

Thank you for your submission. Mr Russell is content with your recommendation, but has commented that this will require very careful presentation. Therefore, grateful if Ministers can have a sight of a handling plan before this decision is made public.

Thanks

[Redacted]

[Redacted]

Private Secretary to the Cabinet Secretary for Education and Lifelong Learning

[Redacted]

Please see the Cabinet Secretary's Preferences which may be of assistance to you.

All e-mails and attachments sent by a Ministerial Private Office to another official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial meeting, must be filed appropriately by the recipient. Private Offices do not keep official records of such e-mails or attachments. Thankyou.

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From: [Redacted]
Sent: 24 November 2011 15:43
To: Cabinet Secretary for Education and Lifelong Learning; Minister for Learning and Skills
Cc: Minister for Children and Young People; DG Learning & Justice; [Redacted]
Subject: SQA Proposals for Implementing a New Appeals Process [Redacted] Communications Smarter; [Redacted]

Please see attached briefing which requests approval of SQA's recommended timeline for implementation of a new appeals process:

<< File: SQA Proposals for Implementing a New Appeals Process - 24 Nov.doc >>

[Large Redacted Block]

Kind regards

[Redacted]

[Redacted]

Senior Policy Adviser (Qualifications)
Assessment & Qualifications Unit

Tel. [REDACTED]

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1. Cabinet Secretary for Education and Lifelong Learning
2. Minister for Learning and Skills

SQA PROPOSALS FOR IMPLEMENTING A NEW APPEALS PROCESS

Purpose

1. To inform Ministers of the proposed timeline for changes to SQA's appeals process

Priority

2. Urgent – a response by Monday 28 November would be helpful.

Background

3. Briefing has previously been provided around proposed changes to SQA's appeals process. This briefing outlines the proposed timeline for implementing these changes.
4. SQA's current appeals process was originally designed as a safety net for use in exceptional cases i.e. where a candidate through unforeseen circumstances e.g. bereavement or illness, has not been able to perform on the day to the standard expected and for whom the centre has convincing alternative evidence.
5. The volumes of appeals have risen significantly over recent years and there is a suggestion that some of the increase is due to speculative applications rather than those founded on firm evidence/belief that a candidate merits the higher grade.
6. Following on from a period of research and engagement, SQA initiated a review of their appeals process. This identified a number of problems with the current system and informed the design of a new approach replacing the current system with two new services – i) Exceptional Circumstances consideration (pre-results), and ii) a Results Enquiry Service (post-results). The former is designed to ensure that the system better meets the needs of those it is designed for. The Results Enquiry Service option - which will not include any consideration of alternative evidence and is chargeable (on a cost recovery basis) for unsuccessful requests - brings the system more in line with the approach taken by other UK awarding bodies. **(Annex A provides more detail.)**
7. Extensive consultation has taken place with a range of stakeholders and there is agreement that the current appeals process is unsustainable; open to misuse and in some cases detrimental to candidates. Stakeholders, including the Trade Unions have been broadly supportive of the proposed changes.
8. Following a detailed feasibility exercise, SQA is recommending that these changes are implemented in 2014. [REDACTED]


[REDACTED] We asked SQA to look at alternative implementation schedules, including bringing the proposed changes forward by one year (2013) or back a year (in 2015). The analysis is set out in Annex A.

9. There are very strong arguments for introducing this new appeals process. The timing is the key concern. On balance, we accept that the introduction in the same year that the new qualifications are introduced is the fairest and most practical option.



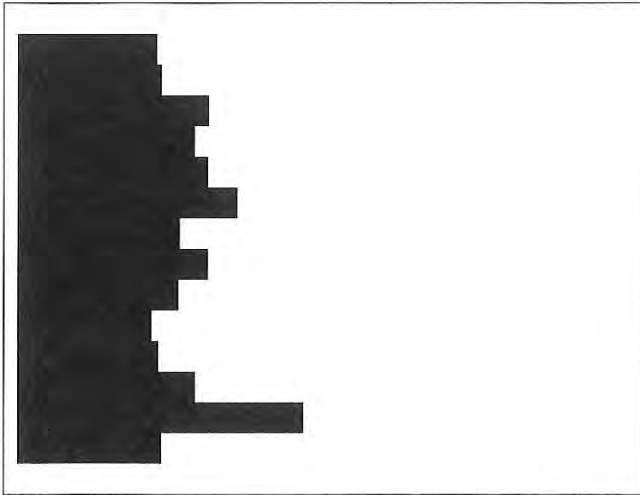
Recommendation

11. Ministers are invited to agree that SQA implements the new appeals process in 2014. An announcement of this timeline would be made by SQA in early December and in consultation with our communications team.

