

Education, Children and Young People Committee

Wednesday 9 October 2024
26th Meeting, 2024 (Session 6)

Education (Scotland) Bill

Introduction

1. The Scottish Government introduced the [Education \(Scotland\) Bill](#) on 4 June 2024.
2. The Bill establishes a new body called Qualifications Scotland. It also creates a new office His Majesty's Chief Inspector of Education in Scotland.
3. SPICe has prepared a [briefing on the Bill](#).
4. The Education, Children and Young People's Committee has been designated as the lead committee for the Bill at Stage 1.

Call for views

5. The Committee issued two calls for views – a [shorter call for views](#) and a [detailed call for views](#) - on the provisions of the Bill on 28 June. These ran until 30 August 2024.
6. The responses to both calls for views have now been published. A summary of the responses was published in the [meeting papers for 18 September 2024](#).

Committee meeting

7. The Committee has taken oral evidence at its meetings on 18 September, 25 September and 2 October.
8. At today's meeting, the Committee will hold its final oral evidence session, taking evidence from—
 - Jenny Gilruth MSP, Cabinet Secretary for Education and Skills
 - Clare Hicks, Director, Education Reform and Jaxon Parish, Team Lead, NQB Policy, Scottish Government;
 - Nico McKenzie-Juetten, Lawyer, Scottish Government Legal Directorate.

Supporting information

9. A SPICe briefing has been prepared for this meeting. This is included at **Annexe A**.

ECYP/S6/24/26/1

10. The Committee has received written evidence from the Scottish Qualifications Authority, following up its oral evidence on 18 September. This is included at **Annexe B**.

**Clerks to the Education, Children and Young People Committee
September 2024**

Annexe A

SPICe

The Information Centre
An t-Ionad Fiosrachaidh

Education, Children and Young People Committee

9 October 2024

Education (Scotland) Bill

Introduction

This briefing is to support the Committee for the fourth of its evidence sessions on the Education (Scotland) Bill. The Committee will be taking evidence from the Cabinet Secretary for Education and Skills.

Qualifications Scotland

Purpose of legislation

The [OECD review of Curriculum for Excellence \(CfE\), *Scotland's Curriculum for Excellence: Into the Future*, was published on 21 June 2021](#) ('the OECD report'). The report made a number of recommendations on improving the implementation of CfE; this included recommendations around the structures and roles of national agencies.

Overall that report summarised its recommendations in an abstract of the final chapter of the report. It said:

“The next steps for CfE need to focus on students and their learning progress. This implies reviewing how CfE is consistently providing learning opportunities through the Senior Phase; clarifying ownership of CfE and regularity in responsibilities and communication; defining a stable institutionalised curriculum review process and an aligned assessment system; and gathering consistent data to monitor progress.”

In terms of structural changes, the OECD report stated—

“Scotland should consider policy and institutional simplification, including ending or combining some policy initiatives and strategic frameworks around CfE. ... This simplification should extend to institutions and agencies in the education policy system in Scotland. The OECD team is conscious that many

of the agencies and organisations working across education in Scotland are themselves the products of reviews or consultation processes or consequences of public sector funding challenges. However, the team believes that a tipping point has now been reached. There is a risk that some previous structural changes to support the implementation of CfE may now be a barrier to its future development. It is possible to sustain stakeholder engagement and support, and strong deliberative processes while at the same time having fewer organisations and perhaps fewer but more focused and meaningful consultation processes.

“Given the high international profile of Scotland in curriculum innovation policy and research, and the need to establish clear ownership for CfE, consideration should be given to a specialist stand-alone agency responsible for curriculum (and perhaps assessment) in the future. ...

“As a national agency, an Inspectorate is a key policy tool for consistency and comparability across federated or devolved systems. This is an important consideration for Scotland, where the Inspectorate is currently part of Education Scotland. The need for greater assurance that national aspirations were being delivered for all children and young people was clearly evident in discussions with the OECD review team. Other education systems, such as Ireland and the Netherlands, have their Inspectorate as part of the ministry but with statutory independence and a clear regulatory and evaluation remit.”

Following the report, the Scottish Government announced it would seek to replace the SQA and create a separate inspectorate. The Government then commissioned Professor Ken Muir to undertake a review and make recommendations on the functions of the new national agencies. Professor Muir published his report in 2022. Muir did not recommend that the curriculum agency and qualifications body be merged – rather that the inspectorate and curriculum agency separate, and a standalone awarding agency replace the SQA. The Government accepted most of Professor Muir’s recommendations and the Bill is a vehicle to take forward this work.

In terms of Qualifications Scotland, the Policy Memorandum explained that it considered reforming the current SQA. The reasons given to not take this approach provide a succinct rationale for the approach the Scottish Government has pursued—

“The option of reforming the SQA without replacing it was also considered. This option would see the SQA brand retained, with the identified areas for reform taken forward and built into their existing continuous improvement work. This option would not require the body to be replaced and therefore avoid costs associated with establishing a new body including branding work, and the transfer of staff and property. However, it also meant that the key concerns with the SQA would remain. These included the reputational damage to the organisation and brand, and how its governance structures do not sufficiently involve learners, teachers and other stakeholders in decisions. In order to change the governance structures to strengthen learner and teacher involvement in the organisation, legislation would be required. The strength of negative public sentiment towards the SQA meant the existence of the SQA brand was a significant barrier to restoring public trust in the organisation. Taking these two factors, alongside the wider education reform

programme, it was assessed that replacing the SQA while reforming how qualifications services are delivered would be the most effective way to achieving the change in culture and practice the Scottish Government is seeking to deliver.” (PM para 129)

One of the concerns the committee has heard about the Bill is that it is viewed as a re-branding exercise without significant change compared to the current structures of the SQA. Fiona Robertson of the SQA said the bill “creates a new organisation that has the same functions, not just in broad terms but in quite specific terms, as the existing organisation.” ([25 September 2024](#), Col 6) Royal Scottish Geographical Society’s submission said, “replacing the SQA with a new organisation creates the possibility of a fresh start without some of the negative perceptions that may have become associated with the SQA brand”, but that the process should go further than “a mere rebranding exercise”.

