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Enclosure 29: Email, RE Urgent - Appeals Process	25 May 2021 11:08	Personal information	38(1)(b)
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Enclosure 30: Email, RE NQ21 QA ACMWG meeting 25 May - incomplete evidence contingency amended paper	25 May 2021 15:34	Personal information	38(1)(b)
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Enclosure 31: Email: RE Letter for learners	25 May 2021 12:00	Personal information	38(1)(b)
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Enclosure 41: Email: RE Draft Statement	1 June 2021 11:19	Personal information	38(1)(b)
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Enclosure 42: Email, RE Appeals documentation	1 June 2021 20:59	Personal information	38(1)(b)
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**Enclosure 01 - Email: RE National Qualifications 2021 Working Group 3 March 2021**

**From:** [Redacted s38(1)(b)]@sqa.org.uk>  
**Sent:** 02 March 2021 17:25  
**To:** [Redacted s38(1)(b)] @sqa.org.uk>; Armstrong A (Alan) <Alan.Armstrong@educationscotland.gov.scot>; [Redacted s38(1)(b)] @sqa.org.uk>; [Redacted s38(1)(b)]@ayrshire.ac.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)] @sqa.org.uk>; Gill Stewart <Gill.Stewart@sqa.org.uk>; Graham Hutton <ghutton859@dundeeschools.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@southlanarkshire.gov.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)] @sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; Andrea Bradley <abradley@eis.org.uk>; [Redacted s38(1)(b)]@dundeeandangus.ac.uk>; Margaret Lannon <margaret@scis.org.uk>; [Redacted s38(1)(b)]; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@sqa.org.uk>  
**Cc:** Jean Blair <Jean.Blair@sqa.org.uk>; graham.hutton@dundeecity.gov.uk  
**Subject:** National Qualifications 2021 Working Group 3 March 2021

Good afternoon

Please find attached the following documents for the meeting tomorrow :

- NQ2021 WG ACM National QA Comms 030321
- Agenda 3 March 2021
- Meeting Note QA ACM WG 16 February 2021
- Meeting Note NQ2021 Stakeholder WG 24 February 2021

Kind regards

[Redacted s38(1)(b)]  
[Redacted s38(1)(b)]  
[Redacted s38(1)(b)]  
t: 0141 500 [Redacted s38(1)(b)]/07[Redacted s38(1)(b)] e: [Redacted s38(1)(b)]@sqa.org.uk| w: <http://www.sqa.org.uk>  
**Scottish Qualifications Authority**  
The Optima Building, 58 Robertson Street, GLASGOW G2 8DQ

## Enclosure 01.1 – Attachment: Agenda

### NQ 2021 Stakeholder Working Group Meeting

Meeting to be held on 3 March 2021.

#### Agenda

Item	Topic	Paper
1	Welcome and apologies	JB
2	Previous Minutes	Revised Meeting Note QA ACM 16 February 2021 – Issued.  Meeting Note NQ 2021 Stakeholder Working Group Meeting on the Appeals Process 24 February 2021- Issued
3	Appeals Process	[Redacted s38(1)(b)] and MB
4	Approach to National Quality Assurance	[Redacted s38(1)(b)]
5	<a href="#">Roles and Responsibilities</a>	JB

## **Enclosure 01.2 – Attachment: Draft notes of NQ21 WG meeting on 24 February 2021**

### **Notes of NQ 2021 Stakeholder Working Group Meeting 24 Feb 2021 on the Appeals Process**

**Attendees:** Jean Blair (SQA), Gill Stewart (SQA), Andrea Bradley (EIS), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Alan Armstrong (Education Scotland), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ScotGov), Graham Hutton (SLS), [Redacted s38(1)(b)] (ADES and RICs), Margaret Lannon (SCIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Mike Baxter (SQA), [Redacted s38(1)(b)] (Colleges Scotland)

**Apologies:** [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (SCIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA)

### **Previous Minutes**

There were two revisions to the minutes of 16<sup>th</sup> February, and these will be circulated.

### **Discussion**

(**Note** the discussion points have been grouped into topics for ease of reference so are not necessarily in order of when the points were made).

### **College Experience of Internal Appeals**

[Redacted s38(1)(b)] (Colleges Scotland) gave a presentation on Ayrshire College's appeals process, covering the policy and procedures. The presentation will be circulated to members following the meeting.

She noted that the number of appeals was usually very small (in one instance 12), issues were usually sorted at the informal stage, and few went on to Stage 2 (in the same instance six). Four of these were for Graded Units. [Redacted s38(1)(b)] noted that they had very similar numbers at Dundee and Angus College.

[Redacted s38(1)(b)] highlighted the following points:

- If a complaint was upheld relating to disadvantage a required action could be to give the student another attempt.
- Colleges are required by regulation to have appeals processes.



- Equal access to the process, and support for students to understand it, is provided at induction (both in writing and discussion) and confirmed through a 'learning agreement'. A learning portal for students is available with all policies and procedures available to students.
- All students have a Curriculum Manager. They will go to the CM after an initial discussion with a lecturer if they wish to query a grade. The CM may refer them to the formal process and help them to understand the grounds for appeal. Non-advanced students also have a guidance tutor who can help. Most students with additional needs will be working with a member of inclusive learning staff who would help them with the process.
- Equalities monitoring includes the numbers of appeals received, and by which students, and is examined via student records.
- Occasionally, in single lecturer departments, lecturers have to call on a colleague from a different, but similar subject area to assist with an appeal – and very occasionally another college is asked to help.

## Feedback

Members were very complimentary on the usefulness and clarity of the presentation.

## Discussion

Members made the following points:

- Colleges can have challenging conversations with students about assessment outcomes. However, ensuring that results aren't provided to learners until internal quality assurance has taken place makes this an easier process to manage.
- Colleges wish to retain their appeals processes and it was noted that this means a different process is available in colleges from that in schools.
- The legislation on children's rights has significant implications for centres and SQA. [redacted s.30(b)(ii)]
- The view of the CYPCS is that the legislation includes adults should support children to make decisions in their best interest. This is important because if learners were able to appeal directly, they might do so when it isn't in their best interest.
- Documenting the basis of the judgement based on demonstrated attainment and local quality assurance are both key in terms of meeting children's rights and protecting teachers and lecturers - ensuring decisions are evidence based.
- The CYPCS has not stated that appeals cannot come through centres, simply that learners should have a direct right of appeal to SQA.
- Learners should be able to appeal directly to SQA, but a conversation with the centre should be required first.

- [redacted s.30(b)(ii)]. The separation of appeals based on academic judgments from complaints is welcome.
- Learners need support to understand the appeals process to ensure they understand that grades can go down, stay the same or go up, and to also understand the difference between appeals and complaints. Appeals are based on demonstrated attainment, not inferred.
- Learners also need to realise that assessments must be conducted under appropriate conditions.
- An informative video on the process for parents, carers and learners could be provided, clarifying demonstrated attainment (as opposed to inferred), and explaining the difference between appeals and complaints. This would provide clarity and reassurance (for teachers and lecturers too).
- Potential appeals workload can be minimised by open, regular dialogue with learners (and parents/carers) on learner attainment and evidence.
- Conversations about learner progress and the evidence supporting working/target/provisional grades are vital to avoid any surprises that could result in appeals.
- The generation of new evidence may be required if it has been established that there had been an error made through the complaints process e.g. an agreed assessment arrangement wasn't applied. This needs further discussion.
- Currently, re-assessment can be conducted for internal assessment and if a learner raises an issue before the submission of results, eg assessment arrangements were not in place, there may be an opportunity to undertake re-assessment prior to the submission of provisional results.
- The learner also has some responsibility to alert centre staff if there has been an equality issue, as the 'owner' of an agreed assessment arrangement.
- It was noted that some learners won't have the confidence to raise an issue with teachers/lecturers.

### **Practical considerations**

- Uplift of evidence has to be from the centre, not the learner's home.

### **Members were in agreement on the following points:**

- Centres have a responsibility to guide learners about whether or not to appeal.
- Centres should know if learners intend to appeal as they will need to provide the evidence which was used to determine the provisional result.

- Clear communications are needed to clarify the grounds for appeal – what is in and out of scope of an appeal and the difference between an appeal and a complaint.
- Communications should state that learners should talk to the centre prior to submitting an appeal.

### Timescales

- [redacted s.30(b)(ii)]. As in previous years, SQA and centres will have to prioritise learners with conditional offers for university or college.
- [redacted s.30(b)(ii)]

### Next Steps

Further discussion is needed on:

- [redacted s.30(b)(ii)]

**Date of next meeting:** Wednesday 3<sup>rd</sup> March, 3pm.

Jean Blair (Chair) thanked the members for their attendance and contribution.

### Action Summary

Area	Action	Owner	Update
Resource	[redacted s30(b)(ii)]	[Redacted s38(1)(b)]	[redacted s.30(b)(ii)]
Previous Minutes	Previous minutes sent for review.	ALL	Minutes of 16/2 to be reviewed. Minutes of 24/2 to be reviewed.
Appeals Process	To be developed by subgroup.	Jean Blair	

## **Enclosure 01.3 – Attachment: Draft notes of NQ21 WG meeting on 16 February 2021**

### Notes of NQ 2021 Stakeholder Working Group Meeting 16 Feb 2021 on QA of the ACM

**Attendees:** Jean Blair (SQA) left at 14:45, returned at 15:14, Gill Stewart (SQA) left at 15:16, Andrea Bradley (EIS), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Alan Armstrong (Education Scotland), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ScotGov), Graham Hutton (SLS), [Redacted s38(1)(b)] (ADES and RICs), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Margaret Lannon (SCIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ScotGov) left at 14:59, [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SCIS).

**Apologies:** [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (Colleges Scotland).

### Previous Minutes

The minutes of 9 February were accepted.

### Discussion

(**Note** the discussion points have been grouped into topics for ease of reference so are not necessarily in order of when the points were made).

### Appeals (led by [Redacted s38(1)(b)] and [Redacted s38(1)(b)])

[Redacted s38(1)(b)] gave a presentation on appeals as a starting point for discussion, covering the background, regulation, principles, operational delivery and summary of key points. The presentation will be circulated to members following the meeting.

### Feedback

In general, the members felt that the presentation was clear, detailed and thought provoking, setting out the challenges around appeals for 2021 National Qualifications and the proposed principles for the appeals model intended for public consultation. Members broadly welcomed the following points:

- There would be no charge.
- The learner was very much at the centre and had a voice in the process.
- The grounds for appeal.
- There is collaboration between centres and SQA to be determined
- The fact that the appeals process will go to consultation, and the degree to which SQA is undertaking work to listen to various relevant stakeholders in developing its appeal model.

However, a number of issues were identified:

### Practical Considerations

- [redacted s.30(b)(ii)]. Questions raised on how all young people or their representatives can be supported within centres or through access to advocacy services to access the system, to ensure equity.
- [redacted s.30(b)(ii)]
- As there are complex legal issues involved, the new arrangements will need to be carefully developed and communicated. It is a different model.
- For efficiency, consistency and fairness, it will be necessary to clearly define SQA expectations around centre discussions with learners around their provisional result.
- If centres are responsible for additional review of evidence, it may appear to be a duplication of effort as centres will have already gone through a local QA process to confirm their judgements on the provisional results for their candidates.

### The Reference to Submission of New Evidence

- If this is perceived to offer a widely available opportunity for candidates to improve their grade, it could lead to a substantially larger number of appeals and may be seen as an extension to the academic session.
- Due to the timescales involved, candidates may not have fully retained learning from months earlier such that they may not be in the position to produce new evidence with the level of knowledge, understanding and skills held at the point that the original evidence was generated.
- Concern about perceived unfairness in the way the original evidence was generated should be managed through a complaint process and not an appeal, negating the need for new evidence. The difference between an academic appeal and a complaint, which does not lead to a change in grade, is important.
- Generation of any new evidence would need to be managed by schools with a degree of control to ensure the authenticity of the learners' work. When the process is documented, questions around the circumstances, assessment instruments used, and moderation of that evidence will need to be addressed. Further clarification is needed.
- New evidence does avoid the need to look at inferred attainment but must be fair and deliverable.
- Suggestion that any new evidence would only be required in very specific circumstances. SQA agreed that this would indeed be the case and cited an example of a candidate who expresses to SQA that they had not been provided with agreed assessment arrangements, as a reasonable adjustment for their disability. SQA has discussed the relative responsibilities around claims of unfairness in terms of the Equality Act 2010 with EHRC and SQA's legal advisers. The question was posed to the members that, in the very few instances where it is confirmed that SQA requirements for fair assessment have not been applied correctly, what would be the remedy for such candidates if new evidence was not generated and assessed?
- Most schools close in June and therefore, would return in August with teachers having to provide new instruments of assessment as well as teaching. [redacted s.30(b)(ii)]

## Timescales

- The proposal to open the appeals service in June was questioned, as candidates will not yet have received their awards. It was suggested that June was appropriate as that was the point at which learners would know their provisional grade, representing an early opportunity for the clarification discussion that experience suggests brings most learners to a point of understanding and accepting their result. For those learners who still do not understand and accept their result following this conversation, the opening of a service to enable candidates to register their intention to request an SQA appeal would support an early indication of volume of appeals. Schools are not expected to be open throughout the Summer to collate information and/ or assessment evidence for SQA review.
- [redacted s.30(b)(ii)]

## Other considerations:

- The college sector operates an existing appeals process where the candidate has the right to appeal at any point for internally assessment judgements determined throughout the year. It excludes any appeals relating to, for example, the learning environment or maladministration as these would be managed through 'complaints' or malpractice processes. There are very few appeals.
- The college sector is comfortable with the application of internal appeals processes to National Qualifications judgements in 2021 and would be happy to share a copy of their model with members. The model manages appeals successfully within the centre, and there is not a perceived need for an SQA escalated appeal stage.
- A few independent schools offer non-Scottish qualifications for which appeals to awarding bodies have a focus on correct application of assessment processes rather than review of assessment evidence and would be happy to share a copy of the procedures they must follow.
- Members described their experience indicating that the vast majority of candidates who do not understand or accept their internal assessment result are satisfied following a clarification discussion, or early stage process managed within the centre.
- [redacted s.30(b)(ii)]. SQA have discussed the implications for education with the Children's Commissioner and have sought legal advice around its parameters. In addition, SQA has been advised on the current position in terms of international legal obligations applying in terms of UNCRC.
- There was recognition that members had previously commented on the starter paper.

## Next Steps

- Copy of the presentation to be sent to members.
- Further comments can be emailed to [Redacted s38(1)(b)] or [Redacted s38(1)(b)]

- [Redacted s38(1)(b)] and [Redacted s38(1)(b)] to return to the working group in due course.
- Timescale for consultation is early March.

## ACM

- The revised ACM, with incorporated comments from the steering group, as well as the equality and children’s rights and wellbeing impact assessments, will be published this afternoon.
- The final package of papers will be sent to members this afternoon and includes reference to payment for teachers and two additional inset days.
- Effective implementation of the model should mitigate against and minimise the number of appeals, with learners confident in the judgements that have been reached.

Jean Blair (Chair) thanked the members for their contribution and work in recent months.

## Action Summary

Area	Action	Owner	Update
Resource	Scottish Government to be approached to see if any additional resource can be secured.	[Redacted s38(1)(b)]	
	Additional in-service days to be secured and ringfenced for ACM.	[Redacted s38(1)(b)]	06/01 – Given change in circumstances, the standardisation of existing and additional in-service days to be considered with the recommendation to be escalated to the NQ 2021 Steering Group. <b>16/2- included in final version of ACM.</b>

Area	Action	Owner	Update
	Standardisation of remaining holidays	[Redacted s38(1)(b)]	With the continued disruption to learning, the possibility of standardising remaining school holidays to be considered at Government level.
Sampling	SQA Operations to identify feasible sampling options	[Redacted s38(1)(b)]	Final selections strategy to be agreed
Previous Minutes	Previous minutes sent for review.	ALL	Minutes of 9/2 accepted.
Roles and Responsibilities	Draft paper discussed during the meeting with feedback captured during the discussion.	[Redacted s38(1)(b)]	21/01 – Roles and responsibilities to be revisited given change in circumstances and progression of Option 1 and Option 2. 8/02- Updated version circulated. 12/02- Being considered by NQ 2021 steering group.
Options	New option to be developed by a subgroup	Jean Blair	08/02 Subgroup met to work up this option. Draft 3 presented to WG on 09/02. 12/02- presented to steering group. 16/2- final version to be published.
Appeals Process	To be developed by subgroup.	Jean Blair	16/2- presentation to members. Further comments to be sent to [Redacted s38(1)(b)] or [Redacted s38(1)(b)].



**Enclosure 02 – Email: Re CAB - ACM 4 March 21**

**From:** [Redacted s38(1)(b)]@sqa.org.uk>

**Sent:** 03 March 2021 09:22

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

**Cc:** [Redacted s38(1)(b)]@sqa.org.uk>; Gill Stewart <Gill.Stewart@sqa.org.uk>

**Subject:** CAB - ACM 4 March 21.pptx

Dear [Redacted s38(1)(b)]

I will be attending CAB to make this presentation.

Best wishes

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

[Redacted s38(1)(b)]

**Qualifications Development, SQA**

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

The Optima Building, 58 Robertson Street, GLASGOW G2 8DQ

**Enclosure 02.1 – Attachment: PowerPoint**

## National Qualifications 2021

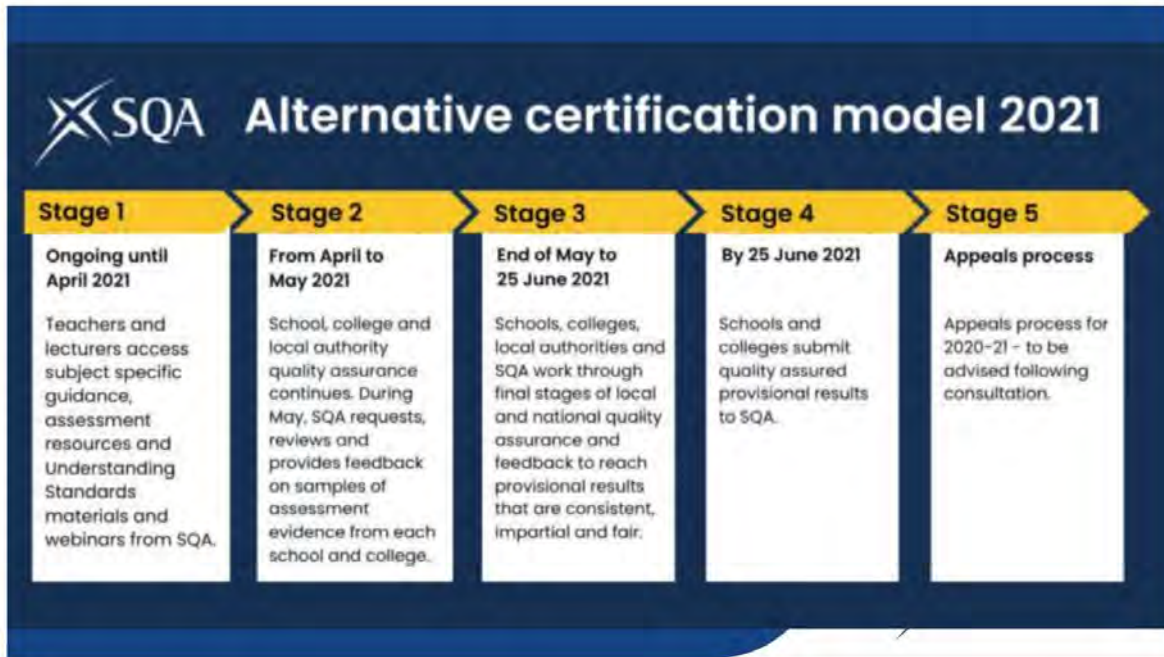
CAB  
4 March 2021



### Work to date

- Modifications to assessment requirements to recognise learning disruption and to maximise learning and teaching, following consultation
- Publication of National 5 (pre-Christmas), Higher and Advanced Higher (post-Christmas) subject-specific guidance and assessment materials following cancellation of exams
- Extensive programme of Understanding Standards materials and online events
- Demonstrated attainment at the heart of the alternative certification model
- Publication of revised co-created alternative certification model for National 5, Higher and Advanced Higher including Roles & Responsibilities and Impact Assessments for Equalities and Children's Rights & Wellbeing
- Joint communications throughout from National Qualifications Group, with tailored messaging for parents/carers and learners
- Appeals review underway, with public consultation likely next month
- Ongoing stakeholder engagement including learner panel






[Redacted – not in scope]

## Key considerations

- Everyone across the education system takes responsibility for the success of the ACM, including rigorous local and national quality assurance
- Learners have the opportunity to demonstrate what they know, understand and can do before 25 June – including practical subjects
- Centres value and act on quality assurance feedback
- Communications are consistent across the piece and tailored for the audience eg learners, parents and carers
- Equalities and children’s rights and well being considerations underpin all decisions and actions
- Ensuring sufficient resource to complete national quality assurance within very tight time frame
- Appeals process post- August - subject to consultation



[Redacted – not in scope]

**Enclosure 03 – Email: RE National Qualifications in 2021 - NQ21 Group**

**From:** [Redacted s38(1)(b)]@sqa.org.uk>

**Sent:** 09 March 2021 18:10

**To:** Fiona Robertson <fiona.robertson@sqa.org.uk>; 'Jim Thewliss' <jim.thewliss@sls-scotland.org.uk>; 'McDaid, Tony' <Tony.Mcdaid@southlanarkshire.gov.uk>; 'Larry Flanagan' <lflanagan@eis.org.uk>; Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Jean Blair <Jean.Blair@sqa.org.uk>; Gill Stewart <Gill.Stewart@sqa.org.uk>; Jamie Dunlop <jamie.d@syp.org.uk>; [Redacted s38(1)(b)]@gov.scot>; Armstrong A (Alan) <Alan.Armstrong@educationscotland.gov.scot>; 'Steven Quinn' <steven.quinn@renfrewshire.gov.uk>; John.Edward@scis.org.uk; 'anne.campbell@ayrshire.ac.uk' <anne.campbell@ayrshire.ac.uk>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; 'NPFS Renfrewshire' <renfrewshire@npfs.org.uk>; 'Ben McKendrick' <Ben.M@syp.org.uk>; [Redacted s38(1)(b)].msyp@sypmail.org.uk; [Redacted s38(1)(b)]@sqa.org.uk>

**Cc:** [Redacted s38(1)(b)]@sqa.org.uk>

**Subject:** RE: National Qualifications in 2021 - NQ21 Group

Hello

Following [Redacted s38(1)(b)] email earlier, I've attached the final version of the learner booklet for your information. [Redacted – not in scope]

Kind regards

[Redacted s38(1)(b)]

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[Redacted – not in scope]

**Enclosure 03.1 – Attachment: PDF**

[Redacted s25(1) – [https://www.sqa.org.uk/sqa/files\\_ccc/NQ-2021-what-you-need-to-know.pdf](https://www.sqa.org.uk/sqa/files_ccc/NQ-2021-what-you-need-to-know.pdf) ]

**Enclosure 04 – Email: RE NQ 2021 WG 11 March 2021**

**From:** [Redacted s38(1)(b)]@sqa.org.uk>

**Sent:** 10 March 2021 09:53

**To:** [Redacted s38(1)(b)]@sqa.org.uk>; Graham Hutton <ghutton859@dundeeschools.scot>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; Armstrong A (Alan) <Alan.Armstrong@educationscotland.gov.scot>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@ayrshire.ac.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; Gill Stewart <Gill.Stewart@sqa.org.uk>; graham.hutton@dundeecity.gov.uk; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@southlanarkshire.gov.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; Andrea Bradley <abradley@eis.org.uk>; [Redacted s38(1)(b)]@dundeeandangus.ac.uk>; Margaret Lannon <margaret@scis.org.uk>; [Redacted s38(1)(b)]; Bray O (Ollie) <Ollie.Bray@educationscotland.gov.scot>; [Redacted s38(1)(b)]@sqa.org.uk>  
**Cc:** Jean Blair <Jean.Blair@sqa.org.uk>  
**Subject:** NQ 2021 WG 11 March 20201

Good morning

Please find the following papers attached in advance of tomorrow's meeting:

Revised minutes of NQ 2021 working group meeting on 24 February

Minutes of NQ2021 working group meeting on 3 March

Agenda for NQ2021 working group meeting on 11 March

**Agenda item 3:**

Sub-group on Roles and Responsibilities

ACM pro forma for recording rationale of provisional results

Head of Centre declaration proforma

**Agenda item 5:**

Private Candidates for SQA Qualifications discussion paper

**Agenda item 6:**

Remote assessment guidance

**Agenda item 7:**

Digital Question Papers

Kind regards

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]

t: 0141 500 [Redacted s38(1)(b)]/07[Redacted s38(1)(b)] e: [Redacted s38(1)(b)]@sqa.org.uk | w: <http://www.sqa.org.uk>

**Scottish Qualifications Authority**

The Optima Building, 58 Robertson Street, GLASGOW G2 8DQ



## **Enclosure 04.1 – Attachment: Draft notes of NQ21 WG meeting on 24 February 2021**

### **Notes of NQ 2021 Stakeholder Working Group Meeting 24 Feb 2021 on the Appeals Process**

**Attendees:** Jean Blair (SQA), Gill Stewart (SQA), Andrea Bradley (EIS), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Alan Armstrong (Education Scotland), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ScotGov), Graham Hutton (SLS), [Redacted s38(1)(b)] (ADES and RICs), Margaret Lannon (SCIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Mike Baxter (SQA), [Redacted s38(1)(b)] (Colleges Scotland)

**Apologies:** [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (SCIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA)

### **Previous Minutes**

There were two revisions to the minutes of 16 February, and these will be circulated.

### **Discussion**

(**Note** the discussion points have been grouped into topics for ease of reference so are not necessarily in order of when the points were made).

### **College Experience of Internal Appeals**

[Redacted s38(1)(b)] (Colleges Scotland) gave a presentation on Ayrshire College's appeals process, covering the policy and procedures. The presentation will be circulated to members following the meeting.

She noted that the number of appeals was usually very small (in one instance 12), issues were usually sorted at the informal stage, and few went on to Stage 2 (in the same instance six). Four of these were for Graded Units. [Redacted s38(1)(b)] noted that they had very similar numbers at Dundee and Angus College.

[Redacted s38(1)(b)] highlighted the following points:

- If a complaint was upheld relating to disadvantage a required action could be to give the student another attempt.
- Colleges are required by regulation to have appeals processes.
- Equal access to the process, and support for students to understand it, is provided at induction (both in writing and discussion) and confirmed through a



'learning agreement'. A learning portal for students is available with all policies and procedures available to students.

- All students have a Curriculum Manager. They will go to the CM after an initial discussion with a lecturer if they wish to query a grade. The CM may refer them to the formal process and help them to understand the grounds for appeal. Non-advanced students also have a guidance tutor who can help. Most students with additional needs will be working with a member of inclusive learning staff who would help them with the process.
- Equalities monitoring includes the numbers of appeals received, and by which students, and is examined via student records.
- Occasionally, in single lecturer departments, lecturers have to call on a colleague from a different, but similar subject area to assist with an appeal – and very occasionally another college is asked to help.

## **Feedback**

Members were very complimentary on the usefulness and clarity of the presentation.

## **Discussion**

Members made the following points:

- Colleges can have challenging conversations with students about assessment outcomes. However, ensuring that results aren't provided to learners until internal quality assurance has taken place makes this an easier process to manage.
- Colleges wish to retain their appeals processes and it was noted that this means a different process is available in colleges from that in schools.
- The legislation on children's rights has significant implications for centres and SQA. The Scottish Government expect delivery against UNHRC, even before full legislative implementation.
- Examples of such implication would be the impact on teaching time and on teacher workload.
- There must be monitoring to ensure all learners have equal access to appeals.
- The view of the CYPCS is that the legislation includes adults should support children to make decisions in their best interest. This is important because if learners were able to appeal directly, they might do so when it isn't in their best interest.
- Documenting the basis of the judgement based on demonstrated attainment and local quality assurance are both key in terms of meeting children's rights and protecting teachers and lecturers - ensuring decisions are evidence based.
- The CYPCS has not stated that appeals cannot come through centres, simply that learners should have a direct right of appeal to SQA.

- Learners should be able to appeal directly to SQA, but a conversation with the centre should be required first.
- If centres are required to undertake an internal appeals process prior to learners applying directly to the SQA for an appeal, this will impact on teacher workload and teaching time.
- Going through an internal appeals process could be a condition of appealing to SQA (unless legislation prevents this).
- The separation of appeals based on academic judgments from complaints is welcome.
- Learners need support to understand the appeals process to ensure they understand that grades can go down, stay the same or go up, and to also understand the difference between appeals and complaints. Appeals are based on demonstrated attainment, not inferred.
- Learners also need to realise that assessments must be conducted under appropriate conditions.
- An informative video on the process for parents, carers and learners could be provided, clarifying demonstrated attainment (as opposed to inferred), and explaining the difference between appeals and complaints. This would provide clarity and reassurance (for teachers and lecturers too).
- Potential appeals workload can be minimised by open, regular dialogue with learners (and parents/carers) on learner attainment and evidence.
- Conversations about learner progress and the evidence supporting working/target/provisional grades are vital to avoid any surprises that could result in appeals.
- The generation of new evidence may be required if it has been established that there had been an error made through the complaints process eg an agreed assessment arrangement wasn't applied. This needs further discussion.
- Currently, re-assessment can be conducted for internal assessment and if a learner raises an issue before the submission of results, eg assessment arrangements were not in place, there may be an opportunity to undertake re-assessment prior to the submission of provisional results.
- The learner also has some responsibility to alert centre staff if there has been an equality issue, as the 'owner' of an agreed assessment arrangement.
- It was noted that some learners won't have the confidence to raise an issue with teachers/lecturers.

### **Practical considerations**

- Uplift of evidence has to be from the centre, not the learner's home.

### **Members were in agreement on the following points:**

- Centres have a responsibility to guide learners about whether or not to appeal.
- Centres should know if learners intend to appeal as they will need to provide the evidence that was used to determine the provisional result.
- Clear communications are needed to clarify the grounds for appeal – what is in and out of scope of an appeal and the difference between an appeal and a complaint.
- Communications should state that learners should talk to the centre prior to submitting an appeal.

### **Timescales**

- [redacted s.30(b)(ii)]. As in previous years, SQA and centres will have to prioritise learners with conditional offers for university or college.
- The UCAS deadline is the end of August currently but may be pushed back to the first week in September.

### **Next Steps**

Further discussion is needed on:

- The timing of the opening of the appeals process in June or August.
- Grounds for appeal
- Clarity on circumstances for 'new evidence'
- Process post August results between centres and SQA
- Post August discussion with learners and centres
- Communications to support understanding of the ACM and the appeals process

**Date of next meeting:** Wednesday 3 March, 3pm.

Jean Blair (Chair) thanked the members for their attendance and contribution.

### **Action Summary**

Area	Action	Owner	Update
Resource	Standardisation of remaining holidays	[Redacted s38(1)(b)]	With the continued disruption to learning, the possibility of standardising remaining school holidays to be considered at Government level.
Previous Minutes	Previous minutes sent for review.	ALL	Minutes of 16/2 to be reviewed. Minutes of 24/2 to be reviewed.
Appeals Process	To be developed by subgroup.	Jean Blair	

## **Enclosure 04.2 – Attachment: Draft notes of NQ21 WG meeting on 3 March 2021**

### Notes of NQ 2021 Stakeholder Working Group Meeting 3 March 2021

**Attendees:** Jean Blair (SQA), Gill Stewart (SQA), Andrea Bradley (EIS), [Redacted s38(1)(b)] (Colleges Scotland) left at 15:56, [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Alan Armstrong (Education Scotland), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ScotGov), Graham Hutton (SLS) left at 15:38, [Redacted s38(1)(b)] (ADES and RICs), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Margaret Lannon (SCIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (SQA) joined at 15:30, [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SCIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (SQA).

**Apologies:** [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA).

### Previous Minutes

Revised minutes of 16 February were accepted.

Two amendments were suggested to the minutes of 24 February.

In the discussion section on page 2, the following points should be added:

- Reference to the importance of monitoring equal access to the appeals process for all should be captured more strongly.
- If centres are required to undertake an internal appeals process prior to learners applying directly to the SQA for an appeal, this will impact on teacher workload and teaching time.

### Discussion

(**Note** the discussion points have been grouped into topics for ease of reference so are not necessarily in order of when the points were made).

### Appeals ([Redacted s38(1)(b)])

- When appeal is received by SQA, the first check would be with the centre to ensure that SQA quality assurance processes had been adhered to. For example, the paper had been double marked. If the process had been applied correctly, the appeal would not be upheld. Such trust in teachers' judgement is an important step in the process.

### **Discussion on Appeals**

- Whilst there was agreement on the need for internal quality assurance, there was a general concern expressed by members around the requirement for all evidence to be double marked/cross marked as it would both be a significant impact on workload and undermine trust in teachers' judgement.
- Although the early sharing of feedback between learners and their teachers, outlined in the ACM, should reduce the number of appeals.
- If this first check is not in place, it would have an impact on the number of appointees required and there would be a greater potential for grades being downgraded, thus calling into question the quality assurance process and the integrity of results. It was important that centres follow the ACM model and strive to get it right first time.
- It was suggested that centres prepare beforehand by identifying borderline candidates and those more likely to challenge their result. Clarification was sought on whether the 'second pair of eyes' could be in the centre and who would undertake this check.
- All learners need to be equally supported to access the appeals process. Considerable work has been done in this area, including a meeting with SPSO who work with advocacy services to assist young people and their parents/carers.
- Centre administrative errors accounted for a significant number of appeals in 2020. In the past, centres usually identify administrative errors very quickly, but the timing is very tight. For example, if SQA are looking to have receipt of this evidence around 20 August, the current UCAS deadline is 31 August, though this is likely to be extended.
- In vocational qualifications, SQA seek reassurance from the centre but are not involved in the academic judgement.
- Suggestion that centres should publish their quality assurance processes has merit in being open and transparent.
- The preferred solution for schools and colleges may need to be considered to fit the required needs of each sector.

The members were thanked for their different and converging points of view.

The paper will be published for consultation next week, with opportunity to feedback using commentaries.

### **Approach to National Quality Assurance** ([Redacted s38(1)(b)])

The paper **NQ2021 working group ACM National QA Comms** is designed to give more information and reassurance to centres on the approach to national quality assurance. Teaching and learning remains a high level priority at this time and it's important that attention is not diverted from that.

The ACM is based on quality assurance (QA) of learner evidence, both at a local and national level. There is a need to check that this has been applied across the country. QA is a whole system approach this year.

This paper highlights that centres will be notified in early May with details of selections of which subject learner evidence is required. These will be random selections, with the exception of a very small number of non-random selections if the

course is being delivered for the first time. The number requested will be small and proportionate with what is being delivered.

Review will be carried out by senior subject experts with subject specific feedback to centres selected and all centres will be able to access generic feedback.

## Discussion

- Members welcomed the paper and felt that it was concise and clear. In addition, the inclusion of the early May timescale was reassuring. It would be helpful if there was also an indication of when centres will receive subject specific feedback.
- There was general agreement that the wording around 'pieces of evidence' should be looked at.
- More detail is required about what will be asked for in terms of national sampling.
- Important to provide more reassurance to practical subjects with regards to sampling. There may need to be specific guidance for specific subjects.
- Centres should focus on the guidance for individual subjects, and not on the general guidance, as the number and size of pieces required varies across the subjects. SQA happy to work to allay any concerns on this.

Work will be done on the rewording of the phrase 'pieces of evidence' ([Redacted s38(1)(b)], [Redacted s38(1)(b)] and [Redacted s38(1)(b)]).

Suggested comments or amendments to the paper would be welcomed and the members were thanked for their contribution to the discussion.

It was suggested that it would be helpful if any of the new content, beyond what is already in the ACM, could be highlighted in some way. It was suggested that as this was the first message on national Quality Assurance, no highlighting was necessary.

## Roles and Responsibilities (Jean Blair)

Proposal that we need a document which provides more information of what the key players are doing to meet their roles and responsibilities, particularly for learners and parents/carers. The following members agreed to be part of the discussion:

Margaret Lannon [Redacted s38(1)(b)]  
[Redacted s38(1)(b)] [Redacted s38(1)(b)]  
[Redacted s38(1)(b)] [Redacted s38(1)(b)]

## AOB

- The paper on disruption to learning went to the steering group last week and will be presented to the working group at its next meeting. It would be prudent to release this before 15 March.  
There is a need to make sure that the message is carefully delivered.

This paper, as well as private candidates/home school candidates will be discussed at next week's meeting.

- Teachers have expressed concern about having to amend the SQA published assessment items. In addition, there is a risk attached to changing grade boundaries. This is not an SQA directive but a local one. However, it was also noted that the marking instructions are not fully comprehensive and therefore centres could make different decisions on how to use the assessments. It was suggested that SQA colleagues in qualifications should consider these issues.

### Next Steps

- Members were encouraged to participate and respond to the consultation on appeals, as well as encouraging others to do so.
- Further comments or suggested amendments on the **Approach to National Quality Assurance** should be sent to [Redacted s38(1)(b)]
- Subgroup to meet to discuss **Roles and Responsibilities**.
- Qualifications colleagues to consider if further advice is needed to address concerns about amending SQA published assessments.

### Action Summary

Area	Action	Owner	Update
Resource	Standardisation of remaining holidays	[Redacted s38(1)(b)]	With the continued disruption to learning, the possibility of standardising remaining school holidays to be considered at Government level.
Previous Minutes	Previous minutes sent for review.	ALL	Minutes of 24/2 to be reviewed. Minutes of 3/3 to be reviewed.
Appeals Process	Participation in consultation encouraged.	[Redacted s38(1)(b)]	Consultation to be released w/c 8/3.
Approach to National Quality Assurance	Comments and/or suggested amendments to [Redacted s38(1)(b)].	[Redacted s38(1)(b)]	
Roles and Responsibilities	Sub group to be formed.	Jean Blair	
Amending SQA published assessments	Qualifications colleagues to consider if further advice to centres is required.	Gill Stewart	



## **Enclosure 04.3 – Attachment: Paper on digital question paper resources**

Scottish Qualifications Authority

NQ 2021 Working Group

11 March 2021

Via QDMT, Thursday 25 February 2021 and CoPGG, Tuesday 9 March 2021

### **Digital Question Paper Resources for 2021**

#### **Context**

This short paper asks NQ 2021 Working Group to consider whether SQA should proactively create digital versions of the question paper resources provided to centres to support assessment for graded national courses in 2021.

[Redacted – not in scope]

#### **Benefits**

- [Redacted – not in scope]
- Providing DQP resources might reduce the likelihood of appeals based on unfairness where a candidate has not had appropriate DQP internal assessment arrangements in centre.

[Redacted – not in scope]

## **Enclosure 04.4 – Attachment: Paper on roles and responsibilities**

**NQ 2021 Working Group - Thursday 11 March 2021**

### **Roles and responsibilities**

#### **Status**

At the last meeting of the working group, it was agreed that a sub-group should be convened to consider how best to communicate to all stakeholders the roles and responsibilities of all partners within the co-created alternative certification model, and to provide confirmation that the measures described in the roles and responsibilities document are being implemented effectively.

The subgroup consisted of Jean Blair, [Redacted s38(1)(b)], [Redacted s38(1)(b)], Margaret Lannon, [Redacted s38(1)(b)], [Redacted s38(1)(b)], and [Redacted s38(1)(b)].

#### **Context**

[Redacted – not in scope]

Following discussion, it was agreed that it would be helpful for the group to produce two separate proformas:

- 1 A record of the rationales behind provisional results – for whole cohorts and/or individual learners. **This would be an exemplar that would be optional to use**, as centres may have their own records and systems for this process.
- 2 A Head of Centre declaration proforma confirming that all elements of the required internal processes had been followed. It was suggested this would be mandatory, for submission to SQA at the point of submission of provisional results.

