



The Scottish Parliament
Pàrlamaid na h-Alba

EDUCATION AND SKILLS COMMITTEE

AGENDA

1st Meeting, 2021 (Session 5)

Wednesday 13 January 2021

The Committee will meet at 2.30 pm in a virtual meeting.

1. **Declaration of interests:** Oliver Mundell will be invited to declare any relevant interests.
2. **Decision on taking business in private:** The Committee will decide whether to take items 4 and 5 in private.
3. **Coronavirus and education: Learning and Teaching in the Senior Phase:** The Committee will take evidence from—

Larry Flanagan, General Secretary, EIS;

Richard Bell, Secondary School Teacher and National Executive Member for Scotland, NASUWT; and

Seamus Searson, General Secretary, Scottish Secondary Teachers' Association;

and then from—

Fiona Robertson, Chief Executive, and Jean Blair, Director of Operations, Scottish Qualifications Authority;

Gayle Gorman, Chief Inspector of Education and Chief Executive, and Alan Armstrong, Strategic Director, Education Scotland.

4. **Review of evidence:** The Committee will consider the evidence it heard earlier.
5. **Work programme:** The Committee will consider its work programme.

ES/S5/21/1/A

Gary Cocker
Clerk to the Education and Skills Committee
Room T3.40
The Scottish Parliament
Edinburgh
Tel: 0131 348 5204
Email: Gary.Cocker@parliament.scot

The papers for this meeting are as follows—

Agenda item 3

SPICe briefing paper

ES/S5/21/1/1

Submissions pack

ES/S5/21/1/2

Agenda item 5

PRIVATE PAPER

ES/S5/21/1/3 (P)

Education and Skills Committee

Senior Phase

13 January 2021

INTRODUCTION

The Committee will be taking evidence from two panels on learning and certification in the Senior Phase in the current academic year.

Since the beginning of the pandemic, the Committee has undertaken several evidence sessions on the models and methods of certification in 2020 and 2021. For example the Committee heard from Professor Priestley and Dr Shapira following the publication of their Rapid Review of National Qualifications experience 2020 on [11 November 2020](#) and the Cabinet Secretary later at the same meeting.

The situation in terms of teaching and learning in schools has changed since the Committee agreed to hold this session. In December, the Scottish Government announced that the start to the school term would be delayed and begin, for most, with a short period of on-line learning. On 4 January 2021, the First Minister announced that schools would be physically closed for most pupils until February the earliest.

The Committee will hear from two panels. The first panel will be of representatives of teaching trade unions and the second panel will be comprised of representatives of Education Scotland and the SQA. The Committee will also undertake informal discussions with young people on Tuesday 12 January, which will inform this session.

The remainder of this paper is in three parts: teaching and learning in the senior phase; plans and progress for certification in 2021; and planning and processes for pupils to return to schools.

TEACHING AND LEARNING

While the focus of the evidence session is the senior phase, the challenges and solutions of remote learning will be similar for younger pupils.

The pandemic has and continues to provide challenges for societies to continue educating children and young people. The [second report of the International Council of Education Advisers](#) (ICEA), published in December 2020, stated—

“The COVID-19 global pandemic has changed the complexion of many issues in education. Our work, like the work of Scottish education, now takes place in a time and circumstances that have turned rules, expectations and basic understandings of what is and should be considered to be normal in education systems upside down. Schools have closed, opened again, and still face uncertainty in the coming months as waves of the pandemic loom in some form or other. Examinations have been cancelled, calculation of results has shifted, and further changes may well be in store. The pandemic has disproportionately affected those who are most vulnerable and living in poverty, placing issues of equity at the very centre of the thoughts of education policymakers.”

The focus of this part of the paper will be on the provision and access to remote learning.

Teaching materials and pedagogy

As noted above, the intention shortly before Christmas was that there would be a short period of remote learning this month.

Scottish Government guidance on reducing the risks in schools, which was the October version of the previous guidance for reopening schools, noted that the contingency for schools would be remote learning. The [guidance stated](#)—

“Schools and local authorities should prepare and maintain clear, strong contingency plans for providing education remotely and should include the possibility of using online national resources such as digital class. Local authorities and schools should ensure that parents/carers are fully informed of the contingency plans in place.”

Where the advice on social distancing would change, the guidance stated that “schools and local authorities must be prepared to enact contingency measures as outlined in their Local Phasing Delivery Plans”. The delivery plans were initially developed to support blended learning which was, at the beginning of summer 2020, the anticipated model for the start of the school year in August.

[On 21 December 2020, the Scottish Government published guidance](#) for the re-opening arrangements this month. At the time, it was anticipated that there would be a short period of remote learning. The December guidance set out some of the resources available for remote learning. It stated that resources had been developed at national, regional and local levels. It said—

“A variety of options may be considered. These may include, for example, written work, online tasks using Glow or Google Classroom, access to live lessons through Glow (for example, by communicating through the chat function or through live video links with learners), or access to recorded lessons. Practitioners know their learners best, and should be arranging learning which is appropriate to their needs and circumstances.”

[Guidance](#) from the Scottish Government states, “pupils should be provided with an appropriate timetable of remote learning during the period from Monday 11 January to Friday 29 January.” The guidance identified three types of e-learning: *Live* – real-time tuition; *Recorded* – 400 pre-recorded lessons to be made available through Glow which were developed by teachers covering both BGE and the senior phase; and *Supported* – around 14,000 other online resources available on Glow covering 14 subjects. [Education Scotland's Scotland Learns](#) website also have a range of resources aimed at practitioners and parents/carers.

Education Scotland have played a key role in supporting the development of these online learning materials and platforms. The [First Minister told the Parliament on 4 January](#)—

“We have taken significant steps on online learning. For example, the national e-learning offer, which is a collaborative programme involving the Scottish Government, Education Scotland and local government, has already helped to improve the options that are available to schools and enhanced the provision for live

remote learning, recorded lessons and supported learning via online digital learning.” (Col 15)

The [National Improvement Framework and Improvement Plan published in December](#) noted the following key priorities—

- Improvement in attainment, particularly in literacy and numeracy
- Closing the attainment gap between the most and least disadvantaged children and young people
- Improvement in children and young people’s health and wellbeing
- Improvement in employability skills and sustained, positive school-leaver destinations for all young people

The [NIF](#) reported that—

“Support for professional learning is developing more skilled and confident teachers. Our teachers and schools retain the leadership role in order to determine the precise arrangements for remote learning for their learners. DigiLearn provides support on how to use digital tools and pedagogical approaches to deliver online learning, including engaging learners with active digital learning, live mixed delivery between school and home, and creating videos for learners. Since March 2020, Digilearn has received around 80,000 visits and over 179,000 page views, with nearly 3,000 hours of YouTube resources viewed. In addition, over 7,000 practitioners have benefited from 127 webinars”

The [SSTA commented](#) on the prospect of live learning, stating—

“The SSTA view is clear that there is no requirement for teachers to be involved in live video teaching. The SSTA has a number of safety and security concerns for both pupils and teachers that have not been considered by those who promote such activity in schools. No teacher must be pressurised into providing live video teaching.”

E-Sgoil’s offer is available in both English and Gaelic. [E-Sgoil’s website](#) notes that this offer is being developed iteratively and collaboratively; it states—

“We are creating a Senior Phase learning space built on live Masterclass style lessons and supported by a menu of multi-media resources, study support sessions and tutorials.”

The guidance published in December stated that e-Sgoil was providing study support for senior phase pupils – in December this support covered the following subjects.

National 5	Higher		Advanced Higher (8)
Mathematics	Physics	Music	Biology

Physics	Chemistry	Spanish	Chemistry
English	Mathematics	French	English
Computing Science	English	Gaelic learners	French
	Business Management	Gàidhlig Religious, moral and philosophical studies	Mathematics
	Health and Food Technology	Human Biology	Modern Studies
	History		Physics
			Spanish

As at 21 December. <https://www.gov.scot/publications/coronavirus-covid-19-school-re-opening-arrangements-for-january-2021/pages/remote-learning/>

The December report of the ICEA discussed nationally available e-learning platforms. It stated—

“The important point is not just that a national platform exists in some form or other, but also that it is publicly and professionally accessible, has the capacity to be personalised by every teacher for every pupil, and is interactive rather than unidirectional in nature.” (p9)

The [NPFS issued a media release following the First Minister’s statement on 4 January](#). The NPFS noted a number of concerns including calling for—

- “A need for clear and consistent communication regarding the pandemic and its impact on educational settings from Scottish Government, Local Authorities and Schools
- Assurances around the quality and consistency of remote learning and clarity about how it will be delivered. It is crucial that every child receives the high- quality educational experience that they are entitled to and that measures are taken to prevent the widening of the poverty and attainment gap.”

As with the first lockdown, in-person provision will be made for vulnerable children and the children of key-workers. During the first lockdown, it was unclear to what extent those children and pupils attending hubs had access to educational instruction or support to complete remote learning tasks. The [First Minister told Parliament on 4 January](#) that teachers would be part of the support available to those children and young people. (Col 23) The [SSTA have said](#), “This will cause a major problem for schools as teachers cannot be expected to teach pupils in school and deliver remote learning to those not in school. Additional staff will be required to achieve this expectation.”

Guidance published in December was updated on 6 January to reflect the longer period of remote learning. During her statement on 4 January, the First Minister said—

“I will ensure that the Cabinet Secretary for Education and Skills sets out for MSPs over the next couple of days the steps that are being taken to ensure that the provision of online education is as parents want it to be and that local authorities are working to ensure that it is of a consistent quality across the country.”

Members may wish to explore with the panels—

- **How well-prepared schools are to deliver remote learning to pupils in the senior phase.**
- **How Education Scotland has redirected its resources to support remote learning.**
- **What assessment has been made of the relative strengths of the three types of materials – Live, Recorded and Supported online learning.**
- **How have the resources and plans for remote learning reflected the priorities of education? For example have literacy, numeracy and wellbeing been prioritised in plans for learning in the Senior Phase or BGE?**
- **What are the objections to live teaching and how might these be overcome?**
- **Whether there has been prioritisation of resources for senior phase pupils or subjects (e.g. focusing on literacy and numeracy).**
- **To what extent individual teachers are aware of the platforms and resources available. How has local government and Education Scotland supported teachers in effectively using these tools.**
- **How has the SQA supported the development of eLearning resources aimed at senior phase pupils?**
- **How will the learning of vulnerable children and the children of key-workers be supported in schools or hubs?**

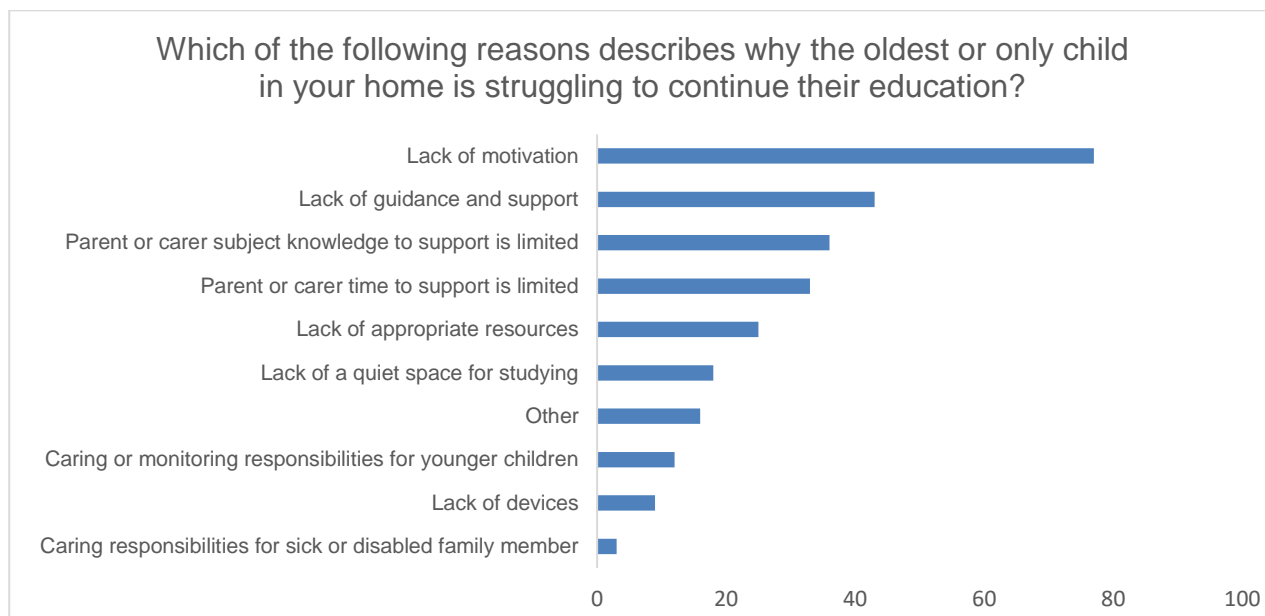
Learners’ access and engagement

During the first lockdown, a number of bodies undertook research on homeschooling. This included the Office for National Statistics (ONS). The [ONS undertook analysis of homeschooling in Great Britain between April and June 2020](#). Some of the findings of the ONS were—

- The average number of hours spent doing schoolwork per week significantly increased as the age of the child increased from 5 to 10 years (10 hours) to 11 to 15 years (16 hours), with the hours spent learning by those aged 5 to 10 years being significantly lower when there was a child aged 0 to 4 years in the household.
- Over half (52%) of parents with school-aged children said a child in their household was struggling to continue their education while at home, with just over three in four of these parents (77%) giving lack of motivation as one of the reasons.