, Assessment & Qualifications Unit

24 November 2011

Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit Interest	General Awareness
Minister for Children and Young People					X



ANNEX A

SQA PROPOSALS FOR IMPLEMENTING A NEW APPEALS PROCESS

BACKGROUND

Current System

1. SQA's current appeals process was originally designed as a safety net for use in exceptional circumstances i.e. cases where a candidate through unforeseen circumstances e.g. bereavement or illness, has not been able to perform on the day to the standard expected and for whom the centre has convincing alternative evidence.
2. The volume of appeals has risen significantly over recent years. In 2010, SQA had 1,068,067 entries for National Qualifications, with 63,020 appeals submitted (5.9% of entries). Of these, only around 5,000 are for exceptional cases, suggesting that some of the increase is down to speculative applications rather than those founded on firm evidence/belief that a candidate merits a higher grade.
3. Under the current system all cases (both absentee and appeals) are judged on the standard of the alternative evidence. It is recognised that this approach can potentially harshly penalise absentee candidates if the evidence is deemed invalid or unreliable. Such candidates have no other means of demonstrating their level of attainment.
4. There are also concerns that the focus on creating alternative evidence of attainment primarily for appeals purposes can lead to the situation where this takes precedence over quality teaching and learning which can dilute the learning experience.

New System

5. Following on from a period of research and engagement, SQA initiated a review of their appeals process. This identified a number of problems with the current system:
 - That it is no longer being used for exceptional circumstances for which it was originally designed and stakeholders wish to return to this.
 - That the drive to generate alternative evidence potentially takes precedence over quality teaching and learning and this can dilute the learning experience and is not in keeping with the key pedagogical changes being promoted under CfE.
 - The current requirements are onerous and very challenging for all concerned.
 - The same standard of evidence is required for absentee and appeals candidates which can potentially be harsh on absentee candidates.
6. Based on the extensive consultation, SQA have designed a new approach replacing the current system with two new services
 - i) Exceptional Circumstances consideration (pre-results)

If a centre believes a candidate has suffered as a result of exceptional circumstances, for example, if they are absent from or ill during an external

assessment, then the centre informs SQA of the appropriate circumstances (pre-results). If it is agreed that the exceptional circumstances procedure should apply, then the centre submits alternative evidence of demonstrated attainment by the candidate and this is received and progressed as in the current process.

ii) Results enquiry service (post-results)

If, after certification, a centre is concerned by a candidate's result then they can engage with the Results Enquiry Service and request a range of services including a clerical check of the script and a request to have marking of the script checked. If this process results in a change of grade (up or down) then this will be amended on the system and a new certificate issued as appropriate.

7. The Exceptional Circumstances approach is part of the current appeals process but the new approach formally removes the need for consistency with the mainstream appeals process, and should provide SQA examiners with an opportunity to consider a wider range of acceptable alternative evidence of attainment, including potentially consideration of statistical evidence of performance across the entire centre's cohort. This will better meet the needs of those for which the system was originally designed.

8. The Results Enquiry Service option will not include any consideration of alternative evidence and will be chargeable (if the review resulted in no change to the candidate's grade). This brings the system more in line with the approach taken by other UK awarding bodies. Charges would be based on a cost recovery basis only and the exact details around this are still to be worked through.

9. The changes to the appeals system will bring the approach more in line with systems used elsewhere in the UK, whilst allowing the consideration of a wider range of alternative evidence for candidates with exceptional circumstances.

Timeline for Implementation

10. Following consideration of a feasibility exercise, SQA have determined that the new system should be implemented in 2014.



2013 Implementation

12. Consideration was given to the potential for implementation prior to the new qualifications in 2013. The following key factors have been presented against this option being feasible:

- there are significant system and process developments required;

- to incorporate Standard Grade (last year of certification 2013) in the development would be extremely complex and would require significant additional development time and therefore cost. This would not be viable;
- to undertake the processes manually to support implementation in 2013 would still require significant work to develop and operationalise and, as well as being high risk, would not deliver a sustainable system;
- the development and implementation schedule that has been developed for 2014 (see below) is challenging but considered to be manageable. The schedule takes account of SQAs overall Portfolio of developments in particular for those on which it is dependent and for SQA development relating to the new National Qualifications. In order to accelerate the schedule critical developments related to the new qualifications could be jeopardised and this is both risky and undesirable.

