

INDEX OF ENCLOSURES

No.	Description	Date	Explanation of redactions	Clause
001	Email: Letter from DFM to Committee	03 March 2021 15:15	Personal information	38(1)(b)
001.1	Attachment: email		Personal information	38(1)(b)
001.1.1	Attachment: letter		Information publicly available	25(1)
002	Email: FMQ brief commission	04 March 2021 14:07	Personal information	38(1)(b)
			Information not in scope	-
002.1	Attachment: guidance		Information not in scope	-
002.2	Attachment: template		Information not in scope	-
002.3	Attachment: briefing		Information not in scope	-
002.4	Attachment: briefing		Information not in scope	-
002.5	Attachment: briefing		Information not in scope	-
002.6	Attachment: briefing		Information not in scope	-
002.7	Attachment: briefing		Information not in scope	-
002.8	Attachment: briefing		Information not in scope	-
002.9	Attachment: briefing		Information not in scope	-
002.10	Attachment: briefing		Information not in scope	-
003	Email: FMQ brief commission	11 March 2021 13:56	Personal information	38(1)(b)
			Information not in scope	-
003.1	Attachment: guidance		Information not in scope	-
003.2	Attachment: template		Information not in scope	-
003.3	Attachment: briefing		Information not in scope	-
003.4	Attachment: briefing		Information not in scope	-
003.5	Attachment: briefing		Information not in scope	-
003.6	Attachment: briefing		Information not in scope	-
003.7	Attachment: briefing		Information not in scope	-
003.8	Attachment: briefing		Information not in scope	-
003.9	Attachment: briefing		Information not in scope	-

004	Email: appeals	11 March 2021 17:01	Personal information	38(1)(b)
004.1	Attachment: meeting note		Personal information Information not in scope	38(1)(b) -
005	Email: lines for debate	16 March 2021 14:42	Personal information Information not in scope	38(1)(b) -
006	Email: draft papers for CERG	17 March 2021 14:11	Personal information Information not in scope	38(1)(b) -
006.1	Attachment		Information not in scope	-
007	Email: CERG papers	17 March 2021 16:15	Personal information Information not in scope	38(1)(b) -
007.1	Attachment		Information not in scope	-
007.2	Attachment		Information not in scope	-
007.3	Attachment		Information not in scope	-
007.4	Attachment		Information not in scope	-
007.5	Attachment		See enclosure 006.1	
007.6	Attachment		Information not in scope	-
007.7	Attachment		Information not in scope	-
008	Email: FMQ brief commission	18 March 2021 14:13	Personal information Information not in scope	38(1)(b) -
008.1	Attachment: guidance		Information not in scope	-
008.2	Attachment: template		Information not in scope	-
008.3	Attachment: briefing		Information not in scope	-
008.4	Attachment: briefing		Information not in scope	-
008.5	Attachment: briefing		Information not in scope	-
008.6	Attachment: briefing		Information not in scope	-
008.7	Attachment: briefing		Information not in scope	-
008.8	Attachment: briefing		Information not in scope	-

008.9	Attachment: briefing		Information not in scope	-
009	Email: Education and Skills Committee meeting	19 March 2021 17:19	Personal information	38(1)(b)
			Information not in scope	-
009.1	Attachment		Information publicly available	25(1)
009.2	Attachment		Information publicly available	25(1)
010	Email: appeals	22 March 2021 09:45	Personal information	38(1)(b)
011	Email: Education and Skills committee meeting	23 March 2021 18:13	Personal information	38(1)(b)
			Information not in scope	-
011.1	Attachment		Information not in scope	-
011.2	Attachment		Free and frank exchange of views	30(b)(ii)
			Information not in scope	-
012	Email: Education and Skills committee meeting	24 March 2021 08:03	Personal information	38(1)(b)
			Information not in scope	-
012.1	Attachment: letter		Information publicly available	25(1)
012.2	Attachment: briefing		Information not in scope	-
013	Email: Resourcing	24 March 2021 17:42	Personal information	38(1)(b)
			Information not in scope	-
014	Email: CERG papers	31 March 2021 11:32	Personal information	38(1)(b)
			Information not in scope	-
014.1	Attachment: Feedback summary		Information not in scope	-
014.2	Attachment: Agenda		Information not in scope	-
014.3	Attachment: Chair's Brief		Information not in scope	-
014.4	Attachment: Minutes		Information not in scope	-
015	Email: CERG papers for clearance	31 March 2021 12:29	Personal information	38(1)(b)
			Information not in scope	-

015.1	Attachment: Agenda		Information not in scope	-
015.2	Attachment: Chair's brief		Information not in scope	-
015.3	Attachment: Minutes		Information not in scope	-
015.4	Attachment: Feedback summary		Information not in scope	-
016	Email: NQ21 Group	10 May 2021 16:20	Personal information Information not in scope	38(1)(b) -
017	Email: FM briefing	11 May 2021 09:50	Personal information Free and frank exchange of views Information not in scope	38(1)(b) 30(b)(ii) -
017.1	Attachment: briefing		Information not in scope	-
018	Email: FMQ briefs	12 May 2021 12:33	Personal information Information not in scope	38(1)(b) -
018.1	Attachment: guidance		Information not in scope	-
018.2	Attachment: checklist		Information not in scope	-
018.3	Attachment: template		Information not in scope	-
018.4	Attachment: briefing		Information not in scope	-
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018.6	Attachment: briefing		Information not in scope	-
018.7	Attachment: briefing		Information not in scope	-
018.8	Attachment: briefing		-	-
018.9	Attachment: briefing		Information not in scope	-
018.10	Attachment: briefing		Information not in scope	-
019	Email: NQ group	13 May 2021 17:12	Personal information Information not in scope	38(1)(b) -
019.1	Attachment: briefing		Free and frank exchange of views Information not in scope	30(b)(ii) -

020	Email: letter from SQA	14 May 2021 16:09	Personal information	38(1)(b)
020.1	Attachment: Appeals model		Free and frank provision of advice	30(b)(i)
			Free and frank exchange of views	30(b)(ii)
020.2	Attachment: letter		Information not in scope	-
021	Email: NQ21 group	17 May 2021 12:29	Personal information	38(1)(b)
			Information not in scope	-
021.1	Attachment: FM briefing		Information not in scope	-
022	Email: Advice for Cabinet Secretary	20 May 2021 09:00	Personal information	38(1)(b)
			Information not in scope	-
022.1	Attachment: Submission to Cab Sec		Personal information	38(1)(b)
			Free and frank provision of advice	30(b)(i)
			Free and frank exchange of views	30(b)(ii)
			Information not in scope	-
023	Email: FMQ brief commission	20 May 2021 14:16	Personal information	38(1)(b)
			Information not in scope	-
023.1	Attachment: guidance		Information not in scope	-
023.2	Attachment: checklist		Information not in scope	-
023.3	Attachment: template		Information not in scope	-
023.4	Attachment: briefing		Information not in scope	-
023.6	Attachment: briefing		Information not in scope	-
023.7	Attachment: briefing		Information not in scope	-
023.8	Attachment: briefing		Information not in scope	-
023.9	Attachment: briefing		Information not in scope	-
023.10	Attachment: briefing		Information not in scope	-

024	Email: NQ21 group	21 May 2021 15:01	Personal information Information not in scope	38(1)(b) -
024.1	Attachment: minutes of meeting		Personal information	38(1)(b)
025	Email: SQA Appeals Service - 2021	21 May 2021 21:10	Free and frank exchange of views	30(b)(ii)
025.1	Attachment:		Free and frank exchange of views	30(b)(ii)
026	Email: Urgent - National Qualifications 2021 - Appeals	21 May 2021 21:37	Personal information Free and frank provision of advice	38(1)(b) 30(b)(i)
026.1	Attachment: SQA appeals		See enclosure 025.1	-
027	Email: FMQ notes	22 May 2021 21:20	Personal information	38(1)(b)
027.1	Attachment: briefing		Information out of scope	-
027.2	Attachment: briefing		Information out of scope	-
027.3	Attachment: briefing		Information out of scope	-
028	Email: advice from SQA	22 May 2021 21:45	-	-
028.1	Attachment: pdf from SQA		Free and frank provision of advice	30(b)(i)
029	Email: Urgent – National Qualifications 2021 - Appeals	23 May 2021 17:50	Personal information	38(1)(b)
029.1	Attachment: advice from SQA		See enclosure 025.1	-
029.2	Attachment: advice from SQA		See enclosure 028.1	-
029.3	Attachment: table		Free and frank provision of advice	30(b)(i)
030	Email: Draft note to the First Minister	24 May 2021 16:22	Personal information	38(1)(b)
030.1	Attachment: note		Ministerial communications	29(1)(b)
031	Email: SCANCE note	24 May 2021 16:27	Personal information	38(1)(b)
031.1	Attachment: note		Free and frank exchange of views Information not in scope	30(b)(ii) -
032	Email: Draft note to the First Minister	24 May 2021 17:10	Personal information	38(1)(b)
032.1	Attachment: draft note		Ministerial communications	29(1)(b)

033	Email: Draft note to the First Minister	24 May 2021 18:52	Personal information Free and frank provision of advice	38(1)(b) 30(b)(i)
033.1	Attachment		Ministerial communications	29(1)(b)
033.2	Attachment: appeals information		Free and frank provision of advice	30(b)(i)
034	Email: Draft note to the First Minister	24 May 2021 19:29	Personal information	38(1)(b)
034.1	Attachment		Ministerial communications	29(1)(b)
035	Email: Draft note to the First Minister	24 May 2021 20:25	-	-
035.1	Attachment: revised version		Ministerial communications	29(1)(b)
035.2	Attachment: clean copy		Ministerial communications	29(1)(b)
036	Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS	24 May 2021 20:46	Personal information	38(1)(b)
036.1	Attachment: note		Ministerial communications	29(1)(b)
037	Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS	24 May 2021 21:48	Personal information	38(1)(b)
038	Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS	25 May 2021 07:46	Personal information Free and frank exchange of views	38(1)(b) 30(b)(ii)
039	Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS	25 May 2021 08:57	Personal information Free and frank exchange of views	38(1)(b) 30(b)(ii)
040	Email: SQA appeals	25 May 2021 10:02	Free and frank exchange of views	30(b)(ii)
041	Email: Submission - SQA 2020 Appeals - update to Cabinet Secretary - 25 May 2021	25 May 2021 13:27	Personal information Free and frank provision of advice	38(1)(b) 30(b)(i)
042	Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS	25 May 2021 15:50	Personal information	38(1)(b)
042.1	Attachment:		Ministerial communications	29(1)(b)
043	Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS	25 May 2021 18:39	Personal information	38(1)(b)

043.1	Attachment: ACM and appeals info		Ministerial communications	29(1)(b)
043.2	Attachment: ACM and appeals info		Ministerial communications	29(1)(b)
044	Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS	26 May 2021 12:52	Personal Information Free and frank advice Free and frank exchange	38(1)(b) 30(b)(i) 30(b)(ii)
045	Email: CERG papers	26 May 2021 13:54	Personal information	38(1)(b)
045.1	Attachment: Chair's brief		Information not in scope	-
045.2	Attachment: Agenda		Information not in scope	-
045.3	Attachment: Health and wellbeing census		Information not in scope	-
045.4	Attachment: feedback		Information not in scope	-
045.5	Attachment: minutes		Information not in scope	-
046	Email: FMQ brief commission	27 May 2021 14:30	Personal information Information not in scope	38(1)(b) -
046.1	Attachment: guidance		Information not in scope	-
046.2	Attachment: checklist		Information not in scope	-
046.3	Attachment: template		Information not in scope	-
046.4	Attachment: briefing		Information not in scope	-
046.5	Attachment: briefing		Information not in scope	-
046.6	Attachment: briefing		Information not in scope	-
046.7	Attachment: briefing		Information not in scope	-
046.8	Attachment: briefing		Information not in scope	-
046.9	Attachment: briefing		Information not in scope	-
046.10	Attachment: briefing		Information not in scope	-
047	Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS	26 May 2021 15:14	Personal information	38(1)(b)
047.1	Attachment: clean copy		Ministerial communications	29(1)(b)
047.2	Attachment: tracked changes		Ministerial communications	29(1)(b)
048	Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS	26 May 2021 17:52	Personal information	38(1)(b)

048.1	Attachment: ACM and appeals		Ministerial communications	29(1)(b)
049	Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS	26 May 2021 19:09	Personal information	38(1)(b)
049.1	Attachment: tracked changes		Ministerial communications	29(1)(b)
050	Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS	26 May 2021 19:44	Personal information	38(1)(b)
050.1	Attachment: note from Cab Sec		Ministerial communications	29(1)(b)
051	Email: National Qualifications - draft statement and briefing pack for Wed 2 June	27 May 2021 19:26	Personal information	38(1)(b)
051.1	Attachment: briefing		Information not in scope Free and frank provision of advice Ministerial communications	- 30(b)(i) 29(1)(b)
051.2	Attachment: Draft statement		Personal information Information not in scope	38(1)(b) -
051.3	Attachment: briefing		Personal information	38(1)(b)
052	Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS	28 May 2021 10:49	Personal information Free and frank exchange of views	38(1)(b) 30(b)(ii)
052.1	Attachment:		Ministerial communications	29(1)(b)
053	Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS	28 May 2021 11:00	Personal information	38(1)(b)
053.1	Attachment		Ministerial communications	29(1)(b)
054	Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS	28 May 2021 11:26	Personal information	38(1)(b)
054.1	Attachment:		Ministerial communications	29(1)(b)
055	Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS	28 May 2021 11:18	Personal information	38(1)(b)
056	Email: press lines	28 May 2021 14:02	Personal information	38(1)(b)
057	Email: advice for university applicants	01 June 2021 15:00	Personal information	38(1)(b)
057.1	Attachment: statement		Information not in scope	-

058	Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS	01 June 2021 11:59	Personal information Free and frank provision of advice Information not in scope	38(1)(b) 30(b)(i) -
058.1	Attachment: draft response from Cabinet Secretary for Education and Skills		Ministerial communications	29(1)(b)
059	Email: debate briefing	01 June 2021 16:18	Personal information	38(1)(b)
059.1	Attachment: debate speeches		Information not in scope	-
059.2	Attachment: Briefing		Information not in scope	-
060	Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS	01 June 2021 18:15	Personal information Free and frank exchange of views	38(1)(b) 30(b)(ii)
060.1	Attachment: statement		Information not in scope	-
060.2	Attachment: note		Ministerial communications	29(1)(b)
061	Email: draft letter to SQA	01 June 2021 18:52	Personal information	38(1)(b)
061.1	Attachment: appeals model		See enclosure 020.1	-
061.2	Attachment: letter		Information not in scope	-
061.3	Attachment: draft response			-
062	Email: SQA documents	02 June 2021 09:30	Personal information	38(1)(b)
062.1	Attachment: consultation analysis		Information publicly available	s25(1)
062.2	Attachment: equality impact assessment		Information publicly available	s25(1)
062.3	Attachment: CRWIA		Information publicly available	s25(1)
062.4	Attachment: research		Information publicly available	s25(1)
062.5	Attachment: leaflet		Information publicly available	s25(1)
062.6	Attachment: blog		Information publicly available	s25(1)
062.7	Attachment: blog		Information publicly available	s25(1)
062.8	Attachment: FAQs		Information publicly available	s25(1)
063	Email: Letter from SQA	02 June 2021 10:09	Personal information	38(1)(b)
064	Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS	02 June 2021 10:42	Personal information	38(1)(b)

065	Email: Letter from SQA	02 June 2021 11:16	Personal information	38(1)(b)
065.1	Attachment: Draft letter to SQA		-	-
066	Email: STATEMENT BY CABINET SECRETARY FOR EDUCATION & SKILLS : NATIONAL QUALIFICATIONS 2021	02 June 2021 12:32	Personal information	38(1)(b)
066.1	Attachment: Parliamentary statement		Information publicly available	25(1)
067	Email: FOR AWARENESS - SQA news release	02 June 2021 14:40	Personal information	38(1)(b)
068	Email: debate briefing	02 June 2021 17:01	Personal information	38(1)(b)
068.1	Attachment: briefing		Information not in scope	-
069	Email: Press lines	02 June 2021 18:06	Personal information	38(1)(b)
			Free and frank provision of advice	30(b)(i)
			Free and frank exchange of views	30(b)(ii)
070	Email: Press lines	02 June 2021 18:15	Personal information	38(1)(b)
071	Email: Amendments to debate motions	02 June 2021 18:57	Personal information	38(1)(b)
071.1	Attachment: email		Personal information	38(1)(b)

Enclosure 001 – Email: Letter from DFM to Committee

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

Sent: 03 March 2021 15:15

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

Cc: Director of Learning <DirectorofLearning@gov.scot>; Anson S (Sam) <Sam.Ansan@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)] [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; CERG <CERG@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Cumming A (Alison) Early Learning & Childcare <Alison.Cumming@gov.scot>; DG Education, Communities & Justice <DGECJ@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Minister for Children and Young People <MinisterCYP@gov.scot>; Minister for Further Education, Higher Education and Science <MinisterFEHES@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@educationscotland.gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@educationscotland.gov.scot>; OCEX Hub <EdS_OCEX@educationscotland.gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@educationscotland.gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)] [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>

Subject: RE: Letter from the Education and Skills Committee

Hi [Redacted s38(1)(b)]

Thank you very much. I have issued the letter and attach for your records.

Thanks

[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

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

Sent: 23 February 2021 09:47

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

Cc: Director of Learning <DirectorofLearning@gov.scot>; Anson S (Sam) <Sam.Ansongov.scot>;

Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Drought A (Andrew)

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

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

Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; CERG

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

s38(1)(b)]@gov.scot>; Gorman G (Gayle)

<Gayle.Gorman@educationscotland.gov.scot>; Cumming A (Alison) Early Learning & Childcare

<Alison.Cumming@gov.scot>; DG Education, Communities & Justice <DGECJ@gov.scot>; McAllister

C (Colin) <Colin.McAllister@gov.scot>; Minister for Children and Young People

<MinisterCYP@gov.scot>; Minister for Further Education, Higher Education and Science

<MinisterFEHES@gov.scot>; Director of Advanced Learning and Science

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

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

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

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

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

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

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

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

s38(1)(b)]@gov.scot>

Subject: RE: Letter from the Education and Skills Committee

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

With thanks to colleagues for their contributions, please find attached a draft response to the letter from Education & Skills Committee for Mr Swinney's consideration.

The response seeks to address the specific questions from Committee and also sets out some additional information on additional support for learning.

Please let me know if you need anything further.

Many thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] | Improvement, Attainment and Wellbeing Division

| Learning Directorate | Scottish Government | 2C North, Victoria Quay, Edinburgh EH6 6QQ | Tel:

07[Redacted s38(1)(b)] | [Redacted s38(1)(b)]@gov.scot

[Redacted s38(1)(b)]

If you need to speak to me urgently, please call 07[Redacted s38(1)(b)]. If you aren't able to speak to me and you require an immediate response, please contact [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: 12 February 2021 08:34

To: Director of Learning <DirectorofLearning@gov.scot>; Anson S (Sam) <Sam.Ansongov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; CERG <CERG@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@education.scotland.gov.scot>; Cumming A (Alison) Early Learning & Childcare <Alison.Cumming@gov.scot>

Cc: Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; DG Education, Communities & Justice <DGECJ@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Minister for Children and Young People <MinisterCYP@gov.scot>; Minister for Further Education, Higher Education and Science <MinisterFEHES@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>

Subject: FW: Letter from the Education and Skills Committee

Morning all,

Please find attached a letter from the E&S Committee. I would be grateful if you could please draft a response for DFMs consideration for cop 23rd of Feb. Please let me know if that deadline becomes an issue.

Many thanks

[Redacted s38(1)(b)]

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

Sent: 11 February 2021 18:10

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

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

Subject: Letter from the Education and Skills Committee

Dear Deputy First Minister,

Thank you for providing evidence to the Committee last week. Please find attached a letter from the Convener of the Education and Skills Committee, Clare Adamson MSP, which follows up on your evidence.