- While under 1 in 10 (9%) parents with a child who was struggling gave a lack of devices as a reason for struggling, this was significantly higher for households with one adult (21%) than households with two or more adults (7%).

The chart below shows the reasons given for children struggling. It is important to stress that the denominator of the percentages in the chart below is the 52% of those that said their child was struggling.



Source [ONS](#)

The impacts of remote learning were not the same for all learners. The report of the ICEA noted set out some of the differences that were observed in lockdowns in 2020.

“Some children benefitted – mostly those in more socio-economically advantaged families; those who had parents with time and availability to help; some of those with attention deficits who could now wiggle and move around when they wanted to; those who were shy and could interact more readily online than in-person; older students who could learn online independently; and students who were no longer being bullied in person by their peers. In most cases, though, there were significant problems with access to Wi-Fi or devices, especially among poorer families; lack of available programmes or platforms; malfunctioning or poor quality programmes; students and teachers with insufficiently developed digital skills; challenges of building relationships and connecting emotionally as well as cognitively online; difficulties for many students who were easily distracted in their learning style or did not have a home environment suitable for learning, and who therefore found it hard to operate as self-directed learners in the digital domain. There was also evidence that students with special education needs, English language learners, and/or students who were already struggling with their learning were negatively affected by remote learning.” (p8)

The Scottish Government has worked with local authorities to provide devices to children and young people to support remote learning. The [First Minister said in her statement on 4 January](#)—

“It is worth highlighting that, since schools returned after the summer, more than 50,000 devices such as laptops have been distributed to children and young people

to help with remote learning. More devices are being distributed by councils every week and, in total, we expect our investment, which builds on existing local authority action, to benefit about 70,000 disadvantaged children and young people across the country.” (Col 7)

In addition the [National Improvement Framework and Improvement Plan published in December](#) reported that, as of the end of November, “over 9,000 connectivity solutions had been distributed to learners across Scotland”. (p15)

The Committee has previously discussed how remote learning affected different groups. The Scottish Government agreed to undertake an *Equity Audit* as part of the recovery from the pandemic. [The Programme for Government in September](#) stated—

“A longer term strategy will be required to help address the impact the pandemic has had on some of the most vulnerable children and families. The implementation of an Equity Audit will deepen our understanding of the impact of on children from disadvantaged backgrounds, and set clear areas of focus for accelerating recovery.” (p97)

The Equity Audit was expected to be published before the end of 2020. To date this has not been published; however the [National Improvement Framework and Improvement Plan published in December](#) stated—

“The forthcoming Equity Audit – developed through a rapid evidence review plus a deep dive in 54 schools, including engagement with headteachers, practitioners and support staff, parents and young people - will deepen our understanding of the impact on children from disadvantaged backgrounds, as well as improve our awareness of the key drivers behind this and local insight on:

- health and wellbeing
- educational experiences
- educational attainment
- factors which mitigate against negative impacts” (p29)

The NIF also listed a number of emerging themes from work on the equity audit which included—

- Schools which were already using online platforms were better placed to move to online learning and teaching.
- Pupil motivation and engagement were strongest where there was consultation and choice about learning tasks.

Members may wish to explore with the panels—

- **To what degree the digital devices that have been distributed have met the demand.**
- **What other work has been undertaken to support motivation of learners?**

- **What is the expected impact on progression through courses and covering the required knowledge and skills of courses in the senior phase.**
- **What work has been undertaken to ensure young people will be able to maintain and develop practical skills?**

Workload and staff wellbeing

The past nine months have been a significant challenge for the teaching profession and other workers in education. The report of the ICEA stated—

“International evidence is clear that combinations of remote learning, online learning, hybrid learning, in-person learning, and the health and safety protocols and procedures associated with COVID-19 have resulted in increased workload, work intensification, and challenges of work-life balance for educators and support staff.” (p24)

The ICEA also noted the particular stresses being felt by school leaders and called for responsibilities to be more broadly shared. It said—

“The emotional, mental, and physical toll upon school (and other) leaders is very real, almost unimaginable, and utterly unsustainable (as it is for other educators too). Presently, school leaders are barely holding the front line of the system together, as each day brings new challenges, stresses, and 26 heartbreak, as families in the poorest communities are battered by the storm of COVID-19 ... There needs to be more incentives and clear policy statements about the value of sharing and distributing leadership responsibilities. This means bringing in more leaders (middle leaders, curriculum leaders etc.) to help shoulder some of the responsibilities and duties that accompany the many additional COVID-19 tasks and procedures, including the demands of track and trace. It also means more networking and more collaboration among schools.” (p25-26)

Supporting teachers’ wellbeing was highlighted in the NIF as being a key part of Education Scotland. The [NIF](#) stated—

“The health and wellbeing of school staff is key to addressing all of those priorities in this recovery year. Education Scotland will work with key partners to pilot and evaluate a package of support focused on educator wellbeing which contains three main elements:

- a. Mental health support for the schools workforce with access to reflective supervision.
- b. Coaching and mentoring education system offer.
- c. Enhanced support for post-probation teachers.” (pp12-13)

Members may wish to explore with the panels—

- **How is the wellbeing of teaching and other teaching staff being monitored and supported at a local level.**

- **How will Education Scotland be supporting educational staff wellbeing in the current period of remote learning and in the longer term?**
- **How have national agencies and national decision-making contributed to the wellbeing of education staff. Are there any actions that could be undertaken in the short term to support teachers?**

CERTIFICATION

The Committee explored some of the issues for certification during [its meeting on 11 November 2020](#) when it explored the Priestley Review with Professor Priestley, Dr Shapira and then the Cabinet Secretary.

The NIF described the certification process in 2021—

“The measures being put in place for 2020-21 are: that National 5, Highers and Advanced Highers will be awarded based on an alternative assessment model, rather than the usual exam. An individual pupils’ work and teachers will determine grades, not an exam; with the emphasis being on quality not quantity of evidence.” (p15)

In August, the SQA undertook a short “technical consultation” on the proposed modifications to National 5, Higher and Advanced Higher course assessments for session 2020–21 prior to the Priestley Review reporting.

The SQA consulted on three principles for the 2021 diet. These were—

- the delivery and assessment of subjects that are constrained by current social distancing measures. For example, in practical and performance-based components.
- increased learning and teaching opportunities, where possible
- a more flexible approach to the assessment of learners, while retaining the validity of the qualifications.

The [analysis of the responses to the consultation](#) found that these principles were supported by respondents. The majority of the consultation was at a subject level.

5 stage model

On 8 December, the SQA published a five stage quality assurance model for certifying National 5 exams. The following is taken from the [SQA’s website](#).

Most of the support will be provided in advance of schools and colleges submitting their provisional results by 28 May 2021. The model has five key stages:

Stage 1: November 2020 to March 2021 - Teachers and lecturers can access subject specific guidance, assessment resources and Understanding Standards materials

- Learning and teaching ongoing.

- Schools and colleges are supported by local and national subject networks.
- SQA provides ongoing Understanding Standards support for schools and colleges.
- Schools and colleges gather evidence and support learners, providing feedback.
- School, college and local authority quality assurance takes place.

Stage 2: end-January to beginning of April – SQA requests, reviews and provides feedback on samples of assessment evidence from each school and college

- Learning and teaching ongoing.
- Schools and colleges continue to gather evidence and support learners, providing feedback on progress as supported by existing evidence.
- School, college and local authority quality assurance continues.
- SQA samples candidate evidence from all schools and colleges, and provides feedback.
- Schools and colleges start to develop provisional results based on the available evidence and feedback from SQA sampling.
- Schools, colleges or local authorities can engage in dialogue with SQA where further support is required.

Stage 3: end March to 28 May - Schools, colleges and local authorities will work through feedback and implement their own quality assurance of the provisional results

- Learning and teaching ongoing.
- Schools and colleges continue to gather evidence and support learners, providing feedback on progress as supported by available evidence.
- Schools and colleges take actions in relation to SQA feedback.
- Schools and colleges carry out quality assurance checks. Heads of centre endorse the process and outcomes per subject.
- Local authorities (where applicable) engage with schools to carry out quality assurance checks.
- Schools, colleges or local authorities can speak with SQA where further support is required.

Stage 4: by 28 May 2021 - Schools and colleges submit quality assured provisional results

Further information on how to submit the provisional results to SQA will be issued to schools and colleges.

Stage 5: June 2021 - SQA carries out national check of provisional results and discusses any issues with schools, colleges and local authorities

- SQA undertakes post-submission data checks.
- If SQA identifies issues with the provisional results, these will be checked with schools and colleges and, if appropriate, local authorities. This should be by exception.
- Following this check, SQA subject specialists may sample learner evidence for final quality assurance.
- In instances where SQA subject specialists determine that assessment evidence is found not to meet the standard, schools and colleges will be asked to resubmit provisional results that reflect the standard of the evidence so that certification can proceed.

The above model requires all stakeholders, at all stages, to be fully involved and work in partnership. By doing so, learners will have the best chance of securing the outcomes that their efforts deserve.

The SQA noted that it “will continue to discuss the appeals process for 2020-21 and will keep you informed of progress”. The issue of the appeals process was highlighted in the Priestley review. of particular note is the practice of appeals, or post-certification review, being initiated by the school or college rather than the student themselves.

Teacher and school assessment

The SQA has published individual subject guidance for National 5 estimates. Following the announcement on 8 December that exams would not take place for Highers and Advanced Highers, the SQA stated that subject-specific guidance for teachers and lecturers will be published for all subjects, “on a rolling basis, throughout January 2021”. As with the advice for National 5 courses, this will cover the types of evidence that can be used to determine a provisional result for each learner.

The [SQA has provided broad guidance](#) on gathering evidence and producing estimates for National Courses. Centres will need to gather evidence of candidates’ attainment and use this to determine estimate grades and bands.

The broader guidance focuses on gathering and evaluating evidence and particularly on the evidence’s “predictive value”. The [guidance](#) stated—

“Your judgements about a candidate’s estimated grade must be based on evidence that demonstrates achievement. When judging evidence, you should consider the predictive value of evidence, both in terms of the individual pieces of evidence and as part of the overall picture for each candidate. A piece of evidence has high predictive value if a candidate who performs well in the task would reasonably be expected to perform equally well in the course assessment.” (p4)

While the guidance does not appear to require candidates to be ranked, it does ask teachers and lecturers to consider relative attainment. It said—

“Research is clear that teachers are much better at determining relative attainment (which candidate has stronger or weaker attainment) than absolute attainment (which grade a candidate is likely to achieve). When determining estimates it is important to be confident about both relative and absolute attainment. Relative

attainment is based on the evidence you have of candidate performance on the tasks you have provided during the course. Absolute attainment is more difficult, but experience of previous cohorts can be very helpful.” (p7)

The guidance provides information on how centres and teachers should moderate their judgements. This includes working with peers. The guidance stated—

“Moderation ‘partners,’ where teachers or lecturers work in pairs or groups to confirm each other’s assessment decisions and to moderate evidence over a period of time, can be an effective way to reinforce assessment standards. Comparing evidence with the assessment criteria stated in the relevant Course Specifications and exemplified by SQA Understanding Standards materials will help you to estimate in line with national standards.” (p9)

The Scottish Government guidance published in December and updated on 6 January stated “work is ongoing, led by SQA in collaboration with the education system, to produce further guidance for Higher and Advanced Higher.” And—

“Individual schools may have prelim exams scheduled for the period between 5 January and 29 January. Prelims are not a required part of the qualifications process and decisions with regards to this matter rest with individual schools. It should, however, be noted that the guidance issued by the National Qualifications 2021 Group in October outlined advice on gathering evidence and producing estimates for National Qualifications, in light of the exams being cancelled. This outlined that a range of candidate evidence for provisional results should be gathered to demonstrate attainment across the course, and that a range of flexible assessment approaches could be used.”

Some examples from subjects

The [subject specific guidance for English at National 5](#) states—

“You can generate the most valid evidence for question paper components using assessment instruments which replicate, as far as possible, the standard, duration, format and security of SQA question papers. You should gather evidence where candidates have had opportunities to apply the skills, knowledge and understanding they have learned from the course in unseen situations.”

