

Equality Impact Assessment

Summary

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| Name of policy or practice | Examination Exceptional Circumstances Consideration Service (EECCS) and Appeals Service |
| New policy or revision | Revision |
| Policy owner (role) | Director of Policy, Analysis and Standards |
| Date policy owner confirmed completion | May 2025 |
| Agreed schedule review date | April 2028 |
| Additional review date (Action review date) | April 2027 |

Action plan

| Required actions | Owner | Date | Comment and review |
|---|----------------|--------------------------------------|---|
| Analysis of quantitative and qualitative data from surveys and interviews with learners, practitioners, senior appointees, stakeholders and SQA Qualifications staff related to Appeals and EECCS | NQ Policy Team | Ongoing | This will be an ongoing activity as relevant data is collected and published. |
| Analysis of Appeals and EECCS statistics and results | NQ Policy Team | Published annually after end of diet | Data related to diet 2025–26 (when this policy will be implemented) will be reviewed at the beginning of 2027, and again in April 2028 when the policy is due for review. |
| Regular engagement with NQ24 Working Group and NQ24 Strategic Group (external) | NQ Policy Team | Ongoing | Meetings are scheduled to take place on a monthly basis. |
| Continued monitoring of intelligence from Appeals and EECCS enquiries and complaints | NQ Policy Team | Ongoing | This is an ongoing piece of work which informs considerations for any changes or improvements to future approaches. |
| Review of SQA Equalities Monitoring Report | NQ Policy Team | Ongoing | This is an ongoing piece of work. |
| Undertaking a Children’s Rights and Wellbeing Impact Assessment and updating it based on any new evidence | NQ Policy Team | Ongoing | This is an ongoing piece of work. |
| Undertaking an Islands Community Impact Assessment screening process and reviewing it based on any new evidence | NQ Policy Team | Ongoing | This is an ongoing piece of work. |

| Identified actions | General equality duty | Owner | Date | Comment and review |
|--|--|--|---------|--|
| Exploring ways in which additional learner data and evidence on protected characteristics relating to learners using the EECCS and Appeals service could be obtained | Eliminate unlawful discrimination, advance equality of opportunity | Policy, Analysis and Standards Directorate | Ongoing | SQA’s Policy, Analysis and Standards Equalities and Data and Analytics teams have advised that additional sub-category equality data from the Scottish Government Pupil Census data has been obtained. SQA colleagues in PAS continue to work in this area to determine how this data can be used to inform impacts on learners. |

Policy aims

What is the rationale for this policy or practice?

The Examination Exceptional Circumstances Consideration Service (EECCS) and the Appeals service have been developed in parallel to support learners who are undertaking National 5, Higher and Advanced Higher National Courses.

Examination Exceptional Circumstances Consideration Service (EECCS)

The EECCS supports learners who have been unable to attend an exam or learners whose performance in the exam may have been affected by personal circumstances, examination circumstances, or an unplanned incident on the day. There is no charge for this service, and it is available for all exams on the exam timetable. Exceptional circumstances are circumstances that are unplanned and affect the ability of learners to attend or perform on the day in an exam. Examination arrangement related exceptional circumstances include situations where the learner's centre fails to correctly implement a pre-agreed assessment arrangement. From diet 2024–25, this also includes situations where a learner has an exam time greater than 6 hours in one day, as the result of extra time given due to an assessment arrangement or where they have English as an additional language (EAL).

In the consideration of an EECCS request, senior examiners are provided with the learner's estimate, any alternative academic evidence, any relevant non-question paper component candidate materials (for example a folio or project), and any attempted question papers related to the request. Examiners review this evidence and award a grade.

Eligibility for the EECCS is determined by the school, college or training provider based on information provided by SQA and authorised by the head of centre or their representative, who is responsible for determining eligibility. In other words, centres access the service to help support fairness of access — there is no direct access for children and young people. This is important as it is the schools, colleges and training providers that can judge the particular circumstances objectively and professionally, and so it is appropriate that they make these decisions in collaboration with their learners through developing an understanding of their circumstances and the associated impacts. Also, centres are better placed to understand the specific requirements related to the submission of an EECCS request, and as such, can better support children and young people in deciding whether a request should be made. SQA has trust in the head of centre to ensure that use of the service is as legitimate, consistent and fair as possible. Children and young people are required to give their consent to ensure they agree with a request being submitted on their behalf.

All learners are eligible for the EECCS where:

- ◆ they have experienced a valid exceptional circumstance
- ◆ they have completed all the compulsory non-question paper components
- ◆ an estimate has been submitted for them

- ◆ alternative evidence for the impacted exam components is available

In order to access the EECCS, centres must be able to provide alternative evidence for the learner; in cases where there is no alternative academic evidence available to support the request, it cannot proceed. To support learners and centres, SQA has published guidance on evidence for estimates and an SQA Academy online course titled 'Gathering Assessment Evidence and Applying National Standards'.

This is a pre-certification service that covers situations where an exceptional circumstance may have affected a learner's performance on the day of an exam. Non-question paper components are not covered by the service. Existing arrangements for these allow enough flexibility for learners who are unable to meet submission dates or attend a scheduled visiting assessment. A priority request can be made if the learner requires a result to secure a conditional place at university, college, employment or training.

EECCS appeals

Heads of centre can appeal on a learner's behalf if they believe that SQA's decision to refuse an EECCS request is wrong. Appeals can also be submitted if they believe that there was a process or administrative error (procedural irregularity) made by SQA which contributed to a decision that is wrong.

An appeal submitted for an EECCS request would be considered by an appeals panel consisting of SQA heads of service. If the panel uphold the appeal, the evidence may be reviewed by an experienced SQA examiner who was not involved in the original review, where this is appropriate. An outcome of this process is that a learner's grade could go up, go down or stay the same.

A downgrade will only occur in circumstances where the academic evidence submitted by the school, college or training provider clearly does not support the estimate. SQA has the responsibility to ensure that the integrity of its qualifications is maintained. For these to be seen as credible and robust, a learner's attainment must be based on demonstrated evidence. SQA has produced guidance for teachers, lecturers and practitioners delivering National Courses. The guidance explains what estimates are and gives examples of the types of assessment evidence needed to ensure a robust estimate. SQA has also produced an online training course, delivered via SQA Academy, which assists teachers, lecturers and practitioners in producing estimates for National Courses, for gathering assessment evidence and applying national standards.

The Appeals service

The Appeals service provides learners with the opportunity to request a review of their SQA-marked assessment components. If learners have concerns about their final grade for National 5, Higher or Advanced Higher Courses, they can request a marking review of the external assessment materials that were submitted to SQA for marking. The outcome of an appeal is final and can result in no change to a grade, an upgrade, or a

downgrade. The Appeals service is based on SQA's 2019 post-results services (PRS), which offered a marking review service and a clerical check service. Two further enhancements were made to this in 2023, which will continue to apply:

- ◆ Learners can request an appeal directly from SQA if they have concerns about their final grade for National 5, Higher or Advanced Higher Courses.
- ◆ The Appeals service is free of charge.

The previous marking review service offered in 2019 (PRS) charged fees, which may have discouraged use of the service. Although SQA intended for the fee to be met by schools, colleges and training providers, SQA does not have evidence to determine whether this was the case or whether, in some instances, learners and their families were charged by the school, college or training provider to meet these costs. SQA acknowledges that to ensure the service is fair and accessible to all learners, and to allow them to access the service directly, it must be free of charge.

Alternative evidence is not reviewed as part of Appeals for National Qualifications at National 5, Higher and Advanced Higher. The Appeals service is designed to work together with the EECCS.

Learners are eligible to apply for an appeal if they have been awarded a final grade based on externally assessed components that were submitted to SQA for marking. Learners are not able to apply for an appeal if:

- ◆ a penalty has been applied due to established learner malpractice
- ◆ an award has been reached using the EECCS — in these cases, a full review of all learner materials will have been undertaken before certification
- ◆ a learner has been certificated at grade A — a marking review is designed to address situations where the certificated grade result needs to be reviewed and there is no grade higher than an A. An exception to this rule is where a learner has a conditional offer from university that requires a band A1. These requests should be submitted via the learner's centre. Centres must notify SQA of band 1 requests at submission.

