



The Scottish Parliament  
Pàrlamaid na h-Alba

## EDUCATION AND SKILLS COMMITTEE

### AGENDA

2nd Meeting, 2020 (Session 5)

Wednesday 22 January 2020

The Committee will meet at 10.00 am in the Robert Burns Room (CR1).

1. **Decision on taking business in private:** The Committee will decide whether to take item 4 in private.
2. **Scottish Qualifications Authority - performance and role:** The Committee will take evidence from—

Fiona Robertson, Chief Executive, John McMorris, Director of Business Development, and Robert Quinn, Head of English, Languages and Business, Scottish Qualifications Authority.

3. **Public petitions: PE01548 (National Guidance on Restraint and Seclusion in Schools)** The Committee will consider the following petition—

PE01548 by Beth Morrison on National Guidance on Restraint and Seclusion in Schools

4. **Review of evidence:** The Committee will consider the evidence it heard earlier under agenda item 2.

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The papers for this meeting are as follows—

**Agenda item 2**

SPICe Education and Skills Committee Briefing

ES/S5/20/2/1

Submissions pack

ES/S5/20/2/2

**Agenda item 3**

Petitions paper

ES/S5/20/2/3

## Education and Skills Committee

### SQA Performance and role

Wednesday 22 January 2020

#### INTRODUCTION

The Committee has invited the SQA to give further evidence on its performance and role.

The Committee held an initial session with the SQA at its meeting on [11 September 2019](#). The SQA provided a [written submission](#) to inform the session. Following this meeting the Committee wrote to the SQA on a range of the issues raised during the evidence session ([letter dated 3 October 2019](#)). The SQA sent a response ([letter dated 28 October 2019](#)). The Committee wrote again seeking further clarification and information on a number of issues raised in evidence and in correspondence ([letter dated 3 December 2019](#)). The SQA provided a response ([letter dated 19 December 2019](#)) which the Committee considered at its meeting on 15 January 2020. At that meeting the Committee agreed, based on the issues raised and the responses received, that it would invite the SQA to give evidence on 22 January.

The Committee will take evidence from the same panel that gave evidence on 11 September, namely —

- Fiona Robertson, Chief Executive;
- John McMorris, Director of Business Development; and
- Robert Quinn, Head of English, Languages and Business.

#### Context

The Committee has an ongoing focus on the work and performance of the SQA and of school education as a whole. Over the 2019 Summer recess, the results of the 2019 exam diet were published and, in addition, staffing issues and the SQA's international work have been subject of media attention in 2019.

In 2016, the Committee also examined the role and performance of the SQA as part of a wider piece of work on the SQA, the SFC and Education Scotland. The Committee's report [Performance and Role of Key Education and Skills Bodies](#) included a number of recommendations in relation to the SQA and a theme of those recommendations was on improving communication between the SQA and the teaching profession.

The Committee had a similar one-off session in September 2018 on the 2018 exam diet and curriculum and attainment trends.<sup>1</sup> This followed a one-off session on [13 September 2017](#) with the SQA. The Committee also concluded taking evidence on its inquiry into

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<sup>1</sup> The [Official Report](#) and [briefing papers](#) for that meeting can be found online.

subject choices in May 2019; the SQA provided [written evidence](#) and appeared as part of that inquiry on [22 May 2019](#).

The remainder of this paper reflects the evidence session on 11 September and the exchange of letters between the Committee and the SQA. The paper is in five parts: it's post-results service; multi-level classes; markers and principal assessors; the SQA's international work and travel; and its role in relation to the 2019 exam diet.

## THEME 1: POST RESULTS SERVICE

The SQA's post-results service can be accessed by schools or colleges which have a concern about a candidate's grade for National 5, Higher or Advanced Higher qualifications. A headteacher or principal can ask for either a clerical check or a marking review.

A clerical check makes sure that:

- all parts of the materials have been marked; and
- the marks given for each answer have been totalled correctly.

A marking review makes sure that:

- all parts of the materials have been marked;
- the marking is in line with the national standard;
- the marks given for each answer have been totalled correctly; and
- the correct result has been entered.

The SQA's policy is that it does not return exam scripts to individuals. The SQA are not obliged to release scripts; [paragraph 25 of schedule 2 of the Data Protection Act 2018](#) exempts "information recorded by candidates during an exam" from access requests.

Statistics for the SQA's post results service were published in December 2019. [The Chief Executive's report](#) stated:

"There were a total of 11,528 requests for either a clerical check or a marking review of the external assessment material, down from 13,543 last year. The majority of the requests were for a marking review (96.6% of all requests). A smaller number of requests went through the priority marking review (3.0%) and/or the clerical check (0.4%).

"In 2019, the overall percentage of requests resulting in a change of grade is broadly stable to last year – with 14.6% of requests resulting in a change of grade. The overall percentage of requests resulting in a change of grade since the service was introduced, has been 25.7% in 2014, 19.7% in 2015, 19.3% in 2016, 16.5% in 2017, and 14.5% in 2018 (this is inclusive of both upgrades and downgrades)."

The Post Results Service has attracted some criticism and attention since the system of appeals was changed in 2014. [The Times Education Supplement Scotland stated in December 2019](#):

“The post-results service has proved controversial because prelim exams taken earlier in the year can no longer be used to boost grades, because payment is required and because pupils at independent schools have been far more likely to request a check or review under the new system.”

A number of PQs in December 2018 explored where requests for the post results service came from in 2017-18. In 2017-18, 79% of requests were from local authority schools and 19% were from the independent sector; the percentage of requests that resulted in an upgrade was around 14% in both sectors. 90% of the entries in that year were from local authority schools and 9% were from independent schools.<sup>2</sup>

As well as being able to ask for individual candidates' grades to be reviewed, a centre can ask the SQA for [a performance report](#) if the centre has identified an issue with a particular candidate group performance in an external assessment. Performance reports cost several hundreds of pounds and according to a recent report 30 were carried out between 2013-14 and 2017-18, 17 of which were for independent schools.<sup>3</sup>

### **Members may wish to explore with the panel—**

- **The reasons for not returning exam scripts to learners as part of the review process.**
- **How the SQA uses the process of reviews to improve its performance from one year to the next.**
- **What proportion of reviews this year have come from the independent sector. Whether the SQA has undertaken analysis of which schools in the public sector seek marking reviews and if certain local authorities or schools are more likely to seek reviews.**
- **More details on the provision of performance reports and how these can benefit schools' future teaching and exam performance.**

## **THEME 2: MULTI-LEVEL TEACHING**

The Committee explored the issue of schools teaching multi-level courses during its inquiry into subject choices. In its [report](#), the Committee noted its concern at the “evidence it has received which suggests an increase in the use of multi-level teaching.” The Committee acknowledged that multi-level teaching can be used to broaden opportunities to study, particularly in smaller schools and the Committee called for more information to be made available on multi-level teaching.<sup>4</sup> The [Scottish Government's response](#) to the Committee suggested that multi-level teaching could be considered by the review of senior phase.

The Committee directed a recommendation on this topic at the SQA and Education Scotland. It said—

“To assist schools and to provide some pedagogical rationale for their use, the Committee recommends that Education Scotland and the SQA work together to

<sup>2</sup> [SW5-20421](#), [SW5-20428](#), [SW5-20427](#).

<sup>3</sup> <https://theferret.scot/private-schools-exam-help-sqa/>

<sup>4</sup> Recommendations in paragraphs 204-207 of the Committee's report.

identify which subjects could be compatible with multi-level teaching, taking into account the content of the curriculum and progression between different qualification levels.” (Para 208)

The [SQA and Education Scotland provided a joint response](#) to the Committee and said—

“There is feedback from a range of engagements with teachers and young people bi- and multi-level teaching may be challenging in aspects of some subjects ... Education Scotland has yet to see any firm evidence from inspections of educational disadvantage due to multilevel teaching. The senior phase review will provide an opportunity to look into this issue.”

The Committee explored the topic further with the SQA in September 2019. Fiona Robertson noted that the SQA keeps qualifications under review. Robert Quinn told the committee that there may be a difference in how easily the “creative delivery” of courses could be undertaken depending on whether the subject is more skills-based or more content-based, with the latter perhaps being more challenging than the former.<sup>5</sup>

The Committee had also explored this issue with the SQA at a meeting on 13 September 2017. At that meeting the then Chief Executive of the SQA, Dr Janet Brown, said—

“If significant numbers of schools are delivering multilevel teaching, we have to start looking at content. The challenge would be that we would change again after looking at the content: we would have to change the content of either National 4 or National 5 so that blended learning could take place.”<sup>6</sup>

The [Ms Robertson’s letter of 19 December 2019](#) informed the Committee that the SQA was looking to review National 3 and 4 qualifications. The review is intended to cover a number of issues including the skills and content alignment of these qualifications and will be “informed by the practicalities of delivering these courses”. The letter continued—

“If such a review suggests that an adjustment of content is required to more smoothly align each level of a National Course and still enable appropriate national standards to be maintained, then this will be given consideration when developing revised arrangements.”

**Members may wish to explore with the panel—**

- **Whether the SQA has begun work to “identify which subjects could be compatible with multi-level teaching, taking into account the content of the curriculum and progression between different qualification levels”.**
- **To provide more details on why the content-based subjects may be more difficult to deliver creatively and how this links to multi-level teaching.**
- **To provide more details on the review of National 3 and National 4, including the timescale of the review and the consultation the SQA will undertake.**
- **When the SQA intends to review the National 5, Higher and Advanced Higher qualifications.**

<sup>5</sup> [Official Report 11 September 2019](#) col 26

<sup>6</sup> [Official Report 13 September 2017](#), col 13

### THEME 3: MARKERS AND PRINCIPAL ASSESSORS

The Committee raised an apparent discrepancy of the reported number of markers. The SQA's October letter explained that the discrepancy in the figures was due to reporting of different categories of appointees. The Committee also sought information on why markers withdraw from working with the SQA. The SQA provided the table below.

