

Equality Impact Assessment (supporting guidance available)

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	May 2023	Additional Schedule Review Date	
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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
Actions taken to monitor the implementation of policy and the impact on equality groups (evidence and consultation).	Senior Operations Manager	31 May 2023	[ONGOING RECORD]
The candidate malpractice process will be monitored regularly based on feedback from affected candidates and centres, with a formal review on an annual basis, to determine whether improvements can be made to the process to ensure it does not negatively impact or disadvantage candidates during the course of the investigation into potential candidate malpractice concerns.	Senior Operations Manager	31 May 2023	

Identified Actions	General Equality Duty	Owner	Date	Comment & Review
SQA will review the accessibility of its 'Malpractice: Information for Centres' guidance to disabled candidates and their parents/guardians/carers and consider whether it would be appropriate to introduce a separate version of this guidance designed specifically with candidates and parents/guardians/carers in mind, using plain English to help them understand the process and their role in SQA and devolved investigations.	advance equality	Senior Operations Manager	31 May 2023	
SQA will review the accessibility of its 'Malpractice: Information for Centres' guidance to candidates where their first language or that of their parents/guardians/carers is not English and consider whether it would be appropriate to introduce a separate version of this guidance designed specifically with candidates and parents/guardians/carers in mind, using plain English to help them understand the process and their role in SQA and devolved investigations.	advance equality	Senior Operations Manager	31 May 2023	

SQA will review the accessibility of its 'Malpractice: Information for Centres' guidance for care experienced young people and their parents/guardians/carers and consider whether it would be appropriate to introduce a separate version of this guidance designed specifically with candidates and parents/guardians/carers in mind, particularly to support care experienced candidates' understanding of the process and their rights, using plain English to help them understand the process and their role in SQA and devolved investigation.	advance equality	Senior Operations Manager	31 May 2023	
Training will be developed and provided to relevant staff in response to the introduction of candidate-centred documents to ensure candidates who may be affected by this process are provided with high quality customer service.	advance equality	Senior Operations Manager	31 May 2023	
Surveys will be issued to candidates and centres affected by the process, to provide feedback on the process. (Once candidate-centred documentation has been produced.)	advance equality	Senior Operations Manager	31 May 2023	
Current information to candidates will be reviewed and SQA will consider the relevancy of producing a Frequently Asked Questions document to alleviate any potential concerns candidates and their parents/guardians/carers may have about the process.	advance equality	Senior Operations Manager	31 May 2023	

Policy Aims

Name of Policy or practice	Candidate Malpractice process (part of <i>Malpractice: Information for Centres</i> document)
New Policy or Revision	Revised
Name of Policy Owner	Head of QA (NQ)/Head of Strategic Planning and Governance Senior Operations Manager (joint policy author)
Date Policy Owner Confirmed Completion	

What is the rationale for this policy or practice?
<p>SQA is a non-departmental public body sponsored by the Scottish Government's Learning Directorate. Our statutory functions are set out mainly in the Education (Scotland) Act 1996. These include:</p> <ul style="list-style-type: none"> .. 'to determine the entitlement of individuals to SQA qualifications and, where a person is so entitled, to award and record such a qualification'; and .. 'to approve education and training establishments as being suitable for presenting persons for SQA qualifications' <p>Ensuring fairness of assessment, which includes preventing and addressing malpractice in the design and delivery of our qualifications and assessments, is fundamental to our purpose, and is the cornerstone of the qualifications system on which learners depend.</p> <p>Where concerns of possible malpractice arise, they must be dealt with, by SQA and by others, sensitively, robustly and above all fairly. These can be difficult situations for the individuals involved. SQA is always focused on maintaining the integrity of certification and ensuring fairness for those involved, particularly any candidates affected. All allegations of malpractice must be investigated consistently, fairly and impartially.</p>
What evidence is there to support the implementation or development of this policy or practice?
Education (Scotland) Act 1996

What are the aims of this policy or practice?

To set out arrangements adopted by SQA and expected by SQA are also implemented by approved centres so that concerns of potential candidate malpractice are handled in a fair and robust way to maintain the integrity of SQA qualifications.

SQA's investigations into potential candidate malpractice concerns are conducted by SQA centres. They take place when SQA has reason to seek assurances about the conduct of candidates within the assessment process.