A priority appeal can be requested if the learner requires a result to secure a conditional place at university, college, employment or training. The procedure is the same for priority and standard appeals and both consist of a marking review, including a clerical check, where appropriate. However, priority appeals will be considered earlier to support learners' UCAS applications and conditional offers for employment opportunities. The outcome to priority appeals will be released earlier for this reason.

What evidence is there to support the implementation or development of this policy or practice?

The current Appeals service and EECCS were originally developed in 2023 after gathering extensive feedback on the 2022 services and taking advice from the wider education community. This included learner, parent and carer, practitioner, school, college, local authority, and teacher and lecturer union representatives on the National Qualifications 2023 Group and SQA's Advisory Council. An extensive evaluation of awarding in 2022, including the Appeals service, was carried out with more than 3,500 learners, teachers, lecturers, and parents and carers giving their views and reflecting on their experiences in 2022. A number of emerging themes were identified through the evaluation in relation to Appeals:

- ◆ The Appeals service increased workload substantially for many teachers and lecturers, owing to the need to gather and submit alternative evidence to SQA. There was also some evidence that the alternative evidence approach led to an increase in the overall amount of assessment for learners.
- ◆ The system used led to perceptions of unfairness, as it was not clear to practitioners or learners why evidence submitted to SQA did not lead to an improved grade. Similarly, in 2022, only learners who had received an estimate higher than their certificated grade were eligible to appeal.
- ◆ The timing and clarity of communications around the process and evidence requirements further added to concerns around fairness.
- ◆ When asked in 2022 about the appeals approach for 2023, there were mixed views about the preferred approach among stakeholder groups.
- ◆ Stakeholders and participants in the evaluation suggested the previous post-results service could be 'enhanced' to address some of the concerns raised in the past about access, by making it free and giving learners direct access. Participants highlighted that the exceptional circumstances service could continue to provide an alternative evidence route for learners facing extenuating circumstances who require that option.

In SQA's 2022 [National Qualifications Evaluation](#) research project, the majority of learners who participated in the survey indicated that they were not satisfied with the Appeals service in 2022 and felt that it was unfair. The learners who responded to SQA's survey and those in SQA's Learner Panel also fed back that the information in SQA's guidance and communications was unclear and that the language used needed to be easier to understand and more user-friendly. SQA had also received a number of enquiries and complaints from learners who were keen to use the Appeals service in 2022 but believed the service did not meet their needs as there was no opportunity for their exam scripts to be reviewed.

Fairness was also an overarching theme from all audience groups. Learners felt that the Appeals service in 2022 service was misleading, that there were inconsistencies in how evidence was reviewed between subjects, and that greater transparency on how marks were allocated was needed. Learners also expressed that it was important for them to be able to submit a request directly to SQA without going through their school, college or training provider, in order to eliminate any potential teacher or lecturer bias. Additionally, they found it unfair that only learners who had received an estimate higher than their certificated grade were eligible to appeal.

On 25 January 2023, SQA's Board of Management approved, based on presented evidence, that SQA should adopt a post-result marking review service in 2023, accompanied by an EECCS that provides support for those learners facing exceptional circumstances. After significant consultation with the partner communication group, SQA's post-results service in 2023 was titled 'Appeals 2023' and comprised of a marking review (including a clerical check, where appropriate). The Appeals service delivered in 2023 was based largely on SQA's 2019 post-results services (PRS), a long-standing service delivered from 2014 to 2019, which offered a marking review service and a clerical check service. This is similar to what is provided by other awarding bodies across the rest of the UK. Additional enhancements were made to this model in 2023, which related to:

- ◆ learners having the right to request an appeal directly from SQA if they have concerns about their final grade for National 5, Higher or Advanced Higher Courses
- ◆ the introduction of a free of charge marking review service, which will include a clerical check where appropriate

The Appeals service is designed to work together with the EECCS. The move away from an appeals system that uses alternative evidence was based on perceptions of unfairness, varying standards and over-assessment of learners. This rationale provided the evidence base for the move to a system in the form of marking review, as implemented in 2023, and still holds for the current service. This approach also brings SQA into line with the approaches used by other awarding bodies in the rest of the UK. The enhancements made to the Appeals service in 2023 (enabling learner direct access and offering the service free of charge) remain. These enhancements removed barriers learners may have otherwise faced in accessing the services. They also eliminated any potential teacher or lecturer bias in deciding whether to submit an appeal request.

When the EECCS process for 2022–23 was considered, SQA set up an external advisory group with a wide range of representatives, including school and parent groups drawn from the National Qualifications Working Group 2022. This group agreed that all requests were to come via the head of centre in the interests of fairness to learners. This approach was also supported by the National Qualifications Strategic Group. In the interest of maintaining fairness to all learners across Scotland, SQA has continued with this approach. As learners do not have direct access to the EECCS, as they do for Appeals, this could result in bias or barriers to accessing the service. Responsibility for determining eligibility to use the service lies with the head of centre or their representative.

Centres access the service to help support fairness of access. This is important as it is the schools, colleges and training providers that can judge the particular circumstances objectively and professionally, and so it is appropriate that they make these decisions in collaboration with their learners through developing an understanding of their circumstances and the associated impacts. Also, centres are better placed to understand the specific requirements related to the submission of an EECCS request, and as such, can better support children and young people in deciding whether a request should be made. SQA has trust in the head of centre to ensure that use of the service is as legitimate, consistent and fair as possible. Children and young people are required to give their consent to ensure they agree with a request being submitted on their behalf.

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Feedback from SQA's Learner Panel in 2023 suggested that the scenarios in the previous EECCS information were open to interpretation and that this had the potential for bias from practitioners about what is defined as a 'disruption' or 'exceptional circumstance'. SQA acknowledged this feedback from learners and in response produced supportive information for centres, with feedback from key stakeholders, which provides centres with a framework to operate the EECCS. This includes clearer information on the eligibility criteria for heads of centres to decide whether to submit a request for this service. The information acknowledges that it does not and cannot reflect every possible scenario but does include clearer examples of likely scenarios to help with decision making. At the specific instruction of the Learner Panel, this information also highlights that personal exceptional circumstances can include situations where a learner has caring responsibilities that prevent their attendance at the exam or affect their performance. SQA also produces a 'Your Exams' information document which provides learners with information on the EECCS to ensure that they are aware of this service.

A full evaluation of the 2023 assessment approach was undertaken by SQA. Results related to Appeals are presented below:

◆ Understanding the appeals process

Of those learners who submitted an appeal, 915 responded to this question. The majority (65%) agreed or strongly agreed that they understood the appeals process in 2023. 23% of learners disagreed or strongly disagreed.

◆ Fairness of the appeals process

Of those learners who submitted an appeal, 913 responded to this question. 17% agreed or strongly agreed that the appeals process was fair. 63% of learners disagreed or strongly disagreed.

◆ Satisfaction with the appeals process

Of those learners who submitted an appeal, 913 responded to this question. 15% agreed or strongly agreed that they were satisfied with the appeals process in 2023. 59% disagreed or strongly disagreed.

Analysis highlighted that a significant number of learners would prefer a return to an appeals service for National Qualifications that includes the use of alternative academic evidence. Survey comments indicate that learners feel the use of alternative evidence would be fairer as the process takes into consideration their previous work. Some learners who expressed this said that they felt their learning was and continued to be impacted by the COVID-19 pandemic but that this was not taken into account. Learners also said that the previous appeals process had made prelims and work throughout the year seem more worthwhile, and because of this the outcomes of this system better reflected the abilities of the candidate. Some learners also indicated that changing the system from year to year put them at a disadvantage and they would prefer a consistent approach.

The move away from an appeals system that uses alternative evidence was based on perceptions of unfairness, varying standards and over-assessment of learners. This rationale provided the evidence base for the move to a system in the form of marking review, as implemented in 2023, and still holds for the current service. Offering the Appeals service (marking review) addresses the balance between the needs of the system for consistency and the need for equity for all learners. Evidence showed that learners did not always benefit from the 2022 approach to appeals based only on alternative evidence provided by their school, college or training provider, as this was variable in quality and volume and was therefore not always comparable. This made it difficult for SQA to ensure there was a consistency in the outcomes reached.

