

Supplementary guidance: Retention of assessed work

Introduction

1. The Office for Students (OfS) introduced revised conditions of registration B4 and B5 in May 2022. The guidance that accompanies these conditions sets out an expectation that a provider should retain ‘appropriate records’ of assessed students’ work, including for students who are no longer registered on a course, for a period of five years after the end date of a course.¹ This is because students’ assessed work is likely to be relevant evidence in making judgements about compliance with elements of these conditions.
2. The retention of assessed work is evidence that is relevant to a judgement about effective assessment and would also be relevant to judgements about the credibility of awards.
3. We understand that providers may not in the past have retained assessed student work for their own purposes beyond a short period when a student might make an appeal following the assessment of work in any academic year.² Providers have therefore been concerned about an expectation that assessed work should be retained for all students for a much longer period and the burden, storage and cost implications of this.
4. This supplementary guidance is therefore intended to provide further information about the OfS’s expectations. It is important to note that this document, along with the guidance set out in the regulatory framework for conditions B4 and B5, has the status of ‘guidance’. Providers are autonomous institutions and should interpret and implement the guidance as they consider appropriate for their own context. This means that a provider has latitude to judge what may constitute ‘appropriate records’ for retention and should not understand this to mean ‘all records for all students in all contexts’. The use of ‘appropriate’ in the guidance deliberately gives a provider space to make reasonable judgements about what to store and what not to store.
5. A provider should document the evidence and analysis that has informed its decisions about the assessed work it will retain, and the reasons for this, in order to demonstrate why it considers that judgement to be reasonable. If a provider is selected for assessment and cannot

¹ See <https://www.officeforstudents.org.uk/publications/regulatory-framework-for-higher-education-in-england/part-v-guidance-on-the-general-ongoing-conditions-of-registration/condition-b4-assessment-and-awards/> and <https://www.officeforstudents.org.uk/publications/regulatory-framework-for-higher-education-in-england/part-v-guidance-on-the-general-ongoing-conditions-of-registration/condition-b5-sector-recognised-standards/>. We did not propose a timeframe for keeping assessed work in our consultation on revised conditions of registration. However, consultation responses asked for further information about this and so we provided clarification that assessed work should be retained for a period of five years from the end date of a course.

² Before the OfS published guidance on these issues in May 2022, established guidance and legal expectations were already in place: Jisc retention schedules suggest retention of assessed work for six years, and this aligns with the UK statute of limitations where a claim for a breach of contract may be brought within six years from the date of any breach.

explain its reasoning for determining the records that it considers appropriate for retention, and there are not appropriate records of assessed students' work available to inform a judgement about compliance with conditions of registration, we would be likely to consider taking further regulatory action.

6. We recognise that some types of assessment do not lend themselves to storage and retrieval for these purposes. Storage of sculptures or other artefacts produced for assessment is not likely to be 'appropriate' (see the section headed 'Types of assessed work' below) and we would not expect a provider to find large-scale storage space for physical objects. Some professional, statutory or regulatory bodies have a clear position about the records that should be retained for practical assessments to demonstrate compliance with their professional requirements. Where those professional requirements align with the OfS's requirements in conditions B4 or B5, the OfS would not take a different view about the appropriate records for retention.
7. Our interest is focused on the usefulness of the assessed work for making the judgements implied by the requirements in the condition itself. Our starting point is that we need access to primary evidence – the assessments themselves – to reach a judgement in relation to those requirements, for example whether students have been assessed effectively and whether assessment is valid and reliable.
8. It is likely that some of the contextual documentation from the assessment process – for example, assessment briefs, records of assessment – is also likely to be relevant. However, that contextual documentation alone is not likely to be sufficient to properly consider these issues. The requirements in the condition are designed to focus on the assessment itself and not on a provider's assurance systems and process. This is a deliberate shift from the way these issues would have been approached before the OfS existed and is the approach set out in the regulatory framework since 2018. One of the reasons for this shift in approach is that the sector's assurance processes have not sufficiently engendered public confidence in the credibility of assessment and awards, particularly in relation to the increases in degree classifications seen over time.
9. In practice, if our risk-based approach to monitoring prompts us to undertake investigatory activity in relation to these issues for an individual provider – for example, there may be concerns about the rigour of assessment – our assessment team would be likely to want to have access to assessed work for a period of up to five years. This is so it can consider assessment for modules and courses, as well as assessment for individual students that result in awards, over a reasonable timeframe.
10. In relation to the credibility of awards, the OfS may also place weight on evidence that demonstrates that a provider has routinely and robustly satisfied itself that its approach, such as any changes to academic regulations including degree classification algorithms, has not resulted in increased classifications regardless of whether or not the achievement of students has increased. Providers should consider this when contemplating or making changes to algorithms. For example, we would expect that before changing an algorithm a provider would gather evidence that the awards it has made to date do not reflect students' knowledge and skills and are therefore not credible. Providers should be prepared to demonstrate to the OfS that any changes made to algorithms are evidence-based and meet the requirements for 'credibility' set out in condition B4.