Best wishes,

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

[Redacted s38(1)(b)], Scottish Parliament, Edinburgh, EH99 1SP



: Education & Skills Committee [webpage](#)



: Follow the Committee on [twitter](#) - SP_EduSkills

[Redacted s38(1)(b)]

Enclosure 001.1

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

Sent: 03 March 2021 14:45

To: Education and Skills <es.committee@parliament.scot>

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

Subject: Letter from the Deputy First Minister

Good afternoon

Please find attached a letter from the Deputy First Minister and Cabinet Secretary for Education and Skills.

Best wishes

[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

Enclosure 001.1.1

[Redacted s25(1) – information publicly available]

[https://archive2021.parliament.scot/S5_Education/General%20Documents/20210303In_Ltr from DFM - ASN and school education.pdf](https://archive2021.parliament.scot/S5_Education/General%20Documents/20210303In_Ltr_from_DFM_-_ASN_and_school_education.pdf)

<DirectorofAdvancedLearningandScience@gov.scot>; Macdonald R (Roddy)
<Roddy.Macdonald@gov.scot>; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>; [Redacted
s38(1)(b)]@environmentalstandards.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted
s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Drought A (Andrew)
<Andrew.Drought@gov.scot>; CERG <CERG@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted
s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted
s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Cumming
A (Alison) Early Learning & Childcare <Alison.Cumming@gov.scot>; [Redacted s38(1)(b)][Redacted
s38(1)(b)]@gov.scot>
Cc: [Redacted s38(1)(b)]@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; Bell D (Donna)
<Donna.Bell@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director
of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Director for
Children and Families <DirectorforChildrenandFamilies@gov.scot>; Macdonald R (Roddy)
<Roddy.Macdonald@gov.scot>; McAloon HC (Hugh) <Hugh.McAloon@gov.scot>; [Redacted
s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; MacDougall A (Audrey)
<Audrey.MacDougall@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Hicks C (Clare)
<Clare.Hicks@gov.scot>; Bruce A (Andrew) <Andrew.Bruce@gov.scot>; Logan G (Graeme)
<Graeme.Logan@gov.scot>; Wilson M (Mick) <Mick.Wilson@gov.scot>; Minister for Further
Education, Higher Education and Science <MinisterFEHES@gov.scot>; [Redacted
s38(1)(b)]@gov.scot>; SCJD COVID-19 Coordination Hub
<SCJDCOVID19@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; CPS Hub <CPSHubCovid@gov.scot>;
[Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]socialsecurity.gov.scot>; DG Education &
Justice <dgej@gov.scot>
Subject: FMQ Brief Commission Request - Education- deadline 11am Monday 8th March

[Redacted information not in scope]

Enclosure 002.1 – Attachment: guidance

[Redacted information not in scope]

Enclosure 002.2 – Attachment: template

[Redacted information not in scope]

Enclosure 002.3 – Attachment: briefing

[Redacted information not in scope]

Enclosure 002.4 – Attachment: briefing

[Redacted information not in scope]

Enclosure 002.5 – Attachment: briefing

[Redacted information not in scope]

Enclosure 002.6 – Attachment: briefing

[Redacted information not in scope]

Enclosure 002.7 – Attachment: briefing

[Redacted information not in scope]

Enclosure 002.8 – Attachment: briefing

[Redacted information not in scope]

- The SQA is conducting a review of the appeals process to ensure it best meets the needs of young people in line with the principles of the United Nations Convention on the Rights of the Child.
- That review involves working closely with key stakeholders, including young people and the Children’s Commissioner, and a consultation will be carried out on proposals.
- Full details of the SQA appeals process for 2021 will be set out in due course.

[Redacted information not in scope]

Enclosure 002.9 – Attachment: briefing

[Redacted information not in scope]

Enclosure 002.10 – Attachment: briefing

[Redacted information not in scope]

Enclosure 003.1 – Attachment: guidance

[Redacted information not in scope]

Enclosure 003.2 – Attachment: template

[Redacted information not in scope]

Enclosure 003.3 – Attachment: briefing

[Redacted information not in scope]

Enclosure 003.4 – Attachment: briefing

[Redacted information not in scope]

Enclosure 003.5 – Attachment: briefing

[Redacted information not in scope]

Enclosure 003.6 – Attachment: briefing

[Redacted information not in scope]

Enclosure 003.7 – Attachment: briefing

[Redacted information not in scope]

- The SQA is conducting a review of the appeals process to ensure it best meets the needs of young people in line with the principles of the United Nations Convention on the Rights of the Child.
- That review involves working closely with key stakeholders, including young people and the Children’s Commissioner, and a consultation will be carried out on proposals.
- Full details of the SQA appeals process for 2021 will be set out in due course.

[Redacted information not in scope]

Enclosure 003.8 – Attachment: briefing

[Redacted information not in scope]

Enclosure 003.9 – Attachment: briefing

[Redacted information not in scope]

Enclosure 004 – Email: appeals

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

Sent: 11 March 2021 17:01

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

Cc: DG Education & Justice <dgej@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)] [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; SGLD School Education <SGLDSE@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>

Subject: SQA Qualifications – Appeals

PS/DFM

Copy: as above

SQA Qualifications – Appeals

Please find attached a draft note recording the actions from this morning's meeting with DFM on SQA appeals issues. Grateful for confirmation that DFM is content that this is an accurate record.

Also, DFM requested an assurance that the SQA's 2021 National Qualifications Appeals Process Consultation is predicated on children's rights and consistent with UNCRC. The SQA are making some final refinements to its consultation document but we have seen a near final version and can confirm that this is the case. The consultation is expected to open from tomorrow and run for two weeks.

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

Enclosure 004.1 – Attachment: meeting note

SQA National Qualifications Appeals Process 2020

Note of Conference Call

Thursday 11 March 09:00 – 09:45

Attendees:

- Deputy First Minister and Cabinet Secretary for Education and Skills
- Colin McAllister, Special Adviser
- Graeme Logan, Director of Learning
- Malcolm Pentland, Deputy Director, Curriculum, Qualifications and Gaelic

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

Note of Discussion:

[Redacted information not in scope]

3. An brief update was provided on the SQA's plans for launching its consultation on the 2021 appeals process.

Actions:

[Redacted information not in scope]

5. The DFM requested a clear assurance from officials that the SQA's planned consultation on the 2021 appeals process was clearly predicated on children's rights and framed around the UNCRC.

Learning Directorate
11 March 2021

Enclosure 005 – Email: lines for debate

From: [Redacted s38(1)(b)]
Sent: 16 March 2021 14:42
To: [Redacted s38(1)(b)]; [Redacted s38(1)(b)]; [Redacted s38(1)(b)]; Pentland MK (Malcolm); [Redacted s38(1)(b)]; [Redacted s38(1)(b)]
Cc: [Redacted s38(1)(b)]; [Redacted s38(1)(b)]; Director of Learning
Subject: RE: Letter for attention of DFM - SQA appeals - lines for stage 3 debate this afternoon
Importance: High

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

Just picking this up for [Redacted s38(1)(b)]. Please see lines taken from this email chain. **Is there anything else you'd like to add? Once content, we can send this to DFM.**

SQA Appeals

- [Redacted information not in scope] On appeals 2021, SQA is consulting on draft proposals to make sure that fairness and equity for learners are at the heart of the 2021 appeals process, reflecting the rights contained in the United Nations Convention on the Rights of the Child.

Thank you.

[Redacted s38(1)(b)]
From: [Redacted s38(1)(b)]@gov.scot>
Sent: 16 March 2021 13:59
To: [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)] [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>
Cc: [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>
Subject: RE: Letter for attention of DFM - SQA appeals - lines for stage 3 debate this afternoon

Thanks [Redacted s38(1)(b)]. Our emails crossed. You'll see I've asked for stringer lines if we can. What DFM needs is info to be able to respond to the concerns raised.

Thanks for your help!

[Redacted s38(1)(b)] Work: 07 [Redacted s38(1)(b)]: [Redacted s38(1)(b)] [Redacted s38(1)(b)]
From: [Redacted s38(1)(b)]@gov.scot>
Sent: 16 March 2021 13:45
To: [Redacted s38(1)(b)] [Redacted s38(1)(b)] [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>
Cc: [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>

Subject: RE: Letter for attention of DFM - SQA appeals - lines for stage 3 debate this afternoon

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

[Redacted s38(1)(b)], if required here's some background material too.

BACKGROUND

The Education and Skills Committee heard evidence from the Bruce Adamson, the Children and Young People's Commissioner Scotland and three of his young advisers on 10 March 2021. Officials tuned in to the session and captured key points – see below.

Opening remarks

- [Redacted information not in scope]Concerns that students continue to be disadvantaged as a result of last year's appeals process – disheartening for yp and continue to be concerned about the appeals process this year. View expressed by a panel member that SQA are not working with CYPCS on the appeals process.

Q&A

[Redacted information not in scope]

[Redacted information not in scope]

Iain Gray – panels' view on the NQ ACM.

CYPCS outlined concerns around lack of communications and proper discussions. Need clarity of guidance and communications to children and yp, Teachers and school leadership teams need to be included in those discussions. [Redacted information not in scope]Direct route of appeal is essential for this year and need a way of taking into account the experiences of yp in education over the last year. Concern from panel member that on the return to school yp will be met with a month of assessments.

[Redacted information not in scope]

[redacted information not in scope]

[Redacted information not in scope]

Thanks

[Redacted s38(1)(b)]

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

[Redacted s38(1)(b)]



From: [Redacted s38(1)(b)] [Redacted s38(1)(b)] [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>
Sent: 16 March 2021 13:43
To: [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>
Cc: [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>
Subject: RE: Letter for attention of DFM - SQA appeals - lines for stage 3 debate this afternoon

I'd keep it very light and so would suggest.

[Redacted information not in scope]
On appeals 2021

-
- SQA is consulting on draft proposals to make sure that fairness and equity for learners are at the heart of the 2021 appeals process, reflecting the rights contained in the United Nations Convention on the Rights of the Child.

Thanks

[Redacted s38(1)(b)]
From: [Redacted s38(1)(b)]@gov.scot>
Sent: 16 March 2021 13:39
To: [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>
Cc: [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>
Subject: RE: Letter for attention of DFM - SQA appeals - lines for stage 3 debate this afternoon

Fab. Doesn't need to be masses of info. Just a few top lines to help DFM respond to any questions which could be asked about this would be great

[Redacted s38(1)(b)] Work: 07 [Redacted s38(1)(b)] [Redacted s38(1)(b)]
[Redacted s38(1)(b)] **From:** [Redacted s38(1)(b)]@gov.scot>
Sent: 16 March 2021 13:37
To: [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>
Cc: [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>
Subject: RE: Letter for attention of DFM - SQA appeals - lines for stage 3 debate this afternoon

Hi [Redacted s38(1)(b)]

We have an FMQ brief on SQA/National Qualifications/Exams but at present the Appeals side is fairly light. Am picking up with [Redacted s38(1)(b)] and we will respond to these specific points, and I see Directorate BMU have commissioned wider contributions too.

Thanks

[Redacted s38(1)(b)]

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



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

Sent: 16 March 2021 13:34

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

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

Subject: RE: Letter for attention of DFM - SQA appeals - lines for stage 3 debate this afternoon

Hi [Redacted s38(1)(b)]

Here you go. Do you have an FMQ on the SQA appeals stuff? I imagine DFM knows this stuff pretty well but it would be good to have an answer to the specific point below.

Thanks

[Redacted s38(1)(b)]

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

[Redacted s38(1)(b)]

[Redacted information not in scope]

Enclosure 006 – Email: draft papers for CERG

From: Anson S (Sam) <Sam.Anon@gov.scot>

Sent: 17 March 2021 14:11

To: CERG <CERG@gov.scot>

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

Subject: RE: Draft papers for CERG 49

[Redacted information not in scope]

Enclosure 006.1

[Redacted information not in scope]

Associated issues

10. In January, a range of related issues were identified that needed to be addressed as part of the period of school closures and in informing the phased return. As we approach a full-time return for all CYP, we have reviewed the status of these actions and detail against each is provided in Annex B. Across the piece, an extensive amount of ground has been covered that highlights the power of the partnership approach to this response.

11. This stocktake also helps us to consider those areas which required continued attention for the period from now / the start of Phase 3 through to end-June 2021. These include:

[Redacted information not in scope]

- 2021 SQA arrangements – issues around equity, validity, workload, appeals, consequences of self-isolation etc.

[Redacted information not in scope]

Enclosure 007 – Email: CERG papers

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

Sent: 17 March 2021 16:15

To: zzzDeputy First Minister and Cabinet Secretary for Education and Skills <zzzDFMCSE@gov.scot>

Cc: CERG <CERG@gov.scot>; Anson S (Sam) <Sam.Anson@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>

Subject: CERG papers for sign-off

[Redacted information not in scope]

Enclosure 007.1 - Attachment

[Redacted information not in scope]

Enclosure 007.2 - Attachment

[Redacted information not in scope]

Enclosure 007.3 - Attachment

[Redacted information not in scope]

Enclosure 007.4 - Attachment

[Redacted information not in scope]

Enclosure 007.5 - Attachment

[See enclosure 006.1]

Enclosure 007.6 - Attachment

[Redacted information not in scope]

Enclosure 007.7 - Attachment

[Redacted information not in scope]

Enclosure 008.1 – Attachment: guidance

[Redacted information not in scope]

Enclosure 008.2 – Attachment: template

[Redacted information not in scope]

Enclosure 008.3 – Attachment: briefing

[Redacted information not in scope]

Enclosure 008.4 – Attachment: briefing

[Redacted information not in scope]

Enclosure 008.5 – Attachment: briefing

[Redacted information not in scope]

Enclosure 008.6 – Attachment: briefing

[Redacted information not in scope]

Enclosure 008.7 – Attachment: briefing

[Redacted information not in scope]

ISSUE 12 March: SQA published a consultation on the 2021 appeals process.

[Redacted information not in scope]

- SQA is consulting on draft proposals to make sure that fairness and equity for learners are at the heart of the 2021 appeals process, reflecting the rights contained in the United Nations Convention on the Rights of the Child.

[Redacted information not in scope]

Enclosure 008.8 – Attachment: briefing

[Redacted information not in scope]

Enclosure 008.9 – Attachment: briefing

[Redacted information not in scope]

Enclosure 009 – Email: Education and Skills Committee meeting

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

Sent: 19 March 2021 17:19

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

Cc: Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Anson S (Sam) <Sam.Anson@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Cumming A (Alison) Early Learning & Childcare <Alison.Cumming@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; CERG <CERG@gov.scot>

Subject: FW: Education and Skills Committee meeting 24 March 2021

[Redacted information not in scope]

Enclosure 009.1

[Redacted s25(1) – information publicly available]

https://archive2021.parliament.scot/S5_Education/Meeting%20Papers/20210324Public_papers.pdf

Enclosure 009.2

[Redacted s25(1) – information publicly available]

https://archive2021.parliament.scot/S5_Education/General%20Documents/20210319_Education_and_Skills_Committee_-_Annual_Report_2020_-_2021.pdf

Enclosure 010 – Email: appeals

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

Sent: 22 March 2021 09:45

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

Cc: DG Education & Justice <dgej@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; SGLD School Education <SGLDSE@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

Subject: RE: SQA Qualifications – Appeals

Hi Malcolm

Just to confirm that DFM has approved the note of the meeting.

Thanks

[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

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[Remainder of email chain at Enclosure 004]

Enclosure 011– Email: Education and Skills Committee meeting

From: [Redacted s38(1)(b)]@gov.scot> On Behalf Of CERG

Sent: 23 March 2021 18:13

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

Cc: [Redacted s38(1)(b)]@gov.scot>; CERG <CERG@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Anson S (Sam) <Sam.Anson@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; CERG <CERG@gov.scot>; Cumming A (Alison) Early Learning & Childcare <Alison.Cumming@gov.scot>; Director for Housing and Social Justice <DirectorHSJ@gov.scot>; McAllister J (Jackie) <Jackie.McAllister@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>

Subject: FW: Education and Skills Committee meeting 24 March 2021

Importance: High

[Redacted information not in scope]

Enclosure 011.1 - Attachment

[Redacted information not in scope]

Enclosure 011.2 – Attachment

[Redacted information not in scope]

Specifically in relation to senior phase qualifications / senior phase learners:

[Redacted information not in scope]

- SQA are also consulting on the appeals process for 2021. This public consultation runs until the end of March 2021 and will inform the approach to appeals in 2021, taking on board lessons from awarding in 2020 and the recommendations contained within Professor Priestley's independent review of National Qualifications 2020 experience.

[Redacted information not in scope]

- The Scottish Government and SQA have been engaging with the Children and Young People's Commissioner's office on both the 2020 and 2021 appeals. We take the need to engage with the views of young people very seriously and that is why the Scottish Youth Parliament is represented on CERG and the NQ21 group, in addition to other direct engagement with young people.

[Redacted information not in scope]

Appeals 2021 – When will the 2021 appeals process be known and will it include a direct route of appeal for candidates?

- SQA published a public consultation on the 2021 appeals process on 12 March and this will close on Friday 26 March. The outcomes of this will be considered by SQA and the National Qualifications 2021 Group taking on board lessons from awarding in 2020 and the recommendations contained within Professor Priestley's independent review of National Qualifications 2020 experience. Details of the appeals process once finalised will be made available in due course. I am clear that this will be compliant with the United Nations Convention on the Rights of the Child (UNCRC).

[Redacted information not in scope]

On support for young people with disrupted exams:

- The SQA is currently consulting on its appeals process for this academic year.

[Redacted information not in scope]

- SQA is consulting on draft proposals to make sure that fairness and equity for learners are at the heart of the 2021 appeals process, reflecting the rights contained in the United Nations Convention on the Rights of the Child.

[Redacted information not in scope]

ANNEX A – RECOMMENDATIONS OF THE PRIESTLEY REVIEW

[Redacted information not in scope]

1. A review of qualification appeals systems, including consideration of the rights and roles of young people, in the context of the incorporation of the UNCRC into Scottish law.
2. The development by SQA and partners of digital materials and systems for producing, assessing and moderating assessment evidence, to ensure that operational processes for gathering candidate evidence for appeals is less reliant on paper-based systems.

[Redacted information not in scope]

SQA

- [Redacted information not in scope]

[redacted s30(b)(ii)]

[Redacted information not in scope]

Enclosure 012 – Email: Education and Skills Committee meeting

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

Sent: 24 March 2021 08:03

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

Cc: [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Anson S (Sam) <Sam.Anon@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Cumming A (Alison) Early Learning & Childcare <Alison.Cumming@gov.scot>; Director for Housing and Social Justice <DirectorHSJ@gov.scot>; McAllister J (Jackie) <Jackie.McAllister@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>

Subject: RE: Education and Skills Committee meeting 24 March 2021

Hi [Redacted s38(1)(b)]

[Redacted information not in scope]

Enclosure 012.1 – Attachment: letter

[Redacted s25(1) – information publicly available]

https://archive2021.parliament.scot/S5_Education/General%20Documents/20210323In_SQA_response.pdf

Enclosure 012.2

[Redacted information not in scope]

Enclosure 014 – Email: CERG papers

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

Sent: 31 March 2021 11:32

To: Anson S (Sam) <Sam.Anon@gov.scot>

Cc: [Redacted s38(1)(b)]@gov.scot>; CERG <CERG@gov.scot>

Subject: For clearance: CERG 51 papers

[Redacted information not in scope]

Enclosure 014.1 – Attachment: Feedback summary

[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 014.2 – Attachment: Agenda

[Redacted information not in scope]

Enclosure 014.3 – Attachment: Chair’s Brief

[Redacted information not in scope]

Enclosure 014.4 – Attachment: Minutes

[Redacted information not in scope]

Enclosure 015 – Email: CERG papers for clearance

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

Sent: 31 March 2021 12:29

To: zzzDeputy First Minister and Cabinet Secretary for Education and Skills <zzzDFMCSE@gov.scot>

Cc: CERG <CERG@gov.scot>; Anson S (Sam) <Sam.Anson@gov.scot>

Subject: For clearance: CERG 51 papers

[Redacted information not in scope]

Enclosure 015.1 – Attachment: Agenda

[Redacted information not in scope]

Enclosure 015.2 – Attachment: Chair’s Brief

[Redacted information not in scope]

Enclosure 015.3 – Attachment: Minutes

[Redacted information not in scope]

Enclosure 015.4 – Attachment: Feedback summary

[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 016 – Email: NQ21 Group

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

Sent: 10 May 2021 16:20

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

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

Subject: Imminent National Qualification 21 Group on disruption to learning

DFMPO
Cc FMPO

To provide an update on an imminent communication from the National Qualifications 21 group on disruption to learning. [Redacted information not in scope]
To also note our current top lines remain unchanged

- [Redacted information not in scope]SQA is consulting on draft proposals to make sure that fairness and equity for learners are at the heart of the 2021 appeals process, reflecting the rights contained in the United Nations Convention on the Rights of the Child.

