

## INDEX OF ENCLOSURES

No.	Description	Date	Explanation of redactions	Clause
001	Attachment – Edward CCG	29/11/2022	<b>Personal Information</b>  <b>Information Not in Scope</b>	s38(1)(b)]  [Redacted – information not in scope]
002	Attached at 40.1 – Paper 4 IRG	14/12/2022	<b>Information Not in Scope</b>	[Redacted – information not in scope]
003	IRG Correspondence - Agenda and Papers for IRG 9	22nd February 2023	<b>Personal Information</b>  <b>Information Not in Scope</b>	s38(1)(b)]  [Redacted – information not in scope]
3.1	Attachment – paper 3 Consultation analysis	22/2/2023	<b>Information Not in Scope</b>	[Redacted – information not in scope]
004	paper 1 – Interim Report v15	22/2/2023	<b>Information Not in Scope</b>	[Redacted – information not in scope]
005	Re: Hayward Review - Comprehensive Summary	Thu 09/03/2023 14:56	<b>Personal Information</b>  <b>Information Not in Scope</b>	s38(1)(b)]  [Redacted – information not in scope]
5.1	Attachment – Hayward Q&A	9/3/2023	<b>Information Not in Scope</b>	[Redacted – information not in scope]
006	'Qualifications Reform - IRG 9 - Consultation Analysis - Comprehensive	23/02/2023	<b>Information Not in Scope</b>	[Redacted – information not in scope]

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	Summary Report - 23 February 2023'			
007	'Qualifications Reform - Meeting Papers - IRG 10 - Consultation Analysis - Revised Final Report 21 March' -	21/03/2023	<b>Information Otherwise Available</b>	<b>S25(1)</b>
008	'Qualifications Reform - Meeting papers - IRG 10 - Email to IRG with meeting papers - 24 March 2023'	24/03/2023	<b>Personal Information</b>  <b>Information Not in Scope</b>	s38(1)(b)]  [Redacted – information not in scope]
8.1	Attachment - Consultation Analysis Final Report	24/3/2023	<b>Duplicate of 007</b>	
009	Working paper – final draft		<b>Information Not in Scope</b>	[Redacted – information not in scope]
010	Final Report – working draft – 1 June		<b>Information Otherwise Available</b>	<b>S25(1)</b>
011	Email to Cab Sec - Final Report - Independent Review of Qualifications and Assessment	Mon 05/06/2023 20:07	<b>Personal Information</b>  <b>Information Not in Scope</b>	s38(1)(b)]  [Redacted – information not in scope]
11.1	Final Report		<b>Information Otherwise Available</b>	<b>S25(1)</b>
012	Old version: Qualifications Reform - Final Report by Themes - July 2023'	16/6/2023	<b>Free and frank exchange of views</b>  <b>Information not in Scope</b>	[Redacted - 30(b)(ii)]  [Redacted – information not in scope]
12.1	Final Report - FINAL PROOF HM to APS	19 June 2023	<b>Duplicate of Enclosure 11.1</b>	

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12.2	NOT FOR CIRCULATION - Documents for publishing tomorrow	Wed 21/06/2023 15:11	<b>Personal Information</b>  <b>Information Not in Scope</b>	s38(1)(b)]  [Redacted – information not in scope]
12.3	Attachment – Main Document	21/6/2023	<b>Information Otherwise Available</b>	<b>S25(1)</b>
12.4	Attachment – Analysis Doc	21/6/2023	<b>Information Otherwise Available</b>	<b>S25(1)</b>
12.5	Attachment – Supplementary analysis		<b>Information Otherwise Available</b>	<b>S25(1)</b>
12.6	Attachment – Final Report Summary		<b>Information Otherwise Available</b>	<b>S25(1)</b>
013	Final Report PDF - FINAL PROOF - With Track Changes - APS - LW	27 July 2023	<b>Duplicate of Enclosure 11.1</b>	
014	'Qualification Reform - Final Report - ERRATA FINAL PROOF	01 August 2023'	<b>Duplicate of Enclosure 11.1</b>	
015	RE: DRAFT - equalities and children's rights impact assessment - FOR COMMENT	Fri 29/09/2023 11:50	<b>Personal Information</b>  <b>Information Not in Scope</b>	s38(1)(b)]  [Redacted – information not in scope]
15.1	SDA and Hayward		<b>Information Not in Scope</b>	[Redacted – information not in scope]
016	The Independent Review of Qualifications and Assessment - update for IRG members	Wed 14/12/2023 12:22	<b>Information Not in Scope</b>	[Redacted – information not in scope]
017	INDEPENDENT REVIEW OF QUALIFICATIONS AND ASSESSMENT –	19 December 2023	<b>Personal Information</b>  <b>Information Not in Scope</b>	s38(1)(b)]

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	INITIAL ADVICE ON FINAL REPORT AND NEXT STEPS		<b>Free &amp; frank exchange of views</b>	[Redacted – information not in scope] [Redacted - 30(b)(ii)]
018	FW: Routine Submission - Initial Advice on the Independent Review of Qualifications and Assessment (Hayward) Attachment - 50.1	Thu 21/12/2023 11:11	<b>Personal Information</b>  <b>Information Not in Scope</b>	s38(1)(b)]  [Redacted – information not in scope]
18.1	Attachment - Initial Advice		<b>Duplicate of Enclosure 017</b>	
019	'Qualification Reform - IRQA Debate - Briefing Pack - FINAL - 28 February' -	28/02/2024	<b>Information Otherwise Available</b>  <b>Information Not in Scope</b>	<b>S25(1)</b>  [Redacted – information not in scope]
020	Post publication Impact Assessment – CRWIA – final PDF version	11/9/2024	<b>Information otherwise available</b>	<b>S25(1)</b>
021	Post publication Impact Assessment – CRWIA – updated October	October 2024	<b>Information otherwise available</b>	<b>S25(1)</b>
022	Post publication Impact Assessment – CRWIA – August 2024 version	August 2024	<b>Information otherwise available</b>	<b>S25(1)</b>
023	Email string RE: FOR POLICY VIEW: unconscious bias/assessments - The Times	Fri 01/11/2024 11:09	<b>Personal Information</b>  <b>Information Not in Scope</b>	s38(1)(b)]

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			<b>Free &amp; frank provision of advice</b>	[Redacted – information not in scope] [Redacted - 30(b)(i)]
024	Email string RE: FOR POLICY VIEW: unconscious bias/assessments - The Times	Mon 04/11/2024 10:18	<b>Personal Information</b>  <b>Free &amp; frank provision of advice</b>  <b>Duplication of enclosure 028</b>	s38(1)(b)]  [Redacted - 30(b)(i)]
025	RE: FOR CAB SEC VIEW: unconscious bias/assessments - The Times	Fri 08/11/2024 13:42	<b>Personal Information</b>  <b>Free &amp; frank provision of advice</b>  <b>Duplicate of Enclosure 028</b>	s38(1)(b)]  Redacted - 30(b)(i)]
026	FW: FOR SPAD VIEW: unconscious bias/assessments - The Times	Fri 08/11/2024 16:40	<b>Personal Information</b>  <b>Free &amp; frank exchange of views</b>  <b>Duplicate of Enclosures 027 &amp; 028</b>	s38(1)(b)]  Redacted - 30(b)(ii)]
027	RE: FOR SPAD VIEW: unconscious bias/assessments - The Times	Fri 08/11/2024 16:15	<b>Personal Information</b>  <b>Free &amp; frank exchange of views</b>  <b>Duplicate of Enclosure 028</b>	s38(1)(b)]  [Redacted s30(b)(ii)]
028	RE: FOR CAB SEC VIEW: unconscious	Mon 11/11/2024 15:36	<b>Personal Information</b>	s38(1)(b)]

	bias/assessments - The Times		<b>Free &amp; frank exchange of views</b>	Redacted - 30(b)(ii)]
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**Enclosure 001 – Attachment – Edward CCG**

Edward Sosu – Equity and Social Justice CCG – Phase 2  
November 3<sup>rd</sup> 2pm-4pm  
Microsoft Teams

Attendees:

Edward Sosu (Chair)  
[Redacted s38(1)(b)] (Secretariat)  
Markus Klein  
Roxanne Connelly  
Margaret Sutherland  
Linda O'Neill  
Alastair Wilson  
Cristina Iannelli  
Anne Haggart  
Sheila Riddell  
Adriana Duta  
Fiona O'Hanlon  
Sara Spencer  
Stephanie Thomson

[Redacted – information not in scope]

Q6. Please share your thoughts on what a 'better balanced' assessment system would look like. As well as considering the balance between external examination and internal assessment you may also wish to comment on the frequency of examinations.

