

# Reasonable Adjustments and Special Consideration Policy (EPA)

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# Reasonable Adjustments and Special Considerations Policy



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## 1. Introduction

This guidance aims support Smart Awards as an End-Point Assessment Organisations (EPAO) to provide reasonable adjustments within the end-point assessment process for apprentices with additional support needs. The matrix, based on the Higher Education Statistical Authority's (HESA) disability grouping framework, will help support Smart Awards in making appropriate and consistent judgements and provide a valid, reliable and manageable approach to supporting apprentices.

A reasonable adjustment is an alteration that would enable a disabled person or someone who may experience difficulty to carry out activities without being at a disadvantage compared to others. Under the Equality Act 2010, there is a legal duty to make reasonable adjustments for disabled people.

Special consideration is consideration to be given to an apprentice who has temporarily experienced; An illness or injury or some other event outside of the apprentice control, which has had, or is reasonably likely to have had, a material effect on that apprentice ability to take an assessment or demonstrate his or her level of attainment in an assessment.

## 2. Reasonable Adjustments Policy Statement

A reasonable adjustment relates to an adjustment that helps to reduce the effect of a disability or a physical or mental health condition, which may place the apprentice at a disadvantage compared to others.

Employers, training providers and Smart Awards must make reasonable adjustments to ensure apprentices with disabilities or physical or mental health conditions aren't substantially disadvantaged during training, assessment or when doing their jobs. This is a required duty as part of the Equality Act 2010.

During the end-point assessment the types of adjustments offered may include, but aren't limited to, changes to elements such as:

- the location and timing of the assessment
- the format, wording or type of assessment activity
- the availability of support personnel for additional needs
- the availability of adaptive software or hardware, or specialist equipment

These adjustments should mirror the types of reasonable adjustments and additional support that the apprentice has received from their employer and/or training provider during their apprenticeship programme.

It is important that reasonable adjustments do not affect the reliability or validity of assessment and they should not give the apprentice an advantage over other apprentices undertaking the same assessment.

We will endeavor to accommodate the needs of apprentices with a particular assessment requirement, according to individual circumstances, ensuring such apprentices are not disadvantaged in relation to other apprentices and that achievements accurately reflect apprentice attainment.

We will give every consideration to requested extra time, ensuring that there are no unnecessary barriers to the assessment and apprentice attainment. However, all requests will be considered on the information received. Requests for extra time which do not meet the Reasonable Adjustments Policy will be declined.

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In addition to this, Smart Awards will support apprentices by ensuring that:

- The reasonable adjustments provide apprentices with the opportunity to demonstrate attainment against occupational competence;
- The assessment is reliable, and any person using the apprenticeship certificate to identify an individual's competence can have confidence in their skills and abilities;
- The assessment process is rigorous and fair, and the assessment activity is valid;
- The assessment is practically able to operate within available resources, following the application of any reasonable adjustments;
- Facilities and time allow apprentices to use any commercially available mechanical, electronic or other aids in order to demonstrate achievement so long as they reflect the apprentice's normal ways of working and do not give the apprentice an unfair advantage.

## 3. Smart Awards Responsibility

Smart Awards is principally responsible for making reasonable adjustments for an apprentice defined as disabled within the meaning of the Equality Act 2010. Secondly, to ensure that the process of approving reasonable adjustments and special considerations is applied fairly and consistently.

## 4. Definition of Reasonable Adjustments

A reasonable adjustment is any action that helps to reduce the effect of a disability or difficulty that places the apprentice at a substantial disadvantage in the assessment situation. They are made to an assessment to enable a disabled apprentice to demonstrate his or her knowledge, skills and understanding of the levels of attainment required by the specification for that qualification.

Reasonable adjustments must not affect the integrity of what needs to be assessed, but may involve;

- Changing usual assessment arrangements, for example allowing an apprentice 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 reader
- Re-organising the assessment room, such as removing visual stimuli for an autistic apprentice
- Changing the assessment method, for example from a written assessment to a spoken assessment
- Using assistive technology, such as screen reading, or voice activate software
- Providing the mechanism to have different coloured backgrounds to screens for onscreen assessments or asking for permission for copying to different coloured paper for paper-based assessments
- Providing and allowing different coloured transparencies with which to view assessment papers.

Reasonable adjustments are approved or set in place before the assessment activity takes place; they constitute an arrangement to give the apprentice access to the qualification/assessment. The use of a reasonable adjustment will not be taken into consideration during the assessment of an apprentice's work.

Smart Awards are only required by law to do what is 'reasonable' in terms of giving access. What is reasonable will depend on the individual circumstances, cost implications and the practicality and effectiveness of the adjustment. Other factors, such as the need to maintain competence standards and health and safety, will also be taken into consideration.