Reason for withdrawal	Number of withdrawals in 2019
Health/family reasons	178
Personal reasons	135
Withdrawn by SQA	130
No reason specified	125
Did not attend markers meeting	102
Other commitments	67
Failed at P&Q marking	29
Marking other components	14
Targets unachievable	9
Did not like the system	2
Hardware issue	2
Software issue	1
<b>Total withdrawals</b>	<b>794</b>

Source, [SQA 2019](#)

The SQA informed the Committee that at the end of the marking period in 2019, 6,634 individuals were active markers who had undertaken 11,775 marker appointments.

The Committee also explored the role and criteria for a principal assessor. A principal assessor is responsible for ensuring all duties and tasks associated with externally set/assessed Course assessments are undertaken within the conditions, timeframes and arrangements set by SQA. Principal assessors will lead teams of SQA appointees to ensure consistent application of national standards and to ensure the subject specific integrity of their teams' decision-making in relation to the externally set/assessed Course assessment arrangements.

There are a number of criteria to become a principal assessor, including:

- currently be delivering the Course (or a closely-related Course or work closely with current deliverers) and be able to demonstrate excellence in assessing to the national standard; and
- have experience in other key appointee roles, demonstrating competence in assessing to the national standard within their subject and level(s).

Further details of the role and criteria for a principal assessor can be found on the [SQA's website](#).

**Members may wish to explore with the panel—**

- **Whether the SQA fills all of its posts for appointee markers and how this varies from subject to subject.**
- **Whether, over the past few years, there are trends of the reasons why individuals may withdraw from being markers. How this information has influenced the SQA's approach to recruitment or managing its appointees.**
- **How the number of individuals who withdraw or are withdrawn from marking appointments compare to other exam boards in the UK.**
- **How the SQA promotes the role of principal assessor to ensure that there are a wide range of highly qualified candidates for each course.**

#### **THEME 4: INTERNATIONAL WORK AND TRAVEL**

The SQA undertakes a range of commercial activities including internationally. The Education and Skills Committee has raised concerns with the SQA on its commercial activities a number of times this session.

The Committee has explored with the SQA the extent to which the international and other commercial work supports or detracts from the SQA's work in developing and delivering qualifications for Scottish learners. In its report on the [Performance and Role of Key Public Bodies](#), the Committee sought "assurance and evidence from the SQA that its commercial work is not diluting its focus on its core business."

The [SQA's response to that report](#) explained that National Courses are almost exclusively taken by Scottish learners and that "the resources for, and the focus of, National Courses is directed to Scotland's learners". The response continued by noting that it and its predecessor bodies had undertaken commercial and international activities for the previous 30 years. The SQA listed the following benefits of this work:

- providing opportunities to promote Scotland and enhance the reputation of Scottish education outside Scotland;
- engaging with international partners, organisations and agencies, which allows SQA to enhance its expertise and skills through mutual learning;
- continuing to support the Scottish Government's international strategy and its plans to engage with specific countries through SQA's international work; and
- generating income and making a contribution to overheads – thereby reducing the grant contribution required from Scottish Government.

At the Committee's evidence session with the SQA, Fiona Robertson, reiterated these points. She noted that in the previous financial year, the income from international work was £2.4m and the total turnover for the SQA in that year was around £90m.

At the meeting on 11 September, Members raised the costs of international travel for senior members of staff. Members also sought clarification whether the SQA considers the human rights record when bidding for work in other countries – particularly for work undertaken in Saudi Arabia. Ms Robertson indicated that the SQA was reviewing its international work.



[The SQA's letter of 28 October 2019](#) stated—

“We are reviewing all the management information we currently hold to identify ways to improve the reporting of travel information, and make detailed interrogation of the data much easier to interpret for our budget holders.”

The SQA's letter of [19 December](#) informed the Committee that the SQA had adopted a [revised policy on travel](#) from 22 November 2019. This included

- No longer permitting First Class rail travel in the UK;
- Business class air travel could only be taken for journeys with a one-way flight time of 10 hours or more, subject to approval; and
- The adoption of Foreign and Commonwealth Office guidelines for overseas accommodation and subsistence costs.

In terms of human rights considerations, the SQA's October letter stated—

“SQA has existing due diligence processes for our business partnerships and operations overseas. These align to both the United Nations Guiding Principles on Business and Human Rights and to the Scottish Government's Human Rights Policy.”

More broadly, Fiona Robertson informed the Committee in her letter of December 2019 that she had asked for a review of the SQA's policy and guidance on international work and engagement. Her letter said—

“I want to ensure that SQA can make informed decisions about its operations in all its international markets. We will also review and refine our existing due diligence processes to take account of this policy and guidance. Due diligence assessments will be undertaken for all prospective and existing international partners with scrutiny focused on the risks arising as a result of the country of operation, capability, systems and policies [including respect for human rights].”

The SQA's December letter specifically addressed its work in Saudi Arabia. It noted that the work was for entry level IT skills, including operating a PC, using a keyboard and accessing the internet. The SQA said that it has “never worked with, or been contracted to develop products and services for, the Ministry of Defence in Saudi Arabia.”

**Members may wish to explore with the panel—**

- **The extent to which the international work supports the benefits highlighted by the SQA in promoting Scotland, improving the expertise of the SQA, supporting the Scottish Government's international strategy and providing an income stream. The Committee may wish to explore what outcomes and indicators the SQA uses in each of these areas to measure the contribution of its international work.**
- **The cost savings envisaged under its revised travel policy.**
- **More information on the SQA's due diligence processes when deciding to bid for work internationally.**

## THEME 5: 2019 ENTRIES AND RESULTS

The exchange of letters between the Committee and the SQA has not focussed on the 2019 exam diet. The entries and results were covered during the evidence session on 11 September at the end of the evidence session and again with the Cabinet Secretary on 27 November 2019.

Should members wish to discuss the SQA's role in relation to the exam diet, the relevant section in the SPICe briefing paper for [27 November 2019](#) is reproduced in the Annexe to this paper.

**Ned Sharratt**  
**SPICe Research**  
**16 January 2020**

Note: Committee briefing papers are provided by SPICe for the use of Scottish Parliament committees and clerking staff. They provide focused information or respond to specific questions or areas of interest to committees and are not intended to offer comprehensive coverage of a subject area.

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## ANNEXE A: SPICE ANALYSIS FROM THEMES PAPER FOR 27 NOVEMBER 2019 EVIDENCE SESSION WITH THE CABINET SECRETARY FOR EDUCATION AND SKILLS

### 2019 exam diet

Results of the 2019 diet of SQA qualifications were published on Tuesday 6 August 2019. Further data was released by the SQA on 17 September, which provided a breakdown for male and female candidates and for college and school settings.

### *Leaver destinations*

The Scottish Government's preferred metric is data on the qualifications gained at the point that individuals leave school. The Scottish Government publishes a great deal of data on this measure and it is beyond the scope of this paper to cover this data in detail. The latest data available is for individuals that left school in 2017/18<sup>7</sup>. The detailed tables of data on leaver attainment and destinations can be found here:

<https://www2.gov.scot/Topics/Statistics/Browse/School-Education/leavedestla>

In terms of destinations, 69.8% of leavers in 17/18 went on to Higher Education, Further Education or Training. The equivalent figure for 13/14 was 69.3%. Just taking Higher Education 39.0% went on to HE in 13/14 and this has risen to 41.1% in 17/18.

The Scottish Government produces tables which show leavers' qualifications by the "Level or better" achieved and the number of passes. Qualifications here means national qualifications or equivalent (i.e. certain qualifications of the same size). Given the number of data points, there are a number of conclusions one could draw from this data. The tables below are for the most recent year, 2017/18 and 2013/14. Table 1c shows the movement between 2013/14 and 2017/18. Very broadly speaking there have been improvements in the statistics at the higher levels and lower numbers of qualifications gained.

**Table 1a. 2017/18 Leaver attainment by SCQF Level or better and number of passes achieved, percentage of leavers.**

SCQF Level	Percentage						
	1 pass or more	2 passes or more	3 passes or more	4 passes or more	5 passes or more	6 passes or more	7 passes or more
<b>3 or better</b>	97.8	96.4	94.6	92.5	89.0	82.7	68.7
<b>4 or better</b>	96.2	94.2	92.0	89.4	85.6	79.2	65.7
<b>5 or better</b>	85.9	78.8	72.1	65.2	57.4	48.9	38.4
<b>6 or better</b>	62.2	52.4	44.9	37.9	30.4	19.8	9.6
<b>7</b>	20.2	8.5	3.0	0.3	*	*	-

Source: Scottish Government, Attainment and Leaver Destinations, 2017/18 Table 5

**Table 1b. 2013/14 Leaver attainment by SCQF Level or better and number of passes achieved, percentage of leavers.**

<sup>7</sup> Between the dates of the pupil censuses of those years.

