

Material for FOI 20

“Internal comms regarding/referring to responses to, or analysis of, the responses to the SQA appeals consultation, the details of which are now published on the SQA website: <https://www.sqa.org.uk/sqa/79049.html>

The time frame for this request is 1/3/2021 - 2/6/2021”

Table of Material – NB: email correspondence from page 8.

All '[REDACTED]' are staff/stakeholder personal details (s.38 exemption). Senior SQA staff names have been left unredacted.

Date	Document	Text	Notes
16/03/2021	Meeting Actions	SB added that the Consultation was published last Friday 12/03/2021 and 80 responses have been received so far.	
16/03/2021	Minutes	It was noted that the consultation was published on Friday 12 March and responses are being received. Midnight on Friday 26 March is the cut off date for responses to the consultation.	
24/03/2021	Minutes	It was noted that the consultation runs to the end of this week. Over 500 responses so far – 17 learners, 20 organisations (mainly schools), 10 other individuals, 74 parents and carers, 397 teachers, 4 lecturers and 8 undisclosed. It was noted a limitation with the consultation response text field and it was either going to be expanded or a maximum word count warning be put in place. SB and [REDACTED] have a meeting tomorrow with the researchers to discuss the expectations around the analysis and feedback in the coming weeks.	
24/03/2021	Minutes	[REDACTED] noted that there are many responses to one question on the consultation, they are not talking about the characteristics that are protected on the equality act, they are talking about socioeconomic characteristics.	

30/03/2021	Meeting Actions	SB informed that since the last Programme Board, the Consultation had closed. We have received 1,110 responses which are now being analysed to help shape an Appeals model.	
31/03/2021	Minutes	SB explained that the consultation ran for a two-week period. There were 1110 responses in total, with the vast majority being from teachers. Analysis work on the consultation responses is currently underway and the responses have been prioritised.	
31/03/2021	Minutes	SB explained that the consultation ran for two weeks and closed COB Friday (26/03). There were 1110 responses in total, with the vast majority being from teachers. The research team are currently analysing and coding the responses. It was noted that there were not many responses from colleges in response to the consultation	
07/04/2021	Minutes	It was agreed with the research team the order of analysis and they have sent through detailed analysis of the first substantial question in the consultation.	
08/04/2021	Minutes	The public consultation closed Friday 26 March and research colleagues are currently analysing the responses.	

13/04/2021	Meeting Actions	SB informed the main activity has been around the Consultation and analysis of 1,100 responses	
13/04/2021	Minutes	Analysis is ongoing and is expected to be finished by the end of this week.	
14/04/2021	Minutes	Completion of the analysis is expected by the end of this week	
14/04/2021	Minutes	[REDACTED] noted that the Children's Commissioner responded to the consultation and it was noted that there is a difference between their understandings of our obligations in law and our legal advisors view of those. A letter has gone back to the commissioner to ask for their feedback on this and we will await their response.	
15/04/2021	Minutes	Consultation response analysis is expected to complete at the end of this week There are a range of views from the responses that require to be worked through	
21/04/2021	Minutes	[REDACTED] highlighted the consultation analysis chapters have been completed and would be shared with the group soon, potentially next week.	

22/04/2021	Appeals Model	<p>Public consultation</p> <p>Feedback on SQA's draft proposals was gathered via a consultation questionnaire with nine substantive questions, which focused on:</p> <p>How learners can be supported in deciding whether or not to make an appeal How the appeals process should best be managed between centres and SQA The parameters of the appeals process and the grounds for appeal SQA's public sector equality duty</p>	
22/04/2021	Appeals Model	The consultation was published on SQA's website and most responses were directly submitted this way, with a small number submitted via email. It was open for responses from 12 March 2021 and closed on 26 March 2021. The full analysis is available in Appendix 1.	Appendix 1 published on SQA website https://www.sqa.org.uk/sqa/files_ccc/nq-appeals-2021-consultation-analysis.pdf
29/04/2021	Minutes	Latest versions of consultation executive summary and Impact assessments issued as supporting papers and referenced as in progress. Feedback welcome	
26/05/2021	Minutes	The verbatim responses can be quite raw and will make uncomfortable reading, so there will be a second review to check for abusive, facetious, or uncomfortable language.	
27/05/2021	Board of Management minute of 18 March 21	The Chief Executive provided the Board with an update on the appeals consultation which had been issued the previous week following discussions at the NQ working group, NQ 2021 group, Qualifications Committee and Board. She noted that the Board would be kept updated as responses were received to inform the development of the draft appeals process.	Board of Management minutes 20210318-board-meeting-minutes.pdf (sqa.org.uk)
27/05/2021	Board of Management Minute of 31 March 21	<p>Mr Baxter provided a brief verbal report to the Board on the appeals consultation which had closed at the end of the previous week. He reported that, although the vast majority of responses received had come from teachers, the consultation had also seen response from learners, parents, and representatives of the Scottish Youth Parliament.</p> <p>Mr Baxter reported that responses were now to be reviewed and recorded, with regular updating to the Board and a draft appeals model would be brought back to the Board through the Advisory Council and Qualifications Committee for discussion before publication and implementation.</p>	Board of Management minutes 20210331-board-meeting-minutes.pdf (sqa.org.uk)

27/05/2021	Board of Management Minute of 15 April 21	Mr Baxter delivered a brief update on the appeals consultation, noting that the review and coding of responses was at an advanced stage. He led the Board through the headlines emerging from the responses and key issues being worked through in the work programme.	Board of Management minutes 20210415-board-meeting-minutes.pdf (sqa.org.uk)
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From: [REDACTED]
Sent: 12 March 2021 16:28
To: Steve Borley <Steve.Borley@sqa.org.uk>; John McMorris <John.McMorris@sqa.org.uk>; [REDACTED]; Stuart McLaren <Stuart.McLaren@sqa.org.uk>; [REDACTED]
Cc: [REDACTED]
Subject: Appeals Consultation Responses

Hi all

Just wanted to give you an initial update on substantive responses to the appeals consultation. So far, we've received a total of 12. Of these 6 were from teachers, 3 from parents/carers, 1 from a learner, 1 from an organisation and 1 did not say. I'll provide a fresh update on Monday morning.