[Redacted information not in scope]

Regards

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]Curriculum, Qualifications and Gaelic - Learning Directorate
Scottish Government

(0131 [Redacted s38(1)(b)]

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

Enclosure 017 – Email: FM briefing

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

Sent: 11 May 2021 09:50

To: [Redacted s38(1)(b)]@gov.scot>; First Minister Covid Briefing Unit <FMcovidbriefingunit@gov.scot>; Anson S (Sam) <Sam.Anson@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Tannahill C (Carol) <Carol.Tannahill@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>

Cc: McAllister C (Colin) <Colin.McAllister@gov.scot>; Hutchison D (David) <David.Hutchison@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>

Subject: RE: FOR FM BRIEFING - SQA concerns - deadline 1015

Thanks [Redacted s38(1)(b)]

Just a small change to the last section, the communication has now issued (attached).

[Redacted s38(1)(b)]

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

Sent: 11 May 2021 09:34

To: [Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; First Minister Covid Briefing Unit <FMcovidbriefingunit@gov.scot>; Anson S (Sam) <Sam.Anson@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Tannahill C (Carol) <Carol.Tannahill@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>

Cc: McAllister C (Colin) <Colin.McAllister@gov.scot>; Hutchison D (David) <David.Hutchison@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>

Subject: RE: FOR FM BRIEFING - SQA concerns - deadline 1015

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

I've marshalled all this as per the below. Can you just double check this is ok

TOP LINES

[Redacted information not in scope]

APPEALS

- SQA is consulting on draft proposals to make sure that fairness and equity for learners are at the heart of the 2021 appeals process.

[Redacted information not in scope]

[Redacted s38(1)(b)]FM Covid Briefing Unit

fmcovidbriefingunit@gov.scot
07[Redacted s38(1)(b)]

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

Sent: 11 May 2021 09:30

To: First Minister Covid Briefing Unit <FMcovidbriefingunit@gov.scot>; Anson S (Sam) <Sam.Anon@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Tannahill C (Carol) <Carol.Tannahill@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>
Cc: McAllister C (Colin) <Colin.McAllister@gov.scot>; Hutchison D (David) <David.Hutchison@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: FOR FM BRIEFING - SQA concerns - deadline 1015

No problem [Redacted s38(1)(b)]

Not the contingency arrangement for learners who have faced extreme disruption is an additional process to the appeals process.

The NQ21 group are currently trying to finalise the appeals process for publication before the end of the month. Whilst some details are still to be agreed it will broadly allow a direct right of appeal by a learner (although will still require evidence from a centre),[redacted s.30(b)(ii)]. The appeal process will be open to all learners and will be open once results are known [redacted s.30(b)(ii)].

The extreme contingency arrangements are expected to only be applied to a very small group of learners, although details are still to be agreed. Learners going through this process will still be eligible for the appeal process.

Hope that helps, shout if you need anything else.

[Redacted s38(1)(b)]

From: [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** First Minister Covid Briefing Unit

Sent: 11 May 2021 09:10

To: [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; First Minister Covid Briefing Unit <FMcovidbriefingunit@gov.scot>; Anson S (Sam) <Sam.Anon@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Morrison E (Elizabeth) (Education Scotland) <Elizabeth.Morrison2@gov.scot>; Tannahill C (Carol) <Carol.Tannahill@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>
Cc: McAllister C (Colin) <Colin.McAllister@gov.scot>; Hutchison D (David) <David.Hutchison@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: FOR FM BRIEFING - SQA concerns - deadline 1015

Thanks, [Redacted s38(1)(b)]– this will give me what I need.

However, can I ask for a little bit more information on this please:

- There will be a contingency arrangement for learners with incomplete assessment evidence – for those learners who have suffered severe disruption to learning and teaching there will be a limited opportunity to submit provisional results by 3 September, and is for learners who have completed the learning and teaching of their course but who have not been able to complete their assessment evidence by 25 June. It is not designed for learners who wish to improve their result. Further details of this offer are being developed and will be published in due course.

Does this replace the normal appeals process? If not, will there be an appeals process for pupils who don't agree with their grade?

Thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] FM Covid Briefing Unit

fmCovidbriefingunit@gov.scot

07[Redacted s38(1)(b)]

[Redacted information not in scope]

Enclosure 017.1 – Attachment: briefing

[Redacted information not in scope]

Drought A (Andrew) <Andrew.Drought@gov.scot>; CERG <CERG@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Cumming A (Alison) Early Learning & Childcare <Alison.Cumming@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

Cc: [Redacted s38(1)(b)]@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Director for Children and Families <DirectorforChildrenandFamilies@gov.scot>; Macdonald R (Roddy) <Roddy.Macdonald@gov.scot>; McAloon HC (Hugh) <Hugh.McAloon@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; MacDougall A (Audrey) <Audrey.MacDougall@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Hicks C (Clare) <Clare.Hicks@gov.scot>; Bruce A (Andrew) <Andrew.Bruce@gov.scot>; Logan G (Graeme) <Graeme.Logan@gov.scot>; Wilson M (Mick) <Mick.Wilson@gov.scot>; Minister for Further Education, Higher Education and Science <MinisterFEHES@gov.scot>; SCJD COVID-19 Coordination Hub <SCJDCOVID19@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; CPS Hub <CPSHubCovid@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; DG Education & Justice <dgej@gov.scot>; ET FMQ/PQ Mailbox <ETFMQPQ@gov.scot>

Subject: Dry Run - FMQ Brief Commission Request - Education - Due 11am Thursday 17 May

[Redacted information not in scope]

Enclosure 018.1 – Attachment: guidance

[Redacted information not in scope]

Enclosure 018.2 – Attachment: checklist

[Redacted information not in scope]

Enclosure 018.3 – Attachment: template

[Redacted information not in scope]

Enclosure 018.4 – Attachment: briefing

[Redacted information not in scope]

Enclosure 018.5 – Attachment: briefing

[Redacted information not in scope]

Enclosure 018.6 – Attachment: briefing

[Redacted information not in scope]

Enclosure 018.7 – Attachment: briefing

[Redacted information not in scope]

Enclosure 018.8 – Attachment: briefing

[Redacted information not in scope]

ISSUE 12 March: SQA published a consultation on the 2021 appeals process.

[Redacted information not in scope]

- SQA is consulting on draft proposals to make sure that fairness and equity for learners are at the heart of the 2021 appeals process, reflecting the rights contained in the United Nations Convention on the Rights of the Child.

[Redacted information not in scope]

Enclosure 018.9 – Attachment: briefing

[Redacted information not in scope]

Enclosure 018.10 – Attachment: briefing

[Redacted information not in scope]

Enclosure 019 – Email: NQ group

From: [Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>
Sent: 13 May 2021 17:12
To: First Minister <firstminister@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; zzzDeputyFirst Minister and Cabinet Secretary for Education and Skills <zzzDFMCSE@gov.scot>
Cc: DG Education & Justice <dgej@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; Communications Education & Skills <CommunicationsEducation&Skills@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>
Subject: RE: Imminent National Qualification 21 Group on disruption to learning

Hi [Redacted s38(1)(b)]

To see the paper as requested.

Thanks

[Redacted s38(1)(b)]
[Redacted information not in scope]

From: [Redacted s38(1)(b)]
Sent: 10 May 2021 16:20
To: Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>; First Minister <firstminister@gov.scot>
Cc: DG Education & Justice <dgej@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>
Subject: Imminent National Qualification 21 Group on disruption to learning

DFM/PO
Cc FM/PO

[Redacted information not in scope]
To also note our current top lines remain unchanged

- [Redacted information not in scope]
SQA is consulting on draft proposals to make sure that fairness and equity for learners are at the heart of the 2021 appeals process, reflecting the rights contained in the United Nations Convention on the Rights of the Child.
[Redacted information not in scope]

Regards

[Redacted s38(1)(b)]
[Redacted s38(1)(b)]Curriculum, Qualifications and Gaelic - Learning Directorate
Scottish Government
(0131 [Redacted s38(1)(b)])

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

Enclosure 019.1 – Attachment: briefing

[Redacted information not in scope]

- The media articles/comments this week included:

[Redacted information not in scope]

- **Labour press release:** *Michael Marra has written to John Swinney to demand clarity and equity in the appeals process for school assessments this year, as he warns that John Swinney and the SQA are “sleepwalking into a crisis” (12 May)*

[Redacted information not in scope]

- **Scotsman** (12 May) incorporating quote from Head of Strategy for the Children and Young People’s Commissioner Scotland, Gina Wilson: *“...after the disruption to two educational years, we are now in a situation where young people are sitting numerous assessments with no idea about the appeals process should they need to use it. We are hearing about the huge additional stress and anxiety that this is causing. Young people should not be disadvantaged by disrupted access to their right to education during the pandemic.”*

[Redacted information not in scope]

- There are also differences of opinions held by NQ21 group members and wider stakeholders. Appeals can lead to grades going up or down when the evidence is reviewed. SYP and the Children’s Commissioner are calling for a ‘no detriment’ approach (i.e. that appeals this year should not result in any grades going down).

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

[Redacted information not in scope]

Potential further steps

- The National Qualifications 21 Group has produced, at the request of DFM, a joint statement reaffirming their support for the ACM which will likely be published on Friday 14 May (a draft copy is included at annex A). This attempts to state some key facts about the approach to address some current mis-reporting. It also includes the key message of reassurance to learners: your grades will be judged by your teachers, based on your assessment evidence. The SQA will not change the grades of individual learners during the moderation process in May and June. Teachers and schools will reach final judgements, which will be subject to the appeals process in August.

[Redacted information not in scope]

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

- [Redacted information not in scope]
- an appeals process for learners is being developed and will be published shortly.

[Redacted information not in scope]

- SQA are currently **finalising the proposed appeals process** for 2021.
[Redacted s.30(b)(ii)]

[Redacted information not in scope]

Enclosure 020 –Email: letter from SQA

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

Cc: Communications Education & Skills <CommunicationsEducation&Skills@gov.scot>; [Redacted s38(1)(b)][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)] 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: DFMCE@gov.scot

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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.

[redaction 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').

[redacted s30(b)(i)]

Conclusion

[redacted s30(b)(i)]

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 020.2 – Attachment: letter

[Redacted information not in scope]

Enclosure 021 – Email: NQ21 group

From: [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** First Minister

Sent: 17 May 2021 12:29

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

First Minister <firstminister@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>;

zzzDeputy First Minister and Cabinet Secretary for Education and Skills <zzzDFMCSE@gov.scot>

Cc: DG Education & Justice <dgej@gov.scot>; Pentland MK (Malcolm)

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

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

Communications Education & Skills <CommunicationsEducation&Skills@gov.scot>; [Redacted

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

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

Subject: RE: Imminent National Qualification 21 Group on disruption to learning

[Redacted information not in scope]

[Remainder of email chain at enclosure 016]

Enclosure 021.1 – Attachment: FM briefing

[Duplicate of Enclosure 19.1]

Enclosure 022 – Email: Advice for Cabinet Secretary

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

Sent: 20 May 2021 09:00

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

Subject: URGENT: Advice for Cab Sec on ACM/ appeals

[Redacted information not in scope]

Enclosure 022.1 – Attachment: Submission to Cab Sec

From: Graeme Logan
Director of Learning

20 May 2021

Cabinet Secretary for Education and Skills

NATIONAL QUALIFICATIONS: IMMEDIATE PRIORITIES

Purpose

1. This note is in addition to the induction material we have provided this morning on national qualifications (NQs) and focuses on immediate priorities in relation to the Alternative Certification Model (ACM) developed for NQs this year. It sets out some key facts about the ACM; outlines recent media and political commentary; highlights next steps, including the need for a response on the approach to be taken with appeals; updates on a recent meeting with the First Minister; and sets out the potential content of a ministerial statement for next week for your consideration.

Priority

2. Urgent – there is significant media and political attention on NQs and the ACM and a need to reassure the system; and the SQA has committed to publishing the appeals process for the ACM by mid-May and are looking to do so soon as possible.

Detail

Facts about the ACM

3. Key facts about NQs and the ACM for this year:

[Redacted information not in scope]

- The appeals process for 2021 remains to be confirmed and more detail is provided later in this note.

[Redacted information not in scope]

Current mitigations

[Redacted information not in scope]

4. The NQ21 Group has produced, at the request of DFM, a joint statement reaffirming their support for the ACM published on Friday 14 May (a copy is included at annex B). This attempts to state some key facts about the approach to address some current mis-reporting. It also includes the key message of reassurance to learners: **your grades will be judged by your teachers, based on your assessment evidence**. The SQA will not change the grades of individual learners during the moderation process in May and June. Teachers and schools will reach final judgements, which will be subject to the appeals process in August.

2021 Appeals Process

5. Following concerns raised in relation to the initial awarding of qualifications last year, and the subsequent rapid review conducted for SG by Professor Mark Priestley, the SQA was asked to review its appeals process for 2021 to ensure it best meets the needs of young people.
6. SQA has carried out stakeholder engagement, including a public consultation between 12 and 26 March, and the Chief Examiner wrote to the Deputy First Minister on 14 May to outline the proposed appeals service for 2021 and seek support for this.
7. The approach proposed has been designed to align with the ACM for the National 5, Higher and Advanced Higher qualifications and it includes the following key elements:
 - A direct right of appeal for learners – direct to SQA or through their centre
 - Service will be free of charge to learners
 - Appeal decisions will be evidence-based and will be symmetric i.e. grades can go up, down or stay the same.
 - As in usual years, priority appeals will be carried out for those learners with an immediate progression opportunity (e.g. for progression to FE, HE or employment) dependent on the outcome.
 - Service to open from late June for learners who wish to intimate an intent to appeal, although the formal appeals process will not commence until results have been issued on 10 August.
8. It is expected that some core elements of the proposed service will be welcomed, particularly the direct right of appeal. However, there are other elements that will not receive a favourable response from all. These are the grounds for appeal, the symmetry of appeals and the timescale for opening and processing appeals. More detail on each follows.

i. Grounds for appeal

- SQA have identified three grounds for appeal for the 2021 service.
 - Disagreement with the centre's quality assured academic judgement;
 - Contested administrative or procedural error within SQA or the centre; or
 - Appeals related to the Equality Act, including assessment arrangements.
- These grounds are broader than those allowed for the 2020 appeal service, and should address some of the areas where cases were previously raised.
- However, while academic judgement of the marking/awarded grade can be challenged, learners will not be able to appeal the evidence base used to arrive at the awarded result (except in cases where discrimination has been established). **[redacted s.30(b)(ii)]** The evidence base for results was an area where concerns were raised around the 2020 appeals process. Most instances where those concerns were raised in correspondence to Scottish Ministers related to where agreed reasonable adjustments had not been applied, which should be covered under discrimination grounds in the proposed service for 2021.
- Contextual grounds such as personal circumstances and the impact of disrupted learning will also not be an eligible basis for appeal as this leads to inferred rather than evidence based attainment. It has been considered that the flexibility of the alternative certification model allows such matters to be managed within the school level assessment approaches being used in arriving at the provisional results. Limited contingency arrangements have also been agreed for learners who have been unduly disadvantaged by severe disruption. The CYPSC has already indicated that they believe that a process not allowing these grounds of appeals is inconsistent with children's rights.

ii. Symmetry

- The proposed symmetry approach to the appeals service for 2021 (with appeals resulting in the ability for grades to go down as well as up or to stay the same) is consistent with SQA's approach in previous years and comparable with other appeals services in the rest of the UK and internationally. In previous years the numbers of learners who saw grades fall as a result of an appeal has been very small.
- Some learners, parents and representative groups (including the Children's Commissioner and Scottish Youth Parliament) are of the view that appeals should be a 'no detriment' approach – that grades can either go up or stay the same, but not go down. They argue that, in this challenging set of circumstances, the potential for grades to go down would place an additional stress on learners.
- The National Qualifications 2021 Group has been clear that demonstrated attainment is a key principle of the alternative certification model in ensuring credibility and fairness of the qualifications. To move to a position of 'no detriment' would bring a question of fairness if the evidence indicated the candidate's evidence did not support the awarded grade but they were not downgraded.
- [redacted s.30(b)(ii)]

iii. Timescale for opening and processing appeals

- In usual years, the appeals service would open immediately following learners receiving their results on certification day.
 - Under the ACM, learners should be aware of their provisional results when they are submitted by the deadline of 25 June. SQA will not be making any changes to these results other than in the instance of administrative errors notified by the centres.
 - As such, consideration was given to opening the appeals service from June. However, education stakeholders were clear that the workload implications of this for schools would not be sustainable. As such, the proposal is for the service to open from late June for learners who wish to intimate an intent to appeal, with the formal appeals process (and centre providing necessary supporting information) commencing once the results have been formally issued on 10 August.
 - Partners are considering what support can be provided for learners in the interim period between June and August.
9. Given the difficulty in reconciling the above elements, the proposed appeals process is considered a reasonable balance in delivering a fair and credible set of results for learners whilst incorporating a direct right of appeal in line with the needs of young people and the principles of the UNCR. The Chief Examiner is seeking your support of SQA's approach on this basis. However, it should be noted that the proposed set of grounds for appeal and symmetry in potential results of appeal will lead to significant criticism from opposition parties and some stakeholders including the Children and Young People's Commissioner.
10. It is important to note that the appeals process will be an SQA process. [redacted s.30(b)(ii)]

11. A detailed paper on appeals has been provided by the SQA and, given the complexities of appeals and the fine balance to be struck in relation to the approach to appeals this year, you may wish to discuss further with officials. The Chief Examiner would be happy to join such a discussion should you wish.

First Minister's considerations and a potential statement

[Redacted information not in scope]

12. Following the meeting with the FM, and separate discussions with the DFM, preparations are being made in the event that you wish to make statement on the issue of NQs and the ACM next week. [redacted s.30(b)(i)] The statement could centre around a '5 point plan' which officials discussed with the FM on Monday, and which she supports. The 5 point plan includes:
 - [Redacted information not in scope] **Appeals** setting out details of the new appeals system (including the decision on whether or not this will be based on 'no detriment'), announcing that for the first year ever there will be a direct right of appeal from learners to the SQA (which takes account of UNCRC) and that appeals will be free of charge.
13. Subject to your views on this, we can provide an early draft of the statement, along with briefing, for your consideration. We will work with parliamentary business colleagues to identify any available time for this, which we suggest should take place towards the end of next week at the latest.

Recommendations

14. That you:

- [Redacted information not in scope] consider the appeals process proposed by the SQA and indicate whether you would like to discuss the issues further with officials or officials and the Chief Examiner;

[Redacted information not in scope]

Graeme Logan
Director of Learning
20 May 2021

Recent Media and Political Comment

[Redacted information not in scope]

- **Labour press release:** Michael Marra has written to John Swinney to demand clarity and equity in the appeals process for school assessments this year, as he warns that John Swinney and the SQA are “sleepwalking into a crisis” (12 May)

[Redacted information not in scope]

National Qualifications 2021 – a message from organisations working across Scottish education
(issued 14 May)

[Redacted information not in scope]

It is important to highlight the following facts about the model:

[Redacted information not in scope]

- an appeals process for learners is being developed and will be published shortly.

[Redacted information not in scope]

DRAFT Minutes of meeting between officials and First Minister to discuss awarding of National Qualifications in 2022 – 17 May 2021

Attendees

First Minister
Colin McAllister
Joe Griffin
Graeme Logan
Malcolm Pentland
[Redacted s38(1)(b)]
[Redacted s38(1)(b)]
Gayle Gorman
FM private office
DFM Private office

Minute

[Redacted information not in scope]

The planned appeals process was also discussed and the need for this to be agreed and published as soon as possible.