Types of assessed work

11. As set out above, we recognise that it would not be appropriate to retain some types of assessed work and the guidance therefore gives a provider scope to determine what would constitute an appropriate record for retention.
12. To assist providers in making these judgements, the table in **Annex A** categorises types of student work and associated forms of assessment. It sets out the records of assessment we would expect to be retained for each type. This table has been developed through discussions in a working group with sector representatives.
13. Annex A does not provide an exhaustive list and is intended to provide a framework for providers to use to think about the records that might be appropriate for retention. Where a type of assessment fits into multiple categories, we would expect that documentation would be retained as for each of the relevant categories. For example, where an assessment involves both the creation of a physical artefact and accompanying written work, our expectation would be that documentation would be retained as set out for both the written work and physical artefacts categories.

Sampling

14. A provider may decide that retaining a sample of assessed work would constitute 'appropriate records'. Where a provider adopts a sampling approach it should consider what constitutes an appropriate sample such that the OfS could undertake an assessment of the requirements of conditions B4 and B5 if its risk-based monitoring identifies that provider for assessment.
15. Deciding what may constitute an appropriate sample will involve considering the range of courses a provider offers, the level, mode of delivery, and subject area of those courses. Any sample should be sufficiently large and comprehensive for the provider and the OfS to draw reliable conclusions about the entirety of the provider's provision. A provider should document the basis and reasoning for its decisions about sample size and selection.
16. We would expect samples of assessed work to be selected appropriately and to contain sufficient information, including to enable the OfS to:
 - a. Consider the assessment of modules and courses for the full range of student achievement over time.
 - b. Consider the assessed work for an individual student across all years of their course where those assessments contribute to an award, and for the sample of individual students to represent the full range of student achievement.
 - c. Be confident that any sample was representative, rather than selected to present the most positive picture.

Annex A: Types of student work and associated forms of assessment

The term ‘**assessment brief**’ means information that explains what the assessment task was and how it was assessed, which may take the form of one document or multiple documents.

Assessment	Examples of what is submitted or assessed?	Examples of records relating to the assessment process	What should be retained?	How long should it be retained for?
Written work or any written elements of assessment (whether produced in a physical or digital format)	Exams, essays, dissertations, multiple choice questions, posters, content of presentations, fieldwork notebooks, lab reports or write-ups, personal journals	Mark and feedback	Assessment brief Record of assessment All physical or digital written work. If in a physical form it could be digitised	A period of five years after the end date of a course
Practical work – laboratory	Any written work	Mark and feedback A photo A video	Assessment brief Record of assessment of the work along with any written student submission	A period of five years after the end date of a course
Physical artefacts	Sculptures, textiles, fashion and artwork	Mark and feedback A photo A video	Assessment brief Record of assessment	A period of five years after the end date of a course
Digital media	Film, video, podcast	Mark and feedback	Assessment brief The digitally recorded work and record of assessment	A period of five years after the end date of a course

Assessment	Examples of what is submitted or assessed?	Examples of records relating to the assessment process	What should be retained?	How long should it be retained for?
Performance	Dance, drama, music, production	Mark and feedback A photo A video A recording	Assessment brief Record of assessment	A period of five years after the end date of a course
Any type of work that is assessed through observation	Clinical observation Sport (practical) Debates Objective Structured Clinical Examination (OSCE) Vivas Moots Presentations	Mark and feedback A photo A video A recording	Assessment brief Record of assessment / assessor observations	A period of five years after the end date of a course
Continuous assessment, including continuous assessment of industry and work placements	Any written or digital media elements	Mark and feedback Relevant documentation – e.g. employer reports	Assessment brief Record of assessment along with any written or digital media elements	A period of five years after the end date of a course
Group work	Any written or digital media elements	Mark and feedback Relevant documentation – e.g. peer feedback	Assessment brief Record of assessment along with any written or digital media elements	A period of five years after the end date of a course