The Committee has heard support for replacing the SQA. Barry Black told the Committee on [18 September 2024](#)—

“Structural reform is key to the rest of the reform that has already been talked about this morning. The structure and the way in which the national agencies work should support culture change in Scottish education and should support that flexible environment for the future of education and what we want the education system to do.” (Col 18)

However, there were notes of caution and witnesses have argued that structural change on its own will not create the kind of changes envisaged in the Bill. Professor Priestley stated—

“We need clarity about where it is appropriate for decisions to be made, where it is appropriate for the Government to set decisions, where it is appropriate for agencies to do things and at what point it is a local decision. With that sort of system, there is a greater chance of culture change. Culture change happens over time. It requires processes, engagement and social relations. Simply changing the structures at the top and carrying on as normal will not change the culture.” ([18 September 2024](#), Col 30)

There are a number of current powers the Government has which allows it to influence or direct the work of the SQA, and these are largely replicated in the current Bill. Scottish Ministers appoint the board of the SQA (s1 of the Education (Scotland) Act 1996) and they may make directions “of a general or specific character with regard to the discharge of [the SQA’s] functions and it shall be the duty of SQA to comply with such directions.” (s9 of the 1996 Act) Ministers have the power to introduce regulations “in relation to the procedure of the SQA, and of any committee established by it, as they think fit” (para 10, sch 1 of the 1996 Act). In addition, in 2002, Ministers established the SQA advisory council under powers in section 3 of the Scottish Qualifications Authority Act 2002. The advisory council considers and provides advice to the SQA on a range of matters in relation to the function of the SQA. Ministers appoint members of the advisory council.

Culture

A key part of the rationale for the Bill is to create an improved culture in Qualifications Scotland compared to the SQA. The Policy Memorandum stated that the Bill is “an opportunity to reset the culture and engagement arrangements with all stakeholders, ensuring the national qualifications body’s governance structures reflect, represent and are accountable to the range of stakeholders it serves and users of its services.”

Garvin Sealy from Intercultural Youth Scotland said—

“What does that good culture look like? First and foremost, it needs transparency. If and when there are questions, legitimate answers should be presented. If and when mistakes happen, they should be dealt with responsibly. It starts from that point, so that individuals realise that, if and when they attain a qualification, it means something, not just to themselves but—hopefully—to future education and employers and to the wider world.” ([2 October 2024](#), Col 7)

The SQA’s submission said the bill is “an important step forward” but “if reform starts and stops with the creation of Qualifications Scotland and changes to governance, then a major opportunity will be missed”. In a letter to the Committee, the SQA said—

“There is a real appetite for change across the education system and that is shared by SQA staff. Work has been underway across the organisation to develop our new ‘Prospectus for Change’ which will set out an ambitious agenda for the transformation of SQA into Qualifications Scotland. This has been approved by the Cabinet Secretary for Education and Skills and will be published soon. Three key pledges are at the heart of the Prospectus:

- resetting relationship with learners and educators to win back their trust;
- grasping the potential of technology to streamline the services we offer; and
- delivering qualifications and assessments that keep pace with rapid changes in society and the economy.”

On 25 September, representatives of SLS and ADES both reported that SQA was being more collaborative and consultative than it has been in the past. Although both hoped for further improvements. ([25 September 2024](#), col 32 and 34) Anne Keenan from EIS said—

“For a number of years, we have been raising issues around assessment arrangements, and the bureaucracy and workload in trying to get alternative assessment arrangements in exams for some of the most vulnerable students. In our view, those pleas had not previously been responded to or given appropriate consideration. However, within the past year, we have worked collaboratively with senior staff and members of the SQA and engaged our subject specialist networks to listen to their concerns.

“We put those concerns to the SQA, and a list of frequently asked questions has now been issued, within the past month, to address the concerns that we have been raising for a number of years. We have seen that movement. We have engaged in liaison meetings with the SQA, as recently as Monday of this week, to raise a number of concerns that the profession has around a variety of topics and to seek to advance them. We have also seen some movement there.” ([25 September 2024](#), col 39)

However, despite noting that there have been improvements, Ms Keenan suggested that this is, “too little too late” (ibid).

The Bill provides that staff in the SQA are able to become staff of Qualifications Scotland at the point of transfer between the two bodies.

Learner and Practitioner involvement

One of the main differences of the Bill compared to the current legislative framework for the SQA is around the structures to increase the influence of educators and learners in the work of Qualifications Scotland. These include the creation of Learner and Teacher Charters and a Learner Interest Committee and a Teacher and Practitioner Interest Committee.

The aim to improve the influence of learners and practitioners in the governance of the qualifications agency has been broadly supported by witnesses and respondents to the Committee’s call for views for this Bill.

Fiona Robertson said that the charters and interest committee are important provisions and that the legislation will provide the “scaffolding” for change. She said, “there will be important issues in relation to how we take forward those issues and how we take forward our delivery.” ([25 September 2024](#), col 8) Professor Donaldson told the Committee on [18 September 2024](#)—

“Legislation will not change culture. All the bill can do is to put in place mechanisms and structures that can work if they are properly led and if the processes by which they are going to work in practice are inclusive and engaging. That will get much more ownership of the system’s decision-making process and make it less alienating. You can make any structure work if you have the right leadership and the right environment in which decisions are taken.” (Col 33)

Practicing teachers currently play a significant part in the work of the SQA. The Committee is expecting a short paper from the SQA on teacher involvement in its work. At the time of writing this paper had not arrived. Unite reps told the Committee last week—

“The subject specialists are key to ensuring that the content of a qualification or the coverage of a question paper or an internal assessment is valid in relation to the subject that they teach. That is not the job of the qualifications officers and the qualifications managers—their job is to make sure that it is valid and reliable in terms of being a credible assessment.” ([2 October 2024](#), Col 33)

The CYPCS argued that the Bill should make specific reference to children rather than only to learners. Megan Farr told the Committee last week—

“In our view, children are probably the most important stakeholders—there would be no point in the SQA setting exams if there were no children taking them—and their needs and rights need to be taken into account.” ([2 October 2024](#), Col 14)

Gavin Yates from Connect said “parents are hardly mentioned in the bill at all; it is really scant, which is disappointing.” ([2 October 2024](#), Col 2) He later argued—

“Either the learner charter or the learner interest committee should be expanded to include parents and representatives who, as I said, are the champions of their children, or there should be a parents’ charter. More generally, we probably need a parents’ charter for education in Scotland, but that is not really in the scope of the bill. That would be the simple thing. We must ensure that parents have a voice because, day-to-day, they liaise with schools and local education authorities and try to advocate as best they can for their kids.” ([2 October 2024](#), Col 15)

Charters

The Charters would set out what learners, teachers and practitioners “should expect from Qualifications Scotland in the exercise of its functions”. Qualifications Scotland would have to set out how it satisfies the expectations set out in its charters both in its Corporate Plan and its Annual report. QS must consult with “such persons as it considers appropriate” in developing these charters. The Bill provides that this would include:

- people taking or providing a QS qualification (for the learner and teacher & practitioner charters respectively),
- persons who represent the interests of those mentioned in the bullet above; and
- Scottish Ministers.

The Policy Memorandum states that the charters “must be co-created by the groups they are designed to support” (para 77).