They involve:

- Initial assessment of available information relating to a concern,
- Correspondence with relevant individuals and organisations,
- Gathering and analysis of evidence
 - Undertaken by an investigation team within the centre, adopting the standards explained by SQA within Malpractice: Information for Centres – Appendix 1 Devolved Investigations,
 - This can include review of records, often written,
 - This can include investigation meetings with the candidate subject to an investigation,
- Decision making by a panel of SQA officers with relevant experience and responsibility.

There are related processes that govern implementation of any required actions determined by the SQA panel, and the processes to appeal the judgements made by the panel. The scope of this assessment does not extend to these related processes.

The team that co-ordinates the handling of concerns of potential candidate malpractice also has responsibility for candidates wishing to appeal a candidate malpractice decision. There are robust arrangements in place for separation of duties to avoid any unfairness arising through conflict of interest.

- Intelligence from appeals of candidate malpractice investigations

The team is able to draw intelligence from any appeals relating to candidate malpractice procedures to identify any barriers within those processes. No specific intelligence of this type has arisen during the last three years.

SQA's 'Malpractice: Information for Centres' guidance document (https://www.sqa.org.uk/sqa/files_ccc/2020-malpractice-information-centres.pdf) provides centres with information on SQA's expectations when conducting devolved investigations which includes standards in practice to ensure the investigation process is fair and robust.

Where candidate malpractice concerns have been identified in the completion of internal assessments, such concerns are investigated internally by the centre in accordance with the centre and/or local authority's internal documented malpractice procedures. SQA is not required to be informed of the outcome for these internal investigations. SQA's guidance document 'Malpractice: Information for Centres' (https://www.sqa.org.uk/sqa/files_ccc/2020-malpractice-information-centres.pdf) provides centres with information on SQA's standards when conducting devolved investigations, including standards in practice to ensure the investigation process is robust, unbiased and fair. Copies of leaflets 'Your National Qualifications 2021-22' (https://www.sqa.org.uk/files_ccc/Your-NQ-2021-22.pdf, previously 'Your Coursework' and 'Your Exams') are issued to each SQA centres. Centre staff are required to distribute copies of this leaflet to all candidates entered for National Qualifications with external assessments before commencing coursework and SQA timetabled exams. This ensures candidates are aware of SQA requirements when producing coursework and expected behaviours in external SQA exams.

SQA staff regularly review the candidate malpractice process against JCQ policies and procedures (<https://www.jcq.org.uk/exams-office/malpractice/>) to ensure SQA's process aligns with those of other awarding bodies within the UK.

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

SQA's candidate malpractice process is applied to candidates who are the subject of or who are engaged in a candidate malpractice investigation. SQA's guidance document is available on the internet and describes the fair and transparent process that SQA adheres to during an investigation and describes the investigation process that centres are to adhere to when an investigation is devolved to a centre to undertake.

SQA undertakes candidate malpractice investigations into National Qualifications external assessments only as have been submitted to SQA for marking. As most candidates entered for National Qualifications, this process impacts candidates attending schools and Colleges, most likely at the age of 18 and under as the main equality group impacted by this process. However, within this equality group there may be candidates who are also part of another equality group including but not limited to disability; race and care experienced.

SQA has considered the impact of this policy on candidates with specific protected characteristics. SQA has taken this approach based on an understanding of the perceived impact on these groups of candidates. Further SQA has considered candidates who are care experienced. In undertaking an equality impact assessment on the candidate malpractice procedure SQA aims to consider if there is a perceived differential impact on these groups of candidates and consider what mitigatory actions SQA may introduce.

Evidence, Consultation and Engagement

What stakeholders have you engaged with in the development of this policy or practice?
Rationale provided below as to approach to review evidence.

