

SCOTTISH QUALIFICATIONS AUTHORITY

B146/1.3 iii

BOARD OF MANAGEMENT – 1 JUNE 2022

Minutes of the meeting of the Board of Management held at 1pm on Tuesday 3 May 2022 by video conference.

Members

- * Mr D Middleton (Chair)
- * Ms F Robertson (Chief Executive)
- * Ms A Davis
- * Mr S Hagney
- * Mrs J Handley
- Dr W Mayne
- * Mr H McKay
- * Mr G Smith
- Dr K Thomson

Officers

- * Ms J Blair
- * Mr M Baxter
- Mr L Downie
- * Mr J McMorris
- * Dr G Stewart
- * Mrs D Mahmoud
- * Ms B Black
- * Mr J Booth

* Indicates present on the call

Observers

[REDACTED]

Mr S Borley, Head of Chief Executive's Office

Mr M Campbell, Head of Strategic Design

[REDACTED]

Ms M McKerrell, Head of QA (NQ)

[REDACTED]

1 WELCOME

1.1 Welcome and Apologies

The Chair welcomed members to the meeting, including Laura Murdoch, Deputy Director for Curriculum and Qualifications from the Scottish Government, who would be observing the meeting. Apologies had been received from Ken Thomson, Wendy Mayne and Lee Downie.

The Chair welcomed Steve Borley as newly appointed Head of the Chief Executive's Office.

The Chair noted that it was Beth Black's last meeting as Director of Policy, Analysis and Standards, and expressed the Board's thanks for her significant contribution to SQA during her time in post.

1.2 Declaration of Any Conflicts of Interest

There were no conflicts of interest raised in relation to the agenda.

Whilst not a conflict of interest, it was acknowledged that Mr Hagney and Dr Thomson held an interest through their positions as Heads of Centre. Furthermore, it was noted that Ms Davis and Mr Hagney had children studying at Higher and Advanced Higher levels.

The Chair noted that members of the Board would never be put in a position directly to affect the outcomes relating to their centres or family members.

1.3 Minutes from the meeting on 23 February and 23 March 2022

The Chair noted that the minutes of these meetings were to follow and would come to the Board meeting in June.

1.4 Matters Arising

There were no other matters arising that would not be covered in the course of the agenda.

2 CHIEF EXECUTIVE'S UPDATE

The Chief Executive provided the Board with an update on the start of the examination diet, noting that colleagues were closely monitoring both the impact of the change in public health advice on 1 May and the position around exceptional circumstances which would be informed by absences. Appeals volumes would be informed by estimates and the outturn of exams.

The Chief Executive reported that the Scottish Government were considering the governance of the Education Reform Programme SQA would need to consider carefully the resource requirements for reform, including the forthcoming Hayward Review, whilst ensuring continuity of delivery. Further clarity on roles and responsibilities was required.

Recruitment for the replacement Head of Policy, Analysis and Standards was underway and the Board would be updated in due course.

The Board noted that the Chief Executive had been invited to provide comment on reform and the Ken Muir report at the Education and Skills Committee in June but had negotiated a postponement of her appearance until September to avoid conflict with exam diet activities. The Chief Executive confirmed that she would provide comment in relation to reform to the Committee that week by letter.

3 FOR DISCUSSION

3.1 Risks to the Diet

Ms Blair introduced the paper, providing a broad context for the work that had been undertaken. Ms Blair noted the extent of additional work involved in the planning and delivery of this year's diet with contingency arrangements for the alternative model being developed alongside the central planning assumption that the diet would run in 2021-22.

She advised that there were a number of s routine risks that are managed year on year, for example appointee recruitment and release. This year, the change in public health advice had created new risks to be mitigated and monitored.

Ms McKerrell reported that the capacity for the exceptional circumstances service had been increased however, there was potential that requests could exceed that capacity. To mitigate this, it was proposed that learners who require an award for progression would be prioritised, with the consequence that some learners may not be certificated on results day.

Ms McKerrell highlighted that if public health guidance dictated that exams would have to be cancelled, plans would pivot to invoke the alternative certification model (ACM). It would be significantly challenging and complex to run the two distinct models with two approaches to awarding and different appeals models and would also not be the fairest approach for learners. Ms McKerrell directed the Board to the appendices of the paper for further information on how it would not be possible to run both models as a hybrid.

