



# Reasonable Adjustments & Special Considerations Policy

## Versions and reviews

Aug 2019	v1
Apr 2021	Updated - v2
Jan 2022	Updated - v3

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## Scope

This policy covers the delivery of End-Point Assessments (EPAs) which are subject to internal and external Quality Assurance and Compliance. The Policy forms part of a suite of policies for Marshall Assessment's EPA products and services, all of which are designed to:

- protect Apprentices who are registered with us;
- minimise the risk of an Adverse Effect occurring;
- help support us and all other partners involved in risk management and risk minimisation;
- help ensure we and all partners comply with all relevant legislation and guidance;

Non-adherence to our policies may constitute maladministration, malpractice and/or a breach of Contract. Please ensure all policies are read and implemented carefully.

This policy should be read in conjunction with Marshall Assessment's:

- Complaints Policy
- Appeals Policy
- Malpractice & Maladministration Policy

## Purpose of the Policy

Our Policy assists us and those involved in the EPA process by outlining the process for investigating and responding to requests for Reasonable Adjustments and Special Consideration, wherein they can be applied for Apprentices undertaking End-Point Assessment. Non-compliance with this Policy could result in a detrimental effect to the Apprentice and/or could potentially compromise the integrity of our standards, systems and/or processes.

Marshall Assessment has a duty to ensure that the integrity of the apprenticeship standards and End-Point Assessment is maintained. At the same time, Marshall Assessment and the partners we work with have a duty to ensure the rights of individual Apprentices to access Apprenticeship Standards and assessment in a way most appropriate for their individual needs. Equality legislation and the regulatory criteria gives support and guidance to EPAO's, and those parties involved in Apprenticeship on-programme delivery in creating an inclusive assessment process. To ensure that fair access is available to all Apprentices, Marshall Assessment implements a Reasonable Adjustments and Special Considerations policy so that Apprentices' achievements can be recognised through valid and fair assessments.

The Policy outlines Marshall Assessment's responsibilities for making Reasonable Adjustments and giving Special Considerations in relation to EPA's, how learners qualify for Reasonable Adjustments and Special Consideration, the Reasonable Adjustments or Special Considerations we can apply, the evidence needed to support a request and the process for how this is agreed.

## Who needs to know about the Policy?

It is the responsibility of all Marshall Assessment staff and personnel involved in End-Point Assessment design, delivery, management, assessment and/or quality assurance to ensure they are familiar with what constitutes Reasonable Adjustments and the circumstances for the application of Special Considerations. Marshall Assessment must ensure that all staff and personnel who are involved in

End-Point Assessment are fully aware of the contents of the policy and how to access it so they are able to support Training Providers, Employers and Apprentices appropriately.

## Obtaining copies of the Policy

The Policy and relevant application forms are available to download from the Policies section on our website ([www.marshall-assessment.com](http://www.marshall-assessment.com)) or copies can be requested directly from Marshall Assessment using the contact details provided in Section 7.

## Reviewing the Policy

Marshall Assessment will review the policy annually, as a minimum, as part of its self-evaluation arrangements and revise it as and when necessary, in response to customer and learner feedback, changes in our practices, requirements from regulators, in response to the findings of any review, or changes in legislation.

## Complaints

Any partners have the right to express their dissatisfaction regarding our actions or services. Please refer to Marshall Assessment Complaints policy and procedure available on our website, or by request using the contact details in Section 7, for more information.

## Arrangements not covered by this policy

Any circumstances for any assessment not covered in this policy should be discussed with the Marshall Assessment before any assessment activity takes place.

## Section 1 – Overview

The Equality Act 2010 requires End-Point Assessment Organisations (EPAOs) to make Reasonable Adjustments to ensure an Apprentice who is disabled, as defined in the Act, is not placed at a substantial disadvantage in comparison to Apprentices who are not disabled. Assessment should be a fair test of an Apprentice's knowledge, skills and levels of competence required by the standard; however, for some Apprentices, the usual format of assessment may not be suitable. Therefore, some Apprentices may require Reasonable Adjustments to allow them to access assessments fairly.

