

BAR STANDARDS BOARD

REGULATING BARRISTERS

Bar Course Aptitude Test (BCAT) Review Summary of Findings – March 2016

The Bar Standards Board (BSB) has completed a review into the role and impact of the Bar Course Aptitude Test (BCAT).

BCAT was introduced by the BSB in 2013. It was designed as a tool to test students' critical thinking skills and to predict their likely performance on the Bar Professional Training Course (BPTC). It was introduced to address concerns about standards on the BPTC course, in particular the volume of students taking the BPTC who went on to fail the course.

Our BCAT review focused on:

- the performance of BCAT as a predictor of a student's future performance on the BPTC;
- the impact of BCAT – at the current pass rate - in preventing weaker students from starting the BPTC; and,
- the likely equality and diversity implications if the pass mark is raised, and to what level it could be safely raised without introducing an unacceptable risk of discriminating against students from non-traditional backgrounds.

The statistical information below summarises the key findings of the review.

Performance Evaluation

The Performance Evaluation analysed the validity of the BCAT as a selection test, in particular the relationship between BCAT and BPTC outcomes. The evaluation used the BCAT performance of students taking the test in 2012/13, and their subsequent performance on the BPTC in 2013/14. The key findings were:

- That the score that a student obtains in the BCAT is a very strong predictor of their performance on the BPTC.
- Data from the 2013/14 BPTC cohort shows that BCAT score and BPTC overall score are significantly positively correlated (0.546), with those who scored higher on the BCAT tending to have a higher BPTC overall score. A correlation of 0.3 or above is desirable in using a test for selection.
- Additionally, regression analysis was undertaken to determine the statistical reliability of BCAT as a predictive indicator of performance. This indicates that BCAT score significantly predicts both BPTC final overall score and final overall grade.
- Regression analysis also indicates that BCAT score increases predictive validity beyond that of educational variables such as Degree Institution and Degree Classification.

- Additional analysis has shown that the five areas within the BCAT are aligned with the skills required in the BPTC course specification requirements.

When BCAT was introduced in 2013, there was a concern that too high a pass mark might have a disproportionate effect on students from non-traditional backgrounds and thus have equality and diversity implications. For this reason, the pass mark was set at a cautious level at that time. The Performance Evaluation analysed the link between BCAT score and a number of student characteristics. The key findings were:

- Parent(s) having a degree, being from a white ethnic background, holding a GDL degree, holding a First or Upper Second Class degree, attending a Russell Group University, and being a UK or EU student are all associated with a higher BCAT score.
- Of the characteristics analysed, ethnicity was the strongest predictor of BCAT score, and the effect of ethnicity on BCAT score can be identified independently of the effects of the other predictive variables. The differences in average scores between white and BME candidates were identified during the 2011 piloting of the test, and similar differences were observed in the 2012/13 cohort.
- Being from a white ethnic background, holding a GDL degree, holding a First or Upper Second Class degree, attending a Russell Group University, and being a UK or EU student are all associated with better performance on the BPTC.

The Performance Evaluation also investigated the validity of the BCAT at its current pass mark, and what the likely impact of changes to the existing pass mark would be for standards on the BPTC. The key findings were:

- At the current pass mark for the BCAT, in 2012/13 only 0.6% (13 students) were unable to pass the BCAT after one or more attempts.
- The impact of setting the pass mark at 38, 39, 40, 43 or 46 for the 2013/14 BPTC cohort was examined. The analysis identified 45 as the most effective pass mark, as it would have provided a marked reduction in the number of students progressing onto the BPTC who subsequently failed it, without creating a significant barrier for students who would have done well on the BPTC.

Impact Evaluation

The Impact Evaluation investigated what impact the BCAT has had to date on entry and exit standards on the BPTC, and on the profile of students on the course by reference to their protected characteristics. The evaluation also investigated students' and BPTC providers' current perceptions of the BCAT. The key findings were:

- BPTC student data suggests the introduction of the BCAT at a pass mark of 37 has had no impact on the profile of students on the course. The only changes in the profile of students on the BPTC have been in line with general trends across Higher Education.
- Analysis of data on enrolments onto the BPTC in terms of the degree class and degree institution of students does not reveal any statistically significant change following the introduction of the BCAT.
- There has not been any increase in the pass rates on the BPTC since the introduction of the BCAT as an entry requirement – pass rates on the BPTC declined between both 2011/12 to 2012/13 and 2012/13 to 2013/14
- There is little evidence from interviews with students who failed the BCAT at the first attempt that the introduction of the BCAT is influencing their career / routing decisions.

- BPTC provider staff interviewed felt that the introduction of the BCAT had not had any impact on their selection procedures, because the test at the time was deemed too easy, and was not an effective tool to improve standards beyond existing admissions and/or selection procedures.

Additional analysis undertaken to identify the effective pass mark

Following the findings summarised above, the BSB undertook additional work in order to investigate further the equality and diversity implications of raising the pass mark using additional BCAT data (from the 2013/14 and 2014/15 BCAT cohorts). This analysis also investigated the impact of a pass mark of 45, which had not been considered in the initial evaluation.

- The impact of potential pass marks at 44, 45, and 46 were examined, with only a pass mark of 46 producing a significant adverse impact related to any protected characteristics (with ethnicity the only characteristic affected)
- The impact of a pass mark of 45 was examined. This indicated that in 2013/14 a pass mark of 45 would have reduced the number of students progressing onto the BPTC who subsequently failed it by 16.6%.
- From this analysis, we have concluded that the optimum pass mark will be 45.