

CIPD Reasonable adjustments and special considerations policy (Qualifications)

1. Introduction and scope

This policy has been developed for CIPD centres and should also be referenced by CIPD staff and CIPD external contractors.

As a recognised Awarding Organisation, CIPD is subject to Ofqual¹, Qualifications Wales and CCEA's² General Conditions of Recognition (GCR)³. The regulatory bodies advise awarding organisations on their duties in respect of arrangements for reasonable adjustments in line with the GCR (Condition G6) and for special consideration (Condition G7). They also require awarding organisations to ensure their centres undertake the delivery of their qualifications in accordance with UK Equalities Law* (Condition C2).

*International centres are expected to reflect UK equality legislation within their centre management and policies except where local law prevents this.

CIPD aims to ensure that equality of opportunity is promoted in access to our products and services and that unlawful or unfair discrimination, whether direct or indirect, is eliminated. In respect of this, individual reasonable adjustments and special considerations should be provided to learners registered on CIPD programmes to mitigate this.

The purpose of the policy is to set out the steps that CIPD centres are required to follow when implementing reasonable adjustments and special considerations and the service CIPD provides for some of these arrangements.

As a CIPD centre, we expect you to have an anti-discriminatory access to assessment policy in operation, which reflects the following principles and guidelines:

- i. Assessment should be a fair test of learners' knowledge and skills, however, for some learners the usual format of assessment may not be suitable. Whilst we ensure that our qualifications and assessments are inclusive and do not present a barrier to learners, we recognise that reasonable adjustments may be required at the time of assessment based where learners have a disability or difficulty⁴ and that special considerations may be required where learners are indisposed due to illness, injury or personal circumstances.

The Equality Act 2010 defines disability as a 'physical or mental impairment which has a substantial and long term adverse effect on someone's ability to carry out normal day to day activities'.⁵

- ii. The provision for reasonable adjustments and special consideration arrangements is made to ensure that learners receive recognition of their achievement so long as the equity, validity and reliability of the assessments can be assured. Such arrangements are not concessions to make assessment easier for learners, nor advantages to give learners a head start.

¹ Office of Qualifications and Examinations Regulation

² Council for the Curriculum, Examinations and Assessment (Northern Ireland)

³ The GCR had their basis in the Apprenticeship, Skills, Children and Learning Act 2009 and are therefore legally enforceable

⁴ Specific disabilities and difficulties are referred to in appendix one

⁵ The Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15/contents>

There are two ways in which access to fair assessment can be maintained:

- through reasonable adjustments and
- through special considerations.

2. Reasonable adjustment

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.

Awarding organisations have a duty, under the Equality Act 2010 to make reasonable adjustments, where appropriate, for learners taking their qualifications.

There are two types of reasonable adjustments:

- an adjustment that is centre-devised (refer to section 4)
- an adjustment that the awarding organisation must approve (refer to section 5).

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 qualification. The work produced by the learner should be marked in the same way as the work of other assessed learners.

Reasonable adjustments must not affect the reliability and validity of the assessment outcomes, but may include:

- changing standard assessment arrangements (for example, allowing a learner extra time to complete an assessment activity)
- adapting assessment materials (for example, providing materials in Braille)
- providing access to facilitators during assessment (for example, a sign language interpreter or reader)
- reorganisation of the assessment situation (for example, removing excessive visual stimuli).

Each of the above depends on the answer to the question 'what is reasonable' in terms of:

- maintenance of the integrity of what needs to be assessed
- individual circumstances
- cost implications
- practicality
- effectiveness
- health and safety.

The nature of the reasonable adjustment should be determined according to the assessment needs of the individual learner. Please refer to **appendix one** for examples of the range of reasonable adjustments available for learners undertaking CIPD assessment and examples of types of learner disability and difficulty that may require a reasonable adjustment. Please note that this is for illustrative purposes only and is not an exhaustive list.

3. Centre responsibilities

Centres must:

