

**Enclosure 01 – Email: RE: Qualifications - Advice to DFM on Higher and Advanced Higher Exams in 2021 – November 2020**

**From:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Sent:** 17 November 2020 10:57  
**To:** Director of Learning <DirectorofLearning@gov.scot>  
**Subject:** RE: Qualifications - Advice to DFM on Higher and Advanced Higher Exams in 2021 - November 2020

Thanks Graeme.

Just to be clear, Fiona is making time to look at the sub at 2pm. I've said I'll make some further edits based on my discussions with her this morning and ask that she adds her contributions to that. I'll send that to her before 2pm. I've stressed that we need to get this one up today.

Malcolm

**From:** Logan G (Graeme) <Graeme.Logan@gov.scot> **On Behalf Of** Director of Learning  
**Sent:** 17 November 2020 10:51  
**To:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Subject:** RE: Qualifications - Advice to DFM on Higher and Advanced Higher Exams in 2021 - November 2020

Hi Malcolm

Excellent submission setting out the current position and prompting DFM to consider the issues further. Please find attached a couple of tracked additions and one comment.

If Fiona is providing comments at 2pm it may be better to hold the submission until then so that you can reflect SQA headline views in the sub.

Thanks  
Graeme.

**From:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Sent:** 16 November 2020 19:20  
**To:** Director of Learning <DirectorofLearning@gov.scot>; Fiona Robertson (fiona.robertson@sqa.org.uk) <fiona.robertson@sqa.org.uk>  
**Subject:** Qualifications - Advice to DFM on Higher and Advanced Higher Exams in 2021 - November 2020

Hi Graeme, Fiona

Given timeframes, I am sending to you simultaneously. Attached is a draft note to DFM updating on recent developments, summarising intel on stakeholder views and setting out some next steps. I am aiming to get to DFM by lunchtime tomorrow and would be grateful for any comments you have. Fiona – conscious that this could say more about

SQA position/views, so happy to include more. Happy also to discuss tomorrow morning if helpful.

Thanks  
Malcolm

**Enclosure 01.1 – Attachment: Word document**

From: Malcolm Pentland  
Curriculum, Qualifications & Gaelic Division

16 November 2020

**Deputy First Minister and Cabinet Secretary for Education and Skills**

**2021 HIGHER AND ADVANCED HIGHER EXAM DIET – ONGOING REVIEW OF DECISION**

**Purpose**

1. To provide an update on recent developments that will have a bearing on the ongoing review of the decision to seek to proceed with Higher and Advanced Higher exams in 2021; to provide advice on latest stakeholder views; and to seek your agreement to further discussion on next steps.

**Priority**

2. **Urgent**

**Background**

3. In your 7 October statement to Parliament you confirmed the intention to proceed with Higher and Advanced Higher exams in May and set out the rationale for doing so. However, at the same time you were very clear that there was no way of knowing what circumstances we would face in the future in relation the pandemic. You emphasised the importance of avoiding decisions being made in extremis and of need for clear contingency plans for the Higher and Advanced Higher exams. You also confirmed that these plans would include key check-points up the February break to assess public health advice and our plans.
4. There has been, and continues to be, little consensus on the issue of holding exams in 2021. In reaching a decision to cancel N5 examinations in 2021 (and put in place an alternative approach to certification) and to proceed with H and AH examinations (with course modifications, a changed timetable and contingency plans developed) you took account of a range of stakeholder views and the recommendations made by Professor Mark Priestley. Aside from the political response to the decision, the general reaction in the system and wider society to this step was relatively muted, with a broad acceptance of the approach being taken.
5. Since then, a number of things have changed:

[Redacted – not in scope]

6. [Redacted s30(b)(ii)]

7. The views of the wider education system are of course important and we are urgently seeking to establish the views of other key stakeholders, including those not on the NQ21 Group. We have some initial comment from the HE and FE sectors.

[Redacted s30(b)(ii)]

8. The views of learners and parents will also be a critical consideration. In your discussion with Senior Phase pupils at the start of October 2020, there was strong opinion expressed on the need for exams to go ahead, particularly those “higher stake” exams given their importance in securing FE/HE places and concerns regarding the perceived value of a qualification based solely on continuous assessment. Since your 7 October statement, SQA has had some engagement with young people via the forums it has established to oversee the assessment approach for 2021. There are mixed views on whether or not to proceed with the Higher and Advanced Higher Diet for 2021. There is, however, a high degree of anxiety being reported by young people in respect of the current proposals and the impact on those learners with additional support needs, but also on the loss of learning and teaching for those affected by Covid. SQA’s Learners Panel will be established by the end of November to help shape and inform the 2021 approach, and could be utilised to canvas views on this matter.

9. The views of parents are also mixed. In early October, just ahead of your 7 October statement, the NPFS carried out a snap poll of parents on 2021 exams. Of those responding at that time:

- 58% were opposed to a full cancellation of exams with awards being based on teacher professional judgement;
- 74% were in favour of an approach that saw Higher and Advanced Higher exams being prioritised; and
- 70% agreed that work should continue towards the exams as normal but that exams should be cancelled later in the academic year if the public health situation worsens.

10. We understand that NPFS are planning to carry out a further poll of parents of senior phase pupils over the coming days and that this is likely to include seeking views on:

- how disrupted senior phase learners’ schooling has been;
- how supported senior phase learners have been in their learning during periods of self-isolation;
- whether Higher and Advanced Highers should still go ahead in May; and
- the timing of any final decision to hold/cancel the Higher or Advanced Higher exams.

### **Key Considerations and Next Steps**

11. We will continue to seek the views of the system on this and to monitor closely the data on attendance of senior phase pupils. We will also continue working closely with the SQA in the work they are leading with stakeholders to develop contingency arrangements.

12. Timing is a critical consideration here and in particular identifying when is the trigger point for any decision to cancel. The sooner any decision to cancel exams is made, the potentially better the development and delivery of an alternative approach. The longer you give it to see if exams can be run safely and fairly, the greater the chance you provide for young people to be able to sit the exams determining their future path into work, college or university if public health guidance at the time allows it.

13. A further important consideration is what role you may wish have Parliament to have in reaching any decision on the holding of Higher and Advanced Higher exams. You may wish to have a deliver a parliamentary statement in follow up your statement of 7 October or to bring forward a debate to allow opposition members to contribute their views on this difficult decision and the timing of it.

[Redacted – not in scope]

14. We recommend that you meet with officials, the SQA Chief Examiner and Education Scotland to discuss the issues here further. You may also wish to consider some discussions that include key groups, such as the BOCSH Group and ADES, parents and learners.

#### **Recommendation**

15. That you:

- note the changed circumstances since the 7 October decision to cancel N5 exams (the impact of Covid on senior phase pupils and how this is varying and the positions on exams in rUK);
- note views of stakeholders and the on-going intelligence gathering here;
- agree to further discussion of issues with officials, SQA and Education Scotland and also with selected stakeholder groups.

Malcolm Pentland  
Curriculum, Qualifications & Gaelic Division

COPY LIST TO BE ADDED

**Enclosure 02 – Email: RE: Qualifications Advice to DFM on Higher and Advanced Higher Exams in 2021 November 2020 v3**

**From:** Logan G (Graeme) <Graeme.Logan@gov.scot> **On Behalf Of** Director of Learning

**Sent:** 17 November 2020 22:01

**To:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>

**Subject:** RE: Qualifications Advice to DFM on Higher and Advanced Higher Exams in 2021 November 2020 v3

Thanks Malcolm. A couple of further tracked changes – happy for you to send when you have considered these. Speak tomorrow. Graeme.

**From:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>

**Sent:** 17 November 2020 21:43

**To:** Director of Learning <DirectorofLearning@gov.scot>

**Subject:** Qualifications Advice to DFM on Higher and Advanced Higher Exams in 2021 November 2020 v3

Hi Graeme

As per message, please find attached proposed final version of exams sub for DFM.  
Malcolm

**Enclosure 02.1 – Attachment: Word document**

From: Malcolm Pentland  
Curriculum, Qualifications & Gaelic Division

17 November 2020

**Deputy First Minister and Cabinet Secretary for Education and Skills**

**2021 HIGHER AND ADVANCED HIGHER EXAM DIET – ONGOING REVIEW OF DECISION**

**Purpose**

1. To provide an update on recent developments that will have a bearing on the ongoing review of the decision to seek to proceed with Higher and Advanced Higher exams in 2021; to provide advice on latest stakeholder views; and to seek your agreement to further discussion on next steps.

**Priority**

2. **Urgent**

**Background**

3. In your 7 October statement to Parliament you confirmed the intention to proceed with Higher and Advanced Higher exams in May and set out the rationale for doing so. However, at the same time you were very clear that there was no way of knowing what circumstances we would face in the future in relation to the pandemic. You emphasised the importance of avoiding decisions being made in extremis and of the need for clear contingency plans for the Higher and Advanced Higher exams. You also confirmed that these plans would include key check-points up the February break to assess public health advice and our plans.
4. There has been, and continues to be, little consensus on the issue of holding exams in 2021. In reaching a decision to cancel N5 examinations in 2021 (and put in place an alternative approach to certification) and to proceed with H and AH examinations (with course modifications, a changed timetable and contingency plans developed) you took account of a range of stakeholder views and the recommendations made by Professor Mark Priestley. Aside from the political response to the decision, the general reaction in the system and wider society to this step was relatively muted, with a broad acceptance of the approach being taken. Any decision around Higher and Advanced Higher, which are key to progression, is likely to be more contentious.
5. Since then, a number of things have changed:

[Redacted – not in scope]

[Redacted s30(b)(ii)]

6. The views of the wider education system are of course also important and we are urgently seeking to establish the views of other key stakeholders. We have some initial comment from the HE and FE sectors.

[Redacted s30(b)(ii)]

7. The views of learners and parents will also be a critical consideration. In your discussion with Senior Phase pupils at the start of October 2020, there was strong opinion expressed on the need for exams to go ahead, particularly those “higher stake” exams given their importance in securing FE/HE places and concerns regarding the perceived value of a qualification based solely on continuous assessment. Since your 7 October statement, SQA has had some engagement with young people via the forums it has established to oversee the assessment approach for 2021. There are mixed views on whether or not to proceed with the Higher and Advanced Higher Diet for 2021. There is, however, a high degree of anxiety being reported by young people in respect of the current proposals and the impact on those learners with additional support needs, but also on the loss of learning and teaching for those affected by Covid. SQA’s Learners Panel will be established by the end of November to help shape and inform the 2021 approach, and could be utilised to canvas views on this matter.

8. The views of parents are also mixed. In early October, just ahead of your 7 October statement, the NPFS carried out a snap poll of parents on 2021 exams. Of those responding at that time:

- 58% were opposed to a full cancellation of exams with awards being based on teacher professional judgement;
- 74% were in favour of an approach that saw Higher and Advanced Higher exams being prioritised; and
- 70% agreed that work should continue towards the exams as normal but that exams should be cancelled later in the academic year if the public health situation worsens.

9. We understand that NPFS are planning to carry out a further poll of parents of senior phase pupils over the coming days and that this is likely to include seeking views on:

- how disrupted senior phase learners’ schooling has been;
- how supported senior phase learners have been in their learning during periods of self-isolation;
- whether Higher and Advanced Highers should still go ahead in May; and
- the timing of any final decision to hold/cancel the Higher or Advanced Higher exams.

### **Key Considerations and Next Steps**

10. We will continue to seek the views of the system on this and to monitor closely the data on attendance of senior phase pupils. We will also continue working closely with the SQA in the work they are leading with stakeholders to develop contingency arrangements.

11. The timing of any decision to cancel exams, and in particular identifying when is the trigger point for any such decision, is an important consideration. While there are those that arguing that a decision to cancel H and AH exams should be made soon, collectively the system must be clear on what is done in the event that there is a cancellation. The National Qualifications 2021 Group has considered this twice but has not come to final conclusions and further workshops are planned.

[Redacted – not in scope]

12. A further important consideration is what role you may wish Parliament to have in reaching any decision on the holding of H and AH exams. You may wish to deliver a parliamentary statement in follow up your statement of 7 October or to bring forward a debate to allow opposition members to contribute their views on this difficult decision and the timing of it.

[Redacted – not in scope]

13. We recommend that you meet with officials, the SQA Chief Examiner and Education Scotland to discuss the issues here further. You may also wish to consider some discussions that include key groups, such as the BOCOSH Group and ADES, parents and learners and we can arrangements for these.

#### Recommendation

14. That you:

- note the changed circumstances since the 7 October decision to cancel N5 exams (the impact of Covid on senior phase pupils and how this is varying and the positions on exams in rUK);
- note the range of views of SQA and stakeholders - and the on-going intelligence gathering here;
- agree to further discussion of issues with officials, SQA and Education Scotland and also with selected stakeholder groups.

Malcolm Pentland  
Curriculum, Qualifications & Gaelic Division

Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit Interest	General Awareness
Minister for Children and Young People			X		
Minister for Further Education, Higher Education and Science			X		
Cabinet Secretary for Communities and Local Government			X		

Permanent Secretary DG EC&J Director of Learning Director for Advanced Learning & Science Gayle Gorman Alan Armstrong Elizabeth Morrison Andy Drought Sam Anson Mick Wilson Roddy Macdonald Linda Pooley
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[Redacted s38(1)(b)]  
Colin McAllister  
[Redacted s38(1)(b)]  
Comms DFM



**Enclosure 03.1 – Attachment: Word document**

From: Malcolm Pentland  
Curriculum, Qualifications & Gaelic Division

17 November 2020

**Deputy First Minister and Cabinet Secretary for Education and Skills**

**2021 HIGHER AND ADVANCED HIGHER EXAM DIET – ONGOING REVIEW OF DECISION**

**Purpose**

1. To provide an update on recent developments that will have a bearing on the ongoing review of the decision to seek to proceed with Higher and Advanced Higher exams in 2021; to provide advice on latest stakeholder views; and to seek your agreement to further discussion on next steps.

**Priority**

2. **Urgent**

**Background**

3. In your 7 October statement to Parliament you confirmed the intention to proceed with Higher and Advanced Higher exams in May and set out the rationale for doing so. However, at the same time you were very clear that there was no way of knowing what circumstances we would face in the future in relation to the pandemic. You emphasised the importance of avoiding decisions being made in extremis and of the need for clear contingency plans for the Higher and Advanced Higher exams. You also confirmed that these plans would include key check-points up the February break to assess public health advice and our plans.
4. There has been, and continues to be, little consensus on the issue of holding exams in 2021. In reaching a decision to cancel N5 examinations in 2021 (and put in place an alternative approach to certification) and to proceed with H and AH examinations (with course modifications, a changed timetable and contingency plans developed) you took account of a range of stakeholder views and the recommendations made by Professor Mark Priestley. Aside from the political response to the decision, the general reaction in the system and wider society to this step was relatively muted, with a broad acceptance of the approach being taken. Any decision around Higher and Advanced Higher, which are key to progression, is likely to be more contentious.
5. Since then, a number of things have changed:

[Redacted – not in scope]

[Redacted s30(b)(ii)]

6. [Redacted – not in scope] [Redacted s30(b)(ii)]

[Redacted – not in scope]

[Redacted s30(b)(ii)]

7. The views of the wider education system are of course also important and we are urgently seeking to establish the views of other key stakeholders. We have some initial comment from the HE and FE sectors.

[Redacted s30(b)(ii)]

8. The views of learners and parents will also be a critical consideration. In your discussion with Senior Phase pupils at the start of October 2020, there was strong opinion expressed on the need for exams to go ahead, particularly those “higher stake” exams given their importance in securing FE/HE places and concerns regarding the perceived value of a qualification based solely on continuous assessment. Since your 7 October statement, SQA has had some engagement with young people via the forums it has established to oversee the assessment approach for 2021. There are mixed views on whether or not to proceed with the Higher and Advanced Higher Diet for 2021. There is, however, a high degree of anxiety being reported by young people in respect of the current proposals and the impact on those learners with additional support needs, but also on the loss of learning and teaching for those affected by Covid. SQA’s Learners Panel will be established by the end of November to help shape and inform the 2021 approach, and could be utilised to canvas views on this matter.

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10. We understand that NPFS are planning to carry out a further poll of parents of senior phase pupils over the coming days and that this is likely to include seeking views on:

- how disrupted senior phase learners’ schooling has been;
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12. The timing of any decision to cancel exams, and in particular identifying when is the trigger point for any such decision, is an important consideration. While there are those that arguing that a decision to cancel H and AH exams should be made soon, collectively the system must be clear on what is done in the event that there is a cancellation. The National Qualifications 2021 Group has considered this twice but has not come to final conclusions and further workshops are planned.

[Redacted – not in scope]

13. A further important consideration is what role you may wish Parliament to have in reaching any decision on the holding of H and AH exams. You may wish to deliver a parliamentary statement in follow up your statement of 7 October or to bring forward a debate to allow opposition members to contribute their views on this difficult decision and the timing of it.

[Redacted – not in scope]

14. We recommend that you meet with officials, the SQA Chief Examiner and Education Scotland to discuss the issues here further. You may also wish to consider some discussions that include key groups, such as the BOCSSH Group and ADES, parents and learners and we can arrangements for these.

**Recommendation**

15. That you:

- note the changed circumstances since the 7 October decision to cancel N5 exams (the impact of Covid on senior phase pupils and how this is varying and the positions on exams in rUK);
- note the range of views of SQA and stakeholders - and the on-going intelligence gathering here;
- agree to further discussion of issues with officials, SQA and Education Scotland and also with selected stakeholder groups.

Malcolm Pentland  
Curriculum, Qualifications & Gaelic Division

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Minister for Further Education, Higher Education and Science			X		
Cabinet Secretary for Communities and Local Government			X		

Permanent Secretary  
DG EC&J  
Director of Learning  
Director for Advanced Learning & Science  
Gayle Gorman  
Alan Armstrong  
Elizabeth Morrison  
Andy Drought  
Sam Anson  
Mick Wilson  
Roddy Macdonald  
Linda Pooley  
[Redacted s38(1)(b)]  
Colin McAllister  
[Redacted s38(1)(b)]  
Comms DFM

**Enclosure 04 – Email: RE: Higher and Advanced Higher Exams 2021**

**From:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Sent:** 17 November 2020 22:12  
**To:** Macdonald R (Roddy) <Roddy.Macdonald@gov.scot>  
**Cc:** Director of Learning <DirectorofLearning@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>  
**Subject:** RE: Higher and Advanced Higher Exams 2021

Roddy

Many thanks for obtaining and providing us with HE and FE views so quickly. The intention had been to get the advice to DFM (just sent, you're copied) up on Monday but clearly that did not quite happen. Your quick response was appreciated.  
Malcolm

**From:** Macdonald R (Roddy) <Roddy.Macdonald@gov.scot>  
**Sent:** 16 November 2020 14:49  
**To:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Cc:** Director of Learning <DirectorofLearning@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>  
**Subject:** RE: Higher and Advanced Higher Exams 2021

Malcolm

Now from US, let me know if you want further discussion with CS or US

Roddy

Call Alastair Sim, Universities Scotland 16/11/20

- Have not given option of cancelling Highers too much thought
- If an option now, happy to work with us to flesh out
- They have an admissions working group under Sally Mapstone (St Andrews, Principal) which could help
- As long as what is proposed is fair they will work with us on it
- Could lead to need for further additional places if increased pass rate - which has a funding issue
- Still looking for SQA to provide figures on numbers of increased s5 passes to assist with planning for 21/22

Dr Roddy Macdonald  
Head of Higher Education and Science Division  
Scottish Government Advanced Learning and Science Directorate  
5 Atlantic Quay  
Glasgow G2 8LU

0300 244 6765 07[Redacted s38(1)(b)]

PA/Divisonal Admin: [Redacted s38(1)(b)] 0300 244 [Redacted s38(1)(b)]



**From:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Sent:** 16 November 2020 13:15  
**To:** Macdonald R (Roddy) <Roddy.Macdonald@gov.scot>  
**Cc:** Director of Learning <DirectorofLearning@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>  
**Subject:** RE: Higher and Advanced Higher Exams 2021

Thanks Roddy, very helpful.  
Malcolm

**From:** Macdonald R (Roddy) <Roddy.Macdonald@gov.scot>  
**Sent:** 16 November 2020 12:38  
**To:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Cc:** Director of Learning <DirectorofLearning@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>  
**Subject:** RE: Higher and Advanced Higher Exams 2021

Malcolm

I am speaking to Univ Scotland at 2pm but have spoken to CS as below, which was very positive

Roddy

Call with [Redacted s38(1)(b)], Colleges Scotland 16/11/20

- Noted that people in sector had been talking about options since the Welsh decision
- The college sector would adapt and work with SG, SQA and others
- More notice the better, ideally pre-Christmas, espec as prelims in January

- Some colleges do only a few highers at night classes others like West Highland do a lot (15% of their regular classes)
- Support current position of going ahead with highers but would work with us if change needed because of virus, understand difficult decisions
- Would also be OK in terms of their admissions processes, they know SQA would put robust process in place for grades
- Happy to have further discussions inc with DFM and their members
- Joanna Campbell Principal of Dumfries and Galloway college is lead member

Dr Roddy Macdonald  
Head of Higher Education and Science Division  
Scottish Government Advanced Learning and Science Directorate  
5 Atlantic Quay  
Glasgow G2 8LU

0300 244 6765 07[Redacted s38(1)(b)]

PA/Divisonal Admin: [Redacted s38(1)(b)] 0300 244 [Redacted s38(1)(b)]



**From:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Sent:** 13 November 2020 16:45  
**To:** Macdonald R (Roddy) <Roddy.Macdonald@gov.scot>  
**Cc:** Director of Learning <DirectorofLearning@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>  
**Subject:** Higher and Advanced Higher Exams 2021

Hi Roddy

You will have seen that earlier this week Wales confirmed a decision to cancel all exams in 2021 and, while there remain a wide range of views on the 'best' approach with Higher and Advanced Higher exams here, there are increasing calls from some for a full cancellation in Scotland.

[Redacted – not in scope]

We are looking to provide some urgent advice to DFM to support the ongoing review of the decision on the higher and advanced higher diet. As part of that we need to include latest stakeholder views and the HE sector views will be particularly important in that. Would you be able to get a (quick) sense of the universities' latest views on this issue and any potential move to follow Wales and cancel Higher and Advanced Higher exams in 2021, putting in place an alternative model. We are looking to get advice to DFM on Monday if possible. Apologies for the short timeframe but would you be able to seek that view, and pass it on to us, during the course of Monday?

Thanks and happy to discuss.  
Malcolm

**Malcolm Pentland** | Deputy Director  
Curriculum, Qualifications and Gaelic Division | email: malcolm.pentland@gov.scot | tel:+44(0)  
131 244 0047  
Learning Directorate | Area 2B North | Victoria Quay | Edinburgh | EH6 6QQ  
Buidheann-Stiùiridh an Ionnsachaidh | Raon 2B Tuath | Cidhe Bhictòria | Dùn Èideann | EH6 6QQ

**Enclosure 05 – Email: RE: 2021 HIGHER AND ADVANCED HIGHER EXAM DIET – ONGOING REVIEW OF DECISION**

**From:** [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills

**Sent:** 19 November 2020 17:42

**To:** Director of Learning <DirectorofLearning@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@educationscotland.gov.scot>; Minister for Further Education, Higher Education and Science <MinisterFEHES@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>; Anson S (Sam) <Sam.Ansan@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; Wilson M (Mick) <Mick.Wilson@gov.scot>; DG Education, Communities & Justice <DGECJ@gov.scot>; Armstrong A (Alan) <Alan.Armstrong@educationscotland.gov.scot>; [Redacted s38(1)(b)]@gov.scot>

**Subject:** RE: 2021 HIGHER AND ADVANCED HIGHER EXAM DIET – ONGOING REVIEW OF DECISION

Hi Graeme,

Thank you for that, it's very helpful. DFM has had sight and is happy with the timescales you have indicated below.

Many thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education & Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | Tel: 07[Redacted s38(1)(b)] | E: DFMCSE@gov.scot

**From:** Logan G (Graeme) <Graeme.Logan@gov.scot> **On Behalf Of** Director of Learning

**Sent:** 19 November 2020 15:09

**To:** Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@educationscotland.gov.scot>; Minister for Further Education, Higher Education and Science <MinisterFEHES@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>; Anson S (Sam) <Sam.Ansan@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; Wilson M (Mick)

<Mick.Wilson@gov.scot>; DG Education, Communities & Justice <DGECJ@gov.scot>;  
Armstrong A (Alan) <Alan.Armstrong@educationscotland.gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>

**Subject:** RE: 2021 HIGHER AND ADVANCED HIGHER EXAM DIET – ONGOING  
REVIEW OF DECISION

[Redacted s38(1)(b)]/ DFM

Education Scotland SRAs are gathering a range of intelligence from local authorities over  
the next few days as follows:

Redacted – not in scope]

3) the extent of interruption to the education of Higher and Advanced Higher candidates  
that is already taking place, to inform your ongoing consideration of arrangements for the  
Higher and Advanced Higher diet and ahead of a call with the SQA next week. Malcolm's  
team are working with ES colleagues on the key information we need. Information on this  
will follow by COP on **Tuesday**.

We hope that these timescales are acceptable – it is important that we do not make too  
many requests of local authority central teams for information at once, given the  
pressures and operational challenges that they are currently facing.

We are very grateful to the Education Scotland regional team for gathering this critical  
information at this key time.

Graeme.

**From:** [Redacted s38(1)(b)]@gov.scot> On Behalf Of Deputy First Minister and Cabinet  
Secretary for Education and Skills

**Sent:** 19 November 2020 11:29

**To:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>

**Cc:** Deputy First Minister and Cabinet Secretary for Education and Skills  
<DFMCSE@gov.scot>; Minister for Further Education, Higher Education and Science  
<MinisterFEHES@gov.scot>; Minister for Further Education, Higher Education and  
Science <MinisterFEHES@gov.scot>; Cabinet Secretary for Communities and Local  
Government <CabSecCLG@gov.scot>; Permanent Secretary  
<PermanentSecretary@gov.scot>; DG Education, Communities & Justice  
<DGECJ@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Director of  
Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>;  
Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Armstrong A (Alan)  
<Alan.Armstrong@educationscotland.gov.scot>; Morrison E (Elizabeth) (Education  
Scotland) <Elizabeth.Morrison2@gov.scot>; Drought A (Andrew)  
<Andrew.Drought@gov.scot>; Anson S (Sam) <Sam.Anson@gov.scot>; Wilson M  
(Mick) <Mick.Wilson@gov.scot>; Macdonald R (Roddy) <Roddy.Macdonald@gov.scot>;  
Pooley L (Linda) Dr <Linda.Pooley@gov.scot>; [Redacted s38(1)(b)]@gov.scot>;  
[Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin)

<Colin.McAllister@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Communications DFM & Education <CommunicationsDFM&Education@gov.scot>

**Subject:** RE: 2021 HIGHER AND ADVANCED HIGHER EXAM DIET – ONGOING REVIEW OF DECISION

Hi Malcolm,

DFM has commented that this is helpful advice but it reinforces the lack of consensus on the way ahead. A critical piece of information to help in DFMs decision making will be the extent of interruption to the education of Higher and Advanced Higher candidates that is already taking place. DFM would be grateful if we could actively collect that information through local authorities and provide it for him, swiftly.

DFM would also like to have a meeting with officials including the SQA on this issue. This will be an exploratory meeting to air the topic, look at the evidence and identify steps to address the issue.

If DFM were to move to cancel the Higher and Advanced Higher diet, he would have to demonstrate a change in circumstances from the decision in October on Nat 5 and there would have to be evidence to support that. In that respect, if he was taking that decision, he is reluctant to leave it much later.

I will look to set up a call next week with DFM to discuss. Grateful if you could explore availability with relevant officials from SQA, However due to DFMs diary this call may have to happen after decision time . Happy to discuss further.

Thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education & Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG |Tel: 07[Redacted s38(1)(b)] | E: DFMCSSE@gov.scot

[See Enclosure 03 for remainder of email chain]

**Enclosure 06 – Email: RE: CERG follow up**

**From:** Gayle.Gorman@educationscotland.gov.scot  
<Gayle.Gorman@educationscotland.gov.scot>  
**Sent:** 19 November 2020 16:26  
**To:** Fiona Robertson <fiona.robertson@sqa.org.uk>; DirectorofLearning@gov.scot  
**Subject:** RE: CERG follow up

Its not really about exams its attendance patterns in S5/6.  
Gayle

Gayle Gorman

Her Majesty's Chief Inspector of Education  
Chief Executive

Education Scotland

**NOTE new email address - gayle.gorman@educationscotland.gov.scot**  
0131 244 4131

**From:** Fiona Robertson <fiona.robertson@sqa.org.uk>  
**Sent:** 19 November 2020 16:20  
**To:** Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Director of Learning <DirectorofLearning@gov.scot>  
**Subject:** CERG follow up

Gayle and Graeme  
It would be good to be sighted on the information on exams you are seeking from local authorities. You will be aware that there are 100 centres outwith LA control.  
Many thanks.

Fiona

Fiona Robertson  
Chief Executive  
Scottish Qualifications Authority

w: <http://www.sqa.org.uk>

The Optima Building, 58 Robertson Street, GLASGOW G2 8DQ | 24 Wester Shawfair, Lowden, Dalkeith, Midlothian EH22 1FD

**Enclosure 07 – Email: RE: LINES TO CLEAR PLS Media queries re 2021 exams**

**From:** [Redacted s38(1)(b)] **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills  
**Sent:** 20 November 2020 17:12  
**To:** News Desk <Newsdesk@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>  
**Cc:** [Redacted s38(1)(b)] @gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Nicolson S (Stuart) Special Adviser <Stuart.Nicolson@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>  
**Subject:** RE: LINES TO CLEAR PLS Media queries re 2021 exams

Hi [Redacted s38(1)(b)],

DFM is content to clear.

Thanks

[Redacted s38(1)(b)]

**From:** [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** News Desk  
**Sent:** 20 November 2020 16:32  
**To:** Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Nicolson S (Stuart) Special Adviser <Stuart.Nicolson@gov.scot>; News Desk <Newsdesk@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>  
**Subject:** LINES TO CLEAR PLS Media queries re 2021 exams

PO DFM

Sunday National are asking for comment on calls from parents for clarity over whether Highers/Advanced Highers will go ahead next May. Daily Mail asking similar.

Would DFM be content pls for these lines to issue?

Best wishes

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] | [Redacted s38(1)(b)] | Newsdesk | Scottish Government |  
news.gov.scot | Desk: 0131 244 [Redacted s38(1)(b)] Mobile: 07[Redacted s38(1)(b)]

SG spokesperson said: "As the Deputy First Minister has previously set out, our ambition remains for Higher and Advanced Higher exams to proceed if possible. It must, however, be safe to do so and it must be fair to learners. We are monitoring the position closely and listening to all the different views on this matter.

"The Deputy First Minister has been clear that the latest point at which a decision will be taken is the February break – which is more than three months before the exams are due to begin. He has also been clear that he will make a decision sooner if the evidence is pointing to that."

#### REPORTER'S QUERY

**From:** [Redacted s38(1)(b)]@gmail.com>  
**To:** [Redacted s38(1)(b)]@gov.scot>  
**Subject:** Sunday national exams query

Hi [Redacted s38(1)(b)],  
Just wondered if you could get me a comment on the highers and advanced higher exams as parents and unions want an announcement made soon rather than later so they can prepare. Mr Swinney has indicated leaving it till February but they say that's too late.

Cheers  
[Redacted s38(1)(b)]

**Enclosure 08 – Email: RE: DFM Session with SLS - 18 November - Readout**

**From:** [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills

**Sent:** 23 November 2020 13:41

**To:** [Redacted s38(1)(b)]@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>

**Cc:** Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Anson S (Sam) <Sam.Anon@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; CERG <CERG@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

**Subject:** RE: DFM Session with SLS - 18 November - Readout

[Redacted s38(1)(b)]

Thank you for your email – DFM is content with the readout.

Kind Regards

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] [Redacted s38(1)(b)] John Swinney MSP, Deputy First Minister and Cabinet Secretary for Education and Skills | [The Scottish Government](#) | [Web: www.gov.scot](#) |

[☎ 0300 24 \[Redacted s38\(1\)\(b\)\]](#) | [Mobile: 0044 \(0\)7\[Redacted s38\(1\)\(b\)\]](#) | [Email:](#)

[DFMCSE@gov.scot](#) | [\[Redacted s38\(1\)\(b\)\]@gov.scot](#)

5N.07 St Andrew's House | Regent Road | Edinburgh | EH1 3DG

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**From:** [Redacted s38(1)(b)]@gov.scot>

**Sent:** 18 November 2020 17:15

**To:** Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>

**Cc:** Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Anson S (Sam) <Sam.Anon@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; CERG <CERG@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

**Subject:** DFM Session with SLS - 18 November - Readout

[Redacted s38(1)(b)],

Please find below for DFM's consideration the readout from the session with School Leaders Scotland (SLS) on 18 November. The session took the form of opening remarks from the DFM followed by questions from attendees posed on their behalf by SLS President, Graham Hutton. The questions and DFM's responses were as follows. For the benefit of colleagues, I've grouped the questions by theme:

#### National Qualifications

- **[Redacted – not in scope] DFM [Redacted – not in scope] confirmed [Redacted – not in scope] that active discussions are ongoing with Directors of Education in relation to the Higher and Advanced Higher exam diets.**
- 
- **There was then a further question relating to assessment along the lines of, why delay the inevitable cancellation of Higher and Advanced Higher exams until February? DFM replied pointing out that while there was a broad consensus around the approach to National 5 at the time of that announcement, the same was not the case for Higher and AH. He stressed that February is just the latest point at which the decision could be made and that he will not hold off making a decision until the last minute. He shared feedback from young people suggesting that they want the exam diet to go ahead. He stated that the evidence gathered will be reviewed in coming to a decision.**

[Redacted – not in scope]

Yours,

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] Teacher Professional Learning & Leadership

Scottish Government, Learning Directorate  
Workforce, Infrastructure and Reform Division  
2B North, Victoria Quay, Edinburgh, EH6 6QQ  
07 [Redacted s38(1)(b)] | [Redacted s38(1)(b)]@gov.scot |

[Redacted s38(1)(b)]

**Enclosure 09 – Email: RE: 2021 HIGHER AND ADVANCED HIGHER EXAM DIET – ONGOING REVIEW OF DECISION**

**From:** Armstrong A (Alan) <Alan.Armstrong@educationscotland.gov.scot>  
**Sent:** 23 November 2020 16:52  
**To:** Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>  
**Cc:** Minister for Children and Young People <MinisterCYP@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@educationscotland.gov.scot>; Minister for Further Education, Higher Education and Science <MinisterFEHES@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>; Anson S (Sam) <Sam.Ansongov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; Wilson M (Mick) <Mick.Wilson@gov.scot>; DG Education, Communities & Justice <DGECJ@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Cumming A (Alison) Early Learning & Childcare <Alison.Cumming@gov.scot>; DG Education, Communities & Justice <DGECJ@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Director for Children and Families <DirectorforChildrenandFamilies@gov.scot>; [Redacted s38(1)(b)]@educationscotland.gov.scot>; PS/Education Scotland <ps/educationscotland@educationscotland.gov.scot>; [Redacted s38(1)(b)]@educationscotland.gov.scot>; EdS Leadership Team <DLLJPEDSET@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Subject:** RE: 2021 HIGHER AND ADVANCED HIGHER EXAM DIET – ONGOING REVIEW OF DECISION

**Added to CPSMG meeting in onenote**

[Redacted s38(1)(b)] / DFM

As referred to below (number 2), I now attach a joint submission from Gayle and Graeme on the views of local authorities on the potential to adjust the planned dates of school Christmas holidays to support Covid-related public health measures.

