

Equality Impact Assessment (supporting guidance available)

Action Plan

This section is completed at the end of the Equality Impact Assessment. Due to the importance of embedding equality in SQA through our actions the Action Plan will be the focus and record of ongoing actions.

Agreed Schedule Review Date	30 April 2024	Additional Schedule Review Date	
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Explain how you will monitor and record the actual impact on equality groups, including how the evidence can be revisited to measure the actual impact.

Required Actions	Owner	Date	Comment & Review
Actions taken to monitor the implementation of policy and the impact on equality groups (evidence and consultation).			[ONGOING RECORD]
Monitor and log responses to planning emails regarding any barriers to centre staff or candidates participating in candidate malpractice investigations and any adjustments put in place as a result.	HN / VQ Operations Manager	Ongoing	
Monitor intelligence from appeals, enquiries and complaints related to candidate malpractice procedures to identify any barriers or other equality impacts related to Protected Characteristics, or care experience.	HN / VQ Operations Manager	April 2024	
Investigate ways in which to consult with learner representative groups on equality impacts of the candidate malpractice process.	Operations Manager	April 2024	

Identified Actions	General Equality Duty	Owner	Date	Comment & Review
<p>SQA will explore options to provide guidance and/or training support for investigating officers and/or panel members to promote awareness of cognitive distortions (including implicit bias linked to protected characteristics) in the context of investigative decision making, to provide the best possible basis for fair decision making.</p>	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p>	<p>Senior Operations Manager (HN&VQ)</p>	<p>April 2024</p>	
<p>SQA staff to ensure that if they are interviewing younger candidates they are accompanied by an adult and that they use age-appropriate language and explain clearly anything that the young people may not understand. This practice should also be followed by centre staff conducting devolved investigations, as required in <i>Standards for Devolved Investigations</i>.</p>	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p>Foster good relations</p>	<p>Quality Enhancement Managers</p>	<p>Ongoing</p>	

<p>Add to the planning emails for candidate malpractice investigations questions about any barriers which centre staff and candidates might have in engaging with the process and required adjustments and implement these adjustments where possible in a physical visit. This could include adjustments relating to eg breast-feeding or fatigue experienced during pregnancy. The number and nature of such requests and how they were addressed to be logged and monitored.</p>	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p>	<p>Senior Operations Manager (HN&VQ) Quality Enhancement Managers</p>	<p>June 2023</p>	
<p>Use the option of virtual investigation visits where this would be more appropriate to meet the needs of centre staff, candidates or our staff with disabilities.</p>	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p>	<p>Senior Operations Manager (HN&VQ) Quality Enhancement Managers</p>	<p>Ongoing</p>	
<p>Review our guidance documents, standard letters and emails and revise formatting where required to ensure that they meet all accessibility standards.</p>	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p>	<p>Senior Operations Manager (HN&VQ)</p>	<p>April 2024</p>	

Ensure that all our guidance documentation and investigation reports and letters are written in Plain English and as clearly as possible.	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010	Senior Operations Manager (HN&VQ) Quality Enhancement Managers	April 2024 and ongoing	
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Policy Aims

Name of Policy or practice	Candidate Malpractice Process (HN and Vocational Qualifications) Under Malpractice Policy and 'Malpractice: Information for Centres' guidance
New Policy or Revision	New process introduced in the HN&VQ business area to deal with candidate malpractice cases specifically relating to HN and Vocational qualifications (separate processes are in place for NQ candidate malpractice and centre malpractice cases)
Name of Policy Owner	Head of Operations: HN&VQ
Date Policy Owner Confirmed Completion	24 April 2023