The guidance for English noted that these assessments would not have to be undertaken all at once. The guidance lists a number of assessments, including 2021 National 5 question papers which are available on the SQA’s secure site. The guidance stated, “it would be best to use internally assessed question papers towards the end of the academic year when all or the majority of the course has been delivered”. The English National 5 guidance also stated—

“You should carefully consider how best to use these materials to support candidates, to integrate with your programme of learning, and to help you collate evidence of candidate attainment. Given current public health advice and to maximise learning and teaching time, it is important to stress that there is no expectation that schools and colleges hold a formal diet of prelims for National 5. One of the key reasons for moving to an alternative model was to create additional teaching time through removing the need for prelims and replacing the final examination diet with more flexible classroom-based assessment.”

The [guidance for National 5 Mathematics](#) provides detail on how to develop exam-style tests. It stated—

“In mathematics, internal exams are a better predictor of candidate performance than smaller class tests. Class tests may provide additional useful evidence, but on their own are unlikely to provide the breadth, depth and challenge of the course assessment.”

The [guidance for National 5 Biology](#) stated—

“In biology, the key pieces of evidence can include:

- an examination, covering as much of the course as possible
- a supplementary examination, covering areas not included in the first examination
- end-of-topic tests, including grade A marks — you can use these as supplementary evidence, but they are limited in their reliability for estimating grades.

You must gather key evidence in closed-book conditions and under a high degree of supervision and control.”

[Music National 5 guidance](#) stated, in terms of the question paper element of the assessment—

“You can generate the most valid evidence by using internal assessments that replicate, as far as possible, the standard, duration, format, and security of SQA question papers. You should gather evidence in controlled situations, where possible.”

Music qualifications also have a performance element where, in normal years, students should play two instruments (or one and voice). This year students have the option to perform on only one instrument or voice. The guidance notes that public health advice has “affected learning and teaching this session, particularly with brass, woodwind and voice candidates”. Teachers are therefore asked to “carefully consider with individual candidates their strengths and abilities to determine the best option for their performance”. Public health guidance may also necessitate students’ performances to be recorded at home.

Members may wish to explore with the panels—

- **Whether teachers are being asked to assess learning based on the course criteria or estimate how well a learner would have achieved in an exam. Is there a practical difference?**
- **How well do teachers and schools understand their role in the process and the roles of local authorities and the SQA.**
- **What is the aim of moderation? Will the SQA seek to reference the school based assessments against previous years’ results or simply seek consistency within the current year? If so, at what level: national, local authority, or school?**

- **What are the health benefits of taking “internal exams” rather than SQA exams? How might these be administered in the event of schools being physically closed?**
- **What are the implications for teacher work-load of the certification models?**
- **How much additional teaching time will these certification models create?**
- **What are the contingencies should classes or individuals do not complete course content due to covid-related absence or a lack of progress during the period of remote learning?**
- **How schools are taking on board the subject specific advice for assessment and managing the differences between the subjects.**
- **Do students understand how they will be assessed in 2021? What is being done to support students?**
- **How similar will the arrangements for Advanced Higher and Highers be to those set out for National 5?**

Longer term impacts

The OECD is in the process of undertaking a review of Curriculum for Excellence and particularly the Senior Phase. The [ICEA's recent report](#) stated—

“This year’s examination issues have highlighted the danger of the legitimate needs of reliable metrics overriding the breadth of learning that is increasingly central to success for individuals, societies and economies. Reliability and validity both matter.” (P14)

It also stated—

“High school examinations are essentially an out-of-date 19th and 20th century technology operating in a 21st century environment of teaching and learning. Digital technology is transforming our capacities for self-assessment, peer assessment, shared assessment and continuous assessment. Assessment and examinations can now be more continuous, rather than episodic. They can provide capacities for continuous self-assessment and self-directed progression in learning. They can enable transparent sharing of assessments with pupils, parents and professional colleagues that will lead to timely teacher assistance and intervention. Algorithms can be useful in digital self-assessment processes, though their current capacity to provide valid feedback of complex writing and reasoning skills is sometimes over-claimed. Few of us would want to invest our all in creative writing exercises that had only an algorithm for an audience, for example. Therefore, teachers’ professional judgement, use of formative assessments, and teacher moderation are also key aspects of assessment systems.” (p14)

[The Priestley Review](#) stressed the difficulties created by the unplanned cancellation of the 2020 exam diet due to the coronavirus. The Review said the “SQA and the Government were faced with an impossible situation” and that—

“Respondents generally recognised the professionalism, hard work and dedication brought to the task by SQA, in the face of formidable issues to resolve in a pressured and rapidly emerging context over a limited timescale.” (p10)

However, the Review also stated—

“Many respondents see SQA as lacking in transparency, and resistant to working with stakeholders in a genuinely collaborative manner.” (p35)

Members may wish to explore with the panels—

- **What can be learned from the experience of 2020 and 2021 in terms of the future of certification of learners at the end of secondary education.**
- **How well the governance structures within Scottish education have responded to the crisis and if there are any lessons to be learned in the longer term.**

NEXT STEPS

The current plans are that the period of remote learning will last to the end of January. The Scottish Government plans to review the situation on 18 January. The First Minister described the situation as a race to vaccinate the population. She also stated—

“I want to stress one final point. Just as the last places that we ever want to close are schools and nurseries, so it is the case that schools and nurseries will be the first places that we will want to reopen as we re-emerge from the latest period of lockdown. They remain our priority. That is why we are considering whether and to what extent, consistent with our overall duty to vaccinate the most vulnerable first in line with Joint Committee on Vaccination and Immunisation recommendations, we can achieve vaccination of school and childcare staff as a priority. I point out that many teachers will be vaccinated over the coming weeks as part of the JCVI priority list.” (Col 8)

Three of the five organisations the Committee will hear from are on the Scottish Government’s Education Recovery Group. The ERG’s role is to, among other things, “provide leadership and advice to ministers and local government leaders in developing the strategic approach to the response and recovery of the ELC and education system” and “be a forum for frank and open discussion about what is working and what and where more improvement is required”.

The Cabinet Secretary, in his role as the Deputy First Minister, gave evidence to the Covid 19 Committee on Friday 8 January 2021. Mr Swinney explained that the increased transmissibility of the new strain of the virus, along with a greater proportion of all positive tests being for young people, was of particular concern. However, there is still uncertainty about the risks of children and young people’s transmission of the virus.

Members may wish to explore with the panels—

- **How well the structures of collaborative working at a national level, such as the ERG, have performed in supporting the education system in 2020. Whether the approach should continue in 2021.**

- **How evidence of how teaching and learning and progress toward certification in the senior phase will be collected and analysed to support national decision making.**
- **The panels' views on whether education staff should be prioritised for vaccinations.**

**Ned Sharratt
SPICe Research
8 January 2021**

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The Scottish Parliament, Edinburgh, EH99 1SP www.parliament.scot

Education and Skills Committee

1st Meeting, 2021 (Session 5), Wednesday 13th January 2021

Coronavirus and education: Learning and Teaching in the Senior Phase

Submissions pack

The Committee received the following correspondence and submissions.

Correspondence

- [Letter from the Cabinet Secretary for Education and Skills regarding the PSE review](#)
- [Letters from the Children and Young People's Commissioner Scotland to the DFM regarding school closures and exams](#)
- [Letter from Rachael Hatfield on behalf of SQA Where's Our Say](#)
- [Letter from the Scottish Youth Parliament](#)

Submissions from witnesses

- [Education Scotland](#)
- [NASUWT](#)
- [SQA](#)

Other reports/ briefings

Connect

The Committee received a link from Connect to their Back at School parent/carer survey report

<https://connect.scot/news/connects-parentcarer-back-school-survey-report-out-now>

Dr Tracy Kirk

The Committee received a research brief from Dr Tracy Kirk relating to SQA processes.

- [Dr Tracy Kirk](#)

Letter from the Cabinet Secretary for Education and Skills regarding the PSE review

Dear Clare

Thank you for your letter of 15 December 2020 seeking an update for the Committee on progress with the PSE Review recommendations.

The Scottish Government welcomed the review of PSE as another critical measure towards our vision of an education system that delivers excellence and equity for all children and young people. It is essential we equip our children and young people with the skills and understanding to enable them to deal with the fast changing culture and society we live in. That is why we remain committed to delivering and implementing the recommendations of the review as PSE offers us an opportunity to ensure children and young people are prepared for the issues and challenges life may bring.

Since the return of schools in August 2020, the focus has been on a period of recovery, while ensuring the appropriate mitigations are in place to keep schools safe, open and welcoming. This recovery phase has included a strong focus on pupil health and wellbeing, including mental health and resilience, alongside both literacy and numeracy. This focus was based on a key recognition that, amongst other things, good health and wellbeing is fundamental to ensuring children and young people can engage effectively in their learning.

In parallel, and in conjunction with Education Scotland, the Scottish Government has made significant progress on the delivery of the recommendations of the PSE review. Much of this is due to the early work undertaken by the PSE Lead Officer Network who have progressed work in areas such as sexual harassment; monitoring and tracking health and wellbeing; resources and a PSE toolkit; and, raising the profile of PSE.

However, as a result of ongoing work to respond to the pandemic, progress has been delayed while Education Scotland, schools and other key stakeholders support education recovery measures. There remains key strands of work which require to be developed in partnership with stakeholders who were not in a position to prioritise this work. As a result of this it has been proposed that full implementation of the recommendations now be delayed until March 2022, and I am minded to accept this proposal. In the meantime, I have set out in the table attached in the Annex to this letter, current progress made towards delivering the recommendations.

Prior to the COVID-19 pandemic, we had drawn together the membership of the Delivery and Implementation Group, who would oversee delivery of the recommendations.

Unfortunately, that has also had to be put on hold due to the pandemic. However, a detailed paper on raising the profile of PSE learning has been prepared, containing several suggestions on improving the place and prominence of PSE in the school timetable. This paper will be put to the Delivery and Implementation Group at their first meeting to help focus their work to implement the

recommendations. Similar to the work of the LGBT inclusive education groups, the Scottish Government will ensure the papers and minutes are made available online.

I hope the Committee finds this letter helpful.

Yours Sincerely

John Swinney

ANNEX

Action	Progress
Co-produce a new toolkit to enhance delivery of PSE at all stages (Rec 4)	<p>The PSE Lead Officer Network set up a sub group to consider resources currently available and built a repository of resources of effective practice currently in use across Scotland from Early Level to Senior Phase.</p> <p>The repository currently contains resources for every level using Google classroom.</p> <p>In addition, Education Scotland published a series of Wakelets over the Summer:</p> <p>Health and Wellbeing - Wakelet Inclusion, Wellbeing & Equalities - Wakelet RMPS - Wakelet</p> <p>Further progress on this recommendation has been put on hold for the remainder of the recovery year with a view to re-starting in April 2021. This is tied in with Recommendation 8.</p>
Advice and guidance on approaches to monitoring pupil progression in PSE (Rec 5):	<p>PSE Lead Officer Network have reviewed approaches and considered three specific examples of effective practice of health and wellbeing delivery. A draft paper has been prepared on Monitoring and Tracking containing exemplars of practice. However, the time lapse due to the pandemic means these will need to be updated.</p> <p>Further progress on this recommendation has been put on hold for the remainder of the recovery year with a view to re-starting in April 2021.</p>
Guidance and support to schools on the spectrum of mental health and wellbeing services to meet the needs of staff and pupils (Rec 6):	<p>A resource and guidance document was published on the National Improvement Hub in June 2020. This resource provides a comprehensive package of information, resources and organisations which are freely available to support primary and secondary school staff to support mental wellbeing.</p> <p>To complement this a Framework of Whole School Approaches to support mental wellbeing will be published in Spring 2021.</p>
Review the RSHP teaching guidance (Rec 7)	<p>This work has been underway for some time and officials shared a draft of the revised guidance with stakeholders at the end of October 2020. Comments received will be used to inform the final draft of the guidance which will be sent for Ministerial clearance prior to being put out for public consultation.</p>

