate and must not involve an assumption that judgements about pupils' performance and the quality of the work of teachers can be derived solely from indicators of this nature. It is essential that other contextual and quantitative information is taken into full account in making judgements and setting targets in relation to pupils' progress. In the context of school self-evaluation, it is particularly important to note that current Ofsted guidance has continued to make clear that overreliance on limited numerical data sets is inconsistent with good practice in respect of school improvement planning.<sup>6</sup>

<sup>6</sup> Ofsted (2008). Using data, improving schools. ([www.ofsted.gov.uk/resources/using-data-improving-schools](http://www.ofsted.gov.uk/resources/using-data-improving-schools)), retrieved on 01/02/13.

While issues relating to data can be complex, and advice should always be sought from the NASUWT if it appears that the use of data is creating difficulties for teachers, there are a number of frequently recurring circumstances in which it is critical that teachers and those responsible for representing the interests of NASUWT members are able to engage confidently in professional dialogue about performance data and its use. Key issues in relation to the use of performance data in practice are set out in more detail below.

## **Absence of a consistent and agreed whole-school approach to the use of data**

Many of the difficulties teachers can face in relation to performance data result from the lack of clear whole-school approaches to the way in which such data should be collected and used. It is essential that school policies on data use are the subject of consultation with the NASUWT and that they are consistent with other relevant agreed school policies and procedures. As well as ensuring that subsequent discussions about the use of data can be based on a set of agreed principles, the development of an agreed whole-school approach allows for potentially difficult or challenging issues to be explored and addressed effectively, thereby helping to avoid the implementation of potentially inappropriate practices. Policies established on this basis also serve to ensure that any ineffective features of current practice can be refined and improved.

Key considerations in the development of effective whole-school approaches to the use of performance data include:

- the type and range of performance data that will be collected and the articulation of a clear rationale for decisions made in this respect;
- the need to ensure that practice in relation to performance data is based on the principle that its main purpose is to assist teachers in making professional judgements about progress made by pupils;
- ensuring that issues relating to the performance of teachers, including performance management arrangements, newly qualified teacher assessment and teacher capability, use performance data to inform rather than determine judgements made about the quality of teaching and learning;
- assessing the extent to which differences in assessment practices and curricular content between different subject areas are factored into the way in which data is used across the school;
- establishing appropriate arrangements to ensure that data provided to teachers is presented in a way that can be used readily without the need for further refinement and adaptation; and
- the need to ensure that performance-data-related policy and practice does

not result in increases in teacher workload or undermine their ability to concentrate on their core responsibilities for teaching and learning.

## Action short of strike action

The NASUWT action short of strike action instructions make clear that members should refuse to implement school policies that have not been evaluated for impact on workload and working hours. These instructions apply to existing policies as well as proposed changes to teachers' working practices. Given the clear potential workload implications of approaches to the use of performance data in schools, it is particularly important that members give priority to assessing the impact on work/life balance of existing or proposed practices in their schools.

The action short of strike action instructions also state that members should refuse to undertake administrative and clerical tasks as exemplified in Annex 3 of the School Teachers' Pay and Conditions Document. While it is important to note that the tasks in Annex 3 are illustrative rather than exhaustive, they preclude teachers explicitly from keeping and filing records, including records based on data supplied by teachers. These tasks also include producing analyses of examination results, collating pupil reports and transferring manual data about pupils into computerised school management systems.

Comprehensive support and advice to members on implementing this aspect of the action is available on the NASUWT website at [www.nasuw.org.uk](http://www.nasuw.org.uk).

## Judgements made on the basis of raw performance data

Despite longstanding concerns within the teaching profession about the limitations of unmediated, or 'raw' performance data as an indicator of pupil performance, teachers can still experience difficulties when judgements are made about the performance of individual pupils, classes or cohorts on the basis of raw performance data unmediated by broader contextual considerations. Common examples of the misuse of such data include comparing the progress of pupils in one class or cohort with another on the basis of progress measured by raw assessment scores alone or setting a common benchmark level of progress, often expressed in terms of National Curriculum levels, to be applied to all pupils regardless of their personal circumstances or demonstrable rate of prior progress.

Such an approach to the use of data is entirely inconsistent with established good practice and it is important to note that approaches used by Ofsted and local authorities to measure progress continue to take into consideration contextual factors, particularly pupils' prior attainment. Key factors to be taken into account can include pupils' special educational needs, high rates of pupil turnover, specific issues that may have affected individuals or groups of pupils in particular classes or cohorts, including, for example, frequent changes of designated teacher, or the prior performance of pupils.

It is entirely legitimate for teachers to question the use of unmediated raw data and particular attention should be paid to investigating the reasons why contextual data is not being considered alongside raw data, particularly where schools have elected to use tracking, assessment and target setting systems based on value-added approaches to measurement and evaluation of pupil progress and achievement.