## Percentage

SCQF Level	1 pass or more	2 passes or more	3 passes or more	4 passes or more	5 passes or more	6 passes or more	7 passes or more
3 or better	98.3	97.4	96.2	94.9	93.1	90.2	85.9
4 or better	96.3	94.3	92.0	89.2	85.4	80.2	73.7
5 or better	84.3	76.3	69.6	63.3	56.5	48.9	40.9
6 or better	58.1	48.6	41.5	35.1	28.1	17.9	8.3
7	18.3	7.4	2.4	0.2	0.0	0.0	0.0

Source: Scottish Government, Attainment and Leaver Destinations, 2017/18 Table 5

**Table 1c. Comparison of 2013/14 and 2017/18 Leaver attainment, percentage point difference of leavers.**

## Percentage

SCQF Level	1 pass or more	2 passes or more	3 passes or more	4 passes or more	5 passes or more	6 passes or more	7 passes or more
3 or better	-0.5	-1.0	-1.6	-2.4	-4.1	-7.5	-17.2
4 or better	-0.1	-0.1	0.0	0.2	0.2	-1.0	-8.0
5 or better	1.6	2.5	2.5	1.9	0.9	0.0	-2.5
6 or better	4.1	3.8	3.4	2.8	2.3	1.9	1.3
7	1.9	1.1	0.6	0.1			

Source: Scottish Government, Attainment and Leaver Destinations, 2017/18 Table 5

### Entries

Entries are where candidates are entered for a qualification. An important factor in the number of entries is the size of the pupil roll. The intention of the Senior Phase is that individuals have a bespoke approach to qualifications, taking different qualifications at different stages of their learner journey.

The S4, S5, and S6 rolls of publicly funded schools is shown in Table 2, below. These data are collected in September, so the 2018 pupil census relates to the academic year 2018/19 (i.e. 2018=2018/19); SQA data is presented as the year in which the exam diet took place, at the end of the academic year (i.e. 2019=2018/19).

**Table 2: pupil numbers in Senior Phase (publicly funded schools)**

Number of pupils	S4	S5	S6	Total SP
2016	50,244	44,862	32,745	<b>127,851</b>
2017	49,705	43,934	31,837	<b>125,476</b>
2018	51,175	43,660	31,232	<b>126,067</b>

Source: Pupil Census 2018

The S4 roll has been decreasing for some years, from a high of 61,697 in 2006 to the low of 49,705 in 2017. The data for younger cohorts indicates that the S4 roll will increase year-on-year for several years to come.

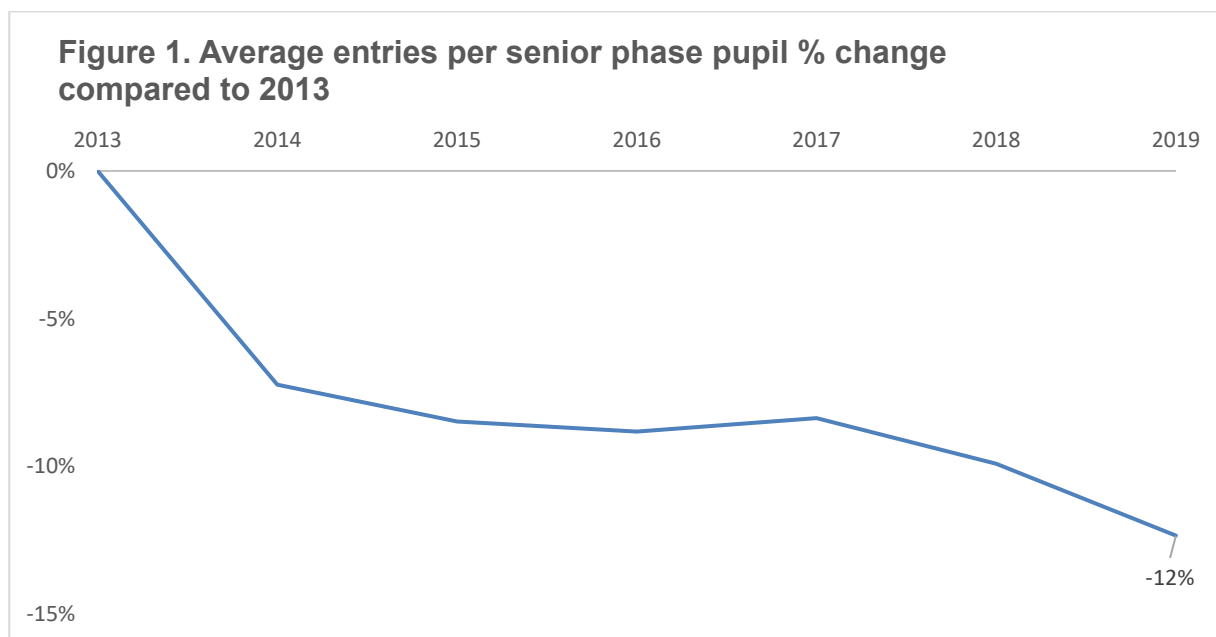
**Table 3: entries in National Qualifications (all centres)**

SCQF Level	Qualification	Entries		
		2017	2018	2019
2	National 2	1,896	2,077	2,070
3	National 3	17,114	17,646	19,285
	Skills for Work and Personal Development	15	11	13
4	National 4	116,032	106,033	104,866
	Skills for Work and Personal Development	3,767	3,601	3,698
5	National 5	293,220	281,785	288,552
	Skills for Work and Personal Development	6,126	6,632	8,023
6	Higher	194,813	191,951	185,914
	Skills for Work and Personal Development	433	264	204
7	Advanced Higher	24,112	24,331	23,460
<b>Total</b>		<b>657,528</b>	<b>634,331</b>	<b>636,085</b>

Source [SQA Attainment Statistics \(August\) 2019](#), press release

There have been some changes in the numbers of entries at different levels. These variations may be due to changes in the rolls at different years. For example, the increase in National 5 entries between 18/19 and 17/18 may be explained by the increase in the S4 roll.

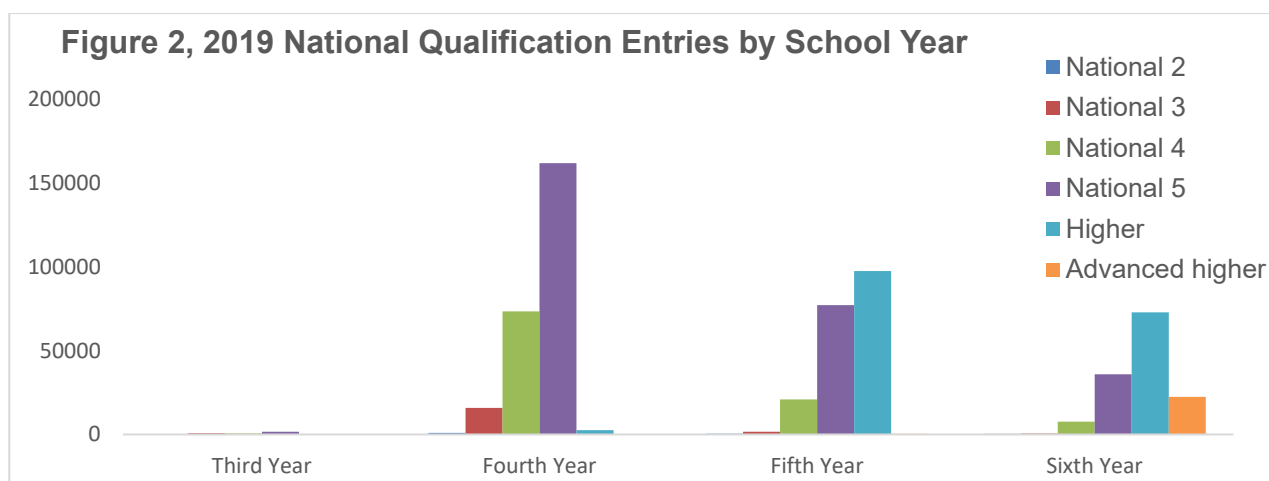
The Committee's inquiry into the Senior Phase highlighted some of the debates around the impact of Curriculum for Excellence on subject choices in the Senior Phase. The Senior Phase is designed to be a 3-year stage of education where young people gain qualifications. Figure 1, below shows the percentage change in the number of qualifications per pupil in the Senior Phase from 2012/13 to 2018/19. It should be noted that the data for pupil rolls includes only publicly funded schools whereas the entries data also includes independent schools. The graph shows the percentage change since 2012/13.



Sources: Pupil Census & SQA Attainment Schools data. Entries counted here are Skills for Work qualifications and National Qualification and predecessors at SCQF levels 2-7. A similar graph was presented to Members in a paper for the meeting on 11 September 2019 which looked at all centres and included Personal Development Awards.

There was a 7% drop at the point that CfE qualifications were rolled out in S4. Since then, the trend has been of decreasing average numbers of entries to qualifications and the average for school entries in 2018/19 is 12% lower than in 2012/13.

More entries are for pupils in S4 than other school years, although to some degree this reflects the size of cohorts. Taking only National Qualifications, the average number of entries in 2019 in S4 was around 5.0 per pupil and at S5 and S6 it was around 4.5 per pupil. Figure 2 shows the breakdown of levels of qualification taken in each school year.



Source SQA Attainment statistics 2019

### *School level entries*

Following FOI requests<sup>8</sup>, the Scottish Government recently released data on the average number of SQA entries in S4, S5 and S6 for each school over from 2009 to 2018. SQA

<sup>8</sup> <https://www.gov.scot/publications/foi-201900001586/>, <https://www.gov.scot/publications/foi-201900002230/>, <https://www.gov.scot/publications/foi-201900002231/>

entries in this context means entry to any SQA qualification (e.g. National Qualifications, Awards, etc.) and some of these qualifications will be short courses.

Analysing averages at a school level allows one to look at variation at the school-level; **however, one cannot extrapolate findings on the population of pupils from school-level data.** Looking at the change over 10 years (excluding schools where there was incomplete data):

- At S4, two thirds of schools reduced the average number of entries.
- At S5, three quarters of schools increased the average number of entries.
- At S6, four fifths of schools increased the average number of entries.
- At S4, the variation of average entries between schools increased markedly at the introduction of CfE qualifications in 2014 and while this variation reduced by 2018 there is more variation between schools' average number entries in 2018 than in 2009.

### *Attainment*

While entries measure qualifications young people were entered for, attainment data shows what grades those young people achieved.