What evidence about equality groups do you have to support this assessment?	
Age	<p>Annual candidate malpractice statistics from 2018 to 2020 are available on SQA’s website (https://www.sqa.org.uk/sqa/files_ccc/nq-2018-19-20-candidate-malpractice-data.pdf). The statistical information available is presented according to candidate malpractice categories and penalties. SQA does not record candidate malpractice statistics by subject/level nor is this presented by geographical region or centre to preserve the confidentiality of centre and candidate identities.</p> <p>SQA’s internal records system, APS Navigator, holds information for each candidate in respect of their Scottish Candidate Number (SCN), name, gender and age; SQA does not hold any further information in respect of any other protected characteristics (eg religion, race, disability, relationship status, sex, care experienced etc).</p> <p>Any information held in relation to assessment arrangements, temporary disability arrangements and candidates for whom English is an additional language (EAL) are only collected by SQA to record a candidate’s needs for specific support in external assessments (eg use of a bilingual dictionary for EAL candidates in specified subjects), however this information is not published and is only available to specific colleagues within SQA, where required, to carry out specific duties or tasks. Where a Freedom of Information request is submitted, only high-level data is provided to maintain the confidentiality of candidates’ identities due to the sensitive nature of the data held by SQA.</p> <p>Candidates’ equality data is not collected as part of the candidate malpractice process. In instances where a candidate malpractice concern is considered by SQA’s candidate malpractice panel, panel members are asked to declare any potential conflicts of interest with the centre, or candidates, concerned. The panel are only provided with the candidate’s name and SCN in order to accurately identify evidence while processing the case. Information relating to a candidate’s agreed assessment arrangement for external assessment may be checked internally within the Assessment Arrangements Team where a potential candidate malpractice concern has been raised regarding assessment arrangement support. This information may include information regarding a candidate’s disability or additional support need. To maintain confidentiality</p>
Disability	
Race	
Religion or Belief	
Sex	
Sexual Orientation	
Gender Re-assignment (Gender identity and transgender)	
Marriage/Civil Partnership	
Pregnancy / Maternity	
Care experience (where relevant)	

and the integrity of process, information regarding a candidate's disability or additional support need would not be shared with the panel. For example, where it appears more than one individual has produced written responses for a candidate's coursework or exam, a check would be conducted by SQA staff to confirm whether assessment arrangements, EAL or temporary disability arrangements had been submitted to SQA by the presenting centre. If no requests had been logged with SQA, the relevant centre would be contacted to investigate the concern and report their findings to SQA which would be considered by a candidate malpractice panel to determine whether malpractice had occurred. Where it is found that a centre has failed to follow SQA requirements in respect of provision of assessment arrangements, this could result in a centre malpractice investigation. SQA would seek to minimise any disadvantage to candidates not found to be at fault.

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	<p data-bbox="483 580 2033 683">Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p data-bbox="483 719 1973 890">The candidate malpractice process applies to candidates from all equality groups and does not intend to directly or indirectly discriminate candidates with any protected characteristic. However, as the process applies specifically to external National Qualifications assessments, SQA recognises that the process will have most direct impact on candidates of a younger age group (i.e. 18 and under). SQA does not hold any evidence to demonstrate that the process has a negative impact on affected candidates.</p> <p data-bbox="483 922 2007 1161">SQA has a published guidance document, 'Malpractice: Information for Centres', which is available on SQA's website for centres, candidates, and parents/guardians to understand SQA's process of investigating reported potential concerns of candidate malpractice. The document explains the necessity for a fair and transparent process, and that affected candidates have the right to respond to any allegations made, the right to representation at meetings during the course of the centre's investigation, and the right to appeal any decision reached regarding penalties applied to their awards. Examples of penalties that can be applied to a candidate's award are included as Appendix 2 of the document to ensure a proportionate penalty is applied.</p> <p data-bbox="483 1193 1917 1262">However, it should be noted that the penalty matrix is provided for illustrative purposes only and is used by the candidate malpractice panel as guidance; each concern is considered on its own merits on an individual basis.</p> <p data-bbox="483 1294 2029 1396">Where a devolved investigation into potential candidate malpractice concerns in internal assessments is undertaken, centres carry out this process according to their own devised internal malpractice procedures, or by their local authority where appropriate. SQA acknowledges that the independent investigation process may apply to, and impact, learners</p>

of all ages who undertake any SQA qualification (ie NQ, Higher Nationals and Vocational Qualifications) and that candidates may be negatively impacted if the investigation is not conducted in accordance with SQA requirements and guidance. It is for this reason that centres are encouraged to refer to SQA's guidance (Appendix 1 'SQA Standards for Devolved Investigations' in the document 'Malpractice: Information for Centres') to ensure their investigation are carried out in a robust and equitable manner, free from bias.

