

Reasonable Adjustments and Special Consideration Policy

Introduction

The Equality Act 2010 requires centres and/or awarding organisations (as the case may be) to make reasonable adjustments where a disabled Learner would be at a substantial disadvantage in undertaking an assessment in comparison to Learners who are not disabled.

Provision of reasonable adjustments and special consideration is concerned with enabling Learners to receive recognition of their achievement so long as the comparability, validity and reliability of the assessment can be assured. These arrangements are not concessions that make assessment easier for Learners, nor advantages to give Learners a head start.

Gateway Qualifications supports the provision of reasonable adjustments and special consideration as part of its access to assessment arrangements and in support of equalities law. These arrangements support Learners with special education needs, disabilities, temporary illness or injury where it does not alter the integrity or demand of the assessment.

This Reasonable Adjustments and Special Consideration Policy (the **Policy**) outlines:

- Gateway Qualifications' commitment to arrangements for making reasonable adjustments and special consideration.
- The responsibilities for ensuring arrangements are considered and applied for according to guidance and procedures for requesting reasonable adjustments and special consideration.

Please note there will be some differences in approach for determining reasonable adjustments and special consideration for different qualification types e.g. vocational qualifications (RQF), Access to HE, and ESOL qualifications.

Both in accordance with equality law and more generally, under no circumstances should the cost of a Reasonable Adjustment or Special Consideration be passed onto or otherwise met by the relevant Learner (or their parent/carer as the case may be).

Scope

This Policy is aimed at Gateway Qualifications' Recognised Centres delivering, regulated qualifications, units or courses and their Learners. It is also for Gateway Qualifications' staff and wider workforce to ensure they deal with all reasonable adjustment and special consideration requests in a consistent manner.

Definition of reasonable adjustment

Reasonable adjustment is defined as:

an adjustment made to an assessment for a qualification so as to enable a disabled Learner to demonstrate his or her knowledge, skills and understanding to the levels of attainment required by the specification for that qualification.

(From Ofqual, *General Conditions of Recognition*)

A Learner does not necessarily have to be disabled (as defined by the Equality Act 2010) to be entitled to reasonable adjustments to assessment under this Policy. Every Learner who is disabled will also not necessarily be entitled to or need an adjustment to assessment. The Learner may have developed coping mechanisms which minimise or remove the need for 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. They are made to an assessment for a qualification to enable a disabled Learner to demonstrate his or her knowledge, skills and understanding of the levels of attainment required by the specification for that qualification.

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 programme. The use of a reasonable adjustment will not be taken into consideration during the assessment of a Learner's work.

Application of Reasonable Adjustments

Gateway Qualifications and its Recognised Centres are only required by law to do what is 'reasonable' in terms of removing disadvantage, and what is reasonable will depend on the individual circumstances, cost implications and the practicality and effectiveness of a proposed adjustment. Other factors, such as the need to maintain competence standards and health and safety, will also be taken into consideration.

An adjustment to an assessment should only be considered where the disability or difficulty experienced places the Learner at a significant disadvantage. Where the difficulty is minor, the Recognised Centre should assist the Learner by offering help with study and assessment skills.

Recognised Centres should also bear in mind that:

- Learners may not need, nor be allowed, the same adjustment for all qualifications;
- Learners may need a single adjustment or a combination of adjustments;
- adjustments to assessments will mostly be needed for assessments which are taken under constrained/examination conditions;
- any adjustment must not invalidate the assessment requirements of the qualification or the requirements of the assessment strategy;
- any adjustment must not give the Learner an unfair advantage or disadvantage;
- any adjustment must reflect the Learner's normal way of working;
- any adjustment must be based on the individual needs of the Learner;
- any adjustment must not compensate the Learner for lack of knowledge, skills or understanding;

- any adjustment must not alter competency standards;
- any adjustment must not compromise health and safety; and
- any adjustment must not place other Learners at a significant disadvantage.

Reasonable adjustments must not affect the integrity of the assessment, but may involve:

- Revising usual assessment arrangements, e.g. allowing a Learner extra time to complete the assessment.
- Adapting assessment materials, e.g. providing materials in Braille.
- Providing assistance during assessment, e.g. using a sign language interpreter or a reader.
- Re-organising the assessment room, e.g. removing adverse visual stimuli for an autistic Learner.
- Changing the type of assessment, e.g. from a written assessment to a spoken assessment.
- Using assistive technology, e.g. using screen reading or voice activated software.
- Providing different coloured backgrounds to screens for onscreen assessments or using different coloured paper for paper-based assessments.
- Allowing different coloured transparencies to help view assessment papers.

A reasonable adjustment is unique to an individual Learner. For an adjustment to be considered reasonable, this will depend on a number of factors which will include, but are not limited to:

- the specific assessment requirements of the qualification
- the type of assessment
- the particular needs and circumstances of the disabled Learner
- the effectiveness of the adjustment
- the cost of the adjustment, and
- the likely impact of the adjustment upon the Learner and other Learners.

An adjustment may not be approved if it:

- involves unreasonable costs to the Recognised Centre, or Gateway Qualifications
- involves unreasonable timeframes, or
- affects the security and integrity of the assessment.

