✗SQA

2020 Alternative Certification Model:

Child Rights and Wellbeing Impact Assessment

1   Background

The Scottish Qualifications Authority (SQA) was asked to develop an alternative certification model (ACM), following the Scottish Government decision on 19 March 2020 to cancel the annual diet of examinations as a result of the COVD-19 public health emergency. Until late March 2020, it was envisaged that it may have been possible for SQA to receive and mark coursework assessment components. However, public health advice at that point made this no longer feasible or safe.

The alternative certification model was then developed to allow SQA to award graded National Courses in 2020 and to meet our four SQA principles of assessment (validity, reliability, practicability, equity and fairness) over time, across subjects and levels in the absence of any candidate performance assessment information. Graded National Courses cover most National 5, Higher and all Advanced Higher courses.

Centres were requested to submit estimates and rank orders for all graded National Course candidates. It is intended that the impact of the model will be positive and contribute to equality of opportunity. By providing SQA with accurate estimates data based on valid and reliable evidence, awards can be made which will enable learners to celebrate their achievements and progress to the next stage of education, training or employment dependent on attainment in National Qualifications.

The approach is in broad alignment with that taken by other qualification regulators throughout the United Kingdom and in that respect has a key objective to ensure that there is parity of esteem and opportunity between learners in Scotland and in other parts of the UK as a result of the cancellation of examinations and development of alternative certification routes.

This Child Rights and Wellbeing Impact Assessment sets out to assess the impact of the development of the alternative certification model on children and young people. It builds on and should be read alongside the 2020 Alternative Certification Model — Equality Impact Assessment.

2 Stage 1: Screening

SQA was asked by the Scottish Government to develop an alternative certification model, following the Scottish Government decision on 19 March 2020 to cancel the annual diet of examinations as a result of the COVD-19 public health emergency.

SQA understands that a child means every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier. It also understands that its corporate parenting responsibilities under the Children and Young People (S) Act 2014 not only apply to children who are looked after by local authorities but also to young people up to the age of 26 who were looked after at age 16 or later.

Although the decision to cancel the 2020 diet of examinations was not made by SQA it is recognised that this decision may impact on the rights of children and young people. The focus of this impact assessment is on the development and implementation of the alternative certification model.

3 Stage 2: Scoping

The following UN Convention on the Rights of the Child (UNCRC) articles are considered relevant.

Article 2   Non-discrimination

Article 2 states all children have the rights set out in the UNCRC, and individual children and young people shouldn't be discriminated against when these rights are realised. This covers both direct and indirect discrimination.

Article 2 also deals with discrimination based on most of the protected characteristics covered by the Equality Act 2010, but it is not identical. For example, it deals with discrimination based on the characteristics and political opinions of a child's parents and guardians and on 'activities' and 'property'.

SQA is required to assess the impact of applying the alternative certification model against the needs set out in the public sector equality duty. This duty requires SQA to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Equality Act 2010
- advance equality of opportunity between people who share a protected characteristic and people who do not, and
- foster good relations between people who share a protected characteristic and people who do not

A full equality impact assessment on the alternative certification model was carried out and was published on 4 August 2020. The steps outlined in the 2020 Alternative Certification Model Equality Impact Assessment to mitigate the risks of bias and discrimination similarly are intended to protect children from risks of bias and discrimination on grounds going beyond the protected characteristics in the Equality Act 2010 and including those referred to in article 2 of the UNCRC.

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Article 3   Best interests of the child

> Article 3 states that the interests of children and young people should be thought about at all levels of society, and that their rights should be respected by people in power. In other words, it says adults should think about the best interests of children and young people when making choices that affect them.

As noted above, while not all candidates are children and young people, the majority each year, are. The development of the alternative certification model was informed by the following three principles:

♦ fairness to all learners
♦ safe and secure certification of qualifications, while following the latest public health advice
♦ maintaining the integrity and credibility of the qualifications system, ensuring that standards are maintained over time, in the interest of learners

Article 12   Right to be listened to and taken seriously

> Article 12 recognises that children and young people do not have as much power as adults but states they still have the human right to have opinions and for these opinions to be heard and taken seriously.