What is the rationale for this policy or practice?
<p>The rationale for this process is described in the following documents – the generic guide on malpractice and a separate document specific to qualifications regulated by Ofqual or Qualifications Wales, which fall under the remit of HN&VQ:</p> <p>Malpractice: Information for Centres (sga.org.uk) Malpractice policy and procedures for SQA Qualifications regulated by Ofqual and/or Qualification Wales</p> <p>SQA is a non-departmental public body sponsored by the Scottish Government's Learning Directorate. Our statutory functions are set out mainly in the Education (Scotland) Act 1996. These include:</p> <ul style="list-style-type: none"> ◆ 'to determine the entitlement of individuals to SQA qualifications and, where a person is so entitled, to award and record such a qualification'; and ◆ 'to approve education and training establishments as being suitable for presenting persons for SQA qualifications'

This links to the following SQA Governing Principles:

8: quality assure centre assessments and assessment judgements to ensure that they maintain the defined standard;

9: work in partnership with centres to ensure that all quality assurance processes are fair, open and proportionate;

10: ensure that candidates receive accurate results in the stated timeframe;

This process complies with SQA Accreditation's Regulatory Principle 18:

The awarding body and its providers must ensure that it has safeguards to prevent and manage cases of malpractice and maladministration

It is also consistent with Ofqual's General Conditions of Recognition and Qualifications Wales's Standard Conditions of Recognition.

Ensuring fairness of assessment, which includes preventing and addressing malpractice in the design and delivery of our qualifications and assessments, is fundamental to our purpose, and is the cornerstone of the qualifications system on which learners depend.

The process is designed to allow us to identify, investigate and minimise the risk of instances of possible candidate malpractice in HN and Vocational qualifications which threatens the integrity of internal and external SQA assessments. and the procedures to be followed by SQA and centres when responding to concerns of possible candidate malpractice are defined.

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

Processes for dealing with centre malpractice cases and NQ candidate malpractice processes have been in place for some time (?) but the approach to dealing with candidate malpractice in HN and Vocational qualifications was less well-defined, as cases are far less frequent. Centre malpractice is dealt with by the Malpractice and Complaints Team in Corporate Services and NQ candidate malpractice is dealt with by the QA(NQ) team.

Development work within Operations: HN&VQ to develop a clearer process was begun in late 2022. This work is now completed and the process went live on 1 April 2023.

Process maps are available in the supporting evidence for this EqIA.

The process was also designed in line with JCQ guidelines (https://www.jcq.org.uk/wp-content/uploads/2023/02/Malpractice_Feb23_v1.pdf) (accessed 23 February 2023)

Candidate malpractice cases can be reported in the following ways:

- Referral by a centre, relating to their own candidate(s)
- Referral by an appointee working for SQA (eg arising from external verification of candidate assessments)
- Report from a whistle-blower

It is a regulatory requirement that centres report immediately to SQA and the regulator any cases of suspected or confirmed malpractice in a regulated qualification.

The process maps set out arrangements that are adopted by SQA and expected by SQA to be implemented by approved centres, so that concerns of potential candidate malpractice are handled in a fair and robust way to maintain the integrity of SQA qualifications.

SQA's investigations into potential candidate malpractice concerns are at centre level. Investigations may have been carried out by the centre or be devolved to the centre by SQA, or SQA may decide to carry out the investigation itself, if there are any doubts about the ability, capacity or objectivity of the centre to conduct the investigation.

The process involves:

- Initial assessment of available information relating to a concern.
- Correspondence with relevant individuals and organisations, including referrers and regulatory bodies with shared interest in prevention of malpractice
- Gathering and analysis of evidence
 - This can be undertaken by an SQA team or by an investigation team within the centre, adopting the standards explained by SQA within Standards for Devolved Investigations
 - This can include review of records, often written,
 - This can include investigation meetings with individual members of the centre management team, non-promoted assessors or verifiers involved in the delivery of SQA qualifications and/ or individual learners
 - Such meetings can take place in person, over the phone or by video call.
 - They may be scheduled or unscheduled.
 - The gathering of evidence can also include provision of written information by witnesses rather than a conversation.
- Decision making by a panel of SQA officers with relevant experience and responsibility.