There are two reasons for this:

- Centres may find it useful to keep a record of rationales behind provisional results in considering any appeals and it would demonstrate the rigour applied by centres in making assessments in the event of any challenge to provisional results.
- The Head of Centre declaration proforma would provide a more consistent national approach and encourage engagement and completion of the model's processes within centres. This should be issued to centres as early as possible. It could also be used as a means of providing SQA with a named contact in each centre for any queries regarding the provisional results submitted as highlighted in the roles and responsibilities document.

The group may wish to consider how other partners, for example SQA, Education Scotland, the RICs provide information on how they are meeting their responsibilities.

#### **Recommendation**

Members are invited to discuss and agree the proposal to introduce two proformas to support the delivery and reporting on the model's implementation.

**Enclosure 05 – Email: RE National Qualifications in 2021 - NQ21 Group**

**From:** [Redacted s38(1)(b)]@sqa.org.uk>

**Sent:** 11 March 2021 19:41

**To:** Fiona Robertson <fiona.robertson@sqa.org.uk>; Fiona Robertson <fiona.robertson@sqa.org.uk>; 'Jim Thewliss' <jim.thewliss@sls-scotland.org.uk>; 'McDaid, Tony' <Tony.Mcdaid@southlanarkshire.gov.uk>; 'Larry Flanagan' <lflanagan@eis.org.uk>; Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Jean Blair <Jean.Blair@sqa.org.uk>; Gill Stewart <Gill.Stewart@sqa.org.uk>; [Redacted s38(1)(b)]@gov.scot>; Armstrong A (Alan) <Alan.Armstrong@educationscotland.gov.scot>; 'Steven Quinn' <steven.quinn@renfrewshire.gov.uk>; John.Edward@scis.org.uk; 'anne.campbell@ayrshire.ac.uk' <anne.campbell@ayrshire.ac.uk>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; [Redacted s38(1)(b)]@sqa.org.uk>; 'NPFS Renfrewshire' <renfrewshire@npfs.org.uk>; 'Ben McKendrick' <Ben.M@syp.org.uk>; [Redacted s38(1)(b)].msyp@sypmail.org.uk>

**Cc:** Jamie Dunlop <jamie.d@syp.org.uk>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@sqa.org.uk>

**Subject:** RE: National Qualifications in 2021 - NQ21 Group

**G – added to OneNote**

[Redacted s38(1)(b)]

Dear colleagues, please find attached Agenda and notes for tomorrow's meeting

Thanks

[Redacted s38(1)(b)]

[Redacted – not in scope]

## Enclosure 05.1 – Attachment: Word Document

National Qualifications 2021

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**Date:** Friday 05 March 2021  
**Time:** 09:15 – 10:30  
**Location:** MS Teams  
**Members:** Fiona Robertson; Gill Stewart; Jean Blair; Jim Thewiss; Tony McDaid; Larry Flanagan (until 10am); Graeme Logan; Malcolm Pentland; John Edward; Anne Campbell; David MacDonald; Gayle Gorman; [Redacted s38(1)(b)-MSYP]; Steven Quinn  
**Attending:** [Redacted s38(1)(b)]; [Redacted s38(1)(b)]; [Redacted s38(1)(b)]; Jamie Dunlop; [Redacted s38(1)(b)]  
**Apologies:** Ben McKendrick

### Agenda

Item	Topic
[Redacted – not in scope]	
17.2	<b>ACM – Working group update</b> JB gave a short update on the progress made by the group around appeals, confirming that the public consultation would run for two weeks starting w.c. 08 March. She also advised there was now a WG sub-group looking at ACM Roles and Responsibilities to work out how we provide assurance, demonstrate progress, and escalate issues during the coming months.
[Redacted – not in scope]	

**Enclosure 06 –Email: RE Qualifications Contingency Group**

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

**Sent:** 15 March 2021 15:56

**To:** fiona.robertson@sqa.org.uk; lflanagan@eis.org.uk; Jim.Thewliss@sls-Scotland.org.uk; John.Edward@scis.org.uk; Jim Metcalfe <jim.metcalfe@cdn.ac.uk>; alastair@universities-scotland.ac.uk; 'rebecca.gaukroger@ed.ac.uk'; Shona Struthers CS <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; msmith@sfc.ac.uk; [Redacted s38(1)(b)]@universities-scotland.ac.uk; [Redacted s38(1)(b)]@ed.ac.uk; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>  
**Cc:** 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>; [Redacted s38(1)(b)]@gov.scot>  
**Subject:** Qualifications Contingency Group

Dear Qualifications Contingency Group members,

Please find attached a letter from Malcolm Pentland, Deputy Director, Curriculum, Qualifications and Gaelic Division.

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 06.1 – Attachment: PDF**

Buidheann-stiùiridh an Ionnsachaidh  
Learning Directorate  
Roinn Curraicealam, Teisteanas agus Gàidhlig  
Curriculum, Qualifications and Gaelic Division  
T: 0131-244 [Redacted s38(1)(b)]  
E: malcolm.pentland@gov.scot



Scottish Government  
Riaghaltas na h-Alba  
gov.scot

Qualifications Contingency Group members

*Sent by email*

Dear colleague,

**Qualifications Contingency Group**

[Redacted – not in scope]

As you are aware the National Qualifications 2021 Group, which many of you or your organisations are represented on at Steering Group and Working Group level, was established by the SQA in late October and has been meeting on a weekly basis since then. This Group has been critical to ensuring a system-wide, collaborative approach to the delivery of the assessment and moderation approach for 2021 and to the development of contingency plans as we have moved through the pandemic. The Group has developed the Alternative Certification Model (ACM), now in place for National 5s, Highers and Advanced Highers this year, and is currently focused on the implementation of the ACM and the development of an appropriate appeals process for 2021. The Group has also ensured regular communication with learners, parents and carers, schools and colleges and wider stakeholders in order to ensure they receive clear and accurate messages in a timely manner.

[Redacted – not in scope]

Yours Sincerely

**MALCOLM PENTLAND**

Deputy Director  
Curriculum, Qualifications and Gaelic

**Enclosure 07 – Email: RE NQ21 QA ACM WG 17 March 2021**

**From:** [Redacted s38(1)(b)]@sqa.org.uk>

**Sent:** 16 March 2021 13:30

**To:** [Redacted s38(1)(b)]@sqa.org.uk>; Graham Hutton

<ghutton859@dundeeschools.scot>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; Armstrong A (Alan)

<Alan.Armstrong@educationscotland.gov.scot>; [Redacted s38(1)(b)]@sqa.org.uk>;

[Redacted s38(1)(b)]@ayrshire.ac.uk>; [Redacted s38(1)(b)]@sqa.org.uk>;

[Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; Gill Stewart <Gill.Stewart@sqa.org.uk>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@southlanarkshire.gov.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; Andrea Bradley <abradley@eis.org.uk>; Gail Graham <g.graham@dundeeandangus.ac.uk>; Margaret Lannon <margaret@scis.org.uk>; [Redacted s38(1)(b)]; Bray O (Ollie) <Ollie.Bray@educationscotland.gov.scot>; [Redacted s38(1)(b)]@sqa.org.uk>

**Cc:** Jean Blair <Jean.Blair@sqa.org.uk>

**Subject:** NQ21 QA ACM WG 17 March 2021

Good afternoon

Please find attached the following papers:

Minutes from QA ACM WG 11 March

Agenda for QA ACM WG 17 March

**Agenda item 4-**

Draft paper from disrupted learning subgroup meeting 15 March

**Agenda item 5-**

Revised ACM proforma for recording evidence base for provisional results

Revised Head of Centre declaration proforma

Kind regards

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]

t: 0141 [Redacted s38(1)(b)]/07 [Redacted s38(1)(b)] e: [Redacted s38(1)(b)]@sqa.org.uk|

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

**Scottish Qualifications Authority**

The Optima Building, 58 Robertson Street, GLASGOW G2 8DQ

## **Enclosure 07.1 – Attachment: Draft notes of NQ21 WG meeting on 11 March 2021**

### Notes of NQ 2021 Stakeholder Working Group Meeting 11 March 2021

**Attendees:** Jean Blair (SQA), Gill Stewart (SQA), Andrea Bradley (EIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA) joined at 14:32, Alan Armstrong (Education Scotland) left at 15:27, [Redacted s38(1)(b)] (SQA), Graham Hutton (SLS) left at 15:00, [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Margaret Lannon (SCIS), [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (SQA), John O’Neill (SCIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Ollie Bray (Education Scotland).

**Apologies:** [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (ADES and RICs), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA).

### Previous Minutes

Revised minutes of 24 February were accepted.  
Minutes of 3 March were accepted.

### Discussion

(Note the discussion points have been grouped into topics for ease of reference so are not necessarily in order of when the points were made).

○

#### **Roles and Responsibilities**

##### **Overview** (Jean Blair)

There is a need to demonstrate that key players are fulfilling their roles and responsibilities, and that our processes are transparent. These two proformas: one for recording rationales for provisional results and the other a Head of Centre declaration, should serve to support and uphold centre decisions. These are drafts and suggested amendments or any other comments are welcomed.

Chair (Jean Blair) thanked [Redacted s38(1)(b)], [Redacted s38(1)(b)] and members of the subgroup for their work on their production in such a short time frame.

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

Recording Rationales for Provisional Results:

- This would be optional for centres and for internal use only, thus it could be adapted to suit.
- The first page is designed to record a whole cohort, giving an overview of assessment used and how it has been conducted. The second page would be used to record individual candidates who, for whatever reason, had not been assessed along with the whole cohort,



and could also be used for a small cohort. On page 3, there is a record of the QA undertaken and a space for signature of Principal Teacher/Head of Section/Curriculum Leader).

**Comments**

- It must be very clear that centres are free to use their own documentation. However, it was noted that this is a helpful document as sets the expectations of the types of fields that should be used in record keeping. In addition, it will be helpful following submission of an appeal.
- The narrative at the top of the second page could be more clearly expressed to avoid confusion.
- The title of ‘Recording Rationales for Provisional Results’ should be amended to replace the term rationale and ‘marks’ to be replaced by ‘bands’.

[Redacted – not in scope]

**AOB**

- [Redacted – not in scope]

Items for the agenda at meeting on 17/3:

Appeals

[Redacted – not in scope]

Chair (Jean Blair) thanked those members who had presented papers and those who were taking forward any actions.

**Action Summary**

Area	Action	Owner	Update
[Redacted – not in scope]			
Appeals Process	Participation in consultation encouraged.	[Redacted s38(1)(b)]	Consultation released w/c 8/3. To be discussed at WG on 17/3.
[Redacted – not in scope]			

**Enclosure 07.2 – Attachment: Agenda for NQ21 WG meeting on 17 March 2021**

**NQ 2021 Stakeholder Working Group Meeting**

Meeting to be held on 17 March 2021.

**Agenda**

Item	Topic	Paper
1	Welcome and apologies	JB
2	Previous Minutes	Meeting Note NQ QA ACM 2021 11 March February 2021- Issued
3	<a href="#">Appeals</a>	[Redacted s38(1)(b)]
4	Disruption to learning- Approach to communication	[Redacted s38(1)(b)] - paper issued
5	Roles and Responsibilities	JB- revised proformas issued
6	AOB	

## **Enclosure 07.3 – Attachment: Draft note of sub-group meeting on 15 March 2021**

### **National Qualifications 2021 Working Group**

**Wednesday 17 March 2021**

### **Approach to mitigating impact of extreme disrupted learning on individual learners**

#### **Note of Sub-Group meeting, Monday 15 March 2021**

#### **Purpose**

At its meeting on 11 March the 2021 Working Group asked that SQA give further consideration to the possibility of offering a second date for submission of provisional results for those learners who have experienced extreme disruption at an individual level. This note summarises discussion of this proposal at a meeting of a sub-Group of the Working Group on Monday 15 March. It requests that the Working Group advise on whether we should continue to progress this proposal.

At a headline level:

- [Redacted – not in scope]
- Delaying certification for some learners has wider implications including for appeals and progression, in particular beyond school or college. These require further work.
- [Redacted – not in scope]

These, and other benefits and challenges of the proposed approach for all key stakeholders, are set out in the paper.

[Redacted – not in scope]

#### **Learners**

[Redacted – not in scope]

#### *Challenges*

- [Redacted – not in scope]
- Implication for ability to appeal against result

#### **SQA**

[Redacted – not in scope]

#### *Challenges*

- [Redacted – not in scope]

- Implications for Appeals in AY 2020 – 21

[Redacted – not in scope]

16 March 2021

**Enclosure 08 – Email: RE National Qualifications in 2021 - NQ21 Group**

**From:** [Redacted s38(1)(b)]@sqa.org.uk>

**Sent:** 18 March 2021 16:53

**To:** Fiona Robertson <fiona.robertson@sqa.org.uk>; Fiona Robertson <fiona.robertson@sqa.org.uk>; 'Jim Thewliss' <jim.thewliss@sls-scotland.org.uk>; 'McDaid, Tony' <Tony.Mcdaid@southlanarkshire.gov.uk>; 'Larry Flanagan' <lflanagan@eis.org.uk>; Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Jean Blair <Jean.Blair@sqa.org.uk>; Gill Stewart <Gill.Stewart@sqa.org.uk>; [Redacted s38(1)(b)]@gov.scot>; Armstrong A (Alan) <Alan.Armstrong@educationscotland.gov.scot>; 'Steven Quinn' <steven.quinn@renfrewshire.gov.uk>; John.Edward@scis.org.uk; 'anne.campbell@ayrshire.ac.uk' <anne.campbell@ayrshire.ac.uk>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; [Redacted s38(1)(b)]@sqa.org.uk>; 'NPFS Renfrewshire' <renfrewshire@npfs.org.uk>; 'Ben McKendrick' <Ben.M@syp.org.uk>; [Redacted s38(1)(b)].msyp@sypmail.org.uk>; Bray O (Ollie) <Ollie.Bray@educationscotland.gov.scot>; Jamie Dunlop <jamie.d@syp.org.uk>

**Subject:** RE: National Qualifications in 2021 - NQ21 Group

**Added to Onenote.**

Hi everyone

Please find attached the notes from last week and a short agenda to support tomorrow's discussion.

Regards

[Redacted s38(1)(b)]

[Redacted – not in scope]

## Enclosure 08.1 – Attachment: Notes of NQ21 meeting on 12 March 2021

### National Qualifications 2021

---

**Date:** Friday 12 March 2021

**Time:** 09:15 – 10:30

**Location:** MS Teams

**Members:** Fiona Robertson; Gill Stewart; Jean Blair; Jim Thewliss; Tony McDaid; Larry Flanagan; Graeme Logan; Malcolm Pentland; John Edward; Anne Campbell; David MacDonald; Gayle Gorman; [Redacted s38(1)(b) – MSYP]; Steven Quinn

**Attending:** [Redacted s38(1)(b)]; [Redacted s38(1)(b)]; [Redacted s38(1)(b)]; Ben McKendrick

**Apologies:**

### Notes

Item	Topic
18.1	Welcome & notes from previous meeting
18.2	<p><b>ACM – Working group update</b></p> <p>FR noted that there had been a number of meetings of the working group and subgroups and that good progress continued to be made. JB then gave the group an update on some of the work that was taking place –</p> <p><i>Roles and responsibilities:</i> the WG have drafted a Head of Centre Declaration to serve as a checklist to help guide centres and that can be utilised as preparation for the appeals process. There will also be a proforma to record decision making for provisional results that centres can use, recognising that many centres already use similar documents. WG felt this would be useful for all centres to see to promote consistency. These documents will be considered further by the NQ2021 Group.</p> <p><i>Digital QPs:</i> SQA suggested they will create and issue these to assist in centres and the WG were very supportive.</p> <p><i>Private candidates:</i> Further work to be led by SG colleagues here.</p> <p><i>Remote assessment guidance:</i> SQA has produced guidance that was well received by the WG to promote consistency of approach should it be required.</p> <p><i>Disruption to learning:</i> there will be subgroup of the WG created to help provide communications for Learners.</p> <p><b>Action - JB to circulate the documents noted for information or comment.</b></p>
18.3	<p><b>Communications and engagement</b></p> <p>FR noted the SQA public consultation on Appeals will open today and thanked NQ21 for their input to discussions. She highlighted that it was important that the appeals process was open to wider public consultation.</p>

	<p>[Redacted s38(1)(b)] gave an update on the Learner Booklet, which is now available digitally, and noted the Parent/Carer message issued also had a link to the booklet. Social media assets will commence from w/b 15 March and there are various radio segments and podcast due out over the next few weeks. As much of this is aimed at learners, parents and carers this has been in conjunction with SYP and NPFS.</p> <p>The ongoing role of all stakeholders in ensuring young people understood the ACM was noted.</p>
18.4	<p><b>Next Steps/AOB</b></p> <p>SQ noted his ongoing contact with SQA around release of further details on sampling (selections). FR confirmed that, as a result of feedback, there had been a change to the timetable for the notification of selections.</p>
	<p>Date of next meeting – Friday 19 March 2021</p>

## Enclosure 08.2 – Attachment: Agenda for NQ21 meeting on 19 March 2021

### National Qualifications 2021

---

**Date:** Friday 19 March 2021  
**Time:** 09:15 – 10:00  
**Location:** MS Teams  
**Members:** Fiona Robertson; Gill Stewart; Jean Blair; Jim Thewiss; Tony McDaid; Larry Flanagan; Graeme Logan; Malcolm Pentland; John Edward; Anne Campbell; David MacDonald; Gayle Gorman; [Redacted s38(1)(b) – MSYP]; Steven Quinn;  
**Attending:** [Redacted s38(1)(b)]; [Redacted s38(1)(b)] Ben McKendrick; Ollie Bray  
**Apologies:**

### Agenda

Item	Topic	Action	Lead
19.1	Welcome & notes from previous meeting	Attached	FR
19.2	ACM – Working group update <ul style="list-style-type: none"><li>- Roles and responsibilities</li><li>- Disruption to learning</li><li>- Appeals consultation</li></ul>	Discussion	JB
19.3	Communications and engagement	Discussion	[Redacted s38(1)(b)]
19.4	Next Steps/AOB	Discussion	All
	Date of next meeting – Friday 26 March 2021		





## Enclosure 09.1 – Attachment: Draft notes of NQ21 WG meeting on 17 March 2021

### Notes of NQ 2021 Stakeholder Working Group Meeting 17 March 2021

**Attendees:** Jean Blair (SQA), Gill Stewart (SQA), Andrea Bradley (EIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Alan Armstrong (Education Scotland), [Redacted s38(1)(b)] (SQA), Graham Hutton (SLS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Margaret Lannon (SCIS) left at 15:48, [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SCIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Ollie Bray (Education Scotland), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (ADES and RICs), [Redacted s38(1)(b)] (SQA).

**Apologies:** [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (SQA)

[Redacted – not in scope]

#### Discussion

(**Note** the discussion points have been grouped into topics for ease of reference so are not necessarily in order of when the points were made).

[Redacted – not in scope]

#### **Proforma for recording the evidence base for provisional results**

- [Redacted – not in scope]
- Clarity was sought on the purpose of Page 2. If a learner wishes to make an appeal, there is a need to have a record of what assessments were taken and under what conditions. In addition, the Roles and Responsibilities document references planning, carrying out, recording and quality assuring assessments. This proforma should help to record this activity.
- [Redacted – not in scope]
- Remove reference to ‘*personal circumstances*’ as this may be a data protection issue and is potentially misleading as personal circumstances are not a grounds for appeal.

[Redacted – not in scope]

#### Appeals (Jean Blair)

Consultation has now been launched. Important to note that learners have the opportunity to respond, and the consultation was positively received by young people at the Scottish Youth Parliament.

## Discussion

- The fact that learners were able to express their views was welcomed.
- This is an open consultation, and the appeals process will be guided by the feedback. Unlike the rest of the UK, the internal appeals process model has not been imposed on centres. However, as this model is being used in the rest of the UK, it was appropriate to include it in the options.
- Members were extremely disappointed that they had not been specifically consulted on the three models presented, particularly as many consider Option 3 to be the only workable one.
- Suggested that more thought should have been given about how the consultation would be received by centres already facing challenges.
- Point raised that conversations with learners forms part of Stage 3 of the ACM and, therefore, should not be part of the formal appeals process.
- Model 3 still has significant implications for centres.

SQA acknowledged members' concerns and apologised to members as it was certainly not the intention to make them feel excluded. The work accomplished in partnership with members is greatly valued, as are the open and honest discussions in meetings.

## Meeting on 24/03

### Items for Agenda

- Appeals
- Additional days to support work of the model

## Action Summary

Area	Action	Owner	Update
[Redacted – not in scope]			
Appeals Process	Participation in consultation encouraged.	[Redacted s38(1)(b)]	Consultation released w/c 8/3. To be discussed at WG on 24/3.
[Redacted – not in scope]			

## **Enclosure 09.2 – Attachment: Draft notes of NQ21 WG meeting on 11 March 2021**

### Notes of NQ 2021 Stakeholder Working Group Meeting 11 March 2021

**Attendees:** Jean Blair (SQA), Gill Stewart (SQA), Andrea Bradley (EIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA) joined at 14:32, Alan Armstrong (Education Scotland) left at 15:27, [Redacted s38(1)(b)] (SQA), Graham Hutton (SLS) left at 15:00, [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Margaret Lannon (SCIS), [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SCIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Ollie Bray (Education Scotland).

**Apologies:** [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (ADES and RICs), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA).

### Previous Minutes

Revised minutes of 24 February were accepted.  
Minutes of 3 March were accepted.

### Discussion

(**Note** the discussion points have been grouped into topics for ease of reference so are not necessarily in order of when the points were made).

### Roles and Responsibilities

Overview (Jean Blair)

There is a need to demonstrate that key players are fulfilling their roles and responsibilities, and that our processes are transparent. These two proformas: one for recording rationales for provisional results and the other a Head of Centre declaration, should serve to support and uphold centre decisions. These are drafts and suggested amendments or any other comments are welcomed.

Chair (Jean Blair) thanked [Redacted s38(1)(b)], [Redacted s38(1)(b)] and members of the subgroup for their work on their production in such a short time frame.

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

Recording Rationales for Provisional Results:

- This would be optional for centres and for internal use only, thus it could be adapted to suit.

- The first page is designed to record a whole cohort, giving an overview of assessment used and how it has been conducted. The second page would be used to record individual candidates who, for whatever reason, had not been assessed along with the whole cohort, and could also be used for a small cohort. On page 3, there is a record of the QA undertaken and a space for signature of Principal Teacher/Head of Section/Curriculum Leader).

## Comments

- It must be very clear that centres are free to use their own documentation. However, it was noted that this is a helpful document as sets the expectations of the types of fields that should be used in record keeping. In addition, it will be helpful following submission of an appeal.
- The narrative at the top of the second page could be more clearly expressed to avoid confusion.
- The title of 'Recording Rationales for Provisional Results' should be amended to replace the term rationale and 'marks' to be replaced by 'bands'.

[Redacted – not in scope]

## AOB

- [Redacted – not in scope]

Items for the agenda at meeting on 17/3:

## Appeals

[Redacted – not in scope]

Chair (Jean Blair) thanked those members who had presented papers and those who were taking forward any actions.

## Action Summary

Area	Action	Owner	Update
[Redacted – not in scope]			
Appeals Process	Participation in consultation encouraged.	[Redacted s38(1)(b)]	Consultation released w/c 8/3. To be discussed at WG on 17/3.
[Redacted – not in scope]			

**Enclosure 09.3 – Attachment: Agenda for NQ21 WG meeting on 24 March 2021**

**NQ 2021 Stakeholder Working Group Meeting**

Meeting to be held on 24 March 2021.

**Agenda**

Item	Topic	Paper
1	Welcome and apologies	JB
2	Previous Minutes	Revised Meeting Note NQ QA ACM 2021 11 March 2021-Issued Meeting Note NQ QA ACM 2021 17 March 2021-Issued
3	<a href="#">Appeals</a>	JB
4	Additional 'Assessment Support' Days	[Redacted s38(1)(b)]
5	SQA Academy course- Judging evidence to determine a provisional result	[Redacted s38(1)(b)]
6	Disruption to Learning	[Redacted s38(1)(b)]. Paper issued.
7	Roles and Responsibilities- Head of Centre Assurance and Recording Evidence	[Redacted s38(1)(b)]/[Redacted s38(1)(b)]. Papers issued.
8	AOB	

**Enclosure 09.4 – Attachment: Paper on approach to mitigating impact of extreme disrupted learning on individual learners**

**National Qualifications 2021 Working Group, 24 March 2021**

**Approach to mitigating impact of extreme disrupted learning on individual learners**

**Issue**

The paper asks the Working Group to give further consideration to:

- a. The system-wide implications of the suggested approach to delay submission of provisional results for a small group of learners who are ‘very nearly there’
- b. What other measures could be put in place to mitigate the impact of disrupted learning on certification for this group of learners.

[Redacted – not in scope]

**Questions related to the possible approach of delayed submission of provisional results**

[Redacted – not in scope]

What are the implications for learners who want to appeal these results?

[Redacted – not in scope]

23 March 2021

**Enclosure 10 – Email: RE CPG - 25th March**

**From:** [Redacted s38(1)(b)]@sqa.org.uk>

**Sent:** 25 March 2021 11:21

**To:** [Redacted s38(1)(b)]@bigpartnership.co.uk>; [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:** CPG - 25th March

Hi folks, attached please find updated scorecard following this morning's meeting:

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



**Enclosure 10.1 – Attachment: Excel spreadsheet**

[Redacted s30(c)]

**Enclosure 11 – Email: RE CPG - Performance Measures for ACM 2021**

**From:** [Redacted s38(1)(b)]@sqa.org.uk>

**Sent:** 25 March 2021 14:48

**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:** CPG - Performance Measures for ACM 2021

Hi folks, attached please find the Performance Measures for ACM 2021 for noting. Please advise if you have any comments by cob Tuesday 30/03/21.

Regards

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

**Enclosure 11.1 – Attachment: Excel**

\*Please note that this enclosure includes an error in the Comment column – there was no Ministerial direction in relation to the appeals process for 2021.

**PERFORMANCE MEASURES FOR ALTERNATIVE CERTIFICATION  
MODEL 2021**

Status: Y=Yet to Start;  
G=On Target; A=Issues  
but under Control;  
R=Issues; B-Revised;  
X=Complete

	Measure	Target	Actual / Status	Comment
[Redacted information not in scope]				
<b>Appeals</b>	Appeals	Results issued by date to be determined		Y <i>Note: Appeals 2021 is being developed following Ministerial direction to SQA.</i>

[Redacted information not in scope]



## **Enclosure 12.1 – Attachment: Word Document**

### Notes of NQ 2021 Stakeholder Working Group Meeting 17 March 2021

**Attendees:** Jean Blair (SQA), Gill Stewart (SQA), Andrea Bradley (EIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Alan Armstrong (Education Scotland), [Redacted s38(1)(b)] (SQA), Graham Hutton (SLS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Margaret Lannon (SCIS) left at 15:48, [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SCIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Ollie Bray (Education Scotland), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (ADES and RICs), [Redacted s38(1)(b)] (SQA).

**Apologies:** [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (SQA)

### Previous Minutes

Two revisions to the minutes of 11 March required:

In the section referring to the Head of Centre Declaration, point 2, the subgroup can only vouch for their intentions. Suggestion that there could be a change in the presentation of the checklist should be included.

[Redacted information not in scope]

### Discussion

(**Note** the discussion points have been grouped into topics for ease of reference so are not necessarily in order of when the points were made).

### **Roles and Responsibilities**

Chair (Jean Blair) thanked the members of the subgroup for their work and the production of the two revised proformas.

The Head of Centre Declaration is mandatory but should serve to support and uphold centre decisions.

### **Discussion**

Head of Centre Declaration:

- General consensus of members was that it should be a bullet pointed list rather than tick box.
- It should be renamed the **Head of Centre Statement of Assurance**.
- In the last point, '*including consideration of any unexpected variances and the rationales for these*' should be reworded as '*...any variances have been accounted for*'.
- Phrasing and terminology should mirror that in the Roles and Responsibilities paper.
- It must be signed by the Head of Centre.
- The format of the document is based on various sources, including RoUK.
- The language used could be less declarative in tone.
- Important to note that the statement must fulfil both the purpose of setting out the requirements and confirming that the centre has followed the processes.

### **Proforma for recording the evidence base for provisional results**

- The first point '*This is an SQA exemplar proforma – centres can opt to use their own recording documents/systems*' should be reworded to make it absolutely clear there is no requirement for centres to use it.
- The wording at the top of Page 2, although better, is still unclear. Suggest that it could begin with '*You may wish to record...in order to...*'
- Concern raised about including '*It can also be provided for all candidates in a cohort*' and implied workload. However, this section is designed for individual learners who, for some reason, have been assessed differently, and can be adapted to suit the particular needs of a centre.
- Clarity was sought on the purpose of Page 2. If a learner wishes to make an appeal, there is a need to have a record of what assessments were taken and under what conditions. In addition, the Roles and Responsibilities document references planning, carrying out, recording and quality assuring assessments. This proforma should help to record this activity.
- The ACM gives centres flexibility to adapt the process of assessment to meet the learner's needs and circumstances; this proforma allows centres to capture how and why the assessment for an individual is different.
- Remove reference to '*personal circumstances*' as this may be a data protection issue and is potentially misleading as personal circumstances are not a grounds for appeal.

### **Next Steps**

- The proformas should be split into four forms:
  - **Head of Centre Checklist**
  - **Head of Centre Statement of Assurance**
  - **Recording the evidence base for provisional results** (for cohort) including Page 3
  - **Recording of the evidence base for provisional results** (for individual) including Page 3
- The language used in the checklist to be edited.
- The first point on Page 1 of the **Recording the evidence base for provisional results** to be reworded.
- The text at the top of Page 2 in **Recording of the evidence base for provisional results** (for individual) to be reworded.
- Once revisions made by [Redacted s38(1)(b)] and [Redacted s38(1)(b)], documents to be recirculated to members.

- All four documents to be published for the start of next term, w/c 19 April. [Redacted s38(1)(b)] and [Redacted s38(1)(b)] offered to assist with communication to centres.

ADES is there to provide support, guidance and advice to centres. To date, three local authorities have contacted SQA looking for feedback on their model. These are to be passed to ADES.

### **Disruption to Learning (Martyn Ware)**

Subgroup was thanked for contributing to the paper. The key principle underpinning the proposal is it would provide an important demonstration of the education system's recognition of and response to the challenges experienced by learners, in particular those from disadvantaged groups including those in lower SIMD postcodes, this year. In this respect and in principle the proposal had merit but the Working Group recognised that there would be many challenges associated with implementation in an equitable way, that there may be unintended consequences and that the impact on centres would be for both 2021 and 2022.

### **Discussion**

- General agreement from members that the principle is sound in trying to address the impact of COVID-19.
- The group was reminded of the approach being taken to vocational qualifications.
- The term 'extreme disruption' has been used as all learners have experienced 'significant disruption'. For some learners, it may be more appropriate to repeat the course.
- It is essential that there is a clear definition of what is meant by 'extreme disruption' and learners who are 'nearly there'. Suggested that scenarios could form part of this. It would be very difficult to develop and implement a definition and criteria/scenarios that ensured the approach was implemented consistently within and across centres and therefore not open to challenge. The system must be robust enough to support only the candidates who need it.
- The proposed approach risked creating three groups of learners for certification (Aug 21, Sept/Oct 21 and Aug 22) with associated challenges around the fairness and consistency of managing who is in each group within and across centres.
- For schools, the approach risked creating a burden related to parallel running at the beginning of term. It implied a need to learn lessons from current approaches to blended learning as this was likely to be necessary to support learners whose certification was delayed. There was also a risk of challenge from those learners/parents wanting extra time to move from an A to a B. It would be important that approach was not used for this purpose.
- Need to look at the wider implications. For example, later certification would demand conversations with HE/FE to ensure that learners would not miss out on a university or college place; if continuing with school education, learners might be required to catch up with missed learning.
- The focus should be on what is best for the individual learner and not about increased certification for centres.
- Centres have some experience of managing this type of situation e.g. with Intermediate unit assessments although this was not seen by all as a clear parallel.

### **Next Steps**

- [Redacted s38(1)(b)] to send her comments to [Redacted s38(1)(b)].
- Clear definitions required of 'extreme disruption' and 'nearly there'.
- Seek legal advice on how to define eligibility.
- Further SQA internal discussion.

- Any comments to be passed to [Redacted s38(1)(b)].

## Appeals (Jean Blair)

Consultation has now been launched. Important to note that learners have the opportunity to respond, and the consultation was positively received by young people at the Scottish Youth Parliament.

## Discussion

- The fact that learners were able to express their views was welcomed.
- This is an open consultation, and the appeals process will be guided by the feedback. Unlike the rest of the UK, the internal appeals process model has not been imposed on centres. However, as this model is being used in the rest of the UK, it was appropriate to include it in the options.
- Members were extremely disappointed that they had not been specifically consulted on the three models presented and how the consultation had been framed, particularly as many consider Option 3 to be the only workable one.
- Suggested that more thought should have been given about how the consultation would be received by centres already facing challenges.
- Point raised that conversations with learners forms part of Stage 3 of the ACM and, therefore, should not be part of the formal appeals process.
- Model 3 still has significant implications for centres.

SQA acknowledged members' concerns and apologised to members as it was certainly not the intention to make them feel excluded. The work accomplished in partnership with members is greatly valued, as are the open and honest discussions in meetings.

## Meeting on 24/03

### Items for Agenda

- Appeals
- Additional days to support work of the model

## Action Summary

Area	Action	Owner	Update
Resource	Standardisation of remaining holidays	[Redacted s38(1)(b)]	With the continued disruption to learning, the possibility of standardising remaining school holidays to be considered at Government level.
Previous Minutes	Previous minutes sent for review.	ALL	Revisions to 11/3 to be made. Minutes of 17/3 to be reviewed.



Area	Action	Owner	Update
Appeals Process	Participation in consultation encouraged.	[Redacted s38(1)(b)]	Consultation released w/c 8/3. To be discussed at WG on 24/3.
Approach to National Quality Assurance	Comments and/or suggested amendments to [Redacted s38(1)(b)].	[Redacted s38(1)(b)]	
Roles and Responsibilities	Subgroup to be formed.	Jean Blair	Subgroup met w/c 8/3. Two proformas issued; revised copies issued 16/03. [Redacted s38(1)(b)] and [Redacted s38(1)(b)] to make further revisions and recirculate. [Redacted s38(1)(b)] and [Redacted s38(1)(b)] to assist with communications.
Disruption to Learning	Subgroup to meet w/c 15/3 and paper to be produced prior to next WG meeting on 17/3.	[Redacted s38(1)(b)]	Subgroup met 15/03. Paper issued. Revision required to proposal and legal advice sought.
Private Candidates	Any further comments on the paper should be sent to [Redacted s38(1)(b)].	[Redacted s38(1)(b)]	
Remote Assessment	Revisions to be made to paper.	[Redacted s38(1)(b)]	
Digital Question Papers	Papers to be made available. Liaison with [Redacted s38(1)(b)] on chrome books.	[Redacted s38(1)(b)]	

**Enclosure 12.2 – Attachment: Word Document**

[Redacted – Information not in scope]

## **Enclosure 12.3 – Attachment: Word Document**

### Notes of NQ 2021 Stakeholder Working Group Meeting 24 March 2021

**Attendees:** Jean Blair (SQA), Gill Stewart (SQA), Andrea Bradley (EIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA) left at 12:01, Alan Armstrong (Education Scotland), [Redacted s38(1)(b)] (SQA), Graham Hutton (SLS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SCIS) left at 12:33, [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (ADES and RICs), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (SQA) arrived at 11:42; left at 11:47.

**Apologies:** [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Margaret Lannon (SCIS), Ollie Bray (Education Scotland).

### Previous Minutes

Revised minutes of 11 March accepted.

Suggested revision to minutes of 17 March:

Page 4 discussion of appeals, wording to include:

Members were extremely disappointed that they had not been specifically consulted on the three models presented **and how the consultation had been framed**, particularly as many consider Option 3 to be the only viable option.

### **Appeals** (Jean Blair)

As an open consultation, feedback will come back to the NQ 21 group to help frame the process.

Responses requested from members on the merit of opening the appeals process on 25 June.

### **Discussion**

- General consensus from members that the appeals process should not be opened until learners have received their certificates on 10 August. It was felt that it should be an appeal of an award granted by SQA, the awarding body, and that centres do not have the capacity to facilitate the process at the end of June.
- If the process begins after 10 August, candidates will be faced with an extended period of time from being given their provisional result to being able to appeal. However, a wait, albeit a shorter one, between certification and appeal is what usually happens.
- The rest of the UK will open their appeals on 10 August following certification.

- After the point of submission of provisional results on 25 June, SQA will carry out reconciliation checks only.
- Before 25 June, learners should have had discussions about their progress and results and, as the ACM is teacher and lecturer judgments based on demonstrable attainment. This should help to reduce the number of appeal requests.

After results issued in August, learners will need support and advice from centres on the potential implications of submitting an appeal - the fact that grade can go up, down or remain the same. Learners will be reminded of the processes applied in centres for teachers and lecturers to determine their provisional grade and centres will be prepared to submit to SQA the original evidence base for any provisional result.

Responses requested on these steps.

### **Discussion**

- Conversations with learners prior to lodging an appeal occur anyway. This should be regarded as the step prior to appeal.
- There must be clarification from SQA with a step-by-step communication on centre parameters, appeals v complaint and the grounds for a 'reasonable appeal'.
- Important that centres are not seen as a mechanism for limiting the number of appeals; it is the right of the individual to appeal.
- Suggestion that a proactive approach to communication with learners is taken with a national message using, for example, an avatar to explain the appeals process. A learner booklet has already been issued; a similar approach could be taken for appeals.
- It is important to reinforce the message that this is a completely different model than in previous years and, as such, there is an increased risk that grades may go down.
- Centres are required to provide the evidence base used to determine the provisional grade.
- If SQA receives appeals in volume, it may lead to an increased workload for centres. For example, packaging up evidence and appointee release, although it was noted that centres have to provide evidence.
- Under the ACM model, there should be an ongoing dialogue with learners and their parents/carers to allow any issues to be resolved early.
- If a centre identified a procedural/administrative error, the centre must ensure that the learner impacted by the error is aware of the appeal, for example transposition error.

### **Next Steps**

- Extension to Roles and Responsibilities to cover the appeals process.
- SQA to investigate reported error message issues with the online consultation.

[Redacted information out of scope]

### **Disruption to Learning (SQA)**

#### **Overview**

The paper sets out the challenges at a system level to be discussed and explored. It highlights the challenges of trying to define extreme disruption and are very nearly there. It raises a number of questions around the number of learners at risk, who gathers the information and how we understand the scale of the challenge. It also raises the question of whether we have capacity to undertake impact assessment of this on the existing ACM. Members were asked to discuss how this could be progressed.

## Discussion

- The importance of considering equality impacts and the disproportionate effect of Covid on some groups was highlighted.
- The criteria must be considered. Suggestion that there should be a focus on the 'very nearly there' as that is more easily definable and less open to contest. There were percentages suggested about completion of courses by end of session and what would be possible in Term 1. Beyond a certain point or percentage, the learner should be advised to retake the course.
- The starting point is those learners who have experienced extreme disruption.
- Suggestion that it should be a universal approach, open to all young people.
- Principle of the proposal is sound. The main challenge may be how you define 'very nearly there' and how to distinguish between performance and extreme disruption. Need to define with clarity the purpose of any extension.
- The key point is that this is about disruption to learning. As a system, we need to consider how and at what point we scope out the size and definition of extreme disruption and only at that point can we decide on solutions and mitigations.
- Modelling around this was done in colleges. The size and scale will only be known until well into the assessment process. NQ is quite different to the college sector as deferment at the start of NQ would not be system wide.
- Exceptional Circumstances will not apply this year.
- If a learner does defer for a year, can the same evidence be used?
- Clarification required on what is meant by 'very nearly there'. Is it 'very nearly' achieving a qualification or 'very nearly' achieving a higher grade? If we state that it is about qualification so D to a C, there may be challenge from learners who require a certain grade for entry to university. In addition, a D may be a valuable grade for certain learners.
- Need clarity on how this fits with the appeals process. Difficult to accurately predict what may happen – whether they are 'very nearly there' or not. Furthermore, it may lead to further appeals from those who claim that they should have been categorised as 'very nearly there.'
- The flexibility in centres could lead to a spectrum of how centres test course coverage and whether this can be standardised.
- There is a tension between principle and practicality. Concern that it could be seen as a second chance, which the group believes should not be the case.
- Would need to consider how to manage S6 pupils who wanted to return for S7.
- Must consider who teaches the end of the course at the start of the new term, who would prepare, write and quality assure the new assessments. The administration and monitoring is likely to lead to increased teacher workload.
- Members were asked if there were any other solutions to address disruption to learning, referring to the end of the paper.
- Many centres are offering support over Easter and there is access to e-Sgoil but there remains a concern about learners engaging with remote learning.

