



Equality Impact Assessment (EqIA):

Arrangements for Assessment of National Qualifications (NQs) in 2022

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Summary of equalities impact assessment

Theme: Scottish Government announces exams will run in 2022 if it is safe to do so.

Potential impact: Planning needs to include contingencies should exams be cancelled.

Scenario 1 or 2? Both.

Learners affected: Potential impact on all learners including those with protected characteristics.

Mitigating action: Plans including contingencies developed in advance with key stakeholders and communicated regularly to learners, parents, centres, stakeholders

PSED¹: I; II; III

Theme: Ongoing disruption to learning due to pandemic is evident within education system

Scenario 1 or 2? Both.

Potential impact 1: Few learners in 2022 will have undertaken exams.

Learners affected: Potential impact on all learners including those with protected characteristics.

Mitigating action: Course modifications continued from 2021 — aim to help all learners during their learning and teaching.

PSED: I; II

Potential impact 2: Disruption to learning is difficult to mitigate in a consistent way while maintaining the validity of the qualification.

Learners affected: Potential impact on all learners including those with protected characteristics of disability; those who require additional support for learning or with mental health needs.

Mitigating action: SQA offered additional support to centres around provision of assessment arrangements in 2021.

¹ Public Sector Equality Duty. **Key:** I. Advance equality of opportunity; II. Eliminate discrimination; III. Foster good relations

PSED: I; II; III

Potential impact 3: Individual learners have been impacted in different ways.

Learners affected: Potential impact on all learners including those with protected characteristics.

Mitigating action: EECCS in place for 2022 to support individual candidates who are impacted on the day of the exam.

PSED: II

Learners affected: Potential impact on all learners including those with protected characteristics.

Mitigating action: EECCS provides opportunity for review of alternative academic evidence to arrive at a grade.

Learners affected: Learners with protected characteristic of disability; pregnancy and maternity.

Mitigating action: Assessment arrangements (including reasonable adjustments) continue to support individual learners who require them.

PSED: I; II

Background and context

August 2021

On 18 August 2021, the Cabinet Secretary for Education and Skills confirmed that exams will be held for National 5, Higher and Advanced Higher courses in the summer of 2022.

The Cabinet Secretary informed the Scottish Parliament that:

‘The central planning assumption is that an examination diet for National 5, Higher and Advanced Higher courses will be held in session 2021–22. This decision has been informed by the views of stakeholders, including the National Qualifications Group, and by public health advice.’

Also on 18 August, SQA [set out the key detail](#) on plans for assessment of National Qualifications in 2021–22. SQA exams will take place from 26 April to 1 June 2022, with results day on 9 August 2022. Detailed planning for delivering exams began with SQA — and partner organisations — also planning for any further disruption that may occur due to the COVID-19 pandemic, and seeking to ensure the resilience of examinations in the face of this disruption. SQA continued to discuss with the National Qualifications Group 2022 (NQ22)² any additional measures to help the education system respond to further significant disruption to learning or changes to public health conditions.

SQA has endeavoured to ensure that in this approach, the credibility and integrity of qualifications in 2022 is maintained while acknowledging the distinct issues facing learners brought about by impacts of the pandemic, such as the overall disruption to learning and the impact of exams not being held since 2019. We have also sought to ensure that, with the stakeholders represented on the NQ22 groups and our engagement more widely, we all learn lessons from our collective experience of responding to the pandemic in 2020 and 2021, and reflect these lessons in our approaches to 2022 while recognising that the course of the pandemic and the challenges presented on the 2021–22 academic year will differ in some respects from those faced in 2020 and 2021.

2 The National Qualifications Group consists of representatives of the following organisations:

- Association of Directors of Education in Scotland (ADES)
- Colleges Scotland
- Education Scotland
- Educational Institute of Scotland (EIS)
- National Parent Forum of Scotland (NPFS)
- School Leaders Scotland (SLS)
- Scottish Council of Independent Schools (SCIS)
- Scottish Qualifications Authority (SQA)
- Scottish Government
- Scottish Youth Parliament (SYP)

September 2021

On 15 September 2021, SQA released the [following statement](#):

‘As the COVID-19 pandemic continues to cause disruption in all our lives, SQA understands that teachers, lecturers, parents/carers and learners have questions on how National 5, Higher and Advanced Higher courses will be assessed in 2021–22.

Following the decision by Ministers that exams should go ahead in 2022 if it is safe to do so and the related statement on 18 August 2021, SQA is continuing to monitor public health advice to prepare for a range of scenarios.

These scenarios and the associated contingencies, agreed by partners in the National Qualifications 2022 (NQ22) Group, acknowledge the possibility of further disruption in the months ahead and will help to ensure the safe delivery of National 5, Higher and Advanced Higher courses.’

Scenarios

Three scenarios were agreed:

Scenario 1: Current public health advice: SQA exam diet with modifications, as published

The [Scottish Government announced](#) on 18 August that SQA exams will take place — if it is safe — in Spring 2022. Recognising the continued disruption to learning and teaching this year, SQA has kept most of the modifications made to course assessments (exams and coursework) in session 2020–21. This means that, in most courses, learners will do less assessment than in a ‘normal’ year with exams, and more time will be available to focus on learning and teaching. A summary of all the modifications can be found at sqa.org.uk/nqmodifications.

Scenario 2: Increased levels of disruption: SQA exam diet with modifications (as above) plus additional measures

SQA will continue to constantly monitor public health advice and levels of disruption across the country, while taking account of discussions that take place in the COVID-19 Education Recovery Group (CERG). If there is further significant disruption to learning and teaching this session, appropriate additional support measures for learners will be put in place to help reduce pre-exam stress. For example, where possible in some subjects, SQA may provide additional information to help learners focus their study on the run-up to the exams. This will not be possible in all subjects due to the types of modifications that are already in place. The actual assessments will not change under this approach.