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## 5. Putting Reasonable Adjustments in Place

Smart Awards matrix will support in applying appropriate and consistent judgements and is based around the Higher Education Statistical Authority's (HESA) disability grouping framework. Each of these difficulties/disabilities have then been overlaid with the listed assessment methods to ensure the most suitable adjustments are applied for each situation and for each assessment method determined in the end-point assessment plan without changing the demands of the assessment.

These are recommendations only, and it is essential to use this matrix from an apprentice centred perspective on a case-by-case basis. Each assessment will be subject to some variance due to job role, employment context and apprentice support needs, and should be adapted as necessary. The support need for a particular person will be unique to that individual and may not be listed as a need in the relevant category in the disability grouping framework, so flexibility is required. It is also important to remember that appropriate adjustments are likely to be a continuation of the additional support that the apprentice has received during their apprenticeship.

Employers and training providers should work collaboratively with the apprentice and Smart Awards to determine the appropriate reasonable adjustment. They are advised to seek clarification from Smart Awards in any case where they consider that they do not have the necessary expertise to judge whether a reasonable adjustment is required.

The outcome produced by the apprentice must at all times:

- meet the requirements of the occupational standard regardless of the process or methods used;
- be as rigorously assessed as outcomes generated by other apprentices;
- be assessable;
- be a valid measure of occupational competence; and
- be able to be moderated or verified.

It is not necessary to obtain approval from the ESFA prior to putting reasonable adjustments into place for an apprentice.

## 6. Applying to Smart Awards for flexibilities

This process should begin as soon as the employer is aware that the apprentice is likely to need to access reasonable adjustments for the end-point assessment.

In all cases, the employer, with input from the training provider and the apprentice, must apply to Smart Awards for reasonable adjustments to be applied to the end-point assessment. Evidence of the difficulty/disability will be required to support the application, along with evidence of any existing adjustments or additional support provided by the employer or training provider. These should also be kept for any future audit.

The employer/training provider will complete Smart Awards reasonable adjustments application form and return to Smart Awards who will aim to confirm a decision regarding reasonable adjustments within 21 working days of acknowledging the request.

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## 7. Principles

- A risk assessment must be carried out to ensure health and safety is not compromised by setting reasonable adjustment
- Adjustments to the assessment should not invalidate the assessment requirements
- A reasonable adjustment must be in place before the assessment takes place
- A reasonable adjustment must not give the apprentice an unfair advantage
- A reasonable adjustment must reflect the apprentice's normal way of working
- Adjustments should be based on the individual needs of the apprentice
- Adjustments should not compensate the apprentice for lack of knowledge and skills
- Any adjustments must be supported by evidence
- All reasonable adjustments must be recorded.
- Types of Reasonable Adjustments - Different types of assessment make different demands on the apprentice and will influence whether reasonable adjustments will be needed and the kind of reasonable adjustment which may be put in place.
- The adjustments that are appropriate for a particular assessment will depend upon: The specific assessment requirements of the assessment; Type of assessment; The particular needs and circumstances of the individual apprentice.

## 8. Rejecting reasonable adjustment applications

Smart Awards may only reject applications for a reasonable adjustment in circumstances where:

- Any adjustment may create a serious loss of validity or independence within the assessment process.
- Any adjustment may constitute a serious safety hazard that cannot be reasonably

Smart Awards is required to keep a record of any reasonable adjustment applications, the decisions they have made regarding these applications, the reasons for making any changes and any appropriate evidence behind the decision. All reasonable adjustments must also be recorded on the apprentice's registration. Any records pertaining to the implementation of and/or rejection of reasonable adjustments records should be retained and be made available to EQA Providers when requested.

## 9. Funding

During the apprenticeship the employer and training provider must make reasonable adjustments to ensure any apprentice with a disability or physical or mental health condition is not at a disadvantage compared to their peers. To do this they may be eligible for additional support through DWP Access to Work funding, which provides support with everyday employment difficulties that are not directly associated with the apprenticeship programme, or the ESFA Additional Learning Support (ALS), which is available to fund apprentices who require extra support to meet the learning goals of their apprenticeship.

In many cases reasonable adjustments will be put in place and funded by Smart Awards, as they are classified as an eligible cost that should be reflected in the price negotiated between the employer and Smart Awards.

In some circumstances, there may be some substantial additional costs associated with providing reasonable adjustments during the end-point assessment process. These should be agreed between the employer, training provider, apprentice and Smart Awards in advance to ensure that they are appropriate and

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proportionate. These may be funded through ALS if they meet the criteria of additional support that enables the apprentice to demonstrate how the apprentice meets the occupational competency requirements.