The Policy memorandum specifically frames the charters as part of the new body being accountable to learners and teachers. The Policy Memorandum states—

“The charters will serve as frameworks for ensuring the rights, needs and views of all different categories of learners, and of the teaching professions, always shape how Qualifications Scotland delivers its services, and the culture in which it does this. The charters will act as a clear additional accountability tool for the Scottish Ministers, the Scottish Parliament and the public to assess the performance of Qualifications Scotland from the perspective of these groups, as well as supporting Qualifications Scotland to appraise itself of how it can better deliver in the interests of its core service users.”

There is no obvious route within the Bill for learners or teachers, individually or as groups, to seek redress should the new body fall short on what the charters include.

Some bodies argued that the focus of these charters could be wider. SDS said that “the proposals for Charters under-represent the importance of involving employers in shaping qualifications and supporting learners during their learning journey and subsequent progression to pathways and the labour market.”

Section 13 of the Bill provides that Qualifications Scotland, “from time to time”, must consider whether to prepare and publish other types of charters.

Interest Committees

Another novel element of the Bill is the establishment of Learner and Teacher and Practitioner Interest Committees. The Policy Memorandum explains—

“[The Learner Interest Committee] will provide a meaningful mechanism for the lived experience of young people, adult learners and the wider learning community to inform Qualifications Scotland’s decision-making.” (Para 62)

And—

“The Teacher and Practitioner Interest Committee forms part of the formal internal governance of Qualifications Scotland and will provide a robust platform for teachers, lecturers and other education professionals delivering learning for qualifications to shape decision-making.” (Para 66)

The function of the Learner Interest Committee would be—

“to advise Qualifications Scotland in relation to the exercise of Qualifications Scotland’s functions from the perspective of persons undertaking a Qualifications Scotland qualification.”

Similarly, the Teacher and Practitioner Interest Committee would be to advise QS “from the perspective of persons providing teaching or training in respect of a Qualifications Scotland qualification.”

In both cases the majority of the Committee should not be members, or members of staff of QS. That is neither a board member nor an employee. Of the members of these committees that are not members or members of staff of QS, a majority would need to be:

- In the case of the Learner Interest Committee, “undertaking, or have recent experience of undertaking, a Qualifications Scotland qualification.”
- In the case of the Teacher and Practitioner Interest Committee, “persons who provide teaching or training in respect of a Qualifications Scotland qualification.”

The total number of members of these committees is not prescribed. The minimum proportion of learners or teachers and practitioners on these committees could be as low as just over a quarter. Membership of both committees would be a matter for Qualifications Scotland after consulting Ministers.

Commentary of submissions to the Committee and witnesses stressed that the committees should be part of genuine engagement and that the members on the committee should be both representative and include a diverse range of views. For example, ensuring that the voices of pupils with ASN are heard. Garvin Sealy observed that “it is often the case that those with less access to the microphone are the most misrepresented, underutilised and oppressed.” ([2 October 2024](#), Col 15)

Laurence Findlay from ADES said—

“In some of the governance structures that we have had previously, there has been central belt dominance, which concerns me and colleagues in other parts of the country. There should be good representation from the whole of Scotland to represent the country that the system is set up to serve.” ([25 September 2024](#), Col 44)

Witnesses also noted that stakeholder groups are not homogenous. Teachers hold a variety of views. For example, the Scottish Government undertook a further consultation exercise on recommendations of the Hayward review and the National Discussion last year. In February 2024, the Government published an [analysis of the survey](#). This found “responses were extremely varied and, thus, there was little consensus on what the top priorities [for action] should be at each stage.”

Professor Donaldson welcomed the establishment of these committees. He also said that it should be clear whether the people sitting on these committees as practitioners or learners are appointed as individuals or as representatives—

“The big question is what happens next and how it operates in practice. How do people find themselves being on the various committees and bodies? Do they see themselves being there as individuals, which has often been the case in the past, or do they see themselves as having a responsibility to try to take the pulse of the broader constituency that they are drawn from? ... it is not just a matter of who happens to be on the body, who may or may not be representative of broader opinion. It is still possible to end up with an alienating process and a ‘Who do they think they are?’ kind of mentality.” ([18 September 2024](#), Col 34)

The office of the Children and Young People’s Commissioner Scotland said that it is important that the process to support children to have a voice is designed for that purpose and “not dominated by adults.” ([2 October 2024](#), Col 12) The SYP’s submission said that it welcomes the inclusion of both the Learners Interest Committee and Learners’ Charter in the Bill. However, it reported that “MSYPs were concerned that the measures would be tokenistic and there would be no real opportunity for young people to shape the work of the organisation”

EIS have argued that the charters and advisory committees “do not go far enough”. ([25 September 2024](#), Col 33) and that it had concerns that there may not be a majority of teachers on the Teacher and Practitioner Committee. Anne Keenan said—

“The issue is that we want the voice of teachers to be central to governance arrangements. The only way that we can ensure that their voice is meaningfully heard is if there is a majority, otherwise it could be listened to

and disregarded. The same applies in the governance arrangements and the advisory committees.” ([25 September 2024](#), Col 42)

Teaching unions, particularly representatives of EIS and SSTA, suggested that the teaching profession has not had a central enough role. Stuart Hunter from the SSTA said that the profession should be considered a partner rather than a stakeholder—

“A ‘partner’ is at the centre. Teachers and the teaching profession are not partners. Every time there is a major discussion, teachers are left on the side. Look at the various committees that this Government and previous Governments have established, and ask yourself how many of their members are there to represent the teaching profession. Often, those in the teaching profession—the experts—are in the minority. Teachers are meant to be partners. We need to have that enshrined in legislation.” ([25 September 2024](#), Col 36)

Professor Muir suggested that overall, “we need a system that builds greater trust and genuinely increases empowerment within it so that it is much less top down and instead uses expertise from the ground up” ([18 Sep 24](#), Col 3) He said that there should be “culture and mindset shift [to] a much more open system” whereby national agencies filter views of the profession and others and develop coherent policy. (Cols 14-15)

Professor Donaldson told the Committee that proposals were “analogue solutions in a digital age”, that more of a citizen’s panel approach should be taken and that the process of feedback and change needs to be quicker. He said—

“There are many ways in which we can use the digital world to engage people much more fully in the process of deliberation. There is a lot to learn from citizens assembly methodology about how to do that. It is not a kind of crowdsourced policy, where you just try to work out who wants what and what the numbers are. You can use the citizens assembly methodology, combined with a much better use of technology, to engage the totality of those who have a stake in the education system much more directly in the process of sifting and, ultimately, deciding what to do.” ([18 Sep 24](#), Col 31)

Fiona Robertson told the Committee that the SQA was looking at digital solutions to allow all learners and educators to engage with the new body. Gillian Hamilton, Chief Executive of Education Scotland said that it is important that teachers feel that they are engaged in processes. She highlighted recent work on curriculum review where around 1,000 teachers had contributed, but noted that this is a small percentage of the total teaching profession in Scotland, she suggested that working with local authorities would be an appropriate way to reach more of the profession. ([25 September 2025](#), Col 12) Ms Hamilton also said—