[Redacted – information not in scope]

- I am not sure how you can ever remove the element of subjectivity that will come with teacher based assessment.
- Will the teachers in some schools inflate grades? We saw this grade inflation very clearly during COVID-19 when teachers in private schools appeared to be very generous in their marking.
- [Even with much improved teacher training around unconscious bias etc...] I am not sure, I would still be worried that some young people would be disadvantaged.

[Redacted – information not in scope]

**Enclosure 002 - Attached at 40.1 – Paper 4 IRG**

**[Redacted – information not in scope]**

**Question 5. If you have views on how this (gathering information on learners' skills and competencies as part of their senior phase) might best be done, please provide them here.**

- A theme emerging from this question was the concern that it is hard to measure skills and competencies. It was suggested that a framework or qualitative system could reduce subjective marking and unconscious bias by teachers.

**[Redacted – information not in scope]**

**Enclosure 003 - IRG Correspondence - Agenda and Papers for IRG 9**

23rd February 2023

From: [Redacted s38(1)(b)]<[Redacted s38(1)(b)]@gov.scot>; on behalf of; Qualifications Reform qualificationsreform@gov.scot

To: 'tracy.black@cbi.org.uk'; [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)]@syp.org.uk'; 'south.lanarkshire@npfs.org.uk'; '[Redacted s38(1)(b)]@npfs.org.uk'; [Redacted s38(1)(b)]@npfs.org.uk'; '[Redacted s38(1)(b)]@connect.scot'; [Redacted s38(1)(b)]@forthvalley.ac.uk'; [Redacted s38(1)(b)]@uws.ac.uk'; '[Redacted s38(1)(b)]@eis.org.uk'; [Redacted s38(1)(b)]@argyll-bute.gov.uk'; [Redacted s38(1)(b)]@highland.gov.uk'; [Redacted s38(1)(b)]@sqa.org.uk'; [Redacted s38(1)(b)]@glasgow.ac.uk'; [Redacted s38(1)(b)]@stir.ac.uk'; [Redacted s38(1)(b)]@strath.ac.uk'; [Redacted s38(1)(b)]@education.ox.ac.uk'; '[Redacted s38(1)(b)]@hotmail.com'; [Redacted s38(1)(b)]@ucl.ac.uk'; '[Redacted s38(1)(b)]@yahoo.co.uk'; [Redacted s38(1)(b)]@glasgow.ac.uk'; [Redacted s38(1)(b)]<[Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]<[Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@glasgow.gov.uk'; [Redacted s38(1)(b)]<[Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@scqf.org.uk'; [Redacted s38(1)(b)]@npfs.org.uk'; [Redacted s38(1)(b)]<[Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gjn.scot.nhs.uk'; [Redacted s38(1)(b)]@sqa.org.uk

Cc: Angela morgan [Redacted s38(1)(b)]

Dear IRG

Please find attached the papers for the IRG 9 meeting.

Papers	
	[Redacted – information not in scope]
	[Redacted – information not in scope]
Paper 1	Interim Report
[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]

Kind regards,  
Review Secretariat  
Independent Review of Qualifications and Assessment

**Enclosure 3.1 -Attachment – paper 3 Consultation analysis**

[Redacted – information not in scope]

1.1.1 Approaches to teaching and assessment

Most commonly, many respondents highlighted flexible teaching and assessment approaches as a means to better satisfy different learning needs and styles among all learners. Suggestions included enabling learners to select different forms of assessment (for example, verbal or written, digital or paper-based) depending on their preferences.

“A range of assessment opportunities which reflect all learning styles. Learning which is delivered using a blend of all learning styles.” – Individual

“By understanding and accommodating different learning styles.” - Individual

“We should have a wide variety of options that are meaningful. A ‘one size fits all’ approach (which is what we have at the moment) is only a ‘one size fits a select few’ at most.” - Individual

There was some disagreement about the importance of exams. Some respondents called for reduced focus on end of year exams and more on coursework or continuous assessment. However, a few felt externally assessed exams are more likely to uphold learners’ rights by removing any potential for conscious or unconscious bias in marking.

1.1.2

[Redacted – information not in scope]

1.1.3 Measures to reduce bias

Some comments included suggestions for reducing the potential for conscious or unconscious bias in any future qualifications system.

The importance of any new qualifications system being credible and transparent, with rigorous measures for quality assurance and moderation, was emphasised by some.

A few noted that the current practice of anonymous marking of exams helps to uphold learners’ rights and reduce any bias.

A small number called for regular training for teachers, including those involved in setting and marking exams, to avoid any potential conscious or unconscious bias. Calls were also made by a few for the qualifications system to be culturally-sensitive by, for example, not scheduling exams during Ramadan.

**Enclosure 25.5 Paper 1 – Interim Report v15**

[Redacted – information not in scope]

Most commonly, many respondents highlighted flexible teaching and assessment approaches as a means to better satisfy different learning needs and styles among all learners. Suggestions included enabling learners to select different forms of assessment (for example, verbal or written, digital or paper-based) depending on their preferences. There was some disagreement about the importance of exams. Some respondents called for reduced focus on end of year exams and more on coursework or continuous assessment. However, a few felt externally assessed exams are more likely to uphold learners' rights by removing any potential for conscious or unconscious bias in marking.

[Redacted – information not in scope]

**Enclosure 005 - Re: Hayward Review - Comprehensive Summary**

Thu 09/03/2023 14:56

From: [Redacted s38(1)(b)] @thelinesbetween.co.uk

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

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

[Redacted – information not in scope]

**Enclosure 5.1 – Attachment**

[Redacted – information not in scope]

A small number of respondents highlighted the impact of internal assessment on particular groups, specifically a negative impact on Black and minority ethnic students, due to the possible biases of teachers and racial stereotyping<sup>1</sup>. Comments cited the review of predicted grades in Scotland during the Coronavirus pandemic which showed that **BME learners had lower levels of over-estimation than peers from white ethnic groups.**

**006 - 'Qualifications Reform - IRG 9 - Consultation Analysis - Comprehensive Summary Report - 23 February 2023' 23/02/2023**

[Redacted – information not in scope]

Several respondents highlighted concerns about the consistency and equity of using internal assessments alone. Some felt it devalued a qualification as it would mean marking lacked national consistency and was open to marking bias. A small number of respondents highlighted the impact of internal assessment on particular groups, specifically a negative impact on Black and minority ethnic students, due to the possible biases of teachers and racial stereotyping<sup>2</sup>. Comments cites the review of predicted grades in Scotland during the Coronavirus pandemic which showed that **BME learners had lower levels of over-estimation than peers from white ethnic groups**.