Table 4 below shows attainment rate for Nationals 2-5, Higher and Advanced Higher. In the case of Nationals 2-4, the data shows the pass-rate. Where there are graded passes, the table represents the rate of A-C passes.

**Table 4: Attainment percentages**

SCQF Level	Qualification	Attainment			
		2016	2017	2018	2019
2	National 2	78.0%	83.2%	79.7%	77.1%
3	National 3	90.8%	91.4%	91.5%	87.9%
4	National 4	94.2%	93.8%	91.1%	88.5%
	Skills for Work	86.0%	83.4%	79.3%	77.6%
5	National 5	79.5%	79.6%	77.4%	78.2%
	Skills for Work	89.4%	89.0%	86.0%	82.7%
6	Higher	77.6%	77.3%	76.8%	74.8%
	Skills for Work	84.9%	85.4%	81.4%	78.4%
7	Advanced Higher	82.0%	80.4%	80.5%	79.4%

Source: SQA Attainment Statistics (2019 & 2017)

With the exception of National 5, the statistics above generally show a trend of reducing attainment between 2016 and 2019 across these qualifications.

[In 2018, the SQA published](#) attainment tables for each education authority and the independent sector for the first time. This showed that in 2018 attainment (A-C passes) was higher in the independent sector than in the state sector: over 90% for National 5, Higher and Advanced Higher compared to around 80% for all schools in 2018. The independent sector accounted for a disproportionately high number of entries at Higher

(7.7%) and Advanced Higher (16.5%). The independent sector accounts for circa 6.5% of mainstream secondary pupils.<sup>9</sup> However, independent schools are more likely than publicly funded schools to enter students for International Baccalaureates, GCSEs or A Levels.

This education authority level data showed variation of attainment rates. The [minutes of the International Council of Education Advisers](#) meeting in September indicated that the Scottish Government had been recommended (among other things) that—

“There needs to be a more consistent and coherent approach to dealing with underperforming schools and local authorities. Where there is persistently poor performance, the Scottish Government should consider using its existing legislative powers to intervene in an underperforming local authority. To avoid reaching that stage, it is important to be more directive, and match leadership skills and competencies to problems in a more strategic way.”

### *Specific subjects*

The statistics above relate to the all the subjects for those types of qualifications. This section will examine subjects the Committee has expressed an interest. For brevity, the analysis is limited to National 4, National 5 and Higher at all centres. Members are welcome to contact SPICe for data on any other subjects or levels.

**Table 5a: English**

	2018		2019	
	Entries	Attainment*	Entries	Attainment*
National 4	14,451	92.8%	13,914	91.8%
National 5	44,477	84.8%	45,593	86.3%
Higher	36,185	75.9%	35,461	73.2%

**Table 5b Mathematics**

	2018		2019	
	Entries	Attainment*	Entries	Attainment*
National 4	23,841	89.8%	22,982	89.0%
National 5	41,590	64.7%	41,586	65.5%
Higher	18,753	74.5%	18,626	72.4%

**Table 5c: Sciences (Physics, Chemistry and Biology)**

	2018		2019	
	Entries	Attainment*	Entries	Attainment*
National 4	15,073	93.7%	14,522	91.7%
National 5	50,557	74.8%	51,376	73.6%
Higher	25,575	75.4%	26,057	74.5%

**Table 5d: Modern Languages (French, German & Spanish)**

	2018		2019	
	Entries	Attainment*	Entries	Attainment*
National 4	4,558	94.1%	4,514	94.7%
National 5	14,941	88.2%	14,799	86.0%
Higher	7,392	86.1%	7,258	85.9%

<sup>9</sup> Personal correspondence with the Registrar of Independent Schools.



**Table 5e: Computing Science**

	2018		2019	
	Entries	Attainment*	Entries	Attainment*
National 4	2,820	91.2%	2,650	88.0%
National 5	6,442	74.7%	6,344	74.7%
Higher	4,099	68.7%	3,228	63.9%

Source: SQA Attainment data

\*Attainment the percentage of passes at National 4 and percentage of passes at grades A-C for National 5 and Higher.

In both Maths and English, between 2018 and 2019 there were improvements in attainment at National 5 level but falls in attainment at National 4 and at Higher. Sciences saw an overall increase in entries and attainment was, on the whole, lower than last year. Modern languages saw a decrease in entries at these levels and while attainment improved at National 4 level, it fell at National 5 and Higher levels. There were fewer entries in Computer Science and attainment also fell at National 4 and National 5 levels of study.

### *Vocational courses and non-SQA awards*

Entries and attainment on vocational courses do not gain the same attention as National Qualifications. A number of the tables above include Skills for Work qualifications. Skills for Work qualifications are relatively easy to include in analysis alongside NQs as they are the same size as the NQs at the same SCQF level<sup>10</sup>. The SQA offers a suite of other non-NQ vocational qualification. Tables 6a-6d show attainment in schools for these non-NQ SQA qualifications in schools in the past four years.

**Table 6a: Skills for Work attainment in schools**

SCQF level	SCQF points	2016	2017	2018	2019
3	18	16	5	7	0
4	24	1141	1073	878	893
5	24	2641	3388	3855	4710
6	24	-	3	-	-
<b>Total</b>		<b>3798</b>	<b>4469</b>	<b>4740</b>	<b>5603</b>

Source: SQA attainment stats, school tables, 2019 and 2017

There has been a 78% increase in Skills for Work qualifications attained in schools at SCQF level 5 in the last four years.

**Table 6b: Awards attainment in schools**

SCQF level	SCQF points	2016	2017	2018	2019
3	6-24	1371	2454	2157	1888
4	6-24	7733	8166	7552	7935
5	3-24	2669	3353	3292	5001
6	3-24	2653	3472	4208	5234

<sup>10</sup> I.e. a Nat 3 is 18 SCQF points; Nat 4, Nat 5 and Higher are all 24 SCQF points.

<b>Total</b>	<b>14426</b>	<b>17445</b>	<b>17209</b>	<b>20058</b>
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Source: SQA attainment stats, school tables, 2019 and 2017

It is unclear from the SQA data whether the range of SCQF points refer to the SQA Awards attained at that level that year, or the possible range of sizes of SQA Awards at that level. To provide members with a flavour of the sizes of courses taken, in 2019, the Awards with the highest number of passes at each level were:

- Level 3: Modern Languages for Life and Work Award – 982 passes – 15 points.
- Level 4: Employability Award – 2,595 passes – 6 points.
- Level 5: Personal Development Award – 1,024 passes – 24 points.
- Level 6: Leadership Award - 2,789 passes – 9 Points.

There has been an increase in the number of awards achieved at Level 5 (87%) and Level 6 (97%) since 2016. The variety of sizes of courses makes comparisons over time or to other qualifications difficult. More research would be required to determine the extent to which the increase in awards equates to more learning being certificated, as measured in SCQF points.

**Table 6c: National Progression Awards attainment in schools**

SCQF level	SCQF points	2016	2017	2018	2019
<b>3</b>	12-24	15	5	1	3
<b>4</b>	12-24	744	932	954	1111
<b>5</b>	12-120	1295	1403	1609	2301
<b>6</b>	12-120	577	871	1130	1351
<b>Total</b>		<b>2631</b>	<b>3211</b>	<b>3694</b>	<b>4766</b>

Source: SQA attainment stats, school tables, 2019 and 2017

Again, it is unclear from the SQA data whether the range of SCQF points refer to the SQA NPAs attained at that level that year, or the possible range of sizes of NPAs at that level. For example, a level 5 course at 120 points equates to five National 5s.

In 2019 at both levels 4 and 5, Photography and Computer Games Development were the two courses with the highest number of passes. Both those courses consist of 18 SCQF points. At Level 6 in 2019 the two courses with the highest number of passes were: Business with Information Technology and Sports Development, which consist of 24 and 18 SCQF points respectively.

**Table 6d: National certificates attainment in schools**

SCQF level	SCQF points	2016	2017	2018	2019
<b>3</b>	72	6	0	0	0
<b>4</b>	72	0	0	0	0
<b>5</b>	72	0	10	7	32
<b>6</b>	72	18	10	9	9
<b>Total</b>		<b>24</b>	<b>20</b>	<b>16</b>	<b>41</b>

Source: SQA attainment stats, school tables, 2019 and 2017

Relatively few individuals at schools undertake National Certificates.

Schools are not limited to entering pupils in SQA courses. A number of other awards are available. When asked in September about the declining entries per senior phase pupil, Fiona Robertson, Chief Executive of the SQA said—

“The SQA does not hold the full system data, but we provide all the data on SQA qualifications to the Scottish Government. Part of the work that it is doing involves putting that on the Insight tool—the senior phase benchmarking tool—along with a range of other qualifications. That provides the leaver data—that is, the qualifications gained at the point of leaving school—which gives a wider picture. I think that it is important to put the decline in a bit of context, but I cannot be definitive about the numbers, because the SQA only has data relating to its own qualifications.” ([OR 11 September 2019](#), col. 34)

To provide the Committee with a snapshot of the numbers and sizes of these courses, SPICe asked the Scottish Government to provide data from Insight of non-SQA awards which were passed in 2018-19. Not all awards will be recorded on Insight, however.

Table 7, below shows that a total of 3,408 non-SQA awards were recorded on Insight in the last academic year. Of these 70% are shorter courses and nearly a third of the total are shorter courses at level 6.

