

Citizen Participation and Public Petitions Committee

4th Meeting, 2021 (Session 6), 22 September
2021

PE1875: Public inquiry into the Scottish Qualifications Authority

Note by the Clerk

Petitioner Jordon Anderson

**Petition
summary** Calling on the Scottish Parliament to urge the Scottish Government to order a public inquiry into the actions of the Scottish Qualifications Authority during academic years 2019-20 and 2020-21.

Webpage petitions.parliament.scot/petitions/PE1875

Introduction

1. This is a new petition that was lodged on 24 June 2021.
2. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe A**.
3. While not a formal requirement, petitioners have the option to collect signatures and comments on their petition. On this occasion, the petitioner elected to collect this information. 12 signatures have been received.
4. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered. This response is included at **Annexe B** of this paper.
5. The petitioner has provided a submission. This is included at **Annexe C** of this paper.

SPICe briefing

6. The SPICe briefing highlights that the Scottish Government has committed to establishing a public inquiry into the response to COVID-19. First Minister Nicola Sturgeon MSP has stated that this inquiry will be “comprehensive”. It is therefore possible that an assessment of matters related to the award of educational qualifications during the course of the pandemic may be an issue that is considered as part of this.

Scottish Government submission

7. In its written submission, the Scottish Government advises that in 2020 it commissioned a review, to provide it with a better understanding of how the school curriculum is designed and identify areas for improvement.
8. The remit of the review, which was conducted by the Organisation for Economic Co-operation and Development (OECD), was expanded from an initial review of the senior phase curriculum to a full review of the Curriculum of Excellence (CfE).
9. The submission highlights that the Cabinet Secretary for Education and Skills accepted all 12 of the review’s recommendations on the day the report was published, 21 June 2021.
10. The report made recommendations on curriculum, assessment and qualifications. As a result, the Scottish Qualifications Authority will be replaced, and Education Scotland substantially reformed.
11. The submission states that the Scottish Government has appointed Professor Ken Muir CBE as an independent advisor to lead on the work to implement the review’s recommendations. He will be supported by a diverse advisory panel, which will include participants drawn from academia, practitioners and organisational change experts.
12. The Scottish Government states that, as part of their work, Professor Muir and the panel will lead wide engagement to ensure changes are designed and implemented in a way which maximises support of excellence and equity for children and young people.
13. A young person’s council will also be created. This is to shadow the reconvening of the Scottish Education Council, ensuring young voices are heard during the process led by Professor Muir.
14. The Scottish Government also states that it is committed to working closely with staff directly impacted by the intended changes and they will be given the opportunity to share their views in the process.

15. The Scottish Government concludes by stating that the OECD identified a need for better articulation of assessment methods through the Broad General Education and into the Senior Phase.
16. The OECD conducted a comparative analysis of upper-secondary education student assessment in Scotland, and published its [report](#) on 30 August 2021. The Scottish Government explains that it has been awaiting the outcomes from this analysis, prior to beginning conversations on the future of senior phase qualifications and awards.

Petitioner's submission

17. In their response, the petitioner states that every learner should have a say in their education. He asserts that one young person representing young people across Scotland on a National Qualifications Group is not a fair representation of all young people's concerns.
18. The petitioner goes on to state that replacing the SQA is not enough and a public inquiry into the Education Secretaries handling of this policy area over the last two years is required to avoid the same issues reoccurring.
19. The petitioner highlights the current appeals system as one example where change is required, explaining that exceptional circumstances are not considered valid grounds for appeal. The petitioner feels this is unfair as young people who have been affected by the COVID-19 pandemic are effectively unable to appeal.
20. The petitioner would welcome the opportunity for young people to give oral evidence to the Committee about their educational experiences over the last two years and how the difficulties experienced have impacted them.

Education, Children and Young People Committee

21. The Education, Children and Young People Committee is currently undertaking work on both the Alternative Certification Model, which was used to award results for National 5, Higher and Advanced Higher courses in session 2020-21. and the OECD report.
22. As part of its work on the Alternative Certification Model, the Committee is taking informal evidence from young people.

Action

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

Clerk to the Committee

PE1875: PUBLIC INQUIRY INTO THE SCOTTISH QUALIFICATIONS AUTHORITY

Petitioner

Jordon Anderson

Date Lodged

24 June 2021

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to order a public inquiry into the actions of the Scottish Qualifications Authority during academic years 2019-20 and 2020-21.

Previous action

I have contacted my newly elected MSP Jackie Dunbar and had no response.

Background information

In the last two academic years we have seen major failings by both Scottish Government and the Scottish Qualifications Authority (SQA) in terms of closing the attainment gap within the education system. I believe that young people have been severely let down and now the SQA seem to be passing the blame onto teaching staff. This is totally unacceptable. There needs to be a review of the SQA's actions during the last two academic years, which includes young people across Scotland. We cannot keep letting history repeat itself because, I believe, young people are slowly losing faith in the Scottish Government and the SQA.