Kind regards

[REDACTED]

From: [REDACTED]

Sent: 15 March 2021 09:15

To: [REDACTED]

Cc: [REDACTED]

Subject: results so far

Hi [REDACTED]

Please find attached the responses so far to the appeals consultation. I have cleansed this slightly by removing the obvious test and nonsense responses, top level stats, it looks like 41 responses to date, mostly from Teachers.

I have also attached the "how to access guide" hopefully this will be able to give you the permissions and information you need to access this information whenever you need. If there's anything else I can help with just let me know.

Thanks

[REDACTED]

From: [REDACTED]

Sent: 15 March 2021 09:40

To: Steve Borley <Steve.Borley@sqa.org.uk>; John McMorris <John.McMorris@sqa.org.uk>; [REDACTED]; Stuart McLaren <Stuart.McLaren@sqa.org.uk>; [REDACTED] [REDACTED] Michael Baxter <Michael.Baxter@sqa.org.uk>

Cc: [REDACTED]

Subject: Appeals Consultation Responses

Hi all

Just to give a fresh update on this. We now have a total of 43 responses, which I think is a good number in that it shows people are engaging with it, but also that we are not getting so many that it would make the analysis problematic. Of those 43, 5 were from learners, 1 was an organisational response, 9 were from parents/carers, and 27 were teachers. 1 respondent declined to answer that question.

I will provide a similar update every weekday morning throughout the consultation process. It should be with you around 9:30 every morning. If you do have any questions about any of this, give me a shout.

Kind regards

[REDACTED]

From: [REDACTED]

Sent: 15 March 2021 15:13

To: Steve Borley <Steve.Borley@sqa.org.uk>; [REDACTED]

Subject: RE: Appeals consultation

Thank you for the prompt response. [REDACTED].

From: Steve Borley <Steve.Borley@sqa.org.uk>

Sent: 15 March 2021 15:08

To: [REDACTED]; [REDACTED]

Subject: RE: Appeals consultation

Hi – anyone can submit a response!

Didn't specifically think of LAs as they're already represented via ADES but if they want to: of course.

Steve

From: [REDACTED]

Sent: 15 March 2021 15:07

To: Steve Borley <Steve.Borley@sqa.org.uk>; [REDACTED]

Subject: FW: Appeals consultation

Hi

Sorry to trouble both of you, but can Local Authorities submit a response? Thanks in advance.

From: [REDACTED]

Sent: 15 March 2021 14:05

To: [REDACTED] [REDACTED]

Subject: Appeals consultation

Hi both

LA contact said the consultation on the appeals process does not invite returns from LAs. Is it not possible?

The survey has this wording – no mention of LAs:

This consultation is open to all our stakeholders, but we particularly welcome the views of learners, parents and carers, practitioners in schools, colleges and training providers, and responses from the users of our qualifications, such as employers and apprenticeship and higher education providers

He would quite like to feedback views but will do that through me if he cannot respond via the survey.

Stay up to date at www.sqa.org.uk/NQ2021

[REDACTED]

.....
From: [REDACTED]

Sent: 18 March 2021 08:45

To: [REDACTED]

Cc: Steve Borley <Steve.Borley@sqa.org.uk>

Subject: RE: Appeals Consultation Responses 17/3

Hi [REDACTED]

From the NQ 2021 Working Group yesterday, there was information that ADES, SCIS and EIS are contacting the members they represent to explain their position in terms of the consultation. I believe each is intending to provide a corporate response, and it seems likely that individual members/ schools will be prompted to respond too.

Thanks and best wishes

[REDACTED]

From: [REDACTED]

Sent: 17 March 2021 17:34

To: [REDACTED] Steve Borley <Steve.Borley@sqa.org.uk>; John McMorris

<John.McMorris@sqa.org.uk>; [REDACTED] Stuart McLaren <Stuart.McLaren@sqa.org.uk

[REDACTED]>; [REDACTED] Michael Baxter <Michael.Baxter@sqa.org.uk>

Subject: Appeals Consultation Responses 17/3

Hi all

Today's update on the appeals consultation numbers. We've now received a total of 158 responses, which is an increase of 30 compared to 24 hours ago. The rate of responses seems to be slowing down. In the preceding 24 hours we had 45, and in the 24 hours before that we had 48.

The breakdown of responses is as follows:

- 14 learners
- 5 organisations
- 3 other individuals
- 37 parents/carers
- 97 teachers
- 2 undisclosed

I hope that is helpful, but please don't hesitate to get in touch if you have any queries.