If additional measures are required, they will be introduced at the end of March 2022.

Scenario 3: Public health advice leads to SQA exams being cancelled: teachers and lecturers determine provisional results

If the COVID-19 pandemic gets worse to the point where physical gatherings are restricted at the time of the exams, the SQA exam diet will be cancelled. If this happens, teachers and lecturers will be asked to determine provisional results by using their professional judgement of evidence that shows each learner's skills, knowledge and understanding.

The main focus for schools, colleges and training providers will continue to be learning and teaching, with assessment to support that process. With this in mind, and in preparation for the possibility that exams cannot go ahead, teachers and lecturers should use the type, quality and volume of evidence that would be needed to support quality assured estimates in a 'normal' year. This will also serve as the basis of the evidence needed to support the submission of provisional results if it is not possible to run exams. We will publish further guidance in October 2021 to support teachers and lecturers with this activity. The guidance being prepared is based on last year's guidance on estimates and will include information on determining provisional results should the exam diet be cancelled.

Under this approach there is **no requirement** for schools, colleges and training providers to run additional assessments. Doing so would place excess workload on teachers, lecturers and learners. Provisional results would be based on in-year assessments that normally take place during the school year such as prelims, practical activities, performances and class tests.

Consideration also needs to be given for those learners with additional support needs and who would normally use specific assessment arrangements during their exams. Schools, colleges and training providers should ensure that appropriate assessment arrangements are put in place for normal in-year assessments to ensure equity.

The SQA [website](#) has further information and guidance on assessment arrangements.

Public sector equality duty

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 arrangements for assessment of National Qualifications (NQs) (National 5, Higher and Advanced Higher) in 2022.

The Summary section (page 1) brings together the key themes, potential impacts on learners and mitigating actions discussed in this impact assessment. The Summary suggests how these themes and mitigations — considered as the Arrangements for

Assessment of NQs in 2022 have been developed — address the three requirements of the Public Sector Equality Duty outlined above.

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, including National Courses, are inclusive and accessible to all, recognising the achievements of learners, and providing clear pathways to further learning or employment.

The [SQA 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.

Scope and development of the EqIA

This EqIA assesses the potential impacts — positive or negative — of arrangements for assessment of NQs in 2022 on candidates who share protected characteristics. How any potential negative impacts could be mitigated has been considered as part of the iterative process of designing arrangements for 2022 and development of this impact assessment. In addition, other groups of candidates, such as those who are socio-economically

disadvantaged³, or who experience other circumstances that present barriers to accessing qualifications, have been considered where possible. Such groups are not covered specifically by the Equality Act 2010, but SQA recognises that a wide range of factors can have an impact on a candidate's ability to achieve qualifications.

Many organisations and interest groups working with and on behalf of children and young people report⁴ that those facing inequality, disadvantage, and deprivation (which includes those sharing a range of protected characteristics) have been disproportionately impacted by the challenges associated with the COVID-19 pandemic. This includes absence (of both learners and teaching practitioners) from school/college, learning loss, increased anxiety and impacts on mental health due to ongoing uncertainty caused by the pandemic.

Many of the issues highlighted in the 2020 and 2021 SQA EqIAs of arrangements for assessment of NQs continue to be relevant. There have been significant impacts on those from minority and marginalised groups, and children and young people in these groups are more likely to be in low-income families and at greater risk of poorer educational outcomes. Despite the national roll-out of digital devices, they are likely to lack some of the resources that are essential for effecting home learning, including equipment, broadband and suitable environments for studying.

Minority ethnic people remain more likely to be in poverty than the majority white Scottish population, and asylum-seekers and refugees are vulnerable to destitution. Poverty and deprivation, lack of access to technology or connectivity, lack of understanding of the education system, previously disrupted learning, and having English as a second language, all present significant challenges to participating in or supporting education at home. Those who have recently arrived in the country or who have moved around a number of different locations will be further disadvantaged, particularly where they are not yet fully registered or immersed in education provision.

Support for learners with additional support needs, including those who are disabled and/or who use assistive technology, has been impacted by reduced staffing or altered working practices. Peripatetic staff (for example, qualified teachers of visually-impaired or hearing-impaired learners) may have faced restrictions in the number and frequency of schools and contacts they can visit. Accessing or providing accessible learning and assessment materials is a challenge for some, and the devices provided are not always compatible with available resources, assessment platforms or assessment security requirements.

Internal assessments that have taken place in classes during scheduled teaching time have meant that the organisation of support for learners and assessment arrangements is a far bigger and more complex task for Additional Support Needs (ASN) and Support for Learning staff and subject teachers. For these ASN learners, accessing teaching and learning from home can be hugely problematic, especially for those who access teaching and learning through BSL or braille, assistive technology, or other forms of support such as readers,

³ Being 'socio-economically disadvantaged' includes living in less favourable social and economic circumstances than many others in the same society. Socio-economic disadvantage may apply to particular groups such as care experienced young people; disabled people; candidates from the most deprived Scottish Index of Multiple Deprivation (SIMD) areas or people from minority ethnic communities.

⁴ See [Appendix 1](#).

scribes or practical helpers, and specialised software. Additionally, parents and carers may not be able to provide the support normally received by these learners in school or college, particularly if they themselves are not literate or digitally literate.

There is worsening mental health for young people, a rising proportion of whom report symptoms of anxiety and depression. Adverse effects of the pandemic include traumatic experiences such as loss and bereavement, social isolation, a loss of routine, uncertainty about the future, or a breakdown in formal and informal support structures. Some have challenging home environments, and many are concerned about their ability to study effectively from home. There is increased pressure on young carers, who often spend significant amounts of time caring for a relative in addition to the time they need to spend on education and time for themselves. The mental health of young people already facing social inequalities may be particularly at risk, and those who already receive or now need support for social, emotional, behavioural or mental health needs will likely have had this disrupted, delayed or cancelled.

