

REASONABLE ADJUSTMENTS & SPECIAL CONSIDERATIONS POLICY

Last updated: 28/04/2020

London School of Learning Skills. would hereafter be referred to as LSLS in this document.

Scope of the Policy

This policy is provided for LSLS customers, including learners and staff members who are using or delivering the courses and qualifications that LSLS offer.

Location of the policy

This policy is available for all staff members, third parties and learners to access. The most up to date version of the policy is available on our website www.londonls.com

Communication of the policy

It is important that staff involved in the management, delivery, assessment and quality assurance of nationally recognised qualifications and learners undertaking these qualifications, are fully aware of the contents of the policy.

Review of the policy

LSLS will review the policy annually and/or revise it as and when required. The review process includes analysis of monitoring data, consultation with and feedback from customers, learners, clients, staff and other stakeholders, changes in practices, actions required by Awarding Organisations or changes in legislation to determine the impact of the policy and any action required. Our review will ensure that our procedures continue to be consistent with the regulatory criteria and are applied properly and fairly in arriving at judgements.

Statement of Principles

LSLS is committed to complying with all current and relevant legislation in relation to the development and delivery of qualifications. LSLS aims to facilitate open, fair and equal access to all qualifications for learners who are eligible for reasonable adjustment and/or special consideration in assessments, without compromising the assessment of the skills, knowledge, understanding or competence being measured. A reasonable adjustment may be required where a learner has a permanent disability or specific learning needs. A special consideration may be required where a learner has a temporary disability, medical condition or learning needs or is indisposed at the time of the assessment. This policy is provided for LSLS centre staff and learners to ensure they deal with all reasonable adjustment and special consideration requests in a consistent manner.

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 during an assessment. This is agreed at the pre-assessment planning stage. Reasonable adjustments must not, however, affect the reliability or validity of assessment outcomes nor must they give the learner an assessment advantage over other learners undertaking the same or similar assessments.

Reasonable adjustments may involve:

- 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 or adapting the assessment method
- Using assistive technology.

LSLS understands that reasonable adjustments must be approved (internally or externally) and set in place prior to assessment commencing. It is an arrangement to give a learner access to a qualification. The work produced following a reasonable adjustment must be assessed in the same way as the work from other learners.

Below are some examples of reasonable adjustment. It is important to note that not all adjustments described below will be reasonable, permissible or practical in particular situations. The learner may not need, nor be allowed the same adjustment for all assessments. Reasonable Adjustments permitted by LSLS may fall into the following categories:

- Changes to assessment conditions
- The use of mechanical and electronic aids
- Modification to the presentation of assessment material
- Alternative ways of presenting responses
- Use of access facilitators

Please note that a reasonable adjustment must never affect the validity or reliability of assessment, influence the outcome of assessment or give the learner(s) in question an unfair assessment advantage. Reasonable adjustments are approved or set in place by the relevant Awarding Organisation before the assessment activity takes place; they constitute an arrangement to give the learner access to the assessment.

Examples of Reasonable Adjustments as defined by the above categories are listed below.

- Allowing extra time, e.g. assignment extensions
- Using a different assessment location
- Use of coloured overlays, low vision aids, etc.
- Use of assistive software
- Assessment material in large format or braille
- Readers/scribes
- Practical assistants/transcribers/promoters
- Assessment material on coloured paper or in audio format
- Language-modified assessment material
- British Sign Language (BSL)
- Use of ICT/responses using electronic devices
- Providing and allowing different coloured transparencies

Applying Reasonable Adjustment

Reasonable adjustments are approved before an assessment and are intended to allow attainment to be demonstrated. A learner does not have to be disabled (as defined by the Equality Act 2010) to qualify for reasonable adjustment; nor will every learner who is disabled be entitled to reasonable adjustment. Allowing reasonable adjustment is dependent upon how it will facilitate access for the learner. A reasonable adjustment is intended to allow access to assessment but can only be granted where the adjustment does not:

- Affect the validity or reliability of the assessment
- Give the learner(s) in question an unfair advantage over other learners taking the same or similar assessment
- Influence the final outcome of the assessment decision

LSLS applies reasonable adjustment in a transparent and unbiased manner. All reasonable adjustments requests must be made via an email/letter. Any necessary medical or other documents must be attached to the email/letter stating the type of disability and the type of support expected. These emails/letters and any supporting documents would be held by LSLS in the learner's digital file and shall be available at all times for scrutiny by the relevant Awarding Organisation, if so requested.

