SCOTTISH QUALIFICATIONS AUTHORITY   B157.1.3

BOARD OF MANAGEMENT – 4 OCTOBER 2023

Minutes of the meeting of the Board of Management held at 10.00am on Wednesday 6 September 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 G Smith
*   Professor K Thomson
*   Ms M Wailes

Officers

*   Mr M Baxter
*   Ms J Blair
*   Mr J Booth
*   Mr M Campbell
   Mr M Ware
*   Mrs D Mahmoud
*   Mr J McMorris
*   Dr G Stewart

*   Indicates present

In attendance

Mr S Borley, Head of Chief Executive's Office, SQA
███████████, SQA
███████████, SQA
███████████, SQA (2.18 only)
███████████, SQA (2.19 only)
Mr T Pengelley, Head of Digital Assessment Services, SQA (2.3 only)
███████████, SQA (2.3 only)
Mr A Smith, Head of HNVQ Policy, SQA
███████████, Scottish Government
███████████, Audit Scotland (2.14 – 2.17 only)

1   OPENING REMARKS

1.1   Welcome and Apologies

The Chair welcomed members to the meeting including ███████████ from the SQA Sponsor Team in the Scottish Government, attending as an observer and Alasdair Smith, Head of HNVQ Policy, who would be deputising for Martyn Ware.

No apologies had been received.

Corporate Office
4 October 2023
     1
Board of Management
Minutes of the meeting held 6 September 2023

1.2   **Declaration of Any Conflicts of Interest**

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

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 of the previous meeting**

The Chair noted that all outstanding minutes would be brought to the Board meeting on 4 October 2023.

1.4   **Matters Arising**

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

1.2   **CHIEF EXECUTIVE'S UPDATE**

The Chief Executive provided an update to the Board, reporting that the Cabinet Secretary for Education and Skills had visited SQA on 5 September. Over 800 SQA colleagues had joined an all-staff call for a question-and-answer session and she had also attended an operational discussion with a range of colleagues.

On Education Reform, the Chief Executive noted that a range of Ministerial decisions were awaited, but that the Cabinet Secretary had appreciated the advice SQA had provided on the Hayward and Withers reviews, as requested.

The 2022-23 awarding session was reaching is concluding stages, with priority appeal outcomes communicated to schedule on 5 September and the commencement of standard appeals. The publication of course reports for 2023 would commence shortly and a large number of understanding standards events were being delivered over the coming months, providing as much support to the system as possible for the 2024 session. The National Qualifications 2024 Group would re-commence from the end of September 2023.

The Chief Executive provided an update on industrial action in the College sector and outlined the support SQA were providing to mitigate against impacts and, where appropriate and possible, support centres in progressing awarding.

The Chief Executive reported on a number of planned engagements for the coming weeks, including a series of school visits to engage with learners and practitioners and her appearance at the Education and Young People Committee the following week.

In closing, she provided a brief update on the ongoing discussions on the 2023/24 pay award, reporting that SQA were in the dispute with Unite - one of two recognised trade unions – on pay. A two-year offer was within the upper bound of public sector pay strategy. She would keep the Board updated on developments.

The Board noted the update.

2   **PAPERS FOR APPROVAL**

2.1   **Report and Accounts 2021-22**

2.11 Public Services Reform Act (PSRA) 2010 2022-23

Mr Baxter presented the PSRA report, noting that it had been presented to and approved by the Audit Committee previous month and would be published on the SQA website along with the Annual Report.

In discussion, it was agreed that Mr Baxter would provide further information to Board members on any organisations SQA engage with who had not yet obtained real Living Wage status.

The Board approved the PSRA report.

2.12 Annual Procurement Report

Mr Baxter presented the Annual Procurement Report, noting that the report was a legislative requirement and must be presented to the SQA Board of Management, Scottish Government and published on the SQA Website by the 30 September.

Mr Baxter reported that 2022-23 presented a strengthened evidence base and showed significant savings / cost avoidance in relation to SQA's procurement activity.

The Board approved the publication of the report.

2.13   Modern Slavery Statement

Mr Baxter went on to present the Modern Slavery Report. As a non-departmental public body, this report demonstrates SQA's commitment to working with other organisations, agencies, and institutions in Scotland to help meet the Scottish Government's National Outcomes, strategies, policies, and priorities. The report would be published along with SQA's other legislative requirements by 30 September.

