

Reasonable Adjustments and Special Considerations Policy

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Section 1 – Overview of the policy

1.1 Policy introduction

This policy is aimed at customers, including candidates, who are using the products and services of the English Speaking Board and who submit requests for reasonable adjustments and special consideration. Assessment should be a fair test of learners' skills and knowledge; for some learners the usual format of assessment may not be suitable. The English Speaking Board is committed to complying with all current and relevant legislation in relation to access arrangements, which at the time of writing includes, but is not limited to, the Equality Act 2010.

1.2 Purpose of the policy

Ofqual's Conditions of Recognition (Conditions C2, D2, G2, G6, G7) and the latest SQA Regulatory Requirements (principle 11) stipulate the conditions that all awarding organisations must fulfil in order to comply with their regulatory obligation. Awarding organisations are required to have in place a written enforceable agreement with each of their centres. Part of this agreement 'requires the centre to undertake the delivery of the qualification required by the awarding organisation in accordance with Equalities Law' – www.legislation.gov.uk/ukpga/2010/15/contents

This policy is in line with Joint Council Qualifications publication *Access Arrangements, Reasonable Adjustments and Special Consideration - General and Vocational Qualifications*, which is updated annually.

1.3 Communication of policy

To meet their responsibilities to individual learners, and in terms of current equality legislation and regulatory requirements, a centre must, as far as is practicable communicate this policy with personnel involved in the management, assessment and quality assurance of ESB qualifications.

The centre must:

- Know and understand reasonable adjustments and special consideration
- Ensure that learners are given correct and accurate information on their selected qualifications and potential access
- Assess each potential learner and make justifiable and professional judgements about the learner's potential to complete the assessment successfully and achieve the qualification
- Define and put in place the support that will be made available to the learner
- Facilitate the range of options, including any reasonable adjustments necessary, to enable the learner to achieve across all the required assessments
- Communicate clearly to the learner where the recruitment selection identifies that he/she may not be able to demonstrate attainment and thus gain achievement in all parts of the assessment for the selected qualification. A learner may still decide to proceed with studying a particular qualification and not be entered for all or part of the assessment
- Make any adjustment to assessment based on the needs of the learner, who should be involved in the discussion
- Take into account the learner's normal way of working to decide the type of reasonable adjustment required for assessment. The learner must have had appropriate opportunities to practice using the access arrangement(s) before his/her first assessment
- Ensure that there are effective internal appeals procedures so that the learner can query any decision taken by the centre not to allow an adjustment to assessment. These procedures must be made available to the learner on request and must include details of the grounds for appeal and the timescales associated with investigations of

appeals.

1.4 Review of policy

The English Speaking Board will review this policy in conjunction with the above timescales, to ensure that our procedures and practices continue to meet legislative and regulatory compliance. We reserve the right to make ongoing changes in line with customer and stakeholder feedback, changes in our practices, actions from the regulatory authorities or external agencies or changes in legislation.

Section 2 – Defining reasonable adjustments and special considerations

2.1 Definition of reasonable adjustment

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. The key factor, therefore, in assessing whether adjustments are required is whether the disabled learner is put at a substantial disadvantage relative to his or her non-disabled counterparts.

Consequently, the purpose of the adjustment is not to confer an unfair advantage on disabled students. It should remove barriers to assessment where it is reasonable to do so.

The adjustment may be unique to an individual and must not affect the integrity of what needs to be assessed. A reasonable adjustment may include but is not limited to:

- Changing usual assessment arrangements, for example allowing a learner extra time to complete the assessment activity
- Adapting assessment materials, such as providing materials in Braille
- Providing assistance during assessment, such as a sign language interpreter or a reader
- Re-organising the assessment room, such as removing visual stimuli for an autistic learner
- changing the assessment method, for example from a written assessment to a spoken assessment
- Using assistive technology, such as screen reading or voice activated software

- Providing the mechanism to have different colour backgrounds for copying to different coloured paper for paper-based assessments
- Providing and allowing different coloured transparencies with which to view assessment papers.

An adjustment may not be considered **reasonable** if it involves unreasonable costs, time frames or it compromises the security, integrity or health and safety of the qualification. They are approved or set in place before the assessment activity takes place and cannot be made during the assessment. Where reasonable adjustments have been applied, the work produced by the learners will be assessed to the same standard as the work of other assessed learners.

3. Arrangements

3.1 How do I decide who needs a reasonable adjustment?

A centre must decide whether the candidate is eligible for an adjustment and must consider the following:

- Learners should be able to achieve the assessment criteria. Adjustments to assessment should not compensate for the lack of the learner's skills and knowledge
- Adjustments must not invalidate the assessment requirements
- The learner should not be placed at a substantial advantage or disadvantage
- The learner's individual needs: adjustments should be on need and carefully considered.

3.2 Who requests the reasonable adjustment and special consideration?

It is the centre's responsibility to request an adjustment to the assessment arrangements pre or post assessment. It is also the centres responsibility to assess each potential learner and make justifiable and professional judgements about the learner's potential to successfully complete the assessment and achieve the qualification – See section 1.3.