SQA undertook survey work with learners in 2023 regarding the EECCS approach. A summary of the results is provided below:

Overall, only a small proportion of the learners surveyed confirmed an EECCS request had been submitted on their behalf.

◆ Understanding the EECCS process

Of those learners who confirmed that an EECCS request had been submitted on their behalf, 327 responded to this question. 45% of them agreed or strongly agreed that they understood the EECCS process; 35% neither agreed nor disagreed; and 20% disagreed or strongly disagreed.

◆ Fairness of the EECCS process

Of those learners with an EECCS request submitted, 322 responded to this question. 41% of them agreed or strongly agreed that they thought the EECCS process was fair; 41% neither agreed nor disagreed; and 18% disagreed or strongly disagreed.

◆ Satisfaction with the EECCS process

Of those learners with an EECCS request submitted, 326 responded to this question. 40.5% of them agreed or strongly agreed that they were satisfied with the EECCS process; 41% neither agreed nor disagreed; and 18.5% disagreed or strongly disagreed.

While a significant number of learners neither agreed nor disagreed with the questions they were asked, it is unclear from the evaluation why they selected this response. However, an almost equal proportion of learners (41%) agreed or strongly agreed that they understood EECCS, that the service was fair and that they were satisfied with the service.

In providing the same EECCS and Appeals service, SQA is providing stability to the system by ensuring a consistent approach. This approach also brings SQA into line with the approaches used by other awarding bodies in the rest of the UK.

What are the aims of this policy or practice?

A number of key principles and aims underpin the EECCS. These principles and aims must be pursued, and none can be demoted or ignored in offering the EECCS.

- ◆ **Fairness** — any service should seek to ensure fairness both to those learners who access the service and those who do not. In other words, it should not give an unfair advantage.
- ◆ **Demonstrated attainment** — a qualification grade should always be based upon direct evidence of knowledge, understanding and skills, that is, on demonstrated attainment.
- ◆ **Externality** — regardless of the route to the grade, an appointee, trained and monitored by SQA, should review the evidence submitted with requests to use this service against the national standard.
- ◆ **Uphold the primacy of taking exams** — the importance of undertaking exams should not be undermined through offering this service. Eligible courses have been designed to have at least one exam component (validity) and these exams provide a standardised assessment and controlled environment to support fairness and reliability.
- ◆ **Manageability and deliverability** — any services should be deliverable by the system in the necessary timelines, including SQA processes, recruitment of appointees, and centres in transferring alternative academic evidence to SQA.
- ◆ **Credibility of results** — this service should deliver results that maintain the confidence in the system, both at an individual level and at a system level.
- ◆ **Empathy** — this service supports and is supported by the right attitudes and behaviours.

Underpinning the Appeals service is a set of agreed core principles:

1. Fairness to all learners
2. Safe and secure certification of qualifications
3. Maintaining the integrity and credibility of the qualification system, by ensuring that standards are maintained over time, in the interests of learners

[SQA's Governing Principles](#) govern how SQA meets its statutory duties and self-regulates its activities. The policies on Appeals and EECCS support and are supported by, in particular:

- ◆ **Governing Principle 6** — SQA will work in partnership with its appointees and centres to ensure that all assessments used in its qualifications are valid and reliable.

- ◆ **Governing Principle 7** — SQA will ensure that all qualifications and assessments are as fair and accessible as possible and that the needs of candidates are met in the management of its assessments.
- ◆ **Governing Principle 11** — SQA will work in partnership with centres to ensure that the standards of its qualifications are consistently monitored and maintained.

The EECCS has been developed to provide greater support to learners who experience disruption at the time of the exam. This service supports learners who may, for example, be affected by a medical condition at the time of exam, or bereavement (which could occur before the exam), or particular domestic circumstances. It also supports learners who have been affected during the exam by a disruption, or other exam circumstance, reported by the chief invigilator. This includes situations where the learner's centre fails to correctly implement a pre-agreed assessment arrangement for disabled learners or those with additional support needs.

This service aims to ensure that if learners, particularly those who are disabled or with additional support needs, have been affected by a disruption or exceptional circumstance, they are still able to receive a grade that reflects their demonstrated attainment of knowledge, understanding and skills. This will allow them to achieve a qualification that enables them to progress to further and higher education or a career pathway of their choosing.

The policy makes it clear that the EECCS is a service designed to support learners who have experienced disruption which impacts them on the day of the exam. This approach also mitigates the real risk of the EECCS being seen as an alternative to taking the exam. Arrangements for assessing National Qualifications are based on the assumption that exams will take place.

In providing the appeals process, SQA seeks to reassure learners who believe an error was made in the initial marking process. SQA wants learners to receive a qualification and grade which is a fair and accurate reflection of their knowledge, understanding and skills. A key point in developing the service was that the mechanism must be fair to all learners — not just those who access the service. The service should not advantage some learners at the expense of others. The marking review will be carried out by an experienced marker.

Marking reviews are subject to quality assurance to ensure that they are carried out in line with the national standard. The marking review makes sure that:

- ◆ the marking is in line with the national standard
- ◆ all parts of the externally assessed course components have been marked
- ◆ the marks given for each answer have been totalled correctly
- ◆ the correct mark has been entered

The Appeals service is not a re-mark service. The key consideration is whether the marking of each component (and overall) has been carried out to national standards and within agreed tolerances.

Offering the Appeals service addresses the balance required between the needs of the system for consistency (variable quality and volume of alternative academic evidence submitted by schools, colleges and training providers) and the needs of learners undertaking SQA National Qualifications (equity for all learners).

As the Appeals service involves a review of coursework and exams set by SQA, these will be marked and reviewed against national standards. This reduces the possibility of any potential teacher bias introduced through submitting internal assessments as in Appeals 2022. It ensures fairness for all learners as the quality of evidence will not differ across Scotland based on geographical area. The existing quality assurance processes in SQA's assessment process reduce any potential bias when marking assessments completed by learners.

As the external SQA assessments are set according to national standards, the service can be seen to be fairer to all learners, particularly those in lower socio-economic areas, and learners with protected characteristics. As all learners across Scotland will be completing the same assessments for the same courses, there will be no variability in the validity, robustness and quality of alternative evidence submitted by schools, colleges and training providers. This means that SQA's Appeals service will rely on established procedures, which include a robust quality assurance process, to ensure all learners receive an appropriate grade. There is a potential negative impact on learners when results are based on alternative evidence that does not meet national standards.

Grades can go up, go down or stay the same. There is a small chance that a grade could go down, but it is expected that this would only happen when the marking review process or clerical check has clearly identified that the original certificated grade was made in error. SQA examiners undertake rigorous training to ensure they are clear on the marking process, and that grading must meet national standards; however minor errors do occur. SQA acknowledges feedback from learners that downgrades will have a negative impact, but it is a difficult decision SQA must make to ensure the integrity of its qualifications.

Schools, colleges and training providers are required to support their learners to make an informed decision about whether an appeals request should be submitted. To ensure fairness and equity to all learners, particularly for those with a range of protected characteristics, if the learner is unable to reach an agreement with their school, college or training provider on whether to submit an appeal request, they will be able to submit a request directly to SQA. Disabled learners and those with additional support needs, or those who do not feel confident in doing so independently, will be able to authorise a representative to submit a request on their behalf.

How is the content of these aims relevant to equality groups?

SQA's EECCS and Appeals service are available to all learners undertaking National 5, Higher and Advanced Higher National Qualifications. SQA has considered the impact of these services on learners with protected characteristics. Furthermore, we have also considered learners and relevant others who are care experienced. In undertaking an EqIA of the EECCS and Appeals service, we aim to establish whether there is a perceived differential impact on these groups of learners and consider what mitigating actions SQA may introduce.

Acknowledging the impacts of disruption on all learners, SQA has created a set of arrangements with the potential to impact positively on all learners, including those with a range of protected characteristics. The EECCS provides additional support for individual learners with additional challenges in undertaking exams. It is available to all learners undertaking National 5, Higher and Advanced Higher National Qualifications. The service meets the needs of a number of learners with the protected characteristic of disability (for example, disabled learners, those that have additional support needs, or those who have a long-term health condition), pregnancy and maternity, and care experience, as their circumstances mean they are more likely to use such a service.