<p>Empower young people’s participation in the design and delivery of PSE (Rec 8)</p>	<p>Learner participation training has been developed for school staff, which encourages involving children in leading their own learning – this can now be delivered remotely.</p> <p>Education Scotland commissioned the Children’s Parliament and the Scottish Youth Parliament to explore approaches whereby learner engagement and co-design of Health and Wellbeing programmes is strengthened.</p> <p>The Children’s Parliament Report was launched in December 2020 and the Scottish Youth Parliament Report is expected in Spring 2021.</p> <p>This is tied in with Recommendation 4.</p>
<p>Peer review of effective curricular materials to support learning on protected characteristics and for learners requiring additional support needs (Rec 9)</p>	<p>Prior to the pandemic, existing LGBT 3 -18 curriculum resources were peer reviewed, quality assured and gaps were identified. Collaborative work with the LGBT Inclusive Education Implementation Group will plan next steps to provide schools and local authorities with a suite of LGBT resources across all levels within the curriculum, which will be made available on the National improvement Hub.</p> <p>As part of their Professional Learning offer, Education Scotland has been working with experts in race equality to update their educational leadership and professional learning programmes. They are developing an online resource with content and learning activities that help teachers, at all levels, develop an understanding on equality, anti-racist education and culturally-responsive pedagogy.</p>
	<p>A complementary resource, specifically exploring how to support race equality through all stages of the curriculum and across the four contexts for learning, is also being co-created with relevant partners including SAMEE, the Anti-Racist Educator and Intercultural Youth Scotland. Close partnership working with Glasgow City Council will support this development.</p> <p>A separate resource which supports a whole school approach to race equality has been created with CRER and BEMIS for practitioners.</p> <p>Resources already collated include: equality advice for schools understanding racism; race equality organisations; curriculum ideas; support for different ethnic minority groups; intersectionality; and prejudice-based bullying and hate crime which can be accessed at https://wakelet.com/wake/EKpqdexEpY3JoNdrJp36.</p>

<p>Working with specialist in Career Long Professional Learning (CLPL), develop learning resources to support HWB/PSE that are accessible to all teachers and school staff in Scotland (Rec 10)</p>	<p>The PSE Lead Officers Network are building a repository of resources of effective practice currently in use across Scotland from Early Level to Senior Phase.</p> <p>The 3-18 National Relationships, Sexual Health and Parenthood (RSHP) resource launched at the Scottish Learning Festival on 25 September 2019 represents a watershed in Scottish education; a progressive and coherent, age and stage appropriate resource in this key aspect of HWB. This resource includes learning activities around consent.</p> <p>A number of RSHP CLPL session both face to face (pre-pandemic) and online webinars have taken place this year for practitioners across all sectors of education.</p> <p>The resource is targeted at mainstream children and young people as well as those with mild to moderate additional support needs. A procurement exercise went live in December 2020 on Public Contracts Scotland to build a 3-18 RSHP resource for children and young people with severe and complex additional support needs.</p> <p>The Health and Wellbeing Wakelet will also be an important source of information for teachers.</p>
<p>GTCS standards for professional learning to be updated as appropriate (Rec 11)</p>	<p>Education Scotland provided a response to the GTCS on draft Standards for Registration.</p> <p>Initial contact has been made with GTCS to discuss appetite for a PSE qualification; more discussion will take place in due course.</p> <p>Further progress on this recommendation has been put on hold for the remainder of the recovery year with a view to re-starting in April 2021.</p>

<p>PSE Toolkit builds on actions of DYW Strategy and Learner Journey Review to include clear direction for teachers to support senior phase pupils preparing for life after school (Rec 12)</p>	<p>CES resource 7 was published in October 2019, and focuses on strategies to support young people with protected characteristics Career Education Standards 3-18: Learning Resource 7.</p> <p>Careers, Information, Advice and Guidance (CIAG) provision delivered by SDS is increasing embedded within schools with a targeted approach to support young people as and when they require interventions and information.</p>
<p>Build on Learner Journey Review by establishing a senior phase mentoring programme to enable pupils to design and delivery aspects of PSE while working towards an award (Rec 13)</p>	<p>Evolving school-employer partnerships guidance/support published has increased awareness amongst teachers about careers and progression pathways.</p> <p>DYW Employer groups and newly appointed DYW School Coordinators are reinforcing connections and are providing pathways opportunities in the senior phase. Young Person’s Guarantee is taking this forward now.</p> <p>Education Scotland produced a resource on Personal Learning and Achievement (https://education.gov.scot/media/0ugppfxi/learning-resource-8.pdf) highlighting opportunities to engage in and gain accreditation through volunteering, youth work, and community engagement.</p> <p>Further progress on these recommendation has been put on hold for the remainder of the recovery year with a view to re-starting in April 2021.</p>
<p>Take steps to ensure the role of PSE/guidance teacher is recognised and promoted in the implementation of new career pathways for teachers (Rec 15)</p>	<p>The PSE Lead Officer Network have set up a sub group to consider how to raise the profile of PSE teaching.</p> <p>The paper on Raising the Profile will be a key element of the work progressed under this recommendation.</p> <p>Further progress on this recommendation has been put on hold for the remainder of the recovery year with a view to re-starting in April 2021.</p>

Letters from Children and Young People's Commissioner Scotland

22 December 2020

Dear Mr Swinney,

Right to education

I write further to my letter of 16 December 2020, following the decision to close schools and move to online learning in January.

The coronavirus pandemic is a public health emergency for Scotland, but since schools first closed in March I have been clear that this is a children's human rights emergency as well. In order to tackle the pandemic, I understand the government's focus on the right to health — and, indeed, the right to life — but we must do everything in our power to mitigate the significant impact on children. All children's human rights need to be respected, protected, and fulfilled as we address the prevalence of coronavirus in Scotland.

Closing schools presents a serious risk of harm to the wellbeing of children and young people, and to the fulfilment of their rights. The closure must be limited and defined and under review.

The decision must be backed up by swift, national action to ensure that children and families are able to engage with learning and all other supports required, particularly vulnerable children who are most affected by such decisions.

The Scottish Government must prioritise supporting children and families facing another period of school closures by ensuring the national roll out of digital devices has reached all in need. I understand that by the end of November, almost 50,000 of 70,000 devices ordered (a mix of iPads, Chromebooks and Windows devices) and over 9,000 of 13,000 connectivity solutions had been distributed to learners in need of support.

I remain deeply concerned that the provision of online learning is being provided inconsistently across the country and there is not enough national guidance and support for schools from Scottish Government. Inconsistent delivery of online learning, between local authorities and individual schools, continues to widen the attainment gap between rich and poor children and young people.

As outlined in Scottish Government guidance¹ issued on 21 December 2020, the national offer of support for e-learning includes access to live, recorded and supported learning resources. This appears primarily to be accessed via GLOW and has been designed to complement the curriculum and remote learning being provided by schools and local authorities across Scotland.

- What is the minimum provision of online education that students at all levels can expect to receive?
- What national guidance exists for local authorities and schools to set out expected standards of online learning?
- Have you assessed whether any students are at particular risk of disadvantage, if so, what additional measures are being put in place to support

them?

Additional support for teaching staff is key to delivering meaningful online learning in this period of school closure. This must be led by Government. Although local authorities and schools deliver education, Ministers continue to have the ultimate responsibility to ensure children's rights to education are realised.

Teachers are doing an incredible job in supporting children to learn both at school and online but they must be properly supported with more digital resources, additional staffing where possible and the acknowledgement that many will be working with their own children at home at the same time.

Pupils sitting National Qualifications this year need urgent reassurance about how their progress will be assessed. I have particular concerns for senior students who are still awaiting details on the alternative assessment approach to their qualifications.

Hearing about the alternative to exams when at home and with limited access to support from teachers will create more stress at an already anxious time. Young people need reassurance that alternative assessment will be fair and take account of the interruptions they have experienced to their learning since March.

Many students are worried about the quality of the education they are receiving and how this may affect their future. Education is not just about academic achievement, but also about developing the personalities, talents, and the mental and physical abilities of all children to their greatest potential.

I commend to you, the work of the WHO Technical Advisory Group (TAG) high-level meetings on schooling during the Covid-19 pandemic², the latest of which heard directly from young people on their concerns. It is vital we share learning and collaborate with other nations.

In light of ongoing interest from the Scottish Parliament's Education and Skills Committee I will also send a copy of this letter to the Committee Convenor to inform their consideration.

Yours sincerely,

Bruce Adamson
Children and Young People's Commissioner Scotland

¹ Coronavirus (COVID-19): school re-opening arrangements for January 2021

<https://www.gov.scot/publications/coronavirus-covid-19-school-re-opening-arrangements-for-january-2021/>

² [WHO/Europe | Child and adolescent health - Youth perspectives in focus at high-level meeting on schooling during COVID-19 pandemic](#)

16 December 2020

Dear Mr Swinney,

Right to education and cancellation of exams

I write further to your announcement on 8 December 2020 of the cancellation of SQA exams scheduled for May next year, and with reference to my earlier correspondence with yourself

and the SQA, to the evidence submitted by my office to the Education and Skills Committee, and the Priestley review.¹

Young people will have had varied reactions to the news that exams would again be cancelled. For some, this will present a relief, but for others, particularly those who were negatively affected by the cancellation of the 2019-20 exam diet, it will increase stress at an already stressful time.

Your announcement was not accompanied by any clarification or guidance on the proposed assessment model for these exams, other than that it would be based on the model for National 5s. However, the final guidance on the alternative assessment model for National 5s was only published on 8th December, some two months after the announcement of the cancellation of National 5 exams.

The CRWIA on Proposed modifications to National 5, Higher and Advanced Higher course assessments for session 2020–21, published by the SQA in October, states that children's right to an education includes access to an appropriate assessment system.² On this basis, your announcement on 8th December, in the absence of an agreed alternative assessment model for Highers and Advanced Highers, breaches children's rights to an education.

In their EQIA on Proposed modifications to National 5, Higher and Advanced Higher course assessments for session 2020–21, the SQA commit to ensuring that individual requests for reasonable adjustments are considered and to monitor those requests.³

It would be useful to know whether guidance has been provided on Covid-specific reasonable adjustments, for example where a pupil's ability to communicate or understand communication is impeded by the use of face coverings.

I note that, under the Equality Act 2010, both the SQA and schools have an anticipatory duty regarding the provision of reasonable adjustments. In my letter to you dated 17th August, I highlighted that, by not allowing direct appeals from young people, the SQA appeals process was not compliant with children's rights under the UNCRC. My office reiterated our call for direct appeals to be permitted in our evidence to both the Priestley Review and the Education and Skills Committee, but the SQA have given no indication of progressing this. I therefore ask you to direct the SQA to make direct appeals available to young people, at no cost, for the 2020-21 National Qualifications results. This must include the ability to dispute a teacher or centre estimated grade and to challenge a failure to make reasonable adjustments, as required under the Equality Act 2010. I also note that there continues to be outstanding issues relating to direct appeals for a small number of young people who dispute their teacher estimated grade for this year's SQA qualifications.

Finally, I have consistently highlighted the right of children and young people to participate in decisions made about them. I am therefore concerned that there appears to have been no involvement of young people in the National Qualifications 2021 Group until after the decision to cancel exams.

Yours sincerely,

Bruce Adamson

Children and Young People's Commissioner Scotland

¹ Available here: <https://cypcs.org.uk/coronavirus/sqa-results-2020/>

² https://www.sqa.org.uk/sqa/files_ccc/child-rights-wellbeing-impact-assessment-modifications-to-national-courses-2020-21.pdf

³ https://www.sqa.org.uk/sqa/files_ccc/equality-impact-assessment-modifications-to-national-courses-2020-21.pdf

Rachael Hatfield on behalf of SQA Where's Our Say

Dear Education and Skills Committee,

I am writing to you today to ask that you ensure the 2021 exam diet is undertaken in a way that protects both the best interests and the rights of the young people who are going to be impacted, some of whom for the second year in a row. The current plans for 2021 which have been presented by the SQA are nothing short of worrying or concerning. One such piece from the SQA which demonstrates this concern is the Child Rights and Wellbeing Impact Assessment (CRWIA) published in October 2020. The CRWIA seems to indicate that by following the current plan, the SQA feels that it is following through on its obligations to uphold the Equality Act (2010). However, if the SQA even risk the chance of putting protected groups of young people at a disadvantage due to circumstances out of the young people's control, it could be argued that potential breaches of the Equality Act are happening due to the SQA's neglect at not putting the learner at the center of the process. The last thing we need is a repeat of the 2020 exam fiasco, especially since so many young people did not receive the chance to question results or have any form of redress.

It is difficult to see where the Education Secretary and the SQA have taken on board any of the comments in the Priestley report that relate to disadvantaged students. As I have written to you in previous letters, Professor Priestley identified that the disadvantaged students form a small percentage of the yearly cohort. This, in turn, means that it is a minority of students looking for a suitable route for redress. We simply cannot forget that going to an education centre to request an appeal is simply not an option for some students, especially when the appeal relates to the centre not taking personal circumstances into account or relating to a centres breach of the Equality Act.