Mr Baxter emphasised the due diligence work that had been undertaken for SQA's international business, supporting the SQA modern slavery statement and anti-trafficking.

Mr Baxter confirmed that the statement had been through SQA's internal governance processes and agreed by the Finance and Performance Group for onward transition to the Board.

The Board approved publication of the Statement.

The Board were joined by ▮▮▮▮▮▮▮▮ from Audit Scotland.

2.14 Audit Scotland Annual Audit Report 2022-23

▮▮▮▮▮▮▮▮ presented the Annual Audit Report from Audit Scotland, highlighting that the report represented another good outcome and strong

position for SQA, particularly as the organisation remains under significant uncertainty.

Mr Baxter recorded his thanks to Audit Scotland for the engagement with them throughout the audit, noting that the audit outcomes provided a great deal of assurance to the Board.

The Board approved the report.

2.15 SQA Audit Committee Annual Report 2022-23

Ms Wailes presented the SQA Audit Committee Annual Report, as Convenor of the Committee. Ms Wailes noted the importance of the report which recognised the work of the Committee throughout the year in providing challenge and scrutiny across all business areas, highlighting in particular the positive assurances from both internal and external audit programmes.

The Board noted the assurances provided by the report.

2.16 Letter of Representation

Mr Baxter presented the Letter of Representation, noting that, as part of the completion of the annual audit, the letter provides Audit Scotland with written assurances from the Accountable Officer on aspects of the Annual Report and Accounts and the judgements and estimates made. The letter that would be issued to Audit Scotland with SQA's signed Annual Report and Accounts.

The Board noted the letter of representation from SQA's Accountable Officer.

2.17 Annual Report and Accounts 2022-23

Mr Baxter presented the Annual Report and Accounts (ARA) 2022-23 noting that the Audit Committee had considered the ARA at its meeting on 28 August and recommended approval to the Board.

Members noted the inconsistent referencing of the Accreditation function and suggested reflecting the reason for this within the final report.

The Board approved the ARA, noting that arrangements had been made for the electronic signatures of the Chief Executive, Chair and Audit Scotland to be added following the Board before they would go on to be submitted to Ministers and Parliament.

██████████ left the meeting.

2.18 SQA Annual Complaints Handling Report

The Board were joined by ███████████████████

███████████ reported that, in March 2022, SPSO had published its standard annual complaints handling reporting requirements, to be applied for data collected from April 2022. Following this reporting requirement, SQA is required to work towards publishing its Complaint Handling Report annually beginning in October 2023.

The Board noted that the overall pattern of complaints seen throughout the year had been largely consistent with previous years, reflecting the pattern of awarding during the year, and there was no single issue of concern.

The Board commended the work of the team undertaken the work to produce the report and approved it for publication.

2.19 Children's Rights Report 2020–2023

The Board were joined by ████████████████████, to the meeting.

The Children and Young People (Scotland) Act 2014 requires listed public authorities to publish a report every three years that shows steps taken to put the UNCRC into practice within their field of work. Under this requirement, ███████████ presented SQA's second Children's Rights report covering period 2020 - 2023.

███████████ reported that the SQA Children's Rights Steering Group had been established in June 2023 and its members, from across the SQA, had been instrumental in providing evidence and case studies for this report. The report reflects on the progress SQA have made in embedding children's rights to date, and areas where we can make further improvements and advancements and would be published in late September 2023.

The Board commended the report and discussed the use of the data gathered to identify areas in which the organisation could look to make further systematic changes. ███████████ reported that work was progressing across the organisation to develop a staff information programme to discuss any issues that had been held back or delayed by the pandemic and how these can be best progressed.

The Board approved the report for publication.

2.2   **Standing Orders**

2.21 Accreditation Coordination Group Standing Orders

Mr Smith presented the Accreditation Coordination Group Standing Orders which had been considered by the Accreditation Committee at its meeting on 18 May 2023, noting that the presented version reflected the deliberations from that meeting.

The Board approved the Accreditation Coordination Group Standing Orders.

2.22 Audit Committee Standing Orders

Ms Wailes presented the Performance Committee Standing Orders which had been considered by the Performance Committee at its meeting on 28 August 2023, noting that the presented version reflected the deliberations from that meeting.