Alan

Alan Armstrong

Strategic Director  
Tel 07[Redacted s38(1)(b)]

**From:** Armstrong A (Alan)

**Sent:** 20 November 2020 16:03

**To:** Deputy First Minister and Cabinet Secretary for Education and Skills  
<DFMCSE@gov.scot>

**Cc:** Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@educationscotland.gov.scot>; Minister for Further Education, Higher Education and Science <MinisterFEHES@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>; Anson S (Sam) <Sam.Ansongov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; Wilson M (Mick) <Mick.Wilson@gov.scot>; DG Education, Communities & Justice <DGECJ@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; zzzDirector for Early Learning and Childcare Programme <zzzDirectorForEarlyLearningAndChildcareProgramme@gov.scot>; Cumming A (Alison) Early Learning & Childcare <Alison.Cumming@gov.scot>; DG Education, Communities & Justice <DGECJ@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Director for Children and Families <DirectorforChildrenandFamilies@gov.scot>; [Redacted s38(1)(b)]@educationscotland.gov.scot>; PS/Education Scotland <ps/educationscotland@educationscotland.gov.scot>; [Redacted s38(1)(b)]@educationscotland.gov.scot>; EdS Leadership Team <DLLJPEDSET@gov.scot>

**Subject:** RE: 2021 HIGHER AND ADVANCED HIGHER EXAM DIET – ONGOING REVIEW OF DECISION

[Redacted s38(1)(b)] / DFM

[Redacted – not in scope]

Alan

Alan Armstrong  
Strategic Director  
Tel 07[Redacted s38(1)(b)]

[See Enclosure 05 from email at 19 November 2020 15:09 for remainder of chain]

**Enclosure 09.1 – Attachment: Word document**

From: Gayle Gorman, Education Scotland,  
Graeme Logan, Learning Directorate

23 November 2020

**Cabinet Secretary for Education and Skills**

**SCHOOL CHRISTMAS HOLIDAYS – POTENTIAL DATE CHANGES**

**Purpose**

To update the Cabinet Secretary on the views of local authorities on the potential to adjust the planned dates of school Christmas holidays to support Covid-related public health measures.

**Priority**

Routine.

**Background**

Officials are considering the potential impact of school closures for the Christmas holidays on Covid-19 transmission levels. [Redacted – not in scope] young people completing national qualification courses will also lose more face-to-face teaching time. This could add to the challenges facing candidates in relation to gaining qualifications in summer 2021.

[Redacted – not in scope]

We would be happy to discuss these issues further with DFM

**Gayle Gorman, Education Scotland  
Graeme Logan, Learning Directorate**

Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit Interest	General Awareness
Cabinet Secretary for Education and Skills	X				
Minister for Further, Higher Education and Science			X		
Minister for Children and Young People			X		

DG Education, Communities and Justice  
Director of Learning  
Director for Children and Families  
Director for Early Learning and Childcare  
Andy Drought  
Malcolm Pentland  
Elizabeth Morrison  
[Redacted s38(1)(b)]  
[Redacted s38(1)(b)]  
[Redacted s38(1)(b)] Gayle Gorman  
Gillian Hamilton  
Alan Armstrong  
Janie McManus  
[Redacted s38(1)(b)]  
[Redacted s38(1)(b)]  
[Redacted s38(1)(b)]  
Colin McAllister  
[Redacted s38(1)(b)]  
Communications DFM & Education  
PS/Education Scotland

[Redacted – not in scope]

**Enclosure 10 – Briefing note**

24 November 2020

[Redacted – not in scope] **ISSUE 12 November:** Media outlets reporting that Higher exams could be cancelled up to the end of February (following DFM appearance at committee).

**ISSUE 11 November:** Scotsman reports on news release from the Scottish Greens calling on 2021 Highers and Advanced Highers exams to be cancelled - “the existing ‘halfway house’ situation in Scotland is no longer sustainable”.

**ISSUE 11 November:** Daily Mail reports on calls from the campaign group Us For Them for Higher and Advanced Higher exams to go ahead next year.

[Redacted – not in scope]

**Continuing disruption and likely further disruption caused by the Coronavirus means that we can no longer plan for a full exam diet in 2021.**

- To support the sitting of Higher and Advanced Higher exams we are cancelling all National 5 exams and slightly delaying the start of the remaining exams.
- [Redacted – not in scope] Given the potential for further disruption, contingency plans for Higher and Advanced Higher courses are being developed, and a final decision will be made no later than mid-February.
- It remains vitally important that our plans take due regard of the latest public health advice and so safeguard the health of all learners, whilst ensuring that their hard work is recognised in the awarding of qualifications.

[Redacted - not in scope]

**Our ambition remains for Higher and Advanced Higher exams to proceed, as long as public health guidance allows it.**

- In taking this decision on National 5 exams - which constitute more than half of all exams taken - it means that we can build an exam diet for Highers and Advanced Highers that is as safe as it possibly can be.
- Higher and Advanced Higher exams tend to be the qualifications that most pupils leave school with, determining their path into work, college, or university.
- Higher and Advanced Higher exams will begin on 10 May, later than normal, giving S5 and S6 pupils back approximately two weeks of the learning time they lost this year.
- This additional time, in conjunction with the course assessment modifications that SQA have made following its consultation, give the greatest chances of these exams being implemented fairly.

[Redacted – not in scope]



Address: Denholm House, Almondvale Business Park, Almondvale Way, Livingston, EH54 6GA  
Taigh Denholm, Pàirc Ghniomhachais Ghlinn Almoin, Slighe Ghlinn Almoin, Baile Lèibhinn,  
EH54 6GA

Web: [www.educationscotland.gov.uk](http://www.educationscotland.gov.uk)  
Làraich-lìn [www.educationscotland.gov.uk](http://www.educationscotland.gov.uk)

Education Scotland is following UK and Scottish Government guidelines. I am currently working from home.

[See Enclosure 09 for remainder of email chain]

**Enclosure 11.1 – Attachment: Word document**

From: Gayle Gorman, Education Scotland,  
24 November 2020

**Deputy First Minister and Cabinet Secretary for Education and Skills**

**Purpose**

To update the Deputy First Minister on the extent of interruption to the education of Higher and Advanced Higher candidates that is already taking place.

**Priority**

Routine.

**Introduction**

This briefing summarises feedback provided by local authorities about the impact of COVID-19 on Higher and Advanced Higher courses since August 2020. [Redacted – not in scope] Local authorities engaged with Education Scotland’s Senior Regional Advisors on 23 and 24 November 2020. Several authorities also gathered additional views to inform their feedback, such as from secondary headteachers. One local authority was not able to provide feedback within the timescales. [Redacted – not in scope]

**Assessment-related issues**

[Redacted – not in scope] Most authorities would also welcome early further guidance from SQA around assessment and examinations to support planning, and indicated a willingness to develop this in partnership with SQA. [Redacted – not in scope]

**Recommendations**

The Deputy First Minister is invited to note this update as part of ongoing consideration of arrangements for the Higher and Advanced Higher diet.

**Gayle Gorman, Education Scotland**

Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit Interest	General Awareness

Cabinet Secretary for Education and Skills	X		X		
Minister for Further, Higher Education and Science			X		
Minister for Children and Young People					

DG Education, Communities and Justice  
 Director of Learning  
 Director for Children and Families  
 Director for Early Learning and Childcare  
 Andy Drought  
 Malcolm Pentland  
 Elizabeth Morrison  
 [Redacted s38(1)(b)]  
 [Redacted s38(1)(b)]  
 [Redacted s38(1)(b)]  
 Gayle Gorman  
 Gillian Hamilton  
 Alan Armstrong  
 Janie McManus  
 [Redacted s38(1)(b)]  
 Senior Regional Advisers  
 [Redacted s38(1)(b)]  
 Colin McAllister  
 [Redacted s38(1)(b)]  
 Communications DFM & Education  
 [Redacted s38(1)(b)]  
 PS/Education Scotland

**Enclosure 12 – Email: RE: 2021 HIGHER AND ADVANCED HIGHER EXAM DIET – ONGOING REVIEW OF DECISION**

**From:** Logan G (Graeme) <Graeme.Logan@gov.scot> **On Behalf Of** Director of Learning

**Sent:** 24 November 2020 16:59

**To:** [Redacted s38(1)(b)]@educationscotland.gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Anson S (Sam) <Sam.Anson@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Wilson M (Mick) <Mick.Wilson@gov.scot>

**Cc:** Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; [Redacted s38(1)(b)]@educationscotland.gov.scot>; Armstrong A (Alan) <Alan.Armstrong@educationscotland.gov.scot>; [Redacted s38(1)(b)]@educationscotland.gov.scot>; [Redacted s38(1)(b)]@educationscotland.gov.scot>

**Subject:** RE: 2021 HIGHER AND ADVANCED HIGHER EXAM DIET – ONGOING REVIEW OF DECISION

Hi [Redacted s38(1)(b)] and Colleagues

Apologies for missing your deadline – happy for this to go to DFM. Many thanks to the SRA for gathering this intel at short notice. Best wishes, Graeme.

**From:** [Redacted s38(1)(b)]@educationscotland.gov.scot>

**Sent:** 24 November 2020 15:55

**To:** Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Anson S (Sam) <Sam.Anson@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Wilson M (Mick) <Mick.Wilson@gov.scot>

**Cc:** Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; [Redacted s38(1)(b)]@educationscotland.gov.scot>; Armstrong A (Alan) <Alan.Armstrong@educationscotland.gov.scot>; [Redacted s38(1)(b)]@educationscotland.gov.scot>; [Redacted s38(1)(b)]@educationscotland.gov.scot>

**Subject:** RE: 2021 HIGHER AND ADVANCED HIGHER EXAM DIET – ONGOING REVIEW OF DECISION

**Importance:** High

Graeme and colleagues

To see our final submission on the extent of interruption to Higher and Advanced Higher candidates outlined in number 3 below. Can you send any urgent comments by half 4 please.

Thanks

[Redacted s38(1)(b)]

---

[Redacted s38(1)(b)] | Education Scotland | Foghlam Alba

---

Tel/Fòn 0131 244 [Redacted s38(1)(b)]

Address: Denholm House, Almondvale Business Park, Almondvale Way, Livingston, EH54 6GA  
Taigh Denholm, Pàirc Ghniomhachais Ghlinn Almoin, Slighe Ghlinn Almoin, Baile Lèibhinn, EH54 6GA

Web: [www.educationscotland.gov.uk](http://www.educationscotland.gov.uk)

Làraich-lìn [www.educationscotland.gov.uk](http://www.educationscotland.gov.uk)

Education Scotland is following UK and Scottish Government guidelines. I am currently working from home.

**From:** [Redacted s38(1)(b)]@educationscotland.gov.scot>  
**Sent:** 20 November 2020 11:19  
**To:** [Redacted s38(1)(b)]@educationscotland.gov.scot>; [Redacted s38(1)(b)]@educationscotland.gov.scot>; [Redacted s38(1)(b)]@educationscotland.gov.scot>  
**Subject:** FW: 2021 HIGHER AND ADVANCED HIGHER EXAM DIET – ONGOING REVIEW OF DECISION

[See Enclosure 05 for remainder of email chain]

**Enclosure 12.1 – Attachment: Word document**

[See Enclosure 11.1]



Malcolm

Malcolm Pentland | Deputy Director  
Curriculum, Qualifications and Gaelic Division | email: malcolm.pentland@gov.scot  
| tel:+44(0) 131 244 0047  
Learning Directorate | Area 2B North | Victoria Quay | Edinburgh | EH6 6QQ  
Buidheann-Stiùiridh an Ionnsachaidh | Raon 2B Tuath | Cidhe Bhictòria | Dùn  
Èideann | EH6 6QQ

[See Enclosure 05 from email at 19 November 2020 11:29 for remainder of chain]

## **Enclosure 13.1 – Attachment: Word document**

From: Malcolm Pentland, Curriculum, Qualifications & Gaelic Division & Mick Wilson, Education Analysis

25 November 2020

Deputy First Minister and Cabinet Secretary for Education and Skills

### **2021 HIGHER AND ADVANCED HIGHER EXAM DIET – ONGOING REVIEW OF DECISION**

#### **Purpose**

1. To provide more detail on what the data tells us about the extent, and pattern, of interruption to the learning of Higher and Advanced Higher candidates across the country; information on the views of parents following a survey by the National Parent Forum (NPFS); and an update on the reaction to the decision of the Welsh Government to cancel exams.

#### **Priority**

2. Urgent. You requested a meeting with officials and the SQA to discuss the Higher and Advanced Higher Exams and changes in circumstances since the early October decision to cancel N5 exams. That meeting was scheduled to take place tomorrow, 26 November but the timing is now to be confirmed by your office.

#### **Background**

3. On 17 November we provided an update on recent developments that will have a bearing on the ongoing review of the decision to seek to proceed with Higher and Advanced Higher exams in 2021. It also provided some advice on latest stakeholder views. You commented that this reinforced the lack of consensus there is on the way ahead and requested more information on the extent to which the learning of H and AH candidates had been interrupted.

[Redacted – not in scope]

#### **NPFS Survey**

11. The NPFS carried out a survey in early October which showed 58% of parents being opposed to a full cancellation of exams; 74% being in favour of an approach that saw Higher and Advanced Higher exams being prioritised; and 70% agreeing that work should continue towards the exams as normal but that exams should be cancelled later in the academic year if the public health situation worsens.

12. The NPFS have carried out a follow up poll of parents of senior phase pupils. It closed at midnight last night and NPFS shared the results with officials this evening.

13. The recent survey had responses from 4,196 parents from across all local authority areas in Scotland. There were notably higher participation levels across

the central belt local authorities and particularly from those currently in COVID-19 local protection level 4 (the highest proportion of responses were from South Lanarkshire - 11.3% of respondents, South Ayrshire - 10.8%, North Lanarkshire – 9.1% and Glasgow – 7.7%). Key results from an initial assessment of the survey data are:

- Almost all respondents (98%) felt that their child's learning in the Senior Phase had been disrupted at least a little due to Covid with almost three-quarters (74%) indicating it had been disrupted either a great deal or a lot
- Responses on the level of support received during lockdown or when self-isolating, varied. Around 21% said they had received either 'a great deal/a lot' of support, compared with 43% saying the support was 'moderate' and 35% rating it as 'little/none at all'.
- Over half (around 57%) of respondents were either 'a little/not at all' confident that their child would have an equal chance of attaining the grades they deserve by sitting their H/AH exams as normal in 2021; compared with around 15% who had either a 'great/a lot of' confidence.
- Half (51%) of respondents favoured cancellation of 2021 Exam Diet due to their regions current health situation, with the remaining respondents either undecided (23%) or content for it to proceed (26%).
- A clear consensus emerged on the timing of any potential announcement regarding the 2021 exam diet, with over 75% stating this should happen between now and Christmas, compared with 22% who favoured an announcement before the February half term break.
- Just over half (55%) of respondents had either a great deal or a lot of confidence in teacher judgement being used in the absence of an exam for H and AH, with a further 28% having a moderate amount of confidence in the system in ensuring that awards accurately reflected a pupils achievements.

14. The NPFS has agreed to update the National Qualifications 2021 Group on these findings at its meeting tomorrow afternoon and it plans to issue a press release on the results on Friday. We have updated Comms colleagues and are preparing lines should comment be sought from SG.

[Redacted – not in scope]

### **Recommendation**

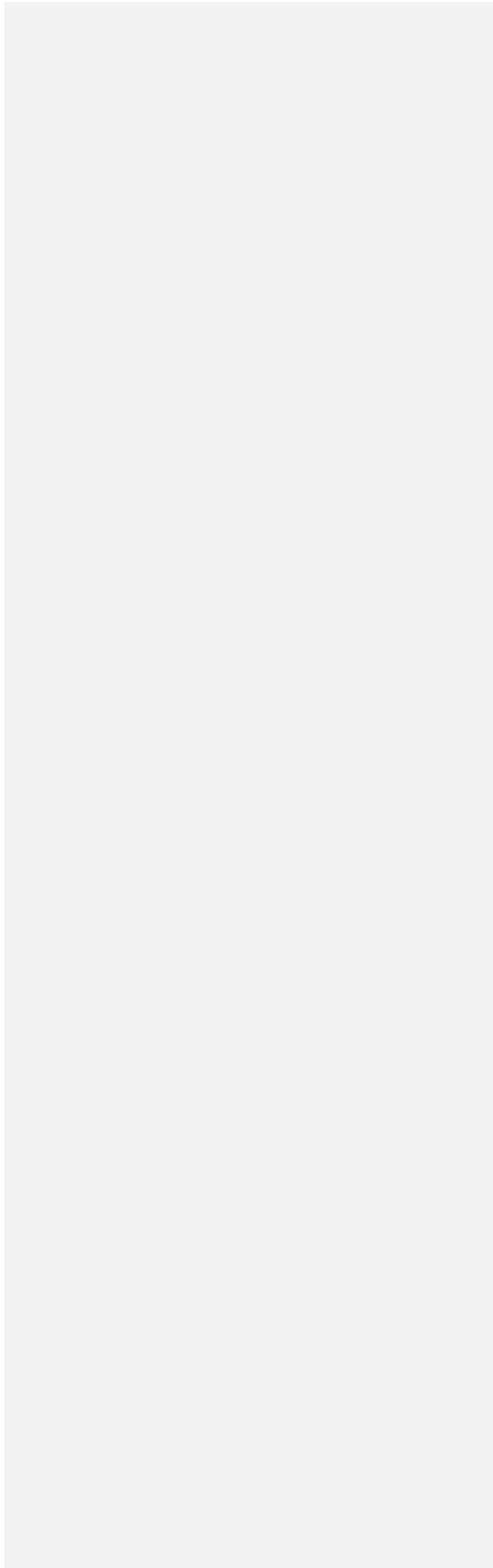
18. That you note this data and intelligence, alongside that provided on 17 November and 24 November, for your consideration of the approach to the H and AH diet in 2021 and your meeting with officials and the Chief Examiner.

Malcolm Pentland and Mick Wilson  
Learning Directorate  
25 November 2020

[Redacted – not in scope]

**Enclosure 13.2 – Attachment: Word document**

[Redacted – not in scope]









I drafted lines last night which Malcolm has still to clear – see below. These cover some of the specific messages emerging within the survey results.

- The Scottish Government is committed to listening to stakeholders views on the emerging approach to assessment and awarding of SQA National Qualifications, and therefore welcomes this survey from the National Parent Forum Scotland.
- A range of different views exist on whether or not the Higher and Advanced Higher exams should proceed. This survey further illustrates this and we are considering its findings, alongside listening to all the different views on this matter.
- We are monitoring the position closely and contingency plans are being drawn up to ensure fair and consistent awarding for Higher and Advanced Higher courses should exams not be possible.

Specific lines on teacher judgement (raised in the survey)

- **Teachers and schools are experienced in assessing and presenting learners for National Qualifications**
- **This session / year**, SQA are providing resources that will **further** support and assist teachers in assessing learners, while maintaining the validity, credibility, and standard of the qualifications. This includes subject specific question papers/assignments, to support teachers in assessing their learners and making sound and robust professional assessment judgements, and additional support, such as understanding standards materials and online events.
- Maintaining standards is crucial and the SQA will work each school and college during the year to quality assure learners' work. This will be done on a sample basis so as not to overburden our hard working teachers and lecturers and SQA is building this system of quality assurance working with the education system.

Grateful if you could ensure that Malcolm is included in future copy lists pls.

And please note, we will ensure lines are covered in next week's FMQ Brief ([Redacted s38(1)(b)], grateful if you could put a marker down for Monday pls)

[Redacted s38(1)(b)]

[Redacted s38(1)(b)], Scottish Government, Area 2B North, Victoria Quay, Edinburgh EH6 6QQ. Call: 07[Redacted s38(1)(b)] Email: [Redacted s38(1)(b)]@gov.scot

[Redacted s38(1)(b)]



**From:** [Redacted s38(1)(b)]@gov.scot>

**Sent:** 26 November 2020 10:46

**To:** Director of Learning <DirectorofLearning@gov.scot>; Director of Advanced

Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>;  
Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Armstrong A  
(Alan) <Alan.Armstrong@educationscotland.gov.scot>; Morrison E (Elizabeth)  
(Education Scotland) <Elizabeth.Morrison2@gov.scot>; Drought A (Andrew)  
<Andrew.Drought@gov.scot>; Anson S (Sam) <Sam.Ansongov.scot>; Wilson M  
(Mick) <Mick.Wilson@gov.scot>; Macdonald R (Roddy)  
<Roddy.Macdonald@gov.scot>; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>;  
[Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>; Communications DFM & Education  
<CommunicationsDFM&Education@gov.scot>; [Redacted s38(1)(b)]@gov.scot>;  
[Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@gov.scot>; Communications DFM & Education  
<CommunicationsDFM&Education@gov.scot>  
**Subject:** Exams holding lines

Hi all

Below are lines to take should we get media approaches following NPFS's news  
release tomorrow on Higher and Advanced Higher exams. Is there anything to  
add?

Thanks

[Redacted s38(1)(b)]

A Scottish Government spokesperson said:

“Our ambition remains for Higher and Advanced Higher exams to proceed if  
possible. It must, however, be safe to do so and it must be fair to learners. We are  
monitoring the position closely and listening to all the different views on this matter,  
including those expressed by parents in this survey.

“The Deputy First Minister has been clear that the latest point at which a decision  
will be taken is the February break – which is more than three months before the  
exams are due to begin. He has also been clear that he will make a decision  
sooner if the evidence is pointing to that.”

[Redacted s38(1)(b)]

Communications DFM & Education  
Desk: 0131 244 [Redacted s38(1)(b)]  
Scottish Government | [news.gov.scot](https://www.gov.scot)





- Almost all respondents (98%) felt that their child's learning in the Senior Phase had been disrupted at least a little due to Covid with almost three-quarters (74%) indicating it had been disrupted either a great deal or a lot
- Responses on the level of support received during lockdown or when self-isolating, varied. Around 21% said they had received either 'a great deal/a lot' of support, compared with 43% saying the support was 'moderate' and 35% rating it as 'little/none at all'.
- Over half (around 57%) of respondents were either 'a little/not at all' confident that their child would have an equal chance of attaining the grades they deserve by sitting their H/AH exams as normal in 2021; compared with around 15% who had either a 'great/a lot of' confidence.
- Half (51%) of respondents favoured cancellation of 2021 Exam Diet due to their regions current health situation, with the remaining respondents either undecided (23%) or content for it to proceed (26%).
- A clear consensus emerged on the timing of any potential announcement regarding the 2021 exam diet, with over 75% stating this should happen between now and Christmas, compared with 22% who favoured an announcement before the February half term break.
- Just over half (55%) of respondents had either a great deal or a lot of confidence in teacher judgement being used in the absence of an exam for H and AH, with a further 28% having a moderate amount of confidence in the system in ensuring that awards accurately reflected a pupils achievements.

[Redacted s38(1)(b)] [Redacted s38(1)(b)] Communications DFM & Education  
 Desk: 0131 244 [Redacted s38(1)(b)]  
 Scottish Government | [news.gov.scot](https://www.news.gov.scot)

**Enclosure 16 – Email: RE: SQA's 'delusional' advice to learn new instrument is attacked | Tes**

-----Original Message-----

From: Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
Sent: 27 November 2020 17:10  
To: Anson S (Sam) <Sam.Anon@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>  
Cc: Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot  
Subject: RE: SQA's 'delusional' advice to learn new instrument is attacked | Tes

[Redacted s38(1)(b)]

Please see attached a note from SQA on Higher and Advanced Higher Music and their publication of a consultation on further modifications to the courses as a result of public health advice.

Malcolm

Malcolm Pentland | Deputy Director  
Curriculum, Qualifications and Gaelic Division | email: malcolm.pentland@gov.scot  
| tel:+44(0) 131 244 0047 Learning Directorate | Area 2B North | Victoria Quay |  
Edinburgh | EH6 6QQ Buidheann-Stiùiridh an Ionnsachaidh | Raon 2B Tuath |  
Cidhe Bhictòria | Dùn Èideann | EH6 6QQ

-----Original Message-----

From: Anson S (Sam) <Sam.Anon@gov.scot>  
Sent: 27 November 2020 14:09  
To: Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>  
Cc: Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>  
Subject: RE: SQA's 'delusional' advice to learn new instrument is attacked | Tes

[Redacted s38(1)(b)],

Further to our chat, Malcolm has kindly agreed to have a look at this. It won't be immediate, but he'll get something to you today if at all possible.

Sam

Sam Anson | Improvement, Attainment and Wellbeing Division | Learning Directorate | 07[Redacted s38(1)(b)]

-----Original Message-----

From: [Redacted s38(1)(b)] @gov.scot> On Behalf Of Deputy First Minister and Cabinet Secretary for Education and Skills  
Sent: 27 November 2020 13:11  
To: Anson S (Sam) <Sam.Anon@gov.scot>  
Cc: Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>  
Subject: FW: SQA's 'delusional' advice to learn new instrument is attacked | Tes

Sam,

The DFM has asked for an explanation about this. It does not read at all well.

<https://www.tes.com/news/coronavirus-delusional-advice-learn-new-instrument-attacked>

Can you give me a call regarding it on the number below.

Thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] John Swinney MSP, Deputy First Minister and Cabinet Secretary for Education and Skills | The Scottish Government | Web: [www.gov.scot](http://www.gov.scot) | Tel: 0131 244 [Redacted s38(1)(b)] | Mob: 07[Redacted s38(1)(b)] | Email: [DFMCSE@gov.scot](mailto:DFMCSE@gov.scot)

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## Enclosure 16.1 – Attachment: Word document

### **Scottish Qualifications Authority Briefing on Higher and Advanced Higher Music assessment modifications for the 2020-21 session 27 November 2020**

#### **Background**

On Thursday 26 November, we informed centres that the performance components for a range of subjects including Music will be internally assessed for session 2020–21. Given current public health advice and the protective measures that are in place across Scotland, it will not be possible for visiting assessment to take place as normal this session.

<https://www.sqa.org.uk/sqa/95980.html>

*In October, the modification summary document stated, ‘We are aware of the restrictions currently in place in schools and colleges for bagpipes, brass and woodwind players, and vocalists. We will monitor the Scottish Government guidance over time and provide further advice to centres if required.’*

The ongoing restrictions in schools, especially for brass, woodwind, and voice candidates, have led to consideration of further modifications being required in addition to those published at the start of October due to the Scottish Government public health guidance remaining unchanged.

This consists of a Technical consultation document -

[https://www.sqa.org.uk/sqa/files\\_ccc/technical-consultation-nq-music.pdf](https://www.sqa.org.uk/sqa/files_ccc/technical-consultation-nq-music.pdf)

And a survey for interested parties to tell us what they think of the proposed modifications - <https://www.smartsurvey.co.uk/s/nqmusicfeedbacknov2020/>

We welcome feedback from a range of audiences, including young people, to help us to determine how these modifications might work in practice.

The consultation closes on Thursday 3 December. We will share the results of the survey and confirm the modifications to the assessments week commencing 7 December.

#### **Proposed modifications**

We have developed our proposed modifications for Music performance with members of our examining teams, who are practising Music teachers.

The proposed modifications intend to offer more flexibility and optionality for centres and candidates to prepare for assessment due to the current restrictions. These modifications also attempt to ensure performance continues to be assessed and remains a component of the Music courses.

Teachers and lecturers will be best placed to decide which approach will benefit their candidates.

There is no requirement for candidates to change instruments, however this could be considered if this were decided to be an appropriate approach for individual candidates.

Decisions have to be made every year regarding the timings of programmes, how much time to allocate on each instrument and also what pieces to perform.

For session 2020–21 the modifications include:

- the choice of performing on either:
  - one instrument or voice or
  - two instruments or one instrument and voice
- there are no minimum time requirements for the candidates' selected second instrument or voice. Candidates could perform only one piece of music rather than a minimum of two
- for most instruments and voice, accompaniment of performances is not mandatory

For Higher Music, there will be more time for candidates to prepare for assessment which will need to take place by no earlier than the end of April.

As detailed in the consultation, if the Scottish Government guidelines and local authority and centre risk assessments don't allow for assessment to take place in schools and colleges, it will be acceptable for assessment purposes for brass, woodwind and voice candidates to record themselves performing at home.

Friday 27 November 2020







"We have developed these proposed modifications for Music performance with members of our examining teams, who are practising Music teachers. The proposed modifications intend to offer more flexibility and optionality for centres and candidates to prepare for assessment due to the current restrictions. These modifications also attempt to ensure performance continues to be assessed and remains a component of the Music courses. For Higher Music, there will be more time for candidates to prepare for assessment which will need to take place by no earlier than the end of April.

"We welcome feedback from a range of audiences, including young people, to help us to determine how these modifications might work in practice. The consultation is open until Thursday 3 December."

#### MEDIA QUERY

[https://www.sqa.org.uk/sqa/files\\_ccc/technical-consultation-nq-music.pdf](https://www.sqa.org.uk/sqa/files_ccc/technical-consultation-nq-music.pdf)

Ross Greer: SQA music advice ridiculous and insulting

New advice from the SQA that pupils preparing for music exams who are unable to be taught properly should try 'learning a different instrument' is "ridiculous and insulting", Scottish Greens education spokesperson Ross Greer has said.

The exams body has issued guidance on how COVID is impacting exams which includes the line: "Brass, woodwind and voice candidates, who are unable to be supported by face to face learning and teaching leading up to their assessment, might wish to consider the option of learning a different instrument." [1]

Responding, Ross Greer said: "To suggest that a young person who has spent up to nine years learning an instrument and honing their skill should start again with another totally unrelated instrument just a few months before their exam is both ridiculous and insulting. The SQA have proven yet again that they are unfit for the role they hold in supporting and certifying young people's learning.

"The root cause of this farce is the Scottish Government's insistence on dragging out its final decision on Higher and Advanced Higher exams. This is despite it being patently obvious already that exams cannot go ahead in anything like a fair manner, given how much teaching time some young people have missed compared to others.

"Cancelling exams and moving to a system based on assessment of the work a young person has been able to complete throughout the year, factoring in specific disruption like that faced by woodwind and voice musicians, is the only viable option."

[Redacted s38(1)(b)]  
Communications DFM & Education

Desk: 0131 244 [Redacted s38(1)(b)]  
Scottish Government | [news.gov.scot](https://www.news.gov.scot)

**Enclosure 18 – Briefing note**

30 November 2020

[Redacted – not in scope]

**ISSUE 28-29 November:** Herald and Scotsman reports on the timing for a decision on the holding of Higher and Advanced Higher exams may be made this week (w/c 30 Nov) following discussions at the Covid-19 Education Recovery Group.

**ISSUE 28 November:** Herald, Daily Mail and The Times report on National Parent Forum Scotland survey results which suggests that ‘a majority of parents believe exams for Higher and Advanced Higher should be cancelled next year’ and that a decision on whether to cancel should be made before Christmas.

**ISSUE 28 November:** The Times, Daily Mail and i in response to SQA guidance on Higher/Advanced Higher music. Ross Greer MSP, Scottish Greens reports that the music advice ‘is ridiculous and insulting’ and that the ‘root cause of it all is SG’s failure to cancel exams in the interests of fairness’.

[Redacted – not in scope]

**ISSUE 12 November:** Media outlets reporting that Higher exams could be cancelled up to the end of February (following DFM appearance at committee).

**ISSUE 11 November:** Scotsman reports on news release from the Scottish Greens calling on 2021 Highers and Advanced Highers exams to be cancelled - “the existing ‘halfway house’ situation in Scotland is no longer sustainable”.

**ISSUE 11 November:** Daily Mail reports on calls from the campaign group Us For Them for Higher and Advanced Higher exams to go ahead next year.

**ISSUE 10 November:** Welsh announce the cancellation of 2021 Exam Diet; replaced by teacher-managed assessments (including assessments which will be externally set and marked but delivered in the classroom with supervision)

[Redacted – not in scope]

[Redacted – not in scope]

**Our ambition remains for Higher and Advanced Higher exams to proceed, as long as public health guidance allows it.**

- It must, however, be safe to do so and it must be fair to learners. We are monitoring the position closely and listening to all the different views on this matter.
- In taking the decision on National 5 exams - which constitute more than half of all exams taken - it means that we can build an exam diet for Highers and Advanced Highers that is as safe as it possibly can be.
- Higher and Advanced Higher exams will begin on 10 May, later than normal, giving S5 and S6 pupils back approximately two weeks of the learning time they lost this year.
- This additional time, in conjunction with the course assessment modifications that SQA have made following its consultation, give the greatest chances of these exams being implemented fairly.

- Given the potential for further disruption, contingency plans for Higher and Advanced Higher courses are being developed.
- A final decision will be made no later than mid-February, or sooner if the evidence is pointing to that.
- It remains vitally important that our plans take due regard of the latest public health advice and so safeguard the health of all learners, whilst ensuring that their hard work is recognised in the awarding of qualifications.
- We understand that pupils working towards music exams are keen for clarity and to know their hard work will be fairly assessed and we would encourage them to feed their views back to the SQA, which is consulting on the proposed modifications to the assessments.

**Continuing disruption and likely further disruption caused by the Coronavirus means that we can no longer plan for a full exam diet in 2021.**

- To support the sitting of Higher and Advanced Higher exams we cancelled all National 5 exams and slightly delayed the start of the remaining exams.

