



Equality of access to SQA qualifications

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Why do we need the policy?

As a public authority, SQA is covered not only by the general public sector equality duty (PSED), but also by the Scotland-specific duties under the Equality Act 2010 and the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 as amended. You can find further details on this in section 6.1 of this policy document. As an awarding body we also have specific duties:

- ◆ Our qualifications and assessments cannot be discriminatory.
- ◆ As the appropriate regulator of general qualifications in Scotland, we have a duty to make reasonable adjustments for disabled learners while maintaining the integrity of the qualification, and to specify and publish where reasonable adjustments to National Qualifications cannot be made.
- ◆ Under section 53(7) of the Equality Act 2010, we also have a duty to assist centres with considerations of requests for reasonable adjustments that do not lower a competence standard, or to refuse any requests for reasonable adjustments that lowers a competence standard for vocational and occupational qualifications.

As Scotland's national awarding body and a member of Scottish Government's [Anti-Racism in Education Programme](#), SQA has a responsibility to consider where actions can be taken to address racial inequality by applying [anti-racist curriculum principles](#) to our qualifications and assessments.

Though particular adjustments may focus more visibly on the protected characteristic of disability. It is our duty to ensure that less visible equality groups are considered in our thinking about qualification and assessment. In addition to race, these include age, sex, gender identity, sexual orientation and religion or belief. We aim to disrupt biases and assumptions that encourage inequality and foster good relations for all learners.

The [SQA Awarding Body Code of Practice](#) lays out a set of Governing Principles that govern how we meet our statutory duties and self-regulate our activities. The structure of the Code of Practice reflects both SQA's statutory functions and the Governing Principles.

SQA is an approved awarding body of SQA Accreditation, Ofqual and Qualifications Wales. This means we can offer regulated qualifications accredited by these regulators. For our regulated provision, the following published requirements must be adhered to:

- ◆ [SQA Accreditation's Regulatory Principles](#)
- ◆ [Ofqual's General Conditions of Recognition](#), and
- ◆ [Qualification Wales's Criteria for Recognition](#).

We are committed to ensuring our assessments are fair and equitable for all learners across all our qualifications.

What do we mean by this?

Fairness is achieved when the assessment standard is the same for all learners. This ensures there is a high degree of reliability and validity in the assessment process,

which then produces credible assessment results for our qualifications that are trusted by learners, parents and carers, centres, further and higher education institutions, employers, and training providers.

We aim to achieve fairness by removing any unnecessary barriers in our qualifications and assessments that may prevent a learner from accessing the qualification to demonstrate their attainment because of their protected characteristic. This policy ensures that there is equality of opportunity to SQA qualifications, where discrimination against or disadvantage to any particular group of learners with a protected characteristic is minimised.

While all of our qualifications are covered under the Equality Act 2010, there are different parts of the Act that relate to SQA's duty to consider reasonable adjustments for disabled learners. National Qualifications are general qualifications covered under section 96(7) of the Act, which includes the reasonable adjustment duty for disabled people and the power to specify any reasonable adjustments that cannot be made.

Vocational qualifications (Higher National Qualifications, Scottish Vocational Qualifications and other competence-based qualifications) are covered under section 53, which includes the reasonable adjustment duty for disabled people, but also the statement that, as an awarding body, SQA has a duty not to lower a competence standard.

What does it apply to?

This policy applies to all SQA qualifications (full list is in Appendix 3).

Who is it for?

This policy applies to SQA staff, appointees and members of the public, including, but not limited to:

- ◆ SQA Qualifications Development staff
- ◆ SQA appointees
- ◆ centre staff
- ◆ learners
- ◆ parents, guardians and carers

What support is available?

