

Equality Impact Assessment

Language of Assessment and Certification in Regulated Qualifications offered by SQA (delivered in the United Kingdom) approved in September 2022.

The Public Sector Equality Duty (PSED) requires SQA to have due regard to the need to:

- ◆ eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- ◆ advance equality of opportunity between people who share a protected characteristic and those who do not.
- ◆ foster good relations between people who share a protected characteristic and those who do not SQA has a responsibility to assess the impact of new or modified policies and practices against these needs.

Accordingly, this is an EqIA of the Language of Assessment and Certification in Regulated Qualifications offered by SQA (delivered in the United Kingdom). This EqIA highlights the key themes, potential impacts on learners and mitigating actions.

Additionally, this EqIA clearly illustrates SQA's commitment to conduct further consultation with Gaelic speaking communities and other stakeholders during 2022 and early 2023, to ascertain if this policy needs further revision in line with current Gaelic ambitions and emerging practices, therefore the Language of Assessment and Certification in Regulated Qualifications offered by SQA (delivered in the United Kingdom) approved in September 2022 is merely an interim position to remain compliant with regulatory requirements, whilst permitting time to further investigate centre and learner requirements.

This EqIA is underpinned by other work SQA takes to meet its PSED. As an awarding body, SQA works with schools, colleges, universities, industry, and government, to ensure that qualifications, are inclusive and accessible to all, recognising the achievements of learners, and providing clear pathways to further learning or employment. The [SQA Awarding Body Code of Practice](#) outlines how SQA ensures that its qualifications are of a high quality and fit for purpose, and that the assessment of these qualifications is monitored and maintained to a consistently high standard. By doing so, it sets out the framework by which SQA safeguards the integrity of SQA's qualifications and assessment standards and ensures public confidence.

The Code of Practice is based on a set of 13 governing principles, which govern how SQA meets its statutory duties and self-regulates its activities. Similar principles apply to SQA qualifications that are regulated by other organisations.

Governing Principle 7 is specifically related to equalities issues and states that: '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 administration of its assessments.'

The SQA Equality of Access to SQA Qualifications policy outlines the organisation's commitment to promoting and facilitating access to our qualifications. In practice, this means that every reasonable step will be taken to ensure that we:

- ◆ Produce qualifications based on national standards, which are as accessible as possible. We will equality review our qualifications to identify any aspects that might adversely impact learners who share particular characteristics. We will aim to remove such adverse impacts, wherever possible, and minimise them where it is not possible to remove them altogether.
- ◆ Develop methods of assessment and quality assurance which are sensitive to the needs of all candidates, but which do not compromise our overarching aims of fairness and consistency.
- ◆ Provide assessment arrangements to allow disabled candidates and/or those with additional support needs to access the assessment without compromising its integrity. For disabled candidates, we will make reasonable adjustments in accordance with the requirements of the Equality Act 2010.

Language of Assessment and Certification in Regulated Qualifications offered by SQA (delivered in the United Kingdom)

Minimal updates have been made to this policy, and a reduced approval period of one year applied to allow for engagement activity to be undertaken with approved centres to determine if our current policy position on Language of Assessment for regulated qualifications needs to be modified to meet the needs of our centres and learners, particularly in respect of Gaelic language provision in acknowledgement of our commitment to the Gaelic Language (Scotland) Act 2005 and Scottish Government's commitment to Gaelic medium education (GME) in the form of our on Gaelic Language Action Plan (https://www.sqa.org.uk/sqa/files_ccc/gaelic-language-plan-2022-25-english.pdf).

Such engagement and exploratory activity will enable us to establish stakeholder requirements, ensuring that SQA is able to meet these where appropriate, and remain compliant with our regulatory obligations. In Scotland this means ensuring that we comply with SQA Accreditation's Regulatory Principle 14, 'The awarding body and its providers must ensure that its qualifications and their delivery and assessment are fair, inclusive, and accessible to learners'.

For regulated qualifications offered in England, SQA must comply with Ofqual's General Conditions of Recognition. Condition G2.1 states that 'an awarding organisation must ensure that all Learners taking its qualifications in England are assessed in English except to the extent that the use of another language is permitted by this condition.

For regulated qualifications offered in Wales, SQA must comply with Qualification Wales's Criteria for Recognition. Criterion G2.1 states that 'an awarding body must ensure that all Learners taking its qualifications are assessed in Welsh and/or English in Wales except to the extent that the use of another language is permitted by this Condition.'

