



Reasonable Adjustments and Special Consideration Policy and Procedure

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Purpose

The purpose of reasonable adjustments and special consideration policy is to enhance access to qualifications for learners with disabilities and other difficulties, without compromising the assessment of the skills, knowledge, understanding or competence being assessed.

Scope

This policy outlines the requirements for the consideration and implementation of Reasonable Adjustments and Special Considerations for learners studying on our courses.

Definitions

A reasonable adjustment is an action taken to ensure equal access to an assessment. Under the Equality Act 2010, education and training providers have a duty to make reasonable adjustments for learners who have a disability or difficulty so that they are not at a substantial disadvantage in accessing an assessment.

Examples of a reasonable adjustment are, but are not limited to:

- amending usual assessment arrangements, for example allowing a learner extra time to complete the assessment
- re-organising the assessment room, such as providing a learner with a separate room for an assessment away from other learners
- adapting the format of assessment materials, such as providing materials in Braille. Providing assistance during assessment, such as a sign language interpreter or a reader
- if required, changing the assessment method, for example from a written to a speaking assessment
- using assistive technology, such as screen-reading or voice activated software

Responsibilities

Staff must adhere to the relevant legislation regarding reasonable adjustments as well as follow this policy and procedure and any associated documents. Staff must familiarise themselves with awarding organisation requirements and regulations within our provision.

Staff should take all reasonable steps to promote an inclusive atmosphere that provides equality of access to learners who may be placed at a disadvantage due to a disability or difficulty.

This should start with taking all possible and practical steps to ensure that there is an avenue for learners to disclose their individual learning needs to the staff members. The learning needs must be reviewed to determine whether a reasonable adjustment may be required. Then, as appropriate,





staff should ensure the accessibility of the training and assessment venues, as far as possible, as well as allowing engagement with the training and assessment itself.

All reasonable adjustments must be considered through a formal, standardised process. Dependent on the type of assessment, the centre administrator may be required to submit an application for reasonable adjustment to the awarding organisation for approval, or may be able to nominate an appropriately appointed individual, or team of individuals, to approve reasonable adjustments internally.

The individual learner must be involved where a reasonable adjustment is being considered. The learner must be aware of, and consent to, the submission of the application of the reasonable adjustment to the awarding organisation, prior to it being made. This includes ensuring that the learner is aware of the submission of any supporting evidence to the awarding organisation to support the Centre's reasonable adjustment application and how this information will be used and stored by the awarding organisation.

The Centre administrator must ensure that a full record of the application and supporting evidence is kept for internal quality assurance and external quality assurance purposes for a period of at least 7 years.

If a learner wishes to appeal any decision taken by the Centre to not allow a reasonable adjustment or special consideration, they should do so by following the internal appeal procedure. Learners should also be made aware of their right to appeal to awarding organisation once they have exhausted the Centre's internal appeals policy.

Health and Safety

All staff must ensure that the relevant health and safety legislation is followed at all times. Appropriate risk assessments must be carried out prior to the delivery of any training or assessment to identify and mitigate any risks regarding the delivery and assessment model.

Where there are concerns whether an individual learner's disability or difficulty may have health and safety implications for themselves or others, a tailored risk assessment related to the learner's particular circumstances must be carried out. The risk assessment must identify the risks associated with the particular training or assessment activity but must also take account of any reasonable adjustments or special considerations which may be able to be put in place to remove or reduce the risk. Where a risk assessment reveals that it is not safe for a learner to fulfil the requirements of an assessment, alternative assessment arrangements must be made, where qualification requirements allow this.

The health and safety of all learners and others must always be of paramount importance, so if further clarification is required for individual cases, discuss them with the awarding organisation.