In addition to this, Marshall Assessment is required to give Special Consideration to a learner who has temporarily experienced illness, injury or some other event outside their control which may affect the outcome of an assessment.

To ensure access to fair assessment can be maintained:

- Reasonable Adjustments can be agreed before the assessment takes place; or
- Special Considerations can be applied post assessment.

A Reasonable Adjustment or Special Consideration is any action that helps to reduce the effect of a disability, difficulty or circumstance that places the Apprentice at a disadvantage in the assessment

situation. Reasonable Adjustments and/or Special Consideration should not give the Apprentice an unfair advantage. The Apprentice's result must reflect their achievement in the assessment and not necessarily their potential ability.

Adjustments must not affect the integrity of what is being assessed or compliance with the requirements of assessment. The provision for Reasonable Adjustments and/or Special Consideration arrangements are made to ensure that Apprentices 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 assessments easier for Apprentices, nor are they to give Apprentices a head start. All Apprentices, regardless of the Reasonable Adjustment or Special Consideration applied, must still meet the minimum requirements to achieve their Apprenticeship.

EPAOs and those involved in EPA 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 compliance with the requirements of Assessment Plans or regulatory conditions, must be taken into consideration.

A Reasonable Adjustment may be unique to the individual and may not be included in the provided list of possible adjustments/ access arrangements in this policy (see details in appendix 1.1). Whether an adjustment will be considered reasonable will depend on several factors which will include, but are not limited to:

- the needs of the disabled Apprentice
- the effectiveness of the adjustment
- the cost of the adjustment; and
- the likely impact of the adjustment upon the Apprentice and other Apprentices.

An adjustment may not be approved if it is deemed not "reasonable" – for example if it:

- involves unreasonable or excessive costs
- involves unreasonable timeframes
- affects the security, integrity or validity of the assessment; or
- constitutes a serious safety hazard

Adjustments requested 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.

## **Section 2 – Conditions for granting requests**

### **2.1 Conditions for granting Reasonable Adjustments**

Reasonable Adjustments are approved or set in place before the assessment activity takes place; they constitute an arrangement to give the Apprentice fair access to the assessment activity. The Reasonable Adjustment will then be made to the assessment arrangements. Marshall Assessment must have approved all necessary Reasonable Adjustment arrangements before the time of the Apprentice completing any assessments. Only Reasonable Adjustments that have been approved by Marshall Assessment should be applied.

Marshall Assessment will consider and agree requests for Reasonable Adjustments but must ensure that:

- the Reasonable Adjustments granted provide the Apprentice with the opportunity to demonstrate their attainment
- the Reasonable Adjustment compensates for any disadvantage imposed by the disability or difficulty but does not disadvantage others
- Apprenticeship Certificates requested by Marshall Assessment and issued by the ESFA do not mislead anyone regarding the Apprentice's attainment
- the assessments carried out are, and were, rigorous and fair
- the assessment activity is valid and is measurable against the assessment criteria
- the assessment results achieved are reliable.

Reasonable Adjustments applied to assessments should not compensate the Apprentice for lack of knowledge and skills. The Apprentice must be able to cope with the content of the assessment and be able to work at the level required for the assessment and be able to meet the job role requirements associated with their Apprenticeship.

Any adjustment applied to an assessment must not invalidate the assessment requirements of the Apprenticeship Standard and Assessment Plan. Competence Standards should not be altered. Whilst Marshall Assessment will take all reasonable steps to ensure that an Apprentice with a disability or difficulty is not placed at a disadvantage, in comparison with persons who are not disabled in terms of access to assessment, there is no duty to make any adjustment to a provision, criterion or practice which is defined as a competence standard.