During the revision process an internal Short Life Working Group was formed to review the existing policy and recommend updates to ensure adherence to the various regulatory requirements that SQA is governed by. Regulatory Principles, Conditions and Criteria were consulted and consequently some updates and clarifications to the existing policy were made to ensure compliance.

Specifically, an '**Exclusions**' section was added to the policy to highlight that SQA does not offer Welsh medium or partial Welsh medium qualifications. Within the '**Exclusions**' section clarity was also provided to confirm that the scope of the policy does not extend to reasonable adjustments, for example requests for assessment in British Sign Language. Reasonable adjustment guidance has been signposted within the revised policy to direct stakeholders to this information should it be required.

Outlined within the policy statement is SQA's current position regarding Gaelic delivery, presently SQA does not offer the assessment and certification of regulated qualifications in Gaelic. This current policy position is based on the feedback from SQA Accreditation during the policy review process, where they stated that no demand existed for this. However, in cognisance of the changing Scottish Government ambitions and SQA's own ambitions in this respect, a statement has been added to advise SQA will review this position if sufficient demand for Gaelic assessment and certification of regulated qualifications is identified, and the regulator permits this. To this end, SQA awarding body is embarking on engagement and research activities to identify current and emerging practices and future requirements with the commitment to update the policy as required for September 2023.

This policy will be applied consistently to all learners, regardless of protected characteristics or socio-economic status.

This policy and any supporting guidance will be reviewed on an ongoing basis with further in-depth review scheduled to complete in September 2023.

The following section of the document outlines some key actions that support the development and implementation of the policy.

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	September 2023 Extending out to April 2024 in order to fulfil planned external engagement activities and to ensure that revised policy position and underpinning support is robust and in place.	Additional Schedule Review Date	N/A
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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
<p>To ensure that the approach to language of assessment and certification for regulated qualifications is communicated to all learners and delivering centres effectively. The effective communication of the policy will allow the relevant feedback to reach SQA and on receipt of this feedback SQA will be able to assess impact in the context of PSED and make the adjustments, as necessary.</p>	<p>PSG/ Research & Policy Manager VQs</p>	<p>Ongoing</p>	<p>It has been agreed that all outward facing policies will be published on SQA website. The Policy Steering Group (PSG) is taking this work forward to ensure that a planned and measured approach to this action is taken.</p> <p>Paper presented to Standards & Policy Group in August 2023, and the publication of external facing policies now approved. Process being devised to support this action by wider Policy team.</p>
<p>Monitor requests received from centres to provide a qualification or unit in a language other than English.</p>	<p>Research and Policy Manager</p>	<p>Ongoing</p>	<p>The Policy, Research and Standards team will communicate with Qualification Development colleagues to encourage them to alert PRS who will keep a log of these requests.</p> <p>Ivanti process set up in xxx to record and monitor requests. This process was publicised across the wider organisation to ensure awareness and use.</p>
<p>Monitor requests received from centres to provide a qualification or unit in Gaelic, in line with meeting our Gaelic Action Plan.</p>	<p>Research and Policy Manager</p>	<p>Ongoing</p>	<p>The Policy, Research and Standards team will communicate with Qualification Development colleagues to encourage them to alert PRS who will keep a log of these requests.</p> <p>Ivanti process set up in xxx to record and monitor requests. This process was publicised across the wider organisation to ensure awareness and use.</p>