**Table 7: Attainment of non-SQA awards/courses in public schools in 2018-19**

SCQF level	SCQF credit points		
	1-8	9-17	18+
3	318	14	24
4	753	42	30
5	146	12	63
6	1107	136	0
7	33	435	295
<b>Total</b>	<b>2357</b>	<b>639</b>	<b>412</b>

Source: Scottish Government, personal communication

**The Committee may wish to explore with the Cabinet Secretary:**

- **Whether there has been a policy focus on improving the highest level of qualification individuals leave school with. If so, whether there has been a trade-off in terms of the number of qualifications individuals are leaving school with.**
- **The reasons for the continued fall in the average number of National Qualifications and Skills for Work Qualifications per senior phase pupil since 2017.**
- **To date, what work has been done by the Scottish Government or its agencies to ascertain the extent to which entries to shorter vocational courses may be replacing longer traditional subjects in senior phase.**

- **What might explain the downward trends in pass rates since 2016 at National 4, Higher, Advanced Higher and Skills for Work qualifications at levels 4, 5 and 6. What are the Scottish Government's policy responses to address this.**
- **How does the Scottish Government monitor state schools' performance over time and whether the data and trends in SQA attainment and entries for all schools are similar to those for state schools only.**
- **How the Scottish Government monitors the qualifications performance of education authorities. What actions might it take if there were geographical areas of concern.**
- **Whether the SQA qualification data provides the best measure of the depth and breadth of learning in our schools. Any examples of the Scottish Government using SQA qualification data to identify where to focus additional resources or support to improve learning.**

**Education and Skills Committee**

**2<sup>nd</sup> Meeting, 2020 (Session 5), Wednesday 22 January 2020**

**Scottish Qualifications Authority – Performance and Role**

**Background pack**

The Committee held an evidence session on 11 September 2019 on the SQA's Performance and role. Linked is the SQA submission to inform this meeting within the [Meeting papers for 11 September 2019](#) and the [Official Report of 11 September 2019](#)

The Committee then engaged in a short chain of correspondence with the SQA seeking further detail on the issues raised during the evidence sessions. The letters are reproduced in full in the Annexe.

[Letter from the Convener to the SQA, 3 October 2019](#)

[Response from the SQA, 28 October 2019](#)

[Follow-up letter from the Convener to the SQA, 3 December 2019](#)

[Follow-up response from the SQA, 19 December 2019](#)

**Letter from the Convener to the SQA, dated 3 October 2019**

Dear Ms Robertson

Thank you for attending the Education and Skills Committee on 11 September to give evidence on behalf of the SQA, and congratulations again on your new role.

During the course of your evidence session you committed to undertake a number of pieces of work and to provide the Committee with further information. The Committee reviewed the evidence session later in the meeting and agreed that given the importance of these undertakings it would be worthwhile writing to set out the Committee's explicit expectations. In addition, the Committee agreed to seek information on the issue of SQA invigilator pay rates, an issue which was not raised during the course of your session.

**Accountability for spending – international travel**

The Committee would appreciate details of the review of management processes which you are undertaking to seek to ensure that information on spend broken down by individual member of staff can be collated in future. This issue related to FOI requests for details of spend on international travel, including by members of the senior management team, which were not released under FOI because spending was on corporate credit cards. The Committee would appreciate details at this stage of the timescale for your review work and its scope, including how it will consider questions that have been raised about accountability for spending of public money. The Committee would also appreciate sight of the outcome of this review as soon as it is completed.

**International work – human rights considerations**

International work was also a focus of the evidence session, in particular the extent to which human rights considerations have informed SQA decisions on its provision of training in Saudi Arabia. The Committee was informed by Mr McMorris that quality assurance work was underway at present for the programme which is aimed at helping female participation in the labour market. Concerns were raised by members when it

was confirmed that the SQA has not undertaken any work to assess how those who will be trained as part of the programme will be employed, including work for the Saudi Government Defence Ministry. The SQA evidence reflected that, as an organisation, it takes into account Foreign and Commonwealth Office and Scottish Government advice in relation to human rights when undertaking international work. However, the Committee notes that other public bodies such as Scottish Development International have decided, on human rights grounds, not to proceed with planned work having reviewed its relationship with Saudi Arabia. The Committee seeks a written explanation at your earliest opportunity as to what additional human rights checks the SQA intends to undertake in reviewing its work in Saudi Arabia.

### **Exam markers and appointments**

Questions on the exam diet included a focus on whether there are a sufficient number of markers for the exam diet. During discussions a letter from Jacqui Faulds to the Local Government and Communities Committee was cited which states that previously there were 14,153 marker appointments. A letter in response to a parliamentary question from Liz Smith from the SQA stated the most recent figure as 12,450. You acknowledged in evidence that there have been changes in the management system that oversees marker appointments and offered to provide further details. You also committed to provide confirmation of the most up to date number of teacher markers, which had been cited as 6,208 by Jacqui Faulds in her earlier letter.

In relation to withdrawals of marker appointments, evidence suggested that while SQA can explain the basis for withdrawals instigated by SQA, the organisation is not in a position to provide a breakdown of the reasons for withdrawals by the markers themselves. Given previous evidence on: the challenge of finding sufficient numbers of markers; the increasing range of qualifications that require to be marked; and the withdrawal of 794 marker appointments for this exam diet, the Committee considers the SQA should have a process in place to identify why markers are withdrawing from the process. This is an important step to enable SQA to assess the key reasons why people withdraw in these numbers and to seek to address some of these underlying reasons where possible. The Committee would appreciate confirmation that the SQA will take steps to address this and the associated timescale for this work.

### **Principal assessors**

During evidence the role of principal assessor was emphasised by a member as being hugely important. When asked whether the SQA requires the role to be held by somebody who is qualified as a subject specialist, Mr Quinn responded that they “must be qualified in the subject. They lead the examination team as someone who is a specialist in the subject area...They must have experience in delivering the qualification. They must be a subject specialist, but they must also understand the delivery aspects.”

The Committee would appreciate it if you could share with it the relevant guidance which sets out these minimum standards for principal assessors. The SQA webpage states that principal assessors must “currently be delivering the Course **(or a closely-related Course or work closely with current deliverers)** and be able to demonstrate excellence in assessing to the national standard” (emphasis added)

### **Multi-level teaching**

A quote from your predecessor, Dr Brown, to the Committee in 2017 was raised in evidence with you:

“If significant numbers of schools are delivering multilevel teaching, we have to start looking at content.” [\(Official Report 13 September 2017\)](#)

The Committee welcomes your commitment to undertake further work on this matter within your on-going improvement processes and would welcome further detail on the nature of the planned work and timescales for completion. Given the level of interest from the Committee in the prevalence of multilevel teaching, and the potential impact on individual students’ learning experiences, the Committee would also be very interested in the outcome of this important work.

### **Invigilators pay**

In the Committee’s report on the role and performance of key education bodies, there was a section on invigilators pay:



*The Committee sought clarification on the hourly rate of pay that invigilators receive. Invigilators receive a set fee for an exam session, which can be of variable length. The SQA contended that over the whole pay period, invigilators would receive at least the living wage. However it currently relies on chief invigilators to ensure this happens.<sup>124</sup> In its letter of 16 December 2016 to the Committee, the SQA said:*

*All work undertaken by Invigilators is monitored by Chief Invigilators to ensure that Invigilators are assigned to a variety of examination sessions with differing lengths of duration to achieve a balance across the examination period...*

*... It is worth emphasising that from a pool of 6000 Invigilators the number of concerns regarding fees raised each year is less than 5. A survey is being organised for the 2017 Invigilators to give them the opportunity to feedback comments and views on the current fee arrangements.<sup>125</sup>*

*The Committee asks that the SQA ensures that it improves its data collection from chief invigilators so that it is in a position to categorically state that all of the people it appoints receive the living wage. Alternatively, the SQA should review standard terms and conditions for employment of invigilators to create a system where invigilators receive a minimum wage as standard.*

The Committee seeks confirmation that, following this issue being raised in 2017, the SQA can categorically state that all of the people it appoints receive the Living Wage for their total time worked.

### **Unsuccessful appeals**

You agreed to explore further with one of the Committee members the evidence he holds from constituency casework which points to financial considerations contributing to post-results services not being used. This relates to the higher level of use of the appeals process by independent schools compared to state schools following the transfer of the financial burden for unsuccessful appeals to individual school budgets. The Committee considers the extent to which the cost of the appeals process may be acting as a deterrent to pursuing appeals merits further exploration to ensure equity in

the system. The Committee would wish to be kept informed of the outcome of the discussions on the evidence held by the member on this matter.

**Presentation for qualifications**

Finally, one member asked about whether improvements were being made to ensure pupils are presented for the appropriate level of examination. Anecdotal evidence of this was referred to during the SQAs evidence. The Committee would appreciate details in writing of the evidence you hold to substantiate this suggestion.

Yours sincerely

**CLARE ADAMSON MSP  
CONVENER**

## **Response from the SQA, 28 October 2019**

Dear Ms Adamson,

Thank you for giving me an opportunity to respond to the requests for further information which were raised by the Committee in your letter dated 3 October, following my appearance before the Committee on 11 September in my new role as Chief Executive at SQA. Please find below my response to each of the points that you have raised:

### **Accountability for spending — international travel**

As I highlighted to the Committee, the outcome of the review of SQA's domestic and international travel policy will be completed by the end of October, and ready to communicate to staff by mid-November.

The output of the review will be a combined domestic and international travel policy for staff, as well as revised guidelines and procedures for the implementation of the new policy, and a review of the risk assessment process that we use.

I wish to emphasise to the Committee that all international travel expenditure is approved and accounted for against set budgets. This is backed up by external, independent audit. We keep all our systems under continuous review, identifying improvements as required.

We are improving the visibility and clarity of management information relating to individuals who travel internationally. We are reviewing all the management information we currently hold to identify ways to improve the reporting of travel information, and make detailed interrogation of the data much easier to interpret for our budget holders.

### **International work — human rights considerations**

We use our international engagement as an opportunity to help increase support for and understanding of human rights worldwide. This involves sharing our experiences, values and expertise in the areas of education and skills development.