Drought A (Andrew) <Andrew.Drought@gov.scot>; CERG <CERG@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Cumming A (Alison) Early Learning & Childcare <Alison.Cumming@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>

Cc: [Redacted s38(1)(b)]@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Director for Children and Families <DirectorforChildrenandFamilies@gov.scot>; Macdonald R (Roddy) <Roddy.Macdonald@gov.scot>; McAloon HC (Hugh) <Hugh.McAloon@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; MacDougall A (Audrey) <Audrey.MacDougall@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Hicks C (Clare) <Clare.Hicks@gov.scot>; Bruce A (Andrew) <Andrew.Bruce@gov.scot>; Logan G (Graeme) <Graeme.Logan@gov.scot>; Wilson M (Mick) <Mick.Wilson@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; DG Education & Justice <dgej@gov.scot>; ET FMQ/PQ Mailbox <ETFMQPQ@gov.scot>

Subject: Dry Run - FMQ Brief Commission Request - Education due 11am Monday 24th

[Redacted information not in scope]

Enclosure 023.1 – Attachment: guidance

[Redacted information not in scope]

Enclosure 023.2 – Attachment: checklist

[Redacted information not in scope]

Enclosure 023.3 – Attachment – template

[Redacted information not in scope]

Enclosure 023.4 – Attachment - briefing

[Redacted information not in scope]

Enclosure 023.5 – Attachment - briefing

[Redacted information not in scope]

Enclosure 023.6 – Attachment - briefing

[Redacted information not in scope]

Enclosure 023.7 – Attachment - briefing

[Redacted information not in scope]

ISSUE 19 May: Scottish Greens news release, ‘SQA treating pupils with contempt over appeals’, criticises SQA for delay in announcing 2021 appeals process. Reported 20 May in Scotsman and Mail.

ISSUE 15/16 May: Various media coverage: [15 May] Herald reports MSP Jamie Greene’s claim that the SQA assessment row is becoming “the new Parliament’s first scandal”; Mail and Times articles allege ‘hundreds’ of pupils are sharing assessment details on the Discord invite-only app. [16 May] Sunday Mail claims SQA has broken a promise to outline the appeals process at the start of May; Scotland on Sunday publishes article co-written by two students seeking a ‘human rights compliant direct appeals process’.

[Redacted information not in scope]

ISSUE 10-13 May: TES and BBC report on incidents of students sharing details of assessments on social media; various news and social media reports/commentary about 2020 exams results, 2021 assessment approach; impacts on university/college admissions process; and Scottish Labour party release [12 May] calling for clarity on 2021 appeals process.

[Redacted information not in scope]

- Seperately, the SQA has consulted on draft proposals to ensure that fairness and equity for learners are at the heart of the 2021 appeals process, and details of this process will be set out soon.

[Redacted information not in scope]

We asked SQA to review their appeals process for 2021 to ensure it best meets the needs of young people.

- **They carried out a public consultation on draft proposals to make sure fairness and equity for learners are at the heart of the 2021 appeals process, and a response to that is expected to be set out soon.**
- **As the SQA has indicated, the outcomes of the appeals consultation are currently being finalised, following the public consultation.**
- **The SQA is aiming to announce details of the appeals process imminently.**
- **Learners should be reassured that a comprehensive appeals process will be in place in good time.**
- **The current focus should be on maximising teaching and learning and the gathering of evidence to support the development of provisional grades.**
- **We continue to consider the position around calls for the 2020 appeals process to be re-opened for some candidates.**

[Redacted information not in scope]

Enclosure 023.8 – Attachment - briefing

[Redacted information not in scope]

Enclosure 023.9 – Attachment - briefing

[Redacted information not in scope]

Enclosure 023.10 – Attachment - briefing

[Redacted information not in scope]

Enclosure 024 – Email: NQ21 group

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

Sent: 21 May 2021 15:01

To: zzzDeputy First Minister and Cabinet Secretary for Education and Skills <zzzDFMCSE@gov.scot>; First Minister <firstminister@gov.scot>; Cabinet Secretary for Education and Skills <CabSecES@gov.scot>

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

Subject: RE: Imminent National Qualification 21 Group on disruption to learning

All

To see attached a minute of Monday's note.

Thanks

[Redacted s38(1)(b)]

[Redacted information not in scope]

[Remainder of email chain at Enclosure 016]

Enclosure 024.1

Minutes of meeting between officials and First Minister to discuss awarding of National Qualifications in 2022 – 17 May 2021

Attendees

First Minister
Colin McAllister
Joe Griffin
Graeme Logan
Malcolm Pentland
[Redacted s38(1)(b)]
[Redacted s38(1)(b)]
Gayle Gorman
FM private office
DFM Private office

Minute

[Redacted information not in scope]

The planned appeals process was also discussed and the need for this to be agreed and published as soon as possible.

Enclosure 025 – Email: SQA Appeals Service - 2021

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

Sent: 21 May 2021 21:10

To: Griffin J (Joe) <Joe.Griffin@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>

Subject: FW: SQA Appeals Service - 2021

Importance: High

Evening Malcolm

Can we send this on to Cab Sec urgently please?

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

Grateful if you can make the points above (and other points you can think of) when sending this to Ms Somerville, stating that we will provide further advice on Monday.

Thanks

Graeme.

Graeme Logan

Director of Learning

Scottish Government

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

Date: Friday, 21 May 2021, 8:59 pm

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

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

Enclosure 025.1 - Attachment:

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. This could lead to a potentially significant increase in the volume of appeals.

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)(ii)]

Conclusion

[redacted s30(b)(ii)]

14. SQA will continue to work on more detailed operational requirements, pending final decisions.
Scottish Qualifications Authority
May 2021

Enclosure 026- Email: Urgent - National Qualifications 2021 - Appeals

From: Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>
Sent: 21 May 2021 21:37
To: Cabinet Secretary for Education and Skills <CabSecES@gov.scot>
Cc: DG Education & Justice <dgej@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Communications Education & Skills <CommunicationsEducation&Skills@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>
Subject: Urgent - National Qualifications 2021 - Appeals

Cabinet Secretary for Education and Skills

Copy: as above

National Qualifications 2021 - Appeals

The Chief Examiner wrote to the Deputy First Minister on 14 May outlining the SQA's proposed appeals service for National Qualifications in 2021 and seeking support for it. The advice you received on 20 May highlighted that, while some elements of the proposed service, and in particular the direct right of appeal, will be welcomed, other elements would not be well received by some. One such aspect is the symmetry approach which would allow for grades to go down as well as up or to stay the same. Some stakeholders want to see a 'no detriment' approach taken.

We discussed the proposed appeals service developed by the SQA [redacted s.30(b)(i)] We are seeking further urgent detail on these points and will provide further advice as quickly as possible.

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

Enclosure 026.1 – Attachment: SQA appeals

[See enclosure 025.1]

Enclosure 027 – Email:FMQ notes

From: [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** First Minister
Sent: 22 May 2021 21:20
To: Cabinet Secretary for Health and Social Care <CabSecHSC@gov.scot>
Cc: First Minister <firstminister@gov.scot>
Subject: FMQNotes - Tourism/Hospitality & SQA Exams/Appeals

[Redacted s38(1)(b)]

Attached are the most recent FMQ notes (from the dry run undertaken this week)

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]

Private Office to the First Minister
5th Floor| St Andrew's House | Regent Road | Edinburgh | EH1 3DG | T: 0131 [Redacted s38(1)(b)]| 07 [Redacted s38(1)(b)]



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

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

Enclosure 027.1 – Attachment: briefing

[Redacted information not in scope]

Enclosure 027.2 – Attachment: briefing

SQA Exams – Supplementary note on 2021 Appeals process

NB: Supplementary to main SQA/Exams brief, in FM pack.

ISSUE 19 May: Scottish Greens issue news release ‘SQA treating pupils with contempt over appeals’ criticising the SQA for a delay in announcing the 2021 appeals process. This has been picked up and reported in the media on **20 May** by the Scotsman and Daily Mail.

Background:

- SQA wrote to the Cabinet Secretary for Education and Skills on 14 May with details of the proposed approach to appeals in 2021 following stakeholder engagement and a public consultation.
- This issue will be considered as a matter of priority by the Cabinet Secretary, and an announcement is expected as part of a parliamentary statement on Thursday 27 May.
- [Redacted information not in scope]

Top Lines

We asked SQA to review their appeals process for 2021 to ensure it best meets the needs of young people.

- They carried out a public consultation on draft proposals to make sure fairness and equity for learners are at the heart of the 2021 appeals process, and a response to that is expected to be set out soon.
- As the SQA has indicated, the outcomes of the appeals consultation are currently being finalised, following the public consultation.
- The SQA is aiming to announce details of the appeals process imminently.
- Learners should be reassured that a comprehensive appeals process will be in place in good time.
- The current focus should be on maximising teaching and learning and the gathering of evidence to support the development of provisional grades.

Enclosure 027.3 – Attachment: briefing

ISSUE 19 May: Scottish Greens news release, ‘SQA treating pupils with contempt over appeals’, criticises SQA for delay in announcing 2021 appeals process. Reported 20 May in Scotsman and Mail.

[Redacted information not in scope]

ISSUE 10-13 May: TES and BBC report on incidents of students sharing details of assessments on social media; various news and social media reports/commentary about 2020 exams results, 2021 assessment approach; impacts on university/college admissions process; and Scottish Labour party release [12 May] calling for clarity on 2021 appeals process.

[Redacted information not in scope]

TOP LINES

[Redacted information not in scope]

- Separately, the SQA has consulted on draft proposals to ensure that fairness and equity for learners are at the heart of the 2021 appeals process, and details of this process will be set out soon.

[Redacted information not in scope]

We asked SQA to review their appeals process for 2021 to ensure it best meets the needs of young people.

- They carried out a public consultation on draft proposals to make sure fairness and equity for learners are at the heart of the 2021 appeals process, and a response to that is expected to be set out soon.
- As the SQA has indicated, the outcomes of the appeals consultation are currently being finalised, following the public consultation.
- The SQA is aiming to announce details of the appeals process imminently.
- Learners should be reassured that a comprehensive appeals process will be in place in good time.
- The current focus should be on maximising teaching and learning and the gathering of evidence to support the development of provisional grades.

[Redacted information not in scope]

In recognition of the disruption to learning this year, SQA has modified assessment arrangements for National courses.

- [Redacted information not in scope] These arrangements are separate and distinct from the appeals process, which learners undertaking the later certification will still be able to access.

[Redacted information not in scope]

Enclosure 028 – Email: Advice from SQA

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 028.1 – Attachment: pdf from SQA

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 029 - Email: Urgent – National Qualifications 2021 - Appeals

From: Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>
Sent: 23 May 2021 17:50
To: Cabinet Secretary for Education and Skills <CabSecES@gov.scot>
Cc: DG Education & Justice <dgej@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]<[Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Communications Education & Skills <CommunicationsEducation&Skills@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>
Subject: RE: Urgent - National Qualifications 2021 - Appeals

[Redacted s38(1)(b)]

For tomorrow morning's meeting, please find attached:

- two papers from SQA. The first you received on Friday evening. The second provides more detail on how a larger volume of appeals might be handled under a 'no detriment' approach.
- a table that seeks to provide a summary of various considerations in relation to the two options.

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

From: [Redacted s38(1)(b)]<[Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Cabinet Secretary for Education and Skills
Sent: 22 May 2021 16:52
To: Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Cabinet Secretary for Education and Skills <CabSecES@gov.scot>
Cc: DG Education & Justice <dgej@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]<[Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]<[Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]<[Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]<[Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>
Subject: RE: Urgent - National Qualifications 2021 - Appeals
Importance: High

Hi Malcolm

Many thanks for this. For benefit of everyone on this copylist I have discussed with Ms Somerville and also Joe. The current thinking is that Ms Somerville meet with officials on Monday morning (diary invite already issued) with a view to making a final decision then. Cab Sec will then wish for officials to provide a draft note for her to send to the First Minister on Monday PM (I will alert her office that this will be coming) with the aim of getting First Minister's sign off to that decision and the making of a statement on Thursday afternoon. Ms Somerville will wish to discuss the content of

the note to FM on Monday morning. Cab Sec is also considering whether she does an oral SCANCE item on this at Cabinet rather than the planned written SCANCE (given we would need to provide the latter before we know what FM's decision is) but again we can discuss the handling around that on Monday.

I believe that further information will be coming to Ms Somerville before Monday – I will look out for that and if there is any further feedback from Cab Sec before Monday I will, of course, feed that back straight away.

I have separately been liaising with the office of the Minister for Parliamentary Business around that. A slot for the statement will be placed in the Parliamentary Business Cabinet paper that will be signed off at Tuesday's Cabinet mtg. If for any reason the statement has not been agreed by then we will need to pull it before Mr Adam meets with the Parliamentary Bureau at midday.

Hope the above all makes sense.

[Redacted s38(1)(b)] [Redacted s38(1)(b)] T: 0131 [Redacted s38(1)(b)] | M: 07 [Redacted s38(1)(b)] |
E: cabsecES@gov.scot
The Scottish Government | St Andrew's House, Regent Road, EDINBURGH EH1 3DG

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[Remainder of email chain at Enclosure 026

Enclosure 029.1

[See enclosure 025.1]

Enclosure 029.2

[See enclosure 028.1]

Enclosure 029.3

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

Enclosure 030 – Email: Draft note to the First Minister

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

Sent: 24 May 2021 16:22

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

Cc: DG Education & Justice <dgej@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; Communications Education & Skills <CommunicationsEducation&Skills@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>

Subject: Immediate – Draft Note to the First Minister on the National Qualifications ACM and Appeals

Importance: High

PS/Cabinet Secretary for Education and Skills

Copy: as above

Immediate – Draft Note to the First Minister on the National Qualifications ACM and Appeals

Further to this morning's meeting, please find attached a draft note to FM for Ms Somerville's consideration.

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

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Enclosure 030.1 – Attachment: note

[Redacted s29(1)(b)]

Enclosure 031 – Email: SCANCE note

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

Sent: 24 May 2021 16:27

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

Cc: DG Education & Justice <dgej@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; Communications Education & Skills <CommunicationsEducation&Skills@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>

Subject: SCANCE Speaking Note - National Qualifications and Appeals

[Redacted s38(1)(b)]

Please find attached a draft SCANCE speaking note for Ms Somerville's consideration ahead of tomorrow's Cabinet.

Subject to the Cab Sec's views, will you share with Cabinet Secretariat colleagues?

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

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Enclosure 031.1

SCANCE Contribution for 25 May – National Qualifications and Appeals 2021

Speaking Note

- We asked SQA to review their appeals process for 2021 to ensure it best meets the needs of young people and respects their rights.
- SQA carried out a range of stakeholder engagement, including a public consultation on draft proposals, to make sure fairness and equity for learners are at the heart of the 2021 appeals process.
- As a result, this year's appeals process will, for the first time, guarantee the learner the direct right of appeal.
- However, consensus has not been achieved over other elements of the appeals process.
- SQA is recommending that the appeals process should be symmetrical – i.e. that grades could go up, stay the same or go down as a result of an appeal. However, others, including the Children's and Young Persons Commissioner and the Scottish Youth Parliament, believe that appeals should be carried out on the basis of 'no-detriment'.
- [redacted s.30(b)(ii)]
- I intend to announce the appeals process to Parliament on Thursday, in parallel to SQA publishing the process on their website.
- [redacted s.30(b)(ii)]
- I plan to use my statement to focus on five key points to awarding this year;-
 - Highlight the role of teacher judgement in exercising flexibility over the form and timing of learner assessments;
 - Set out the support available to learners now and over the summer;
 - Announce the approach to appeals;
 - Lay out the on-going work with the FE and HE sectors for 2022 entries; and
 - Update on the forthcoming OECD report and potential for future change to the forms of assessment of National Qualifications.

Enclosure 032 – Email: Draft note to the First Minister

From: [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Cabinet Secretary for Education and Skills
Sent: 24 May 2021 17:10
To: Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Cabinet Secretary for Education and Skills <CabSecES@gov.scot>
Cc: DG Education & Justice <dgej@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; Communications Education & Skills <CommunicationsEducation&Skills@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>
Subject: RE: Immediate – Draft Note to the First Minister on the National Qualifications ACM and Appeals
Importance: High

Malcolm

Many thanks, please see attached with some comments from Cab Sec. Grateful if these can be considered and for us to receive a revise as soon as possible. I will flag up to FM's office that we hope to have this note with them shortly.

Happy to discuss.

[Redacted s38(1)(b)] Private Secretary to Cabinet Secretary for Education & Skills
T: 0131 [Redacted s38(1)(b)] | M: 07 [Redacted s38(1)(b)] | E: cabsecES@gov.scot
The Scottish Government | St Andrew's House, Regent Road, EDINBURGH EH1 3DG

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[Remainder of email chain at Enclosure 030]

Enclosure 032.1 – Attachment: draft note

[Redacted s29(1)(b)]

Enclosure 033 – Email: Draft note to the First Minister

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

Sent: 24 May 2021 18:52

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

Cc: DG Education & Justice <dgej@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>;

Griffin J (Joe) <Joe.Griffin@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; Communications Education & Skills

<CommunicationsEducation&Skills@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>;

Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>

Subject: RE: Immediate – Draft Note to the First Minister on the National Qualifications ACM and Appeals

[Redacted s38(1)(b)]

Thanks. Apologies it has taken slightly longer to respond than anticipated as we have now received some advice from the SQA following this morning's meeting. [redacted s.30(b)(i)]

I have also attached a revised the draft note to the FM. This seeks to take account of Ms Somerville's comments and has been updated to reflect the response that we have now received from the SQA [redacted s.30(b)(i)]

Thanks
Malcolm

Malcolm Pentland | Deputy Director

Curriculum, Qualifications and Gaelic Division | email: malcolm.pentland@gov.scot | tel: +44(o) 131 244 [Redacted s38(1)(b)]

Learning Directorate | Area 2B North | Victoria Quay | Edinburgh | EH6 6QQ

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[Remainder of email chain at Enclosure 032]

Enclosure 033.1

[Redacted s29(1)(b)]

Enclosure 033.2 – Attachment: appeals information

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)]

Enclosure 034 – Email: Draft note to the First Minister

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

Sent: 24 May 2021 19:29

To: Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Cabinet Secretary for Education and Skills <CabSecES@gov.scot>

Cc: DG Education & Justice <dgej@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; Communications Education & Skills <CommunicationsEducation&Skills@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>

Subject: RE: Immediate – Draft Note to the First Minister on the National Qualifications ACM and Appeals

Further comments from Ms Somerville – you will be able to determine which are most recent by hovering over them.

I need to aim to get this to FM by 9.00pm latest – so grateful for a revise by 8.00pm if at all possible.

Thanks.

[Redacted s38(1)(b)][Redacted s38(1)(b)] T: 0131 [Redacted s38(1)(b)] | M: 07 [Redacted s38(1)(b)] |
E: cabsecES@gov.scot

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[Remainder of email chain at Enclosure 033]

Enclosure 034.1

[Redacted s29(1)(b)]

Enclosure 035 – Email: Draft note to the First Minister

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

Sent: 24 May 2021 20:25

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

Cc: DG Education & Justice <dgej@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; Communications Education & Skills <CommunicationsEducation&Skills@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Macdonald R (Roddy) <Roddy.Macdonald@gov.scot>

Subject: RE: Immediate – Draft Note to the First Minister on the National Qualifications ACM and Appeals

Stuart

Please find attached revised version and a clean copy as requested.

Thanks
Malcolm

[Remainder of email chain at Enclosure 034]

Enclosure 035.1 – Attachment: revised version

[Redacted s29(1)(b)]

Enclosure 035.2 – Attachment: clean copy

[Redacted s29(1)(b)]

Enclosure 036 –Note from Cabinet Secretary for Education and Skills

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

Sent: 24 May 2021 20:46

To: First Minister <firstminister@gov.scot>

Cc: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; Cabinet Secretary for Education and Skills <CabSecES@gov.scot>; Minister for Parliamentary Business <MinisterPB@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; DG Education & Justice <dgej@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>

Subject: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

Importance: High

PS/First Minister

Apologies for getting this to you later than planned. Please find attached an Immediate note from MS Somerville to the First Minister regarding the above. This note proposes that, subject to FM's agreement, Ms Somerville make a statement to Parliament on Thursday regarding this.