The funding should be claimed by the training provider through the ILR using the standard ALS process and must be evidenced in the same way and to the same standard. These records must be kept for audit purposes. Funding found to be claimed for unnecessary or inadequately evidenced support may potentially need to be repaid to the ESFA.

## 10. Health and Safety considerations for practical assessments

There are no circumstances when the health and safety of an apprentice should be compromised in the name of assessment. In a practical activity, if there is a concern that the effects of a person's disability or difficulty may have health and safety implications for him/herself and for others, a suitably qualified person should carry out a risk assessment related to the apprentice particular circumstances.

The risk assessment should identify the risks associated with the particular activity, but should also take account of any reasonable adjustments put in place for the apprentice which may remove or reduce the risk. The risk assessment may reveal that it is not possible for the apprentice to fulfil all the requirements of the assessment. In this case it may be appropriate to substitute another task. Smart Awards will review individual cases where further clarification is necessary. Assumptions should not be made about a disability or difficulty posing a health and safety risk but the health and safety of all apprentices and others must always be of paramount importance.

## 11. Assessments

With practical assessments, there is greater flexibility to be responsive to an individual apprentice needs and choose an assessment activity and method that will allow the apprentice to demonstrate attainment.

It is advised to adopt a flexible approach in identifying alternative ways or achieving the assessment requirements. Smart Awards will discuss alternative arrangements that may be appropriate for specific situations. The outcome produced by the apprentice must at all times;

- Meet the requirements of the specifications regardless of the process or method used
- Be assessable
- Be able to be moderated or verified.

In the case of long-term illness of an individual apprentice or when a permanent health condition/disability means an apprentice completion of assessment takes additional time it may be possible to permit an extension to the deadline.

Where apprentices are required to compile a portfolio of evidence which can consist of a mixture of work products, observations reports, witness statements, knowledge test, etc. Making appropriate access arrangements of this type can be more straight-forward where the mode of assessment is more firmly fixed.

The benefits of being able to vary the assessment evidence and choose the most appropriate method of obtaining evidence should be considered when the apprentice is first accepted onto a programme.

Where there is an identified need, the apprentice may present their evidence in any format as long as it enables them to demonstrate that they have met the specified assessment criteria. For example, an

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apprentice may present their evidence through the medium of Braille, on audio cassette or on video. Alternatively, oral questioning or witness statements may replace written responses.

Where evidence is produced in Braille or signed onto video, the assessor must ensure that a person who is suitably qualified in Braille or sign language is available to translate the material.

Where the apprentice uses alternative means of providing evidence, the method must have equal rigour to those used to other apprentices.

The apprentice must fulfil the demands of the criteria, regardless of method used to obtain the evidence. The assessment criteria may not be amended, re-worded or omitted.

The apprentice may use any mechanical or electronic aids which are available in the workplace or which are commercially available in order to demonstrate competence. For example, these may include specially adapted equipment or assistive technology.

Smart Awards will provide the necessary resources to enable an apprentice with access-related needs to produce evidence of developing the portfolio.

All adjustments should be consistent with the apprentice's normal way of working and must not give the apprentice an unfair advantage over others.

While assessors, prefer to see a portfolio made up of evidence which is varied, Smart Awards will be prepared to accept a more restricted variety of evidence as a means of enabling access. It is sensible, however, for the apprentice/employer/training provider to discuss this matter at an early stage. The apprentice must achieve all the required criteria to pass the apprenticeship.

Any Reasonable Adjustment will be based on Apprentice Needs; Examples may Include:

- Communication and interaction needs - A apprentice may have problems with reading and writing, the effects could be reduced through the use of a reader, word processor, and interpreter. apprentices may also benefit from extra time
- Cognition and learning needs - Apprentices may benefit from extra time and assistance with reading and writing
- Sensory and physical needs - A apprentice may need to have their training/assessment /materials modified for hearing or visual impairment Behavioral, emotional and social needs - apprentice may benefit from 1:1 supervision
- English as an additional language - A apprentice may benefit from extra time and or an interpreter.
- Extra time - the amount of extra time should accurately reflect the extent to which the task can be completed, unlimited extra time is not allowed. Extra time will not be allowed in practical activities where the timing is a crucial element of the assessment. Extra time for online assessments may have to be customised.
- Supervised rest breaks - the duration of the breaks will not be deducted from the assessment time
- Change in the assessment room
- Visually impaired apprentices may benefit from sitting near a window so that they have good lightning.
- Deaf apprentices may benefit from sitting near the front of the room.