- Communicate the centre's own Access to Assessment Policy to all staff and learners.
- Create an inclusive atmosphere in which learners are comfortable to disclose access-related needs.
- Anticipate and make adequate provision for possible adjustments future learners might need.
- Provide access awareness training for staff involved in the recruitment, advice and guidance of potential learners.
- Select appropriate qualifications/standards for learners, depending on their particular circumstances.
- Identify and discuss with the learner during initial diagnostic any difficulties they may have in accessing assessment and at the assessment point that they are ready to take the assessment using the methodology required.
- Explain to the learner the assessment requirements of the qualification.
- Make it clear at the outset if it seems the learner will not be able to meet all of the requirements and explain the restriction on achievement as a result (for example, if a learner is unable to demonstrate specific skills they may be unable to gain achievement of the qualification).
- Select an appropriate adjustment to make assessment accessible (without lowering the standard) and involve the learner in making these decisions.
- In any cases of doubt, contact the CIPD for advice on suitable and appropriate adjustments.
- Resource the selected adjustment (for example, locate a reader, scribe, interpreter).
- Follow CIPD procedures for requesting and implementing adjustments for access.
- Apply to the CIPD for reasonable adjustment on behalf of a learner where appropriate.
- Keep records for audit purposes of reasonable adjustments made.
- Design centre-devised assessment activities in such a way that they are accessible to learners.
- Ensure buildings used for assessment are accessible as far as is practical.
- Ensure health and safety is not compromised – conduct risk assessments.

4. Centre-devised adjustments

The centre may make their own adjustments in many circumstances. The centre must ensure that, when making adjustments, assessments remain as rigorous for these learners as for others and that the adjustments don't give individual learners unfair advantage over others.

The adjustment should be consistent with the learner's normal way of working and shouldn't invalidate the assessment requirements of the qualification.

The following centre-own adjustments are permitted:

- adjusting the presentation of assessment materials (using uncluttered layout, larger type, a clear font type, materials in a format other than the written word, removing unnecessary visual content)
- permitting an extension to the assessment deadline.

When making decisions, the centre should consider the advice on centre responsibilities given in this policy guidance.

5. CIPD-approved adjustments

The CIPD are happy to consider any adjustments that the centre feels they need support with but there are specific instances when the centre **must** apply to the CIPD for approval:

- 1 Variation of assessment method where there are specific assessment requirements
- 2 Extension of a deadline when the registration/certification period is in question
- 3 Where learners sit CIPD set exams.

6. Reasonable adjustments for learners undertaking CIPD set exams

The CIPD has a responsibility to ensure that any request by a learner is based on firm evidence, and that it will not confer an advantage on the learner in any aspect of the subject concerned. A list of examples of reasonable adjustments is attached as **appendix one**.

Procedure for applying for reasonable adjustments

All reasonable adjustments for learners undertaking CIPD set exams need to be approved by the CIPD when the learner enrolls for the exam and would need to be fully evidenced by:

- the nature of the disability or difficulty and the reasonable adjustment required
- supporting medical certificate
or
- written evidence produced by an independent, authoritative, assessor. This could take the form of medical, psychological or professional reports or assessments. These reports should state the name, title and professional credentials of the person who carried out the assessments and wrote the report. The report should set out the nature of the disability or difficulty and extent to which the learner is affected by the difficulty, including the effects of any related medication that the learner may be taking. In cases where it might be expected that there could be changes in the way the learner is affected by the difficulty, there will have to be recent and relevant evidence of assessments and consultations carried out by an independent expert

7. Special consideration

Special consideration can be applied after an assessment if there is a reason the learner may have been disadvantaged during the assessment. Each request for special consideration will be unique to the learner or assessment, will depend on the circumstances at the time of the assessment and will reflect the difficulty faced by the learner(s).

Special consideration may result in a small post-assessment adjustment to the mark of the learner. The size of the adjustment will depend on the circumstances during the assessment but will always be a minor adjustment as to do more may jeopardise the standard.

Special consideration may be given to learners who have a temporary illness, injury or indisposition, or who suffer adverse circumstances at the time of the assessment. Again, the decision depends on the answer to the question 'what is reasonable' in terms of:

- not giving the learner unfair advantage
- reflecting the learner's achievement in the assessment and not their potential ability.

It might include giving the learner the opportunity to repeat the assessment at a later date. It should be noted that where an assessment requires the learner to demonstrate practical competence or where criteria have to be met fully it may not be possible to apply special consideration. In some circumstances it may be more appropriate to offer the learner an opportunity to take the assessment at a later opportunity.

Special consideration should not give the learner unfair advantage, neither should its use cause the user of the qualification certificate to be misled regarding a learner's achievements.

8. Eligibility criteria for special consideration

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, domestic crisis
- 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
- there is a sufficient difference between the part of the assessment to which special consideration is applied and other parts of the qualification that have been achieved to infer that the learner could have performed more successfully in the assessment.

Learners cannot enter a plea for special consideration if:

- It is solely on the grounds of disability or learning difficulty. In these circumstances learners must declare their needs prior to the assessment period and all necessary arrangements must have been implemented

- any part of the assessment is missed due to personal arrangements including holiday 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.
- there is an absence of supporting evidence from the centre relating to a serious disturbance during the course of the assessment activity.
- there is an absence of supporting evidence in the form of a medical certificate supplied by the learner where consideration is requested for a medical condition.

