

# Citizen Participation and Public Petitions Committee

4th Meeting, 2024 (Session 6), Wednesday 6  
March 2024

## PE2014: Revert to the appeals system used in 2022 for SQA exams

<b>Petitioner</b>	Elliott Hepburn on behalf of Moffat Academy students
<b>Petition summary</b>	Calling on the Scottish Parliament to urge the Scottish Government to implement a revised SQA appeals process which takes into account evidence of the pupil's academic performance throughout the year, particularly prelim results.
<b>Webpage</b>	<a href="https://petitions.parliament.scot/petitions/PE2014">https://petitions.parliament.scot/petitions/PE2014</a>

### Introduction

1. The Committee last considered this petition at its meeting on [31 May 2023](#). At that meeting, the Committee agreed to write to the Cabinet Secretary for Education and Skills and the Scottish Qualifications Authority.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received new responses from the Scottish Qualifications Authority and the Cabinet Secretary for Education and Skills which are set out in **Annexe C**.
4. Written submissions received prior to the Committee's last consideration can be found on the [petition's webpage](#).
5. Further background information about this petition can be found in the [SPICe briefing](#) for this petition.
6. The Scottish Government's initial position on this petition can be found on the [petition's webpage](#).

7. Every petition collects signatures while it remains under consideration. At the time of writing, 633 signatures have been received on this petition.

## Action

The Committee is invited to consider what action it wishes to take on this petition.

### **Clerk to the Committee**

## Annexe A

### PE2014: Revert to the appeals system used in 2022 for SQA exams

#### Petitioner

Elliott Hepburn on behalf of Moffat Academy students

#### Date Lodged:

03 April 2023

#### Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to implement a revised SQA appeals process which takes into account evidence of the pupil's academic performance throughout the year, particularly prelim results.

#### Previous action

I have contacted my local MSP Oliver Mundell to highlight the concerns of school pupils about changes to the appeal system.

#### Background information

Because of the continued effects of the pandemic on teacher and pupil attendance as well as the difficulties we continue to face as a consequence of the break in our education in 2020 and 2021, it is incredibly unjust to take away the support mechanism of appeals as they were carried out in 2022. The strike action being taken by teachers also means more lost days in our education.

A feature of Scotland's education system is equity, yet the changes to the appeals process in 2023 will lead to very unequal outcomes. Any pupil who is going through tough times will be judged on one day rather than the work completed across the year.

Also, because of the withdrawal of assignments in many subjects, we will be the only generation judged solely on our performance on one day. This would appear to go against the principles of an education system that purports to value the whole child.

## Annexe B

### Extract from Official Report of last consideration of PE2014 on 31 May 2023

**The Convener:** The second of the three new petitions that we are considering this morning is PE2014, on reverting to the appeals system used in 2022 for Scottish Qualifications Authority exams. The petition, which was lodged by Elliott Hepburn on behalf of Moffat academy students, calls on the Scottish Government to implement a revised SQA appeals process that takes into account evidence of pupils' academic performance throughout the year, particularly prelim results.

The SPICe briefing states that the Scottish Government intends to replace the SQA and that it is expected that a bill will be introduced later this year for that purpose. The briefing outlines the appeals system used in 2022 and notes that the SQA described the 2022 appeals process as “an emergency response” to the Covid-19 disruption.

The SQA conducted a review of the certification and appeals processes, which included a consultation with learners, teachers, parents and others. The review found several issues, including increased workload for teachers and perceptions of unfairness in the process. All MSPs have probably received representations in relation to that.

Views on the approach for the 2023 appeals were mixed. The SQA appeals process for 2023 will involve a marking review by a senior marker that will focus on the correctness and consistency of the initial marking, and it will no longer consider alternative assessment evidence. The process is free, and individuals can appeal directly to the SQA.

The Cabinet Secretary for Education and Skills has responded to the petition. She has stated that the SQA is responsible for its operational decisions, including its approach to the appeals process for 2023. Her response highlights the examination exceptional circumstances consideration service, which supports pupils who are unable to attend their exams due to reasons that are outwith their control or whose performance may have been affected by personal circumstances.

I am struck by the fact that the appeals process now is simply that a senior marker focuses on the correctness and consistency of the initial marking and no longer considers alternative assessment evidence. I have to say that I thought that that was very often the principal thing that many schools submitted on behalf of pupils. It was a case of presenting evidence to suggest that the individual had done better than the process had shown. Notwithstanding that, that is what is happening in 2023.

I imagine that colleagues elsewhere who are intimately concerned with these issues will have debated them thoroughly. We are in a situation in which the Scottish Government is, I think, indicating that a forthcoming bill will alter the situation, so I am not sure that there is terribly much more that we can do at this stage.

