

# Reasonable Adjustments and Special Considerations Policy

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# REASONABLE ADJUSTMENTS AND SPECIAL CONSIDERATIONS POLICY

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## Changes for the academic year 2017/18

Changes that have been made to the content of this document since the previous version 1.1, issued April 2017 and 1.2 issued December 2017, have been highlighted in yellow throughout for easy identification.

Centres are responsible for ensuring that all centre staff involved in implementing Reasonable Adjustments are familiar with the entire contents of this document including the changes.

# Section 1 Overview and scope of the policy

## 1.1 What is the scope and purpose of the policy?

This policy is aimed at our customers, including learners, who are using NCFE products and services and who submit requests for reasonable adjustments or special considerations.

The purpose of this policy is to outline the steps:

- you follow when submitting your reasonable adjustment or special consideration request to us
- we follow when reviewing the requests and advising you of a decision.

## 1.2 What products and services are covered by this policy?

This policy covers the delivery of NCFE qualifications which are subject to scrutiny and enforcement by our qualifications regulators (regulated qualifications) and unregulated products which are owned and / or accredited by NCFE. All NCFE products include those which may be offered and / or delivered under an NCFE-owned brand name (for example 'CACHE').

## 1.3 Who needs to know about the policy?

You must make your staff (including centre, satellite, sub contract centres or contractual staff) who are involved in the design, delivery, management, assessment and quality assurance of our products and your learners aware of, and familiar with the contents of the policy.

## 1.4 How can we obtain copies of the policy?

You can download copies of the policy from our website: [www.ncfe.org.uk](http://www.ncfe.org.uk) or [www.cache.org.uk](http://www.cache.org.uk), request copies from our Customer Support Team on 0191 239 8000 (NCFE) or 0345 347 2123 (CACHE) or by emailing [service@ncfe.org.uk](mailto:service@ncfe.org.uk) or [info@cache.org.uk](mailto:info@cache.org.uk).

## 1.5 Review of the policy

We'll review the policy regularly and may revise it as required in response to changes in legislation, changes in our practices, actions from our regulatory or external agencies, and / or in response to customer and stakeholder feedback.

This document is subject to revision and is maintained electronically. Electronic copies are version controlled, however printed copies are not subject to this control.

## 1.6 Complaints

We have a separate complaints process which covers our centres' or candidates' dissatisfaction with our products or services, other than those categories listed in Section 1.1 of this policy.

For further information, please contact our Customer Support Team on 0191 239 8000 (NCFE) or 0345 347 2123 (CACHE) or by emailing [service@ncfe.org.uk](mailto:service@ncfe.org.uk) or [info@cache.org.uk](mailto:info@cache.org.uk).

# Section 2 Definition

## 2.1 Overview

The Equality Act 2010 requires Awarding Organisations to make reasonable adjustments to ensure a learner who is disabled as defined in the Act are not placed at a **substantial** disadvantage in comparison to learners who are not disabled.

In their publication '*The General Conditions of Recognition May 2011*', Ofqual makes a number of references to Equalities Law and states a number of requirements for awarding organisations; D2, E4, G2, G6 and G7 and another for centres (Condition C2.3 (h)). Further detail of the conditions this policy relates to can be found on the Ofqual website.

Assessment should be a fair test of learners' knowledge and what they are able to do, however, for some learners the usual format of assessment may not be suitable. We ensure that our qualifications and assessments do not prevent learners from taking our qualifications.

The provision for reasonable adjustments and special consideration arrangements is made to ensure that learners receive recognition of their achievement so long as the equity, validity and reliability of the assessments can be assured. Such arrangements are not concessions to make assessments easier for learners, nor advantages to give learners a head start.

There are two ways in which access to fair assessment can be maintained, these are through:

- reasonable adjustments – agreed before the assessment takes place
- special considerations – applied post assessment.

## 2.2 Definition of reasonable adjustments

A reasonable adjustment is any action that helps to reduce the effect of a disability or difficulty that places the learner at a substantial disadvantage in the assessment situation.

Reasonable adjustments must not affect the integrity of what is being assessed.

Reasonable adjustments are approved or set in place before the assessment activity takes place; they constitute an arrangement to give the learner access to the assessment activity. The use of a reasonable adjustment will not be taken into consideration during the assessment of a learner's work.