The Quality Enhancement Managers who will carry out SQA-led investigations in centres relating to candidate malpractice will act in accordance with guidance on conducting interviews, including advice provided through training on dealing with malpractice from the Federation of Awarding Bodies (FAB) and Police training: *College of Policing (2019), Obtaining Initial Accounts from Victims and Witnesses – Guidelines for First Responders*.

There are related processes that govern implementation of any required actions determined by the SQA panel, and the processes to appeal the judgements made by the panel. The scope of this assessment does not extend to these related processes.

Conflict of interest checks are made with the team that co-ordinates and makes decisions on concerns of potential candidate malpractice to ensure fairness.

A log is being kept of all HN&VQ cases dealt with but there has only been one case handled under this process at the time of writing.

What are the aims of this policy or practice?

To set out arrangements that are adopted by SQA and expected by SQA to be implemented by approved centres, so that concerns of potential candidate malpractice are handled in a fair and robust way to maintain the integrity of SQA qualifications.

SQA's 'Malpractice: Information for Centres' guidance document provides centres with information on SQA's expectations when conducting devolved investigations which includes standards in practice to ensure the investigation process is fair and robust. There are additional requirements for any qualifications regulated by SQA Accreditation, OFQUAL and Qualifications Wales; SQA awarding body is required to report concerns of potential candidate malpractice and provide relevant information (with individual centre staff and learner data redacted) relating to our investigation and its outcome to the regulator.

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

SQA's candidate malpractice process is applied to all centres approved to deliver HN and Vocational qualifications. and learners who are the subject of or who are engaged in a candidate malpractice investigation.

The candidate malpractice process applies to candidates from all equality groups and does not intend to directly discriminate candidates with any particular protected characteristic.

Candidate malpractice cases are referred to the Operations: HN&VQ team as they arise, due to the suspected or confirmed actions of individual candidates. SQA holds on its systems the following information about candidates: Scottish Candidate Number (SCN), name, date of birth, gender, address. SQA does not hold any further information in respect of any other protected characteristics (eg religion, race, disability, relationship status,

sex, care experience etc). Some information about protected characteristics of the candidate might be disclosed through referrals or investigation reports from the centre and we must ensure that all candidates are treated fairly and consistently.

Investigations carried out by centre staff could have a negative impact on candidates with protected characteristics if they are not carried out correctly and fairly. Centres are required to adhere to our *Standards for Devolved Investigations*.

If it is decided that SQA will carry out an investigation, rather than devolving it to the centre, this will involve interviewing staff and candidates in the centre and so consideration must be given to how that process might impact on people with protected characteristics and what mitigating actions we should take. These investigations would likely be carried out by Quality Enhancement Managers (QEMs) who carry out systems approvals and verification visits to centres and are trained and experienced in gathering evidence, including through interviews of staff and candidates. Appointees may be involved in giving qualification-specific advice to the investigation.

SQA's guidance document is available on the internet and describes the fair and transparent process that SQA applies during an investigation and describes the investigation process that centres are to adhere to when an investigation is devolved to a centre to undertake. SQA has considered the impact of this policy on learners and relevant others with specific Protected Characteristics.

SQA has taken this approach based on there being an understanding of the perceived impact on these groups of learners. Further we have also considered learners and relevant others who are care experienced. In undertaking an Equality Impact Assessment of the candidate malpractice procedure, we aim to establish whether there is a perceived differential impact on these groups of learners and relevant others and consider what mitigating actions SQA may introduce.

All candidates have the right to be accompanied during interviews conducted as part of malpractice investigations and will be given a record of the interview to check for accuracy and sign if they are content that it is a true record.

Candidates have the right of appeal against the decision of the malpractice panel.