This is because the adjustment is not 'reasonable'.

Reasonable adjustments are approved or set in place before the assessment activity takes place.

Where necessary, Recognised Centres should contact Gateway Qualifications to discuss individual cases.

Reasonable Adjustments for Access to HE

For Access to HE, Recognised Centres must follow their own internal processes to determine what access arrangements and reasonable adjustments are required for their students.

All Access to HE Diploma students are required to complete the selected assessment method, as outlined in the Rules of Combination and/or assessment grid. Where a reasonable adjustment may be needed to support an individual student's needs an alternative assessment may be used for that student, applying the equivalence set out in Gateway Qualifications' guidance on assessment methods, to ensure that the same standard is adhered to.

Recognised Centres must keep a record of where students have been provided with an alternative method of assessment and these must be advised to the Access to HE moderator during their subsequent visit. This ensures that students are not given an unfair advantage or disadvantage in the assessment method issued.

Definition of special consideration

A special consideration is consideration to be given to a Learner who has temporarily experienced an illness or injury, or some other event outside of the Learner's control, which has had, or is reasonably likely to have materially affected the Learner's ability to:

- (a) take an assessment, or
- (b) demonstrate his or her level of attainment in an assessment.

(From Ofqual, *General Conditions of Recognition*)

Application of special considerations

Recognised Centres should always aim to reschedule an assessment for a Learner in the first instance. Applying a special consideration should be a last resort and must not compromise the integrity of an assessment or the reliability and validity of its outcome.

Gateway Qualifications may consider extending the registered cohort end date for the qualification to allow time for assessments to be completed. If, however, a Learner is unable to attend alternative assessment sessions due to specific circumstances, a special consideration may be applicable.

Each request for special consideration will be unique to that Learner or assessment. These guidelines offer some broad principles for the Recognised Centre to follow. Further information should be sought in each case from Gateway Qualifications.

Special consideration should not give the Learner an unfair advantage, neither should its use cause users of the certificate to be misled regarding a Learner's achievements. The Learner's result must reflect their achievement in the assessment and not necessarily their potential ability.

If the application for special consideration is successful, the Learner's performance will be reviewed in the light of available evidence. The effect of the consideration given will depend on the circumstances and reflect the difficulty faced by the Learner. It should be noted that a successful application of special consideration will not necessarily change a Learner's result.

Special considerations may be applied in the following ways:

- in the form of an allowance of marks, where the assessment is mark based. The size of the mark allowance being determined by the timing, nature and extent of illness or other circumstance.
- in the form of an adjustment made to arrangements for accessing an assessment, where the Learner is not disabled, but whose ability has been affected by an injury or illness.

Special considerations may be applied at the time of the assessment, or after the assessment in the case of mark-based adjustments.

Recognised Centres should note that:

- Where an assessment requires the Learner to demonstrate a skill or competence or where criteria have to be fully met, or in the case of qualifications that confer a Licence to Practice, it may not be possible to apply a special consideration.
- In some circumstances, for example for on-demand assessments, it may be more appropriate to offer the Learner an opportunity to take the assessment at a later date.

Eligibility criteria

Please refer to the [Centre Guidance for Reasonable Adjustments and Special Considerations](#) for eligibility criteria.

Process for requesting reasonable adjustments and/or special considerations

Declaring Recognised Centre permitted reasonable adjustments:

Recognised Centres can authorise reasonable adjustments to assessments as detailed in the relevant Qualification Specification. Recognised Centre approved reasonable adjustments must be recorded against the learner registration record.

Applying for Gateway Qualifications permitted reasonable adjustments:

Where the qualification states that reasonable adjustments must be approved by Gateway Qualifications, Recognised Centres will need to apply for adjustments to assessments on behalf of a Learner by completing the [Reasonable Adjustments Request Form](#). A separate application will need to be completed for each Learner.

Requests for reasonable adjustments should be submitted no less than **10 working days** before the assessment. Gateway Qualifications will then aim to respond to requests within 5 working days of receipt. If this is not going to be possible then we will provide you with an estimated response date.

Applying for Gateway Qualifications special consideration:

Recognised Centres need to apply for special consideration using the [Special Consideration Request Form](#). A separate form should normally be completed for each Learner for each qualification. However, in cases where a group of Learners has been disadvantaged by a

particular event (e.g. fire alarm), a single form should be submitted, with a list of Learners affected attached to the form.

Requests for special consideration should be submitted **no later than ten working days before the assessment or as soon as possible after the assessment and not later than five working days** after the assessment. Requests for special consideration may only be accepted after the results of assessment have been released in the following circumstances:

- application has been overlooked at the Recognised Centre and the oversight is confirmed by the Recognised Centre contact;
- 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 onscreen assessments where results are immediately available.

If the application for special consideration is successful, the Learner's performance will be reviewed based on the available evidence. It should be noted that a successful application of special consideration will not necessarily change a Learner's result.