[Redacted – information not in scope]

There was some disagreement about the importance of exams. Some respondents called for reduced focus on end of year exams and more on coursework or continuous assessment. However, a few felt externally assessed exams are more likely to uphold learners' rights by removing any potential for conscious or unconscious bias in marking.

[Redacted – information not in scope]

- **Measures to reduce bias**

Some comments included suggestions for reducing the potential for conscious or unconscious bias in any future qualifications system.

The importance of any new qualifications system being credible and transparent, with rigorous measures for quality assurance and moderation, was emphasised by some.

A few noted that the current practice of anonymous marking of exams helps to uphold learners' rights and reduce any bias.

A small number called for regular training for teachers, including those involved in setting and marking exams, to avoid any potential conscious or unconscious bias.

Calls were also made by a few for the qualifications system to be culturally-sensitive by, for example, not scheduling exams during Ramadan.

[Redacted – information not in scope]

**Enclosure 007 - Qualifications Reform - Meeting Papers - IRG 10 -  
Consultation Analysis - Revised Final Report 21 March**

[Redacted s25(1)]

Published at: [Independent Review of Qualifications and Assessment:  
consultation analysis - gov.sco](#)

**Enclosure 008 - 'Qualifications Reform - Meeting papers - IRG 10 - Email to IRG with meeting papers - 24 March 2023'**

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

Sent: 24 March 2023 16:11

To: [Redacted s38(1)(b)]@cbi.org.uk <[Redacted s38(1)(b)]@cbi.org.uk>; [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)]>; [Redacted s38(1)(b)]<[Redacted s38(1)(b)]>; [Redacted s38(1)(b)]@syp.org.uk'; [Redacted s38(1)(b)]@npfs.org.uk'; '[Redacted s38(1)(b)]@npfs.org.uk'; [Redacted s38(1)(b)]@npfs.org.uk'; '[Redacted s38(1)(b)]@connect.scot'; [Redacted s38(1)(b)]@forthvalley.ac.uk'; [Redacted s38(1)(b)]@uws.ac.uk'; '[Redacted s38(1)(b)]@eis.org.uk'; [Redacted s38(1)(b)]@argyll-bute.gov.uk'; [Redacted s38(1)(b)]@highland.gov.uk'; [Redacted s38(1)(b)]@sqa.org.uk'; 'chris.chapman@glasgow.ac.uk'; [Redacted s38(1)(b)]@stir.ac.uk'; [Redacted s38(1)(b)]@strath.ac.uk'; [Redacted s38(1)(b)]@education.ox.ac.uk'; '[Redacted s38(1)(b)]@hotmail.com'; [Redacted s38(1)(b)]@ucl.ac.uk'; '[Redacted s38(1)(b)]@yahoo.co.uk'; [Redacted s38(1)(b)]@glasgow.ac.uk'; [Redacted s38(1)(b)]<[Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]<[Redacted s38(1)(b)]@gov.scot>; 'Douglas.Hutchison@glasgow.gov.uk'; [Redacted s38(1)(b)]<[Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@scqf.org.uk'; [Redacted s38(1)(b)]@npfs.org.uk'; [Redacted s38(1)(b)]<[Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gjnhs.scot.nhs.uk'; [Redacted s38(1)(b)] Martyn Ware <Martyn.Ware@sqa.org.uk>; [Redacted s38(1)(b)]<[Redacted s38(1)(b)]@connect.scot>; [Redacted s38(1)(b)] Donna Stewart <Donna.Stewart@sqa.org.uk>  
Cc: Qualifications Reform <qualificationsreform@gov.scot>  
Subject: Meeting Papers - IRG 10 - 30 March 2023

IRG10 – 30 March – The Studio - Glasgow

Dear IRG Members,

**[Redacted – information not in scope]**

Hayward QA Review - Consultation Analysis - Revised Final Report 21 March (Final version of phase 2 analysis from contractor – advanced draft)

**[Redacted – information not in scope]**

Kind regards,  
Independent Review Secretariat

***Enclosure 8.1 -Consultation Analysis Final Report***

**This enclosure is a duplication of Enclosure 007.**

**Enclosure 009 - Working paper – final draft**

[Redacted – information not in scope]

In general CCGs, and those responding via the School and College survey sought further detail around the mechanics of the Subject Studies component and how it would work in practice. There were some concerns in respect of equality in relation to teacher assessment and the possibility of teacher bias. This was particularly evident in, although not limited to the CCG concerned with Equity. **COMMENT - we do not name others.**

*Increased diversity in the education workforce - and among professionals who are involved in designing, developing and grading qualifications and instruments of assessment - is a way of avoiding bias in assessment, given the useful diversity in perspectives and lived experience which this brings with it. It remains the view of the DiTPEW group that the diversity of staff not only in the teaching profession but also in the national agencies with strategic responsibility for assessment and qualifications should be promoted. - AREP (Diversity in the Teaching Profession and Education Workforce sub-group)*

They then need opportunities to share and discuss examples of their own learners' work with peers and to learn about factors that can interfere with good judgement, e.g, unconscious bias. These experiences will deepen teachers' understandings of standards and will not only ensure more dependable judgements but will feed back into improved classroom practice. For example, better understandings of standards will reduce the potential for teachers to underestimate the standard, offer feedback based on that and inadvertently disadvantage learners.

Building confidence in teachers' professional judgement is crucial and takes time. There are resources available on the SQA website to support the process of sharing standards in examinations and coursework and on key issues in developing an equitable system, i.e., addresses issues of bias (insert link). These offer a starting point to explore national standards.

However, there is more to be done. Urhahne & Wijnia (2021), having analysed international research evidence on teacher judgement over a period of 40 years, suggest that how dependable teachers' professional judgement is depends on the task they are undertaking. The researchers differentiate between relative and absolute judgements. Where teachers are making relative judgements, i.e., judging whether one piece of work is better than another to produce a rank order, the accuracy of their judgements is high. When making absolute judgements, i.e., the difference between teachers' predicted scores and learners' actual achievements, teachers tend to over-estimate performance. The evidence suggests that teachers find estimating the performance of learners making less progress more challenging than learners who are high performing. Developing a sound understanding of how bias (race, gender, class and disability) can impact teachers' professional judgement is crucial if every learner is to have a fair assessment.

However, we also identified areas which will require further exploration by Scottish Government. These include:

- a detailed consideration of how the Diploma might impact on learners with a range of disabilities and additional support needs, including highly able learners.
- the potential impact on learners with multiple and complex disabilities.
- the impact of teacher bias in assessment and the options for mitigating teacher bias.

*“If Scotland is to move forward with more formative assessment relying on coursework marked by teachers, how will we ensure that racial bias (and other forms of bias) does not affect grades? Estimated grades for Black, Asian and Minority Ethnic learners are often lower than actual grades for blind-marked exams.”* - A working group of anti-racist organisations and education stakeholders: Education Leadership and Professional Learning subgroup of the Scottish Government's Race Equality and Anti-Racism in Education Programme.

During the Framing Exercise we discussed possible mitigating steps to reduce teacher bias including support and training for teachers as well as systems of school and national moderation. We recommend that further research is undertaken to explore the potential for teacher bias and mitigating measures before any decision is taken by the Scottish Government to increase teacher led assessment in the Senior Phase.