- Concern that it is a short time frame until 25 June to target those most at risk of not completing their qualification. There is a level of complexity around this and to add to the demands of the existing ACM and proposed appeals is risky for all stakeholders.
- Centres are best placed to help that learner. The e-Sgoil study support, including for learners who have experienced disruption, is in place and will continue as long as necessary. It could potentially do further targeted study support or be run for reduced numbers or bespoke groups. Request for this would need to come from local authorities.
- There are system wide implications if there are any delays to certification, including for the appeals process and a learner's next steps.

### Next Steps

Education Scotland to investigate possibility of e-Sgoil additional learning for those who are struggling to complete learning before they are assessed. Paper to be presented to the working group next week on how enhanced e-Sgoil support could help 'very nearly there' learners who have experienced 'extreme disruption' to ensure they have completed the learning required before they undertake assessments.

[Redacted – Information not in scope]

### Action Summary

Area	Action	Owner	Update
Resource	Standardisation of remaining holidays	[Redacted s38(1)(b)]	With the continued disruption to learning, the possibility of standardising remaining school holidays to be considered at Government level.
Previous Minutes	Previous minutes sent for review.	ALL	Revisions to 17/3 to be made. Minutes of 24/3 to be reviewed.

Area	Action	Owner	Update
Appeals Process	Participation in consultation encouraged.	[Redacted s38(1)(b)]	Consultation released w/c 8/3. Discussed at WG on 24/3. [Redacted s38(1)(b)] to investigate reported error message issues with the online consultation.
Approach to National Quality Assurance	Comments and/or suggested amendments to [Redacted s38(1)(b)].	[Redacted s38(1)(b)]	Further guidance on national sampling is currently being developed and will be brought back to the working group when complete.
Roles and Responsibilities	Subgroup to meet prior to 30/03 to discuss use of Head of Centre Statement of Assurance. Any comments to be sent to [Redacted s38(1)(b)].	Jean Blair	Revised copies of proformas issued 23/03.
Disruption to Learning	Education Scotland to produce paper for working group meeting on 30/03.	[Redacted s38(1)(b)]	Disrupted learning system challenges paper issued 23/03.
Private Candidates	Any further comments on the paper should be sent to [Redacted s38(1)(b)].	[Redacted s38(1)(b)]	24/03/21- [Redacted s38(1)(b)] provided update. Still under development.
Remote Assessment	Revisions to be made to paper.	[Redacted s38(1)(b)]	
Digital Question Papers	Papers to be made available. Liaison with [Redacted s38(1)(b)] on chrome books.	[Redacted s38(1)(b)]	
Additional Assessment Support Days	[Redacted s38(1)(b)] to share results of consultation when complete.	[Redacted s38(1)(b)]	

Area	Action	Owner	Update
SQA Academy course- Judging evidence to determine a provisional result.	Volunteer members to review and complete survey by 1 April.	[Redacted s38(1)(b)]	



**Enclosure 12.4 – Attachment: Word Document**

[Redacted – Information not in scope]

**Enclosure 13 – Email: RE CERG 51 - Papers and Dial In Details - 1600 Thursday**

[Redacted – Information not in scope]

**Enclosure 13.1 – Attachment: Word Document**

[Redacted – Information not in scope]

**Enclosure 13.2 – Attachment: Word Document**

[Redacted – Information not in scope]

**Enclosure 13.3 – Attachment: Word Document**

[Redacted – Information not in scope]

ADES

Concerns about the SQA consultation on the appeals process; these have shared directly with SQA colleagues.

[Redacted – Information not in scope]

**Enclosure 13.4 – Attachment: Word Document**

[Redacted – Information not in scope]

**Enclosure 13.5 – Attachment: PDF**

[Redacted – Information not in scope]

**Enclosure 13.6 – Attachment: PDF**

[Redacted – Information not in scope]



**Enclosure 13.7 – Attachment: PDF**

[Redacted – Information not in scope]



**[Redacted s38(1)(b)]**[Redacted s38(1)(b)]- KS2 English reading  
t: 0141 500 [Redacted s38(1)(b)]/07[Redacted s38(1)(b)] e: [Redacted  
s38(1)(b)]@sqa.org.uk| w: <http://www.sqa.org.uk>  
**Scottish Qualifications Authority**  
The Optima Building, 58 Robertson Street, GLASGOW G2 8DQ

## Enclosure 14.1 – Attachment: Word Document

### Notes of NQ 2021 Stakeholder Working Group Meeting 30 March 2021

**Attendees:** Jean Blair (SQA), Andrea Bradley (EIS), [Redacted s38(1)(b)] (SQA), Alan Armstrong (Education Scotland), [Redacted s38(1)(b)] (SQA), Graham Hutton (SLS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SCIS) left at 15.15, [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (ADES and RICs), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ScotGov), Margaret Lannon (SCIS), [Redacted s38(1)(b)] (SQA), Joan MacKay (Education Scotland)

**Apologies:** [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Ollie Bray (Education Scotland), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA)

[Redacted – Information not in scope]

•

[Redacted information not in scope]

#### **SCIS (Margaret Lannon)**

##### **Overview**

There are five employees in SCIS who support 70 schools, 48 of which offer N5-AH. SCIS informs, engages and collaborates with these schools. Zoom for Education has been invaluable in recent times, and SQACs and Senior Leaders have monthly meetings. The topics so far have been Remote Assessment, NQ2021 in general, and Appeals. SCIS has facilitated meetings to support quality assurance. 36 out of 48 schools have engaged and 200 colleagues have been matched. Virtual Communities of Practice using SQA appointees have been held where possible. Anecdotally, a lot of 'exam diets' are taking place.

##### Discussion

- There needs to be flexibility for all centres to decide the best approach to gathering evidence
- Some independent schools feel they need an exam diet to make grading decisions for provisional results
- Some parents/carers expect an exam diet to reassure them that the provisional result is credible

[Redacted – Information not in scope]

## Action Summary

Area	Action	Owner	Update
Appeals Process	Participation in consultation encouraged.	[Redacted s38(1)(b)]	Consultation released w/c 8/3. Discussed at WG on 24/3. [Redacted s38(1)(b)] to investigate reported error message issues with the online consultation.

**Enclosure 14.2 – Attachment: PDF**

[Redacted – Information not in scope]

**Enclosure 14.3 – Attachment: Word Document**

[Duplicate of Enclosure 12.3]

**Enclosure 14.4– Attachment: Word Document**

[Redacted – Information not in scope]



**Enclosure 14.5 – Attachment: Word Document**

[Redacted – Information not in scope]

**Enclosure 14.6 – Attachment: Word Document**

[Redacted – Information not in scope]

**Enclosure 14.7 – Attachment: PDF**

[Redacted – Information not in scope]

**Enclosure 14.8 – Attachment: Word Document**

[Redacted – Information not in scope]

**Enclosure 14.9 – Attachment: Word Document**

[Redacted – Information not in scope]

**Enclosure 14.10 – Attachment: Word Document**

[Redacted – Information not in scope]

**Enclosure 14.11 – Attachment: Word Document**

[Redacted – Information not in scope]

**Enclosure 14.12 – Attachment: Word Document**

[Redacted – Information not in scope]



## Enclosure 15 – Email: RE National Qualifications in 2021 - NQ21 Group

**From:** [Redacted s38(1)(b)]@sqa.org.uk>

**Sent:** 22 April 2021 18:03

**To:** Fiona Robertson <fiona.robertson@sqa.org.uk>; Fiona Robertson <fiona.robertson@sqa.org.uk>; 'Jim Thewliss' <jim.thewliss@sls-scotland.org.uk>; 'McDaid, Tony' <Tony.Mcdaid@southlanarkshire.gov.uk>; 'Larry Flanagan' <lflanagan@eis.org.uk>; Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Jean Blair <Jean.Blair@sqa.org.uk>; Gill Stewart <Gill.Stewart@sqa.org.uk>; [Redacted s38(1)(b)]@gov.scot>; Armstrong A (Alan) <Alan.Armstrong@educationscotland.gov.scot>; 'Steven Quinn' <steven.quinn@renfrewshire.gov.uk>; John.Edward@scis.org.uk; 'anne.campbell@ayrshire.ac.uk' <anne.campbell@ayrshire.ac.uk>; Gorman G (Gayle) <Gayle.GormanGorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; [Redacted s38(1)(b)]@sqa.org.uk>; 'NPFS Renfrewshire' <renfrewshire@npfs.org.uk>; [Redacted s38(1)(b)]@sypmail.org.uk>; Jamie Dunlop <jamie.d@syp.org.uk>; Bray O (Ollie) <Ollie.Bray@educationscotland.gov.scot>

**Cc:** [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Andrea Bradley <abradley@eis.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; Michael Baxter <Michael.Baxter@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>

**Subject:** RE: National Qualifications in 2021 - NQ21 Group

Dear colleagues

Please find attached papers for tomorrow's meeting.

Thanks

[Redacted s38(1)(b)]

-----Original Appointment-----

**From:** Fiona Robertson <fiona.robertson@sqa.org.uk>

**Sent:** 08 March 2021 13:52

**To:** Fiona Robertson; 'Jim Thewliss'; 'McDaid, Tony'; 'Larry Flanagan'; 'DirectorofLearning@gov.scot'; 'Malcolm.Pentland@gov.scot'; Jean Blair; Gill Stewart; [Redacted s38(1)(b)]@gov.scot; Alan.Armstrong@educationscotland.gov.scot; 'Steven Quinn'; John.Edward@scis.org.uk; [Redacted s38(1)(b)]; 'anne.campbell@ayrshire.ac.uk'; 'Gorman G (Gayle)'; [Redacted s38(1)(b)]; 'NPFS Renfrewshire'; [Redacted s38(1)(b)]MSYP; Jamie Dunlop; Ollie.Bray@educationscotland.gov.scot

**Cc:** [Redacted s38(1)(b)]@gov.scot; [Redacted s38(1)(b)]@gov.scot; Andrea Bradley

**Subject:** National Qualifications in 2021 - NQ21 Group

**When:** 23 April 2021 09:15-10:30 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.

**Where:** Microsoft Teams Meeting

Dear all

Extending NQ21 group invites into the summer. Apologies in advance for clogging up inboxes.

Can I kindly ask that Outlook users select 'accept but do not send a response' when adding these calendars.

Many thanks

[Redacted s38(1)(b)]\_

**Enclosure 15.1 – Attachment: Word Document**

**NQ2021 Appeals - Draft Model for Stage Gates & Approval Model Outline**

<p>Pre-Appeal – June</p>	<p>Learners are advised of their results by their centre.</p> <p><b>Issue:</b> Do we need to be more explicit on the nature of that conversation – what should be covered or is existing guidance sufficient?</p> <p><b>Issue:</b> Based on centre data are we able to establish the number of learners/ subjects where provisional results fall short of conditional offers to assess potential volumes of priority cases?</p>
<p>Summer Break</p>	<p><b>Issue:</b> Consideration still required of impacts on learners of seven-week period before appeals service opens, and/or consider whether a priority service could be opened for learners (e.g., where there is an impact on conditional offers).</p> <p>If not possible, what support available to learners. We need an agreed rationale for the absence of an interim solution.</p>
<p>Certification Day – 10 Aug</p>	<p>Learners receive formal results and certificate from SQA.</p>
<p>Pre-Appeal – from 10 Aug</p>	<p>Any learner minded to appeal first discusses this with their centre.</p> <p>Whether or not already covered in June, this discussion should include an explanation of the centre’s rationale for its judgement on provisional results, and its QA processes.</p> <p>This is also where the centre can advise the learner on their view of the likelihood of the appeal being in their best interests – though the decision remains with the learner.</p> <p>It is also an opportunity for centres to carry out an administrative check to ensure they provided the correct result to SQA in June.</p>
<p>Appeal (1) – from 10 Aug</p>	<p>Learners wishing to appeal to SQA may do so. It is their decision whether to do so or not. Centres do not have the ability to veto an appeal.</p> <p>There are three types of appeal:</p> <ol style="list-style-type: none"> <li>1. disagreement with the original academic judgement,</li> <li>2. belief an administrative error has been made,</li> <li>3. disagreement with the original evidence used to make the academic judgement.</li> </ol>

	<p>For (1) there are no qualifying grounds to apply; this is an unfettered right.</p> <p>For (2) there are no qualifying grounds as such, though SQA will need a learner to explain what they believe has happened.</p> <p>For (3) this will have to be defined – likely with specific exclusions applied. Recognising that each centre has had the flexibility to determine assessment approach for learners, a differential approach to assessment between centres would not be grounds for appeal.</p> <p>At this point SQA will require proof from centres of priority e.g., centres will know of conditional offers via UCAS portal.</p> <p>The default route for an appeal will be for it to be raised via the centre. There will be a direct route for learners to inform SQA if they are unable to submit an appeal via their centre. SQA will take these instances up with centres on learners' behalf.</p>
Appeal (2) – from 10 Aug	<p>SQA will, on receipt of appeal, advise a centre it requires an appellant's evidence, assessment instruments and marking instructions.</p> <p>For types of appeal where the remedy is not simply a review of same assessment evidence, a triaging of appeals requests for follow up with centres will be required within SQA to allow follow up with centres/ learners.</p>
Appeals (3) – from mid-Aug	SQA receives said material, 'tracks and traces', passes to appointee to review.
Appeals (4) – from mid-Aug	<p>Appointee reviews evidence, either affirms grade or draws new grading conclusion; advises SQA of decision.</p> <p>Subject to legal advice, the approach to judgement will be on a similar basis as planned for PCR in 2020, though in 2021 there should be more uniformity to the evidence to be reviewed as we have been able to provide centres with assessments that – although not mandatory – are likely to be widely used.</p>
Appeals (5) – 7 Sept	UCAS, HEIs and other relevant stakeholders (e.g., colleges) advised of priority appeal outcomes (if a request is a priority). This is normal practice.
Appeals (6) – TBC, after 7 Sept	SQA advises remaining learners and centres of appeal outcomes.
Appeals (7) – TBC, Nov?	SQA issues new certificates.

Note, there will also be a process after Certification Day for centres to advise SQA of any administrative errors.

### **Centre Roles in this Process**

There are four requirements of centres in the above model:

1. **Learner conversations** in June and August: the first to advise of result and basis of assessment; second to share judgement on likelihood an advantageous movement in grade.
2. **Submitting the appeal**: centres will be required to submit the appeal to SQA on the learner's behalf. This applies to all types of appeal.
3. **Providing SQA with evidence**: at the point of appeal, all assessments and evidence plus marking instructions will be with centres. As such they will be required to submit said materials to SQA by a defined deadline.
4. **Appointee release**: SQA does not have enough 'in house' subject specialists to consider and judge appeals. As with a normal PRS year, this will have to be carried out by appointees, though the challenge is more acute when dealing with a variable range of non-standardised evidence. Appointees will need to be trained, deployed, and supervised over a short period of time and this can only be enabled with widespread release of teachers and lecturers in August and September.

### **Outstanding Issues for Discussion**

#### **1 It is likely colleges will want to retain the internal assessment appeal processes they already have in place.**

Colleges have internal assessment appeals processes already in place in line with SQA quality criterion 4.8 and have signalled a preference to retain this approach. Legal advice suggests it would be possible to have different models for different types of centre if there is a sound reason for doing so.

However, the reason cannot simply be that colleges do not want to change their process. There would need to be an explanation around why the college process, while different, did not advantage/disadvantage candidates in colleges compared with candidates in other kinds of centres or that if there is 'disadvantage' there are nevertheless good reasons for a different approach.

[redacted s.30(b)(ii)]

#### **2 (a) Instances where learners claim they have not been given a fair opportunity to generate evidence – qualifying appeals.**

It is inevitable we will see some learners claim an appeal on the basis that they were not given a fair opportunity to generate evidence.

One obvious example is where a previously agreed assessment arrangement, that would have been appropriate given the centres choice of assessment approach, was not applied.

We will also likely receive appeals on other grounds making this claim, particularly on the basis that learners were subject to discrimination – and it is of course reasonable and necessary to be compliant with our public sector equality duties that we should have an avenue for these types of appeal to be considered.

There may also be other drivers for this type of appeal that we have not yet considered.

[redacted s.30(b)(ii)]

## **2 (b) Instances where learners claim they have not been given a fair opportunity to generate evidence – remedies.**

We will receive some appeals where the issue is the evidence used to make the assessment was not fair. The standard remedy – of a second review of the original assessment evidence – would be insufficient in these instances. In a normal year, the absence of an agreed assessment arrangement in an external assessment would lead to appointee review of alternative evidence, through the centre raising an ECCS request on the learner's behalf.

In a 'normal' year, if an assessment arrangement had not been appropriately applied alternative evidence would be used to enable a grade to be awarded.

- What should the remedy be?

## **3 Learner welfare in the period between a learner receiving their results (June) and being able to signal an intent to appeal (August).**

Informed by the learner experience of 2020, the ACM included a requirement that learners should know their provisional result at or around the time the provisional result is submitted to SQA – in any event, prior to the end of the summer term.

Once received by SQA, the provisional results will be subject to checks to ensure completeness of the data rather than to validate any individual results. As such the number of changes to the data should be very small – and such changes will usually mean closing a gap in the data from a 'no award' to a grade and thus bringing the data in line with the learner's expectation.

As such it is fair to say that 'learners will know their grades in June' as this will be the case for almost all learners.

As with every year, some learners will receive results that will be disappointing - and in some cases this will have a material impact on their immediate progression. This can, of course, be distressing and upsetting for learners.

Many disappointed learners wish to lodge an appeal. In a normal year, the opportunity for an appeal to be lodged opens at the point the learner learns their result. As the appeals model stands, the appeals process will not open – even for the submission of an appeal – until certification day (10 August) meaning there is a seven-week hiatus.

In England and Northern Ireland learners will not know their results until certification day in August.

In Wales learners will know their results before the summer but there is a planned centre-based appeals process prior to the summer holiday – in part enabled by the later end of term date in Wales (late July).

As such, only Scotland sees this seven-week period where results are known but appeals are not actionable.

We have a responsibility to consider the impact of all our plans and process on both the rights and the wellbeing of young people and will be publishing a Children's Rights and Wellbeing Impact Assessment alongside the published model.

- How can we, as a system, address the wellbeing issues the seven-week hiatus raises?

-end-

**Enclosure 15.2 – Attachment: Word Document**

[Redacted – Information not in scope]

**Enclosure 15.3 – Attachment: Word Document**

[Redacted – Information not in scope]

**Enclosure 15.4 – Attachment: PDF**

[Redacted – Information not in scope]



## Enclosure 15.5 – Attachment: Word Document

### 1. National Qualifications 2021

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2.

**Date:** Friday 23 April 2021

**Time:** 09:15 – 10:30

**Location:** MS Teams

**Members:** Fiona Robertson; Gill Stewart; Jean Blair; Jim Thewiss; Tony McDaid; Malcolm Pentland; John Edward; David MacDonald; [Redacted s38(1)(b)]; Steven Quinn; Gayle Gorman

**Attending:** [Redacted s38(1)(b)]; Ben McKendrick; [Redacted s38(1)(b)]; [Redacted s38(1)(b)], [Redacted s38(1)(b)] (SG); [Redacted s38(1)(b)] (EIS); [Redacted s38(1)(b)], [Redacted s38(1)(b)], [Redacted s38(1)(b)] (SQA)

**Apologies:** Larry Flanagan; Graeme Logan

3.

### 4. Agenda

Item	Topic	Action	Lead
22.1	Welcome & notes from previous meeting	Attached	FR
22.2	Appeals 2021	Attached	[Redacted s38(1)(b)]
22.3	Disruption to Learning – DRAFT letter and flier	Attached	GG
22.4	Communications and engagement	Discussion	[Redacted s38(1)(b)]
22.5	Next Steps/AOB	Discussion	All
	Date of next meeting – Friday 23 April 2021		

**Enclosure 16 – Email: RE CERG 54 - Papers and Dial in details**

**From:** [Redacted s38(1)(b)] @gov.scot> **On Behalf Of** CERG  
**Sent:** 28 April 2021 17:47  
**To:** CERG <CERG@gov.scot>; [Redacted s38(1)(b)] @gov.scot>; Anson S (Sam) <Sam.Anon@gov.scot>; Bain MB (Marion) <Marion.Bain@gov.scot>; 'Ben McKendrick' <Ben.M@syp.org.uk>; C19EdSecretariat Team <DLEDPC19EST@gov.scot>; 'Carrie Lindsay' <Carrie.Lindsay@fife.gov.uk>; [Redacted s38(1)(b)] @educationscotland.gov.scot>; Cumming A (Alison) Early Learning & Childcare <Alison.Cumming@gov.scot>; zzzDeputy First Minister and Cabinet Secretary for Education and Skills <zzzDFMCSE@gov.scot>; 'Diane Stockton (PHS)' <Diane.Stockton2@phs.scot>; Director of Learning <DirectorofLearning@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; [Redacted s38(1)(b)]@cosla.gov.uk>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; OCEX Hub <EdS\_OCEX@educationscotland.gov.scot>; 'Fiona Robertson' <fiona.robertson@sqa.org.uk>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; 'Grace Vickers (SOLACE)' <grace.vickers@midlothian.gov.uk>; 'Greg Dempster' <greg@ahds.org.uk>; Hamilton G (Gillian) <Gillian.Hamilton@educationscotland.gov.scot>; [Redacted s38(1)(b)] @gov.scot>; 'Jane Brumpton' <Jane.Brumpton@earlyyearsscotland.org>; 'Jane O'Donnell' <jane.o'donnell@cosla.gov.uk>; 'Jim Thewliss' <jim.thewliss@sls-scotland.org.uk>; 'John Gallacher' <j.gallacher@unison.co.uk>; 'Larry Flanagan' <lflanagan@eis.org.uk>; 'Margaret Wilson (NPFS)' <chair@npfs.org.uk>; [Redacted s38(1)(b)] @cosla.gov.uk>; McManus J (Janie) <Janie.McManus@educationscotland.gov.scot>; zzzMinister for Children and Young People <zzzMinisterCYP@gov.scot>; 'Pauline Stephen (GTCS)' <pauline.stephen@gtcs.org.uk>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; 'Sheena Devlin' <SDevlin@pkc.gov.uk>; 'Stephen McCabe' <Stephen.McCabe@inverclyde.gov.uk>; [Redacted s38(1)(b)] @gov.scot>; Wilson M (Mick) <Mick.Wilson@gov.scot>; [Redacted s38(1)(b)] @gov.scot>  
**Cc:** [Redacted s38(1)(b)] @sypmail.org.uk>; [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:** CERG 54 - Papers and Dial in details

Dear CERG members

Please find attached papers for CERG tomorrow morning at 10am.

- [Minutes of CERG 53 \[Paper 1\]](#)
- [MI data \[Paper 2a\]](#)
- [Weekly feedback \[Paper 2b\]](#)
- Paper for Information only: Advice, guidance and support for Assessment in the Broad General Education

Dial in details:

[Redacted s38(1)(b)]

Best wishes

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] | [Redacted s38(1)(b)] | Learning Directorate | Scottish Government |

I am working remotely [Redacted s38(1)(b)] and can be contacted via email, MS Teams or BlackBerry 07[Redacted s38(1)(b)]

-----Original Appointment-----

**From:** [Redacted s38(1)(b)] On Behalf Of CERG

**Sent:** 27 April 2021 10:07

**To:** CERG; [Redacted s38(1)(b)]; Anson S (Sam); Bain MB (Marion); Ben McKendrick; C19EdSecretariat Team; Carrie Lindsay; [Redacted s38(1)(b)] Cumming A (Alison) Early Learning & Childcare; Deputy First Minister and Cabinet Secretary for Education and Skills; Diane Stockton (PHS); Director of Learning; Drought A (Andrew); [Redacted s38(1)(b)]; Elizabeth Morrison; ES Chief Exec; Fiona Robertson; Gorman G (Gayle); Grace Vickers (SOLACE); Greg Dempster; Hamilton G (Gillian); [Redacted s38(1)(b)] Jane Brumpton; Jane O'Donnell; Jim Thewliss; John Gallacher; Larry Flanagan; [Redacted s38(1)(b)]; Margaret Wilson (NPFS); [Redacted s38(1)(b)] (COSLA); McManus J (Janie); Minister for Children and Young People; Pauline Stephen (GTCS); Pentland MK (Malcolm); Sheena Devlin; [Redacted s38(1)(b)]; [Redacted s38(1)(b)] Wilson M (Mick); [Redacted s38(1)(b)] [Redacted s38(1)(b)]

**Cc:** [Redacted s38(1)(b)]; [Redacted s38(1)(b)] [maree.todd.msp@parliament.scot](mailto:maree.todd.msp@parliament.scot); Jane O'Donnell; [Redacted s38(1)(b)] [Redacted s38(1)(b)] [Redacted s38(1)(b)]

**Subject:** CERG 54 - 29 April

**When:** 29 April 2021 10:00-10:30 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.

**Where:** MS Teams (details to follow)

Dear all

Focused meeting this week, scheduled for half an hour. The draft agenda follows, for information.

Thanks

[Redacted s38(1)(b)] CERG Secretariat

CERG 54

- 1) Welcome from DFM
- 2) Minutes of previous meeting CERG 53 [Paper 1]
- 3) Data monitoring/feedback
  - MI data [Paper 2a]
  - Weekly feedback [Paper 2b]
- 4) AOB & Next meeting TBC

**Enclosure 16.1 – Attachment: Word Document**

[Redacted – Information not in scope]

## Enclosure 16.2 - Attachment: Word Document

### C-19 Education Recovery Group Minutes of meeting 53, Thursday 22 April 2021

#### Attendees

- John Swinney MSP, *Deputy First Minister and Cabinet Secretary for Education and Skills (Chair)*
- Councillor Stephen McCabe, *Children and Young People spokesperson, Convention of Scottish Local Authorities (COSLA)*
- Sam Anson, *Deputy Director, Scottish Government*
- Jean Blair, *Scottish Qualifications Authority*
- Andrea Bradley, *Educational Institute of Scotland (EIS)*
- Jane Brumpton, *Chief Executive, Early Years Scotland*
- [Redacted s38(1)(b)],
- Alison Cumming, *Interim Director of Early Learning and Childcare, Scottish Government*
- Greg Dempster, *Association of Headteachers and Deputies in Scotland (AHDS)*
- Sheena Devlin, *Executive Director, Perth & Kinross Council (ADES)*
- Andrew Drought,
- [Redacted s38(1)(b)],
- Gayle Gorman, *Chief Executive and Chief Inspector, Education Scotland*
- Gillian Hamilton, *Education Scotland*
- Carrie Lindsay, *Association of Directors of Education in Scotland (ADES), President*
- Graeme Logan,
- [Redacted s38(1)(b)], *Scottish Youth Parliament*
- Ben McKendrick, *Scottish Youth Parliament*
- Janie McManus,
- Elizabeth Morrison, *Deputy Director, Scottish Government*
- Malcolm Pentland,
- Fiona Robertson,
- [Redacted s38(1)(b)], *UNISON*
- Pauline Stephen,
- Gill Stewart,
- Diane Stockton, *Public Health Scotland*
- [Redacted s38(1)(b)], *CoSLA*
- Carol Tannahill, *Chief Social Policy Advisor, Scottish Government*
- Maree Todd MSP, *Minister for Children and Young People*
- Jim Thewliss, *General Secretary, School Leaders Scotland (SLS)*
- Grace Vickers,
- Margaret Wilson, *Chair, National Parent Forum of Scotland (NPFS)*

[Redacted information not in scope]

### **Alternative Certification Model for 2021**

SQA colleagues shared an update on progress for the Alternative Certification Model, outlining that the NQ21 group had all agreed on reaching the best possible outcome in the current circumstances.

With awareness that there remains a reasonable amount of anxiety amongst young people, parents and the education workforce in relation to this, colleagues agreed on the importance of providing reassurance as soon as possible.

SQA also updated that the next tranche of their work involves confirming the appeals process for summer 2021. This will come to CERG as a future agenda item.

**Next meeting:** 29 April 2021

**Enclosure 16.3 - Attachment: Word Document**

**CERG - weekly feedback – 29 April**

[Redacted information not in scope]

**SLS**

[Redacted information not in scope]

CERG last week was made aware of the very demanding timescale associated with the Alternative Certification Model. There are well recognised and very real dangers of disruption to that, at individual and system level, presented by the potential for young people having to self-isolate between now and June 25. There is still uncertainty and hence potential disruption associated with the appeals process and procedures.

[Redacted information not in scope]

**Enclosure 16.4 - Attachment: Word Document**

[Redacted – Information not in scope]



**Enclosure 16.5 - Attachment: PDF**

[Redacted – Information not in scope]

**Enclosure 16.6 - Attachment: PDF**

[Redacted – Information not in scope]

**Enclosure 16.7 - Attachment: PDF**

[Redacted – Information not in scope]



**Enclosure 17.1 – Attachment: Word Document**

**NQ 2021 Stakeholder Working Group Meeting**

Meeting to be held on 5 May 2021.

**Agenda**

Item	Topic	Paper
1	Welcome and apologies	JB
2	Previous Minutes	Revised Meeting Note NQ QA ACM 21 April-issued. Meeting Note NQ QA ACM 28 April-issued.
3	Exemplar template for advising on provisional results	[Redacted s38(1)(b)]/GG
4	Appeals	JB
5	AOB	

## **Enclosure 17.2 – Attachment: Word Document**

### **Notes of NQ 2021 Stakeholder Working Group Meeting 21 April 2021**

**Attendees:** Jean Blair (SQA), Andrea Bradley (EIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Graham Hutton (SLS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA) left at 14:10, [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (Colleges Scotland) left at 14:36, [Redacted s38(1)(b)] (ADES and RICs), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ScotGov), Margaret Lannon (SCIS) joined at 14:06, [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Gill Stewart (SQA) left at 14:51, [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (ScotGov), Michael Baxter (SQA) left at 14:36, [Redacted s38(1)(b)] (SQA) left at 14:00, Ollie Bray (Education Scotland) joined at 14:01, [Redacted s38(1)(b)] (SCIS), Joan MacKay (Education Scotland) joined at 14:16, [Redacted s38(1)(b)] (SQA).

**Apologies:** [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (ScotGov).

[Redacted – Information not in scope]

**Appeals (SQA)**

#### **Overview**

NQ2021 appeals draft model was circulated to members on 20 April following the end of the public consultation. There were 1110 responses in total to the consultation, 900 of which appeared to be from teachers.

The process must be compliant, deliverable and understood by all. It is not without challenges and the learner must be at its heart. The model should be published by mid-May.

Issues for members to consider:

- There may be some candidates who are given a provisional grade on 25 June that does not meet their conditional acceptance offer from college or university. We need to consider both how to support them in the seven week wait before they are able to raise appeal and whether we can do anything different for such priority candidates. There are usually around 500 priority cases.
- If the appeals system opened on 25 June, there would be issues of access to appointees over the Summer and increased pressure on centres.
- There is a need to strike the balance between the principle of the right of appeal and how that appeal is exercised. There may be a difference of opinion between the learner and the centre.
- The need for clarity around the nature of the conversation between learner and centre prior to appeal.
- Grounds for appeal – Ground 3 is the most challenging with complexity in the nature of the evidence used to inform the grade awarded.

- The paper sets out centre roles in this process. There is a recognition that point 4 'Appointee Release' is not without risk.

## Comments

- In general, members felt reassured by the development of the draft model since earlier discussions.
- The centre roles in the process are already part of centres' responsibilities to learners.
- Important to reinforce the message that learners receive provisional results on 25 June, not their final result from SQA. Therefore, it would not make sense to begin the appeals process before 10 August.
- If appeals did open on 25 June, it would put increased pressure all centres, especially those which finish for the Summer the previous week.
- If an appeal was lodged on the grounds of disagreement with the original evidence used to make the academic judgement, what would happen if no other evidence exists? This may be due to lack of time to gather the evidence and it was suggested that having a second certification date may help to reduce the number of these appeals.
- Unclear about the nature of the enquiry if 'subject to legal advice.'
- The conversations about progress between teachers and learners are naturally occurring and do not require direction from SQA.
- It is very important that learners are aware of their working grade, what it means, and how to consolidate or improve it before it becomes a provisional result. It is also important to involve parents/carers.
- Request that the period of time before SQA receives the appeal should not be referred to as 'pre-appeal' and that 'centres do not have the ability to veto an appeal' be replaced with centres do not have a gatekeeping role.
- If we strive to work within the timelines and flexibility of the ACM, there should be fewer appeals.
- Centres willing to release appointees but not to the detriment of learners. It was suggested that the period of time may need to be extended. However, this would not be possible for priority appeals, which have a deadline of 7 September to ensure learners do not miss the chance to take up university places. It is normally the case that appointees undertake the work in their own time with only senior appointees requiring release. Given the variety of assessment materials this year, there may be a requirement for appointee release for standardisation training.
- If centres were asked to provide data for likely numbers of priority cases after entry of provisional results, there was a question about what SQA would do with such information. Moreover, it could have practical and workload implications for centres. Work is being done with UCAS to try and estimate the number of learners whose results are not sufficient for their offer.
- [redacted s.30(b)(ii)]

- Important to consider how the grounds for appeal are communicated.
- If the evidence is borderline, it should be made clear to the learner that SQA may not concur with the centre judgement and there is the risk of the grade being lowered.
- It is important that the award is made on the available evidence.
- Colleges - visit to Quality Focus Group to discuss the model would be beneficial. Internal assessment appeals procedures already operate effectively in colleges, and colleges would wish to retain these. This would require adding a further stage of escalation of NQ appeals to SQA. Internal assessment appeals would have to be concluded prior to submission of provisional results to SQA.
- Disruption to Learning - adjustments have already been made to assessment requirements to alleviate this.

**Next Steps**

- Incorporating feedback from the NQ21 ACM working group, the draft model will be presented at the steering group on 23 April, followed by the Qualifications Committee and the Advisory Council. The refined model will then return to the working group.
- There will be a Learner Panel on Monday on the appeals process.
- Any comments should be sent to [Michael Baxter](#).

Chair (Jean Blair) expressed thanks to [Redacted s38(1)(b)], [Redacted s38(1)(b)] and [Redacted s38(1)(b)] for their work on producing the draft model.

[Redacted – Information not in scope]

**Agenda for next meeting on 28 April**

Appeals will be the substantive item for the next meeting.

Meeting on 28 April to be chaired by G Stewart.

**Action Summary**

Area	Action	Owner	Update
[Redacted information not in scope]	[Redacted information not in scope]	[Redacted information not in scope]	[Redacted information not in scope]



Area	Action	Owner	Update
[Redacted information not in scope]	[Redacted information not in scope]	[Redacted information not in scope]	[Redacted information not in scope]
Appeals Process	Participation in consultation encouraged.	[Redacted s38(1)(b)]	<p>Incorporating feedback from the NQ21 ACM working group, the draft model will be presented at the steering group on 23 April, followed by the Qualifications Committee and the Advisory Council. The refined model will then return to the working group.</p> <p>Any comments should be sent to <a href="#">Michael Baxter</a>.</p>
Approach to National Quality Assurance	Comments and/or suggested amendments to [Redacted s38(1)(b)]	[Redacted s38(1)(b)]	Further guidance on national sampling is currently being developed and will be brought back to the working group when complete.
Disruption to Learning	<p>13/04/21 [Redacted s38(1)(b)] to put his comments on communication in writing.</p> <p>[Redacted s38(1)(b)] to produce a shortened version of the communication, focussing on the key points.</p> <p>Consider other contingencies for model.</p>	[Redacted s38(1)(b)]	Draft communication shared with the group on 12/04/21.

Area	Action	Owner	Update
Private Candidates	Any further comments on the paper should be sent to [Redacted s38(1)(b)].	[Redacted s38(1)(b)]	13/04- [Redacted s38(1)(b)] provided update.
Digital Question Papers	Papers to be made available. Liaison with [Redacted s38(1)(b)] on chrome books.	[Redacted s38(1)(b)]	
Additional Assessment Support Days	[Redacted s38(1)(b)] to share results of consultation when complete.	[Redacted s38(1)(b)]	
Disruption to learning	Subgroup to be set up in the second week of April to discuss ways of promoting and supporting the e-Sgoil provision	Joan MacKay	<p>Proceed with intention to trial w/b May.</p> <p>Need to consider when this should be issued to centres and who should it come from. It may be quicker if it is issued directly from e-Sgoil. Suggested that the message could reference working with the NQ21 group.</p> <p>A Bradley and [Redacted s38(1)(b)] to review the Head Teacher letter.</p> <p>Any comments to be sent to <a href="#">Joan MacKay</a>.</p>

Area	Action	Owner	Update
Centre Guidance for Submission of Evidence	Draft to be completed by end of this week and sent to volunteer members. Target date for publication is before Friday 23 April.	[Redacted s38(1)(b)]	
[Redacted information not in scope]	[Redacted information not in scope]	[Redacted information not in scope]	

## **Enclosure 17.3 – Attachment: Word Document**

### **Notes of NQ 2021 Stakeholder Working Group Meeting 28 April 2021**

**Attendees:** Gill Stewart (Chair) (SQA), Andrea Bradley (EIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Graham Hutton (SLS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (ADES and RICs), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ScotGov), Margaret Lannon (SCIS), [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (ScotGov), Michael Baxter (SQA), Ollie Bray (Education Scotland), [Redacted s38(1)(b)] (SCIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Ollie Bradley (Scotgov), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (SQA)

**Apologies:** Jean Blair (SQA), [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA)

### **Previous Minutes**

Three revisions to be made to minutes of 21 April:

- If appeals did open on 25 June, it would put increased pressure on **all centres, even more so** for those which finish for the Summer the previous week.
- Request that the period of time before SQA receives the appeal should **not** be referred to as ‘pre-appeal’
- The conversations **about progress and attainment** between teachers and learners are naturally occurring and do not require direction from SQA.

### **Appeals (SQA)**

#### **Overview**

MB discussed Appeals Model Version 1.8. He thanked the members of the sub-group for their help with this.

#### **Learner Feedback**

There have been two learner-based conversations in the last 48 hours. The Learner Panel and Scottish Youth Parliament came up with two main issues. Firstly, they expressed the view that ‘exceptional circumstances’ should be considered, and secondly that there should be no ‘symmetry’ in results following appeal. ie results should only be able to go up, or remain the same, not go down. The issue of symmetry, in particular was seen as a ‘red line’, but the NQ2021 Group is of view that symmetry is essential.

#### **Timelines**

There are concerns about support for learners associated with the gap between submission of provisional results on 25 of June, and 10 August of certification -Support for learners is paramount. There is a misconception that a successful/unsuccessful appeal could affect whole cohorts. Appeals are strictly individual. Clear communications will be needed to clarify this.

### **'Ground C' Type of Appeal** (*Appeals on grounds of discrimination contrary to the Equality Act 2010.*)

Legal advice has been taken to inform the further development of this type of appeal, in the knowledge that there will be scrutiny and a need to be clear on the limited scope of this type of appeal. In limited circumstances where it is confirmed through appeal that the original assessment was not valid in terms of SQA's requirements related to discrimination, possible resolutions might include, among other options, a review of alternative assessment evidence.

### **Discussion**

- Group members welcomed the summary document overall, and the continued evolution of the draft model in line with views expressed by members, recognising the difficulty in SQA reconciling the interlocking challenges of regulatory requirements, principles of the alternative certification model and deliverability for centres and SQA.
- Awards can only be made on demonstrated attainment. The clarity of this in the document was welcomed.
- 'demonstrated' should be inserted before 'competence' each time in the appeals document

### Type C appeals

- Members expressed views that it is important to be clear on the scope of Type C appeals.
- There should be few appeals because candidates will know their grades before 25 June, and have had an earlier opportunity to raise and resolve any difficulties related to assessment arrangements.
- [redacted s.30(b)(ii)] SQA would only be looking at whether SQA processes had been followed (as to how candidates had been assessed), not deciding on matters of discrimination
- [redacted s.30(b)(ii)] An individual has six months to raise an issue with the SPSO.
- The most likely result of any appeal is STET (remains the same)
- There were 93 complaints for 2019-2020 related to discrimination, when the types of appeal and basis of awarding were different.