“For the refocused and established organisations, that has to be about culture, ways of working and how the profession not only sees that it can be engaged but feels engagement.” ([25 September 2025](#), Col 11)

Professor Priestley also said that the aim should be creating sense of ownership of the education system. Professor Priestley noted—

“It is formidably difficult to engage with people on the level that is required. It is time consuming and resource intensive and, with young people and children, it is very difficult to reach certain populations. It is the old school council conundrum: it is easy to reach out to successful students or pupils in a school and far less easy to reach out to children who are disengaged from the system. There will be significant logistical issues with doing that, and there needs to be a commitment to working with, for example, those in the community learning and development field, in order to reach out to children who are not engaged in school.” ([18 Sep 24](#), Col 7)

Board and the Strategic Advisory Council

The Bill includes some prescriptions around the appointments, membership and terms of office of those members. The Bill provides that Ministers must appoint to the board of Qualifications Scotland a Chair, the Convener of the Accreditation Committee and between six and 10 further members. In addition, the Chief Executive would sit on the board.

The Bill provides that, of the appointed members of Qualifications Scotland:

- one or more should “have knowledge of the interests” of people taking relevant qualifications (i.e. a qualification devised or accredited by Qualifications Scotland)
- two or more be registered teachers who are teaching learners taking relevant qualifications
- two or more must be college teaching staff teaching courses leading to a relevant qualification
- one or more “with knowledge of the interests” of the staff at Qualifications Scotland.

These conditions are new and are not found in the Education (Scotland) Act 1996, with the exception of the member with knowledge of staff interests (see [section 1\(2A\)](#)). The membership of the board of the SQA is a matter for Ministers who have had wide discretion in who they have appointed.

Last week Unite said that they did not consider the person who Ministers have appointed to the board of the SQA and who should “have special knowledge of the interests of the employees of SQA” to be representative of the staff body. It is not clear which member of the [board of the SQA](#) has been appointed on this basis.

EIS argued that there should be a majority of teachers or teaching representatives on the board of the new body.

The Bill provides that there will be a Strategic Advisory Council similar to the current [SQA Advisory Council](#). The role of this council will be to provide advice to Qualifications Scotland and Ministers on matters relating to:

- qualifications devised or awarded by Qualifications Scotland
- the functions and procedure of Qualifications Scotland.

Fiona Robertson told the Committee that the current advisory council have provided advice on a range of topics including appeals and certification; she said that its reports are considered by the SQA board. ([25 September 2024](#), Col 10)

The Policy Memorandum envisages the Strategic Advisory Board as being the forum for wider interests to influence the new body. It said—

“The Scottish Government recognises that the wider education, skills and economic landscape has a stake in qualifications and assessments services Qualifications Scotland will provide, and therefore a keen interest in policy decisions it makes. The breadth of interest spans from schools and colleges, universities and further education institutions, employers, training providers, a range of different industries, parents and carers, education authorities, other Scottish public bodies, other qualifications providers and beyond. The benefits of such a forum were seen in advising the SQA. ... The purpose of this [proposed] council is to provide a forum for system and organisational stakeholders to scrutinise and advise Qualifications Scotland on its activities. This is to ensure Qualifications Scotland is making informed decisions that align with the needs of the wider system, and to ensure a joined-up and cohesive approach to the delivery of qualifications and related services across Scotland’s national landscape. This builds on the benefits of the SQA equivalent, while emphasising a more strategic role for this new council.” (Paras 70 & 71)

Some of the witnesses the Committee has heard from have expressed disappointment at their experience of sitting on policy committees or boards more generally. Professor Priestley also referred to his experience sitting on strategic boards in the Government. He said that these meetings can be too short and could be viewed as “rubber stamping” civil service papers rather than forums where policy is developed. ([18 Sep 24](#), Col 46) Gavin Yates from Connect said he had mixed experiences on policy committees and suggested that “we sometimes get caught in a policy cul-de-sac” and would like a “little bit less conversation and a little bit more action”. ([2 October 2024](#), Col 10). Megan Farr from the CYPCS passed on experiences of young people on committees during the pandemic and said—

“Although the young people were in the room, they felt that they did not have a lot of influence. The room was dominated by the professionals and the civil servants, while they were one young person. Influence is almost the most important thing.” ([2 October 2024](#), Col 12)

Accreditation function

The placement of the accreditation function has been a theme of the Committee’s work. A summary of what the SQA accreditation function does is included in the Annexe to this paper.

The Muir review recommended that the accreditation function be separated from the awarding function under new arrangements. The Government initially agreed with this recommendation but subsequently revised its approach. The Policy Memorandum states:

“The location of accreditation functions has been fully considered and the Scottish Government believes the functions should remain at arms-length from government and that they should sit within Qualifications Scotland. It is how these functions are exercised, through changes to governance, that will be the key difference in the new body.” (Para 14)

As with the current situation with the SQA, the Bill provides that the accreditation function will be overseen by an Accreditation Committee. Paragraph 12 of Schedule 1 provides that the work of the Accreditation Committee cannot be directed by the overall board of Qualifications Scotland and is operationally independent. The Bill provides that Ministers appoint the convener of the Accreditation Committee and this person sits on the board of Qualifications Scotland. Sections 19 and 20 provide that the Accreditation Committee develops a separate corporate plan and annual report.

The Policy Memorandum explained:

“Continued separation between the two functions is essential. The Scottish Government is committed to ensuring that the policy, strategy and processes for accrediting qualifications and regulating awarding bodies in Scotland are robust, fair, proportionate and importantly, as independent from the awarding functions as possible, without the expense of creating a new, separate organisation. An accreditation service with integrity in its processes and without undue outside influence will inspire trust and support in qualifications in Scotland that gives all learners, education and training establishments, employers and other stakeholders, confidence in the qualifications they use.” (Para 58)

Fiona Robertson suggested that there are two separate, but related questions. She said—

“First, what [...] the accreditation and regulation function of the qualifications body does, and its scope. I am certainly keen that the scope of the accreditation function be expanded. Secondly, there are issues about where it sits. I have to say that I am a fan of form following function. It is important for us, as a system, to consider what the scope of the accreditation and regulation function is and then where it sits.” ([25 September 2024](#), Col 17)

Sharon McGuigan, a Unite Rep who works in SQA Accreditation, said that her colleagues “work very hard to ensure that there is separation between accreditation and awarding, as far as we can do”. She continued—

“However, perception is really important. It is a hard sell to tell other awarding bodies that you treat them in exactly the same way as you treat the largest national awarding body in Scotland, even though you occupy the same building as that body, you have the same chief executive, and there is a lot of cross-fertilisation between the SQA board and the accreditation committee.