[Redacted – information not in scope]

**Enclosure 010 - Final Report – working draft – 1 June**

[Redacted s25(1)]

Published at: [Independent Review of Qualifications and Assessment: consultation analysis - gov.scot](#)

**Enclosure 011 - Email to Cab Sec - Final Report - Independent Review of Qualifications and Assessment**

Mon 05/06/2023 20:07

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

To: Cabinet Secretary for Education & Skills CabSecforES@gov.scot

Cc: Minister for Children, Young People & Keeping the Promise <MinisterCYPKP@gov.scot>; Minister for Higher Education, Further Education, and Veterans <MinisterHEFEV@gov.scot>; DG Education & Justice <dgej@gov.scot>; Hicks C (Clare) <Clare.Hicks@gov.scot>; Director of Learning <DirectorofLearning@gov.scot>; Director for Lifelong Learning and Skills <DirectorforLifelongLearningandSkills@gov.scot>; Murdoch L (Laura) (Educ) <Laura.Murdoch2@gov.scot>; Bird L (Lisa) <Lisa.Bird@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)] Reid A (Adam) <Adam.Reid@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Bray O (Ollie) <Ollie.Bray@educationscotland.gov.scot>; Hamilton G (Gillian) <Gillian.Hamilton@educationscotland.gov.scot>; [Redacted s38(1)(b)]@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; McGivern S (Sean) <Sean.McGivern@gov.scot>; [Redacted s38(1)(b)]@gov.scot>; Communications Education & Skills <CommunicationsEducationandSkills@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>

PS / Cabinet Secretary for Education and Skills

On behalf of Professor Louise Hayward please find attached final report of the Independent Review of Qualifications and Assessment. Please note that the report still requires to be formatted – this will be done in advance of publication.

Other attachments include:

**[Redacted – information not in scope]**

Best wishes

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] Secretariat: Independent Review of Qualifications and Assessment

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

**Enclosure 11.1 - Final Report**

[Redacted s25(1)]

Published at: [Independent Review of Qualifications and Assessment: consultation analysis - gov.scot](#)

**Enclosure 012 - Old version: Qualifications Reform - Final Report by Themes - July 2023' –**

[Redacted – information not in scope]

- With more teacher assessment there is the potential for more bias. [Redacted - 30(b)(ii)] and other equalities groups highlighted significant concern with a move towards greater teacher assessment.

[Redacted – information not in scope]

- What steps would need to be taken to ensure that a system based on teacher assessment is equitable? i.e., how can we mitigate against possible bias.

[Redacted – information not in scope]

- With more teacher assessment there is the potential for more bias. [Redacted - 30(b)(ii)] and other equalities groups highlighted significant concern with a move towards greater teacher assessment.

1.2 Policy Questions and Issues:

- What steps would need to be taken to ensure that a system based on teacher assessment is equitable? i.e., how can we mitigate against possible bias.

[Redacted – information not in scope]

- To build a good, practical understanding of standards, teachers need appropriate opportunities to discuss examples of pupils' work at different national standards. They then need opportunities to share and discuss examples of their own learners' work with peers and to learn about factors that can interfere with good judgement, for example, unconscious bias. Approaches to moderation should recognise the importance of teacher professional judgement and build capacity through an appropriate balance of peer support and proportionate national processes.

[Redacted – information not in scope]

- Training in how to avoid bias should be an essential part of the strategy and should involve teachers from Scotland's increasingly diverse workforce.

[Redacted – information not in scope]

- Training in how to avoid bias should be an essential part of the strategy and should involve teachers from Scotland's increasingly diverse workforce.

[Redacted – information not in scope]

**Enclosure 12.1 – Final Report – Final Proof HM to APS**

**This enclosure is a duplication of Enclosure 11.1.**

**Enclosure 12.2 -NOT FOR CIRCULATION - Documents for publishing tomorrow**

21/06/2023 15:11

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

To: Prof Hayward [Redacted s38(1)(b)]@glasgow.ac.uk

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

[Redacted – information not in scope]

[Redacted s38(1)(b)]  
[Redacted s38(1)(b)] | Independent Review Secretariat | Qualifications and  
Assessment  
Email: [Redacted s38(1)(b)]@gov.scot

I work part time - my working days are Monday, Tuesday (3 hours am), Wednesday  
and Thursday

**Enclosure 12.3 - Attachment – Main Document**

**[Redacted s25(1)]**

**Published at: [Independent Review of Qualifications and Assessment: review and key recommendations - gov.scot](#)**

**Enclosure 12.4 - Attachment – Analysis Doc**

**[Redacted s25(1)]**

**Published at: [Independent Review of Qualifications and Assessment Analysis of Consultation Responses Final Report May 2023](#)**

**Enclosure 12.5 - Attachment – Supplementary analysis**

**[Redacted s25(1)]**

**Published at: [Independent Review of Qualifications and Assessment: consultation - supplementary analysis - gov.scot](#)**

**Enclosure 12.6 - Attachment – Final Report Summary**

**[Redacted s25(1)]**

**Published at: [Independent Review of Qualifications and Assessment: review and key recommendations - gov.scot](#)**

***Enclosure 013 Final Report PDF-FINAL PROOF- With Track Changes – APS-LW***

**This enclosure is a duplication of Enclosure 11.1.**

**Enclosure 014 - 'Qualification Reform - Final Report - ERRATA FINAL PROOF**

**This enclosure is a duplication of Enclosure 11.1.**

**Enclosure 015 - RE: DRAFT - equalities and children's rights impact assessment - FOR COMMENT**

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

To: [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>; [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

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

[Redacted – information not in scope]

**Areas that could perhaps be more emphasised based on the two discussions we attended:**

There should be a clear accountability system advocating for learners who feel like their learning experience, or the assessment was not fair or equal. This could also take the form of collective advocacy.

Learners should be supported to identify when they think they have not been fairly assessed. As part of this, learners must be supported to be aware of conscious/unconscious bias and their rights.

The phased approach including review cycles should continually look at which learners are leading their learning, which learners the system is working for and which learners are being left behind. Part of this should include gathering perspectives of those who are least heard (this can build on the innovative approaches developed as part of the National Discussion and the Hayward Review).

Gender competence and racial literacy must continue to be prioritised within the development of the SDA, this includes the people involved in design and the implementation. Protected characteristics and equality should be considered within the planning across all three elements of SDA.

Regular professional learning on bias must be a prioritised across the education system to ensure that the impact of bias on young people's opportunities is minimised.

Further exploration and research into bias and assessment should inform SDA development.

[Redacted – information not in scope]

Best wishes / *Dùrachdan*

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] Equalities Education Officer  
South West Region  
**Education Scotland/*Foghlam Alba***

[Redacted – information not in scope]

**Enclosure 15.1 – Attachment - SDA and Hayward**

[Redacted – information not in scope]

- Learners should be **supported to identify when they think they have not been fairly assessed**. As part of this, learners must be supported to be aware of bias and their rights.

[Redacted – information not in scope]

**4. Mitigating and overcoming bias must be an ongoing priority**

This is explicitly mentioned within recommendation 18: Build a national strategy for standards.

- Training in how to avoid bias should be an essential part of the strategy and should involve teachers from Scotland’s increasingly diverse workforce.