The Board approved the Performance Committee Standing Orders.

2.23   Performance Committee Standing Orders

Ms Davis presented the Performance Committee Standing Orders which had been considered by the Performance Committee at its meeting on 16 August 2022, noting that the presented version reflected the deliberations from that meeting.

Ms Davis highlighted that the quorum status of the Committee would continue to be monitored due to Board member numbers and recruitment.

The Board approved the Performance Committee Standing Orders.

2.3   Artificial Intelligence – Initial SQA Position

The Board were joined by Theo Pengelley, Head of Digital Assessment Services, and █████████████████.

Mr Pengelley outlined the work done to establish SQA's initial position around the use of Artificial Intelligence tools by learners when they are completing assessment tasks. He noted that the initial position covers the areas of plagiarism and referencing AI tools. To compete with the fast-moving technological landscape, SQA will clarify its initial position whilst in parallel working with partners to take advantage of the opportunities that AI offers.

Once approved by the Board, SQA would publicise the initial policy position on 7 September in order to provide certainty to centres and learners and to allow SQA to commence extensive engagement and consultation activities. Throughout the year, SQA would continue to reach out and engage with learners through social media and other appropriate sources to emphasise the policy position.

████████████ set out the detail of the initial position, summarising the background and rationale and provided an overview of the authentication advice for centre staff that would be issued at the same time as the policy position publication. He highlighted that the priority at this stage was the protection of the integrity of qualifications and assessments, while exploring the opportunities these types of digital tools may offer.

The Board welcomed sight of the initial policy position. Members discussed the role of centre staff and practitioners in identifying the potential use of AI in learners work, noting that it was broadly aligned with strategy already used to identify plagiarism.

The Board noted the position and approved the publication of the initial policy position.

3   PAPERS FOR INFORMATION

3.1   Financial Performance Report

Mr Baxter provided an update on the 2023-24 financial position, highlighting key areas of focus providing reassurance that a balanced financial position by the end of the financial year was anticipated.

Mr Baxter provided an overview of the position in respect of funding for reform, noting that SQA had yet to receive approval of the Education Reform budget from the Scottish Government, leaving the organisation with a cost exposure. It was agreed that the Chief Executive would issue a letter to the Portfolio Accountable Officer to highlight the risks of these financial challenges.

Ms Wailes confirmed that this issue had been escalated to the Corporate Risk Register to allow the Audit Committee to continue to track.

The Board noted that the new Director General for Education and Justice would be meeting with the Executive Team later that month.

3.2 **Committee Reports**

Audit Committee

Ms Wailes presented the minutes of the Committee meetings on 13 March and 12 June and provided a verbal update on the meeting held on 28 August. She highlighted discussions around cyber and information security risks and noted that this work would continue to be monitored by the Audit Committee moving into 2024.

Performance Committee

Ms Davis presented the minutes of the Committee meetings on 7 February and 16 May and verbally update on the meeting held on 16 August. She reported that the SQA Performance Framework showed to be holding up well in light of reform and other challenges faced by the organisation.

Qualifications Committee

Professor Thomson presented the minutes of the Committee meeting on 8 March and provided a verbal update on the meeting held on 10 May. He reported that a portfolio of very strong work continued to be brought through the Committee for technical advice and feedback before presentation to the Board.

Advisory Council

Ms Handley presented the minutes of the Council meeting on 20 April and provided a verbal update on the meeting held on 15 June. She reported to the Board the changes that had been implemented to the format and operations of the Advisory Council in order to derive the greatest value possible from engagement with stakeholder members. She updated that workshops had been held in June on the Results Day Communications Plan and the SQA's AI position, from which valuable advice had been fed back in to inform these programmes of work.

Accreditation Committee

Mr Smith provided a verbal update on the previous meeting of the Accreditation Committee noting that the minutes would be included in the Board papers at the following meeting. He reported that the Committee had held valuable discussion around the AI policy position and continued discussion on reform.

4   **ANY OTHER BUSINESS**

There was no other business raised.

5   **HORIZON SCANNING CORPORATE PLANNING WORKSHOP**

The Board then entered a closed workshop session.

6   **DATE OF NEXT MEETING**

The next meeting of the Board would take place on Wednesday 4 October 2023, in Lowden.