### Priority appeals service

- Priority appeals could be looked at in June, in cases where a candidate has an immediate progression offer, or where heads of centre have identified a candidate

whose circumstances related to health and wellbeing mean that a swift resolution is especially important.

- Appointees may be available because the numbers may be low and it wouldn't involve release
- Prioritising candidates who have conditional university/college, in line with the approach used in most years, may lead to increased inequality. The ACM needs to deliver for all.
- The draft model indicates that the prioritisation criterion related to immediate progression is proposed to extend to include workplace progression.
- Using the Head of Centre as the 'gatekeeper' in applying their judgement to determine when the criteria for prioritisation are met could be perceived to go against the ethos of the learner's decision to appeal.
- The numbers may be high for the second prioritisation criterion related to mental health and well-being issues – a member volunteered that 10% of their cohort identified as having some form of mental health issue.
- [redacted s.30(b)(ii)]
- The progress seen in the document, and the helpfulness of the comments received to move it forward was appreciated.

### **Next Steps**

There is a board meeting on 29 April, and the Steering Group on 30 April to move things forward.

The aim is to have the approach signed off by Mid May, but significant challenges remain as different stakeholder groups have different expectations.

[Redacted – Information not in scope]

### **Agenda for next meeting on 5 May**

Appeals will be the substantive item for the next meeting.

Gill Stewart gave her thanks to the members for their contributions.

Area	Action	Owner	Update
Appeals Process	Comments or suggestions to <a href="#">Michael Baxter.</a>	[Redacted s38(1)(b)]	<p>Incorporating feedback from the NQ21 ACM working group, an update on the draft model will be presented at the board meeting on 29 April and the steering group on 30 April.</p> <p>Any comments should be sent to <a href="#">Michael Baxter.</a></p>





## **Enclosure 18.1 – Attachment: Word Document**

### **Notes of NQ 2021 Stakeholder Working Group Meeting 5 May 2021**

**Attendees:** Jean Blair (Chair) (SQA), Andrea Bradley (EIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Graham Hutton (SLS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (ADES and RICs), [Redacted s38(1)(b)] (ScotGov), Margaret Lannon (SCIS), [Redacted s38(1)(b)] (ScotGov), Ollie Bray (Education Scotland), [Redacted s38(1)(b)] (SCIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (Colleges Scotland), Gill Stewart (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA) left at 14:00, [Redacted s38(1)(b)] (SQA).

**Apologies:** [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA)

[Redacted – Information not in scope]

### **Appeals** (SQA)

#### **Overview**

Priority Appeals Request Service- Candidates will know provisional results by 25 June but will then require to wait until after certification on 10 August to appeal. As well as concern expressed about candidates' welfare during this time, there will be a tight turnaround to meet UCAS/FE admission dates. Could the Priority Appeals Request Service be opened after 25 June? It is important that the group explores all options.

#### **Discussion**

- General feedback from all members was that there is a clear desire to support learners but there is also a duty of care to look after teachers and appointees.
- In response to SQA's suggestion of opening the priority appeals service early on 25 June, members felt that it may amplify staff workload and require individuals to work during the Summer holidays. There are also issues of capacity.
- Members advised that centres and staff would need time to absorb, discuss and share with colleagues what would be required to support an early priority appeals service and it would require layers of human interaction at a time when there is already workload pressures in schools. It would not be as straightforward as it may appear.
- It was also highlighted that many centres will give learners the benefit of the doubt and allow evidence to be gathered up to and including 25 June.

- Opening the priority appeals service early could have other implications leading to further management and communication issues. For example, a learner may wish to apply as their grade is important to them to gain employment but is not required for UCAS, or a learner may have a significant health or wellbeing issue but has to be told that they are not eligible to apply at that time. Time would be needed to have these conversations with other learners, and this would be challenging in the run up to 25 June.
- Suggest there may be more appeals due to learners' direct right of appeal but there is a definition of priority appeals already in place, and such appeals would need to come from centres.
- There is no wish for two runs of the priority appeals process.
- Guidance and/or Learner Support staff can support and advise learners to help them to meet any UCAS conditions.
- There are usually around 350 priority appeals nationally (fewer than one per centre). However, members advised that this would still involve many staff in most centres.
- The numbers may be small but there is still a need to prepare. If centres are unable to access the evidence during the Summer holidays, they will be unable to meet learner expectations.
- Priority appeals on grounds C may need further consideration.
- It was suggested that the learner could lodge a statement of intent to appeal after issue of provisional results. This would allow the learner to feel that they had taken some action and would also give SQA a baseline volume for resourcing appeals e.g. appointee requirements.
- The conversation between the learner who has lodged a statement of intent to appeal, and the centre would take place after 10 August.
- Other agencies may be able to help support learners who need a priority appeal. There is a need to consider what FE and HE are doing and to signpost support over the Summer period. This was considered important by all members.

## **Appeals against the evidence used**

### **Overview**

There is a mixed picture across centres with regards to how evidence is being gathered and concern is being expressed by learners and parents/carers.

### **Discussion**

- Learners should get the grades they deserve on the basis of attainment as long as the centre is confident that the work produced is their own. Centres must be able to decide in the evidence to be used.
- Teacher judgement, demonstrated attainment and course requirements are there to guide. Learners should be aware of what counts as evidence.
- SQA will provide feedback on each centre's selections in the national quality assurance exercise.

- It would also be helpful if Education Scotland could provide reassurance to learners and parents/carers that centres may have different approaches.
- Exemplar Records of Evidence (cohort and individual) have been issued to help guide centres.

## Next Steps

Add to future agenda what support could be offered to learners on appeals.

[Redacted – Information not in scope]

- The timeline of 10 August to 3 Sept means that UCAS can be advised of results for those learners with conditional offers and more widely, means that learners will still be able to appeal if necessary.

[Redacted – Information not in scope]

Area	Action	Owner	Update
Appeals Process	Comments or suggestions to <a href="#">Michael Baxter</a> .	[Redacted s38(1)(b)]	<p>Incorporating feedback from the NQ21 ACM working group, an update on the draft model was presented at the board meeting on 29 April and the steering group on 30 April.</p> <p>Any comments should be sent to <a href="#">Michael Baxter</a>.</p> <p>Add to future agenda what support could be offered to learners.</p>

## Enclosure 18.2 – Attachment: Word Document

### NQ 2021 Stakeholder Working Group Meeting

Meeting to be held on 12 May 2021.

#### Agenda

Item	Topic	Paper
1	Welcome and apologies	JB
2	Previous Minutes	Meeting Note NQ QA ACM 2021 5 May 2021-Issued
3	Appeals- Update  Supporting young people	JB  [Redacted s38(1)(b)]
4	Draft pro forma to support final stages of advising candidates on provisional results	GG/[Redacted s38(1)(b)]
5	Disruption to Learning	JB
6	Milestone plan and associated communication	[Redacted s38(1)(b)]
7	AOB	

## Enclosure 18.3 – Attachment: Word Document

### NQ 2021 Alternative Certification Model

#### Checklist for centre-led learner discussions/written communications on National 5, Higher and Advanced Higher provisional results, prior to submission to SQA

- Inform the learner of their provisional result (grade).
- Remind the learner that the provisional result is based on demonstrated attainment from assessment evidence, which has been quality assured within the centre and through local authority/partnership arrangements (where appropriate).
- Inform the learner of the assessments that contributed to the provisional result (*see exemplar pro forma*) and refer back to previous learning discussions/progress reviews. Include the unique nature of evidence for each individual - not every learner will have same evidence base, but what has been used meets requirements for the course and has been quality assured to ensure consistency and fairness for all.
- Explain/reassure the learner that:
  - Assessment has been carried out in line with national guidance.
  - Teachers/lecturers undertook Understanding Standards activities.
  - Quality assurance was carried out within the school/college/training provider.
  - Quality assurance was carried out within the local authority/partnership arrangement (where appropriate).
  - SQA carried out national quality assurance on a selection of subjects and levels from each centre and feedback from this has been acted upon where necessary.
- Ensure that the learner understands that there will be no change made by SQA to this provisional result. Once provisional results are submitted, SQA will only check for any administrative errors and resolve these with the centres. So, the provisional result that they are being given is what should appear on their SQA certificate on 10 August.
- Discuss next steps if the learner wishes to discuss the grade/assessment process more fully (*especially if this information has not been delivered through a face-to-face discussion*).
- Discuss next steps if the learner feels that the grade is incorrect. Refer to appeals process (*to be confirmed once the model is agreed*).
- Discuss/signpost local support available over the summer break.
- Discuss/signpost national support available over summer break.

**Enclosure 18.4 – Attachment: Word Document**

[Redacted – Information not in scope]

**Enclosure 19 – Email: RE Letter from Fiona Robertson - National Qualifications in 2021: Appeals**

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 02 June 2021 11:16  
**To:** Cabinet Secretary for Education and Skills <CabSecES@gov.scot>  
**Cc:** Communications Education & Skills <CommunicationsEducation&Skills@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; DG Education & Justice <dgej@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>  
**Subject:** RE: Letter from Fiona Robertson - National Qualifications in 2021: Appeals

Hi [Redacted s38(1)(b)]

Please find attached a revised letter addressing the point raised.

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](http://www.gov.scot)

Please note my working pattern is [Redacted s38(1)(b)].

**From:** [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Cabinet Secretary for Education and Skills  
**Sent:** 02 June 2021 10:09  
**To:** [Redacted s38(1)(b)]@gov.scot>; Cabinet Secretary for Education and Skills <CabSecES@gov.scot>  
**Cc:** Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; DG Education & Justice <dgej@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>  
**Subject:** RE: Letter from Fiona Robertson - National Qualifications in 2021: Appeals

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

The Cab Sec is not content, she has commented that she does not want to talk about operation viability, she wants it to be about what is right for learners and getting a fair and credible appeals process.

Thanks

[Redacted s38(1)(b)]

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

**Sent:** 01 June 2021 18:52

**To:** Cabinet Secretary for Education and Skills <CabSecES@gov.scot>

**Cc:** Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; DG Education & Justice <dgej@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

**Subject:** RE: Letter from Fiona Robertson - National Qualifications in 2021: Appeals

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

**Subject:** RE: Letter from Fiona Robertson - National Qualifications in 2021: Appeals

PS/Cabinet Secretary for Education and Skills

cc. as above

## National Qualifications – 2021 Appeals Service

Further to the message below and subsequent briefing, please find attached a draft reply to the letter from SQA regarding the 2021 Appeals Service.

Kind 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](http://www.gov.scot)

Please note my working pattern is [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:** 14 May 2021 16:09

**To:** [Redacted s38(1)(b)]@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; DG Education & Justice <dgej@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>

**Cc:** Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>

**Subject:** FW: Letter from Fiona Robertson - National Qualifications in 2021: Appeals

Hello,

Please see letter received from SQA. Please could advice and a draft response be provided in due course.

Many thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] | [Redacted s38(1)(b)] | 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](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)]@sqa.org.uk > **On Behalf Of** Fiona Robertson  
**Sent:** 14 May 2021 15:57  
**To:** Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>  
**Cc:** Director of Learning <DirectorofLearning@gov.scot>  
**Subject:** Letter from Fiona Robertson - National Qualifications in 2021: Appeals

PS/DFM

Please find 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>

[www.sqa.org.uk](http://www.sqa.org.uk)

[postmaster@sqa.org.uk](mailto:postmaster@sqa.org.uk)

\*\*\*\*\*

**Enclosure 19.1 – Attachment: Word Document**

Cabinet Secretary for Education and Skills  
Shirley-Anne Somerville MSP

T: 0300 244 4000  
E: [scottish.ministers@gov.scot](mailto:scottish.ministers@gov.scot)



Scottish Government  
Riaghaltas na h-Alba  
[gov.scot](http://gov.scot)

Fiona Robertson  
Chief Examining Officer  
Scottish Qualifications Authority

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

---

2 June 2021

Dear Fiona

**NATIONAL QUALIFICATIONS 2021: APPEALS**

Thank you for your letter of 14 May to John Swinney MSP, Deputy First Minister and the then Cabinet Secretary for Education and Skills outlining the key elements of the proposed appeals service for 2021.

As I have since been appointed to the role of Cabinet Secretary for Education and Skills, I am responding and have given careful consideration to the appeals service being proposed.

My overriding concern is ensuring that we do what is right and fair for learners.

I can confirm that I am content with the proposed approach and I welcome that it has been developed as part of the co-creation approach adopted for the alternative certification model and through wider stakeholder engagement, including a public consultation, and taking on board the recommendations from the Priestley Review.

I particularly welcome the decision to include a direct right of appeal for learners and I am sure this will be welcomed by learners and their representatives. It is right in these exceptional times that there is a broad mechanism to appeal for those who

consider they have not received the right result, to review it, and which is free at the point of use.

I note the areas where you have highlighted difficulties in reconciling stakeholder views, and the potential for challenge in these aspects. I am very aware of the challenging situation that learners have faced this academic year and the variable impact of disruption to learning and individual circumstances. I am satisfied that you have outlined a clear and justifiable rationale as to why those final decisions have been taken, and that this delivers a fair, consistent and credible approach to awarding the qualifications. I am also reassured by your advice that this work is supported by a comprehensive Equality Impact Assessment and a Children's Rights and Wellbeing Impact Assessment.

I remain very grateful to you and your staff for your efforts in ensuring that our young people's achievements continue to be fairly recognised, whilst making sure that standards are maintained.

- Yours Sincerely,

**SHIRLEY-ANNE SOMERVILLE**

**Enclosure 20 – Email: RE Letter from Fiona Robertson - National Qualifications in 2021: Appeals**

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

**Sent:** 14 May 2021 16:09

**To:** [Redacted s38(1)(b)]@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; DG Education & Justice <dgej@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>

**Cc:** Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; zzzDeputy First Minister and Cabinet Secretary for Education and Skills <zzzDFMCSE@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>

**Subject:** FW: Letter from Fiona Robertson - National Qualifications in 2021: Appeals

Hello,

Please see letter received from SQA. Please could advice and a draft response be provided in due course.

Many thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] | [Redacted s38(1)(b)] | Deputy First Minister of Scotland and Cabinet Secretary for Education & Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | Tel: 0131 [Redacted s38(1)(b)] | E: [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)]@sqa.org.uk> **On Behalf Of** Fiona Robertson

**Sent:** 14 May 2021 15:57

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

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

**Subject:** Letter from Fiona Robertson - National Qualifications in 2021: Appeals

PS/DFM

Please find 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>

# **NQ 2021 Appeals Model**

## **Introduction**

1. The aim of this paper is to outline the various considerations and perspectives that SQA has attempted to balance when developing the appeals model for National Qualifications in 2021.

2. This paper sets the proposal for appeals in the context of SQA's role and the 2021 Alternative Certification Model (ACM). It describes regulatory factors, outlines details of the consultation and feedback received before looking in detail at the key issues and decisions required.

## **Context**

### **About SQA — our functions and responsibilities**

3. Under the Education (Scotland) Act 1996 SQA has statutory functions for National Qualifications other than degrees in Scotland, as outlined in the Education (Scotland) Act 1996. Qualifications offer a standard and consistent way of demonstrating that someone has a level of competence in a particular subject or skill set.

4. SQA sets, maintains, and monitors standards as part of our role as Scotland's National Qualifications body. This includes defining the level of knowledge and skills needed to achieve a qualification and how those standards are to be demonstrated, then applying these standards to each learner's assessment to determine whether they have reached the national standards for that qualification. Our approach to this is explained in our Code of Practice.

5. This is important as it means that employers and universities, for example, can have confidence that the people they employ or enrol have the knowledge, skills and understanding they need them to have. This is also good for individuals — it means they too can have confidence that the qualifications they have earned have been earned by everyone else in the same way. Consistent standards over time provide flexibility for learners to access immediate opportunities today, and different opportunities later in their career. They also support geographic mobility, both within Scotland and beyond.

6. When assessment is carried out by a mixture of coursework and exams, National Qualifications are awarded based on the professional academic judgement of a subject specialist teacher or lecturer who is engaged by SQA as a marker. They consider the knowledge, skills and understanding demonstrated by a learner in relation to the national standards for that qualification. The judgements of the teachers and lecturers are also subject to quality assurance checks.

7. SQA also takes steps to ensure that all learners can show that they have reached the national standards for their qualification, and that no one is unfairly disadvantaged. For example, SQA oversees arrangements for reasonable adjustments to be made for learners with additional support needs. These adjustments that aim to mirror support for learning are based on the individual assessment needs of the learner and can include such things as providing additional time or a scribe in an exam. In making decisions about reasonable adjustments in the assessment of its qualifications, SQA takes account of:

- the need to give disabled learners as full an opportunity as possible to show they have the knowledge, skills and understanding required for the qualification they are sitting

- the need to ensure that the qualification is a reliable indicator of the knowledge, skills and understanding of a successful learner
- the need to maintain public confidence in the qualification

8. In years where there has been less disruption and we have had exams, SQA has an appeals process, called Post Results Services (PRS). This is a service that allows centres to ask for a clerical check of the marks and/or for a subject specialist teacher or lecturer working for SQA to review the marks awarded to both coursework and exams and consider if the result should move up, down or stay the same.

9. In previous years, SQA also had a process called 'exceptional circumstances'. This is open to National Qualifications learners who have been unable to sit an exam or whose performance in an exam has been affected by something serious that happened on or close to the day of the exam, such as a close family bereavement or a sudden, serious illness. In such cases, there is scope for a review of alternative assessment evidence to determine whether the learner achieved the national standards.

10. At all times, a learner's grade is awarded based on the knowledge, skills and understanding they have demonstrated, otherwise known as demonstrated attainment, relative to the national standard for the qualification.

11. In 2020, SQA outlined a service called Post Certification Review, whereby any grades that had been moderated by SQA could be reconsidered. Centres would send SQA evidence that demonstrated learners' attainment and, again, a subject specialist teacher or lecturer working for SQA would review that evidence and consider if the result should move up, down or stay the same.

12. This process was not put into practice as, following the Ministerial direction on 11 August 2020, SQA was asked to create an appeal process consistent with the direction that learners (whose grade had not already been moderated upwards by SQA) should be certificated as per the centre estimates supplied to SQA in May 2020.

### **2021 approach to awarding**

13. This has been a challenging year for learners and their schools, colleges, and training providers. The COVID-19 pandemic has meant that exams have been cancelled for a second year and teaching and learning have been disrupted. An ACM has been developed by the National Qualifications 2021 Group (NQ 2021 Group). On 16 February 2021, the NQ 2021 Group published information about the revised ACM for delivering National 5, Higher and Advanced Higher results in 2021. The approach has professional judgement of teachers and lecturers at its heart, supported by local and national quality assurance.

14. While the awarding of grades for National Qualifications will be different this year in the absence of an exam diet, grades will nevertheless be based on evidence of knowledge, skills and understanding of individual learners. Teachers and lecturers will determine results based on the evidence generated by individual learners and the level of attainment they demonstrate when compared against national standards — demonstrated attainment.

15. Having anticipated significant disruption to learning this session, actions have been taken across the Scottish education system to ensure learner evidence that demonstrates attainment can be gathered:

- SQA has reduced the evidence requirements for each National Course to a minimum to preserve the validity and public confidence in the qualifications.
- SQA has also published 116 subject-specific guidance documents across National 5, Higher and Advanced Higher courses.

- These documents summarise the key pieces of evidence required as the basis for provisional results.
- They also highlight the option of separating and adapting assessments which have been made available so that teachers and lecturers have the flexibility to assess learners at times and in ways that are appropriate to their needs.
- In many subjects, assessment components have been removed and content and contexts have been reduced to enable a narrower focus for this session.
- Planned National Qualification verification activity has also been reduced to allow more time to support learning and teaching.

16. When provisional results are communicated to SQA by schools and colleges at the end of June, they will have already been subject to sample-based quality assurance and approval processes within the school or college. There will also have been other activities to support quality assurance, for example, by local authorities.

17. Teachers and lecturers will provide ongoing feedback to learners regarding their progress and assessments, including, at the conclusion of the course, provisional grades based on evidence of demonstrated attainment.

18. Steps being taken to assure quality by both centres and local authorities are further supported by national quality assurance and Understanding Standards materials.

19. A key element of the ACM is that it requires centres to discuss how they arrived at a learner's provisional result with them. Outlined in the agreed roles and responsibilities document, there is a specific responsibility for centres to ensure learners have an opportunity to discuss the rationale behind their provisional results with their teachers or lecturers, the evidence that was used to make the awarding judgement, and also to ensure the learner understands all the layers of quality assurance that have been applied. Combined, these steps are a key element of ensuring that results are fair and in line with national standards.

## **Appeals — the final stage of the ACM**

20. All stakeholders are committed to ensuring learners receive accurate and fair results. The ACM has been carefully designed to ensure this is the case, with SQA and centres both playing a part in making this happen.

21. However, in any process there can be errors or other manifestations of unfairness. It is in these circumstances that it is important — for learners, their parents and all others involved to have confidence in the qualifications awarded — that there is a well-functioning appeals process.

22. In developing the appeals model, SQA has aimed to balance three key aspects:

- That the principles of awarding qualifications that underpin the ACM also underpin the appeals process.
- That the appeals process is compliant with the law and that it respects the rights contained in the United Nations Convention on the Rights of the Child.
- That the appeals process can be delivered; that it is operationally viable for SQA and all stakeholders that play a part in its delivery.

23. Throughout the development of the appeals model, SQA has tried to ensure that the needs and considerations of learners have been kept central to our thinking.

## **Carrying forward principles from the ACM**

24. The appeals process is the final stage of the ACM. As such, it is important that it is consistent and that the principles underpinning the ACM are carried through into the appeals model.

25. A key consideration here is the principle of demonstrated attainment and, as it manifests in the appeals stage, the related principle of appeals which can see a grade go up, down or stay the same. This is discussed in more detail in the Key Issues section.

## **Regulatory and legal considerations**

### **SQA's equality duties**

26. SQA has a responsibility to assess the impact of new or modified policies and practices against our need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- advance equality of opportunity between people who share a protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not

27. The equality duty covers the nine protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

28. Accordingly, an Equality Impact Assessment (EIA) of the appeals model for graded National Courses in session 2020–21 will be published alongside the model and has been considered while making decisions about the appeals model itself.

29. This EIA considers the potential impact of the 2021 Appeals Model on candidates who share protected characteristics and how any potential negative impacts that are identified could be mitigated. Other groups of candidates, such as those who are socio-economically disadvantaged, or who experience other circumstances that present barriers to accessing qualifications, have also been considered wherever possible. Although such groups are not covered specifically by the Equality Act 2010, the NQ 2021 Group recognises that a wide range of factors can have an impact on a candidate's ability to achieve qualifications.

30. Furthermore, SQA has a specific Corporate Parenting commitment to ensure its EIA process considers the needs of care experienced young people, by treating care experience as if it were a protected characteristic covered by the Equality Act.

31. SQA has met with and been in correspondence with the Equality and Human Rights Commission (EHRC). The EHRC has outlined several views. Firstly, they believe that creating a route for appeal on grounds of discrimination falls within the scope of SQA's legislative powers.

[Redacted s30(b)(ii)]

34. In communication with SQA, the EHRC relies on the public sector equality duty, which is a duty to have regard for certain needs, but it does not prescribe any particular actions that a public body must take, or outcomes that must be achieved. How SQA 'has regard' to needs is a matter for itself, acting reasonably. Indeed, the public sector equality duty itself does not require SQA to have any kind of appeal mechanism.

35. The EHRC is also of the view that SQA should gather more information about learners in order to fully understand the equality impact of its policies on learners. Collecting monitoring data in this way is not the only means by which SQA can inform itself about the impact of its policies on groups with relevant characteristics. Indeed, data protection legislation requires



organisations to only collect information pertaining to protected characteristics when it absolutely needs to do so. As SQA can work with the Scottish Government in order to match data and allow for analysis of protected characteristics without collecting the data directly, we conclude that we should not do so in order to remain fully compliant with data protection law. In addition, SQA works with groups of candidates to hear directly from them about their views on SQA's policies and the impact on them.

### **SQA and children's rights**

36. SQA has developed a Children's Rights and Wellbeing Impact Assessment that summarises the evidence reviewed by SQA to inform development of the appeals model for graded National Courses in 2021 in relation to impacts on children's rights and wellbeing.

37. While SQA supports lifelong learning and awards qualifications to learners across the age spectrum, it is clear that many learners taking SQA graded National Courses are aged 16 or 17 and would identify as children or young people.

38. In developing this appeals model, SQA extended the principles of the ACM and drew on the Children's Rights and Wellbeing Impact Assessment of the ACM published on behalf of the NQ 2021 Group in February 2021. As with its EIA, SQA reviewed the range of available evidence to inform its decisions in the context of its duties as the statutory national awarding body in Scotland for qualifications other than degrees. These duties are set out in the Education (Scotland) Act 1996, as amended.

### **United Nations Convention of the Rights of the Child**

39. Scotland is set to directly incorporate the United Nations Convention on the Rights of the Child (UNCRC) into domestic law. The UNCRC (Incorporation) (Scotland) Bill was introduced to the Scottish Parliament on 1 September 2020. Once enacted, it will be unlawful for public authorities to act in any way that is incompatible with the incorporated UNCRC requirements. This will give children, young people, and their representatives the power to go to court to enforce their rights.

40. More recently, in response to the Priestley Review, the Scottish Government stated that it fully recognises '*that young people are rights-holders and key stakeholders with the education system. We will ask the SQA to review the appeals system for National Qualifications, working closely with education partners, including young people, to ensure it best meets the needs of young people in line with the principles of the UNCRC*'. We agreed to implement the recommendation, so this is a key consideration in the design of the appeals process.

41. SQA has carried out a research exercise to look for international practice in implementing the UNCRC in relation to qualifications.

42. We have found that there is a variety of approaches taken by different countries, both in terms of UNCRC implementation and regarding appeals against academic judgements.

43. SQA believes the appeals process that has been developed advances the realisation of children's rights as it places the decision on whether to appeal (or not) in the hands of the learner, while ensuring that learners are appropriately supported with the information they need to make decisions that are in their best interests.

### **Operational deliverability**

44. When delivering a public service, it is important that the service operates effectively. It is of no benefit to Scotland's young people nor any other stakeholder to outline an appeals process that cannot be operationalised.

45. As such, throughout the engagement process, both SQA and stakeholders have considered the complex issues through a delivery lens, including the dependencies SQA has on all schools and colleges and their staff (both in-centre and also as the population from where SQA appointees are drawn), local authorities and other, national stakeholders. In addition, SQA's own capacity and resources are both key enablers and there are some manageable risks associated with this.

46. Furthermore, SQA also has to consider its own staff and resources when considering operational delivery, being mindful of the layering of processes and activity in crucial periods; ensuring — as a good employer — that it is fully aware of the strains any decisions made place on staff and their wellbeing.

47. Taken together, there is an interplay between all parts of the education system that makes decisions on the operational viability of any solution complex, requiring not only SQA's confidence in its own ability to deliver, but in the ability and support of all parts of the system to do likewise.

48. Unlike previous years when the diet of examinations has meant that SQA has had immediate access to the examination scripts and externally assessed coursework to review during the PRS, there will be a need for SQA and centres to work together to ensure that learner assessment evidence can be secured from centres for this year's appeals process.

49. Overall, it would be operationally feasible for SQA to deliver an earlier priority appeals service, but this would be on the assumption that appointees and evidence would be available, and this would need the support of the wider system.

50. It would also be operationally feasible for SQA to provide a service which would enable learners and centres to signal an intent to appeal from 25 June on the understanding that the full end to end appeals service would be available from 10 August.

## **Gathering views**

51. SQA has used several approaches to gather a wide range of views on the appeals model.

### **Public consultation**

52. Feedback on SQA's draft proposals was gathered via a consultation questionnaire with nine substantive questions, which focused on:

- How learners can be supported in deciding whether or not to make an appeal
- How the appeals process should best be managed between centres and SQA
- The parameters of the appeals process and the grounds for appeal
- SQA's public sector equality duty

53. The consultation was published on SQA's website and most responses were directly submitted this way, with a small number submitted via email. It was open for responses from 12 March 2021 and closed on 26 March 2021. The full analysis is available in Appendix 1.

### **Stakeholder engagement**

#### **NQ Working and Steering Groups**

54. SQA established a National Qualifications Steering Group supported by a working group, to enable co-creation and development of the ACM. It naturally followed that these groups were used to discuss and help shape the development of the appeals model.

Insights from these groups are described in the sections below.

## **SQA Learner Panel**

55. Similarly, SQA established a Learner Panel to help develop the ACM. Again, the panel was used to discuss and help shape the appeals model.

56. The SQA Learner Panel gives young people the opportunity to share their views on key SQA activities which will help with decision making. SQA also looks to the Learner Panel to advise on specific methods of engagement and style of communication.

Insights from the panel are described in the sections below.

## **Equality and Inclusion Key Partners Group**

57. The Equality and Inclusion Key Partners Group was established to bring together representatives from SQA's Inclusion Group and from a range of equality groups. The Group focuses on the potential impact of SQA's policies and practices on candidates from different equality groups. The remit of the Group is to explore, discuss and identify solutions and strategies designed to tackle identified barriers to inclusion and equality for candidates.

## **SQA Groups**

58. SQA worked with its own committee and council structure throughout the development of the appeals model.

59. SQA's Board provides leadership, direction, support and guidance to ensure the SQA delivers and is committed to delivering its functions effectively and efficiently.

60. The Advisory Council's role, as set out in the Scottish Qualifications Authority Act 2002, is to consider and provide advice to SQA and/or Ministers on matters relating to qualifications devised or awarded by SQA, and the functions and procedure of SQA.

61. SQA's Qualifications Committee provides strategic, policy and technical advice to the SQA Board and senior officers on SQA's qualifications and their assessment, quality assurance and awarding systems. It also oversees the work of SQA in developing qualifications that meet the needs of learners, centres and employers, now and into the future.

62. All three groups were involved in discussions through the process of developing the appeals model. This enabled SQA to access a wide range of experience and perspectives that added to the depth of understanding of the range of issues the appeals model is required to balance.

## **Key issues in detail**

### **Fundamental aspects of the appeal process**

#### **What is an appeal?**

63. An appeal is a request for a reconsideration of a learner's provisional result. The provisional result is the result schools and colleges will communicate to learners and submit to SQA by 25 June.

64. Although these provisional results are subject to checks to ensure SQA has received all the results, they will not be changed by SQA. The only way a result will be changed at this point is if the school or college informs SQA it has made an error.

#### **What can an appeal outcome be?**

65. An appeal may lead to a change of grade (A-D or No Award).

66. The only other circumstance that will be considered are the rare occasions when a learner requires a particular band result — usually band 1 — to get onto a particular university course. In this instance, where an immediate progression opportunity rests on the band result, SQA will accept that as an appeal.

### **Who can appeal?**

67. All learners can appeal.

68. The decision to appeal is for the learner to take. Centres will not act as gatekeepers to the process — if a learner decides to appeal, they will be able to do so.

69. However, learners have a right to be supported to make good decisions. This is an aspect that the Children's Commissioner is very clear about; seeing it as a matter of children's rights that they are properly advised.

70. This applies to all learners, including private/home educated learners.

### **What will it cost to appeal?**

71. SQA will not levy any charges to learners or their centres for an appeal in 2021.

### **Conclusion**

- An appeal is a review of the provisional result submitted to SQA in 2021.
- SQA will amend learner results if advised of an administrative error by the centre.
- SQA will make no other amends to the provisional results received from centres.
- Only grades can be appealed, except in the specific circumstance where a band result is required for immediate progression purposes.
- All learners can appeal and are able to make the decision to appeal themselves.
- All learners are entitled to support and guidance to make this decision which will be provided by centres.
- There will be no charges for appeals in 2021.

### **Grounds for appeal**

72. A key facet of the appeals model is the basis on which appeals can be submitted and will be considered. There were a range of views on how to frame the grounds for appeal. In essence, the appeals process exists to ensure the fair awarding of qualifications — however, the notion of fairness can be contested so needs to be carefully defined.

[Redacted s30(b)(ii)]

77. Learners will be able to request that SQA reviews their evidence. There are no further qualifying grounds for appeals of this type.

78. SQA appointees will review the evidence used to determine the provisional result, making a new assessment of the evidence.

[Redacted s30(b)(ii)]

80. There will also be two further types of appeal:

### **Appeals against an administrative error by the centre or by SQA**

81. There is already a process for when centres realise they have made a mistake in providing SQA with provisional results. However, there may be instances where the learner

believes an administrative error needs to be corrected and the centre (or SQA) disagrees. In these instances, SQA will require the learner to provide a short, written explanation of what they believe has occurred.

82. Genuine errors are most often identified by centres and quickly put right. So, we anticipate that these appeals would be very rare.

### **Appeals on grounds of discrimination contrary to the Equality Act 2010**

83. SQA has certain duties under equality law to make sure learners do not face discrimination when being assessed for our qualifications. Centres also have a series of legal obligations to make sure discrimination does not happen — but if this were to happen it may have an impact on learners in relation to their qualifications.

84. So, there are two grounds for an appeal of this type:

- i. There has been discrimination or other unlawful conduct contrary to the Equality Act 2010, acknowledged in writing by the centre or established through court proceedings or by a ruling of the SPSO, or
- ii. The centre failed to comply with SQA requirements in relation to providing assessment arrangements, contributing to a disabled candidate's provisional result.

85. In these instances, SQA will require learners to provide a short, written explanation of what they believe has occurred.

86. Type (i) is for instances where learners have already concluded a formal process where an appropriate organisation with relevant powers and obligations has reached a conclusion that discrimination or other unlawful conduct has taken place. This might include the learner having approached their centre and raised the issue of discrimination with them. For an appeal to be submitted, this process would have to have concluded, and a decision would have to have been made about whether discrimination had occurred or not.

87. SQA will agree to consider any type (i) of appeals beyond the limited opening period for other types of appeal, in recognition of the extended timelines that can apply for the related formal processes.

88. In this instance, SQA will review the information available, including the written record of the outcome of that formal process. SQA will then decide if the appeal is upheld or not.

89. If it is upheld, SQA will work with the centre to determine the best way of making sure the learner is awarded their qualifications in a fair and non-discriminatory way. The best way to do so will depend on the circumstances of the appeal.

90. Type (ii) is where a learner has an assessment arrangement — for example, extra time to complete exam-type tests, or enlarged materials that are easier to read — which was **already agreed** with their centre and was not put in place.

[Redacted s30(b)(ii)]

92. SQA does not take the view that there are likely to be large numbers of unwarranted appeals but wants to ensure that there is a route for equality related appeals that fit with SQA's statutory functions and the limits of those functions in terms of its ability to investigate and adjudicate on equality breach claims.

### **Conclusion**

93. There are three types of appeal:

- An appeal against the academic judgement made.
- An appeal against a contested administrative error.
- An appeal on grounds of discrimination contrary to the Equality Act 2010, in certain circumstances and also in regard to agreed assessment arrangements breaches.

94. Centres can also advise SQA of any administrative errors they identify.

### **Demonstrated attainment and symmetric appeals**

95. There were a range of views about the role of demonstrated attainment in the ACM itself and, consequently, the appropriateness of appeals that can see a grade move up, down or stay the same on appeal ('symmetric appeals') versus an approach that can only see grades move up or stay the same ('no detriment appeals').

96. On one hand, learners — notably SQA's Learner Panel and the Scottish Youth Parliament — parents, including parent representative groups at both SQA's Advisory Council and at the NQ Steering Group, and the Children's Commissioner all hold the opinion that no detriment appeals are the only appropriate approach to take in 2021.

97. They argue that, as 2021 has been so challenging for so many people, especially young people, for them to appeal and the outcome to be a lower grade than their original grade would be unfair; that young people would feel doubly let down by such an outcome and that — given the stresses of the year — is something that they should not face.

98. Alternatively, education stakeholders tend to see symmetric appeals as necessary as they are consistent with a key principle of both the ACM and of awarding qualifications in general.

99. In addition, SQA's commissioned research with the higher and further education sectors and with employers stressed the importance of demonstrated attainment as something of value to them. Those stakeholders did not want to discount the possibility of having an appeals process that could adjust awards based on learners' individual experiences, but they could not offer suggested methods of doing so in a way that preserved the importance of demonstrated attainment.

100. Qualifications are awarded based on the competence an individual has shown. They are awarded on a consideration of evidence that shows the individual's knowledge, skills and understanding. So, the award of a qualification is a direct consequence of the attainment demonstrated through evidence. This principle underpins the ACM.

101. In an appeals context, the same principle would apply — and indeed has applied in our PRS to date. This means that the appeal outcome would also be a direct consequence of demonstrated attainment. For that to be the case, it must follow the assessment of the evidence carried out as part of the appeal — whether that judgement is the same, higher or lower than the original awarding decision.

102. These positions are irreconcilable. On balance, SQA considers the right approach is to implement a symmetric appeals process. All qualifications are based on a direct link to the holder's competence. Weakening or removing that link runs the risk of devaluing qualifications for all holders of that qualification — past, present and future.

[Redacted s30(b)(i)]

106. As such, despite the strength of views on this issue held by many learners and parents, the best approach is to ensure appeals in 2021 can move grades up, move grades down or

keep them the same. SQA recognises that this will likely be unpopular and may make wide public acceptance of the appeal model harder to achieve.

### **Conclusion**

□ Demonstrated attainment is a key principle of the ACM and awarding of qualifications in any year.  
□ As such, demonstrated attainment must carry through into the appeals process and it does so through symmetric appeal decisions that remain consistent with the standard of the evidence reviewed.

□ SQA holds this position in full knowledge of the strength of feeling, particularly from learners and their representatives, that this is something they do not agree with and will not accept.

□ SQA further notes that the position held by the Children's Commissioner mirrors and informs the views expressed by most learners and parents, and the Commissioner's Office has indicated a lack of support for both symmetric appeals and the principle of demonstrated attainment.

### **Supporting learners over the seven weeks between provisional results and certification day**

107. The window between learners being advised of their provisional results and formal certification is a matter of concern for many stakeholders, especially SQA's Advisory Council. [Redacted s30(b)(ii)]

108. During the development of the ACM, the decision was made to ensure a 'no surprises' approach in 2021 to avoid any gap between learners' expectations and the provisional result. We anticipate that many learners will understand and accept their result at this point, and that many will be pleased with the outcome. There will of course be a number of learners who find themselves disappointed with the provisional result communicated to them by their centre at the conclusion of the course.

109. SQA investigated steps that could be taken to support these disappointed learners. However, a key constraint on activity during July and early August is the standard academic year. As described in contractual terms and conditions for staff in many centres delivering SQA National Qualifications, centres are effectively closed. Indeed, stakeholders have consistently explained that it is not reasonable for SQA to require centres to be open and able to carry out any actions over the summer break as staff availability and access to required information will be limited.

110. This leaves a period where centres are closed and little awarding or appeal related activity can take place; evidence will be physically located in (closed) centres and centre staff will, largely, be unavailable to handle queries. To many stakeholders and to SQA, this seemed to introduce a further risk to learners' health and wellbeing. If learners are already concerned about their results, and the opportunities available to them in light of those results, having a ~seven-week window in which they are unable to act seemed like an unacceptable pressure to place on young people.

111. Although SQA is now opening the appeals service to enable learners to signal their appeal from June, this only goes so far in mitigating this issue. In recognition, stakeholders have expressed support for the system coming together to create a package of support for learners over the summer.

112. SQA can play its part but it will be dependent on others doing likewise. Skills Development Scotland have already signalled an intent to review what they can do and local

authorities' non-school resources have also been suggested, as have some third sector bodies.

113. The Scottish Youth Parliament were supportive of such measures but would like to see detailed information before formally supporting them; an intention to do so will not be enough to elicit support unless supported by detail.