Our engagement with the Children and Young Person's Commissioner and the process of undertaking this impact assessment has been informative and has allowed us to reflect on our approach to engaging with children and young people for the future.

Additionally, SQA engaged with the Scottish Youth Parliament to gain the views of a diverse range of young people as part of SQA's equality impact assessment on its alternative certification model and on other themes such as the impact that enforced home learning has had on learners and the future of assessment. This engagement included representation from 26 constituencies, 19 local authorities and 3 national youth work organisations. This took place in June 2020 and while it did not contribute to the technical work around the development of the alternative certification model or with supporting schools and colleges to estimate candidate abilities, it was an important contribution to future stages of the 2020 model and to planning for the 2021 examination diet.

An appeals (post-certification review) process is a key part of the alternative certification model. It is available where a candidate's awarded grade is lower than the grade estimated by the centre and where there is evidence to support a case for review. In addition, exceptional consideration arrangements are in place to address any cases of discrimination in the original estimation by centres. In all cases, the consent of the candidate is required before any review is requested.

In addition, SQA has a complaints process that is open to children. This process is in line with the model complaints-handling process as prescribed by the Scottish Public Services Ombudsman and allows for individual children to express dissatisfaction about SQA's action or lack of action, or about the standard of service provided by or on behalf of SQA. This is an

important way in which children have a voice about matters that affect them in relation to SQA.

Article 17   Right to information

> Article 17 of the UNCRC states that children and young people should be able to access information. The article is principally about the mass media but SQA recognises that the information it produces contributes to the fulfilment of article 17.

SQA provided regular updates on our website following the Scottish Government's decision to cancel the 2020 diet of examinations, the development of our alternative certification model and subsequent appeals (post-certification review) process. This included a focus on communication to young people, through a variety of channels. More information on the information provided to candidates and other stakeholders may be found on SQA's web page 2020 Qualifications - your questions answered.

Article 28   Right to education

> Article 28 of the UNCRC says that children and young people have the right to education no matter who they are: regardless of race, gender or disability; if they're in detention, or if they're a refugee.

SQA does not determine the right to education in Scotland but it does have a responsibility to provide assessment and certification of its qualifications for learners in 2020 as a result of the COVID-19 public health emergency. The alternative certification model and the measures introduced to support the assessment and certification of a wider range of SQA qualifications were introduced to meet this need, and to ensure that the achievements of young people were recognised through our qualifications system in this extraordinary year.

4   Stage 3: Evidence

A wide range of evidence was considered in the development of the alternative certification model. This may be found in Appendix 1. Additionally, SQA regularly reviewed related activity undertaken by qualification regulators throughout the United Kingdom, monitored media activity and commissioned external assessment expertise.

5   Stage 4: Impact

The Scottish Government's decision to close schools and subsequently cancel the annual diet of examinations as a result of the unprecedented COVD-19 public health emergency is acknowledged to have had a significant impact on children and young people, both on their

rights such as the right to education and, due to concerns around their qualification attainment, on their mental health and well-being.

As requested by the Scottish Government, SQA developed the alternative certification model, and introduced measures in relation to non-examination qualifications, to minimise the impact on the full range of candidates undertaking SQA qualifications in 2020.

Undertaking this Child Rights and Wellbeing Impact Assessment has indicated the need to continue to strengthen our engagement with children and young people in the future. At present, SQA has two young people as members of our Qualifications Committee, a sub-committee of SQA's Board of Management which oversees SQA's qualification portfolio and which plays an important role in decision making for key SQA initiatives, including the alternative certification model for awarding the 2020 qualifications. We connected with these young people following the engagement work on the Future of Assessment which they did with SQA and Young Scot. We also engaged with the Carer's Trust Scotland at the beginning of lockdown to ensure that schools and colleges were made aware of the challenges facing young carers.

A fuller consideration of this activity may be found in 2020 Alternative Certification Model — Equality Impact Assessment on SQA's website.