All Apprentices' performance must be assessed against the set Apprenticeship Standards. These Standards cannot be altered, but it may be possible to change the delivery or process of assessment so that each Apprentice has an equal opportunity to demonstrate what they know, understand and can do. Any adjustment to assessment must not give the Apprentice an unfair advantage or disadvantage compared to other Apprentices. The qualification of an Apprentice who had an adjustment to assessment must have the same credibility as that of any other Apprentice. Achievement of apprenticeship Standards must give a realistic indication to employers of what the holder of the certificate can do.

Any adjustment to assessment must be based on the individual need of the Apprentice. Decisions about adjustments to assessment should be taken after careful consideration of the assessment needs of each individual Apprentice, the assessment requirements of the qualification and the nature and extent of the support that has been provided as part of the apprenticeship on-programme training. Marshall Assessment would expect applications to clearly indicate an individual's current needs and requirements. It should not be assumed that the same adjustment will be required for all assessments. Different apprenticeship standards and different methods of assessments can make different demands on the Apprentice.

The Apprentice should be consulted before a request for Reasonable Adjustment is made and Marshall Assessment will confirm with the Apprentice by way of a written confirmation, which is sent by the EPA Manager before the EPA date, the details of any Reasonable Adjustment(s) agreed which is or are being applied to the assessment activities, and any impact or changes this has on the planned assessments.

Any adjustment to assessment should reflect the Apprentice's normal way of working, providing this does not affect what is being assessed in any way. The Apprentice should have experience of and practice in the use of the adjustment, if necessary, as part of their on-programme training. If for a practical assessment an adjustment request appears unusual in relation to the role and typical task

requirements, Marshall Assessment will ask for evidence of how the apprentice normally carries out the tasks at work, and whether the adjustment requested is usually applied at the workplace.

Any adjustment to assessment must be supported by evidence which is sufficient, valid and reliable. All adjustments to assessment for End-Point Assessments must be received for review by the EPA Manager and approved by the Assessment Quality Manager before being applied.

## 2.2 Conditions for granting Special Considerations

Special Considerations can be applied after an assessment if there is a reason the Apprentice may have been disadvantaged during the assessment. Reasons for Special Consideration could be temporary illness, injury or adverse circumstances during the assessment or period of EPA. The approval of Special Considerations will depend on the individual circumstances and will consider the difficulty faced by the apprentice and the reason for the Special Consideration request. Special Consideration should not give the learner an unfair advantage and the learner's result must reflect their achievement in the assessment and not necessarily their potential ability. Examples of when a Special Consideration can be requested are listed in appendix 1.2.

Special Consideration, if successful, may result in a small post-assessment adjustment to the marks awarded, but not necessarily so. The size of the adjustment will depend on the circumstances and reflect the difficulty faced by the Apprentice.

It should be noted that:

- where an assessment requires the Apprentice to demonstrate practical competence or where criteria must be met fully, it may not be possible to apply Special Consideration.
- in some circumstances, it may be more appropriate to offer the Apprentice an opportunity to take the assessment at a later date if circumstances arise before the start of an assessment which may have an impact on their ability to perform in their usual way, (for example if they are taken ill before the start of the assessment).

## Section 3 – How to request a Reasonable Adjustment or Special Consideration

### 3.1 How to request a Reasonable Adjustment and the principles of granting a request

#### How

The evidence required to grant a Reasonable Adjustment will vary depending on the disability and the Reasonable Adjustments and access arrangement(s) being applied for. The Application for Reasonable Adjustments / Access Arrangements form (appendix 2) asks for:

- details regarding the concessions usually granted to the Apprentice in assessment situations
- history of apprentice's needs
- current needs
- what support has been in place for on-programme assessment; and
- whether they have been formally assessed
- supporting evidence

Requests made for Reasonable Adjustments on behalf of an Apprentice should be in writing using the application for Reasonable Adjustments / Access Arrangements form (appendix 2).