Care-experienced young people are at more risk of COVID-19 impacting their mental health and educational attainment. The loss of access to schools and colleges, leisure facilities and support networks has been detrimental to all young people, but for care-experienced young people who may be reliant on social services and less likely to have community or family safety nets, this has been especially so. Care-experienced young people are less likely to have adequate access to digital resources, broadband, support and skills for online learning. The disadvantage, discrimination and attainment gap they may already experience is exacerbated by the current restrictions. SQA continues to monitor existing and emerging issues, and will provide support to centres and learners through advice on reasonable adjustments, assessment arrangements, and other means where possible. Equality evidence also contributed to the development of a Children's Rights and Wellbeing Impact Assessment.

Equalities monitoring, consultation and engagement

SQA works in close partnership with our centres (schools and colleges), stakeholder groups and education partners to inform an ongoing programme of equality work. This addresses our responsibilities under Section 96 of the Equality Act 2010, supporting the development of SQA's qualifications and assessments. Intelligence gained from this engagement means that we continue to build knowledge about equalities and learners with protected characteristics, which in turn is used to inform policy on access and inclusion in qualifications.

Specific monitoring, consultation and engagement which informed the development of the EqIA included:

- ◆ desk-based review of research, evidence and information published by equality, equity and education stakeholders
- ◆ review of research and reports published in response to impacts of the pandemic
- ◆ information and reportage provided through SQA's media and parliamentary monitoring service and Liaison Team
- ◆ inbound communication and queries

- ◆ engagement and consultation with equalities stakeholders, learners and education professionals, including teachers, lecturers and senior management within schools and colleges

Engagement with learners and parents/carers

It is important that we listen to what learners tell us and that SQA communicates in a way that suits them, so they can easily access and understand the information.

School aged learners

SQA currently works with the Scottish Youth Parliament (SYP) to run a monthly Learner Panel which consists of MSYPs (members of Scottish Youth Parliament), school learners from S3–S6, college learners, and care-experienced learners. There is also a sub-group of the panel who work with SQA on their communications to provide feedback to help shape SQA’s messages and campaigns for a learner audience.

As well as continuing to seek learners’ views on issues directly related to the arrangements for assessment of NQs a result of the pandemic, SQA will seek the views of learners on the future of assessment, qualifications, communications and services.

College learners

SQA work closely with sparqs (student partnerships in quality Scotland) to ensure the college learner perspective is captured. SQA has sparqs representation on the NQ Steering Group, the Learner Panel, and dedicated representatives to provide college learner input on our communications.

Parents/carers

SQA has engaged with parents/carers and their representative organisations for many years. There are two principal organisations that SQA engages with on a regular basis — Connect and the National Parent Forum Scotland (NPFSS).

Key consideration

Scenarios 1 and 2 have been created in the context of COVID-19 disruption to enable examinations to take place. The arrangements for both scenarios provide support to **all learners** (communications, course modifications; additional support for learners [scenario 2]; awarding and grade boundaries) and **individual learners** (Examination Exceptional Circumstances Consideration Service (EECCS) 2022, Assessment Arrangements and Appeals 2022). This EqIA first considers the impacts of:

- ◆ communications
- ◆ course modifications
- ◆ assessment arrangements
- ◆ EECCS 2022

and will be added to, to demonstrate assessment of the impacts of the following arrangements, **when information on these arrangements is made available publicly between March and April 2022:**

- ◆ additional support for learners [scenario 2]
- ◆ Appeals 2022
- ◆ awarding and grade boundaries

It is important to note that, in developing arrangements for assessment of NQs in 2022, several services have been created specifically to address the varying impacts of the pandemic on learners during 2021–22. SQA has had to approach things differently in 2022 so: arrangements for EECCS 2022; modifications to course assessment implemented in subject-specific ways; additional support for learners; Appeals 2022; and awarding and grade boundaries, have been tailored to the circumstances faced by all learners in 2022.

Equality impacts

Communications (all learners)

Regular communications have been made since SQA announced the plan for Assessment of National Qualifications in 2021–22. These include:

- ◆ updates for learners, parents, centres, stakeholders including:
 - weekly e-newsletter ‘SQA News’ for SQA Co-ordinators, practitioners and subscribers
 - monthly SQA Co-ordinator Update e-newsletter
 - direct email covering key statements for all educational stakeholders, parents/carers and learners
- ◆ dedicated web page: www.sqa.org.uk/nq2022
- ◆ dedicated learner web page: <https://www.sqa.org.uk/sqa/71526.html>
- ◆ NQ Awarding 2022 news page: <https://www.sqa.org.uk/sqa/98805.html>
- ◆ NQ Awarding FAQ web page: <https://www.sqa.org.uk/faq>
- ◆ blog posts for practitioners, parents/carers and learners on key topics: <https://blogs.sqa.org.uk/qualifications2022/>
- ◆ social media video clips, static images and Q&A gifs
- ◆ hard copy and digital booklets for learners: Your National Qualifications; Your Exams

SQA communications for learners, parents and carers are tailored specifically for this audience, taking into consideration plain English and appropriate tone of voice, as well as incorporating feedback from representatives of SQA’s Learner Panel, the Scottish Youth Parliament and National Parent Forum for Scotland.

SQA aims to make communications as accessible as possible, in a variety of ways:

- ◆ for anyone who has problems accessing pages or documents published on the SQA website, SQA will provide the relevant information in an accessible format
- ◆ many publications can be produced in alternative formats, including large type, braille and community languages.