114. Active consideration of what SQA can do, and what partners — including the Scottish Government — can provide is necessary.

### **Conclusion**

- SQA recognises the challenge some learners will face over the summer break.
- SQA has approached the Scottish Government and will work with stakeholders and others to develop a package of supportive measures that can be implemented over the summer.

### **Defining priority appeals**

115. In normal appeals procedures, centres can highlight learners who can access a priority appeals service where there is an immediate progression opportunity within further or higher education that is dependent on the appeal outcome.

[Redacted s30(b)(ii)]

### **Conclusion**

- Priority appeals should be available for those candidates with an immediate progression opportunity to HE, FE or employment dependent on a grade (or in some specific instances, a band).
- Including employment in this definition is an extension of SQA's previous position.

### **Running the process for priority appeals from June**

119. To help mitigate the risk to learners' wellbeing over the seven weeks between receiving their provisional results and certification day, it was suggested that SQA should open the appeals process in June for those appeals we define as priority appeals.

[Redacted s30(b)(ii)]

124. On balance, despite some support for early delivery of priority appeals, the range of delivery risks are such that SQA is not confident that the education system could enable a process for priority appeals that runs from June 2021. Therefore, the service will open from 10 August.

### **Conclusion**

- The priority appeals process should not open in June.
- The priority appeals process will open in August.

### **Opening the appeals service for all learners in June**

125. To help mitigate the risk to learners' wellbeing over the seven weeks between receipt of a provisional result and certification day, it was suggested that SQA open the appeals service in June, allowing all learners to signal their intent to appeal.

126. This would be for initiating an appeal. The process for retrieving evidence, passing to appointees, etc would still begin in August.



127. A June start would allow SQA to alert centres of appellants and prompt them to have the required appeal conversation on return to school in August. The benefits of this are three-fold:

- There is a benefit to learners by allowing them to act.
- By identifying themselves as appellants over the summer, this would allow supportive communications and engagement directly with the appellant from SQA/partners.
- It would begin to give SQA a sense of the baseline volume of appeals — though it is inevitable some appeals will be received after 10 August certification.

128. On balance, SQA takes the view that opening the appeals service to enable the appeals process to start is a positive contribution to learners' wellbeing and will improve SQA's ability to plan delivery of the appeals service. It will allow SQA to identify those learners for whom an appeal is a key next step, enabling both supportive communications and intelligence about likely demand for the service.

### **Conclusion**

- A learner interface will be provided from late June for learners to signal their intent to appeal.
- Despite the limited activity that can take place to begin actioning the appeal, there are a number of benefits to learners that can be realised.

### **Appeals on grounds of the evidence used to determine the provisional result**

129. There are issues to consider about the extent to which learners can challenge an academic judgement, and whether that should extend beyond the assessment of the evidence to include an appeal that challenges the selection of evidence selected for assessment.

130. In the ACM, centres are asked to apply their judgement in two ways. Firstly, SQA asks them to select appropriate evidence on which to make an assessment decision. SQA has provided subject-specific guidelines as to what evidence is appropriate, but within that guidance there is flexibility for centres to vary the assessment approach to consider the circumstances of their learners and ensure as many as possible were able to generate sufficient evidence to demonstrate attainment.

131. Secondly, centres are asked to assess the evidence, decide the level of attainment it demonstrated and produce a band result that SQA can convert to a grade.

132. The appeals model includes the opportunity for candidates to challenge this second judgement, given as appeals type (A) in the section below.

[Redacted s30(b)(ii)]

136. The key mitigating action here will be to ensure that all learners should discuss the evidence used by their centre as part of the conversations with learners, as outlined and agreed with stakeholders in the ACM roles and responsibilities document. SQA will support these conversations with an optional proforma that will allow centre staff to ensure they cover and capture all the aspects required in their conversations with learners.

### **Conclusion**

- SQA can determine the scope of an appeal process, so long as that scope is itself lawful.

[Redacted s30(b)(ii)]

## Colleges and schools: different levels of experience with internal appeal processes

137. Colleges and schools have different levels of experience with managing appeals as an internal process, with colleges tended to have significant experience of managing internal appeals processes. SQA has responded to consultation — and stakeholder feedback — by developing an SQA-led appeals process, where centres' role is limited to:

- discussing the appeal with any potential appellant to make sure they understand the process, that grades can go up, go down or stay the same and provide their professional judgement as to the best interests of the learner to inform their decision to proceed with any appeal.
- submitting appeals on behalf of any learner who asks them to do so.
- collating and supplying assessment evidence to SQA.
- providing teachers/lecturers as appointees.

[Redacted s30(b)(ii)]

141. On balance, SQA considers that colleges carrying out their own internal appeal process is a choice they can make in delivering their part of the ACM **prior to the submission of provisional results to SQA on 25 June**. College candidates will have all the same opportunities to access the SQA appeals process and so will not lose out. Equally, schools will also be carrying out their own processes ahead of submitting provisional results — and these will differ by school and local authority. This is a function of the appropriate flexibility in the ACM so, in the absence of a single model for how individual centres operate ahead of submitting provisional results, such divergence is tolerable.

### Conclusion

- College representatives were clear they did not wish to depart from a model that had worked for them over time.
- SQA also acknowledges that, in having an internal appeals process, colleges are implementing an SQA requirement.
- As such, the position that colleges will carry out any internal appeals-like processes ahead of the 25 June provisional results submission means they are effectively incorporating that into their ACM quality assurance processes.
- It should also be noted that SQA's liaison managers have reported that a number of schools are also planning to take a very similar approach.

[Redacted s30(b)(i)]

## Conclusion and key elements of the appeal process

142. The above highlights the contested and complex nature of many of the aspects considered when developing the appeals model, noting that some stakeholder positions were irreconcilable and therefore difficult choices have to be made.

143. SQA has tried to do so while balancing regulatory requirements, the need for consistent principles between appeals and the other stages of the ACM and the fundamental deliverability of the model — as no one is served by a system that cannot be put into operation.

144. On balance, SQA believes a balanced appeals model works as follows:

- An appeal will be a request to reconsider the provisional result provided to SQA by centres on the 25 June. This will consider changes to grade only, except in one specific exceptional context (para 63 to 66).
- All learners will be able to appeal. It is their decisions whether to do so or not, and the service will be free of charge (para 67 to 71).

- Some centres, in particular colleges, may choose to implement an internal appeal process ahead of the submission of provisional results to SQA. This will in no way limit any learner's ability to access SQA's appeals process (para 143).
- There are three grounds for appeal:
  - Academic judgement (para 76 to 79)
  - Contested administrative error (para 81 to 82)
  - Discrimination, including assessment arrangements (para 83 to 92)
- Except in appeals relating to discrimination, learners will not be able to appeal against the evidence on which the provisional result was based that was selected by their centre (para 135).
- Appeal decisions will be symmetric, meaning grades can move up, move down, or stay the same (para 106).
- The appeals service will open to allow learners to signal their intent to appeal from late June (para 128).
- SQA will open the priority appeal service from 10 August (para 124). Priority appeals will be concluded in time to meet UCAS requirements.
- Appeals eligible for the priority appeal service will continue to be for those candidates with an immediate progression opportunity dependent on the outcome, with the definition widened slightly to explicitly include learners where the progression opportunity is into the workplace (para 118).
- SQA and stakeholders recognise the unique pressures that may be felt by learners who are advised of their provisional result in June but will not be certificated until August. Stakeholders will work together to ensure support is available over the summer period to support and signpost learners (para 107 to 114).

## **Enclosure 20.2 – Attachment: letter**

14 May 2021

John Swinney MSP

Deputy First Minister and Cabinet Secretary for Education and Skills

By email: DFMCS@gov.scot

Dear Deputy First Minister

### **NATIONAL QUALIFICATIONS in 2021: APPEALS**

As you know, work has been undertaken to develop a service to enable appeals to be made against National 5, Higher and Advanced Higher certifications in 2021 as part of the alternative certification model (ACM). Following a discussion at SQA's Board of Management on 12 May 2021, I am writing to outline the key elements of this service, explain the steps taken by SQA to inform the service design, and seek your support. This process has not been straightforward and there are some important issues to consider.

The appeals service has been developed to align and be consistent with the agreed ACM for 2021. It is consistent with SQA's statutory functions under the Education (Scotland) Act 1996 and has been developed in line with the recommendations of the Priestley Review, taking a co-creation approach to all aspects of the ACM where at all possible. This co-creation included several discussions with the NQ2021 Groups and with SQA's Learner Panel. The service design has also been informed by responses to SQA's public consultation on appeals, carried out in March 2021. Equality and Children's Rights and Wellbeing Impact Assessments have of course informed and evolved alongside the appeals model development, to ensure that young people's interests have been a key focus throughout. The attached paper, presented to the Board this week, sets out the issues in more detail. The Consultation Report and Impact Assessments will be made available to your officials and can be provided if you wish to review them directly.

The key elements of the appeals service are as follows:

- An appeal will be a request to reconsider the provisional result provided to SQA by centres by 25 June. This will consider changes to grade only, except in one specific exceptional context (at Upper A Band for University entry, where required).
- All learners will be able to appeal directly or through their centre. It is their decision whether to do so or not, and the service will be free of charge.
- Some centres, in particular colleges, may choose to implement an internal appeal process ahead of the submission of provisional results to SQA. This will in no way prejudice learner's ability to access SQA's appeals service should they wish to do so.
- There are three grounds for appeal:
  - o Disagreement with the centre's quality assured academic judgement;
  - o Contested administrative or procedural error within SQA or the centre; or
  - o Appeals related to the Equality Act, including assessment arrangements.
- Except in appeals relating to the Equality Act, learners will not be able to appeal against the centre's approach to planning or selecting the evidence on which the provisional result was based.
- Appeal decisions will be evidence-based and symmetric, meaning grades can move up, move down, or stay the same.
- The appeals service will open to allow learners to intimate their intent to appeal from late June.
- From 10 August, centres will be able to provide the necessary information to SQA to enable appeal requests to be progressed.
- Priority appeals will be concluded in time to meet UCAS requirements.

- Appeals eligible for the priority appeal service will continue to be for those learners with an immediate progression opportunity dependent on the outcome, with the definition widened slightly to explicitly include learners where the progression opportunity is into the workplace.
- SQA and stakeholders recognise the unique pressures that may be felt by learners who are advised of their provisional result in June but will not be certificated until August. Stakeholders will therefore work together to ensure support is available over the summer period to support and signpost learners, and we would seek your support in co-ordinating the system wide response.

We expect core elements of the appeals service will be welcomed. Learners will be able to appeal directly for the first time and it is right in these exceptional times that there is a broad mechanism to appeal for those who feel they have not received the right result, to question it, and which is free at the point of use. However, young people's rights must be balanced by the responsibility of their school or college to explain the basis of their grade and provide advice, to discourage purely speculative appeals. Building broader confidence in the alternative certification model is important here too and, as discussed at CERG this week, further steps are being taken here.

We have been mindful of the impact the ACM and appeals may have on learners and are enabling learners to intimate their intent to appeal from the provisional result deadline on 25 June, meaning we will be able to identify and communicate with these learners during the summer break. Indeed, the development of the appeals process highlighted the potential risk to the wellbeing of some young people across the lengthy summer break and has prompted SQA and Scottish Government officials to work with other stakeholders to develop support for young people who, without a school or college to attend for this period, may otherwise feel unsupported. Some may see this opportunity to signal an opportunity to appeals as largely cosmetic. We considered carefully whether an appeals process could go live over the summer and this was not supported by key stakeholders, given the workload implications for teachers over the summer break.

However, I must highlight to you that the views of stakeholders have been difficult to reconcile in setting out some elements of the final model, in particular around symmetry and the impact of disruption to learning.

In relation to symmetry, SQA is proposing that the outcome of an appeal can see a grade move up, move down, or stay the same on the basis of the evidence presented. [redacted s.30(b)(i)]

[redacted s.30(b)(i)] We have taken steps to take account of disruption to learning in the development of the ACM and are developing a limited contingency service for learners who have been unduly disadvantaged by severe disruption to learning and teaching, to submit provisional results by 3 September 2021. This can be offered to learners who have completed the learning and teaching of their course but who have not been able to complete their assessment evidence in time for the 25 June submission date.

Finally, we wish to highlight that learners will not, save for some instances where discrimination has been established through an acknowledgement by the centre or a judgement by an appropriate authority, be able to appeal against the approach taken by their centre to planning and selecting the evidence used to determine their provisional result. The ACM is reliant on the professional judgement of teachers and a clearly expressed rationale for the approach taken by individual schools and colleges between teachers and learners.

[redacted s.30(b)(i)]

To conclude, the appeals service is an important final element in establishing a fair and credible alternative certification model, but it is one area where we have not been able to secure full agreement. I would be grateful for your views before the service is announced.

Yours sincerely

Fiona Robertson  
Chief Executive and Chief Examining Officer



## **Enclosure 21 .1 – Attachment: Word Document**

### **Notes of NQ 2021 Stakeholder Working Group Meeting 12 May 2021**

**Attendees:** Jean Blair (Chair) (SQA), Andrea Bradley (EIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Graham Hutton (SLS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ADES and RICs), Margaret Lannon (SCIS), [Redacted s38(1)(b)] (ScotGov), Ollie Bray (Education Scotland), [Redacted s38(1)(b)] (SCIS) left at 17:00, [Redacted s38(1)(b)] (Colleges Scotland) left at 16:02, Gill Stewart (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ScotGov) left at 16:34, [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA) joined at 16:40.

**Apologies:** [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA).

[Redacted – Information not in scope]

#### **Appeals- update** (SQA)

The next step for the draft appeals process is to go to Scottish Government. There has been considerable debate over when the service should open, whether it could open to allow an expression of intent after 25 June and if it should be symmetrical or asymmetrical.

The three grounds for appeal have been agreed.

The proposal to the Scottish Government is likely to suggest that it should be symmetrical, that candidates can express an intent to appeal after 25 June and the appeals will not be processed until after 10 August.

#### **Appeals- support for learners** (SQA)

##### **Overview**

The attached presentation was shared with members.

It was recognised that there is a significant period of time between learners being given provisional results and their ability to appeal and that this may cause learners stress and anxiety.

A package of support is proposed with appropriate signposting to wider support offered by stakeholders to try and alleviate learner anxiety. Members were encouraged to suggest any other approaches that could be considered. Members were also asked about possible measures of success.

##### **Discussion**



- Members generally agreed it was a comprehensive presentation.
- The communication around it should be considered carefully.
- School counsellors could be a useful resource over the Summer but there is variable provision across centres so cannot be relied upon.
- The named school contacts are to be used for SQA reconciliation purposes only.
- The fall-back position for learners in this situation should not be to contact the school.
- It was agreed that mental health is so complex that it would not be easy to quantify success. It may be possible to consider the level of engagement and feedback from learners, but we must be very cautious around trying to measure success.

### Next Steps

A. Bradley agreed to find out how to engage with the school counsellors on the issue of supporting learners over the Summer.

[Redacted s38(1)(b)] will update the working group at the beginning of June.

[Redacted – Information out of scope]

<p>Appeals Process</p>	<p>Comments or suggestions to <a href="#">Michael Baxter</a>.</p>	<p>[Redacted s38(1)(b)]</p>	<p>Incorporating feedback from the NQ21 ACM working group, an update on the draft model was presented at the board meeting on 29 April and the steering group on 30 April.</p> <p>Any comments should be sent to <a href="#">Michael Baxter</a>.</p> <p>A. Bradley agreed to find out how to engage with the school counsellors on the issue of supporting learners over the Summer.</p> <p>[Redacted s38(1)(b)] will update the working group at the beginning of June.</p>
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[Redacted information out of scope]

**Enclosure 21 .2 – Attachment: Word Document**

[Redacted – Information out of scope]

**Enclosure 21.3 – Attachment: Word Document**

[Redacted – Information out of scope]

**Enclosure 21.4 – Attachment: PDF**

[Redacted information not in scope]

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**Stage 5: Appeals process**

Communications activity to be added following discussion with NQ2021 Group & Working Group

## Enclosure 21.5 – Attachment: PowerPoint

[Redacted – Information out of scope]



[Redacted – Information out of scope]

## Objective 1

- ◆ Outline the SQA support package available to learners
  - Learner communications & engagement
  - Appeals guidance and support
  - Candidate Advice Line and general enquiries
  - Corporate parenting



[Redacted – Information out of scope]

**Enclosure 22 – Email: RE IMMEDIATE: Draft message from NQ21 Group**

**From:** [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** McAllister C (Colin)  
**Sent:** 19 May 2021 09:09  
**To:** [Redacted s38(1)(b)]@gov.scot>  
**Subject:** FW: IMMEDIATE: Draft message from NQ21 Group

**From:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Sent:** 13 May 2021 11:09  
**To:** [Redacted s38(1)(b)]@gov.scot>; Fiona Robertson <fiona.robertson@sqa.org.uk>; [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@sqa.org.uk>; 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>; Jean Blair <Jean.Blair@sqa.org.uk>; Gill Stewart <Gill.Stewart@sqa.org.uk>  
**Subject:** RE: IMMEDIATE: Draft message from NQ21 Group

Thanks [Redacted s38(1)(b)], that's helpful. Following discussions with Graeme and Fiona, a few changes are shown in track. I will put this version to the NQ Group now.  
Malcolm

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 13 May 2021 10:37  
**To:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Fiona Robertson <fiona.robertson@sqa.org.uk>; [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@sqa.org.uk>; 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>; Jean Blair <Jean.Blair@sqa.org.uk>; Gill Stewart <Gill.Stewart@sqa.org.uk>  
**Subject:** RE: IMMEDIATE: Draft message from NQ21 Group

Morning

Some suggestions from us in the attached version.

[Redacted s38(1)(b)]

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

Desk: 0131 244 [Redacted s38(1)(b)]; 07[Redacted s38(1)(b)]

Scottish Government | [news.gov.scot](https://www.news.gov.scot)

**From:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Sent:** 13 May 2021 10:09  
**To:** Fiona Robertson <fiona.robertson@sqa.org.uk>; [Redacted s38(1)(b)]

s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>;  
McAllister C (Colin) <Colin.McAllister@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@sqa.org.uk>; 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>; Jean Blair  
<Jean.Blair@sqa.org.uk>; Gill Stewart <Gill.Stewart@sqa.org.uk>  
**Subject:** RE: IMMEDIATE: Draft message from NQ21 Group

Fiona – you, Graeme and I are due to speak at 10.30 anyway.

The latest version, as it stands, is attached. SG Comms colleagues are reviewing and making some changes now with centres and teachers/lecturers as the primary audience for this particular message. We will need something else for learners.

Malcolm

**From:** Fiona Robertson <fiona.robertson@sqa.org.uk>  
**Sent:** 13 May 2021 10:03  
**To:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted  
s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>;  
McAllister C (Colin) <Colin.McAllister@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@sqa.org.uk>; 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>; Jean Blair  
<Jean.Blair@sqa.org.uk>; Gill Stewart <Gill.Stewart@sqa.org.uk>  
**Subject:** RE: IMMEDIATE: Draft message from NQ21 Group

[Redacted s38(1)(b)], I made a similar point last night.  
On the point about quality assurance, would prefer this is not included (the discussion with Graeme was in relation to a question asked by Ministers). Happy to speak about this.  
I am just out of a call with Universities Scotland and they are happy to consider being co-signatories.

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

**From:** Malcolm.Pentland <Malcolm.Pentland@gov.scot>  
**Sent:** 13 May 2021 09:24  
**To:** [Redacted s38(1)(b)]@gov.scot; DirectorofLearning@gov.scot; Fiona Robertson <fiona.robertson@sqa.org.uk>; Colin.McAllister@gov.scot  
**Cc:** [Redacted s38(1)(b)]@sqa.org.uk>; 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; Jean Blair <Jean.Blair@sqa.org.uk>; Gill Stewart <Gill.Stewart@sqa.org.uk>  
**Subject:** RE: IMMEDIATE: Draft message from NQ21 Group

[Redacted s38(1)(b)]– I will call you.

All – following discussion with Graeme and Graeme’s discussion with Fiona, here is a suggested additional bullet for the list of facts. It would fit third from the end (after support on standards). Ok?

- the SQA will not change any learners’ grades (judged by their teachers or lecturers) as a result of the moderation process in May and June, however, the SQA is engaging with schools, colleges and local authorities to offer feedback on local quality assurance of provisional results, while ensuring that these are firmly based on current candidate evidence

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 13 May 2021 09:16  
**To:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Fiona Robertson <fiona.robertson@sqa.org.uk>; McAllister C (Colin) <Colin.McAllister@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@sqa.org.uk>; 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>; Jean Blair <Jean.Blair@sqa.org.uk>; Gill Stewart <Gill.Stewart@sqa.org.uk>  
**Subject:** RE: IMMEDIATE: Draft message from NQ21 Group

Thanks for sight.

Who is the primary audience for this? It looks like it is learners, but switches between the third person and speaking directly to learners

I’d favour a more direct approach with a different tone. It is telling young people something they might not be experiencing. So we need more empathy and to avoid an accusation we are blaming young people (or the media for that matter).

The attribution should be a person, such as X on behalf of the NQ21 group.



How is it being issued? How will it get to learners?

If this is to provide reassurance to learners, I am not convinced this works.

[Redacted s38(1)(b)] and I happy to discuss.

[Redacted s38(1)(b)]

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

**Sent:** 13 May 2021 08:54

**To:** Director of Learning <DirectorofLearning@gov.scot>; Fiona Robertson <fiona.robertson@sqa.org.uk>; McAllister C (Colin) <Colin.McAllister@gov.scot>

**Cc:** [Redacted s38(1)(b)]@sqa.org.uk>; 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>; [Redacted s38(1)(b)]@gov.scot>; Jean Blair <Jean.Blair@sqa.org.uk>; Gill Stewart <Gill.Stewart@sqa.org.uk>

**Subject:** RE: IMMEDIATE: Draft message from NQ21 Group

Clean version now attached with those changes made. Grateful for any final comments by 9.30am before sending on to NQ Group.

Thanks  
Malcolm

## **National Qualifications 2021 – a message from organisations working across Scottish education**

In recent days there have been some concerns raised in the media and elsewhere about arrangements for awarding National 5, Higher and Advanced Higher courses this year. We are acutely aware that this is a challenging time for learners across Scotland. However, we are very concerned that some of the commentary is inaccurate and causing additional anxiety at this time. Please be assured that everyone in Scottish education is working hard to ensure learners achieve fair and credible results, allowing them to progress to further learning or work, whilst also ensuring steps are taken to ensure young people's wellbeing is protected through the process.

The National Qualifications 2021 Group, established last autumn, chaired by the SQA and including key representatives of young people, parents and teachers, has been meeting weekly to develop the Alternative Certification Model for this year following the cancellation of the SQA examinations diet. The model has been designed to be based on teacher and lecturer judgement of pupil and student achievement over a number of assessments rather than an end of year exam. Demonstrated attainment through these assessments is important in ensuring results are based on evidence of learning and skills and it is why many learners are

undertaking some assessments just now. However, it is very important to highlight the followings facts about the model:

- the model has the flexibility around the timing and nature of assessment to ensure that, as far as possible, there is maximum opportunity for learners to undertake the required learning and be given the best chance to succeed in any course assessments.
- the timeline for schools, colleges and training providers to submit provisional results has been extended to 25 June, providing more time for consolidation of learning and teaching and assessment
- most subjects have had their evidence requirements reduced, assessment components removed and/or content and context reduced
- subject-specific guidance has been published on the appropriate assessment evidence for all subjects and optional assessment resources have been published to help inform assessment planning and evidence gathering
- local and national support is in place to ensure provisional results are based on national standards
- the support available on e-Sgoil has been extended to learners who, for a variety of reasons, have experienced extreme disruption to their learning. A later certification contingency is being developed for those learners who have incomplete assessment evidence due to extreme disruption
- an appeals process for learners is being developed and will be published shortly.

**In summary our key message for learners is: your grades will be judged by your teachers and lecturers, based on assessment evidence.**

We all remain committed to continuing to work together to deliver for Scotland's learners and the Alternative Certification Model has been designed by the organisations noted below to best achieve that in the circumstances faced this school year, ensuring that learners get the national qualification grades that they deserve.

Association of Directors of Education in Scotland (ADES), Colleges Scotland, Education Scotland, the Educational Institute of Scotland (EIS), School Leaders Scotland (SLS), the Scottish Council of Independent Schools (SCIS), Scottish Qualifications Authority (SQA), the Scottish Government, National Parent Forum of Scotland, and the Scottish Youth Parliament.

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

**Sent:** 13 May 2021 08:27

**To:** Fiona Robertson <fiona.robertson@sqa.org.uk>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>

**Cc:** [Redacted s38(1)(b)]@sqa.org.uk>; 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>; [Redacted s38(1)(b)]@gov.scot>; Jean Blair <Jean.Blair@sqa.org.uk>; Gill Stewart <Gill.Stewart@sqa.org.uk>

**Subject:** RE: IMMEDIATE: Draft message from NQ21 Group

Two slight further tweaks suggested below, having re-read it this morning. Thanks, Graeme.

**From:** Fiona Robertson <fiona.robertson@sqa.org.uk>  
**Sent:** 13 May 2021 08:20  
**To:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@sqa.org.uk; 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>; [Redacted s38(1)(b)]@gov.scot>; Jean Blair <Jean.Blair@sqa.org.uk>; Gill Stewart <Gill.Stewart@sqa.org.uk>  
**Subject:** RE: IMMEDIATE: Draft message from NQ21 Group

Thanks Malcolm

We spoke.

I think the line in bold, while designed to be helpful, could be picked apart as it stands. Simplest amendment would be:  
...your grades will be judged by your teachers, based on assessment evidence.....

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

**From:** Malcolm.Pentland <Malcolm.Pentland@gov.scot>  
**Sent:** 13 May 2021 08:12  
**To:** DirectorofLearning@gov.scot; Fiona Robertson <fiona.robertson@sqa.org.uk>; Colin.McAllister@gov.scot  
**Cc:** [Redacted s38(1)(b)]@sqa.org.uk; 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; [Redacted s38(1)(b)]@gov.scot  
**Subject:** RE: IMMEDIATE: Draft message from NQ21 Group

Apologies, minor change made in text within highlighted section.

**From:** Pentland MK (Malcolm)  
**Sent:** 13 May 2021 07:48

**To:** Director of Learning <DirectorofLearning@gov.scot>; Fiona Robertson <fiona.robertson@sqa.org.uk>; McAllister C (Colin) <Colin.McAllister@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@sqa.org.uk>; 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>; [Redacted s38(1)(b)]@gov.scot>  
**Subject:** IMMEDIATE: Draft message from NQ21 Group  
**Importance:** High

Fiona, Colin

Please see further revision below with a change highlighted based on the EIS comms. Previous changes are highlighted in red and blue text in the version further down the chain. I'd be grateful for any comments/clearance asap in order to put this round the NQ Group members for sign off today.

Adding SG Comms and some of my team to the distribution.

Thanks  
Malcolm

## **National Qualifications 2021 – a message from organisations working across Scottish education**

In recent days there have been some concerns raised in the media and elsewhere about arrangements for awarding National 5, Higher and Advanced Higher courses this year. We are acutely aware that this is a challenging time for learners across Scotland. However, we are very concerned that some of the commentary is inaccurate and causing additional anxiety at this time. Please be assured that everyone in Scottish education is working hard to ensure learners achieve fair and credible results, allowing them to progress to further learning or work, whilst also ensuring steps are taken to ensure young people's wellbeing is protected through the process.

The National Qualifications 2021 Group, established last autumn, chaired by the SQA and including key representatives of young people, parents and teachers, has been meeting weekly to develop the Alternative Certification Model for this year following the cancellation of the SQA examinations diet. The model has been designed to be based on teacher and lecturer judgement of pupil and student achievement over a number of assessments rather than an end of year exam. Demonstrated attainment through these assessments is important in ensuring results are based on evidence of learning and skills and it is why many learners are undertaking some assessments just now. However, it is very important to highlight the followings facts about the model:

- the model has the flexibility around the timing and nature of assessment to ensure that, as far as possible, there is maximum opportunity for learners to

undertake the required learning and be given the best chance to succeed in any course assessments.

- the timeline for schools, colleges and training providers to submit provisional results has been extended to 25 June, providing more time for consolidation of learning and teaching and assessment
- most subjects have had their evidence requirements reduced, assessment components removed and/or content and context reduced
- subject-specific guidance has been published on the appropriate assessment evidence for all subjects and optional assessment resources have been published to help inform assessment planning and evidence gathering
- local and national support is in place to ensure provisional results are based on national standards
- the support available on e-Sgoil has been extended to learners who, for a variety of reasons, have experienced extreme disruption to their learning. A later certification contingency is being developed for those learners who have incomplete assessment evidence due to extreme disruption
- an appeals process for learners is being developed and will be published shortly.

**In summary our key message for learners is: your grades will be judged by your teachers, based on your work.**

We all remain committed to continuing to work together to deliver for Scotland's learners and the Alternative Certification Model has been designed by the organisations noted below to best achieve that in the circumstances faced this school year, ensuring that learners get the national qualification grades that they deserve.

Association of Directors of Education in Scotland (ADES), Colleges Scotland, Education Scotland, the Educational Institute of Scotland (EIS), School Leaders Scotland (SLS), the Scottish Council of Independent Schools (SCIS), Scottish Qualifications Authority (SQA), the Scottish Government, National Parent Forum of Scotland, and the Scottish Youth Parliament.

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

**Sent:** 12 May 2021 19:24

**To:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Fiona Robertson <fiona.robertson@sqa.org.uk>; McAllister C (Colin) <Colin.McAllister@gov.scot>

**Cc:** [Redacted s38(1)(b)]@sqa.org.uk>

**Subject:** RE: DRAFT message

Thanks [Redacted s38(1)(b)] and Malcolm. Please find below a few further changes (in blue) and one additional line offering learners a key overall message.

When you issue this to NQ members Malcolm please explain the that this was an action from CERG this afternoon, agreed by members following discussion with DFM. If the draft message is circulated first thing in the morning I'd be tempted to ask for feedback and sign off by 3pm, as well as agreement to use the badges of the organisations represented when the message goes out. This gives us time to share this with Ministers before (hopefully) issuing the message on Friday morning.

Can we bring SG comms in to this chain too please. Copying to Colin too for awareness and any comment at this stage.

Graeme.

**From:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Sent:** 12 May 2021 18:20  
**To:** Fiona Robertson <fiona.robertson@sqa.org.uk>; Director of Learning <DirectorofLearning@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@sqa.org.uk>  
**Subject:** RE: DRAFT message

Fiona, Graeme, [Redacted s38(1)(b)] (and adding [Redacted s38(1)(b)])

Please see below some suggested amendments that I think would be helpful.

Given the ask I understand DFM made at CERG, I am happy to put the draft text, once agreed, round the NQ Group for agreement/comment....should we seek this by close tomorrow (with Friday morning's NQ meeting as a fall back for finalising if needed) and then issuing by midday, Friday?

Thanks  
Malcolm

## **National Qualifications 2021 – a message from organisations working across Scottish education**

In recent days there **have** been **some** concerns raised in the media and elsewhere about arrangements for **awarding** National 5, Higher and Advanced Higher courses this year. We are acutely aware that this is a challenging time for learners across Scotland, ~~and after a very challenging year.~~ . However, we are very concerned that some of the commentary **is inaccurate and causing additional** anxiety at this time. Please be assured that everyone in Scottish education is working hard to ensure learners achieve fair and credible results, allowing them to progress to further learning or work, **whilst also ensuring steps are taken to ensure young people's wellbeing is protected through the process.**

The National Qualifications 2021 Group, established last autumn **and including key representatives of young people, parents and teachers**, has been meeting weekly to develop the Alternative Certification Model **for this year** following the cancellation of the SQA examinations diet. The model is based on teacher and lecturer judgement of demonstrated learner attainment. **It is important that results are based on evidence of learning and skills so there is confidence in them.** Demonstrated attainment in the form of evidence is the basis for that judgement and that is why many learners are undertaking some assessments just now. However, it is very important to highlight **the followings facts about the model:**

- the model has the flexibility around the timing and nature of assessment to ensure that, as far as possible, there is maximum opportunity for learners to undertake the required learning and be given the best chance to succeed in any course assessments.
- the timeline for schools, colleges and training providers to submit provisional results has been extended to 25 June, providing more time for consolidation of learning and teaching **and assessment**
- most subjects have had their evidence requirements reduced, assessment components removed and/or content and context reduced
- subject-specific guidance has been published on the appropriate assessment evidence for all subjects and optional assessment resources have been published to help inform assessment planning and evidence gathering
- local and national support is in place to ensure provisional results are based on national standards
- the support available on e-Sgoil has been extended to learners who, for a variety of reasons, have experienced extreme disruption to their learning. A later certification contingency is being developed for those learners who have incomplete assessment evidence **due to extreme disruption**
- an appeals process for learners is being developed and will be published shortly.

**In summary our key message for learners is: your grades will be judged by your teachers, based on your work.**

We all remain committed to **continuing** to work together to deliver for Scotland's learners **and the Alternative Certification Model has been designed by the organisations noted below to best achieve that in the circumstances faced this school year**, ensuring that learners get the national qualification grades that they deserve.

Association of Directors of Education in Scotland (ADES), Colleges Scotland, Education Scotland, the Educational Institute of Scotland (EIS), School Leaders Scotland (SLS), the Scottish Council of Independent Schools (SCIS), Scottish Qualifications Authority (SQA), the Scottish Government, National Parent Forum of Scotland, and the Scottish Youth Parliament.



**From:** Fiona Robertson <fiona.robertson@sqa.org.uk>  
**Sent:** 12 May 2021 17:30  
**To:** Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@sqa.org.uk  
**Subject:** RE: DRAFT message  
**Importance:** High

Graeme and Malcolm

With thanks to [Redacted s38(1)(b)], here is a first draft. I have made a couple of minor tweaks.  
I think there is merit in this being specifically directed at learners, so the language could change as a result ( more 'you' and less 'learner', 'they/them'). That might work better?  
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

**From:** [Redacted s38(1)(b)]@sqa.org.uk  
**Sent:** 12 May 2021 17:05  
**To:** Fiona Robertson <fiona.robertson@sqa.org.uk>  
**Subject:** DRAFT message

Hi Fiona

As requested, here is a suggested message:

### **National Qualifications 2021 – a message from the Scottish education system**

In recent days there has been concerns raised in the media and elsewhere about arrangements for National 5, Higher and Advanced Higher courses this year. As a system, we are acutely aware that this is a challenging time for learners across Scotland, and after a very challenging year. However, we are very concerned that some of the commentary may be causing further anxiety at this time. Please be assured that everyone working in Scottish education is working hard to ensure learners achieve fair and credible results, allowing them to progress to further learning or work.

The National Qualifications 2021 Group, established last autumn, has been meeting weekly to develop the Alternative Certification Model. The model is based on teacher and lecturer judgement of demonstrated learner attainment. Demonstrated attainment in the form of evidence is the basis for that judgement and that is why



many learners are undertaking some assessments just now. However, it is very important to highlight that:

- the model has the flexibility around the timing and nature of assessment to ensure that, as far as possible, there is maximum opportunity for learners to undertake the required learning and be given the best chance to succeed in any course assessments.
- the timeline for schools, colleges and training providers to submit provisional results has been extended to 25 June, providing more time for consolidation of learning and teaching
- most subjects have had their evidence requirements reduced, assessment components removed and/or content and context reduced
- subject-specific guidance has been published on the appropriate assessment evidence for all subjects and optional assessment resources have been published to help inform assessment planning and evidence gathering
- local and national support is in place to ensure provisional results are based on national standards
- the support available on e-Sgoil has been extended to learners who, for a variety of reasons, have experienced extreme disruption to their learning
- a later certification contingency is being developed for those learners who have incomplete assessment evidence
- an appeals process for learners is being developed and will be published shortly.

We all remain committed to continue to work together to deliver for Scotland's learners.

Association of Directors of Education in Scotland (ADES), Colleges Scotland, Education Scotland, the Educational Institute of Scotland (EIS), School Leaders Scotland (SLS), the Scottish Council of Independent Schools (SCIS), Scottish Qualifications Authority (SQA), the Scottish Government, National Parent Forum of Scotland, and the Scottish Youth Parliament.

-ends-

[www.sqa.org.uk](http://www.sqa.org.uk)

[postmaster@sqa.org.uk](mailto:postmaster@sqa.org.uk)

\*\*\*\*\*

## **Enclosure 22.1 – Attachment: Word Document**

### **National Qualifications 2021 – a message from organisations working across Scottish education**

In recent days there have been concerns raised about arrangements for awarding National 5, Higher and Advanced Higher courses this year.

We know this is a challenging time. We want to reassure schools, teachers, parents and pupils that everyone in Scottish education is working hard to ensure learners achieve fair and credible grades, while ensuring steps are taken to ensure young people's wellbeing is protected through the process.

The National Qualifications 2021 Group, established last autumn, chaired by the Chief Examiner and including key representatives of young people, parents and teachers, has been meeting weekly to develop the Alternative Certification Model for this year following the cancellation of the SQA examinations diet.

The model has been designed to be based on teacher and lecturer judgement of pupil and student achievement, over a number of assessments, rather than an end-of-year exam.

Demonstrated attainment through these assessments is important in ensuring results are based on evidence of learning and skills. Due to the extended period of remote learning because of the pandemic, many learners are undertaking assessments over a shorter period of time in schools and colleges than originally planned.

It is important, however, to highlight the followings facts about the model:

- the model has the flexibility around the timing and nature of assessment to ensure that, as far as possible, there is maximum opportunity for learners to undertake the required learning and be given the best chance to succeed in any course assessments.
- the timeline for schools, colleges and training providers to submit provisional results has been extended to 25 June, providing more time for consolidation of learning and teaching and assessment.
- most subjects have had their evidence requirements reduced, assessment components removed and/or content and context reduced.
- subject-specific guidance has been published on the appropriate assessment evidence for all subjects and optional assessment resources have been published to help inform assessment planning and evidence gathering.
- local and national support is in place to ensure provisional results are based on national standards.
- the SQA is working with schools, colleges and local authorities to ensure grades are fair. Feedback from the SQA will be important in informing the judgements that teachers and lecturers make but the SQA will not change individual learners' grades as a result of the moderation process in May and June.

- the support available on national learning platform e-Sgoil has been extended to learners who, for a variety of reasons, have experienced extreme disruption to their learning.
- a later certification contingency is being developed for those learners who have incomplete assessment evidence due to extreme disruption
- an appeals process for learners is being developed and will be published shortly.

**In summary, our key message to learners is: your grades will be judged by your teachers and lecturers, based on your assessment evidence.**

We all remain committed to continuing to work together to deliver for Scotland's learners in the circumstances faced this school year, ensuring that learners get the national qualification grades that they deserve.

Association of Directors of Education in Scotland (ADES), Colleges Scotland, Education Scotland, the Educational Institute of Scotland (EIS), National Parent Forum of Scotland (NPF) School Leaders Scotland (SLS), the Scottish Council of Independent Schools (SCIS), Scottish Qualifications Authority (SQA), the Scottish Government and the Scottish Youth Parliament (SYP).

**Enclosure 23 – Email: RE SQA Appeals Service - 2021**

**From:** Fiona Robertson <fiona.robertson@sqa.org.uk>

**Sent:** 21 May 2021 20:59

**To:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>

**Cc:** Jean Blair <Jean.Blair@sqa.org.uk>; Gill Stewart <Gill.Stewart@sqa.org.uk>

**Subject:** SQA Appeals Service - 2021

**Importance:** High

*In confidence*

Colleagues

Please see attached paper for the urgent attention of the Cabinet Secretary. I hope this is helpful and I would be happy to discuss further.

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

[www.sqa.org.uk](http://www.sqa.org.uk)

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## **Enclosure 23.1 – Attachment: PDF**

Confidential: Advice to Ministers

### **SQA Appeals Service 2021 : Likely Demand**

#### **Purpose**

1. To provide some initial advice on the likely demand for appeals in 2021, which could be affected by final decisions on the parameters of the service.