The current way the SQA operates seems to forget that certain groups of students exist. These groups include young carers, care experienced young people. Those with additional support needs, health conditions, and those who may end up taking several stints of self-isolating due to Covid19 or Trace and Protect. I know that for the last example, in particular, the go-to answer is 'online learning is available' however, I am consistently hearing of delays to the rollout of devices in schools with some local authorities having to be very particular about who gets a device. It's important to note that devices are only one part of this jigsaw, we still have Wi-Fi blackspots across Scotland, and the cost of increased broadband usage can be just too much for some families. Digital exclusion should not be hampering education, but the sad reality is that it's happening across all your constituencies every day

The worst part is, the SQA has been this way for years, I know this because I am a young person who falls into one of these disadvantaged groups, and the SQA had this mindset when I sat my first set of exams six years ago, and in the exams following. When I sat my exams, the system didn't understand me or my needs and left me alone to fail with no way forward. I didn't have an appeal system that supported the learner, something I'm sad to see still isn't there all those years later. I share this tiny part of my story with you as a way to highlight that Covid19 brought this issue out of hiding but it's been here for a very long time and change really is needed.

Kindest Regards.

Rachael Hatfield

Of SQA: Where's Our Say?

Scottish Youth Parliament

Cameron Garrett MSYP
c/o Gordon Lamb House
3 Jackson's Entry
Edinburgh
EH8 8JP

Clare Adamson MSP, Convener of the Education and Skills Committee
Friday 8th January 2021

Dear Clare Adamson and the Education and Skills Committee,

Scottish Youth Parliament response to the inquiry on the impact of Covid-19 on learning and teaching in the senior phase

I hope you had a safe Christmas and are keeping well.

As Convener of the Education and Lifelong Learning Committee at the Scottish Youth Parliament, I am writing to you to share young people's views and experiences, in response to your current inquiry into the impact of Covid-19 on learning and teaching in the senior phase.

The Scottish Youth Parliament has worked hard to collect young people's views and experiences of the pandemic through a number of consultations during 2020, including *Lockdown Lowdown (April and November)*, *From Scotland's Young People - SYP's 2021-26 manifesto*, and through Members' and Committee Motions submitted at SYP Sittings. Further information about the impact of the pandemic on young people's education, and recommendations from existing SYP policy, can be found in the attached policy response.

The most common concerns highlighted in the November *Lockdown Lowdown* report were around exams, difficulty with online/distance learning, and feeling that students were falling behind on their work. Respondents also mentioned a lack of support for students.

Of course, schools are now closed until 1st February, but again from the November *Lockdown Lowdown* report, the most common suggestions in relation to schools were to enforce or increase safety measures, in-person or blended learning would be preferred, and suggestions for altering the structure of the school week. Respondents also mentioned that students were not receiving adequate support.

The Covid-19 pandemic has had an enormous impact on young people's rights.

One of our policy calls in *From Scotland's Young People* is the following statement: 'Children and young people's rights should be at the forefront of decisions made during the Covid-19 crisis and recovery process' (68.5% agree).

This is supported by Article 28 of the UNCRC which states '*Every child has the right to an education. Primary education must be free and different forms of secondary education must be available to every child. Discipline in schools must respect children's dignity and their*

rights'. Article 29 also relates to education, it states 'Education must develop every child's personality, talents and abilities to the full. It must encourage the child's respect for human rights, as well as respect for their parents, their own and other cultures, and the environment'.

It is clear that the pandemic will have lasting effects on young peoples' futures. We appreciate the steps the Education and Skills Committee is taking to consult young people through the focus group on Tuesday 12th January, and the opportunity to respond to this inquiry in writing. We encourage the Committee to continue taking a human rights based approach to ensure young people are meaningfully involved in decisions which will affect them now and in the future.

Although the majority of these findings were gathered before the announcement of the 2021 exam cancellation and the current lockdown, I hope the information will benefit the inquiry and will be actively considered. If you have any questions or wish to update us on the progress of the inquiry, please do get in touch!

Yours sincerely,

Cameron Garrett MSYP
Convener of the Education and Lifelong Learning Committee

Education Scotland

LEARNING AND CERTIFICATION FOR YOUNG PEOPLE IN S4-6

Introduction

1. Since the beginning of the Covid-19 pandemic, Education Scotland has significantly changed the way it works to provide tailored support to local authorities, schools and pupils.
2. In September 2020, we published our revised [Corporate Plan](#) which sets out how we will lead and support the system during a 'recovery year' up to June 2021 with a focus on people and place.
3. Through our focus on place, we are providing direct support that is responsive, agile and targeted at school, community, local authority and regional level. Our teams are working with other education specialists across the Regional Improvement Collaboratives to provide the right blend of expertise which schools and services need at this crucial time.
4. Our focus on people involves a strong national support and improvement offer that is accessible for individual practitioners. We are continuing to develop support for remote learning – including through Glow, the National e-Learning Offer and Scotland Learns, and continue to offer professional learning and leadership opportunities. Our national offer is flexible and responsive to the kinds of support that individual practitioners need as we progress through the recovery year. Having a national focus for support to the system allows for faster dissemination of good practice and enables practitioners from across Scotland to benefit from the best of practice at this time.
5. We remain committed to collaboration and effective partnership working with the education profession, particularly with the SQA for National Qualifications 2021, and are ready and prepared to provide additional support to all children and young people. In particular, this includes those in the Senior Phase who are studying for their National Qualifications and to ensure that the breadth and depth of learning for all learners is maintained.
6. Education Scotland recognises the importance of its continued work with the profession to provide support to ensure that quality learning continues for all children and young people given the recent decision to close schools and move to remote learning during January 2021.

Assessing pupils studying for National Qualifications in 2020/21 with the cancellation of the exam diet

7. Education Scotland is a member of the National Qualifications 2021 Group and the Working Group on the 'Quality Assurance of the Alternative Certification Model for National 5 Courses in 2020-21'. Representation on these groups also includes the Association of Directors of Education Scotland (ADES), Colleges Scotland, the Educational Institute of Scotland (EIS), School Leaders Scotland (SLS), the Scottish Council of Independent Schools (SCIS), the Scottish Qualifications Authority (SQA),

the Scottish Government, the National Parent Forum of Scotland, and the Scottish Youth Parliament.

8. The Working Group has met on 11 occasions since 26 October 2020 and collaborated very closely in determining appropriate arrangements for assessing pupils studying for N5 National Qualifications in 2020/21. The most recent meeting on 6 January focused on the need for amendments to the Alternative Certification Model for 2021, given the current school closures. Roles and responsibilities of the SQA, teachers, senior management in centres, local authorities, SCIS and Education Scotland have also been set out so that all will be clear on the key part they will play in the overall process. Recommendations from the Working Group are discussed and agreed by the National Qualifications 2021 Group and subsequently published by the SQA, followed up through members' communication channels.
9. The Working Group had also begun to discuss contingency arrangements for Higher and Advanced Higher ahead of the Deputy First Minister's announcement on 8 December that the 2021 exam diet had been cancelled and that there will be no external assessment of Higher and Advanced Higher courses in session 2020-21. Ongoing discussions are focused on the arrangements for Higher and Advanced Higher courses which should broadly follow the Alternative Certification Model for National 5.

Maintaining the breadth and depth of learning

10. Education Scotland are able to most effectively play our part in maintaining the breadth and depth of learning by ensuring the education profession itself has the support it needs to meet the wide and varied needs of their learners. To do this we have been supporting the system in a range of different ways.
11. The [National e-Learning Offer](#) (NeLO) programme has been set up by the National e-Learning Partnership: Education Scotland, Scottish Government, ADES and eSgoil. The NeLO is being developed to provide support for teachers/practitioners and learners in planning for remote learning and teaching in the immediate and short term. There is, however, a strong appetite, expectation and enthusiasm from all involved that what is being developed now is sustained beyond Covid-19 to support greater curriculum innovation and development in the longer term.
12. All partners are working together to deliver this single offer that builds coherently on what is already available from schools and local partners, the local authorities and the RICs. This offer is initially bringing together the **live** learning option from e-Sgoil, **recorded** content led by the West Partnership and **supported** materials identified by teacher networks, or created by Education Scotland who also organise the materials.
13. **Live** - e-Sgoil has been widening access to a range of programmes covering ages 3 to 18 since August 2020, augmenting the work of classroom teachers across the country. The first example of this was in August 2020, when e-Sgoil announced a package of free, live, interactive online study webinars for senior phase pupils starting on 7th September. Education Scotland has worked very closely with e-Sgoil in designing and developing the innovative curriculum offer across BGE and the

Senior Phase. In addition, many of our staff have supported live, interactive sessions with learners.

14. All direct requests to e-Sgoil for support have been met. During November and December, 513 young people took part in the e-Sgoil S1 to S3 programme.
15. Approximately 97 notes of interest in a Senior Phase daytime provision have been made since August 2020. Actual engagement directly with e-Sgoil for daytime Senior Phase support has been minimal - the pattern indicates that schools are choosing to keep working with their Senior Phase learners themselves.
16. A refreshed Senior Phase offer is being trialled from 11 January 2021, taking account of changed guidance and arrangements from the SQA. This Senior Phase learning space, with subjects across National 4-Advanced Higher, is built on live Masterclass style lessons and supported by a menu of multi-media resources, study support sessions and tutorials.
17. In August 2020, e-Sgoil announced a package of free, live, interactive online study support webinar lessons for senior phase pupils starting on 7th September. In response to demand the package was refreshed and expanded in November 2020 and currently encompasses 27 courses ranging from National 5 to Advanced Higher.
18. As at 16th December, 3,023 young people from 275 schools across all 32 local authorities in Scotland had signed up and are taking part in two or more study support sessions (total 7,546 sessions booked).
19. Feedback from learners on the e-Sgoil Study Support offer has been very positive, with around 85% wishing to see the e-Sgoil provision continuing beyond December and around 80% indicating that they would recommend the sessions to a friend.
20. Recorded – Teachers in the West Partnership and Tayside have developed a series of recorded lessons which support planning for the senior phase. The first set of videos are now available and will be added to over the next few months, with teachers in other RICs now also contributing to the development of this resource. More than 440 20-minute online teaching and learning recorded lessons are available through the National e-Learning Offer (largely senior phase and for NQs but also increasing numbers of BGE materials). These recorded lessons, currently across eight subjects including English, maths, biology, physics with more in development, are available through Glow by local authorities signing up to ClickView, free of charge.
21. Supported – Teachers in their subject networks have shared and developed resources for online access and use. The first set of these – for the sciences and maths and focussed on the Senior Phase and also BGE coursework – have been curated by Education Scotland. Nearly 14,000 supported resources are available across 14 subjects, with more being added regularly. The materials have been developed by teachers and Education Scotland for teachers and are available through Glow.

22. In addition, Education Scotland and e-Sgoil have worked in partnership with a wide range of national organisations to create an exciting virtual learning offer of 28 courses for young people across Scotland to enhance their employability, career management and work-related skills, as part of Developing the Young Workforce developments. This offer provides schools with wide-ranging opportunities to incorporate more career education into their curriculum from January 2021 onwards, including virtual work experience.

Professional learning

23. Education Scotland has been supporting teachers to upskill in the delivery of online learning pre and post March 2020. Since March over 7500+ practitioners have engaged in the 134 webinars delivered by Education Scotland Digital Officers, focusing on the delivery and creation of online learning. The Education Scotland [digilearn.scot](https://www.digilearn.scot) website hosts access to a range of support such as live and record webinars, practitioner learning pathways and practitioner blog posts which have had over 183,000 views. The YouTube channel hosting all video content has had 3100 hours of videos viewed since April 2020.
24. The use of digital tools for learning and teaching has been extensive since March 2020 and has enabled practitioners to provide better continuity for their young people's learning experiences. The skills practitioners have gained and the breadth of applications they use to facilitate, support and lead learning will continue as part of everyday learning and teaching post-Covid-19. This work will continue to develop the digital literacy skills that learners will require for their learning, life and work in the future.
25. Moving forward, the offer from the Digital Skills Team will focus on supporting practitioners to embed the use of digital in their teaching. This work include approaches such as 'mixed delivery' of live learning, simultaneously in classrooms and for learners self-isolating at home.

Glow

26. The national online learning environment has seen a huge increase in Glow usage since schools were physically closed in March. Over the period 1 March – 30 June (when schools were closed), 563,000 unique users accessed the service, logging in over 40 million times between them.
27. To a large extent, that increase has been sustained into this academic year, with September 2020 seeing almost 430,000 users logging in 7.7 million times. The number of logins each month continues to be higher than in the same month in the previous year

Examples of other support

28. Between 24 August and 16 November Education Scotland has recorded over 360 engagements with the education sector with a recovery focus. Examples include the following;

- staff have worked across a locality in the South West to provide support where the focus was on leading changes; curriculum rationale; identifying and supporting individual needs and aspirations of young people leading to a unique and meaningful curriculum; BGE experiences to ensure breadth and depth of Senior Phase pathways;
- a HM Inspector with maths specialism has been working to support teachers in the Northern Alliance with outcomes in mathematics at National 5 and Higher. SQA outcomes have been analysed and the HM Inspector, working with the numeracy team, is offering support to staff and the central team; and
- in the South East, Education Scotland staff worked in partnership with local authority staff to plan and deliver 10 sessions designed for headteachers and depute headteachers, focused on curriculum rationale; curriculum framework; and learning pathways in BGE and into the Senior Phase.