Appendix: Stakeholder engagement

The range of stakeholders that we work with, and/or gather information and intelligence from, as part of our ongoing equalities monitoring and engagement includes but is not limited to:

SQA governance and management groups:

♦ Qualifications Development Management Team
♦ Code of Practice Governance Group
♦ Executive Management Team
♦ Qualifications Committee
♦ Board of Management
♦ Advisory Council
♦ Equalities and Inclusion Steering Group

External stakeholder groups:

♦ Education Scotland
♦ Office of Qualifications and Examinations Regulation (Ofqual)
♦ Ofqual Access Consultation Forum
♦ Educational Institute of Scotland (EIS)
♦ Scottish Credit and Qualifications Framework (SCQF)
♦ CALL Scotland
♦ Scottish Sensory Centre
♦ Heads of Sensory Service Forum
♦ Scottish Parliament Education and Skills Committee
♦ centres identifying and requesting reasonable adjustments and assessment arrangements
♦ providers of services to disabled learners
♦ Equality & Inclusion Key Partners' Group
♦ disability groups, interest groups and charities
♦ Equalities and Human Rights Commission
♦ Scottish Youth Parliament
♦ Who Cares? Scotland
♦ Cross Party Group on Dyslexia

Desk-based research

Additional Support for Learning: Research on the experience of children and young people and those that support them
Scottish Government, March 2019, retrieved April 2020

Review of Implementation of Additional Support for Learning in Scotland
Enquiry response, December 2019, retrieved April 2020

Additional Support for Learning in Scottish School Education: Exploring the gap between promise and practice
EIS, May 2019, retrieved April 2020

Provision for learning support in Scotland: a survey of local authorities Report to Educational Institute for Scotland
University of Aberdeen, September 2018, retrieved April 2020

Methods used by teachers to predict final A Level grades for their students
Tim Gill, Research Matters, Issue 28, Autumn 2019, retrieved April 2020

Investigating the accuracy of predicted A level grades as part of the 2010 UCAS admission process
BIS Research paper number 120, November 2013, retrieved April 2020

EIS Child Poverty Survey 2016
The Educational Institute of Scotland, June 2017, retrieved April 2020

Exceptional arrangements for assessment and grading in 2020 Ofqual
April 2020, retrieved April 2020

Equality impact assessment: literature review
Ofqual April 2020, retrieved April 2020

JCQ's response to Ofqual's publication of further guidance on summer awarding in 2020
retrieved April 2020

Poverty in Scotland 2019
Emma Congreve, Joseph Roundtree Foundation, retrieved April 2020

Predicted grades: accuracy and impact A report for University and College Union
Dr Gill Wyness, UCL Institute of Education December 2016, retrieved April 2020

Predicting students' academic performance based on school and socio-demographic characteristics
Tamara Thiele, Alexander Singleton, Daniel Pope & Debbi Stanistreet, November 2014, retrieved April 2020

Rules of the Game: Disadvantaged students and the university admissions process
Gill Wyness, December 2017, retrieved April 2020

Supporting care-experienced and estranged students in higher education — responding to Covid-19
Become, Stand Alone, the National Network for the Education of Care Leavers (NNECL), the Unite Foundation and Spectra, UK-wide survey of higher education students who are either care-experienced or estranged March 2020, retrieved April 2020

The Long-term Consequences of Teacher Discretion in Grading of High-stakes Tests
Rebecca Diamond and Petra Persson, April 2016, Revised June 2016, retrieved April 2020

The Missing 'One-Offs': The Hidden Supply of High-Achieving, Low-Income Students
Caroline Hoxby and Christopher Avery, Spring 2013, retrieved April 2020

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Unconscious Bias 2016
UCAS, August 2016, retrieved April 2020

Unskilled and unaware in the classroom: College students' desired grades predict their biased grade predictions
Michael J. Serra1 and Kenneth G. DeMarree2, Psychonomic Society, Inc. 2016, retrieved April 2020

Digital Participation and Social Justice in Scotland
Douglas White, September 2016, The Carnegie UK Trust, retrieved April 2020