I understand that for this to happen this would require being included in papers agreed at Parliamentary Bureau tomorrow so a decision/comments from First Minister prior to Cabinet (if at all possible) would be appreciated. Apologies for the tight turnaround.

Many thanks. Happy to discuss.

[Redacted s38(1)(b)] [Redacted s38(1)(b)] T: 0131 [Redacted s38(1)(b)] | M: 07 [Redacted s38(1)(b)]
| E: cabsecES@gov.scot

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Enclosure 036.1 – Attachment: note

[Redacted s29(1)(b)]

Enclosure 037 – Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

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

Sent: 24 May 2021 21:48

To: Cabinet Secretary for Education and Skills <CabSecES@gov.scot>; First Minister <firstminister@gov.scot>

Cc: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; Minister for Parliamentary Business <MinisterPB@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; DG Education & Justice <dgej@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>

Subject: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

PS/First Minister

PS/Cabinet Secretary for Education and Skills

DFM has noted and commented that these are very difficult decisions, but he thinks what is proposed represents a balanced approach in addressing that difficulty.

Thanks

[Redacted s38(1)(b)] [Redacted s38(1)(b)] The Scottish Government
St Andrew's House | Regent Road | Edinburgh | EH1 3DG | M: 07 [Redacted s38(1)(b)] | **Email: DFMCSCR@gov.scot**

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[Remainder of email chain at Enclosure 036]

Enclosure 038 – NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

From: [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** First Minister

Sent: 25 May 2021 07:46

To: Cabinet Secretary for Education and Skills <CabSecES@gov.scot>; First Minister

<firstminister@gov.scot>

Cc: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; Minister for Parliamentary Business <MinisterPB@gov.scot>; Permanent Secretary

<PermanentSecretary@gov.scot>; DG Education & Justice <dgej@gov.scot>; Director of Learning

<DirectorofLearning@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>;

Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; McAllister C (Colin)

<Colin.McAllister@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>

Subject: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

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

Thanks to the Cab Sec for the note.

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

Grateful if the above points could be addressed/clarified in advance of this moving forward.

Thanks,

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]

Office of the First Minister

5th Floor | St Andrews House | Regent Road | Edinburgh | EH1 3DG | 0131 [Redacted s38(1)(b)]



Office of the First Minister of Scotland

FirstMinister.gov.scot

Prìomh Mhinistear na h-Alba

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[Remainder of email chain in Enclosure 036]

Enclosure 039 – Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

From: [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Cabinet Secretary for Education and Skills
Sent: 25 May 2021 08:57
To: First Minister <firstminister@gov.scot>; Cabinet Secretary for Education and Skills <CabSecES@gov.scot>
Cc: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; Minister for Parliamentary Business <MinisterPB@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; DG Education & Justice <dgej@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>
Subject: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS
Importance: High

[Redacted s38(1)(b)]

Please find response below to the various points raised by First Minister. If there was any chance of FM seeing this ahead of Cabinet that would be greatly appreciated.

Many thanks.

[Redacted information not in scope]

[redacted s30(b)(ii)]

[Redacted s38(1)(b)] [Redacted s38(1)(b)] T: 0131 [Redacted s38(1)(b)] | M: 07 [Redacted s38(1)(b)]
| E: cabsecES@gov.scot
The Scottish Government | St Andrew's House, Regent Road, EDINBURG EH1 3DG

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Remainder of email chain at Enclosure 038

Enclosure 040 – Email: SQA appeals

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

Sent: 25 May 2021 10:02

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

Cc: DG Education & Justice <dgej@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>

Subject: URGENT – SQA Appeals

Importance: High

URGENT – SQA Appeals

[redacted s30(b)(ii)] The appeals process is an evidence-based process and all appeals are looked at blind by appointees. The SQA have stated that this is to ensure no bias and to comply with their equalities duties.

[redacted s30(b)(ii)]

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

Enclosure 041 – Email: Submission - SQA 2020 Appeals - update to Cabinet Secretary - 25 May 2021

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

Sent: 25 May 2021 13:27

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

Cc: DG Education & Justice <dgej@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)] @gov.scot [Redacted s38(1)(b)] @gov.scot>; [Redacted s38(1)(b)] @gov.scot>; First Minister FMQs <FirstMinisterFMQs@gov.scot>; [Redacted s38(1)(b)] @gov.scot>; [Redacted s38(1)(b)] @gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; [Redacted s38(1)(b)] @gov.scot>

Subject: Submission - SQA 2020 Appeals - update to Cabinet Secretary - 25 May 2021

[redacted s30(b)(i)]

Kind regards

[Redacted s38(1)(b)]

[Redacted s38(1)(b)], Learning Directorate, Scottish Government, Area 2B North, Victoria Quay, Edinburgh, EH6 6QQ

☞ email: [Redacted s38(1)(b)] @gov.scot ☞ mobile: 07 [Redacted s38(1)(b)] ☞ url: www.gov.scot

[Redacted s38(1)(b)]

Enclosure 042 – Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

From: Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>
Sent: 25 May 2021 15:50
To: Cabinet Secretary for Education and Skills <CabSecES@gov.scot>
Cc: DG Education & Justice <dgej@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][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>; First Minister FMQs <FirstMinisterFMQs@gov.scot>; Communications Education & Skills <CommunicationsEducation&Skills@gov.scot>
Subject: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

PS/Cabinet Secretary for Education and Skills

Copy: as above

RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

Further to Ms Somerville's feedback from Cabinet below and her subsequent discussion with Joe, please find attached a fuller note for the First Minister for Ms Somerville's consideration. [redacted s30(b)(i)]

Thanks

Graeme & Malcolm

Graeme Logan Malcolm Pentland
Director for Learning Deputy Director – Curriculum, Qualifications & Gaelic

From: [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Cabinet Secretary for Education and Skills
Sent: 25 May 2021 10:42
To: Director of Learning <DirectorofLearning@gov.scot>; Cabinet Secretary for Education and Skills <CabSecES@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>
Cc: DG Education & Justice <dgej@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>
Subject: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

All

Ms Somerville is back from Cabinet. The statement is not going ahead at this point. Cab Sec is going to catch-up with Joe when his meeting has finished. Ms Somerville has said:

[Redacted information not in scope]

Many thanks.

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] T: 0131 [Redacted s38(1)(b)] | M: 07 [Redacted s38(1)(b)] | E:
cabsecES@gov.scot
The Scottish Government | St Andrew's House, Regent Road, EDINBURGH EH1 3DG

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From: Director of Learning <DirectorofLearning@gov.scot>
Sent: 25 May 2021 08:43
To: Cabinet Secretary for Education and Skills <CabSecES@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>
Cc: DG Education & Justice <dgej@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>
Subject: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

Colleagues

Please see my initial responses below – Malcolm grateful for any comments. In the interests of time, grateful if [Redacted s38(1)(b)] can forward this to Ms Somerville immediately. Thanks, Graeme.

From: [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Cabinet Secretary for Education and Skills
Sent: 25 May 2021 08:04
To: Cabinet Secretary for Education and Skills <CabSecES@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>
Cc: DG Education & Justice <dgej@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>
Subject: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

Malcolm

Is it possible for Ms Somerville to receive further bullet points (or an updated note) addressing these points before Cabinet? Appreciate that may be a tall order.

I am waiting to hear whether Ms Somerville wishes a call with officials when in car travelling to SAH.

Thanks.

[Redacted s38(1)(b)] [Redacted s38(1)(b)] T: 0131 [Redacted s38(1)(b)] | M: 07 [Redacted s38(1)(b)]
| E: cabsecES@gov.scot
The Scottish Government | St Andrew's House, Regent Road, EDINBURGH EH1 3DG

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[Remainder of email chain at enclosure 038]

Enclosure 42.1 - Attachment

[Redacted s29(1)(b)]

Enclosure 043 - Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

From: [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Cabinet Secretary for Education and Skills
Sent: 25 May 2021 18:39
To: Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Cabinet Secretary for Education and Skills <CabSecES@gov.scot>
Cc: DG Education & Justice <dgej@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Griffin J (Joe) <Joe.Griffin@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>; First Minister FMQs <FirstMinisterFMQs@gov.scot>; Communications Education & Skills <CommunicationsEducation&Skills@gov.scot>
Subject: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS
Importance: High

Hi Malcolm

Many thanks for this – please find attached with various comments on this from Ms Somerville. I have also attached a scan of Cab Sec’s comments (just in case you are confused by any of my interpretation of those ☺).

Cab Sec is keen that we are able to send the note to FM by mid –afternoon tomorrow at the very latest with the aim of having response no later than Thursday if at all possible. Conscious that we have public holiday Friday/Monday but still possible that we have statement on Tuesday/Wednesday (as well as wider Education debate on Thursday).

As such could we have a revise of this note up by noon Wednesday please. Let me know if that is going to cause any issues.

Many thanks, happy to discuss.

[Redacted s38(1)(b)] [Redacted s38(1)(b)] T: 0131 [Redacted s38(1)(b)] | M: 07 [Redacted s38(1)(b)]
| E: cabsecES@gov.scot
The Scottish Government | St Andrew’s House, Regent Road, EDINBURGHEH1 3DG

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[Remainder of email chain at Enclosure 042]

Enclosure 043.1

[Redacted s29(1)(b)]

Enclosure 043.2 – Attachment: ACM and appeals info

[Redacted s29(1)(b)]

Enclosure 044 – Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

From: [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Cabinet Secretary for Education and Skills
Sent: 26 May 2021 12:52
To: Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Cabinet Secretary for Education and Skills <CabSecES@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>
Cc: DG Education & Justice <dgej@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; First Minister FMQs <FirstMinisterFMQs@gov.scot>; Communications Education & Skills <CommunicationsEducation&Skills@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>
Subject: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

Hi Malcolm,

Cab Sec has made some changes to the questions –

I understand and appreciate that for our young people undertaking national qualifications, along with their parents and their teachers, this can be a naturally anxious and stressful time and I of course recognise the additional challenges that Covid has presented this academic year. However, I do want to offer reassurance that across Scottish education people are working hard on behalf of our learners to ensure they achieve the fair and credible grades that they deserve. The key message to learners is that your grade will be **determined** by your teacher or lecturer, informed by assessment tasks you have undertaken in school or college, not based on an algorithm or statistical model.

This year, unlike with an examination diet, schools and colleges are in direct control of the assessment process. Teachers have a significant degree of autonomy and flexibility to exercise their judgement to create and conduct assessments in ways which suit local circumstances and take account of the specific needs of their learners. They will look across a range of assessments, consider national standards and reach a judgement about the grade the learner has attained. The focus of schools and colleges at present is on ensuring that all of our learners get the right and fair result first time.

Nonetheless, I appreciate that every approach must allow for appeals and we must ensure that we get this right, **and deliver a fair and credible process**. We are working hard with the Scottish Qualifications Authority to do exactly that and, **subject to parliamentary business I intend to** make a statement to Parliament on this next week.

Thanks

[Redacted s38(1)(b)]

From: Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>
Sent: 26 May 2021 12:11
To: Cabinet Secretary for Education and Skills <CabSecES@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>
Cc: DG Education & Justice <dgej@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Director of Learning <DirectorofLearning@gov.scot>;

[Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; First Minister FMQs <FirstMinisterFMQs@gov.scot>; Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>
Subject: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

[Redacted s38(1)(b)]

Please find attached a draft answer below. Background material will follow ASAP.
Colin – [Redacted s30(b)(i)/s30(b)(ii)]

Thanks
Malcolm

Michael Marra: *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.*

[Redacted s30(b)(i)/s30(b)(ii)]

From: [Redacted s38(1)(b)] @gov.scot> **On Behalf Of** Cabinet Secretary for Education and Skills
Sent: 26 May 2021 10:48
To: Griffin J (Joe) <Joe.Griffin@gov.scot>; Cabinet Secretary for Education and Skills <CabSecES@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>
Cc: DG Education & Justice <dgej@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)] @gov.scot>; First Minister FMQs <FirstMinisterFMQs@gov.scot>; Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; [Redacted s38(1)(b)] @gov.scot>; [Redacted s38(1)(b)] @gov.scot>
Subject: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

Joe

Just for your awareness – there is an Urgent Question in Parliament this afternoon from Michael Marra. CabSec answer will likely be that she is making statement next week.

Michael Marra: *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.*

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]

T: 0131 [Redacted s38(1)(b)] | M: 07 [Redacted s38(1)(b)] | E: cabsecES@gov.scot

The Scottish Government | St Andrew's House, Regent Road, EDINBURGHEH1 3DG

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From: Griffin J (Joe) <Joe.Griffin@gov.scot>

Sent: 26 May 2021 10:28

To: Cabinet Secretary for Education and Skills <CabSecES@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>

Cc: DG Education & Justice <dgej@gov.scot>; Gorman G (Gayle)

<Gayle.Gorman@educationscotland.gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>;

Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)] @gov.scot>; [Redacted

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

[Redacted s38(1)(b)] @gov.scot>; First Minister FMQs <FirstMinisterFMQs@gov.scot>;

Communications DFM & Education <CommunicationsDFM&Education@gov.scot>

Subject: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

Thanks for the Cab Sec's points [Redacted s38(1)(b)], and thanks to the team for their ongoing work. Two other things from me, if I may:

[redacted s30(b)(ii)]

Thanks

Joe

[Remainder of email chain at Enclosure 043]

Enclosure 045 – Email: CERG papers

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

Sent: 26 May 2021 13:54

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

Cc: CERG <CERG@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Anson S (Sam) <Sam.Anon@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; McLean L (Liza) <Liza.McLean@gov.scot>; Taylor A (Alison) <Alison.Taylor@gov.scot>; Wilson M (Mick) <Mick.Wilson@gov.scot>

Subject: CERG papers and chair's brief

Hi [Redacted s38(1)(b)]

Please see chair's brief and papers for CERG tomorrow, for Ms Somerville to note, ahead of the pre-meet with Cllr McCabe this afternoon.

There is additional to follow, by way of management information (data) which EAS colleagues compile, but this is typically not available until later on Wednesday afternoon. Once this is available, the full pack of papers will issue to members.

Best wishes

[Redacted s38(1)(b)]

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

Enclosure 045.1 – Attachment: Chair’s brief

[Redacted information not in scope]

6. Short update on Qualifications

SQA will provide an update on the Alternative Certification Model, including appeals

- Invite Fiona Robertson (SQA Chief Exec) to offer a short update or Jean Blair (Director of Operations) if Fiona has been unable to join CERG.

Most of this work should have been progressed via the NQ21 Group (which has significant overlap with CERG membership), so there should not need to be extensive discussion on this item.

[Redacted information not in scope]

Enclosure 045.2

[Redacted information not in scope]

Enclosure 045.3 Attachment: health and wellbeing census

[Redacted information not in scope]

Enclosure 045.4 – Attachment: feedback

[Redacted information not in scope]

Enclosure 045.5 – Attachment: minutes

[Redacted information not in scope]

Drought A (Andrew) <Andrew.Drought@gov.scot>; CERG <CERG@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Cumming A (Alison) Early Learning & Childcare <Alison.Cumming@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

Cc: [Redacted s38(1)(b)]@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Director for Children and Families <DirectorforChildrenandFamilies@gov.scot>; Macdonald R (Roddy) <Roddy.Macdonald@gov.scot>; McAloon HC (Hugh) <Hugh.McAloon@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; MacDougall A (Audrey) <Audrey.MacDougall@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Hicks C (Clare) <Clare.Hicks@gov.scot>; Bruce A (Andrew) <Andrew.Bruce@gov.scot>; Logan G (Graeme) <Graeme.Logan@gov.scot>; Wilson M (Mick) <Mick.Wilson@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; DG Education & Justice <dgej@gov.scot>; ET FMQ/PQ Mailbox <ETFMQPQ@gov.scot>

Subject: FMQ Brief Commission Request - Education due 11am Tuesday 1st June

[Redacted information not in scope]

Enclosure 046.1 – Attachment: guidance

[Redacted information not in scope]

Enclosure 046.2 – Attachment: checklist

[Redacted information not in scope]

Enclosure 046.3 – Attachment: template

[Redacted information not in scope]

Enclosure 046.4 – Attachment: briefing

[Redacted information not in scope]

Enclosure 046.5 – Attachment: briefing

[Redacted information not in scope]

Enclosure 046.6 – Attachment: briefing

[Redacted information not in scope]

Enclosure 046.7 – Attachment: briefing

[Redacted information not in scope]

ISSUE 26 May: Urgent PQ raised by Labour MSP Michael Marra seeking an update on the timescale for publishing the 2021 appeals process.

[Redacted information not in scope]

ISSUE 22 May: Herald, i, and Mail report on Scottish Labour calls for clarity on the 2021 appeals process.

ISSUE 19 May: Scottish Green news release, ‘SQA treating pupils with contempt over appeals’, criticises SQA for delay in announcing 2021 appeal process.

ISSUE 15/16 May: Various media coverage: [15 May] Herald reports Tory Jamie Greene’s claim that the SQA assessment row is becoming “the new Parliament’s first scandal”; Mail and Times report ‘hundreds’ of pupils sharing assessment details on the Discord invite-only app. [16 May] Sunday Mail claims SQA has broken a promise to outline appeals process at start of May; Scotland on Sunday publishes article written by two students seeking a ‘human rights compliant direct appeals process’.

[Redacted information not in scope]

- Separately, the SQA has consulted on draft proposals to ensure that fairness and equity for learners are at the heart of the 2021 appeals process, and details of this process will be set out soon.

[Redacted information not in scope]

APPEALS PROCESS

We asked SQA to review their appeals process for 2021 to ensure it best meets the needs of young people.

- They carried out a public consultation on draft proposals that received more than 1,100 responses, and engaged widely with stakeholders including learners.
- As the SQA has indicated, the outcomes of the appeals consultation are currently being finalised, following the public consultation.
- The SQA is aiming to announce details of the appeals process imminently.
- Learners should be reassured that a comprehensive appeals process will be in place to ensure fairness and equity for learners.
- The current focus should be on maximising teaching and learning and the gathering of evidence to support the development of provisional grades.

[Redacted information not in scope]

Enclosure 046.8 – Attachment: briefing

[Redacted information not in scope]

Enclosure 046.9 – Attachment: briefing

[Redacted information not in scope]

Enclosure 046.10 – Attachment: briefing

[Redacted information not in scope]

Enclosure 047 – Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

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

Sent: 26 May 2021 15:14

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

Cc: DG Education & Justice <dgej@gov.scot>; Gorman G (Gayle)

<Gayle.Gorman@educationscotland.gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>;

Director of Learning <DirectorofLearning@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>;

[Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][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>; First Minister FMQs <FirstMinisterFMQs@gov.scot>; Communications

Education & Skills <CommunicationsEducation&Skills@gov.scot>

Subject: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

[Redacted s38(1)(b)]

Please find attached a revised version of the note for FM that seeks to take as full account of Ms Somerville's comments as possible. I've included a copy with track changes on top of Ms Somerville's comments and a clean copy.

Thanks
Malcolm

[Remainder of email chain at enclosure 043]

Enclosure 047.1 - Attachment: clean copy

[Redacted s29(1)(b)]

Enclosure 047.2 – Attachment: tracked changes

[Redacted s29(1)(b)]

Enclosure 048 – Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

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

Sent: 26 May 2021 17:52

To: Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Cabinet Secretary for Education and Skills <CabSecES@gov.scot>

Cc: DG Education & Justice <dgej@gov.scot>; Gorman G (Gayle)

<Gayle.Gorman@educationscotland.gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>;

Director of Learning <DirectorofLearning@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>;

[Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][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>; First Minister FMQs <FirstMinisterFMQs@gov.scot>; Communications

Education & Skills <CommunicationsEducation&Skills@gov.scot>

Subject: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND

APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

Importance: High

Malcolm

Many thanks. Attached is a version that has been edited by Cab Sec. If officials are content with this then I will get sent on – but she asked that officials sense check first to make sure still reads okay and nothing vital removed.

Grateful for views one way or other ASAP.

Thanks.

