



SCOTTISH QUALIFICATIONS AUTHORITY

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Policy	<p>This Human Rights Policy and Guidance sets out how SQA will consider human rights issues as part of our international engagement.</p> <p>SQA will undertake a human rights impact assessment for all countries and international organisations we intend to engage with.</p>
Why do we need this policy?	<p>SQA is committed to cultivating and promoting a culture which supports internationally recognised human rights. In all its operations, SQA prioritises engagements which promote human rights and access to education for all. We support the principles contained within the Universal Declaration of Human Rights and the UN Guiding Principles on Business and Human Rights and we expect our business partners/organisations to do the same.</p> <p>SQA will appraise its international business partners' approach to human rights, including any records of human rights breaches. SQA will engage with international business partners on terms which reference and implement these key human rights principles as well as relevant international conventions. SQA applies the Scottish Government's advice and guidance.</p>

	<p>Anyone who receives, requests or is affected by SQA services can make a complaint.</p> <p>SQA's complaints handling procedure</p>
Which parts of SQA are affected?	This policy applies to all operations within SQA and any organisation that delivers SQA services internationally.
What support is available to help SQA implement this policy?	SQA will utilise information held by the Foreign, Commonwealth and Development Office and other reliable international human rights agencies. SQA will subscribe to online alert services provided by these agencies to seek information on live and current human rights issues.

1. Introduction

Scotland's distinctive approach to protecting and promoting human rights, and the action we are taking to fulfil obligations across human rights treaties to which the UK is a party, is reflected in the Scottish Government's response to recommendations issued by the UN Human Rights Council following the Universal Periodic Review of the UK in 2017.

Internationally, SQA seeks to promote democracy, the rule of law and human rights across the world. The way we do this depends on the country in question and the nature of the particular engagement. It must also be borne in mind that countries which are signatories to major international human rights treaties may nevertheless be involved in practices or approaches which go against our core human rights values.

SQA's international engagement is about providing opportunities for individuals to access education as part of exercising their human rights. SQA's international function can be used to help to balance views, support social cohesion and promote Scottish and international values in these countries. SQA will undertake due diligence in all countries we operate in, and with individuals and businesses we engage with. We will also subscribe to the [Foreign, Commonwealth and Development Office](#) (FCDO) and other human rights alert systems for ongoing human rights monitoring.

SQA acknowledges and fully accepts the [United Nations Guiding Principles on Business and Human Rights](#) and the advice and guidance issued by the Scottish Government on human rights. The UN Guiding Principles on Business and Human Rights have emerged as the global standard for management of human rights impacts and the implementation of corporate human rights due diligence as set out in the 'Protect, Respect and Remedy' Framework.

It is important for SQA to ensure that its approach to assessment of the human rights impact of its operations is consistent across SQA.

This combined policy and guidance document has been developed so that we are clear on the process that should be used to consider and respond to the human rights aspects of any international engagement being undertaken by SQA. Individual engagements will differ on a case-by-case basis, so this is not intended to be a one-size-fits-all approach, but an overarching framework of principles to consider.

2. Purpose of policy

This policy has been developed to ensure SQA will consider human rights issues as part of our international engagement. It should be used by staff working on, considering or proposing an engagement or business partnership or visit which is international in nature.

3. What engagements are covered by this policy?

It covers any engagement which has an international character, whether or not the engagement takes place overseas. This might include (but is not limited to):

- ◆ a visit by SQA staff (including appointees) internationally
- ◆ a visit to SQA by an individual or delegation from a foreign government, business, training provider, or other organisation
- ◆ international alternative assessment sites for all existing SQA centres

4. Planning for international engagement

A country human rights impact assessment (HRIA) will be undertaken and considered by the Country and Centre Appraisal Group which will then make a recommendation to the directors for a final decision to engage with that country. This decision will also apply to all SQA partners wishing to offer SQA qualifications in that country.

In approved countries of engagement, it is the responsibility of each director to ensure consideration has been given to human rights issues in terms of this policy for business partnerships and associated individuals for their business area. A human rights impact assessment must be undertaken and approved before any international engagement.

Full consideration must be given to the Foreign, Commonwealth and Development Office and other international human rights agencies for up-to-date information on travel, trade, sanctions and human rights information.

5. Due diligence and human rights impact assessment

Due diligence is one of the tools used by SQA to help identify and manage risks involving partners that could threaten SQA's Governing Principles, reputation or financial stability. The due diligence process has been designed to obtain a level of assurance of a potential partner's capacity and capability in relation to the delivery of SQA qualifications in line with SQA's overarching ethos and Governing Principles. It will enable SQA to identify controls to mitigate identified risks and provide an assessment on the partner as a basis for future partnership considerations.

As part of the overall due diligence process, SQA will undertake an HRIA which considers each partner with which we are proposing to have a business relationship. It is intended that this process will provide assurances that human rights are considered and respected for all concerned.

Analysis and assessment will be made on any human rights issues recorded with the FCDO and other international databases, together with information from other reliable sources and human rights agencies and any mitigating circumstances. This HRIA and overall due diligence will form the basis for approval by directors to engage with the partner.

A significant human rights concern may result in a decision not to enter into the partnership or, in some circumstances, SQA may decide that it is appropriate to

enter the relationship and implement significant mitigation mechanisms in the engagement with the proposed partner initially.

The human rights impact assessment will form part of the overall due diligence process for all partners and organisations.

6. Monitoring of human rights issues

SQA will monitor human rights issues through various UK and international agencies' alert services or complaints. SQA account managers will subscribe to these alerts and escalate to directors for consideration if appropriate.

SQA requires all organisations providing SQA services in an international context to complete a human rights self-declaration on an annual basis.

Where SQA raises an issue relating to human rights with the partner, it may result in the relationship with the partner being terminated. All human rights issues identified in relation to partners will be discussed and recorded with the partners with a view to introducing risk mitigation mechanisms into the relationship if possible.

Human rights policy monitoring with partners will be embedded into our ongoing quality assurance systems arrangement.

All countries and partners that offer SQA services internationally will be re-assessed every three years unless a human rights issue is raised to, or by, SQA.

7. Incidents and risk management

It may be appropriate to suspend or withdraw from a planned international engagement due to a developing human rights situation within a country or partner. Where these situations occur, it is important to seek initial guidance from the FCDO so that relevant information can be considered within the context of any decision.

Where an incident takes place which creates significant human rights concerns around the actions of a particular country or territory, SQA may wish to suspend or withdraw from business activities. However, SQA will create an action plan for existing learners to ensure verification and certification.

Any human rights incident should be reported to SQA directors for consideration of next steps. It is important that:

- ◆ a note of the incident is quickly produced and flagged for consideration
- ◆ individual engagements are carefully assessed on a case-by-case basis
- ◆ once a position is agreed it is clearly and quickly communicated to relevant business areas within SQA and the partner

8. Human rights training

SQA will ensure that, where appropriate, training for staff on human rights issues is provided on a regular basis.

9. Review of policy and procedure

SQA will keep the effectiveness of the policy and procedure under review. The policy and guidance will be reviewed on an annual basis.