[Redacted – not in scope]

**Enclosure 19 – Email: FW: Qualifications Contingency Group meeting - Friday 4 December 2020**

**From:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Sent:** 01 December 2020 13:45  
**To:** Director of Learning <DirectorofLearning@gov.scot>; Fiona Robertson (fiona.robertson@sqa.org.uk) <fiona.robertson@sqa.org.uk>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>  
**Subject:** FW: Qualifications Contingency Group meeting - Friday 4 December 2020

For awareness.

**From:** Larry Flanagan  
**Sent:** 01 December 2020 13:38  
**To:** Pentland MK (Malcolm)  
**Subject:** RE: Qualifications Contingency Group meeting - Friday 4 December 2020

Thanks, Malcolm.

Will wait and see how week goes. Someone from EIS will be there.

**From:** Malcolm.Pentland@gov.scot <Malcolm.Pentland@gov.scot>  
**Sent:** 01 December 2020 13:29  
**To:** Larry Flanagan <lflanagan@eis.org.uk>; [Redacted s38(1)(b)]@gov.scot; fiona.robertson@sqa.org.uk; Jim.Thewliss@sfs-Scotland.org.uk; John.Edward@scis.org.uk; jim.metcalfe@cdn.ac.uk; [Redacted s38(1)(b)]@ed.ac.uk; shona.struthers@collegesscotland.ac.uk; [Redacted s38(1)(b)]@ucas.ac.uk; [Redacted s38(1)(b)]@universities-scotland.ac.uk; steven.quinn@renfrewshire.gov.uk; Alan.Armstrong@educationscotland.gov.scot; Jean.Blair@sqa.org.uk; Gill.Stewart@sqa.org.uk; Gayle.Gorman@educationscotland.gov.scot; lmcleod@sfc.ac.uk; [Redacted s38(1)(b)]@sfc.ac.uk  
**Cc:** DirectorofLearning@gov.scot; Linda.Pooley@gov.scot; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot  
**Subject:** RE: Qualifications Contingency Group meeting - Friday 4 December 2020

Larry

Thanks for your note and apologies for a slight delay in replying.

Friday's QCG meeting will allow an opportunity for members to hear updates from SG, more generally, and from the SQA on its work with partners since the start of October to develop an alternative certification model for N5 and to update on contingency planning for Highers and Advanced Highers. In line with remit of the QCG, it will also be an opportunity for those on the group to share information and intelligence on these and other qualifications issues.

The membership of the CQG is wider than that of the SQA's NQ2021 Group – which has a remit that includes the development of the ACM for N5 - but I appreciate that all the organisations on the NQ2021 group are represented on the QCG and in some cases, like EIS, by the same individuals. It would be great if you could attend QCG but, given the focus of this meeting will cover developments that you have had close involvement through the NQ2021 Group, if you were not able to perhaps an EIS colleague might be able to attend in your place on this occasion?

Best wishes

Malcolm

**Malcolm Pentland** | Deputy Director  
Curriculum, Qualifications and Gaelic Division | email: malcolm.pentland@gov.scot | tel:+44(0)  
131 244 0047  
Learning Directorate | Area 2B North | Victoria Quay | Edinburgh | EH6 6QQ  
Buidheann-Stiùiridh an Ionnsachaidh | Raon 2B Tuath | Cidhe Bhictòria | Dùn Èideann | EH6 6QQ

**From:** Larry Flanagan <lflanagan@eis.org.uk>  
**Sent:** 26 November 2020 13:58  
**To:** [Redacted s38(1)(b)]@gov.scot>; fiona.robertson@sqa.org.uk; Jim.Thewliss@sls-Scotland.org.uk; John.Edward@scis.org.uk; jim.metcalfe@cdn.ac.uk; [Redacted s38(1)(b)]@ed.ac.uk'; shona.struthers@collegesscotland.ac.uk; [Redacted s38(1)(b)]@ucas.ac.uk; [Redacted s38(1)(b)]@universities-scotland.ac.uk; steven.quinn@renfrewshire.gov.uk; Armstrong A (Alan) <Alan.Armstrong@educationscotland.gov.scot>; Jean.Blair@sqa.org.uk; Gill.Stewart@sqa.org.uk; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; lmcleod@sfc.ac.uk; [Redacted s38(1)(b)]@sfc.ac.uk  
**Cc:** Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Subject:** RE: Qualifications Contingency Group meeting - Friday 4 December 2020

May I ask the purpose of this meeting, given the heavy involvement of most of us in other SQA wo related workstreams?

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 26 November 2020 13:45  
**To:** fiona.robertson@sqa.org.uk; Larry Flanagan <lflanagan@eis.org.uk>; Jim.Thewliss@sls-Scotland.org.uk; John.Edward@scis.org.uk; jim.metcalfe@cdn.ac.uk; [Redacted s38(1)(b)]'; shona.struthers@collegesscotland.ac.uk; [Redacted s38(1)(b)]; steven.quinn@renfrewshire.gov.uk; Alan.Armstrong@educationscotland.gov.scot; Jean.Blair@sqa.org.uk; Gill.Stewart@sqa.org.uk; Gayle.Gorman@educationscotland.gov.scot; lmcleod@sfc.ac.uk; [Redacted s38(1)(b)]  
**Cc:** DirectorofLearning@gov.scot; Malcolm.Pentland@gov.scot; Linda.Pooley@gov.scot; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot  
**Subject:** Qualifications Contingency Group meeting - Friday 4 December 2020

Dear Qualifications Contingency Group members,

We are planning to convene the next meeting of the Qualifications Contingency Group at 14:00 on Friday 4 December.

Further details will follow. Meantime, grateful if you could hold in diaries.

Please feel free to contact me if you have any questions.

Best wishes, [Redacted s38(1)(b)]

[Redacted s38(1)(b)]  
Senior Phase Unit | Learning Directorate

Scottish Government | Area 2-B North | Victoria Quay | Edinburgh EH6 6QQ  
M: 07[Redacted s38(1)(b)]

**Enclosure 20 – Briefing note**

02 December 2020

[Redacted – not in scope]

**ISSUE 28-29 November:** Herald and Scotsman reports on the timing for a decision on the holding of Higher and Advanced Higher exams may be made this week (w/c 30 Nov) following discussions at the Covid-19 Education Recovery Group.

**ISSUE 28 November:** Herald, Daily Mail and The Times report on National Parent Forum Scotland survey results which suggests that 'a majority of parents believe exams for Higher and Advanced Higher should be cancelled next year' and that a decision on whether to cancel should be made before Christmas.

**ISSUE 28 November:** The Times, Daily Mail and i in response to SQA guidance on Higher/Advanced Higher music. Ross Greer MSP, Scottish Greens reports that the music advice 'is ridiculous and insulting' and that the 'root cause of it all is SG's failure to cancel exams in the interests of fairness'.

**TOP LINES**

[Redacted – not in scope]

**Our ambition remains for Higher and Advanced Higher exams to proceed, as long as public health guidance allows it.**

- It must, however, be safe to do so and it must be fair to learners. We are monitoring the position closely and listening to all the different views on this matter.
- In taking the decision on National 5 exams - which constitute more than half of all exams taken - it means that we can build an exam diet for Highers and Advanced Highers that is as safe as it possibly can be.
- Higher and Advanced Higher exams will begin on 10 May, later than normal, giving S5 and S6 pupils back approximately two weeks of the learning time they lost this year.
- This additional time, in conjunction with the course assessment modifications that SQA have made following its consultation, give the greatest chances of these exams being implemented fairly.
- Given the potential for further disruption, contingency plans for Higher and Advanced Higher courses are being developed.
- A final decision will be made no later than mid-February, or sooner if the evidence is pointing to that.
- It remains vitally important that our plans take due regard of the latest public health advice and so safeguard the health of all learners, whilst ensuring that their hard work is recognised in the awarding of qualifications.
- We understand that pupils working towards music exams are keen for clarity and to know their hard work will be fairly assessed.

- We would encourage them to feed their views back to the SQA, which is consulting on the proposed modifications to the assessments.

**Continuing disruption and likely further disruption caused by Covid-19 means that we can no longer plan for a full exam diet in 2021.**

- To support the sitting of Higher and Advanced Higher exams we cancelled all National 5 exams and slightly delayed the start of the remaining exams.  
[Redacted – not in scope]

**Enclosure 21 – Email: RE: Request for DFM Diary Slots - Rapid engagement with learners on this year's Higher and Advance Higher exam diet**

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 02 December 2020 15:48  
**To:** Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Subject:** RE: Request for DFM Diary Slots - Rapid engagement with learners on this year's Higher and Advance Higher exam diet.

Hi [Redacted s38(1)(b)]

Apologies I just realised that I hadn't directly responded to your email to say yes please if we could reserve that slot at 2pm on Friday that would be excellent.

We will make sure the meeting is held via zoom and will send the details over as soon as these have been confirmed.

We are currently working with Young Scot and the Scottish Youth Parliament to gather together a group of approximately 10 to 15 young people for the meeting and will look to confirm the attendee list tomorrow.

Please let me know I you need anything else form us in advance

Kind regards

[Redacted s38(1)(b)]

**[Redacted s38(1)(b)]**

[Redacted s38(1)(b)] | Curriculum Unit | Directorate for Learning |

[Redacted s38(1)(b)]. **If you need to speak to me please call my mobile on:** 07[Redacted s38(1)(b)]



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gov.scot



Civil Service  
Dyslexia & Dyspraxia  
Network

[Redacted s38(1)(b)]

**From:** [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills  
**Sent:** 01 December 2020 17:51  
**To:** [Redacted s38(1)(b)]@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Subject:** RE: Request for DFM Diary Slots - Rapid engagement with learners on this year's Higher and Advance Higher exam diet.

Hi [Redacted s38(1)(b)],

Thanks, could we try for 1400 on Friday please? We would make this a zoom call, if possible.

Thanks

**[Redacted s38(1)(b)]** | **[Redacted s38(1)(b)]** to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education & Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | Tel: **[Redacted s38(1)(b)]** | E: DFMCS@gov.scot

**From:** [Redacted s38(1)(b)]@gov.scot>

**Sent:** 01 December 2020 15:54

**To:** Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>

**Cc:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>

**Subject:** Request for DFM Diary Slots - Rapid engagement with learners on this year's Higher and Advance Higher exam diet.

DFM PO

We have been made aware of a request from DFM for a discussion to be set up at pace where he can talk with a group of S5 and S6 learners about this year's Higher and Advanced higher exam diet.

My understanding is that DFM would like this discussion to be held at some point this week or early next week and I wondered if it would be possible for you to identify any appropriate hour long diary slots between Friday 4 December and Monday 7 December (including Saturday and Sunday if possible) for this discussion to be arranged.

Thank you in advance for your assistance with this and happy to discuss further,

[Redacted s38(1)(b)]

**[Redacted s38(1)(b)]**

[Redacted s38(1)(b)] | Curriculum Unit | Directorate for Learning |

[Redacted s38(1)(b)]. **If you need to speak to me please call my mobile on:** 07[Redacted s38(1)(b)]



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Civil Service  
Dyslexia & Dyspraxia  
Network

[Redacted s38(1)(b)]

**Enclosure 22 – Email: RE: Qualifications Contingency Group meeting - Friday 4 December 2020 - draft Agenda**

**From:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Sent:** 02 December 2020 17:10  
**To:** [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Subject:** RE: Qualifications Contingency Group meeting - Friday 4 December 2020 - draft Agenda

[Redacted s38(1)(b)]

Given we are getting close to meeting, please issue and confirm as going ahead.  
Thanks  
Malcolm

**From:** [Redacted s38(1)(b)]@gov.scot  
**Sent:** 02 December 2020 17:01  
**To:** Pentland MK (Malcolm) ; Director of Learning  
**Cc:** [Redacted s38(1)(b)]@gov.scot ; [Redacted s38(1)(b)]@gov.scot ; [Redacted s38(1)(b)]@gov.scot  
**Subject:** RE: Qualifications Contingency Group meeting - Friday 4 December 2020 - draft Agenda

Grateful to receive any final comments on the outline agenda and I'll then issue to QCG.

Thank you, [Redacted s38(1)(b)]

**From:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Sent:** 01 December 2020 18:15  
**To:** [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Subject:** RE: Qualifications Contingency Group meeting - Friday 4 December 2020 - draft Agenda

Thanks [Redacted s38(1)(b)]. This looks fine to me but I'm suggesting the N5 approach and contingency planning sit under the SQA update (as below). I'm copying Graeme to shout if he has any concerns. Graeme – the meeting is scheduled for 45 mins and we'd expect the majority to be spent on the first part of item 3.  
Malcolm

1. Welcome
2. Scottish Government update
3. Scottish Qualifications Authority update
  - Approach to N5 assessment, and communicating the approach
  - Contingency planning for Highers and Advanced Highers

#### 4. AOB

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 01 December 2020 15:55  
**To:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Subject:** Qualifications Contingency Group meeting - Friday 4 December 2020 - draft Agenda

Malcolm,

Please find attached a draft agenda for the QCG meeting on Friday, for comment.

Thanks, [Redacted s38(1)(b)]

**Enclosure 23 – Email: Briefing - Meeting between DFM and S5 and S6 pupils undertaking Higher and Advanced Higher courses in the 2020-21 school year - 04.12.20**

**From:** [Redacted s38(1)(b)]@gov.scot>

**Sent:** 03 December 2020 17:17

**To:** Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>

**Cc:** Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; CERG <CERG@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

**Subject:** Briefing - Meeting between DFM and S5 and S6 pupils undertaking Higher and Advanced Higher courses in the 2020-21 school year - 04.12.20

Hi [Redacted s38(1)(b)]

As discussed earlier please find attached a briefing note, including zoom details, for DFM's discussion with S5 and S6 learners tomorrow on Higher and Advanced Higher qualifications.

Please let me know if DFM requires anything else in advance of the call tomorrow.

Kind regards

[Redacted s38(1)(b)]

**[Redacted s38(1)(b)]**[Redacted s38(1)(b)] | Curriculum Unit | Directorate for Learning |

**[Redacted s38(1)(b)]. If you need to speak to me please call my mobile on: 07**[Redacted s38(1)(b)]

**Enclosure 23.1 – Attachment: Word document**

**DFM discussion with S5 and S6 Learners undertaking Higher and Advanced Higher study in the 2020/21 school term.**

<b>Date and Time of Engagement</b>	Friday 4 December 2020 2:00 pm– 3:00pm
<b>Where</b>	<b>Zoom meeting</b> <b>URL:</b> <b>Join Zoom Meeting:</b> [Redacted s30(c)]  <b>Meeting ID:</b> [Redacted s30(c)] <b>Passcode:</b> [Redacted s30(c)]
<b>Key Purpose / Message</b>	<b>Meeting between DFM and a number of Senior Phase S5 and S6 pupils who are undertaking Higher and Advanced Higher courses in the 2020/21 academic year.</b>  The meeting will provide DFM with an opportunity to hear the personal reflections of S5 and S6 learners, including reflections on how the COVID-19 pandemic has impacted on their Higher and Advanced Higher studies this year, how their studies are progressing and what their thoughts are on assessment and the impact of any disruption on their plans for further study.  Learners in attendance will be supported by Young Scot and the Scottish Youth Parliament and will include learners from the newly formed Education Recovery Youth Panel and Members of the Scottish Youth Parliament.
<b>Official Support</b>	[Redacted s38(1)(b)], Curriculum Unit – 07 [Redacted s38(1)(b)] [Redacted s38(1)(b)], National Qualifications Unit - 07 [Redacted s38(1)(b)]
<b>Annexes</b>	Annex A – Meeting Agenda Annex B – Key Points and Potential Questions Annex C – Attendee List Annex D – SQA Exams FMQ Note

**Annex A****Meeting Agenda (all timings are approximate)**

2:00 pm – 2:05 pm – Welcome and introductions from DFM

2:05 pm – 2:55 pm – Virtual Round table discussion – learners to provide feedback on their experiences and thoughts on studying for higher and advanced higher qualifications in the 2020/21 academic year and assessment.

2:55pm – 3:00 pm – DFM to thank participants and draw the meeting to a close.

## Annex B

### Key Points

- I recognise the importance of the Higher and Advanced Higher qualifications to learners as you look to your future study and careers.
- Our ambition remains to proceed with the exam diet for Higher and Advanced Highers in May 2021.
- It must, however, be safe to do so and it must be fair to learners.
- We are monitoring the position closely and listening to all the different views on this matter, including those of learners.
- Given the potential for further disruption, contingency plans for Higher and Advanced Higher courses are being developed.
- It remains vitally important that our plans take due regard of the latest public health advice and so safeguard the health of all learners, whilst ensuring that your hard work is recognised in the awarding of qualifications.
- I have been clear that the latest point at which a decision will be taken is the February break – which is more than three months before the exams are due to begin, but that I will make a decision sooner if the evidence is pointing to that.

### Potential Questions

- How has coronavirus (COVID-19) affected your studies this year, if at all, and do you think it has had an impact on what you have been able to learn?
- How do you feel about any final course exams you are due to sit around May next year (2021)? Do you feel like you will be ready and prepared for these?
- How would you feel if exams that you may be due to sit around May next year (2021) did not go ahead and your progress was assessed in another way?
- Have there been any additional challenges which have affected your learning so far this year?
- Have there been any benefits or opportunities to your learning due to Coronavirus (COVID-19) so far this year?
- How do you think any changes to your learning or anything else this year, caused by coronavirus (COVID-19) will affect your future plans - including plans for future work or study?

**Meeting Attendee List**

**Learners from S5 and S6:**

- [Redacted s38(1)(b)] – Education Youth Recovery Panel member
- [Redacted s38(1)(b)] - Education Youth Recovery Panel member
- [Redacted s38(1)(b)] - Education Youth Recovery Panel member
- [Redacted s38(1)(b)] - Education Youth Recovery Panel member
- [Redacted s38(1)(b)] - Education Youth Recovery Panel member
- [Redacted s38(1)(b)] - Education Youth Recovery Panel member
- [Redacted s38(1)(b)] – Education Youth Recovery Panel member
- [Redacted s38(1)(b)] MSYP [Redacted s38(1)(b)]
- [Redacted s38(1)(b)] – TBC
- [Redacted s38(1)(b)] – TBC
- [Redacted s38(1)(b)] MSYP – TBC

**Learner Support Staff:**

- Allan Lindsay - Participation and Co-design Director, Young Scot
- Ben McKendrick – Chief Executive of the Scottish Youth Parliament

**Official support:**

- [Redacted s38(1)(b)] – Curriculum Unit, Directorate for Learning.
- [Redacted s38(1)(b)] – National Qualifications Unit, Directorate for Learning

SQA Exams FMQ Brief

[Redacted – not in scope]

**ISSUE 28-29 November:** Herald and Scotsman reports on the timing for a decision on the holding of Higher and Advanced Higher exams may be made this week (w/c 30 Nov) following discussions at the Covid-19 Education Recovery Group.

**ISSUE 28 November:** Herald, Daily Mail and The Times report on National Parent Forum Scotland survey results which suggests that 'a majority of parents believe exams for Higher and Advanced Higher should be cancelled next year' and that a decision on whether to cancel should be made before Christmas.

[Redacted – not in scope]

[Redacted – not in scope]

**Our ambition remains for Higher and Advanced Higher exams to proceed, as long as public health guidance allows it.**

- It must, however, be safe to do so and it must be fair to learners. We are monitoring the position closely and listening to all the different views on this matter.
- In taking the decision on National 5 exams - which constitute more than half of all exams taken - it means that we can build an exam diet for Highers and Advanced Highers that is as safe as it possibly can be.
- Higher and Advanced Higher exams will begin on 10 May, later than normal, giving S5 and S6 pupils back approximately two weeks of the learning time they lost this year.
- This additional time, in conjunction with the course assessment modifications that SQA have made following its consultation, give the greatest chances of these exams being implemented fairly.
- Given the potential for further disruption, contingency plans for Higher and Advanced Higher courses are being developed.
- A final decision will be made no later than mid-February, or sooner if the evidence is pointing to that.
- It remains vitally important that our plans take due regard of the latest public health advice and so safeguard the health of all learners, whilst ensuring that their hard work is recognised in the awarding of qualifications.
- We understand that pupils working towards music exams are keen for clarity and to know their hard work will be fairly assessed.
- We would encourage them to feed their views back to the SQA, which is consulting on the proposed modifications to the assessments.

**Continuing disruption and likely further disruption caused by Covid-19 means that we can no longer plan for a full exam diet in 2021.**

- To support the sitting of Higher and Advanced Higher exams we cancelled all National 5 exams and slightly delayed the start of the remaining exams.
- National 5's will be certificated based on teacher judgement, supported by assessment resources and quality assurance.
- There will be no algorithm driving results and the result will reflect an individual's work rather than the past performance of his or her school.
- There is no expectation that schools or colleges hold a formal diet of prelims for National 5. The removal of the formal exam means that a range of more flexible class-based assessments can be used to maximise learning and teaching time.

[Redacted – not in scope]

**Enclosure 24 – Email: RE: Meeting between the Deputy First Minister and Cabinet Secretary for Education and Skills and S5 S6 learners - FAQ - 4.12.20**

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 03 December 2020 17:17  
**To:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Subject:** RE: Meeting between the Deputy First Minister and Cabinet Secretary for Education and Skills and S5 S6 learners - FAQ - 4.12.20

Hi [Redacted s38(1)(b)]

Please find attached some suggested amends to the note for learners. I would suggest removing the list of questions given that we've not cleared these with DFM. Thanks very much for pulling those together though as they helped for the DFM briefing note and he can run through them at the meeting if he agrees that is what he wants to ask. I think all they need to know is that he just wants to hear about their experiences in these qualifications this year.

Happy to discuss.

[Redacted s38(1)(b)]

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 03 December 2020 16:24  
**To:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@gov.scot>  
**Subject:** Meeting between the Deputy First Minister and Cabinet Secretary for Education and Skills and S5 S6 learners - FAQ - 4.12.20

Hi [Redacted s38(1)(b)] / [Redacted s38(1)(b)] / [Redacted s38(1)(b)]

As well as the briefing for tomorrow's meeting I've drafted the attached wee FAQ for the learners participating.

Would appreciate any feedback you have for me on this before I send it out especially on the 'things for learners to think' about from [Redacted s38(1)(b)] and [Redacted s38(1)(b)] side.

Wasn't sure if I should put the SG logo on it due to potential sensitivities but would welcome views on that too.

[Redacted s38(1)(b)]

**[Redacted s38(1)(b)]**

[Redacted s38(1)(b)] | Curriculum Unit | Directorate for Learning |  
[Redacted s38(1)(b)]. **If you need to speak to me please call my mobile on:**  
07[Redacted s38(1)(b)]



## **Enclosure 24.1 – Attachment: Word document**

# Meeting between the Deputy First Minister and Cabinet Secretary for Education and Skills and S5 – S6 learners. Friday 4<sup>th</sup> December 2020 – 2pm to 3pm

### **Why?**

You have been invited to a discussion with John Swinney MSP – who is the Deputy First Minister and Cabinet Secretary for Education and Skills.

Mr Swinney is interested in listening to your experiences of studying for Higher and Advanced Higher qualifications this year, and would like to hear your views on exams and how these courses are assessed. You are not expected to have any special knowledge or information in these areas.

### **Who?**

A number of S5 and S6 pupils have been invited to attend the discussion to share their experiences with the Deputy First Minister.

There will also be support staff from Young Scot, The Scottish Youth Parliament and the Scottish Government who may have contacted you to arrange for you to be involved in the discussion.

More information about Mr Swinney, the Deputy First Minister, who has invited you to be part of the discussions and what he is responsible for can be found at:

<https://www.gov.scot/about/who-runs-government/cabinet-and-ministers/deputy-first-minister/>

### **When?**

The meeting will be held between 2pm and 3pm on Friday 4 December.

The call will be held on Zoom (details below) and will open 15 minutes before the start of the meeting at 1:45 to give everyone time to join.

### **Where/ How?**

The call has been arranged by the Scottish Government who will be using Zoom to connect everyone by video.

It is important that you do not share the joining details below with anyone who has not been invited to join the call unless they are helping you to get connected or supporting you during the call.

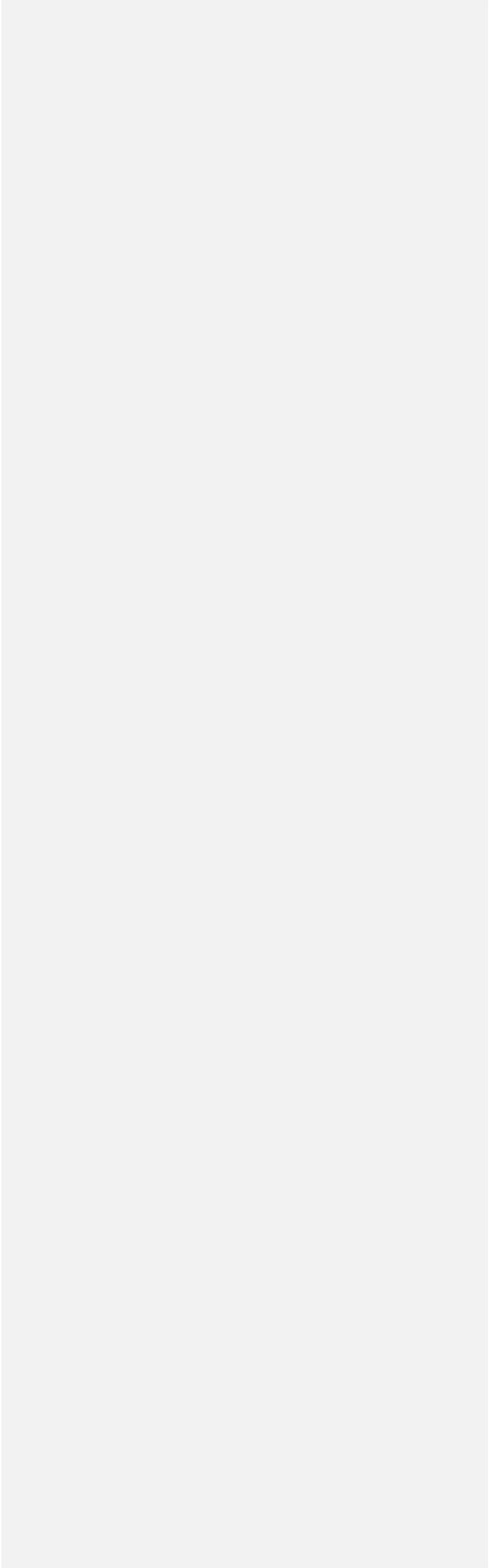
Please remember to mute your microphone unless you are speaking and use the chat function to share your views too!

**Join Zoom Meeting:**

[Redacted s30(c)]

**Meeting ID:** [Redacted s30(c)]

**Passcode:** [Redacted s30(c)]



**Enclosure 25 – Email: RE: Confidential: statement on Tuesday**

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 04 December 2020 16:10  
**To:** Director of Learning <DirectorofLearning@gov.scot>  
**Cc:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Subject:** RE: Confidential: statement on Tuesday

Thanks Graeme

I'll make those changes and pass on to Colin with the point below about length and timing. I'll follow up the questions in parallel with sharing with Colin.

[Redacted s38(1)(b)]

**From:** Logan G (Graeme) **On Behalf Of** Director of Learning  
**Sent:** 04 December 2020 16:03  
**To:** [Redacted s38(1)(b)]@gov.scot  
**Cc:** Pentland MK (Malcolm)  
**Subject:** RE: Confidential: statement on Tuesday

Hi [Redacted s38(1)(b)]

Many thanks for crafting this today. Please find attached a few tracked changes. When this goes to Colin tonight, please include the points in your email below. Please also ask Colin for feedback as early as possible on Monday so that we can get a draft to DFM by lunchtime ideally.

Graeme.

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 04 December 2020 15:20  
**To:** Director of Learning <DirectorofLearning@gov.scot>  
**Cc:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Subject:** RE: Confidential: statement on Tuesday

Hi Graeme

To see a first draft of ministerial statement.

It sits at just under 2,200 words when we should be aiming for a 1,600 word speech. We're just trying to cover an awful lot. Without the FE/HE material it is around 1,700, but I see how it is important material to include if there isn't another vehicle for it.

PO have confirmed that they were offered an hour slot with a 20 min speech, but have said that DFM's preference is for a 10 min speech and questions in a 30 min slot.

It also doesn't have material on the successes of the return to school, however, I think it reads quite well without that at the moment, but happy to chase up if it is material that is definitely needed.

Happy to try and slice further, but my fear is the only realistic way would be to drop a section.

Thanks

[Redacted s38(1)(b)]

**From:** Logan G (Graeme) <Graeme.Logan@gov.scot> **On Behalf Of** Director of Learning  
**Sent:** 03 December 2020 19:20  
**To:** [Redacted s38(1)(b)]@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>;  
[Redacted s38(1)(b)]@gov.scot>; Morrison E (Elizabeth) (Education Scotland)  
<Elizabeth.Morrison2@gov.scot>; Gorman G (Gayle)  
<Gayle.Gorman@educationscotland.gov.scot>; Director of Advanced Learning and Science  
<DirectorofAdvancedLearningandScience@gov.scot>; Macdonald R (Roddy)  
<Roddy.Macdonald@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; Anson S  
(Sam) <Sam.Ansan@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm)  
<Malcolm.Pentland@gov.scot>  
**Subject:** Confidential: statement on Tuesday

Colleagues

I have spoken with the DFM and Colin this evening regarding the statement on education on Tuesday afternoon.

I'm very grateful that [Redacted s38(1)(b)] has agreed to hold the pen and I have outlined the topics Ministers want us to cover, along with suggested colleagues who can support [Redacted s38(1)(b)] by providing draft text as early tomorrow as possible please.

- 1) Key messages on progress/ success of reopening schools and FE/HE – Roddy, [Redacted s38(1)(b)]/ Sam (including any stats we can refer to).
- 2) Reminder of Christmas/ end of term arrangements (very briefly) – Elizabeth, Roddy
- 3) Testing for school staff – Andy/ [Redacted s38(1)(b)]
- 4) Arrangements for start of term in HE/FE – Roddy
- 5) Announcement re higher/ advanced higher diet, outline of how the ACM will work, thanks to SQA and partners for co-creating the model (I am speaking to Fiona in the morning as DFM's preference would be for the SQA to publish the model on Tuesday). Key messages about how we will mitigate additional workload associated with ACM – [Redacted s38(1)(b)]/ Malcolm (we can speak in the morning about this)
- 5) General thanks to all education staff and partners

This statement is covering a lot of ground and we will need to ensure that it flows well. Sam – would the CERG team be able to lead on the briefing pack, which will need to cover a broad range of issues including FE/HE?

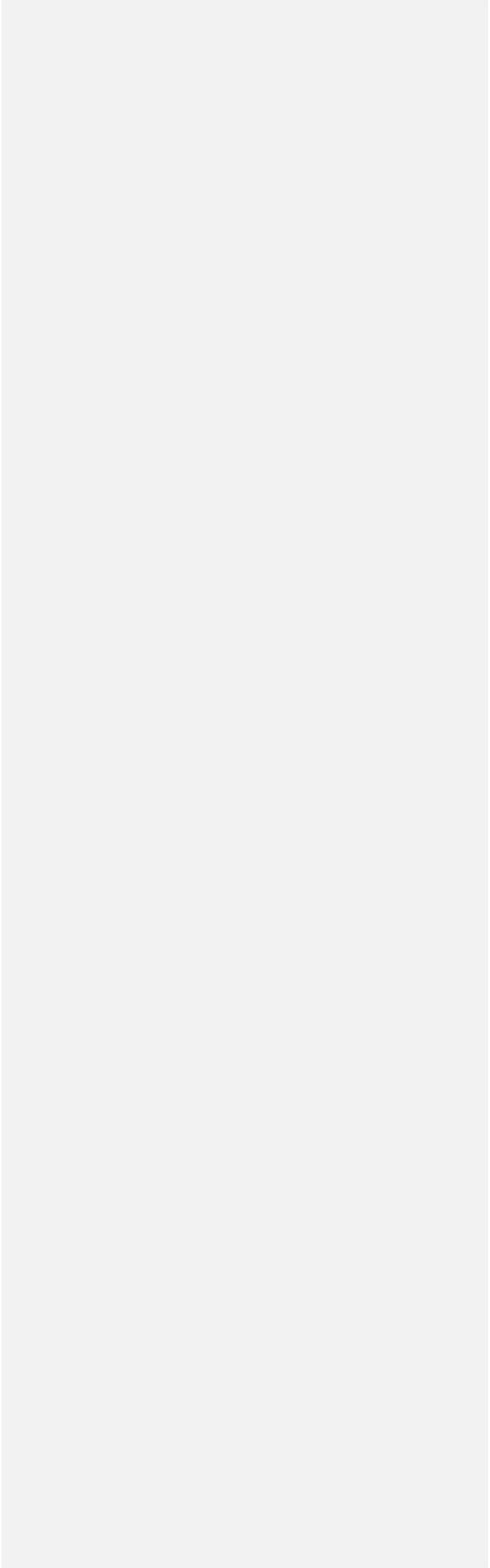
Colin has asked for a first draft by close tomorrow, which can be refined and discussed with DFM over the course of Monday. I'd like to see a draft before it goes to Colin please.

We also have Conservative party business on education on Wednesday and will find out about the motion on Monday evening.

Thanks everyone – Graeme.

Graeme Logan  
Director of Learning  
Scottish Government

Tel: 07[Redacted s38(1)(b)]



**Enclosure 25.1 – Attachment: Word document**

[Redacted – not in scope]

I now want to turn to assessment in 2021, and in particular to Highers and Advanced Highers.

I have been clear throughout these difficult times that it is key that we recognise the hard work of learners in fair manner and enable the awarding of qualifications that individuals deserve. We looked to learn from the experience of awarding in the summer, and took swift action with the commissioning of the Priestley review to support that.

However there are still no easy answers, and no consensus on the right way forward within the education sector. We only have to look at England, Wales and Northern Ireland to see the divergence in approach to assessment this year.

Deleted: there is a struggle to achieve

The prospects for public health have been improved immeasurably due to the development of a vaccine, however we know that it will unavoidably take time to be rolled out. Additionally, as much as we need to be mindful of the public health considerations at the time of the planned exam diet, we also need to consider how the learning by young people for those exams may have been, or could still be, disrupted.