Gateway Qualifications has also provided further guidance for Recognised Centres to aid completing these forms, which is also available within Gateway Qualifications' Centre Guidance for Reasonable Adjustments and Special Considerations (available via the website).

Recognised Centre responsibility

Gateway Qualifications expects its Recognised Centres to have a Fair Access to Assessment Policy in operation, which reflects the following principles:

- Assessment should be a fair test of Learners' knowledge and skills
- Recognise that for some Learners the usual format of assessment may not be suitable and support Reasonable Adjustment or Special Consideration, where applicable.
- Support Learners where qualifications and assessments might otherwise unreasonably bar Learners from participating in taking qualifications or assessments.

Recognised Centres are required to retain any requests or decisions for reasonable adjustments and special considerations, including any supporting evidence and relevant documentation received from Gateway Qualifications, for 3 years. This can be retained in electronic or paper format.

Records must be made available to Gateway Qualifications, its representatives or regulators on request. Gateway Qualifications may request documentation for review as part of ongoing monitoring and quality assurance activities.

Recognised Centre staff involved in the management, delivery, assessment and quality assurance of qualifications must be fully aware of the contents of the Policy and able to inform and advise Learners of any entitlements to Reasonable Adjustments or Special Considerations. During Recognised Centre visits, Gateway Qualifications' External Quality Assurers may check relevant colleagues and Learners are aware of its contents and purpose.

Recognised Centres must read and understand Gateway Qualifications' [Centre Guidance for Reasonable Adjustments and Special Considerations](#) and check the relevant qualification specifications for any more specific guidance.

Where appropriate, Recognised Centres must complete the appropriate request form (available via the website) for Reasonable Adjustments or Special Consideration and provide appropriate supporting evidence where required.

Malpractice

A Recognised Centre should note that failure to comply with the guidance regarding adjustments to assessments set out by Gateway Qualifications has the potential to constitute malpractice and may lead Gateway Qualifications to withhold the Learner's result or revoke their certification. Failure to comply includes any or all of the following, without limitation:

- implementing Gateway Qualifications approved reasonable arrangements without obtaining prior approval from Gateway Qualifications;
- implementing Recognised Centre permitted reasonable adjustments that are not supported by evidence;
- failing to declare Recognised Centre permitted reasonable adjustments to Gateway Qualifications; or
- failing to retain records of reasonable adjustments and special considerations in accordance with Gateway Qualifications' requirements.

Instances of malpractice will be dealt in accordance with the [Malpractice and Maladministration Policy and Procedure](#).

Gateway Qualifications' responsibility

Gateway Qualifications is responsible for making reasonable adjustments for Learners defined as disabled within the meaning of the Equality Act 2010. Also, to ensure that the process of approving reasonable adjustments and special considerations is applied fairly and consistently.

Review arrangements and monitoring

As part of Recognised Centre monitoring activity External Quality Assurers will review the Recognised Centre's procedure for advising on applying, managing and recording Reasonable Adjustments and Special Consideration. The aim is to ensure that Recognised Centres meet the requirements of equality legislation and the qualification specification.

Gateway Qualifications will review this Policy annually and as part of its self-evaluation arrangements, and revise it when necessary in response to customer feedback, findings from internal and external monitoring arrangements, changes in internal practices, actions from the regulatory authorities or other external agencies, or where there may be changes in legislation.

If you would like to provide any views on this Policy, please contact us via the details provided at the end of this document.

Gateway Qualifications' Quality and Standards and Access to HE Committees are responsible for monitoring the effectiveness of the application of this Policy. Summary reports will be submitted to enable the Committees to monitor the application and effectiveness of the Policy and process. An annual summary is also submitted to the Board of Trustees for monitoring and ratification.

Appeals

If you wish to appeal against a decision on a reasonable adjustments or special consideration arrangement that was applied, please refer to the Gateway Qualifications [Appeals Policy and Procedure](#)

Statement

Gateway Qualifications is committed to complying with all current and relevant legislation in relation to the development, delivery, assessment and awarding of Gateway Qualifications of regulated qualifications, units or courses, which at the time of writing includes, but is not limited to the Equality Act 2010. Gateway Qualifications seeks to uphold human rights relating to race relations, disability discrimination and special educational needs of Learners and to provide equal reasonable adjustments and special consideration for all Learners registered on Gateway Qualifications' regulated qualifications or units or courses.

Contact details

If you wish to discuss any aspect of this Policy and/or have a related query, please contact:

Telephone: 01206 911 211
 Email: enquiries@gatewayqualifications.org.uk
 Post: Gateway Qualifications, Gateway House, 6 Tollgate Business Park, COLCHESTER, CO3 8AB

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Ofqual General Conditions of Recognition
Condition G6: Arrangements for Reasonable Adjustments
Condition G7: Arrangements for Special Consideration
Qualifications Wales
Condition G6: Arrangements for Reasonable Adjustments

Condition G7: Arrangements for Special Consideration

QAA licensing criteria

LC 96: The AVA ensures that assessment practices on Access to HE courses:

- a. are consistent with The Access to Higher Education Diploma Specification and grading requirements
- b. maximise the reliability and validity of assessment outcomes