

# Reasonable Adjustments and Special Considerations Policy

## 1. General

- 1.1 This policy is for use by us and our Approved Training Centres (ATC) to ensure we are dealing with all adjustments and consideration requests in a fair and consistent manner.
- 1.2 Section 53 of the Equality Act 2010 states that awarding bodies must not discriminate, harass or victimise when awarding qualifications and we have a duty to make reasonable adjustments.
- 1.3 Our aim is to facilitate open access for all Learners who are eligible for reasonable adjustments or special considerations in assessments, whilst ensuring the assessment of understanding, knowledge, skills and competence is not compromised in any way for all of the protected characteristics within the Equality Act 2010. Please also refer to our Equality and Diversity Policy.
- 1.4 Wherever possible we ensure that through the design and development of our qualifications assessments remain flexible and mitigate the need for Reasonable Adjustments or Special Considerations. This includes undertaking an Equality Impact Assessment. The majority of our qualifications enable Learners to work at their own pace and so adjustments and considerations during assessment are unlikely to be needed.
- 1.5 Reasonable Adjustments and Special Considerations can be applied to all of our qualifications. For specific qualification requirements, please check the Qualification Specification and/or Assessment Strategy.
- 1.6 All our ATCs should adhere to relevant legislation to promote fair access to assessment for all Learners and must have policies and procedures in place which reflect the principles included within this policy.

## 2. Access Arrangements

- 2.1 Access arrangements are agreed before an assessment. They allow Learners with special educational needs, disabilities, temporary injuries, temporary illness and / or situations beyond their control to access the assessment and show what they know and can do without changing the demands of the assessment. The intention behind an access arrangement is to meet the particular needs of an individual Learner without affecting the integrity of the assessment. Access arrangements are the principal way in which we and our ATCs comply with the duty under the Equality Act 2010 to make 'reasonable adjustments'.

## 3. Reasonable Adjustments

- 3.1 The Equality Act 2010 requires both us and our ATCs to make reasonable adjustments where a Learner, who is disabled within the meaning of the Equality Act 2010, would be at a substantial disadvantage in comparison to a Learner who is not disabled. We are all required to take reasonable steps to overcome that disadvantage.
- 3.2 A Reasonable Adjustment may be unique to the individual Learner and may not be included in the list of Access Arrangements within this policy. Whether an adjustment

will be considered reasonable will depend on a number of factors which will include, but are not limited to:

- The needs of the Learner
- The effectiveness of the adjustment
- The cost of the adjustment
- The likely impact of the adjustment upon the Learner and other Learners

3.3 An adjustment will not be approved if it:

- Involves unreasonable costs to us or the ATC
- Involves unreasonable timeframes
- Effects the integrity of the assessment

This is because the adjustment is not “reasonable”.

3.4 In most cases it will not be reasonable for adjustments to be made to assessment criteria within a qualification. To do so would likely undermine the effectiveness of the qualification in providing a reliable indication of the knowledge, skills and understanding of the Learner.

3.5 There is no duty to make adjustments to competence standards within vocational qualifications. The application by an awarding body of a competence standard to a disabled person is not disability discrimination unless it is discrimination by virtue of section 19 of the Equality Act 2010 (re: indirect discrimination).

3.6 It is important to note that not all adjustments will be reasonable, permissible or practical in particular situations. The Learner may not need, nor be allowed the same adjustment for all assessments. Learners should be fully involved in any decisions about adjustments. This will ensure that individual needs can be met, whilst still bearing in mind the specified assessment criteria for a particular qualification. As the needs and circumstances of each Learner are different, ATCs must consider any request for a reasonable adjustment on a case by case basis.

## 4. Special Considerations

4.1 A Special Consideration is the consideration given to a Learner who has experienced a situation that has had, or is reasonably likely to have had, a material effect on that Learner’s ability to take an assessment or demonstrate their level of attainment in an assessment that may not be covered under the Equality Act 2020. We recognise the following Special Considerations categories, whereby the Learner has:

- An illness
- An injury
- A temporary disability, learning need or medical condition
- Experienced some other event outside of their control

4.2 Access Arrangements as described in this policy can be applied to Learners for the following Special Considerations categories, whereby the Learner has:

- An illness
- An injury
- A temporary disability, learning need or medical condition

There may be Learners who may require other adjustments which are not listed in this policy. If that is the case then the ATC must contact us for advice, guidance and approval.