[Redacted – information not in scope]

4.2.1. Teacher and National Body Bias

The evidence suggests that teachers find estimating the performance of learners making less progress more challenging than learners who are high performing. Developing a sound understanding of how bias (race, gender, class and disability) can impact teachers’ professional judgement is crucial if every learner is to have a fair assessment.” (p.93) It’s Our Future - Independent Review of Qualifications and Assessment: report - gov.scot ([www.gov.scot](http://www.gov.scot))

Our interactions with and expectations of children and young people are influenced by gender roles and unconscious bias. For example, we may use gendered pet names. Errands are often gendered, with girls doing more of the domestic or tidying errands, and boys perhaps being more often asked to lift heavier objects. Our expectations of behaviour may vary based on gender. For example, sometimes the expectation might be that boys are more likely to exhibit poorer behaviour and as a result are disciplined more harshly; conversely, that expectation of worse behaviour from boys might result in that behaviour being accepted/excused, whereas girls exhibiting the same behaviour might be reprimanded. [Module 2 – Gender Aware Practice \(glowscotland.org.uk\)](#)

Research suggests that boys tend to experience a higher number of interactions with their practitioners, and girls a lower number, than would have been expected from their proportionate distributions in the classes. ([Drudy & Chatháin, 2010](#))

In whole-class interactions, boys tend to initiate more public interactions than girls. Girls are more likely to seek shorter, more private interactions with practitioners. Boys also tend to talk more overall to practitioners than girls tend to. Children who

initiate interactions are also more likely to experience more interactions. (R & R, 2009)

Research suggests that most practitioners believe that they give equal time to girls and to boys, particularly in support of their learning. However, focus group interviews with students and classroom observations suggest that this is rarely achieved in practice. In most schools, boys appear to dominate public classroom interactions, while girls participate more in practitioner-learner interactions. These differences are learned not innate. The patterns are likely to start to emerge early and become reinforced over time. ([Younger, Warrington & Williams, 2010](#))

#### 4.2.2. Curriculum Bias

This includes the exclusion of groups, stories and experiences from the curriculum. An example in the UK is Section 28. A further example is the call for decolonising the curriculum (moving away from valuing only one type of knowledge). It might also include the inclusion of stereotypes or incorrect information about certain groups.

#### 4.2.3. Assessment Bias

Researchers have published work about a number of grading biases. For example, J. M. Malouff has written extensively regarding biases such as the ‘Halo’ effect, where an educator gives grades to learners based on their overall impression of each student rather than the actual submitted work (Malouff et al, 2013). Others have pointed out effects such as the ‘Anchor’ effect, where all students are graded based on the work of one superior or creative student, or the ‘Logical Fallacy’ effect, where students are assessed based on tangential criteria to the learning outcomes. It is easy to see how these and other effects like them could disproportionately affect learners belonging to marginalised groups.

A persistent “gender penalty” in exam performance disproportionately impacts women in large introductory science courses, where exam grades generally account for the majority of the students' assessment of learning. Previous work in introductory biology demonstrates that some social psychological factors may underlie these gender penalties, including test anxiety and interest in course content.

[Frontiers | Gender Performance Gaps Across Different Assessment Methods and the Underlying Mechanisms: The Case of Incoming Preparation and Test Anxiety \(frontiersin.org\)](#)

Assessment preferences can influence whether girls will choose STEM subjects. Girls are less likely to do well in multiple choice assessments, common in STEM subjects, as they only answer if they are confident it is correct (Powney, 1996; Elwood, 2010; Dweck, 2007). Much research suggests that girls benefit more from course-work based assessments and essay type questions (Stobart Elwood & Quinlan, 1992; Murphy 1982; Newbould & Scanlon 1981; Harding 1979).

[Developing Employability & Skills and Creativity \(DECS\) - Fiona Shaw MEd Part Time Dissertation 201678557.pdf - All Documents \(sharepoint.com\)](#)

“Both the April 2020 review that looked at A level grades predicted for university and the review we are publishing today (17 May) looked specifically for evidence of systematic divergence between teacher-based results and test-based results, linked to gender, ethnicity, or suchlike. Because there is more opportunity for bias to creep

in to teacher-based results than test-based results, divergence of this sort is more likely to represent bias in the teacher-based results.

Our review reached several conclusions. We found evidence that:

- gender bias was mixed – but a slight bias in favour of girls (or against boys) was a common finding
- ethnicity bias was mixed – there were findings of bias against as well as in favour of each minority group (relative to the majority group) as well as findings of no bias
- disadvantage bias was less mixed – bias against the more disadvantaged (or in favour of the less disadvantaged) was a common finding
- SEN bias was less mixed – bias against pupils with special educational needs (or in favour of those without) was a common finding"

[Bias in teacher assessment results - The Ofqual blog](#)

[Redacted – information not in scope]

**Enclosure 016 - The Independent Review of Qualifications and Assessment - update for IRG members**

**[Redacted – information not in scope]**

The University of Glasgow, charity number SC004401

Professor of Practice

University of Wales Trinity Saint David

If this email requires a response, please note you are not expected to reply outside your normal working hours

**Enclosure 017 - INDEPENDENT REVIEW OF QUALIFICATIONS AND ASSESSMENT – INITIAL ADVICE ON FINAL REPORT AND NEXT STEPS**

[Redacted s38(1)(b)]

Education Reform Directorate  
19 December 2023

Cabinet Secretary for Education and Skills

**INDEPENDENT REVIEW OF QUALIFICATIONS AND ASSESSMENT – INITIAL ADVICE ON FINAL REPORT AND NEXT STEPS**

- **Introduction**

1. **Routine.** This submission provides advice and proposes next steps related to the Independent Review of Qualifications and Assessment (IRQA). This submission represents initial advice in respect of the recommendations of the Independent Review and has been drafted with the aim of providing the Cabinet Secretary enough information to begin to consider a possible SG response to all recommendations. Further, consolidated advice, will be provided after the proposed Parliamentary Debate.

**This submission contains:**

- ADVICE IN RESPECT OF THE SCOTTISH DIPLOMA OF ACHIEVEMENT (SDA) AND PROPOSED NEXT STEPS (SUBMISSION)
- ANNEX A – INDEPENDENT REVIEW OF QUALIFICATIONS AND ASSESSMENT - ADVICE PART TWO - NON-SDA RECOMMENDATIONS
- ANNEX B: IRQA - STAKEHOLDER
- **Error! Reference source not found.**
- **Error! Reference source not found.**
- ANNEX E - DRAFT IMPACT ASSESSMENTS

[Redacted – information not in scope]

[Redacted s38(1)(b)] Education Reform Directorate  
19 December 2023

OFFICIAL - SENSITIVE

Cabinet Secretaries and Ministers Copy List	For Action	For Information Portfolio interest	For Information Constituency interest	For Information General awareness
Minister for Children, Young People and Keeping the Promise Minister for Higher Education, Further Education and Veterans		X X		

Officials Copy List
DG Education and Justice Director of Education Reform Director of Learning Director LLS Laura Murdoch (Curriculum and Qualifications) Lisa Bird (Education Reform) [Redacted s38(1)(b)] Ollie Bray (ES) [Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)] Adam Reid (Economy and Skills) [Redacted s38(1)(b)][Redacted s38(1)(b)] [Redacted s38(1)(b)] [Redacted s38(1)(b)][Redacted s38(1)(b)][Redacted s38(1)(b)] Sean McGivern Education Comms SGLD

- ANNEX A – INDEPENDENT REVIEW OF QUALIFICATIONS AND ASSESSMENT - ADVICE PART TWO - NON-SDA RECOMMENDATIONS

1. Part Two of this advice covers IRQA recommendations that are separate from those specifically related to the Scottish Diploma of Achievement. These include recommendations in respect of:

- The process of change
- Working in partnership with other countries
- Parity of esteem
- Artificial intelligence
- The role of national bodies
- Monitoring and Accountability

**[Redacted – information not in scope]**

**Recommendation 22:** Ask the new curriculum body in partnership with the new qualifications body to work with learners, teachers, policy and research communities to improve course progression, co-construct and to trial examples of Project Learning in different educational establishments across the country. Work with local authorities, schools, colleges, teachers and lecturers to build a national moderation system that is rigorous but proportionate.

**[Redacted – information not in scope]**

A moderation system which seeks to establish a proportionate, standardised approach which addresses risk of teacher bias will need to be developed.