#### **Background**

2. Fiona Robertson wrote to Scottish Ministers to outline the proposed approach to the appeals service on 14 May 2021. At the request of the Scottish Government, this note provides some further information in relation to likely demand for the service. SQA is proposing that the outcome of an appeal can see a grade move up, move down, or stay the same on the basis of the evidence presented. This reflects standard practice every year both here in Scotland and in the UK. It is also the approach proposed by RUK this year. However, some learners, parents and their representative groups here in Scotland have expressed a very strong preference for asymmetric appeals that can either move grades up or stay the same – a ‘no detriment’ approach. [Redacted s30(b)(ii)]

3. The NQ 2021 Group has developed the ACM to provide fairness and credibility to learners, with the right grade awarded first time. An appeals process is an important part of the ACM, but we want to ensure, as far as possible, that this service is used appropriately and effectively for the benefit of learners.

#### **Discussion**

[Redacted s30(b)(i)]

11. We will be providing a service for candidates to signal their intent to appeal, and that service will open on 25 June. This service will give us an early indication of the likely volumes of appeals that we will receive after 10 August.

#### **Conclusion**

12. In recent years, SQA’s post-results services have dealt with volumes of around 12,000 appeals per annum. [Redacted s30(b)(i)]

13. Whichever model is chosen, it remains possible that only a relatively small proportion of appeals will result in a grade change.

14. SQA will continue to work on more detailed operational requirements, pending final decisions.

Scottish Qualifications Authority  
May 2021

**Enclosure 24 – Email: RE SQA Appeals Service - 2021**

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

**Sent:** 21 May 2021 21:58

**To:** Fiona Robertson <fiona.robertson@sqa.org.uk>; Director of Learning <DirectorofLearning@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>

**Cc:** Jean Blair <Jean.Blair@sqa.org.uk>; Gill Stewart <Gill.Stewart@sqa.org.uk>

**Subject:** RE: SQA Appeals Service - 2021

Thanks Fiona.

This note has been shared with Ms Somerville's office this evening. We will provide any feedback as quickly as possible, [redacted s.30(b)(ii)]

From our discussions with the Cabinet Secretary, an understanding of these points will be important in her consideration of the options in relation to appeals for this year and I would be grateful if could provide a response of these points during the course of Monday. Very happy to discuss further.

Best wishes  
Malcolm

[Remainder of email chain at Enclosure 23]  
Scottish Qualifications Authority

**Enclosure 25 – Email: RE SQA Appeals Service - Further advice**

**From:** Fiona Robertson <fiona.robertson@sqa.org.uk>  
**Sent:** 22 May 2021 21:45  
**To:** Griffin J (Joe) <Joe.Griffin@gov.scot>  
**Cc:** Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>  
**Subject:** SQA Appeals Service - Further advice  
**Importance:** High

Confidential – Advice to Ministers

Joe

I attach some further advice, for the attention of the Cabinet Secretary, following our conversation earlier today.

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 25.1 – Attachment: PDF**

Confidential – Advice to Ministers

### **SQA Appeals 2021: Further Advice**

#### **Purpose**

1. At the request of the Cabinet Secretary, to provide further urgent advice in relation to final decisions on an appeals service, for consideration at Cabinet on 25 May. In particular, this note looks at how we might handle the prospect of very large volumes of appeals from learners, which may occur if Ministers take the decision to ask SQA to implement a no detriment approach. [Redacted s30(b)(i)]

From 25 June

9. Learners will be able to signal their intention to appeal on the basis of provisional grades. This is a further opportunity to relay the above messages.

10. Learners have until 12 August to consider whether they wish to signal an appeal. Centres will confirm appeals, by 16 August for priority appeals, and 27 August for the remainder. By 27 August we will know the true scale of appeals.

11. We will encourage digital uploading of evidence by centres, but the packaging of evidence may be time consuming for school and colleges at the start of term. Some acceleration of evidence reviews may be possible within class cohorts (similar evidence and consistent judgements) but we are currently working on the basis of a National 5 appeal taking 45 minutes of appointee time, a Higher 1 hour and an Advanced Higher 1 hour 30 minutes for high uptake subjects. Scenarios beyond August deadlines  
[Redacted s30(b)(i)]

14. Demand for appeals is uncertain this year, but we think a no detriment approach will increase demand. [Redacted s30(b)(i)]

Scottish Qualifications Authority  
22 May 2021



**Enclosure 26 – Email: RE Next steps**

**From:** Fiona Robertson <fiona.robertson@sqa.org.uk>  
**Sent:** 24 May 2021 16:01  
**To:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Cc:** Director of Learning <DirectorofLearning@gov.scot>; Jean Blair <Jean.Blair@sqa.org.uk>; Gill Stewart <Gill.Stewart@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk; [Redacted s38(1)(b)]@sqa.org.uk; John McMorris <John.McMorris@sqa.org.uk>  
**Subject:** RE: Next steps

Please see further advice, with thanks to colleagues here.

Please share a draft of the fuller advice when you can. 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

**From:** Fiona Robertson  
**Sent:** 24 May 2021 11:52  
**To:** Malcolm.Pentland@gov.scot  
**Subject:** Next steps

Malcolm

We are taking work forward on two fronts:

[redacted s.30(b)(ii)]

Please confirm that is your understanding. Happy to speak if easiest.

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 26.1 –Attachment: Word Document**

### **Grounds for Appeals**

The currently proposed appeals model has broad grounds of appeal and enables three types of appeal to be requested:

- A Academic judgement — the learner disagrees with the centre’s quality assured academic judgement in its assessment of the learner’s original evidence.
- B Administrative error — the learner believes that there has been an error in transferring the provisional result from the centre to SQA, or in SQA processing the provisional result, or
- C Discrimination — learners can appeal in two circumstances:
  - There has been discrimination or other unlawful conduct contrary to the Equality Act 2010, acknowledged in writing by the centre, or established through court proceedings or by a ruling of the SPSO.
  - The centre failed to comply with SQA’s requirements in relation to providing assessment arrangements in relation to assessment evidence that contributed to a disabled learner’s provisional result.

[redacted s.30(b)(i)]

[redacted s.30(b)(i)]



## **Enclosure 27.1 – Attachment: Word Document**

**[Redacted information not in scope]**

### **Appeals**

Candidates would be eligible to appeal any results submitted on 3 September. However, it would not be possible to submit a priority appeal.

### **How and when the required evidence would be generated**

- The assessment would take place in centres once schools/colleges return from the summer break and needs to be tailored to the gap the centre has identified in the candidate's evidence, utilising or drawing on the assessment tools already available (e.g. SQA 2021 assessment resources or adaptations thereof, of which the candidate has not already had experience. There is no need to create new assessments.
- It must be made clear that the contingency does not include additional input for learning and teaching. An Esgoil provision will be available to support learners accessing the contingency in their preparations for assessment in the early part of the new session.
- An appropriate time (either outwith the learner day or at an appropriate time during the learner day by arrangement with the teacher/lecturer) should be found for the candidate to undertake the assessment.

### **How and when quality assured provisional results would be provided to SQA**

- Centres should quality assure these results, for example through cross-marking, informed by thinking derived from previous local and national quality assurance. There is no requirement for further local and national quality assurance.
- Provisional results for learners accessing the contingency arrangements should be submitted electronically by 3 September.
- A similar resulting portal as currently exists for this term's provisional results will be provided by SQA.

### **Implications for potential school/college leavers**

- Leavers who have left would need to come back into the centre by arrangement to generate the outstanding assessment evidence.
- Universities and colleges must engage with this process – it is essential for leaver destinations to be flexible about entry grades in these very few exceptional circumstances.
- The SQA Appeals process should take care of the vast majority of UCAS applicants for whom provisional results are submitted on 25 June.

**Enclosure 27.2 – Attachment: Word Document**

[Redacted – Information not in scope]

**Enclosure 27.3 – Attachment: Word Document**

[Redacted information not in scope]

## Enclosure 27.4 – Attachment: Word Document

### Notes of NQ 2021 Stakeholder Working Group Meeting 18 May 2021

**Attendees:** Jean Blair (Chair) (SQA), Andrea Bradley (EIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Graham Hutton (SLS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ADES and RICs), Margaret Lannon (SCIS) left at 16:21, [Redacted s38(1)(b)] (ScotGov) left at 16:45, Ollie Bray (Education Scotland) joined at 16:00, [Redacted s38(1)(b)] (SCIS), [Redacted s38(1)(b)] (Colleges Scotland) left at 16:02, [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ScotGov) left at 16:30, [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA) left at 15:34, [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (SQA) joined at 16:10, [Redacted s38(1)(b)] (Education Scotland) joined at 15:50 and left at 16:30, [Redacted s38(1)(b)] (SQA).

**Apologies:** [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ScotGov), Gill Stewart (SQA), [Redacted s38(1)(b)] (Scotgov).

### Previous Minutes

<p>[Redacted information not in scope] Appeals Process</p>	<p>Comments or suggestions to <a href="#">Michael Baxter</a>.</p>	<p>[Redacted s38(1)(b)]</p>	<p>Incorporating feedback from the NQ21 ACM working group, an update on the draft model was presented at the board meeting on 29 April and the steering group on 30 April.</p> <p>Any comments should be sent to <a href="#">Michael Baxter</a>.</p> <p>A. Bradley agreed to find out how to engage with the school counsellors on the issue of supporting learners over the Summer.</p> <p>[Redacted s38(1)(b)] will update the working group at the beginning of June.</p>
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**Enclosure 27.5 – Attachment: PowerPoint**

[Redacted – Information not in scope]



## **Enclosure 27.6 – Attachment: Word Document**

### **NQ 2021 Alternative Certification Model**

#### **Supporting information for centre-led learner discussions/written communications on National 5, Higher and Advanced Higher provisional results, prior to submission to SQA**

The following are the key areas to cover within a series of conversations/ written communications. The nature of these should be in line with the centre's collegiately agreed approach to the ACM overall. Centres have flexibility to determine the approach that best fits the needs of their learners and their parents/carers. There is no need for every point to be covered in every conversation/written communication.

Whatever the nature of the approaches agreed within centres, by 25 June learners should be aware:

- Of their provisional result (grade).
  - That the provisional result is based on demonstrated attainment from the assessment evidence that they have produced, which has been quality assured within the centre by other teachers/ lecturers, through local authority/partnership and national SQA arrangements in line with national guidance.
  - Of the key pieces of assessment that contributed to the provisional result.
  - That the evidence for each individual can be unique - not every learner will have same evidence base, but what has been used in each case meets requirements for the course and has been quality assured to ensure consistency and fairness for all.
  - That the provisional result that they are being given is what should appear on their SQA certificate on 10 August.
  - It being very unlikely that any change will be made by SQA to the provisional result. (Once provisional results are submitted, SQA will only check for any administrative errors and resolve these with the centres).
-

Points below could be part of a separate discussion:

- Information on Understanding Standards activity undertaken.
- Information on centre, local and national quality assurance undertaken.
- Discuss next steps if the learner wishes to discuss the grade/assessment process more fully (*especially if this information has not been delivered through a face-to-face discussion*)
- Discuss next steps if the learner feels that the grade is incorrect. Refer to appeals process (*to be confirmed once the model is agreed*).
- Discuss/signpost local support available over the summer break.
- Discuss/signpost national support available over summer break.

**Enclosure 27.7 – Attachment: PDF**

[Redacted – Information not in scope]

**Enclosure 27.8 – Attachment: Word Document**

[Redacted information not in scope]

7	Appeals	<ul style="list-style-type: none"><li>• Announcement of Appeals Process.</li><li>• Appeals Booklet for Learners.</li><li>• Appeals Flyer for certification mailing.</li></ul>	<ul style="list-style-type: none"><li>• TBC</li><li>• TBC</li><li>• TBC</li></ul>
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[Redacted information not in scope]

## **Enclosure 27.9 – Attachment: Word Document**

[Redacted information not in scope]

### **Stage 3: End May to 25 June**

[Redacted information not in scope]

#### **Parents/carers & Learners**

Ongoing parent/carer and learner social media Q&A content - **mix of SQA/NQ21**

#### **Group posts**

- Learner booklet on appeals to be direct mailed (early June).

[Redacted information not in scope]

### **Stage 5: Appeals process**

#### **Appeals process dates pending:**

- **XX May:** Announcement of Appeals process.
- **XX June:** Appeals Booklet for Learners.
- **XX June:** Appeals Flyer for certification mailing.
- **TBC 25 June:** Learner appeal registration service opens

#### **Parents/carers & Learners**

Ongoing parent/carer and learner social media Q&A content

**Enclosure 28 – Email: RE Confidential: Appeals**

**From:** Fiona Robertson <fiona.robertson@sqa.org.uk>  
**Sent:** 25 May 2021 10:11  
**To:** Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Cc:** Griffin J (Joe) <Joe.Griffin@gov.scot>  
**Subject:** Confidential: Appeals

Graeme, Malcolm

[redacted s.30(b)(ii)]

SQA award on the basis of evidence. We do that without knowledge of candidates – and that avoids any bias. We can undertake, with your help, some analysis by SIMD, and we can discuss further at what stage of the process that can be done. An EQIA will support the announcement on Thursday.

I also explained the strength in our procedures on these issues, particularly if evidence points to a downgrade -and downgrades remain very rare.

Happy to speak further.

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 29 –Email: RE Urgent - Appeals Process**

**From:** Fiona Robertson <fiona.robertson@sqa.org.uk>  
**Sent:** 25 May 2021 11:08  
**To:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Cc:** Director of Learning <DirectorofLearning@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; Jean Blair <Jean.Blair@sqa.org.uk>  
**Subject:** RE: Urgent - Appeals Process

Malcolm  
Here is a draft overview document for publication which provides some key information,  
I have also asked the team to send you a table of key dates.  
Happy to speak.  
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

**From:** Malcolm.Pentland@gov.scot <Malcolm.Pentland@gov.scot>  
**Sent:** 25 May 2021 10:51  
**To:** Fiona Robertson <fiona.robertson@sqa.org.uk>  
**Cc:** DirectorofLearning@gov.scot; Joe.Griffin@gov.scot  
**Subject:** Urgent - Appeals Process

Fiona  
Can you/colleagues please provide the full detail of proposed appeals process, from the point at which pupils receive provisional grades in late June, through to the outcome of an appeal, and including where an appeal ends up with a downgrading of result.

Thanks  
Malcolm  
**Malcolm Pentland** | Deputy Director  
Curriculum, Qualifications and Gaelic Division | email: malcolm.pentland@gov.scot | tel:+44(0) 131 244 [Redacted s38(1)(b)]  
Learning Directorate | Area 2B North | Victoria Quay | Edinburgh | EH6 6QQ  
Buidheann-Stiùiridh an Ionnsachaidh | Raon 2B Tuath | Cidhe Bhictòria | Dùn Èideann | EH6 6QQ

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## **Enclosure 29.1 – Attachment: Word Document**

### **National Qualifications 2021 Appeals Service – Overview – DRAFT v11**

#### **Introduction**

As a result of the disruption caused by the COVID-19 pandemic, there is a different way to decide your National 5, Higher and Advanced Higher results this year – called the alternative certification model.

The free appeals service, the fifth stage of the model [<LINK to ACM vid clip>](#) has been discussed with the National Qualifications 2021 Group, that includes representatives from across the education system including the National Parent Forum of Scotland and the Scottish Youth Parliament.

This year your teachers and lecturers will use the assessments you have completed as evidence to decide what your results should be. This is referred to as using demonstrated attainment.

In developing the appeals service, SQA has aimed to ensure that the principle of demonstrated attainment that underpins the alternative certification model also underpins the appeals service, and the appeals process complies with the law and respects the rights contained in the United Nations Convention on the Rights of the Child.

#### **How will the Appeals Service work?**

##### Up to Friday 25 June

As part of the alternative certification model, your teacher or lecturer will tell you what your provisional results are – based on the assessments you have completed. SQA will not change your provisional results.

Your teacher or lecturer must have a conversation with you to:

- confirm how your provisional results were determined
- discuss the assessment evidence that was used to support your teacher or lecturer's awarding decisions
- explain the quality checks they have taken – both locally, and nationally – to make sure the provisional results you have been awarded have been assessed fairly, and in line with the national standard.

We understand your concerns about the levels of disruption to your learning this year, and the effects this will have on gathering the evidence that your teachers or lecturers need to determine your provisional results. Information on how this disruption is being managed has been published by the National Qualifications 2021 Group. [<LINK TO LEARNER VERSION>](#)

Support to help answer any questions you may have about next steps and the options that are available to you is available [<LINK TO RELEVANT SG/SQA WEBPAGE>](#) and SQA is working with other national organisations, to build on this over the summer.

##### From Friday 25 June

Once your teacher or lecturer has explained your provisional results, if you are still unhappy, you can register that you want to appeal directly through the SQA website. If you are waiting on a result for a university or college place or for an employment or training programme, your appeal will be processed as a priority and you must register that you want to appeal by Thursday 19 August.

If you need to, or prefer to, you can ask a parent or guardian to register for you. You will be asked for the following information:



- your name
- your Scottish Candidate Number
- the subject and level of the course that you want to register an appeal for
- confirmation that you are waiting on a result for a university or college place or for an employment or training programme – if so, your request will be processed as part of the priority appeal service and it must be submitted by Thursday 19 August
- your reason for appealing, from one of the following types:
  - an appeal against the academic judgement made
  - an appeal against an unresolved administrative error
  - an appeal on grounds of discrimination where:
    - (i) there has been a breach of the Equality Act 2010 (which must have been either acknowledged by your school, college or training provider or established by a court or the Scottish Public Services Ombudsman), or
    - (ii) your school, college or training provider failed to provide agreed Assessment Arrangements.

Further information on how to use the registration service will be published by Friday 11 June.

#### Results Day – Tuesday 10 August

#### **If you registered that you wanted to appeal with SQA over the summer**

SQA will have informed your school, college or training provider that you have registered that you want to appeal.

Once you have received your Scottish Qualifications Certificate, you should have another discussion about your options with your teacher or lecturer, as you did before 25 June, and hear their professional view as to whether an appeal is in your best interests. You should do this even if you have left school.

The final decision to appeal is yours. If you decide to go ahead, you will not need to do anything else.

The SQA registration service will remain open until Thursday 19 August, so if you decide to withdraw your appeal request, you can do so.

#### **If you did not register with SQA over the summer**

You can still register that you want to appeal with SQA until Thursday 19 August – all priority appeals must be registered by this date. You will need to have a conversation with your teacher or lecturer and hear their professional view as to whether an appeal is in your best interests. The final decision to appeal is yours.

If you do not need to use the priority service, you can still ask your teacher or lecturer to submit an appeal to SQA for you. They will be able to do this until the **end of August** <Confirming a date>.

#### What happens next?

#### **If you are appealing against the academic judgement made**

All the necessary evidence and materials that were used to determine your result will be provided to SQA by your school, college or training provider – you will not need to submit any assessment evidence.

When your assessment evidence is received, it will be reviewed by SQA against the required national standard for the course.

Your result was based on demonstrated attainment and so your appeal of the final grade must also be based on the evidence of your knowledge and skills in a course against the national standard. This is necessary to make sure that an A grade in the

north of Scotland is worth the same as an A grade in the south of Scotland and everywhere in between.

This means that your grade could go up, go down or stay the same and is consistent with what we do every year.

**If you are appealing against an unresolved administrative error or are appealing on the grounds of discrimination contrary to the Equality Act**

When you register that you want to appeal, you will be asked to provide a short, written explanation of what you believe has happened. If you need to, or prefer to, you can ask a parent or guardian to help you. SQA will review the submission in discussion with your school, college or training provider.

Your school, college or training provider can also advise SQA of any administrative errors they identify.

**Appeal decision**

Once your appeal has been completed, SQA will inform you and your school, college or training provider of the outcome. If you have a priority appeal, it will be processed by 3 September, to meet Universities and Colleges Admission Service (UCAS) and employment/training timescales.

If there has been a change to any of your grades, SQA will issue you with a replacement certificate later in the year.

[<LINK TO FAQ>](#)

-ends-



## **Enclosure 30.1 – Attachment: Word Document**

### **Contingency arrangement for incomplete assessment evidence**

[Redacted information not in scope]

#### **Appeals**

Learners would be eligible to appeal any results submitted on 3 September. However, due to UCAS timescales, it would not be possible to submit a priority appeal.

#### **How and when the required evidence would be generated**

- The assessment would take place in centres once schools/colleges return from the summer break and needs to be tailored to the gap the centre has identified in the learner's evidence, utilising or drawing on the assessment tools already available (eg SQA 2021 assessment resources or adaptations thereof, of which the learner has not already had experience). There is no need to create new assessments.
- It must be made clear that the contingency does not include additional input for learning and teaching. However, an e-sgoil provision will be available to support learners accessing the contingency in their preparations for assessment in the early part of the new session.
- An appropriate time (either outwith the learner day or at an appropriate time during the learner day by arrangement with the teacher/lecturer) should be found for the learner to undertake the assessment.

[Redacted information not in scope]

#### **Implications for potential school/college leavers**

- Leavers who have left would need to come back into the centre by arrangement to generate the outstanding assessment evidence.
- Universities and colleges must engage with this process – it is essential for leaver destinations to be flexible about entry grades in these exceptional circumstances.
- The SQA Appeals process should take care of the vast majority of UCAS applicants for whom provisional results are submitted on 25 June.

**Enclosure 31 – Email: RE Letter for learners**

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 25 May 2021 12:00  
**To:** Jean Blair <Jean.Blair@sqa.org.uk>  
**Subject:** Letter for learners

Hello Jean

I hope you are well?

You are likely aware that I was asked to write a letter to learners outlining the supports available to them now and in the coming weeks.

The letter is attached. Ed Scot, SYP, SDS and SQA have contributed content and been involved in the editing of this.

It is now at the stage where it could be shared with the Working Group for comment, ahead of it going to the “main group” for final sign off and then sending. I believe SQA are doing the sending via traditional post using candidate info they have on file.

Would it be ok if I

- (a) send the letter to WG members with an explanation of the letter
- (b) Look for feedback over next couple of days from members
- (c) Potentially distribute to NQ21 members ahead of Fridays meeting

Thoughts welcome

Thanks

[Redacted s38(1)(b)]

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

**Enclosure 31.1 – Attachment: Word Document**

**Letter from NQ21 highlighting supports available to learners**

Dear Learner,

- [Redacted information not in scope] Appeals information will be released in the coming week and will be available through the SQA [website](#). Schools may also be briefing learners on procedures.  
[comment on “coming week”: [Redacted s38(1)(b)] – May need tweaked to properly reflect release window]

[Redacted information not in scope]

Yours sincerely,  
NQ21 Group

[Redacted information not in scope]



s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>

**Cc:** [Redacted s38(1)(b)]@sqa.org.uk>

**Subject:** RE: NQ21 QA ACM WG meeting 25 May - incomplete evidence contingency amended paper

Hello

Thank you so much for the discussion today.

I attach an annotated version of the paper for your consideration. I would be most grateful for your feedback by 1300 tomorrow.

Please don't hesitate to get in touch if you want to speak.

Thanks in anticipation

Best wishes

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

## **Qualifications Development, SQA**

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

The Optima Building, 58 Robertson Street, GLASGOW G2 8DQ



**Enclosure 33– Email: RE URGENT: further advice needed this morning**

**From:** Fiona Robertson <fiona.robertson@sqa.org.uk>  
**Sent:** 26 May 2021 11:04  
**To:** Director of Learning <DirectorofLearning@gov.scot>  
**Cc:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@sqa.org.uk; Jean Blair <Jean.Blair@sqa.org.uk>  
**Subject:** FW: URGENT: further advice needed this morning

*Confidential: Advice to Ministers*

Graeme

Thanks for this.

[redacted s.30(b)(ii)]

Helpful mitigations/actions need to be before that:

- Firstly and crucially, the quality of the conversation between the learner and their school/college. An example would be if a learner is a borderline B/C grade and was awarded a B, but wants to appeal. The conversation with their teacher should make that clear and provide advice on the merits and risks of an appeal. Similarly, an honest conversation about progression, particularly for N5 to Higher, will help learners who may feel disappointed with their grades, continue their learning positively.
- Secondly, if the appeal goes ahead, confidence and trust in our processes. Downgrades are rare because SQA appointees do not expect to overturn teacher judgement and will only do so if there is clear and unequivocal evidence that they should. If the ACM has integrity, that shouldn't happen. Any recommendation for a downgrade will be fully considered by a SQA Head of Service to ensure that an appropriate degree of tolerance has been exercised by the SQA appointee.

[Redacted information not in scope]

I hope this is helpful.

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

**From:** DirectorofLearning@gov.scot <DirectorofLearning@gov.scot>  
**Sent:** 26 May 2021 09:23  
**To:** Fiona Robertson <fiona.robertson@sqa.org.uk>; Malcolm.Pentland@gov.scot  
**Subject:** URGENT: further advice needed this morning

Fiona,

[redacted s.30(b)(ii)]

Many thanks again for your support in providing rapid advice on these issues. A response by 11am would be appreciated.

Graeme.



**Enclosure 35 – Email: RE urgent question about qualification appeals added to parliament business**

**From:** Fiona Robertson <fiona.robertson@sqa.org.uk>  
**Sent:** 26 May 2021 12:11  
**To:** Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Subject:** FW: urgent question about qualification appeals added to parliament business

Graeme, Malcolm

It would be good to be sighted on a draft response.

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

**From:** [Redacted s38(1)(b)]@sqa.org.uk>  
**Sent:** 26 May 2021 12:08  
**To:** ExecutiveTeam <ExecutiveTeam@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>  
**Cc:** [Redacted s38(1)(b)]@bigpartnership.co.uk>; [Redacted s38(1)(b)]@bigpartnership.co.uk>; Russell Paton <Russell.Paton@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>  
**Subject:** urgent question about qualification appeals added to parliament business

**From:** News Direct <News@newsdirect-uk.com>  
**Sent:** 26 May 2021 12:04  
**Subject:** Newsdirect: urgent question about qualification appeals added to parliament business

An [urgent question](#) has been added to business in parliament this afternoon. Michael Marra will seek an update on the appeals process for national qualifications.

Business is expected to take place as follows:

14:00 – Topical Questions

14:15 – First Minister’s Statement: Scottish Government Priorities

**15:15 – Urgent Question: Michael Marra MSP: To ask the Scottish Government whether it will provide an update on the publication of the appeals process for 2021 National Qualifications, in light of the SQA missing publication deadlines**  
**TBC – Decision Time**

Best wishes,

[Redacted s38(1)(b)]

\*\*\*\*\*

**Enclosure 36 – Email: RE National Qualifications in 2021 - NQ21 Group**

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

**Sent:** 27 May 2021 14:57

**To:** [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>

**Cc:** Jean Blair <Jean.Blair@sqa.org.uk>

**Subject:** RE: National Qualifications in 2021 - NQ21 Group

[Redacted information out of scope]

**Enclosure 36.1 – Attachment: Word Document**

[Redacted information not in scope]

If you are unhappy with your provisional result, an appeals service will be available.  
[comment: *[Redacted s38(1)(b)]*– Timing of this update will allow us to confirm more details in this letter.

*LP – can include hyperlink if available]*

[Redacted information not in scope]

## Enclosure 37 – Email: RE National Qualifications in 2021 - NQ21 Group

**From:** [Redacted s38(1)(b)]@sqa.org.uk>

**Sent:** 27 May 2021 17:44

**To:** Fiona Robertson <fiona.robertson@sqa.org.uk>; Fiona Robertson <fiona.robertson@sqa.org.uk>; 'Jim Thewliss' <jim.thewliss@sls-scotland.org.uk>; Director of Learning <DirectorofLearning@gov.scot>; 'McDaid, Tony' <Tony.Mcdaid@southlanarkshire.gov.uk>; 'Larry Flanagan' <lflanagan@eis.org.uk>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Jean Blair <Jean.Blair@sqa.org.uk>; Gill Stewart <Gill.Stewart@sqa.org.uk>; [Redacted s38(1)(b)]@gov.scot>; 'Steven Quinn' <steven.quinn@renfrewshire.gov.uk>; John.Edward@scis.org.uk; 'anne.campbell@ayrshire.ac.uk' <anne.campbell@ayrshire.ac.uk>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; [Redacted s38(1)(b)]@sqa.org.uk>; 'NPFS Renfrewshire' <renfrewshire@npfs.org.uk>; [Redacted s38(1)(b)]@sypmail.org.uk>; Jamie Dunlop <jamie.d@syp.org.uk>; Bray O (Ollie) <Ollie.Bray@educationscotland.gov.scot>; [Redacted s38(1)(b)]@sqa.org.uk>  
**Cc:** [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@sqa.org.uk>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@sqa.org.uk>  
**Subject:** RE: National Qualifications in 2021 - NQ21 Group

Good evening colleagues

Please find attached papers for tomorrow's meeting, apologies for the delay.

Thanks

[Redacted s38(1)(b)]

-----Original Appointment-----

**From:** Fiona Robertson <fiona.robertson@sqa.org.uk>

**Sent:** 08 March 2021 13:56

**To:** Fiona Robertson; 'Jim Thewliss'; 'DirectorofLearning@gov.scot'; 'McDaid, Tony'; 'Larry Flanagan'; 'Malcolm.Pentland@gov.scot'; Jean Blair; Gill Stewart; [Redacted s38(1)(b)]@gov.scot; Alan.Armstrong@educationscotland.gov.scot; 'Steven Quinn'; John.Edward@scis.org.uk; [Redacted s38(1)(b)]; 'anne.campbell@ayrshire.ac.uk'; 'Gorman G (Gayle)'; [Redacted s38(1)(b)]; 'NPFS Renfrewshire'; [Redacted s38(1)(b)]MSYP; Jamie Dunlop; Ollie.Bray@educationscotland.gov.scot; [Redacted s38(1)(b)]; [Redacted s38(1)(b)]  
**Cc:** [Redacted s38(1)(b)]; [Redacted s38(1)(b)]; [Redacted s38(1)(b)]@gov.scot'  
**Subject:** National Qualifications in 2021 - NQ21 Group  
**When:** 28 May 2021 09:15-10:30 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.  
**Where:** Microsoft Teams Meeting

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**Enclosure 37.1 – Attachment Word Document**

[Duplicate of Enclosure 36.1]

## Enclosure 37.2 – Attachment Word Document

5.

### 6. National Qualifications 2021

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7.

**Date:** Friday 28 May 2021

**Time:** 09:15 – 10:30

**Location:** MS Teams

**Members:** Fiona Robertson; Jim Thewliss; Tony McDaid; John Edward; [Redacted s38(1)(b)]; [Redacted s38(1)(b)]; Steven Quinn; Larry Flanagan; Graeme Logan; Jean Blair; Gayle Gorman; Anne Campbell;

**Attending:** Jamie Doyle; [Redacted s38(1)(b)]; [Redacted s38(1)(b)]; [Redacted s38(1)(b)]; [Redacted s38(1)(b)]; [Redacted s38(1)(b)]; [Redacted s38(1)(b)]

**Apologies:** Malcolm Pentland; Gill Stewart

8.

### 9. Agenda

Item	Topic	Action	Lead
	Information not in scope		
28.2	Appeals 2021	Discussion	FR
	Information not in scope		

## **Enclosure 37.3 – Attachment Word Document**

### **NQ 2021 Alternative Certification Model**

#### **Stage 3**

#### **Informing learners of provisional results – key points for consideration by centres**

[Redacted information not in scope]

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The points below could be part of a separate discussion or written communication:

[Redacted information not in scope]

- Discuss next steps if the learner feels that the grade is incorrect.  
Refer to appeals process (*to be confirmed once the model is agreed*).

[Redacted information not in scope]

## **10. Contingency arrangement for incomplete evidence for graded National Courses in 2021**

[Redacted – Information not in scope]

### **13. Appeals**

Learners would be eligible to appeal any results submitted on 3 September. However, due to higher education institute timescales, it would not be possible to use the priority appeals service.

#### **How and when the required evidence would be generated**

The assessment would take place once schools/colleges return from the summer break, and needs to be tailored to the gap the centre has identified in the learner's evidence, utilising or drawing on the assessment tools that are already available (eg SQA 2021 assessment resources or adaptations thereof, of which the learner has not already had experience). There is no need to create new assessments.

It must be made clear that the contingency arrangement does not include additional input for learning and teaching. Education Scotland's e-Sgoil service will be available to support learners accessing the contingency arrangement in the early part of the new session.

An appropriate time (either outwith the learner day, or at an appropriate time during the learner day by arrangement with the teacher/lecturer) should be found for the learner to undertake the assessment.

[Redacted information not in scope]

#### **Implications for potential school/college leavers**

Learners who have left the centre would need to come back in (by arrangement) to generate the outstanding assessment evidence.

Universities and colleges must engage with this process — it is essential for leaver destinations to be flexible about entry grades in these exceptional circumstances.

The SQA appeals process should take care of the vast majority of UCAS applicants for whom provisional results are submitted on 25 June.

# **Children’s Rights and Wellbeing Impact Assessment Contingency arrangement for incomplete evidence for graded National Courses in 2021 v0.3**

## **Section 1: Background and context**

### **Approach to impact assessment**

This document summarises the evidence that SQA has reviewed in developing the Incomplete Evidence Contingency (IEC) for graded national courses in 2021 that relates to impacts on children’s rights and wellbeing. SQA supports lifelong learning, and awards qualifications to learners across the age spectrum, but it is clear that many learners taking SQA graded national courses are aged 15, 16 or 17 and would identify as children or young people.

The IEC follows on closely from the work already done on the Alternative Certification Model (ACM) 2021 and the Appeals Service 2021. The ACM, the Appeals service and the IEC have each been developed as part of the national response to disruption to learning in 2020 - 21. They have been designed where possible to alleviate as much disadvantage as possible, while still allowing young learners to demonstrate their knowledge, understanding and skills, for example by extending the entry date for results, the modifications to Course content and provision of an appeals service. The IEC is a further important but relatively minor alteration to the general ACM process.

SQA reviewed the range of available evidence to inform its decisions in the context of its duties as the statutory national awarding body in Scotland for qualifications other than degrees. These duties are set out in the Education (Scotland) Act 1996, as amended.

The principal components of the IEC were determined by SQA’s Board of Management following advice from its Qualifications Committee, Advisory Council and Code of Practice Governance Group.

Section 4 sets out the assessment of the impact of key components of the IEC for graded national courses in relation to children’s and young people’s rights and wellbeing.

As with the impact assessments for the ACM and Appeals Service, other groups of learners, such as those who are socio-economically disadvantaged, or who experience other circumstances that present barriers to accessing qualifications, have also been considered wherever possible. Although such groups are not covered specifically by the Equality Act 2010, SQA recognises that a wide range of factors can have an impact on a learner’s ability to achieve qualifications. Furthermore, SQA has a specific Corporate Parenting commitment to ensure its EIA process considers the needs of care-experienced young people, by treating care experience as if it were a protected characteristic covered by the Equality Act. More information with an equality focus is available in SQA’s Equality

Impact Assessment of the incomplete evidence contingency for graded National Courses in 2021.

## **Section 2: CRWIA Stage 1 Screening: key questions**

### **1. Name the policy and describe its overall aims**

#### **SQA incomplete evidence contingency for graded national courses in 2021**

The IEC builds upon the ACM designed by the National Qualifications Group 2021 and offers an additional mitigation to address any remaining negative children's rights impacts arising from the ACM design.

The service has been designed with learners' interests as a core consideration, constrained by the fluid and challenging circumstances affecting the education sector in 2021. It aims to build on the flexibility of the ACM to offer a certification opportunity for those learners who have completed the learning for their course but have not been able to produce all of the assessment evidence required to enable their centre to submit a provisional result to SQA by the 25 June deadline.

### **2. What aspects of the service will affect children and young people up to the age of 18?**

SQA supports lifelong learning, and awards qualifications to learners across the age spectrum, but it is clear that many learners taking SQA graded national courses are aged 15, 16 or 17 and would identify as children or young people. Therefore, all aspects of the IEC have potential to affect those children and young people taking SQA graded national courses in 2021. Key components assessed for their impact on children and young people's rights and wellbeing are:

- Eligibility of learners
- Roles and responsibilities of centres
- Evidence generation and results process

### **3. What likely impact – direct or indirect – will the service have on children and young people?**

The incomplete evidence proposal will be led by centres and is intended for learners who have been unduly disadvantaged by severe disruption to learning and teaching during 2020-21 session and have completed their course but not completed all the required assessment by 25 June. Centres would work with learners to identify whether the IEC is a suitable option.

### **4. Which groups of children and young people will be affected?**

SQA understands that 'child' means every human being below the age of 18. We also understand that our corporate parenting responsibilities under the Children and Young People (Scotland) Act 2014 not only apply to children who are looked after by local

authorities, but also to young people up to the age of 26 who were looked after at age 16 or later.

SQA recognises that this IEC will impact on children and young people.

#### **5. Will this require a CRWIA?**

While there is no formal or legal requirement for SQA to undertake or publish a Children's Rights and Wellbeing Impact Assessment, SQA recognises that any changes made to awarding graded National Qualifications in 2021 including the associated incomplete evidence contingency will impact on children and young people. In line with good practice, SQA has described in this document its assessment of the positive and negative impacts of the incomplete evidence contingency for graded national courses in 2021 and actions adopted to maximise positive impacts and minimise negative impacts. SQA respects the rights of the child contained within the United Nations Convention on the Rights of the Child and the rights protected by the European Convention on Human Rights.

## Section 3: The CRWIA

### 3.1 The CRWIA Context

#### Review of the incomplete evidence contingency

Scotland is set to directly incorporate the United Nations Convention on the Rights of the Child (UNCRC) into domestic law. The UNCRC (Incorporation) (Scotland) Bill was introduced to the Scottish Parliament on 1 September 2020. When enacted, it will be unlawful for public authorities to act in any way that is incompatible with the incorporated UNCRC requirements.

### 3.2 The CRWIA: key questions

#### 3.2.1 Which UNCRC articles are relevant to the IEC?

SQA considers that the following articles are particularly relevant to the IEC. The [United Nations Children's Fund \(UNICEF\) child-friendly descriptors](#) have been set out below.

##### **Article 2: non-discrimination**

All children have all these rights, no matter who they are, where they live, what language they speak, what their religion is, what they think, what they look like, if they are a boy or girl, if they have a disability, if they are rich or poor, and no matter who their parents or families are or what their parents or families believe or do. No child should be treated unfairly for any reason.

##### **Article 3: best interests of the child**

When adults make decisions, they should think about how their decisions will affect children. All adults should do what is best for children. Governments should make sure children are protected and looked after by their parents, or by other people when this is needed. Governments should make sure that people and places responsible for looking after children are doing a good job.

##### **Article 6: life survival and development**

Every child has the right to be alive. Governments must make sure that children survive and develop in the best possible way.

##### **Article 12: respect for children's views**

Children have the right to give their opinions freely on issues that affect them. Adults should listen and take children seriously.

##### **Article 17: right to information**

Children have the right to get information from the internet, radio, television, newspapers, books and other sources. Adults should make sure the information they are getting is not harmful. Governments should encourage the media to share information from lots of different sources, in languages that all children can understand.

##### **Article 23: children with disabilities**



Every child with a disability should enjoy the best possible life in society. Governments should remove all obstacles for children with disabilities to become independent and to participate actively in the community.

**Article 28: right to education**

Every child has the right to an education. Primary education should be free. Secondary and higher education should be available to every child. Children should be encouraged to go to school to the highest level possible. Discipline in schools should respect children’s rights and never use violence.

**Article 29: aims of education**

Children’s education should help them fully develop their personalities, talents and abilities. It should teach them to understand their own rights, and to respect other people’s rights, cultures and differences. It should help them to live peacefully and protect the environment.

**3.2.2 What impact will the IEC have on children’s rights?**

SQA has developed the IEC for graded national courses in 2021 with learners’ interests at the heart, constrained by the fluid and challenging circumstances affecting the education sector in 2021. The IEC has the potential to advance the realisation of children’s rights in Scotland. For full details of the IEC please see Contingency arrangement for incomplete evidence for graded National Courses in 2021.

