



Equality Impact Assessment

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

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Background and context

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

However, we recognise the impact that coronavirus (COVID-19) has had, and will continue to have, on learning and teaching, and the remaining risk of disruption to the amount of teaching that can be delivered in session 2020–21.

Consequently, a decision has been taken to modify existing course assessments at National 5, Higher and Advanced Higher for session 2020–21. This is in line with the strategic framework, with the intention to support delivery and assessment within the contexts presented by coronavirus (COVID-19) restrictions, while maintaining the original rationale, purpose and aims of courses.

Across all subjects, course content remains unchanged to maintain the integrity of qualifications. Course assessment will continue to sample across the mandatory skills, knowledge and understanding of each course, while introducing modifications designed to support centres to work within constraints represented by current and potential coronavirus (COVID-19) restrictions, including:

- ◆ less time for teaching and learning
- ◆ potential for local or national lockdown
- ◆ increased use of blended learning
- ◆ restrictions for practical subjects which require interaction with others, group work, use and sharing of specialist equipment and/or instruments, fieldwork and other requirements

Activity and decision-making have reflected established processes for the development and revision of National Qualifications. In this respect, the work undertaken to modify the balance and scope of assessment types used to generate evidence for awarding in diet 2021 represents an extension of existing, well-established practice.

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

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 report focuses on the Equality Impact Assessment (EIA) of modifications to course assessment for diet 2021.

SQA also takes several other steps 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 quality impact assessment

SQA's aim is to provide fair, equitable and accessible course assessments which contribute towards addressing disparity in attainment related to disability, additional support needs, ethnicity, poverty, gender and other equality issues in education which means that some groups routinely have worse outcomes than others.

In this EIA, the potential impact of course assessment changes on candidates who share protected characteristics has been considered along with how any potential negative impacts identified could be mitigated. In addition, other groups of candidates, such as those who are socio-economically disadvantaged², or who experience other circumstances that present barriers to accessing qualifications, have been considered in this review wherever possible. Although such groups are not covered specifically by the Equality Act 2010, we recognise that a wide range of factors can have an impact on a candidate's ability to achieve our qualifications.

Equality evidence

Equality review of qualifications process

As a qualifications body and regulator, SQA has specific duties under Section 96 of the Equality Act 2010 to:

- ◆ minimise the extent to which disabled candidates are disadvantaged in attaining a qualification because of their disabilities
- ◆ secure that the qualification gives a reliable indication of the knowledge, skills, and understanding of a candidate to whom it is being awarded
- ◆ maintain public confidence in the qualification

To meet these duties, SQA carries out an 'equality review of qualifications process' for all National Qualifications, 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 all 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.

² Being 'socio-economically disadvantaged' includes living in less favourable social and economic circumstances than the majority of 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.

Qualifications teams and senior appointees carried out an equality review of the proposed modifications for each course and completed an Equality Review Form as part of the process of developing and finalising these. Each form records the specific details of how the intended modification(s) re-shape course assessments, and the potential equality impacts that may result.

Equalities monitoring

SQA works in close partnership with centres, stakeholder groups and education partners to inform an ongoing programme of equality reviews. These address 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 hold and continue to develop a body of knowledge about equalities and learners with protected characteristics, which in turn is used to inform policy on access and inclusion in qualifications.

In relation to the annual diet of exams, SQA encourages dialogue with centres regarding the individual needs of their candidates when requesting assessment arrangements or reasonable adjustments. This is a long standing and ongoing process and allows us to understand the many and varied issues that some of our candidates have, and to identify and deliver appropriate assessment arrangements for the candidates who need them.

Recent monitoring has highlighted particular issues caused by or exacerbated by coronavirus (COVID-19) restrictions, including but not limited to:

- ◆ reduced access to spaces, equipment, supported study and extra-curricular facilities that contribute to preparation for course assessment
- ◆ access to ICT, assistive technology and other resources
- ◆ access to suitable spaces for study that promote wellbeing and learning
- ◆ increased absence and interrupted learning
- ◆ less time for classroom-based teaching and learning
- ◆ access to additional support for learning
- ◆ access to support for social, emotional, behavioural or mental health needs
- ◆ challenges presented by social distancing when working with readers, scribes, practical assistants and others who support individual candidates
- ◆ challenges for learners who use lip-reading to communicate
- ◆ challenges for learners with visual or hearing impairments who may have difficulties accessing learning materials provided for home use
- ◆ challenges for those who have a location focus for their learning and find it difficult to study at home
- ◆ disadvantage caused by poverty and deprivation
- ◆ challenges related to being care-experienced
- ◆ challenges related to caring responsibilities

SQA continues to monitor existing and emerging issues and will provide support to centres and candidates through reasonable adjustments, assessment arrangements, exceptional circumstances and other means where possible.