3.3 Who applies the reasonable adjustment?

This depends on the qualifications assessment methodology. Where a qualification uses external assessment or visiting examiners, a centre must apply to the English Speaking Board directly. Where internal assessment is used a centre can directly apply the reasonable adjustments. However, the centre must keep full and accurate records of their decisions for a 3-year period, **centres may digitise documents to aid storage.**

(A) Apply to the awarding organisation for Reasonable Adjustments - Assessments which are taken under examination conditions

- Where the method of assessment is more rigidly determined, such as for assessments taken under specified conditions, there may be a greater need for adjustments to standard assessment arrangements in order to give access
- Where prior approval of ESB is required, the Centre Co-ordinator should apply the reasonable adjustment direct on the online database when inputting the learner details prior to the assessment date.

(B) Reasonable adjustment permitted at the discretion of the centre - Assessments which are NOT taken under examination conditions

- The majority of vocational qualifications fall into this category. Learners are often required to compile a portfolio of evidence which can consist of a mixture of work products, observation reports, witness statements, knowledge tests, etc. Making appropriate access arrangements in qualifications of this type can be more straightforward than in qualifications where the mode of assessment is more firmly fixed. With these types of assessments, the Centre has greater flexibility to be responsive to an individual learner's needs. However, the learner must demonstrate attainment of the assessment criteria.

3.4 Permissions table:

Reasonable adjustment	Assessments which are NOT taken under examination conditions	Assessments which are taken under examination conditions
Extra time up to 25%	B	B
Extra time in excess of 25%	B	B
Supervised rest breaks	A	B
Change in the organisation of assessment room	A	A
Separate accommodation within the centre	A	B
Taking the assessment at an alternative venue	B	B
Use of coloured overlays, low vision aids and tinted spectacles	A	A
Use of assistive software	A	B
Use of bilingual and bilingual translation dictionaries (learners in country + 2 years) This does not apply if you are working towards an ESOL S/L qualification	A	B
Learners who have been in UK for less than 2 years may have additional 25% extra time in addition to a bilingual translation dictionary. The exception is when a learner is working towards an ESOL S/L qualification.	A	A
Assessment material in enlarged format	A	B
Assessment material in Braille	B	B
Language modified assessment material	B	B
Assessment material in BSL	B	B
Assessment material on coloured paper	A	A
Assessment material in audio format	B	B
Use of ICT	A	B
Responses using electronic devices	A	B
Responses in BSL	A	B
Responses in Braille	B	B
Reader Except for any reading test	A	B
Scribe Except for any writing test	A	B
BSL/English interpreter	A	B
Prompter	A	B
Practical assistant	B	B
Transcriber	A	B
Pre-selected reading passage	B	B
Other	B	B

Key - The following key indicates where the decisions on reasonable adjustments can usually be made.

A – Reasonable adjustment permitted at the discretion of the centre B – Apply to the awarding body for permission

3.1 Requesting reasonable adjustments

A – Reasonable adjustment permitted at the discretion of the centre – Internal

In cases where the centre has made the reasonable adjustment, it is the centre's responsibility to ensure that they have the necessary documentation in place. This documentation must be retained and will be audited by the awarding organisation.

B – Applying to the awarding organisation for reasonable adjustment – External

For learners completing external assessments you must complete the online registration process, we will review your application and will **only** contact you if we do not agree with your application. Do not send any documentation to us. You must retain all supporting documentation; you may be selected for sampling.

3.2 Evidence requirements

If a learner requires arrangements for reasonable adjustments, they should provide the centre 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 candidate. Examples of evidence could be a relevant diagnostic report or statement of learning needs or medical condition from appropriately qualified personnel. **Please retain the evidence and make it available to any of our authorised representatives and spot checkers.** When a centre requests a reasonable adjustment from category B, evidence may be required. ESB may ask for documentary evidence of the learner's condition within 3 months of the request being made. In this situation ESB will email the centre and request the evidence within four working weeks. If a centre fails to send in evidence within a month, all requests for the following year will need to be supported by evidence at the time of submission.

3.5 Arrangements for special consideration

All applications must be made to ESB. Applications for special consideration must be made on a case by case basis. The head of centre must authorise all applications for special consideration. The special consideration application form can be found on our website here <https://esbuk.org/forms>.

If the application for special consideration is successful, the learner's performance will be reviewed in the light of available evidence. It should be noted that a successful application for special consideration will not necessarily lead to a change in a learner's result. Special consideration should not give the learner an unfair advantage; neither should its use cause the certificate to mislead regarding a learner's achievements. The learner's result must reflect his / her achievement in the assessment and not necessarily his / her potential ability.

Special consideration, if successful, may result in a small post-assessment adjustment to the mark of the learner. The size of the adjustment will depend on the circumstances and reflect the difficulty faced by the learner.

Related publications

The Equality Act 2010
www.legislation.gov.uk/ukpga/2010/15/contents

The Equality Act 2010 (General Qualifications Bodies, Regulator and Relevant Qualifications) (Wales) Regulations 2010
www.legislation.gov.uk/wsi/2010/2217/content

The Equality Act 2010 (Qualifications Body Regulator and Relevant Qualifications) (Scotland) Regulations 2010
<http://www.legislation.gov.uk/ssi/2010/315/contents/made>

The Equality Act 2010 (General Qualifications Bodies, Regulator and Relevant Qualifications) (Wales) Regulations 2010
www.legislation.gov.uk/wsi/2010/2217/contents/made

Access Arrangements, Reasonable Adjustments and Special Consideration – General and Vocational Qualifications, Joint Council for Qualifications (updated annually) www.jcq.org.uk/jcq_top_ten/index.cfm