<p>SQA plans to undertake internal and external engagement activity to ensure policy remains fit for purpose, including equality considerations. The internal engagement activity will include consulting with Qualification Development teams to ascertain the requests of their respective stakeholders. The external engagement activity will include consulting with centres where we have identified Gaelic is spoken to ascertain their needs in respect of Gaelic medium assessment.</p>	<p>Research and Policy Manager</p>	<p>March 2023 – April 2024</p>	<p>During the course of the 2023 engagement outcomes will be reviewed, this will form part of the general review and evaluation of policy activities and support the development of an updated policy for implementation in October 2023 or thereabouts.</p> <p>Initial internal consultation undertaken in April 2023.</p> <p>Internal engagement undertaken with Operations Directorate during April, May & June.</p> <p>Internal ongoing engagement undertaken with SQA Qualification Manager and Coordinator for Gaelic.</p> <p>Internal SQA cross functional team stood up, Initial meeting held in July with second meeting held in September. More dates to be scheduled.</p> <p>Initial external engagement with Sabhal Mor Ostaig in September.</p> <p>Further external engagement yet to be confirmed.</p>
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<p>SQA will monitor the status of Scots language in line with Scottish Government directives.</p>	<p>Research and Policy Manager</p>	<p>March 2023 – April 2024</p>	<p>The Policy, Research and Standards team will monitor the progress of this motion and take action as required.</p> <p>Regular updates being provided by Qualification Manager for Gaelic.</p>
<p>Gaelic Groups to be consulted to understand the policy landscape to identify language of assessment and certification requirements in Scotland.</p>	<p>Research & Policy Manager VQs</p>	<p>September 2023 – April 2024</p>	<p>Initial consultation and research activity to commence in September 2023, with periodic engagement through to April 2024 to inform updated policy.</p>
<p>Engage with stakeholder groups to identify needs regarding Gaelic Language of Assessment and Certification.</p>	<p>Research & Policy Manager VQs</p>	<p>September 2023 – April 2024</p>	<p>Initial consultation and research activity to commence in September 2023, with periodic engagement through to April 2024 to inform updated policy.</p>
<p>Meet with SQA Accreditation to understand their regulatory requirements regarding Gaelic delivery, assessment, and certification of regulated qualifications.</p>	<p>Research & Policy Manager VQs</p>	<p>Feb 2023 – April 2024</p>	<p>Ongoing engagement with SQA Accreditation during Feb – June 2023 and beyond. Last meeting took place on 22 August 2023. Further meetings to take place through to April 2024 as required.</p> <p>Meet with Qualification Wales (Welsh regulator) 13 July 2023 for advice and guidance.</p>

Policy Aims

Name of Policy or practice	Language of Assessment and Certification in Regulated Qualifications offered by SQA (Delivered in the United Kingdom)
New Policy or Revision	Policy Revision
Name of Policy Owner	Head of HN/VQ Policy
Date Policy Owner Confirmed Completion	15 September 2022

What is the rationale for this policy or practice?
<p>This policy outlines the principles and criteria related to the language of assessment and certification of regulated units and qualifications offered by SQA and delivered by centres in the United Kingdom. It explains SQA's approach to language of assessment and certification for SQA qualifications delivered in Scotland, England and Wales that are regulated by SQA Accreditation, Ofqual and Qualifications Wales.</p> <p>A language of assessment and certification policy that meets the relevant Principles and Conditions set by each regulator is required to ensure compliance with these.</p> <p>This policy also supports SQA's 2020–23 corporate goals (Corporate Plan 2020–23) to:</p> <ul style="list-style-type: none">◆ provide a credible qualifications system.◆ be flexible in meeting customer needs.◆ be trusted, respected, and valued by our customers, stakeholders, and partners.
What evidence is there to support the implementation or development of this policy or practice?

Minimal updates have been made to this revised policy, despite there being no receipt of negative feedback, embarking on the EqIA process provides an opportunity to ensure that the application of the Policy does not inadvertently disadvantage anyone with a protected characteristic. Our approach to language of assessment remains unchanged.

Scottish Government identifies Scotland's main languages by custom and usage as English, with Gaelic, Scots, and British Sign Language making up the country's other main language groups (<https://www.gov.scot/policies/languages/>). Scottish Government is supporting the development of languages in Scotland by protecting and promoting Gaelic and British Sign Language (BSL) in particular through the [Gaelic Language \(Scotland\) Act 2005](#) and [British Sign Language \(Scotland\) Act 2015](#). Accordingly, SQA assesses and certifies regulated qualifications in English but with commitment to promote Gaelic Medium qualifications in line with our own Gaelic Action Plan (https://www.sqa.org.uk/sqa/files_ccc/gaelic-language-plan-2022-25-english.pdf).

Scottish Government is also promoting and protecting Scots however there is currently no directive for delivery, assessment, or certification in Scots. SQA will monitor its status.

Taking cognisance of the above legislation and Gaelic language plans, it has been agreed that this policy would be reviewed after 1 year. This will enable us to conduct engagement and research activities over the course of the next 12 months to ensure that we can align our approach to language of assessment and certification of regulated qualifications to the latest Government directives and ambitions and to possible emerging centre and learner requirements where necessary.