“We think that regulation would have much more impact if there were proper separation. That would mean that we would be able to do more.” ([2 October 2024](#), Cols 40-41)

Fiona Robertson said—

“Public confidence in our qualifications system is precious. I give the committee an assurance that the SQA’s accreditation function works separately from its awarding function. However, if there is a perception that the situation is otherwise, or that the same organisation cannot do both jobs, it would be legitimate to consider whether separation is appropriate.” ([25 September 2024](#), Col 18)

The Committee has heard a range of reasons why it might be preferable for the accreditation function to sit outwith Qualifications Scotland. These include to increase the regulatory oversight of the awarding body and avoiding the perception of “marking its own homework” (e.g. Professor Muir, ([18 September 2024](#), Col 9)) Professor Priestley, ([18 September 2024](#), Col 9) argued that separating the functions could promote greater choice for schools.

The Federation of Awarding Bodies said that its members “felt strongly that concerns around creating a clear dividing line between awarding and regulatory functions within SQA/Qualifications Scotland have not sufficiently been addressed.” The Institute of the Motor Industry’s submission said that “to eliminate confusion and to reinforce the neutrality and integrity of the accreditation function, the IMI suggests the accreditation function should operate under a different name/brand than that of Qualifications Scotland.”

The [SQA’s submission to the Muir review](#) had a number of suggestions in relation to the accreditation function. These included—

- further investment in accreditation and regulatory functions in Scotland
- a strengthened function in self-regulation around National Qualifications (where there is not a qualifications market), including greater emphasis on codes of practice, monitoring, a system of checks and balances, and critically, greater transparency and independence from government around these
- an augmented role for accrediting vocational qualifications (where there is a market) ... to ensure that only quality qualifications that meet the needs of a range of stakeholders attract public funding
- incorporate the functions of the SCQF partnership into the regulatory function

HM Chief Inspector of Education in Scotland

Office holder in the Scottish Administration

The structure of the inspectorate will be based around the Chief Inspector of Education in Scotland (“Chief Inspector”). The Policy Memorandum states that this position will “separately be designated an office-holder in the Scottish Administration [and this will be] taken forward by subordinate legislation of the UK Parliament” under powers in the Scotland Act 1998. (Para 104)

Independence

A key aim of the Bill is to strengthen the independence of the inspectorate. Schedule 2 of the Bill states that the Chief Inspector is “not subject to the direction or control of

a member of the Scottish Government” other than where this is explicitly set out in legislation.

Ministers retain the ability to direct the Chief Inspector to secure the inspection of specific or types of educational establishments and a power to specify the intervals at which inspections take place. These broadly reflect the current powers of Ministers contained in the Education (Scotland) Act 1980 ([s66](#)) and, in relation to Education Authorities, section 9 of the [Standards in Scotland’s Schools etc. Act 2000](#).

The RSE’s Learned Societies Group submission said—

“One of the key recommendations from Professor Muir’s report was to introduce a new inspectorate body with *‘its independence enshrined in legislation’*. The LSG is disappointed that the Bill still has the Chief Inspector reporting to Scottish Ministers instead of Scottish Parliament at large and would recommend amending this provision to adequately reflect Professor Muir’s recommendation.”

Inspections’ Purposes and Approaches

The Bill would leave the approaches to inspections to the Chief Inspector to determine. She or he would have to include, among other things, “information about the different types of inspection model which may be used” in an inspection plan that would need to be laid before Parliament.

Professor Donaldson, who is a former Chief Inspector, said—

“We need to get away from an inspection process that is perceived—and the media tend to play up this aspect—as a big stick. That of course then winds up teachers and winds up the schools, so everyone ends up being wound up.” ([18 Sep 24](#), Col 49)

The Committee has heard that there are conflicting views of what an experience of having an inspection should and does entail currently. EIS’s submission said “inspection, in the context of an Empowered system, is an outdated model for educational improvement. It is costly, in terms of resource and in terms of the time lost to teaching and learning, and it is of very limited value in supporting accurate self-evaluation and informing professional practice. It frequently fails to get to the heart of a school’s endeavour to serve the needs of its community.” Kevin McAra, a representative of FDA and a current Inspector said—

“Inspection tends to be characterised in a particular way, and people are influenced by the way that things have been south of the border, too. However, the process should be a way of helping schools to realise what is going well and, through conversation, to agree ways forward so that things can actually get better. Therefore, there is more of a mentoring aspect to inspection. Yes, there are evaluations—the issue is certainly under discussion, and, as a union, we do not have a view on that. However, if you speak to people who have been part of the inspection process, you will see that they tend to be nervous beforehand, they become more trusting of things

as you go on and, when they see that you respect the context of the school, they understand where you have got to by the end.” ([2 October 2024](#), Col 44)

The panel of experts on 18 September suggested that the Bill should be flexible to allow the inspectorate to adapt, but that the purposes of the inspectorate could usefully be included in the Bill.

[Education Scotland is undertaking a review of school inspections](#). Janie McManus said that this includes looking at:

- self-evaluation tools,
- the methods and methodologies of inspection,
- how findings are reported,
- how success is celebrated and
- how support is directed when required.
([25 September 2024](#), Col 23)

Advisory Council

The Bill provides that the Chief Inspector must establish an advisory council. The Chief Inspector would have a duty to endeavour to ensure that the council be representative of the “interests of persons likely to be affected by the Chief Inspector’s functions”. The Chief Inspector would have a duty to have regard to any advice provided by the council and provide reasons should he or she not act on the advice given.

The Policy Memorandum states—

“The establishment of the office of Chief Inspector presents an important opportunity to ensure more learner and service user engagement and representation. This can be achieved in the model and approach to how inspection is carried out, which the Chief Inspector will take forward. However, there is also an opportunity to strengthen learner and parent/carer voices in the governance arrangements, alongside other important perspectives, such as those of teachers and other education professionals. This aligns with the opportunities set out by Professor Muir in his report to the Scottish Ministers to align inspection with the vision of putting learners at the centre and incorporating the implications of the UNCRC” (PM Para 113)

Janie McManus, the current Chief Inspector of Education for Scotland, said that the formal processes suggested in the Bill cannot be the only way that organisations can seek views. She said that engagement should take place during and after activities, such as inspections. Janie McManus described the establishment of the advisory council a key change to allow feedback from stakeholders to the inspectorate.