Support for pupils with Additional Support Needs

29. Education Scotland recognised that the pandemic would likely exacerbate existing vulnerabilities, and potentially highlighted new issues for children and young people with Additional Support Needs (ASN).
30. In preparation for the closure of school buildings in March 2020, Education Scotland provided a wide range of materials and resources to support the needs of vulnerable children and young people of all ages, and their families, including the following.
- The [Additional Support Needs Wakelet](#) signposts materials stored online to support all children and young people with a range of barriers to learning. Specific resources to support autistic and dyslexic learners are available on webinars, and the [Autism Toolbox](#) to support autistic learners' return to school.
 - During the recovery phase when children returned to school, Education Scotland launched the [Re-connecting school communities: Term 1 2020](#). It has received over 1,300 views since its launch on 7th August, and the accompanying Wakelet to support the webinars has received over 1,850 views.
 - We recognise that in Scotland we have lots of strengths in supporting children's wellbeing, with many staff trained in nurture, restorative practices, and other social and emotional approaches to support wellbeing. A series of seven webinars, hosted on Google Classrooms on Glow, attracted 1,397 sign-ups from practitioners across all 32 local authorities in Scotland, and from Wales, Italy and Spain. Participants ranged from pupil support assistants, class teachers, Educational Psychologists, Community Learning and Development (CLD) workers, and represented staff from Early Learning Centres, primary, secondary, and special schools and local authority staff. Webinars proved to provide important opportunities for staff to share their work, anxieties, and thoughts in a safe place.
31. We have also been providing specific support for pupils with additional support needs through [Scotland Learns](#). Scotland Learns was launched on 14th May 2020 and provides a resource bank of straightforward, open-ended learning activities

which are challenging and that develop children's and young people's independence in learning. It also includes a fortnightly newsletter for practitioners which contains an additional section on 'supporting parents and carers'.

- From May-July the weekly parent/carer newsletter contained a specific focus on supporting parents of learners with ASN including topics such as supporting learners with autism, supporting learners with social and emotional barriers to learning and support for parents of children with visual impairment.
- In December, a winter edition was published which included a dedicated section of information and resources to support parents whose children have ASN.

32. As part of our series of webinars to support teachers with learning, teaching and assessment in the Senior Phase, approximately 140 participants from across the country took part in a webinar focusing on supporting children and young people requiring additional support for learning. Participants included teachers from primary and secondary schools; residential and secure special schools; and ASN staff working in mainstream schools and in an outreach capacity.

Supporting the Alternative Certification Model for National Qualifications 2020/21

33. Education Scotland's broad range of support during session 2020-21 through engagements with practitioners by regional teams and remote learning has helped to ensure that schools have been provided with assistance in maintaining the continuity of learning for their learners. This includes a wide range of professional learning to build teachers' skills in using digital platforms and tools for effective online learning, and support through learning materials from the National e-Learning offer and Scotland Learns. Our approaches have enabled teachers to remain central in planning the learning and teaching experiences for their young people so that they can continue to make progress, even where learners may have had to self-isolate.

34. Education Scotland are continuing to engage directly with practitioners and schools through our focus on 'people and place', and working with partners to build the bank of support materials available nationally that will help teachers to work effectively with their learners throughout the challenges of session 2020-21. This work remains critical in the period ahead so that teachers can support young people to make the best possible progress and demonstrate their appropriate evidence and levels of attainment in assessments and subsequent quality assurance by schools and local authorities.

35. Education Scotland works very closely with all local authorities and Regional Improvement Collaboratives through regular direct contacts by our Senior Regional Advisers and Heads of Scrutiny links. For Diet 2021, this ensures that we can engage with Directors of Education in discussing and agreeing how best the range of support from Education Scotland can assist their local quality assurance arrangements for the Alternative Certification Model. It is important all partners play their key part in coordinated and collaborative support, appropriate to their role. Education Scotland's focus is on building capacity to ensure high quality learning and teaching during session 2021, both in school and remotely, quality assurance processes, and sharing good practice.

36. As further information from the SQA on the alternative certification model for National 5, Higher and Advanced Higher is made available, particularly on Roles and Responsibilities, local authorities, schools and teachers will become more familiar with the process and will be able to identify where additional support will be required. In January, following clarity on the Alternative Certification Model for 2021 due to the now extended period of remote learning, Education Scotland staff will build further ongoing discussions with local authorities and with Regional Improvement Collaboratives to tailor our support to those identified needs. That range of support for building capacity will therefore be intelligence led. For example, Education Scotland will provide support for schools, headteachers and teachers in understanding their part in the Alternative Certification Model for 2021 arrangements; using effective quality assurance processes to assess learners' attainment; and identifying and sharing good practice, drawn from our national overview. In this way, our support will be focused and flexible, and may include:

- Education Scotland subject staff joining the SQA subjects webinars on understanding of standards and the 2021 arrangements to provide further professional learning and discussion on related classroom learning, teaching and assessment methodologies.
- Professional learning webinars for headteachers and other staff as required on the leadership skills needed to take forward the arrangements for 2021, building on our successful series of 'Blethers' and 'Little Blethers' held during school closures in term 4 2019-20.
- Support for subject teachers, developed and provided in partnership with local authority/Regional Improvement Collaboratives subject specialists and national subject networks, for example:
 - the effective use of digital platforms for the sharing of learners' evidence across a school, clusters or local authority wide to aid quality assurance discussions: and
 - advice and professional learning at national/local levels as appropriate on effective approaches to quality assurance of learners' attainment at department, cluster and local authority levels.

37. Subject-focused support will be of particular benefit to schools where there may be sole teachers in a department; local authorities who have limited subject expertise to provide support; and for teachers who are relatively new.

38. Education Scotland is well placed through connections with local authorities and schools to collect good practice in the months ahead as local authorities and schools develop their procedures. For example, that may include good practice in quality assurance and other important

aspects, such as effective involvement with learners and parents/carers in the understanding of learning, progress and attainment. Our national overview will also enable us to identify where further support or clarification may be required on a local or national basis and how that need may be met best from across the range of partners with collaborative roles and responsibilities.

39. Throughout the remainder of session 2020-21, Education Scotland's support will continue be tailored to the needs identified by local authorities, Regional Improvement Collaboratives and schools, and revised and extended as required based on evidence of further support requirements, particularly with potential challenges from Covid-19 restrictions in the period ahead.

Conclusion

40. Education Scotland is well placed to support local authorities, schools and our partners to ensure continuity of learning for all learners during this time. A broad range of support is already underway and we are committed to ensuring that support evolves to take account of the decision to close schools and move to remote learning during January 2021, and as the situation develops over the remainder of the academic year.

NASUWT**Learning and Teaching in the Senior Phase****13 January 2021**

NASUWT's submission to the Scottish Parliament Education and Skills Committee sets out the Union's views on the key issues which should be explored by the Committee in its examination of learning and teaching in the Senior Phase, including the plans for assessment this year following the recent announcement of the cancellation of Higher and Advanced Higher examinations. The NASUWT's evidence is informed directly by serving teacher and headteacher members and also by the work of its representative committees and consultative structures, made up of practising teachers and school leaders working in the education system.

For further information, parliamentarians may contact:

Dr Patrick Roach
General Secretary

Introduction

1. The Union welcomes the Education and Skills Committee examination of learning and teaching in the senior phase, with a particular focus on:
 - how pupils studying for National Qualifications in 2020/21 will be assessed with the cancellation of the exam diet;
 - how depth and breadth of learning is being maintained;
 - how pupils with additional support needs in particular are being supported this academic year; and
 - what initial plans are in place for the appeals system in 2020/21, given the alternative assessment which has been proposed.
2. The NASUWT recognises the ongoing impact of the pandemic on the qualifications system. The unprecedented disruption that the outbreak has caused continues to present policymakers with profoundly difficult choices and trade-offs in their efforts to establish arrangements to mitigate the effects of the pandemic. It is evident that there are no ready-made or problem-free solutions to these challenges and the NASUWT's engagement with the Scottish Government and the Scottish

Qualifications Authority (SQA) on these matters has been informed by this understanding.

3. One of the most significant implications of the crisis has been the disruption it has caused in relation to the loss of learning for tens of thousands of pupils across Scotland, particularly for those in the most deprived areas. The Union recognizes that a move to teacher assessment can provide some assistance to pupils who have been affected in unequal ways, depending on whether they have been self-isolating or are indeed in schools that have had to close during the Autumn term of 2020 because of COVID-19 outbreaks among staff and pupils.
4. However, the devil will be in the detail. The NASUWT must stress the need for quick clarification as well as the importance of working with teachers, school leaders and their representatives to develop workable and manageable proposals. Further clarity was expected from the SQA in January 2021 but the announcement of a return to national lockdown on 4 January may well impact on pre-planned SQA timelines. It is important that the Government insists that schools should hold fire on introducing assessment models without first receiving clear guidance from the SQA and that the SQA uses their influence to promote sensible messaging to local authorities to avoid knee jerk, bureaucratic, inconsistent procedures promoting unnecessary over gathering of assessment data.
5. The NASUWT has significant concerns around the increased workload this move towards teacher assessment will create, a burden felt by teachers who are working flat out at the frontline of this pandemic. Schools and employers will need much more support from Government, including dedicated time and space to make the system of teacher assessment as reliable and fair as possible. It is also essential that teachers and their representatives are consulted fully and from the outset. While it is acknowledged that there had been a commitment made in relation to staffing and a refocusing of inset days, this on its own would not have mitigated the workload impact and further, in light of the second national lockdown, it remains uncertain whether these initial commitments will be able to be sustained.

Clarification Required

6. There remains a large degree of uncertainty within the profession surrounding the arrangements for the 2021 qualifications, which has only been heightened by a

return to lockdown. Any teacher of a subject with a practical element which needs to be assessed will undoubtedly be extremely concerned. Indeed, there are significant challenges in gathering valid evidence in many subjects as, for the most part, the assessment needs to be done under timed conditions using unseen papers. While there are pieces of coursework which can be progressed, such as folio pieces in English, these tend to form only a small part of the overall award.

7. A large numbers of schools had organised prelims or otherwise badged assessment opportunities, during January and these will all now be cancelled. Although some schools undertook prelims or timed assessments in December, most centres will have no evidence of this type to inform assessment judgements at the moment. While the National Qualifications Group set out that there was no need to undertake prelims, the SQA Estimating Guidance has always identified prelims as a good predictor of eventual candidate performance, which is why so many schools have scheduled them.
8. As a result, key assessment opportunities will out of necessity be pushed back until later in the year. Given teachers will undoubtedly wish to do some consolidation of learning on the eventual return of pupils, such assessment dates will be later still, leading to the possibility of a single diet of 'internal exams' later in the academic year. Such an arrangement would have huge workload implications, especially if there is no study leave for pupils.
9. It might also be anticipated that the SQA timetable for beginning its Quality Assurance processes, which was due to start in late January, will be pushed back. Cumulatively this will squeeze an unmanageable number of workload pressures into an already full March/April creating a workload nightmare for teachers.
10. The NASUWT understands that partner organisations assured the SQA that they could tap into existing good practice in schools. Feedback from our members has outlined that their experience on the ground is inconsistent and that the foundation of quality assurance practice assumed by the SQA may not be sufficiently mature.
11. The teaching profession must be clear on the methodology that the SQA will adopt to ensure the fair and consistent awarding of grades, how any potential bias will be addressed and the arrangements for candidates to appeal their grades. Clear, candid national information, advice and consultation is needed.

12. The NASUWT considers that mandatory equality training should form part of the process of quality assurance and is broadly supportive of the material on the SQA Academy regarding 'estimates gathering' as a positive start. Equality assessing isn't however a simple check box and will require consideration of not only the training of teachers but any proposed moderation processes as well as taking into account the overall disproportionate impact COVID has had on certain communities. Coronavirus, and the emergency restrictions introduced to tackle it, have affected specific sections of society differently and disproportionately. There is growing awareness that older people, those with disabilities, black and minority ethnic people as well as those from lower-socio economic groups are most vulnerable to the transmission of the virus and have also been impacted by the scope and adequacy of the measures implemented to tackle the Coronavirus.
13. The Additional Support for Learning Review led by Angela Morgan recommended that "Children and young people with additional support needs must be proactively and fully considered in policy making and appropriate cross-Government links made at the earliest stage". While the SQA has committed to coordinating an equality impact assessment which will cover the quality assurance process and the estimation process this has not as yet been shared.
14. Feedback from members working within ASN settings indicates that they continue to feel ignored and overlooked. The health and safety of staff in special settings supporting ASN pupils must be prioritized to facilitate further and better engagement with practitioners therein moving forward. As an immediate step, the NASUWT welcomed the First Minister's commitment to look at prioritising school staff for vaccination. The Union believes that vaccination of teachers and other staff must be introduced as a central pillar of ensuring the safe operation of schools during the pandemic. Staff working in special settings to support ASN pupils, where working from home is unlikely and those who are at greater risk due to the inability of pupils to follow safety mitigations, should be prioritised for vaccination. The NASUWT has raised this for consideration with Scottish Government Officials.