Advance equality of opportunity

Although the candidate malpractice process does not intend to directly have a negative impact on candidates with protected characteristics, SQA acknowledges that the process can be viewed as a stressful situation for candidates who may be affected by potential candidate malpractice concerns reported to SQA.

At present, SQA only provides information and guidance on the candidate malpractice process and guidance to centres in the form of the 'Malpractice: Information for Centres' guidance document. To mitigate any potential adverse or negative impact resulting from candidates' potential misunderstanding or lack of awareness of the candidate malpractice process, SQA will review the accessibility of the document and to consider whether it would be appropriate to introduce a separate version of this guidance designed specifically with candidates and parents/guardians/carers in mind. SQA will also review the information made available to candidates and consider producing a Frequently Asked Questions document to make the candidate malpractice process transparent and to alleviate any potential concerns candidates and their parents/guardians/carers may have about the process.

The intention of having a separate document is to support candidates' understanding of the process and their rights, using plain English to help them understand the process and their role in SQA and devolved investigations. The intention would be that the introduction of such documents for candidates and their parents/guardians/carers would be made available alongside the guide for centres on SQA's website. The provision of this document will also allow centres to better support candidates affected by an investigation into candidate malpractice concerns. The introduction of candidate-centred documents will also require providing training for relevant SQA staff to ensure candidates who may be affected by this process are provided with high quality customer service.

	<p style="text-align: center;">Foster good relations</p> <p>This policy outlines the internal and external administrative processes for an SQA candidate malpractice investigation. Embedded within the investigation process are the principles of transparency and fairness. Where an opportunity may exist in the future to advance equality of opportunity for this particular equality group this will be considered.</p>
<p>Protected Characteristic</p>	<p style="text-align: center;">General Equality Duty</p>
<p>Disability</p>	<p style="text-align: center;">Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p>SQA acknowledges that disabled candidates and/or those with additional support needs may be referred through candidate malpractice process due to potential issues with centres failing to adhere to assessment arrangements, however SQA does not collect any specific data to determine whether disabled candidates are more impacted by the documented candidate malpractice process than those in other equality groups. The candidate malpractice process applies to candidates from all equality groups and does not intend to directly discriminate candidates with any particular protected characteristic.</p> <p>SQA's published guidance, 'Malpractice: Information for Centres', which is available on SQA's website for centres, candidates and parents/guardians to access explains the necessity for a fair and transparent process, and that affected candidates have the right to respond to any allegations made, the right to representation at meetings during the course of the centre's investigation, and the right to appeal any decision reached regarding penalties applied to their awards. Examples of penalties that can be applied to a candidate's award are included as Appendix 2 of the document to ensure a proportionate penalty is applied.</p> <p>SQA has an established process in place for staff to make relevant checks on requests for assessment arrangements submitted by the centre where a potential candidate malpractice concern is raised regarding the provision of such support. The centre may be contacted where appropriate to establish whether assessment arrangement support has been made available for a disabled candidate. It should be noted that this information is shared only with SQA colleagues on a need-to-know basis (ie the investigating officer and candidate malpractice panel members).</p>

	<p>Where there is evidence that a centre's assessment arrangement policy and procedures has failed to adhere to SQA's quality assurance requirements, the centre could be subject to a centre malpractice investigation.</p>
	<p>Advance equality of opportunity</p>
	<p>See full approach provided for Age which will also apply here. SQA will review the accessibility of its 'Malpractice: Information for Centres' guidance to disabled candidates and their parents/guardians/carers and consider whether it would be appropriate to introduce a separate version of this guidance designed specifically with candidates and parents/guardians/carers in mind, using plain English to help them understand the process and their role in SQA and devolved investigations.</p>
	<p>Foster good relations</p>
	<p>This policy outlines the internal and external administrative processes for an SQA candidate malpractice investigation. Embedded within the investigation process are the principles of transparency and fairness. Where an opportunity may exist in the future to advance equality of opportunity for this particular equality group this will be considered.</p>
<p>Protected Characteristic</p>	<p>General Equality Duty</p>
<p>Race</p>	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p>