**[Redacted – information not in scope]**

**Initial Advice –**

**[Redacted s30(b)(i)]**

**[Redacted – information not in scope]**

**Education Reform Directorate  
19 December 2023**

- ANNEX B: IRQA - STAKEHOLDER ENGAGEMENT INCLUDING RESULTS OF TEACHER SURVEY

Annex B1: SUMMARY OF POST PUBLICATION ENGAGEMENT

Organisation/Group	Support or otherwise of the final recommendations	Summary of views
<b>[Redacted – information not in scope]</b>	<b>[Redacted – information not in scope]</b>	<b>[Redacted – information not in scope]</b>
<b>[Redacted s30(b)(ii)]</b>	Somewhat supportive	Note particular concerns around the bureaucracy associated with increasing internal assessment and indicate concerns around the possibility of teacher bias, particularly in respect to race.
<b>[Redacted – information not in scope]</b>	<b>[Redacted – information not in scope]</b>	<b>[Redacted – information not in scope]</b>

**ANNEX B2: ANALYSIS OF SCHOOL/COLLEGE SURVEY**

[Redacted s25(1)] Published at: [Independent Review of Qualifications and Assessment: consultation analysis - gov.scot](#)

**ANNEX C4: KEY MESSAGES FROM ANDREAS SCHLEICHER, DIRECTOR FOR THE DIRECTORATE FOR EDUCATION AND SKILLS, OECD AND SPECIAL ADVISOR ON EDUCATION POLICY - OECD - 5 OCTOBER 2023**

Andreas Schleicher made the following key points:

- **[Redacted – information not in scope]**
- Assessing transversal (employability) skills is still a struggle (where teacher based assessments are most biased) but more objective assessment is a challenge.

**[Redacted – information not in scope]**

ANNEX E - DRAFT IMPACT ASSESSMENTS – FOR INFORMATION ONLY

[Redacted s30(b)(i)]



<b>Issue or risk Identified per article/ Optional Protocol</b>	<b>Action Taken/ To Be Taken</b>	<b>Date action to be taken or was taken</b>
Possibility of teacher bias for or against children and young people with particular characteristics.	We recommend that further work is undertaken to explore the possibility of teacher bias, before a decision is taken to remove external examinations up to SCQF level 5. This should include a detailed consideration of potential mitigating actions and a mapping and planning of possible professional learning requirements.	October 2023

**[Redacted – information not in scope]**

**Enclosure 018 - FW: Routine Submission - Initial Advice on the Independent Review of Qualifications and Assessment (Hayward)**

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

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

FYI

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] Independent Review Secretariat  
Qualifications and Assessment | Victoria Quay | Edinburgh | EH6 6QQ

I can be contacted by:

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

Mailbox: qualificationsreform@gov.scot

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

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

Sent: Tuesday, December 19, 2023 3:40 PM

To: Cabinet Secretary for Education & Skills <CabSecforES@gov.scot>

Cc: Minister for Higher Education, Further Education, and Veterans  
<MinisterHEFEV@gov.scot>; Minister for Children, Young People & Keeping the  
Promise <MinisterCYPKP@gov.scot>; DG Education & Justice <dgej@gov.scot>;

Clare Hicks <Clare.Hicks@gov.scot>; Director of Learning

<DirectorofLearning@gov.scot>; Director for Lifelong Learning and Skills

<DirectorforLifelongLearningandSkills@gov.scot>; Laura Murdoch

<Laura.Murdoch2@gov.scot>; Lisa Bird <Lisa.Bird@gov.scot>; Gillian Hamilton

<Gillian.Hamilton@educationscotland.gov.scot>; Ollie Bray

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

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

<Adam.Reid@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>; Sean McGivern <Sean.McGivern@gov.scot>;

Communications Education & Skills

<CommunicationsEducationandSkills@gov.scot>; SGLD School Education

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

Subject: Routine Submission - Initial Advice on the Independent Review of  
Qualifications and Assessment (Hayward)

PO/Cabinet Secretary for Education and Skills

CC: Education Reform Directorate, Learning Directorate, Lifelong Learning and Skills, SPADS, Education Scotland, Education Comms, SGLD.

Please find attached initial advice on the recommendations of the Independent Review of Qualifications and Assessment. For clarity the attached document contains the following:

**[Redacted – information not in scope]**

Best wishes

[Redacted s38(1)(b)]

[Redacted s38(1)(b)] | Qualifications Reform | Curriculum and Qualifications Division  
| Education Reform | Scottish Government

**Enclosure 18.1 – Initial Advice**

**This information is a duplicate of Enclosure 017.**

**Enclosure 019 - 'Qualification Reform - IRQA Debate - Briefing Pack - FINAL - 28 February' –**

[Redacted s25(1)]

[Introduction - School and college teacher recommendations: consultation analysis - gov.scot](#)

[Redacted – information not in scope]

**Enclosure 020 – Post Publication Impact Assessment – CRWIA- final PDF  
version  
11 Sept 2024**

**This information is included in FOI 202400442058 issued 18/12/24; enclosure  
003**

**Enclosure 021 – Post Publication Impact Assessment – CRWIA- updated  
October**

**This information is included in FOI 202400442058 issued 18/12/24; enclosure 009**

**Enclosure 022 – Post Publication Impact Assessment – CRWIA- August 2024  
version**

***This information is included in FOI 202400442058 issued 18/12/24; enclosure  
001***



Lisa Bird <Lisa.Bird@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>; [Redacted s38(1)(b)] @gov.scot>; [Redacted s38(1)(b)] @gov.scot>; [Redacted s38(1)(b)] @gov.scot>; [Redacted s38(1)(b)] gov.scot>; Communications Education & Skills <CommunicationsEducationandSkills@gov.scot>

**Subject:** FOR POLICY VIEW: unconscious bias/assessments - The Times

Morning policy colleagues,

[Redacted – information not in scope]

- Are we investigating unconscious bias training for teachers? This comes amid concerns that minorities will be unfairly marked down in the absence of blind assessment.
- Is SG considering unconscious bias training for children to call out teachers or moderation by AI?

[Redacted – information not in scope]

Grateful for a steer on this before **1200** please.

Thanks,

[Redacted s38(1)(b)]

## **DRAFT RESPONSE**

[Redacted s30(b)(i)]

## **QUERY**

As discussed, the Scottish Government recently published a Child Rights Assessment to accompany the assessment review.

It was quickly removed from the website but broken links referencing it remain, for example in the Fairer Scotland Duty assessment which references it with a dead link.

I have obtained a copy of it and it reveals plans to consider unconscious bias training for teachers, amid concerns minorities will be unfairly marked down in the absence of blind assessment.

The Hayward Review found some evidence of this during the pandemic teacher assessment, with normally high achieving Asian pupils receiving marks from teachers that were considerably lower than historic trends under blind assessment.

The Child Rights Assessment states Qualifications Scotland will be tasked to investigate the viability of unconscious bias training for teachers.

The Fairer Scotland Duty paper also reveals further stakeholder calls for children to be educated in unconscious bias, so they can challenge teacher marks if they think

they've been discriminated against, and also for marks to be moderated by AI to completely remove human bias.

Can you please tell me:

- Was this paper deliberately withdrawn as it contained information published in error or is it simply a broken link?
- Can you confirm the Scottish Government is investigating unconscious bias training for teachers? If so, what work has been done to date?
- Is SG considering any further proposals such as unconscious bias training for children to call out their teachers, or moderation by AI?

Here's the relevant section from the Child Rights Assessment.