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] T: 0131 [Redacted s38(1)(b)] | M: 07 [Redacted s38(1)(b)] | E: cabsecES@gov.scot

The Scottish Government | St Andrew's House, Regent Road, EDINBURGHEH1 3DG

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[Remainder of email chain at enclosure 047]

Enclosure 048.1 – Attachment: ACM and appeals

[Redacted s29(1)(b)]

Enclosure 049 – Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

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

Sent: 26 May 2021 19:09

To: Cabinet Secretary for Education and Skills <CabSecES@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>

Cc: DG Education & Justice <dgej@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; First Minister FMQs <FirstMinisterFMQs@gov.scot>; Communications Education & Skills <CommunicationsEducation&Skills@gov.scot>

Subject: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

Hi [Redacted s38(1)(b)]

As discussed I have reviewed Ms Somerville's changes which all seem fine. I have also worked through the note one final time and simplified jargon where possible, without changing the substance of the content.

Many thanks again to Malcolm and the team for all the work done on this note.

Graeme.

[Remainder of email chain at enclosure 048]

Enclosure 049.1 – Attachment: tracked changes

[Redacted s29(1)(b)]

Enclosure 050 – Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

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

Sent: 26 May 2021 19:44

To: First Minister <firstminister@gov.scot>

Cc: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; Cabinet Secretary for Education and Skills <CabSecES@gov.scot>; Minister for Parliamentary Business <MinisterPB@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; DG Education & Justice <dgej@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Cabinet Secretariat inbox <CabinetSecretariat3@gov.scot>

Subject: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

Importance: High

PS/First Minister

Further to previous advice and subsequent discussion at Cabinet please find attached a further note from Ms Somerville to First Minister regarding the above. It would be helpful for a response on Thursday if at all possible to allow arrangements, if First Minister is content, for Parliamentary Statement next Wednesday to be finalised.

Many thanks.

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] T: 0131 [Redacted s38(1)(b)] | M: 07 [Redacted s38(1)(b)] | E: cabsecES@gov.scot

The Scottish Government | St Andrew's House, Regent Road, EDINBURGHEH1 3DG

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www.lobbying.scot

[Remainder of email chain in enclosure 039]

Enclosure 050.1 – Attachment: note from Cab Sec

[Redacted s29(1)(b)]

Enclosure 051 – Email: National Qualifications - draft statement and briefing pack for Wed 2 June

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

Sent: 27 May 2021 19:26

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

Cc: Director of Learning <DirectorofLearning@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Macdonald R (Roddy) <Roddy.Macdonald@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; SGLD School Education <SGLDSE@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: National Qualifications - draft statement and briefing pack for Wed 2 June

Dear [Redacted s38(1)(b)]

Please find attached a draft statement and briefing pack for Cabinet Secretary's consideration. The statement is a bit long and we would welcome any feedback from the Cabinet Secretary. We have put in place limited cover on the Monday public holiday to take forward if Cabinet Secretary has had a chance to consider by that point.

Also included is a draft SPICe briefing note, which could be laid in Parliament next Wednesday if Cabinet Secretary is content.

Many thanks

[Redacted s38(1)(b)]

Briefing - Cabinet Secretary for Education and Skills - 2021 National Qualifications Ministerial Statement - May 2021 DRAFT (A33406902)

National Qualifications - Cabinet Secretary Parliamentary statement - 1 June 2021 (A33452600)
2021 National Qualifications and the Alternative Certification Model - SPICe briefing note - May 2021 (A33374398)

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

[Redacted s38(1)(b)]

Enclosure 051.1

[Redacted information not in scope]

Annex C

Q&A

APPEALS

[Redacted s30(b)(i)]

- Earlier this year, SQA carried out a public consultation on draft proposals to ensure the appeals process for 2021 best meets the needs of young people.
- The outcomes of the appeals consultation have been discussed with the National Qualifications 2021 Group, and internal SQA teams and governance structures to ensure the final approach aligns with the alternative certification model and is operationally viable.
- Difficult decisions have had to be taken to balance competing views of various stakeholders.
- We wanted to ensure that the right decisions were taken to ensure that a fair and equitable appeals approach could be delivered, maintaining the standards and credibility of the qualifications.

[Redacted s30(b)(i)]

- The focus at this time should be completion of learning and teaching, and gathering of evidence to support the provisional results.
- The evidence used in determining the provisional results will be the same evidence required to support any appeals.

[Redacted s30(b)(i)]

- We are determined to ensure that young people get the right grade first time.
- Teachers will be discussing the provisional results with learners so there will be no surprises.
- The SQA has given careful consideration to operational requirements required to support appeals this year.
- Learners will be able to indicate any intent to appeal these results following the deadline for submission of the provisional results, which will allow an early indication of the level of appeals and whether existing capacity is sufficient.

[Redacted information not in scope]

- Separately, the SQA has consulted on draft proposals to ensure that fairness and equity for learners are at the heart of the 2021 appeals process, and details of this process will be set out soon.

[Redacted information not in scope]

APPEALS PROCESS

We asked SQA to review their appeals process for 2021 to ensure it best meets the needs of young people.

- They carried out a public consultation on draft proposals that received more than 1,100 responses, and engaged widely with stakeholders including learners.
- As the SQA has indicated, the outcomes of the appeals consultation are currently being finalised, following the public consultation.
- The SQA is aiming to announce details of the appeals process imminently.
- Learners should be reassured that a comprehensive appeals process will be in place to ensure fairness and equity for learners.

- The current focus should be on maximising teaching and learning and the gathering of evidence to support the development of provisional grades.

[Redacted information not in scope]

CONTINGENCY FOR EXTREME DISRUPTION

In recognition of the disruption to learning this year, SQA has modified assessment arrangements for National courses.

- [Redacted information not in scope]
- These arrangements are separate and distinct from the appeals process, which learners undertaking the later certification will still be able to access.

[Redacted information not in scope]

Annex E

2021 Appeals Process

[comment: [Redacted s38(1)(b)] – Section to be reviewed in light of any decisions]

Key Lines

- We asked SQA to review their appeals process for 2021 to ensure it best meets the needs of young people.
- They carried out a range of stakeholder engagement, including a public consultation on draft proposals, to make sure fairness and equity for learners are at the heart of the 2021 appeals process.
- Time has been taken to ensure that differing stakeholder views and delivery implications have been fully considered when arriving at the final approach.
- The proposed appeals process is considered a reasonable balance in delivering a fair and credible set of results for learners whilst incorporating a direct right of appeal in line with the needs of young people and the principles of the UNCRC.
- The approach has been designed to align with the alternative certification model for the National 5, Higher and Advanced Higher qualifications.
- Key elements include:
 - A direct right of appeal for learners – direct to SQA or through their centre
 - Service will be free of charge to learners.
 - Appeal decisions will be evidence-based and will be symmetric i.e. grades can go up, down or stay the same.
 - As in usual years, priority appeals will be carried out for those learners with an immediate progression opportunity (e.g. for progression to FE, HE or employment) dependent on the outcome.
 - Service will open from late June for learners who wish to intimate an intent to appeal, although the formal appeals process will not commence until results have been issued on 10 August.

Grounds for appeal

[redacted s30(b)(i)]

- SQA have identified three grounds for appeal for the 2021 service.
 - Disagreement with the centre's quality assured academic judgement;
 - Contested administrative or procedural error within SQA or the centre; or
 - Appeals related to the Equality Act, including assessment arrangements.

- The flexibility of the alternative certification model allows for schools to determine the timing and nature of the assessments used, which can be adapted to address individual circumstances prior to finalisation of the provisional results.
- In addition, a limited later contingency arrangement for any learners who have been unduly impacted by severe disruption to learning has also been agreed. [This will allow learners who have completed their learning, but have not been able to pull together the necessary assessment evidence within the flexibilities already available, to complete assessments to inform their provisional results by the later date of 3 September.]

Symmetry

[redacted s30(b)(i)]

- The symmetry approach to the appeals service for 2021 (with appeals resulting in the ability for grades to go down as well as up or to stay the same) is consistent with SQA's approach in previous years and comparable with other appeals services in the rest of the UK and internationally.
- In previous years the numbers of learners who saw grades fall as a result of an appeal has been very small.
- The National Qualifications 2021 Group has been clear that demonstrated attainment is a key principle of the alternative certification model in ensuring credibility and fairness of the qualifications.
- To move to a position of 'no detriment' would bring a question of fairness if the evidence indicated the candidate's evidence did not support the awarded grade but they were not downgraded.

Timescale for opening and processing appeals

Issue: In usual years, the appeals service would open immediately following learner receiving their results on certification day. Under the ACM, learners should be aware of their provisional results by the deadline of 25 June. SQA will not be making any changes to these results other than in the case of administrative errors.

- Under the ACM, learners should be aware of their provisional results when they are submitted by the deadline of 25 June. SQA will not be making any changes to these results other than in the instance of administrative errors notified by the centres.
- The appeals service will open from late June for learners who wish to intimate an intent to appeal, with the formal appeals process (and centre providing necessary supporting information) commencing once the results have been formally issued on 10 August.
- Education stakeholders were clear that the workload implications for schools of any earlier formal processing would not be sustainable.
- Partners are considering what support can be provided for learners in the interim period between June and August.

[Redacted information not in scope]

OPPOSITION PARTIES

Greens

- Press release of 19 May, quoting Ross Greer, criticised the SQA for missing its own deadline for confirming the appeals process for this year.

[Redacted information not in scope]

Liberal Democrats

- The liberal democrats have criticised the approach to awarding this [Redacted information not in scope] and asking why the appeals process has been delayed.
- In parliament, on 26 May, Beatrice Wishart asked why there were still questions on appeals and asked if Ministers would look to reform SQA.

[Redacted information not in scope]

Labour

Michael Marra has written to the Cabinet Secretary questioning the delay in publication of the 2021 appeals process,

[Redacted information not in scope]

[Redacted information not in scope]

Conservatives

In a Herald article on 26 May, Scottish Conservative Oliver Mundell said: “The harsh reality is that pupils are sitting exams in all but name right now despite being told they were cancelled this year. It simply isn’t good enough that the SNP’s new Education Secretary is going to wait until next week to deliver an update on the appeals process.

[Redacted information not in scope]

Annex J

SCOTTISH GREENS NEWS RELEASE [19 MAY 2021]

SQA treating pupils with contempt over appeals

Scotland’s exams agency has missed its own deadline for confirming how the appeals process will work for this year’s school assessments, the Scottish Greens can reveal.

SQA chief executive Fiona Robertson told Scottish Greens MSP Ross Greer in March that the appeals process would be confirmed by the end of April, or the beginning of May at the latest [1], and this timetable still appears on the agency’s website. [2]

However, many pupils are now more than half way through a marathon of pseudo -exams without any clarity of how to appeal, should they fail to get the results they or their teacher believe is deserved.

Commenting, Ross Greer said:

“After last year’s exams debacle, in which the appeals process was an acute point of failure, it’s unbelievable that the SQA have left themselves so completely unprepared for this year’s assessments.

“It’s utterly unacceptable that pupils are being forced through exams in all but name without either they or their teachers having any idea how the appeals process will work, or what evidence they will need to provide for it.

“The SQA has once again proven that it does not work in the interests of those it is supposed to serve, indeed it doesn’t even seem capable of doing that. It’s long past time the Scottish Government overhauled the exams authority, starting by immediately replacing its board.”

ENDS

1 Fiona Robertson to Ross Greer in education committee, 3 March: "I hope that we will be able to confirm our position on the appeals process in late April or early May, at the latest. <http://archive2021.parliament.scot/parliamentarybusiness/report.aspx?r=13176>

SCOTTISH LABOUR NEWS RELEASE [12 MAY 2021]**MARRA CALLS FOR CLARITY AND EQUITY IN ASSESSMENT PROCESS NOW****IMMEDIATE**

Michael Marra has written to John Swinney to demand clarity and equity in the appeals process for school assessments this year, as he warns that John Swinney and the SQA are ‘sleepwalking into a crisis.’”

[Redacted information not in scope]

The SQA has not yet published this year's appeals process.

Marra has said it is unacceptable that young people are taking part in a process they have no certainty around, and that a review is needed to ensure equity and national consistency in the appeals process.

[Redacted information not in scope]

"Following last year's exams shambles we also need to ensure there is equity and consistency in the appeals process.

[Redacted information not in scope]

12-26 Mar 21	SQA consultation on options for 2021 appeals process
--------------	--

[Redacted information not in scope]

ALTERNATIVE CERTIFICATION MODEL 2021 TIMELINE**Timeline of upcoming National Qualification events and alignment to ACM Stages**

Date	Events
[Redacted information not in scope]	[Redacted information not in scope]
[Redacted information not in scope]	[Redacted information not in scope]

[Redacted information not in scope]	[Redacted information not in scope]
[Redacted information not in scope]	[Redacted information not in scope]
[Redacted information not in scope]	[Redacted information not in scope]
Late May 21	Final 2021 Appeals process to be announced.
[Redacted information not in scope]	[Redacted information not in scope]
[Redacted information not in scope]	[Redacted information not in scope]
[Redacted information not in scope]	[Redacted information not in scope]
10 Aug 21	ACM Stage 5: Publication of SQA results. Ministerial event tbc. Appeals process underway (discussions ongoing as to whether the appeals process should be opened on 25 June)

[Redacted information not in scope]

[Redacted s29(1)(b)]

**Ministerial Statement – Cabinet Secretary for Education and Skills –
NATIONAL QUALIFICATIONS 2020/21**

- [Redacted information not in scope] set out how this year's appeals process will work to support learners;

[Redacted information not in scope]

Following stakeholder engagement and public consultation, the SQA will today publish details of this year's appeals process. The process is aligned with 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.

A broader range of grounds for appeal will be allowed, including disagreement with a centre's quality assured academic judgement.

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. [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.*]

As part of the model being used this year, learners will be aware of their provisional results through ongoing discussion with their teachers. 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 out in place for learners over this period. Appeals will be free of charge and SQA are publishing details on the appeals process today.

[Comment: [Redacted s38(1)(b)]– tbc]

[Redacted information not in scope]

Enclosure 051.3 – Attachment: briefing

[Redacted information not in scope]

2021 Appeals process

[Comment: [Redacted s38(1)(b)] – tbc]

1.

[Redacted information not in scope]

When will the 2021 appeals process be known and will it include a direct route of appeal for candidates?

[To be added]

[Comment: [Redacted s38(1)(b)] – tbc]

How will teachers and learners know what evidence is required for appeals?

The focus at this time should be completion of learning and teaching, and gathering of evidence to support the provisional results.

The evidence used in determining the provisional results will be the same evidence required to support any appeals.

[Redacted information not in scope]

Enclosure 052 – Email: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

From: [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** First Minister

Sent: 28 May 2021 10:49

To: Cabinet Secretary for Education and Skills <CabSecES@gov.scot>; First Minister <firstminister@gov.scot>

Cc: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; Minister for Parliamentary Business <MinisterPB@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; DG Education & Justice <dgej@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Cabinet Secretariat inbox <CabinetSecretariat3@gov.scot>

Subject: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

[Redacted s38(1)(b)],

The First Minister has noted and is content for the statement to proceed on this basis, however FM has asked a few questions on the note which I have outlined below.

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

Regards

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]/First Minister of Scotland

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[Remainder of email chain at enclosure 050]

Enclosure 052.1 – Attachment:

[Redacted s29(1)(b)]

Enclosure 053 – Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

From: [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** First Minister

Sent: 28 May 2021 11:00

To: Griffin J (Joe) <Joe.Griffin@gov.scot>; DG Education & Justice <dgej@gov.scot>

Subject: FW: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

Morning Joe,

Please note FM's comments on this paper below.

Many thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] /First Minister of Scotland

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[Remainder of email chain at Enclosure 052]

Enclosure 053.1

[Redacted s29(1)(b)]

Enclosure 054 – Email: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

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

Date: Friday, 28 May 2021, 11:26 am

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

Subject: FW: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

[Redacted s38(1)(b)]– as per my previous email.

Thanks, Graeme.

[Remainder of email chain at Enclosure 052]

Enclosure 054.1 – Attachment

[Redacted s29(1)(b)]

Enclosure 055 – Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

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

Sent: 28 May 2021 11:18

To: First Minister <firstminister@gov.scot>; Cabinet Secretary for Education and Skills <CabSecES@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>

Cc: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; Minister for Parliamentary Business <MinisterPB@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; DG Education & Justice <dgej@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Cabinet Secretariat inbox <CabinetSecretariat3@gov.scot>

Subject: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

Copying to [Redacted s38(1)(b)] who is on call from the NQ policy team today (I'll send on the attachment [Redacted s38(1)(b)]).

[Redacted s38(1)(b)] – can you provide Ms Somerville with brief advice/ a response to points one and three of the FM's feedback please.

Stephen/ Katherine – please see section highlighted in yellow below. We have previously discussed that your team would provide advice to Ministers on this point. Has this advice been sent (apologies if I have missed it). If not, could this be provided and the position firmed up as FM has suggested, by lunchtime on Tuesday please? There is a pre-meet with Ms Somerville at 1500 on Tuesday, ahead of her statement on Wednesday. [Redacted s38(1)(b)] – can you invite Katherine/ Stephen (Director of Advanced Learning and Science mailbox) to this pre-meet please?

Thanks
Graeme.

[Remainder of email chain at Enclosure 052]

Enclosure 056 – Email: press lines

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

Sent: 28 May 2021 14:02

To: McAllister C (Colin) <Colin.McAllister@gov.scot>; Ingebrigtsen R (Ross) <Ross.Ingebrigtsen@gov.scot>; Nicolson S (Stuart) (Special Adviser) <Stuart.Nicolson@gov.scot>

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

Subject: SpAds views: Media queries - Alternative Certification Model - P&J, Record, Sunday Times

Hi SpAds

We have three queries around criticism of this year's Alternative Certification Model – are you happy for me to issue previously cleared lines (and also refer journalists to Ms Somerville's comments in the chamber on Wednesday)?

Thanks

[Redacted s38(1)(b)]A Scottish Government spokesperson said:

“The National Qualifications 2021 Group, which includes representation from teachers, parents and young people, developed this year's Alternative Certification Model. The model has the flexibility 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 their course assessments.

“A later certification contingency is available for learners who have experienced severe disruption and have not been unable to complete their assessment evidence within the flexibilities already provided.”

QUERY – P&J

Regarding the Alternative Certification model. I understand that an announcement may come next week to explain the details for the appeals process. Could someone with the government provide a statement to answer the following questions:

- **Parents and students have spoken about the assessment process being unfair to students who may need special testing conditions and relying too heavily on new testing at the expense of existing coursework and teacher judgement. Will the details of the appeals process look to address or account for any of these concerns?**

[Redacted information not in scope]

Enclosure 057 - Email: advice for university applicants

From: [Redacted s38(1)(b)]@gov.scot>
Sent: 01 June 2021 15:00
To: [Redacted s38(1)(b)]@gov.scot>
Subject: FW: SQA qualifications: advice for university applicants

This may (or may not) be of interest to you.

From: [Redacted s38(1)(b)]@gov.scot>
Sent: 01 June 2021 14:50
To: CERG <CERG@gov.scot> [Redacted s38(1)(b)]@gov.scot>
Cc: [Redacted s38(1)(b)]@gov.scot [Redacted s38(1)(b)]@gov.scot>; CERG <CERG@gov.scot>
Subject: RE: SQA qualifications: advice for university applicants

Sending again as attachment got lost

Thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] [Redacted s38(1)(b)] CERG (Covid Education Recovery Group)
DLEARN: Improvement, Attainment and Wellbeing
Currently working from home

From: [Redacted s38(1)(b)] **On Behalf Of** CERG
Sent: 01 June 2021 14:47
To: [Redacted s38(1)(b)]@gov.scot>
Cc: [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; CERG@gov.scot <CERG@gov.scot>
Subject: RE: SQA qualifications: advice for university applicants

Hi

Forwarding for your attention.

Thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] [Redacted s38(1)(b)] CERG (Covid Education Recovery Group)
DLEARN: Improvement, Attainment and Wellbeing
Currently working from home

From: [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** Cabinet Secretary for Education and Skills
Sent: 01 June 2021 14:09
To: Anson S (Sam) <Sam.Anson@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; CERG <CERG@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Macdonald R (Roddy) <Roddy.Macdonald@gov.scot>
Cc: Minister for HE, FE, Youth Employment and Training <MinisterHEFEYET@gov.scot>; Cabinet Secretary for Education and Skills <CabSecES@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>
Subject: FW: SQA qualifications: advice for university applicants

Afternoon,

Aware you might already have seen this, but please see email we got in today from Alastair and US. I have shared with the Cab Sec for her info ahead of the debate on Thursday.