The Policy, Analysis and Standards Directorate ensures that SQA qualifications meet the requirements of the policy by providing advice and guidance to Qualifications Development colleagues, centres, learners, parents and carers to the following:

- ◆ inclusive, accessible qualifications, based on national standards
- ◆ reliable, valid, fair and accessible assessments
- ◆ assessment arrangements and reasonable adjustments

Further information is also available on SQA's website, including:

- ◆ Specifications on [reasonable adjustments under section 96\(7\) of the Equality Act 2010](#)
- ◆ [quality assurance of a centre's assessment arrangement process](#)
- ◆ SQA Academy courses on [Designing Inclusive Assessment](#) and [Assessment Arrangements](#)
- ◆ SVQ and Regulated Quals in England and Wales guide to reasonable adjustments

You can find a full list of support materials and further information in section 7, 'Further information'.

1 Policy statement

This policy sets out our approach for access to assessment and qualifications.

SQA supports the principle of equal opportunities in employment, education and training, and opposes all forms of discrimination against protected characteristics (which are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation).

Wherever possible, we should consider other factors affecting our learners, such as socio-economic disadvantage, care experience or other circumstances that present barriers to accessing qualifications. Although such factors are not covered specifically by the Equality Act 2010, we recognise that they can have an impact on a learner's ability to achieve qualifications. Our corporate parenting commitment ensures our equality impact assessment process considers the needs of care-experienced young people, by treating care experience as if it were a protected characteristic covered by the Equality Act 2010.

Under the [UNCRC \(Incorporation\) \(Scotland\) Act 2024](#), it is also important to recognise the rights of the child in relation to their access to education, including but not limited to their right to freedom of thought, belief and religion (Article 14), education (Article 28), the goals of education (Article 29) and the rights of children from minority or indigenous groups (Article 30).

To this end, we are committed to promoting and facilitating access to our qualifications.

2 Policy relationship to SQA's Governing Principles

The [SQA Awarding Body Code of Practice](#) lays out a set of Governing Principles that govern how we meet our statutory duties and self-regulate our activities. The structure of the Code of Practice reflects both SQA's statutory functions and the Governing Principles. Specifically, Governing Principles 7 and 13 relate to the aims of this policy:

Governing Principle 7: 'SQA will ensure that all qualifications and assessments are as fair and accessible as possible and that the needs of learners are met in the administration of our assessments.'

Governing Principle 13: 'SQA will ensure that our externally-regulated qualifications and assessments are open to external scrutiny by appropriate bodies.'

3 Responsibilities

SQA staff and appointees

All SQA staff and appointees, at all levels, who are involved in the design, delivery and quality assurance of qualifications and assessments should be familiar with this policy and their responsibilities under the relevant legislation. This will ensure that our qualifications and assessments are as accessible as possible for all learners, including those who experience disadvantage because of their protected characteristics. This includes accessing resources and training that are made available to our staff and appointees.

SQA staff are also required to consider requests from centres regarding assessment arrangements or reasonable adjustments for disabled learners and those with additional support needs in internal and external assessments. Staff members must consider the benefits and risks, and any mitigating actions for negative impacts of each request or alternative options recommended to centres, without changing the assessment standards, required competences or course specifications for each qualification.

The Equalities Team in Policy, Research and Standards are available to provide further support to SQA colleagues.

Centres

We refer to all schools, colleges and training providers approved to deliver SQA qualifications as 'centres'. Centres and local authorities have a duty to provide assessment arrangements for learners with additional support needs under the [Education \(Additional Support for Learning\) \(Scotland\) Act 2009](#). Where applicable, local authorities and education authority schools are also required to meet their PSED under the Equality Act 2010.

Because centres are best placed to identify and establish a learner's needs for support in learning and teaching, we rely on them to submit requests for assessment arrangements to SQA as early in the academic session as possible, with information about the learner's needs, in line with published deadlines. We provide centres with information and guidance on this on the assessment arrangement pages of [our website](#).

Learners, parents and carers

Learners, and where appropriate parents and carers, are encouraged to discuss their individual needs with the centre that enters them for SQA qualifications. As centres know the assessment requirements of our qualifications and each learner that are registered with them, we encourage learners, parents and carers to discuss any queries and concerns about a learner's needs with the centre in the first instance. In the event that the concerns or queries from learners, parents and carers have not been satisfactorily addressed by the centre, SQA may decide to investigate the concerns further

Further information is available to [learners](#), [parents and carers](#) on our website about assessment arrangements.