We know that the level of disruption to learners has been varied. A majority of senior phase pupils have had no absences from school in relation to COVID this academic year, but a significant minority have suffered unavoidable disruption, and we know that this number is proportionately higher for learners from lower SIMD levels.

Deleted: large

Commented [LG(1)]: Add in the 1 in 4 line re S4-6, and that this is double in most deprived versus least

We hope that public health will improve in the coming months, but we cannot guarantee that there will be no further disruptions. We must make sure that our approach to assessment takes account of these factors and delivers fairness for all learners.

Whilst exams papers can be adapted and the timing of exams can be changed to mitigate generic disruption to learning, it is far harder to address the impact of variable disruption for individuals through an exam diet. I believe that an alternative model using centre judgments based on candidate evidence supported by robust quality assurance could provide greater scope for, and likelihood of, an approach that takes account of the circumstances that individual learners will have experienced. Such an approach will better be able to deliver fairness for learners.

When I spoke to the Parliament on 7 October I said that cancelling the N5 diet was a way to secure more time and so enhance the chances of a Higher and Advanced Higher diet proceeding. As I have set out I

fear that circumstances now suggest that there is a real risk to being able to deliver fairness if we proceed on that process, and that is why today I am announcing that there will be no Higher or Advanced Higher exams in 2021.

I know this announcement will be welcomed by some and not by others, I once again reiterate that there are no right answers here. However, by cancelling all exams I am seeking to deliver certainty to learners, parents and teachers and lecturers, which has been called for by many.

I hope that for many this decision will help to address concerns over wellbeing and anxiety for many learners. Whilst cancelling exams will help, I recognise that replacement contingency measures will need to be supported by a process for considering exceptional circumstances and appropriate routes of appeal. Both of these issues are currently being developed.

Deleted: considered.

Also, I believe that cancelling all exams will allow for a modest increase in the amount of teaching and learning time. This will be important as we look to reduce the impacts of disruption to learners.

In the absence of Higher and Advanced Higher exams the intention is to replicate the approach that has been developed for the assessment of National 5 qualifications.

[Redacted – not in scope]

**Enclosure 26 – Email: RE: Interview bid/lines for clearance: Labour/Lib Dem calls for exams to be cancelled - STV/Morning Star/Express**

**From:** [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills  
**Sent:** 06 December 2020 12:57  
**To:** [Redacted s38(1)(b)]@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>  
**Cc:** Ingebrigtsen R (Ross) <Ross.Ingebrigtsen@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Anson S (Sam) <Sam.Ansan@gov.scot>; Wilson M (Mick) <Mick.Wilson@gov.scot>; Macdonald R (Roddy) <Roddy.Macdonald@gov.scot>; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; News Desk <Newsdesk@gov.scot>; Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Communications Duty Box <CommunicationsDutyBox@gov.scot>; Armstrong A (Alan) <Alan.Armstrong@educationscotland.gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>  
**Subject:** RE: Interview bid/lines for clearance: Labour/Lib Dem calls for exams to be cancelled - STV/Morning Star/Express

Hi [Redacted s38(1)(b)]

DFM is content to clear the lines but wished to decline the bid.

Kind Regards

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] | [Redacted s38(1)(b)] to John Swinney MSP, Deputy First Minister and Cabinet Secretary for Education and Skills | The Scottish Government | Web: [www.gov.scot](http://www.gov.scot) |

☎ 0300 24 [Redacted s38(1)(b)] | Mobile: 0044 (0)7[Redacted s38(1)(b)] | Email: [DFMCSE@gov.scot](mailto:DFMCSE@gov.scot) | [Redacted s38(1)(b)]@gov.scot

5N.07 St Andrew's House | Regent Road | Edinburgh | EH1 3DG

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**From:** [Redacted s38(1)(b)]@gov.scot>

**Sent:** 06 December 2020 12:43

**To:** Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>

**Cc:** Ingebrigtsen R (Ross) <Ross.Ingebrigtsen@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Anson S (Sam) <Sam.Ansan@gov.scot>; Wilson M (Mick) <Mick.Wilson@gov.scot>; Macdonald R (Roddy) <Roddy.Macdonald@gov.scot>; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

s38(1)(b)]@gov.scot>; News Desk <Newsdesk@gov.scot>; Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Communications Duty Box <CommunicationsDutyBox@gov.scot>; Armstrong A (Alan) <Alan.Armstrong@educationscotland.gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>

**Subject:** Interview bid/lines for clearance: Labour/Lib Dem calls for exams to be cancelled - STV/Morning Star/Express

[Redacted s38(1)(b)]

The Morning Star and Express have asked for a response to calls from Scottish Labour and the Lib Dems for this year's higher and advanced higher exams to be cancelled.

I have copied their full releases at the foot of this email for reference.

STV have also bid to speak to DFM this afternoon on the issue, they would like to pre-record a clip via Zoom or Skype for tomorrow morning's bulletins. Comms and Spads have discussed and are happy for DFM to take part should his diary permit. Could you confirm if DFM would like to take part in this interview?

Comms, Policy and Spads have discussed and agreed the lines below. Could you confirm if DFM is content for this response to issue?

A Scottish Government spokesperson said:

"Our ambition remains for Higher and Advanced Higher exams to proceed if possible. It must, however, be safe to do so and it must be fair to learners. We are monitoring the position closely and listening to all the different views on this matter. We have already shown with the cancellation of the National 5 exams that we will take the necessary actions to protect fairness for learners.

"The Deputy First Minister has been clear that the latest point at which a decision will be taken is the February break – which is more than three months before the exams are due to begin. He has also been clear that he will make a decision sooner if the evidence is pointing to that.

"Contingency plans are being drawn up to ensure fair and consistent awarding for Higher and Advanced Higher courses should exams not be possible."

Thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] | Communications DFM, Education and Justice | Scottish Government  
Tel – 0131-244-[Redacted s38(1)(b)] / 07[Redacted s38(1)(b)] | [Redacted s38(1)(b)]@gov.scot

**GRAY TO SWINNEY: SWALLOW YOUR PRIDE AND CANCEL EXAMS**

**EMBARGOED: 00:01 MONDAY DECEMBER 7 2020**

In the interests of fairness and to protect the integrity of the education system, Scottish Labour has today called for this year's higher and advanced higher exams to be scrapped.

Data highlighted by education researcher, Barry Black, has demonstrated that allowing the exam diet to proceed will disproportionately damage the prospects of pupils from the most deprived backgrounds.

The data shows that, as of the 24th of November, as many as 15 per cent of all S4 pupils were not in attendance at school, and that schools in the most deprived areas had significantly higher rates of non-attendance than those in the least deprived areas.

Scottish Labour has today called on John Swinney to 'do the right thing' by the pupils of Scotland and replace the formal exam diet with an alternative method of examination.

Scottish Labour has also submitted a raft of Parliamentary Questions to better understand what provisions the Scottish government has in place for preventing discrimination in the exam diet and called for the any new grading methodology used to be made public.

**Scottish Labour education spokesperson Iain Gray said:** "This isn't an easy call, but in the interests of the pupils of Scotland it is time for John Swinney to swallow his pride and cancel the higher and advanced higher exams.

"The data is clear: pupils in the most deprived areas are more likely to be missing vital class time, and the provisions that the Scottish government have put in place for remote learning cannot fully replace face to face learning.

In these circumstances the possibility of exams on a level playing field has gone.

"Pupils and teachers need a decision now, and Mr Swinney needs to focus completely on ensuring awards are made consistently and fairly. We cannot have another chaotic last-minute decision on schools.

"Therefore we are calling on John Swinney to cancel the exams now and replace them with a fairer, alternative method of assessment, that will not penalise students based on their socioeconomic background as the Scottish government initially did this summer in the SQA fiasco."

**ENDS**

**Notes to editors**

[Redacted s38(1)(b)]

Further data available here: <https://public.tableau.com/profile/sg.eas.learninganalysis#!/vizhome/COVID19-SchoolsandChildcareInformation/Introduction>

**Scottish Liberal Democrats**

**Contact:** [Redacted s38(1)(b)] 07[Redacted s38(1)(b)]

**Embargo:** Immediate

### **Rennie: Cancel exams now so staff and students know where they stand**

Scottish Liberal Democrat leader Willie Rennie has today said that the Scottish Government must announce this week that the 2021 exams will be cancelled.

The Education Secretary is expected to make a statement to Parliament this week. In advance of this statement, Mr Rennie has warned that pupils around the country "don't have a level playing field" and stressed the importance of announcement on exams coming before schools break up for Christmas so that staff and students know where they stand.

The party has argued that the prompt cancellations of exams is essential to avoid a repeat of John Swinney's 2020 exams a storm which crushed pupils' ambitions and penalised those from poorer backgrounds the most.

### **Scottish Liberal Democrat leader Willie Rennie commented:**

"Ministers need to act without further delay.

"On any given day up to 30,000 pupils and 1,500 teachers absent for covid-related reasons. Some have had to self-isolate for a fortnight multiple times, while others haven't missed a minute of school. Every pupil and class experiences a different level of disruption. That's not a level playing field.

"This week the Education Secretary needs to announce that exams are off so that staff and students know where they stand. With plenty of warning it's possible to put alternative methods of assessment in place. It will be much harder to do that if ministers kick the can into the new year or create more work for teachers over the Christmas holidays.

"The Liberal Democrat education minister Nicola Wood announced weeks ago that exams were cancelled and set out one option Scottish ministers could follow.

"Teachers and parents are concluding it wouldn't be fair to go ahead with national exams as normal. The Scottish Government needs to end the uncertainty, immediately announce that the exams won't go ahead and establish the credible alternative before Christmas."

**Enclosure 27 – Email: RE: Briefing to support statement**

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 07 December 2020 09:37  
**To:** [Redacted s38(1)(b)]@gov.scot>  
**Subject:** RE: Briefing to support statement

Sure. Although might need clarity on payment to teachers. And who is FR?

[Redacted s38(1)(b)], Scottish Government, Area 2B North, Victoria Quay, Edinburgh EH6 6QQ. Call: 07[Redacted s38(1)(b)] Email: [Redacted s38(1)(b)]@gov.scot

[Redacted s38(1)(b)]



**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 07 December 2020 09:35  
**To:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Subject:** RE: Briefing to support statement

Thanks Malcolm

I've suggested some names by tasks below – shout if they seem the wrong allocation.

**From:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Sent:** 07 December 2020 09:24  
**To:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Subject:** RE: Briefing to support statement

Hi All

Hope you are well. As just discussed with [Redacted s38(1)(b)]:

- [Redacted – not in scope]
- It is subject to a decision on the diet but we should prepare now anyway, can we put together a draft letter from DFM to FR confirming a decision. **Who finishes the above first (there's an incentive) can pick up– can use the N5 decision letter as the basis**
- [Redacted – not in scope]

Thanks  
Malcolm

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 07 December 2020 08:13  
**To:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Cc:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Subject:** Briefing to support statement

Morning all

I hope you had good weekends despite the comms activity (if the FMQ could be updated for this – us for them reinstate exams, labour cancel exams, but no change in lines needed at this point prior to the statement).

There hasn't been any feedback from DFM yet, however I think we should work up lines on the following:-

- Why cancelling higher and advanced higher exams is the correct decision, and why it is right to do so now
- What the contingency measure will be
- [Redacted – not in scope]

The first three can be taken from the draft speech/ I'll look to do a first cut of that now and circulate, [Redacted – not in scope]

Speech is still with Colin, so will keep an eye out for that coming back.

Thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]

Curriculum, Qualifications and Gaelic - Learning Directorate  
Scottish Government

(0131 24) x. [Redacted s38(1)(b)]

email: [Redacted s38(1)(b)]@scotland.gsi.gov.uk





**Enclosure 29 – Email: FW: IMMEDIATE: REQUEST FOR SUPPORT AROUND  
ADDITIONAL WORKLOAD ARISING FROM THE ALTERNATIVE CERTIFICATION  
MODEL FOR SQA QUALIFICATIONS**

**From:** Johnston P (Paul) <Paul.Johnston@gov.scot>  
**Sent:** 07 December 2020 10:19  
**To:** DG Scottish Exchequer Mailbox <DGScottishExchequer@gov.scot>; Watson AA (Andrew) <Andrew.Watson@gov.scot>; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot  
**Cc:** DG Education, Communities & Justice <DGECJ@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Subject:** FW: IMMEDIATE: REQUEST FOR SUPPORT AROUND ADDITIONAL WORKLOAD ARISING FROM THE ALTERNATIVE CERTIFICATION MODEL FOR SQA QUALIFICATIONS

Alyson, [Redacted s38(1)(b)], Andrew, [Redacted s38(1)(b)]

I wanted to bring the attached submission to your attention for information at this stage – but to note that things could move very quickly indeed.

[Redacted – not in scope]

I'm copying Malcolm and [Redacted s38(1)(b)] who are leading in Learning Directorate.

Thanks

Paul

**Paul Johnston**  
Director General  
Education, Communities and Justice  
Scottish Government

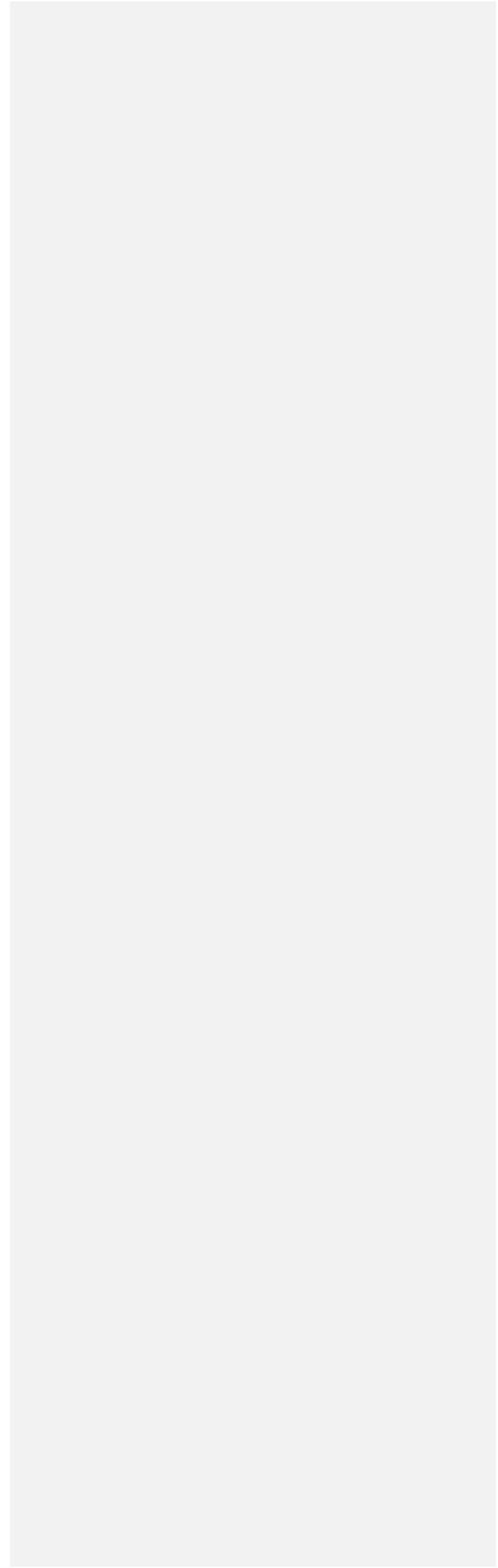
Tel: 07[Redacted s38(1)(b)]

*I am sending this at a time that works for me. I'm not expecting a reply at a time that doesn't work for you.*

[See Enclosure 28 from email of 04 December 2020 17:54 for remainder of chain]

**Enclosure 29.1 – Attachment: Word document**

[Redacted – not in scope]



**Enclosure 30 – Email: RE: REQUEST FOR SUPPORT AROUND ADDITIONAL WORKLOAD ARISING FROM THE ALTERNATIVE CERTIFICATION MODEL FOR SQA QUALIFICATIONS**

**From:** [Redacted s38(1)(b)]@gov.scot>

**Sent:** 07 December 2020 10:41

**To:** Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

**Subject:** RE: IMMEDIATE: REQUEST FOR SUPPORT AROUND ADDITIONAL WORKLOAD ARISING FROM THE ALTERNATIVE CERTIFICATION MODEL FOR SQA QUALIFICATIONS

Thanks both

I think we need to be slightly careful about this. It's entirely appropriate to cancel the exams on the basis of disruption to learning, we just need to be careful about what we then say about the alternative plan for assessment. [Redacted – not in scope]

[Redacted s38(1)(b)]

**From:** Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>

**Sent:** 07 December 2020 10:35

**To:** Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

**Subject:** RE: IMMEDIATE: REQUEST FOR SUPPORT AROUND ADDITIONAL WORKLOAD ARISING FROM THE ALTERNATIVE CERTIFICATION MODEL FOR SQA QUALIFICATIONS

Graeme and colleagues,

Just so that I am clear on the ask, is this OK? Or is there anything else you wish me to ask?

Could we also please ensure that Cab Sec Health and Sport is fully sighted on this? I can do this, if that would be helpful? We had a few challenges last week and I'm looking to improve this.

Dear Gregor/Jason/Fiona/Marion

I understand, very confidentially, that the DFM is going to announce the cancellation of the Higher/Advanced Higher diet of national qualifications tomorrow. This decision has been made on the grounds of disruption to learning as large numbers of senior pupils in some areas have had repeated episodes of self-isolation. It has not been made on public health grounds.

I have been asked to seek your views urgently from a health perspective, which I can share with the DFM and colleagues.

Many thanks, warmest wishes.

Kindest regards  
Elizabeth

Elizabeth Morrison | Deputy Director (Interim) | Scottish Government | 07[Redacted s38(1)(b)]

**From:** Logan G (Graeme) <Graeme.Logan@gov.scot> **On Behalf Of** Director of Learning

**Sent:** 07 December 2020 10:23

**To:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>

**Subject:** FW: IMMEDIATE: REQUEST FOR SUPPORT AROUND ADDITIONAL WORKLOAD ARISING FROM THE ALTERNATIVE CERTIFICATION MODEL FOR SQA QUALIFICATIONS

**Importance:** High

Colleagues

[Redacted – not in scope]

Thanks  
Graeme.

Thanks  
Graeme.

[See Enclosure 28 for remainder of email chain]

**Enclosure 31 – Email: RE: SCANCE - Highers and Advanced Highers**

**From:** [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills

**Sent:** 07 December 2020 11:58

**To:** [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm)

<Malcolm.Pentland@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>

**Cc:** DG Education, Communities & Justice <DGECJ@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Armstrong A (Alan) <Alan.Armstrong@educationscotland.gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Cabinet Secretariat inbox <CabinetSecretariat3@gov.scot>

**Subject:** RE: SCANCE - Highers and Advanced Highers

[Redacted s38(1)(b)]/Cabinet Secretariat

DFM has cleared the attached SCANCE.

Kind Regards

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] | [Redacted s38(1)(b)] to John Swinney MSP, Deputy First Minister and Cabinet Secretary for Education and Skills | The Scottish Government | Web: [www.gov.scot](http://www.gov.scot) |

☎ 0300 24 [Redacted s38(1)(b)] | Mobile: 0044 (0)7[Redacted s38(1)(b)] | Email: [DFMCSE@gov.scot](mailto:DFMCSE@gov.scot) | [Redacted s38(1)(b)]@gov.scot

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**From:** [Redacted s38(1)(b)]@gov.scot>

**Sent:** 07 December 2020 11:19

**To:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>

**Cc:** DG Education, Communities & Justice <DGECJ@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Armstrong A (Alan) <Alan.Armstrong@educationscotland.gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Cabinet Secretariat inbox <CabinetSecretariat3@gov.scot>

**Subject:** RE: SCANCE - Highers and Advanced Highers

To see a draft note.

Thanks

[Redacted s38(1)(b)]

**From:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Sent:** 07 December 2020 09:12  
**To:** Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot  
**Cc:** DG Education, Communities & Justice <DGECJ@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Armstrong A (Alan) <Alan.Armstrong@educationscotland.gov.scot>; [Redacted s38(1)(b)]@gov.scot; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; McAllister C (Colin) <Colin.McAllister@gov.scot>; Cabinet Secretariat inbox <CabinetSecretariat3@gov.scot>  
**Subject:** RE: SCANCE - Highers and Advanced Highers

Hi [Redacted s38(1)(b)]  
Confirming this has been picked up.  
Malcolm

**From:** [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills  
**Sent:** 07 December 2020 09:10  
**To:** Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot  
**Cc:** DG Education, Communities & Justice <DGECJ@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Armstrong A (Alan) <Alan.Armstrong@educationscotland.gov.scot>; [Redacted s38(1)(b)]@gov.scot; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; McAllister C (Colin) <Colin.McAllister@gov.scot>; Cabinet Secretariat inbox <CabinetSecretariat3@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>  
**Subject:** SCANCE - Highers and Advanced Highers

Good morning

Apologies for the short deadline but DFM would be grateful if you could provide a draft SCANCE on highers and advanced highers.

I'd be grateful if this could be with us by 11am this morning to enable Ministerial clearance ahead of sending to Cabinet Secretariat.

Please confirm this has been picked up.

Kind Regards

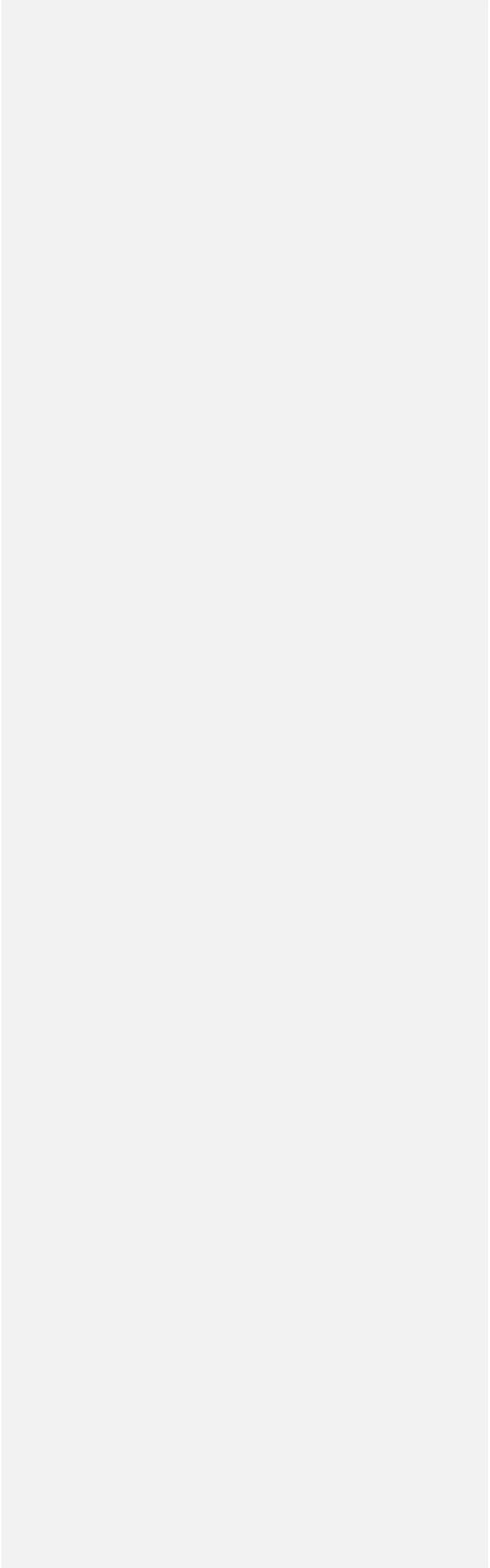
[Redacted s38(1)(b)]  
[Redacted s38(1)(b)] | [Redacted s38(1)(b)] to John Swinney MSP, Deputy First Minister and Cabinet Secretary for Education and Skills | The Scottish Government | Web: [www.gov.scot](http://www.gov.scot) |  
☎ 0300 24 [Redacted s38(1)(b)] | Mobile: 0044 (0)7[Redacted s38(1)(b)] | Email: [DFMCSE@gov.scot](mailto:DFMCSE@gov.scot) |  
[Redacted s38(1)(b)]@gov.scot

5N.07 St Andrew's House | Regent Road | Edinburgh | EH1 3DG

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[www.lobbying.scot](http://www.lobbying.scot)



## **Enclosure 31.1 – Attachment: Word document**

### **SCANCE Contribution for 7 October – SQA awarding 2021**

On 7 October it was announced that National 5 exams would be cancelled to create more space for the completion of learning and allow exams for Higher and Advanced Higher courses to take place on a slightly delayed timescale. We committed to providing further clarity on whether the Higher and Advanced Higher exam diet would go ahead by February, or earlier if the evidence supported it.

Subsequently there have continued to be calls for clarity on the Higher and Advanced diet. The Welsh Government has cancelled all exams next year, the UK Government reiterated its commitment to holding exams, but announced measures to increase the chances of this happening. In Scotland there has equally been no consensus on the appropriate way forward.

Overall learner attendance for the majority has held up well during recent times, however, for a minority, especially those in lower SIMD areas, there has been a significantly higher level of disruption. The approach to assessment has to be fair to all and a non-exams based approach to assessment will likely be more able to address issues of variable disruption to learners (working alongside an exceptional circumstances process). Therefore all exams will be cancelled and replaced with an alternative certification model.

[Redacted – not in scope]

### **Speaking Note**

[Redacted s29(1)(b)]

**Enclosure 32 – Email: RE: Education Statement**

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 07 December 2020 12:56  
**To:** Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Anson S (Sam) <Sam.Aanson@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>  
**Cc:** DG Education, Communities & Justice <DGECJ@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Minister for Children and Young People <MinisterCYP@gov.scot>; Minister for Further Education, Higher Education and Science <MinisterFEHES@gov.scot>; Macdonald R (Roddy) <Roddy.Macdonald@gov.scot>  
**Subject:** RE: Education Statement

Hi [Redacted s38(1)(b)],

Further to my earlier email the DFM would be grateful if the themes in the attached note are included in his statement to Parliament tomorrow.

Thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] John Swinney MSP, Deputy First Minister and Cabinet Secretary for Education and Skills | The Scottish Government | Web: [www.gov.scot](http://www.gov.scot) | Tel: 0131 244 [Redacted s38(1)(b)] | Mob: 07[Redacted s38(1)(b)] | Email: [DFMCSE@gov.scot](mailto:DFMCSE@gov.scot)

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*Scottish Ministers, Special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)*

**From:** [Redacted s38(1)(b)]@gov.scot **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills  
**Sent:** 07 December 2020 10:07  
**To:** Director of Learning ; Deputy First Minister and Cabinet Secretary for Education and Skills ; Pentland MK (Malcolm) ; Morrison E (Elizabeth) (Education Scotland) ; Anson S (Sam) ; Gorman G (Gayle) ; [Redacted s38(1)(b)]@gov.scot ; Director of Advanced Learning and Science  
**Cc:** DG Education, Communities & Justice ; McAllister C (Colin) ; Minister for Children and Young People ; Minister for Further Education, Higher Education and Science ; Macdonald R (Roddy)  
**Subject:** RE: Education Statement

Hi [Redacted s38(1)(b)],

For the DFMs speech he has asked that its reflects the growing evidence of the disruption of self-isolation as the justification for the cancellation of the exams.

Thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] John Swinney MSP, Deputy First Minister and Cabinet Secretary for Education and Skills | The Scottish Government | Web: [www.gov.scot](http://www.gov.scot) | Tel: 0131 244 [Redacted s38(1)(b)] | Mob: 07[Redacted s38(1)(b)] | Email: [DFMCSE@gov.scot](mailto:DFMCSE@gov.scot)

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**From:** Logan G (Graeme) <[Graeme.Logan@gov.scot](mailto:Graeme.Logan@gov.scot)> **On Behalf Of** Director of Learning  
**Sent:** 03 December 2020 14:55  
**To:** Deputy First Minister and Cabinet Secretary for Education and Skills <[DFMCSE@gov.scot](mailto:DFMCSE@gov.scot)>; Pentland MK (Malcolm) <[Malcolm.Pentland@gov.scot](mailto:Malcolm.Pentland@gov.scot)>; Morrison E (Elizabeth) (Education Scotland) <[Elizabeth.Morrison2@gov.scot](mailto:Elizabeth.Morrison2@gov.scot)>; Anson S (Sam) <[Sam.Anon@gov.scot](mailto:Sam.Anon@gov.scot)>; Gorman G (Gayle) <[Gayle.Gorman@educationscotland.gov.scot](mailto:Gayle.Gorman@educationscotland.gov.scot)>; [Redacted s38(1)(b)] <[\[Redacted s38\(1\)\(b\)\]@gov.scot](mailto:[Redacted s38(1)(b)]@gov.scot)>; Director of Advanced Learning and Science <[DirectorofAdvancedLearningandScience@gov.scot](mailto:DirectorofAdvancedLearningandScience@gov.scot)>  
**Cc:** DG Education, Communities & Justice <[DGECJ@gov.scot](mailto:DGECJ@gov.scot)>; McAllister C (Colin) <[Colin.McAllister@gov.scot](mailto:Colin.McAllister@gov.scot)>; Minister for Children and Young People <[MinisterCYP@gov.scot](mailto:MinisterCYP@gov.scot)>; Minister for Further Education, Higher Education and Science <[MinisterFEHES@gov.scot](mailto:MinisterFEHES@gov.scot)>; Macdonald R (Roddy) <[Roddy.Macdonald@gov.scot](mailto:Roddy.Macdonald@gov.scot)>  
**Subject:** RE: Education Statement

Thanks [Redacted s38(1)(b)].

Malcolm – we no longer need to find a slot for a statement on exams next week, as presumably we can include any update or decision as part of this statement (if it goes ahead).

Given the likely topics I suggest an ALS and Learning DD work together to lead this, with input from others.

Graeme.

**From:** [Redacted s38(1)(b)] <[\[Redacted s38\(1\)\(b\)\]@gov.scot](mailto:[Redacted s38(1)(b)]@gov.scot)> **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills  
**Sent:** 03 December 2020 14:29  
**To:** Director of Learning <[DirectorofLearning@gov.scot](mailto:DirectorofLearning@gov.scot)>; Pentland MK (Malcolm) <[Malcolm.Pentland@gov.scot](mailto:Malcolm.Pentland@gov.scot)>; Morrison E (Elizabeth) (Education Scotland) <[Elizabeth.Morrison2@gov.scot](mailto:Elizabeth.Morrison2@gov.scot)>; Anson S (Sam) <[Sam.Anon@gov.scot](mailto:Sam.Anon@gov.scot)>; Gorman G (Gayle) <[Gayle.Gorman@educationscotland.gov.scot](mailto:Gayle.Gorman@educationscotland.gov.scot)>; [Redacted s38(1)(b)] <[\[Redacted s38\(1\)\(b\)\]@gov.scot](mailto:[Redacted s38(1)(b)]@gov.scot)>; Director of Advanced Learning and Science <[DirectorofAdvancedLearningandScience@gov.scot](mailto:DirectorofAdvancedLearningandScience@gov.scot)>

**Cc:** DG Education, Communities & Justice <DGECJ@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Minister for Children and Young People <MinisterCYP@gov.scot>; Minister for Further Education, Higher Education and Science <MinisterFEHES@gov.scot>; Macdonald R (Roddy) <Roddy.Macdonald@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>  
**Subject:** Education Statement

Folks,

This is not confirmed but it is looking likely that there will be a bumper education statement next Tuesday which will cover all the live issues (School Holiday Higher Education and Exams etc). This is to replace the statement next Thursday.

Thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] John Swinney MSP, Deputy First Minister and Cabinet Secretary for Education and Skills | The Scottish Government | Web: [www.gov.scot](http://www.gov.scot) | Tel: 0131 244

[Redacted s38(1)(b)] | Mob: 07[Redacted s38(1)(b)] | Email: [DFMCSE@gov.scot](mailto:DFMCSE@gov.scot)

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**Enclosure 32.1.1 – Attachment: Word document**

From: Malcolm Pentland

Curriculum, Qualifications & Gaelic Division

3 December 2020

**Deputy First Minister and Cabinet Secretary for Education and Skills**

**2021 HIGHER AND ADVANCED HIGHER EXAM DIET – ONGOING REVIEW OF DECISION**

**Purpose**

4. This note:

[Redacted – not in scope] notes considerations in relation to the N5 model being used for H and AH should those exams be cancelled;

[Redacted – not in scope]  
- includes a draft note to the First Minister for your consideration that sets out the key pros and cons in relation to a decision to cancel 2021's Higher and Advanced Higher exams.

**Priority**

5. **Urgent.** You requested advice for today following your 1 December meeting with the Chief Examiner, the Chief Inspector and officials on the subject of 2021 exams. You also requested a draft note to the First Minister for today.

**Background**

6. This note builds on, and restates some of, the advice provided:

- on 17 November that updated on recent developments that have a bearing on the ongoing review of the decision to seek to proceed with Higher and Advanced Higher exams in 2021 and which set out the views of key partners and stakeholders;
- on 24 November from Education Scotland that briefed you on feedback provided by local authorities about the extent and impact of the interruption to learning experienced by H and AH candidates; and
- on 25 November that provided detail on what the data tells us about the extent, and pattern, of interruption to learning of H and AH candidates across the country and further intelligence on parents' views and the response to the approach taken in Wales.

