

Reasonable Adjustments and Special Consideration Policy

Version 1.0

1. Purpose/Scope

- 1.1** Law Training Centre's online by design approach to education means that it is open for anyone, whatever their background, personal situation or physical ability.
- 1.2** Learners who study with Law Training Centre are responsible for their own hardware – computers, laptops and printers. As such, this policy cannot cover their own personal hardware. As a virtual training provider, learners do not have access to a business property. Law Training Centre has a duty to ensure its virtual learning environment (Moodle) and other online resources are accessible for learners with a disability.
- 1.3** Throughout this document the word disability will be used to describe learners with a disability under the Equality Act (2010) this includes:
- Learners with long term physical and mental health conditions
 - Learners with sensory and or physical impairments
 - Learners with neuro-diversities such as dyslexia, dyspraxia, ASC, ADHD
- 1.4** Law Training Centre aims to facilitate open access to all qualifications for learners who are eligible for reasonable adjustments and/or special consideration in their assessments, without compromising the assessment of the skills, knowledge, understanding or competence being measured. This will be achieved through:
- **Reasonable Adjustments**
This is agreed at the pre-assessment planning stage and any action that helps to reduce the effect of a disability or difficulty, which places the learner at a substantial disadvantage in the assessment situation. 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. Law Training Centre may have learners who have specific disabilities where reasonable adjustments may need to be made, in particular for assessments, and this policy also sets out what those adjustments may be.
 - **Special Consideration**
This is a post-assessment allowance to reflect temporary illness, injury or indisposition that occurred at the time of the assessment.
- 1.5** The Director of Education (or a designated nominee) has the responsibility for authorising applications for reasonable adjustments and special consideration that have been determined by the Concessionary Review Group.

2. Reasonable Adjustments

2.1 Identifying reasonable adjustments

- 2.1.1** A reasonable adjustment helps to reduce the effect of a disability or difficulty that places the learner at a substantial disadvantage in the assessment situation.
- 2.1.2** A learner does not have to be disabled (as defined by the DDA) to qualify for reasonable adjustment; nor will every learner who is disabled be entitled to reasonable adjustments.
- 2.1.3** A Statement of Special Educational Needs (SEN) does not automatically qualify the learner for reasonable adjustments for the assessment.

- 2.1.4** Reasonable adjustments must not affect the validity or reliability of assessment outcomes, but may involve one or more of the following:
- Changing the usual assessment arrangements;
 - Adapting the assessment materials;
 - Providing assistance during the assessment;
 - Re-organising the physical environment for the assessment;
 - Changing or adapting the assessment method;
 - Using assistive technology.
- 2.1.5** Reasonable adjustments must be approved by Law Training Centre and set in place prior to the assessment commencing.
- 2.1.6** The assessment submitted by the learner following a reasonable adjustment will be marked and assessed in the usual way.
- 2.1.7** Below are examples of reasonable adjustments. Importantly, not all adjustments described below will be deemed reasonable, permissible or practical in all situations. The learner may not need, nor be allowed the same adjustment for all assessments.
- Allowing extra time
 - Use of low vision aids
 - Use of assistive software
 - Assessment material in large format
 - Readers/scribes;
 - Practical assistants
 - Assessment material in audio format;
 - Use of ICT/responses using electronic devices.
 - Use of a different assessment location
- 2.1.8** A reasonable adjustment must never affect the validity or reliability of the assessment, influence the outcome of the assessment or give the learner an unfair assessment advantage.

2.2 Procedure on enrolment

- 2.2.1** Law Training Centre takes measures to ensure that learners have the correct information and advice on their selected qualifications and that the qualifications will meet their needs. Once a learner informs Law Training Centre and provides evidence requiring reasonable adjustments, Law Training Centre will make such adjustment, in accordance with professional guidance.
- 2.2.2** Law Training Centre's enrolment process includes an assessment of each potential learner.
- Learners will declare on the enrolment form that they require a reasonable adjustment for assessments, course access, or both.
 - Student Services will send the reasonable adjustment form to the learner to complete and return along with supporting evidence.
 - The Concessionary Review Group will review the request, and the learner will receive a response within 10-working days.
- 2.2.3** All reasonable adjustments made must be recorded using the reasonable adjustment form. Once completed, the form is held in the learner's file and shall be available at all times for scrutiny by the relevant awarding body, if requested.
- 2.2.4** If further clarification is required in relation to the application of a reasonable adjustment, Law Training Centre will contact the applicant by e-mail.

2.3 Subsequent requests

- 2.3.1** Law Training Centre requests a declaration from learners on enrolment to ensure that learners are provided with any reasonable adjustments required throughout their learning journey on their chosen course. Learners, however, have the right to request a reasonable adjustment at any stage of their course access to apply to their future study or assessments, in particular to align with any developing needs.

- 2.3.2** The procedure to follow for requests made after enrolment is:
- A learner should request a reasonable adjustment form from the student services team.
 - Student Services will send the reasonable adjustment form to the learner to complete and return along with supporting evidence.
 - The Concessionary Review Group will review the request, and the learner will receive a response within 10-working days.