4 Action

SQA supports the principle of equal opportunities in employment, education and training, and opposes all forms of discrimination on the grounds of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation. As a corporate parent we are also required to consider the needs of care-experienced young people by treating care experience as if it were a protected characteristic covered by the Equality Act 2010. We will also take steps to ensure we listen to the lived experience of learners with protected characteristics to ensure the rights of children under the [UNCRC \(Incorporation\) \(Scotland\) Act 2024](#) are respected. This will be done through engagement with learners from equality groups, or organisations that represent their interests.

4.1 Design of qualifications

We must take every reasonable step to ensure that we produce qualifications based on national standards that are as accessible as possible. We carry out an equality review of our qualifications according to our internal review schedule to ensure they satisfy our PSED (see section 6.1 for further information), and identify any aspects that might have an adverse impact on learners who share the protected characteristic. We aim to remove any adverse impacts where possible and minimise them where it is not possible to remove them altogether. We should make decisions based on evidence gathered on the needs of those with protected characteristics.

4.2 Methods of assessment and quality assurance

We develop methods of assessment and quality assurance that are sensitive to the needs of all learners but do not compromise our overarching aims of fairness and consistency. There are examples of these in the accompanying Equality Impact Assessment (EqIA).

4.3 Assessment arrangements for disabled learners and those with additional support needs

We must take every reasonable step to ensure that we provide assessment arrangements to allow disabled learners and those with additional support needs to access the assessment, without compromising its integrity.

SQA operates on a needs-led model; assessment arrangements and reasonable adjustments are considered based on the individual assessment needs of the learner without compromising the integrity of the qualification. As the centre is best-placed to understand the assessment requirements for each SQA qualification and the needs of the learner, centres play an important role in determining the most appropriate assessment arrangements without compromising the fairness and integrity of our

qualifications. Learners must still be assessed on the skills, knowledge, understanding and competence that form part of the assessment standards for the qualification. The assessment standard and marking criteria cannot be changed as a reasonable adjustment.

For disabled learners, we make reasonable adjustments in accordance with the requirements of the Equality Act 2010. To allow us to consider requests for a reasonable adjustment, we rely on centres contacting us to discuss the needs of individual learners as early as possible, and with plenty of notice before they are required to sit an assessment. It is also important to note that there are [instances](#) in which SQA is not required to make a reasonable adjustment — there is more information about this on [our website](#).

SQA staff have a critical role in ensuring that the process of approving (or refusing) an assessment arrangement is fair and operates with integrity. In reaching a decision about an assessment arrangement or reasonable adjustment, SQA staff take into account the benefits of agreeing to the request, and where a negative impact has been identified, the actions that SQA or the centre can take to mitigate any identified risks that may compromise the integrity of the qualification.

SQA staff take care to ensure that the decision reached does not result in discrimination against an individual on account of their disability. According to the [Equality and Human Rights Commission \(EHRC\)](#), discrimination does not have to be intentional to be unlawful. Further, the EHRC states that ‘it is always lawful to treat a disabled person more favourably than a non-disabled person.’

You can find more information on the four principles that underpin our model for the provision of assessment arrangements in Appendix 1.

5 Compliance

We will review this policy every three years. If we identify a need to review and update the policy before the end of the three-year cycle, we will carry this out to ensure we are considering the needs of learners with protected characteristics.

To comply with the PSED, SQA staff consider all the equality evidence and information on the needs of learners with protected characteristics that is made available to them in their design of qualifications. SQA is guided by requirements under the Equality Act 2010 to consider requests for assessment arrangements and reasonable adjustments based on each disabled learner’s individual needs. We discuss this further in section 6, ‘Relevant legislation’. You can also find further information and guidance relating to this policy in section 7, ‘Further information’.