Consultation

SQA's consultation on proposed modification to 2021 course assessment included questions on equalities, potential impact of changes and mitigating actions. A wide range of feedback was received from more than 22,000 responses, and this included points on general equality issues as well as in relation to specific protected characteristics. There were general themes and subject-specific comments, which in the main relate to what might happen if national or local lockdowns are implemented, or the impact of ongoing coronavirus (COVID-19) restrictions.

Responses to equality questions reflected the issues revealed by our equality review of qualifications process and our equalities monitoring. Responses tended to focus more on general issues of equity, and in particular, access to resources, rather than protected characteristics.

Typical feedback and themes where national lockdown reoccurs, or local lockdowns are implemented, include:

- ◆ 'Difficulties accessing ICT for learners could perpetuate an inequality that already exists'
- ◆ 'Disparity between affluent and less affluent backgrounds of learners and the support they get from home'
- ◆ 'Difficulties accessing libraries/materials for research'
- ◆ 'A lack of equity between independent and local authority schools to resources as well as blend learning experience'
- ◆ 'Issues with access to support for talking assessments as practitioners will need to maintain 2 m distance may pose challenges for learners who are shy/less confident'
- ◆ 'Issues with social distancing requirements for learners with ASN'
- ◆ 'Not all pupils can access specific equipment, for example certain software where the licence is held by the local authority, kitchen equipment or sewing machines'
- ◆ 'Dissertations at Advanced Higher could potentially impact those from disadvantaged backgrounds as it may be very difficult to adequately research without recourse to school resources, and without the usual level of guidance from teachers'

Typical feedback and themes relating to ongoing coronavirus (COVID-19) restrictions included:

- ◆ 'Pupils do not have the opportunity to remain in school after typical hours or during lunchtimes to utilise computer equipment or seek additional help in subjects. They also do not have the ability to access supported study'
- ◆ 'Many schools do not have the capacity to run practical work safely within current guidelines'
- ◆ 'Different schools and authorities have different guidelines to practical work. Some local authorities have effectively banned practical work until further notice which has a profound effect on student learning/motivation'
- ◆ 'Students with an ASD diagnosis can be disadvantaged with reduction of time (and possible further reductions to come) meaning more exam practice work would need to be completed at home and some students in this category have a location focus where school work happens only at school'

- ◆ ‘Candidates with underlying health issues who need to stringently socially distance could be disadvantaged in performance exams’
- ◆ ‘There seems to be a huge difference between what is allowed and not allowed in practical subjects due to coronavirus (COVID-19) restrictions. My concern for all levels is having enough time to prepare exam pieces to ensure they are ready if schools continue to restrict practical work. In schools who have candidates at all levels preparing for practical exams, could become an issue if the restrictions on being able to rehearse, etc are not lifted. There is also widespread variation across all local authorities with regards to sanitisation and access to various musical instruments. In addition, pupils are receiving no instrumental instruction in my authority with no date given as to when this might commence’

The analysis report on the technical consultation details how feedback contributed to the final decisions about course assessment modifications. This report can be read from the SQA website at the following link: https://www.sqa.org.uk/files_ccc/outcomes-national-consultation-2021.pdf.

Equality evidence also contributed to the development of a [Child Rights and Wellbeing Impact Assessment](#).

Potential impacts

Proposed modifications consist of one or more of the following:

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

Removal of question paper

The decision to remove the question paper is being taken in relation to some subjects where the principal focus is on the acquisition of practical skills. In these subjects, coursework can account for up to 70% of the course assessment and is fundamental to the validity of the course. The most appropriate method of reducing the level of assessment while still retaining the integrity of the course(s) is to remove the question paper.