The EECCS is a service unique to Scotland in which alternative evidence can be submitted by schools, colleges and training providers on behalf of their learners. Other UK awarding bodies do not provide this service. In this respect, it has a positive impact for learners with a range of protected characteristics, in particular disability and pregnancy or maternity. Allowing alternative evidence to be submitted and reviewed alongside any attempted coursework and exam scripts allows SQA examiners to determine a fair and appropriate grade. This means that where a learner's exam performance may have been affected by a disruption, examination circumstance or exceptional circumstance, the EECCS ensures an appropriate grade is awarded and shown on the certificate they receive in August, rather than having to wait until after certification for this to be reviewed.

Evidence, consultation and engagement

What stakeholders have you engaged with in the development of this policy or practice?

The Appeals service and EECCS were originally developed in 2023 after gathering extensive feedback on the 2022 services and taking advice from the wider education community. This included learner, parent or carer, practitioner, school, college, local authority, and teacher and lecturer union representatives on the National Qualifications 2023 Group and SQA's Advisory Council. We carried out an extensive evaluation of awarding in 2022 with more than 3,500 learners, teachers, lecturers, parents and carers giving their views and reflecting on their experiences in 2022.

The policies for these services are reviewed bi-annually and where an unchanged model is proposed, involve engagement with the following:

- ◆ internal SQA staff, including colleagues from Operations, Qualifications Development, Policy, Analysis and Standards, Communications, Business Systems and Organisational Development
- ◆ NQ Working Group and NQ Strategic Group with representation from:
 - School Leaders Scotland
 - Association of Directors of Education Scotland
 - Scottish Council of Independent Schools
 - Education Institute of Scotland
 - Scottish Secondary Teachers' Association
 - NASUWT, The Teachers' Union
 - Education Scotland
 - National Union of Students Scotland
 - Scottish Government
 - Scottish Youth Parliament
 - National Parent Forum of Scotland
 - Colleges Scotland
 - Universities Scotland
 - Student Partnerships in Quality Scotland (sparqs)
 - SQA
- ◆ [Qualifications Committee](#), which provides strategic, policy and technical advice to the Board and senior officers on SQA's qualifications and their assessment, quality assurance and awarding systems

What evidence about equality groups do you have to support this assessment?

Age

SQA’s EECCS and Appeals service are available to all learners undertaking National 5, Higher and Advanced Higher National Qualifications. The Appeals and EECCS policies apply equally to all learners.

SQA’s [Equalities Monitoring Report 2024](#) provides the following data for entries for these National Courses in academic year 2022–23:

National 5 entries by age: below 15 — 0.2% 15 to 18 — **99.3%** over 18 — 0.5%
Higher entries by age: below 15 — 0.0% 15 to 18 — **99.2%** over 18 — 0.8%
Advanced Higher entries by age: below 15 — 0.0% 15 to 18 — **99.6%** over 18 — 0.4%

This shows that the majority of learners undertaking National Courses are between 15 and 18 years of age. This means they are in the category of children and young people, which is the demographic most affected by policy decisions related to the Appeals service and EECCS. For this reason, a Children’s Rights and Wellbeing Impact Assessment (CRWIA) has also been undertaken.

Disability

SQA’s EECCS is available to all learners undertaking National 5, Higher and Advanced Higher National Qualifications. The Appeals and EECCS policies and associated processes apply equally to all learners.

An exceptional circumstance is a circumstance that is unplanned and affects a learner’s ability to attend or perform on the day in an exam. Exceptional circumstances are categorised as personal circumstances or examination circumstances. These are called outline reasons. Under each outline reason there are detailed reasons, such as a medical condition or a disruption. Centres are not required to specify the nature of the medical condition when submitting a request. As such we only have high level data regarding the reasons learners use the service. This is presented in the data below which cover use of the EECCS in diet 2023–24:

| Reason | Number of resulted cases |
|---------------------------------------|--------------------------|
| Bereavement (Absence) | 225 |
| Bereavement (Sat the exam) | 589 |
| Disruption | 406 |
| Domestic Circumstances (Absence) | 94 |
| Domestic Circumstances (Sat the exam) | 476 |

| | |
|----------------------------------|-------------|
| Examination Arrangements | 249 |
| Exceptional Absence | 76 |
| Medical Condition (Absence) | 1404 |
| Medical Condition (Sat the exam) | 1334 |
| Total | 4853 |

The service meets the needs of a number of learners with the protected characteristic of disability — for example, learners with a disability, those that have additional support needs, or those who have a long-term health condition — as their circumstances mean they are more likely to use such a service.

Examination arrangement related exceptional circumstances include situations where the learner’s centre fails to correctly implement a pre-agreed assessment arrangement. Assessment arrangements allow disabled learners, or learners who have been identified as having additional support needs, access to appropriate arrangements to complete the assessment without compromising its integrity. SQA’s [Summary of Assessment Arrangements](#) report confirms that 32,030 learners submitted a total of 104,695 requests for assessment arrangements. This represents an increase of 3,685 learners from the previous year.

In 2024, the proportion of secondary school learners with an additional support need was 43% ([Scottish Government, 2024](#)).

SQA has maintained open communications through its social media channels and by publishing articles on SQA’s website related to both the Appeals service and EECCS. This content is available to all learners and relates to developments with National Qualifications. SQA will consult with learners to ensure any communications and publications issued for the Appeals service are accessible to disabled learners and those with ASN.

Schools, colleges and training providers are required to support their learners to make an informed decision about whether an appeals request should be submitted. To ensure fairness and equity to all learners, particularly for those with a range of protected characteristics, if the learner is unable to reach an agreement with their school, college or training provider on whether to submit a request, they will be able to submit a request directly to SQA. Disabled learners or those with ASN, or those who do not feel confident in doing so independently, will be able to authorise a representative to submit a request on their behalf.

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| <p>Race</p> | <p>Information on the race of individuals who submit appeals requests or EECCS requests is not sought or recorded. The Appeals and EECCS policies and associated processes apply equally to all learners.</p> <p>As previously established, over 99% of learners undertaking National Courses are between the ages of 15 and 18. As such, information provided in Scottish Government’s 2024 Pupil Census is relevant. With regard to ethnicity, the 2024 census indicated that 85% of learners were from the aggregated White ethnic group, 6% were from the aggregated Asian ethnic group and 7% were from the aggregated African, aggregated Arab, aggregated Caribbean or Black, and Mixed or multiple ethnic groups. It should be noted that the figures above only include publicly funded and grant aided schools.</p> <p>In a recent survey issued by SQA, 2349 learners responded. The majority of respondents described their ethnicity as White, with 83% selecting this ethnic group. The second largest group in terms of ethnicity was Asian at 8%. There were 3% of African respondents and 2% of Mixed or multiple ethnic group respondents. One per cent of respondents were Caribbean or Black, and a further 1% of respondents were Arab.</p> <p>Data in this area is limited as the studies we identified with regard to the Scottish education system focused on the school experiences of Black, Asian and Ethnical Minority (BAME) young people, as opposed to their experience of the Scottish assessment system for National Courses. In addition, many studies have such small participant numbers that it is not possible to generalise these to the wider population.</p> <p>While language is not a characteristic protected in the Equality Act, there can be a relationship through nation of origin between language and the protected characteristic of race. People with English as a second or alternative language may experience difficulties in understanding our communications and information. SQA produces a ‘Your Exams’ guide which is written in age-appropriate plain English. Information for centres produced for the Appeals service and EECCS makes clear that centres are responsible for holding advisory discussions with learners to ensure they clearly understand the purpose of both services, the associated eligibility criteria, and how to submit a request. They are also responsible for helping the learner to determine if it is appropriate to use the services based on their individual circumstances, estimates and grades.</p> |
| <p>Religion or belief</p> | <p>SQA do not collect learner data on religion or belief. Information regarding the religion or belief of individuals who submit appeals requests or EECCS requests is not sought or recorded. The Appeals and EECCS policies and associated processes apply equally to all learners.</p> <p>SQA is aware that there is a gap in the equality data held relating to this protected characteristic. Work is currently underway to explore opportunities for SQA to access available equality data for learners to allow us to better understand how our products and services impact on learners with a range of protected characteristics.</p> |

Sex

SQA's EECCS and Appeals service are available to all learners undertaking National 5, Higher and Advanced Higher National Qualifications. The Appeals and EECCS policies and associated processes apply equally to all learners.