Evidence, Consultation and Engagement

What stakeholders have you engaged with in the development of this policy or practice?	
<p>The HN&VQ candidate malpractice process falls under the broader scope of SQA's approach to Malpractice, including also centre malpractice and NQ candidate malpractice. The responsibility for management of the process for dealing with candidate malpractice cases in HN and Vocational qualifications has recently been assumed by the Operations: HN&VQ business area. In the past, individual cases were referred to HN&VQ from quality assurance activities or from the centre malpractice team, when screening identified suspected candidate malpractice from cases originally referred as centre malpractice.</p> <p>As stated above, is a requirement for SQA to have effective processes for dealing with malpractice under its Governing Principles and the regulatory requirements of. In developing this process, we have closely consulted the guidance and requirements of: SQA Accreditation Ofqual and Qualifications Wales Joint Council for Qualifications Suspected Malpractice Policies and Procedures (2023) https://www.jcq.org.uk/wp-content/uploads/2023/02/Malpractice_Feb23_v1.pdf (accessed 23 February 2023) FAB – from a training event.</p> <p>We do not have a case history to assess the impact of previous malpractice cases on centre staff and candidates. Given the nature of the process, it is not appropriate for centres or candidates to dictate the aims and approach, which need to be robust, but we are very mindful of the need to treat all staff and candidates fairly and respectfully through the implementation of the process, which will be the focus of this EqIA and future monitoring.</p>	

What evidence about equality groups do you have to support this assessment?	
Age	<p>Ages of candidates investigated for malpractice may be known, but not recorded in malpractice logs.</p> <p>Candidate malpractice investigations may involve either young or mature learners. When there is a significant age difference between the investigating officer(s) and younger witnesses, it could create an intimidating atmosphere that may negatively impact on the witness's ability to respond to questions and how they are perceived. In terms of mature learners, there is also the potential for bias in the form of ageism.</p> <p>Increasing numbers of Senior Phase school pupils are undertaking vocational qualifications, so there is a higher probability of HN&VQ candidate malpractice cases involving young people: The age group with the highest proportions of people undertaking National Certificates, National Progression Awards and National Workplace Awards is 15-19 year olds. Developing the Young Workforce Evaluation: Evidence Synthesis (www.gov.scot)</p>

	<p>According to Attainment and Initial Leaver Destinations data reported on by Scottish Government, the percentage of school leavers attaining VQs at SCQF level 5 or above every year increased from 9% in 2014-2015 to 17% in 2018-2019. Additionally, there are more senior phase pupils enrolling on and completing college courses and progressing into positive destinations.</p>
<p>Disability</p>	<p>SQA does not collect any specific data to determine whether disabled learners are more impacted by the documented candidate malpractice process than those in other equality groups. SQA also does not hold any information regarding whether centre staff or candidates involved in candidate malpractice investigations identify as having a disability. However, we acknowledge that people with disabilities could face barriers in participating in investigations into candidate malpractice and that we must make reasonable adjustments to address these.</p> <p>People with disabilities may face significant barriers that can make it difficult for them to participate fully in an investigation. For example, a deaf person may require a sign language interpreter or assistive technology to effectively communicate, while someone with a physical disability may experience discomfort or pain during prolonged interviews. People with learning difficulties may struggle with reading their statements back or understanding complex questions, and they may require additional support to ensure that they can provide accurate information. Any investigation, by its nature, can affect participants' mental health. It is also important to note that not all disabilities are visible.</p> <p>Supporting evidence: “Students should have access to support services to assist them in accessing and navigating processes [...] In some cases it may be reasonable to make adjustments”. <i>Supporting Disabled Students When Things go Wrong, Office of the Independent Adjudicator for Higher Education</i> https://www.oiahe.org.uk/resources-and-publications/good-practice-framework/supporting-disabled-students/when-things-go-wrong/ (accessed 15 March 2023)</p>
<p>Race</p>	<p>Information on the race of individuals involved in malpractice cases will not be sought or recorded. However, some HN&VQ qualifications are delivered in international centres, so the country in which the centre and candidates are based will be known, although that will not necessarily define the race of individuals.</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 experiencing difficulties in understanding our guidance or engaging in interviews as part of the investigation process.</p> <p>Stereotypes or assumptions may impact how individuals are perceived or evaluated, and impact decision making linked to the investigation. Cultural differences may contribute to misunderstandings.</p>