This demonstrates that SQA has explained what is happening or could happen (when possible to so do due to ongoing changes caused by pandemic) using a range of methods, to key groups including learners, parents and carers, and stakeholders. This also indicates the progress of decisions reached in consultation with and advice from partners in the system.

Tailoring communications for learners, parents and carers, including the use of clear language and availability in a variety of languages such as community languages, is likely to be of benefit to people with the protected characteristics of disability, age and race.

Course modifications (all learners)

For session 2020–21, modifications to course assessment were made to respond to the changing circumstances brought about by the COVID-19 pandemic. These modifications were not trivial, and aimed to help **all learners** (including those with protected characteristics) during their learning and teaching. The assessment changes were implemented in subject-specific ways to ensure the continued integrity of courses and maintain public confidence in the qualifications.

Due to the continuing impacts of the pandemic on teaching and learning, modifications remained in place for 2021–22. For most National 5 to Advanced Higher courses, these are the same modifications that were put in place for 2020–21. The modifications are intended to give learners more opportunities to show their knowledge and skills and to help reduce the volume of assessment and ease teachers', lecturers' and learners' workloads. In response to feedback from teachers and lecturers, SQA adjusted the modifications in around 70 courses for 2021–22 to give learners more opportunities to demonstrate their knowledge and skills.

Full details were published on [SQA's website](#) in June 2021. Modification summary documents, providing more detail and explain the assessment requirements to help teachers and lecturers prepare learners for coursework and/or exams, were made available at the end of August 2021.

Modifications were designed to mitigate against the impact of disruption and support and help learners to succeed. Feedback suggests that they are having an impact in this respect, but impact is unknown and variable.

Coursework has been reinstated in some, but not all, courses, and will operate in the same way it always has — informed by equalities considerations in design, delivery and assessment.

The course modifications have the potential to impact positively on all learners, including those with protected characteristics.

Equality review of qualifications process (all learners)

SQA carries out equality review of qualification processes to comply with its duties under the Equality Act 2010 and the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012.

The review strives to ensure that there is robust and transparent consideration of equalities during development and ongoing maintenance of qualifications. Considerations are recorded on an Equality Review Form for each qualification.

This review process ensures that National Qualifications are not unlawfully discriminatory for any learner on grounds of the protected characteristics of disability, race, age, religion or belief, sex, gender re-assignment, pregnancy and maternity, or sexual orientation; and that due consideration is given to the reasonable adjustments that SQA (under Section 96 (6) of the Equality Act 2010) can make to provide access to its qualifications for disabled learners.

Qualifications teams and senior appointees considered existing Equality Review Forms as part of the process of developing and finalising proposed modifications in session 2020–21 and again in session 2021–22.

Assessment Arrangements (AAs) (for individual learners)

SQA encourages dialogue with centres regarding the individual needs of their candidates when requesting AAs or reasonable adjustments. This is a longstanding process that allows SQA to understand the many and varied issues that some candidates have, particularly those with the protected characteristic of disability. This helps to identify and deliver appropriate AAs for the candidates who need them, and includes:

- ◆ SQA Liaison team provides support to Support for Learning teachers across local authorities, including inductions for new teachers and sessions on preparing for audit of AAs.
- ◆ Providing guidance and advice on specific queries and reasonable adjustments regarding candidates and their needs.

During session 2021–22 SQA identified several issues that may impact on potentially all candidates taking examinations in 2022. This includes but is not limited to:

- ◆ the rise in mental health conditions in young people
- ◆ heightened anxiety and stress for young people sitting external exams for the first time
- ◆ using relatively new IT devices in coursework

Based on this knowledge, SQA provided a programme of support for centre staff in applying and requesting AAs which included:

- ◆ More effective and direct communication regarding AAs including the most up-to-date guidance and reminders about deadline dates for adapted papers.
- ◆ A webinar to support centre staff in following SQA processes for ensuring that the right candidates get the right arrangements for the right subjects at the right level.
- ◆ Meeting local authorities to discuss how individual schools manage increased candidate anxiety; insights gained from conducting senior phase assessments and sharing good practice.
- ◆ Working with external partners to ensure these messages reach as wide an audience as possible.

For centres supporting candidates with mental health difficulties, there are a range of AAs that can be put in place depending on the needs of the candidate. For candidates with heightened anxiety and stress due to not having sat an exam before, a webinar was developed on how best to support these candidates with input from experienced practitioners. A [Case Study](#) outlining good practice on how to ensure that both sets of candidates get the support they need is available on SQA's website.

Information was also gathered from the appeals system in place for exams diet in 2021. A range of appeals were made around failure to provide agreed AAs. The process and types of appeals were reviewed to consider lessons learned and information shared with colleagues.

This helped to understand the range of impacts faced by learners especially those with the protected characteristic of disability.

Reasonable adjustments

SQA continues to consider requests for reasonable adjustments to assessment for disabled candidates as they are received. Reasonable adjustments are unique arrangements based on an individual candidate's assessment needs. Under the Equality Act 2010, SQA has specific duties: it must make reasonable adjustments for disabled candidates and, at the same time, maintain the integrity of the qualification. This means SQA must carefully balance allowing a candidate to demonstrate their knowledge and understanding in a variety of ways, while maintaining the national standard of the qualification.

SQA has regular dialogue with centres regarding the individual needs of their candidates when requesting AAs or reasonable adjustments. This is a longstanding and ongoing process that allows SQA to understand the many and varied issues that some candidates have, and to identify and deliver appropriate AAs for the candidates who need them. Through this process, SQA continues to gather equality-related knowledge and information about the impact of SQA courses and assessment.