Conclusion

15. The NASUWT has repeatedly over the last year been calling for the SQA to share its developing thinking and to take the teaching profession into its confidence as

its plans in these respects begin to take shape. The arrangements adopted for assessing pupils' grades must be developed in consultation with the profession and must keep workload and bureaucracy to a minimum. The SQA's prospects of reaching the best possible arrangements for certification will be enhanced, not hindered, if it consults more widely with the teaching profession and professional associations.

Scottish Qualifications Authority**2021 NATIONAL QUALIFICATIONS
SUBMISSION FROM SCOTTISH QUALIFICATIONS AUTHORITY****1. Introduction**

The Education and Skills Committee has asked the Scottish Qualifications Authority (SQA) and Education Scotland to discuss learning and teaching in the Senior Phase in the exceptional circumstances of the 2020-21 session. This brief paper provides some summary information in advance of the evidence session with SQA and Education Scotland, to be held on 13 January 2021.

2. Assessing National 5, Higher and Advanced Higher in 2021

From the start of the 2020-21 session in August, the Scottish Government and the whole of the Scottish education system has been committed to ensuring that there is enough support for learners for their learning and wellbeing.

Given the fast-changing levels of disruption caused by the pandemic, it remains vital that the education system continues to work together to ensure an appropriate balance between learning, teaching, and assessment in National 5, Higher and Advanced Higher courses.

To recognise the anticipated significant disruption to learners, free up teaching and learning time and reduce teacher workload, while maintaining the validity, credibility, and standard of qualifications, SQA worked with stakeholders, including practicing teachers and lecturers, to propose modifications to course assessment for all subjects. The modifications have narrowed the focus of each course to minimise the evidence requirements and introduce additional flexibility for the gathering of the evidence.

These proposals were made available for national consultation in August. In total, we received a very significant volume of responses – over 23,000 – from learners, parents, carers, teachers, lecturers, and stakeholders – including professional associations. These modifications were published for each individual subject – 148 in total – in October. SQA has continued to monitor the situation in schools and colleges, and has introduced further modifications as appropriate, for example in Music and Drama.

SQA continued to have dialogue with stakeholders before the cancellation of the National 5 exams, for example, engaging with over 450 teaching professionals from schools and colleges and local authority representatives to understand the challenges they face and to explore possible contingency arrangements for session 2020-21.

This engagement was formalised with the establishment of the National Qualifications 2021 Group after the announcement, and the need for an alternative certification model. The group consists of a steering group and a working group and ensures that all parts of the system can co-create the model together.

The National Qualifications 2021 Group has been meeting weekly to consider qualifications arrangements in the 2020-21 session. The group is made up of representatives of the Association of Directors of Education in Scotland (ADES), Colleges Scotland, Education Scotland, the Educational Institute of Scotland (EIS), School Leaders Scotland (SLS), the Scottish Council of Independent Schools

(SCIS), Scottish Qualifications Authority (SQA), the Scottish Government, National Parent Forum of Scotland, and the Scottish Youth Parliament.

With the cancellation of exams, the Deputy First Minister has stated that this year's National 5, Higher and Advanced Highers will be based on teacher and lecturer judgement supported by quality assurance.

Subsequently, the National Qualifications 2021 Group has co-created an [alternative certification model](#) that will support teachers and lecturers in providing provisional results for candidates in session 2020-21. Provisional results will be based on teacher and lecturer professional judgement of learner evidence.

Combined support from SQA, local authorities, colleges, independent schools, and Education Scotland aims to enhance teachers' and lecturers' understanding of the consistent application of the national standard and in making accurate judgements. Schools and colleges can also ask SQA for further support and advice regarding the national standard should they find it helpful.

This support together with the local, regional, and national quality assurance that will be carried out by schools, colleges, local authorities and SQA will be defined in roles and responsibilities for all key players. This should ensure trust and consistency across the country so that a qualification awarded in the north of Scotland is of the same standard as one which is awarded in the south of Scotland and everywhere in between.

For its part, SQA has provided schools and colleges with broad guidance on evidence gathering and estimation with a very clear focus on the quality of key critical evidence, not quantity. This is accompanied by an SQA Academy Course. To support the implementation of the alternative certification model, subject specific guidance for each National 5 subject along with SQA devised National 5 assessment materials and marking instructions have been published.

In addition, we are providing a significant programme of Understanding Standards materials and events across all subjects. These include guidance on making grading decisions, webinars, and audio presentations.

SQA will continue to publish Higher and Advanced Higher subject-specific guidance on gathering evidence, as well as assessment resources, including question papers and marking instructions, coursework assessment tasks, where appropriate and Understanding Standards support materials.

Given the latest restrictions announced by the First Minister on 4 January, SQA and the National Qualifications 2021 Groups continue to meet weekly and will develop and agree options for the co-created alternative certification model.

Full details can be found on SQA's website - www.sqa.org.uk/NQ2021

SQA is co-ordinating the development of an equality impact assessment as part of the alternative certification model which aims to ensure fair and credible results for all learners. Schools, colleges, local authorities and SQA are committed to working together to support teachers and lecturers in providing their provisional results in 2020-21.

Working with the National Qualifications 2021 Group, SQA is considering what the most appropriate appeals process for the 2021 awarding model should be. In addition to co-creating the approach with the group, SQA is engaging with the Equality and Human Rights Commission, Scotland and the Children and Young

People's Commissioner Scotland, to ensure that the approach will be compliant with the United Nations Convention on the Rights of the Child. We will also undertake a short public consultation.

SQA remains committed to engaging with learners and their parents and carers. SQA has established a Learner Panel, that has met twice to date, to ensure the views of young people are fully heard and continue to engage and share messages with learner agencies, such as Young Scot, the Scottish Youth Parliament, and the Children and Young People's Commissioner Scotland. SQA continues to engage with the National Parent Forum Scotland (NPFSS), Connect and the Scottish Government's parental engagement network to make sure information reaches parents and carers.

3. Conclusion

SQA remains committed to working with the National Qualifications 2021 Group to respond to the existing and emerging challenges of session 2020-21 and ensure that together we deliver for Scotland's learners.

Scottish Qualifications Authority
January 2021

Dr Tracy Kirk

**Children's Rights, Education and COVID 19
Submission to the Scottish Parliament Education and Skills Committee
January 2021**

Introduction

This research brief is intended to inform an understanding of some of the current issues relating to SQA processes in 2020 and 2021 which have not yet been addressed by the exam board or the Scottish Government.

Summary of key issues

While no one underestimates the challenges of COVID 19 nor the balances which the Scottish Government and SQA are trying to perform, the individualised nature of examination grades seems to have been lost in the wider discussion.

- Discriminatory nature of 2020 processes still not addressed

Yes, the algorithm was problematic and needed to be addressed. However, **the ranking system used by the SQA was discriminatory and contrary to the human rights of those individuals who were disproportionately disadvantaged by SQA processes of 2020.** However, as yet, there has been no redress for these students.

Those disproportionately disadvantaged were identified by the Priestley Review, CYPCS, SQA Where's Our Say and I. In December 2020, SQA Where's Our Say and I invited the Deputy First Minister to meet with those young people who have been disproportionately disadvantaged in 2020 and who still have no form of redress to ensure that lessons can be learned.⁴ We would like to extend this offer to the SQA.

The SQA have so far ignored the existence of these students, they have ignored the need for a children's rights response, the failure to do so having been recognised by the independent Children's Right Impact Assessment (CRIIA),⁵ the Priestley Review,⁶ submissions to yourselves from CYPCS, myself and youth-led 'SQA Where's Our Say?'.⁷

- No individualised nature to assessment – over reliance on representatives to understand impact on students

The individualised nature of examinations requires the SQA to engage with a wide range of young people, including those disproportionately disadvantaged, to ensure mitigations have been put in place. This has not occurred and it is important that the SQA realise that they should not use engagement 'with representatives from Young Scot, the Scottish Youth Parliament and the Children and Young People's Commissioner to understand the views of young people',⁷ there needs to be

⁴ A copy of this letter can be accessed [here](#).

⁵ Independent Children's Rights Impact Assessment on the Response to COVID-19 Scotland, Observatory of Children's Rights, July 2020 accessible here: <https://cypcs.org.uk/wp-content/uploads/2020/07/independent-cria.pdf>

⁶ M. Priestley, M. Shapira, A. Priestley, M. Ritchie, C. Barnett, Rapid Review of National Qualifications Experience 2020, September 2020 [accessible here](#).

⁷ SQA Analysis of Consultation responses: Consultation on contingency arrangements for the 2021 examination timetable, October 2020, page 4, accessible here: https://www.sqa.org.uk/sqa/files_ccc/exam-timetable-consultation-analysis-2021.pdf

engagement with the individuals themselves, at local authority and national level.⁸ United Nations Convention on the Rights of the Child into domestic law it is important that the SQA approach to grade allocation meets with the current legal obligations which the Scottish Government and public bodies have to children and their rights.

- Need for a direct appeals process to ensure human rights compliance

It is also important that the SQA realise that saying that their 'complaints process is open to children',⁹ does not exempt them from providing redress for students disproportionately disadvantaged by changes in exam arrangements. **A children's rights approach is required, and that requires an individualised approach to determining grades, with students involved in the process to ensure clarity and transparency as well as a direct appeals process which ensures disproportionate disadvantage is not amplified by lack of redress.**

- Recognition of impact upon university and college entry in 2021, 2022 and 2023

I have been asked to emphasise to the Committee the plight of students who were disproportionately disadvantaged but for whom no right of redress exists. Some of these students will require lower entrance requirements for universities and colleges in 2021, 2022 and 2023 depending upon when they were due to sit their examinations, especially where 'one-sitting' is required by universities and colleges. It would be helpful to know if the SQA and Scottish Government have started discussions with universities and colleges on this issue.

- Need for human rights compliance

In short, changes need to be made now to ensure a rights compliant approach to the 2021 SQA processes or we have a very real threat of a repeat of 2020, which was not rights compliant. The issues raised here are done so in a constructive manner to ensure that they are discussed, and the support put in place to ensure the human rights of children are upheld during this difficult time. We must not allow this time to define their futures by failing to engage with the individualised nature of assessment grades.

SQA Process of 2020

The information in this section relates to 2020. However, due to the failure to address many of these issues, there is a very real possibility that these students will be impacted again in 2021. Indeed, the **SQA Children's Rights Impact Assessment published on 7 October shows a failure to engage with the failures of 2020.**¹⁰

⁸ This was highlighted in evidence submitted to the Equalities and Human Rights Committee through their public engagement work during stage one of the United Nations Convention on the Rights of the Child (Incorporation)(Scotland) Bill. This can be accessible here:

https://www.parliament.scot/S5_Equal_Opps/General%20Documents/UNCRC_kids_summary.pdf and here: https://yourviews.parliament.scot/ehrc/uncrc-children-young-people/consultation/view_respondent?uuld=380053079

⁹ Child Rights and Wellbeing Impact Assessment: Proposed modifications to national 5, Higher and Advanced Higher course assessments for session 2020-21, October 2020, page 5 accessible here: https://www.sqa.org.uk/sqa/files_ccc/child-rights-wellbeing-impact-assessment-modifications-to-national-courses-2020-21.pdf

¹⁰ Child Rights and Wellbeing Impact Assessment: Proposed modifications to national 5, Higher and Advanced Higher course assessments for session 2020-21, October 2020 accessible here: https://www.sqa.org.uk/sqa/files_ccc/child-rights-wellbeing-impact-assessment-modifications-to-national-courses-2020-21.pdf

The Priestley report was a significant piece of work done in a short space of time. The fact children and young people were central to this process was important. Many of the young people I know who spoke to Professor Priestley and his team said they really appreciated the opportunity to share their views and felt the process was 'cathartic'. Despite insistence by the SQA that the number of visitors to their account during exam results day shows their engagement,¹¹ **there was a failure to acknowledge the individual rights of children**. Exams are individualised and as such assessment of grades must also be individualised, as should appeals processes.

Several points were picked up by Professor Priestley which seem to have been disregarded by the Scottish Government. These will be explored below.