- 4.3 The timing of assessments for our qualifications remain flexible Learners are able to progress at a rate that is appropriate to their ability as long as they achieve within the registration period. Therefore if a Learner is too ill to complete an assessment, alternative timings can be offered by the ATC, without notification to us unless this is going to be outside of the Learners registration period. In order to support ATCs with allowing an alternative assessment opportunity for the Learner at a later date we will accept requests for reasonable extensions to Learner registrations for any Special Consideration category (subject to any previously set qualification end dates).
- 4.4 There may be exceptional circumstances whereby we make a Special Consideration decision for a particular qualification and / or cohort of Learners, such as automatic registration extension whereby there is an extraordinary situation that is outside of the Learner, ATC or our control.
- 4.5 There may be Learners that experience a situation whereby it would be appropriate to consider Special Considerations that are not referenced in this policy. Adjustments which may be applied after an assessment where the Learner has encountered exceptional circumstances that have disadvantaged them during their assessment or if their performance in an assessment has been, or is likely to have been, affected by mitigating or adverse circumstances beyond their control. In such instances the ATC must contact us for advice, guidance and approval.

## 5. ATC Consideration

5.1 Reasonable Adjustments and Special Consideration arrangements are available to ensure all Learners receive recognition of their achievement providing there is evidence that the equity, validity and reliability of the assessments can be assured. These arrangements should not be used to make assessments easier for Learners or give Learners a head start and should not disadvantage other Learners.

5.2 We will monitor ATCs by ensuring they have applied the following:

- Access Arrangements granted provide Learners with the opportunity to demonstrate their attainment
- The Access Arrangement compensates for any disadvantage imposed by the disability or difficulty but does not disadvantage other Learners
- The assessments were rigorous and fair
- The assessment activity is valid and is measurable against the assessment criteria
- Assessment results are reliable

5.3 ATCs may reject requests in situations as follows:

- The Access Arrangement would invalidate the assessment requirements set out in the qualification specification
- The content and delivery of the chosen course of study would prevent the Learner from fulfilling a major section of the course affecting the assessment requirements
- The Learner would be given an unfair advantage compared to other Learners for whom an Access Arrangement has not been granted

## 6. Applying Reasonable Adjustments to Internal Assessments

- 6.1 Internal assessment is whereby the ATC undertakes the assessment and Internally Verifies / Internal Quality Assures (IV) and we undertake External Verification / External Quality Assurance (EV).
- 6.2 For qualifications which are internally assessed, ATCs do not need to apply to us for Access Arrangement approval for those described in this policy. However, ATCs must make Reasonable Adjustments that are in line with this policy.
- 6.3 Where the ATC is unsure if the Reasonable Adjustment proposed is in line with this policy, the ATC should contact us for advice and support.
- 6.4 There may be Learners who suffer from particular disabilities who may require other Access Arrangements which are not listed in this policy. Accordingly, the list of Access Arrangements is not exhaustive. For Access Arrangements that are not referenced in this policy, ATCs must contact us for advice, support and approval via our Reasonable Adjustments and / or Special Considerations application form.
- 6.5 ATCs must keep a record of all Access Arrangements applied through Reasonable Adjustments. Evidence of which will be monitored by us via our standard ATC monitoring activities and as described in our ATC Service Level Agreement.
- 6.6 For all other Reasonable Adjustments the ATC must submit a Reasonable Adjustments and / or Special Considerations application form to us for approval prior to confirming any acceptance with the Learner or assessment. This includes for Access Arrangements not defined in this policy as well as:
  - Changing or adapting the assessment method
  - Changing usual assessment arrangements
  - Language modified assessment tasks (excluding BSL)

## 7. Applying Special Considerations to Internal Assessments

- 7.1 For qualifications which are internally assessed, ATCs do not need to apply to us for Access Arrangement approval for those described in this policy. However, ATCs must make Special Considerations that are in line with this policy.
- 7.2 Where the ATC is unsure if the Special Consideration proposed is in line with this policy, the ATC should contact us for advice and support.
- 7.3 There may be Learners who suffer from a particular situation who may require other Access Arrangements which are not listed in this policy. Accordingly, the list of Access Arrangements is not exhaustive. For Access Arrangements that are not referenced in this policy, ATCs must contact us for advice, support and approval via our Reasonable Adjustments and / or Special Considerations application form.
- 7.4 ATCs must keep a record of all Access Arrangements applied through Special Considerations. Evidence of which will be monitored by us via our standard ATC monitoring activities and as described in our ATC Service Level Agreement.
- 7.5 Access Arrangements can be applied to Learners for the following Special Considerations categories:
  - An illness
  - An injury
  - A temporary disability, learning need or medical condition