Religion or Belief	<p>Information about the religion or belief of individuals involved in candidate malpractice cases will not be sought or recorded, unless recorded as part of a referral or investigation.</p> <p>Stereotypes or assumptions may impact how individuals are perceived or evaluated, and impact decision making linked to the investigation. Cultural, religious or belief differences may contribute to misunderstandings.</p>
Sex	<p>The sex of candidates investigated for malpractice will be known, but not recorded in malpractice logs.</p> <p>Stereotypes or assumptions may impact how individuals are perceived or evaluated, and impact decision making linked to the investigation.</p>
Sexual Orientation	<p>Information about the sexual orientation of individuals involved in candidate malpractice cases will not be sought or recorded unless recorded as part of a referral or investigation.</p> <p>Stereotypes or assumptions may impact how individuals are perceived or evaluated, and impact decision making linked to the investigation.</p>
Gender Re-assignment (Gender identity and transgender)	<p>Information about the gender identity or gender re-assignment of individuals involved in candidate malpractice cases will not be sought or recorded unless recorded as part of a referral or investigation.</p> <p>Stereotypes or assumptions may impact how individuals are perceived or evaluated, and impact decision making linked to the investigation.</p>
Marriage/Civil Partnership	<p>Information about the marital or civil partnership status of individuals involved in candidate malpractice cases will not be sought or recorded unless recorded as part of a referral or investigation.</p> <p>Stereotypes or assumptions may impact how individuals are perceived or evaluated, and impact decision making linked to the investigation.</p>
Pregnancy / Maternity	<p>Information about pregnancy or maternity status of individuals involved in candidate malpractice cases might be obtained through the referral or investigation process. Appropriate adjustments should be made to address any barriers or difficulties they might experience in participating in an investigation. Medical appointments and maternity leave may also need to be taken into consideration, when scheduling interviews.</p> <p>Supporting evidence: “It is common to feel tired, or even exhausted, during pregnancy, especially in the first 12 weeks. <i>Common Symptoms in Pregnancy, National Health Service (NHS), Health A to Z</i> https://www.nhs.uk/pregnancy/related-conditions/common-symptoms/tiredness/ (accessed 15 March 2023).</p>

**Care experience
(where relevant)**

Information about care experience of individuals involved in candidate malpractice cases might be obtained through the referral or investigation process.

Appropriate steps should be taken to ensure that all young people are treated appropriately in the investigation process. 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/distress.

Impact and Opportunities for Action

The impact that a policy or practice has on an equality group may be different and this requires to be recorded. The impact may not always be negative. Actions are taken to address any differential impact, and include actions to mitigate against any negative impact, to advance equality and to foster good relations between groups.

Each section contains questions for each equality group. These questions are here to support consideration; however, you can provide further detail. Focus initially on the equality groups that would be affected by this policy. If you do not consider that certain equality groups would be affected by this policy, you may leave these sections.

Protected Characteristic	General Equality Duty
Age	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	<p>The aims of the candidate malpractice processes should have a neutral impact.</p> <p>There could potentially be some negative impact through the implementation of the procedure, particularly when engaging with candidates in centres as part of SQA-led investigations. Most candidates undertaking HN&VQ qualifications will be adults, but there may be some young people (under 18) and the process could be difficult for them if not handled correctly.</p>
	<p>Action: SQA staff to ensure that if they are interviewing younger candidates they are accompanied by an adult and that they use age-appropriate language and explain clearly anything that the young people may not understand. This practice should also be followed by centre staff conducting devolved investigations, as required in <i>Standards for Devolved Investigations</i>.</p>
	Advance equality of opportunity
	No impacts have been identified against this specific duty.
	No actions have been identified against this specific duty.
	Foster good relations
	<p>The aims of the candidate malpractice processes should have a neutral impact.</p> <p>There could potentially be some negative impact through the implementation of the procedure, particularly when engaging with candidates in centres as part of SQA-led investigations. Most candidates undertaking HN&VQ</p>