Briefing for the Citizen Participation and Public Petitions Committee

Petition Number: [PE1875](#)

Main Petitioner: Jordon Anderson

Subject: Public inquiry into the Scottish Qualifications Authority

Calling on the Scottish Parliament to urge the Scottish Government to order a public inquiry into the actions of the Scottish Qualifications Authority during academic years 2019-20 and 2020-21.

Introduction

The petitioner calls on the Scottish Parliament to urge the Scottish Government to order a public inquiry into the actions of the Scottish Qualifications Authority (SQA) during academic years 2019-20 and 2020-21.

In the background information submitted alongside the petition, the petitioner states that the last two years have seen “major failings by both Scottish Government and the Scottish Qualifications Authority (SQA) in terms of closing the attainment gap within the education system.”

The petitioner goes on to argue that young people have been let down and a review of SQA’s actions is needed.

The SQA is the body responsible for awarding national qualifications in Scotland’s schools and Higher National qualifications in Scotland’s colleges. The organisation’s handling of the awarding of qualifications to pupils following the cancellation of

exams last year has attracted criticism. Arrangements in place for the awarding of qualifications this year have also attracted criticism. Scottish Labour, the Scottish Green Party, the Scottish Liberal Democrats and the Scottish Conservative and Unionist Party have all called for reform and review of the SQA, voting in February 2021 for a motion stating SQA was not “fit for purpose” and had “lost the confidence of teachers, pupils and parents”.

Reform of SQA

The Cabinet Secretary for Education and Skills, Shirley-Anne Somerville MSP, announced on 21 June 2021 that the SQA is to be replaced, stating:

“We will replace the SQA. We will talk to young people, parents and teachers to build a system that works in line with CfE – exactly as the OECD recommends.”

The announcement followed the publication of the [Organisation for Economic Cooperation and Development \(OECD\) review of Scotland’s Curriculum for Excellence](#) earlier the same day. The report highlighted a divide between the aspirations of the Curriculum for Excellence and the focus on exams in the senior phase of secondary school.

The government have appointed Professor Ken Muir CBE, former Chief Executive of the General Teaching Council for Scotland, to lead work to replace the SQA with a new organisation responsible for curriculum and assessment. Currently, Education Scotland is responsible for curriculum.

The [government’s draft remit](#) for Professor Muir’s role sets out that a supporting panel will be established with a wide range of representation, including practitioners. The views of children and young people will be considered during engagement with the education sector. The remit states:

‘A key objective is ensuring that we fully understand [children and young people’s] needs, and design the education system to deliver the best possible support that is required.’

Professor Muir will begin this work in August 2021 and is expected to conclude six months later.

The OECD will publish a further report considering changes to Scotland's qualifications and assessment system later this year. This will not impact pupils sitting national qualifications this year or in 2022.

Public inquiries

A public inquiry is a major investigation set up by a government Minister to investigate major issues of public concern. Inquiries generally aim to establish what has happened, why and how it happened and what can be done to prevent it happening again¹.

Recent examples in Scotland include the Penrose Inquiry into infected blood and blood products and the Scottish Child Abuse Inquiry.

Statutory public inquiries are governed by the Inquiries Act 2005 (the 2005 Act). It gives Ministers (including Scottish Ministers) the power to set up an inquiry where events have caused or are capable of causing public concern, or there is public concern that particular events may have occurred (section 1). Scottish Ministers can only set up an inquiry when it relates to a Scottish matter (see 2005 Act, section 28).

Detailed rules for Scottish inquiries are set out in the Inquiries (Scotland) Rules 2007.

The Scottish Government has committed to establishing a public inquiry into the response to COVID-19. [First Minister Nicola Sturgeon MSP](#) told the Scottish Parliament on 26 May 2021 that this inquiry would be "comprehensive". It is therefore possible that assessment during the course of the pandemic may be an issue that is considered as part of this.

Key organisations and relevant links

[Scottish Qualifications Authority \(SQA\)](#): Scotland's accreditation and qualifications body. SQA's functions are set out

¹ [Public inquiries | The Institute for Government](#)

in the Education (Scotland) Act 1996 and the Scottish Qualifications Act 2002.

Children and Young People's Commissioner Scotland: The Commissioner's office has worked to highlight the issues facing children and young people due to COVID-19 related exam disruption.

Scottish Youth Parliament (SYP): The democratically elected voice of Scotland's young people. Youth-led and accountable to young people age 14 to 25.

