



Child Rights and Wellbeing Impact Assessment

Proposed modifications to National 5, Higher and Advanced Higher course assessments for session 2020–21

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Background and context

The Scottish Government's *Coronavirus (COVID-19): strategic framework for reopening schools, early learning and childcare provision*¹ makes it clear that a full timetable of SQA exams and coursework is planned at all levels in 2021.

However, SQA recognises the impact that coronavirus (COVID-19) has had, and will continue to have, on learning and teaching, and the remaining risk of disruption to the amount of teaching that can be delivered in session 2020–21. Therefore, in August 2020, we carried out a technical consultation to consider what changes could be made to course assessments from National 5 to Advanced Higher in session 2020–21 that would allow us to support greater opportunities for learning and teaching, while maintaining the validity, credibility and standard of the qualifications.

The technical consultation document outlined the proposed modifications that could be made to each course to support teachers, lecturers and candidates in session 2020–21, and explained the principles and rationale behind these proposed modifications.

This Child Rights and Wellbeing Impact Assessment (CRWIA) sets out to assess the impact of the proposed modifications to National 5, Higher and Advanced Higher course assessments for session 2020–21 on young people. It builds on, and should be read alongside, the SQA's [Equality Impact Assessment](#).

¹ Scottish Government (2020) *Coronavirus (COVID-19): strategic framework for reopening schools, early learning and childcare provision* [online]. Available from: <https://www.gov.scot/publications/excellent-equity-during-covid-19-pandemic-strategic-framework-reopening-schools-early-learning-childcare-provision-scotland/pages/6/> [accessed 30 June 2020]

CRWIA Stage 1

Screening: key questions

1. Name the policy and describe its overall aims

Proposed modifications to National 5, Higher and Advanced Higher course assessments for session 2020–21.

The policy will maintain the integrity of qualifications while allowing:

- ◆ the delivery and assessment of subjects that are constrained by current social distancing measures
- ◆ increased learning and teaching opportunities, where possible
- ◆ a more flexible approach to the assessment of learners

2. What aspects of the policy/measure will affect children and young people up to the age of 18?

There are four proposed changes to course assessment in session 2020–21:

- ◆ removal of question paper
- ◆ modification of question paper
- ◆ removal of coursework
- ◆ modification of coursework

3. What likely impact — direct or indirect — will the policy/measure have on children and young people?

The changes to course assessment will allow children and young people to complete their selected National Qualifications courses under coronavirus (COVID-19) restrictions, and to be awarded grades that reflect their achievement. They will be able to progress to continued education, training or employment where entry relies on SQA grades.

4. Which groups of children and young people will be affected?

SQA understands that 'child' means every human being below the age of 18 unless under the law applicable to the child, majority is attained earlier. 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.

We recognise that any changes made to any of the National Qualifications for 2020–21 will impact on children and young people.

5. Will this require a CRWIA?

Yes. As above, SQA recognises that any changes made to any of the National Qualifications for 2020–21 will impact on children and young people.

The CRWIA: key questions

1. Which UNCRC articles are relevant to the policy/measure?

Article 2: non-discrimination

Children should not be discriminated against in the enjoyment of their rights. No child should be discriminated against because of the situation or status of their parent/carer(s).

Article 2 also deals with discrimination based on most of the protected characteristics covered by the Equality Act 2010, but it is not identical. For example, it deals with discrimination based on the characteristics and political opinions of a child's parents and guardians and on 'activities' and 'property'.

Article 3: best interests of the child

Every decision and action taken relating to a child must be in their best interests. Governments must take all appropriate legislative and administrative measures to ensure that children have the protection and care necessary for their wellbeing — and that the institutions, services and facilities responsible for their care and protection conform with established standards.

Article 12: respect for the views of the child

Every child has a right to express their views and have them given due weight in accordance with their age and maturity. Children should be provided with the opportunity to be heard, either directly or through a representative or appropriate body.

Article 17: right to information

Every child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral wellbeing and physical and mental health. The article is principally about the mass media but SQA recognises that the information it produces contributes to the fulfilment of article 17.