**Fergus Ewing:** I suppose that it is relatively early in the life of the petition. Given the point that you have made, convener, it seems that, on the ground of equity, in some cases, looking at other evidence, such as continuous assessment and the progress that a pupil has made over the course of the period to which the examinations relate, would be helpful. We are all conscious that, for every pupil, the results of their examinations for qualifications can determine their future. There is a lot at stake, and it is a huge moment for those children and their families.

I noticed that the Cabinet Secretary for Education and Skills stated: “Alternative evidence will not be needed for the Appeals service this year.”

That is a statement and an assertion. I wonder whether we might invite her to flesh that out and state with a bit more detail why that view should now be the case whereas previously it was not. Are there not circumstances, particularly where there are elements of difficulty, problems or trouble in the life of a child, such as an interruption to their education through ill health or other issues of that ilk, that may well merit the consideration of alternative evidence?

It may be that the system provides for that separately—I do not know; I am not an expert on it at all. However, I am sure that, over the years, we have all had cases in which the outcome of an examination has been very much out of line with the prediction and that, in turn, has led to lots of soul searching and problems in individual cases.

Given the importance of the issue to children in general, I would not want to close the petition now. I hope that I am putting this clearly, but I would rather seek from the cabinet secretary a much greater explication of why it is that alternative evidence would not appear to be relevant this year when, in principle, *prima facie*, there are surely many circumstances in which the consideration of alternative evidence is not only appropriate but essential.

**The Convener:** Yes, I am content that we should do that. I wonder whether we might also ask the SQA the very same question. We would be interested to know the basis on which it has concluded that simply the academic review of the correctness of the marking is sufficient.

The exams diet is coming to a conclusion, and results will be forthcoming in the next few months, so the issue will become a very live one for a considerable number of people. It would be interesting for us to take the petition forward at least to that extent, in order to have greater clarity on why that will be the case. We might ask the SQA what practical implication it believes the approach will have in relation to the outcome of appeals this year in comparison with previous years.

Are we content to do that?

**Members** *indicated agreement.*

**Foysoil Choudhury:** The other question is whether the final report will be published.

**The Convener:** I am sorry, Mr Choudhury, but what report is that?

**Foysoil Choudhury:** On the independent reviews.

**The Convener:** We will ask the Scottish Government about that.

**Foyso! Choudhury:** Yes.

**The Convener:** We will discern what that might lead to. We will check.

## Annexe C

# Scottish Qualifications Authority submission of 21 July 2023

## PE2014/B: Revert to the appeals system used in 2022 for SQA exams

Thank you for your letter of 6 June 2023 on behalf of the Citizen Participation and Public Petitions Committee, asking for further information on the 2023 Appeals service.

In February 2023, SQA announced that a free and direct appeals service will be available for all learners from 8 August 2023, giving them the right to request a review of their marked exam papers.

The service was developed following an [extensive evaluation of the exams and appeals services that were in place in 2022](#), with more than 3,500 learners, teachers, lecturers, parents, carers and principal assessors feeding back their views and experiences. Careful consideration was given to these views along with further consultation with stakeholders and users and informed the evidence-base for decision making around the approach to appeals in 2023.

The appeals service, together with a number of other measures, were put in place in recognition of the ongoing impact of disruption to teaching and learning that young people across Scotland have experienced due to the global pandemic. The other measures included the modifications to assessments, helping to free up more time for learning and teaching of the course content.

In addition, an Examination Exceptional Circumstances Consideration Service (EECCS) was in place for those who were unable to sit an exam or whose performance was affected by personal circumstances. Once all the exams were marked, our approach to setting standards and grading continued to be sensitive to the extent of the ongoing impact of the pandemic.

These measures, based on evidence, help to ensure fairness, provide safe and secure certification of qualifications, and maintain the integrity and credibility of the qualifications system, in the interests of all learners.

### **How the 2023 Appeals service was decided**

There were a number of themes from the evidence gathered from stakeholders that informed the decision making process for the 2023 Appeals Service.

The 2022 Appeals Service had no provision for learners who wished to have their exam scripts reviewed by a marker. We received a number of queries and complaints from learners who were keen to use this service in 2022. In light of issues that can arise for awarding bodies every year with the marking of scripts, we believed it was essential to have a review of marking service re-introduced in 2023 to protect the interest of all learners.

Evidence indicated that the 2022 Appeals Service was not, on balance, fair to all learners in Scotland because the standard and coverage of evidence varied between centres. The evidence also highlighted the importance of alternative evidence remaining available for learners who really need it — for example those who experience exceptional circumstances and were unable to sit the exam.

Half of practitioners surveyed and most senior appointees surveyed highlighted that they would prefer a return to a review of marking in 2023, with a lack of fairness and excessive workload for learners and practitioners being cited as principal drivers.

Respondents noted that there were also centres that took a lot of time in creating prelims and generating other valid forms of assessment, but there was a concern that an appeals process based on alternative evidence increases the assessment burden on learners overall.

