

Equality Impact Assessment

Language of Assessment in Units and Qualifications Validated by SQA (Delivered outside the United Kingdom in Languages other than English)

approved by the Qualifications Development Management Team in September 2022.

SQA's legal duties

Section 149 of the of the Equality Act 2010 ("the 2010 Act") 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.

This is referred to as the Public Sector Equality Duty (PSED).

Furthermore, regulation five of the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 ("the 2012 Regulations") provides that SQA has a responsibility to assess the impact of new or modified policies and practices against the three needs of the PSED.

This an EQIA of the Language of Assessment in Units and Qualifications Validated by SQA (delivered outside the United Kingdom in Languages other than English). It applies only to the internal unit assessment of Customised Awards.

Customers in international markets make requests to have SQA Qualifications and Units in languages other than English. These Customised Awards are approved by SQA's Business Case Group, and the language of assessment is set at that point. It is not thereafter possible to assess that Customised Award in a language other than the language originally stated.

This EqIA highlights the key themes and potential impacts on learners and mitigating actions.

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

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

Governing Principle 7 is specifically related to equalities issues and states that: 'SQA will ensure that all qualifications and assessments are as fair and accessible as possible and that the needs of candidates are met in the administration of its assessments.'

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

- ◆ Produce qualifications based on national standards, which are as accessible as possible. We will equality review our qualifications to identify any aspects that might adversely impact learners who share particular protected 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.

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This policy has been updated in line with guidance from an internal working group and to provide greater clarity particularly around the roles and responsibilities of the centre and Awarding Body, and the qualification products to which the policy applies.

This policy is subject to a shorter review period of one year, applied to allow for engagement activity to be undertaken with approved centres to determine if our current policy position on Language of Assessment in Units and Qualifications Validated by SQA (Delivered outside the United Kingdom in Languages other than English) needs to be modified to meet the needs of our centres and learners.

Such engagement and exploratory activity will enable us to establish stakeholder requirements, ensuring that SQA is able to meet these where appropriate, and remain compliant with our self-regulatory obligations (SQA, 2017. *SQA Awarding Body Code of Practice*. Available at: https://www.sqa.org.uk/files_ccc/SQA_Awarding_Body_Code_of_Practice.pdf). SQA Awarding Body undertakes an annual review of compliance against the SQA Code of Practice Governing Principles (GPs), along with a review of compliance for regulated qualification against the Regulators' requirements, using the same process. The identification of relevant evidence is collated by Compliance Co-ordinators in each business area and submitted to the Compliance Team. The evidence is reviewed to identify any gaps in compliance or any risks to non-compliance.

During the revision process an internal Short Life Working Group was formed to review the existing policy and recommend updates to ensure adherence to the various processes during further development of this policy.

Specifically, it was felt important to introduce a section denoting roles and responsibilities of the Awarding Body and of the centre. Responsibilities of the Awarding Body includes duties around certification, Quality Assurance, Validation processes.

Responsibilities of the centre include identifying an appropriate, third-party translator to translate Units and Qualifications into the required language, submitting materials for remote verification to SQA in English or where a verification visit takes places, ensuring that an appropriate translator is available to facilitate that visit. Costs incurred for translation or interpretation fall to the centre.

Customers in international markets make requests to have SQA Qualifications and Units in languages other than English. These Customised Awards are approved by SQA’s Business Case Group, and the language of assessment is set at that point. It is not thereafter possible to assess that Customised Award in a language other than the language originally stated.

Customers who apply to SQA to develop a Customised Award become the sole owner of that qualification if their application is approved. To deliver the Customised Award, they must also be an SQA Approved Centre which means that they are compliant with SQA’s organisational commitments to the Equality Act (2010) and therefore align with our responsibilities around diversity, inclusion, and equality of access.

The decision to approve or decline the development of a Customised Award is a Business Case Group process and is outwith the scope of this policy.

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

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

Action Plan

This section is completed at the end of the Equality Impact Assessment. Due to the importance of embedding equality in SQA through our actions the Action Plan will be the focus and record of ongoing actions.