Learners must make relevant staff members aware of any reasonable adjustments they require. Staff members are responsible for applying to the relevant Awarding Organisation for reasonable adjustment requests (when appropriate). All requests must be made following the relevant Awarding Organisation's procedures, 7 days in advance of an assessment being undertaken, as outlined in the relevant Awarding Organisation's reasonable adjustments and special considerations policy.

All reasonable adjustments implemented by LSLS are subject to meeting the requirements of the appropriate assessment strategy and assessment criteria for each qualification and Awarding Organisation.

It is the responsibility of the Centre Manager (Rehan Syed) to ensure that any access arrangement implemented by LSLS on behalf of the learner, is based on firm evidence of a barrier to assessment. For any further clarification that is required in relation to the application of reasonable adjustment, LSLS would contact the applicant by e-mail. For all qualifications that are internally assessed, LSLS will apply to the relevant Awarding Organisation to request to implement a reasonable adjustment, but it must:

- Only make reasonable adjustments that are in line with this policy
- Record all reasonable adjustments made on the appropriate forms
- Keep all forms on the appropriate learner's record
- Make evidence available to the relevant Awarding Organisation as and when required

While assessing achievement, LSLS would ensure that for all internal assessment, achievement is given only for the skills demonstrated by the learner and that reasonable adjustments do not compromise the outcomes of assessment.

Recruitment of learners

LSLS takes measures to ensure that learners have the correct information and advice on their selected qualifications and that the qualifications will meet their needs. The recruitment process shall include LSLS assessing each potential learner and making justifiable and professional judgments about the learner's potential to successfully complete the assessment and achieve the qualification.

Such assessment must identify, where appropriate, the support that will be made available to the learner to facilitate access to the assessment. Where the recruitment process identifies that the learner may not be able to demonstrate attainment and thus gain achievement in all parts of assessment for the selected qualification, this must be communicated clearly to the learner. A learner may still decide to proceed with studying a particular qualification and not be entered for all or part of the assessment.

LSLS ensures that learners are aware of:

- The range of options available, including any reasonable adjustments that may be necessary, to enable the demonstration of attainment across all required assessment; and
- Any restrictions on progression routes to the learner as a result of not achieving certain outcomes

Definition of Special Considerations

Special consideration can be applied after an assessment, if there was a reason the learner may have been disadvantaged during the assessment. This is a post-assessment allowance to reflect temporary illness, injury or indisposition that occurred at the time of assessment. Any special consideration granted cannot remove the difficulty the learner faced at the time of assessment and can only be a relatively small adjustment to ensure that the integrity of the assessment is not compromised. Special consideration cannot apply to “license to practice” units within a qualification, or to “license to practice” qualifications.

Any requests to the relevant Awarding Organisation for Special Considerations must be made by a relevant staff member within 5 days of the assessment taking place, as outlined in the relevant Awarding Organisation’s reasonable adjustments and special considerations policy.

For example, special consideration could apply to a learner who had temporarily experienced:

- an illness or injury
- some other event outside of their control

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. All documents relating to reasonable adjustments and special considerations must be saved and stored securely in the centre. The relevant Awarding Organisation must be given access to any information or documents regarding any appeals, when requested.

Special Educational Needs

LSLS staff members should note that a Statement of Special Educational Needs (SEN) does not automatically qualify the learner for reasonable adjustment to assessment, as the SEN statement may not contain a recent assessment of the needs; and the reasonable adjustment may compromise assessment.

Inappropriate use of Reasonable Adjustment

LSLS understands that if they misuse the reasonable adjustment policy, then the relevant Awarding Organisation will take appropriate action. Such action will range from advice and action for the centre through to the implementation of steps to manage assessment malpractice; this could ultimately lead to the recall of certificates, removal of qualification approval or removal of centre approval.