SQA's [Equalities Monitoring Report 2024](#) provides the following data for entries for these National Courses in academic year 2022–23:

National 5 entries by sex: Female — 50.2% Male — 49.8%
Higher entries by sex: Female — 54.1% Male — 45.9%
Advanced Higher entries by sex: Female — 54.9% Male — 45.1%

With regard to attainment, the report also confirms the following:

National 5 — Female candidates had higher A to C and A attainment rates than male candidates at National 5 for each year in the period 2019 to 2023. This remains the case in 2024. The difference in A to C attainment between female candidates and male candidates in 2024 was 4.3 percentage points (in favour of females). This is similar to the 2023 value of 3.7 percentage points, also in favour of females. In 2019, the difference in A to C attainment between female candidates and male candidates was 4.2 percentage points.

Higher — Female candidates had higher A to C and A attainment rates than male candidates at Higher for each year in the period 2019 to 2023. This remains the case in 2024. The difference in A to C attainment between female candidates and male candidates in 2024 was 6.2 percentage points. This is similar to the 2023 value of 5.2 percentage points (both in favour of female candidates). In 2019, the difference in A to C attainment between female candidates and male candidates was 4.6 percentage points.

Advanced Higher — Female candidates had higher A to C and A attainment rates than male candidates at Advanced Higher for each year in the period 2019 to 2023. This remains the case in 2024. The difference in A to C attainment between female candidates and male candidates in 2023 was 6.3 percentage points. This is similar to the 2023 value of 5.4 percentage points (both in favour of female candidates). In 2019, the difference in A to C attainment between female candidates and male candidates was 4.6 percentage points.

What can be gathered from the data is that despite changes to the Appeals service and EECCS models from 2019 to 2024, differences in attainment between females and males have remained consistent. Both services are designed to treat all learners fairly and equally.

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| | <p>The Summary of Appeals Outcomes 2024 report published by SQA confirms there was no significant difference of appeal rates by sex. The appeal rate was higher for females than males by 0.2%. 23,580 appeals (8.2% of entries) were from females. 21,265 appeals (8.0% of entries) were from males.</p> <p>Appeal outcomes varied by sex — the upgrade rate for females (8.2%) was higher than the upgrade rate for males (6.8%).</p> <p>Due to the wide range of factors that can influence the upgrade rate, which is based on demonstrated evidence of individual learner attainment in a particular subject and at a particular SCQF level, it is not possible to determine why the upgrade rate for females was higher than the upgrade rate for males. SQA is confident that there is no evidence that this difference is linked to the Appeals service model or EECCS model, which are both designed to treat all learners fairly and equally.</p> |
| <p>Sexual orientation</p> | <p>Information regarding sexual orientation is not sought or recorded by the Appeals service or the EECCS. The Appeals and EECCS policies and associated processes apply equally to all learners.</p> <p>In a recent survey issued by SQA, 2349 learners responded. 15% of respondents said that they identified as part of the LGBTQIA+ community, while 79% said they did not.</p> <p>Although not directly comparable to the survey question, according to the ONS, 3.8% of the UK population aged 16 years and over identified as lesbian, gay or bisexual (LGB) in 2023. For those aged 16 to 24 years, 10.4% identified as LGB. Youth Scotland's Life in Scotland for LGBT Young People 2023 report states the following:</p> <ul style="list-style-type: none"> ◆ 70% of participants felt that homophobia, biphobia and transphobia had a negative effect on their educational experience. ◆ 36% felt that homophobia, biphobia or transphobia had a negative effect on their educational attainment. <p>The findings in LGBT Youth Scotland’s report indicate that LGBTI young people’s educational experiences have not significantly improved from previous years. 63% of participants had experienced homophobic or biphobic bullying in school. Lesbian or gay participants were slightly more likely to experience bullying than bisexual participants, with 70% of lesbian or gay participants reporting this compared to 58% of bisexual participants.</p> |

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| <p>Gender re-assignment (gender identity and transgender)</p> | <p>Information regarding gender re-assignment (gender identity and transgender) is not sought or recorded by the Appeals service or the EECCS. The Appeals and EECCS policies and associated processes apply equally to all learners.</p> <p>In a recent survey issued by SQA, 2349 learners responded. When asked how they would describe their gender, 61% of respondents opted for woman/girl and 35% selected man/boy. One per cent of respondents said they were non-binary, and a further 1% described their gender as ‘other’.</p> <p>In 2024 LGBT Youth Scotland commissioned a Trans Report in which 72% of participants stated they believe that transphobia is 'a big problem' in Scotland. Almost 1 in 5 trans participants (19%) have left education as a result of homophobia, biphobia, or transphobia¹. This compares to just 6% of cisgender participants. 80% of trans participants² feel that homophobia, biphobia, or transphobia has had a negative impact on their educational experience, as compared to 58% of cisgender participants. 47% of participants³ said homophobia, biphobia, or transphobia affected their educational attainment, compared with 23% of cisgender participants.</p> <p>SQA is aware that there is a gap in the equality data held relating to this protected characteristic. Work is currently underway to explore opportunities for SQA to access available equality data for learners that allow us to better understand how our products and services impact on learners with a range of protected characteristics.</p> |
| <p>Marriage or civil partnership</p> | <p>SQA do not collect learner data on marriage or civil partnerships. The Appeals and EECCS policies and associated processes apply equally to all learners.</p> <p>As over 99% of learners undertaking National 5, Higher and Advanced Higher National Courses are between the ages of 15 and 18, it is highly unlikely that many learners with this protected characteristic would be accessing the Appeals service or EECCS.</p> <p>It has not been possible to source any data relating to the number of individuals between the ages of 16 and 18 in Scotland who are married. The National Records for Scotland reports that the average age of marriage has risen for both men and women: ‘The average age at marriage has risen for both males and females. For first marriages, the average age of males has risen from 24.3 in the mid-1970s to 35.3 in 2023; the comparable figures for females are 22.5 in the mid-1970s and 33.7 in 2023.’ The ONS gives marital status by age but the groups are under 20 and 20–24, which does not provide useful data for this assessment — it also does not include Scotland in the data.</p> |

1 Trans n = 529, cisgender n = 489

2 Trans n = 513, cisgender n = 439

3 Trans n = 476, cisgender n = 416

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| <p>Pregnancy or maternity</p> | <p>SQA do not collect learner data on pregnancy and maternity. The Appeals and EECCS policies and associated processes apply equally to all learners.</p> <p>The National Records for Scotland reports that the fertility rate for women aged 15–19 is very low, Due to this, as more than 99% of learners undertaking National Courses are aged between 15 and 18, it is unlikely that many learners will be covered by this protected characteristic.</p> <p>SQA is aware that there is a gap in the equality data held relating to this protected characteristic. Work is currently underway to explore opportunities for SQA to access available equality data for learners that allow us to better understand how our products and services impact on learners with a range of protected characteristics.</p> |
| <p>Care experience (where relevant)</p> | <p>SQA has a corporate parenting commitment to ensure its EqIA 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 2010. Additionally, a CRWIA has also been undertaken for both the Appeals service and EECCS. Care-experienced children are automatically deemed to have additional support needs, unless otherwise assessed.</p> <p>While no evidence of any potential barriers was identified as part of this review, SQA is a proud corporate parent and acutely aware of the unique challenges that care-experienced people face. Our approach is, as with all learners, to protect the learner wherever possible and minimise any disadvantage or distress. SQA understands that ‘child’ means everyone under the age of 18. We also understand that our corporate parenting responsibilities under the Children and Young People (Scotland) Act 2014 not only apply to children who are looked after by local authorities, but also to young people up to the age of 26 who were looked after at age 16 or later. For this reason, we have also undertaken a CRWIA for both the Appeals service and EECCS.</p> <p>According to the Scottish Government’s Children’s Social Work Statistics Scotland: 2022 to 2023 reports on 31 July 2023, 14,300 children in Scotland were looked after or on the Child Protection Register — 1.5% of Scotland’s under 18 population. There were 12,206 looked after children in Scotland, a decrease of 2% from 31 July 2022. However, according to Who Cares? Scotland, these statistics do not take into consideration circumstances such as informal kinship care. Moreover, some learners may have historic care experience even if they are not currently in care.</p> <p>In August 2024, the Scottish Government published information on attainment and leaver destinations for school leavers in Scotland who were looked after during the 2022–23 school year. Headline figures show that more care-experienced children are staying in school for longer and achieving higher qualifications, although the number has dropped slightly in the last year. There are still large gaps compared with all learners. The latest figures show that:</p> <ul style="list-style-type: none"> ◆ Care-experienced school leavers continue to have lower attainment than other school leavers. |

- ◆ Care-experienced children and young people leave school earlier than their non-care-experienced peers.
- ◆ Care-experienced children are less likely to be in positive destinations nine months after leaving school.
- ◆ The rate of exclusions among care-experienced children is much higher than among the general school population.
- ◆ The more disruption a child faces — for example placement moves — the higher their likelihood of exclusion.
- ◆ At all levels, care-experienced students have lower rates of course completion at university and college than other students.

