

SQA Appeals 2021 consultation response- by March 26th

Note- this response is about the consultation itself. It is included here as there was no other way to record it.

Participants were concerned that this consultation was the main opportunity for young people to share their views and felt that it may not accurately reflect the views young people across Scotland. The main reasons given for this were:

- it had an exceptionally long preface.
- the questions are quite broad/vague.
- the timeline is short and does not allow them time to process the information and consult others.

An example of what this means in practice (especially because of the two-week turnaround time) is that we have only been able to directly consult young people on some of the questions.

We therefore feel that this consultation is an inadequate channel to meaningfully engage young people's views on such an important topic and is likely to mean that SQA does not have a fully formed view of what young people think about some of these questions.

Our responses to this consultation have been drawn from the Learner Panel on Tuesday 23rd March, except when stated otherwise.

Question 1: To allow learners to decide whether to submit an appeal, and to respect learners' rights, there is a need for centres to explain, in detail, the reasons for their judgement. How can this best be done?

How can this best be done?

By taking a rights-based approach and ensuring that young people are meaningfully involved in all decisions about the rationale and context for lodging an appeal. This should be part of the ongoing dialogue between them and their school or college.

Those young people who have specific needs must receive appropriate support throughout this process and all young people should have the right to involve a parent or carer as part of these discussions. Those young people who wish to be represented by someone else (eg parent or carer) should have the opportunity to do so.

Question 2. Is it appropriate that the result of the initial appeal is determined by the learner's school or college?

Yes

Please explain the reasons for your answer.

Young people felt that the initial appeal should be discussed with the school or college in the first instance, to clarify the reasons for the award and provide the opportunity for circumstances to be taken into account, as well as to ensure any admin errors can be resolved.

Beyond that, and in cases where there is any disagreement between the young person and the centre, participants agreed it is essential that young people have a direct right of appeal to SQA.

Question 3. If the result of the initial appeal is determined by the learner's school or college, is there a need for some learners to be able to further appeal to SQA?

Yes.

Young people feel that appeals must be independent of their school or college. They feel that doing this would ensure the process is fair and objective and the only way to ensure it would meaningfully uphold their rights.

One young person said to us at a session in June:

“Teachers are professionals, but it’s also human nature. If you don’t like someone or the bad children will get a lesser grade, if you can’t appeal against your teachers - it’s really not fair.”

One issue with centre-only appeals would be capacity; one young person on the Learner Panel said that they have one department that only has 2 teachers who will be cross-checking each other’s grading and decisions. In this case, i.e. for centre appeal reviews where a teacher not involved in the initial grading has to review the decision, they were concerned this would be a teacher without expertise on the subject and this would be worrying.

In addition, young people felt that in some cases the school or college may be the source of the problem with their assessment, and that going to SQA directly was therefore only appropriate vehicle.

Question 4: Do you agree that an appeal outcome should be the grade that the evidence shows ought to be awarded? This means that an appeal could result in a grade remaining the same, being upgraded or downgraded.

Do you agree that an appeal outcome should be the grade that the evidence shows ought to be awarded?

We do not believe that any result should be downgraded because of an appeal.

In June 2020, young people told the SQA that this might be off-putting for young people who might avoid the process altogether. This could be a barrier to young people who may otherwise have appealed with success. Participants said:

- “Appeal process should not allow for grades to go down.”
- “If your grade can go down, you might be put off from appealing at all.”

Now they are back in school, young people have told us that there is still confusion between teachers and pupils about what evidence can be used. For example, within one school some teachers are using weekly tests and assessments as evidence, others say they are not allowed to use the weekly tests as evidence. There is still confusion between key evidence and supplementary evidence - this needs to be clarified urgently.

Young people recognised that individual schools and colleges are taking different approaches. While it would be positive if SQA guidance provided all the answers, young people recognised that schools and colleges needed to be clearer in communicating their approach and feel SQA have a role to play to support this. Again, this needs to be rectified urgently.

Young people recognised the need for consistency but have concerns about the possibility of being downgraded. They felt that appeals would only be made due to the challenging circumstances young people have gone through and a downgrade could really be an

additional knock-back and challenge for young people who are already struggling with their mental health and disruption.

In addition to the concerns about their wellbeing, one of the main concerns about downgrading is the impact it might have on the whole centre and other learners if one appeal results in a downgrade. Does this bring into question other results and might others be adversely impacted?

Young people we spoke to also thought there had been it has already been confirmed that downgrading not being an option this year, so were confused to see it being proposed in the consultation. This confusion risks causing additional anxiety to a group of young people whose mental wellbeing has already been adversely affected.

We therefore feel it is vital that any appeal does not lead to a grade being downgraded and think that young people need to receive assurance that this will be the case. Failing to do this will risk causing young people additional uncertainty and anxiety.

Question 5: In the absence of fees and with limited capacity in the education system to support appeals, how can SQA ensure that appeals are only made when learners genuinely believe that they have been treated unfairly?

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No comment here, other than to reiterate our support for the position that appeals must be free.

Question 6: Are the proposed grounds for appeal reasonable? Are there any others that should be included?

Young people felt the grounds for appeals were far too limited and restrictive. They felt administration errors would be rare, and were concerned about what the impact would be on the whole centre if appeals were made by individual learners on the grounds of the centre failing to comply with SQA requirements.

Concerns were highlighted by young people to the SQA in June that decisions needed to be made on a case-by-case basis, as there will be such varied and specific circumstance impacting YP's grades in the pandemic:

- "SQA should make a deliberate effort to ask for any information from schools that might have affected a student's grades. Schools should have a clear way to make circumstances known to SQA."
- "Focus more on the individual learner. Awards should be assessed on a case by case basis."
- "Look at individual circumstances e.g. health issues - how will the SQA mitigate these circumstances."

They felt there must be grounds for appeals based on exceptional circumstances. They said this should not simply be because of Covid and disruption that all learners have faced, but if there were additional impacts on top of this, for example:

- Experiencing a family bereavement
- Being a young carer; meaning they have had to take on more caring responsibilities due to being at home more and not having access to usual support

- Mental health issues and/or challenging home circumstances; meaning significant challenges in engaging with online learning

The group shared the pressure they are under with current timelines, to get back to school and be completing tests and gathering evidence of learning. They felt if a young person is affected by an exceptional circumstance now the chances of them being able to gather the necessary evidence is unlikely and this is not fair.

Therefore, for the system to avoid exacerbating inequalities, additional circumstances must be taken into account.

Question 7: What might be required to help learners understand what will and will not be considered under the grounds of a lack of fairness in assessment?

All relevant documents and communications need to be co-designed with young people. This means that proper planning needs to take place and young people need to be brought into the process early- too often this year this has not happened. This consultation is itself an example of a process that has not been designed with young people in mind, which will mean that young people's views are unlikely to be adequately captured.

Question 8: What positive and negative impacts can you identify in relation to appeals processes on the needs set out in the public sector equality duty? How could the positive impacts be maximised, and the negative impacts be mitigated?

See answer to Question 6.

Question 9: How should the consideration of appeals be prioritised?

Depending on the volume of appeals received and the education system's capacity to handle them, SQA may need to apply criteria to prioritise requests. The standard approach to prioritisation is based on immediate progression to employment, apprenticeships, college or university entry. Are there other factors to consider?

We believe that all appeals received should be processed. However, prioritising the groups stated above may make sense, as long as it is clear that all appeals will ultimately be processed.