Anne Kennan from EIS said that the approach to inspections should not depend on the Chief Inspector’s preference. She said—

“Governance arrangements need to be in place to ensure that there is truly an empowered collaborative approach to what we would like to see, which is a much more co-created—that word has been used a lot in this session—approach to support and development rather than inspection.” ([2 October 2024](#), Col 52)

Coverage of the inspectorate

The inspection function will cover “relevant educational establishments”. The Bill defines “relevant educational establishments” as:

- schools (including local authorities’ provision of ELC)
- funded ELC provided by a partner provider
- a provider of further education
- a school of education providing initial teacher education (only to the extent that it provides such education)
- residential accommodation connected to a school (only in relation to the welfare of the pupils)
- an education authority (only in relation to its school education functions).

The Bill sets out “excepted establishments” which are a sub-set of “relevant educational establishments”, which are the types of relevant educational establishments that may be inspected only at the request of Ministers. These are:

- funded colleges
- schools of education providing initial teacher education.

Kevin McAra from FDA said that in practice the scope of what could be inspected will depend on the resources available to the inspectorate. He said—

“What has been described about the scope of what can be inspected is not a million miles away from how things used to be. For example, initial teacher education has been mentioned, but inspection of that has never happened, and many people would be interested in getting involved with that. Much of how flexible and how widespread inspections can be will depend on funding and what our workforce will be, and whether that will allow us to do that work. At the moment, we do 250 inspections a year. The majority of those are in primary schools, but quite a few are in secondary schools and some are in special schools. What will be possible depends on how the finances will be configured.” ([2 October 2024](#), Col 45)

Professor Muir said that reform should be considered from the “perspective of children and young people”, he continued—

“Part of the cultural shift that is required is about recognising the value of what happens in preschool education and in primary, and seeing the learner

journey as a continuous journey from the learner perspective.” ([18 Sep 24](#), Col 7)

The Bill would mean that the new inspectorate would retain the power to inspect ELC establishments. Members will be aware that Education Scotland and the Care Inspectorate are developing a joint framework for inspections in the sector. The FDA’s submission said—

“Few learners only experience one aspect of Scottish education throughout their lives. ... FDA members would value the Bill providing more clarity on aspects such as initial training for teachers or other education practitioners, early learning and childcare (ELC), out of school learning such as community learning and development (CLD) and lifelong learning, further and higher education, and national agencies.”

Section 39 of the Bill provides that the inspectorate would publish an annual report on the performance of the “Scottish education system (so far as it relates to the Chief Inspector’s functions)”. Several witnesses have commented that a return of some of the higher-level reports that were seen in the past would be welcome. Fife Council’s said—

“At a system wide level we have missed the collated three yearly accounts as evidenced in previous years through the Improving Scottish Education Series. It would be useful to have a more truncated annual account followed by a much more detailed three yearly summary as was the case with the ISE series. A much more significant gap is the subject based curricular accounts of what is happening across the country. This has been a huge gap of late as schools have taken steps to improve the quality of the curriculum offer without there being any meaningful national summary to reference their work or benchmark it against.”

At a national level, Professor Donaldson said—

“It is important to define the purpose of inspection. The reason why it has to be independent is to provide on-going monitoring of how the system is serving young people, and to provide, where necessary, sometimes difficult messages to Government or to others about where policy is not working in practice or where it needs to be changed. For example, if the inspectorate was doing its job properly, we would not have needed OECD reviews. I will comment on the notion of calling in the OECD to tell us how well we are working. If it happened during my time, I would have been very angry about that, because that would have meant that I was not providing sufficient early warning to the system. A good inspection should provide sufficient early warning. It does not tell you afterwards that something is not working when that is already blindingly obvious. It tries to get ahead of that and say that there are warning signs about the way in which the system is developing and about how well it is serving young people.” ([18 September 2024](#), Col 43)

The OECD review looked at the system as a whole, including national agencies and policy making and implementation within the Government. The Committee has explored whether the inspectorate should have a role in scrutinising the work of other national agencies. Gillian Hamilton, the Chief Executive of Education Scotland, said, “In a networked learning system, when we are all working together, we should be

open to working with other organisations on a fresh perspective”. Janie McManus, the Interim Chief Inspector said that the suggestion “would bring in a new area and we would need to be suitably resourced to take it forward”. Ms McManus continued, “I am much more interested in the difference that policies and practice make to children, young people and adult learners.” ([25 September 2024](#), Cols 24-25)

Remainder of Education Scotland

The removal of the inspection function from Education Scotland will mean that there is a new-look curriculum support agency. A [Parliamentary Question \(S6W-28044\) answered on 5 June 2024 explained](#):

“The primary purpose and focus of Scotland’s national education agency will be to lead curriculum design, delivery and improvement, including the provision of resources to support high quality learning and teaching.

“The national agency will also have an important role in supporting a thriving professional learning sector through a national framework for professional learning and will build on the existing and well-regarded national leadership professional learning programmes.”

Education Scotland’s submission noted that in November 2023 the Cabinet Secretary had set out her priorities for Education Scotland and these included, “sharper focus on Curriculum support and the Scottish Attainment Challenge, as well as a shift from regional working”. Gillian Hamilton from Education Scotland told the Committee—

“Education Scotland has often been criticised in the past for trying to be all things to all people and to provide a solution to every area. We hope that the clarity around the functions, the clearer role for Education Scotland and the removal of the need to be all things to all people enables us to target that resource.” ([25 September 2024](#), Cols 26)

The Committee has heard a wide range of suggestions of how the remainder of Education Scotland could be reformed. On 18 September 2024, the Professor Muir told the Committee that the “complexity of the education system in Scotland is quite remarkable for such a small country” ([18 Sep 24](#), Col 5). Professor Priestley said---

“Currently, we have a lot of issues with agencies that have overlapping functions and a lack of clarity about function. There are demarcation issues and boundary issues. There are agencies that do operational and strategic stuff and that also evaluate their own work, so there are conflicts of interests. The system is set up to justify itself and to celebrate its success, rather than take a critical look at what happens, and that is seen very clearly by practitioners working on the ground. There is a lack of connection as well. I would like to see a much more coherent middle layer in the system that actively connects policy and practice, and that involves practitioners as active members of the community in, for example, developing policy and materials and resources. That does not happen as much as it could.” ([18 Sep 24](#), Col 7)

Professor Muir also said—

“As I suggested in my report, replacing Education Scotland with a national agency that is much more of a filter for what comes from the bottom up and which informs policy and filters that policy from the top down would give much more coherence to the support and the supporting of the issues that schools continue to face. That is a different kind of organisation, with functions that are different from what Education Scotland’s have been. Such a national agency would, for example, pull together some of the research and the thinking of some of the think tanks. It would act as a conduit ... It would be somewhere for all parties that have a legitimate interest in education to go, to bring ideas and suggestions into the system. Such an agency could use its functions to synthesise and to engage with individuals on the ground, and it could help to bring a degree of coherence to the system more widely.” ([18 September 2024](#), Col 25)

Fife Council’s submission said—

“A wider review requires however to be undertaken of the merit of having such a large national support agency with such a significant head count moving forward. The experience of the RICs and the ADES Collaborative Improvement activities have demonstrated that education authorities can and do support each other effectively sharing practice and approaches meaningfully across traditional boundaries. This is what a networked system should look like and how it should operate.”