The Board were reassured by the extent of the work that had been undertaken to ascertain what would be possible should circumstances change, noting that a hybrid model would not be possible. The Board noted that planning for a range of contingencies and the mitigation of risks will continue throughout the diet and in preparation for the appeals process was underway.

Members agreed that fairness and equality were paramount and the proper timing of essential communications to the system were key, especially in the management of expectations. SQA has communicated its concerns on the capacity to handle a significant volume of exceptional circumstances requests and alternative arrangements to Scottish Government colleagues and the Cabinet Secretary.

The Board acknowledged that, if any of these mitigations need to be invoked, it was likely that the Board would be convened at short notice to receive an update on the position.

Colleagues noted the comments and advice of the Board.

3.2 **Awarding 2022**

██████████ provided an update on the Awarding 2022 Programme, including key dates, issues and risks noting that the overall programme status remained at amber, noting a downward shift in some of the key performance indicators.

Noting that the diet was in operational delivery mode, ██████████ noted the key points and milestones including digital upload service for QA verification from centres was now operational.

██████████ provided an overview of the risks, noting that the programme would continue to monitor these closely.

3.3 **NQ Reform, Review and Transition Update**

Mr Baxter updated the Board on the continued engagement with the Scottish Government in attempts to identify a pathway forward with the programme of reform. Colleagues hoped to be able to establish some clarity to allow SQA to progress with detailed work internally. The Chief Executive updated that she had been invited to sit on the Strategic Board for Education Reform, but she understood this to be an advisory board only. for the development work. The Board would be kept updated.

The Board acknowledged the difficulty of establishing governance in the absence of a blueprint from the Muir Report and noted the probable impact of this on the timeline of establishment of a Scottish Government programme to take this forward.

4 **FOR APPROVAL**

4.1 **2022-23 Annual Business Plan**

The Board were joined by ██████████ to present the 2022-23 Annual Business plan, noting that following the Scottish Government's response to the Muir Review the 2022-23 Annual Business Plan has been reviewed by the Executive Management Team. ██████████ highlighted that both the Audit and Performance Committees had also reviewed and agreed the approach.

The Board noted that as work on Education Reform proceeded through the year further review of the plan may be required. Once approved by the Board of Management this would be communicated to the Scottish Government.

The Board approved the Annual Business Plan, supporting the tone and reflection of issues experiences over the last two years while looking to the future. A review of the wording in some sections was suggested to ensure that plain English was being used throughout.

4.2 **SQA Revised Code of Conduct**

Mr Borley presented The Model Code of Conduct (Code), required by the Ethical Standards in Public Life etc. (Scotland) Act 2000 that sets out the

principles and rules governing the conduct of members of devolved public bodies.

The Code, on which SQA's code must be based, was approved by the Scottish Parliament and issued on 7 December 2021 and SQA would be required to have its updated code in place by 10 June 2022.

The Code is underpinned by the nine key principles of public life in Scotland, namely: Duty, Selflessness, Integrity, Objectivity, Accountability & Stewardship, Openness, Honesty, Leadership and Respect. It is a Board Member's personal responsibility to ensure they are complying with the provisions of the Code.

Mr Borley highlighted that SQA are expected to accept the code with only minor, stylistic amendments. As the Model Code has been approved by Parliament and contains legal terms of reference enforceable by the Standards Commission for Scotland (SCS) it is important that revised Codes keep that consistency throughout.

A review of the current SQA Code of Conduct had shown that this approach was taken last time it was published (2014) as its substance is unaltered from the 2014 Model Code.

The Board approved the SQA Code of Conduct as presented.

5 FOR INFORMATION

5.1 Cash Position

Mr Baxter outlined SQA's cashflow for the year based on the 2021-22 final outturn.

SQA's closing cash balance at year end had shown an increase on the previous financial year, mainly due to the late payment of Local Authority levy payment invoices, with a significant amount of payments being made to SQA in the final two weeks of the financial year making the normal acceleration of payments more difficult. Following the year-end discussions were held discussions with the SQA sponsor team at Scottish Government and it was agreed that due to the levels of expenditure in April this position could be carried and there would be no requirement to return any cash surpluses.

The Board noted the update.

6 COMMITTEE REPORTS

The minutes of the following Committee meetings were included in the papers for the Board to note: Advisory Council – 15 November 2021, Advisory Council – 20 January 2022.

7 ANY OTHER BUSINESS

No other business was raised.

8 DATE OF NEXT MEETING

The Chair noted that the Board would meet again on Wednesday 1 June 2022 at 1pm.