All centres, wherever they are located, are approved to the same Scottish standard. This ensures that centres have appropriate systems, resources and expertise to deliver and assess SQA's qualifications to the defined high standards. This includes the need for the centre to have a number of documented policies and procedures in place, including a candidate equal opportunities policy, and a candidate complaints policy. Any centre offering SQA qualifications must ensure that everyone eligible to take a qualification has an equal chance of benefitting from the assessment services that the centre provides. There must be no discriminatory barriers in the way of any individual who wishes to take SQA qualifications.

SQA has existing due diligence processes for our business partnerships and operations overseas. These align to both the United Nations Guiding Principles on Business and Human Rights and to the Scottish Government's [Human Rights Policy](#).

SQA recognises that supervening incidents can occur and it is important to review operations as situations develop. We are always keen to participate in a 'team Scotland' approach in our international work. We will engage with the Scottish Development International office in Saudi Arabia to explore how we can work together to promote human rights and Scottish values, including working with organisations and individuals to support youth employment, gender equality and female labour market participation.

### **Exam markers and appointments**

SQA's work necessarily involves the harnessing of skills, expertise, and time of many education professionals and specialists outside of the organisation. We are enormously grateful to these external appointees, who play many vital roles in the development, delivery, quality assurance and certification of all of SQA's qualifications.

One of the roles that we rely on for the successful delivery of our National Qualifications is our markers, who mark candidates' work in line with detailed marking instructions and in accordance with SQA policy and procedures.

The number of individuals available for marking on our system varies throughout each annual marking cycle, depending on the number of entries each subject has, as well as the availability of the teaching professionals. This in turn means that any statistical data on appointees will also vary on a daily basis.

I would like to clarify that the figure we provided to the Local Government and Communities Committee in June was the number of appointments for all appointee roles involved in the 2019 examination diet. The figure provided to Liz Smith MSP in September, as requested, was the number of appointments for markers only.

I can confirm that the total number of active individual markers at the end of the marking period for the 2019 examination diet was 6,634. They undertook a total of 11,775 marker appointments.

SQA promotes the benefits of becoming a marker to the teaching profession on an ongoing basis, and we work with schools and colleges, local authorities, the General Teaching Council for Scotland, and subject professional associations to encourage recruitment.

Markers can be withdrawn from marking due to a variety of issues. The majority of markers are withdrawn by SQA due to issues with the quality of their marking. The remaining withdrawals are made by individuals themselves — often due to a change in their personal circumstances which impacts on their availability to continue marking.

We recruit markers all year round, with some marking appointments being confirmed up to six months before marking begins. Inevitably, some individual withdrawals out of the total number of markers is expected. When forecasting marker numbers, we build in additional resources to ensure that there are appropriate levels of contingency in place, and that marking is completed on time and to the national standard.

We record marker withdrawals, and the reasons why. During our annual review of marking teams and their training requirements, we use the data relating to quality issues to help us to identify where additional training would help with marker retention and recruitment — with the intention of improving their understanding of the national assessment standards and allowing them to mark in the next examination diet.

### **Principal assessors**

Regarding the minimum standards for principal assessors, the Committee correctly state that one of the selection criteria is that principal assessor candidates 'must currently be delivering the Course (or a closely-related Course or work closely with current deliverers) and be able to demonstrate excellence in assessing to the national standard.'

The criteria — as listed on SQA's website (<https://www.sqa.org.uk/sqa/58395.html>) — goes on to stipulate that principal assessors 'must also have experience in other key appointee roles, demonstrating competence in assessing to the national standard within their subject and level(s).'

Principal assessors must also be able to engage professionally and co-operatively with all members of their team(s), providing leadership and support as required, and be able to provide accurate feedback on performance to team members in a supportive and professional manner. They must be able to communicate professionally, confidently and effectively, and work professionally and co-operatively with stakeholders, other appointees and SQA staff. They must also be able to demonstrate good forward planning, time management skills and adhere to deadlines.

### **Multi-level teaching**

I highlighted to the Committee that there is an ongoing process of review within SQA to ensure that our qualifications remain relevant, credible and up to date. These review processes involve teaching professionals and subject specialists.

Most recently, the Revised National Qualifications programme had oversight for the removal of mandatory unit assessments, which resulted in changes to assessments at National 5 and above. Content changes were minimal as this was not a primary requirement of this programme and National 3 and National 4 were not within the scope of this activity. No changes are planned to National 4 course assessment.

SQA is committed to playing a full part in the forthcoming review of the Senior Phase, which will consider these issues further. This work is being scoped out now and will be discussed further with stakeholders.

### **Invigilators' pay**

SQA introduced a new fee structure for invigilation appointees in 2018. Depending on their role, SQA pays invigilation appointees an hourly rate ranging from £9.00 to £13.00 for each hour that they work, which exceeds the current Living Wage rate of £8.21.

## **Post-results services**

I have written to Mr Gray and Ms Mackay regarding the issues they raised on 11 September. I have offered to discuss the issues they highlighted on behalf of their constituents.

## **Presentation for qualifications**

Teachers are best placed to make the right presentation decisions for young people.

SQA provides a range of Understanding Standards activities that support practitioners' awareness and understanding of national standards. This in turn helps them to make informed presentation decisions for their candidates.

We also publish course reports for National 5, Higher, and Advanced Higher qualifications, and verification reports for National 4 qualifications. These reports support schools in making appropriate presentation decisions, when considered alongside the attainment data of cohorts that have attempted the assessments in the previous academic session covered by the reports.

More information about our Understanding Standards programme is available on our website: <https://www.understandingstandards.org.uk/Home> , and in a short video that outlines the resources and support that we continue to make available to the profession: <https://youtu.be/qnXrtpIAgRw> .

Thank you again for the opportunity to clarify these points. I am, of course, happy to provide further information to the Committee at any time if that would be helpful.

Yours sincerely

Fiona Robertson  
Chief Executive

**Follow-up letter from the Convener to the SQA, 3 December 2019**

Dear Ms Robertson

Thank you for the supplementary information provided in your letter dated 28 October 2019 relating to the SQA's performance and role. This followed the SQA's evidence session before the Committee on 11 September.

The Committee considered your response at its meeting on 13 November and agreed that a number of the points made in my original letter were not addressed in your response. On that basis the Committee agreed that I should write to you again offering you the opportunity to provide more detailed direct answers to the specific questions put by the Committee.

Please cross refer to my original letter dated 3 October 2019 when considering the points made below. The Committee will consider your next response at a formal committee meeting. At that stage the Committee will decide whether a further evidence session with the SQA is required on these matters.

**• Accountability for spending – international travel**

The Committee requested details of how your review work will consider questions that have been raised about accountability for spending of public money. It also requested sight of the outcome of this review. I should be grateful for confirmation that the Committee will have sight of the outcome of this review so it can scrutinise its contents. This includes sight of the revised policy you suggest would be ready to communicate by mid-November.

**• International work – human rights considerations**

As cited in my previous letter, Scottish Development International has decided not to proceed with planned work with Saudi Arabia on human rights grounds. The Committee's concern is that, as confirmed in evidence to the Committee, the SQA has not undertaken any work to assess how those trained in Saudi Arabia as part of the programme the SQA is involved in will be employed.

Your response focuses on the learner experiences including issues such as encouraging gender equality and female labour market participation. This does not address the key point made to you and your colleagues on 11 September in Committee, namely concerns over the impact of the work that is undertaken by those learners. The Committee asked what additional human rights checks the SQA intends to undertake in reviewing its work in Saudi Arabia and would appreciate a response to that specific point.

**• Principal assessors**

The Committee explored, through a series of questions during your evidence session, the basis for markers being withdrawn from marking. Specifically, whether the SQA collates information on the basis for withdrawals, where the SQA withdraws markers or the individuals themselves take the decision to withdraw.

My letter stated “evidence suggested that while SQA can explain the basis for the withdrawals instigated by SQA, the organisation is not in a position to provide a breakdown of the reasons for withdrawals by the markers themselves...The Committee would appreciate confirmation that the SQA will take steps to address this and the associated timescale for this work.” However your letter dated 28 October states “We record marker withdrawals, and the reasons why.” Based on this answer, the Committee repeats its initial request for details of the number of markers withdrawing from the process and a breakdown of this figure based on the reasons for withdrawal.

• **Multi-level teaching**

In evidence to the Committee you committed to undertake further work on this matter within your on-going improvement processes. Your response to my letter highlights collective work on the senior phase review that the SQA will be involved in as opposed to any specific work as part of your own improvement processes. I should be grateful if you could explain what the on-going improvement processes are and specifically how work on multi-level teaching will feature.

I would also appreciate confirmation that, should the senior phase review or your own improvement processes find a prevalence of multi-level teaching, that you concur with your predecessor’s view that “If significant numbers of schools are delivering multilevel teaching, we have to start looking at content.”

• **Post-results services**

During evidence to the Committee you were asked about the potential for financial considerations contributing to post-results services not being used. This relates to the higher level of use of the process by independent schools compared to state schools following the transfer of the financial burden to individual school budgets.

You stated when before the Committee: “In the system that we have evolved, including the guidance that has been provided, we have seen no evidence that post-results services are not being used because of issues relating to financial considerations.” Since your appearance, figures have been published reflecting that in 2018 independent schools appealed 7 % of exam results compared to 2.4% by local authority schools.

As stated in my previous letter, the Committee considers the extent to which the cost of the process may be acting as a deterrent to pursuing appeals merits further exploration. Based on this new information, the Committee seeks a commitment from the SQA to undertake further work in this area.

The Committee would appreciate a response by Monday 6 January 2020.