*[Comment: [Redacted s38(1)(b)]– hyperlink to this doc when possible]*

The table below outlines the UNCRC rights that will be engaged by each component of the IEC:

Article	Relevant elements of IEC
2 Non-discrimination	Eligibility of learners Role and responsibilities of centres
3 Best interests of the child	Eligibility of learners Role and responsibilities of centres
6 Life survival and development	Eligibility of learners
12 Respect for children’s views	Eligibility of learners Role and responsibilities of centres
17 Right to information	Roles and responsibilities of centres
23 Children with disabilities	Eligibility of learners Role and responsibilities of centres

28 Right to education	Eligibility of learners Role and responsibilities of centres Evidence generation and results process
29 Aims of education	Evidence generation and results process

## Section 4: Assessment of impact and mitigations

### Components of incomplete evidence contingency

This part of the impact assessment examines the components of the IEC in line with the relevant UNCRC Articles and considers:

- whether it has different impacts on different groups of children and young people
- If a potential negative impact was assessed for any area of rights or any group of children and young people, mitigating actions adopted
- Where the IEC can contribute to the wellbeing of children and young people in Scotland

#### 4.1 Eligibility of learners

##### a) description of evidence considered

SQA is aware that learning has been widely disrupted across schools and colleges this year, and that the individual impact on learners' access to continued learning and ability to generate assessment evidence to demonstrate their learning has varied widely. The [Equity Audit](#) published in January 2021 by Education Scotland and Scottish Government explores the disruption to learning in some depth. The impact assessments for the ACM describe the mitigations adopted by SQA to provide flexibility that offers the maximum possible opportunity for learners to demonstrate their knowledge, understanding and skills. Much of the evidence, analysis of impacts and mitigations described in the assessments for the ACM will also apply here.

To provide a degree of equity for learners who have been unduly disadvantaged by severe disruption to learning and teaching throughout the 2020-21 session and despite completing the course have not completed all the required assessment by 25 June, a limited opportunity to submit provisional results by 3 September 2021 has been created. This can be offered to learners who have completed the learning and teaching of their course but who have not been able to complete all of their assessment evidence in time for the 25 June submission date.

The contingency would capture learners who have experienced extreme disruption during the centre's evidence-gathering process. Examples of this could be:

- A learner whose medical condition has prevented full and timely engagement with the centre's evidence-gathering process

- A learner who has been required to self-isolate due to COVID, either as a case or contact, during the centre's evidence-gathering process
- A learner who has suffered bereavement or other trauma during the centre's evidence-gathering process
- A learner who was shielding during the centre's evidence-gathering process

Taking full advantage of the flexibility of the Alternative Certification Model (ACM) to support teachers' professional judgement, centres should do all they can to ensure that learners generate sufficient evidence by 25 June. Where this has not been possible, centres should consider the situation carefully and advise learners on which of the available options would be in their best interests:

- use this contingency arrangement, submitting evidence by 3 September
- be presented for an alternative qualification
- repeat the course and be presented in 2022

#### **b) potential impacts on children and young people identified from evidence**

- some children and young people have experienced severe disruption to learning and teaching in 2020-21, despite having completed the course they may not have been able to complete all assessment requirements. The IEC enables some children and young people the opportunity to generate further evidence for assessment that may lead to a grade being awarded.
- It is possible that the criteria for eligibility for IEC may exclude some children and young people.
- It will be important that centres take into account the views of learners who may be children and young people, in determining who is eligible to utilise the IEC.

#### **c) relevant parts of UNCRC**

Article 2	non-discrimination
Article 3	best interests of the child
Article 6	Life survival and development
Article 12	Respect for children's views
Article 23	Children with disabilities
Article 28	Right to education

#### **d) steps taken by SQA to mitigate impacts**

- Some learners may be unduly disadvantaged (i.e., at risk of not achieving a qualification) by severe disruption to learning and teaching in 2020-21. The IEC provides a further and final opportunity for those learners who have completed the learning and teaching of the course but not completed enough evidence by 25 June, to do so. This contributes to children's right to non-discrimination (Article 2) and is in support of children's rights to have their life develop in the best way possible (Article 6); have their views heard and given due consideration (Article 12) and the duty for adults around the child to act in their best interests (Article 3).
- In the ACM 20-21, Centres are required to discuss with learners their progress and assessments on an ongoing basis, and at the conclusion of the course to make sure that learners are aware of their provisional result. Centres can consider if learners who at risk of a no award could utilise the IEC and must ensure learners understand what this means. This is in support of children's right to have their views heard and

given due consideration (Article 12) and the duty for adults around the child to act in their best interests (Article 3).

- These mitigations also support the duties and rights provided in Articles 23 and 28.

## **4.2 roles and responsibilities of centres**

### **a) description of evidence considered**

Centres should, taking full account of the flexibility of the ACM to support teachers' professional judgement, do all they can to ensure that learners can generate sufficient evidence by 25 June.

The Alternative Certification Model for 2021 commits centres to provide ongoing feedback to learners regarding their progress and assessments, including, at the conclusion of the course, provisional grades based on evidence of demonstrated attainment. The ACM provides for ongoing dialogue between learners and their centres so that the provisional grade results submitted by their centre do not come as a surprise to learners. It also enables centres to consider the best interests of the learner, which may be to use this contingency arrangement, submitting evidence by 3 September; be presented for an alternative qualification or repeat the course and be presented in 2022

The IEC offers a small window of opportunity to generate evidence, between centres re-opening in August and 3 September and cuts across the summer holiday period for most centres. The summer period is an unavoidable 'pause' in the process, which must be considered when identifying which learners are best placed and able to utilise the IEC.

There is a risk for all learners including children and young people, that completing their learning and teaching in June and returning in August to complete evidence for assessment, may impact on their ability to recall their learning. Learners may be less well prepared for assessment at the end of August than they are at the end of June. Learners may struggle to maintain being 'assessment ready' over the summer period. This could have a disproportionate impact on children and young people with disabilities and additional support needs. It is also worth noting that centres have different return dates in August so the window of opportunity to generate evidence for assessment will differ from centre to centre.

Centres will need to ensure that for the learners they identify as being eligible for IEC, that those learners fully understand what this means:

- Learners need to have this information before the summer holiday period begins.
- Learners should be aware that they will need to undertake assessments when returning to their centre in August.
- Learners need to be made aware that then they receive their SQA certificate on 10 August that any qualification for which they are accessing the IEC will not appear on their certificate (this should not come as a surprise to learners or their parents/carers).

### **b) potential impacts on children and young people identified from evidence**

- Some learners who are unable to produce all the required evidence by 25 June will not be returning to their Centre/school after summer. Therefore, they may not be

willing or able to take up the opportunity to generate more evidence before 3 September. This may mean some learners 'settle' for no award.

### **c) relevant parts of UNCRC**

Article 2	non-discrimination
Article 3	best interests of the child
Article 12	Respect for children's views
Article 17	Right to information
Article 23	Children with disabilities
Article 28	Right to education

### **d) steps taken by SQA to mitigate impacts**

- e-Sgoil provision will be available for learners to access support at the start of AY 2021-22. This mitigates potential negative impact on children's rights to non-discrimination (Article 2) and right to education (Article 28).
- Some learners will have the option to retake some qualifications in the following academic year in support of children's rights to education (Articles 28 and 29).
- Centres may decide that the IEC is not a suitable option for these learners and look to see how best to support them before the end of the academic year in June. Conversations between learners and their centres contribute to children's rights to have their views heard and be given due consideration (Article 12), the right to information (Article 17) and the duty for adults around the child to act in their best interests (Article 3)

## **4.3 Evidence generation and results process**

### **a) description of evidence considered**

Learners who are unable to produce the required evidence by 25 June and who are identified as being able to utilise the IEC, will face a 'pause' in the process over the summer holiday period, before being able to provide more evidence. As described earlier, it is likely that learners may be less well prepared for assessment at the end of August than they will be at the end of June.

The IEC provides a further window of opportunity for learners to generate evidence for assessment between the start of the academic year in August until 3 September. This activity window occurs at the same time as learners will be starting learning and teaching for a new academic year and for the majority, progressing to a higher level of study, e.g., National 5 to Higher. It is possible that learners including those who are children and young people, may find this challenging. There is a risk that learners may struggle with completing evidence at the start of the next academic year and may not be able to generate the evidence required, leading to no award. There is a risk that some learners may change their mind on return to their centre in August and decide not to complete additional assessment and centres will have to use the partial evidence base to determine a provisional result anyway. It is also worth noting that centres have different return dates in August so the window of opportunity to generate evidence for assessment will differ from centre to centre.

An appropriate time between the centre's re-opening in August until 3 September, either outwith the learner day or at an appropriate time during the learner day by arrangement with the teacher/lecturer, should be found for the learner to undertake the assessment. This could mean learners will be in centres beyond their usual time and could have impacts for children and young people, such as those who have caring responsibilities, reliance on travel arrangements etc. There is a risk that learners may struggle with completing evidence in this way and will not be able to generate the evidence required, leading to no award.

#### **b) potential impacts on children and young people identified from evidence**

- Some children and young people may find it difficult to complete assessment when they return to their centre in August, at the start of a new academic year.

#### **c) relevant parts of UNCRC**

Article 2      right to non-discrimination  
Article 28     Right to education  
Article 29     aims of education

#### **d) steps taken by SQA to mitigate impacts**

- e-Sgoil provision will be available for learners to access support at the start of AY 2021-22. This mitigates the potential negative impact on children's rights to non-discrimination (Article 2) and right to education (Article 28).
- SQA has discussed with partners in the education sector, the need to signpost appropriate sources of support over the summer break period for learners who wish to appeal their provisional result. This support could also potentially be utilised by learners accessing IEC, in support of Articles 2 and 28.
- Centres should focus effort to support learners to generate evidence by concentrating on the gap the centre has identified in the candidate's evidence.
- It is expected that the additional time required for learners to generate evidence will be at a minimum, as the focus should be on the gap in the learner's required evidence only. Centres can utilise or draw upon the assessment tools already available (e.g., SQA 2021 assessment resources or adaptations thereof) of which the candidate has not already had experience. This is in support of children's rights to education (Articles 28 and 29).

## Summary Table

Potential impacts	Children's rights	Mitigating actions
Due to extreme circumstances some learners will be unable to produce assessment evidence required to be awarded a grade, by deadline of 25 June	Article 2 Article 6 Article 23 Article 28	Incomplete Evidence Contingency enables some learners a further window of opportunity in which to generate required evidence.
It is possible that the criteria for eligibility for IEC may exclude some children and young people.	Article 3 Article 12 Article 23 Article 28	Centres will work to ensure that as far as possible, most learners can produce required assessment evidence by 25 June and not need to use the IEC.  It is anticipated that relatively few learners will need to utilise this contingency.
Learners need to understand how the IEC works and what it means for them	Article 3 Article 12 Article 17	Centres are required to discuss with learners their progress and assessments on an ongoing basis and fully explain the IEC.
Learners who are unable to produce required evidence by 25 June have to wait during summer period before being able to provide more evidence	Article 2 Article 28 Article 29	Led by the Scottish Government, SQA will work with a range of partners such as SDS to provide a number of support mechanisms/ signposting to appropriate agencies to support learners during the 7-week period

Potential impacts	Children's rights	Mitigating actions
<p>Some learners who are unable to produce required evidence by 25 June (particularly those in S5 and S6) may not be returning to their Centre/school after summer and will find it difficult to take up opportunity to generate more evidence.</p>	<p>Article 3 Article 12 Article 17 Article 28</p>	<p>Centres may decide that the IEC is not a suitable option for these learners and look to see how best to support them before the end of the academic year in June.</p> <p>Some learners may have the option to retake some qualifications in following academic year.</p>
<p>Some children and young people will be unable to revise/prepare for further assessment during the summer period.</p>	<p>Article 2 Article 28</p>	<p>e-Sgoil provision will be available to support learners accessing the contingency in their preparations for assessment in the early part of the new session.</p>
<p>Centres will need to ensure that for learners who they identify as being eligible for IEC, that those learners fully understand what this means. Some learners will not be willing or able to undertake IEC.</p>	<p>Article 3 Article 12 Article 17 Article 28</p>	<p>Centres are required to discuss with learners their progress and assessments on an ongoing basis and fully explain the IEC.</p> <p>Centres may decide that the IEC is not a suitable option for these learners and look to see how best to support them before the end of the academic year in June.</p> <p>Some learners will have the option to retake some qualifications in following academic year.</p>
<p>Some children and young people may find it difficult to complete assessment when they return to their centre in August, at the start of a new academic year.</p>	<p>Article 28 Article 29</p>	<p>It is expected that the additional time required for learners to generate evidence will be at a minimum, as the focus should be on the gap in the learners required evidence only.</p>



## **Section 5 Evidence and consultation**

### **What evidence have you used to inform your assessment?**

SQA reviewed equality evidence from a wide range of sources. These include the evidence gathered in relation to appeals for national courses in 2020; the ACM for 2020-21 and the Appeals Service for graded national courses in 2020-21. These included evidence from children themselves, in support of the Article 12 right to have their voice heard and taken seriously. These also include a desktop review of evidence from other sources, including the Equity Audit completed by Education Scotland and Scottish Government in January 2021. They include engagement with:

- ◆ organisations representing learners, SQA centres, teachers and lecturers
- ◆ organisations who hold regulatory roles in terms of relevant areas of law
- ◆ organisations in other areas of the UK who have similar responsibilities to SQA
- ◆ the senior committees within SQA that have specific experience and responsibility for decisions relating to the principles of assessment, awarding and appeals.

### **Have you consulted with relevant stakeholders?**

SQA has engaged with the National Qualifications 2021 Group throughout development of the ACM for 2020-21 and discussed the components of the IEC with this Group and its supporting Working Group on a number of occasions.

The senior committees within SQA that have specific experience and responsibility for decisions relating to the principles of assessment, awarding and appeals have also been involved in considering the IEC.

### **Have you involved children and young people in the development of this policy/measure?**

Many members of SQA staff and committees have experience and understanding of working with learners and their families through previous teaching roles, through their work with SQA and as parents themselves. That experience was supplemented with activity to seek views from learners, parents and carers through individuals and representatives within SQA's Learner Panel, Qualifications Committee, NQ2021 Group and indirectly through the appeals consultation. There is a link between the early considerations of what an appeals model could look like and this incomplete evidence contingency. Respondents to the appeals consultation included a range of individuals and organisations including learners, parents/carers, teachers and lecturers, professional associations, schools, colleges, local authorities, and other organisations including the Scottish Youth Parliament.

## **Section 6 Conclusion**

SQA has developed the IEC for graded national courses in 2021 with learners' interests at heart, constrained by the fluid and challenging circumstances affecting the education sector in 2021.

The contingency follows the principles of the Alternative Certification Model designed by the National Qualifications Group to support public confidence in this year's quality assured grade awards.

This impact assessment identifies the principal sources of evidence reviewed by SQA, the positive and negative impacts identified within that evidence, and the decisions taken by SQA to maximise the positive impacts of the IEC for children and young people's rights and wellbeing and to mitigate any negative impacts identified.

The IEC has been created to provide a degree of equity for learners who have been unduly disadvantaged by severe disruption to learning and teaching throughout the 2020-21 session and despite completing the course, have not completed all the required assessment by 25 June. The IEC provides a limited opportunity to submit provisional results by 3 September 2021. This can be offered to learners who have completed the learning and teaching of their course but who have not been able to complete all of their assessment evidence in time for the 25 June submission date.

The rights of children and young people have been a primary consideration in the development of this model. The IEC is designed to further advance the realisation of children and young person's rights, while ensuring SQA can deliver qualifications that provide a reliable indicator of knowledge, understanding and skill.

## **Equality Impact Assessment Contingency arrangement for incomplete evidence for graded National Courses in 2021 v0.3**

### **Introduction**

The Incomplete Evidence Contingency (IEC) follows on closely from the work already completed on the Alternate Certification Model 2021 and the Appeals Service 2021. The ACM, the Appeals service and the Incomplete Evidence Contingency recognises the disruption to learning in 2020-21 and has sought where possible to alleviate as much disadvantage as possible, while still allowing learners to demonstrate their knowledge, understanding and skills, for example by extending the entry date for results, the modifications to Course content and provision of an appeals service.

### **Background and context**

#### **Alternative Certification Model (ACM) 2021**

The 2021 ACM represents a significant adjustment to SQA's longstanding policy and practice for awarding graded National Courses, as well as a significant change to the ACM developed for use in 2020. This includes the absence of any estimates or results based on statistical analysis. The 2021 ACM is based on teacher and lecturer judgement supported by quality assurance approaches to support them in generating provisional results that will be used for awarding and certification. The principal adjustments from previous approaches and models relate to:

- I. the use of teacher and lecturer judgement to determine results
- II. required candidate evidence
- III. the quality assurance processes for supporting and verifying valid and reliable evidence and assessment decisions

The model is intended to be positive and to allow SQA to continue to contribute to equality of opportunity in the Scottish education and skills system. It will enable certification in 2021, based on teacher and lecturer judgement and supported by quality assurance, in a way that meets the three key principles of:

- fairness to all learners
- safe and secure certification of qualifications, while following the latest public health advice
- maintaining the integrity and credibility of the qualifications system, ensuring that standards are maintained over time, in the interest of learners

#### **Appeals Service 2021**

The aim of the Appeals Service is to provide an opportunity for learners who are not satisfied with their results to appeal. The service enables learners - who wish to do so - to appeal directly to SQA.

The Appeals Service builds upon the ACM designed by the National Qualifications Group 2021. The model has been designed with learners' interests as a core consideration, constrained by the fluid and challenging circumstances affecting the education sector in 2021.

The ACM 2021 commits centres to providing ongoing feedback to learners regarding their progress and assessments, including, at the conclusion of the course, provisional grades based on evidence of demonstrated attainment.

The existence of the appeals service is itself a measure that SQA believes serves the needs (set out in the public sector equality duty) of eliminating discrimination and advancing equality of opportunity. It offers a degree of mitigation against the potential that a candidate's results do not reflect their demonstrated attainment because of discrimination under the terms of the Equality Act 2010. It is an additional measure to provide opportunity for all by offering a final mechanism to ensure that learners have been awarded the grades they deserve and can proceed to the next stage of education, employment or training where this relies on attainment in SQA National Qualifications.

## **Overview**

### **Incomplete Evidence Contingency 2021**

While the ACM provides flexibility for centres in assessing their learners, it is recognised that there may still be some learners who have been unduly disadvantaged by severe disruption to learning and teaching. A further and final opportunity has been created for learners who have completed the learning and teaching of their course but who have not been able to complete the required assessment in time for the 25 June 2021 submission date. The IEC provides an opportunity for these learners to complete assessment evidence and submit provisional results by 3 September 2021. For full details please see **Contingency arrangement for incomplete evidence for graded National Courses in 2021**

*[Comment: [Redacted s38(1)(b)]– we should hyperlink to main criteria doc when possible]*

## **Public Sector Equality Duty and scope and development of this Equality Impact Assessment (EIA)**

The public sector equality duty (PSED) requires SQA to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- advance equality of opportunity between people who share a protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not

In addition, SQA has a specific responsibility to assess the impact of new or modified policies and practices against these needs and to take account of the results of that assessment in developing new policies and practices. Accordingly, this is an Equality Impact Assessment (EIA) of the IEC for graded National Courses in session 2020–21.

This EIA considers the potential impacts of the Incomplete Evidence Contingency 2021 on learners who share protected characteristics and how any potential negative impacts identified could be mitigated. Other groups of learners, such as those who are socio-economically disadvantaged, or who experience other circumstances that present barriers to accessing qualifications, have also been considered wherever possible. Although such groups are not covered specifically by the Equality Act 2010, the NQ 2021 group recognises that a wide range of factors can have an impact on a candidate's ability to achieve qualifications. Furthermore, SQA has a specific Corporate Parenting commitment to ensure its EIA process considers the needs of care experienced young people, by treating care experience as if it were a protected characteristic covered by the Equality Act.

The impact assessments for the ACM 2021 set out the importance of demonstrated attainment in terms of the national standard to ensure that qualifications remain a reliable indicator of a learner's knowledge, understanding and skills. This enables them to access the opportunities for employment or further learning they seek when taking SQA qualifications. Much of the evidence, analysis of impacts and mitigations described in the assessments for the ACM also apply here.

Therefore, this EIA is intended to be read in conjunction with the:

- Alternative Certification Model 2021 Equality Impact Assessment (February 2021)
- Appeals Service 2021 Equality Impact Assessment (May 2021)

The equality evidence and mitigating actions described within these equality impact assessments is relevant here, such as the evidence of the impacts of COVID-19 on a range of learners with protected characteristics, the detail of the quality assurance processes which underpin the ACM 2021 and discussion of the importance of demonstrated attainment as a basis for awarding decisions. The IEC is a further important but relatively minor alteration to the overall ACM process.

*[Comment: [Redacted s38(1)(b)] – Redacted s36(1)]*

This EIA has evolved alongside the development of the Incomplete Evidence Contingency 2021.

### **Evidence considered**

Review of evidence:

- evidence gathered in relation to ACM 2021
- desktop review of published secondary evidence including the Equity Audit completed by Education Scotland and Scottish Government in January 2021, interim report on impact of Covid-19 on Fair Access to Higher [Education](#) and other reports.

Engagement with:

- SQA has engaged with the National Qualifications 2021 Group throughout development of the ACM for 2020-21 and discussed the components of the IEC with this Group and its supporting Working Group on a number of occasions.  
*[comment: [Redacted s38(1)(b)]- @[Redacted s38(1)(b)]to check this is accurate]*  
*[comment: [Redacted s38(1)(b)]- @[Redacted s38(1)(b)]agree]*
- the senior committees within SQA that have specific experience and responsibility for decisions relating to the principles of assessment, awarding and appeals.

Appeals Consultation findings:

The consultation asked for views on a range of draft proposals including several potential appeals models. Some of the consultation feedback is relevant to the development of an IEC and includes:

- Learners with protected characteristics
  - There were a range of comments relating to learners who may be entitled to reasonable adjustments such as Assessment Arrangements. There were concerns those learners may not get the support they need, due to disruption caused by COVID-19, which in turn could impact adversely on ability to appeal.
  - A significant number of responses were received, which advocated that SQA should consider learner's personal circumstances this year through appeal, to

prevent any further disadvantage to learners including those with protected characteristics

## **Equality Impacts Eligibility of learners**

### **1. Criteria**

SQA is aware that learning has been widely disrupted across schools and colleges this year, and that the individual impact on learners' access to continued learning and ability to generate assessment evidence to demonstrate their learning has varied widely. The [Equity Audit](#) published in January 2021 by Education Scotland and Scottish Government explores the disruption to learning in some depth. It is widely acknowledged that those who already faced inequality, disadvantage and deprivation (including learners with a range of protected characteristics) have been disproportionately impacted by COVID-19 and the associated restrictions, including the closure of schools and increased use of blended learning. The impact assessments for the ACM describe the mitigations adopted by SQA to provide flexibility that offers the maximum possible opportunity for learners to demonstrate their knowledge, understanding and skills.

The contingency would capture learners who have experienced extreme disruption during the centre's evidence-gathering process. Examples of this could be:

- A learner whose medical condition has prevented full and timely engagement with the centre's evidence-gathering process
- A learner who has been required to self-isolate due to COVID, either as a case or contact, during the centre's evidence-gathering process
- A learner who has suffered bereavement or other trauma during the centre's evidence-gathering process
- A learner who was shielding during the centre's evidence-gathering process

This may mean that some learners will not be able to complete all assessment evidence required by 25 June, putting them at risk of receiving no award for their qualification(s).

IEC is available to those learners who have completed the learning and teaching of their course but have not been able to complete all of their assessment evidence in time for the 25 June submission date. Learners will need to be made aware of the IEC and supported to understand it by their centres.

Centres should, taking full account of the flexibility of the Alternative Certification Model (ACM) to support teachers' professional judgement, do all they can to ensure that learners generate sufficient evidence by 25 June. Where this has not been possible, centres should consider the situation carefully and advise learners on which of the available options would be in their best interests:

- use this contingency arrangement, submitting evidence by 3 September
- be presented for an alternative qualification
- repeat the course and be presented in 2022

### **Mitigating actions**

- Some learners including those with the protected characteristic of disability, may be unduly disadvantaged (i.e., at risk of not achieving a qualification) by severe disruption to learning

and teaching in 2020-21. The IEC provides a further and final opportunity for those learners who have not generated enough assessment evidence by 25 June, to do so.

- In the ACM 20-21, it is recommended that centres have clarification conversations with learners so learners should understand if they are at risk of no award due to incomplete assessment evidence and what using the IEC means for them.

## **Roles and responsibilities of centres**

### **1. Centres do all they can to ensure learners generate sufficient evidence by 25 June**

Centres should, taking full account of the flexibility of the ACM to support practitioner's professional judgement, do all they can to ensure that learners can generate sufficient evidence by 25 June. Some learners despite the flexibility offered within the ACM, may not be able to generate the required evidence due to experiencing extreme disruption during this session. This could include a range of learners with protected characteristics such as disability.

#### **Mitigating actions**

- The IEC provides a further limited opportunity for learners to generate evidence for assessment.

### **2. Centres must consider carefully the best interests of learners to advise them to proceed with this contingency process**

The IEC offers a small window of opportunity to generate evidence, between centres re-opening in August and 3 September and cuts across the summer holiday period for most centres. The summer period is an unavoidable 'pause' in the process that must be considered when identifying which learners are best placed to utilise the IEC.

There is a risk for all learners including those with protected characteristics, that completing their learning and teaching in June and returning in August to complete evidence for assessment, may impact on their ability to recall their learning. Learners will be less well prepared for assessment at the end of August than they will be at the end of June. Learners may struggle to maintain being 'assessment ready' over the summer period. This could have a disproportionate impact on learners with disabilities and additional support needs. Centres will need to ensure that for learners who they identify as being eligible for IEC, that those learners fully understand what this means:

- Learners need to have this information before the summer holiday period begins
- Learners should be aware that they will need to undertake assessments when returning to school/college in August
- Learners need to be made aware that then they receive their SQA certificate on 10 August that any qualification for which they are utilising the IEC, will not appear on their certificate (this should not come as a surprise to learners or their parents/carers)

#### **Mitigating actions**

- E-Sgoil provision will be available for learners to access support at the start of AY 2021-22
- Some learners will have the option to repeat the course in the following academic year
- It is expected that IEC will be utilised by relatively few learners

### **3. June 2021 school and college leavers**

Some learners who are unable to produce required evidence by 25 June will not be returning to their centre after summer. Therefore, they may not be willing or able to take up opportunity to generate more evidence before 3 September. This may mean some learners 'settle' for no award.

#### **Mitigating actions**

- Centres may decide that the IEC is not a suitable option for these learners and look to see how best to support them before the end of the academic year in June

### **Evidence generation and results process**

#### **1. Assessment takes place in centres after summer**

*[Comment: [Redacted s38(1)(b)]– sorry to add in more work but should we note here that centres have various return dates so not all learners will have the same time to complete assessment from Aug – Sep. ? @[Redacted s38(1)(b)]]*

*[Comment: [Redacted s38(1)(b)]- @[Redacted s38(1)(b)]good point and have added in. The only feasible mitigation for this, is the first bullet point in mitigating actions, centres need to concentrate on the gap in evidence only]*

The IEC provides a further window of opportunity for learners to generate evidence for assessment between the start of the academic year in August until 3 September. This activity window occurs when learners begin starting learning and teaching for a new academic year and for many, progressing into a higher level of study, e.g., National 5 to Higher. It is possible that learners including those with a range of protected characteristics, may find this challenging. There may be a risk that learners struggle with completing evidence at the start of the next academic year and may not be able to generate the evidence required, leading to no award. There is a risk that some learners may change their mind on return to centre in August and decide not to complete additional assessment and centres will have to use the partial evidence base to determine a provisional result anyway. It is also worth noting that centres have different return dates in August so the window of opportunity to generate assessment evidence will differ from centre to centre.

#### **Mitigating actions**

- Centres should focus effort to support learners to generate evidence by concentrating on the gap the centre has identified in the candidate's evidence. Centres can utilise or draw upon the assessment tools already available (e.g., SQA 2021 assessment resources or adaptations thereof), of which the candidate has not already had experience.
- e-Sgoil provision will be available to support learners accessing the incomplete evidence contingency in their preparations for assessment in the early part of the new session.

#### **2. No additional input for learning & teaching**

IEC does not include additional input for learning and teaching. An appropriate time between centre re-opening in August and 3 September, either outwith the learner day or at an appropriate time during the learner day by arrangement with the teacher/lecturer, should be found for the learner to undertake the assessment. This could mean learners will be in centres beyond their usual time and could have impacts for learners with protected characteristics, such as those who have caring responsibilities, reliance on travel arrangements. There is a risk that learners may struggle with completing evidence in this way and will not be able to generate the evidence required, leading to no award.



### Mitigating actions

- It is expected that the additional time required for learners to generate evidence will be at a minimum, as the focus should be on the gap in the learner's required evidence only.
- e-Sgoil provision will be available to support learners accessing the contingency in their preparations for assessment in the early part of the new session.

### Summary

Theme	Potential impacts	Learners	Mitigating actions	PSED
Eligibility of learners	Due to severe disruption to learning and teaching and despite completing all the teaching and learning associated with the course, some learners will be unable to produce assessment evidence required by deadline of 25 June	Potential impact on all learners including those with protected characteristics	IEC enables some learners a further window of opportunity in which to generate required evidence	I. II.
Evidence generation and results process	Learners who are unable to produce all the required evidence by 25 June have to wait over summer period before being able to provide more evidence	Potential impact on all learners including those with protected characteristics of disability; those who require additional support for learning or	Led by the Scottish Government, SQA will work with a range of partners such as SDS to provide a number of support mechanisms/ signposting to appropriate agencies to	I. II.

<b>Theme</b>	<b>Potential impacts</b>	<b>Learners</b>	<b>Mitigating actions</b>	<b>PSED</b>
				I. Advance equality of opportunity II. Eliminate discrimination III. Foster good relations
		with mental health needs	support learners during the summer period	
			e-Sgoil provision available to learners at start of AY 2021/22	
			It is anticipated that the number of learners utilising IEC will be relatively few.	
Roles and responsibilities of centres	Some learners who are unable to produce all the required evidence by 25 June will not return to their Centre/ after summer and will not be able to take up opportunity to generate more evidence	Potential impact on all learners including those with protected characteristics	Centres may decide that the IEC is not a suitable option for these learners and look to see how best to support them before the end of the academic year in June	II.
			It is anticipated that the number of learners utilising IEC will be relatively few	II.
Roles and responsibilities of centres	Centres will need to ensure that for learners who they identify as being eligible for IEC, those	Potential impact on all learners including those with protected characteristics	Some learners will have the option to retake some qualifications in	I. III.

Theme	Potential impacts	Learners	Mitigating actions	PSED <ul style="list-style-type: none"> <li>I. Advance equality of opportunity</li> <li>II. Eliminate discrimination</li> <li>III. Foster good relations</li> </ul>
	learners fully understand what this means. Some learners will not be willing or able to undertake IEC.		the following academic year	

### Conclusions and next steps

SQA and the NQ 2021 group will continue to monitor the impact of the ACM overall including the IEC on learners to determine if any further actions are required, and to ensure clarity over emerging issues, roles and responsibilities. This impact assessment has considered the elements of the IEC, evidence gathered and details the potential positive and negative impacts of the IEC. This EIA also suggests where mitigating actions can be taken to reduce potential negative impacts. Requests for advice submitted to the SQA Assessment Arrangements team and Customer Contact Centre will be monitored, and there will be targeted consultation with different equality stakeholder groups (for example through local authority learning support and disability networks) to allow consideration of any issues or concerns.

**Enclosure 37.7 – Attachment Word Document**

[Duplicate of enclosure 27.9]

**Enclosure 37.8 – Attachment Word Document**

[Redacted information not in scope]

27.4	<b>Appeals 2021</b> FR noted that a short overview of the model was sent to NQ21 members last week for completeness and that this had been sent to Ministers on 14 May for consideration.
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[Redacted information not in scope]



## **Enclosure 38.1 – Attachment: Word Document**

### **Notes of NQ 2021 Stakeholder Working Group Meeting 25 May 2021**

**Attendees:** Jean Blair (Chair) (SQA), Andrea Bradley (EIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Graham Hutton (SLS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Margaret Lannon (SCIS) left at 15:24, [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA) left at 15:31, [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (Colleges Scotland) left at 15:00, [Redacted s38(1)(b)] (SQA) left at 15:31, Gill Stewart (SQA).

**Apologies:** [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (Scotgov), [Redacted s38(1)(b)] (ADES and RICs), Ollie Bray (Education Scotland), [Redacted s38(1)(b)] (SCIS), [Redacted s38(1)(b)] (ScotGov), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA).

[information not in scope]

#### **Discussion**

- JB advised that SSTA had asked for the hard work of teachers to be recognised in a further thank you message.
- The proposed appeals model (Stage 5) is being discussed with the Scottish Government.

[information not in scope]

#### **Agenda for next meeting on 1 June**

[information not in scope] Appeals

[information not in scope]

Area	Action	Owner	Update
			[information not in scope]
Appeals Process	Comments or suggestions to <a href="#">Michael Baxter</a> .	[Redacted s38(1)(b)]	<p>Incorporating feedback from the NQ21 ACM working group, an update on the draft model was presented at the board meeting on 29 April and the steering group on 30 April.</p> <p>Any comments should be sent to <a href="#">Michael Baxter</a>.</p> <p>A. Bradley agreed to find out how to engage with the school counsellors on the issue of supporting learners over the Summer.</p> <p>[Redacted s38(1)(b)] will update the working group at the beginning of June.</p>

[information not in scope]



## Enclosure 38.2 – Attachment: Word Document

### Notes of NQ 2021 Stakeholder Working Group Meeting 18 May 2021

**Attendees:** Jean Blair (Chair) (SQA), Andrea Bradley (EIS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), Graham Hutton (SLS), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ADES and RICs), Margaret Lannon (SCIS) left at 16:21, [Redacted s38(1)(b)] (ScotGov) left at 16:45, Ollie Bray (Education Scotland) joined at 16:00 [Redacted s38(1)(b)] (SCIS), [Redacted s38(1)(b)] (Colleges Scotland) left at 16:02, [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ScotGov) left at 16:30, [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA) left at 15:34, [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (Colleges Scotland), [Redacted s38(1)(b)] (SQA) joined at 16:10, [Redacted s38(1)(b)] (Education Scotland) joined at 15:50 and left at 16:30, [Redacted s38(1)(b)] (SQA).

**Apologies:** [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (SQA), [Redacted s38(1)(b)] (ScotGov), Gill Stewart (SQA), [Redacted s38(1)(b)] (ScotGov).

[information not in scope]

#### Milestone plan and associated communication (SQA)

There is a need to update the plan. Members asked to comment on the level of granularity and what should be added.

#### **Discussion**

- Suggest that all past dates are removed and be included as an appendix if required.
- Need to add dates around the incomplete evidence contingency service opening on 8 June and the appeals service opening on 25 June for those learners who wish to indicate an intention to appeal.

[information not in scope]

[information not in scope]

Area	Action	Owner	Update
[information not in scope]	[information not in scope]	[information not in scope]	[information not in scope]

Area	Action	Owner	Update
Appeals Process	Comments or suggestions to <a href="#">Michael Baxter.</a>	[Redacted s38(1)(b)]	<p>Incorporating feedback from the NQ21 ACM working group, an update on the draft model was presented at the board meeting on 29 April and the steering group on 30 April.</p> <p>Any comments should be sent to <a href="#">Michael Baxter.</a></p> <p>A. Bradley agreed to find out how to engage with the school counsellors on the issue of supporting learners over the Summer.</p> <p>[Redacted s38(1)(b)] will update the working group at the beginning of June.</p>

[information not in scope]

**Enclosure 38.3 – Attachment: Word Document**

[Duplicate of enclosure 21.1]

**Enclosure 38.4 – Attachment: Word Document**

**NQ 2021 Stakeholder Working Group Meeting**

Meeting to be held on 1 June 2021.

**Agenda**

Item	Topic	Paper
	Information not in scope	
4	Appeals	GS
	Information not in scope	

**Enclosure 39 – Email: RE Letter**

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 01 June 2021 10:10  
**To:** Jean Blair <Jean.Blair@sqa.org.uk>  
**Cc:** Fiona Robertson <fiona.robertson@sqa.org.uk>  
**Subject:** Letter

Hi Jean

“Final” version of letter attached. Please note that the hyperlink to Appeal information is to a landing page ([National Qualifications in 2020-21 - SQA](#)) that I have assumed will house Appeals info. If the direct URL of the forthcoming leaflet was already known (though it will not yet be “live”) this link could be updated.

Thank you

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

**Enclosure 39.1 – Attachment: Word Document**

**Letter from NQ21 highlighting supports available to learners**

[Redacted information not in scope]

Information on Appeals is available within the enclosed SQA booklet and is also available [online](#).

[Redacted information not in scope]

Yours faithfully,

NQ21 Group

\* The National Qualifications 2021 Group includes the Association of Directors of Education in Scotland (ADES), Colleges Scotland, Education Scotland, the Educational Institute of Scotland (EIS), National Parent Forum of Scotland (NPFS) School Leaders Scotland (SLS), the Scottish Council of Independent Schools (SCIS), Scottish Qualifications Authority (SQA), the Scottish Government and the Scottish Youth Parliament (SYP).

[Redacted information not in scope]

**Enclosure 40 – Email: RE Information on delayed certification**

**From:** [Redacted s38(1)(b)]  
@gov.scot>  
**Sent:** 02 June 2021 12:38  
**To:** Jean Blair <Jean.Blair@sqa.org.uk>  
**Cc:** Fiona Robertson <fiona.robertson@sqa.org.uk>; Pentland MK (Malcolm)  
<Malcolm.Pentland@gov.scot>;  
[Redacted s38(1)(b)] @sqa.org.uk>;  
[Redacted s38(1)(b)]@gov.scot>  
**Subject:** RE: Information on delayed certification

Thanks very much for confirming this Jean – much appreciated.

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] | [Redacted s38(1)(b)] | Learning Directorate | Scottish Government |

*Please note: my working hours are [Redacted s38(1)(b)]. I am currently working from home but am contactable via email or Microsoft Teams.*

**From:** Jean Blair <Jean.Blair@sqa.org.uk>  
**Sent:** 02 June 2021 12:35  
**To:** [Redacted s38(1)(b)]@gov.scot>  
**Cc:** Fiona Robertson <fiona.robertson@sqa.org.uk>; Pentland MK (Malcolm)  
<Malcolm.Pentland@gov.scot>;  
[Redacted s38(1)(b)]@sqa.org.uk>  
**Subject:** RE: Information on delayed certification

Good afternoon [Redacted s38(1)(b)] ,

Yes, we will be issuing a comms from the NQ 21 Group on the incomplete evidence contingency arrangement this afternoon, immediately following appeals materials.

For information, the letter to learners and a learner leaflet on 'What you need to know: Appeals 2021' will go live this afternoon on the website. We are confirming arrangements for print and distribution and I'll let you know when I have firm dates on hard copy distribution.

Thanks

Jean

**Jean Blair**  
Director of Operations

**t:** 0345 213 [Redacted s38(1)(b)] | **e:** [jean.blair@sqa.org.uk](mailto:jean.blair@sqa.org.uk) | **w:**  
<http://www.sqa.org.uk>

Scottish Qualifications Authority  
24 Wester Shawfair, Lowden, Dalkeith, Midlothian EH22 1FD

**From:** [Redacted s38(1)(b)]@gov.scot>  
**Sent:** 02 June 2021 11:30  
**To:** Jean Blair <Jean.Blair@sqa.org.uk>  
**Cc:** Fiona Robertson <fiona.robertson@sqa.org.uk>; Malcolm.Pentland@gov.scot  
**Subject:** Information on delayed certification  
**Importance:** High

Hi Jean

We're just trying to make sure some loose ends are tied up from our side ahead of Cab Sec's statement.

As Fiona has seen, the statement indicates that the NQ21 Group will be publishing later certification details today – are you co-ordinating that?