## Overemphasising the reliability of a single assessment or performance analysis system

Attempts to form judgements about levels of pupil progress and achievement based on information derived from a single source of data represent particularly poor practice. Examples include circumstances where the quality of teaching and learning is questioned on the basis of a single set of assessment data derived from a specific test or task or as a result of a failure to meet achievement targets generated by a particular value-added data analysis system such as Fisher Family Trust, ALIS, YELLIS or MIDYIS.

Data generated from an assessment or value-added system acquired from a non-Governmental or commercial organisation can be accompanied by explanatory material, produced either by the organisation responsible for the production of these systems or by other external bodies such as local authorities or academy sponsors, that overemphasises the reliability of the results such systems produce. This information can be used to justify negative assertions about the quality of teaching or learning, as can data generated from other sources, particularly internal teacher assessment or statutory end of Key Stage assessment which, while providing some evidence of pupil progress and achievement, should always be augmented by information and data derived from other sources. This consideration in relation to the use of information and data is emphasised particularly clearly by Ofsted.<sup>7</sup>

Criticisms of the quality of teaching and learning based on a single data set should be resisted by teachers, given that such data cannot represent the full range of pupils' achievement and progress reliably or validly. As all schools are in possession of data from a number of sources, firm judgements about the quality of teaching and learning cannot be made without a comprehensive assessment of all the information about pupil progress that may be available for analysis. Evidence from different data sources can provide contrasting views of pupil performance and is therefore an important means by which assertions in relation to pupil underperformance drawn from a single data set can be challenged.

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<sup>7</sup> Ofsted (2008) Using data, improving schools. ([www.ofsted.gov.uk/resources/using-data-improving-schools](http://www.ofsted.gov.uk/resources/using-data-improving-schools)), retrieved on 05/08/12.

## **Combining data from different sources to form judgements about pupil progress and attainment**

While effective analysis of pupil performance should involve assessment of data from more than one source, the use of data from different sources to make judgements about pupil progress can also be problematic if a particular system appears to demonstrate that rates of pupil progress are lower than might have been expected on the basis of prior performance data generated through use of a different system. This can be a particular issue in relation to measuring the progress and prior attainment of pupils transferring between different schools. Progress that might be judged as unsatisfactory in the context of one assessment or value-added system might be considered satisfactory or better if assessed through use of an alternative system as a result of contrasts in assumptions about influences on pupil progress inherent within different systems.

Criticisms of rates of pupil progress based on evidence constructed in this way are not acceptable and should be challenged. Support should be sought from the NASUWT if schools fail to respond positively to professional representations about the inappropriateness of these practices.

## **Use of data in performance management arrangements, assessing the performance of newly qualified teachers and capability procedures**

While performance data can provide a useful means of informing professional dialogue about the attainment and progress of pupils, the information set out in this advice confirms that a critical implication of the necessarily limited basis upon which all such data is derived is that it is unable to reflect the totality of pupils' achievements or to serve as the principal means by which the effectiveness of teachers' professional practice can be evaluated.

This has important implications for performance management arrangements in schools. In particular, the limitations of pupil performance data mean that it is inappropriate for specific data-related objectives to be included as objectives to be achieved by teachers during the course of a performance management cycle. Teachers should therefore seek to resist the inclusion of such performance data targets as specific performance management objectives and should seek advice and assistance from the NASUWT where attempts are made to implement performance management arrangements on this basis.

For similar reasons, it is also not acceptable to subject teachers to capability procedures or to deny newly qualified teachers successful completion of induction solely on the basis of pupil performance data.

## Use of performance data by Ofsted

Performance data is used to a significant extent by Ofsted to monitor the performance of schools and to justify intervention where this data is felt to give rise to legitimate grounds for concern about key aspects of school performance.

All schools' official data is collated through the online Reporting and Analysis for Improvement through Self-Evaluation system (RAISEonline). This sets out the key contextual and official attainment and value-added data for schools. A helpful summary of RAISEonline and its principal features and uses can be found on the official RAISEonline website at [www.gov.uk/government/organisations/ofsted/about-us/raising-standards](http://www.gov.uk/government/organisations/ofsted/about-us/raising-standards).

Ofsted has made clear its expectation that during the course of inspection, the data set out in RAISEonline will be used by schools in processes to assess and monitor current performance and to inform school improvement planning. However, Ofsted has also confirmed that inspection judgements should be informed, but not determined, by data contained in RAISEonline and has instructed inspectors approach to make this clear to the schools that they inspect. Inspectors are expected to ensure that they take full account of the school's own analyses of data in their evaluation of school effectiveness.<sup>8</sup>

Given the high stakes associated with school inspection, there is a danger that this can translate into an unacceptable pressure in schools to use data to a disproportionate extent in their self-evaluation processes on the ill-informed grounds that this reflects the expectations of inspectors. Teachers should challenge the development and implementation of policy in their school on this basis. Further useful information in respect of Ofsted's expectations about the use of performance data in schools is available on its website at [www.gov.uk/government/organisations/ofsted/about-us/raising-standards](http://www.gov.uk/government/organisations/ofsted/about-us/raising-standards).