Yours sincerely

**CLARE ADAMSON MSP**  
**CONVENER**



## **Follow-up response from the SQA, 19 December 2019**

Thank you for your letter of 3 December in response to my letter of 28 October and following the Committee's evidence session on SQA's role and performance on 11 September. I am very happy to provide further information or clarification requested by the Committee.

### **Accountability for spending - international travel**

At Committee on 11 September and in my subsequent letter of 28 October, I indicated that SQA was undertaking a review of its travel policy and this would be in place by mid-November. The revised policy has been in place since 22 November and is attached to this letter.

Key changes made to the policy include:

- First Class is no longer permitted for domestic rail travel;
- Business Class is only permitted for international air travel when the one way flight time is 10 hours or more. All business class travel must be authorised by a Director or myself as Chief Executive; and
- Foreign and Commonwealth Office guidelines now apply for overseas accommodation and subsistence. This provides cost limits which SQA officials should follow.

The Travel Policy contains a control process to ensure that authorisation for international travel and accommodation is agreed at Director level or above before booking a trip. It is the responsibility of the Director to ensure that the trip is required and that costs are in line with the FCO guidance and approved budgets. No self-authorisation is permitted under any circumstances.

I have taken action since my appointment on 22 July to address concerns about our international travel costs. Policy relating to international travel is now broadly aligned to the Scottish Government. In the interests of transparency, I have published our travel policy on the SQA website.

The Committee also expressed some concerns about SQA's available management information relating to individual travel costs following a number of FOi requests. A number of data sources have been merged and SQA is now able to report on all sources of financial information regarding individual staff travel and expenses. This work will be supplemented by further systems integration before the end of this financial year. Thereafter, the international travel costs of senior staff across the SQA will be published proactively on a quarterly basis.

### **International Work - Human Rights Considerations**

SQA and its predecessor bodies have been working internationally for over 25 years, reflecting our globally recognised expertise in qualifications development and delivery. We have used our international engagement as an opportunity to help increase respect for, and understanding of, human rights. We support and align with the Scottish Government's international trade and investment aims as reflected in the

national export growth plan, A Trading Nation. Our work generates income and reduces our dependency on the public purse.

It is important that SQA, in line with other public bodies, follows guidance from the UK and Scottish Governments in considering the markets in which it operates. The Department for International Trade highlights Saudi Arabia as one of the UK's most important trading partners, with education as a key sector. Your letter states that Scottish Development International has decided not to proceed with planned work in Saudi Arabia on human rights grounds. SDI continues to maintain an office in Saudi Arabia to promote international trade with Scotland.

You outline the Committee's ongoing concerns that SQA has not undertaken any work to assess how those trained in Saudi Arabia will be employed and ask what additional human rights checks we intend to take. SQA approves all international centres to the same standard and expectation as our centres in Scotland. Our approvals process ensures that centres have appropriate systems, resources, and expertise to deliver and assess SQA's qualifications to the required standard. The systems approval process includes the need for the centre to have a number of documented policies and procedures in place, including a candidate equal opportunities policy, and a candidate complaints policy.

It is not normal practice for awarding bodies, including SQA, to undertake assessment of, or track, the destinations of candidates once they have completed our courses. This approach is consistent for all of our candidates, including the rest of the UK, and here in Scotland. It is a guiding foundational principle of the United Nations that organisations should apply the same standards and respect for human rights throughout their operations.

I have asked the Director of Business Development to consider any further policy and associated guidance for assessing our international engagement, to align with the Scottish Government's approach to promote human rights internationally and based on the United Nations Guiding Principles on Business and Human Rights.

I want to ensure that SQA can make informed decisions about its operations in all its international markets. We will also review and refine our existing due diligence processes to take account of this policy and guidance. Due diligence assessments will be undertaken for all prospective and existing international partners with scrutiny focused on the risks arising as a result of the country of operation, the partner's capacity, capability, systems and policies (including governance, history, respect for human rights, potential partnership arrangements and financial stability).

As part of the due diligence process, we will undertake a Human Rights Impact Assessment which considers each country and 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. It is important that we engage with the Scottish Government and other agencies in this work, so it is closely aligned with policy and practice on international trade across the public sector, but I would hope that new arrangements can be in place before the beginning of the next financial year. I would be happy to continue to engage further with the Committee on this matter. Any

new process will be subject to our internal governance and independent audit schedule.

In the meantime, we will continue to closely monitor our existing work in Saudi Arabia. I should highlight that the TeTEC contract is for entry level IT qualifications, which includes operating a PC, using a keyboard, and accessing the Internet. The focus is on the promotion of youth employment and female participation in the labour market, which we feel is contributing to the advancement of equality and human rights in Saudi Arabia. SQA has never worked with, or been contracted to develop products and services for the Ministry of Defence in Saudi Arabia. The Deputy First Minister has written to Patrick Harvie, MSP on this matter separately.

Finally, I should make clear that we have no plans to proceed with new business in Saudi Arabia, pending further consideration of our policy.

### **Marker Withdrawals**

The Committee has requested further information on the number of markers withdrawing and reasons for their withdrawal.

From the 12,450 marker appointments at the start of the marking period we have recorded 794 markers who have either withdrawn or been withdrawn by SQA. The details of these withdrawals are as follows:

<b>Reason for withdrawal</b>	<b>Number of withdrawals in 2019</b>
Health / family issues	178
Personal reasons	135
Withdrawn by SQA	130
No reason specified	125
Did not attend markers meeting	102
Other commitments	67
Failed at P&Q marking	29
Marking other components	14
Targets unachievable	9
Did not like the system	2
Hardware issue	2
Software issue	1
<b>Total withdrawals</b>	<b>794</b>

We will continue to refine our process for gathering refusal details during the 2020 examinations.

### **Multi-level teaching**

You asked about SQA's ongoing improvement processes for National Courses. Such processes follow SQA's National Qualifications publication and revision policy. Once the arrangements for a National Course are published, we will not amend the course requirements, including the skills, knowledge, and any related content, for at least three years. We will then formally review each National Course during the third, fourth or fifth session after the original publication.

As such, each National Course will be reviewed at least once every five years. This review process is managed by SQA qualifications staff and supported by SQA's National Qualifications Support Teams (NQSTs), one for each subject, which meets at least on an annual basis. The NQSTs include experienced teachers and representatives from the various subject-based teacher associations as well as teaching unions, universities and employers. Relevant subject specialist colleagues from Education Scotland also sit on our NQSTs. If this review process suggests that a more detailed look at the requirements for a particular subject is necessary then this will be supported with a period of engagement with all relevant parties including local authorities, schools, colleges and young people.

With this approach, over time, our National Courses for each subject will evolve working closely with our NQSTs and other key stakeholder groups.

SQA is therefore currently looking to review our National 3 and National 4 course provision. These courses have not been reviewed for five years. This review will look at a range of factors including:

- The assessment standards as benchmarked against the relevant level in the Scottish Credit and Qualifications Framework (SCQF);
- The currency and appropriateness of the key skills and knowledge requirements for each course;
- Feedback on the delivery of the current courses such as the management of the assessment approach, including the Added Value Unit for National 4; and
- Progression to and from National 3 and National 4.

As part of this review, we will consider both the skills and content alignment between the various levels and be informed by the practicalities of delivering these courses, including bi-level classes. If such a review suggests that an adjustment of content is required to more smoothly align each level of a National Course and still enable appropriate national standards to be maintained, then this will be given consideration when developing revised arrangements. On this basis, I agree with my predecessor's comments.

Finally, as agreed by the Scottish Government's Curriculum and Assessment Board, there are no plans at present to change the overall design principles of National 3 and National 4. As noted in my letter of 28 October, SQA is also committed to playing a full part in the forthcoming review of the Senior Phase, which will consider these issues further.

### **Post Results Services - Marking Reviews**

Post-results Services (PRS) can be used where a centre has concerns about a candidate's certificated grade, if that grade has been determined following marking by SQA.

Centres can request a clerical check or a marking review of the candidate materials that were submitted to SQA for marking if they believe an error has occurred with either the totalling of marks or marking which has resulted in the wrong grade being awarded.

A marking review is undertaken by examiners and involves consideration of a candidate's materials submitted to SQA for marking to ensure that:

- all parts of the submission have been marked;
- the marking is in line with the national standard;
- the marks given for each answer have been totalled correctly, and
- the correct result has been entered on SQA's software.

There is no charge to a centre if a marking review results in a change of grade for a candidate. If a candidate's grade remains the same then a charge is applicable. While this approach is the same as all other UK awarding bodies, it is worth noting that the SQA charge for this service is significantly less than the other UK awarding bodies. SQA's PRS Information for Centres document states the following with reference to requesting a marking review:

*Determining if a request should be submitted*

The final decision on whether to submit a Post-results Services request lies with the head of centre. Only requests that have been approved by the head of centre will be accepted by SQA. Requests will not be accepted from candidates or parents/carers. Heads of centre should exercise their professional judgement before reaching a decision on whether or not to submit a request for a candidate. They should be of the view that the candidate's certificated grade is markedly at odds with the totality of assessment evidence gathered during the course, and that it is out of line with the performance of other candidates with similar profiles.

The document also makes the following recommendation around the development of centre frameworks:

*Centre frameworks*

*SQA doesn't want to be prescriptive about the use of the services or to define rules for centres to follow - the professional judgement of centres remains important here. However, centres need to ensure that they implement Post-results Services in a fair, equitable and consistent manner that is easily understood by teachers, candidates and parents/carers. For this reason, SQA recommends that centres develop criteria and a framework to ensure consistent use of the services and that they are made available to candidates and parents. This will ensure clarity, transparency and consistency.*

Further to the above, the Association of Directors of Education in Scotland (ADES) worked with SQA to develop detailed criteria and a framework for the use of Post-results Services. This ensures that the services are used consistently across schools and local authorities. As part of this framework ADES state that:

*No pupil should be denied access to this service on the grounds of cost and thereby disadvantaged. Schools and Local Authorities will have local arrangements on SQA budgets which should address the costs of using the service.*

SQA also shared this guidance with the Scottish Council for Independent Schools (SCIS) to enable them to cascade to their members and develop appropriate guidance.