All applications must be supported by valid, current evidence of learning need or medical condition. The person(s) making the application (usually the Training Provider) should decide which supporting evidence will best assist Marshall Assessment in understanding the Apprentice's situation and requirement for the adjustment. Examples of evidence to support a request could include:

- medical evidence or reports written by a medical professional, educational psychologist or other appropriately qualified person
- evidence of permissions granted for adjustments applied for assessments during the Apprentice's time on-programme, or historically for the apprentice in assessment situations
- a formal report from a qualified Access Arrangements Assessor or SENCo,
- evidence of assessment of the Apprentice's needs in relation to the particular assessment, made by an appropriately qualified person with competence and responsibility in this area; staff include learning support staff, trainers, assessors, employers and other specialist staff.
- Any external assessments by experts if such information is indicative of current needs
- Written evidence produced by independent specialists, for example 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/wrote the report. The report should set out the nature of the disability or additional learning need and extent to which the Apprentice is affected, including the effects of any medication that the Apprentice may be taking.

Requests for adjustments for extra time of 25% or more will require formal assessment evidence.

When submitting requests for Reasonable Adjustments any non-essential information in the supporting evidence that does not specifically relate to the application should be omitted or redacted.

Reasonable Adjustment application forms and supporting evidence can be submitted through ACE360 (online EPA Management System) by the Training Provider.

If a Training Provider is using ACE360 to share information, they should notify the EPA Manager (contact in section 7) when the evidence is available for review and the application form has been completed to ensure a timely response to the request.

Completed applications and any supporting evidence should otherwise be sent to the EPA Manager, details in the Contact section (section 7).

Where the requesting party is unsure if the Reasonable Adjustment proposed is in line with this guidance, Marshall Assessment must be contacted for advice.

Sufficient time should be allowed for the request to be received and processed by Marshall Assessment prior to the commencement of EPA (see timescales in section 4).

### **Principles of granting a Reasonable Adjustment request**

Failure to produce sufficient evidence to support an application for Reasonable Adjustments can lead to the application not being agreed, or further evidence being requested, which may delay a decision.

To ensure that any adjustment to assessment will only provide the Apprentice with the necessary assistance, without giving them an unfair advantage over others, the application must be clear about the extent to which the Apprentice is affected by the disability or additional learning need and how

this will manifest in the assessment activities as described in the relevant apprenticeship Standard assessment plan.

Please note, where evidence of the disability or additional learning needs are clear, to include the implications of these needs, such as for an Apprentice with physical disabilities, profound hearing impairment or who are registered as blind or partially sighted, Marshall Assessment would not require further evidence.

Where the implications of a particular need are not clear, such as some additional learning needs, or mental health issues, the person making the request will have to provide information or evidence of the effect of the impairment on the Apprentice's performance in the planned assessment.

Marshall Assessment would expect to see details of the support received by the Apprentice during the learning or training programme and during initial and formative assessments, if appropriate. Evidence of the way in which the Apprentice's needs are being met/have been met during the learning programme will help to provide an understanding of the Apprentice's normal way of working.

An Apprentice with a statement of Special Educational Need (SEN) does not automatically qualify for Reasonable Adjustments. The demands of the apprenticeship Standard and associated assessments should be considered by the Training Provider when requesting the adjustment. The reasons for the statement of SEN may have only limited effect on achievement in the assessment. It is the responsibility of the person making the Reasonable Adjustment request to ensure that all applications for Reasonable Adjustments are based on the individual need of the Apprentice and that the evidence in support of the application is sufficient, reliable and valid.

Marshall Assessment may require more compelling evidence before approving an arrangement that would otherwise unfairly advantage the Apprentice. The requirement for supporting evidence is important to maintain the rigour and standard of the assessment.

Any Reasonable Adjustment must reflect the normal learning or working practice of the Apprentice. Each application will be considered in the light of the Apprentice's needs and usual way of working. Marshall Assessment reserves the right to request additional information to support a request.