	<p>qualifications will be adults, but there may be some young people (under 18) and the process could be difficult for them if not handled correctly.</p> <p>Action: SQA staff to ensure that if they are interviewing younger candidates they are accompanied by an adult and that they use age-appropriate language and explain clearly anything that the young people may not understand. This practice should also be followed by centre staff conducting devolved investigations, as required in <i>Standards for Devolved Investigations</i>.</p>
Protected Characteristic	General Equality Duty
Disability	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p>The aims of the process should have a neutral impact.</p> <p>There could potentially be some negative impact through the implementation of the procedure, particularly when engaging with staff and candidates in centres as part of investigations. People with disabilities could face barriers to participating in interviews if suitable adjustments are not put in place. QEMs with disabilities might face difficulties in travelling to centres to conduct physical visits. The format of our guidance documentation might present barriers to people with certain disabilities.</p> <p>Action: Add to the planning emails for investigations questions about any barriers which centre staff and candidates might have in engaging with the process and required adjustments and implement these adjustments where possible in a physical visit. The number and nature of such requests and how they were addressed to be logged and monitored.</p> <p>Action: Use the option of virtual investigation visits where this would be more appropriate to meet the needs of centre staff, candidates or our staff with disabilities.</p> <p>Action: Review our guidance documents and revise formatting where required to ensure that they meet all accessibility standards.</p>
	Advance equality of opportunity
	No impacts have been identified against this specific duty.
	No actions have been identified against this specific duty.
	Foster good relations

	No impacts have been identified against this specific duty.
	No actions have been identified against this specific duty.
Protected Characteristic	General Equality Duty
Race	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	The aims of the candidate malpractice process should have a neutral impact.
	There could potentially be some negative impact through the implementation of the procedure, particularly when engaging with staff and candidates in centres for investigations. This could be due to bias against or stereotyping of people of a different race or due to people with English as a second or alternative language experiencing difficulties in understanding our guidance or engaging in interviews as part of the investigation process. This could particularly, but not exclusively, affect staff in international centres.
	Staff on malpractice panels could be affected in their decision making by bias and stereotyping.
	Action: Ensure that all our guidance documentation and investigation reports are written in Plain English and as clearly as possible.
	Action: Arrange training for the QEM and panel members on avoiding bias and stereotyping.
	SQA cannot offer a translation service for interviews, but centres may be able to provide someone who can translate if necessary.
	Advance equality of opportunity
	No impacts have been identified against this specific duty.
	No actions have been identified against this specific duty.
	Foster good relations
	No impacts have been identified against this specific duty.
	No actions have been identified against this specific duty.

Protected Characteristic	General Equality Duty
Religion or Belief	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	The aims of the candidate malpractice process should have a neutral impact.
	There could potentially be some negative impact through the implementation of the procedure, particularly when engaging with staff and candidates in centres for investigations. This could be due to bias against or stereotyping of people of a particular religion – if this is made known to them. Lack of understanding or consideration of religious practices or events could cause discrimination against people of certain religions during the conduct of investigations.
	Staff on malpractice panels could be affected in their decision making by bias and stereotyping.
	Action: Arrange training for the QEM and panel members on avoiding bias and stereotyping.
	Advance equality of opportunity
	No impacts have been identified against this specific duty.
	No actions have been identified against this specific duty.
	Foster good relations
No impacts have been identified against this specific duty.	
No actions have been identified against this specific duty.	
Protected Characteristic	General Equality Duty
Sex	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	The aims of the candidate malpractice process should have a neutral impact.
	There could potentially be some negative impact through the implementation of the procedure, particularly when engaging with staff and candidates in centres for investigations. This could be due to bias against or stereotyping.
	Staff on malpractice panels could be affected in their decision making by bias and stereotyping.