Awarding Organisations and centres are only required by law to do what is 'reasonable' in terms of giving access. What is reasonable will depend on the individual circumstances, cost implications and the practicality and effectiveness of the adjustment. Other factors, such as the need to maintain competence standards and health and safety, will also be taken into consideration.

## 2.3 Definition of special considerations

Special considerations can be applied after an assessment if there is a reason the learner may have been disadvantaged during the assessment. Reasons for special consideration could be temporary illness, injury or adverse circumstances at the time of the assessment.

Learners cannot enter a plea for special considerations for assessment solely on the grounds of disability or learning difficulty. Learners must declare their needs prior to the assessment period and all necessary reasonable adjustments arrangements must have been implemented before the time of their assessment.

Special consideration should not give the learner an unfair advantage. The learner's result must reflect his or her achievement in the assessment and not necessarily his or her potential ability.

Special consideration may result in a small post-assessment adjustment to the mark of the learner. The size of the adjustment will depend on the circumstances during the assessment and will reflect the difficulty faced by the learner, but will always be a minor adjustment as to do more may jeopardise the standard.

Where an assessment requires a competence, criterion or standard to be met fully, or in the case of qualifications that confer a Licence to Practise, **it may not be possible** to apply special consideration. It may be more appropriate to offer the learner an opportunity to retake the assessment at a later date or to extend the registration period so that the learner has more time to complete the assessment activity.

All learners regardless of their special consideration must still meet our minimum requirement for the award of a certificate.

## Section 3 Requesting a reasonable adjustment or special consideration

This policy document **must be used** in conjunction with the:

- Guidance on Accessing Reasonable Adjustments.

These documents provide further information and guidance on how to access our reasonable adjustments and special considerations.

You must refer to the relevant permission tables when accessing reasonable adjustments.

### 3.1 Delegated adjustments

Arrangements may be implemented by you for both the internal and external assessment components **without prior application to us**. See the relevant permission tables for qualification specific information.

**Please note any arrangements put in place must reflect the learner's normal way of working.**

When implementing a delegated responsibility please use **approval code RA/1** on the appropriate paperwork. **Evidence of need** must be kept in Centre files and produced on request.

### 3.2 Evidence requirements

If your learners require arrangements for reasonable adjustments they should provide you with evidence of their learning needs or medical condition. You must ensure that suitably qualified personnel check that the evidence is current and relevant to the learner.

Please refer to the JCQ Access Arrangements and Reasonable Adjustments for further information about relevant tests to support your application.

**Please retain all evidence and make it available to any of our authorised representatives who visit your centre, this includes: External Quality Assurers, External Verifiers, Quality Verifiers, Assessment Monitoring Advisors and Customer Quality Advisors**

In the case of an appeal, you must ensure that evidence to support a reasonable adjustment or special consideration is retained for 3 months after you've been issued with the results of an assessment.

### 3.3 How to submit a reasonable adjustment request

To request a reasonable adjustment that is not delegated, you should complete the appropriate reasonable adjustment request form, on the relevant website.

The following request forms are available:

#### **NCFE**

- Request for Reasonable Adjustments

#### **CACHE**

- Application for Reasonable Adjustments



### 3.4 Timescales for submitting a reasonable adjustment request

In order to ensure that requests can be honoured before an assessment takes place, you are required to submit reasonable adjustment requests within the following timescales **for both NCFE and CACHE products**:

<b>Reasonable Adjustment</b>	<b>Minimum number of working days' notice required prior to the external assessment date or start of an assessment window</b>
Application required (non-modified)	10 working days' notice
Application required (modified) eg: <ul style="list-style-type: none"><li>- Enlarged Papers</li><li>- Coloured Papers</li><li>- Computer Reader / Speech Recognition Technology enabled</li></ul>	15 working days' notice
Application required (modified) eg: <ul style="list-style-type: none"><li>- Braille Papers</li><li>- Tactile Diagrams</li><li>- Modified Language Papers</li></ul>	30 working days' notice

### 3.5 How to submit a special consideration request

To request a special consideration, you should complete the appropriate request form on the relevant website.

The following request forms are available:

#### **NCFE**

- Request for Special Considerations

#### **CACHE**

- **Application for Special Considerations**

### 3.6 Timescales for submitting a special consideration request

In regards to external assessment please submit your application as soon as possible after the assessment and **no later than** 7 working days after the assessment has taken place or the assessment window has closed.

