

SQA Equality Impact Assessment

Please read the [Equality and Human Rights Commission Guidance on assessing impact](#).

Your policy

1 What is the name of your policy, procedure, proposal, project, or decision*?

*Referred to as 'policy' hereafter.

Policy name	External Assessment: Examination Scripts Policy
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Date	21 January 2022
Next scheduled review date	21 January 2023

2 Main purpose of policy

What is the main purpose of the policy?

This policy applies to all learners undertaking SQA qualifications, who have sat a timetabled examination and produced an examination script which has been externally marked.

The policy sets out SQA's decision making in relation to the return of marked scripts to learners/learner representatives or centres. SQA does not return marked scripts to learners/learner representatives or centres.

SQA applies the exemption in the Data Protection Act 2018, in respect of a learner's right to access examination scripts and marks.

However, through a Subject Access Request (SAR), SQA provides to learners:

- Front and back pages of the assignment flyleaf
- Front and back pages of the question paper
- Music mark sheets if applicable
- Navigator screens (details learner entry and result information)
- Results processing screens (details learner entry and component mark information)
- Assessment Arrangements Request Checklist
- Post Results Services (PRS) screens (detailing PRS request information and result)

General Equality Duty: eliminate discrimination, advance equality; foster good relations

3 Information and evidence used to evaluate impact

What information, and evidence, is being used to evaluate the impact of this policy on people who share protected characteristics?

SQA is not in receipt of evidence to evaluate the impact of this policy on equality groups.

SQA applies the exemption in the Data Protection Act 2018, in respect of a learner's right to access examination scripts and marks.

However, through a SAR, SQA provides to learners:

- Front and back pages of the assignment flyleaf
- Front and back pages of the question paper
- Music mark sheets if applicable
- Navigator screens (details learner entry and result information)
- Results processing screens (details learner entry and component mark information)
- Assessment Arrangements Request Checklist
- PRS screens (detailing PRS request information and result)

SQA provides multiple contact points for a learner to request information in relation to their marked examination scripts which is to enable a range of opportunities to access information. Each request will be managed in line with internal processes; however, we are not currently requested to collate the number of requests to enable our processes to be undertaken.

General Equality Duty: eliminate discrimination, advance equality; foster good relations

Public Sector Equality Duty

SQA is required to have 'due regard' to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations.

This section provides the opportunity to capture how the policy will contribute towards the three aims of the general equality duty, and to consider if there is anything more we need to do to meet our responsibilities.

5 How might this policy impact on people who share protected characteristics?

Please consider positive or negative impacts. (At the beginning of the process, you may want to record perceived impact. Ongoing monitoring of the policy will allow you to measure the actual impact of the policy.)

Protected characteristic	Impact (positive/negative/neutral)	Please provide more information
Age	Neutral	<p>There is no evidence or information to suggest at present that specific equality groups are differentially impacted by SQA's approach to the management of SARs in relation to marked examination scripts.</p> <p>Where evidence or information is made available, including an increase in SARs, SQA will review its decision. Furthermore, SQA will review its decision in light of any legislative changes.</p> <p>SQA provides other avenues of information to learners which is outlined in this document</p>
Disability	Neutral	As above
Marriage or civil partnership	Neutral	As above
Race	Neutral	As above
Religion, belief or non-belief	Neutral	As above
Sexual orientation	Neutral	As above
Gender re-assignment (gender identity and transgender)	Neutral	As above
Pregnancy/maternity	Neutral	As above
Sex	Neutral	As above
Care experience (where relevant)	Neutral	As above

6 What arrangements could be implemented to reduce or mitigate any potential adverse or negative impacts identified above?