9. Special considerations for learners undertaking CIPD set exams

Special consideration can be applied after an assessment if there was a reason the learner(s) may have been disadvantaged during the assessment. Each request for special consideration will be unique to the learner or assessment, will depend on the circumstances at the time of the assessment and will reflect the difficulty faced by the learner(s).

Special consideration is a post assessment adjustment to a learner's mark and possibly grade, dependent on the specific circumstances. All requests for special consideration will be considered by a review panel (The Special Consideration panel) responsible for:

- reviewing learners special consideration requests and supporting evidence
- agreeing and recommending adjustments of between 1% to 5% to marks for learners and cohorts as appropriate
- ensuring the effective and consistent application of the procedure.

In some cases, it may be necessary to adjust marks for an entire cohort, when an incident has occurred which has affected all learners (for example, a serious disturbance during the assessment). In these circumstances, letters from learners must be verified by invigilator incident reports.

10. Procedure for applying for special consideration

Learners must apply to the CIPD for special consideration within seven days of the exam.

Special consideration may be applied when a learner's performance in a CIPD set exam has been affected by circumstances beyond their control at the time of the assessment. Examples of this are:

- Recent illness
- Bereavement
- Serious disturbance during the examination
- Domestic crisis

If a learner had a medical condition at the time of the CIPD set exam, their request for special consideration must be accompanied by a medical certificate. The Special Consideration Panel has the right to request additional evidence from the learner if necessary.

11. Appeals

CIPD centres are required to operate an appeals policy which includes information for learners wishing to appeal decisions about Reasonable Adjustments and Special Consideration. Learners may also appeal directly to the CIPD if they remain dissatisfied with a decision taken by a centre once the centre's own appeals procedures have been exhausted. In the case of CIPD examinations, learners should appeal decisions directly to the CIPD.

Appendix one

The range of reasonable adjustments CIPD may make available for learners with a disability or difficulty include but are not limited to:

Time allowance

Extra time may be required for learners with learning difficulties such as dyslexia and dyspraxia, sensory impairments (visual and hearing) or communication and interaction needs.

- An additional allowance of up to 25% of the total assessment activity time should meet most needs.
- An allowance of more than 25% may be permitted in **exceptional cases**.

Supervised rest breaks

Supervised breaks or rest periods may be required for learners with learning difficulties such as dyslexia and dyspraxia, sensory impairments (visual and hearing), physical difficulties or medical conditions either temporary or permanent, communication and interaction needs or mental health conditions.

Breaks may be given either in or outside the assessment room but must always be supervised.

- 3 x 10 minute rest breaks with elapsed time at the end of the examination should meet most needs.
- Additional breaks may be permitted in **exceptional cases**.

Access to questions

Modifications to the **visual presentation** of papers for visually impaired learners or learners with learning difficulties such as dyslexia may be undertaken, including:

- Enlarged/large print papers
- Braille versions of papers
- Coloured paper

A sign language interpreter may be required for learners with hearing impairments. The interpreter must not change or add to the meaning of the questions, nor provide any additional help to the learner.

Means of presenting responses

- Use of a **computer** for learners who are unable to write may be allowed.
- Use of an **amanuensis** may be allowed if responses cannot be communicated through other means.

Notes on the use of computers

- A large size desk may be needed to accommodate specialist equipment.
- The spelling and grammar check/predictive text may be required to be disabled where appropriate.

- Learners using computers in circumstances where their use may distract other learners must be accommodated separately from others for examinations. Centres should make available a separate room and another invigilator.
- The learner must be proficient in the use of the computer – operator manuals are not permitted.
- The centre/learner must ensure that the computer is working correctly at the time of the examination.
- Learners must not be able to gain access to existing files or documents. Hard disk systems must be cleared of files.

Notes on the use of an amanuensis (scribe)

- The use of an amanuensis should neither give a learner an unfair advantage nor should it disadvantage the learner.
- Additional time may be permitted for the use of an amanuensis.
- An amanuensis should be a responsible adult who is able to produce an accurate record of the learner's answers, who can write legibly, and preferably has a working knowledge of the subject.
- An amanuensis should not normally be the learner's own course tutor.
- A learner using an amanuensis must be accommodated in such a way that no other learner is able to hear what is being dictated. The amanuensis may not also act as the invigilator.
- An amanuensis must neither give factual help to the learner nor advise the learner regarding which questions to do or in which order.
- An amanuensis should record the answers exactly as they are dictated.