Over the course of the next 12 months, engagement will be undertaken with identified Gaelic stakeholders to ascertain if SQA will be required to update this policy to reflect emerging practices and requirements.

This policy requires to be implemented for SQA to remain compliant with our regulatory requirements.

[SQA's Accreditation Regulatory Principles](#) (SQA, 2021) states that 'The awarding body and its providers must ensure that its qualifications and their delivery and assessment are fair, inclusive and accessible to learners (Regulatory Principle 14).'

Ofqual's Condition of Recognition:

G2.1 An awarding organisation must ensure that all Learners taking its qualifications in England are assessed in English except to the extent that the use of another language is permitted by this condition.

G2.2 A Learner taking a qualification may be assessed in British Sign Language where it is permitted by an awarding organisation for the purpose of Reasonable Adjustment.

G2.3 A Learner taking a qualification may be assessed in any other language where it is one of the primary objectives of the qualification –

- (a) for the Learner to gain knowledge of, skills in, and understanding of that language, or
- (b) to support a role in the workplace, providing that proficiency in English is not required for the role supported by the qualification.

The Criteria for Recognition (Qualifications Wales, January 2021):

G2.1 An awarding body must ensure that all Learners taking its qualifications are assessed in Welsh and/or English in Wales except to the extent that the use of another language is permitted by this Condition.

G2.2 A Learner taking a qualification in Wales may be assessed in British Sign Language where it is permitted by an awarding body for the purpose of Reasonable Adjustment.

G2.3 A Learner taking a qualification may be assessed in any other language where it is one of the primary objectives of the qualification:

- (a) for the Learner to gain knowledge of, skills in, and understanding of that language; or
- (b) to support a role in the workplace, providing that proficiency in English or Welsh is not required for the role supported by the qualification.

G2.4 Where an awarding body makes available a qualification in more than one language, the awarding body must take all reasonable steps to ensure that assessments in different languages ensure a consistent Level of Demand for Learners.

G2.4 Where an awarding organisation makes available a qualification in more than one language, the awarding organisation must take all reasonable steps to ensure that assessments in different languages ensure a consistent level of demand for learners.

SQA will take action to monitor where the first language of learners is not English and where requests for assessment in other languages are received. SQA will also monitor requests for qualifications and units in Gaelic-medium.

What are the aims of this policy or practice?

This policy explains SQA's approach to language of assessment and certification for regulated qualifications offered in Scotland, England and Wales which is, 'Our regulated qualifications are assessed in English, or in BSL for the purpose of a reasonable adjustment. Our regulated qualifications are certificated in English. This is in recognition that English is Scotland's main language by custom and usage.'

Language of assessment refers to the language used by a learner *in* their assessment. It does not refer to the assessment *of* languages, for example, modern languages.

SQA adheres to the relevant regulatory authority's criteria in relation to the language of assessment and certification. Our regulated qualifications are assessed in English, or in BSL for the purpose of a reasonable adjustment. Presently, our regulated qualifications are certificated in English.

The scope of this policy does not extend to requests for assessment in British Sign Language (BSL). SQA is committed to the Equality Act (2010) and seeks to remove unnecessary barriers to access for candidates and make reasonable adjustments for disabled candidates consistent with maintaining the integrity of the qualification. SQA considers requests for assessment in BSL as a reasonable adjustment.

SQA does not offer Welsh-medium qualifications, nor does it offer 'partially' Welsh-medium qualifications. All SQA qualifications offered in Wales are delivered, assessed, and certificated in English.

Although SQA currently does not offer the assessment and certification of regulated qualifications in Gaelic, if sufficient demand for Gaelic assessment and certification of regulated qualifications is identified from our planned scoping and investigatory work, SQA would work with the regulator to explore implementing this.

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

The policy applies equally to all learners to ensure a consistency of approach that aims to maximise fairness to all groups of learners including equality groups. Although, language of assessment and certification could be construed as having race related connotations given the inherent connection often associated between race and languages spoken. The policy position may be limiting for some learners depending on ethnic origins.

Language of assessment and certification for regulated qualifications is in English as it the Scotland's main language by custom and usage. In recognition of our public duty as a Scottish Non-Departmental Public Body, the Gaelic Language (Scotland) Act 2005, The Education (Scotland) Act 2016 and SQA's own Gaelic plans we are committed to conducting consultation and research to identify current and emerging practices and future language of assessment and certifications requirements, with commitment to review our existing policy position as appropriate.