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- Some apprentices may benefit from using chairs with arm rests or adjustable heights.
- Autistic apprentices may benefit from having visual/noise distractions removed from the assessment room
- Modifications to materials
- Enlargements of paper-based materials or assessments may be used. Assessment materials and assessments may be provided in braille.
- Language modification - a apprentice can sign full responses in British Sign Language BSL. Interpreters may be used where English is used as an additional language
- Reader - a reader is a person who, when requested, will read to the apprentice all or part of the assessment material. The reader should read only as requested by the apprentice and read accurately and not advise the apprentice regarding the choice of assessment questions.
- Scribe – a scribe is a person who writes down an apprentice’s dictated response. A scribe must be given clear instructions and should immediately refer any problems in communication during qualification or assessment questions
- Practical assistant - a practical assistant is a person who, during the assessment, carries out practical tasks at the instruction of the apprentice. Examples of the kinds of tasks which a practical assistant may assist are turning the pages on a workbook or question paper. A practical assistant would not undertake any practical skills on behalf of the apprentice
- Transcriber - a transcriber may be used where the apprentice’s handwriting is illegible, and the apprentice is unable to use computer or the apprentices’ response is in braille or BSL.

## 12. Appeals

If an apprentice, for any reason, considers that they have been wrongly refused access to fair assessment and wishes to appeal, they should follow Smart Awards appeals policy and procedure. If an employer for any reason, considers that their apprentice(s) have been wrongly refused access to fair assessment and wish to appeal, they should follow Smart Awards appeals policy and procedure.

## 13. Definition of Special Consideration

Each request for special consideration will be unique to that apprentice or assessment. These guidelines offer some broad principles to follow. Further information should be sought in each case from Smart Awards. Special consideration can be applied after an assessment if there was a reason the apprentice may have been disadvantaged during the assessment.

Special consideration may be given following a scheduled assessment to an apprentice;

- Is present for the assessment but who may have been disadvantaged by temporary illness, injury or adverse circumstances which arose at or near the time of assessment
- Misses part of the assessment due to circumstances outside their control
- Where an assessment required the apprentice to demonstrate practical competence or where criteria must be fully met

Special consideration should not give the apprentice an unfair advantage, neither should its use cause the user of the certificate to be misled regarding an apprentice’s achievements. The apprentice results must reflect his/her achievement in the assessment and not necessarily his/her potential ability.



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

## 14. Eligibility Criteria

An apprentice 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 apprentice example 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 apprentice
- There is sufficient difference between the part of the assessment to which special consideration is applied and other parts of the assessment that have been achieved to infer that the apprentice could have performed more successfully in the assessment.

An Apprentice will not be eligible for special consideration if:

- No evidence is supplied 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, example disturbances through building work, lack of proper facilities, changes in or shortages of staff, or industrial disputes.

## 15. Applying for special consideration

Applying for special consideration is by using the form supplied by Smart Awards. A separate form should normally be completed for each apprentice. However, in cases where a group of apprentices has been disadvantaged by a particular event (example, fire alarm) a single form should be submitted. A list of apprentices affected should be attached to the form.

The apprentice needs to submit evidence in support of special consideration. This may include medical evidence or a statement from the employer/training provider or any other appropriate information.

The application should be signed and dated by the apprentice. The signatory must declare that the information given is accurate. The application for special consideration should be submitted as soon as possible.

Where medical evidence comes to light about an apprentice's condition, which demonstrates that the apprentice must have been affected by the condition at the time of the assessment, if the application for special consideration is successful, the apprentice's performance will be reviewed in the light of available evidence. It should be noted that a successful application of special consideration will not necessarily change an apprentice's result.

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## 16. Malpractice

Failure to comply with the guidance regarding adjustments to assessments set out by Smart Awards has the potential to constitute malpractice and may lead the Smart Awards to withhold the Apprentice's results.

Failure to comply is defines any or all of the following;

- Putting in place arrangements without seeking prior approval from Smart Awards
- Exceeding the allowances agreed with Smart Awards
- Failing to maintain records of reasonable adjustments and special considerations for audit
- Failing to report delegated adjustments to Smart Awards, where this is required.

## 17. Timescales

The Smart Awards Reasonable Adjustment form must be completed and submitted to apply for approval no later than 10 days before the end point assessment date.