It is important to note that not all the adjustments will be reasonable, permissible or practical in some situations. The Apprentice may not need, nor be allowed, the same adjustment for all assessments. Apprentices should be fully involved in any decisions about adjustments/adaptations. This will ensure that individual needs can be met, whilst still bearing in mind the specified criteria for the assessment. As the needs and circumstances of each learner are different, Marshall Assessment must consider any request for a Reasonable Adjustment on a case-by-case basis.

All applications for Reasonable Adjustments will be reviewed with the EPA Manager and the proposed adjustments agreed with the Assessment Quality Manager before being confirmed.

Failure to comply with this policy may constitute malpractice and our Malpractice and Maladministration policy will be followed.

### **Results of a Reasonable Adjustment request**

Following full or partial agreement of a Reasonable Adjustment request, details of the accepted adjustment(s) will be confirmed in writing to the Training Provider by completion of the 2<sup>nd</sup> section of the Application form (see appendix 2) for their records.

The details of the agreed adjustment and how it affects the individual assessment delivery on the confirmed date of the EPA, will also be sent in writing (via email) to the assigned Independent

Assessor(s) responsible for delivering the assessment, the Apprentice, the Training Provider and the Employer.

If a request for a Reasonable Adjustment is declined, the application form (appendix 2) will be returned to the Training Provider detailing the rationale for the decline of the request and any additional information, such as the requirement for further supporting evidence.

### 3.2 How to request Special Consideration and the principles of granting requests

#### How

Special Considerations can be applied after an assessment if there is a reason the Apprentice may have been disadvantaged during the assessment.

The Apprentice, their employer, Training provider or Vocational Assessor may wish to submit a request for Special Considerations to be applied following an assessment in recognition of the difficulty an Apprentice has encountered.

A Special Considerations application form should be completed (see appendix 3), this application form is available to download from the Marshall Assessment website or can be requested from Marshall Assessment using the contact details in Section 7.

The Special Considerations application form asks for:

- the precise nature of the adverse circumstances affecting the Apprentice
- the date when the circumstances first began to affect the Apprentice
- whether this will continue during the EPA
- which element(s) of the assessment was affected
- supporting evidence

Applications should indicate the exact nature of the adverse condition(s) that the person completing the application consider make the Apprentice eligible for a Special Consideration, and any appropriate or relevant evidence to support the request should be included. Some examples of appropriate evidence are given in appendix 1.2, the evidence required will depend on the nature of the circumstances which have led to the request.

When submitting requests for Special Considerations, any non-essential information in the supporting evidence that does not specifically relate to the application should be omitted or redacted.

Completed applications and any supporting evidence should be sent to the EPA Manager (contact details in section 7) for administration. All applications for Special Consideration will be sent for review by the Assessment Quality Manager and any changes to grades or concessions applied agreed in conjunction with the Assessment Manager.

Failure to comply with this policy may constitute malpractice and our Malpractice and Maladministration policy will be followed.

#### Principles of granting Special consideration requests

Applications for Special Consideration will be reviewed on an individual basis along with any evidence received to support the application by the Assessment Quality Manager.

If an Apprentice's performance in their assessment is affected by adverse circumstances beyond their control, a Special Consideration may be granted if they have temporarily experienced any of the incidents as detailed in appendix 1.2.

If a Special Consideration is granted this may result in a post-assessment adjustment to the assessment outcomes and grades of the Apprentice. The adjustment will depend on the circumstances and reflect the difficulty faced by the Apprentice. The Apprentice's performance will be reviewed based on the assessment evidence that was submitted.

Any changes to grades or concessions applied will be agreed in conjunction with the Assessment Manager.

Marshall Assessment will ensure that any Special Considerations granted:

- treat all Apprentices fairly
- require the Apprentice to fully meet the assessment requirements; and
- maintain the relevance, reliability, and comparability of the assessment.