6 Relevant legislation

6.1 Public Sector Equality Duty (PSED)

As an awarding body, we have a responsibility to have due regard to the following points under the [PSED](#):

- ◆ Eliminate discrimination, harassment and victimisation and other conduct prohibited by the Act.
- ◆ 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.

The Equality Act 2010 explains that having due regard for advancing equality involves:

- ◆ removing or minimising disadvantages experienced by people because of their protected characteristics
- ◆ taking steps to meet the needs of people from protected groups where these are different from the needs of other people
- ◆ encouraging people from protected groups to participate in public life or activities where their participation is disproportionately low

Further, the Act states that meeting different needs involves taking steps to take account of the lived experience of people with protected characteristics. It describes 'fostering good relations' as tackling prejudice and promoting understanding between people from different equality groups. It further states that compliance with the duty may involve treating some people more favourably than others.

Under the Equality Act 2010, SQA must have due regard to the following [protected characteristics](#):

- ◆ age
- ◆ disability
- ◆ gender reassignment
- ◆ marriage and civil partnership
- ◆ pregnancy and maternity
- ◆ race
- ◆ religion or belief
- ◆ sex
- ◆ sexual orientation

To ensure compliance with the PSED, we are required to have arrangements in place to review and revise our policies and practices regularly. When a new policy is introduced or revisions are made to an existing policy or process, owners of the policy are required to assess the impact of the new or revised policy or process against the PSED needs and publish the results of this impact assessment.

While we must have regard for the needs of those with protected characteristics as required by PSED, as the national awarding body of Scotland, section 96(7) of the Equality Act 2010 is clear that we are only required to make reasonable adjustments for disabled learners. The requirement for us to make reasonable adjustments does not apply to other protected characteristics listed above.

6.2 Specifications on reasonable adjustments in National Qualifications in Scotland

Reasonable adjustments are steps taken to avoid a disadvantage to a disabled person. Section 96(7) of the Equality Act 2010 gives SQA, as the appropriate regulator of general qualifications in Scotland, the power to specify and publish where reasonable adjustments to National Qualifications should **not** be made. The National Qualifications in question are:

- ◆ National Courses (National 1 to National 5, Higher, and Advanced Higher)
- ◆ Scottish Baccalaureates
- ◆ all Skills for Work courses
- ◆ non-vocational Awards

SQA consulted on its proposals to exercise this power and made a small number of specifications. These are available on [our website](#). You can also find a report on the outcome of this consultation in section 7, 'Further information'.

6.3 Specifications on reasonable adjustments in regulated qualifications in Scotland and the rest of the United Kingdom

Reasonable adjustments are adjustments made to an assessment for a qualification to enable a disabled learner to demonstrate their knowledge, skills and understanding to the levels of attainment required by the specification for that qualification without compromising its integrity.

For learners who are disabled under the provisions of the Equality Act 2010, a **reasonable adjustment** might be required to compensate for a substantial disadvantage, but there may be other adjustments that need to be made to meet their individual needs.

7 Further information

You can find further information relating to and referenced in this policy through the following links:

- ◆ [Anti-Racism in Education Programme](#)
- ◆ [Assessment Arrangements Explained: Information for centres](#)
- ◆ [Assessment arrangements guide for learners](#)
- ◆ [Assessment Arrangements in National Qualifications: Guide for parents and carers](#)
- ◆ [Assessment Arrangements Toolkit](#)