Scottish Government's [Education Outcomes for Looked After Children 2022/23](#) provides the following data for 2022–23:

- ◆ 34.4% looked after school leavers left in S4 or earlier (up from 31.7% in 2021–22) compared with 14.4% of all leavers.
- ◆ 75.7% looked after school leavers had achieved one or more qualifications at SCQF level 4 or better (down from 78.3% in 2021–22), compared with 96.0% of all leavers.

The [SQA Corporate Parenting Plan 2023-26](#) provides the following data for 2021–22:

- ◆ 31.7% looked after school leavers left in S4 or earlier (down from 37.3% in 2020–21) compared with 12.4% of all leavers.
- ◆ 78.3% looked after school leavers with one or more qualification at SCQF level 4 or better (up from 70.9% in 2020–21), compared with 96.4% of all leavers.

SQA is aware that there is a gap in the equality data held relating to this protected characteristic. Work is currently underway to explore opportunities for SQA to access available equality data for learners that allow us to better understand how our products and services impact on learners with a range of protected characteristics.

Impact and opportunities for action

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| Protected characteristic: Age |
| General equality duties |
| Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010 |
| The Appeals policy and EECCS policy apply equally to all learners and all equality groups. SQA does not hold any evidence to demonstrate that the process has a negative impact on learners with regard to the protected characteristic of age. |
| Advance equality of opportunity |
| Core principle underpinning the Appeals service: Fairness to all learners |
| Core principle underpinning the EECCS: Fairness — any service should seek to ensure fairness both to those learners who access the service as well as to those who do not. In other words, it should not give an unfair advantage. Any future opportunity to advance equality of opportunity for this equality group will be considered. |
| As previously established, over 99% of learners undertaking National Courses are between the ages of 15 and 18. Learners can directly access SQA’s Appeals service if they have a concern about the grade they have been awarded, and they have attempted to discuss their concerns with their school, college or training provider but were unable to reach an agreement. By ensuring that children and young people can directly access the Appeals service if their school, college or training provider are not supportive of their intention to do so, SQA acknowledges the rights of the child and provides them with an opportunity to be involved in a service that impacts their education. Children and young people who do not feel comfortable submitting a request directly to SQA will also be able to authorise a representative to do so on their behalf. |
| SQA has also undertaken a CRWIA for both the Appeals policy and the EECCS policy. |
| Foster good relations |
| As well as continuing to seek learners’ views on issues directly related to the arrangements for assessing NQs, SQA has sought the views of learners on assessment, qualifications, communications and services. SQA will continue to seek the views of young people on any proposed changes to the future of assessment, qualifications, communications and services. |

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| Protected characteristic: Disability |
| General equality duties |
| Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010 |
| <p>The Appeals policy and EECCS policy apply equally to all learners and all equality groups.</p> <p>We recognise that reliance on centres to submit a request for the EECCS on the learner’s behalf has the potential to negatively impact learners with protected characteristics. Appropriate and clear information and support materials have been published for schools, colleges and training providers to refer to, but SQA cannot effectively mitigate any potential inequity in how this service is being used. However, SQA relies on the professional judgement of schools, colleges and training providers and their understanding of their learners’ individual circumstances to best support the learners to make an appropriate and informed decision about whether to access the EECCS. Learners, or their parent or carer, can also contact SQA if they are not satisfied with how their concerns have been handled by the school, college or training provider.</p> |
| Advance equality of opportunity |
| <p>Core principle underpinning the Appeals service: Fairness to all learners</p> <p>Core principle underpinning the EECCS: Fairness — any service should seek to ensure fairness both to those learners who access the service as well as to those who do not. In other words, it should not give an unfair advantage. Any future opportunity to advance equality of opportunity for this equality group will be considered.</p> <p>The enhancements made to the Appeals service in 2023 (enabling learner direct access and offering the service free of charge) remain. These enhancements remove barriers learners may have otherwise faced in accessing the services. They also eliminate any potential teacher or lecturer bias in deciding whether to submit an appeal request.</p> <p>The EECCS has been developed to support learners who experience disruption at the time of the exam. This service aims to ensure that learners impacted by a disruption or exceptional circumstance are still able to receive a grade that reflects their demonstrated attainment, particularly learners with the protected characteristic of disability — for example, disabled learners, those that have additional support needs, or those who have a long-term health condition — as their circumstances mean they are more likely to use such a service. From diet 2024–25, examination arrangements also include situations where a learner has an exam time greater than 6 hours in one day, as the result of extra time given due to an assessment arrangement or where they have English as an additional language (EAL). This 6-hour exam period does not include scheduled breaks between exams.</p> |

EECCS is a service unique to Scotland in which alternative evidence can be submitted by schools, colleges and training providers on behalf of their learners. Other UK awarding bodies do not provide this service. In this respect, this has a positive impact for learners with the protected characteristic of disability.

Examination arrangement related exceptional circumstances include situations where the learner's centre fails to correctly implement a pre-agreed assessment arrangement. Assessment arrangements allow disabled learners or those with additional support needs access to appropriate arrangements to complete the assessment without compromising its integrity.

Foster good relations

SQA has maintained open communications through its social media channels and by publishing articles on its website related to both the Appeals service and EECCS. This content is available to all learners and relates to developments with National Qualifications. SQA has considered feedback from learners about the need for clearer and more user-friendly language. SQA will consult with learners to ensure any communications and publications issued for the Appeals service are age-appropriate and accessible to disabled learners or those with additional support needs.

Protected characteristic: Race

General equality duties

Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010

The Appeals policy and EECCS policy apply equally to all learners and all equality groups.

We recognise that reliance on centres to submit a request for the EECCS on the learner's behalf has the potential to negatively impact learners with protected characteristics. Appropriate and clear information and support materials can be published for schools, colleges and training providers to refer to, but SQA cannot effectively mitigate any potential inequity in how this service is being used. However, SQA relies on the professional judgement of schools, colleges and training providers and their understanding of their learners' individual circumstances to best support the learners to make an appropriate and informed decision about whether to access the EECCS. Learners, or their parent or carer, can also contact SQA if they are not satisfied with how their concerns have been handled by the school, college or training provider.

Advance equality of opportunity

Core principle underpinning the Appeals service: Fairness to all learners

Core principle underpinning the EECCS: Fairness — any service should seek to ensure fairness both to those learners who access the service as well as to those who do not. In other words, it should not give an unfair advantage. Any future opportunity to advance equality of opportunity for this equality group will be considered.

The enhancements made to the Appeals service in 2023 (enabling learner direct access and offering the service free of charge) remain. These enhancements remove barriers learners may have otherwise faced accessing the services. They also eliminate any potential teacher or lecturer bias in deciding whether to submit an appeal request.

Foster good relations

While language is not a protected characteristic under the Equality Act, it can be related to the protected characteristic of race through nation of origin. People with English as a second or alternative language may experience difficulties in understanding our communications and information. SQA produces a 'Your Exams' guide which is written in age-appropriate plain English. Information for centres produced for the Appeals service and EECCS makes clear that centres are responsible for holding advisory discussions with learners to ensure they clearly understand the purpose of both services, the associated eligibility criteria, and how to submit a request. They are also responsible for helping the learner to determine if it is appropriate to use the services, based on their individual circumstances, estimates and grades.