We acknowledge that our Language of Assessment and Certification position could create a disadvantage to speakers of languages other than English, however SQA does not have the resource or expertise to offer all qualifications in all other languages.

Evidence, Consultation and Engagement

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

To review this policy a short life working group (SLWG) was established from across SQA. The SLWG was formed of staff members with responsibility and expertise in:

- Research and Policy for Vocational Qualifications
- Qualification Development for high volume vocational sectors
- Qualification Development in Gaelic and Modern Languages
- Regulator Compliance

Assessment Arrangements
Equalities.

SQA Accreditation, the Scottish regulator was also consulted.

A review of Ofqual and Qualifications Wales Conditions of Recognition were also undertaken to ensure adherence and alignment of our approach to regulatory requirements across the nations in which we operate.

What evidence about equality groups do you have to support this assessment?	
Age	Neutral Impact - Age is not used as a criterion to determine language of assessment or certification for any SQA regulated qualifications.
Disability	Neutral Impact – This policy clearly explains that its scope does not extend to requests for assessment in British Sign Language (BSL). As SQA is committed to the Equality Act (2010) and seeks to remove unnecessary barriers to access for candidates and make reasonable adjustments for disabled candidates consistent with maintaining the integrity of the qualification, SQA guidance to reasonable adjustments is signposted within this policy. This is in keeping with regulatory requirements.
Race	<p>Negative Impact – This policy states that SQA offers language of assessment and certification in English only for regulated qualifications. It also states our position of not offering Welsh medium qualifications or ‘partially’ Welsh medium qualifications for our qualifications regulated by Qualifications Wales and delivered in Wales.</p> <p>As we might expect, language of assessment should reflect the language of instruction in the interests of fairness to the learner. Since English is the common language of Scotland, this is reflected in the language of assessment recognised by SQA.</p> <p>When assessing in more than one language there are issues around fairness, maintaining of standards and comparability of learner performance that must be considered, as this paper highlights (Sireci. S.G., (2005) <i>Problems and Issues in Linking Assessments Across Languages</i>). SQA must ensure that the assessment of our qualifications is valued and credible with users, partner organisations and the wider community therefore ensuring the maintenance of standards is an important consideration when assessing across languages.</p>

	As SQA does not currently collect data on the race (or indeed first spoken language) of its learners, it is difficult to know the true size of any impacts here. SQA are working towards broadening the learner evidence base to fill this gap.
Religion or Belief	Neutral Impact – Religion or Belief is not used as a criterion to determine language of assessment or certification for any SQA regulated qualifications.
Sex	Neutral Impact – Sex is not used as a criterion to determine language of assessment or certification for any SQA regulated qualifications.
Sexual Orientation	Neutral Impact – Sexual Orientation is not used as a criterion to determine language of assessment or certification for any SQA regulated qualifications.
Gender Re-assignment (Gender identity and transgender)	Neutral Impact – Gender Reassignment is not used as a criterion to determine language of assessment or certification for any SQA regulated qualifications.
Marriage/Civil Partnership	Neutral Impact – Marriage/Civil Partnership is not used as a criterion to determine language of assessment or certification for any SQA regulated qualifications.
Pregnancy / Maternity	Neutral Impact – Pregnancy/Maternity is not used as a criterion to determine language of assessment or certification for any SQA regulated qualifications.
Care experience (where relevant)	Neutral Impact – Care Experience is not used as a criterion to determine language of assessment or certification for any SQA regulated qualifications.

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
	No impacts can be identified based on age.
	Advance equality of opportunity
	Foster good relations
Protected Characteristic	General Equality Duty
Disability	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010

	This policy signposts to Reasonable Adjustments guidance.
	Advance equality of opportunity
	Positive impact - BSL assessments are considered as reasonable adjustments thereby advancing equality of opportunity for candidates who use BSL. SQA identified a potential impact for disabled persons and put in place reasonable measures to mitigate this impact.
	Foster good relations
Protected Characteristic	General Equality Duty
Race	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p>Negative impact – We acknowledge that the 2011 Scottish Census found that more than 150 languages other than English are used in Scottish homes. Although, language of assessment and certification could be construed as having race related connotations given the inherent connection often associated between race and languages spoken. The policy position may be limiting for some learners depending on ethnic origins.</p> <p>This policy does not allow all Scottish learners to be assessed in the language of their custom or common usage as language of assessment occurs in English, to some extent British Sign Language, as assessment arrangement. SQA has Assessment Arrangements which can be put in place to support learners for whom English is not their first language, as measures to mitigate the impact of this policy.</p>