Thanks

[Redacted s38(1)(b)]

From: Alastair Sim <alastair@universities-scotland.ac.uk>

Sent: 01 June 2021 13:53

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

Cc: Minister for HE, FE, Youth Employment and Training <MinisterHEFEYET@gov.scot>; Susannah Lane <susannah@universities-scotland.ac.uk>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Macdonald R (Roddy) <Roddy.Macdonald@gov.scot>

Subject: SQA qualifications: advice for university applicants

Dear Ms Somerville,

I'm getting in touch in advance of Thursday's education debate to share work-in-progress on ensuring that university applicants have the right advice once they have received their centre-assessed grades.

I attach a draft of a statement that Universities Scotland has developed with university admissions directors aimed at providing some clarity and some reassurance for applicants. Institutions will not be able to confirm places until they have SQA-certified results, but they will be able to offer candidates some advice and support. Other candidates will need advice about alternative routes to higher education, e.g. through UCAS Clearing or through college. The statement is not final yet – we want to include reference to the SQA appeals process and how that will intersect with the admissions process, but can't do that until we see the appeals process. Once we have that, we intend to use the statement widely.

US in touch with SG at official level, and with SQA and SDS, to ensure that applicants have access to the right advice from government and its agencies.

[Redacted information not in scope]

Many thanks,

Alastair

Alastair Sim

Director, Universities Scotland

07[Redacted s38(1)(b)] alastair@universities-scotland.ac.uk

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Enclosure 057.1 – Attachment: statement

[Redacted information not in scope]

Enclosure 058 – Email: NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

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

Sent: 01 June 2021 11:59

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

Cc: Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)] [Redacted s38(1)(b)]@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; DG Education & Justice <dgej@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>

Subject: FW: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

Importance: High

Hi [Redacted s38(1)(b)]

As discussed, draft response below for Ms Somerville to send in response to FM's queries on the appeals process, if she is content. This response has been cleared with Malcolm, Graeme and colleagues in Advanced Learning & Science.

Many thanks

[Redacted s38(1)(b)]

First Minister

Thank you for your questions about the note on qualifications and appeals that I sent you on 26 May. My response to your questions is set out below:

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

[Redacted information not in scope]

- If the learner is appealing against the academic judgement made, the same evidence and materials that were used to determine the provisional result will be provided to SQA by the school, college or training provider. Results are based on demonstrated attainment and so the appeal of the final grade must also be based on evidence of knowledge and skills in a course against the national standard.

[Redacted information not in scope]

Shirley-Anne Somerville

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

[Redacted s38(1)(b)]

From: [Redacted s38(1)(b)]@gov.scot> on behalf of: Cabinet Secretary for Education and Skills <CabSecES@gov.scot>

Date: Friday, 28 May 2021, 12:16 pm

To: Director of Learning <DirectorofLearning@gov.scot>, Cabinet Secretary for Education and Skills <CabSecES@gov.scot>, [Redacted s38(1)(b)]@gov.scot>, Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>

Cc: DG Education & Justice <dgej@gov.scot>, Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>, Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>, McAllister C (Colin) <Colin.McAllister@gov.scot>

Subject: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

Thanks Graeme

[Redacted s38(1)(b)]– at risk of being obvious, grateful if you could send draft response to THIS reduced copylist rather than the full one below that included FM and DFM etc. Ms Somerville will, of course, wish to clear response before it issues.

Thanks.

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]T: 0131 [Redacted s38(1)(b)] | M: 07[Redacted s38(1)(b)] | E: cabsecES@gov.scot

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[Remainder of email chain at Enclosure 055]

Enclosure 058.1 – Attachment: draft response from Cabinet Secretary for Education and Skills

[Redacted s29(1)(b)]

Enclosure 059 – Email: debate briefing

From: Anson S (Sam) <Sam.Ansan@gov.scot>

Sent: 01 June 2021 16:18

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

Cc: McAllister C (Colin) <Colin.McAllister@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Spads Admin <Spads_Admin@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Minister for Parliamentary Business <MinisterPB@gov.scot>; Minister for Children & Young People <MinisterCYP@gov.scot>; Minister for HE, FE, Youth Employment and Training <MinisterHEFEYET@gov.scot>; DG Education & Justice <dgej@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Taylor A (Alison) <Alison.Taylor@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Wilson M (Mick) <Mick.Wilson@gov.scot>; McLean L (Liza) <Liza.McLean@gov.scot>; Director for Children and Families <DirectorforChildrenandFamilies@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Cumming A (Alison) Early Learning & Childcare <Alison.Cumming@gov.scot>; [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: Scottish Government Debate: Education 030621

[Redacted information not in scope]

Enclosure 059.1 – Attachment: debate speeches

[Redacted information not in scope]

Enclosure 059.2 – Attachment: Briefing

[Redacted information not in scope]

- Separately, the SQA has consulted on draft proposals to ensure that fairness and equity for learners are at the heart of the 2021 appeals process, and details of this process will be set out soon.

[Redacted information not in scope]

APPEALS PROCESS

We asked SQA to review their appeals process for 2021 to ensure it best meets the needs of young people.

- They carried out a public consultation on draft proposals that received more than 1,100 responses, and engaged widely with stakeholders including learners.
- As the SQA has indicated, the outcomes of the appeals consultation are currently being finalised, following the public consultation.
- The SQA is aiming to announce details of the appeals process imminently.
- Learners should be reassured that a comprehensive appeals process will be in place to ensure fairness and equity for learners.
- The current focus should be on maximising teaching and learning and the gathering of evidence to support the development of provisional grades.

[Redacted information not in scope]

- These arrangements are separate and distinct from the appeals process, which learners undertaking the later certification will still be able to access.

[Redacted information not in scope]

ISSUE 26 May: Urgent PQ raised by Labour MSP Michael Marra seeking an update on the timescale for publishing the 2021 appeals process.

[Redacted information not in scope]

ISSUE 22 May: Herald, i, and Mail report on Scottish Labour calls for clarity on the 2021 appeals process.

ISSUE 19 May: Scottish Green news release, ‘SQA treating pupils with contempt over appeals’, criticises SQA for delay in announcing 2021 appeal process.

ISSUE 15/16 May: Various media coverage: [15 May] Herald reports Tory Jamie Greene’s claim that the SQA assessment row is becoming “the new Parliament’s first scandal”; Mail and Times report ‘hundreds’ of pupils sharing assessment details on the Discord invite-only app. [16 May] Sunday Mail claims SQA has broken a promise to outline appeals process at start of May; Scotland on Sunday publishes article written by two students seeking a ‘human rights compliant direct appeals process’.

[Redacted information not in scope]

Enclosure 060 – Email: note from Cabinet Secretary for Education and Skills

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

Sent: 01 June 2021 18:15

To: First Minister <firstminister@gov.scot>; Cabinet Secretary for Education and Skills <CabSecES@gov.scot>

Cc: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; Minister for Parliamentary Business <MinisterPB@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; DG Education & Justice <dgej@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Cabinet Secretariat inbox <CabinetSecretariat3@gov.scot>

Subject: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

Importance: High

PS/First Minister

Please find attached a (near final) copy of Ms Somerville's planned statement on the above – planned for 2.00pm Wednesday. Cab Sec would be grateful for any comments from the First Minister on this.

In addition, please see response below to the questions from First Minister on Friday – for ease I have re-attached a copy of the Ms Somerville's note of 26 May in case the First Minister wishes to refer back to that.

Please let me know if you need anything further.

Many thanks.

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

[Redacted information not in scope]

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]T: 0131 [Redacted s38(1)(b)] | M: 07[Redacted s38(1)(b)] | E: cabsecES@gov.scot

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[Remainder of email chain in Enclosure 052]

Enclosure 060.1 – Attachment: statement

[In scope information in this attachment is publicly available at [Meeting of the Parliament: 02/06/2021 | Scottish Parliament Website](#)]

Ministerial Statement – Cabinet Secretary for Education and Skills – NATIONAL QUALIFICATIONS 2020/21

[Redacted information not in scope]

[Redacted s25(1) – information publicly available]

[Redacted information not in scope]

[Redacted s25(1) – information publicly available]

[Redacted information not in scope]

[Redacted s25(1) – information publicly available]

[Redacted information not in scope]

Enclosure 060.2 – Attachment: note

[Redacted s29(1)(b)]

Enclosure 061 – Email: draft letter to SQA

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 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

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)] Learning Directorate, Scottish Government, Area 2B North, Victoria Quay, Edinburgh, EH6 6QQ

• email: [Redacted s38(1)(b)]@gov.scot • mobile: 07[Redacted s38(1)(b)] • url: www.gov.scot

[Redacted s38(1)(b)]

[Remainder of email chain at enclosure 020]

Enclosure 061.1 – appeals model

[see enclosure 020.1]

Enclosure 061.2 – Attachment: letter

[Redacted information not in scope]

Enclosure 061.3 – Attachment: draft response

Cabinet Secretary for Education and Skills
Shirley-Anne Somerville MSP

T: 0300 244 4000
E: scottish.ministers@gov.scot



Scottish Government
Riaghaltas na h-Alba
gov.scot

Fiona Robertson
Chief Examining Officer
Scottish Qualifications Authority

By email: Fiona.robertson@sqa.org.uk

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 consideration to the appeals service being proposed. I can confirm that I am content with the proposed approach on the basis 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.

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. Balancing such considerations against operational viability, and the need to ensure a fair and credible approach to awarding the qualifications, must ultimately lead to hard decisions. I am satisfied that you have outlined a clear and justifiable rationale as to why those final decisions have been taken. 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 appreciate that these continue to be very challenging times and that you and colleagues at SQA have been working very hard and with great commitment. Continued partnership working in developing and delivering the qualifications this year, and joined-up messaging on the flexibilities within the alternative certification model, is vital to addressing some of public concerns and anxieties relating to the assessment approaches being implemented during what is a stressful time for many learners and their families in any year.

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

Yours Sincerely,

SHIRLEY-ANNE SOMERVILLE

Enclosure 062 – Email: SQA documents

From: Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>
Sent: 02 June 2021 09:30
To: Cabinet Secretary for Education and Skills <CabSecES@gov.scot>
Cc: DG Education & Justice <dgej@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; First Minister FMQs <FirstMinisterFMQs@gov.scot>; Communications Education & Skills <CommunicationsEducation&Skills@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Macdonald R (Roddy) <Roddy.Macdonald@gov.scot>; Pooley L (Linda) Dr <Linda.Pooley@gov.scot>
Subject: SQA Appeals Service - SQA documents for publication today

[Redacted s38(1)(b)]

Copy: as above

SQA Appeals Service - SQA documents for publication today

Please find attached for Ms Somerville's awareness the suite of documents that the SQA will publish at 2pm today as she delivers her statement. Please note these are near final versions. Included are SQA's:

- Appeals consultation report
- Equality Impact Assessment on the appeals service
- Children's Rights and Wellbeing Impact Assessment on the appeals service
- HE/FE/Employer Research Report
- Learner booklet
- Learner blog
- Parent/carer blog
- FAQs

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

Enclosure 062.1 – Attachment: consultation analysis

[Redact s25(1) – information is publicly available at
https://www.sqa.org.uk/sqa/files_ccc/nq-appeals-2021-consultation-analysis.pdf]

Enclosure 062.2 – Attachment: EQIA

[Redact s25(1) – information is publicly available at

https://www.sqa.org.uk/sqa/files_ccc/equality-impact-assessment-appeals-2021.pdf]

Enclosure 062.3 – Attachment: CRWIA

[Redact s25(1) – information is publicly available at https://www.sqa.org.uk/sqa/files_ccc/childrens-rights-wellbeing-impact-assessment-appeals-2021.pdf]

Enclosure 062.4 – Attachment: research

[Redact s25(1) – information is publicly available at

https://www.sqa.org.uk/files_ccc/research-among-heis-colleges-employers-2021.pdf]

Enclosure 062.5 – Attachment: leaflet

[Redact s25(1) – information is publicly available at
https://www.sqa.org.uk/sqa/files_ccc/SQA-Appeals-2021-what-you-need-to-know.pdf]

Enclosure 062.6 – Attachment: blog

[Redact s25(1) – information is publicly available at
<https://blogs.sqa.org.uk/2021/appeals/>]

Enclosure 062.7 – Attachment: blog

[Redact s25(1) – information is publicly available at
<https://blogs.sqa.org.uk/2021/sqa-appeals-service-2021-a-guide-for-parents-and-carers/>]

Enclosure 062.8 – Attachment: FAQs

[Redact s25(1) – information is publicly available at
<https://www.sqa.org.uk/sqa/72074.html>]

Enclosure 063 – Email: Letter from SQA

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 Education & Skills <CommunicationsEducation&Skills@gov.scot>; [Redacted s38(1)(b)][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)][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)]

[Remainder of email chain at Enclosure 061]

Enclosure 064 - NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

From: [Redacted s38(1)(b)]@gov.scot> **On Behalf Of** First Minister

Sent: 02 June 2021 10:42

To: Cabinet Secretary for Education and Skills <CabSecES@gov.scot>; First Minister <firstminister@gov.scot>

Cc: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; Minister for Parliamentary Business <MinisterPB@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; DG Education & Justice <dgej@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Cabinet Secretariat inbox <CabinetSecretariat3@gov.scot>

Subject: RE: IMMEDIATE: NATIONAL QUALIFICATIONS - ALTERNATIVE CERTIFICATION MODEL AND APPEALS : NOTE FROM CABINET SECRETARY FOR EDUCATION & SKILLS

Morning [Redacted s38(1)(b)]

[Redacted s29(1)(b)]

Thanks

[Redacted s38(1)(b)]

[Redacted s38(1)(b)][Redacted s38(1)(b)] Private Office to the First Minister
5th Floor | St Andrew's House | Regent Road | Edinburgh | EH1 3DG



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[Remainder of email chain at Enclosure 060]

Enclosure 065 –Email: Letter from SQA

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)][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)][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)], Learning Directorate, Scottish Government, Area 2B North, Victoria Quay, Edinburgh, EH6 6QQ

• email: [Redacted s38(1)(b)]@gov.scot • mobile: 07 [Redacted s38(1)(b)] • url: www.gov.scot

[Redacted s38(1)(b)]

[Remainder of email chain at enclosure 063]

Enclosure 065.1 – Attachment: draft letter to SQA

Cabinet Secretary for Education and Skills
Shirley-Anne Somerville MSP

T: 0300 244 4000
E: scottish.ministers@gov.scot



Scottish Government
Riaghaltas na h-Alba
gov.scot

Fiona Robertson
Chief Examining Officer
Scottish Qualifications Authority

By email: 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 066 –Email: STATEMENT BY CABINET SECRETARY FOR EDUCATION & SKILLS : NATIONAL QUALIFICATIONS 2021

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

Sent: 02 June 2021 12:32

To: Cabinet Secretariat inbox <CabinetSecretariat3@gov.scot>; Cabinet Secretary for Constitution, External Affairs and Culture <CabSecCEAC@gov.scot>; Cabinet Secretary for Education and Skills <CabSecES@gov.scot>; Cabinet Secretary for Finance and Economy <CabSecFE@gov.scot>; Cabinet Secretary for Health and Social Care <CabSecHSC@gov.scot>; Cabinet Secretary for Justice and Veterans <CabSecJV@gov.scot>; Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; Cabinet Secretary for Rural Affairs and Islands <CabSecRAI@gov.scot>; Cabinet Secretary for Social Justice, Housing & Local Government <CabSecSJHLG@gov.scot>; Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; First Minister <firstminister@gov.scot>; Lord Advocate <LordAdvocate@gov.scot>; Minister for Business, Trade, Tourism & Enterprise <MinisterBTTE@gov.scot>; Minister for Children & Young People <MinisterCYP@gov.scot>; Minister for Community Safety <MinisterCS@gov.scot>; Minister for Culture, Europe and International Development <MinisterCEID@gov.scot>; Minister for Drugs Policy <MinisterDP@gov.scot>; Minister for Environment, Biodiversity & Land reform <MinisterEBLR@gov.scot>; Minister for Equalities and Older People <MinisterEOP@gov.scot>; Minister for HE, FE, Youth Employment and Training <MinisterHEFEYET@gov.scot>; Minister for Just Transition, Employment & Fair Work <MinisterJTEFW@gov.scot>; Minister for Mental Wellbeing & Social Care <MinisterMWSC@gov.scot>; Minister for Parliamentary Business <MinisterPB@gov.scot>; Minister for Public Finance, Planning & Community Wealth <MinisterPFPCW@gov.scot>; Minister for Public Health, Women's Health & Sport <MinisterPHWHS@gov.scot>; Minister for Social Security and Local Government <MinisterSSLG@gov.scot>; Minister for Transport <MinisterFT@gov.scot>; Solicitor General <SolicitorGeneral@gov.scot>

Cc: Spads Admin <Spads_Admin@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

Subject: STATEMENT BY CABINET SECRETARY FOR EDUCATION & SKILLS : NATIONAL QUALIFICATIONS 2021

All

Please find attached a copy of Ms Somerville's statement for this afternoon (2.00pm).

Parly Business – happy for this version to be shared with opposition parties as appropriate.

Many thanks.

[Redacted s38(1)(b)] Private Secretary to Cabinet Secretary for Education & Skills

T: 0131 [Redacted s38(1)(b)] | M: [Redacted s38(1)(b)] | E: cabsecES@gov.scot
The Scottish Government | St Andrew's House, Regent Road, EDINBURGH EH1 3DG

Enclosure 066.1 – Attachment: Parliamentary statement

[Redacted s25(1) – information publicly available at:

<https://www.parliament.scot/chamber-and-committees/what-was-said-and-official-reports/what-was-said-in-parliament/meeting-of-parliament-02-06-2021?meeting=13232>]

Enclosure 067 – Email: FOR AWARENESS – SQA news release

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

Sent: 02 June 2021 14:40

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

Cc: McAllister C (Colin) <Colin.McAllister@gov.scot>; Ingebrigtsen R (Ross)

<Ross.Ingebrigtsen@gov.scot>; Nicolson S (Stuart) (Special Adviser) <Stuart.Nicolson@gov.scot>

Subject: FOR AWARENESS- SQA news release

CabSec/PO,

For awareness, here is the SQA's news release.

Regards

[Redacted s38(1)(b)]

Candidates to get free and direct right of appeal

The Scottish Qualifications Authority has today (2 June) announced how the appeals process will work this year, giving students for the first time the right to appeal directly to SQA. The service is free.

As in previous years, those waiting to confirm places at college, university or jobs that depend on the results will be given priority in the appeals process. Support to help answer learner questions about their next steps and their options is available.

Fairness to learners and the credibility of the qualifications that they have worked so hard to achieve in such an exceptional 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](#), whom they know best. Everyone is 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.

The new arrangements for appeals were developed in response to an extensive consultation with learners, parents and teachers.

SQA has sought to develop an appeals process, using that feedback, with fairness to all learners and the principle of demonstrated attainment, at its heart.

The key features of this year's appeals include:

- For the first time, learners will have a direct right of appeal – with the option to register that they want to appeal their provisional result directly to SQA from Friday 25 June
- Appeals will be processed by SQA, with the support of schools and colleges, after learners receive their results certificates on Tuesday 10 August
- Priority will be given to those where grades are required for a university or college place, or an offer of employment

- Comprehensive support [is available](#) to learners throughout the summer. SQA is partnering with other national organisations, including health and wellbeing charities.
- Schools, colleges and training providers will still be able to submit an appeal on behalf of their learners, if the learner and their parent or carer prefers to take that route
- Appeals will be based on the evidence of learner knowledge and skills in a course against the national standard – this means that grades can go up, go down or stay the same

The grounds for appeal are broad and cover 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 schools, colleges or training providers or established by a court or the Scottish Public Services Ombudsman), or
 - (ii) schools, colleges or training providers fail to provide agreed Assessment Arrangements.