Content normally sampled has not been removed from courses — only from assessment. This is intended to give centres greater opportunity and flexibility to concentrate on the practical aspects of the course and allow candidates to meet the requirements of practical activities, while following guidance around social distancing and use of equipment.

Potential issues

Disability

The removal of the question paper means that a candidate's award will rely fully on the completion of coursework. This may present an issue for some who have absence due to disability, either on the day of a coursework assessment event, for several days/periods, or on a longer-term basis.

However, coursework and associated conditions of assessment are already flexible in many subjects and often allow the gathering of evidence at any suitable time prior to uplift. Scheduled assessment dates may be able to be reorganised, and centres can work with the unique circumstances of candidates to support them with completing coursework.

Additionally, as described below, in relation to modifications to coursework, arrangements for 2020–21 include additional flexibility in delivery, completion and assessment, and in some cases, a reduction in volume. Assessment arrangements, reasonable adjustments, extensions to coursework and availability of exceptional circumstances consideration are all provided by SQA to mitigate impact.

Modification of question paper

Question paper modification will include increased optionality, reduced optionality or reduction in volume.

Increasing optionality, by allowing candidates to select questions or Sections on one theme or area of content from a choice where previously these may have been mandatory or sampled, means that individuals will be better able to work to their strengths/specific areas of interest or to use the learning they have been able to focus on most during coronavirus (COVID-19) situations, experiences and restrictions, both personal and centre-based.

Where reducing optionality or volume occurs, this will be carried out by omitting one or more theme or area of content normally sampled or included in the question paper. This information will be published in advance and will support the management of reduced time available for question paper preparation and revision, and a more focused approach during this time. While reduced optionality may remove some content that candidates would select according to their strengths/preferences, the balance of the question paper focus, along with any retained coursework assessment, will continue to give candidates opportunities to demonstrate their learning across the mandatory content of the course.

In some cases, the modifications to question papers will also lead to a reduction in the time allocated to them. This will have a benefit for those who have difficulties in sustaining concentration for longer periods of time due to disability, learning difficulties or additional support needs, and for those with mental health difficulties who find exam situations very stressful. Those who need extra time and other assessment arrangements such as rest periods, signing, use of a reader, scribe, ICT or other support may also find a benefit in shorter exams, both individually and in accumulation.

Providing the duty to make reasonable adjustments is met, no negative impacts on candidates with protected characteristics have been identified.

Removal of coursework

Coronavirus (COVID-19) restrictions make it problematic to complete coursework for many subjects. Time, safety, resources and individual circumstances which present additional barriers to demonstrating ability through coursework have led to the decision to remove this component of course assessment for some subjects. This will mean that less class time is required for planning, researching, and developing assignments or other types of coursework, and more time will be available for learning and teaching across course content and question paper components of course assessment. The difficulty candidates may have in accessing resources for research, preparation, or other aspects of coursework under coronavirus (COVID-19) restrictions will be mitigated.

The removal of coursework also means that a candidate's award will rely on the external exam. It is acknowledged that, given the recent rise in mental health issues among young people and the effect of the coronavirus (COVID-19) pandemic itself on young people's mental health, stress of undertaking the external exam might be exacerbated for some. It is intended that, on balance, the modifications to course assessment will reduce the stress that such candidates may have in generating attainment evidence during coronavirus (COVID-19) restrictions and experiences; furthermore, centres can apply for exceptional circumstances consideration if a candidate is unable to complete an examination due to stress.

The removal of coursework and the subsequent need to rely on exam performance as evidence of attainment may present disadvantage for some candidates with protected characteristics.

Potential issues

Disability

Candidates with physical and severe visual difficulties may have problems in maintaining stamina. Candidates who have difficulty concentrating for extended periods may have problems in maintaining focus and have difficulties in demonstrating their attainment. Other disabled candidates such as those with mental health difficulties or emotional and behavioural difficulties may find the examination experience overly stressful, leading to increased anxiety which could negatively impact on their ability to demonstrate their attainment.

Religion and belief

Due to added stress, some candidates who are fasting because of their religious beliefs may experience a higher level of fatigue and be adversely affected in the external exam. For example, this could impact on Muslim candidates who fast during Ramadan, which will fall during the exam diet in 2021.