Kind regards

[REDACTED]

From: Michael Baxter <Michael.Baxter@sqa.org.uk>

Sent: 24 March 2021 11:39

To: Steve Borley <Steve.Borley@sqa.org.uk>

Cc: [REDACTED]

Subject: FW: Appeals Consultation Responses 22/3

Steve

To see attached – EIS response now received

Kind Regards

Mike Baxter

Director of Finance and Corporate Services

From: [REDACTED]

Sent: 24 March 2021 11:35

To: Michael Baxter <Michael.Baxter@sqa.org.uk>

Subject: RE: Appeals Consultation Responses 22/3

Hi Mike

Organisational responses received so far, as requested. I would say we have not yet received anything from groups representing learners, parents or carers. Those received so far seem mostly to come from schools, colleges or trade unions.

Kind regards

[REDACTED]

From: Michael Baxter <Michael.Baxter@sqa.org.uk>

Sent: 24 March 2021 11:00

To: [REDACTED]

Cc: Steve Borley <Steve.Borley@sqa.org.uk>

Subject: RE: Appeals Consultation Responses 22/3

[REDACTED]

Grateful if I can get a cut of the current responses spreadsheet for organisations only please

Kind Regards

Mike Baxter

Director of Finance and Corporate Services

From: [REDACTED]

Sent: 23 March 2021 17:20

To: [REDACTED] Steve Borley <Steve.Borley@sqa.org.uk>; John McMorris <John.McMorris@sqa.org.uk>; [REDACTED] Stuart McLaren <Stuart.McLaren@sqa.org.uk>; [REDACTED] [REDACTED] Michael Baxter <Michael.Baxter@sqa.org.uk>

Subject: RE: Appeals Consultation Responses 22/3

Hi all

We have now received a total of 530 responses to the appeals consultation. That is an increase of 79 in the past 24 hours.

The usual breakdown by respondent type is provided below. The changes since yesterday's email are provided in brackets:

- 17 learners (+1)
- 20 organisations (+6)
- 10 other individuals (+3)
- 74 parents/carers (+6)
- 397 teachers (+60)
- 4 lecturers (+2)
- 8 undisclosed (+1)

Kind regards

[REDACTED]

.....
From: [REDACTED]

Sent: 24 March 2021 17:20

To: Steve Borley <Steve.Borley@sqa.org.uk>; [REDACTED]

Subject: FW: Appeals responses

Hi folks

I've asked the web team to look at how we might publish the responses to the consultation where we have consent to do so. They have come up with two options, which are outlined in the email below. The second approach pretty much mirrors the Scot Gov approach to this. The first approach allows for some greater functionality and different ways of looking at the data. Could we discuss this at our catch-up tomorrow?

Kind regards

[REDACTED]

From: [REDACTED]

Sent: 25 March 2021 09:38

To: Michael Baxter <Michael.Baxter@sqa.org.uk>; [REDACTED]; Steve Borley <Steve.Borley@sqa.org.uk>; John McMorris <John.McMorris@sqa.org.uk>; [REDACTED]; Stuart McLaren <Stuart.McLaren@sqa.org.uk>; [REDACTED] [REDACTED]

Subject: RE: Appeals Consultation Responses 24/3

Hi Mike

The only response we have so far received from NQ2021 members appears to be the response from the EIS. We have also not yet received any response from either CYPCS or EHRC.

Kind regards

[REDACTED]

From: Michael Baxter <Michael.Baxter@sqa.org.uk>

Sent: 25 March 2021 08:59

To: [REDACTED] [REDACTED] Steve Borley <Steve.Borley@sqa.org.uk>; John McMorris <John.McMorris@sqa.org.uk>; [REDACTED] Stuart McLaren <Stuart.McLaren@sqa.org.uk> [REDACTED] [REDACTED]

Subject: RE: Appeals Consultation Responses 24/3

[REDACTED]

Thanks. Numbers and composition were discussed at EMT this morning. Fiona has asked for a cut of the responses from NQ2021 Group member organisations plus regulators (EHRC and CYPCS) in order to gauge responses and inform engagement with the Group.

Kind Regards

Mike Baxter

Director of Finance and Corporate Services

From: [REDACTED]

Sent: 24 March 2021 17:33

To: [REDACTED] Steve Borley <Steve.Borley@sqa.org.uk>; John McMorris <John.McMorris@sqa.org.uk>; [REDACTED] Stuart McLaren <Stuart.McLaren@sqa.org.uk>; [REDACTED] [REDACTED] Michael Baxter <Michael.Baxter@sqa.org.uk>

Subject: Appeals Consultation Responses 24/3

Hi all

We have now received a total of 685 responses to the appeals consultation. That is an increase of 155 in the past 24 hours.

The usual breakdown by respondent type is provided below. The changes since yesterday's email are provided in brackets:

- 17 learners (-)
- 27 organisations (+7)
- 12 other individuals (+2)
- 79 parents/carers (+5)
- 533 teachers (+136)
- 6 lecturers (+2)
- 11 undisclosed (+3)

Kind regards

[REDACTED]

From: [REDACTED]

Sent: 25 March 2021 17:58

To: [REDACTED] Steve Borley <Steve.Borley@sqa.org.uk>; John McMorris

<John.McMorris@sqa.org.uk>; [REDACTED]; Stuart McLaren

<Stuart.McLaren@sqa.org.uk[REDACTED] [REDACTED] Michael Baxter <Michael.Baxter@sqa.org.uk>

Subject: Appeals Consultation Responses 25/3

Hi all

We have now received a total of 825 responses to the appeals consultation. That is an increase of 140 in the past 24 hours.

The usual breakdown by respondent type is provided below. The changes since yesterday's email are provided in brackets:

- 19 learners (+2)
- 41 organisations (+14)
- 12 other individuals (+2)
- 82 parents/carers (+3)
- 650 teachers (+117)
- 7 lecturers (+1)
- 12 undisclosed (+1)

Of the new organisational responses, the only response received today from an NQ21 group member is from ADES. We have not yet received a response from the EHRC or CYPSCS.