Agreed Schedule Review Date	Extending out to April 2024 in order to fulfil planned external engagement activities and to ensure that revised policy position and underpinning support is robust and in place.	Additional Schedule Review Date	N/A
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Explain how you will monitor and record the actual impact on equality groups, including how the evidence can be revisited to measure the actual impact.

Required Actions	Owner	Date	Comment & Review
To ensure that the approach to Language of Assessment in Units and Qualifications Validated by SQA (Delivered outside the United Kingdom in Languages other than English) is communicated to all learners and delivering centres effectively. The effective communication of the policy will allow the relevant feedback to reach SQA and on receipt of this feedback SQA will be able to assess impact in the context of PSED and make the adjustments, as necessary.	Research and Policy Manager	April 2024	<p>It has been agreed that all outward facing policies will be published on SQA website. The Policy Steering Group (PSG) is taking this work forward to ensure that a planned and measured approach to this action is taken.</p> <p>Paper presented to Standards & Policy Group in August 2023, and the publication of external facing policies now approved. Process being devised to support this action by wider Policy team.</p>
Consult with SQA International to ensure the policy remains fit for purpose and supports their processes.	Research and Policy Manager	September 2023	<p>Ongoing</p> <p>Ongoing communication with SQA International indicates policy remains fit for purpose and supportive of their functions.</p>
Establish a plan for engagement activity to ensure the policy remains fit for purpose, including equality considerations. On receipt of this feedback SQA will be able to assess impact in the context of PSED and make the adjustments, as necessary.	Research and Policy Manager	September 2023	<p>Ongoing</p> <p>Ongoing communication with SQA International indicates policy remains fit for purpose and supportive of their functions.</p>
Log of all active Customised Award, including those delivered outside the UK in a language other than English	Research and Policy Manager	September 2023	<p>This log is maintained by the Customers Team in SQA's Qualification Portfolio Management team.</p> <p>Log remains up to date and monitored.</p>

Identified Actions	General Equality Duty	Owner	Date	Comment & Review
[LIST]	[CROSS REFERENCE]			

Policy Aims

Name of Policy or practice	Language of Assessment in Units and Qualifications Validated by SQA (Delivered outside the United Kingdom in Languages other than English)
New Policy or Revision	Policy Revision
Name of Policy Owner	Director of Policy, Analysis and Standards
Date Policy Owner Confirmed Completion	15 September 2022

What is the rationale for this policy or practice?
<p>SQA must ensure that the assessment of our qualifications is valued and credible with users, partner organisations and the wider community as is set out in our Guide to Assessment (SQA, 2019. Available at: https://www.sqa.org.uk/files_ccc/Guide_To_Assessment.pdf) and establish through SQA's Code of Practice and described within the Governing Principles (SQA, 2017. Available at: https://www.sqa.org.uk/files_ccc/SQA_Awarding_Body_Code_of_Practice.pdf).</p> <p>Customers in international markets make requests to have SQA Qualifications and Units in languages other than English. These Customised Awards are approved by SQA's Business Case Group, and the language of assessment is set at that point. It is not thereafter possible to assess that Customised Award in a language other than the language originally stated.</p> <p>The Units and Qualifications will be validated by SQA and assessed in languages other than English where candidates undertake their assessment outside the United Kingdom.</p>

SQA's Governing Principles govern how SQA meets its statutory duties and self-regulates its activities. The Language of Assessment in Units and Qualifications Validated by SQA (Delivered outside the United Kingdom in Languages other than English) policy supports the following Governing Principles:

Governing Principle 1: SQA will ensure that all processes for the development of qualifications, assessments and the maintenance of standards are as open and transparent as possible.

Governing Principle 7: 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.

What evidence is there to support the implementation or development of this policy or practice?

This policy ensures that SQA remains compliant with our self-regulatory obligation in offering Customised Awards to our International market where Business Cases are submitted.

SQA's Qualification Portfolio Management Team monitor all Customised Awards including those delivered in languages other than English.