	<p>SQA acknowledges that candidates for whom English is an additional language (EAL) may be referred through candidate malpractice process, potentially as a result of centres failing to adhere to any additional assessment arrangements in place however SQA does not collect any specific data to determine whether EAL candidates are more impacted by the documented candidate malpractice process than those in other equality groups. The candidate malpractice process applies to candidates from all equality groups and does not intend to directly discriminate candidates with any particular protected characteristic.</p> <p>SQA’s published guidance, ‘Malpractice: Information for Centres’, which is available on SQA’s website for centres, candidates and parents/guardians to access explains the necessity for a fair and transparent process, and that affected candidates have the right to respond to any allegations made, the right to representation at meetings during the course of the centre’s investigation, and the right to appeal any decision reached regarding penalties applied to their awards. Examples of penalties that can be applied to a candidate’s award are included as Appendix 2 of the document to ensure a proportionate penalty is applied.</p> <p>SQA has an established process in place for staff to make relevant checks on requests for use of a bilingual dictionary for EAL candidates in external NQ exams submitted by the centre where a potential candidate malpractice concern is raised. It should be noted that this information is shared only with SQA colleagues on a need-to-know basis (ie the investigating officer and candidate malpractice panel members). Where there is evidence that a centre’s assessment arrangement policy and procedures has failed to adhere to SQA’s quality assurance requirements, the centre could be subject to a centre malpractice investigation.</p>
	<p>Advance equality of opportunity</p>
	<p>See detailed approach for Age which will also apply here.</p> <p>SQA will review the accessibility of its ‘Malpractice: Information for Centres’ guidance to candidates within this equality group and their parents/guardians/carers and consider whether it would be appropriate to introduce a separate version of this guidance designed specifically with candidates and parents/guardians/carers in mind, using plain English to help them understand the process and their role in SQA and devolved investigations.</p>
	<p>Foster good relations</p>

	<p>This policy outlines the internal and external administrative processes for an SQA candidate malpractice investigation. Embedded within the investigation process are the principles of transparency and fairness. Where an opportunity may exist in the future to advance equality of opportunity for this particular equality group this will be considered.</p>
<p>Protected Characteristic</p>	<p>General Equality Duty</p>
<p>Religion or Belief</p>	<p>Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p>SQA acknowledges that the candidate malpractice process may have a differential impact on a range of equality groups. The current perceived impact has identified that candidates due to their protected characteristic of age; disability, race and care experienced may be further supported by ensuring there are sufficient measures in place for candidates to fully engage with the investigation process. At this time, it is not considered proportionate to analyse the impact on other equality groups, who may also indirectly benefit from the actions being taken. As a result of further engagement where evidence shows that this equality group may experience a differential impact then additional analysis will be taken.</p> <p>Advance equality of opportunity</p>

	Foster good relations
	Currently no impact identified; however, upon further review and analysis of any relevant there is the opportunity to promoted equality of opportunity or foster good relations we will take action to do so.
Protected Characteristic	General Equality Duty
Sex	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	SQA acknowledges that the candidate malpractice process may have a differential impact on a range of equality groups. The current perceived impact has identified that candidates due to their protected characteristic of age; disability, race and care experienced may be further supported by ensuring there are sufficient measures in place for candidates to fully engage with the investigation process. At this time, it is not considered proportionate to analyse the impact on other equality groups, who may also indirectly benefit from the actions being taken. As a result of further engagement where evidence shows that this equality group may experience a differential impact then additional analysis will be taken.
	Advance equality of opportunity

	Foster good relations
	Currently no impact identified; however, upon further review and analysis of any relevant there is the opportunity to promoted equality of opportunity or foster good relations we will take action to do so.
Protected Characteristic	General Equality Duty
Sexual Orientation	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	SQA acknowledges that the candidate malpractice process may have a differential impact on a range of equality groups. The current perceived impact has identified that candidates due to their protected characteristic of age; disability, race and care experienced may be further supported by ensuring there are sufficient measures in place for candidates to fully engage with the investigation process. At this time, it is not considered proportionate to analyse the impact on other equality groups, who may also indirectly benefit from the actions being taken. As a result of further engagement where evidence shows that this equality group may experience a differential impact then additional analysis will be taken.
	Advance equality of opportunity