Kind regards

[REDACTED]

.....
From: [REDACTED]

Sent: 26 March 2021 17:12

To: [REDACTED]; Steve Borley <Steve.Borley@sqa.org.uk>; John McMorris <John.McMorris@sqa.org.uk>; [REDACTED]; Stuart McLaren <Stuart.McLaren@sqa.org.uk>; [REDACTED] [REDACTED]; Michael Baxter <Michael.Baxter@sqa.org.uk>

Subject: Appeals Consultation Responses 26/3

Hi all

We have now received a total of 1,047 responses to the appeals consultation. That is an increase of 222 in the past 24 hours. We will provide a final update on numbers on Monday morning once the consultation is closed.

The usual breakdown by respondent type is provided below. The changes since yesterday's email are provided in brackets:

- 21 learners (+2)
- 69 organisations (+28)
- 15 other individuals (+3)
- 93 parents/carers (+11)
- 826 teachers (+176)
- 9 lecturers (+2)
- 14 undisclosed (+2)

Of the new organisational responses, the only response received today from an NQ21 group member is from the Scottish Youth Parliament. We have not yet received a response from the EHRC or CYPCS. I've attached a copy of organisational responses for info.

Kind regards

[REDACTED]

.....
From: [REDACTED]

Sent: 29 March 2021 11:11

To: Steve Borley <Steve.Borley@sqa.org.uk>

Subject: RE: Final Appeals Consultation Responses

Just to update, our intention is to analyse the questions relating to models, grounds, no detriment and information for learners first. That will leave the questions on the initial conversation, prioritisation, EQIA/impact (but can share the comments with appropriate colleagues) and volumes of appeals till slightly later.

If that's not ok, could you give me a shout asap.

From: Steve Borley <Steve.Borley@sqa.org.uk>
Sent: 29 March 2021 11:02
To: [REDACTED]
Subject: RE: Final Appeals Consultation Responses

Thanks [REDACTED], that seems like a number in line with our expectations.

Cheers

Steve

From: [REDACTED]
Sent: 29 March 2021 09:36
To: [REDACTED] Steve Borley <Steve.Borley@sqa.org.uk>; John McMorris <John.McMorris@sqa.org.uk>; [REDACTED] Stuart McLaren <Stuart.McLaren@sqa.org.uk>; [REDACTED] [REDACTED] Michael Baxter <Michael.Baxter@sqa.org.uk>
Subject: Final Appeals Consultation Responses

Hi all

In total, we have received 1,110 responses to the appeals consultation. The breakdown is as follows (numbers in brackets are the change since 5pm on Friday).

Learner	23 (+2)
Parent/Carer	104 (+11)
Lecturer	9 (-)
Teacher	869 (+43)
Other Individual	15 (-)
Organisation	75 (+6)
Undisclosed	15 (+1)

This does not include a small number of responses received by email. The consultation is now closed.

I've also attached a readout of the organisational responses for info. Of the last minute organisational responses, the most significant are those from CYCPS and SCIS.

Kind regards

[REDACTED]

From: [REDACTED]
Sent: 31 March 2021 16:59

To: Steve Borley <Steve.Borley@sqa.org.uk>

Subject: Draft Chapter Q6 - Grounds

Hi Steve

Draft chapter on grounds attached. I'd appreciate any comments on the structure, areas that you would want more clarity on, and any unanswered questions you might have.

[REDACTED]

From: [REDACTED]

Sent: 08 April 2021 18:37

To: Steve Borley <Steve.Borley@sqa.org.uk>

Subject: Appeals analysis

Hi Steve

Please find attached analysis for questions 2 (centre-based appeals) and 5 (volume of appeals). I will have question 7 (communication to learners) for you in the morning. It's complete, but just needs some tidying up. More work to follow as outlined on Teams. Happy to chat about any of this if required.

Kind regards

[REDACTED]

From: [REDACTED]

Sent: 12 April 2021 17:53

To: Steve Borley <Steve.Borley@sqa.org.uk>

Subject: Analysis update

Hi Steve

Please find attached the complete draft analysis for questions 2, 3 and 9. As far as I'm aware, you should now have 1-3, 5, 6 and 9.

7 is almost done – [REDACTED] is just tidying up v2 and you should have that when she's next in on Wednesday. If urgent, I can ping over the draft as is. [REDACTED] and [REDACTED] will be doing the rest of question 4 this week, so you should have that hopefully by Thursday night. I will do 8 this week, so you should get that on Friday.

Hope that's all ok. Do give me a shout if you have any questions.

Kind regards

[REDACTED]

From: [REDACTED]

Sent: 13 April 2021 15:25

To: Steve Borley <Steve.Borley@sqa.org.uk>

Subject: RE: More Qs Analysis

Hi

In return, I've attached an expanded draft impact assessment (still v much WIP) in case needed/ helpful for this week and next. It may be important to (a) discuss with Mike whether he's content for us to progress with presenting it in this combined way and (b) socialise as a draft on Teams with RPSS, [REDACTED] and/ or Project Team to expand and improve, as well as informing some of the detailed requirements work – perhaps sooner rather than later?

Thanks and best wishes

[REDACTED]

From: Steve Borley <Steve.Borley@sqa.org.uk>

Sent: 13 April 2021 15:16

To: [REDACTED]

Subject: RE: More Qs Analysis

Hi

Thanks for the start of the comments on the analysis. TBH I was going to leave it to [REDACTED]/ [REDACTED] to worry about wording etc (plus Stuart, John etc.)