Activity - Project Milestones	Start Date	Finish Date
Project Initiation	Aug 2011	n/a
Functional Specification	End Nov 2011	March 2012
Development	June 2012	December 2012
Functional & UAT Testing	Jan 2013	June 2013
Implementation (including End to End testing)	July 2013	June 2014
Live Implementation	August 2014	n/a
Project Closure		Oct / Nov 2014

2015 Implementation

13. Consideration was also given to potential for implementation after introduction of the new qualifications. The following key factors have been presented against this option:

- Continuing the existing appeals process alongside the introduction of the new qualifications would require subject specific guidance on alternative evidence to be produced for National 4 & 5. This would be additional, unplanned activity which is not viable;
- SQA could also face criticism for not enacting a policy, announced in 2011, which had been positively received externally and benefits recognised. This poses a reputational risk;
- It should also be noted that new/revised qualifications continue to be introduced beyond 2014 (Highers in 2015 & Advanced Highers in 2016).

Conclusion

14. SQA have, therefore, concluded that the alternatives are impractical or carry greater risk and that implementation should remain 2014. SQA are currently seeking a legal view, to be confirmed prior to any announcement, on potential challenges (and retrospective challenge) of the current system in the intervening years whilst the new service is developed.

Summary

15. The following table outlines the impact of implementing the new appeals system in the different years:

	2013	2014	2015
Timing	Prior to new qualifications	With new Access, National 4 and 5 qualifications	With new Higher qualifications
Implications for existing qualifications/learners	Learners under existing system will still be completing existing qualifications and will be affected by introduction in any of these years. In 2013, there would be additional pressure of Standard Grade qualifications which would require significant investment of time/resource for a single cohort.	Learners under existing system will still be completing existing qualifications at Access, Intermediate, Higher and Advanced Higher and will be affected by introduction in any of these years.	Learners under existing system will still be completing existing qualifications at Intermediate, Higher and Advanced Higher so still affected by introduction in any of these years.
Implications for new qualifications/learners	New qualifications not yet introduced so no impact on these learners in this year.	Introduction alongside new qualifications means these learners would experience new system from start.	Introduction in year after new qualifications introduced would mean that these learners would experience different systems and would require additional resources to be produced in this year than otherwise needed.
Deliverability	SQA suggest implementation in 2013 would add risk and jeopardise new qualifications	SQA suggest implementation in 2014 is challenging but deliverable	Implementation in 2015 is deliverable
Resources*	Additional significant resources over implementation in 2014 would be required to support last year of Standard Grade	There will be resource implications to implementation in 2014 but less than in 2013 or 2015, and these costs are included in current budget forecasts.	Additional resources over implementation in 2014 would be required to produce materials to support alternative evidence for National 4 and 5 in 2014.

* While resource implications of the implementation are highlighted here, we would anticipate savings to be made through this investment and the reduced resource requirements of the revised system.

16. It is likely that implementation in any of these years would result in a perceived link to Curriculum for Excellence. However, as candidates under the current system will also be affected by these changes when they are completing their studies in 2014 and 2015, we will need to be clear that these learners will not be disadvantaged under the new system. A key point will be that increasing levels of coursework contributing to grading of qualifications means that implementation is coming at a time that will not disadvantage existing learners.

Communications



EXAM RESULTS APPEALS

Background

- This year, the “Results Service” replaced the old SQA exam appeal system
- Under the new system there are two types of appeal:
 1. An “Exceptional Circumstances Consideration” appeal – schools request this within ten days of an exam taking place where they believe that illness, bereavement or similar may have effected the pupils performance. Previous evidence of performance is submitted to the SQA and no charge is made for such appeals.
 2. A “Post-Results Service” – following results day in August and offering a clerical check or review of marking of the exam script – no alternative evidence is considered under this part of the new system. Fee is up to £39.75
- On Monday (27Oct) the Herald reported claims that pupils at private schools were able to appeal because their parent chose to pay for the appeal, whereas state pupils were unable to appeal as their school was not willing to do so.