[Redacted – not in scope]  
**potential for the N5 approach to be applied to Highers and Advanced Highers**

[Redacted – not in scope]



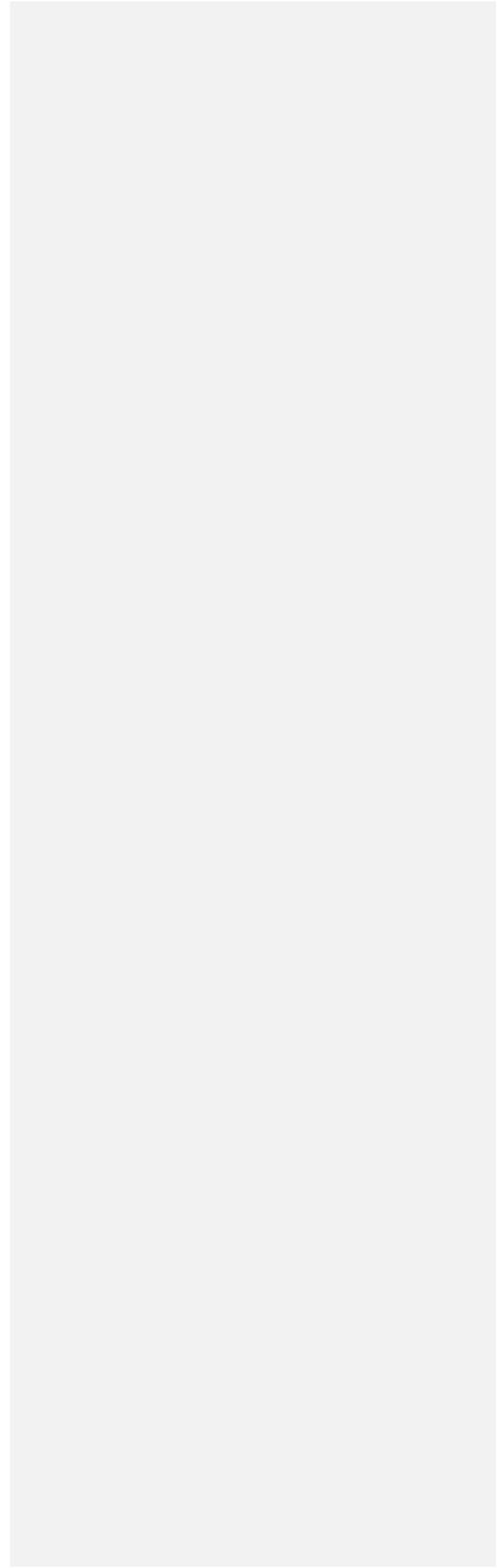
[Redacted s38(1)(b)]

Colin McAllister

[Redacted s38(1)(b)]

Comms DFM

[Redacted – not in scope]



**ANNEX C – DRAFT NOTE FROM DFM TO FM**

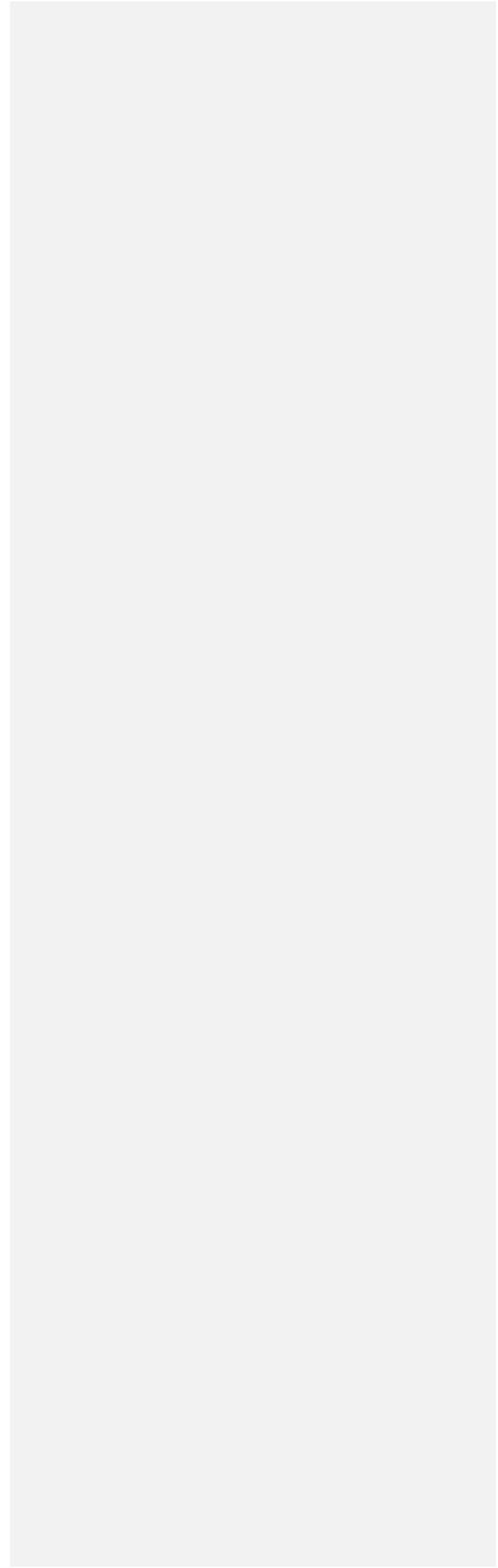
From: Deputy First Minister

x December 2020

**DRAFT**  
First Minister

[Redacted s29(1)(b)]

**JS**



**Enclosure 33 – Email: FW: SCANCE - Highers and Advanced Highers**

**From:** [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** DG Education, Communities & Justice  
**Sent:** 07 December 2020 12:36  
**To:** DG Scottish Exchequer Mailbox <DGScottishExchequer@gov.scot>; Watson AA (Andrew) <Andrew.Watson@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>  
**Cc:** DG Education, Communities & Justice <DGECJ@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Subject:** FW: SCANCE - Highers and Advanced Highers

Colleagues

Following Paul's earlier email he would like you to see the attached Scance. Copying in Perm Sec for information too.

Many thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] Paul Johnston, Director-General of Education, Communities & Justice  
T: 0131 244 [Redacted s38(1)(b)]  
E: DGECJ@gov.scot

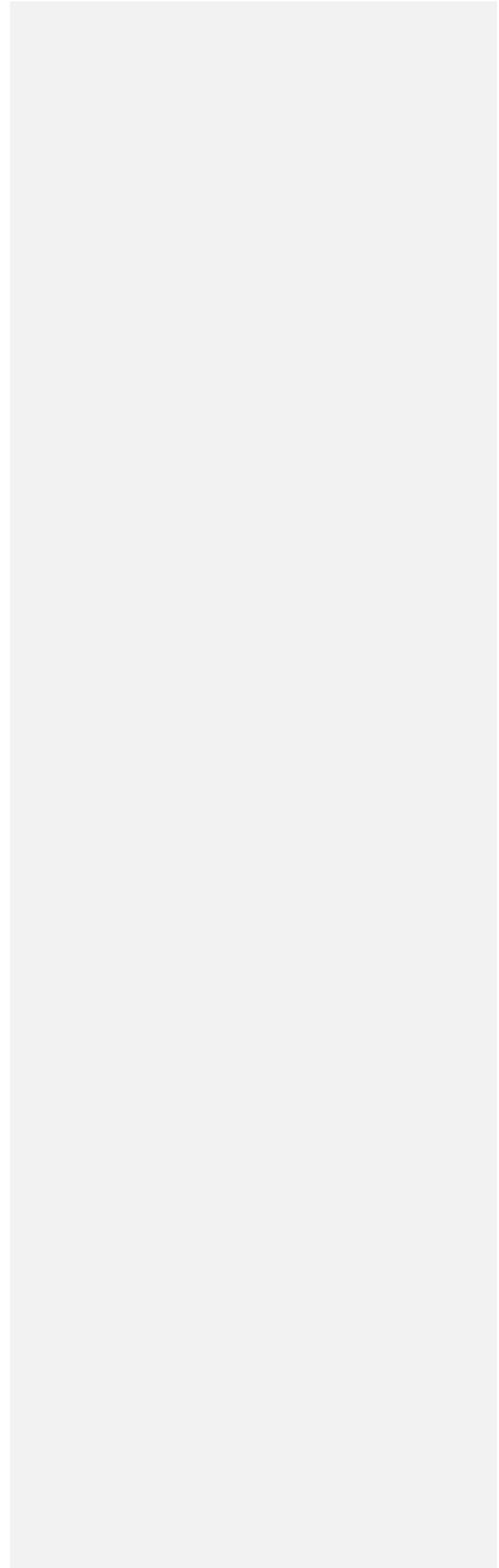
**Scottish Government**  
1N 11, St Andrew's House, Regent Road, Edinburgh, EH1 3DG



[See Enclosure 31 for remainder of email chain]

**Enclosure 33.1 – Attachment: Word document**

[See Enclosure 31.1]



**Enclosure 34 – Email: RE: Key lines for inclusion**

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 07 December 2020 13:13  
**To:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Subject:** RE: Key lines for inclusion

[Redacted s38(1)(b)],

Realise I have come back on the statement separately but a few thoughts noted in here too.

[Redacted s38(1)(b)]

[Redacted s38(1)(b)], Scottish Government, Area 2B North, Victoria Quay, Edinburgh EH6 6QQ. Call: 07[Redacted s38(1)(b)] Email: [Redacted s38(1)(b)]@gov.scot

[Redacted s38(1)(b)]



**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 07 December 2020 12:24  
**To:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Subject:** Key lines for inclusion

Hi all

A starter for key points on the statement/decision tomorrow. Mostly taken from the statement or scance note.

If you could consider and refine and add detail where we have it to go in the pack for tonight please.

Thanks

[Redacted s38(1)(b)]

## **Enclosure 34.1 – Attachment: Word document**

### **Key lines for inclusion**

#### Cancelling exams

There are no right answers, and there is no consensus, however fairness to learners needs to be at the centre of our considerations and decisions.

Unavoidable Covid related disruption to learning means that it is impossible to guarantee that all learners will be in a position to have the best chances of performing to their true potential in exams in the spring.

By cancelling all exams I am seeking to address concerns over wellbeing and anxiety, and deliver certainty to learners, parents and teachers and lecturers.

Assessment of national qualifications needs to be fair. Varied levels of absences, especially proportionately higher levels for learners in lower SIMD areas, makes holding an exam diet difficult.

On balance a teacher based assessment of learner attainment evidence may offer the best approach to delivering fairness, especially when supported by an exceptional circumstances process and an appeals process.

[Redacted – not in scope]



<MinisterFEHES@gov.scot>; Minister for Children and Young People  
<MinisterCYP@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Cabinet  
Secretary for Communities and Local Government <CabSecCLG@gov.scot>; Permanent  
Secretary <PermanentSecretary@gov.scot>; DG Education, Communities & Justice  
<DGECJ@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Director of  
Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>;  
Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Armstrong A (Alan)  
<Alan.Armstrong@educationscotland.gov.scot>; Morrison E (Elizabeth) (Education  
Scotland) <Elizabeth.Morrison2@gov.scot>; Drought A (Andrew)  
<Andrew.Drought@gov.scot>; Anson S (Sam) <Sam.Anon@gov.scot>; Wilson M (Mick)  
<Mick.Wilson@gov.scot>; Macdonald R (Roddy) <Roddy.Macdonald@gov.scot>; Pooley L  
(Linda) Dr <Linda.Pooley@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>;  
[Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted  
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[Redacted s38(1)(b)]@gov.scot>; Communications DFM & Education  
<CommunicationsDFM&Education@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>;  
[Redacted s38(1)(b)]@gov.scot>

**Subject:** Note for the First Minister on 2021 Higher and Advanced Higher Exam Diet

FMPO,

Please find attached a note from the DFM for the First Minister's attention.

The DFM would be grateful for a response this afternoon.

Kind regards

[Redacted s38(1)(b)]  
[Redacted s38(1)(b)] | [Redacted s38(1)(b)] to John Swinney MSP, Deputy First Minister and  
Cabinet Secretary for Education and Skills | The Scottish Government | Web: [www.gov.scot](http://www.gov.scot)  
| Tel: 0131 244 [Redacted s38(1)(b)] | Mob: 07[Redacted s38(1)(b)] | Email:  
DFMCSE@gov.scot

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**Enclosure 35.1 – Attachment: Word document**

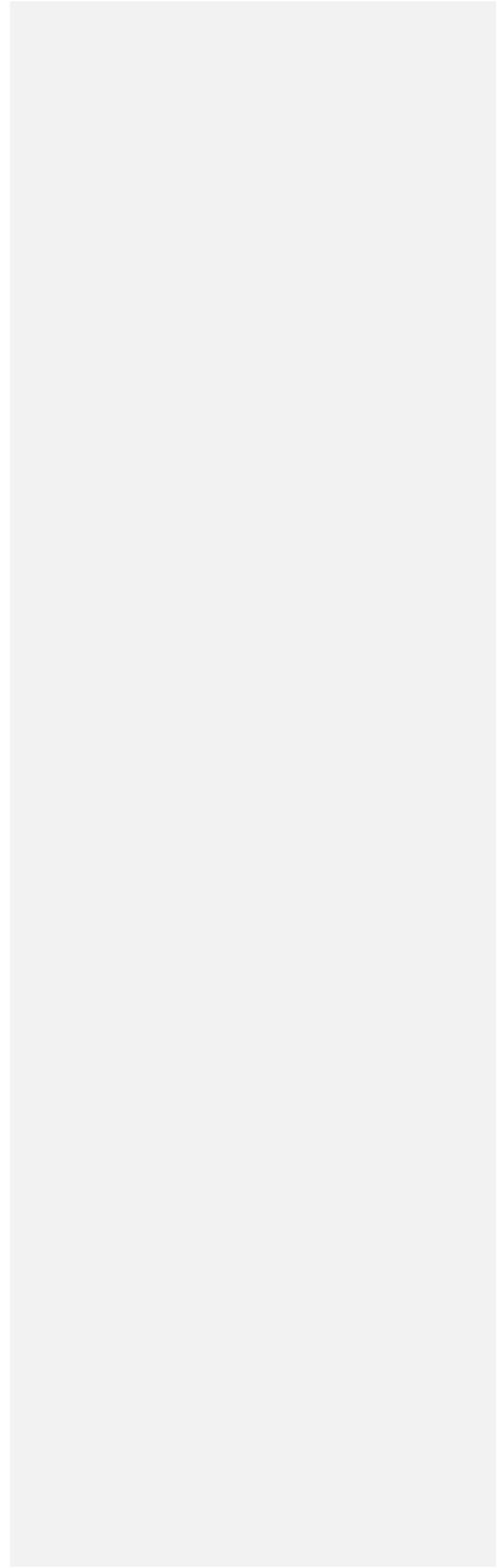
From: Deputy First Minister

First Minister

7 December 2020

[Redacted 29(1)(b)]

**JS**



**Enclosure 36 – Email: FW: Official sensitive: Higher/Advance Higher National Qualifications**

**From:** Johnston P (Paul) <Paul.Johnston@gov.scot>  
**Sent:** 07 December 2020 15:19  
**To:** Permanent Secretary <PermanentSecretary@gov.scot>  
**Cc:** Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>  
**Subject:** FW: Official sensitive: Higher/Advance Higher National Qualifications  
**Importance:** High  
**Sensitivity:** Confidential

Elizabeth

Thanks for this. Grateful if you can ensure Perm Sec's office are kept in the loop. Copying them now.

Paul

**Paul Johnston**  
Director General  
Education, Communities and Justice  
Scottish Government

Tel: 07[Redacted s38(1)(b)]

*I am sending this at a time that works for me. I'm not expecting a reply at a time that doesn't work for you.*

**From:** Morrison E (Elizabeth) (Education Scotland)  
**Sent:** 07 December 2020 14:29  
**To:** Cabinet Secretary for Health and Sport ; Deputy First Minister and Cabinet Secretary for Education and Skills ; DG Health & Social Care ; DG Education, Communities & Justice ; Director of Learning ; Covid-19 Director ; Pentland MK (Malcolm) ; [Redacted s38(1)(b)]@gov.scot ; Chief Medical Officer ; Leitch J (Jason) ; DCMO Health COVID19 ; McQueen F (Fiona) ; Bain MB (Marion) ; McAllister C (Colin) ; Johnston P (Paul)  
**Cc:** [Redacted s38(1)(b)]@gov.scot  
**Subject:** Official sensitive: Higher/Advance Higher National Qualifications  
**Importance:** High  
**Sensitivity:** Confidential

Cabinet Secretary Health and Sport/PO

I wanted to alert you as I understand, very confidentially, that the DFM is going to announce the cancellation of the Higher/Advanced Higher diet of examinations tomorrow. This decision has been made in part on the grounds of disruption to learning as large numbers of senior pupils in some areas have had repeated episodes of self-isolation. I have been asked to seek views from senior clinicians on any public health grounds to support this decision or not (I have done this in a separate email).

[Redacted – not in scope]

Please do not hesitate to get back to me, if I can be of further assistance.

Kindest regards,  
Elizabeth

---

**Elizabeth Morrison** | Deputy Director (Interim) | Learning Directorate | Scottish Government

---

Mobile: 07[Redacted s38(1)(b)]

Address: In line with current advice, I am working from home  
[Redacted s38(1)(b)]

**Enclosure 37 – RE: Draft statement on education**

**From:** [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills

**Sent:** 07 December 2020 16:03

**To:** [Redacted s38(1)(b)]

@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills  
<DFMCSE@gov.scot>

**Cc:** Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Macdonald R (Roddy) <Roddy.Macdonald@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; Anson S (Sam) <Sam.Ansan@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Wilson M (Mick) <Mick.Wilson@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

**Subject:** RE: Draft statement on education for Tuesday

Hi [Redacted s38(1)(b)]

DFM has made some amendments – see attached. DFM would be grateful if officials could check these over and ensure it is all okay.

Grateful for any comments on this version by 7pm tonight please.

Thank you

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]  
[Redacted s38(1)(b)] to DFM  
07[Redacted s38(1)(b)]

**From:** [Redacted s38(1)(b)]@gov.scot>

**Sent:** 07 December 2020 14:41

**To:** Deputy First Minister and Cabinet Secretary for Education and Skills  
<DFMCSE@gov.scot>

**Cc:** Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Macdonald R (Roddy) <Roddy.Macdonald@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; Anson S (Sam) <Sam.Ansan@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Wilson M (Mick) <Mick.Wilson@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin)

<Colin.McAllister@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

**Subject:** Draft statement on education for Tuesday

PO/DFM

To see a draft speech for DFM's statement on education tomorrow. Colin has had sight of this.

A briefing pack will follow.

To also check whether the DFM would like a pre-brief on this today/tomorrow morning?

Thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]

Curriculum, Qualifications and Gaelic - Learning Directorate

Scottish Government

(0131 24) x. [Redacted s38(1)(b)]

email: [Redacted s38(1)(b)]@scotland.gsi.gov.uk

**Enclosure 37.1 – Attachment: Word document**

[Redacted – not in scope]

The challenge after that is the exams.

When I addressed Parliament on 7 October I said that cancelling the N5 diet was a way to secure more time and so enhance the chances of a Higher and Advanced Higher diet proceeding.

Deleted: spoke to the

We had dual priorities of safety and fairness.

If exams were to take place, these had to be made safe and fair to all pupils.

The prospects for public health have been improved immeasurably due to the development of a vaccine but we know that it will unavoidably take time to be rolled out.

Deleted: It is unquestionably the case that t

Deleted: , however

And, already, pupils have lost significant learning time.

First, they lost weeks of teaching time at the end of last year – time when pupils normally start to study for the following year's qualifications.

That has now been compounded by the disruption many have suffered as they were obliged to self-isolate or even saw their school closed.

And, we know that the level of disruption to learners has not been equal.

Almost 40% of those who have missed more than one fifth of school openings for a COVID-related reason in S4 are from our poorest communities.

In S5 it is 33%, and in S6 it is 26%.

And, while we hope that public health will improve in the coming months, we cannot guarantee that there will be no further disruption **to pupils' learning.**

In light of this, the question is less whether we can hold the exams safely in the spring and more whether we can do so fairly.

We have looked carefully at changes that might be made to the exams to mitigate for this potential unfairness.

However, there is no getting around the fact that a significant percentage of our poorest pupils have lost significantly more teaching time than other pupils.

Changing the exams for all does not – [and](#) cannot - address that.

[Redacted – not in scope]

I am therefore announcing today that there will be no Higher or Advanced Higher exams in 2021.

Instead we will adopt the new model that has been developed and base awards on teacher judgement of evidence of learner attainment.

[Redacted – not in scope]

I will **not stake the future of our Highers' pupils** – whether they get a place at college, university, training or work – on a lottery of whether their school was hit by Covid.

Exams would translate that the unequal impact of Covid into unfair results for our poorest pupils.

[Redacted – not in scope]

**Enclosure 38 – Email: RE: Draft statement on education**

**From:** [Redacted s38(1)(b)]@gov.scot>

**Sent:** 07 December 2020 16:34

**To:** [Redacted s38(1)(b)]

@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Macdonald R (Roddy) <Roddy.Macdonald@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; Anson S (Sam) <Sam.Ansongov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Wilson M (Mick) <Mick.Wilson@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

**Subject:** RE: Draft statement on education for Tuesday

**Importance:** High

Hi [Redacted s38(1)(b)]

Just some amendments to a couple of sentences – page 9 of the attached document in track changes mode.

Thanks.

[Redacted s38(1)(b)]

**From:** [Redacted s38(1)(b)]@gov.scot

**Sent:** 07 December 2020 16:21

**To:** Director of Learning; Drought A (Andrew); [Redacted s38(1)(b)]@gov.scot ; Morrison E (Elizabeth) (Education Scotland); Gorman G (Gayle); Director of Advanced Learning and Science; Macdonald R (Roddy); Johnston P (Paul); Anson S (Sam); [Redacted s38(1)(b)]@gov.scot; Pentland MK (Malcolm); [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; Wilson M (Mick); [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; Pooley L (Linda) Dr; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot

**Subject:** RE: Draft statement on education for Tuesday

All

There aren't many changes and they are mostly use of language rather than substantive points.

It looks fine from an exams perspective

I'd welcome views of others by 6pm if possible.

Thanks

[Redacted s38(1)(b)]

[See Enclosure 37 for remainder of email chain]

**Enclosure 38.1 – Attachment: Word document**

[Redacted – not in scope]

The challenge after that is the exams.

When I addressed Parliament on 7 October I said that cancelling the N5 diet was a way to secure more time and so enhance the chances of a Higher and Advanced Higher diet proceeding.

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And, we know that the level of disruption to learners has not been equal.

Almost 40% of those who were not in school for more than one fifth of school openings for a COVID-related reason in S4 are from our poorest communities.

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[Redacted – not in scope]

I am therefore announcing today that there will be no Higher or Advanced Higher exams in 2021.

Instead we will adopt the new model that has been developed and base awards on teacher judgement of evidence of learner attainment.

[Redacted – not in scope]

**I will not stake the future of our Highers' pupils** – whether they get a place at college, university, training or work – on a lottery of whether their school was hit by Covid.

Exams would translate that the unequal impact of Covid into unfair results for our poorest pupils.

[Redacted – not in scope]

**Enclosure 39 – Email: AO Template - Alternative Certification Model for SQA Qualifications - December 2020**

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 07 December 2020 17:05  
**To:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@gov.scot>  
**Subject:** AO Template - Alternative Certification Model for SQA Qualifications - December 2020 - DRAFT (A31114157)

[Redacted s38(1)(b)] and co.

With thanks to [Redacted s38(1)(b)], here's the draft AO for comment and sign off.

[Redacted – not in scope]

Covering email to accompany the template to Paul:

**To: DG**

Further to your discussion with Graeme earlier today, please find attached for your urgent consideration a request for resources to support the delivery of an alternative certification model for Higher and Advanced Higher. The AO template has been prepared with input from Finance colleagues, and requires DG approval before it can be presented to the Deputy First Minister and Cabinet Secretary for Finance simultaneously.

[Redacted – not in scope]

[Redacted s38(1)(b)]

AO Template - Alternative Certification Model for SQA Qualifications - December 2020 - DRAFT

**Enclosure 39.1 – Attachment: Word document**

[Redacted – not in scope]

**Annex A: DECISION MAKING TEMPLATE**

[Redacted – not in scope]

**Policy Questions**

The nature of the request (e.g. recruitment of staff, new infrastructure, IT system changes, etc.), and the expected problem (s) the proposals will mitigate:

On 7 October the Deputy First Minister announced that National 5 exams would be cancelled to create more space for the completion of learning and allow exams for Higher and Advanced Higher courses to take place on a slightly delayed timescale. [Redacted – not in scope]

A commitment was given to provide further clarity on whether the Higher and Advanced Higher exam diet would go ahead by February, or earlier if the evidence supported it. There has continued to be calls for clarity on the 2020/21 Higher and Advanced Higher examination diet. At this exceptional time, the key priority is to ensure a safe and fair approach to assessment for all learners. It is proposed that next year's Higher and Advanced Higher exam diet is cancelled, and replaced with an alternative certification model broadly similar to that developed for National 5 qualifications.

[Redacted – not in scope]

Links to Business Continuity and the preparations as set out in your plan and the priority attached to this activity (if applicable):

Scotland's National Performance Framework sets a vision for an education system that "we can all take part in and which inspires us to reach our potential whatever that may be."

Covid-19 related disruption to learning means that it is impossible to guarantee that all learners will be in a position to have the best chances of performing to their true potential in exams in the spring. Cancelling all exams seeks to address concerns expressed by parents and carers and stakeholders about learners' wellbeing, and delivers certainty to the education system and young people. The priority is to ensure that the assessment of national qualifications is fair and robust to all learners, and that teaching staff are supported to help deliver this process.

The awarding of qualifications allows learners to access the next stage of their learner journey or enter employment.

[Redacted – not in scope]

If already taken forward, why this needed an urgent response and what would have been the impact on the proposal/proposed mitigating action if this was delayed:

A commitment was given to a decision on the Higher and Advanced Higher examination diet by February 2021. There has been significant pressure from stakeholders to provide a clarity before then.

Cancelling the exams now will provide a level of certainty which is needed for learners, allowing greater time for development of clear guidance supporting teachers in gathering and assessing appropriate evidence to determine provisional results, and enabling the maximum amount of time to focus on the effective delivery of an alternative certification model in 2020/21.

[Redacted – not in scope]

[Redacted – not in scope]

**Finance Questions**

[Redacted – not in scope]

Savings Options to Mitigate Spend:

Portfolio	DG	Directorate	What spending is being reduced?	Resource, Capital or Financial Transactions	2020/21 £'000	2022/23 £'000	2023/24 £'000	2024/25 £'000	2025/26 £'000
		Learning	The cancelling of the higher and advanced higher diet will lead to a reduction in costs to SQA, however, these will be offset to some degree by the cost of contingency measures. [Redacted – not in scope]						

What mitigating options/actions have been explored in advance of this proposal to manage or absorb the request, including cutting costs and, reprioritising existing resources and budgets:

Savings should accrue to the SQA budget from the cancellation of the higher and advanced higher diet. These savings will be offset to some degree by the cost of the contingency measure. [Redacted – not in scope]

[Redacted – not in scope]

[Redacted – not in scope]

**Enclosure 40 – Email: Immediate - 2021 Qualifications - Letter to SQA Chief Examiner**

From: Pentland MK (Malcolm) Malcolm.Pentland@gov.scot  
Sent: 07 December 2020 17:45  
To: Deputy First Minister and Cabinet Secretary for Education and Skills DFMCS@gov.scot  
Cc: Minister for Further Education, Higher Education and Science  
<MinisterFEHES@gov.scot>; Minister for Children and Young People  
<MinisterCYP@gov.scot>; DG Education, Communities & Justice <DGECJ@gov.scot>;  
Johnston P (Paul) <Paul.Johnston@gov.scot>; Director of Learning  
<DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>;  
[Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>;  
Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Anson S  
(Sam) <Sam.Akson@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Wilson  
M (Mick) <Mick.Wilson@gov.scot>  
Subject: Immediate - 2021 Qualifications - Letter to SQA Chief Examiner

PS/DFM

Immediate – 2021 Qualifications – Letter to SQA Chief Examiner

Please find attached a draft letter to Fiona Robertson for DFM's consideration that confirms a decision to cancel Higher and Advanced Higher exams and asks that an alternative certification model be put in place.

Thanks  
Malcolm

Malcolm Pentland | Deputy Director  
Curriculum, Qualifications and Gaelic Division | email: malcolm.pentland@gov.scot |  
tel:+44(0) 131 244 0047  
Learning Directorate | Area 2B North | Victoria Quay | Edinburgh | EH6 6QQ  
Buidheann-Stiùiridh an Ionnsachaidh | Raon 2B Tuath | Cidhe Bhictòria | Dùn Èideann | EH6  
6QQ

**Enclosure 40.1 – Attachment: Draft letter to SQA Chief Examiner**

Leas Phrìomh Mhinistear agus Rùnaire a' Chaibineit  
airson Foghlam agus Sgilean  
Deputy First Minister and Cabinet Secretary for  
Education and Skills



Scottish Government  
Riaghaltas na h-Alba  
gov.scot

John Swinney BPA/MSP  
F/T: 0300 244 4000  
E: dfmcse@gov.scot

Fiona Robertson  
Chief Examining Officer  
Scottish Qualifications Authority

By email: [Fiona.robertson@sqa.org.uk](mailto:Fiona.robertson@sqa.org.uk)

December 2020

Dear Fiona

As you know, I have been keeping my decision to proceed with the Higher and Advanced Higher examination diet in 2021 under close review and I am grateful to you for your input on the issue. After careful consideration of the latest position, and the varying views of key partners and stakeholders, I have now reached the conclusion that we should no longer proceed with the Higher and Advanced Higher exam diet. I am, therefore, asking you to cancel the exams at these levels in 2021.

When I took the decision to cancel the National 5 exams in 2021, there was a sound case for prioritising exams for Higher and Advanced Higher courses as exit qualifications for the majority of candidates. However, I have been clear that this decision was subject to it being both safe and fair for learners to sit Higher and Advanced Higher exams.

While the prospects for public health have been improved due to the development of a vaccine, we know that it will unavoidably take time to be rolled out. In the meantime, some learners have lost, and will continue to lose, significant amounts of teaching time. I have paid close attention to what the data tells us about this and it is clear that the level of disruption to learners has not been equal. Young people in our most deprived communities are being disproportionately impacted in terms of the level of teaching time they have had to miss.

Cancelling the exams now will provide a level of certainty to the education system and to our young people. It also allows more time for the development and implementation of an alternative certification model for Higher and Advanced Higher than would be the case if a decision had to be made at a later date.

I am, therefore, asking that the SQA builds on its excellent collaborative work in developing the alternative certification model for National 5 and considers how this is used as the basis for a model for Highers and Advanced Highers this year. In addition, I would be grateful for confirmation that consideration is being given as to how the current exceptional circumstances

process can be adapted for use to support those learners who have suffered the greatest degree of disruption to their learning.

I am very aware of how hard you and colleagues at SQA have been working. I remain very grateful to you and your staff for your endeavour and commitment on these matters.

Yours Sincerely

**JOHN SWINNEY**

**Enclosure 41 – Email: RE: Amendment**

**From:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Sent:** 07 December 2020 18:29  
**To:** Director of Learning <DirectorofLearning@gov.scot>; Anson S (Sam) <Sam.Anon@gov.scot>; [Redacted s38(1)(b)]@gov.scot  
**Cc:** Drought A (Andrew) <Andrew.Drought@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>  
**Subject:** RE: Amendment

Sam

If after tomorrow's statement, I'd suggest the following changes:

“welcomes the announcements that National 5, Higher and Advanced Higher exams will be replaced by an alternative certification models and acknowledges that additional financial support has been put in place to for those teachers and lecturers helping enable the certification to take place.”

Malcolm

**From:** Logan G (Graeme) **On Behalf Of** Director of Learning  
**Sent:** 07 December 2020 18:25  
**To:** Anson S (Sam) ; Pentland MK (Malcolm) ; [Redacted s38(1)(b)]@gov.scot  
**Cc:** Drought A (Andrew) ; Morrison E (Elizabeth) (Education Scotland)  
**Subject:** RE: Amendment

Hi Sam

When is the amendment lodged and shared with the opposition? If it is before the statement at 1430 tomorrow then that will be a problem. Thanks, Graeme.

**From:** Anson S (Sam) <Sam.Anon@gov.scot>  
**Sent:** 07 December 2020 18:22  
**To:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot  
**Cc:** Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>  
**Subject:** RE: Amendment

Malcolm / [Redacted s38(1)(b)],

Just checking you guys are ok with what is proposed here?

Sam

Sam Anson | Improvement, Attainment and Wellbeing Division| Learning Directorate | 07[Redacted s38(1)(b)]

**From:** McAllister C (Colin) <Colin.McAllister@gov.scot>  
**Sent:** 07 December 2020 18:14

**To:** Anson S (Sam) <Sam.Anon@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>  
**Subject:** Amendment

Sam, Andy

Here's my draft amendment:

**S5M-23629 Jamie Greene: Responding to Parliamentary Will and Calls for Clarity in Education**— That the Parliament notes the outcome of the debate on motion S5M-23385 (Safe Schools) on 18 November 2020 and reasserts its support for this; expresses disappointment that the Scottish Government has not presented proposals in response to the motion; calls on it to deliver at least 2,000 additional full-time teachers to fill the vacancy shortfall and to bring forward proposals to provide free school lunches and breakfasts for all primary pupils, to take effect from the start of the next financial year, and further calls on it to make a decisive and final decision regarding the 2021 Higher exam diet and to provide further support, before the Christmas holidays, to teachers, headteachers and local authorities by providing comprehensive guidance on the processes of assessment, moderation and appeals of all Higher level and National 5 awards.

Delete from “notes the outcome” and insert:

“welcomes the announcements that National 5, Higher and Advanced Higher exams will be replaced by an alternative certification model and acknowledges that additional financial support has been put in place to enable the certification to take place.”

Regards

**Colin McAllister**  
0131 244 3248  
07[Redacted s38(1)(b)]



Scottish Ministers, Special advisers and the Permanent Secretary to the Scottish Government are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot).

**Enclosure 42 – Email: RE: Draft statement on education for Tuesday**

**From:** [Redacted s38(1)(b)]@gov.scot>

**Sent:** 07 December 2020 18:48

**To:** Deputy First Minister and Cabinet Secretary for Education and Skills  
<DFMCSE@gov.scot>

**Cc:** Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew)  
<Andrew.Drought@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Morrison E (Elizabeth)  
(Education Scotland) <Elizabeth.Morrison2@gov.scot>; Gorman G (Gayle)  
<Gayle.Gorman@educationscotland.gov.scot>; Director of Advanced Learning and Science  
<DirectorofAdvancedLearningandScience@gov.scot>; Macdonald R (Roddy)  
<Roddy.Macdonald@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; Anson S  
(Sam) <Sam.Ansan@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm)  
<Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>; Wilson M (Mick) <Mick.Wilson@gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pooley L (Linda) Dr  
<Linda.Pooley@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin)  
<Colin.McAllister@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

**Subject:** RE: Draft statement on education for Tuesday

Thanks [Redacted s38(1)(b)]

I accepted those changes, and there are a few small changes suggested in this version.

[Redacted s38(1)(b)]

[See Enclosure 37 for remainder of email chain]

**Enclosure 42.1 - Attachment: Word document**

[Redacted – not in scope]

The challenge after that is the exams.

When I addressed Parliament on 7 October I said that cancelling the N5 diet was a way to secure more time and so enhance the chances of a Higher and Advanced Higher diet proceeding.

We had dual priorities of safety and fairness.

