

SSTA Response to SQA 2021 National Qualifications Appeals Process Consultation

The SSTA Education Committee met on 17.3.21 to discuss and agree a collective response to the SQA's 2021 NQ Appeals Process Consultation on behalf of SSTA members. SSTA members are, of course, still able to respond individually at <https://www.sqa.org.uk/sqa/96506.html>

In making its response the Committee was mindful of:

- Teacher workload
- Fairness to learners
- Maintaining confidence in National Qualifications
- The importance of good, clear communication

The response was uploaded to <https://www.sqa.org.uk/sqa/96506.html> at 0915 on 18.03.21

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

The SSTA supports the UNCRC; relevant to this consultation are the right of young people to be heard (article 12) and schools' duty to act in their best interests (article 12).

We would support Model 3. Learners wishing to appeal after 10 August must be offered the opportunity to express the grounds for their appeal directly to the SQA setting out their reasons. No appeal should be permitted which has not already been discussed with the presenting school prior to 25 June. To enable everyone to take a break during the period of teachers' annual leave, the SSTA expects there should be a tacit period between 25 June and 10 August.

In the past it is centres which have submitted appeals on behalf of learners based on the evidence which they hold rather than learners themselves, with teachers advocating on behalf of learners. It would be rare for an appeal to have been carried out in the past without there having been a discussion with the learner first, and any appeal would be carried out in the learner's best interest. In this unusual situation it is difficult to see how a school could objectively and impartially settle an appeal internally as suggested in option 1. Option 2 could have significant workload implications at a point in the year when teachers will be experiencing a range of other demands on their time.

The SQA must take a lead in explaining to learners and their families how centres will arrive at a judgement. Because of the unusual circumstances, the SSTA believes that a wide media campaign conducted by the SQA is essential to explain the ACM appeals process to learners and their families. This must go further than communicating using the usual channels.

We would anticipate that conversations between teachers, learners and their families should have taken place prior to 25 June with the aim being to resolve any issues prior to that date, but these would not be part of any formal appeals process.

2. Is it appropriate that the result of the initial appeal is determined by the learner's school or college? Please explain the reason for your answer.

No. Given that candidates will have been informed of provisional grades there should be few appeals.

It is the view of the SSTA that to control workload the SQA must assess each appeal for validity, with numbers of appeals to be kept to the barest minimum. Each appeal should go through a central process to determine its validity before schools are asked to respond. Validity checks must include whether a meaningful discussion has taken place in school and whether adequate and relevant evidence has been provided to support an appeal.

The SSTA asserts it would not be appropriate for schools to handle appeals for results they have arrived at themselves. It must be an independent process. Schools must not have to bear the burden of large numbers of appeals/enquiries/requests for evidence.

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

As noted above, it is difficult to see how a school could objectively and impartially settle an appeal internally.

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

Appellants must understand that any review of evidence will result in the grade reflected by the evidence being awarded, and that grades can remain the same, or be upgraded or downgraded.

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

Every appeal must be assessed for validity by the SQA.

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

Two possibilities have been suggested: administrative error or failure to comply with SQA requirements.

With regard to 'administrative error,' sufficient checks must be in place to obviate any requirement for appeals on the basis of administrative error. Schools will quickly become aware in August of any discrepancies between provisional results transmitted to SQA and final results issued by SQA and must have access to rapid remediation. The SSTA believes that there should be no need for a learner to request an appeal on the basis of administrative error.

All discussions regarding 'failure to comply with SQA requirements' should have been exhausted at school level prior to confirmation of provisional results, with an appeal to SQA being a last resort.

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

Some examples of situations where an appeal might be upheld or rejected, the timescale, and the possible outcome.

8. What positive and negative impacts can you identify in relation to appeals processes on the needs set out in the public sector equality duty?

- **How could the positive impacts be maximised, and the negative impacts be mitigated?**

Given the issues last year, it is crucial that there must be confidence among learners and their families, teachers, employers, and FE and HE bodies that this year's results are, beyond any shadow of a doubt, fair and accurate. It is in everybody's interests to ensure that learners receive no unexpected results in August. Recognising that there is a risk that appeals may become politicised, confidence must be maintained in National Awards.

The SSTA insists that teachers must feel supported in their judgement. There must be an understanding that the profession is exhausted and time has to be provided for the effort that will be required to arrive at provisional results and to have conversations with learners and their families. Because of the likely spectrum of interpretation the SSTA is of the strong view that the SQA must take a lead in quantifying the amount of time required and expressing this clearly rather than devolving decisions to local authorities.

The SSTA is adamant that there can be no suggestion that teachers should be held responsible if there are negative issues with National Awards this year, and any system of appeals must not be used to call teachers' judgement into question.

The appeals process has to be fair. If a young person believes they have experienced discrimination then they must feel able to seek to have this investigated, not only by the SQA but also by any other responsible person or body.

9. How should the consideration of appeals be prioritised?

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

Appeals should be prioritised by the requirement for results to be transmitted to employers and further and higher education bodies. Only valid appeals should be considered.

James Cowans
Convener
SSTA Education Committee
18 March 2021



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