

## **NASUWT**

1. The NASUWT welcomes the opportunity to comment on the exam diet and school closures.
2. The NASUWT is the largest UK-wide teachers' union and the fastest growing teachers' union in Scotland, representing teachers and school leaders in all sectors of education.

### **Approach to certification – session 2019/20**

3. The NASUWT noted with interest the evidence shared with the Committee by the Scottish Qualifications Authority (SQA) at the session held on 1 May 2020.
4. The NASUWT recognises that the partial closure of schools from 23 March 2020 was driven by a clear public-health imperative. A consequence of this decision has been that examinations and other assessments scheduled to take place this summer have now been withdrawn.
5. The NASUWT is clear that the qualifications associated with these examinations are of critical importance for students, given their function in accrediting learning and as a gateway to future employment as well as higher and further education. It was, therefore, entirely appropriate for the Deputy First Minister to direct that SQA should develop an alternative certification model. It was also entirely appropriate for the model to be based on the principles of:
  - fairness to all learners
  - safe and secure certification of qualifications; and
  - maintaining the integrity and credibility of our qualifications system, to “ensure consistency both across the country and in comparison with previous years”.
6. However, it is essential that the exceptional arrangements required to give effect to this direction are proportionate and manageable for centres and their staff and reflect the fact that the education system and its workforce are operating in extraordinary circumstances.
7. For this reason, it is imperative that the SQA engages meaningfully with the workforce and its legitimate representatives. Such engagement not only ensures

that the SQA can benefit from the experience and expertise of practitioners in the development of its policy but also ensures that the highest levels of public and professional confidence in the steps the SQA is taking can be maintained. While recognising the operational independence of the SQA, the NASUWT would urge the Committee to highlight this critical consideration to the Scottish Government and recommend that it uses all means at its disposal to secure more effective communication by the SQA with the education workforce. It is clear to the NASUWT that more needs to be done to ensure that the SQA's decision-making, albeit undertaken in extremely challenging circumstances, is guided more effectively by the interests and concerns of those working in schools and that the workforce is made more aware of the reasons underpinning the SQA's decisions.

8. For example, on 20 April, the SQA published information for centres on producing estimates and some related FAQs. On evidence to support the production of estimates, the SQA's information stated:

*When determining an estimate, you should firstly gather and review the key evidence you have for each candidate. For example, prelim or mock papers, additional tasks or assignments, performance or practical evidence.*

9. Much of this evidence is located on school sites and requires a journey to school to be collected. However, where school sites have remained closed to staff and pupils for all or most of this period, a serious risk was created that this guidance could have been interpreted as a direction to enter such sites to collect materials when it would have been unsafe to do so. School sites that have been closed for a significant period of time because they have not been required to support local hub arrangements require detailed and careful steps to be taken to ensure that they can be accessed safely.
10. This guidance created significant and understandable alarm for many teachers. While the NASUWT was able to issue guidance to members on the health and safety considerations associated with entering school sites that have not been used for a significant period, alarm would not have arisen had the SQA consulted with the workforce and its representatives more effectively prior to issuing its information for centres.

11. The Committee noted in its engagement with the SQA the significant levels of concern expressed by teachers about aspects of the extraordinary certification arrangements for the 2019/20 session. The NASUWT is clear that teachers accept that the significant challenges associated with certification in current circumstances means that there are no easy solutions to ensuring that certification reflects the three core principles articulated by the SQA to the Committee.
12. The Union accepts that finding solutions that give effect to these principles is a challenging undertaking and that managing tensions between them is difficult. However, it is important that these challenges are explained clearly and that the teaching profession is taken into the SQA's confidence, particularly when it is being asked to undertake difficult tasks in highly pressurised circumstances.
13. While the SQA's evidence to the Committee was helpful in that it set out in public for the first time many of the considerations that the Authority is taking into account, it also continued to leave a range of unanswered questions about aspects of the extraordinary arrangements that give teachers grounds for concern. There are three concerns in particular that the Committee may wish to raise with the Deputy First Minister.
14. First, the SQA has insisted that teachers must not only provide estimated grades for all candidates but must also place these estimates within refined bands and provide a rank order within each refined band. This is a complex and highly unusual task that places significant demands on teachers and requires them to assess students in a way that is not consistent with the practices they are normally expected to adopt. While it is recognised that estimation is a long standing feature of the qualifications system, the context within which estimation is taking place is very different from that teachers will have encountered previously.
15. As a minimum expectation, the SQA should set out in detail why this information is required and the purpose it will serve in securing the three principles noted above. However, although questions were asked by members of the Committee about the ranking of candidates, the uses to which this information will be put have not yet been explained satisfactorily by the SQA. More broadly, the

arrangements for quality assurance of the estimates and rankings has also not been set out to date with sufficient clarity.

16. Second, teachers are concerned to ensure that all possible steps are taken to minimise bias in certification for 2019/20. It should be noted that the SQA and the Scottish Government are both subject to the Public Sector Equality Duty (PSED) and the relevant provisions of the Equality Act 2010. It is helpful that the SQA Academy's Estimates guidance makes clear in estimating grades, teachers should seek to ensure that they use their professional judgement to provide objective and accurate predictions and give effective consideration to the need to ensure that these estimates are free from bias against those with protected characteristics. It should be noted in this context that the evidence used to form these judgements has been generated in settings that are themselves subject to the PSED and equalities legislation.
17. However, it is not the responsibility of teachers alone to address issues of bias in the certification process. The SQA and the Scottish Government more generally have a legal duty to ensure that they take all reasonable steps, notwithstanding the challenges of current circumstances, to ensure that grades are awarded in a way that is not biased. This duty will be discharged by the SQA in large part through the methodology it will use to determine final grades. It is, therefore, disappointing that the SQA has yet to publish an Equality Impact Assessment and has progressed actions in respect of certification this summer without reference to such an Assessment. It will be important to ensure that teachers, candidates and their parents can be assured that while centres are taking the action they need to take to ensure equity and rigour in their assessments, the SQA is also discharging its responsibilities in this respect as fully as possible.
18. Third, teachers are concerned to ensure that there is a fair, manageable and transparent process for candidates to appeal against the grades they eventually receive. The absence of any detailed information in this regard is a matter of genuine concern for teachers and it is important that this process is developed in consultation with the teaching workforce and its representatives as soon as possible.

Dr Patrick Roach

**General Secretary**