- ◆ [Equality Act 2010 \(full version\)](#) — sections 53 and 96 apply specifically to qualification bodies, including SQA as Scotland’s awarding body. [Section 53](#) relates to vocational and occupational qualifications whereas [section 96](#) refers to general qualifications such as SQA’s National Qualifications
- ◆ [The Human Rights Act](#)
- ◆ [Principles for an anti-racist curriculum](#)
- ◆ [Public Sector Equality Duty](#)
- ◆ [Section 96 \(7\) Equality Act 2010: Reasonable Adjustments in National Qualifications in Scotland — Report on the Outcome of the Consultation](#)
- ◆ [Specifications on Reasonable Adjustments in National Qualifications in Scotland](#)
- ◆ [SQA Academy Assessment Arrangements course](#)
- ◆ [SQA Academy Designing Inclusive Assessment course](#)
- ◆ [SQA Awarding Body Code of Practice](#)
- ◆ [United Nations Convention on the Rights of the Child \(Incorporation\) \(Scotland\) Act 2024](#)
- ◆ [United Nations Convention on the Rights of the Child \(UNCRC\)](#)
- ◆ [The Children and Young People \(Scotland\) Act 2014](#)

Appendix 1 — Access to assessment: the principles

As the national awarding body for Scotland, we have a responsibility to ensure that assessment leading to certification is rigorous and fair for **all** learners, and that it allows learners to demonstrate the skills, knowledge and understanding required for the qualification. This is why it is important that assessment arrangements are only provided to those learners identified as having a physical (including medical or sensory), behavioural, mental health or learning difficulty that prevents them from accessing an assessment and demonstrating their attainment.

The four key principles that underpin our model for the provision of assessment arrangements focus on the need to remove barriers for disabled learners to provide them with an equal opportunity to access their assessments.

Principle 1: Assessment arrangements are intended to enable learners to demonstrate their attainment, not to compensate for lack of attainment

Assessment arrangements must be considered in the context of the distinction between a learner's attainment and that of their ability to demonstrate their attainment under assessment conditions. They are agreed before an assessment takes place and allow disabled learners to **access** the assessment and show the skills, knowledge and understanding they have acquired.

For example, a learner with an identified reading difficulty may require text-reading software to support decoding written text to access a History assessment and show their skills, knowledge and understanding. However, assessment arrangements cannot be put in place to compensate for a learner who has not been physically able to develop the practical skills in a subject such as Practical Metalwork.

Principle 2: Assessment arrangement must not compromise the integrity of the qualification

Assessment arrangements must be considered in the context of the assessment standards or competence standards for each qualification. Assessment arrangements must not compromise these standards or undermine the integrity of the assessment or the credibility of the award. All relevant stakeholders, including learners, must have confidence that the qualification awarded to a learner provides a reliable indication of their knowledge, skills, understanding and competence.

For example, it is not possible for a scribe to use their discretion with spelling in the Writing component of Modern Languages. Learners are assessed on their ability to spell in the target language, so this would undermine the fundamental assessment objective of the Writing assessment.

Principle 3: Assessment arrangements must be tailored to meet a learner's individual needs

Assessment arrangements must be considered in the context of the individual learner's assessment needs in each subject area, and in different assessments within subject areas.

As part of the overall support offered to them, learners should have an assessment arrangement plan, considered across subjects and courses with similar assessment conditions and demands. Subjects and their methods of assessment may vary, leading to different demands of the learners. This is why you must consider the individual learner's need for assessment arrangements in each subject area, and in different assessments within subject areas in collaboration with the subject specialist, and make a judgement about the difficulties the learner will experience in the specific assessment.

This will require due consideration of the learner's needs in the subject and assessment concerned, and the extent to which the published conditions of assessment may prevent the learner from accessing the assessment to demonstrate their attainment.

For example, a learner with significant writing difficulties might not be at any disadvantage in the multiple-choice question paper in the National 5 Chemistry exam. However, the same learner might have significant difficulties producing an extended written essay in the National 5 History exam.

Principle 4: Assessment arrangements should reflect, as far as possible, the learner's usual way of learning and producing work

Assessment arrangements must be considered in the context of ongoing support the learner needs to access teaching and learning. There should be continuity between the learner's need for support in learning and need for support in assessment. Assessment arrangements that are put in place should, where possible, reflect the ongoing support given to the learner in a learning environment.

For example, if a candidate uses ICT with text reader software regularly in class to overcome specific reading difficulties, this would most likely be the assessment arrangement provided in assessments.

However, there may be situations where a learner's particular type of support provided in the learning environment is not acceptable in an assessment.