I've attached a couple more bits of applying responses to the model.

Steve

From: [REDACTED]

Sent: 13 April 2021 13:03

To: Steve Borley <Steve.Borley@sqa.org.uk>

Subject: RE: More Qs Analysis

Hi

RE SPB I'm thinking specifically draft consultation findings - Directors might want to anticipate when they will get their look over the consultation findings (a) to help with conversations on our outstanding questions and (b) to put forward sanitisation suggestions before it goes to committees, co-creators, public, with assurance that others have looked over before them etc.

Thanks and best wishes

[REDACTED]

From: Steve Borley <Steve.Borley@sqa.org.uk>

Sent: 13 April 2021 12:58

To: [REDACTED]

Subject: RE: More Qs Analysis

Hi

[REDACTED] spoke to [REDACTED] about editing and she preferred to receive all chapters together the an edit, so that's planned in. We can plug [REDACTED] in then too, and I was planning to circ to senior colleagues too. We can slip it to [REDACTED] at the same time. If it is possible to share with groups and committees we can do that too if they are already diarised.

SPB later; do you mean sharing the time line from this morning?

Steve

From: [REDACTED]
Sent: 13 April 2021 12:18
To: Steve Borley <Steve.Borley@sqa.org.uk>
Subject: RE: More Qs Analysis

Thanks for that. I've saved some very light touch thoughts on each of these here:

[REDACTED]

Is Mike up to speed, and do you/ [REDACTED] have a picture of the path for this analysis between these early drafts and publication? Eg editing/ comms colleagues reviewing wording for sensitive phrasing, sharing text or slide summaries with senior colleagues/ committees, legal review? Might SPB find it helpful to have a line of sight on the stages later today?

Thanks and best wishes

[REDACTED]

From: [REDACTED]
Sent: 15 April 2021 11:01
To: Michael Baxter <Michael.Baxter@sqa.org.uk>
Cc: Steve Borley <Steve.Borley@sqa.org.uk>
Subject: RE: Consultation responses
Sensitivity: Confidential

Hi Mike

Files attached, hope this helps. I have confirmed with [REDACTED] that no organisational responses were received from remaining NQ Group members, although we do have responses from individual colleges, local authorities, schools etc. As an example a response was received from Dundee & Angus College where one of the Working Group members is based.

No response from:

- Colleges Scotland
- Education Scotland

- National Parent Forum for Scotland
- Scottish Government
- And naturally SQA

Thanks and best wishes

[REDACTED]

From: Michael Baxter <Michael.Baxter@sqa.org.uk>

Sent: 15 April 2021 09:32

To: [REDACTED]

Cc: Steve Borley <Steve.Borley@sqa.org.uk>

Subject: Consultation responses

[REDACTED]

Fiona has asked for sight of the consultation responses from the NQ Group members and CYPCS. I know you had sent me some individually in a helpful template but grateful if you could collate these and forward to me please.

Thanks in advance

Kind Regards

Mike Baxter

Director of Finance and Corporate Services

From: [REDACTED]

Sent: 16 April 2021 09:55

To: John Meehan <John.Meehan@sqa.org.uk>

Cc: Steve Borley <Steve.Borley@sqa.org.uk>; [REDACTED]

Subject: Appeals Analysis

Hi John

[REDACTED] had asked me to forward on the analysis for question 4 of the appeals consultation, on whether appeals can result in a downgrade, if the evidence supports this, or whether they should be on a no-detriment basis. The initial analysis is attached. I'd say that this has not been through editing at this stage, so there will likely be some changes as a result of that, although they won't affect the broad thrust of the analysis. If you have any questions, do give me a shout.

Kind regards

[REDACTED]

From: [REDACTED]
Sent: 16 April 2021 09:59
To: Steve Borley <Steve.Borley@sqa.org.uk>
Cc: [REDACTED]
Subject: Appeals Analysis - Question 7

Hi folks

Please find attached the final version of the analysis for question 7. That means that everything is now complete, with the exception of question 8, which I shall endeavour to get to you later today.

Kind regards

[REDACTED]

From: [REDACTED]
Sent: 20 April 2021 18:15
To: Steve Borley <Steve.Borley@sqa.org.uk>; [REDACTED]
Subject: Question 8 analysis

Hi all

Please find attached the analysis for question 8. It turned out to be more substantial than I thought it would, as we got a wide variety of responses, and we felt it more appropriate to try and cover all meaningful topics raised, even if they weren't directly related to protected characteristics or a standard interpretation of the public sector equality duty. Please give me a shout if you need anything else on this.

To keep you up to date, the rest of the analysis is now with the editors. We will work on introduction, methodology and Exec Summary over the next week or so, and get them to you and the editors asap.

The web team have been working on the publication of responses and have an initial set up ready to review. I will look at that tomorrow, and share it if I think it's ready.

Kind regards

[REDACTED]

From: [REDACTED]
Sent: 21 April 2021 15:10
To: Fiona Robertson <fiona.robertson@sqa.org.uk>; Jean Blair <Jean.Blair@sqa.org.uk>; Gill Stewart <Gill.Stewart@sqa.org.uk>; John McMorris <John.McMorris@sqa.org.uk>
Cc: Steve Borley <Steve.Borley@sqa.org.uk>; Michael Baxter <Michael.Baxter@sqa.org.uk>
Subject: Early draft appeals consultation analysis for your information
Sensitivity: Confidential

Good afternoon all

With a view to informing SQA's decisions around the appeals model for graded national courses in 2021 in the final crucial days, please find attached an initial draft summary analysis of the consultation responses prepared by research team colleagues.