2.4 Determination

- 2.4.1** Law Training Centre applies reasonable adjustments in a transparent and unbiased manner. Justifiable and professional judgements are made about the learner's potential to successfully complete the assessment and achieve the qualification. Such decisions must identify, where appropriate, the support that will be made available to the learner to facilitate access to the assessment.
- 2.4.2** Where the enrolment process identifies that the learner may not be able to demonstrate attainment and thus gain achievement in all parts of the assessment for the selected qualification, this must be communicated clearly to the learner, ensuring 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 assessments;
- and**
- Any restrictions on progression routes for the learner as a result of not achieving certain outcomes.
- 2.4.3** All reasonable adjustments implemented by Law Training Centre are subject to meeting the requirements of the appropriate assessment strategy and assessment criteria for the qualification and awarding body.
- 2.4.4** Allowing a 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.
- 2.4.5** It is the responsibility of the Director of Education (or designated nominee) to ensure that any access arrangement implemented by Law Training Centre on behalf of the learner, are based on firm evidence of a barrier to assessment.
- 2.4.6** For all qualifications that are internally assessed, Law Training Centre will apply to the Awarding Body to request to implement a reasonable adjustment as required by the relevant policy, and 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 forms available to the Awarding Body as required
- 2.4.7** If Law Training Centre misuses the reasonable adjustment policy, then the Awarding Body will take appropriate action. Such action will range from advice and action for Law Training Centre to take, 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 Law Training Centre's authorisation.

3. Special Consideration

3.1 What is special consideration?

- 3.1.1** 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

- 3.1.2** It is important to note that it may not be possible to apply special consideration in instances where:
- The assessment requires the demonstration of practical competence
 - The mandatory assessment criteria was not met
- 3.1.3** A special consideration cannot give the learner an unfair advantage. The learner's results must reflect real achievement in the assessment and not potential ability. To this end, special considerations can only be a small post-assessment adjustment to the mark or outcome. Any special consideration granted must be a minor adjustment (usually a maximum of 3% of the marks available for the assessment, and in exceptional circumstances 5%), as to do more would jeopardise the standard of the assessment.
- 3.1.4** 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
 - Reasonable adjustments 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
- 3.1.5** The following are examples of circumstances where a learner **may be eligible** for special consideration by circumstances beyond the control of the learner (this list is not exhaustive):
- Acute serious illness during the assessment
 - Flare up of an auto-immune condition during the assessment
 - Illness related to existing conditions during the assessment
 - Acute anxiety during the assessment
 - Unforeseen technical issues outside the learners control (eg local internet or power failure)
 - Unforeseen safety concerns (eg fire alarm)
- 3.1.6** A learner will **not be eligible** for special consideration if:
- No reasonable evidence is supplied to support the application for special consideration
 - The assessment was missed due to holidays or unauthorised absence
 - The learner was not prepared for the assessment due to difficulties during the course
- 3.1.7** The following are examples of circumstances which might be eligible for special consideration (this list is not exhaustive):
- terminal illness of the learner
 - recent bereavement of a member of the immediate family
 - serious and disruptive domestic crises leading to acute anxiety about the family
 - flare-up of severe health conditions such as epilepsy, diabetes, severe asthmatic attack
 - recent domestic crisis
 - recent physical assault
- 3.1.8** Law Training Centre would put arrangements in place to enable a learner, in extenuating circumstances, to complete the assessment and thus achieve the qualification. Only when this is unsuccessful should an application for special consideration be made.

3.2 Procedure

- 3.2.1** 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.
- Learners must email exams@ltckent.co.uk within 7 days of their exam
 - The exams team will send the special consideration form over to be completed and returned along with any relevant supporting evidence. The form should be submitted within 7 days. If the evidence is not available an estimated date for receipt should be referred to on the form
 - This will be considered by the Concessionary Review Group once the form and evidence has been received
 - The learner will receive a response within 10 working days of the form and evidence being received
- 3.2.2** The evidence to support the application must be provided, eg, a medical certificate, a doctor's letter, or any other appropriate information.

3.2.3 The application will not be considered by the Concessionary Review Group until the evidence is provided unless in the circumstances it is not reasonably practicable for any evidence to be provided.

3.3 Determination

3.3.1 Law Training Centre's decision will be based on various factors including the severity of the circumstances, the date of the assessment and the format of the assessment.

3.3.2 The outcome of a special consideration request may be:

- a mark adjustment (usually a maximum of 3% of the marks available for the assessment, and in exceptional circumstances 5%)
- the rearrangement of an assessment at no extra charge as soon as reasonably practicable
- rejection of the application

3.3.3 The Director of Education (or a designated nominee) has the responsibility for authorising applications for reasonable adjustments and special consideration that have been determined by the Concessionary Review Group.

3.3.4 Applications for special consideration should be submitted to the Awarding Body as required by the relevant policy.

4. Complying with the Policy

4.1 Law Training Centre understands that failure to comply with the requirements contained within this policy document could lead to the integrity of the qualification being compromised.

4.2 Failure to comply is defined as any or all of the following:

- Agreeing reasonable adjustments or special consideration that are not supported by evidence
- Failing to maintain records for all applications and decisions
- Failing to report reasonable adjustments or special considerations when requested to do so by the awarding body
- Implementing reasonable adjustments that affect the validity and reliability of the assessment, compromise the outcomes of the assessment, or gives the learner an unfair assessment advantage over other learners undertaking the same or similar assessment
- Awarding special consideration in circumstances where procedure has not been followed