Article 28: right to education

Every child has the right to education no matter who they are: regardless of race, gender, or disability; if they are in detention; or if they are a refugee. While SQA does not determine the right to education in Scotland, we do have a responsibility to provide assessment and certification of our qualifications for learners in 2021 as a result of the coronavirus (COVID-19) public health emergency.

2. What impact will the policy/measure will have on children's rights?

The policy/measures will have the potential to advance the realisation of children's rights in Scotland.

Article 2: non-discrimination

The Equality Act 2010 places clear duties on SQA not to discriminate against people who wish to be or who are candidates for SQA's qualifications because of their disability, race, sex, gender reassignment, religion or belief, age or sexual orientation (known as 'protected characteristics'). This means that SQA's assessment criteria cannot be discriminatory and that SQA must consider how to make reasonable adjustments for disabled candidates who need them.

An Equality Impact Assessment (EIA) of the proposed changes to course assessment in National Qualifications was carried out in September 2020. As part of this, qualifications teams undertook an equality review for each course at National 5, Higher and Advanced Higher during development and finalisation of modifications, to ensure that there is no discrimination against people who wish to be or are candidates for SQA qualifications.

Article 3: best interests of the child

Article 3 states that the interests of children and young people should be thought about at all levels of society, and that their rights should be respected by people in power. In other words, adults should think about the best interests of children and young people when making choices that affect them. As noted above, while not all candidates are children and young people, most of them are. The proposed changes to coursework assessment are being developed to ensure that:

- ◆ children and young people have more teaching time
- ◆ there is a more flexible approach to the assessment of learners
- ◆ children and young people can have confidence that qualifications awarded in diet 2021 are as valid, reliable, practicable, equitable and fair as qualifications awarded in any other year

Article 12: respect for the views of the child

Article 12 recognises that children and young people do not have as much power as adults but states they still have the human right to have opinions and for those opinions to be heard and taken seriously.

Children and young people were able to respond to the technical consultation on the proposed modifications to course assessment. Almost 22% of the responses (3631) were from candidates, the overwhelming majority of whom are children and young people. The responses were considered in final decision-making about modifications for each subject.

Two young people have joined, and participate in, our Qualifications Committee, which gives technical, strategic and policy advice regarding our qualifications to our Board.

We work and engage with national bodies, such as Young Scot, the Scottish Youth Parliament and the Children and Young People's Commissioner Scotland to seek the opinions of children and young people.

SQA has a complaints process that is open to children. This process is in line with the model complaints-handling process as prescribed by the Scottish Public Services Ombudsman and allows for individual children to express dissatisfaction about SQA's action or lack of action,

or about the standard of service provided by or on behalf of SQA. This is an important way in which children and young people have a voice about matters that affect them in relation to SQA.

Article 17: right to information

This article states that children and young people should be able to access information. The article is principally about the mass media, but SQA recognises that the information it produces contributes to the fulfilment of article 17.

We are and will be providing information to children and young people about the proposed changes.

SQA provides key messages and announcements, supported by interactive and informative content, through social media channels including SQA's Facebook page, MySQA Facebook page, Twitter (@SQAnews and @MySQA), as well as through the SQA website.

For learners, we provide support and resources on our dedicated learner web pages. We work and engage with national bodies, such as the National Parent Forum of Scotland, Connect, Young Scot, the Scottish Youth Parliament, the Children and Young People's Commissioner Scotland, and the Scottish Government's parental engagement network, to share information on what is happening and when, as well as ensure our messaging is clear for them.

Article 28: right to education

The proposed changes to course assessment are designed to support the assessment and certification of SQA National Qualifications in 2021, and to ensure that the achievements of young people are recognised through our qualifications system during an uncertain year.

3. Will there be different impacts on different groups of children and young people?

Provided SQA's duty to provide reasonable adjustments under Section 96 of the Equality Act 2010 continues to be met, no different impacts on different groups of children and young people have been identified.

4. If a negative impact is assessed for any area of rights or any group of children and young people, what options have you considered to modify the proposal, or mitigate the impact?

SQA recognises the impact that coronavirus (COVID-19) has had, and will continue to have, on learning, teaching and assessment during session 2020–21. The impact of local lockdowns, uncertain access to digital resources, and the impact of the virus on the health and wellbeing of young people is acknowledged as having a significant impact on children and young people, both on their rights — such as the right to education — and, due to concerns around their qualification attainment, on their mental health and wellbeing.