In parallel the summary is being reviewed by editing team colleagues, and research team colleagues are preparing the remaining introduction, methodology and executive summary sections.

Thanks and best wishes

[REDACTED]

From: [REDACTED]
Sent: 28 April 2021 11:15
To: Steve Borley <Steve.Borley@sqa.org.uk>; [REDACTED]
Subject: Appeals Analysis: Intro & Exec Summary

Hi folks

Please find attached a copy of the Exec Summary and the Introduction to the appeals analysis. These are now with [REDACTED] for editing, and our view is that these two chapters, plus the eight analysis chapters you've already received, will form the complete analysis of the consultation. Happy to chat about any or all of this as required, although I'm on leave tomorrow and Friday.

Kind regards

[REDACTED]

From: [REDACTED]
Sent: 29 April 2021 09:16
To: Steve Borley <Steve.Borley@sqa.org.uk>; [REDACTED]
Cc: [REDACTED]; [REDACTED];
Subject: Appeals Analysis: Executive Summary

Hi [REDACTED] and Steve

Please find an edited version of the Executive Summary attached.

Regards,

[REDACTED]

From: John McMorris <John.McMorris@sqa.org.uk>
Sent: 04 May 2021 18:48
To: Steve Borley <Steve.Borley@sqa.org.uk>
Cc: [REDACTED]

Subject: RE: Appeals Consultation - edited version

Hi Steve

I will read through just now

Thanks John

From: Steve Borley <Steve.Borley@sqa.org.uk>

Sent: 04 May 2021 18:18

To: John McMorris <John.McMorris@sqa.org.uk>

Cc: [REDACTED]

Subject: Appeals Consultation - edited version

Hi there

FYI the edited version of the consultation analysis.

John – obviously [REDACTED] has seen so is aware - but given some of the responses are a bit ‘raw’ (by their nature) I think this needs a senior set of eyes on it before we put it in the bank as ready to share/publish. Are you that man?

Steve

From: [REDACTED]

Sent: 04 May 2021 18:04

To: Steve Borley <Steve.Borley@sqa.org.uk>

Cc: [REDACTED]

Subject: RE: Appeals Analysis: Executive Summary

Hi Steve

I have attached the Appeals Consultation Responses document in Word and in PDF as a backup in case the spacing goes haywire in the Word file (which seems to happen occasionally when using the SQA template).

Just give me a shout if there are any queries or changes you’d like to make.

Best wishes

[REDACTED]

From: Steve Borley <Steve.Borley@sqa.org.uk>

Sent: 29 April 2021 13:57

To: [REDACTED]

Subject: RE: Appeals Analysis: Executive Summary

Hi [REDACTED]

Sorry, I’ve been in meeting after meeting. Thank you so much for this.

Steve

From: [REDACTED]
Sent: 29 April 2021 09:16
To: Steve Borley <Steve.Borley@sqa.org.uk>; [REDACTED]

Cc: [REDACTED] [REDACTED] [REDACTED]

Subject: Appeals Analysis: Executive Summary

Hi [REDACTED] and Steve

Please find an edited version of the Executive Summary attached.

Regards,

[REDACTED]

From: [REDACTED]
Sent: 06 May 2021 16:32
To: [REDACTED] Steve Borley <Steve.Borley@sqa.org.uk>; Stuart McLaren <Stuart.McLaren@sqa.org.uk>
Cc: [REDACTED]
Subject: RE: Appeals Analysis: Executive Summary

Hi [REDACTED]

Many thanks for this. I'm happy with this version as it stands.

Kind regards

[REDACTED]

From: [REDACTED]
Sent: 06 May 2021 15:23
To: Steve Borley <Steve.Borley@sqa.org.uk>; Stuart McLaren <Stuart.McLaren@sqa.org.uk>
Cc: [REDACTED] [REDACTED]

Subject: RE: Appeals Analysis: Executive Summary

Hi all

I'm recirculating the Appeals Consultation Analysis document following some important changes and updates suggested by [REDACTED] – thank you, [REDACTED].

[Please disregard any previous versions].

Best wishes,

[REDACTED]

From: [REDACTED]
Sent: 05 May 2021 14:38
To: Stuart McLaren <Stuart.McLaren@sqa.org.uk>; [REDACTED]
Cc: Steve Borley <Steve.Borley@sqa.org.uk>; [REDACTED]
Subject: RE: Appeals Analysis: Executive Summary

Great! Thanks Stuart and [REDACTED].

I have updated the file to reflect your suggestions below, Stuart. The most recent version of the file is attached.

[@\[REDACTED\]](#) if you spot anything later that you think ought to be changed, just let me know and I can add those into this latest copy.

Best wishes,
[REDACTED]

From: Stuart McLaren <Stuart.McLaren@sqa.org.uk>
Sent: 05 May 2021 14:15
To: [REDACTED] [REDACTED]
Cc: Steve Borley <Steve.Borley@sqa.org.uk>; [REDACTED]
Subject: RE: Appeals Analysis: Executive Summary

Hi [REDACTED]

Exemption applied: s30(b)(ii) – free and frank exchange of views.