Pregnancy and maternity and gender re-assignment

Candidates with the protected characteristics of pregnancy and maternity, who give birth or are due to give birth during the examination diet, and those candidates who are undergoing

gender re-assignment during the examination diet, could be adversely affected by the reliance on a question paper only, as they are unable to take examinations at other times of the year.

Mitigating actions

Disability

Where disability or mental health factors affect the ability of candidates to demonstrate their attainment, centres can request a range of assessment arrangements/reasonable adjustments provided by SQA, including, for example, the consideration of extra time, using ICT and/or assistive technologies or the inclusion of rest breaks to mitigate the negative impact.

Religion and belief

It is not possible for SQA to take all possible religious festivals and periods of observance into account when constructing the examination timetable. However, SQA can consider, through its exceptional circumstances process, any negative impact on a candidate such as a candidate being unwell due to fasting during an examination.

Pregnancy and maternity and gender re-assignment

SQA recognises that it may not be possible to mitigate all potential negative impacts on candidates who are unable to take the examination. However, we can consider any negative impact on a candidate, for example, if a candidate goes into labour or experiences any medical issues on the day of the exam. The Exceptional Circumstances Consideration Service supports candidates who have been unable to attend an examination, or whose performance in the examination may have been affected by a personal circumstance, or an unplanned incident on the day, which is out of their control.

Modification of coursework

Some subjects will issue modified coursework with reduction in components, scope or optionality. Some conditions of assessment and/or additional guidance on completion within coronavirus (COVID-19) restrictions may also be relaxed.

Coursework modifications will typically include:

- ◆ reduced optionality by specifying a single brief rather than giving a choice
- ◆ re-use of familiar coursework briefs from previous years
- ◆ removal of some components or elements of coursework
- ◆ relaxation of assessment conditions to permit preparation or completion outside the classroom, or to allow increased guidance from teachers to suggest research topics
- ◆ additional guidance for centres covering type and volume of evidence required
- ◆ changes to issue and/or uplift dates

These modifications are intended to have a number of positive impacts, including:

- ◆ facilitating best use of more limited teaching, learning and preparation time
- ◆ accounting for restrictions or prohibitions on accessing or using facilities or equipment normally required
- ◆ working with social distancing
- ◆ increasing opportunities for flexible delivery and completion

Potential issues

Some candidates may have a reduced ability to complete coursework at home (where this is permitted) due to reduced or no access to necessary resources, technology or additional support for learning because of a disability, visual or hearing impairment, poverty or deprivation, or other factors such as being care-experienced or having caring responsibilities.

Mitigating action

Time and location flexibility can help to mitigate issues for those candidates who have difficulty completing work at home. Centres can work with individual candidates to support them with access to resources and specialist staff, and any assessment arrangements or reasonable adjustments that have been requested. A coursework extension can be granted in some circumstances.

Conclusions and next steps

Modifications to course assessment are necessary to respond to changed and changing circumstances represented by the coronavirus (COVID-19) pandemic. The assessment changes proposed — removal or modification of question papers and/or coursework — have been implemented in subject-specific ways to ensure the continued integrity of courses and maintain public confidence in the qualifications.

SQA has developed the modifications with the aim of continuing to provide accessible and inclusive qualifications and assessment which minimise potential barriers to entry and achievement.

The EIA did find that modifications to course assessment of Graded National Courses at National 5, Higher and Advanced Higher may have a potential negative impact on some candidates because of the protected characteristics of disability, religion and belief, pregnancy and maternity and gender re-assignment. There is also a potential negative impact on some candidates who experience other circumstances that present barriers to accessing qualifications.

SQA will continue to provide arrangements and services to mitigate negative impacts when they occur. The provision of appropriate assessment arrangements and other supportive practices are designed to help mitigate the adverse impact for many disabled candidates and SQA will also continue to ensure that individual requests for reasonable adjustments are considered where appropriate. Established arrangements such as exceptional circumstances and post-results services are also provided to mitigate other adverse impacts of particular candidates' circumstances.

In session 2020–21, SQA's Assessment Arrangements Team will closely monitor the impact of the changes on candidates to determine if any further actions are required. This will include monitoring requests submitted for assessment arrangements.

There will be targeted consultation with different equality stakeholder groups (for example through local authority learning support and disability networks) over this period. This will allow for any issues or concerns to be raised in relation to the changes.