SQA has received no feedback to date from any centre that they have been unable to submit an evidenced-based marking review request due to cost considerations. I note the Committee's reference to the overall marking review uptake statistics by sector. SQA is happy to undertake some additional engagement with ADES, SCIS and centres on the criteria being used to make such requests. This will allow SQA to determine if there are any issues around access to the service for centres and to further ensure that the cost of an unsuccessful marking review is not acting as a deterrent to centres making a valid request in the first place.

Thank you for the opportunity to clarify these points further and I hope this response fully answers the points raised by you and the Committee. Since my appointment on 22 July 2019, I have been working to ensure that SQA builds on its strengths in delivering for Scotland's learners but is also open and responsive to any issues that are raised. I am committed to working through a range of issues as timeously as possible.

Yours sincerely

Fiona Robertson  
Chief Executive

## Education and Skills Committee

2<sup>nd</sup> Meeting, 2020 (Session 5), Wednesday 22 January 2020

### PE1548: National Guidance on Seclusion and Restraint in Schools

#### Introduction

1. This paper invites the Committee to consider an open petition for the first time:

#### [PE1548: National Guidance on Seclusion and Restraint in Schools](#)

2. The paper sets out the terms of the petition, as well as the background to its consideration by the Public Petitions Committee and options for action by this Committee.

#### Terms of the petition

*Calling on the Scottish Parliament to urge the Scottish Government to:*

*Introduce National Guidance on the use of restraint and seclusion in all schools; this guidance should support the principles of:*

- *Last resort - where it is deemed necessary, restraint should be the minimum required to deal with the agreed risk, for the minimum amount of time*
- *Appropriate supervision of the child at all times, including during “time out” or seclusion.*
- *Reducing the use of solitary exclusion and limiting the time it is used for (e.g. maximum time limits)*
- *No use of restraints that are cruel, humiliating, painful and unnecessary or not in line with trained techniques.*
- *Accountability of teaching and support staff for their actions; this should include recording every incident leading to the use of seclusion or restraint and monitoring of this by the local authority.*
- *Regular training for staff in how to avoid the use of restraint*
- *Where restraint is unavoidable training in appropriate restraint techniques by British Institute of Learning Disability accredited providers and no use of restraint by untrained staff.*

*Appoint a specific agency (either Education Scotland or possibly the Care Inspectorate) to monitor the support and care given in non-educational areas including the evaluation of the use of restraint and seclusion of children with special needs in local authority, voluntary sector or private special schools.*

#### Background

3. The 2015 [SPICe briefing](#) for the petition sets out the background:

“The petition is not about specific incidents but rather asks for national guidance...the petitioners also ask for the use of restraint and seclusion to be monitored. Currently, the use of restraint in residential care is monitored by individual establishments and an annual return made to the Care Inspectorate (S4W09371). There is no similar national monitoring for non-residential schools.

Schools are inspected by Education Scotland. Only where a school provides residential accommodation will it also be inspected by the Care Inspectorate.”

4. The Session 4 Public Petitions Committee first considered this petition at its meeting on 17 March 2015, when it took evidence from the petitioner, Beth Morrison, Ian Hood, Learning Disability Alliance Scotland and Kate Sanger, the Challenging Behaviour Foundation. The Committee agreed to write to the Scottish Government, the Care Inspectorate, Scotland's Commissioner for Children and Young People, ENABLE Scotland, the Scottish Children's Services Coalition, the Educational Institute for Scotland, COSLA, Children 1st and the Ministerial Working Group on Child Protection and Disability. The Session 4 Public Petitions Committee continued to correspond with the Scottish Government before [agreeing](#) to include the petition in its legacy paper for consideration by the Session 5 Public Petitions Committee.
5. The Session 5 Public Petitions Committee continued to consider this petition, and at its meeting on [19 January 2017](#) it agreed to seek an update from the Scottish Government on publication and use of the ‘communication passport’ and the ‘toolkit’ for practitioners, and to invite the Deputy First Minister to provide oral evidence at a future meeting.
6. The Scottish Government published its refreshed national guidance, [Included Engaged and Involved Part 2: A Positive Approach to Preventing and Managing School Exclusions](#) on 19 June 2017. This refreshed guidance includes information and advice for Education Authorities on De-escalation and Physical Intervention. Although the petitioner [welcomed](#) the guidance, she felt “there is more to do to ensure the protection of Scotland’s most vulnerable children”.
7. The Public Petitions Committee continued to liaise with the petitioner and the Scottish Government on the refreshed national guidance throughout 2017 and 2018. In September 2018, a joint report called *Not Included, Not Engaged, Not Involved* was launched by Children in Scotland, National Autistic Society Scotland and Scottish Autism, which touched on issues raised within the petition. Similarly, in December 2018, the Children and Young People’s Commissioner Scotland laid in Parliament a [report](#) titled *No Safe Place: Restraint and Seclusion in Scotland’s Schools*, which concluded that “professionals responsible for children do not have consistent, unambiguous guidance or feedback mechanisms to ensure they are equipped to appropriately support vulnerable children at moments of crisis.”
8. On [7 November 2019](#), the Public Petitions Committee heard evidence from the petitioner Beth Morrison, Bruce Adamson, Children and Young People’s



Commissioner Scotland, and Nick Hobbs, office of the Children and Young People's Commissioner Scotland. This evidence followed the publication of the aforementioned reports, as well as a [submission](#) from the petitioner in August 2019 which called for a statutory "robust legal framework" to be in place rather than just the guidance.

9. At its meeting on [19 December 2019](#), the Public Petitions Committee heard evidence from the Cabinet Secretary for Education and Skills. The Cabinet Secretary confirmed that "the Scottish Government will produce new national guidance that will provide a clear human rights-based policy on physical intervention and seclusion in Scottish schools".
10. After taking evidence from the Cabinet Secretary, the Public Petitions Committee therefore agreed to refer the petition to the Education and Skills Committee on the basis that the petition could be taken into account in ongoing and upcoming work. It also agreed to highlight that "if the guidance as it develops is not effective, the Government has made a commitment to look at what may be done to ensure that there is a means by which the guidance can be put on a statutory basis". An extract of the Clerk to Clerk referral memo is at Annexe B.

### **Options for action**

11. The Committee has two options for how to take the petition forward. The Committee could take forward both options.
12. Option A – the Committee could write to the Cabinet Secretary to confirm that this Committee, for continuity of scrutiny by the Public Petitions Committee, will be keeping a watching brief on this issue, and to seek details of timescales for the production of the new guidance and an assurance the guidance will be sent to the Committee when it is produced. This letter could also ask if the Scottish Government will consult on the details of the guidance, and if so whether the Committee can be included in the consultation.
13. Option B - The Committee has scheduled work on initial teacher education and additional support for learning in 2020. As these inquiries may have themes with a read across to the petition, the Committee may therefore wish to raise relevant issues during the course of these inquiries. For example the Committee intends to look at course content to support those with additional support needs during its ITE inquiry.
14. Other options available to the Committee are listed in Annexe A.

**Gary Cocker**  
**Assistant Clerk to the Committee**  
**January 2020**

**Annexe A**

*Options available to Committees considering petitions*

Once a petition has been referred to a subject Committee it is for the Committee to decide how, or if, it wishes to take the petition forward. Among options open to the Committee are to:

- Keep the petition open and write to the Scottish Government or other stakeholders seeking their views on what the petition is calling for, or views on further information to have emerged over the course of considering the petition;
- Keep the petition open and take oral evidence from the petitioner, from relevant stakeholders or from the Scottish Government;
- Keep the petition open and await the outcome of a specific piece of work, such as a consultation or piece of legislation before deciding what to do next;
- Close the petition on the grounds that the Scottish Government has made its position clear, or that the Scottish Government has made some or all of the changes requested by the petition, or that the Committee, after due consideration, has decided it does not support the petition;
- Close the petition on the grounds that a current consultation, call for evidence or inquiry gives the petitioner the opportunity to contribute to the policy process.

When closing a petition, the Committee should write to the petitioner notifying the decision and setting out its grounds for closure. Closing a petition does not preclude the Committee taking forward matters relevant or partly relevant to the petition in another way.

**Annexe B**

**Extract from petition referral memo**

At its meeting on 19 December 2019, the Public Petitions Committee agreed to refer the above petition to the Education and Skills Committee under Rule 15.6.2 of Standing Orders.

At this meeting, the Committee took evidence from the Deputy First Minister and Cabinet Secretary for Education and Skills. This included taking evidence on the recent announcement made by the Scottish Government that it intends to develop human rights-based guidance on the use of restraint and seclusion in schools.

Both the petitioner and the Children and Young People's Commissioner Scotland are of the view that this guidance should be statutory. During the evidence session, it was confirmed that the guidance will not be statutory due to the time it would take to implement primary legislation to allow the Scottish Government to make this guidance statutory. At the meeting, the Deputy First Minister agreed to explore what would be required to seek this power for any future guidance it may wish to put on a statutory footing.

In referring this petition, the Committee recognises the ongoing work of the Education and Skills Committee in the context of the upcoming independent review into the implementation of Additional Support for Learning. The Committee would also like to highlight the benefit of positive engagement with the petitioner in the Committee's review work and with others with lived experience of the issues raised by the petition. In addition, the Committee wishes to draw your attention to the commitment made by the Deputy First Minister to explore the options for placing restraint and seclusion guidance on a statutory footing in the future.