It would be fundamentally wrong for local authority schools to charge parents for an appeal

- In state schools, the payment of SQA fees is met by the local authority. It would be wrong to pass this charge on to hard-pressed families.
- The Association of Directors of Education in Scotland (ADES) have made clear “Local authorities finance the costs of SQA entries.” ADES statement, 10 February 2014

Teacher judgements on pupil performance should determine whether there is an appeal

- Appeals should only go ahead where in the professional judgement of the teacher it is justified.
- Teaching union the EIS agree. Larry Flanagan, Herald, 27 Oct14: “Appeals should be based on the professional judgement of teachers”

That’s why the SQA does not accept appeals from individuals

- The SQA only accepts requests for its Results Services from schools and colleges - and not from individuals.
- SQA also only accepts payment from schools and colleges - and not from individuals.

SQA’s new appeals service was introduced largely because it is a fairer system

- The new results services are the result of wide-ranging consultation between SQA, schools, colleges and other education professionals who recognised that a review of the Appeals service was required.
- The new system is fairer. It allows a wider range of alternative evidence to be considered for candidates who miss an exam through illness or other exceptional circumstances.
- It is also better for learning and teaching. Under the old system there was the potential for the drive to generate alternative evidence to support appeals to take precedence over quality learning and teaching – bad for teachers and learners.
- It reflects the greater emphasis on course work in the new National Qualifications. There is more on-going assessment and opportunities for learners to demonstrate their achievements over the year. For example, the exam in the new English Higher is only 70 per cent of the overall course assessment (80 per cent previously).

[REDACTED]

From: [REDACTED]
Sent: 24 November 2011 15:43
To: ZZZ Cabinet Secretary for Education and Lifelong Learning; zzzMinister for Learning, Science and Scotland's Languages 2011 to 2016
Cc: zzzMinister for Children and Young People 2011 to 2016; DG Education, Communities & Justice; [REDACTED]
Subject: SQA Proposals for Implementing a New Appeals Process
Attachments: SQA Proposals for Implementing a New Appeals Process - 24Nov.doc

Please see attached briefing which requests approval of SQA's recommended timeline for implementation of a new appeals process:

[REDACTED]

[REDACTED]

[REDACTED]

Kind regards

[REDACTED]

[REDACTED]
Senior Policy Adviser (Qualifications)
Assessment & Qualifications Unit

Tel. [REDACTED]
[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 16 January 2012 09:40
To: Cabinet Secretariat inbox
Cc: ZZZ Cabinet Secretary for Education and Lifelong Learning; zzzMinister for Learning, Science and Scotland's Languages 2011 to 2016; [REDACTED]
Subject: FW: SCANCE template for Cabinet: 16 January 2011
Attachments: Cabinet - SCANCE - SQA Appeals.doc; Shell - Cabinet - SCANCE Template (4th Administration - 2011).doc

Cabinet Secretariat

SCANCE Note for SQA Announcement of New Appeals Process

[REDACTED]
Deputy Director
[REDACTED]

From: [REDACTED] On Behalf Of Cabinet Secretary for Education and Lifelong Learning
Sent: 12 January 2012 17:08
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: SCANCE template for Cabinet Next Week

[REDACTED]

As [REDACTED] made you aware, Mr Russell would like a SCANCE note on the SQA proposals for implementing a new appeals procedure, as per your email on Wednesday, for next Tuesday's Cabinet. Grateful if you could complete the top box of the attached template, and send to Cabinet Secretariat, copying us in, by their deadline of 2pm on Monday.

Please note:

- Mr Russell does not normally clear SCANCE contributions, so this should be cleared at DD level before sending to Cabinet Secretariat
- Mr Russell is comfortable using the written contribution as his main speaking note. As such, a separate speaking note (bottom box of template) should only be provided if there is something additional for the Cab Sec's awareness that can not be included in the SCANCE contribution.

Many thanks,
[REDACTED]

[REDACTED]
Assistant Private Secretary



Cabinet Secretary for Education and Lifelong Learning



Please see the Cabinet Secretary's Preferences
<<http://intranet/InExec/AboutUs/Directorates/CabinetDirectorate/Ministers/MinisterialPrivateOffices/educationlifelonglearning/cabseceducation/Intro>> which may be of assistance to you.

All e-mails and attachments sent by a Ministerial Private Office to another official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial meeting, must be filed appropriately by the recipient. Private Offices do not keep official records of such e-mails or attachments. Thank you.