Thanks
Stuart

From: [REDACTED]
Sent: 05 May 2021 11:58
To: [REDACTED] Stuart McLaren <Stuart.McLaren@sqa.org.uk>
Cc: Steve Borley <Steve.Borley@sqa.org.uk>; [REDACTED]
Subject: RE: Appeals Analysis: Executive Summary

Hi [REDACTED] and Stuart

Exemption applied: s30(b)(ii) – free and frank exchange of views

Best wishes,
[REDACTED]

From: Steve Borley <Steve.Borley@sqa.org.uk>
Sent: 05 May 2021 08:26
To: [REDACTED] [REDACTED]
Cc: [REDACTED] Stuart McLaren <Stuart.McLaren@sqa.org.uk>
Subject: FW: Appeals Analysis: Executive Summary

Morning folks

Exemption applied: s30(b)(ii) – free and frank exchange of views.

Cheers

Steve

From: [REDACTED]
Sent: 04 May 2021 18:04
To: Steve Borley <Steve.Borley@sqa.org.uk>
Cc: [REDACTED]
Subject: RE: Appeals Analysis: Executive Summary

Hi Steve

I have attached the Appeals Consultation Responses document in Word and in PDF as a backup in case the spacing goes haywire in the Word file (which seems to happen occasionally when using the SQA template).

Just give me a shout if there are any queries or changes you'd like to make.

Best wishes

[REDACTED]

From: Steve Borley <Steve.Borley@sqa.org.uk>
Sent: 29 April 2021 13:57
To: [REDACTED]
Subject: RE: Appeals Analysis: Executive Summary

Hi [REDACTED]

Sorry, I've been in meeting after meeting. Thank you so much for this.

Steve

From: [REDACTED]
Sent: 29 April 2021 09:16
To: Steve Borley <Steve.Borley@sqa.org.uk>; [REDACTED]
Cc: [REDACTED] [REDACTED] [REDACTED]

Subject: Appeals Analysis: Executive Summary

Hi [REDACTED] and Steve

Please find an edited version of the Executive Summary attached.

Regards,

[REDACTED]

From: [REDACTED]

Sent: 27 May 2021 11:32

To: John McMorris <John.McMorris@sqa.org.uk>; [REDACTED]

Cc: [REDACTED] Stuart McLaren <Stuart.McLaren@sqa.org.uk>

Subject: RE: Verbatim appeals consultation responses

Sensitivity: Confidential

Thanks John. I have asked [REDACTED] in the web team to remove these and have noted them on our records.

Regards, [REDACTED]

From: John McMorris <John.McMorris@sqa.org.uk>

Sent: 27 May 2021 11:04

To: [REDACTED] [REDACTED]

Cc: [REDACTED] Stuart McLaren <Stuart.McLaren@sqa.org.uk>

Subject: RE: Verbatim appeals consultation responses

Sensitivity: Confidential

Hi [REDACTED]

Exemption applied: s30(b)(ii) – free and frank exchange of views.

Thanks John

From: [REDACTED]

Sent: 27 May 2021 07:50

To: John McMorris <John.McMorris@sqa.org.uk>; [REDACTED]

Cc: [REDACTED] Stuart McLaren <Stuart.McLaren@sqa.org.uk>

Subject: RE: Verbatim appeals consultation responses

Sensitivity: Confidential

Exemption applied: s30(b)(ii) – free and frank exchange of views.

Regards, [REDACTED]

From: John McMorris <John.McMorris@sqa.org.uk>
Sent: 26 May 2021 20:23
To: [REDACTED] [REDACTED]
Cc: [REDACTED] Stuart McLaren <Stuart.McLaren@sqa.org.uk>
Subject: RE: Verbatim appeals consultation responses
Sensitivity: Confidential

Hi [REDACTED]

I think the following responses are removable:

Row 507 column G – i think this response is outwith the scope of the consultation

Exemption applied: s30(b)(ii) – free and frank exchange of views.

Can you review based on understanding of guidance

Many thanks John

From: John McMorris
Sent: 26 May 2021 12:04
To: [REDACTED] [REDACTED]
Cc: [REDACTED] Stuart McLaren <Stuart.McLaren@sqa.org.uk>
Subject: RE: Verbatim appeals consultation responses
Sensitivity: Confidential

Thanks [REDACTED]

I'm still working through the responses – quite time consuming!

In row 365 column E I note that a teacher is named ([REDACTED]) by the learner – think this should be redacted

Could others work their way through the detail too and let [REDACTED] know if anything comes up that needs reviewed.

Many thanks John

From: [REDACTED]
Sent: 26 May 2021 10:35
To: [REDACTED]
Cc: John McMorris <John.McMorris@sqa.org.uk>; [REDACTED] Stuart McLaren <Stuart.McLaren@sqa.org.uk>
Subject: RE: Verbatim appeals consultation responses
Sensitivity: Confidential

Good morning all,

All respondents' submissions where they have chosen 'publish' should be published whether they have opted for their name to be included or not (notwithstanding the possible need for redaction or removal under discussion).

I attach the responses that are due to be published. As you have said, [REDACTED], there are plenty that express frustration or anger with SQA. For example, a search of 'disgrace' brings up several mentions and one (particularly facetious) response calls for the scrapping of SQA. I think there is only one mention of the CE, calling for her (and John Swinney) to apologise.

The Scottish Government's guidance is here -

<https://www.gov.scot/binaries/content/documents/govscot/publications/foi-eir-release/2019/12/foi-201900009119/documents/foi-201900009119---information-released/foi-201900009119---information-released/govscot%3Adocument/FOI-201900009119%2B-%2BInformation%2BReleased.pdf>

The extracts below may be of use when thinking about robust responses.

The aim of consultation is to illicit the widest range of views and experiences and this means that sometimes strong language and views are included.