Examination Exceptional Circumstances Consideration Service (individual learners)

As outlined in this assessment, adjustments and accommodations have been made that will help both **all learners** and **individual learners** taking exams in 2022, in respect of the experienced disruption resulting from the COVID-19 pandemic. The EECCS for 2022 has been developed to provide greater support to **individual learners** who experience disruption at the time of the examination.

Stakeholder feedback to SQA indicated that they would prefer to have greater clarity and a more tightly focused service in 2022 covering 'exceptional circumstances' — as any service needs to effectively operate alongside the Appeals 2022 service.

Usually, an exceptional circumstances (EC) service responds to learners who are unable to take an examination or who are affected by an exceptional circumstance that impacted on their ability to perform on the day of the exam.

This is a longstanding SQA service and is of benefit to learners who find themselves in these circumstances. The service meets the needs of a number of learners with the protected characteristic of disability — for example, learners with ASN or who have a long-term health condition, as their circumstances mean they are more likely to utilise such a service.

In a typical year there are around 4000 requests for EC. In the context of 2022 it is very likely that the numbers for EC could rise due to positive COVID-19 tests on top of the normal array of circumstances.

The main change for 2022 is that EECCS applies to issues that prevent the learner from attending, or completing, the exam, or that occur during the exam. It does not apply when

learners have completed the exam, even if they feel they have underperformed due to a disruption or personal circumstance that occurred in the run up to the exam. A learner may be unable to attend an examination due to an unplanned incident on the day or a reason outwith their control (for example, a medical issue, a bereavement (which may occur before exam day) or having to self-isolate following a positive COVID-19 test), or may be affected during the examination by a disruption, or other exam circumstance, reported by the centre's chief invigilator. A key point for eligibility to use this service is that, subject to public health guidance in place at the time, the learner must have intended to take the exam.

This service is not for learners who experience disruption in the run-up to the examination. The arrangements for assessing NQs in 2022 have consideration of the impacts of the pandemic on all learners already built in via course modifications, additional support for learners (Scenario 2), awarding and grade boundaries.

Eligibility for EECCS is to be determined by the centre based on guidance provided by SQA and authorised by the head of centre. In other words, centres access the service to help support fairness of access — there is no direct access for learners. The service guidance explains that the responsibility for determining eligibility to use the service lies with the head of centre. This is to ensure use of the service is as legitimate and consistent as possible. SQA has trust in the head of centre role, and regards centres as being closer to the circumstances and detail learners find themselves in.

When the EECCS process for 2022 was being considered, SQA set up an external advisory group with a wide range of representatives, including school and parent groups drawn from the National Qualifications 2022 Working Group. This group was unanimous in its support for all requests to come from the head of centre in the interests of fairness to learners. This approach was also supported by the National Qualifications 2022 Strategic Group. SQA will provide supportive guidance to centres which will give heads of centre a framework to operate EECCS. The guidance acknowledges that it does not, and cannot, reflect every possible scenario that may occur, but that it does include examples of likely scenarios to aid decision making.

This approach also mitigates the risk of the EECCS being perceived as an alternative to taking the exam. The policy makes it clear that EECCS is not intended as such and is a service to support individual learners who have issues impacting on them on the day of the exam. Arrangements for assessment of NQs in 2022 are based on the central planning assumption that exams will take place.

The process is outlined as follows:

1. Centres will send in the alternative academic evidence.
2. SQA appointees will judge the grade-worthiness of the alternative evidence in conjunction with the non-exam evidence (coursework), where this is part of the assessment. The standards applied in judgements will align with the performance standards set within the course specification and exemplified in Understanding Standards materials. Alternative evidence is judged holistically against existing grade descriptors and exemplifications. Standards set through the grade boundary process will apply to any attempted exam scripts if appropriate.

3. Any attempted exam scripts will also be reviewed. As far as possible, the evidence will be judged 'blind' — in an objective manner without being primed or any unconscious bias by way of knowledge of the estimate. However, it is likely that most cases for EECCS will be absentee consideration, ie the candidate did not attempt the exam. Standards set through the grade boundary process only apply to SQA assessment so will only have an impact on EECCS if the candidate actually sits the exam.

Estimates, as agreed, will remain visible on the system. Guidance for appointees will set the context that this information will support decision making, but the candidate's evidence will determine the appropriate grade.

4. The evidence, to be admissible, must meet the following three criteria:
 - a. It must be deemed to be authentic (generated by the learner).
 - b. It is not necessary to provide assessment evidence of every aspect of the course content. A selection of key tasks and/or questions, covering the required areas of the course and carried out under appropriate conditions, and with an appropriate level of demand, can provide a good indication of likely performance in the final course assessment.
 - c. It must be generated using valid assessment instrument(s).
5. SQA will ensure that training is provided to SQA appointees to support these judgements in relation to these three criteria, and will support consistency within subjects and between subjects.
6. Where the learner has completed some or part of an examination script, this will also be considered in the evidence. However, SQA appointees will be mindful that, given the examination experience was disrupted in some way, it is likely to represent an underestimation of the learner's ability. However, it is included in the evidence base to allow for the possibility that the examination script could in fact work favourably on the judgements of grade-worthiness. In other words, the inclusion of the examination script should not be detrimental to the overall grade, but only affirming or positive.
7. SQA appointees will review the evidence submitted by the centre, as well as the candidate's examination script and externally-assessed coursework where available, to arrive at a grade. Internally-assessed coursework will not be reviewed, but the marks submitted will be taken into account when determining a grade.
8. Where several learners from the same centre for the same subject/course access EECCS, the alternative academic evidence should, where possible, be sent to the same appointee. This will support judgements around the authenticity of learner generated evidence.

These are important points as they demonstrate that consideration of the risk of any bias or discrimination in the process is mitigated by the training and support provided to appointees, and by the element of judging the evidence with no prior knowledge of the estimated grade.