A copy of the withdrawn Child Rights Assessment is attached. The assessment was originally published here:

<https://www.gov.scot/ISBN/9781836013242>

Fairer Scotland Duty Impact Assessment here:

<https://www.gov.scot/ISBN/9781836013235>

Daniel Morrow (he/him) | Media Manager (Education & Skills)

Email: [Redacted s38(1)(b)] [@gov.scot](mailto:[Redacted s38(1)(b)]@gov.scot)

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

St. Andrew's House, Regent Road, Edinburgh, EH1 3DG





St. Andrew's House, Regent Road, Edinburgh, EH1 3DG

**The remainder of this enclosure is a duplication of Enclosure 028.**

**Enclosure 025 - Fri 08/11/2024 13:42 – Comms**

RE: FOR CAB SEC VIEW: unconscious bias/assessments - The Times

From: Julie Grant <Julie.Grant@gov.scot>; [Redacted s38(1)(b)] @gov.scot>; [Redacted s38(1)(b)] @gov.scot>; [Redacted s38(1)(b)] @gov.scot>

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

Hi Julie,

We've had no follow up on the story since it was published.

Thanks,

[Redacted s38(1)(b)]

-----

[Redacted s38(1)(b)] | Media Manager (Education & Skills)

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

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

St. Andrew's House, Regent Road, Edinburgh, EH1 3DG

From: Julie Grant <Julie.Grant@gov.scot>

Sent: 08 November 2024 13:40

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

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

Subject: RE: FOR CAB SEC VIEW: unconscious bias/assessments - The Times

No need to go back to Sean just now.

Have we had any follow up?

J

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

Sent: Friday, November 8, 2024 1:09 PM

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

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

Subject: RE: FOR CAB SEC VIEW: unconscious bias/assessments - The Times

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

Copying in (with thanks) [Redacted s38(1)(b)] who worked on the redrafted Reactive guidance and Julie who discussed it with Colin for any views on my reworked reply for you to go back to Sean.

As discussed, on our call, I've suggested some tweaks.

[Redacted s30(b)(i)]

Subject to any amends from [Redacted s38(1)(b)]/[Redacted s38(1)(b)] in the next half hour or so, I've tightened up your email back a bit.

[Redacted s38(1)(b)] Afternoon Sean,

[Redacted s30(b)(i)]

Thanks and happy to discuss,

[Redacted s38(1)(b)]

---

[Redacted s38(1)(b)] | Deputy head of News, Scottish Government | 07[Redacted s38(1)(b)]

----- The Scottish Government - gov.scot (www.gov.scot) -----

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

Sent: 08 November 2024 12:41

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

Subject: FW: FOR CAB SEC VIEW: unconscious bias/assessments - The Times

Hi all,

Please see the below response from SpAds following The Times story on page 18 today.

I propose going back with the following response – grateful for views/guidance please.

Happy to chat if needed.

Thanks,

[Redacted s38(1)(b)]

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

[Redacted s30(b)(i)]

Thanks,

[Redacted s38(1)(b)]

-----

[Redacted s38(1)(b)] | Media Manager (Education & Skills)

Email: [Redacted s38(1)(b)] @gov.scot  
Mobile: 07[Redacted s38(1)(b)]  
St. Andrew's House, Regent Road, Edinburgh, EH1 3DG

**The remainder of this enclosure is a duplication of Enclosure 028.**

**Enclosure 026 - Fri 08/11/2024 16:40 - Comms**

FW: FOR SPAD VIEW: unconscious bias/assessments - The Times

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

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

From: [Redacted s38(1)(b)] @gov.scot>  
Sent: 08 November 2024 16:40  
To: [Redacted s38(1)(b)] @gov.scot>  
Subject: RE: FOR SPAD VIEW: unconscious bias/assessments - The Times

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

[Redacted s30(b)(ii)]

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

---

[Redacted s38(1)(b)] | Deputy head of News, Scottish Government | 07[Redacted s38(1)(b)]

----- The Scottish Government - gov.scot (www.gov.scot) -----

From: [Redacted s38(1)(b)] @gov.scot>  
Sent: 08 November 2024 16:28  
To: Sean McGivern <Sean.McGivern@gov.scot>  
Cc: [Redacted s38(1)(b)] @gov.scot>; [Redacted s38(1)(b)] @gov.scot>  
Subject: RE: FOR SPAD VIEW: unconscious bias/assessments - The Times

Sean,

As per your message on Teams, we will contact The Times this afternoon with the line proposed (subject to the Cab Sec's approval) – asking them to reflect that in the online copy.

We will also point out, as you request, that the documents are neither SNP documents nor were they “leaked”

Happy to discuss further,

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

From: Sean McGivern <Sean.McGivern@gov.scot>  
Sent: 08 November 2024 16:23

To: [Redacted s38(1)(b)] @gov.scot>; Laura Murdoch <Laura.Murdoch2@gov.scot>;  
[Redacted s38(1)(b)] @gov.scot>  
Cc: Erin Mckee <Erin.Mckee@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>;  
[Redacted s38(1)(b)] @gov.scot>; [Redacted s38(1)(b)] @gov.scot>; [Redacted  
s38(1)(b)] @gov.scot>; [Redacted s38(1)(b)] @gov.scot>; [Redacted s38(1)(b)]  
@gov.scot>; [Redacted s38(1)(b)] @gov.scot>; [Redacted s38(1)(b)] @gov.scot>;  
[Redacted s38(1)(b)] @gov.scot>; [Redacted s38(1)(b)] @gov.scot>; Ollie Bray  
<Ollie.Bray@educationscotland.gov.scot>; Director of Learning  
<DirectorofLearning@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>; [Redacted s38(1)(b)]  
@gov.scot>; [Redacted s38(1)(b)] @gov.scot>; [Redacted s38(1)(b)] @gov.scot>;  
Lisa Bird <Lisa.Bird@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>; Communications Education & Skills  
<CommunicationsEducationandSkills@gov.scot>; [Redacted s38(1)(b)] @gov.scot>  
Subject: RE: FOR SPAD VIEW: unconscious bias/assessments - The Times

Ok thanks

**The remainder of this enclosure is a duplication of Enclosure 027 and 028.**

**Enclosure 027 - Fri 08/11/2024 16:15 – Comms**

RE: FOR SPAD VIEW: unconscious bias/assessments - The Times

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

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

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

Subject to your approval of the line, and as per your message on Teams, we will contact The Times this afternoon with the line – asking them to reflect that in the online copy. We will also point out that the documents are neither SNP documents nor wre they “leaked”.

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[Redacted s38(1)(b)] | Deputy head of News, Scottish Government | [Redacted s38(1)(b)]07[Redacted s38(1)(b)]

----- The Scottish Government - gov.scot (www.gov.scot) -----

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

Sent: 08 November 2024 16:05

To: Sean McGivern <Sean.McGivern@gov.scot>; Laura Murdoch

<Laura.Murdoch2@gov.scot>; [Redacted s38(1)(b)] @gov.scot>

Cc: Erin Mckee <Erin.Mckee@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>;

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

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

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

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

<Ollie.Bray@educationscotland.gov.scot>; Director of Learning

<DirectorofLearning@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>; [Redacted s38(1)(b)]

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

Lisa Bird <Lisa.Bird@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>; Communications Education & Skills

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

Subject: FOR SPAD VIEW: unconscious bias/assessments - The Times

Hi Sean,

[Redacted s38(1)(b)] and I have discussed and I'm aware you've spoken too.

While there has been no media follow up as of yet today, in case duty Comms are called over the weekend, Policy and Comms have agreed the following 'if asked' background comment.

Are you content?