	Action: Arrange training for the QEM and panel members on avoiding bias and stereotyping.
	Advance equality of opportunity
	No impacts have been identified against this specific duty.
	No actions have been identified against this specific duty.
	Foster good relations
	No impacts have been identified against this specific duty.
	No actions have been identified against this specific duty.
Protected Characteristic	General Equality Duty
Sexual Orientation	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	The aims of the candidate malpractice process should have a neutral impact.
	There could potentially be some negative impact through the implementation of the procedure, particularly when engaging with staff and candidates in centres for investigations. This could be due to bias against or stereotyping.
	Staff on malpractice panels could be affected in their decision making by bias and stereotyping.
	Action: Arrange training for the QEM and panel members on avoiding bias and stereotyping.
	Advance equality of opportunity
	No impacts have been identified against this specific duty.
	No actions have been identified against this specific duty.
	Foster good relations
	No impacts have been identified against this specific duty.
	No actions have been identified against this specific duty.
Protected Characteristic	General Equality Duty
Gender Re-assignment	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010

(Gender identity and transgender	The aims of the candidate malpractice process should have a neutral impact.
	There could potentially be some negative impact through the implementation of the procedure, particularly when engaging with staff and candidates in centres for investigations. This could be due to bias against or stereotyping.
	Staff on malpractice panels could be affected in their decision making by bias and stereotyping.
	Action: Arrange training for the QEM and panel members on avoiding bias and stereotyping
	Advance equality of opportunity
	No impacts have been identified against this specific duty.
	No actions have been identified against this specific duty.
	Foster good relations
No impacts have been identified against this specific duty.	
No actions have been identified against this specific duty.	
Protected Characteristic	General Equality Duty
Marriage/Civil Partnership	The aims of the candidate malpractice process should have a neutral impact.
	There could potentially be some negative impact through the implementation of the procedure, particularly when engaging with staff and candidates in centres for investigations. This could be due to bias against or stereotyping.
	Staff on malpractice panels could be affected in their decision making by bias and stereotyping.
	Action: Arrange training for the QEM and panel members on avoiding bias and stereotyping
	Advance equality of opportunity
	No impacts have been identified against this specific duty.
	No actions have been identified against this specific duty.
	Foster good relations
No impacts have been identified against this specific duty.	
No actions have been identified against this specific duty.	

Protected Characteristic	General Equality Duty
Pregnancy / Maternity	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	The impact of the aims of the processes should be neutral.
	There could potentially be some negative impact through the implementation of the procedure, particularly when engaging with staff and candidates in our centres and QEMs who are pregnant or have young children might face difficulties in travelling to centres to conduct physical visits.
	Action: Add to the visit planning emails for investigations questions about any barriers with centre staff and candidates might have in engaging with the process and required adjustments and implement these adjustments where possible in a physical visit. This could include adjustments relating to eg breast-feeding or fatigue experienced during pregnancy. The number and nature of such requests and how they were addressed to be logged and monitored.
	Advance equality of opportunity
	No impacts have been identified against this specific duty.
	No actions have been identified against this specific duty.
	Foster good relations
No impacts have been identified against this specific duty.	
No actions have been identified against this specific duty.	
Considered by SQA	General Equality Duty
Care experience (where relevant)	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	The impact of the aims of the process should be neutral.
	Any impact from the implementation of the processes and actions to mitigate this would be the same as for all young people (see under Age above).
	No actions have been identified against this specific duty.
	Advance equality of opportunity

	No impacts have been identified against this specific duty.
	No actions have been identified against this specific duty.
	Foster good relations
	No impacts have been identified against this specific duty.
	No actions have been identified against this specific duty.

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.
Not applicable.