Principles for Making Reasonable Adjustments

A reasonable adjustment must:

- be based on the individual needs of the learner
- reflect the learner's usual way of working





- enable the learner to produce evidence of equal vigour to meet the specified assessment criteria, regardless of process or method used
- not give the learner an unfair advantage or disadvantage in comparison to other learners
- not cause, or create the potential of, an instance of learner or centre malpractice or maladministration
- not be prohibited by, or does not invalidate, the awarding organisation assessment requirements
- be in place and have had the required approval (either within the centre or by NOCN dependent on the assessment and adjustment type) in writing before any assessment takes place
- allow the evidence generated by the learner to be successfully internally quality assured by the centre and externally quality assured by the awarding organisation

Any adjustment to assessment must not provide an unfair advantage or disadvantage to the learner. The achievement of the assessment for a learner who had an adjustment to assessment must have the same credibility as that of any other learner.

Any adjustment to assessment must reflect the individual needs of the learner and the learner's normal way of working, providing this does not affect what is being assessed in any way. The learner should be consulted with throughout the training and assessment processes.

Internally Set Assessments

A learner's varying needs must be identified, considered and recorded during the learner's induction and initial assessment.

The majority of our qualifications are assessed through internally set assessments, such as through a portfolio of evidence, or coursework. With these types of assessments, while still meeting the awarding organisation requirements, be flexible in adapting assessment methodologies to allow a learner to meet the specified assessment criteria in any way that is valid.

Wherever relevant, differentiation of an assessment activity should be planned for any learner who may have differing needs to the rest of a cohort. For example, a written question and answer task may be designed by the centre to fulfil a knowledge-based assessment criteria, which may be adapted to a verbal question and answer assessment where a learner has low-level writing skills, where written skills are not being assessed as part of the assessment.

The learner must fulfil the demands of the assessment criteria consistently over a period of time, regardless of method used to obtain evidence. The assessment criteria must not be amended or omitted, although the actual assessment can pose questions to learners in a way which relates particularly to the learner's workplace, employer or circumstance, as long as the integrity of the assessment criteria is not compromised.

If tutors and assessors are unsure if the assessment methods arranged for reasonable adjustment meet requirements, they are advised to contact the centre IQA who will then contact the awarding organisation to discuss alternative assessment arrangements.

A formal record of all reasonable adjustment applications must be kept for internal quality assurance and external quality assurance purposes.





Externally Set Assessments

Externally set assessments can either be internally or externally assessed. Whether the assessment is internally or externally assessed will determine whether approval is required from the awarding organisation to apply certain types of adjustments.

Assessments which are externally set and internally assessed are created and provided by the awarding organisation but are marked internally by assessors within the centre. Examples of this type of assessment are:

- Entry Level functional skills assessments for English, ICT and mathematics
- The speaking, listening and communication component of Functional Skills English at Level 1 and Level 2
- Any qualification that has a 'benchmark' assessment activity. The benchmark assessment will be created and provided by the awarding organisation

Assessments which are externally set and assessed are those that are created, provided and marked by the awarding organisation. This covers both paper-based and online assessments, such as functional skills mathematics, reading and writing assessments at Level 1 and Level 2.

Where an adjustment to assessment conditions or format may be required due to a learner's individual needs or disabilities, the tutor/assessor must contact the centre IQA who will then consult the awarding organisation to determine whether the request can be applied at the centre's discretion or whether the request must be approved by the awarding organisation.

Supporting Evidence

Any application for a reasonable adjustment or special consideration must be supported by valid and sufficient evidence. To ensure that any adjustment to assessment will only provide the learner with the necessary assistance without giving them an unfair advantage over others, the tutor/assessor must be clear about the extent to which the learner is affected by the disability or difficulty.

Where the tutor can verify evidence of the disability or difficulty and where the implications are clear, such as for a learner with physical difficulties, or a hearing/sight impairment, no further evidence is needed.

Where the implications of the difficulty are more complex or not visible, such as for learning or mental health difficulties, additional evidence should be provided of the effect of the impairment on the learner's performance in the assessment. Any of the following types of evidence would be acceptable:

- evidence of assessment of the learner's needs made by an appropriate and specialised individual with responsibility in this area. Information from previous centres attended by the learner may also be included
- history of provision within the centre. This should include information about the support received by the learner during the learning or training programme and during formative assessments. Evidence of the way in which the learner's needs are being met during the learning programme must be documented for audit purposes.
- written evidence produced by independent, authoritative, specialists. This could take the form of medical, psychological or professional reports or assessments.