For example, a learner who has a language and communication difficulty, and who normally has someone in class explaining words and terms, would not be allowed such support in the external exam.

For this reason, it is very important that learners are aware of, and have practice in, working in a way that reflects what could be permitted as support in the assessment situation.

Appendix 2 — Process for considering reasonable adjustments in National Courses

For disabled learners, as defined under the provisions of the Equality Act 2010, a 'reasonable adjustment' may be required to compensate for a substantial disadvantage. However, centres must be able to demonstrate that they have considered our standard range of assessment arrangements in the first instance to meet the learner's individual needs.

It is important to recognise that some reasonable adjustments may not be permitted in some qualifications. An adjustment cannot be made to the standard of the qualification or the method of assessment where to do so would mean that it did not provide a reliable indication of the learner's knowledge, skills, understanding and competence that are being assessed.

We always consider any request for a reasonable adjustment; however, we cannot always approve it. We are required to take into account:

- ◆ an individual learner's needs
- ◆ the qualification(s) affected
- ◆ the difficulties the learner is experiencing with accessing learning and teaching
- ◆ how the learner is currently being supported in learning and teaching
- ◆ the published assessment conditions for the qualification(s)
- ◆ the knowledge, understanding, skills and competence being assessed, as detailed in the course specification

There are typically three different responses:

- ◆ We may not approve the request because it would undermine the integrity of qualification — for National Courses, this is in line with section 96(7) of the Equality Act 2010.
- ◆ We may discuss the request with the centre to ensure that standard assessment arrangements have been considered. We may also need to contact the centre to discuss modifications to the initial request for a reasonable adjustment that meets the needs of the learner while still maintaining the integrity of our qualification.
- ◆ The request is reasonable and is approved.

These decisions are not made lightly or quickly; they are made by experienced staff across our Qualifications Development, Policy, Analysis and Standards, and Operations Directorates. It is also for this reason that we ask our centres to contact us to discuss a learner's needs for assessment arrangements or a reasonable adjustment as early in the academic year as possible. This is to ensure that a learner is not disadvantaged by any support that is put in place for a learner in a learning and teaching setting that would not be permitted in an internal or external assessment environment.

As each request for a reasonable adjustment is unique to the individual learner's needs, we do not publish these.

Appendix 3 — SQA Qualifications

General Qualifications

General qualifications are covered under section 96 of the Equality Act and contains the reasonable adjustment duty, our general qualifications are

- ◆ National Courses (National 1 to National 5, Higher, and Advanced Higher)
- ◆ Scottish Baccalaureates
- ◆ all Skills for Work courses
- ◆ non-vocational Awards

Vocational Qualifications

Vocational qualifications are covered under section 53 and contains the reasonable adjustment duty, our vocational qualifications are:

- ◆ Higher National Qualifications (HNC and HND) are designed to meet the needs of employers and are developed in partnership with colleges, universities and industry.
- ◆ Advanced Certificates and Diplomas are Higher Education qualifications, meeting the needs of employers and enabling advanced entry into undergraduate degree programmes in universities and higher education institutions across the world.

Group awards

- ◆ **Vocational Awards:** Vocational Qualifications are based on national standards which are drawn up by people from industry, commerce and education. There are SVQs or alternative competence-based qualifications for nearly all occupations in Scotland and the rest of the UK, from forestry to IT, management to catering, journalism to construction.
- ◆ **National Progression Awards:** National Progression Awards are aimed at assessing a defined set of skills and knowledge in specialist vocational areas — linking to National Occupational Standards.
- ◆ **National Certificates:** National Certificates are designed to prepare people for employment, career development or progression to more advanced study at HNC/HND level.
- ◆ **Professional Development Awards:** Professional Development Awards are made up of Units and have specific aims that relate to occupational areas and are linked to National Occupational Standards.
- ◆ **National Workplace Awards:** Awards are practice-based work qualifications for specific sectors, providing skills and recognition for a diverse range of learners.