Thanks,

[Redacted s38(1)(b)]

DRAFT RESPONSE

For info

[Redacted s30(b)(ii)]

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[Redacted s38(1)(b)] | Media Manager (Education & Skills)

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

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

St. Andrew's House, Regent Road, Edinburgh, EH1 3DG

From: Sean McGivern <Sean.McGivern@gov.scot>

Sent: 08 November 2024 15:10

To: Laura Murdoch <Laura.Murdoch2@gov.scot>; [Redacted s38(1)(b)] @gov.scot>;

Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>;

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

Cc: Minister for Children, Young People and The Promise

<MinisterCYPTP@gov.scot>; Minister for Higher and Further Education; and

Minister for Veterans <MinisterHFEV@gov.scot>; Erin Mckee

<Erin.Mckee@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; [Redacted s38(1)(b)]

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

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

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

<Ollie.Bray@educationscotland.gov.scot>; Director of Learning

<DirectorofLearning@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>; [Redacted s38(1)(b)]

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

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

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

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

<CommunicationsEducationandSkills@gov.scot>

Subject: RE: FOR CAB SEC VIEW: unconscious bias/assessments - The Times

OK thanks Laura. I understand comms colleagues will develop an alternative response for any follow-up queries we may receive over the weekend.

**The remainder of this enclosure is a duplication of Enclosure 028.**

**Enclosure 028 – Mon 11/11/2024 15:36 - Comms**

RE: FOR CAB SEC VIEW: unconscious bias/assessments - The Times

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

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

Hi [Redacted s38(1)(b)] – are you sure about this highlighted bit ?? I think we are looking at this and that's what's in the child rights assessment is about.

I don't think that's particularly contentious – what's causing the issue is more about the idea of children spying on teachers

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

Sent: 11 November 2024 15:30

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

Subject: RE: FOR CAB SEC VIEW: unconscious bias/assessments - The Times

[Redacted s38(1)(b)] – many thanks for the below. Think you've got the main thrust but had a bit of an edit below just be clearer on the two main points and the two documents which [Redacted s38(1)(b)] uses as sources.

Also [Redacted s38(1)(b)] says it was the child rights assessment that was pulled from the website so presuming the Fairer Scotland Duty assessment is still on the website?

Happy to discuss with you and officials if that might help resolve.

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

[Redacted s38(1)(b)] Communications Team Leader

07[Redacted s38(1)(b)]

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

Sent: Monday, November 11, 2024 2:00 PM

To: Laura Murdoch <Laura.Murdoch2@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>

Cc: Communications Education & Skills

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

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

Subject: FW: FOR CAB SEC VIEW: unconscious bias/assessments - The Times

Hi Laura, Clare

We've been asked to a send a complaint to the Times about this article.

[Redacted s38(1)(b)] was dealing with it and is on leave this week. I'm trying to pick up, but a bit complicated.

Grateful if you can have a look at the below and let me know if I've got the facts about what we're saying straight. Feel free to copy in other colleague who need to be sighted.

I think we're looking to send it today,

Cheers [Redacted s38(1)(b)]

[Redacted s30(b)(ii)]

I look forward to hearing from you,

Many thanks

From: Laura Murdoch <Laura.Murdoch2@gov.scot>  
Sent: 08 November 2024 15:06  
To: Sean McGivern <Sean.McGivern@gov.scot>; [Redacted s38(1)(b)] @gov.scot>;  
Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>;  
[Redacted s38(1)(b)] @gov.scot>  
Cc: Minister for Children, Young People and The Promise  
<MinisterCYPTP@gov.scot>; Minister for Higher and Further Education; and  
Minister for Veterans <MinisterHFEV@gov.scot>; Erin Mckee  
<Erin.Mckee@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; [Redacted s38(1)(b)]  
@gov.scot>; [Redacted s38(1)(b)] @gov.scot>; [Redacted s38(1)(b)] @gov.scot>;  
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@gov.scot>; [Redacted s38(1)(b)] @gov.scot>; Ollie Bray  
<Ollie.Bray@educationscotland.gov.scot>; Director of Learning  
<DirectorofLearning@gov.scot>; [Redacted s38(1)(b)]  
@educationscotland.gov.scot>; [Redacted s38(1)(b)] @gov.scot>; [Redacted  
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@gov.scot>; [Redacted s38(1)(b)] @gov.scot>; [Redacted s38(1)(b)] @gov.scot>;  
Lisa Bird <Lisa.Bird@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>; Communications Education & Skills  
<CommunicationsEducationandSkills@gov.scot>  
Subject: RE: FOR CAB SEC VIEW: unconscious bias/assessments - The Times

Sean,







[Redacted s38(1)(b)] @gov.scot>; Communications Education & Skills  
<CommunicationsEducationandSkills@gov.scot>  
Subject: FOR CAB SEC VIEW: unconscious bias/assessments - The Times

Afternoon PO/Cabinet Secretary for Education and Skills,

CC: Minister for HE/FE and Veterans and Minister for Children, Young People and The Promise,

The Times has approached us for comment on the Child Rights and Wellbeing Impact Assessment in relation to IRQA. The journalist has noted that this published on the SG website, before being 'quickly' removed.

The journalist has now obtained the copy of the publication (attached) and has asked:

- Why was it withdrawn?
- Are we investigating unconscious bias training for teachers? This comes amid concerns that minorities will be unfairly marked down in the absence of blind assessment.
- Is SG considering unconscious bias training for children to call out teachers or moderation by AI?

I've copied in lines below, which policy colleagues are content with.

Grateful if PO can confirm if Ms Gilruth is content.

Thanks,

[Redacted s38(1)(b)]

DRAFT RESPONSE

A Scottish Government spokesperson said:

"We are committed to tackling inequality in schools and to ensuring that all pupils have the same opportunities to succeed.

"The Scottish Qualifications Authority provides guidance and training for teachers on the basis for estimates, including recognising and addressing conscious and unconscious bias."

Background

The Child Rights and Wellbeing Impact Assessment is currently being updated to align with the Scottish Government's responsibilities in respect of the UNCRC (Incorporation) (Scotland) Act 2024 and will publish on the SG website shortly.

QUERY

As discussed, the Scottish Government recently published a Child Rights Assessment to accompany the assessment review.

It was quickly removed from the website but broken links referencing it remain, for example in the Fairer Scotland Duty assessment which references it with a dead link.

I have obtained a copy of it and it reveals plans to consider unconscious bias training for teachers, amid concerns minorities will be unfairly marked down in the absence of blind assessment.

The Hayward Review found some evidence of this during the pandemic teacher assessment, with normally high achieving Asian pupils receiving marks from teachers that were considerably lower than historic trends under blind assessment.

The Child Rights Assessment states Qualifications Scotland will be tasked to investigate the viability of unconscious bias training for teachers.

The Fairer Scotland Duty paper also reveals further stakeholder calls for children to be educated in unconscious bias, so they can challenge teacher marks if they think they've been discriminated against, and also for marks to be moderated by AI to completely remove human bias.

Can you please tell me:

- Was this paper deliberately withdrawn as it contained information published in error or is it simply a broken link?
- Can you confirm the Scottish Government is investigating unconscious bias training for teachers? If so, what work has been done to date?
- Is SG considering any further proposals such as unconscious bias training for children to call out their teachers, or moderation by AI?

Here's the relevant section from the Child Rights Assessment.

A copy of the withdrawn Child Rights Assessment is attached. The assessment was originally published here:

<https://www.gov.scot/ISBN/9781836013242>

Fairer Scotland Duty Impact Assessment here:  
<https://www.gov.scot/ISBN/9781836013235>

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[Redacted s38(1)(b)] | Media Manager (Education & Skills)  
Email: [Redacted s38(1)(b)] @gov.scot  
Mobile: 07[Redacted s38(1)(b)]

St. Andrew's House, Regent Road, Edinburgh, EH1 3DG