The guiding principles are to decide:

- *Whether the comments are within legal bounds ie. do they contravene current legislation such as hate crime. If they are this serious then they should be removed from the consultation and in exceptional cases consideration should be given as to whether they should be reported as a hate crime incident. "A hate incident is any incident that is not a criminal offence, but something which is perceived by the victim or any other person to be motivated by hate or prejudice."*
- *Whether the comments include language that could be read by a range of people (ie think before the tv watershed). Strong language should be redacted if the response is to be published. As a responsible organisation we should moderate the material published and accessed directly from our website. That doesn't prevent people using such language when they submit a response but they are forewarned that such language will be redacted. If respondees wish their full views to be publicly known there are plenty of ways for them to publish them online.*
- *Whether the response solely includes comments that are outwith the scope of the consultation. If this is the case then it is not a valid response and should be excluded.*
- *If a response includes a mix of relevant comments and comments that are outwith scope of consultation but that are likely to be offensive or harmful to some people, then the situation is more challenging. You could redact irrelevant comments as outof-scope but you would need to be sure that you do this for every single out of scope comment made by any respondent, otherwise you are opening yourself up to legal challenge. On a large consultation this would be very difficult. A more pragmatic approach might be to put a warning on the front page/website to alert people to the fact that 'some of the individual responses contain views that people may find disturbing or offensive'*

Extract from Consultation Good Guidance 2010- "The basis of the law of defamation is that a person's character, honour and reputation should be protected. Where a statement is made about a person which is false and derogatory in nature and is made maliciously, then the person concerned may be entitled to damages. Defamatory comments will most commonly be made about an individual. However, it is possible for companies and other corporate bodies to be defamed. Partnerships and voluntary organisations too can be defamed. In general, in the case of non-

individuals the defamatory comments will be along the lines that the body is accused of doing something it is not capable of doing. The test of whether a statement is defamatory is objective – i.e. in the eyes of a reasonable man would the statement lower the estimation of the person among rightthinking members of society. Certain statements will obviously be defamatory. But in other cases it will not be immediately apparent that the person’s character has been impugned unless you know something about the person concerned. For example, the allegation that a person was drunk at the weekend will not be treated with any great caution until one discovers that the person concerned is a policeman who was on duty at the time. A statement will only be defamatory if it is made about an identifiable person or body. If a statement concerns a class of persons and the individual complaining cannot be readily singled out and identified, then the statement cannot be said to defame him personally.”

Regards, [REDACTED]

From: [REDACTED]

Sent: 26 May 2021 10:08

To: [REDACTED]

Cc: John Morris <John.McMorris@sqa.org.uk>; [REDACTED] Stuart McLaren <Stuart.McLaren@sqa.org.uk>

Subject: FW: Verbatim appeals consultation responses

Sensitivity: Confidential

Morning [REDACTED]

Thanks for your help in linking with the web team to answer the questions around screening of verbatim consultation responses ahead of publication, and particularly for standing in when [REDACTED] and Steve are not available. Would you mind please sending through the copy of the responses to those on the distribution list?

I’ve copied below the extract of the SG guidance you’d kindly shared this morning in terms of what can and should be marked ‘do not publish’. You’ll see that John has asked a question on the good practice guidance position in terms of publication of any comments provided without giving the respondent’s name, and you may be able to help with that?

- Disrespectful comments towards other people such as malicious comments or responses that are offensive towards a person’s character
- Offensive comments on the basis of race, religion, sex or gender, nationality, sexuality or other personal characteristics
- Comments relating to an ongoing court case
- Hate speech, obscenity or swearing
- Responses that reveal personal details, such as private addresses, phone numbers, email addresses or other online contact details
- Responses that reveal personal details about a third party
- Comments that break the law such as by condoning illegal activity, making or potentially making defamatory claims and breaking or potentially breaking copyright

- Comments commercialising or advertising products and services if irrelevant to the consultation
- If we find out that a respondent falsely claims to be representing a person or organisation
- If the response is unrelated to the consultation'

Thanks and best wishes

[REDACTED]

From: John McMorris <John.McMorris@sqa.org.uk>

Sent: 26 May 2021 09:38

To [REDACTED] Stuart McLaren <Stuart.McLaren@sqa.org.uk>; [REDACTED]

Subject: RE: Verbatim responses

Sensitivity: Confidential

Hi [REDACTED]

Could I get sent the verbatim responses please – I think we need to review these

Also did we check the guidance as to whether we needed to include anonymised?

Many thanks John

From: [REDACTED]

Sent: 25 May 2021 17:19

To: [REDACTED] John McMorris <John.McMorris@sqa.org.uk>; Michael Baxter <Michael.Baxter@sqa.org.uk>; Fiona Robertson <fiona.robertson@sqa.org.uk>; Stuart McLaren <Stuart.McLaren@sqa.org.uk>

Cc: Liz McGrath <Liz.McGrath@sqa.org.uk>

Subject: Verbatim responses

Sensitivity: Confidential

Hi

Following on from the media handling meeting, web team colleagues have kindly checked the position on publication of verbatim consultation responses in [REDACTED] absence. Scottish Government guidance on good practice in handling publication of responses has been applied, and 'abusive' responses like the one I mentioned were classified as 'do not publish' and removed.

The team has however had to balance the subjectiveness between abusive responses, excluded from publication, and those that reflect frustration or sarcasm and could be embarrassing or uncomfortable for SQA to hear. An example of a response to one of the questions within a broader response that has not been termed abusive and therefore is scheduled for publication is 'SQA approaching the Teflon approach. YOU must take responsibility. My taxes pay your wages so MAN UP and do the job.'

Thanks and best wishes

[REDACTED]

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