The proposed changes are intended to mitigate the potential impact of coronavirus (COVID-19) on young people's rights to education and recognition of attainment by introducing increased flexibility in assessment and measures to support reduction in learning and teaching time. Additionally, SQA's policy on access to qualifications includes provision for reasonable adjustments, assessment arrangements and exceptional circumstances consideration. These respond to the individual needs of particular students and help to mitigate against any adverse impacts caused by disability or other contexts that present barriers to accessing qualifications.

SQA has carried out and published an EIA on the modifications to course assessment.

5. How will the policy/measure contribute to the wellbeing of children and young people in Scotland?

The proposed changes to coursework assessment are being developed to contribute to children's wellbeing, including those described by SHANARRI (Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible and Included) indicators. The measures will help ensure that:

- ◆ children and young people have more teaching time
- ◆ there is a more flexible approach to the assessment of learners
- ◆ children and young people can have confidence that qualifications awarded in diet 2021 are as valid, reliable, practicable, equitable and fair as qualifications awarded in any other year

Article 28: right to education

The proposed changes to course assessment are designed to support the assessment and certification of SQA National Qualifications in 2021 and to ensure that the achievements of young people are recognised through our qualifications system during an uncertain year.

6. How will the policy/measure give better or further effect to the implementation of the UNCRC in Scotland?

The policy will help put the best interests of the child first by ensuring that education institutions agree, share and continue to implement established standards. It will protect children's right to education in Scotland during the uncertainty caused by the coronavirus (COVID-19) pandemic.

7. What evidence have you used to inform your assessment? What does it tell you?

A wide range of evidence was considered in the development of the proposed changes to coursework assessment. We regularly reviewed related activity undertaken by qualification regulators throughout the United Kingdom, monitored media activity and equalities information and undertook research by means of a technical consultation.

By the time the consultation closed on 24 August, SQA had received close to 17000 completed responses from teachers and lecturers, from learners, parents and carers, from national bodies, including 3631 from candidates, the majority of whom are children and young people. Equality reviews and the preparation of an EIA also informed the CRWIA. The evidence from these sources can be found in the technical consultation reports and EIA.

The information and feedback considered tells us that proposed changes to course assessment will have positive impacts on the rights to education in several ways.

The decision to remove the question paper in subjects where the principal focus is on the acquisition of practical skills will give centres greater opportunity and flexibility to concentrate on the practical aspects of the course and allow candidates to meet the requirements of practical activities, while following guidance around social distancing and use of equipment.

Modifications to question papers mean that candidates will be better able to work to their strengths/specific areas of interest or to use the learning they have been able to focus most on during COVID-19 situations, experiences and restrictions. Optionality will give candidates opportunities to demonstrate their learning across the mandatory content of the course.

Where coursework is removed, this will mean that less class time is required for planning, researching, and developing assignments or other types of coursework, and more time will be available for learning and teaching across course content and question paper components of course assessment. The difficulty candidates may have in accessing resources for research, preparation, or other aspects of coursework under coronavirus (COVID-19) restrictions will be mitigated.

Modifications to retained coursework will allow better use of restricted time, resources and social distancing as well as increasing flexibility for preparation according to candidate and school/college circumstances.

The right to education is further provided for through provision of appropriate assessment arrangements and other supportive practices that are designed to help mitigate any adverse impact for disabled candidates. Established arrangements, such as exceptional circumstances and post-results services, are also provided to mitigate other adverse impacts of particular candidate circumstances.

8. Have you consulted with relevant stakeholders?

Yes. As described above, relevant stakeholders were consulted through the technical consultation, through SQA's equality review of qualifications process, and during development of the EIA. SQA governance and management groups also considered the impact of the policy/measures.

9. Have you involved children and young people in the development of this policy/measure?

Yes. Information on the views of children and young people was gathered through the technical consultation. 3631 candidates responded, the majority of whom are children and young people. High-level and analysis reports on the technical consultation detail how feedback, including feedback from candidates, was used in the development of the policy.

Two young people have joined and participate in our Qualifications Committee, which gives technical, strategic and policy advice regarding our qualifications to our Board.