	<p>We acknowledge that our Language of Assessment and Certification position could create a disadvantage to speakers of languages other than English however SQA does not have the resource or expertise to offer all qualifications in all other languages.</p> <p>Presently, there is no robust data to indicate if there is a demand for assessment in other languages, however, evidence will be gathered over the course of the next year and will inform the next review of this policy. SQA is committed to monitoring its position and reviewing this policy as appropriate and in line with what is practical from a resource and expertise perspective.</p>
	Advance equality of opportunity
	Foster good relations
	<p>During 2023 SQA will undertake a review to what mitigating actions can be taken, if any to address any impacts that may arise with English being the only language of assessment. A scoping exercise will be conducted to ascertain if bilingual dictionaries or other support mechanisms could be permitted where it would not dilute the standard of competence. During this exercise due consideration will be given sectoral requirements stipulated within assessment strategies and similar.</p>
Protected Characteristic	General Equality Duty
Religion or Belief	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p>No impacts can be identified based on religion or belief.</p>

	Advance equality of opportunity
	Foster good relations
Protected Characteristic	General Equality Duty
Sex	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	No impacts can be identified based on sex.
	Advance equality of opportunity
	Foster good relations
Protected Characteristic	General Equality Duty
Sexual Orientation	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010

	No impacts can be identified based on sexual orientation.
	Advance equality of opportunity
	Foster good relations
Protected Characteristic	General Equality Duty
Gender Re-assignment (Gender identity and transgender)	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	No impacts can be identified based on gender re-assignment (Gender identity and transgender).
	Advance equality of opportunity
	Foster good relations
Protected Characteristic	General Equality Duty

Marriage/Civil Partnership	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	No impacts can be identified based on marriage/ civil partnership.
	Advance equality of opportunity
	Foster good relations
Protected Characteristic	General Equality Duty
Pregnancy / Maternity	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	No impacts can be identified based on pregnancy/ maternity.
	Advance equality of opportunity
	Foster good relations

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
	No impacts can be identified based on care experience.
	Advance equality of opportunity
	Foster good relations

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.

Important to note that this policy does not relate to the assessment of foreign languages but rather refers to the language used by a learner *in* their assessment of a regulated qualification.

Regulatory requirements stipulate that the language of assessment for regulated qualifications is in English, unless the purpose of assessment is -

- (a) for the Learner to gain knowledge of skills in, and understanding of that language, or
- (b) to support a role in the workplace, providing that proficiency in English is not required for the role supported by the qualification.

Regulated qualifications are typically work based qualifications where assessments are undertaken to evidence a minimum level of skill and competence is met. In Scotland and the wider UK, the principal language of the workplace is English, therefore workplace assessment must replicate this for the purposes of validity.

We recognise that in some workplaces other languages may be used as proficiency in English is not required however, SQA does not have the expertise or resource available to offer all qualifications in all languages. Linked to this is the need to comply with the maintenance of standards and validity of the qualifications. For example, it would also be necessary to ensure that standards remain consistent where assessment is being carried out in different languages. Therefore, the translation of any qualification would need both subject and language expertise to ensure that the level of the assessment was consistent regardless of the language in which the learner is being assessed.

SQA has a duty to end-users of SQA certificates including employers, HE and FE, it would be the end user's understanding that the candidate had demonstrated a competence of the English language in relation to the qualification undertaken.

SQA must be able to quality assure every aspect of our qualifications. Translating assessment materials meaningfully inevitably involves a degree of interpretation and re-phrasing in the foreign language. It is not a word for word process and translation and simultaneous maintenance of standards when assessing the same items in potentially numerous different languages is not a practicable for all languages.

We acknowledge that our Language of Assessment and Certification position could create a disadvantage to speakers of languages other than English however SQA does not have the resource or expertise to offer all qualifications in all other languages.

Furthermore, there is the issue of the language of assessment needing to align to the language of instruction Therefore, candidates being assessed in a language other than English should also be receiving instruction in that language. The language of assessment in centres will be determined by the needs of the learners and aligned to the expertise of the staff who teach there. It is outwith SQA's gift to affect this.