Grades awarded via EECCS

In its normal processes, SQA awards both a grade (A – D and No Award) and a band (1 – 9) corresponding to that grade. It is important to note that grades awarded through EECCS *based only on alternative evidence* will be at the lowest band of each grade. This predates EECCS and was a feature of previous SQA appeals processes. This is done because it is alternative evidence/centre-generated evidence of attainment that is being assessed and is therefore non-standardised. This makes it very challenging for examiners to ‘fine tune’ the evidence into bands, especially across bands that have very small margins. SQA advises examiners to consider the totality of the evidence suggestive of the skills, knowledge and understanding associated with a specific grade descriptor/characteristic. Where a learner has attempted some of the exam paper, it is *possible* for the higher band to be awarded. By exception, in cases where a candidate holds a conditional offer from a university, college or in employment that is conditional on an A1 band, should the candidate's alternative evidence justify an A grade, the appointee will also determine the appropriate band.

The EECCS appeals process outlines where a procedural irregularity in SQA handing of an EECCs request. In a case such as this the centre would submit full details of their challenge to SQA where a panel may seek relevant information to inform its decision.

Appeals for EECCS

As for all assessment processes, once they have received their results, learners should be able to appeal an EECCS result issued on results day so that an error in the process can be remedied. An appeal for EECCS is based purely on process error/administrative error and will be conducted by SQA staff (Heads of Service). It will not include a review of the academic judgement.

This process is not the same as Appeals 2022. EECCS appeals are different because the same evidence is used both pre-certification and post-certification, whereas exam model Appeals 2022 involves two sources of evidence (exam script and alternative academic evidence). For this reason:

- a. An EECCS appeal is a review of the original process. If the review of the original process identifies that not all procedures were fully adhered to, the alternative evidence will be reviewed again by an experienced appointee.
- b. The results based on the same source of evidence can stay the same, go up or go down.
- c. The outcome will be final.

The aspect that results can go up or down after review could potentially have a negative impact on learners who require EECCS. Heads of centre can appeal on a candidate's behalf if:

- ◆ They believe that SQA's decision to refuse an examination exceptional circumstances consideration request which was submitted within the published timescales is, based on all the evidence available to SQA at the time, wrong.

Or

- ◆ They believe that there was procedural irregularity in SQA's handling of an examination exceptional circumstance consideration request, which contributed to a decision that is, based on all the evidence available to SQA at the time, wrong.

A procedural irregularity check would be heard by an appeals panel consisting of SQA heads of service. If the panel uphold the appeal, the evidence may be reviewed by a SQA experienced appointee not involved in the original review. It is possible, though unlikely, that the outcome of this second review is a change of grade with it going down.

EECCS relies on only one set of evidence to assess. In terms of mitigating the impacts of this, centres should ensure they are keeping learners informed as to what grade the evidence they produce throughout the year is assessed at, and this should match the centre estimate provided for that learner.

Principles or aims of offering different services around Appeals 2022 and EECCS 2022

As part of the development of the arrangements for assessments in 2022, SQA formed a set of key principles that are important in the function of these services. They are included in this impact assessment as they suggest that considerations of fairness and equity to learners undertaking exams in 2022 have been core to discussions and formation of arrangements, and the impacts on all learners have been key to policy and process development.

The intent was that all principles and aims were pursued and that none demoted or ignored in offering an enhanced service in 2022 by way of responding to the effects of the pandemic.

- a. A way to respond to the problem statement: in other words, it should respond to learners who might feel that overall levels of disruption resulting from the COVID-19 pandemic, or heightened test-related anxiety in the context of absence of examinations since 2019, might undermine their ability to best demonstrate their knowledge, understanding and skills in an examination.
- b. Fairness: any additional services or augmented services should seek to ensure fairness both to those learners who access the service as well as to those who do not. In other words, it should not confer an unfair advantage.
- c. Demonstrated attainment: a qualification grade should always be based on direct evidence of knowledge, understanding and skills, in other words, on demonstrated attainment.
- d. Externality: regardless of the route to the grade, an appointee, trained and monitored by SQA, should review the evidence submitted with requests to use these services.
- e. Upholding the primacy of taking examinations: the central assumption of examinations should not be undermined through offering enhanced services. These courses have been designed to be assessed by examination (a measure of validity), and these examinations provide a standardised assessment and controlled environment to support fairness and reliability.

- f. Manageability and deliverability: any enhanced services should be deliverable by the system in the necessary timelines — including SQA processes, recruitment of appointees, and centres in transferring alternative academic evidence to SQA.
- g. Credibility of results: the services should deliver results that command the confidence of the system, both at individual level and also at a system level.
- h. The services support and are supported by the right attitudes and behaviours.

Any grade or grade change awarded via the examiner's (or senior appointee's) review of alternative evidence submitted by the centre will be at the lower band. The only exception to this will be where the learner has a place at university, college or in employment conditional on a specific band. If a grade, or grade change, is awarded based upon a review or clerical check of an SQA exam or assessment script, then all bands can be used.

No appeals for movement between bands will be allowed.

The acknowledgement of the impacts of disruption on **all** and **individual** learners, creates a set of arrangements with the potential to impact positively on all learners, including those with a range of protected characteristics. EECCS provides additional support for **individual learners** with additional challenges in undertaking exams in 2022. This is likely to offer support to learners with protected characteristics of disability and pregnancy and maternity.

Additional support for learners (all learners)

SQA continued to closely monitor public health advice and levels of disruption across the country, and following discussion with partners across the education system, and agreement by the SQA Board of Management, SQA invoked Scenario two. Scenario two aims to strike a balance between providing more support to learners, which include those with a range of protected characteristics, to recognise the time lost due to disruption, while not undermining the integrity of assessment. This means that, in addition to the modifications announced in August 2021, additional guidance and support will be published for learners during week beginning 7 March 2022 to help them with their revision in the final run up to their exams.