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 On Behalf Of Cabinet Secretariat inbox
Sent: 12 January 2012 08:38
To: DL Cabinet Secretaries; Minister for Youth Employment
 Cabinet Secretariat inbox
Subject: SCANCE template for Cabinet Next Week

Dear All,

Please find attached the SCANCE template for you to commission your news items for the Cabinet meeting on Tuesday 17 January. Grateful for your contributions to be returned to the Cabinet Secretariat inbox no later than 2pm on Monday 16 January.

Many thanks



 | Cabinet Directorate | Cabinet and Corporate Business Secretariat Room 4W-01 | St Andrew's House | EDINBURGH | EH1 3DG


COMPOSITE BACKGROUND NOTE FOR S4W-19550, S4W-19551, S4W-19557, S4W-19559, S4W-19560

1. Ken Macintosh is Labour MSP for Eastwood. He is a member of the Public Audit Committee and the Cross Party Working Group on Children and Young People. This is one of five PQs he has raised around the new SQA Results Services.
2. Liz Smith, Conservative MSP for Mid Scotland and Fife, and member of the Education and Culture Committee raised a question PQ S4O-02912 on 20 February 2014 around what discussion Scottish Government have had with SQA on Results Services and who will meet any costs.
3. From 2013/14, SQA will operate a new appeals system for the National Qualifications.
4. Under the previous system all cases (both absentee and appeals) were judged on the standard of the alternative evidence, regardless of whether a candidate had had the opportunity to sit the exam.
5. The new approach replaces the previous system with two new services:
 - Exceptional Circumstances Consideration Service - a pre-results service that will take into account a candidate's absence on the day of an exam (illness, bereavement etc.) Grades will be determined based on alternative evidence provided by the school. A wider range of evidence will be able to be looked at for candidates under the Absentee Consideration process than previously.
 - A Post-Results Service - offering a clerical check or review of marking of the script. This will not include a review of alternative evidence.
6. The changes are independent of the introduction of Curriculum for Excellence - and will apply to the current Intermediates, Highers and Advanced Highers next year, as well as to the new National Qualifications.
7. The new Results Services will provide better support for candidates and reduce the burden on teachers and lecturers, enabling them to focus more on teaching and learning.
8. Eligibility for an appeal is based on the candidates estimate with only 10-15% of candidates being eligible for this service. Results Services will not have these restrictions in place and will be open to all candidates who have completed all the compulsory components for a National Course.
9. SQA have estimated that the number of requests in 2014 will be around:

Exceptional Circumstances: 3,000
Marking Review: 25,000
Clerical Check: 3,000

10. These figures are based on current volumes of Absentee consideration and Principal Assessor referrals (Exceptional Circumstances) and percentage (10%) of reviews from other Awarding Bodies (Marking Review and Clerical Check)

11. Historical Data

Year	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
No of Appeals	45,677	43,162	45,475	60,233	53,886	58,497	63,020	64,309	67,740	66,204

12. Just under 50% of all Appeals were at Standard Grade (covering SCQF levels 3, 4 and 5) which will not be awarded in 2014, and included multiple appeals for individual components. Only SCQF level 5 (National 5) and above will be eligible for Results Services as lower level qualifications will be internally assessed and so appeals for those qualifications will be dealt with by schools.
13. Ministers approved the SQA recommended timeline in November 2011, and SQA announced to its customers and stakeholders in January 2012 that the new results Services would be introduced in 2013/14. Detailed guidance and promotional materials – developed with the assistance of stakeholders – have been issued by SQA to support implementation.
14. There are charges associated with the Post-Results Service. The charge will only be applied for candidates where there is no change in the grade following on from the clerical check or review of the marking script. These charges have been arrived at on a less than cost recovery basis. There is no charge for the Exceptional Circumstances Consideration Service.

- Clerical Check	£10.00
- Marking Review (includes clerical check)	£29.75
- Priority Marking Review (includes clerical check)	£39.75

15. It will be for schools and local authorities to determine how to handle applications and any consequent charges. The Association of Directors of Education in Scotland (ADES) have confirmed that local authorities/ schools are aware of changes to the system and that local authorities would finance the cost of any associated charges in their normal way (in some cases centrally, in others through devolved budgets), provided they feel a clerical check or review is justified.