Lynne Currie
Senior Researcher
28 June 2021

SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at spice@parliament.scot

Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

Published by the Scottish Parliament Information Centre (SPICe), an office of the Scottish Parliamentary Corporate Body, The Scottish Parliament, Edinburgh, EH99 1SP

Scottish Government submission of 24 June 2021

PE1875/A

We commissioned a review in 2020 to help us better understand how the curriculum is being designed and implemented in school, and to identify areas for improvement.

This review was subsequently expanded from an initial review of the senior phase curriculum to a full review of Curriculum for Excellence (CfE), covering the broad general education, the senior phase and the articulation between the two.

This review was led by the Organisation for Economic Co-operation and Development (OECD) that published its findings: [Scotland's Curriculum for Excellence Into the Future](#), on 21 June 2021.

On 21 June the Cabinet Secretary for Education and Skills, Shirley-Anne Somerville, announced that all 12 of the review's recommendations will be accepted in full, including recommendations on curriculum, assessment and qualifications which will see the Scottish Qualifications Authority (SQA) replaced and Education Scotland substantially reformed - an initial Scottish Government response to these recommendations is available here: [Response to the independent review of the Curriculum for Excellence by the Organisation for Economic Co-operation and Development](#).

Professor Ken Muir CBE has been appointed as an independent advisor to lead this work. Professor Muir will be supported by a diverse advisory panel, which will be drawn from academia, practitioners, organisational change experts and others they, and together they will lead wide engagement that ensures that these changes are designed and implemented in a way that maximizes support of excellence and equity for our children and young people.

The Cabinet Secretary also announced the creation of a young person's council to shadow the Scottish Education Council and we will ensure the voices of young people are heard during the process led by Professor Muir. We are also committed to working closely with staff directly impacted by any changes (within Education Scotland and SQA) and will

ensure they have the opportunity to give their views.

The OECD also identified a need for the better articulation of assessment methods through the Broad General Education and into the Senior Phase. The Scottish Government awaits the outcomes of the OECD's comparative analysis which is due to be published by the end of August. This will allow us to have initial conversations as to the future of our senior phase qualifications and awards.

Petitioner submission of 7 July 2021

PE1875/B

Firstly, I thank the Scottish Government for its submission to the petition. However, I really don't think a 70 odd page report is going to change the state of Scottish Education.

Back when the SNP came into Government, The First Minister said she would do everything she could to close the attainment gap, yet somehow it's now wider than ever! We have seen multiple failings by this government with nothing but "sorry but we did our best". Sometimes your best isn't good enough! The Scottish Government have said repeatedly that it cares about young people. If they do they have a funny way of showing it! Pupils and students have been let down two years in a row. We have seen blame being passed to pupils for leaking assessment papers, the blame being passed to teachers and no sign of the government stepping up to put an end to it. When will it all end?

We need to build back better if we are getting rid of the SQA, listen to young people who are saying exams aren't working! After all, your education time is done! It's not you who has to live and suffer with the pressure, anxiety and fear of sitting exams. Introduce an end-of-unit assessment method for all SQA courses which mean that students can focus on actually learning what they are being taught. Let's be honest how many children could tell you they learned something from school?

Co-design is important on every policy area, education being one of them! Having 1 young person to represent over 100,000 young people across Scotland on a National Qualifications Group is not co-design, that's just throwing someone in the deep end and hoping they can swim! Every single learner should be involved or have a say in their education. We are no longer 18/19th century! We are 21st century with access to technology, incredible skilled experienced teachers but none of that seems to be used. We cannot revert back to old ways, if reform is what we are having then make sure reform is what we get. Changing the management and name will not make a difference. Take the views from those sitting the qualifications themselves rather than just assuming you know best!

Now, while the SQA is being scrapped I still think there needs to be a public enquiry into the Education Secretary's handling of this policy area during the last two years. I would have maybe let the public enquiry slip

if the issues were resolved last year but we see the same happening again, just worse! Let's look at appeals, another shambolic area! There are three grounds for appeal:

1. Unfair Academic Judgement
2. Discrimination
3. Unresolved Administration Error

There are no grounds for appeal on exceptional circumstances, so all of those young people who have possibly lost loved ones or friends due to COVID-19 cannot appeal, this is also the case for mental health issues? Some people may have been suicidal yet all your saying to them by not providing exceptional circumstances is "Grow up, it's only an exam". Yet it seems like so much of our future depends on that piece of paper! Why should young people have to live in fear and uncertainty of what the future holds for them at the fault of this government?

Thanking teachers and pupils is no longer satisfactory. They deserve much more than a video saying how well they have done! They have been overworked, lied to, ignored and used with no apology. The Government should write to each learner and teacher and apologise for the stress and anxiety caused over the last few days - time and confidence in the Government is running out!

So will the committee consider hearing evidence from young people about how the SQA Fiasco has impacted them over the last few years or will our calls for change fall on deaf ears yet again?