## 8. Applying Reasonable Adjustments or Special Considerations for Other Assessments (not internal assessment)

- 8.1 For qualifications whereby the assessment is not internal assessment all Reasonable Adjustments or Special Considerations are required to be submitted in advance to us for approval prior to confirming any acceptance with the Learner via our Reasonable Adjustments and / or Special Considerations application form. Further details will be contained in either the Qualification Specification and / or Assessment Strategy. Currently the only qualification this applies to is the Level 3 Swim Coordinator.

## 9. Approved Access Arrangements

Vocational Technical Qualifications award competence against the standards and requirements as stated in the qualification specifications, and/or National Standards and/or an approved assessment strategy. Any Access Arrangement must reflect the normal learning or working practice of a Learner in an ATC or working within the occupational area. Learners may, however, use mechanical, electronic and other aids in order to demonstrate competence. The aids must either be generally commercially available, or available from specialist suppliers, and can feasibly be used in the ATC or on an employers' premises.

**Table 1: Access Arrangements Approved**

The following is a list of Access Arrangements that we approve.

Access Type	Practical Skills	Projects	Knowledge Tasks	Professional Discussions
Physical Environment	All	All	All	All
Personal support worker	1,4,5,6,7,10,11			
Coloured overlays / low vision aids		1,7,11	1,7,11	
Assessment material in an enlarged format or Braille		1,7,11	1,7,11	
British Sign Language (BSL) Interpreter <sup>*/**</sup> Reader <sup>*/**</sup>	6	6	6	6
Assistive software / assistive technology		1,5,6,7,10,11	1,5,6,7,10,11	1,5,6,7,10,11
Electronic submissions		All	All	All
Dictation software that produces a hard copy		1,5,6,7,10,11	1,5,6,7,10,11	1,5,6,7,10,11
Practical Assistant*	3,5,9,10,11			
Prompter*	1,11			
Scribe*		1,5,7,8,10,11	1,5,7,8,10,11	1,5,7,8,10,11
Translator <sup>*/**</sup>	8	8	8	8
Transcriber <sup>*/**</sup>		1,5,7,8,10,11	1,5,7,8,10,11	1,5,7,8,10,11
Extra time	All	All	All	All

\*They must not be the course tutor, assessor, relative, friend or peer to the Learner.

\*\* They must not explain or clarify, they may if requested repeat instructions.

**Table 2: Codes**

1	Cognitive processing such as dyslexia, dyspraxia, visual processing speed, visual perception, literacy, numeracy, verbal reasoning
2	Social communication need such as autistic spectrum condition
3	Long standing illness such as epilepsy, IBS, chronic fatigue, cancer
4	A mental health condition
5	A physical need, such as arthritis, cerebral palsy, wheelchair users
6	Hearing need
7	Visual need
8	English is Second Language
9	A temporary illness
10	A temporary injury
11	A temporary disability, learning need or medical condition

## 10. Queries and Complaints

If any circumstances arise that are not covered within this policy you should contact our Quality and Compliance Team to discuss prior to any agreement with a Learner and any assessment taking place.

Our Complaints Policy is available on our website [www.swimenglandqualifications.com](http://www.swimenglandqualifications.com) via our ATC Secure Site (The Box) or by contacting [qualityassurance@swimenglandqualifications.com](mailto:qualityassurance@swimenglandqualifications.com)

## 11. Appeals

If you wish to appeal against our decision to decline a request for an Access Arrangement for either Reasonable Adjustments or Special Consideration please refer to our Enquiries and Appeals Policy that is available on our website [www.swimenglandqualifications.com](http://www.swimenglandqualifications.com) via our ATC Secure Site (The Box) or by contacting [qualityassurance@swimenglandqualifications.com](mailto:qualityassurance@swimenglandqualifications.com)

## 12. Quality Assurance

- 12.1 This policy supports regulatory conditions; C2; G6; G7.
- 12.2 This policy is reviewed annually to ensure it continues to meet our needs and those of legislation and the Regulators (Ofqual / Qualification Wales).