However, it is important to recognise that Ofsted does use data to a significant extent to form judgements about school performance as part of the inspection process. For this reason, it is essential that schools are able to engage in a rigorous professional dialogue with inspectors on the use of data, particularly in circumstances where it is felt that inspectors' approach to the use of performance data in the formation of judgements about the effectiveness of key policies and practices or the quality of teaching and learning departs from that Ofsted expects its inspectors to adopt. Advice should always be sought from the NASUWT in circumstances where it is felt that a negative judgement has been reached about the performance of a school following an inspection on the basis of an inappropriate assessment or interpretation of performance data.

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<sup>8</sup> OFSTED (2006) Inspection Matters No 7. OFSTED, London. ([www.ofsted.gov.uk/resources/inspection-matters-issue-7/](http://www.ofsted.gov.uk/resources/inspection-matters-issue-7/)); retrieved on 05/02/13.



## Use of data by local authorities, academy sponsors and the DfE

Local authorities make use of performance data to monitor the performance of maintained schools. Through powers granted by the Education and Inspections Act 2006, local authorities are able to issue ‘warning notices’ when they believe that the performance of particular schools gives rise to legitimate grounds for concern. As with judgements made by Ofsted, it is essential that local authorities do not make use of their powers of intervention on the basis of performance data alone. Teachers concerned that their local authority is placing undue emphasis on performance data in forming judgements about the effectiveness of their school should raise the matter with their Local Association or Regional Centre as a matter of urgency.

In addition to the judgements of school effectiveness made by Ofsted, the DfE has established ‘floor standards’ applicable to all schools, including academies and free schools, that establish minimum expectations in terms of overall school performance. A primary school is deemed to be below the floor standards when less than 60% of pupils at the end of Key Stage 2 achieve level 4 or above in English and mathematics and when a below national average percentage of pupils at the end of Key Stage 2 make the expected rate of progress in these subject areas. A secondary school is deemed to be below the floor when less than 35% of pupils at the end of Key Stage 4 achieve the equivalent of five or more GCSEs at grades A\*-C, including English and mathematics and where levels of pupil progress fall below the national average.

Schools identified as below the floor standard are regarded by the DfE as ‘eligible for intervention’. In the case of the maintained school sector, this intervention involves the allocation to local authorities of a nominated DfE official with whom the local authority is expected to develop an improvement plan in respect of schools below the floor standard. In undertaking this work, the DfE operates in close collaboration with the Office of the School Commissioner (OSC) to consider whether this improvement plan should involve academisation of the schools concerned. The DfE has made clear that it expects ‘the academy route (to) be the most appropriate route for many schools’ in these circumstances.<sup>9</sup>

The NASUWT remains opposed in principle to the Coalition Government’s academies programme and is concerned by the use by the DfE of performance data-related floor standards to pressurise or force schools to adopt academy status. The Union remains clear that there are viable, sustainable and proven approaches to school improvement that do not involve academisation. In circumstances where local authorities or schools are placed under pressure to seek academy status on the basis of performance data, advice and guidance on developing and effective response should be sought from the NASUWT without delay.

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<sup>9</sup> DfE (2011) ‘Michael Gove asks LAs and academy sponsors for school improvement proposals’. 11 March. ([www.education.gov.uk/inthenews/inthenews/a0075016/michael-gove-asks-las-and-academy-sponsors-for-school-improvement-proposals](http://www.education.gov.uk/inthenews/inthenews/a0075016/michael-gove-asks-las-and-academy-sponsors-for-school-improvement-proposals)), retrieved on 05/02/13.

In relation to academies falling below the floor standard, the approach the DfE will adopt to intervention in such circumstances has yet to be set out in detail. While it has asked for improvement plans from academy sponsors for academies below the floor standard, the Coalition Government has yet to set out definitive policy proposals about the steps it believes should be taken to address perceived underperformance.<sup>10</sup> It is therefore critical that teachers in academies below the floor standard ensure that they keep their Local Association or Regional Centre aware of developments in respect of increased monitoring and scrutiny by the DfE or attempts to alter arrangements for school governance or management.

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<sup>10</sup> Hansard HC Liaison Committee 6 March 2012, HC 608-v ([www.publications.parliament.uk/pa/cm201012/cmselect/cmliain/uc608-v/uc60801.htm](http://www.publications.parliament.uk/pa/cm201012/cmselect/cmliain/uc608-v/uc60801.htm)); retrieved 06/02/13.



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