If exams were to take place, these had to be made safe and fair to all pupils.

The prospects for public health have been improved immeasurably due to the development of a vaccine but we know that it will unavoidably take time to be rolled out.

And, already, pupils have lost significant learning time.

First, they lost weeks of teaching time at the end of last year – time **when pupils normally start to study for the following year's qualifications.**

That has now been compounded by the disruption many have suffered as they were obliged to self-isolate, had to learn from home or even saw their school closed.

And, we know that the level of disruption to learners has not been equal.

Almost 40% of those who were not in school for more than one fifth of school openings for a COVID-related reason in S4 are from our poorest communities.

Deleted: have missed

In S5 it is 33%, and in S6 it is 26%.

And, while we hope that public health will improve in the coming months, we cannot guarantee that there will be no further disruption to pupils' learning.

In light of this, the question is less whether we can hold the exams safely in the spring and more whether we can do so fairly.

We have looked carefully at changes that might be made to the exams to mitigate for this potential unfairness.

However, there is no getting around the fact that a significant percentage of our poorest pupils have lost significantly more teaching time than other pupils.

Changing the exams for all does not – and cannot - address that.

[Redacted – not in scope]

I am therefore announcing today that there will be no Higher or Advanced Higher exams in 2021.

Instead we will adopt the new model that has been developed and base awards on teacher judgement of evidence of learner attainment.

[Redacted – not in scope]

**I will not stake the future of our Highers' pupils** – whether they get a place at college, university, training or work – on a lottery of whether their school was hit by Covid.

Exams would translate that the unequal impact of Covid into unfair results for our poorest pupils.

[Redacted – not in scope]





leavers attaining vocational qualifications at SCQF 5 and above, including a significant expansion of Foundation Apprenticeships, from 7.3% in 2013-14 to 17.1% in 2018/19.

“Our mission to reduce the poverty-related attainment gap remains central to our plans. That is why we are investing £182 million through the Attainment Scotland Fund this year, with a commitment to extend the programme into next year. We are also investing £25 million to support digital inclusion amongst disadvantaged children and young people.”

#### **Background**

Scotland's nationally available digital platform Glow offers access to a wide range of digital learning services. These include the National e-Learning Offer from Education Scotland, e-Sgoil, local authorities and other partners, which includes live online sessions and after-school interactive Study Support webinar sessions through e-Sgoil, with over 7000 registrations for webinars from young people across all local authorities in Scotland.

ends

#### **GREENS / CONS RMRKS**

---

Ross Greer MSP said:

“Young people have already lost a huge amount of in-person teaching this year, with thousands losing more every day due to the pandemic and the need to self-isolate.

“One in four S4-S6 pupils has experienced a covid related absence, with some having missed six or more weeks, whilst others have been fortunate enough to avoid this completely. There is simply no fair way for all of these young people sit the same exam in May as if they've had an equal opportunity to prepare for it.

“Young people have experienced enough stress and anxiety in 2020 to last a lifetime and, as is often the case, it is those from the most deprived communities who have been affected the most by covid-related disruption.

“It's been clear for some time that the 2021 exams cannot take place in a fair manner. The education secretary must listen to teachers, pupils and parents, accept this reality and put alternative arrangements in place immediately.”

### **Subject choice in schools limited even further**

**Scottish Conservative and Unionist Party press office**

**Monday, 07 December, 2020**

**FAO: all newsdesks**

**Embargo: for immediate release**

The SNP have limited subject choice even further in Scotland's schools in the last academic year, the Scottish Conservatives have revealed.

New data shows that since the Curriculum for Excellence was introduced, pupils are sitting fewer exams at S5 in 31 of 32 local authorities.

The Freedom of Information Request made by the party highlights that 266 schools, 74 per cent of secondary schools in Scotland, saw the number of subjects pupils entered fall.

Shadow Education Secretary Jamie Greene is set to lead his party in a debate on Wednesday in parliament highlighting the SNP's significant failures during their 13 years in charge of Scotland's education system, including the lack of decisive decision making during the pandemic.

The limited subject choice for pupils, particularly those from poorer backgrounds, comes despite First Minister Nicola Sturgeon claiming that education is her number one priority.

**Commenting, Scottish Conservative shadow education secretary Jamie Greene said:** "Under the SNP, subject choice continues to reduce year on year and we know that it will be pupils from poorer backgrounds suffering the most.

"Scottish pupils are being denied opportunities to study the subjects they want. Their future opportunities are being limited by the SNP, and that should be a source of shame for the education secretary.

"He's presided over failure after failure in our education sector and that's why we will be using our party business this week to highlight the problems in our schools he's not fixing in our schools right now, and over the last 13 years.

"Nicola Sturgeon never tires of saying education is her number one priority, but the SNP have cut down on subject choice and failed to close the attainment gap."

**Notes:** The FOI and the response from the Scottish Government are attached

**ENDS**

#### **DAILY MAIL QUERY & NEWS RELEASE**

On this one, I'd like to know if there is any prospect of a tutoring plan – or some form of help for youngsters who will be sitting exams after missing out on teaching time due to Covid?

Is this something the government is looking at?

## **UsForThem Scotland**

### **Calls for tutoring plan to keep exams on track**

**Monday, December 7, 2020**

**Embargo: for immediate release**

-----  
A parents campaign group has called for the Scottish Government to launch a tutoring plan to keep the 2021 exam diet on track

The Scottish Government previously committed to running next year's Higher and Advanced Higher tests, but has come under increasing pressure to cancel them

Now UsForThem Scotland have asked ministers to spend the next month organising a national tutoring plan for S4-S6 pupils to ensure fairness across the system

Those who have missed weeks of schooling through isolation would be among those who would stand to benefit

Parents said the 'Aim Higher' campaign would enable children to have some normality back to the school year after the chaos of 2020

The group, which has more than 12,000 members across Scotland, added that the government could call on the help of retired teachers, newly-qualified recruits and talented students to help run the scheme

**Jo Bisset, organiser for UsForThem Scotland, said:**

"It's absolutely essential that the exams go ahead this year in a fair and efficient way

"This doesn't have to be difficult – it just requires some political will and a can-do attitude

"Of course no child should be going into those tests at a disadvantage, so now is the time for the Scottish Government to come up with ways of addressing that in advance

"As the education secretary said last week, the vast majority of pupils have not experienced disruption to their schooling and should therefore be able to go into an exam diet fully prepared

"For those who have been forced to miss classtime, the national tutoring programme would help catch them up

"If this pandemic has proved anything it's that money isn't an object for government when something really has to be done

"We have thousands of retired and newly-qualified teachers and talented students who, in the right circumstances, would be willing to help

"Ministers should spend the next month making this happen to ensure this generation of children do not have their wellbeing or education harmed any further "

ENDS

**HERALD QS**

- 1) The Scottish Conservatives have out the attached FoI, claiming that a reduction in average entries per S5 pupil indicates subject choices for pupils have narrowed. How would the Scottish Government respond to this claim and to the party's assertion that it is an example of failure in the government's management of Scottish education?
- 2) The Scottish Greens have put out a statement ahead of John Swinney's Holyrood statement tomorrow, calling on him to confirm that next year's Highers and Advanced Highers will be cancelled (statement copied below). How would the Scottish Government respond to the claim that, given Covid-related absence from school, which has affected some pupils much more than others, it would be unfair to hold national exams next year? Can the Scottish Government confirm tomorrow's statement – which I understand will be about arrangements for university students – will include an update on Highers/Advanced Highers?

Many thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]

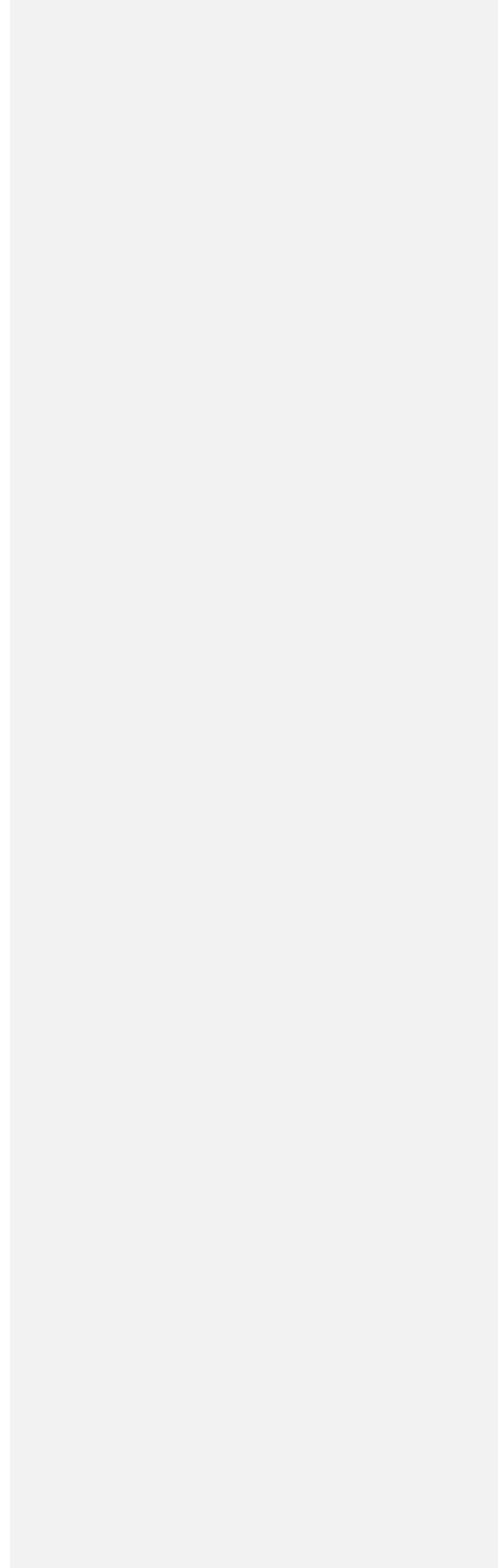
m: 07[Redacted s38(1)(b)]

[Redacted s38(1)(b)] | Newsdesk

Scottish Government

**Enclosure 43.1 – Attachments: FOI 202000103109 response and spreadsheet**

[Redacted s25(1) – <https://www.gov.scot/publications/foi-202000103109/>]



**Enclosure 44 – Email: RE: AO support**

**From:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Sent:** 07 December 2020 20:10  
**To:** [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>  
**Subject:** RE: AO support

Thanks [Redacted s38(1)(b)], looks good. I have tracked a few changes to consider but nothing very substantial.  
Malcolm

**From:** [Redacted s38(1)(b)]@gov.scot  
**Sent:** 07 December 2020 20:00  
**To:** Director of Learning ; Pentland MK (Malcolm)  
**Subject:** AO support

To see a proposed note for DFM to send to Ms Forbes. I'll put it into a letter template.

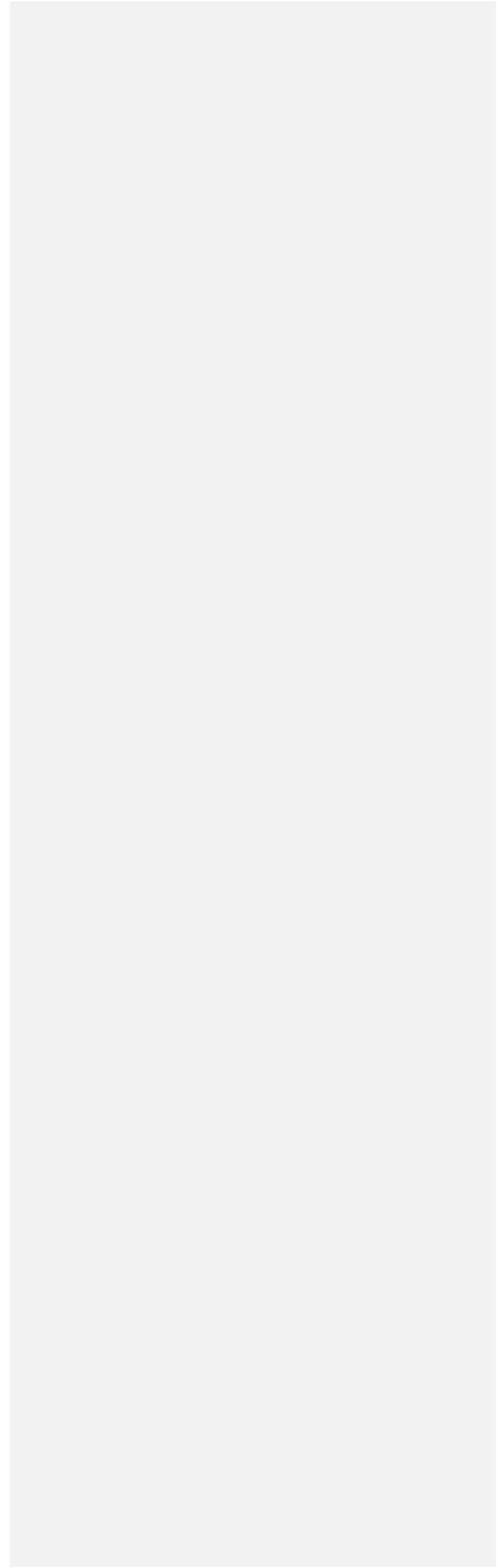
Happy to take any comments.

Thanks

[Redacted s38(1)(b)]

**Enclosure 44.1 – Attachment: Word document**

[Redacted s29(1)(b)]





Please find attached a draft letter to Fiona Robertson for DFM's consideration that confirms a decision to cancel Higher and Advanced Higher exams and asks that an alternative certification model be put in place.

Thanks  
Malcolm

**Malcolm Pentland** | Deputy Director

Curriculum, Qualifications and Gaelic Division | email: malcolm.pentland@gov.scot | tel:+44(0) 131 244 0047

Learning Directorate | Area 2B North | Victoria Quay | Edinburgh | EH6 6QQ

Buidheann-Stiùiridh an Ionnsachaidh | Raon 2B Tuath | Cidhe Bhictòria | Dùn Èideann | EH6 6QQ

## Enclosure 45.1 – Attachment: PDF

Leas Phrìomh Mhinistear agus Bùaire a' Ehaibneit  
airson Foghlam agus Sgilean  
Deputy First Minister and Cabinet Secretary for  
Education and Skills



Scottish Government  
Riaghaltas na h-Alba  
gov.scot

John Swinney BPA/MSP  
F/T: 0300 244 4000  
E: dfmce@gov.scot

Fiona Robertson  
Chief Examining Officer  
Scottish Qualifications Authority

By email: [Fiona.robertson@sqa.org.uk](mailto:Fiona.robertson@sqa.org.uk)

7 December 2020

Dear Fiona

As you know, I have been keeping my decision to proceed with the Higher and Advanced Higher examination diet in 2021 under close review and I am grateful to you for your input on the issue. After careful consideration of the latest position, and the varying views of key partners and stakeholders, I have now reached the conclusion that we should no longer proceed with the Higher and Advanced Higher exam diet. I am, therefore, asking you to cancel the exams at these levels in 2021.

When I took the decision to cancel the National 5 exams in 2021, there was a sound case for prioritising exams for Higher and Advanced Higher courses as exit qualifications for the majority of candidates. However, I have been clear that this decision was subject to it being both safe and fair for learners to sit Higher and Advanced Higher exams.

While the prospects for public health have been improved due to the development of a vaccine, we know that it will unavoidably take time to be rolled out. In the meantime, some learners have lost, and will continue to lose, significant amounts of teaching time. I have paid close attention to what the data tells us about this and it is clear that the level of disruption to learners has not been equal. Young people in our most deprived communities are being disproportionately impacted in terms of the level of teaching time they have had to miss.

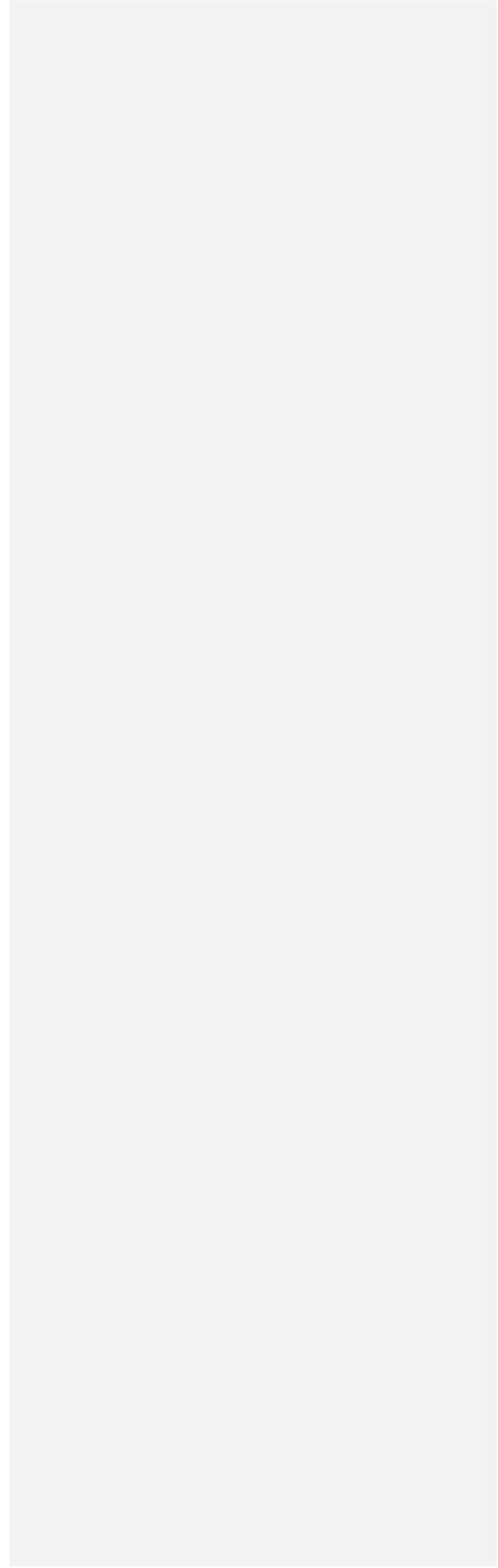
Cancelling the exams now will provide a level of certainty to the education system and to our young people. It also allows more time for the development and implementation of an alternative certification model for Higher and Advanced Higher than would be the case if a decision had to be made at a later date.

I am, therefore, asking that the SQA builds on its excellent collaborative work in developing the alternative certification model for National 5 and considers how this is used as the basis for a model for Highers and Advanced Highers this year. In addition, I would be grateful for confirmation that consideration is being given as to how the current exceptional circumstances process can be adapted for use to support those learners who have suffered the greatest degree of disruption to their learning.

I am very aware of how hard you and colleagues at SQA have been working. I remain very grateful to you and your staff for your endeavour and commitment on these matters.



**JOHN SWINNEY**



**Enclosure 46 – Email: FW: Draft statement on education**

**From:** Johnston P (Paul) <Paul.Johnston@gov.scot>  
**Sent:** 07 December 2020 22:24  
**To:** Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@gov.scot; Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>  
**Subject:** FW: Draft statement on education for Tuesday

Thanks to [Redacted s38(1)(b)] for drafting this.

Grateful for sight of the draft Accountable Officer template.

[Redacted – not in scope]

I would be happy to discuss further with the DFM at any stage.

Paul

**Paul Johnston**  
Director General  
Education, Communities and Justice  
Scottish Government

Tel: 07[Redacted s38(1)(b)]

**From:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Sent:** 07 December 2020 20:30  
**To:** [Redacted s38(1)(b)]@gov.scot; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>  
**Cc:** DG Education, Communities & Justice <DGECJ@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>  
**Subject:** RE: Draft statement on education for Tuesday

Thanks [Redacted s38(1)(b)], adding Perm Sec mailbox.  
Malcolm

**From:** [Redacted s38(1)(b)]@gov.scot  
**Sent:** 07 December 2020 20:28  
**To:** Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Cc:** DG Education, Communities & Justice <DGECJ@gov.scot>  
**Subject:** RE: Draft statement on education for Tuesday

Hi [Redacted s38(1)(b)]

To see a proposed note for the DFM to send to Ms Forbes as requested.

Officials will push to get the AO template completed as quickly as possible tomorrow morning.

Happy to discuss.

[Redacted s38(1)(b)]

**From:** [Redacted s38(1)(b)]@gov.scot **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills

**Sent:** 07 December 2020 19:30

**To:** Johnston P (Paul) <Paul.Johnston@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Anson S (Sam) <Sam.Ansen@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; Wilson M (Mick) <Mick.Wilson@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot

**Cc:** DG Education, Communities & Justice <DGECJ@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>

**Subject:** RE: Draft statement on education for Tuesday

All

DFM would like a note to send to Ms Forbes tonight which sets the commitment against the fact that we will not be paying SQA marker fees so it is not essentially a new financial commitment.

I would be grateful for confirmation that this has been picked up.

Many thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)][Redacted s38(1)(b)] to DFM

07 [Redacted s38(1)(b)]

**From:** Johnston P (Paul) <Paul.Johnston@gov.scot>

**Sent:** 07 December 2020 18:03

**To:** [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Anson S (Sam) <Sam.Ansen@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; Wilson M (Mick) <Mick.Wilson@gov.scot>; @gov.scot; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>; @gov.scot; @gov.scot

**Cc:** DG Education, Communities & Justice <DGECJ@gov.scot>; Deputy First Minister and

Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>

**Subject:** RE: Draft statement on education for Tuesday

[Redacted s38(1)(b)]

I don't think there is anything to stop DFM sending a short note to Ms Forbes dealing with the issues in principle.

The detailed underpinning work can be completed by officials in the background, with any issues arising from that being brought to the immediate attention of Ministers.

Paul

**From:** [Redacted s38(1)(b)]@gov.scot

**Sent:** 07 December 2020 17:57

**To:** Johnston P (Paul) <Paul.Johnston@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Anson S (Sam) <Sam.Ansan@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; Wilson M (Mick) <Mick.Wilson@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot

**Cc:** DG Education, Communities & Justice <DGECJ@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>

**Subject:** RE: Draft statement on education for Tuesday

Thanks Paul

We've been advised by finance that the current process is that the AO template now acts as the submission for Ms Forbes and the DFM. If we can't get sign off on the AO tonight, we could do a light version to alert Ms Forbes and DFM to it arriving tomorrow.

[Redacted s38(1)(b)]

**From:** Johnston P (Paul) <Paul.Johnston@gov.scot>

**Sent:** 07 December 2020 17:51

**To:** [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Anson S (Sam) <Sam.Ansan@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; Wilson M (Mick) <Mick.Wilson@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot

**Cc:** DG Education, Communities & Justice <DGECJ@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>

**Subject:** RE: Draft statement on education for Tuesday

Thanks [Redacted s38(1)(b)].

Are we also providing DFM with a note to send to Ms Forbes? If this isn't already in train then grateful if colleagues in DFM's office could confirm whether he'd like to send a note today.

Paul

**From:** [Redacted s38(1)(b)]@gov.scot  
**Sent:** 07 December 2020 17:48  
**To:** Johnston P (Paul) <Paul.Johnston@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Anson S (Sam) <Sam.Ansan@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; Wilson M (Mick) <Mick.Wilson@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot  
**Cc:** DG Education, Communities & Justice <DGECJ@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>  
**Subject:** RE: Draft statement on education for Tuesday

Thanks Paul

We've been working with finance colleagues and are developing the AO template. FBP will need to agree this before it can progress to you. Hopefully we will be able to secure this before close.

[Redacted s38(1)(b)]

**From:** Johnston P (Paul) <Paul.Johnston@gov.scot>  
**Sent:** 07 December 2020 17:36  
**To:** [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Anson S (Sam) <Sam.Ansan@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; Wilson M (Mick) <Mick.Wilson@gov.scot>; [Redacted s38(1)(b)]@gov.scot; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot  
**Cc:** DG Education, Communities & Justice <DGECJ@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>  
**Subject:** RE: Draft statement on education for Tuesday

Colleagues

Can I have an update on where we have got to with the Accountable Officer issues involved in this please before the policy is finalised.

Have we established that this is affordable and represents value for money? Have we also obtained clearance from finance colleagues and the Cabinet Secretary for Finance?

Thanks

Paul

**Paul Johnston**  
Director General  
Education, Communities and Justice  
Scottish Government

Tel: 07[Redacted s38(1)(b)]

[See Enclosure 38 for remainder of email chain]

**Enclosure 47 – Briefing for Deputy First Minister**

Engagement	<b>DFM Statement on Education</b>
Venue	Scottish Parliament
Date and Time	Tuesday 8 December Time: 1420
Event Programme	John Swinney, Deputy First Minister and Cabinet Secretary for Education
Main message	<i>Update on [Redacted – not in scope] Higher/Advanced Higher exams</i>
<p>Key messages in the speaking note will be:</p> <p>[Redacted – not in scope]</p> <p>5) Announcement re higher/advanced higher diet, outline of how the ACM will work, thanks to SQA and partners for co-creating the model</p> <p>Speaking note prepared separately by [Redacted s38(1)(b)].</p>	
Briefing Officer	[Redacted s38(1)(b)] CERG Secretariat, Learning Directorate

**DFM STATEMENT ON EDUCATION - 8 DEC 2020  
BRIEFING PACK CONTENTS**

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[Redacted – not in scope]	
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SQA Exams - FMQ Note (updated 8/12)	24

## **SPEAKING NOTE TOPICS**

### **Higher/Advanced Higher Exams – Key Information – 08-12-20**

#### **Cancelling exams**

- There are no right answers, and there is no consensus, however fairness to learners needs to be at the centre of our considerations and decisions.
- Unavoidable Covid related disruption to learning means that it is impossible to guarantee that all learners will be in a position to have the best chances of performing to their true potential in exams in the spring.
- By cancelling all exams I am seeking to address concerns over wellbeing and anxiety, and deliver certainty to learners, parents and teachers and lecturers.
- Assessment of national qualifications needs to be fair. Varied levels of absences, especially proportionately higher levels for learners in lower SIMD areas, makes holding an exam diet difficult.
- On balance a teacher based assessment of individual learner attainment evidence may offer a better approach to delivering fairness, especially when supported by an exceptional circumstances process and an appeals process.

[Redacted – not in scope]

#### **Background Information**

#### **Key Stakeholder views on Announcement**

##### **ADES**

- [Redacted – not in scope]
- [Redacted s30(b)(ii)]
- [Redacted – not in scope]

[Redacted – not in scope]

**ISSUE 6-7 December:** Media articles in response to release from Scottish Labour calling for next year's Higher and Advanced Higher exams to be cancelled.

[Redacted – not in scope]

**ISSUE 5 December:** Sun and Press & Journal report on Deputy First Minister's comments that the impact of disruption on pupils in deprived areas "weighs heavily" on decisions around holding Higher exams next year.

**ISSUE 4 December:** Media articles following calls from Greens and Lib Dem to cancel next year's Higher and Advanced Higher exams.

[Redacted – not in scope]

**ISSUE 28-29 November:** Herald and Scotsman reports on the timing for a decision on the holding of Higher and Advanced Higher exams may be made this week (w/c 30 Nov) following discussions at the Covid-19 Education Recovery Group.

**ISSUE 28 November:** Herald, Daily Mail and The Times report on National Parent Forum Scotland survey results which suggests that 'a majority of parents believe exams for Higher and Advanced Higher should be cancelled next year' and that a decision on whether to cancel should be made before Christmas.

[Redacted – not in scope]

## **TOP LINES**

- There are no right answers, and there is no consensus, however fairness to learners needs to be at the centre of our considerations and decisions.
- Unavoidable Covid-19 related disruption to learning means that it is impossible to guarantee that all learners will be in a position to have the best chances of performing to their true potential in exams in the spring.
- By cancelling all exams I am seeking to address concerns over wellbeing and anxiety, and deliver certainty to learners, parents and teachers and lecturers.
- The assessment of national qualifications needs to be fair. Varied levels of absences, especially proportionately higher levels for learners in lower SIMD areas, makes holding an exam diet difficult.
- On balance a teacher based assessment of learner attainment evidence may offer the best approach to delivering fairness, especially when supported by an exceptional circumstances process and an appeals process.

[Redacted – not in scope]

## **Cancelling the exams now will provide a level of certainty to the education system and to our young people.**

- I have been keeping my decision to proceed with the Higher and Advanced Higher examination diet in 2021 under close review.
- I have been clear that any decision was subject to it being both safe and fair for learners to sit Higher and Advanced Higher exams.
- Taking into account the latest position and the varying views of stakeholders, I have asked SQA to cancel Higher and Advanced Higher examinations in 2021.

- The removal of the exam diet allows a greater time for the development of clear guidance supporting teachers in gathering and assessing appropriate evidence.

[Redacted – not in scope]

**In recognition of the additional workload of assessment of National Qualifications in 2021, I am supporting calls for additional resource to meet the requirements of the new assessment approach.**

- These are exceptional times and the system needs to work together to ensure that the hard work of learners can be fairly assessed and recognised.
- There will be a one off exceptional payment to support all teachers and lecturers delivering and marking National 5, Higher and Advanced Higher courses this year, in the absence of exams.

[Redacted – not in scope]

**Enclosure 48 – Email: RE: Higher/Advanced Higher Examination diet**

**From:** [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills  
**Sent:** 08 December 2020 07:43  
**To:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>  
**Cc:** DG Education, Communities & Justice <DGECJ@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>  
**Subject:** RE: Official sensitive: Higher/Advanced Higher Examination diet  
**Sensitivity:** Confidential

Morning Malcolm

DFM has noted.

Thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]  
[Redacted s38(1)(b)] to DFM  
07 [Redacted s38(1)(b)]

**From:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Sent:** 07 December 2020 20:43  
**To:** Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>  
**Cc:** DG Education, Communities & Justice <DGECJ@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>  
**Subject:** FW: Official sensitive: Higher/Advanced Higher Examination diet  
**Sensitivity:** Confidential

PS/DFM

DFM will wish to see the collective advice below from CMO, CNO and NCD in relation to the decision on Higher and Advanced Higher exams.

Thanks  
Malcolm

**From:** McQueen F (Fiona) [Redacted s38(1)(b)] @gov.scot>  
**Sent:** 07 December 2020 17:19  
**To:** Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Chief Medical Officer <CMO@gov.scot>; Leitch J (Jason) [Redacted s38(1)(b)] @gov.scot>; DCMO Health COVID19 <DCMOHealth.COVID19@gov.scot>; Bain MB (Marion) [Redacted s38(1)(b)] @gov.scot>

**Cc:** Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot  
**Subject:** RE: Official sensitive: Higher/Advanced Higher Examination diet  
**Sensitivity:** Confidential

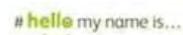
Elizabeth – Jason, Gregor and Marion and I have reflected and discussed, and whilst the matter for delaying exams are a matter of education policy we do have a view on how COVID-19 may impact on senior phase students in schools.

From reviewing the picture over the autumn term it has been clear that senior phase students and also teachers have had to be absent from school in order to self-isolate. Over the remainder of the winter and the spring it is likely that there will continue to be further cases of self-isolation of both teachers and senior pupils which may of course impact on educational delivery.

I hope this is helpful

Best wishes

Fiona

 #helle my name is...

**Fiona McQueen** | Chief Nursing Officer |

Chief Nursing Officer's Directorate | Scottish Government | 1E.14 St Andrew's House |  
Regent Road | Edinburgh | EH1 3DG | ☎ 0131 244 [Redacted s38(1)(b)] | 📞 07[Redacted s38(1)(b)]  
✉ @gov.scot

follow me on twitter @FionaCMcQueen

**From:** Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>  
**Sent:** 07 December 2020 12:39  
**To:** Chief Medical Officer <CMO@gov.scot>; Leitch J (Jason) [Redacted s38(1)(b)]@gov.scot>; McQueen F (Fiona) [Redacted s38(1)(b)]@gov.scot>; DCMO Health COVID19 <DCMOHealth.COVID19@gov.scot>; Bain MB (Marion) [Redacted s38(1)(b)]@gov.scot>  
**Cc:** Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Subject:** Official sensitive: Higher/Advanced Higher Examination diet  
**Importance:** High  
**Sensitivity:** Confidential

Dear Gregor/Jason/Fiona/Marion

I understand, very confidentially, that the DFM is going to announce the cancellation of the Higher/Advanced Higher diet of examinations tomorrow. This decision has been made in part on the grounds of disruption to learning as large numbers of senior pupils in some areas have had repeated episodes of self-isolation. We would appreciate an updated view from you on any public health grounds to support this decision or not.

I have therefore been asked to seek your views urgently from a health perspective, which I can share with the DFM and colleagues.

As you may be aware there was a confidential leak (from CoSLA) of information recently and DFM is very keen to ensure the confidential nature of this announcement.

Many thanks

Warmest wishes,  
Elizabeth

---

**Elizabeth Morrison** | Deputy Director (Interim) | Learning Directorate | Scottish Government

---

Mobile: 07[Redacted s38(1)(b)]

Address: In line with current advice, I am working from home  
[Redacted s38(1)(b)]

**Enclosure 49 – Email: FW: Draft statement on education for Tuesday**

**From:** Johnston P (Paul) <Paul.Johnston@gov.scot>  
**Sent:** 08 December 2020 09:11  
**To:** Permanent Secretary <PermanentSecretary@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Chief Financial Officer <cfo@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Cc:** DG Education, Communities & Justice <DGECJ@gov.scot>  
**Subject:** FW: Draft statement on education for Tuesday

Colleagues

Following the discussion that Graeme and I have just had with the DFM we are working on an alternative formulation for today's speech [Redacted – not in scope]

Paul

**Paul Johnston**  
Director General  
Education, Communities and Justice  
Scottish Government

Tel: 07[Redacted s38(1)(b)]

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 08 December 2020 08:37  
**To:** Johnston P (Paul) <Paul.Johnston@gov.scot>  
**Cc:** Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>  
**Subject:** RE: Draft statement on education for Tuesday

Morning all

With apologies for the delay I've been trying to resolve some comments from finance colleagues

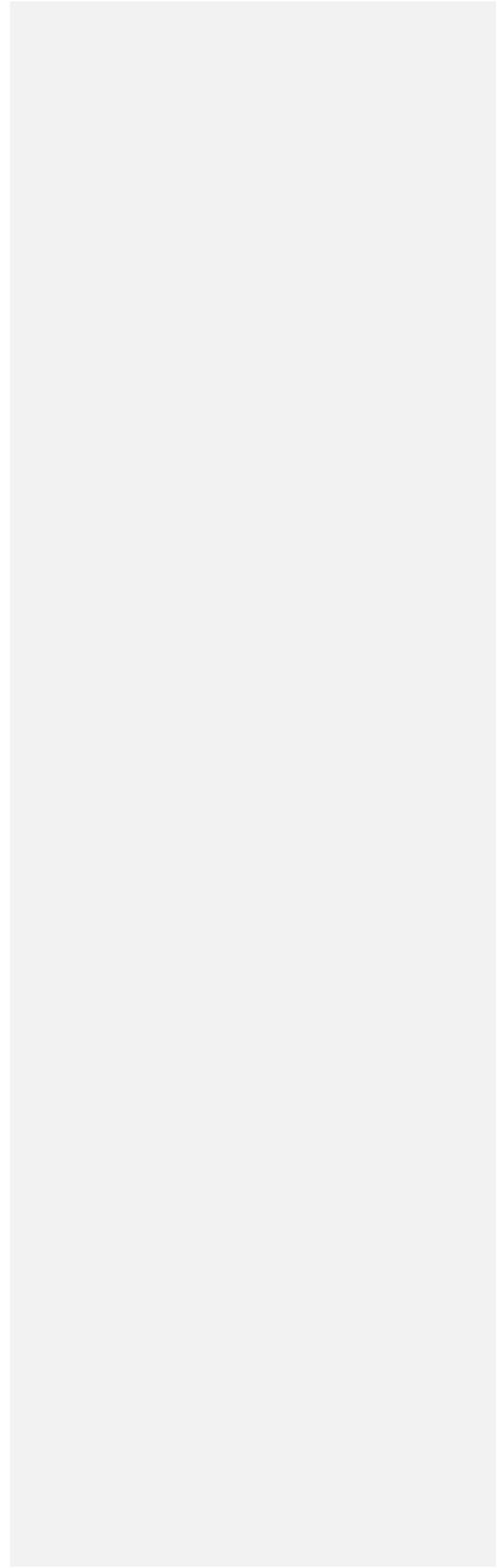
Please see a near final version of the AO template.