The Opportunity Appraisal team log all requests for Customised Awards for delivery and certification in another language, regardless of whether they proceed to development or not. This log will be used as part of the monitoring of this policy, comparing the language of assessment with the language common/ main language of use in that country. From 2017, SQA have received five requests from five different customers to develop Customised Awards in five different languages:

1. Spanish
2. Greek
3. Hindi
4. Arabic
5. Mandarin

What are the aims of this policy or practice?

SQA must ensure that the assessment of our qualifications is valued and credible with users, partner organisations and the wider community as is set out in our Guide to Assessment (SQA, 2019. Available at: https://www.sqa.org.uk/files_ccc/Guide_To_Assessment.pdf) and establish through SQA's Code of Practice and described within the Governing Principles (SQA, 2017. Available at: https://www.sqa.org.uk/files_ccc/SQA_Awarding_Body_Code_of_Practice.pdf).

Customers in international markets make requests to have SQA Qualifications and Units in languages other than English. These Customised Awards are approved by SQA's Business Case Group, and the language of assessment is set at that point. It is not thereafter possible to assess that Customised Award in a language other than the language originally stated.

The Units and Qualifications will be validated by SQA and assessed in languages other than English where candidates undertake their assessment outside the United Kingdom.

Paper certificates and any electronic statements of certification will clearly indicate where the assessment took place in a language other than English. This will be done by including a recognition statement. This recognition statement will be generic and will not identify which language the assessment took place in.

The recognition statement will clearly state that assessment did not take place in English. It is a generic statement for ease of certification, as this is not a manual process. Theoretically, the alternative would require a manual work around for every candidate certificate. Whilst we only have a few of these Customised Awards at the moment that could change.

The aim of the policy is to facilitate these processes and ensure they fall within SQA's remit and comply with its obligations.

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

The policy applies equally to all learners outside of the United Kingdom to ensure a consistency of approach that aims to maximise fairness to all groups of learners including equality groups. As the policy relates to learners outside of the UK, the learners would either be those with origin other than the UK, or people from the UK living overseas.

Language of assessment must match the language of instruction. Language is often linked to country of origin which is protected under the protected characteristic of race.

Customers in international markets make requests to have SQA Qualifications and Units in languages other than English. These Customised Awards are approved by SQA's Business Case Group, and the language of assessment is set at that point. It is not thereafter possible to assess that Customised Award in a language other than the language originally stated.

When a Customised Award is developed it is done so in line with the specifications of the international customer. This means the content of the qualification can be tailored in line with the culture and practices of that country. This mitigates against the risk that SQA inadvertently imposes western practices or ideas into the delivery or assessment of these Customised Awards.

Customers who apply to SQA to develop a Customised Award become the sole owner of that qualification if their application is approved. To deliver the Customised Award, they must also be an SQA Approved Centre which means that they are compliant with SQA's organisational commitments to the Equality Act (2010) and therefore align with our responsibilities around diversity, inclusion, and equality of access.

Our Language of Assessment in Units and Qualifications Validated by SQA (Delivered outside the United Kingdom in Languages other than English) policy may have a positive impact on international learners by making a qualification available to them in the language they receive their instruction in.

Evidence, Consultation and Engagement

What stakeholders have you engaged with in the development of this policy or practice?	
<p>To review this policy a short life working group (SLWG) was established from across SQA. The SLWG was formed of staff members with responsibility and expertise in:</p> <p>Research and Policy for Vocational Qualifications Qualification Development for high volume vocational sectors SQA International Regional Managers SQA Operations Assessment Arrangements Equalities.</p> <p>SLWG recommended more clarity on roles of centre versus Awarding Body and including links to other Language of Assessment Policies for ease of access.</p>	

What evidence about equality groups do you have to support this assessment?	
Age	We do not collect this data on learners.
Disability	We do not collect this data on learners
Race	<p>We do not collect this data on these learners.</p> <p>Customised Awards once approved belong to the organisation who applied to SQA to develop and deliver them. They must be an SQA approved centre but the learners undertaking these qualifications are not SQA learners.</p> <p>As we might expect, language of assessment should reflect the language of instruction in the interests of fairness to the learner. Research from around the world (Removing language barriers in learning assessments: NEQMAP thematic review - UNESCO Digital Library, The Impact of Language of Instruction in Schools on Student Achievement: Evidence from Malaysia Using the Synthetic Control Method (worldbank.org)) has shown that students who learn and are assessed in their first language outperform students who are assessed in additional languages.</p>