As highlighted in the [SQA Children's Rights Report: April 2020 to April 2023](#), anti-racism is a priority within Scottish education. Pupils, parents and educators alike have stressed the importance of widening the curriculum and designing education environments that are free from racism. As a result, the Scottish Government has created the Anti-Racism in Education Programme (AREP) which sets out to implement this change. One important aspect of how the AREP works is the acknowledgement of lived experience as integral to informing decisions within the group. There are representatives from Intercultural Youth Scotland and the Scottish Youth Parliament to ensure the youth voice is brought forward. SQA and such partners are key drivers of the programme, and a specific SQA anti-racist education plan is in place. The actions include raising awareness of anti-racism through training, collation of data to make evidence-based decisions, engaging with SQA employee networks, and considering our recruitment practices. Understanding how racism shows up in policy, procedures and products is essential to engaging with this work and we understand that this requires long-term effort. SQA has a dedicated research and policy manager who drives this anti-racist education work, and we have recently engaged our director of communications as a sponsor for anti-racist education.

Protected characteristic: Religion or belief

General equality duty

Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010

The Appeals policy and EECCS policy apply equally to all learners and all equality groups.

We recognise that reliance on centres to submit a request for the EECCS on the learner's behalf has the potential to negatively impact learners with protected characteristics. Appropriate and clear information and support materials can be published for schools, colleges and training providers to refer to, but SQA cannot effectively mitigate any potential inequity in how this service is being used. However, SQA relies on the professional judgement of schools, colleges and training providers and their understanding of their learners' individual circumstances to best support the learners to make an appropriate and informed decision about whether to access the EECCS. Learners, or their parent or carer, can also contact SQA if they are not satisfied with how their concerns have been handled by the school, college or training provider.

Advance equality of opportunity

Core principle underpinning the Appeals service: Fairness to all learners

Core principle underpinning the EECCS: Fairness — any service should seek to ensure fairness both to those learners who access the service as well as to those who do not. In other words, it should not give an unfair advantage. Any future opportunity to advance equality of opportunity for this equality group will be considered.

The enhancements made to the Appeals service in 2023 (enabling learner direct access and offering the service free of charge) remain. These enhancements remove barriers learners may have otherwise faced accessing the services. They also eliminate any potential teacher or lecturer bias in deciding whether to submit an appeal request.

Foster good relations

As well as continuing to seek learners' views on issues directly related to the arrangements for assessing NQs, SQA has sought the views of learners on assessment, qualifications, communications and services. SQA will continue to seek the views of young people on any proposed changes to the future of assessment, qualifications, communications and services.

Protected characteristic: Sex

General equality duty

Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010

The Appeals policy and EECCS policy apply equally to all learners and all equality groups. We recognise that reliance on centres to submit a request for the EECCS on the learner's behalf has the potential to negatively impact learners with protected characteristics. Appropriate and clear information and support materials can be published for schools, colleges and training providers to refer to, but SQA cannot effectively mitigate any potential inequity in how this service is being used. However, SQA relies on the professional judgement of schools, colleges and training providers and their understanding of the learners' individual circumstances to best support their learners to make an appropriate and informed decision about whether to access the EECCS. Learners, or their parent or carer, can also contact SQA if they are not satisfied with how their concerns have been handled by the school, college or training provider.

Advance equality of opportunity

Core principle underpinning the Appeals service: Fairness to all learners

Core principle underpinning the EECCS: Fairness — any service should seek to ensure fairness both to those learners who access the service as well as to those who do not. In other words, it should not give an unfair advantage. Any future opportunity to advance equality of opportunity for this equality group will be considered.

The enhancements made to the Appeals service in 2023 (enabling learner direct access and offering the service free of charge) remain. These enhancements remove barriers learners may have otherwise faced accessing the services. They also eliminate any potential teacher or lecturer bias in deciding whether to submit an appeal request.

Foster good relations

SQA currently works with the Scottish Youth Parliament (SYP) which consists of members of the SYP, school learners from S3–S6, college learners, and care-experienced learners.

As well as continuing to seek learners' views on issues directly related to the arrangements for assessing NQs, SQA has sought the views of learners on assessment, qualifications, communications and services. SQA will continue to seek the views of young people on any proposed changes to the future of assessment, qualifications, communications and services.

Protected characteristic: Sexual orientation

General equality duty

Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010

The Appeals policy and EECCS policy apply equally to all learners and all equality groups.

We recognise that reliance on centres to submit a request for the EECCS on the learner's behalf has the potential to negatively impact learners with protected characteristics. Appropriate and clear information and support materials can be published for schools, colleges and training providers to refer to, but SQA cannot effectively mitigate any potential inequity in how this service is being used. However, SQA relies on the professional judgement of schools, colleges and training providers and their understanding of the learners' individual circumstances to best support their learners to make an appropriate and informed decision about whether to access the EECCS. Learners, or their parent or carer, can also contact SQA if they are not satisfied with how their concerns have been handled by the school, college or training provider.

Advance equality of opportunity

Core principle underpinning the Appeals service: Fairness to all learners

Core principle underpinning the EECCS: Fairness — any service should seek to ensure fairness both to those learners who access the service as well as to those who do not. In other words, it should not give an unfair advantage. Any future opportunity to advance equality of opportunity for this equality group will be considered.

The enhancements made to the Appeals service in 2023 (enabling learner direct access and offering the service free of charge) will remain. These enhancements remove barriers learners may have otherwise faced accessing the services. They also eliminate any potential teacher or lecturer bias in deciding whether to submit an appeal request.

Foster good relations

As highlighted in the [SQA Children's Rights Report: April 2020 to April 2023](#), SQA is a member of the LGBT Inclusive Education Implementation Group, which was established to take forward the recommendations of a report developed by the LGBT Inclusive Education Working Group in November 2018. The Scottish Government accepted all 33 recommendations of the report. Recommendation 15 is specific to SQA:

'In recognising the centrality of National Qualifications in shaping educational discourse, that SQA and Education Scotland work with the Implementation Group to ensure appropriate inclusion of LGBT matters in the development of new or adapted course specifications, and relevant guidance, across the curriculum.'

This recommendation drives SQA's commitment to incorporating LGBT matters in new and revised National Courses.

Protected characteristic: Gender re-assignment (gender identity and transgender)

General equality duty

Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010

The Appeals policy and EECCS policy apply equally to all learners and all equality groups.

We recognise that reliance on centres to submit a request for the EECCS on the learner's behalf has the potential to negatively impact learners with protected characteristics. Appropriate and clear information and support materials can be published for schools, colleges and training providers to refer to, but SQA cannot effectively mitigate any potential inequity in how this service is being used. However, SQA relies on the professional judgement of schools, colleges and training providers and their understanding of their learners' individual circumstances to best support the learners to make an appropriate and informed decision about whether to access the EECCS. Learners, or their parent or carer, can also contact SQA if they are not satisfied with how their concerns have been handled by the school, college or training provider.

Advance equality of opportunity

Core principle underpinning the Appeals service: Fairness to all learners

Core principle underpinning the EECCS: Fairness — any service should seek to ensure fairness both to those learners who access the service as well as to those who do not. In other words, it should not give an unfair advantage. Any future opportunity to advance equality of opportunity for this equality group will be considered.

The enhancements made to the Appeals service in 2023 (enabling learner direct access and offering the service free of charge) remain. These enhancements remove barriers learners may have otherwise faced accessing the services. They also eliminate any potential teacher or lecturer bias in deciding whether to submit an appeal request.