	Foster good relations
	Currently no impact identified; however, upon further review and analysis of any relevant there is the opportunity to promoted equality of opportunity or foster good relations we will take action to do so.
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
	SQA acknowledges that the candidate malpractice process may have a differential impact on a range of equality groups. The current perceived impact has identified that candidates due to their protected characteristic of age; disability, race and care experienced may be further supported by ensuring there are sufficient measures in place for candidates to fully engage with the investigation process. At this time, it is not considered proportionate to analyse the impact on other equality groups, who may also indirectly benefit from the actions being taken. As a result of further engagement where evidence shows that this equality group may experience a differential impact then additional analysis will be taken.
	Advance equality of opportunity

	Foster good relations
	Currently no impact identified; however, upon further review and analysis of any relevant there is the opportunity to promoted equality of opportunity or foster good relations we will take action to do so.
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
	SQA acknowledges that the candidate malpractice process may have a differential impact on a range of equality groups. The current perceived impact has identified that candidates due to their protected characteristic of age; disability, race and care experienced may be further supported by ensuring there are sufficient measures in place for candidates to fully engage with the investigation process. At this time, it is not considered proportionate to analyse the impact on other equality groups, who may also indirectly benefit from the actions being taken. As a result of further engagement where evidence shows that this equality group may experience a differential impact then additional analysis will be taken.
	Advance equality of opportunity

	Foster good relations
	Currently no impact identified; however, upon further review and analysis of any relevant there is the opportunity to promoted equality of opportunity or foster good relations we will take action to do so.
Protected Characteristic	General Equality Duty
Pregnancy / Maternity	Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
	SQA acknowledges that the candidate malpractice process may have a differential impact on a range of equality groups. The current perceived impact has identified that candidates due to their protected characteristic of age; disability, race and care experienced may be further supported by ensuring there are sufficient measures in place for candidates to fully engage with the investigation process. At this time, it is not considered proportionate to analyse the impact on other equality groups, who may also indirectly benefit from the actions being taken. As a result of further engagement where evidence shows that this equality group may experience a differential impact then additional analysis will be taken.
	Advance equality of opportunity

	<p style="text-align: center;">Foster good relations</p> <p>Currently no impact identified; however, upon further review and analysis of any relevant there is the opportunity to promoted equality of opportunity or foster good relations we will take action to do so.</p>
Considered by SQA	General Equality Duty
Care experience (where relevant)	<p style="text-align: center;">Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010</p> <p>SQA acknowledges that care experienced candidates may be referred through candidate malpractice process given the age range of care experienced young people who may be SQA candidates, however SQA does not collect any specific data to determine whether these candidates are more impacted by the documented candidate malpractice process than those in other equality groups. The candidate malpractice process applies to candidates from all equality groups and does not intend to directly discriminate candidates with any particular protected characteristic.</p> <p>SQA's published guidance, 'Malpractice: Information for Centres', which is available on SQA's website for centres, candidates and parents/guardians to access explains the necessity for a fair and transparent process, and that affected candidates have the right to respond to any allegations made, the right to representation at meetings during the course</p>

	<p>of the centre's investigation, and the right to appeal any decision reached regarding penalties applied to their awards. Examples of penalties that can be applied to a candidate's award are included as Appendix 2 of the document to ensure a proportionate penalty is applied.</p>
	<p>Advance equality of opportunity</p>
	<p>SQA will review the accessibility of its 'Malpractice: Information for Centres' guidance for care experienced young people and their parents/guardians/carers and consider whether it would be appropriate to introduce a separate version of this guidance designed specifically with candidates and parents/guardians/carers in mind, particularly to support care experienced candidates' understanding of the process and their rights, using plain English to help them understand the process and their role in SQA and devolved investigation.</p>
	<p>Foster good relations</p>
	<p>This policy outlines the internal and external administrative processes for an SQA candidate malpractice investigation. Embedded within the investigation process are the principles of transparency and fairness. Where an opportunity may exist in the future to advance equality of opportunity for this particular equality group this will be considered.</p>

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.

SQA is not currently aware that the candidate malpractice process has any negative impact on candidates who belong to an equality group. However once candidate-centred documentation has been produced, SQA intends to issue surveys to candidates and centres affected by the process, to provide feedback on the process. The feedback and any suggestions SQA receive will help drive potential improvements to the candidate malpractice process, to ensure this is fair and equitable for all candidates, in particular those with protected characteristics, and alleviate any disadvantage or negative impact they may experience while protecting the integrity of SQA's qualifications.