Thanks

[Redacted s38(1)(b)]

**Enclosure 49.1 – Attachment: Word document**

[See Enclosure 39.1]



**Enclosure 50 – Email: RE: Urgent: Call at 0840**

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 08 December 2020 09:45  
**To:** Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>  
**Subject:** RE: Urgent: Call at 0840

DFM statement 8 December 2020 - Key NQ lines for inclusion - draft (A31111099)

Graeme,

Apologies if you are already in receipt but here are the key NQ lines for inclusion in the briefing pack.

[Redacted s38(1)(b)]

[Redacted s38(1)(b)], Scottish Government, Area 2B North, Victoria Quay, Edinburgh EH6 6QQ. Call: 07[Redacted s38(1)(b)] Email: [Redacted s38(1)(b)]@gov.scot

**PLEASE NOTE MY WORKING PATTERN IS MONDAY-THURSDAY.**



**From:** [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Director of Learning  
**Sent:** 08 December 2020 08:42  
**To:** [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>  
**Cc:** Director of Learning <DirectorofLearning@gov.scot>  
**Subject:** RE: Urgent: Call at 0840

Colleagues,

My apologies if you are receiving this for a second time, we are having IT issues with the Director mailbox. Please see message below from Graeme.

Thank you  
[Redacted s38(1)(b)]

[Redacted s38(1)(b)] | Scottish Government | Area 2B North | Victoria Quay | The Shore | Edinburgh | EH6 6QQ | 0131-244-[Redacted s38(1)(b)]

I am currently working from home and can be contacted via email or Skype for Business.

**From:** Director of Learning  
**Sent:** 08 December 2020 08:01  
**To:** [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm)  
<Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>  
**Subject:** Urgent: Call at 0840

Colleagues

DFM has asked to speak with Paul and I at 0840 regarding the highers and advanced highers.

[Redacted – not in scope]

Many thanks  
Graeme.

**Enclosure 50.1 – Attachment: Word document**

**Higher/Advanced Higher Exams – Key Information – 08-12-20**

**Cancelling exams**

- There are no right answers, and there is no consensus, however fairness to learners needs to be at the centre of our considerations and decisions.
- Unavoidable Covid related disruption to learning means that it is impossible to guarantee that all learners will be in a position to have the best chances of performing to their true potential in exams in the spring.
- By cancelling all exams I am seeking to address concerns over wellbeing and anxiety, and deliver certainty to learners, parents and teachers and lecturers.
- Assessment of national qualifications needs to be fair. Varied levels of absences, especially proportionately higher levels for learners in lower SIMD areas, makes holding an exam diet difficult.
- On balance a teacher based assessment of individual learner attainment evidence may offer a better approach to delivering fairness, especially when supported by an exceptional circumstances process and an appeals process.

[Redacted – not in scope]

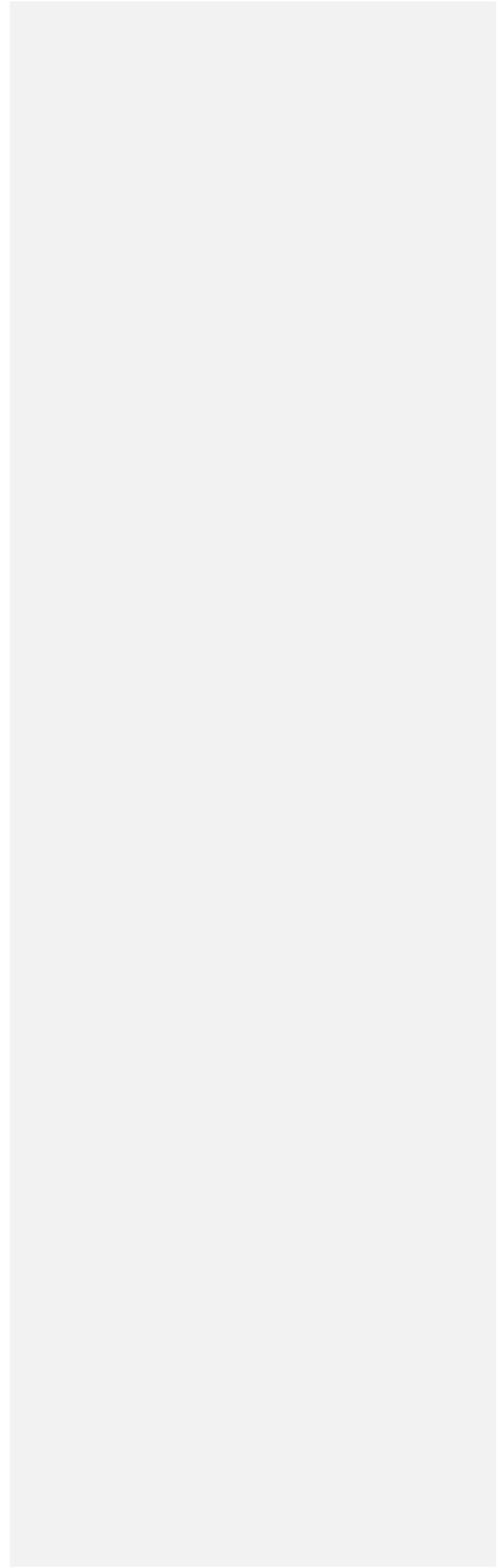
## **Background Information**

## **Key Stakeholder views on Announcement**

### ADES

- [Redacted – not in scope]
- [Redacted s30(b)(ii)]

[Redacted – not in scope]



**Enclosure 51 – Email: RE: Note from DFM - National Qualifications in 2021/Teacher Funding**

**From:** [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Cabinet Secretary for Finance  
**Sent:** 08 December 2020 11:23  
**To:** Deputy First Minister and Cabinet Secretary for Education and Skills  
<DFMCSE@gov.scot>; Cabinet Secretary for Finance <CabSecFinance@gov.scot>  
**Cc:** Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; McAllister C (Colin)  
<Colin.McAllister@gov.scot>; McCaig C (Callum) <Callum.Mccaig@gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>; McLaren D (Douglas) <Douglas.McLaren@gov.scot>; Director of  
Budget and Public Spending <Directorofbudgetandpublicspending@gov.scot>; Director of  
Learning <DirectorofLearning@gov.scot>; Anson S (Sam) <Sam.Ansongov.scot>;  
Drought A (Andrew) <Andrew.Drought@gov.scot>; Pentland MK (Malcolm)  
<Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Morrison E (Elizabeth)  
(Education Scotland) <Elizabeth.Morrison2@gov.scot>; Cumming A (Alison) Early Learning  
& Childcare <Alison.Cumming@gov.scot>; DG Education, Communities & Justice  
<DGECJ@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>  
**Subject:** RE: Note from DFM - National Qualifications in 2021/Teacher Funding

Hi [Redacted s38(1)(b)]

[Redacted s29(1)(b)]

Thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] **Cabinet Secretary for Finance**  
**The Scottish Government**

St Andrew's House | Regent Road|Edinburgh | EH1 3DG | **M:** 07[Redacted s38(1)(b)] |

All e-mails and attachments sent by a Ministerial Private Office to any other 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.

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**From:** [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills  
**Sent:** 07 December 2020 21:05  
**To:** Cabinet Secretary for Finance <CabSecFinance@gov.scot>  
**Cc:** Deputy First Minister and Cabinet Secretary for Education and Skills  
<DFMCSE@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; McCaig C (Callum) <Callum.Mccaig@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; McLaren D (Douglas) <Douglas.McLaren@gov.scot>; Director of Budget and Public Spending <Directorofbudgetandpublicspending@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Anson S (Sam) <Sam.Ansongov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Cumming A (Alison) Early Learning & Childcare <Alison.Cumming@gov.scot>; DG Education, Communities &

Justice <DGECJ@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>

**Subject:** Note from DFM - National Qualifications in 2021/Teacher Funding

Hi [Redacted s38(1)(b)]

Please find attached urgent note for the attention of Ms Forbes.

Many thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education & Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | Tel: 0131 244 [Redacted s38(1)(b)]/07[Redacted s38(1)(b)] | E: DFMCS@gov.scot

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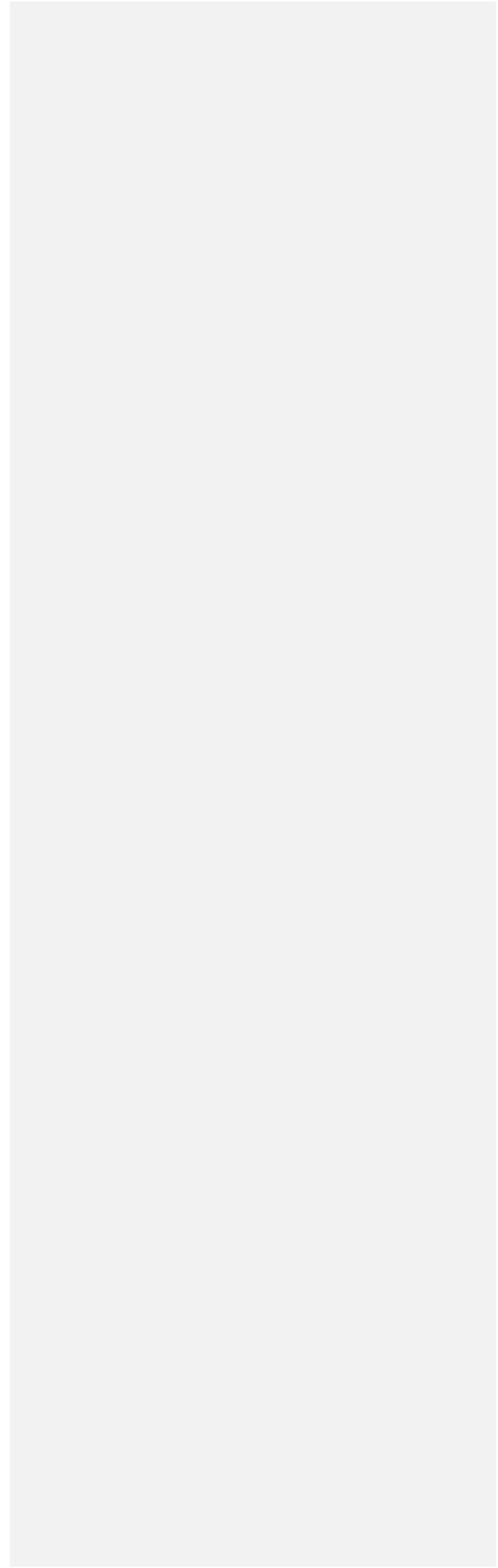
*Scottish Ministers, Special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)*

**Enclosure 51.1 – Attachment: Word document**

Cabinet Secretary for Finance

[Redacted s29(1)(b)]

**JS**  
7 December 2020



**Enclosure 52 – Email: FW: Draft statement on education for Tuesday**

**From:** Logan G (Graeme) <Graeme.Logan@gov.scot> **On Behalf Of** Director of Learning  
**Sent:** 08 December 2020 09:45  
**To:** Johnston P (Paul) <Paul.Johnston@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>  
**Subject:** RE: Draft statement on education for Tuesday

Hi Paul

Thank you for your advice and intervention on the issue of additional payment for secondary teachers who complete SQA work in the absence of exams in this exceptional year.

[Redacted – not in scope]

We will keep colleagues posted on progress.

Thanks  
Graeme.

[See Enclosure 46 for remainder of email chain]

**Enclosure 53 – Email: FW: Letter from Fiona Robertson, Chief Executive, SQA**

**From:** [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills  
**Sent:** 08 December 2020 12:47  
**To:** Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Anson S (Sam) <Sam.Ansan@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>  
**Cc:** Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Cumming A (Alison) Early Learning & Childcare <Alison.Cumming@gov.scot>; DG Education, Communities & Justice <DGECJ@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>  
**Subject:** FW: Letter from Fiona Robertson, Chief Executive, SQA

Hi all,

Please see reply from Fiona along with paper regrading N5 modelling.

Grateful for a draft reply for DFMs consideration, for COP Monday the 14<sup>th</sup>. Happy discuss.

[Redacted s38(1)(b)]

**From:** [Redacted s38(1)(b)] **On Behalf Of** Fiona Robertson  
**Sent:** 08 December 2020 12:29  
**To:** Deputy First Minister and Cabinet Secretary for Education and Skills  
**Cc:** Director of Learning  
**Subject:** Letter from Fiona Robertson, Chief Executive, SQA

PS/DFM

In response to the Deputy First Minister's letter of 7 December, please see attached letter and paper from Fiona Robertson.

Kind regards,

[Redacted s38(1)(b)]  
[Redacted s38(1)(b)]  
Scottish Qualifications Authority  
w: <http://www.sqa.org.uk>

**Enclosure 53.1 – Attachment: Letter**

John Swinney MSP/BPA  
Deputy First Minister  
and Cabinet Secretary for Education and Skills

By email: DFMCE@gov.scot

8 December 2020

Dear Deputy First Minister

Thank you for your letter of 7 December outlining your decision to cancel Higher and Advanced Higher exams next year.

Your decision brings into sharp focus the work we have done to develop an alternative certification model (ACM) for National 5. Following your decision to cancel National 5 exams on 7 October, I established the National Qualifications 2021 Group, with membership drawn from across the education system including Scottish Government and Education Scotland colleagues. This Group, supported by a Working Group, has overseen the co-creation and development of the ACM. More recently, this work has been supported by the establishment of a Learner Panel. SQA has also published guidance on evidence gathering and assessment resources for each course at National 5, in line with your October statement.

Discussions have been very productive and, following your statement to Parliament today, the Group will communicate the ACM model for National 5 to the wider system. This work has also been presented to the Education Recovery Group, the National Qualifications Contingency Group, and SQA Advisory Council, Qualifications Committee and Board.

We hope this announcement, alongside your announcement in relation to Highers and Advanced Highers, delivers a degree of certainty to schools and colleges across the country, as well as for the tens of thousands of young people and their families who are continuing to prepare for these important qualifications despite the very real difficulties they have faced over the past year. Ongoing, collective communications will be key.

[Redacted – not in scope]

Everyone at SQA remains fully committed to working with the system to deliver a secure and credible set of National Qualifications results next August.

I will ensure you remain fully updated on our progress.

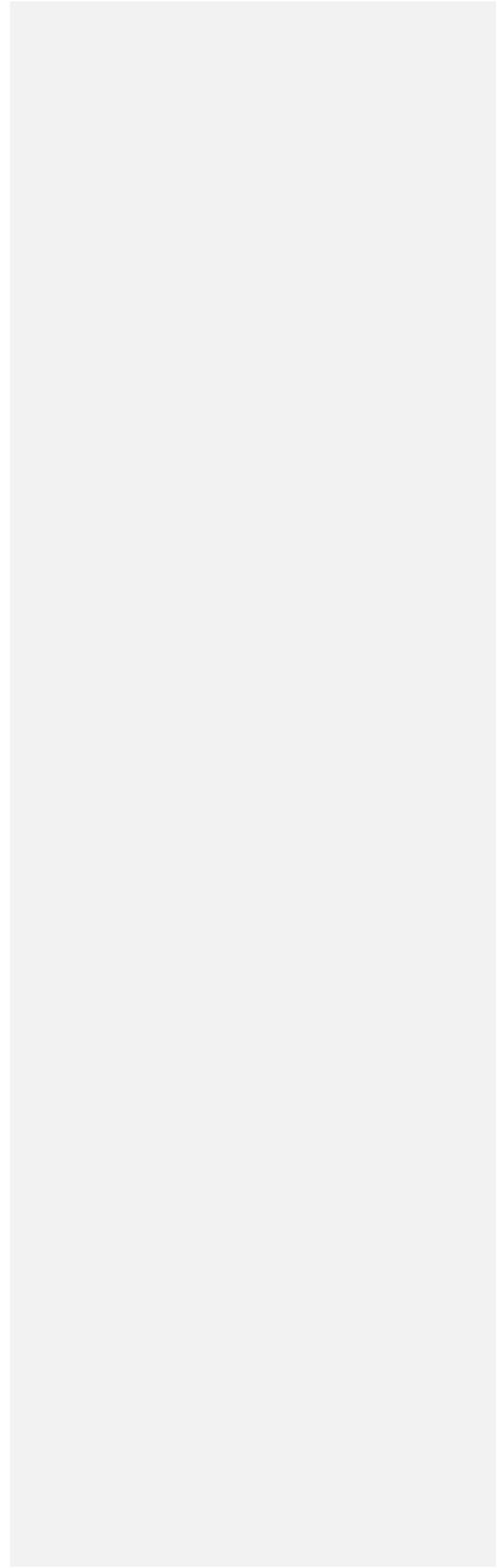
Your sincerely

Fiona Robertson

Chief Executive/Chief Examining Officer

**Enclosure 53.2 – Attachment: PDF**

[Redacted – not in scope]



**Enclosure 54 – Email: RE: Updated statement**

From: [Redacted s38(1)(b)]@gov.scot; on behalf of; Deputy First Minister and Cabinet Secretary for Education and Skills DFMCS@gov.scot  
Sent: 08 December 2020 13:57  
To: Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCS@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot  
Cc: DG Education, Communities & Justice <DGECJ@gov.scot>; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; Johnston P (Paul) <Paul.Johnston@gov.scot>; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot  
Subject: RE: Updated statement

Hi Malcolm

I attach the final statement. DFM accepted all the changes [Redacted – not in scope]

Thanks very much to you all.

[Redacted s38(1)(b)]  
[Redacted s38(1)(b)] [Redacted s38(1)(b)] to DFM  
07 [Redacted s38(1)(b)]

From: Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
Sent: 08 December 2020 13:21  
To: Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCS@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot  
Cc: DG Education, Communities & Justice <DGECJ@gov.scot>; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; Johnston P (Paul) <Paul.Johnston@gov.scot>; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot  
Subject: RE: Updated statement

[Redacted s38(1)(b)]/Colin

Please see attached version of statement that seeks to address points raised by Fiona Robertson in her reply (just received) to DFM's letter of last night and other feedback just provided. These changes are on pp.9-14. Word count now slightly reduced by c.100 words.

Thanks  
Malcolm

Malcolm Pentland | Deputy Director  
Curriculum, Qualifications and Gaelic Division | email: malcolm.pentland@gov.scot |  
tel:+44(0) 131 244 0047  
Learning Directorate | Area 2B North | Victoria Quay | Edinburgh | EH6 6QQ  
Buidheann-Stiùiridh an Ionnsachaidh | Raon 2B Tuath | Cidhe Bhictòria | Dùn Èideann | EH6  
6QQ

From: [Redacted s38(1)(b)]@gov.scot> On Behalf Of Deputy First Minister and Cabinet Secretary for Education and Skills  
Sent: 08 December 2020 12:58  
To: Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
Cc: DG Education, Communities & Justice <DGECJ@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
Subject: RE: Updated statement

Hi Malcolm

Please go ahead and return asap

Thanks

[Redacted s38(1)(b)]  
[Redacted s38(1)(b)][Redacted s38(1)(b)] to DFM  
07[Redacted s38(1)(b)]

From: Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
Sent: 08 December 2020 12:56  
To: McAllister C (Colin) <Colin.McAllister@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
Cc: DG Education, Communities & Justice <DGECJ@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
Subject: RE: Updated statement

Colin/[Redacted s38(1)(b)]

I have just spoken to Fiona Robertson, and she has just replied to DFM's letter of last night. Can I make a few changes and send on ASAP (not to the payment part of the statement).

Malcolm

From: McAllister C (Colin) <Colin.McAllister@gov.scot>  
Sent: 08 December 2020 12:48  
To: Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
Cc: DG Education, Communities & Justice <DGECJ@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

Subject: RE: Updated statement

Happy

Regards

Colin McAllister 0131 244 3248  
07 [Redacted s38(1)(b)]

Scottish Ministers, Special advisers and the Permanent Secretary to the Scottish Government are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot).

From: [Redacted s38(1)(b)]@gov.scot> On Behalf Of Deputy First Minister and Cabinet Secretary for Education and Skills  
Sent: 08 December 2020 11:30  
To: Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>  
Cc: Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; DG Education, Communities & Justice <DGECJ@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)] @gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)] @gov.scot>  
Subject: RE: Updated statement

Hi Graeme

Just replying to your point about the word count – that is fine for a 10 min slot.

Once we have feedback from Colin I will share with DFM.

Thanks all

[Redacted s38(1)(b)]  
[Redacted s38(1)(b)] [Redacted s38(1)(b)] to DFM  
07 [Redacted s38(1)(b)]

From: Logan G (Graeme) <Graeme.Logan@gov.scot> On Behalf Of Director of Learning  
Sent: 08 December 2020 11:12  
To: [Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>  
Cc: Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; DG Education, Communities & Justice <DGECJ@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)] @gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
Subject: RE: Updated statement

Colin

Please use attached version (I corrected a typo and made one minor change). It is sitting at 1700, which should be OK for a 10 minute slot?

[Redacted – not in scope]

Graeme.

From: [Redacted s38(1)(b)]@gov.scot>

Sent: 08 December 2020 11:00

To: McAllister C (Colin) <Colin.McAllister@gov.scot>

Cc: Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; DG Education, Communities & Justice <DGECJ@gov.scot>;

Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm)

<Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)] @gov.scot>; [Redacted s38(1)(b)]@gov.scot>

Subject: Updated statement

Hi Colin

To provide an updated statement following feedback received this morning for any further comment.

[Redacted – not in scope]

Thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]Curriculum, Qualifications and Gaelic - Learning Directorate

Scottish Government

(0131 24) [Redacted s38(1)(b)]

email: [Redacted s38(1)(b)]@scotland.gsi.gov.uk

**Enclosure 54.1 – Attachment: Word document**

Ministerial Statement – Deputy First Minister – 08-12-20  
Education

Presiding Officer,

[Redacted – not in scope]

The challenge after that is the exams.

When I addressed Parliament on 7 October I said that cancelling the N5 diet was a way to secure more time and so enhance the chances of a Higher and Advanced Higher diet proceeding.

We had dual priorities of safety and fairness.

If exams were to take place, these had to be made safe and fair to all pupils.

The prospects for public health have been improved immeasurably due to the development of a vaccine but we know that it will unavoidably take time to be rolled out.

And, already, pupils have lost significant learning time.

First, they lost weeks of teaching time at the end of last year – time when pupils normally start to study for the following year's qualifications.

That has now been compounded by the disruption many have suffered as they were obliged to self-isolate, had to learn from home or even saw their school closed.

And, we know that the level of disruption to learners has not been equal.

Almost 40% of those who were not in school for more than one fifth of school openings for a COVID-related reason in S4 are from our poorest communities.

In S5 it is 33%, and in S6 it is 26%.

And, while we hope that public health will improve in the coming months, we cannot guarantee that there will be no further disruption to pupils' learning.

In light of this, the question is less whether we can hold the exams safely in the spring and more whether we can do so fairly.

However, there is no getting around the fact that a significant percentage of our poorest pupils have lost significantly more teaching time than other pupils.

Changing the exams for all does not – and cannot - address that.

Instead, we need a model that is more flexible to the specific circumstances of the individual pupil.

That model exists. It is the model we plan to use to award qualification this year for National 5s.

A group led by the SQA, and involving directors of education from our councils, the EIS, Colleges Scotland and others has been working to develop this model.

Under this plan, all schools and colleges are working with SQA to understand the standards required for qualifications.

They will then apply this to specified pieces of evidence, such as course work.

Provisional results for individual pupils will be submitted to SQA by 28 May before certificates are awarded on 10 August.

Details of the model for N5 will be published by National Qualifications 2021 Group today, a model that focuses on the work and performance of young people during the year. Let me make clear that no algorithm will be used.

It is a model that will be based on learner evidence, subject to quality assurance at local and national level, to deliver a credible and fair set of results.

It is a model that has achieved a broad level of support across Scotland's education professionals.

I am therefore announcing today that there will be no Higher or Advanced Higher exams in 2021.

Instead we will adopt the new model that has been developed and base awards on teacher judgement of evidence of learner attainment.

This is safe.

It is fair.

And it better recognises the reality of the disruption so many pupils have already had to their learning.

I have taken action previously to support schools to respond to COVID with additional investment of £135m, which includes the recruitment of more than 1,400 additional teachers, and temporarily suspended inspections.

However, in acknowledgement of the additional workload of assessment of national qualifications in this unique academic year in the absence of exams I intend to make an exceptional one off payment to teachers and lecturers who are critical to assessing and marking N5, Higher and Advanced Higher courses this year. We will progress this urgently with partners and employers, including discussing when and how the payment will be delivered.

In addition, I would ask that secondary schools prioritise all remaining in-service day time to work together on this alternative model of certification for national qualifications. Many schools still have 2 or 3 of the 5 annual in-service days left.

Presiding Officer

I will not stake the future of our Higher pupils – whether they get a place at college, university, training or work – on a lottery of whether their school was hit by Covid.

Exams cannot account for differential loss of learning and could lead to unfair results for our poorest pupils.

This could lead to pupils' futures being blighted through no fault of their own.

That is simply not fair.

Presiding Officer

Education is the greatest antidote to poverty we have.

That is why we have sought to protect learning even in the midst of a pandemic.

We pledged to keep people safe.

We pledged to protect schools, colleges and universities and keep them open.

And we pledged to fairly recognise the hard work and achievement of all.

I believe the measures I have announced today make good on all those pledges.

1,608 words

**Enclosure 55 – Email: FW: Draft Statement - for review**

**From:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>

**Sent:** 08 December 2020 15:41

**To:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>@gov.scot;  
[Redacted s38(1)(b)]@gov.scot@gov.scot>

**Subject:** FW: Draft Statement - for review

To see.

**Enclosure 55.1 – Attachment: Word document**

Draft @ 081220  
FR Statement  
Approval – EMT / FR

08 December 2020

The Deputy First Minister has today announced further changes to the awarding of National Courses in 2020-21, with now no external assessments of Higher or Advanced Higher courses. On this basis, the 2021 National Qualifications examination diet has been cancelled.

[Redacted – not in scope]

**ENDS**

**Enclosure 56 – Email: FW: Curriculum and Assessment Board**

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 08 December 2020 16:37  
**To:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Subject:** FW: Curriculum and Assessment Board - announcement on Highers and Advanced Highers and re-arranged CAB meeting  
**Importance:** High

To see – for information. This has obviously been a significant development and a huge decision for colleagues in [Redacted s38(1)(b)]'s Unit to handle.

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]@gov.scot>

Learning Directorate – Curriculum Unit [Redacted s38(1)(b)] | Scottish Government | 07  
[Redacted s38(1)(b)] | [Redacted s38(1)(b)]@gov.scot

[Redacted s38(1)(b)]

**From:** [Redacted s38(1)(b)]@gov.scot  
**Sent:** 08 December 2020 16:34  
**To:** 'Peter McNaughton' <petermcnaughton.ades@gmail.com>; Steven Quinn (steven.quinn@renfrewshire.gov.uk) (steven.quinn@renfrewshire.gov.uk) <steven.quinn@renfrewshire.gov.uk>; Jim Metcalfe (jim.metcalfe@cdn.ac.uk) (jim.metcalfe@cdn.ac.uk) <jim.metcalfe@cdn.ac.uk>; [Redacted s38(1)(b)]@westlothian.org.uk>; Greg Dempster <greg@ahds.org.uk>; Ken Thomson (ken.thomson@forthvalley.ac.uk) (ken.thomson@forthvalley.ac.uk) <ken.thomson@forthvalley.ac.uk>; [Redacted s38(1)(b)]@southlanarkshire.gov.uk'; [Redacted s38(1)(b)]@cosla.gov.uk>; Jane.Brumpton@earlyyearsscotland.org; Andrea Bradley (abradley@eis.org.uk) <abradley@eis.org.uk>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Armstrong A (Alan) <Alan.Armstrong@educationscotland.gov.scot>; [Redacted s38(1)(b)]@stir.ac.uk>; [Redacted s38(1)(b)]@glasgow.ac.uk>; mike.corbett@exec.nasuwf.org.uk; 'Fiona Nicholson' <shetland@npfs.org.uk>; 'sdevlin@pkc.gov.uk'; [Redacted s38(1)(b)]@aberdeencity.gov.uk>; John Edward (john.edward@scis.org.uk) <john.edward@scis.org.uk>; [Redacted s38(1)(b)]@sfc.ac.uk>; Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>; Seamus Searson (SeamusS@ssta.org.uk) <SeamusS@ssta.org.uk>; 'John Guidi' <johng@ssta.org.uk>; a.ponton@scqf.org.uk; Neville Prentice (Neville.Prentice@sds.co.uk) <Neville.Prentice@sds.co.uk>; b.green@strath.ac.uk; [Redacted s38(1)(b)]msyp@sypmail.org.uk>; Gill Stewart (Gill.Stewart@sqa.org.uk) <Gill.Stewart@sqa.org.uk>  
**Cc:** [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@universities-scotland.ac.uk>; [Redacted s38(1)(b)]@sds.co.uk; [Redacted s38(1)(b)]@sfc.ac.uk; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@forthvalley.ac.uk; [Redacted s38(1)(b)]@cdn.ac.uk; 'NPFS Office' <office@npfs.org.uk>; [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@educationscotland.gov.scot; [Redacted s38(1)(b)]@gov.scot;



## **Enclosure 57 – Briefing note**

09 December 2020

**ISSUE 9 December:** Various media articles following the Deputy First Minister's statement on 8 December - Daily Express reports John Swinney 'admits complete failure' by cancelling next year's Highers; Daily Mail reports 'Cancelling these gold standard exams has failed Scottish children'.

[Redacted – not in scope]

**ISSUE 6-7 December:** Media articles in response to release from Scottish Labour calling for next year's Higher and Advanced Higher exams to be cancelled.

[Redacted – not in scope]

**ISSUE 5 December:** Sun and Press & Journal report on Deputy First Minister's comments that the impact of disruption on pupils in deprived areas "weighs heavily" on decisions around holding Higher exams next year.

**ISSUE 4 December:** Media articles following calls from Greens and Lib Dem to cancel next year's Higher and Advanced Higher exams.

[Redacted – not in scope]

**ISSUE 28-29 November:** Herald and Scotsman reports on the timing for a decision on the holding of Higher and Advanced Higher exams may be made this week

### **TOP LINES**

- Unavoidable Covid-19 related disruption to learning means that it is impossible to guarantee that all learners will be in a position to have the best chances of performing to their true potential in exams in the spring.
- By cancelling all exams we are seeking to address concerns over wellbeing and anxiety, and deliver certainty to learners, parents and teachers and lecturers.
- The assessment of national qualifications needs to be fair. Varied levels of absences, especially proportionately higher levels for learners in lower SIMD areas, makes holding an exam diet difficult.
- On balance a teacher based assessment of learner attainment evidence may offer the best approach to delivering fairness, especially when supported by an exceptional circumstances process and an appeals process.

### **There has been widespread agreement with our approach**

- Larry Flanagan, EIS said QUOTE: *"Given the significant impact of the pandemic on many young people, particularly those from less advantaged backgrounds, today's announcement is a common-sense decision that is in the best interests of students."*
- National Parent Forum of Scotland said QUOTE: *"... a pragmatic approach to a fair and equitable outcome for all senior phase pupils ... We hope this timeous decision will enable pupils, teachers and the SQA to have adequate time and resources to achieve the results that are deserved and will be a key to opening up further opportunities for the young people."*

- The Scottish Youth Parliament said QUOTE: “... we welcome this early decision, and the opportunity it presents to prioritise young people's views when preparing for the alternative assessment model ... we look forward to continuing our work to ensure young people's views are meaningfully included in the Education Recovery Group”.

[Redacted – not in scope]

**Cancelling the exams now will provide a level of certainty to the education system and to our young people.**

- The Deputy First Minister had been keeping the decision to proceed with the Higher and Advanced Higher examination diet in 2021 under close review.
- We have been clear that any decision was subject to it being both safe and fair for learners to sit Higher and Advanced Higher exams.
- Taking into account the latest position and the varying views of stakeholders, the Deputy First Minister has asked SQA to cancel Higher and Advanced Higher examinations in 2021.
- The removal of the exam diet allows a greater time for the development of clear guidance supporting teachers in gathering and assessing appropriate evidence.

[Redacted – not in scope]

**In recognition of the additional workload of assessment of National Qualifications in 2021, I am supporting calls for additional resource to meet the requirements of the new assessment approach.**

- These are exceptional times and the system needs to work together to ensure that the hard work of learners can be fairly assessed and recognised.
- There will be a one off exceptional payment to support all teachers and lecturers delivering and marking National 5, Higher and Advanced Higher courses this year, in the absence of exams.