Transitions to the new organisations

A number of elements of reform to both the qualifications body and the separation of the inspectorate and curriculum support body are currently taking place. These include the recent appointment of the current chair of the SQA who is expected to be the Chair of Qualifications Scotland. Fiona Robertson told the Committee that the “appointments process has just concluded for five new board members.” ([25 September 2024](#), Col 15)

The Policy Memorandum explained that there is expected to be a level of continuity between the current board of SQA and the new body, it said—

“The Scottish Ministers recently appointed a new Chair of the SQA who will oversee the SQA and the transition to Qualifications Scotland. To support this transition, the new SQA Chair will become the first Chair of Qualifications Scotland. The appointment of the SQA Chair was made after fair and open competition and was regulated by the Commissioner for Ethical Standards in Public Life in Scotland, and the Code of Practice for Ministerial Appointments to Public Bodies in Scotland on the express basis that the successful candidate would transition to the new body.” (Para 48)

The leaders of the SQA and Education Scotland said that there has been a huge amount of uncertainty for staff through the process so far. They also said that that the focus has been to deliver the transition as well as the core functions. Alongside this work continues to develop and improve those services, such as looking at the models for inspection.

Gillian Hamilton said that for the past year, Education Scotland has been looking to create more separation between its inspection and other functions within the organisation. ([25 September 2024](#), Col 21)

Equality

A number of submissions highlighted some issues in relation to equality policies.

The [EQIA prepared alongside the Bill and published on the Government's website](#) stated—

“There is no evidence to suggest that there will be a negative impact on any individual with a protected characteristic. However, we will continue to work with our internal and external stakeholders to ensure that we collectively undertake full and ongoing consideration of equality. ... We will continue to engage with stakeholders to share our thinking and test ideas and consider any equality aspects as they arise. ... The EQIA will be updated as the Bill progresses through the Scottish Parliament, and we will continue to consider arrangements for monitoring the impact of the Bill.”

The submission from the ECHR said, “any new qualification or inspection bodies should be listed for the PSED and Scottish specific duties, as their current equivalents are.” Close the Gap’s submission argued that more focus should have been placed on how the Bill could support gender equality. The Committee has explored how well the current bodies support learners with diverse needs. Fiona Robertson from the SQA said—

“We have sought to mainstream all our equalities work. Alongside any policy announcements, we provide EqIAs and children’s rights and wellbeing impact assessments. In addition, on results day in recent years, we have provided an equalities monitoring report, which looks at results by different protected characteristics, for example. Ensuring that we meet our statutory obligations in that respect has been a core part of our work.” ([25 September 2024](#), Col 28)

Representatives from Education Scotland made similar comments.

The Bill makes reference to the need for both Qualifications Scotland and His Majesty’s Chief Inspector of Education in Scotland to have regards “to the needs and interests of persons” in Gaelic Medium Education or Gaelic Learner Education, or those that may wish to do so. (Sections 7 and 34) This was welcomed by a number of organisations, including those with a specific interest in Gaelic. Other organisations noted the absence of a similar provision for BSL. The National Deaf Children’s Society said—

“Gaelic and BSL have similar legal and demographic status. Access to Gaelic or BSL allows children and young people in Scotland access to a rich culture, heritage and identity. It therefore seems appropriate that the bill be amended to place similar specific requirements on the new bodies to be created by the bill around addressing the specific needs of those who use or wish to learn BSL ... It should be noted as well that the term British Sign Language

includes both the visual form of British Sign Language and the tactile form of British Sign Language used and understood by some deafblind people.”

Finance

The Financial Memorandum (FM) sets out the expected costs arising from the provisions in the Bill. The Bill’s proposals are largely concerned with governance structures for activity that currently takes place. The FM reflects this and says—

“The functions of the new qualifications body and independent inspectorate are currently carried out by existing organisations funded by the Scottish Government, namely the SQA and Education Scotland respectively. The SQA also funds its activities through income derived by levies and international commercial activity ... The costs of the SQA and the inspection function within Education Scotland will no longer arise, and the new bodies are expected to carry out broadly similar functions; consequently, the recurring costs for the new bodies are in the most part expected to be similar – notwithstanding one-off costs and some additional recurring costs.” (FM para 8)

Pauline Rodger from Unite said that the staff of SQA believe that the Bill will not achieve its objectives; she said—

“The primary reason for that is nothing to do with leadership or culture—it is to do with finance. None of our members believes that there will be sufficient resource and finance to transform [to Qualifications Scotland]”

The Finance and Public Administration Committee’s call for views on the Financial Memorandum (FM) received 3 submissions, which have been published on Citizen Space: [Published responses for Education \(Scotland\) Bill: Financial Memorandum - Scottish Parliament - Citizen Space](#)

The submissions did not raise substantive issues with the FM. Education Scotland’s submission said that the figures in the FM are “a reasonable early estimate of the costs associated with the establishment of a new Inspectorate”, although they would also “welcome further detail and clarity on the financial implications of the bill on what will now become the refocused Education Scotland’s budget”.

Stirling Council highlight that “reform of SQA will include increased partnership work with key stakeholders, including teachers, [therefore] there will be cost involved in releasing staff to undertake any future roles”, which is not reflected in the FM. This Committee has heard that the success of the Bill in relation to Qualifications Scotland becoming more responsive to its stakeholders may depend on the quality of the engagement that it undertakes.

Ned Sharratt, Senior Researcher (Education, Culture), SPICe Research
3 October 2024

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ANNEXE

Accreditation function of the SQA

Given the interest in the accreditation function of the SQA through the scrutiny of the Bill, SPICe sought additional information from the SQA. The summary is based on a paper provided to SPICe by the SQA on 1 October 2024.

Governance

Section 3 of the 1996 Act states that “SQA shall have the function of accrediting qualifications as meeting such requirements as are specified by SQA” and that the qualifications shall be accredited by an Accreditation Committee (“AC”).

The Accreditation Committee reports to Ministers rather than to the SQA Board of Management and the SQA Board of Management cannot overturn a decision made by the AC. The AC is chaired by a member of the SQA Board of Management.

Since the early 2000s, accreditation of qualifications has been delegated from the AC to the Accreditation Coordination Group (“ACG”) with a view to speeding up the process. The ACG reports to the AC on a quarterly basis.

Accreditation and regulatory functions

- [approves new awarding bodies](#)
- [approves qualification products](#)
- [accredits qualifications](#)
- [approves SCQF credit rating for qualifications](#)
- approves [awarding body audit and provider monitoring reports and action plans](#), and
- agrees [sanctions](#), where applicable, to be placed on awarding bodies.