Special Considerations

A special consideration is consideration given following a period of assessment for a learner who:

- Was prepared for and present at an assessment but who may have been disadvantaged by temporary illness, injury or adverse circumstances that have arisen at or near to the time of assessment

- Misses part of the assessment due to circumstances outside their control

It is important to note that it may not be possible to apply special consideration in instances where:

- Assessment requires the demonstration of practical competence
- Criteria have to be met fully
- Units/qualifications confer license to practice

Where assessment is in the form of an on-demand assessment, such as electronic tests set and marked by computer, then it is probably more appropriate to offer the learner an opportunity to take the assessment at a later date.

A special consideration cannot give the learner an unfair advantage, nor must its use cause the user of a certificate to be misled regarding a learner's achievement. The learner's results must reflect real achievement in assessment and not potential ability. To this end, special considerations can only be a small post-assessment adjustment to the mark or outcome.

The awarding organisation's decision will be based on various factors, which may vary from learner to learner, and from one subject to another. These factors may include the severity of the circumstances, the date of the assessment, the nature of the assessment (e.g. practical, oral presentation, etc.).

A learner who is fully prepared and present for a scheduled assessment may be eligible for special consideration if:

- Performance in an assessment is affected by circumstances beyond the control of the learner, e.g. recent personal illness, accident, bereavement, serious disturbance during the assessment
- Alternative assessment arrangements which were agreed in advance of the assessment proved inappropriate or inadequate
- Part of an assessment has been missed due to circumstances beyond the control of the learner

A learner will not be eligible for special consideration if:

- No evidence is supplied by the centre that the learner has been affected at the time of the assessment by a particular condition
- Any part of the assessment is missed due to personal arrangements including holidays or unauthorised absence
- Preparation for a component is affected by difficulties during the course, e.g. disturbances through building work, lack of proper facilities, changes in or shortages of staff, or industrial disputes

The following are examples of circumstances which might be eligible for special consideration (this list is not exhaustive):

- Terminal illness of the learner
- Terminal illness of a parent
- Recent bereavement of a member of the immediate family
- Serious and disruptive domestic crises leading to acute anxiety about the family
- Incapacitating illness of the learner
- Severe car accident
- Recent traumatic experience such as death of a close friend or distant relative
- Flare-up of severe congenital conditions such as epilepsy, diabetes, severe asthmatic attack, etc.

- Recent domestic crisis
- Recent physical assault trauma
- Broken limb on the mend

Unlike reasonable adjustment, there are no circumstances whereby LSLS can apply its own special consideration. Applications must be made to the relevant Awarding Organisation.

Applying for Special Consideration

LSLS would put arrangements in place to enable a learner, in extenuating circumstances, to complete assessment and thus achieve the qualification. Only when this is unsuccessful should an application for special consideration be made. All applications for special consideration can only be made on a case-by-case basis and thus separate applications must be made for each learner. The only exception to this is where a group of learners has been affected by a similar circumstance such as a fire alarm during an assessment; in this case a group application is permissible. In this situation, however, a list of learners affected should be attached to the application.

Applications for special consideration should be submitted to the relevant Awarding Organisation along with:

- Application Form
- The learner's report
- Evidence to support the application such as a medical certificate, a doctor's letter, a statement from the invigilator (if relevant), or any other appropriate information

The Centre Manager (Rehan Syed) shall authorise all applications for special consideration. Applications must be submitted to the awarding organisation within 7 days of the assessment having taken place. Following receipt, the relevant Awarding Organisation will usually give a decision within a further 10 working days. Where a case is complex, the relevant Awarding Organisation will usually inform LSLS if a decision cannot be made within the time scale specified.

During the processing of an application, the relevant Awarding Organisation will only liaise with LSLS who are considered to be acting on the learner's behalf and not with the learner or their designated third-party. It is important to note that special consideration applications will not be considered where learner achievement has been claimed and certificated.

Lost or Damaged Work

When a learner's work has been lost or damaged, the relevant Awarding Organisation may consider accepting a grade for which there is no available evidence. In all cases, LSLS shall be able to verify that the work was done and that it was monitored whilst it was in progress.

Right to appeal

If LSLS fails to agree with the relevant Awarding Organisation decision made in respect of this policy, then the centre has the right of appeal. Upon receipt of an appeal, the relevant Awarding Organisation will usually acknowledge receipt within 2 working days and adjudicate within a further 10 working days.