## 18. Reasonable adjustment matrix

1	No known disability
2	Cognitive processing needs such as dyslexia, dyspraxia; a need in executive function, visual processing speed, visual perception, literacy, numeracy, verbal reasoning, verbal memory, nonverbal memory
3	Social/ communication need such autistic spectrum condition
4	Long standing illness such as cancer, epilepsy, Crohn's, IBS, Chronic Fatigue
5	A mental health condition
6	A physical need such as crutches or wheelchair user, arthritis, paraplegia, quadriplegia, cerebral palsy
7	Hearing need
8	Visual need

Assessment Method Reasonable Adjustment	Observation	Practical Skills Test	Test	Project	Presentation	Professional Discussion
Extra Time	2,3,4,5,6,7,8	2,3,4,5,6,7,8	2,3,4,5,6,7,8	2,3,4,5	2,3,4,5,7	2,3,5,6,7
Scribe			2,6,8			
Reader			2,8			
Personal support worker in attendance	2,5,6,8	2,5,6,8	2,5,8	2,5,8	2,5,6,8	2,5,8
Timed rest breaks	2,4,5,6,7,8	2,4,5,6,7,8	2,4,5,6,7,8	2,4,5,6,7,8	2,4,5,6,7,8	2,4,5,6,7,8
Bathroom breaks	4,6	4,6	4,6	4,6	4,6	4,6
Voice explanation	2,8	2,8				
BSL interpreter + extra time	7	7	7	7	7	7

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Assessment Method Reasonable Adjustment	Observation	Practical Skills Test	Test	Project	Presentation	Professional Discussion
Assistive technology – voice recognition			2,4,6			
Assistive technology – screenreader			8			
Assistive technology – text to speech			2,4			
Flexibility with location				3,4,5,6	3,4,5,6	3,4,5,6
Flexibility of time of assessment	4	4	4	4	4	4
Flexibility within the method of assessment		6	3,4,5,6	3,4,5,6	3,4,5,6	3,4,5,6
Pre-recorded evidence / delivered by video link				2,3,4,5	2,3,4,5	
Permission to write notes						2,4,5
Permission to bring notes				2,4,5		2,4,5
Info presented in format – size, font style, colour			2,8			
Individual testing			3,4,5			
Paper-based option			2,4			
Supervised home assessment			3,4,5,6			

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Assessment Method Reasonable Adjustment	Observation	Practical Skills Test	Test	Project	Presentation	Professional Discussion
Written questions to back up verbal					2,4,5,6	2,4,5,6
Rewording of questions / clarification if needed					2,3,7	2,3,7
Time allowance for processing verbal questions					2,4,5,7	2,4,5,7
Information presented in small chunks					2,4,7	2,4,7

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## 19. Reasonable Adjustments Form

Please complete a separate form for each individual apprentice and send a completed copy to Smart Awards.			
Apprentice Number		Apprentice Name	
Assessment Date		Assessor Name	
Apprenticeship title		Level	
Reason for application:			
Reasonable adjustments required (please be specific);			
Evidence in support of the application. This may include;			
Please provide details of supporting evidence:			
Please provide details of access facilitator required (where applicable):			
Declaration			
I confirm that: The information provided is accurate The reasonable adjustments will be implanted in accordance with the guidance given by SMART Awards			
Name		Signature	
Position		Date	
For use by SMART Awards only:			

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## 20. Special Consideration Form

Smart Awards has designed this form to ensure that it is easy to understand and complete. However, we have provided some additional guidance for key fields below. Please fill in a separate form for each apprentice and each apprenticeship listing all components affected in the same specification. However, in cases where a group of learners have been disadvantaged by a particular event (e.g. fire alarm) a single form should be submitted. A list of apprentices affected should be firmly attached to the form.

Please state on the form the precise nature of the adverse circumstances affecting the apprentice, including, in the appropriate boxes, the date when the circumstances first began to affect the apprentice and whether the apprentice is still affected by them during the assessment. In cases where medical/psychological evidence is required, please ensure that this is securely attached to the form.

The employer/training provider must support an application for it to be accepted. After the publication of results, late applications may be accepted only in the most exceptional circumstances and only before the deadline for enquiries about results for the respective assessment.

### Special Conditions Application Form

Please complete a separate form for each individual apprentice and send a completed copy to Smart Awards.			
Apprentice Number		Apprentice Name	
Assessment Date		Assessor Name	
Apprenticeship Title	Level		
Summary of adverse circumstances affecting performance in assessment:			
Please provide evidence in support of the application. This may include; Medical or psychological evidence or statement from employer.			
Optional Information			
In cases of partial absence, Smart Awards may require the following information; List four apprentices estimated to be of comparable standard			
Apprentice Reference Numbers:			
1		3	
2		4	
Declaration: I confirm that the information provided is accurate.			
Name		Signature	
Position		Date	
For official use by Smart Awards only:			