A learner's completion of a Wide Range Achievement Test (WRAT) can be used in order to evidence the requirement for a reasonable adjustment. The completion of the test may be included as part of the initial assessment process in determining if and what adjustments to assessments are required for the learner.

A learner with a Statement of Special Educational Need does not automatically qualify for reasonable adjustment. All applications for reasonable adjustments should be based on the individual need of the learner in relation to the individual assessment and that the evidence in support of the application is valid and sufficient.

Full documentary evidence supporting the reasonable adjustment must show a need for an adjustment to be applied. Evidence must be reviewed and authorised as valid and sufficient for supporting adjustment to assessment by the tutor or a staff member qualified in assessing special educational needs.

Reasonable Adjustment Procedure

The process for applying a reasonable adjustment should follow the below steps:

- 1 Identify the adjustment
- 2 Gather evidence – Ensure that there is valid and sufficient evidence to support the adjustment.
- 3 Agree adjustment – The adjustment must be agreed both with the learner and with the Internal Quality Assurer, prior to it being requested or implemented.
- 4 Complete request form – The Awarding Organisation Reasonable Adjustment Request Form must be fully completed by the Centre's designated individual. An individual form is required for each learner.
- 5 Check permission to determine whether the Reasonable Adjustment requires awarding organisation approval prior to its implementation, or whether it can be applied at the discretion of the Centre.

Where, according to the awarding body, a reasonable adjustment is centre permitted, the completed form must be signed by the Skills and Employment manager to approve reasonable adjustments. This must be completed at least 5 working days prior to the assessment taking place. The completed form must be stored alongside the learner's assessment evidence and be available for external quality assurance purposes. The form and supporting evidence must be provided to the awarding body upon request.

Where, according to the awarding organisation, a reasonable adjustment requires awarding organisation approval, the completed form must be sent to assurance team of the awarding organisation at least 10 working days prior to the date of the learner's first assessment where the adjustment would apply. The awarding body will review the application and provide its response within 5 working days of receipt. A copy of the awarding organisation outcome alongside the learner's assessment evidence must be stored securely.

Where a learner is studying a course which is less than 10 working days in duration, the awarding organisation should be contacted as soon as it is established an adjustment will be required.

Where an adjustment is rejected, the awarding organisation will provide a clear rationale for its decision and where appropriate, will provide alternative adjustments that may be offered to the learner.





Special Consideration

A special consideration is an adjustment to allow attainment to be demonstrated by a learner who has been disadvantaged by temporary illness, injury, indisposition or adverse circumstances.

A special consideration may be applicable if:

- performance in the assessment is, or would be, affected by circumstances beyond the control of the learner. For example, a recent illness, accident, bereavement or serious disturbance during the assessment
- alternative assessment arrangements that were agreed in advance of the assessment proved to be inappropriate or inadequate
- part of an assessment has been missed due to circumstances beyond 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

A Special Consideration is **not** applicable where:

- there is no evidence that the learner has been affected, or would be affected, at the time of the assessment by a particular condition
- any part of the assessment is missed, or will be missed, due to personal arrangements including holidays or unauthorised absences
- preparations for an assessment is affected by difficulties during the course, such as disturbances through building work, lack of proper facilities, changes or shortages in staff or industrial disputes
- A special consideration must not provide the learner with an unfair advantage over other learners in accessing an assessment. A special consideration must also not inaccurately reflect a learner's knowledge and competency in their ability, under usual circumstances, to complete the assessment.

Malpractice

A failure to comply with this policy and procedure and guidance will constitute as malpractice. For more information refer to the Malpractice and Maladministration policy.

Appeals

Learners must be aware of their right to access the appeals and complaints procedures if they are not satisfied with the consideration or implementation of a reasonable adjustment or special consideration. If a learner wishes to appeal a decision regarding the application of a reasonable adjustment, they should follow the Skills and Employment appeals procedure. If learners are not happy with the outcome of the appeal, they should be advised to raise their appeal to the awarding organisation directly.