SQA Process of 2020: Those with Protected Characteristics

The review highlighted that those most adversely affected by the 2020 alternative certification model included: children with disabilities, young carers and care-experienced young people, and those with extenuating circumstances.¹² There are additional legal obligations upon the Scottish Government and SQA to ensure these young people are not disproportionately disadvantaged, however many have undoubtedly been disadvantaged by the SQA processes of 2020 and they face the prospect of this happening again. Indeed, as I write this on 8th January 2021 – more than 5 months since exam results day - these young people still do not have a form of redress. In short, they appear to have been forgotten by the SQA and Scottish Government.

Further, the Priestley review made clear that those who were disadvantaged represented 'small numbers' who have 'created a great deal of controversy'.¹³ However, there has been no recognition of this group by the Deputy First Minister, the SQA or the Scottish Government. Indeed, on 7 October, Mr Swinney said that the Scottish Government 'did not get it right for all young people' but that they had apologised and acted to fix this situation.¹⁴ Unfortunately, this is not the case for all young people and this is highlighted by the Priestley report. **Crucially, those who are protected under the Equality Act 2010 have not had the right to redress which the law demands they have.**

This is discussed further below in terms of 'Lack of data available: compounding discrimination' on page 6.

SQA Process of 2020: Lack of redress for students

The lack of a right to redress continues to have a disproportionate disadvantage on those young people with protected characteristics, as outlined above. The Education and Skills Committee challenged the Deputy First Minister on the lack of appeals process for those who had been discriminated against.¹⁵ The fact students needed to

¹¹ SQA letter to the Scottish Parliament Education and Skills Committee, 1 September 2020 accessible here: <https://www.sqa.org.uk/sqa/95017.html>

¹² M. Priestley, M. Shapira, A. Priestley, M. Ritchie, C. Barnett, Rapid Review of National Qualifications Experience 2020, September 2020, page 39.

¹³ M. Priestley, M. Shapira, A. Priestley, M. Ritchie, C. Barnett, Rapid Review of National Qualifications Experience 2020, September 2020, page 30.

¹⁴ SQA Awards 2021: Deputy First Minister's speech, 7 Oct 2020 accessible here: <https://www.gov.scot/publications/deputy-first-ministers-speech-sqa-awards-2021/>

¹⁵ Education and Skills Committee, Wednesday 16 September, Page 32, accessible here: <https://www.parliament.scot/parliamentarybusiness/report.aspx?r=12825&mode=pdf>

ask their schools to put in appeals despite the schools being the potential discriminator was raised by Daniel Johnston MSP. However, there seemed to be a lack of understanding on the part of the Scottish Government when this was discussed on 16 September. Does the SQA understand this any better? Student and parent discontent at the lack of appeals process was heightened when it was believed that the Deputy First Minister had acted to widen the appeals process. Speaking on 16 September, appearing in front of the Education and Skills Committee, the Deputy First Minister said ‘if a case can be put together that assess that some form of prejudice, disadvantage or discrimination was experienced by a young person, that can be the subject of an appeal.’¹⁶ However, there has been no change to ensure this is the case. Indeed, many of the parents and students who wrote to the Deputy First Minister have been in touch with me in the past few weeks to ask if anyone is still interested in the students who were let down in 2020. **While I am sure the intention was never to discriminate against certain groups of young people, this has occurred and the right to redress is required to address this.**

Further, I have written to the Education and Skills Committee, and the Deputy First Minister previously to emphasise the need for an appeals system which was wider than that announced by the SQA week commencing 10 August 2020. The work myself and ‘SQA Where’s Our Say?’ have done in this area was echoed by the Children and Young People’s Commissioner for Scotland (CYPCS).¹⁷ **The lack of appeals process was also highlighted by the Priestley Review which stated that the ‘decision to limit the grounds for appeals seems to be both unnecessary and counter-productive’.**¹⁸

However, this has still not been addressed for 2020 SQA candidates and I hope the SQA or Deputy First Minister will announce this very soon. **I am hopeful that a direct appeals process will be permitted and announced for 2021.** Having the details of this available sooner rather than later would make a very clear difference – it would show a commitment to the human rights of all young people.

Student-teacher relations and mental health

The Priestley report acknowledges the impact the 2020 SQA processes had on student-teacher relations. This will not be a surprise to many and is underpinned by the lack of open dialogue with students from the cancellation of the exams in April 2020.

Further, the pressure upon mental health of Scotland’s young people underpins the need for strong relationships. Many young people I have spoken to in recent months report feeling increasing pressure due to the cancellation of exams. They are not clear on the requirements for each subject, they have increasing uncertainty outside of school as a result of COVID 19, however there is an assumption that they will just be able to continue with courses which will be assessed either way.

I would really welcome the Committee asking what will be built into the alternative grading process for 2021 to ensure that no student is adversely

¹⁶ Education and Skills Committee, Wednesday 16 September, page 32, accessible here: <https://www.parliament.scot/parliamentarybusiness/report.aspx?r=12825&mode=pdf>

¹⁷ See here: <https://cypcs.org.uk/news-and-stories/commissioner-sqa-must-restore-fairness-to-the-grading-system-cypcs/>

¹⁸ M. Priestley, M. Shapira, A. Priestley, M. Ritchie, C. Barnett, Rapid Review of National Qualifications Experience 2020, September 2020, page 30.

affected as a result of the COVID 19 pandemic. Many universities are continuing no-detriment policies, for example, to ensure that students are not unfairly impacted by the uncertainty of COVID 19.

SQA Process of 2020: Ineffective use of CRIA by SQA 2020

I have written elsewhere about the problem of the SQA utilising a CRIA retrospectively instead of it being used to shape the 2020 process.¹⁹ The 2020 grading process was not compliant with children's rights and I would refer you to the CRIA conducted by the young advisors at CYPCS.²⁰

SQA Process of 2021: Ineffective CRIA completed by SQA 2021

On 7 October, the SQA published a Children's Wellbeing and Rights Impact Assessment. This sought to examine the rights implications upon children of modifying higher courses and cancelling the 2021 national 5 exams. While welcoming the use of a CRIA to show that children's rights are a consideration at this early stage of the process, there are some significant flaws in the document which highlight that SQA have not learned from the 2020 processes.

Firstly, the CRIA states that 'provided the SQA's duty to provide reasonable adjustments under Section 96 of the Equality Act 2010 continues to be met, no different impacts on different children and young people have been identified'.²¹ This is a fundamental flaw in the CRIA. **There was no compliance with section 96 of the Equality Act 2010 during the 2020 grading process.** Indeed, as mentioned, the Priestley Report highlighted that certain groups of children were disadvantaged by the process, and this was compounded by the lack of appeals process. As highlighted above, these were children with protected characteristics including those with disabilities, those with additional support needs, young carers, care-experienced young people and those with extenuating circumstances. **As the SQA acknowledge, under section 96 of the Equality Act of 2010, the SQA and Scottish Government have a responsibility to ensure there are no different impacts on different groups. However, this has not been achieved in 2020.** Put simply, there are different impacts on different groups of young people. The SQA and Scottish Government appear unwilling to engage with this fact. Until they do so, the 2021 exam process will not be rights compliant, consistent with the lack of children's rights focus in 2020.

Secondly, in the CRIA, the SQA have again tried to argue that they have satisfied the Article 12 rights of children (the right to be involved in decisions which impact them by having an influence) because they have done work with Young Scot, Scottish Youth Parliament and the Children and Young People's Commissioner for Scotland.²² While this is important work and all these young people's views and input

¹⁹ T. Kirk, 'The Best Place in the World to Grow up: How can Scotland uphold its legal obligations to children and young people in these precedented times?' *Children's Rights Advocate*, 8th August 2020 accessible here: <https://childrensrightsadvocate.com>

²⁰ See here: <https://cypcs.org.uk/wp-content/uploads/2020/09/Priestley-Review-response.pdf>

²¹ 2020 Alternative Certification Model: Child Rights and Wellbeing Impact Assessment, August 2020, page 3. Accessible here: https://www.sqa.org.uk/sqa/files_ccc/2020-sqa-alternative-certification-model-child-rights-wellbeing-impact-assessment.pdf

²² 2020 Alternative Certification Model: Child Rights and Wellbeing Impact Assessment, August 2020, page 3. Accessible here: https://www.sqa.org.uk/sqa/files_ccc/2020-sqa-alternative-certification-model-child-rights-wellbeing-impact-assessment.pdf

is valuable, **there is a distinct lack of appreciation from the SQA that candidates are individuals.**

Exam results are what is used to measure entrance to colleges and university as well as entering the job market. These are individualised, and quite rightly, each child needs to play their own role in that process and as argued in previous correspondence to this committee, the autonomy which children play in studying for the exams should have been recognised by the Scottish Government and the SQA. There is a way that the Scottish Government and SQA can hear from students in our education system without this being seen to be political and I am confident that parents and students would welcome such an approach.

It is of vital importance that all children are aware of opportunities to share their views. That must be done on a local authority level where every young person is aware that there is a way they can have their voice heard. In the same way we recognize the voting potential of 16 and 17 year olds, surely we must respect the right of this group to be included in major decisions that will affect their futures. Furthermore, there has been no recognition of the fact that engagement should be made with young people from affected groups. In terms of the protected groups mentioned by the Priestley Review, it would be expected that SQA would seek the views from students with additional support needs, those with disabilities, those who are care experienced and those with extenuating circumstances. However, no attempt appears to have been made to ensure this is the case. This severely weakens the impact of the CRIA conducted by the SQA and fails to appreciate mistakes made during the last academic year.

Lack of data available: compounding discrimination

Further underpinning the ineffectiveness of the CRIA completed by the SQA is the failure to have the data required to assess whether discrimination is occurring. Indeed, the Independent Children's Rights Impact Assessment highlighted that **'gaps in data mean that it is hard for the Government to be confident that its decisions are delivering on human rights obligations'**.²³ Further, the Priestley review emphasised that 'a lack of access to equalities data is evident in correspondence between the SQA and the government'. Further, there was confirmation in the Priestley review that an internal government email acknowledged that 'SQA do not hold equalities data and therefore cannot examine the 2020 approach for impact on protected characteristics'.²⁴

For the avoidance of doubt, this failure was not reversed by the reversion to centre assessed grades. Indeed, this failure has not been addressed by the Scottish Government or SQA at this time and this emphasises the failures of the SQA CRIA for 2021.

Education Recovery Group

During the summer of 2020, SQA Where's Our Say and I raised the importance of having a young person on the Education Recovery Group (ERG), as well as someone with an understanding of children's rights – we suggested someone from

²³ Independent Children's Rights Impact Assessment on the Response to COVID-19 Scotland, Observatory of Children's Rights, July 2020, page 4 accessible here:

<https://cypcs.org.uk/wp-content/uploads/2020/07/independent-cria.pdf>

²⁴ M. Priestley, M. Shapira, A. Priestley, M. Ritchie, C. Barnett, Rapid Review of National Qualifications Experience 2020, September 2020, page 33.

the Children and Young People's Commissioner for Scotland. I welcome the development of a youth group to look at the Education Recovery Group topics as well as the addition of a MSYP to the Education Recovery Group (ERG). While I know that the MSYP will have a significant amount of experience and engagement with young people to use in his interactions with this group, I do feel as though there needs to be a greater understanding of the need to hear directly from impacted children, especially those who have particular challenges in education at present. The work of the Scottish Parliament Outreach service, which I have been very happy to support, shows the commitment of the Education and Skills Committee to hear directly from children and young people who have been adversely affected. This ensures understanding of the issues concerned and it would be advantageous if the SQA and Deputy First Minister accepted the offer to meet with those adversely impacted by 2020 SQA processes to ensure the same mistakes do not happen again.

Conclusion

In summary, while it is clear that the human rights of children could help shape the SQA's approach during this next few months, much greater emphasis must be placed upon engaging with affected children, and their individual circumstances. It would be advantageous if the SQA and Scottish Government took the rights based advice being offered to them as I do believe we all have the same aim going forward: the realisation of the rights and wellbeing of all children in Scotland.

Going forward, it is important that legal obligations which the Scottish Government and the SQA have are considered from the outset. An effective and engaging Children's Rights Impact Assessment (CRIA) would be a good first step, but it must be a first step. I have written [elsewhere](#) about the importance of using a CRIA to inform the development of policies to ensure that human rights underpins and informs the response.²⁵ However, the current CRIA completed by the SQA fails to address the failures of 2020.

There is a simple solution to an extraordinary problem, respect every child's rights by listening to them and involving them in major decisions about their own lives. I would be very happy to expand on any the points raised if it would be helpful to the Committee.

²⁵ T. Kirk, 'The Best Place in the World to Grow up: How can Scotland uphold its legal obligations to children and young people in these precedented times?' *Children's Rights Advocate*, 8th August 2020 accessible here: <https://childrensrightsadvocate.com>