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| Foster good relations |
| SQA has developed Information for centres that raises awareness of gender identity and transgender and provides information on updating SQA's transgender learners' personal information. |
| Protected characteristic: Marriage or civil partnership |
| General equality duty |
| Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010 |
| <p>The Appeals policy and EECCS policy apply equally to all learners and all equality groups.</p> <p>We recognise that reliance on centres to submit a request for the EECCS on the learner's behalf has the potential to negatively impact learners with protected characteristics. Appropriate and clear information and support materials can be published for schools, colleges and training providers to refer to, but SQA cannot effectively mitigate any potential inequity in how this service is being used. However, SQA relies on the professional judgement of schools, colleges and training providers and their understanding of the learners' individual circumstances to best support their learners to make an appropriate and informed decision about whether to access the EECCS. Learners, or their parent or carer, can also contact SQA if they are not satisfied with how their concerns have been handled by the school, college or training provider.</p> |
| Advance equality of opportunity |
| <p>Core principle underpinning the Appeals service: Fairness to all learners</p> <p>Core principle underpinning the EECCS: Fairness — any service should seek to ensure fairness both to those learners who access the service as well as to those who do not. In other words, it should not give an unfair advantage. Any future opportunity to advance equality of opportunity for this equality group will be considered.</p> <p>The enhancements made to the Appeals service in 2023 (enabling learner direct access and offering the service free of charge) remain. These enhancements remove barriers learners may have otherwise faced accessing the services. They also eliminate any potential teacher or lecturer bias in deciding whether to submit an appeal request.</p> |
| Foster good relations |
| SQA does not have a public sector equality duty to foster good relations on the basis of marriage and civil partnership. |

Protected characteristic: Pregnancy or maternity

General equality duty

Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010

The Appeals policy and EECCS policy apply equally to all learners and all equality groups.

We recognise that reliance on centres to submit a request for the EECCS on the learner's behalf has the potential to negatively impact learners with protected characteristics. Appropriate and clear information and support materials can be published for schools, colleges and training providers to refer to, but SQA cannot effectively mitigate any potential inequity in how this service is being used. However, SQA relies on the professional judgement of schools, colleges and training providers and their understanding of the learners' individual circumstances to best support their learners to make an appropriate and informed decision about whether to access the EECCS. Learners or their parent or carer, can also contact SQA if they are not satisfied with how their concerns have been handled by the school, college or training provider.

Advance equality of opportunity

Core principle underpinning the Appeals service: Fairness to all learners

Core principle underpinning the EECCS: Fairness — any service should seek to ensure fairness both to those learners who access the service as well as to those who do not. In other words, it should not give an unfair advantage. Any future opportunity to advance equality of opportunity for this equality group will be considered.

The enhancements made to the Appeals service in 2023 (enabling learner direct access and offering the service free of charge) remain. These enhancements remove barriers learners may have otherwise faced accessing the services. They also eliminate any potential teacher or lecturer bias in deciding whether to submit an appeal request.

The EECCS has been developed to provide learners who experience disruption at the time of the exam. This service aims to ensure that learners impacted by a disruption or exceptional circumstance are still able to receive a grade that reflects their demonstrated attainment, particularly learners with the protected characteristic of pregnancy or maternity, as their circumstances mean they are more likely to utilise such a service. EECCS is a service unique to Scotland in which alternative evidence can be submitted by schools, colleges and training providers on behalf of their learners. Other UK awarding bodies do not provide this service. In this respect, this has a positive impact for learners with the protected characteristic of pregnancy or maternity.

Foster good relations

SQA currently works with the Scottish Youth Parliament (SYP) which consists of members of the SYP, school learners from S3–S6, college learners, and care-experienced learners.

As well as continuing to seek learners' views on issues directly related to the arrangements for assessing NQs, SQA has sought the views of learners on assessment, qualifications, communications and services. SQA will continue to seek the views of young people on any proposed changes to the future of assessment, qualifications, communications and services.

Due to the lack of evidence in this area, it is not possible to identify further actions that might foster good relations between this group and others.

Considered by SQA: Care experience (where relevant)

General equality duty

Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010

The Appeals policy and EECCS policy apply equally to all learners and all equality groups.

We recognise that reliance on centres to submit a request for the EECCS on the learner's behalf has the potential to negatively impact learners with protected characteristics. Appropriate and clear information and support materials can be published for schools, colleges and training providers to refer to, but SQA cannot effectively mitigate any potential inequity in how this service is being used. However, SQA relies on the professional judgement of schools, colleges and training providers and their understanding of the learners' individual circumstances to best support their learners to make an appropriate and informed decision about whether to access the EECCS. Learners, or their parent or carer, can also contact SQA if they are not satisfied with how their concerns have been handled by the school, college or training provider.

Advance equality of opportunity

Core principle underpinning the Appeals service: Fairness to all learners

Core principle underpinning the EECCS: Fairness — any service should seek to ensure fairness both to those learners who access the service as well as to those who do not. In other words, it should not give an unfair advantage. Any future opportunity to advance equality of opportunity for this equality group will be considered.

The enhancements made to the Appeals service in 2023 (enabling learner direct access and offering the service free of charge) remain. These enhancements remove barriers learners may have otherwise faced accessing the services. They also eliminate any potential teacher or lecturer bias in deciding whether to submit an appeal request.

Foster good relations

SQA is a proud corporate parent and acutely aware of the unique challenges that care-experienced people face. Our approach is, as with all learners, to protect the learner wherever possible and minimise any disadvantage or distress. SQA understands that 'child' means everyone under the age of 18. We also understand that our corporate parenting responsibilities under the Children and Young People (Scotland) Act 2014 not only apply to children who are looked after by local authorities, but also to young people up to the age of 26 who were looked after at age 16 or later. For this reason, SQA has a corporate parenting commitment to ensure its EqIA 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 2010. Additionally, we have undertaken a CRWIA for both the Appeals service and EECCS.

As highlighted in the [SQA Children's Rights Report: April 2020 to April 2023](#), SQA aims to ensure that employees are aware of SQA's duties as a corporate parent and that they understand the lifelong impact of care experience. Our corporate induction programme includes information about SQA's corporate parenting responsibilities and commitments, and the services we offer to support care-experienced young people. Our online corporate parenting training, available to all staff on our SQA Academy site, emphasises how important this role is to SQA. The training encourages staff to promote the wellbeing of care-experienced young people through the work they do, to consider possible links with their role and the implications for care-experienced young people, and to think about what they can change in their work to ensure that care-experienced young people are being supported.

Rationale

If you are proceeding with a decision that may have a negative impact and are not putting in place actions to mitigate against this, please explain how this is objectively justified.

We recognise that reliance on centres to submit a request for the EECCS on the learner's behalf has the potential to negatively impact learners with protected characteristics. Appropriate and clear information and support materials can be published for schools, colleges and training providers to refer to, but SQA cannot effectively mitigate any potential inequity in how this service is being used.

When the EECCS process for 2022–23 was considered, SQA set up an external advisory group with a wide range of representatives, including school and parent groups drawn from the National Qualifications Working Group 2022. This group agreed that all requests were to come via the head of centre in the interests of fairness to learners. This approach was also supported by the National Qualifications Strategic Group. In the interest of maintaining fairness to all learners across Scotland, SQA has continued with this approach. As learners do not have direct access to the EECCS, as they do for Appeals, this could result in bias or barriers to accessing the service. Responsibility for determining eligibility to use the service lies with the head of centre or their representative.

Eligibility for the EECCS is determined by the school, college or training provider based on information provided by SQA and authorised by the head of centre or their representative, who is responsible for determining eligibility. In other words, centres access the service to help support fairness of access. This is important as it is the schools, colleges and training providers that can judge the particular circumstances objectively and professionally, and so it is appropriate that they make these decisions in collaboration with their learners through developing an understanding of their circumstances and the associated impacts. Also, centres are better placed to understand the specific requirements related to the submission of an EECCS request, and as such, can better support children and young people in deciding whether a request should be made. SQA has trust in the head of centre to ensure that use of the service is as legitimate, consistent and fair as possible. Children and young people are required to give their consent to ensure they agree with a request being submitted on their behalf.

In 2022, SQA acknowledged feedback from learners that the current information for schools, colleges and training providers defining the types of exceptional circumstance that would be considered under EECCS was too vague. Learners raised concerns that the guidance may be open to bias from teachers and lecturers when they are deciding whether to submit a request for a learner, and assessing how significantly the circumstance has affected the learner's performance. Following engagement with learners, SQA updated the information for centres in 2023 to ensure this is as clear and concise as possible to support heads of centre in deciding whether to submit an EECCS request. This may address any negative impacts of teacher bias in deciding whether to submit a request on behalf of learners with protected characteristics.

This EqIA demonstrates that reasonable steps have been taken by SQA, within a highly complex set of circumstances, to consider the needs of learners across Scotland with protected characteristics, along with the requirement to ensure the integrity of qualifications.