All courses with an exam will get some form of revision support. It is difficult to specify the impacts these arrangements will have on learners as it is likely to be variable. However, the intention is that all learners get some benefit from this approach across the courses they are studying. All proposals for additional support were subject to the 'equality review of qualifications process' discussed earlier in the first iteration of this impact assessment.

The aim of providing additional information from 7 March 2022 is to try and avoid invalidating the assessment if the information was shared too early. SQA's approach is to avoid the narrowing of learning and teaching, which would negatively impact learners' breadth of course knowledge and understanding. This is especially important for all learners, including those with protected characteristics, as the aim is to best support them to progress further (into higher level qualifications, vocational training, further or higher education, or employment) without gaps in their subject skills, knowledge and understanding.

As most learners entered for National Qualifications are of school age, these learners are regarded as children and young people who will most likely be affected by SQA's decision. The impact of disrupted teaching and learning has affected all learners, potentially more so for learners in areas of socio-economic deprivation and those who have not been able to attend classes in person. By introducing additional support for learners, including revision materials such as study guides or permitted resources in the exam, the aim is to further reduce any disadvantage to learners most impacted by the COVID-19 restrictions that have been in place since the start of the 2021–22 academic year.

SQA recognises that, in addition to disruption to teaching and learning, there are challenges for those learners who lack access to technology and digital connectivity, and disabled learners and/or those with ASN who use assistive technology or in-person support from school. SQA's decision to move to Scenario 2 and provide additional revision support to learners aims to:

- ◆ reduce the level of exam stress that all learners across the country are experiencing, and
- ◆ allow teachers and lecturers sufficient teaching and learning time to cover the necessary content with learners without compromising the integrity of SQA's exams

As far as possible, Scenario two aims to mitigate the effects of disruption on teaching and learning as a result of the pandemic, in order to minimise disadvantage and enable all those learners, including those with protected characteristics, equal opportunities to demonstrate their attainment in the external exams. The additional exam support for learners has the potential to positively impact on all learners, including those with a range of protected characteristics and, in line with the Public Sector Equality Duty, has due regard to the need to:

- ◆ advance equality of opportunity between people who share a [protected characteristic](#) and those who do not, and
- ◆ foster good relations between people who share a protected characteristic and those who do not

Appeals 2022 (for individual learners)

As outlined earlier in this assessment, adjustments and accommodations have been made which will help all learners taking exams in 2022, in respect of the disruption experienced during the COVID-19 pandemic. The Appeals 2022 service, along with the EECCS in 2022, have been developed to provide greater support to individual learners who:

- ◆ experienced disruption at the time of their exam(s)
- ◆ experienced additional exam stress because of the disruption
- ◆ are taking external exams for the first time

Proposals were discussed in detail with the National Qualifications Strategic Group, the National Qualifications Working Group and individual stakeholders. The proposals were welcomed, as they are seen as a response to some of the difficulties, additional stress and challenges associated with the context of this year:

- ◆ ongoing disruption to teaching and learning
- ◆ learners not having taken exams for several years
- ◆ indications that higher numbers of learners than normal may find the exam process stressful

In establishing a Appeals 2022 service, SQA is striving to mitigate the disruption some learners may face, to enable those in such circumstances to receive a qualification and grade which is a fair reflection of their knowledge, understanding and skills.

A key point in the development of the service was that the mechanism must be fair to all learners — not just those who access the service. The service should not advantage some learners at the expense of others.

SQA considered the challenges and difficulties associated with taking account of individuals' different experiences of disruption in the assessment process. Essentially, the degree and impact of disruption is unique to each individual. In terms of the range of disruptions experienced, SQA considered lost teaching time and learning, the nature of the subject and the exact topic or parts of topics that were missed (for example, a peripheral part of a topic or a foundational topic on which much other course material rests). The disruption is not possible to quantify in a simple or single metric (for example, the number of learning days missed); and any other possible measure would in itself present insurmountable problems to quantify fairly across different learners, with different experiences and in different schools or colleges. This challenge is not unique to SQA and, thus far, no other country in the UK has been able to identify a fair measure. Furthermore, it is important that the grades awarded are based upon demonstrated attainment, to maintain the integrity of SQA qualifications.

The Appeals 2022 service means that learners who are unhappy with the grades they receive through external assessments (in other words, exams and/or coursework) can submit an appeal directly to SQA if eligibility criteria are met. There will also be a priority service for learners whose place at university, education, training or employment is contingent upon the grades they achieve.

On such occasions, SQA appointees review the alternative academic evidence supplied by the centre, and any coursework, to determine a grade. SQA appointees are not aware of learners' estimates or current certificated grades. In the appeals process, SQA also review exam scripts and/or coursework for clerical/administrative errors only (not for marking errors). Learners will be awarded the higher of the two grades based on either:

- ◆ a clerical check of their SQA assessments (exam scripts and/or coursework)
- ◆ a review of the assessment evidence submitted by their centre, taking into account their performance in coursework

Grades can go up or stay the same. There is a very small chance that a grade could go down, but this would only be in the event of a clerical check identifying an error that reduces the original certificated grade **and** the centre evidence not supporting the original certificated grade.

Other features:

1. Direct and free access for learners — as centres know their learners best, learners will need to liaise with their centres to discuss the Appeals 2022 service in more detail. Centres are responsible for submitting evidence for review.

2. Eligibility — learners will only be able to access the Appeals 2022 service if the centre's estimate is higher than the actual grade awarded, and all other eligibility criteria for an appeal is met. It is important to note that the centre is required to submit an appeal on the learner's behalf if they have registered their intent to appeal, even if the centre does not support the appeal or has been unsuccessful in contacting the learner to discuss the reason for appeal.