Fiona Robertson, SQA Chief Executive and Scotland’s Chief Examining Officer, said: “Every effort is being made across the education system to support learners after an exceptionally challenging year, and to ensure they get the right result, first time. However, an appeals process must be available to learners. For the first time, learners will have a direct right of appeal to SQA. The grounds for appeal are broad and the service is free.”

In addition, the National Qualifications 2021 Group has [published further details](#) of a service that will support those young people, who through no fault of their own, have had their learning and teaching unduly disadvantaged by severe disruption – for example by medical conditions, bereavement, self-isolation, or shielding – and have not been able to complete all their evidence by Friday 25 June. The service 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.

SQA has developed an appeals process which respects the rights contained in the United Nations Convention on the Rights of the Child. An [Equalities Impact Assessment](#), and a [Children’s Rights and Wellbeing Impact Assessment](#) have also been published.

More information for learners on how the appeals process will work has been published [here](#). Guidance for schools, colleges and training providers will be published by Friday 11 June.

Alongside the details of how appeals will work this year, SQA has also published [research](#) conducted with universities, colleges and employers, gathering their views on the value of qualifications. There is broad agreement, according to the research, that to successfully achieve a qualification, there must be evidence 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.

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

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

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

Enclosure 068 – Email: debate briefing

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

Sent: 02 June 2021 17:01

To: Anson S (Sam) <Sam.Ansongov.scot>; Cabinet Secretary for Education and Skills <CabSecES@gov.scot>

Cc: McAllister C (Colin) <Colin.McAllister@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Spads Admin <Spads_Admin@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Minister for Parliamentary Business <MinisterPB@gov.scot>; Minister for Children & Young People <MinisterCYP@gov.scot>; Minister for HE, FE, Youth Employment and Training <MinisterHEFEYET@gov.scot>; DG Education & Justice <dgej@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Taylor A (Alison) <Alison.Taylor@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Wilson M (Mick) <Mick.Wilson@gov.scot>; McLean L (Liza) <Liza.McLean@gov.scot>; Director for Children and Families <DirectorforChildrenandFamilies@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Cumming A (Alison) Early Learning & Childcare <Alison.Cumming@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

Subject: RE: Scottish Government Debate: Education 030621

Dear all

Updated briefing pack attached.

Best wishes

[Redacted s38(1)(b)]

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

[Remainder of chain at enclosure 059]

Enclosure 068.1 – Attachment: briefing

[Redacted information not in scope]

APPEALS PROCESS

The 2021 appeals process published by the SQA includes, for the first time, a direct right of appeal for learners – something that will be welcomed by young people and their families.

- Learners should be reassured that a comprehensive appeals process will be in place to ensure fairness and equity for learners.
- We asked SQA to review their appeals process for 2021 to ensure it best meets the needs of young people.
- The SQA consulted widely on draft proposals – engaging stakeholders, including learners, to ensure that fairness and equity for learners are at the heart of the 2021 appeals process.
- The consultation on SQA's draft proposals received more than 1,100 responses.
- Time and care has been taken to ensure that differing stakeholder views and delivery implications have been fully considered when arriving at the final approach.
- In these exceptional times it is right and fair to all learners to provide a broad mechanism to appeal where someone considers they have not received the right result – to review it, and which is free at the point of use.
- The appeals process delivers a fair, consistent and credible approach to awarding the qualifications, incorporating a direct right of appeal in line with the needs of young people and the principles of the UNCRC.
- SQA have published a flowchart outlining the process for appeals this year.
- The evidence base for appeals will be the same evidence that teachers used to arrive at the provisional results and SQA appointees will review this to determine whether an error in grading has been made.

Priority appeals will be carried out for those learners with an immediate progression opportunity (e.g. for progression to Further or Higher Education or employment).

- The service will open from late June for learners who wish to intimate an intent to appeal, and the formal appeals process will commence once the results have been issued on 10 August.

Appeal decisions will be evidence-based and will be symmetric – that's to say, that grades can go up, down or stay the same.

- A symmetry approach means that learners will receive grades as consistently as possible, in the circumstances, with evidence of learners' attainment being judged against the national standards by their teacher, and by another teacher appointed by the SQA if the learner appeals.
- This approach means that learners will receive grades as consistently as possible, with evidence of learners' attainment being judged against the national standards by their teachers.
- Without symmetry, the teacher, and the SQA, reviewing the evidence at appeal would not be able to undertake a full and fair review of the evidence - since the grade could only go up or stay the same.

- This could be considered as unfair to other learners and raise questions of credibility over the approach.
- The symmetry approach outlined is consistent with SQA's approach in previous years, and is comparable with other appeals services in the rest of the UK and internationally.
- In previous years, the number of downgrades has been low (8 out of 13,898 in 2017; 7 out of 13,063 in 2019; and 2 out of 11,138 in 2019).

I completely sympathise with the challenges that learners have faced this year and that some will have experienced further exceptional circumstances that may have impacted on their performance.

- Contextual grounds where course have not been completed sufficiently, such as personal circumstances and the impact of disrupted learning, are not an eligible basis for appeal as this leads to inferred rather than evidence based attainment.
- The flexibility of the alternative certification model allows such matters to be managed within the school level assessment approaches being used in arriving at the provisional results.

[Redacted information not in scope]

CONTINGENCY FOR EXTREME DISRUPTION

In recognition of the disruption to learning this year, SQA has modified assessment arrangements for National courses.

[Redacted information not in scope]

- These arrangements are separate and distinct from the appeals process, which learners undertaking the later certification will still be able to access.

[Redacted information not in scope]

2 June: Education Secretary updated Parliament on National Qualifications appeals process;

[Redacted information not in scope]

Enclosure 069 – Email: Press lines

From: Nicolson S (Stuart) (Special Adviser) <Stuart.Nicolson@gov.scot>

Sent: 02 June 2021 18:06

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

<Colin.McAllister@gov.scot>; Ingebrigtsen R (Ross) <Ross.Ingebrigtsen@gov.scot>

Cc: Communications Education & Skills <CommunicationsEducation&Skills@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; News Desk <Newsdesk@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)][Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>

Subject: RE: SpAds views: Media query - SQA appeals

Ok to clear.

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

Sent: 02 June 2021 18:05

To: Nicolson S (Stuart) (Special Adviser) <Stuart.Nicolson@gov.scot>; McAllister C (Colin)

<Colin.McAllister@gov.scot>; Ingebrigtsen R (Ross) <Ross.Ingebrigtsen@gov.scot>

Cc: Communications DFM & Education <CommunicationsEducation&Skills@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; News Desk <Newsdesk@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm)

<Malcolm.Pentland@gov.scot>

Subject: RE: SpAds views: Media query - SQA appeals

OK, thanks [Redacted s38(1)(b)]– you OK for me to issue on your clearance or do you want it to go to CabSec?

[Redacted s38(1)(b)]

A Scottish Government spokesperson said:

“Ministers sympathise with the challenges that learners have faced this year and recognise that some will have experienced further exceptional circumstances that may have impacted on their performance.

“The Alternative Certification Model (ACM) provides flexibility for teachers to take learners’ circumstances into account in the timing and nature of assessments to inform provisional grades.

“There is a later contingency for pupils who have completed courses but have experienced particularly significant disruption that has prevented them from providing all the required evidence to inform their provisional grades by 25 June.”

[Redacted s38(1)(b)]

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

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

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

From: Nicolson S (Stuart) (Special Adviser) <Stuart.Nicolson@gov.scot>
Sent: 02 June 2021 17:52
To: [Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; Ingebrigtsen R (Ross) <Ross.Ingebrigtsen@gov.scot>
Cc: Communications DFM & Education <CommunicationsEducation&Skills@gov.scot [Redacted s38(1)(b)]@gov.scot>; News Desk <Newsdesk@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>
Subject: RE: SpAds views: Media query - SQA appeals

[Redacted s38(1)(b)],

[redacted s30(b)(ii)]

S

From: [Redacted s38(1)(b)]@gov.scot>
Sent: 02 June 2021 17:38
To: McAllister C (Colin) <Colin.McAllister@gov.scot>; Ingebrigtsen R (Ross) <Ross.Ingebrigtsen@gov.scot>; Nicolson S (Stuart) (Special Adviser) <Stuart.Nicolson@gov.scot>
Cc: Communications DFM & Education <CommunicationsEducation&Skills@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; News Desk <Newsdesk@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>
Subject: SpAds views: Media query - SQA appeals

Thanks [Redacted s38(1)(b)]
SpAds, STV are asking if exceptional circumstances can be taken into account in their SQA appeals process. See also the Tweet below from [Redacted s38(1)(b)] at the Scotsman. Grateful for views on the following lines for STV – and are you content for me to issue on your clearance (copying CabSec in for awareness)
Thanks

[Redacted s38(1)(b)]

A Scottish Government spokesperson said:

[Redacted s30(b)(i)/s30(b)(ii)]

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] Cannot believe this statement from Shirley-Anne Somerville around appeals for pupils that there is to be no consideration taken into account of how pupils have been affected by Covid, loss, grief, ill-health, disruption to their studies, lives, mental health - bonkers.

[Redacted s38(1)(b)]

[Redacted s38(1)(b)][Redacted s38(1)(b)] Communications Education & Skills
Desk: 0131 [Redacted s38(1)(b)]; 07 [Redacted s38(1)(b)]
Scottish Government | [news.gov.scot](https://www.news.gov.scot)

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

Sent: 02 June 2021 17:22

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

Cc: Communications DFM & Education <CommunicationsEducation&Skills@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; News Desk <Newsdesk@gov.scot>

Subject: RE: Media query - SQA appeals

Hi [Redacted s38(1)(b)]

[Redacted s30(b)(i)/s30(b)(ii)]

[Redacted s38(1)(b)]

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

Sent: 02 June 2021 17:19

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

Cc: Communications DFM & Education <CommunicationsEducation&Skills@gov.scot> [Redacted s38(1)(b)]@gov.scot>; News Desk <Newsdesk@gov.scot>

Subject: RE: Media query - SQA appeals

Thanks for coming back so quickly [Redacted s38(1)(b)].

[Redacted s30(b)(i)/s30(b)(ii)] [Redacted s38(1)(b)]

A Scottish Government spokesperson said:

[Redacted s30(b)(i)/s30(b)(ii)]

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] Communications Education & Skills
Desk: 0131 [Redacted s38(1)(b)]; 07 [Redacted s38(1)(b)]
Scottish Government | [news.gov.scot](https://www.news.gov.scot)

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

Sent: 02 June 2021 17:13

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

Cc: Communications DFM & Education <CommunicationsEducation&Skills@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; News Desk <Newsdesk@gov.scot>

Subject: RE: Media query - SQA appeals

Hi [Redacted s38(1)(b)]

[Redacted s30(b)(i)/s30(b)(ii)]

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

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

Sent: 02 June 2021 17:09

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

Cc: Communications DFM & Education <CommunicationsEducation&Skills@gov.scot>; [Redacted s38(1)(b)]gov.scot>; News Desk <Newsdesk@gov.scot>

Subject: Media query - SQA appeals

Hi all

[Redacted s38(1)(b)] at STV is asking if the SQA appeals process allows for appeals based on exceptional circumstances. See also the below from [Redacted s38(1)(b)] at the Scotsman. Grateful for your advice on lines to address this. Starter lines below.

Thanks

[Redacted s38(1)(b)]

A Scottish Government spokesperson said:

[Redacted s30(b)(i)/s30(b)(ii)]

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] Cannot believe this statement from Shirley-Anne Somerville around appeals for pupils that there is to be no consideration taken into account of how pupils have been affected by Covid, loss, grief, ill-health, disruption to their studies, lives, mental health - bonkers.

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] Communications Education & Skills
Desk: 0131 [Redacted s38(1)(b)]; 07 [Redacted s38(1)(b)]
Scottish Government | [news.gov.scot](https://www.news.gov.scot)

Enclosure 070 – Email: Press lines

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

Sent: 02 June 2021 18:15

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

Cc: McAllister C (Colin) <Colin.McAllister@gov.scot>; Nicolson S (Stuart) (Special Adviser) <Stuart.Nicolson@gov.scot>; Ingebrigtsen R (Ross) <Ross.Ingebrigtsen@gov.scot>; Communications Education & Skills <CommunicationsEducation&Skills@gov.scot>; News Desk <Newsdesk@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

Subject: For awareness - SQA appeals/exceptional circumstances

Good evening CabSec/PO

For awareness, STV asked if exceptional circumstances are grounds for SQA appeals. I have issued – on SpAd clearance – the following lines.

Regards

[Redacted s38(1)(b)]

A Scottish Government spokesperson said:

“Ministers sympathise with the challenges that learners have faced this year and recognise that some will have experienced further exceptional circumstances that may have impacted on their performance.

“The Alternative Certification Model provides flexibility for teachers to take learners’ circumstances into account in the timing and nature of assessments to inform provisional grades.

“There is a later contingency for pupils who have completed courses but have experienced particularly significant disruption that has prevented them from providing all the required evidence to inform their provisional grades by 25 June.”

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] Communications Education & Skills
Desk: 0131 [Redacted s38(1)(b)]; 07 [Redacted s38(1)(b)]
Scottish Government | [news.gov.scot](https://www.news.gov.scot)

Enclosure 071 – Email: Amendments to debate motions

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

Sent: 02 June 2021 18:57

To: [Redacted s38(1)(b)]@gov.scot>; Anson S (Sam) <Sam.Anon@gov.scot>; Cabinet Secretary for Education and Skills <CabSecES@gov.scot>

Cc: McAllister C (Colin) <Colin.McAllister@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Spads Admin <Spads_Admin@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Minister for Parliamentary Business <MinisterPB@gov.scot>; Minister for Children & Young People <MinisterCYP@gov.scot>; Minister for HE, FE, Youth Employment and Training <MinisterHEFEYET@gov.scot>; DG Education & Justice <dgej@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Taylor A (Alison) <Alison.Taylor@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Wilson M (Mick) <Mick.Wilson@gov.scot>; McLean L (Liza) <Liza.McLean@gov.scot>; Director for Children and Families <DirectorforChildrenandFamilies@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Cumming A (Alison) Early Learning & Childcare <Alison.Cumming@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>

Subject: RE: Scottish Government Debate: Education 030621

Importance: High

Hi folks

Please see amendments submitted from opposition parties – all accepted by the PO with the exception of that from the Lib Dems. I am assuming that Ms Somerville will wish to reject all these.

It would be helpful if we could have a final additional annex on these amendments with key lines on each. If we could have that by noon Thursday that would be ideal.

Many thanks.

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]T: 0131 [Redacted s38(1)(b)] | M: 07 [Redacted s38(1)(b)] | E: cabsecES@gov.scot

The Scottish Government | St Andrew's House, Regent Road, EDINBURGHEH1 3DG

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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

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

Sent: 02 June 2021 17:01

To: Anson S (Sam) <Sam.Ansan@gov.scot>; Cabinet Secretary for Education and Skills <CabSecES@gov.scot>
Cc: McAllister C (Colin) <Colin.McAllister@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Spads Admin <Spads_Admin@gov.scot>; Drought A (Andrew) <Andrew.Drought@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Minister for Parliamentary Business <MinisterPB@gov.scot>; Minister for Children & Young People <MinisterCYP@gov.scot>; Minister for HE, FE, Youth Employment and Training <MinisterHEFEYET@gov.scot>; DG Education & Justice <dgej@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Taylor A (Alison) <Alison.Taylor@gov.scot>; Pentland MK (Malcolm) <Malcolm.Pentland@gov.scot>; Wilson M (Mick) <Mick.Wilson@gov.scot>; McLean L (Liza) <Liza.McLean@gov.scot>; Director for Children and Families <DirectorforChildrenandFamilies@gov.scot>; Director of Advanced Learning and Science <DirectorofAdvancedLearningandScience@gov.scot>; Cumming A (Alison) Early Learning & Childcare <Alison.Cumming@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>
Subject: RE: Scottish Government Debate: Education 030621

Dear all
Updated briefing pack attached.
Best wishes
[Redacted s38(1)(b)]

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

[Remainder of email chain at enclosure 059]

Enclosure 071.1 – Attachment: email

From: Minister for Parliamentary Business <MinisterPB@gov.scot>

Sent: 02 June 2021 18:48

To: Cabinet Secretary for Education and Skills <CabSecES@gov.scot>; Minister for HE, FE, Youth Employment and Training <MinisterHEFEYET@gov.scot>

Cc: Minister for Children & Young People <MinisterCYP@gov.scot>; Minister for Parliamentary Business <MinisterPB@gov.scot>; Spads Admin <Spads_Admin@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>

Subject: FW: Amendments to Motion for Debate Thursday 03 June - Education

Importance: High

Hi team,

See amendments below – all but Lib Dem selected.

Grateful for voting intentions as soon as possible.

[Redacted s38(1)(b)]

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] T: 0131 [Redacted s38(1)(b)] M: 07 [Redacted s38(1)(b)] E:

MinisterPBV@gov.scot

The Scottish Government | St Andrew's House, Regent Road, EDINBURGH EH1 3DG

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From: Chamber Desk <chamberdesk@parliament.scot>

Sent: 02 June 2021 18:21

Subject: Amendments to Motion for Debate Thursday 03 June - Education

Please find below, the amendments lodged to motion S6M-00204 in the name of Shirley-Anne Somerville. **The Presiding Officer has selected the Conservative, Labour and Green amendments and not the Liberal Democrat amendment.**

* **S6M-00204.4 Ross Greer: Education**— As an amendment to motion S6M-00204 in the name of Shirley-Anne Somerville (Education), leave out from "and welcomes" to end and insert "but regrets the additional stress and anxiety felt by students, teachers, parents and carers as a result of the 2021 Alternative Certification Model; believes that this could have largely been avoided had the SQA taken on board the conclusions of the Priestley review into the 2020 Alternative Certification Model, and more effectively prepared for the impact of COVID-19 in 2020-21; further believes that the 2021 appeals process should adopt a no-detriment policy and that provision should be made for appeals based on exceptional individual circumstances; notes with regret the repeated underperformance of the SQA, and expresses its lack of confidence in the body's ability to fulfil its duties."

* [S6M-00204.3](#) **Michael Marra: Education**— As an amendment to motion S6M-00204 in the name of Shirley-Anne Somerville (Education), leave out from ", and welcomes" to end and insert "; recognises the need for an ambitious plan of National Recovery in the education system; calls on the Scottish Government to establish a National Tutoring scheme and a 'resit' guarantee, which offers young people impacted by the cancellation of exams in 2020 and 2021 the opportunity of a funded college place to take their qualifications again, and further calls on the Scottish Government to introduce a 'no detriment' policy for further and higher education access and institute an urgent review of the SQA."

Supported by: Martin Whitfield*

* [S6M-00204.2](#) **Oliver Mundell: Education**— As an amendment to motion S6M-00204 in the name of Shirley-Anne Somerville (Education), leave out from "and parents have faced" to end and insert ", parents, families and carers have faced over the course of the COVID-19 pandemic; commends the extraordinary work done by university, college, school, nursery and childcare staff over the last year to maintain education and childcare; notes, by way of contrast, the absence of meaningful and timely support from the Scottish Government and its education agencies and the pressure and anxiety that this has caused; recognises that there were significant challenges in Scottish education before the pandemic as a result of the First Minister's broken promise to make education the number one priority, and calls on the Scottish Government to act with more urgency to reverse damaging cuts to teacher numbers, to bring all classrooms up to an acceptable standard and reduce class sizes, to put in place catch-up plans, including a tutoring scheme to make up for lost learning, to address the shortfall in college funding and to set out plans to enable in-person, small group learning at universities in order to prevent a generation of young people being lost to COVID-19."

* [S6M-00204.1](#) **Beatrice Wishart: Education**— As an amendment to motion S6M-00204 in the name of Shirley-Anne Somerville (Education), insert at end ", and, in light of continued concerns, asks that the Scottish Government, prior to the summer recess, responds formally to the will of the Parliament, as expressed on 17 February 2021, that 'there is compelling evidence that neither body is fit for purpose and that they have lost the confidence of teachers, pupils and parents, and therefore calls for substantial reform as part of the recovery of education, with Education Scotland separated into independent inspection and policy functions and the SQA to be grounded in the teaching profession and made more accountable'."

Kind regards
Chamber Desk