Marshall Assessment cannot approve any Special Considerations that:

- may compromise the assessment criteria
- that may disadvantage other Apprentices
- invalidate the assessment requirements set out in the qualification/apprenticeship specification and Assessment Plan
- give the Apprentice an unfair advantage

The Apprentice's results must reflect their achievement in the assessment and not their potential ability.

A successful request of a Special Consideration will not necessarily change an Apprentice's overall assessment result. Failure to comply with this policy may constitute malpractice and our Malpractice and Maladministration policy will be followed.

### **Results of Special Consideration requests**

Following full or partial agreement of a request, or refusal, for the application of Special Considerations, the requesting party will be notified of the outcome by Marshall Assessment in writing, and where applicable a revised grade report will be submitted to the Training Provider.

### **3.3 Record keeping**

Typically, the Training Provider should co-ordinate a Reasonable Adjustment request and they should maintain records of all cases for audit purposes and to monitor the effectiveness of the Reasonable Adjustments that have been made.

Parties making the request should retain a copy of the application information for their records.

Marshall Assessment will retain details of the decisions made when reviewing, approving, or not approving, any request for Reasonable Adjustments or Special Considerations on the Reasonable Adjustments and Special Considerations Log (index ref 39d for the purposes of Ofqual application).

All requests for Reasonable Adjustments or Special Considerations agreed, or denied, will be recorded on the Marshall Assessment Reasonable Adjustments & Special Considerations Log. The Log details:

- an overview of the request,
- the evidence provided
- the outcome of the request
- rationale as agreed/ not agreed
- Manager's name who approved / declined the request (EPA Manager, Assessment Quality Manager or Assessment Manager)

This information will be stored securely within the organisation in the designated limited access SharePoint folder (access will be allowed only for parties as required, EPA Manager, Assessment Quality Manager, Assessment Manager and EPA Administrator) for inspection by our regulators.

Marshall Assessment will retain all information in accordance with our data policy, GDPR policy and requirements and regulatory requirements and for audit purpose. All requests for Reasonable Adjustments or Special Considerations, including completed application forms and any supporting evidence relating to the request, will be classed as assessment records and stored securely on ACE360 against the Learner Record.

Where a Training Provider is not using ACE360, evidence will be stored securely within the organisation with the assessment evidence for the Apprentice to which the requests and evidence relates for inspection by our regulators.

Where confidential information is included, we will ensure that such information is kept secure and only used for the purposes of the decision making or investigation and in line with relevant data protection legislation. We will not disclose the information to third parties unless required to do so by our regulators or EQA body.

## **Section 4 – Timescales for requesting a Reasonable Adjustment or Special Consideration**

### **Reasonable Adjustments and access arrangements**

To ensure that requests can be honoured before an assessment takes place, requests for Reasonable Adjustments should be submitted a minimum of 30 days prior to Gateway to ensure arrangements can be reviewed, agreed and put in place for the assessments.

Any requests submitted outside of this timeframe may not be approved, or we may not be able to meet the requirements for planned assessment dates. Any complex requests requiring specialist equipment should be submitted at the earliest opportunity when the needs of the Apprentice are clear and supporting evidence is available, to ensure arrangements can be made and not cause any delay to the Apprentice's expected date of assessment.

Once a request is received, Marshall Assessment will aim to review the request and evidence provided and give a decision within 5 working days. We will acknowledge all requests within 2 working days of receipt. Some requests may take longer to evaluate, particularly if specialist advice is required. If we are unable to respond in this timeframe, an estimated response date will be provided.

## Special Consideration

Marshall Assessment can only accept requests for Special Consideration after the results of the assessment have been released. To request a Special Consideration, you should email the EPA Manager (contact in Section 7) with a completed Special Consideration Request form (appendix 3) and any supporting evidence, if applicable, within 5 working days of the assessment decision being released.

Once a request for a Special Consideration is received, Marshall Assessment will aim to review the request and any available evidence within 10 working days. Special Consideration(s) will not be approved until sufficient evidence is provided. If we are unable to respond in this timeframe, an estimated response date will be provided.