While it is noted that there is a neutral impact on equality groups, SQA does provide information and support to learners in other forms and in exceptional situations SQA will provide marked examination scripts in the interests of learner welfare and/or legal obligation:

- Where a learner expresses concerns about their own, or another person's, wellbeing, or welfare SQA will provide evidence to the Police, Social Services or to the learner's centre
- Where a learner submits a SAR or Freedom of Information Request (FOI), while the learner will not receive their marked examination script, the learner will be provided with further information. As part of a SAR, SQA provides to learners:

Front and back pages of the assignment flyleaf

Front and back pages of the question paper

Music mark sheets if applicable

Navigator screens (details learner entry and result information)

Results processing screens (details learner entry and component mark information)

Assessment Arrangements Request Checklist

PRS screens (detailing PRS request information and result)

- Learners are or can be provided with pieces of assessed coursework with redaction of any marking information. The information that is redacted is any personal marker details e.g. marker name, marker number and any comments written by the marker in relation to the marking of the material.
- Learner/ learner representatives or centres, who meet eligibility criteria are able, to address perceived issues or imbalances in the marking process through a range of post results services
- Learners/ learner representatives or centres are able, depending on circumstances have the right to submit appeals to SQA, for the decisions outlined in SQA's Appeals Process.

7 If you are proceeding with a decision that may have a negative impact despite the mitigatory arrangements identified, are you satisfied that this is objectively justified, ie a proportionate means of achieving a legitimate aim? Please provide explanatory details.

SQA acknowledges that there could be a differential impact on learners from certain equality groups; however, SQA is not aware of or in receipt of any evidence to suggest this.

Furthermore, to support learners understanding of their marked examination scripts, SQA provides information through SARs. For learner welfare/ legal obligation issues we do ensure that all materials are provided to relevant authorities, when required, and for requests outwith marked examination scripts, further information about a learner's results can be provided as detailed above.

General Equality Duty: eliminate discrimination, advance equality; foster good relations

8 Could this policy be revised or changed to better meet the general equality duty?

SQA will ensure that it takes into consideration any identifiable patterns in requests for marked examination scripts. Further that it will respond to any changes to legislation.

9 Has there been consultation/is consultation planned with people who will be affected by this policy/procedure/project/decision? Please detail below how this has affected your decision making.

No consultation planned.

10 How will this policy be monitored and evaluated?

While no consultation or monitoring is planned to specifically evaluate the impact of the policy SQA will review this policy in light of changes to legislation and identifiable patterns in SAR received which is outlined in our actions below.

Action plan

Action:	Owners:	Dates:
Monitoring of changes to Data Protection legislation in conjunction with Data Protection team.	ADS/ Data Gov Team	Ongoing Review 21/01/23
Monitoring of repeated requests for marked examination scripts through SAR or FOI channels, also in conjunction with Data Protection team.	ADS/ Data Gov Team	Ongoing 21/01/23

Approval and publication

Completed equality impact assessments will be published on SQA's website. As such, they must:

- ◆ be discussed and approved
- ◆ be sent electronically to equality@sqa.org.uk
- ◆ have actions identified, recorded and monitored as part of SQA's equality action plan

Summary of the Public Sector Equality Duty (PSED) of the Equality Act 2010

Components

A public authority must, in the exercise of its functions, have **due regard** to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act (**Fairness**)
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (**Opportunity**)
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it (**Respect**)

Due regard

Regarding (b) **Opportunity**, having due regard specifically involves taking steps to:

- a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic*
- b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of the persons who do not share it
- c) Encourage persons who share a relevant protected characteristic to participate in public life or any other activity in which participation by such persons is disproportionately low

Regarding (c) **Respect**, having due regard specifically involves taking steps to:

- a) Tackle prejudice
- b) Promote understanding

*Due regard comprises two linked elements: proportionality and relevance. The weight that public authorities give to equality should be proportionate to how relevant a particular function is to equality. In short, the more relevant a policy, procedure or practice is to equality and people, then the greater the regard that should be paid.

Protected characteristics

The protected characteristics are:

- ◆ Age
- ◆ Marriage and Civil Partnership**
- ◆ Religion or Belief
- ◆ Disability
- ◆ Pregnancy and Maternity
- ◆ Sex

General Equality Duty: eliminate discrimination, advance equality; foster good relations

- ◆ Gender Re-assignment
- ◆ Race
- ◆ Sexual Orientation

**Although marriage and civil partnership applies to section a) in employment only, this will be considered for all stakeholders.