[Redacted – not in scope]

**Enclosure 58 – Email: FW: \*PRESS RELEASE\* National Parent Forum of Scotland**

**From:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Sent:** 09 December 2020 08:55  
**To:** Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>  
**Cc:** Minister for Further Education, Higher Education and Science <MinisterFEHES@gov.scot>; Minister for Children and Young People <MinisterCYP@gov.scot>; DG Education, Communities & Justice <DGECJ@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>  
**Subject:** FW: \*PRESS RELEASE\* National Parent Forum of Scotland

PS/DFM

If DFM has not already received, please find attached a news release issued by the NPFS last night welcoming yesterday's announcement on exams.

Thanks  
Malcolm

**Malcolm Pentland** | Deputy Director  
Curriculum, Qualifications and Gaelic Division | email: malcolm.pentland@gov.scot | tel:+44(0) 131 244 0047  
Learning Directorate | Area 2B North | Victoria Quay | Edinburgh | EH6 6QQ  
Buidheann-Stiùiridh an Ionnsachaidh | Raon 2B Tuath | Cidhe Bhictòria | Dùn Èideann | EH6 6QQ

**From:** Barrie Sheppard  
**Sent:** 08 December 2020 20:31  
**To:** NPFS Office  
**Subject:** \*PRESS RELEASE\* National Parent Forum of Scotland

Please find attached tonight's press release from the National Parent Forum of Scotland in response to the Deputy First Ministers Announcement today.

Should have any enquiries, please contact us at [enquiries@npfs.org.uk](mailto:enquiries@npfs.org.uk)

Kind regards

Barrie Sheppard  
National Parent Forum of Scotland Vice Chair  
Representative North Lanarkshire  
Email [North.lanarkshire@npfs.org.uk](mailto:North.lanarkshire@npfs.org.uk)  
Mobile 07[Redacted s38(1)(b)]



**NPFS statement on the cancellation of 2020/21 Higher and Advanced Higher Exams  
and the plans for the delivery of the N5 assessments**

Further to our survey on the topic of Higher and Advanced Higher exam diet there was a clear message that an overwhelming majority (75.14%) of parents and carers wanted any decision to cancel the Higher and Advanced Higher exam diet to be made prior to Christmas and we welcome the Deputy First Minister's decision to make a prompt announcement.

We note that of the five thousand parents that responded there is strong confidence in the judgement of teachers to predict grades for children and young people with an overwhelming number of participants identifying confidence in the judgement of teaching staff should predicted grades be used as part of the Higher and Advanced Higher awards (23.36% a great deal, 31.70% a lot)

The Deputy First Minister also announced that for 2020–21, National 5 results will be based on teacher and lecturer judgement supported by a robust set of checks — or quality assurance — which will be carried out by your child's school or college, local authority and SQA.

The National Parent Forum of Scotland forms part of the National Qualifications 2021 Group along side Education Scotland, Scottish Government, Scottish Youth Parliament, SQA, Local Authorities, School Leaders Scotland, Colleges Scotland, Scottish Council for Independent Schools and the EIS teaching union. The National Qualifications 2021 Group has overseen the development of the quality assurance process which will support teachers and lecturers in providing your child's provisional results for session 2020–21. Updates from the group are available through [www.sqa.org.uk/NQ2021](http://www.sqa.org.uk/NQ2021).

We feel that this is a pragmatic approach to a fair and equitable outcome for all senior phase pupils.

We know from our correspondence with parents and carers across the country, that our young people are encountering difficult circumstances in their day to day learning, with self-isolation of both pupils and staff impacting their health and wellbeing at this critical time in their lives.

We hope this timeous decision will enable pupils, teachers and the SQA to have adequate time and resources to achieve the results that are deserved and will be a key to opening up further opportunities for the young people. Positive destinations are vitally important to all young people and we understand that this is a challenge at any time, not least during the COVID pandemic.

//ENDS

National Parent Forum of Scotland Media Contact: [enquiries@npfs.org.uk](mailto:enquiries@npfs.org.uk)

#### NOTES TO EDITORS

- The National Parent Forum of Scotland is a national body led by and for parents. Since its inception in 2009, it has undergone rapid development and is now an influential national and independent body, working on behalf of parents across Scotland to help every pre-school and school pupil maximise their potential.
- The National Parent Forum of Scotland is comprised of one volunteer parent/carer representative from each of Scotland's 32 local authority areas. Please visit [www.npfs.org.uk](http://www.npfs.org.uk) for more details.

**Enclosure 59 – Email: Teacher Panel Meeting - 9th December - Summary points**

**From:** [Redacted s38(1)(b)]@gov.scot>

**Sent:** 09 December 2020 12:29

**To:** Deputy First Minister and Cabinet Secretary for Education and Skills  
<DFMCSE@gov.scot>

**Cc:** Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Anson S (Sam) <Sam.Anson@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Wilson M (Mick) <Mick.Wilson@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

**Subject:** Teacher Panel Meeting - 9th December - Summary points

To: Deputy First Minister

Copy: Graeme Logan, Gayle Gorman, Learning Directorate Deputy Directors, SG Officials

[Redacted s38(1)(b)] will draft a detailed minute in time for the next Teacher Panel meeting, however I thought it would be helpful to capture the key points from this morning's discussion.

[Redacted – not in scope]

**Exams / Senior Phase Qualifications** - DFM outlined the decision-making basis re. the announcement on Highers and Advanced Highers.

- There was general agreement that the announcement on the qualifications was the right decision.
- [Redacted – not in scope]
- ASN support staff will tend to support learners at prelims and final exams. They now need to provide this level of support to ASN pupils throughout the year. A panel member suggested that this raised some key questions in terms of ASL senior phase practice, e.g. What does the approach look like under the new arrangements? How do we ensure that the equity is there for ASN children undertaking assessments?
- [Redacted – not in scope]

[Redacted s38(1)(b)] [Redacted s38(1)(b)] Curr culum Unit / Directorate for Learning  
Mobile: 07 [Redacted s38(1)(b)]



Scottish Government  
Riaghaltas na h-Alba  
gov.scot

[Redacted s38(1)(b)]

For urgent queries [Redacted s38(1)(b)]

For curriculum, Learning for Sustainability or outdoor learning contact [Redacted s38(1)(b)] or [Redacted s38(1)(b)]

For parental engagement or learner participation contact [Redacted s38(1)(b)] or [Redacted s38(1)(b)]

**Enclosure 60 – Email: RE: URGENT - FM CDL call briefing update**

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 09 December 2020 12:39  
**To:** [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm)  
<Malcolm.Pentland@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>;  
[Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Anson S (Sam)  
<Sam.Ansongov.scot>; Morrison E (Elizabeth) (Education Scotland)  
<Elizabeth.Morrison2@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Learning  
<DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>  
**Subject:** RE: URGENT - FM CDL call briefing update

Hi [Redacted s38(1)(b)]

Please find attached some suggested lines on the exams for this meeting.

Best regards

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] [Redacted s38(1)(b)], Learning Directorate, Scottish Government, Area 2B North,  
Victoria Quay, Edinburgh, EH6 6QQ

✉ email: [Redacted s38(1)(b)]@gov.scot 📱 mobile: 07[Redacted s38(1)(b)] 🌐 url: www.gov.scot

[Redacted s38(1)(b)].

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 09 December 2020 10:49  
**To:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Drought A (Andrew)  
<Andrew.Drought@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>;  
Anson S (Sam) <Sam.Ansongov.scot>; Morrison E (Elizabeth) (Education Scotland)  
<Elizabeth.Morrison2@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Learning  
<DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Subject:** URGENT - FM CDL call briefing update  
**Importance:** High

Colleagues,

Hope you are all well. FM will be meeting again with Mr Gove this evening and January planning is back on the agenda. With apologies for another very tight deadline, would you be able to provide the most up-to-date lines on school/college/university return in January please by 1 p.m. and some high-level bullets on the exams announcement made by DFM yesterday?

With many thanks,

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] [Redacted s38(1)(b)] Tel: 07[Redacted s38(1)(b)] Email: [Redacted s38(1)(b)]@gov.scot



s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@transport.gov.scot>; Irvine A (Alison) <Alison.Irvine@transport.gov.scot>  
**Cc:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Anson S (Sam) <Sam.Anon@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Subject:** RE: URGENT - FM briefing commission - New Year planning

Colleagues,

Thank you all very much for your quick and helpful responses.

**Malcolm** – if the meeting between Mr Williamson and DFM goes ahead tomorrow afternoon, could you please keep us sighted on the key points coming out of that, so we can make FM aware ahead of the CDL call?

Many thanks again,

[Redacted s38(1)(b)] [Redacted s38(1)(b)] Tel: 07[Redacted s38(1)(b)] Email: [Redacted s38(1)(b)]@gov.scot

**From:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Sent:** 01 December 2020 18:22  
**To:** Drought A (Andrew) <Andrew.Drought@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@transport.gov.scot>; Irvine A (Alison) <Alison.Irvine@transport.gov.scot>  
**Cc:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Anson S (Sam) <Sam.Anon@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Subject:** RE: URGENT - FM briefing commission - New Year planning

[Redacted s38(1)(b)]

Apologies, just picked this up. On exams:

- Our ambition remains for Higher and Advanced Higher exams to proceed if possible but it must be safe to do so and it must be fair to learners. We are monitoring the position closely and listening to all the different views on this matter
- DFM has been clear that the latest point at which a decision will be taken is the February break but he has also been clear that he will make a decision sooner if the evidence is pointing to that.

- Contingency plans are being drawn up to ensure fair and consistent awarding for Higher and Advanced Higher courses should exams not be possible.
- Gavin Williamson is seeking a meeting with DFM on 2021 exams tomorrow (Wednesday) evening.

Malcolm

**Malcolm Pentland** | Deputy Director

Curriculum, Qualifications and Gaelic Division | email: malcolm.pentland@gov.scot | tel:+44(0) 131 244 0047  
Learning Directorate | Area 2B North | Victoria Quay | Edinburgh | EH6 6QQ  
Buidheann-Stiùiridh an Ionnsachaidh | Raon 2B Tuath | Cidhe Bhictòria | Dùn Èideann | EH6 6QQ

**From:** Drought A (Andrew) <Andrew.Drought@gov.scot>

**Sent:** 01 December 2020 15:46

**To:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@transport.gov.scot>; Irvine A (Alison) <Alison.Irvine@transport.gov.scot>

**Cc:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Anson S (Sam) <Sam.Ansongov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>

**Subject:** RE: URGENT - FM briefing commission - New Year planning

[Redacted s38(1)(b)],

I'm in a meeting until 1630, so typing this on the side, but some brief bullets [Redacted – not in scope] [Malcolm, anything on exams?]

Andy.

**Andy Drought**

Deputy Director, Workforce, Infrastructure and Reform  
Learning Directorate  
2B North Victoria Quay  
Edinburgh  
Tel: 0131 244 3925  
Mob: 07[Redacted s38(1)(b)]  
Email: andrew.drought@gov.scot

**From:** [Redacted s38(1)(b)]@gov.scot>

**Sent:** 01 December 2020 15:06

**To:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@transport.gov.scot>; Irvine A (Alison) <Alison.Irvine@transport.gov.scot>

**Cc:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

**Subject:** URGENT - FM briefing commission - New Year planning  
**Importance:** High

Colleagues,

Hope you are all well.

The First Minister is meeting with Michael Gove tomorrow afternoon and one of the issues on the agenda is planning for the new year. With apologies for the very tight deadline, **could I please ask for input from you on the following points by 4.30 p.m. please?** (I am conscious that there may not be fully developed plans for each of the points below at this stage, but a few bullets on the current state of play and your planning/considerations would be most welcome.)

- [Redacted – not in scope]
- [Redacted – not in scope] – **Andrew D**
- [Redacted – not in scope]

[Redacted – not in scope]  
Many thanks in advance for your assistance.

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] [Redacted s38(1)(b)] Tel: 07[Redacted s38(1)(b)] Email: [Redacted s38(1)(b)]@gov.scot

## **Enclosure 60.1 – Attachment: Word document**

### **2021 National Qualifications:**

#### **Decision to Cancel**

- Decision taken on 7 October to cancel the National 5 exams and proceed with a delayed Higher and Advanced Higher exam diet in 2021 was taken based on a sound case for prioritising exams for Higher and Advanced Higher courses as exit qualifications for the majority of candidates.
- Clear that this decision was subject to it being both safe and fair for learners to sit Higher and Advanced Higher exams.
- It has become clear that some learners have lost, and will continue to lose, significant amounts of teaching time, and the data shows that the level of disruption to learners has not been equal.
- Young people in our most deprived communities are being disproportionately impacted in terms of the level of teaching time they have had to miss.
- By cancelling all exams we are seeking to address concerns over wellbeing and anxiety, and deliver certainty to learners, parents and teachers and lecturers.

[Redacted – not in scope]

**Enclosure 61 – Email: RE: Conservative Party Business: Education 091220**

**From:** [Redacted s38(1)(b)]@gov.scot **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills  
**Sent:** 09 December 2020 15:01  
**To:** CERG <CERG@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>  
**Cc:** McAllister C (Colin) <Colin.McAllister@gov.scot>; Minister for Parliamentary Business and Veterans <MinisterPBV@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Minister for Further Education, Higher Education and Science <MinisterFEHES@gov.scot>; Minister for Children and Young People <MinisterCYP@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Anson S (Sam) <Sam.Ansongov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Subject:** RE: Conservative Party Business: Education 091220

Hi all

DFM has made some amendments to the statement and is now away to the chamber. I've attached the final version for your info.

Thanks for all your help.

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education & Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | Tel: 0131 244 [Redacted s38(1)(b)] | E: DFMCSE@gov.scot

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*Scottish Ministers, Special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)*

**From:** [Redacted s38(1)(b)]@gov.scot **On Behalf Of** CERG  
**Sent:** 09 December 2020 11:58  
**To:** [Redacted s38(1)(b)]@gov.scot ; Deputy First Minister and Cabinet Secretary for Education and Skills  
**Cc:** McAllister C (Colin) ; Minister for Parliamentary Business and Veterans ; Lloyd E (Elizabeth) ; Minister for Further Education, Higher Education and Science ; Minister for Children and Young People ; [Redacted s38(1)(b)]@gov.scot ; Director of Learning ; Drought A (Andrew) ; Morrison E (Elizabeth) (Education Scotland) ; CERG ; Pentland MK (Malcolm) ; Anson S (Sam) ; [Redacted s38(1)(b)]@gov.scot  
**Subject:** RE: Conservative Party Business: Education 091220

Morning PO colleagues

Please see attached updated briefing pack with thanks to [Redacted s38(1)(b)] – this update is to the FMQ note on SQA exams following yesterday's announcement.

Otherwise unchanged.

Thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]

COVID-19 Education Recovery Group (CERG) Secretariat  
Learning Directorate | Scottish Government

**From:** [Redacted s38(1)(b)]@gov.scot>

**Sent:** 08 December 2020 18:09

**To:** Deputy First Minister and Cabinet Secretary for Education and Skills  
<DFMCSE@gov.scot>

**Cc:** McAllister C (Colin) <Colin.McAllister@gov.scot>; Minister for Parliamentary Business and Veterans <MinisterPBV@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Minister for Further Education, Higher Education and Science <MinisterFEHES@gov.scot>; Minister for Children and Young People <MinisterCYP@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; CERG <CERG@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Anson S (Sam) <Sam.Anson@gov.scot>

**Subject:** RE: Conservative Party Business: Education 091220

**Importance:** High

Hi [Redacted s38(1)(b)]

Please find attached speaking notes for DFM to use, primarily for his opening but hopefully helpful for using in closing too. Also attaching the briefing pack, which is framed around the motion and amendments, which we have just received, with some additional briefing on current issues. We would also like to add something more concrete in tomorrow on the lines covering the contact tracing requirements of schools over the holidays. As always, very happy to adjust as a matter of urgency tomorrow if anything comes up overnight in media or elsewhere.

Thanks to all for input on this today

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] | Education Recovery | Improvement, Attainment and Wellbeing  
Division | Learning Directorate | Scottish Government |

**I am working remotely [Redacted s38(1)(b)] and can be contacted via email, Skype for Business or BlackBerry 07[Redacted s38(1)(b)]**

**From:** [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills

**Sent:** 08 December 2020 17:37

**To:** Deputy First Minister and Cabinet Secretary for Education and Skills  
<DFMCSE@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Anson S (Sam) <Sam.Anson@gov.scot>

**Cc:** McAllister C (Colin) <Colin.McAllister@gov.scot>; Minister for Parliamentary Business and Veterans <MinisterPBV@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Minister for Further Education, Higher Education and Science <MinisterFEHES@gov.scot>;

Minister for Children and Young People <MinisterCYP@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>  
**Subject:** RE: Conservative Party Business: Education 091220

Evening all,

Can I just confirm when we can expect a draft speech and briefing pack?

Many thanks

[Redacted s38(1)(b)]

**From:** [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills

**Sent:** 08 December 2020 07:20

**To:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; Anson S (Sam) <Sam.Anson@gov.scot>

**Cc:** McAllister C (Colin) <Colin.McAllister@gov.scot>; Minister for Parliamentary Business and Veterans <MinisterPBV@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Minister for Further Education, Higher Education and Science <MinisterFEHES@gov.scot>;

Minister for Children and Young People <MinisterCYP@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>

**Subject:** RE: Conservative Party Business: Education 091220

Good morning

On reflection DFM thinks we should say "notes" rather than "welcomes" in the motion. Updated motion below:

"notes the announcements that National 5, Higher and Advanced Higher exams will be replaced by alternative certification models and acknowledges that additional financial support has been put in place for those teachers and lecturers helping enable the certification to take place."

Many thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] DFM

07 [Redacted s38(1)(b)]

**From:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>

**Sent:** 07 December 2020 20:14

**To:** Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; Anson S (Sam) <Sam.Anson@gov.scot>

**Cc:** McAllister C (Colin) <Colin.McAllister@gov.scot>; Minister for Parliamentary Business

and Veterans <MinisterPBV@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Minister for Further Education, Higher Education and Science <MinisterFEHES@gov.scot>; Minister for Children and Young People <MinisterCYP@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>  
**Subject:** RE: Conservative Party Business: Education 091220

Sam

Think the tracking has gone slightly awry, for completeness, revise is:

“welcomes the announcements that National 5, Higher and Advanced Higher exams will be replaced by alternative certification models and acknowledges that additional financial support has been put in place for those teachers and lecturers helping enable the certification to take place.”

Thanks  
Malcolm

**From:** [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills  
**Sent:** 07 December 2020 20:12  
**To:** Anson S (Sam) <Sam.Anson@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>  
**Cc:** McAllister C (Colin) <Colin.McAllister@gov.scot>; Minister for Parliamentary Business and Veterans <MinisterPBV@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Minister for Further Education, Higher Education and Science <MinisterFEHES@gov.scot>; Minister for Children and Young People <MinisterCYP@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>  
**Subject:** RE: Conservative Party Business: Education 091220

Thank you Sam – DFM is content with this.

Thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]  
[Redacted s38(1)(b)] DFM  
07 [Redacted s38(1)(b)]

**From:** Anson S (Sam) <Sam.Anson@gov.scot>  
**Sent:** 07 December 2020 20:08  
**To:** Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>  
**Cc:** McAllister C (Colin) <Colin.McAllister@gov.scot>; Minister for Parliamentary Business and Veterans <MinisterPBV@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>;

Minister for Further Education, Higher Education and Science <MinisterFEHES@gov.scot>; Minister for Children and Young People <MinisterCYP@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>  
**Subject:** RE: Conservative Party Business: Education 091220

**PS / DFM** – as per the t/c earlier, the proposed amendment is as follows:

Replace all after “That the Parliament...” with:

*“welcomes the announcements that National 5, Higher and Advanced Higher exams will be replaced by an alternative certification models and acknowledges that additional financial support has been put in place to for those teachers and lecturers helping enable the certification to take place.”*

**Colin** – thanks for your first draft and to be aware of very small edits.

**PS / Minister PBV** – to note the above; we'll confirm the final wording with you tomorrow. Can you also confirm that we'll have 5 mins for our response?

Thanks,

Sam

**Sam Anson | Improvement, Attainment and Wellbeing Division| Learning Directorate | 07**[Redacted s38(1)(b)]

**From:** [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills

**Sent:** 07 December 2020 17:44

**To:** Director of Learning <DirectorofLearning@gov.scot>; Anson S (Sam) <Sam.Anon@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>

**Cc:** Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Director for Children and Families <DirectorforChildrenandFamilies@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Cumming A (Alison) Early Learning & Childcare <Alison.Cumming@gov.scot>

**Subject:** FW: Conservative Party Business: Education 091220

Hello

Here is the motion for Wednesday. I would be grateful if a learning official would dial in to the conference call at 6pm.

Many thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]  
[Redacted s38(1)(b)] DFM

07[Redacted s38(1)(b)]

**From:** [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Minister for Parliamentary Business and Veterans

**Sent:** 07 December 2020 17:42

**To:** Minister for Parliamentary Business and Veterans <MinisterPBV@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; Minister for Children and Young People <MinisterCYP@gov.scot>; Minister for Further Education, Higher Education and Science <MinisterFEHES@gov.scot>

**Cc:** Spads Admin <Spads\_Admin@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>

**Subject:** RE: Conservative Party Business: Education 091220

Hi all,

See below conservative motion – grateful for sight of draft amendment by 0900.

**S5M-23629 Jamie Greene: Responding to Parliamentary Will and Calls for Clarity in Education**— That the Parliament notes the outcome of the debate on motion S5M-23385 (Safe Schools) on 18 November 2020 and reasserts its support for this; expresses disappointment that the Scottish Government has not presented proposals in response to the motion; calls on it to deliver at least 2,000 additional full-time teachers to fill the vacancy shortfall and to bring forward proposals to provide free school lunches and breakfasts for all primary pupils, to take effect from the start of the next financial year, and further calls on it to make a decisive and final decision regarding the 2021 Higher exam diet and to provide further support, before the Christmas holidays, to teachers, headteachers and local authorities by providing comprehensive guidance on the processes of assessment, moderation and appeals of all Higher level and National 5 awards.

Thanks,

[Redacted s38(1)(b)] Minister for Parliamentary Business and Veterans|T4.21, Scottish Parliament|0131 244 [Redacted s38(1)(b)] |📧[Redacted s38(1)(b)]@gov.scot

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**From:** [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Minister for Parliamentary Business and Veterans

**Sent:** 03 December 2020 12:02

**To:** Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; Minister for Children and Young People <MinisterCYP@gov.scot>; Minister for Further Education, Higher Education and Science <MinisterFEHES@gov.scot>

**Cc:** Minister for Parliamentary Business and Veterans <MinisterPBV@gov.scot>; Spads Admin <Spads\_Admin@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>

**Subject:** Conservative Party Business: Education 091220

Hi all,

Please see below Conservative topic for **Weds 9<sup>th</sup> Dec**. Please note that a motion will be circulated on Monday evening around 1730.

**1520-1630** Conservative Party Debate: Education

Can you confirm who will open and close on behalf of the Government please asap?

Speaking Times – if the Scottish Government decides to lodge an amendment to the Conservative motion the Minister will have the second opening slot of 5 minutes and the penultimate closing slot of 5 minutes.

If we decide not to lodge an amendment to the motion, but another opposition party does, we are moved down the order of opening speakers. The Minister would therefore have 4 minutes to open, and would be taken either third or fourth dependant on how many other opposition party amendments are lodged.

Regardless of how many amendments lodged the Minister will always have the penultimate closing slot of 5 minutes.

Grateful if you could please provide a copy of the Minister's speeches to the Official Report ([Official.Report@parliament.scot](mailto:Official.Report@parliament.scot)) just ahead of the debate.

Many thanks,

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]

Minister For Parliamentary Business and Veterans  
Scottish Parliament

Tel: 0131 244 [Redacted s38(1)(b)]

Email: [MinisterPBV@gov.scot](mailto:MinisterPBV@gov.scot)

Email: [CabSecCEAEA@gov.scot](mailto:CabSecCEAEA@gov.scot)

**Enclosure 61.1 – Attachment: Word document**

**DFM Speaking Notes – Debate – 9 December 2020**

Second Opening – 5 mins

**2021 exam diet and guidance on assessment, moderation and appeals of all Higher level and National 5 awards**

Presiding officer,

Yesterday I outlined to Parliament that plans for the 2021 exams have been **updated in light of continuing disruption to young people’s education caused by coronavirus.**

I highlighted that Higher and Advanced Higher exams will not now go ahead, and will instead be awarded based on teacher judgement of evidence of learner attainment. The assessment model will be based on the one already agreed for National 5 awards.

Taking that decision now provides certainty to the system and time to ensure that appropriate alternative processes can be implemented. This is the safest and **fairest way to ensure that pupils’ achievements are recognised in the difficult** circumstances we find ourselves in. It recognises the reality of the disruption many pupils have already had to their learning either through having to self-isolate, learn from home or as a result of school closures. It also recognises that, whilst we hope the public health situation will improve, we cannot guarantee that there will be no further disruption to learning.

In coming to these decisions there has been significant engagement with everyone involved. Following on from my announcement yesterday, I would like to reiterate our ongoing commitment to listening to the views of others to ensure that all decisions taken are as balanced and fair as possible.

### **Measures to address teacher workload**

In recognition of the additional workload of assessment of National Qualifications in 2021, I am making provision for additional resource to meet the requirements of the new assessment approach.

These are exceptional times and the system needs to work together to ensure that the hard work of learners can be fairly assessed and recognised.

As I announced yesterday, there will be a one-off, exceptional payment to support all teachers and lecturers delivering and marking National 5, Higher and Advanced Higher courses this year, in the absence of exams.

Further work will be undertaken immediately with partners to ensure the delivery of this payment.

### **Additional full-time teachers**

Turning to other elements of this motion, the Government is committed to expanding teacher numbers as we believe this will contribute to meeting the needs of children and young people.

I have already committed and allocated £80 million to local government for the recruitment of additional teachers and support staff. Local authorities are still recruiting and latest figures indicate that 1,423 additional teachers and 246 support staff have been recruited so far.

This additional resource is bringing bring much needed resilience to schools and the education system right now. Discussions about school staffing rest with local authorities and I continue to discuss their ongoing needs and aspirations in providing education during the Covid crisis.

And I am also conscious of the need to support the health and welfare of those staff who are providing for our children and young people. On that basis, Public Health Scotland are working with partners to ensure each local authority has arrangements are in place in to deal with contact tracing over the Christmas holidays. This will enable teachers to get some much needed rest over that period.

### **Free school lunches and breakfasts for all primary pupils**

I recently provided a commitment, that if re-elected, this Government will, by August 2022, expand the universal provision of free school meals and breakfast clubs to all primary school children and that this commitment would extend to all school holidays.

**And we don't begin this provision from a standing start. This government is** already showing its support to children and young people in receipt of free school meals through an additional £37 million of funding to local authorities to continue

the provision of free schools during the period of schools being closed and in the summer, winter and Easter holidays.

However, as the member will understand, implementation of a commitment of this scale requires planning, engagement with delivery partners, and due diligence. This includes both amendments to legislation and an assessment of the required infrastructure. As well as ensuring that this is a transformative commitment, this approach will also ensure value for money and good governance.

### **Testing**

Finally, I would also like to touch on testing. We have listened carefully to the views of the Parliament and our stakeholders about the reassurance that increased testing could offer to staff.

As set out by the Cabinet Secretary for Health last week, after schools return in January, we will begin piloting routine asymptomatic testing of school staff. Details are currently under discussion with interested local authorities, and I will provide further details on this to the Parliament in due course.

### **Closing remarks**

Presiding officer.

Throughout our response to the pandemic we have been consistent in protecting the interests of our children and young people.

Our approach has been based on four key principles:

- Collaboration – engaging closely with local government, schools staff, children and young people, and a wide range of other partners.
- Being led by the evidence
- Responding to changing circumstances, and
- Prioritising support for those that need it most

These principles have underpinned the work of the whole education sector.

I am proud of what we have achieved – together – in these most difficult of circumstances, and invite the chamber to recognise these efforts.

Approx. 850 words

**Enclosure 62 – Email: RE: FMQs out of hours - Exams - Deadline asap this evening**

From: [Redacted s38(1)(b)]@gov.scot  
Sent: 09 December 2020 19:27  
To: First Minister FMQs <FirstMinisterFMQs@gov.scot>; Pentland MK (Malcolm) Malcolm.Pentland@gov.scot  
Cc: Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; ET FMQ/PQ Mailbox <ETFMQPQ@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot  
Subject: RE: FMQs out of hours - Exams - Deadline asap this evening

To see a proposed FMQ note covering the vote.

Thanks

[Redacted s38(1)(b)]

From: [Redacted s38(1)(b)]@gov.scot> On Behalf Of First Minister FMQs  
Sent: 09 December 2020 18:14  
To: Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
Cc: Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; ET FMQ/PQ Mailbox <ETFMQPQ@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
Subject: FMQs out of hours - Exams - Deadline asap this evening  
Importance: High

Malcolm,

Apologies, I have another out of hours request for you. Also copying this to colleagues who provided the SQA/Exams brief for awareness.

We're looking for a short FMQ note on voting tonight on the cancellation of highers please. Can this please include the motion, how parties voted, and what they asked us to do - I understand some voted against having previously asked for exams to be cancelled.

With apologies for the deadline could you get this back to us asap this evening please? Again, grateful if you could confirm this is being picked up.

Thank you,

[Redacted s38(1)(b)]  
[Redacted s38(1)(b)] | FM Covid Briefing Unit | Scottish Government | 5N.02 St Andrew's House, Edinburgh, EH1 3DG | +44 (0) 131 244 [Redacted s38(1)(b)] | 07[Redacted s38(1)(b)]

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## Enclosure 62.1 – Attachment: Word document

### FMQ: EDUCATION DEBATE VOTE

**ISSUE 9 December:** The Parliament backed a Scottish Conservative motion (below) criticising various elements of Government education policy (yes 59, no 4, abstentions 64).

Jamie Greene - S5M-23629

That the Parliament notes the outcome of the debate on motion S5M-23385 (Safe Schools) on 18 November 2020 and reasserts its support for this; expresses disappointment that the Scottish Government has not presented proposals in response to the motion; calls on it to deliver at least 2,000 additional full-time teachers to fill the vacancy shortfall and to bring forward proposals to provide free school lunches and breakfasts for all primary pupils, to take effect from the start of the next financial year, and further calls on it to make a decisive and final decision regarding the 2021 Higher exam diet and to provide further support, before the Christmas holidays, to teachers, headteachers and local authorities by providing comprehensive guidance on the processes of assessment, moderation and appeals of all Higher level and National 5 awards.

The Government amendment as below was defeated (yes 61, no 62)

John Swinney - S5M-23629.3

As an amendment to motion S5M-23629 in the name of Jamie Greene (Responding to Parliamentary Will and Calls for Clarity in Education), leave out from "outcome" to end and insert "announcements that National 5, Higher and Advanced Higher exams will be replaced by alternative certification models, and acknowledges that measures to address teacher workload, including additional financial support, will be put in place for those teachers and lecturers helping enable the certification to take place."

#### Top lines

- The Green party, the Liberal Democrats, and Labour all called for exams to be cancelled, yet they chose to not back an amendment that noted that this is what the Government has done.
- The Scottish Conservative Party demanded that certainty be delivered on exams, yet chose not to back an amendment that noted that this is what the Government has delivered.
- This Government puts the life chances of learners ahead of political games – we have cancelled the exams to address concerns over wellbeing and anxiety, and deliver certainty to learners, parents and teachers and lecturers.
- The approach to awarding needs to deliver fairness, and under these exceptional circumstances we have cancelled the exams to best ensure that can be achieved.
- Guidance setting out how the approach to assessing National 5 courses was published by SQA on Tuesday (8 December), and guidance on the approach to Highers and Advanced Highers will be published as soon as possible.

**Enclosure 63 – Email: RE: 2021 NIF - Section on the SQA support for assessment**

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 09 December 2020 19:39  
**To:** [Redacted s38(1)(b)]@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Subject:** RE: 2021 NIF - Section on the SQA support for assessment

Hi [Redacted s38(1)(b)]

Updated below.

[Redacted s38(1)(b)]

[Redacted s38(1)(b)], Scottish Government, Area 2B North, Victoria Quay, Edinburgh EH6 6QQ. Call: 07[Redacted s38(1)(b)] Email: [Redacted s38(1)(b)]@gov.scot

[Redacted s38(1)(b)]



**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 09 December 2020 17:00  
**To:** [Redacted s38(1)(b)]@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Subject:** 2021 NIF - Section on the SQA support for assessment

Hi [Redacted s38(1)(b)]

Given the announcement yesterday, would you be able to update the section on the SQA in the NIF please? I have included the relevant extract below.

Cheers

[Redacted s38(1)(b)]

SQA support for assessment in 2020/21

[Professor Priestley's Review of the National Qualifications 2020 experience and the report's recommendations](#), helped inform the approach to assessment and certification set out by the Deputy First Minister to Parliament on 7 October. The first recommendation from the review, was the suspension of the 2021 National 5 exam diet. In view of that recommendation, and having consulted widely, including through the CERG and with learners, teachers and parents, the Deputy First Minister decided to cancel National 5 examinations in 2021. Furthermore, unavoidable Covid related disruption to learning means that it is impossible to guarantee that all learners will be in a position to have the best chance of performing to their true potential in exams in 2021. As a result the Deputy First Minister announced to Parliament on 8 December that Higher and Advanced Higher exams would not go ahead in 2021.

The measures being put in place for 2020-21 are: that National 5, Highers and Advanced Higher's will be awarded based on an alternative assessment model, rather than the usual exam. An individual pupils' work and teachers will determine grades, not an exam; with the emphasis being on quality not quantity of evidence.

SQA is engaging widely and has set up a National Qualifications 2021 Group with representation from key stakeholders to develop and disseminate advice for National 5 courses and this model will form the basis of the arrangements for Higher and Advanced Higher. The group will meet weekly to drive and monitor progress.

It is supported by a working group (also chaired by SQA with membership reflecting its strategic counterpart) which has developed [subject-specific guidance](#) for National 5 courses; has co-created advice on the alternative certification approach for National 5 and will do so for Higher and Advanced Higher courses.

More widely, SQA has taken note of the findings of the Professor Priestley review, as well as its own lessons learned from awarding in 2020, and will be reflecting on these as it delivers the arrangements for 2021. SQA is also reviewing its appeals process to ensure it aligns with the UN Convention on the Rights of the Child (UNCRC). This will include consulting with relevant stakeholders, including young people.

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(Secretariat: Covid-19 Advisory Sub-Group on Education and Children's Issues)