### **Practical implications of the 2023 Appeals service on outcomes compared to the temporary approach in place in response to the pandemic and to the original appeals approach.**

The [2022 Appeals Statistics](#) indicated that learners do not always benefit from appealing based on alternative evidence with 58,035 (11.0%) of the 526,610 certificated grades for National 5, Higher and Advanced Higher being appealed in 2022. 17,300 appeal requests (29.8%) resulted in an



upgrade and five (less than 0.05%) resulted in a downgrade. The majority of requests resulted in no change of grade.

Most candidates did their best work in 2022 on the SQA assessments — 80% of all entries achieved their estimate or better. Of those eligible to submit an appeal, approximately two thirds did so, with a 30% success rate. This means that fewer than one in five of all those eligible made a successful appeal. In this respect, we believe a marking review provides a more equitable and fair service to all learners.

The approach taken to appeals in 2022 differed from previous years. In 2019, the EECCS was accompanied by a Post Results Service (PRS) which involved a clerical check and marking review. The PRS and EECCS services were introduced in 2014 as a replacement for the legacy appeals provision which included the use of alternative evidence.

Historical data gathered by SQA, indicated that the legacy appeals provision was problematic due to issues of equitable access, fairness for absentee candidates and the volume of work the service generated for the wider system. Evidence gathered from awarding in 2022 indicated that the issues of inequity found in the legacy appeals provision reoccurred in the Appeals Service in 2022 which was cause for concern.

With the reintroduction of the marking review and clerical check service in 2023, SQA will ensure that every learner's grade is entirely based on their performance in the SQA set and marked course assessment.

In 2023, the appeals service will be free of charge, including the right for learners to submit a request. The EECC service supports a review of learner alternative evidence, which means that alternative evidence is only used where learners have truly exceptional circumstances.

I hope this is useful as the Committee considers this petition. I am happy to answer any further questions.

**Fiona Robertson**

**SQA Chief Executive and Scotland's Chief Examining Officer**

# Cabinet Secretary for Education and Skills submission of 6 February 2024

## PE2014/C: Revert to the appeals system used in 2022 for SQA exams

Thank you for your letter of 5 June 2023 on behalf of the Citizen Participation and Public Petitions Committee regarding Petition PE2014 seeking to “Revert to the appeals system used in 2022 for SQA exams”. My office cannot find any record of this having been received at the time, however officials have since been furnished with a copy. You had asked that I:

I note that you had asked that I:

- clearly set out how the approach to appeals in 2023 differs from the appeals process that was in place before temporary measures were introduced during the pandemic; and
- provide more detail on the rationale behind the decision not to consider additional evidence as part of the appeals process in 2023.

In relation to these points, there is little that I can add to the information I previously provided to the Committee in April 2023.

As I previously set out, the Scottish Qualifications Authority (SQA) is an executive Non-Departmental Public Body and as such operates at an arm’s length to Ministers. As the awarding body for Scotland, as set out under the Education (Scotland) Act 1996, the SQA is better placed to provide detail and explanation of its operational processes and decisions around the qualifications. I understand that you also wrote to the SQA in June last year and that it provided a detailed response at the time.

However, I would set out again that all decisions were taken with the best interests of learners at the centre, and informed by an extensive evaluation at the time.

In 2023, all candidates had the right to have a marker review, which included a clerical check, of their exam paper or coursework,

irrespective of their estimated grade. This is the same approach used in 2019 before temporary measures were introduced during the pandemic. What differs between 2019 and 2023 is that the service was free, and young people had direct access to it, which is also a divergence from the approach taken by awarding bodies in the rest of the UK. Appeals in 2022 were only for those whose teacher estimates were above their certificated grades.

Alternative evidence was not needed for the Appeals service in 2023. As the SQA set out in its response, its evaluation indicated that the 2022 Appeals Service was not, on balance, fair to all learners in Scotland because the standard and coverage of evidence varied between centres. It was also indicated that feedback suggested that an appeals process based on alternative evidence increased the assessment burden on young people. The SQA's evaluation also highlighted the importance of alternative evidence remaining available for learners who really need it — for example those who experienced exceptional circumstances and were unable to sit the exam.

You will note that the SQA's Appeals Service for 2023 has now completed and is closed, and the 2023-24 academic session is underway. Based on the 2022 evaluation, the SQA has removed the modifications introduced during the pandemic and reintroduced coursework for the majority of the National Qualifications for 2023-24, providing a return to a more balanced assessment approach for many subjects, which will benefit young people. The SQA has also now undertaken an evaluation of the 2023 arrangements and expects to confirm the 2024 arrangements, including for grading, exceptional circumstances and appeals before the end of February.

I hope the Committee finds this letter helpful.

**JENNY GILRUTH**