3. There will be a priority and non-priority service — the priority service will operate between 9 August and 16 August 2022 for learners (and 19 August 2022 for centres) whose place at university, education, training or employment is time contingent upon a grade.

The Appeals 2022 service aims to provide a 'safety net' for all learners, including those with protected characteristics, for whom the exam experience did not go as well as it could have.

The Appeals 2022 service has the potential to positively impact all learners, including those with a range of protected characteristics and, in line with the Public Sector Equality Duty, has due regard to the need to:

- ◆ advance equality of opportunity between people who share a [protected characteristic](#) and those who do not, and
- ◆ foster good relations between people who share a protected characteristic and those who do not

As most learners entered for National Qualifications are of school age, it is recognised that learners aged 15, 16 and 17 would most likely access the Appeals 2022 service. Other factors affecting learners, such as socio-economic disadvantage, or circumstances that present barriers to accessing qualifications, have also been considered wherever possible. Although such factors are not covered specifically by the Equality Act (2010), SQA recognises that a wide range of factors can have an impact on a learner's ability to achieve qualifications. Furthermore, SQA has a corporate parenting commitment to ensure its EqIA process considers the needs of care-experienced young people, by treating care experience as if it were a protected characteristic covered by the Equality Act (2010).

The Appeals 2022 service enables all learners to appeal through their centre or directly to SQA where necessary. However, SQA recognises that not all learners may feel confident in providing their reasons for submitting an appeal to SQA and may not have support from their centres or an appropriate adult. SQA's standard arrangements for learners to authorise representatives to progress an appeal on their behalf will apply.

The Appeals 2022 service is free to access. To the extent that socio-economic disadvantage disproportionately affects one or more groups with protected characteristics, the 'no fee' approach contributes to equality of opportunity between those who share those protected characteristics and those who do not.

The existence of the Appeals 2022 service offers a degree of mitigation against the potential that a learner's results do not reflect their demonstrated attainment because of discrimination (as defined under the terms of the Equality Act 2010). The Appeals 2022 service also takes into account learners who have been disadvantaged by a centre's failure to determine or verify the learner's need for AAs in internal assessments (used to determine the learner's estimated grade), as required by SQA guidance. It is an additional measure to provide an opportunity for all by offering a final mechanism to ensure that learners have been awarded the grades they deserve and can proceed to the next stage of education, employment or training where this relies on attainment in SQA National Qualifications.

Conclusions

This EqIA suggests that SQA has sought to mitigate, where possible, the impact of disruption to teaching, learning, and assessment of the COVID-19 pandemic on all learners, including those with protected characteristics. The core purpose of the arrangements for assessment of NQs in 2022 is to enable learners to access qualifications and have their attainment recognised through awarding and certification.

The pandemic has had significant impacts on those from minority and marginalised groups, minority ethnic people, those experiencing poverty and deprivation, learners with disabilities and ASN, those with mental health needs, learners who are young carers or care-experienced, and learners who experience other contexts that present barriers to accessing education and qualifications.

There is no avoiding the fact that disruption to some learners' education will have been more severe than others. As in previous years impacted by the pandemic, the disruption experienced will be specific to individual learners and depend on the factors outlined above — and potentially others. The individual and personal nature of the disruption means that changes to exams cannot effectively address this differential impact on learners, and makes it very difficult to put in place measures that are completely fair and equitable to all learners.

The education sector continues to work together to mitigate the impacts of disruption on learners: schools, local authorities and colleges have taken action to adjust aspects of learning and teaching. The Scottish Government has made additional funding available for revision support to support the most disadvantaged learners, and additional e-Sgoil support is available too.

This EqIA suggests that reasonable steps have been taken by SQA, within a highly complex set of circumstances, to consider the needs of learners with protected characteristics, along with the requirement to ensure the integrity of qualifications.

Further information-gathering is required to assess the impact on learners, as the range of arrangements in place for 2022 are operationalised. SQA will carry out monitoring work to understand and evaluate the impacts of different arrangements on candidates.

Appendix 1: Sources of evidence referred to

[COVID-19 Education Recovery Group: children and young people infographic — gov.scot \(www.gov.scot\)](#)

[202110 Covid-Commission-Report 04-REPORT.pdf \(rsecovidcommission.org.uk\)](#)

[Written question and answer: S6W-03503 | Scottish Parliament Website](#)

[Your National Qualifications 2021–22 guidance booklet — SQA](#)

[1566 \(parliament.scot\)](#)

[1494 \(parliament.scot\)](#)

[july2021-lockdownlowdown-v3-survey-report.pdf \(syp.org.uk\)](#)

[COVID-19 - research studies on children and young people's views | RCPCH](#)

[Equality evidence — gov.scot \(www.gov.scot\)](#)

[http://aplaceinchildhood.org/project/young-scots-covid-19/](#)

[Improving outcomes for young people through school education | Audit Scotland \(audit-scotland.gov.uk\)](#)

[Arrangements for the assessment and awarding of Vocational and Technical Qualifications and Other General Qualifications in 2021 to 2022](#)

[Exams and Assessments 2022 — fairness and clarity — The Ofqual blog](#)

[https://www.edge.co.uk/research/projects/impact-covid-19-education/The-Impact-of-Covid-19-on-Education-Perspectives-on-the-impact-of-lockdown/](#)

[https://www.theguardian.com/commentisfree/2021/aug/12/grade-inflation-what-to-do-next-with-exams](#)

[https://education.gov.scot/media/t4qkioh0/national-overview-of-practice-in-remote-learning-10-complex-learning-needs.pdf](#)

[https://cep.lse.ac.uk/pubs/download/cepcovid-19-023.pdf](#)