The Accreditation Coordination Group also provides advice and guidance to internal and external stakeholders.

Approval of Awarding Bodies

SQA Accreditation approves awarding bodies which enables those bodies to submit qualifications for accreditation. Any organisation can be approved by the SQA as an awarding body providing that it can demonstrate that it can meet the relevant regulatory requirements.

If the application is successful, the awarding body is required to agree to the conditions set out in the SQA’s [Accreditation Licence](#). The awarding body is provided with a copy of the SQA Accreditation logo which it can use on its website to promote it has been approved by the SQA and it must be used on certificates issued to candidates who successfully complete a qualification accredited by the SQA.

Being an approved awarding body means that the body will be subject to regulation by the SQA.

What is accredited?

The SQA can accredit any qualification providing that it is not a degree. Along with the other UK qualifications regulations, the SQA will also not accredit a qualification which includes 'Postgraduate' in the title.

There are four types of qualifications that SQA are required to accredit. These are:

- 1 Scottish Vocational Qualifications (SVQs)
- 2 Alternative Competence Based Qualifications, which are used as the main qualification in Modern Apprenticeship Frameworks. In the early 2010s, the Scottish Government permitted the use of alternative Competence Based Qualifications where the SVQ was not used by the sector.
- 3 Qualifications required for regulatory purpose and/or licencing:
 - a. The Security Industry Authority requires individuals working in certain roles within the private security sector to have a licence. To gain a licence, the individual must achieve a qualification.
 - b. Certain individuals in the Licenced Trade sector must undertake a qualification and that the SQA must accredit the qualifications.
- 4 Workplace Core Skills

All other accreditation is sought on a voluntary basis. SQA explained "awarding bodies seek to be approved by us so that they can demonstrate to their customer that they and their qualifications meet a regulator standard or so that they can get their qualifications credit rated for inclusion on the SCQF".

Accreditation is undertaken free of charge.

Regulation

SQA [regulates](#) awarding bodies and their accredited qualifications "to safeguard the interests of learners, employers, parents, funding bodies and Scottish Government." This involves:

- [awarding body audits](#)
- [provider monitoring visits](#) where the SQA visits providers of the qualification (ie not the awarding body)
- [self-assessment](#)

Every awarding body will be audited at least every 3 years, with bodies considered to be a higher risk being audited more frequently.

National Occupational Standards

SQA accreditation has a role in the UK-wide National Occupational Standards. A National Occupational Standard is a document that describes the knowledge, skills and understanding an individual needs to be competent at a job. SQA Accreditation quality assures the content of NOS.

Annexe B

Scottish Qualifications Authority – Additional information of 4 October 2024

Dear Convener

Thank you for the opportunity to appear before the Committee last week. You requested further information regarding the involvement of teachers in developing, awarding, and revising school qualifications. I am pleased to provide the following details, to assist the Committee in its considerations of the Education (Scotland) Bill.

First of all, many of my colleagues have direct teaching and lecturing experience, particularly within the Qualifications Development (QD) Directorate. This includes the most recent appointment of a new interim Director of Qualifications Development, Donna Stewart, who was previously a Principal Teacher of Physics and Depute Headteacher.

This extensive first-hand knowledge of learning and teaching ensures that the development of qualifications, including National Courses, is grounded in practical classroom experience.

Specific subject specialists develop and review qualifications, assessment materials and supporting resources, engaging with practitioners to do so. We also have Qualification Support Teams for both HN/VQ and National Qualifications. Teachers and lecturers are at the heart of these Teams and monitor, evaluate and communicate issues arising from delivery, assessment and verification.

Many thousands of teachers are also at the heart of our Awarding each year, joining SQA to mark and grade. They play crucial roles in our assessment processes, including designing and setting assessments including examination papers, marking papers and contributing to the setting of grade boundaries for National Courses. Our appointees also deliver Understanding Standards events to thousands of practitioners each year.

Roles include:

- **Assessment Development:** Appointees collaborate with SQA to design examination materials and coursework assignments, ensuring assessments are fair and reflective of classroom learning.
- **Marking and Moderation:** to maintain consistency and reliability in the awarding of qualifications across Scotland.
- **Quality Assurance and Verification.**
- **Standard Setting:** to establish grade boundaries aligned with national standards.

Hundreds of teachers also contribute to our annual evaluation of Awarding, ensuring our approach, and any changes to our approach, are informed by the direct experience. This is in addition to our ongoing educator research panel activities, including a recent detailed consultation with teachers regarding their experience of the use of Artificial Intelligence by learners and within schools.

Our Liaison Team work daily with SQA Coordinators - experienced teachers and leaders within schools. They serve as key contacts between SQA and schools, to ensure effective delivery of qualifications and insights and feedback that help inform what we do.

Our annual programme of centre visits to schools and colleges across Scotland allows us to listen to practitioners and learners directly. For the last four years, the National Qualifications Strategic Group has met frequently, including weekly during the pandemic, to provide advice on the approach to awarding, with representation from across the education and skills system.

We also meet with all the professional associations and subject associations on a regular basis.

The SQA Board, Qualifications Committee, Advisory Council and Transition Board include members who are current or former teachers and/or school and college leaders. Their collective expertise ensures that the perspectives of teachers are integral to our strategic direction and policy development.

Finally, practitioner involvement is carefully considered along with feedback from universities, colleges, Training Providers, learners and their representative groups, parents, carers, and a wide range of partners within the education and skills community. This ensures a holistic and comprehensive approach to qualifications development that supports teachers and ensures the broadest range of progression pathways for learners.

This work does not stand still. We will shortly commence the process to second a headteacher to SQA as we transition to Qualifications Scotland. This will include work to enhance our approach to engagement with schools and with teachers. I also highlighted during the evidence session last week that advice has been commissioned on the establishment of a schools unit.

We will consider further innovative approaches that engage teachers from across Scotland, as we consider our work to review our National Qualifications, including the balance of assessment following the publication of the Scottish Government's response to the Hayward Review. Our Prospectus for Change, developed in partnership with a wide range of stakeholders including teachers and teacher association, will be published shortly and will say more.

I want to ensure that we are re-setting our relationships with teachers, aligned with the provisions in the Education (Scotland) Bill to build a culture of genuine engagement and collaboration with the profession.

ECYP/S6/24/26/1

In the meantime, I hope that that this overview clarifies the significant involvement of teachers - both within our permanent staff and among the thousands of appointees who join SQA each year - in the development, awarding, and revision of school qualifications. The contribution and involvement of the teaching community is essential to our work and I am very grateful for everything that they do, for SQA and Scotland's learners.

Please let me know if the Committee requires any further information at this stage.

Yours sincerely

Fiona Robertson

SQA Chief Executive and Scotland's Chief Examining Officer