Many thanks

[Redacted s38(1)(b)]  
[Redacted s38(1)(b)] [Redacted s38(1)(b)] Learning Directorate | Scottish Government |

*Please note: my working hours are [Redacted s38(1)(b)]. I am currently working from home but am contactable via email or Microsoft Teams.*

\*\*\*\*\*  
\*\*\*\*



**Enclosure 41 – Email: RE Draft Statement**

**From:** Fiona Robertson <fiona.robertson@sqa.org.uk>  
**Sent:** 01 June 2021 11:19  
**To:** Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>  
**Cc:** Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Subject:** RE: Draft Statement

Thanks Malcolm  
Please see attached. I will give you a ring about one aspect of the statement. 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

**From:** Malcolm.Pentland@gov.scot <Malcolm.Pentland@gov.scot>  
**Sent:** 01 June 2021 10:17  
**To:** Fiona Robertson <fiona.robertson@sqa.org.uk>  
**Cc:** DirectorofLearning@gov.scot; [Redacted s38(1)(b)]@gov.scot  
**Subject:** Draft Statement

Hi Fiona  
Please find attached in confidence a draft of the statement for tomorrow. Grateful for a sense check and any comments back as soon as possible and ideally by 11.30.

Thanks  
Malcolm  
**Malcolm Pentland** | Deputy Director  
Curriculum, Qualifications and Gaelic Division | email: [malcolm.pentland@gov.scot](mailto:malcolm.pentland@gov.scot) | [tel:+44\(0\) 131 244 \[Redacted s38\(1\)\(b\)\]](tel:+44(0)131244[Redacted s38(1)(b)])  
Learning Directorate | Area 2B North | Victoria Quay | Edinburgh | EH6 6QQ  
Buidheann-Stiùiridh an Ionnsachaidh | Raon 2B Tuath | Cidhe Bhictòria | Dùn Èideann | EH6 6QQ

\*\*\*\*\*

### **Enclosure 41.1 – Attachment: Word Document**

In responding to concerns I have heard, my statement will:

- [Redacted information not in scope]
- set out how this year's appeals process will work to support learners;

[Redacted information not in scope]

Whilst every effort has been taken to ensure that the hard work of learners is fairly acknowledged in the first instance, with learners getting the right result, first time, the appeals process is an important final stage to the certification process.

Following stakeholder engagement and public consultation, the SQA will today publish details of this year's appeals process. The process is the final stage of the ACM, and takes on board the needs of young people and recommendations from the Priestley Review. Importantly Children's rights have been central in the design of the appeals process.

This means I can confirm that the approach will – for the first time - include a direct right of appeal for learners which I am sure will be welcomed by learners and their representatives.

It is right in these exceptional times that there is a broad mechanism to appeal for those who feel they have not received the right result, to review it, and which is free at the point of

use. There will be no charge for appeals this year to ensure that there are no financial barriers to accessing the service.

[redacted s30(b)(ii)]

[comment: [redacted s38(1)(b)] – [redacted s30(b)(ii)]]

Education stakeholders have been clear that demonstrated attainment is a key principle in ensuring credibility and fairness of the qualifications, and so appeal decisions will be evidence-based and symmetric – meaning that grades can move down as well as move up, or stay the same depending on the review of the evidence.

- I recognise that some stakeholders are not supportive of this position and would seek a ‘no detriment’ approach where grades cannot go down. While I am fully sympathetic to the position of learners this year, awards must, ultimately, be based on the actual attainment of pupils.
- 
- That means that the subject specialist looking at an appeal must be able to give their true judgement on a pupil’s attainment, with the grade remaining the same or moving up or down in line with the evidence.
- 
- In this way, the appeals system will be fair, consistent and credible.

- 
- Without this symmetry – appeals able to move grades up or down – , the appeals outcome may not be a full and fair review of the evidence.
- 
- This could be perceived as unfair to other learners and raise questions over the credibility of qualifications awarded this year. In adopting a symmetrical approach to appeals, judgements at appeal will be made on individual learners' work only and not on an algorithm or on a school's past performance.

*[TBC but could add here: I have met with young people and heard their concerns over the symmetrical approach and outlined why, from an educational perspective, the symmetrical approach is the fairest option overall.]*

While the formal processing of appeals will not start until learners receive their results on 10 August, learners will be able to indicate their intention to appeal from late June when their provisional results are submitted. Support will be in place for learners over this period and SQA are publishing details on the appeals process today.

## **Enclosure 42– Email: RE Appeals documentation**

**From:** Fiona Robertson <fiona.robertson@sqa.org.uk>  
**Sent:** 01 June 2021 20:59  
**To:** Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>  
**Cc:** [Redacted s38(1)(b)]@sqa.org.uk>  
**Subject:** Appeals documentation

Colleagues

For sight, the documents we are publishing tomorrow. These should be treated as near final and the plan is they will go live at 1400.

A press release will be shared separately.

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

Here are the various products for tomorrow:

### **Comms draft messages**

- Core message
- Appeals overview

### **Documents**

- Appeals consultation report
- Equality Impact Assessment
- Children's Rights and Wellbeing Impact Assessment
- HE/FE/Employer Research Report
- Learner booklet
- Learner blog
- Parent/carers blog
- FAQs

The CRW child friendly version is being finalised.

## Enclosure 42.1 – Attachment: Word Document

### 2021 Appeals Service announced – DRAFT v19

2 June 2021

The Scottish Qualifications Authority (SQA) today announces a free appeals service, available directly to learners for the first time, covering this year's National 5, Higher, and Advanced Higher qualifications.

Fairness to learners and the credibility of the qualifications that learners have worked so hard to achieve in this exceptionally challenging year is central to the alternative certification model that has been developed by the Scottish education system. The model gives teachers and lecturers the necessary flexibility to support their learners <LINK to DtL message>, whom they know best. Teachers and lecturers, with the support of the system and SQA, are working hard to deliver the right results to learners, first time. However, it is important that a direct right of appeal is available, and the appeals service is the final essential part of the model.

Support to help answer learner questions about their next steps and their options is available <LINK TO RELEVANT SQA SUPPORT WEBPAGE THAT WILL HAVE NQ21 GROUP LEARNER SUPPORT MESSAGE>.

#### Key features of the Appeals Service

All learners will have the right to appeal directly to SQA for free. Learners will be able to register that they want to appeal their provisional result directly to SQA from Friday 25 June.

Appeals will be processed with the support of schools and colleges after learners have received their result certificates on Tuesday 10 August. An overview of the service is available <LINK>.

Importantly, learners should be supported by their school, college and training provider with the information they need to make decisions that are in their best interests. However, centres cannot stop an appeal request.

As in any other year, priority appeals will be available to learners who have offers to study at college, or university, or have an employment or training position dependent on a grade. All other appeals will be progressed thereafter.

The grounds for appeal are broad. There are three types of appeal:

- an appeal against the academic judgement made
- an appeal against an unresolved administrative error
- an appeal on grounds of discrimination where:
  - (i) there has been a breach of the Equality Act 2010 (which must have been either acknowledged by your school, college or training provider or established by a court or the Scottish Public Services Ombudsman), or
  - (ii) your school, college or training provider failed to provide agreed Assessment Arrangements.

A key principle of the awarding of qualifications in any year is that a learner's grade is based on the evidence of their demonstrated attainment of the skills and knowledge of a course, and this is a central feature of this year's alternative certification model. Given this, an appeal of a result must also be based on the evidence of the learner's demonstrated attainment against the national standard. Therefore, the outcomes of an evidence-based appeal could be that a learner's grade could go up, go down, or stay the same.

Schools, colleges and training providers will still be able to submit an appeal on behalf of their learners, if the learner prefers to use that route.

Guidance on the appeals service for schools, colleges and training providers and further information for learners on how to register that they want to appeal will be published by Friday 11 June.

#### **Development of the Appeals Service**

We have consulted and engaged widely with education stakeholders and representatives of parents and carers and young people. An analysis of consultation responses has been published [<LINK>](#).

SQA has produced an Equalities Impact Assessment [<LINK>](#), and a Child Rights and Wellbeing Impact Assessment [<LINK>](#) that summarises the evidence SQA has considered during the development of the appeals service.

We have also published some research [<LINK>](#) that asked representatives from universities, colleges, and employers their views on the value of qualifications. The findings illustrate that there is agreement that to successfully achieve a qualification there must be evidence available of a learner's demonstrated attainment in the skills and knowledge at the required national standard. Consistent standards over time also provide flexibility for learners to access immediate opportunities today, and different opportunities later in their career.

**- ENDS -**

## **Enclosure 42.2 – Attachment: Word Document**

### **National Qualifications 2021 Appeals Service – Overview – DRAFT v19**

#### **Introduction**

As a result of the disruption caused by the COVID-19 pandemic, and the cancellation of exams, an [alternative certification model](#) has been developed by the education system to decide your National 5, Higher and Advanced Higher results this year. Your teachers and lecturers are using a range of assessment evidence to decide what your results should be, and every effort is being made to ensure you get the right result, first time. However, the ability to appeal your grade is important.

A free appeals service, available directly to learners for the first time, is the fifth and final stage of the alternative certification model [<LINK to ACM page>](#).

The grounds for appeal are broad. There are three types of appeal:

- an appeal against the academic judgement made
  
- an appeal against an unresolved administrative error
  
- an appeal on grounds of discrimination where:
  - (i) there has been a breach of the Equality Act 2010 (which must have been either acknowledged by your school, college or training provider or established by a court or the Scottish Public Services Ombudsman), or
  - (ii) your school, college or training provider failed to provide agreed Assessment Arrangements.

Frequently Asked Questions [<LINK>](#) and an information booklet for learners are available [<LINK>](#).

#### **How will the Appeals Service work?**

##### Up to Friday 25 June

As part of the alternative certification model, your teacher or lecturer will be discussing your progress over the course of the year and, before the summer break, will tell you what your provisional results are, based on the assessments you have completed. SQA will not change these results.

Your school, college or training provider must either talk to you or write to you to:

- confirm how your provisional results were determined
- discuss the assessment evidence that was used to support your teacher or lecturer's awarding decisions
- explain the quality checks they have used – both locally, and nationally – to make sure the provisional results you have been awarded have been assessed fairly, and in line with the national standard.

We know you have concerns about the levels of disruption to your learning this year, and the effects this will have on gathering the evidence that your teachers or lecturers need to determine your provisional results. Further information on how this disruption is being managed has been published by the National Qualifications 2021 Group. [<LINK TO LEARNER BLOG ON DfL>](#)

Support to help answer any questions you may have about next steps and your options is available [<LINK TO RELEVANT SQA SUPPORT WEBPAGE THAT WILL INCLUDE NQ21 GROUP SUPPORT MESSAGE>](#).

##### From Friday 25 June



Once your teacher or lecturer has explained your provisional results, if you are still unhappy, you can register that you want to appeal directly on the SQA website. The registration service will open on Friday 25 June and will close on Thursday 12 August. Your appeal will be processed after Results Day on Tuesday 10 August. If you are waiting on a result for a university or college place or for an employment or training programme, your appeal will be processed as a priority and you must register that you want to appeal by Thursday 12 August. If you need to, or prefer to, you can ask a parent or carer to register for you. You will be asked for the following information:

- your name
- your date of birth
- your Scottish Candidate Number
- the subject and level of the course that you want to register an appeal for
- notification that you are waiting on a result for a university or college place or for an employment or training programme – if so, your request will be processed as part of the priority appeal service and we will ask you for details of your conditional offer
- your reason for appealing, from one of the three types [<LINK>](#)
- if you are appealing against an unresolved administrative error or on the grounds of discrimination contrary to the Equality Act – you will be asked to provide a short, written explanation of what you believe has happened.

Further information on how to use the registration service will be published by Friday 11 June.

Results Day – Tuesday 10 August

### **If you registered that you wanted to appeal with SQA over the summer**

SQA will have informed your school, college or training provider that you have registered that you want to appeal.

Once you have received your Scottish Qualifications Certificate, you should have another discussion about your options with your teacher or lecturer, as you did before 25 June, and hear their professional view as to whether an appeal is in your best interests. You should do this even if you have left school.

The final decision to appeal is yours. If you decide to go ahead, you will not need to do anything else.

If you decide not to appeal, you can withdraw your request by Thursday 12 August by contacting [customer@sqa.org.uk](mailto:customer@sqa.org.uk).

### **If you did not register with SQA over the summer**

You can still register that you want to make a priority appeal with SQA until Thursday 12 August. However, if you miss that date, your teacher or lecturer can submit a priority appeal for you until Monday 16 August.

If you do not need to use the priority service, you can still ask your teacher or lecturer to submit an appeal to SQA for you. They will be able to do this until Friday 27 August.

You will need to have a conversation with your teacher or lecturer and hear their professional view as to whether an appeal is in your best interests. The final decision to appeal is yours.

What happens next?

### **If you are appealing against the academic judgement made**

All the necessary evidence that was used to determine your result will be provided to SQA by your school, college or training provider – you will not need to submit any assessment evidence.

When your assessment evidence is received, it will be reviewed by SQA against the required national standard for the course.

Your result was based on demonstrated attainment and so your appeal must also be based on the evidence of your knowledge and skills in a course against the national standard. This is necessary to make sure that an A grade in the north of Scotland is worth the same as an A grade in the south of Scotland and everywhere in between. This means that your grade could go up, go down or stay the same. This is consistent with what we do every year and makes sure that decisions are based on evidence.

**If you are appealing against an unresolved administrative error or are appealing on the grounds of discrimination contrary to the Equality Act**

As part of your appeal registration, you will be asked to provide a short, written explanation of what you believe has happened. If you need to, or prefer to, you can ask a parent or carer to help you. SQA will review the submission in discussion with your school, college or training provider.

Your school, college or training provider can also advise SQA of any administrative errors they identify.

**Appeal decision**

Once your appeal has been completed, SQA will inform your school, college or training provider and they will tell you the outcome. If you have a priority appeal, it will be processed by Friday 3 September, to meet Universities and Colleges Admission Service (UCAS) and employment/training timescales. Other appeals will be processed as quickly as possible thereafter.

If there has been a change to any of your grades, SQA will issue you with a replacement certificate later in the year.

-ends-

**Enclosure 42.3 – Attachment: PDF**

[Redacted s25(1) – information publicly available at  
[https://www.sqa.org.uk/sqa/files\\_ccc/nq-appeals-2021-consultation-analysis.pdf](https://www.sqa.org.uk/sqa/files_ccc/nq-appeals-2021-consultation-analysis.pdf)]

**Enclosure 42.4 – Attachment: PDF**

[Redacted s25(1) – information publicly available at

[https://www.sqa.org.uk/sqa/files\\_ccc/equality-impact-assessment-appeals-2021.pdf](https://www.sqa.org.uk/sqa/files_ccc/equality-impact-assessment-appeals-2021.pdf)]

**Enclosure 42.5 – Attachment: PDF**

[Redacted s25(1) – information publicly available at  
[https://www.sqa.org.uk/sqa/files\\_ccc/childrens-rights-wellbeing-impact-assessment-appeals-2021.pdf](https://www.sqa.org.uk/sqa/files_ccc/childrens-rights-wellbeing-impact-assessment-appeals-2021.pdf)]

**Enclosure 42.6 – Attachment: PDF**

[Redacted s25(1) – information publicly available at  
[https://www.sqa.org.uk/sqa/files\\_ccc/research-among-heis-colleges-employers-2021.pdf](https://www.sqa.org.uk/sqa/files_ccc/research-among-heis-colleges-employers-2021.pdf)]

**Enclosure 42.7 – Attachment: PDF**

[Redacted s25(1) – information publicly available at  
[https://www.sqa.org.uk/sqa/files\\_ccc/SQA-Appeals-2021-what-you-need-to-know.pdf](https://www.sqa.org.uk/sqa/files_ccc/SQA-Appeals-2021-what-you-need-to-know.pdf)]

## **Enclosure 42.8 – Attachment: Word Document**

### **SQA Appeals Service 2021 – a guide for learners**

This has been a really challenging year for learners across the country. As a result of the pandemic, you have had to cope with a lot of disruption for over a year now and get to grips with the new way qualifications are being awarded.

SQA has outlined the appeals service that will be used as part of the system that will award this year's National 5, Higher, and Advanced Higher qualifications – called the alternative certification model.

Your teachers and lecturers are using a range of assessment evidence to decide what your results should be, and every effort is being made to ensure you get the right result, first time. However, the ability to appeal your grade is important.

The free appeals service, available directly to learners for the first time, is the fifth and final stage of the model.

The grounds for appeal are broad. There are three types of appeal:

- an appeal against the academic judgement made;
- an appeal against an unresolved administrative error;
- an appeal on grounds of discrimination where:
  - (i) there has been a breach of the Equality Act 2010 (which must have been either acknowledged by your school, college or training provider or established by a court or the Scottish Public Services Ombudsman), or
  - (ii) your school, college or training provider failed to provide agreed Assessment Arrangements.

Frequently Asked Questions [<LINK>](#) and an information booklet for learners are available [<LINK>](#).

There is also a helpful interactive guide that shows what this year's appeals means for you.

**Appeals Service – what happens when (link to website interactive model)**



## How will the Appeals Service work?

Use the tabs below to open each section individually. Alternatively you can [show all](#) the sections.



*[Comment: [Redacted s38(1)(b)]– include screenshot/image to show stages/link to interactive version]*

## How are you taking into account disruption to learning?

Your school, college or training provider will submit your provisional grades to SQA by Friday 25 June 2021. This means that you will have completed all your course assessments by this date.

For a small number of you, personal circumstances may mean that, through no fault of your own, you are unable to complete all the required course assessments by Friday 25 June.

Personal circumstances might include:

- a medical condition
- a requirement to self-isolate or shield due to COVID, either as a case or a close contact
- a bereavement or other trauma

If you think this applies to you, please speak to your teacher or lecturer, who will help you decide on the best course of action.

Following this discussion, it may be agreed that you should complete your assessments at a later date. In this instance, your school, college or training provider has until noon on Friday 3 September 2021 to submit your provisional grades to SQA.

This arrangement is in place to support learners who have experienced severe disruption to learning due to personal circumstances of the types listed above. It is not an opportunity to delay sitting an assessment or to resit an assessment.

## It has been agreed that I will complete my assessments at a later date – how will this work?

This arrangement is in place for learners who have undertaken all the required learning for the course but have been unable to complete the required assessments. Therefore, no additional teaching time at your school, college or training provider is required.

Your school, college or training provider will identify the assessments that you need to undertake to complete your course.

Your school, college or training provider will arrange a suitable time, after the summer holidays, for you to undertake these assessments.

If you are leaving school, college or your training provider this summer, you will need to return to them to undertake these assessments.

Universities and colleges are aware that some learners will be certificated for their courses at a later date and they should account for this in their admissions process.

**If I complete my assessments at a later date, will I still be able to appeal my results?**

Yes. You will be able to appeal any results submitted to SQA by noon on Friday 3 September.

However, due to UCAS deadlines, it will not be possible to use the priority appeals service.

**Where can I find more information on the appeals service?**

Support to help answer any questions you may have about next steps and your options is available [<LINK TO RELEVANT SQA SUPPORT WEBPAGE THAT WILL INCLUDE NQ21 GROUP SUPPORT MESSAGE>](#).

For updates, follow us on Twitter [@mysqa\\_sam](#) and on Facebook [@MySQA](#).

[This booklet](#) provides information on how appeals will work.

[<LINK TO FAQs>](#)

**-ENDS-**

## **Enclosure 42.9 – Attachment: Word Document**

### **SQA Appeals Service 2021 – a guide for parents and carers**

SQA has confirmed that its new appeals service for this year's National 5, Higher, and Advanced Higher qualifications will give learners the opportunity, for the first time, to register that they want to appeal directly with SQA from Friday 25 June.

The free appeals service is the fifth and final stage of the alternative certification model that will be used to award your child's National 5, Higher and Advanced Higher qualifications this year.

Your child's teachers and lecturers are using a range of assessment evidence to decide what your child's results should be, and every effort is being made to ensure your child gets the right result, first time. However, the ability to appeal their grade is important.

The grounds for appeal are broad. There are three types of appeal:

- an appeal against the academic judgement made;
- an appeal against an unresolved administrative error;
- an appeal on grounds of discrimination where:
  - (i) there has been a breach of the Equality Act 2010 (which must have been either acknowledged by your school, college or training provider or established by a court or the Scottish Public Services Ombudsman), or
  - (ii) your school, college or training provider failed to provide agreed Assessment Arrangements.

Frequently Asked Questions [<LINK>](#) and an information booklet for learners are available [<LINK>](#).

An online guide that shows what this year's appeals means for your child is also available:

**Appeals Service – what happens when (link to website interactive model):**

## How will the Appeals Service work?

Use the tabs below to open each section individually. Alternatively you can [show all](#) the sections.



*[Comment: [Redacted s38(1)(b)]– Include screenshot/image to show stages]*

### **My child has experienced significant disruption to learning – will this be taken into account?**

We know that this has been an exceptionally difficult year for young people but especially so for those who have had their learning and teaching unduly disadvantaged by severe disruption – for example by medical conditions, bereavement, self-isolation, or shielding – that has meant they could not complete all the aspects of their assessments.

These gaps in learners' assessments mean there will not be enough evidence for schools, colleges and training providers to generate a provisional grade and give it to SQA by Friday 25 June.

For young people facing these circumstances, there is a contingency in place that will allow their school, college or training provider to conduct these outstanding assessments and send provisional results to SQA by noon on Friday 3 September.

### **It has been agreed that my child will complete assessments at a later date – how will this work?**

These outstanding assessments will take place once schools, colleges and training providers have returned following the summer break. This arrangement is in place for learners who have undertaken all the required learning for the course, so no additional teaching time at their school, college or training provider is required.

Any young person who has left school, college or a training provider and has agreed to use this service will need to return to their school, college or training provider by appointment to complete their assessments.

It is important that learners are aware that, while provisional grades sent to SQA by noon on Friday 3 September can be appealed against, due to UCAS deadlines they will not be eligible for a priority appeal.

Universities and colleges are aware that some learners will be certificated for their courses at a later date, and they should account for this in their admissions process.

Further information on how this disruption is being managed has been published by the National Qualifications 2021 Group. <LINK TO RELEVANT PARENT BLOG>

**Where can I find more information on the appeals service?**

To stay up to date, visit [www.sqa.org.uk/NQ2021](http://www.sqa.org.uk/NQ2021) and follow us on Facebook [@ScottishQualificationsAuthority](https://www.facebook.com/ScottishQualificationsAuthority).

<LINK TO FAQs>

**-ENDS-**

## **Enclosure 42.10 – Attachment: Word Document**

### **2021 Appeals & Incomplete Evidence Service - Frequently Asked Questions - DRAFT v4**

#### **Learner - Appeals**

##### **Who can appeal?**

All learners can appeal. The decision to appeal is yours.

Your teacher or lecturer will support your decision and give you the information you need to make decisions in your best interests.

Your school, college or training provider cannot stop an appeal request, but if you prefer you can ask your teacher or lecturer to register an appeal for you.

##### **What will it cost to appeal?**

The appeals service is free of charge.

##### **When will I be able to appeal my grade / grades?**

You can register that you want to appeal direct to SQA from Friday 25 June. The service will be open until Thursday 12 August.

If you are waiting on a result for a university or college place or for an employment or training programme, your appeal will be processed as a priority and you must register that you want to appeal by Thursday 12 August.

If you need to, or prefer to, you can ask a parent or carer to register for you.

##### **What can I appeal?**

The appeals service allows you to appeal against the grade awarded – A, B, C, D or No Award.

Every year there are a handful of learners who have a very specific band requirement – 1 to 9 – to meet the entry requirements for higher education entry, usually a requirement for a band 1. If you are in this position, SQA will allow a band to be appealed. This is the only circumstance in which a band can be appealed.

##### **What information will I need for an appeal?**

When you register that you want to appeal, you will need to provide SQA with your name, date of birth, Scottish Candidate Number and the subject and level of the course that you want to register an appeal for – for example English at National 5. We will ask if you have a conditional university or college place, or an employment or training programme. If you do, this means that you have a priority appeal, and it will be processed by Friday 3 September to meet Universities and Colleges Admission Service (UCAS) and employment/training timescales. You must register for a priority appeal by Thursday 12 August.

We will also ask you to tell us the type of appeal that you want to use from one of the following:

- an appeal against the academic judgement made – for example, you will ask SQA to review the evidence that your teacher or lecturer used to give you a B in Higher Chemistry
- an appeal against an unresolved administrative error – where you think an error needs to be corrected in how your result was entered into SQA's system, but your school, college or training provider disagrees, or you think SQA has made an error when processing your results, and you want SQA to look into it for you.
- an appeal on grounds of discrimination where:
  - (i) there has been a breach of the Equality Act 2010 (which must have been either acknowledged by your school, college or training provider or established by a court

or the Scottish Public Services Ombudsman) –

- a. if one of these things has happened, then SQA would review all the information available and decide if the appeal can go ahead. If it can go ahead, SQA would work with your school, college or training provider to agree the best way of making sure you are awarded your qualifications in a fair way.
- b. It is important to note that SQA cannot investigate a claim of discrimination at your school, college or training provider and decide whether it occurred or not. What SQA can do is ensure you are certificated fairly, so any claim of discrimination must be a settled matter before you can appeal on this ground.

or

- (ii) your school, college or training provider failed to provide agreed Assessment Arrangements – for example they had agreed to give you extra time to complete exam-type tests or provide you with easy-to-read materials, but these things were not provided. SQA would speak to your school, college or training provider to find out what happened and agree the best way of making sure you are awarded your qualifications in a fair way. All appeals relating to Assessment Arrangements must relate to those previously agreed with your school, college or training provider.

### **Will I be able to appeal my provisional grades?**

Yes

As part of the alternative certification model, your teacher or lecturer will be discussing your progress over the course of the year and, before the summer break, will tell you what your provisional results are, based on the assessments you have completed. SQA will not change these results.

Your school, college or training provider must either talk to you or write to you to:

- confirm how your provisional results were determined
- discuss the assessment evidence that was used to support your teacher or lecturer's awarding decisions
- explain the quality checks they have used – both locally, and nationally – to make sure the provisional results you have been awarded have been assessed fairly, and in line with the national standard.

If, after that conversation, you are still unhappy, you can register that you want to appeal direct to SQA from Friday 25 June. The service will be open until Thursday 12 August.

Your school, college or training provider cannot stop an appeal request, but if you prefer you can ask your teacher or lecturer to register an appeal for you.

### **Will I be able to appeal to SQA myself, or will it need to be done by my school/college/training provider?**

You can register that you want to appeal direct to SQA from Friday 25 June. The service will be open until Thursday 12 August.

If you are waiting on a result for a university or college place or for an employment or training programme, your appeal will be processed as a priority and you must register that you want to appeal by Thursday 12 August.

If you need to, or prefer to, you can ask a parent or carer to register for you.

Your school, college or training provider cannot stop an appeal request, but if you prefer you can ask your teacher or lecturer to register an appeal for you.

### **On what conditions will I be able to appeal?**

When you register that you want to appeal, you will need to tell us what type of appeal you want to make, from one of the following:

- an appeal against the academic judgement made – for example, you will ask SQA to review the evidence that your teacher or lecturer used to give you a B in Higher Chemistry
  
- an appeal against an unresolved administrative error – where you think an error needs to be corrected in how your result was entered into SQA’s system, but your school, college or training provider disagrees, or you think SQA has made an error when processing your results, and you want SQA to look into it for you.
  
- an appeal on grounds of discrimination where:
  - (iii) there has been a breach of the Equality Act 2010 (which must have been either acknowledged by your school, college or training provider or established by a court or the Scottish Public Services Ombudsman) –
    - a. if one of these things has happened, then SQA would review all the information available and decide if the appeal can go ahead. If it can go ahead, SQA would work with your school, college or training provider to agree the best way of making sure you are awarded your qualifications in a fair way.
    - b. It is important to note that SQA cannot investigate a claim of discrimination at your school, college or training provider and decide whether it occurred or not. What SQA can do is ensure you are certificated fairly, so any claim of discrimination must be a settled matter before you can appeal on this ground.

or

- (iv) your school, college or training provider failed to provide agreed Assessment Arrangements – for example they had agreed to give you extra time to complete exam-type tests or provide you with easy-to-read materials, but these things were not provided. SQA would speak to your school, college or training provider to find out what happened and agree the best way of making sure you are awarded your qualifications in a fair way. All appeals relating to Assessment Arrangements must relate to those previously agreed with your school, college or training provider.

### **Is there a limit to how many grades I can appeal?**

No – you can appeal the results for any of the courses that you are entered for this year, at National 5, Higher or Advanced Higher.

### **I did not request an appeal in June or July, can I still request an appeal in August?**

Yes - you can register that you want to appeal direct to SQA until Thursday 12 August.

If you are waiting on a result for a university or college place or for an employment or training programme, your appeal will be processed as a priority and you must register that you want to appeal by Thursday 12 August.

If you need to, or prefer to, you can ask a parent or carer to register for you.



After that, you can ask your teacher or lecturer to submit a priority appeal for you until Monday 16 August.

If you do not need to use the priority service, you can still ask your teacher or lecturer to submit an appeal to SQA for you. They will be able to do this until Friday 27 August.

Your school, college or training provider cannot stop an appeal request, but if you prefer you can ask your teacher or lecturer to register an appeal for you.

### **Can my grade change if I appeal?**

All the necessary evidence that was used to determine your result will be provided to SQA by your school, college or training provider – you will not need to submit any assessment evidence.

When your assessment evidence is received, it will be reviewed by SQA against the required national standard for the course.

Like your result, your appeal will be based on the evidence of your knowledge and skills in a course against the national standard. This is necessary to make sure that an A grade in the north of Scotland is worth the same as an A grade in the south of Scotland and everywhere in between.

This means that your grade could go up, go down or stay the same. This is consistent with what we do every year and makes sure that decisions are based on evidence.

### **What do I need to do once an appeal has been submitted?**

If you are appealing against the academic judgement made

All the necessary materials that were used to determine your result will be provided to SQA by your school, college or training provider – you will not need to submit any assessment evidence.

If you are appealing against an unresolved administrative error or are appealing on the grounds of discrimination contrary to the Equality Act

As part of your appeal registration, you will be asked to provide a short, written explanation of what you believe has happened. If you need to, or prefer to, you can ask a parent or carer to help you.

### **What happens once my appeal is submitted?**

If you are appealing against the academic judgement made

When your assessment evidence is received, it will be reviewed by SQA against the required national standard for the course.

Like your result, your appeal will be based on the evidence of your knowledge and skills in a course against the national standard. This is necessary to make sure that an A grade in the north of Scotland is worth the same as an A grade in the south of Scotland and everywhere in between.

This means that your grade could go up, go down or stay the same. This is consistent with what we do every year and makes sure that decisions are based on evidence.

If you are appealing against an unresolved administrative error or are appealing on the grounds of discrimination contrary to the Equality Act

SQA will review the submission in discussion with your school, college or training provider.

### **Will my place at college / university / or work be affected by an appeal?**

If you are waiting on a result for a university or college place or for an employment or training programme, your appeal will be processed as a priority, and you must register that you want to appeal by Thursday 12 August. After that, you can ask your teacher or lecturer to submit a priority appeal for you until Monday 16 August.

Once your appeal has been completed, SQA will inform your school, college or training provider of the outcome. If you have a priority appeal, it will be processed by Friday 3 September, to meet Universities and Colleges Admission Service (UCAS) and employment/training timescales.

#### **When will I find out the result of my appeal?**

Once your appeal has been completed, SQA will inform your school, college or training provider and they will tell you the outcome.

If you have a priority appeal, it will be processed by Friday 3 September, to meet Universities and Colleges Admission Service (UCAS) and employment/training timescales.

If there has been a change to any of your grades, SQA will issue you with a replacement certificate later in the year.

#### **What do I do if I want information about appeals in another language?**

Our Learner Booklet about appeals can be produced, on request, in alternative formats, including large type, Braille and numerous community languages. For further details telephone SQA's Customer Contact Centre on 0845 279 1000.

#### **Learner – Incomplete Evidence Service**

##### **How are you taking into account disruption to my learning?**

We know you have concerns about the levels of disruption to your learning this year, and the effects this will have on gathering the evidence that your teachers or lecturers need to determine your provisional results.

Provisional results in 2021 will be based on teachers and lecturers using assessment evidence of your knowledge, skills and understanding of the course. For teachers and lecturers to do this, you will need to complete tests or assessments set by your school, college or training provider.

Your school, college or training provider will submit your provisional grades to SQA by Friday 25 June 2021. This means that you will have completed all your course assessments by this date.

For a small number of you, personal circumstances may mean that, through no fault of your own, you are unable to complete all the required course assessments by Friday 25 June.

Personal circumstances might include:

- a medical condition
- a requirement to self-isolate or shield due to COVID, either as a case or a close contact
- a bereavement or other trauma

If you think this applies to you, please speak to your teacher or lecturer, who will help you decide on the best course of action.

Following this discussion, it may be agreed that you should complete your assessments at a later date. In this instance, your school, college or training provider has until noon on Friday 3 September 2021 to submit your provisional grades to SQA.

This arrangement is in place to support learners who have experienced severe disruption to learning due to personal circumstances of the types listed above. It is not an opportunity to delay sitting an assessment or to resit an assessment.

##### **It has been agreed that I will complete my assessments at a later date – how will this work?**

This arrangement is in place for learners who have undertaken all the required learning for the course but have been unable to complete the required assessments.

Therefore, no additional teaching time at your school, college or training provider is required.

Your school, college or training provider will identify the assessments that you need to undertake to complete your course.

Your school, college or training provider will arrange a suitable time, after the summer holidays, for you to undertake these assessments.

If you are leaving school, college or your training provider this summer, you will need to return to them to undertake these assessments.

Universities and colleges are aware that some learners will be certificated for their courses at a later date, and they should account for this in their admissions process.

**If I complete my assessments at a later date, will I still be able to appeal my results?**

Yes. You will be able to appeal any results submitted to SQA by noon on Friday 3 September.

However, due to UCAS deadlines, it will not be possible to use the priority appeals service.

### **Teacher / Lecturer / Centre - Appeals**

#### **What are the key dates I need to be aware of?**

The key dates for the 2021 appeals service are:

- Friday 25 June – Thursday 12 August – learners can register that they want to appeal their result directly to SQA
- Tuesday 10 August - Monday 16 August – priority appeal service available - a learner can ask you to submit a priority appeal to SQA for them
- Tuesday 10 August - Friday 27 August – appeal service available – a learner can ask you to submit all other appeals to SQA for them

#### **How can my learners appeal their provisional results?**

As part of the alternative certification model, you will be discussing your learners' progress over the course of the year and, before the summer break, will tell them what their provisional results are, based on the assessments your learners have completed. SQA will not change these results.

You must either talk to or write to your learners to:

- confirm how their provisional results were determined
- discuss the assessment evidence that was used to support your awarding decisions
- explain the quality checks you have used – both locally, and nationally – to make sure the provisional results you have awarded your learners have been assessed fairly, and in line with the national standard.

If, after that conversation, your learners are still unhappy, they can register that they want to appeal direct to SQA from Friday 25 June. The service will be open until Thursday 12 August.

Schools, colleges or training providers cannot stop an appeal request, but a learner can ask you to register an appeal for them, if they prefer.

## **When will I / my school / my centre find out if a pupil has submitted a request for an appeal?**

Learners will be able to register that they want to appeal directly through the SQA website from Friday 25 June. SQA will keep you regularly informed of learners who have registered.

You will be able to access the appeals system from Friday 25 June.

## **What support do schools / centres need to put in place for learners who have requested an appeal?**

Stage 3 of the alternative certification model [<LINK>](#), from the end of May to 25 June, is when schools, colleges and training providers are to provide ongoing feedback to learners regarding their progress and assessments, including, at the conclusion of the course, provisional grades based on evidence of demonstrated attainment.

You must either talk to or write to your learners to:

- confirm how their provisional results were determined
- discuss the assessment evidence that was used to support your awarding decisions
- explain the quality assurance checks you have used – both locally, and nationally – to make sure the provisional results you have awarded have been assessed fairly, and in line with the national standard.

## **What information do schools / centres need to provide to SQA once an appeal has been confirmed?**

If a learner is appealing against the academic judgement made

SQA will ask you to provide all the necessary evidence and materials that were used to determine the learner's result.

If the learner is appealing against an unresolved administrative error or are appealing on the grounds of discrimination contrary to the Equality Act

As part of the registration process, we will ask learners to provide a short, written explanation of what they believe has happened. If they need to, or prefer to, they can ask a parent or carer to help them.

SQA will review the learner's submission in discussion with you.

You can also advise SQA of any administrative errors that you identify.

## **Will there be priority appeals? / Which appeals will be prioritised?**

Priority will be given to those learners who are waiting on a result for a university or college place or for an employment or training programme. Learners must register that they want to appeal these results to SQA by Thursday 12 August.

From Tuesday 10 August - Monday 16 August, a learner can ask you to submit a priority appeal to SQA for them.

Priority appeals will be processed by Friday 3 September, to meet Universities and Colleges Admission Service (UCAS) and employment/training timescales.

## **Teacher / Lecturer / Centre - Incomplete Evidence Service**

### **Who is eligible for this service?**

This contingency arrangement is designed for learners who have undertaken the required learning in their course and are close to completing all their assessment evidence. These are learners who — through no fault of their own — are missing a small amount of the required assessment evidence. For these learners, you could consider this incomplete evidence contingency arrangement if it is feasible that any assessment that is outstanding on Friday 25 June can be completed, assessed and quality assured by noon on Friday 3 September.

This arrangement is a 'safety net' for learners who need a small amount of additional time to complete the assessment requirements set out in the subject-specific guidance. It is not intended to address insufficiency of time for learning and teaching in the centre. It is intended to enable learners who have been able to engage sufficiently with learning and teaching but not the assessment process, to produce the required assessment evidence so that a provisional result can be submitted for them.

The contingency arrangement would cover learners who have experienced extreme disruption during the centre's evidence-gathering process. Examples might include:

- A learner whose medical condition has prevented full and timely engagement with the centre's evidence-gathering process.
- A learner who has been required to self-isolate due to COVID, either as a case or contact, during the centre's evidence-gathering process.
- A learner who has suffered bereavement or other trauma during the centre's evidence-gathering process.
- A learner who was shielding during the centre's evidence-gathering process.

This arrangement must not be used as an opportunity to delay assessment and to seek benefit from an extended period of preparation over the summer break. Nor does it enable learners to have another opportunity for assessment that has already been undertaken, in pursuit of a higher grade. It is not a resit.

#### **Will learners be able to appeal their provisional results if they use this service?**

Learners would be eligible to appeal any results submitted by noon on Friday 3 September.

However, due to higher education institute timescales, it would not be possible to use the priority appeals service.

#### **How and when would evidence be generated?**

The assessment would take place once schools/colleges return from the summer break, and needs to be tailored to the gap the centre has identified in the learner's evidence, utilising or drawing on the assessment tools that are already available (eg SQA 2021 assessment resources or adaptations thereof, of which the learner has not already had experience). There is no need to create new assessments.

It must be made clear that the contingency arrangement does not include additional input for learning and teaching. Education Scotland's e-Sgoil service will be available to support learners accessing the contingency arrangement in the early part of the new session.

An appropriate time (either outwith the learner day, or at an appropriate time during the learner day by arrangement with the teacher/lecturer) should be found for the learner to undertake the assessment.

#### **How and when will provisional results be provided to SQA?**

The Provisional Results service will be available for centres to identify those Incomplete Evidence Contingency arrangement learners from Thursday 8 June. The deadline for submission to this arrangement is Friday 25 June in line with the Provisional results deadline. The provisional results user guides have been updated and can be found on SQA connect. We have also created an SQA Academy Video which can be found [here](#).

Centres should quality assure these results, for example through cross-marking, informed by thinking derived from previous local and national quality assurance.

There is no requirement for further local and national quality assurance except if the teacher or lecturer is assessing for the first time.

Centres will have from Tuesday 10 August to noon on Friday 3 September to submit Provisional Results for learners accessing the contingency arrangements. SQA will reopen the Provisional Results Service on SQA connect to allow for the input of results for only those learners identified to use the arrangement.

**Will this be available for learners who have already left?**

Learners who have left the centre would need to come back in (by arrangement) to generate the outstanding assessment evidence.

Universities and colleges must engage with this process — it is essential for leaver destinations to be flexible about entry grades in these exceptional circumstances.

The SQA appeals process should take care of the vast majority of UCAS applicants for whom provisional results are submitted on Friday 25 June.