	<p>SQA's Qualification Portfolio Management Team monitor all Customised Awards including those delivered in languages other than English.</p> <p>From 2017, SQA have received five requests from five different customers to develop Customised Awards in five different languages:</p> <ol style="list-style-type: none"> 1. Spanish 2. Greek 3. Hindi 4. Arabic 5. Mandarin
Religion or Belief	We do not collect this data on learners
Sex	We do not collect this data on learners
Sexual Orientation	We do not collect this data on learners
Gender Re-assignment (Gender identity and transgender)	We do not collect this data on learners
Marriage/Civil Partnership	We do not collect this data on learners
Pregnancy / Maternity	We do not collect this data on learners
Care experience (where relevant)	We do not collect this data on learners

Impact and Opportunities for Action

The impact that a policy or practice has on an equality group may be different and this requires to be recorded. The impact may not always be negative. Actions are taken to address any differential impact, and include actions to mitigate against any negative impact, to advance equality and to foster good relations between groups.

Each section contains questions for each equality group. These questions are here to support consideration; however, you can provide further detail. Focus initially on the equality groups that would be affected by this policy. If you do not consider that certain equality groups would be affected by this policy, you may leave these sections.

Protected Characteristic	General Equality Duty
Age	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	No impacts can be identified based on age.
	Advance equality of opportunity
	No impacts can be identified based on age.
	Foster good relations
Protected Characteristic	General Equality Duty
Disability	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	No impacts can be identified based on disability.
	Advance equality of opportunity
	If demand required it, SQA could consider making Customised Awards available in sign languages used in other countries through this process.

	Foster good relations
	No impacts can be identified based on age.
Protected Characteristic	General Equality Duty
Race	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	<p>Positive Impact – Customised Awards are approved by SQA’s Business Case Group, and the language of assessment is set at that point. It is not thereafter possible to assess that Customised Award in a language other than the language originally stated. The positive impact here is that the language of assessment and language of instruction are likely to be tailored to their first/common language, which (as the evidence above shows), has beneficial outcomes for the learners.</p> <p>When a Customised Award is developed it is done so in line with the specifications of the international customer. This means the content of the qualification can be tailored in line with the culture and practices of that country. This mitigates against the risk that SQA inadvertently imposes western practices or ideas into the delivery or assessment of these Customised Awards.</p> <p>Customers who apply to SQA to develop a Customised Award become the sole owner of that qualification if their application is approved. To deliver the Customised Award, they must also be an SQA Approved Centre which means that they are compliant with SQA’s organisational commitments to the Equality Act (2010) and therefore align with our responsibilities around diversity, inclusion, and equality of access.</p> <p>Our Language of Assessment in Units and Qualifications Validated by SQA (Delivered outside the United Kingdom in Languages other than English) policy may have a positive impact on international learners by making a qualification available to them in the language they receive their instruction in.</p>
	Advance equality of opportunity

	The positive impact here is that the language of assessment and language of instruction are likely to be tailored to their first/common language, and this widens participation in a foreign market if that language is widely spoken.
	Foster good relations
	Working collaboratively to develop qualifications provides SQA with the opportunity to share and learn and thereby fostering good relations.
Protected Characteristic	General Equality Duty
Religion or Belief	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	No impacts can be identified based on religion or belief.
	Advance equality of opportunity
	No impacts can be identified based on religion or belief.
	Foster good relations
	No impacts can be identified based on religion or belief.
Protected Characteristic	General Equality Duty
Sex	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	No impacts can be identified based on sex.
	Advance equality of opportunity
	No impacts can be identified based on sex.

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

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

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

Rationale

If you are proceeding with a decision that may have a negative impact and are not putting in place actions to mitigate against this, please explain how this is objectively justified.
Not applicable. This equality impact assessment did not identify negative impacts.