**Note:** For Functional Skills only, applications must be submitted **no later than** 5 working days after the assessment has taken place.

We can only accept requests for special consideration after the results of the assessment have been released in the following circumstances:

- the application has been overlooked at the centre and the oversight is confirmed by the Head of Centre
- medical evidence comes to light about a learner's condition, which demonstrates that the learner must have been affected by the condition at the time of the assessment, even though the problem revealed itself only after the assessment
- for on-screen assessments where results are immediately available.

## Section 4 NCFE's processes and timescales regarding reasonable adjustments and special considerations

### 4.1 Request for a reasonable adjustment

Once a request for a reasonable adjustment is received, NCFE will complete a review of the request and evidence provided.

### 4.2 Reasonable adjustment timescales

NCFE will aim to review your request within 5 working days of it being received. If this is not possible it will be acknowledged within 2 working days of receipt with notification provided of what action will be taken.

NCFE aims to conclude:

- Reasonable adjustment requests within 5 working days upon receipt of a fully completed request.

NCFE will inform you if these timescales cannot be adhered to for any reason.

### 4.3 Request for a special consideration

Once a request for a special consideration is received, NCFE will complete a review of the request and evidence provided.

#### 4.4 Special consideration timescales

NCFE will aim to review your request within 5 working days of it being received. If this is not possible it will be acknowledged within 2 working days of receipt with notification provided of what action will be taken.

NCFE aims to conclude:

- Special consideration requests within 5 working days upon receipt of a fully completed request.

NCFE will inform you if these timescales cannot be adhered to for any reason.

## Section 5 Outcomes regarding reasonable adjustments and special considerations

### 5.1 Outcomes of a reasonable adjustment request

The outcome of a reasonable adjustment request could be:

- approval with a relevant code
- rejection of your request based on insufficient evidence of need
- rejection of your request based on the reasonableness of the request.

### 5.2 Outcomes of a special consideration request

The outcome of a special consideration request could be:

- agreement to review the learner's performance in light of available evidence
- rejection of your request based on investigation of the circumstances detailed in your request.

Please note that a successful application of special consideration would not necessarily change a learner's result.

### 5.3 If you remain dissatisfied with the outcome of your request

If you or your learners remain dissatisfied following the outcome of the request that you have submitted, you may submit a complaint in line with our Complaints Policy (available online). Please contact your Customer Support Assistant for further information.

## **Section 6 Confidentiality of data and information**

We may need access to confidential information and we will ensure that such information is kept secure and only used for the purposes of the request and in line with relevant Data Protection legislation. We will not normally disclose the information to third parties unless required to do so, eg to our Regulators and / or the Police or other relevant and / or Statutory Bodies.

We will aim to access and retain original evidence or information. If original records cannot be retained, we will photocopy the original and record the copy as authentic.

We expect you to retain any relevant documentation securely in line with your archiving and retention procedures.

# Section 7 Contact information

## 7.1 Your contact for this policy

If you've any queries about the contents of the policy, please contact the Customer Support Team.

### **For NCFE and CACHE qualifications:**

Email: [service@ncfe.org.uk](mailto:service@ncfe.org.uk)

Telephone\*: 0191 239 8000

### **Post for NCFE and CACHE qualifications:**

NCFE  
Q6, Quorum Business Park  
Benton Lane  
Newcastle upon Tyne  
NE12 8BT

\*To continue to improve our levels of customer service, telephone calls may be recorded.

## Appendix A Our qualifications regulators' details

England:

**Ofqual**

Spring Place

Herald Avenue

Coventry

CV5 6UB

Email [public.enquiries@ofqual.gov.uk](mailto:public.enquiries@ofqual.gov.uk)

Telephone 0300 303 3344

Wales:

**Qualifications Wales**

Q2 Building

Pencarn Lane

Imperial Park

Coedkernew

Newport

NP10 8AR

Email [enquiries@qualificationswales.org](mailto:enquiries@qualificationswales.org)

Telephone 01633 373 222

Northern Ireland:

**CCEA**

The Council for Curriculum, Examinations and Assessment (CCEA)

29 Clarendon Road

Clarendon Dock

Belfast BT1 3BG

Email [info@ccea.org.uk](mailto:info@ccea.org.uk)

Telephone 02890 261 200