## Section 5 – Outcomes of Requests and Appeals

### 5.1 Outcomes of a Reasonable Adjustment or Special Considerations request.

The outcome of a Reasonable Adjustment or Special Consideration request could be:

- approval of requested adjustment / Special Considerations
- rejection of your request based on insufficient or invalid evidence
- rejection of your request based on the reasonableness of the request
- suggested alternative adjustment / Special Consideration

Possible conditions applied:

- **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 or 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
- **using assistive technology**, such as screen reading or voice activated software
- **copying to different coloured paper** for paper-based assessments
- **providing and allowing different coloured transparencies** with which to view assessment papers.

Where evidence is produced in braille or signed onto video, it is the Training Provider or Employer's responsibility to ensure that a person who is suitably qualified in braille or sign language, is available to translate the material for the EPA if this is required.

Training Providers and Employers can seek advice from Marshall Assessment in any case where they are in doubt if an adjustment is needed or how it should be applied. Marshall Assessment use the Institute for Apprenticeships & Technical Education's (IfATE) Reasonable Adjustment matrix to support their decision making around any requests received (see below link and appendix 1)

<https://www.instituteforapprenticeships.org/media/5489/reasonable-adjustment-matrix.pdf>

Failure to comply with the regulations contained in this document have the potential to constitute malpractice which may impact on the apprentice's result(s). Examples of failure to comply include:

- putting in place access arrangements/adjustments which have not been approved by Marshall Assessment
- failing to consider putting in place access arrangements/ adjustments (which may be a failure to comply with the duty to make Reasonable Adjustments)
- arrangements or adjustments being applied which are not supported by appropriate evidence; or
- charging a fee for providing Reasonable Adjustments to disabled candidates.

Any Reasonable Adjustments granted must not impact other apprentices taking the assessment at the same time. For example, if a reader is required, or an Apprentice requires the use of a laptop to type responses to a written test, it will be arranged for a different room so the apprentice can take the test at the same time but will not disturb the other Apprentices.

Examples of applications of Reasonable Adjustments are given in appendix 1. Further information may be requested, or guidance required from external parties where applications for Reasonable Adjustments or Special Considerations fall outside the scope of this policy.

## 5.2 Appealing a decision

If an Apprentice, Employer or Training Provider wishes to appeal against a decision to decline or not wholly agree with a request for Reasonable Adjustments or Special Consideration arrangements, reference should be made to the Marshall Assessment Appeals Policy which is available on the website [www.marshall-assessment.com](http://www.marshall-assessment.com) or by request using the contact in section 7.

## Section 6 – Funding support

### Funding information from IfATE

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 the EPAO, as they are classified as an eligible cost that should be reflected in the price negotiated between the Employer and the EPAO.

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 EPAO in advance to ensure that they are appropriate and proportionate. These may be funded through ALS if they meet the criteria of

additional support that enables the Apprentice to demonstrate how they meet 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.

## Section 7 - Contact

If you have any queries relating to this Policy, or other policies as referenced in this document, please contact Marshall Assessment:

[helpdesk@marshall-assessment.com](mailto:helpdesk@marshall-assessment.com)

Alpha Works, Alpha Tower,  
Suffolk Street Queensway  
Birmingham B1 1TT

0121 516 4283

Please submit all completed Reasonable Adjustment or Special Consideration requests and appropriate supporting evidence to the EPA Manager:

Contact: [stephaniejones@Marshall-assessment.com](mailto:stephaniejones@Marshall-assessment.com)

Please bear in mind the stated timings for review of applications.

This Policy and associated application forms are available to download from our website:  
[Marshall-assessment.com](http://Marshall-assessment.com)

## Appendix 1

### 1.1 Examples of possible Reasonable Adjustments which could be requested:

Extra time up to 25%
Extra time between beyond 25% (up to 50%)
Supervised rest breaks and/or additional breaks in the assessment not mentioned already in the Assessment Plan as being permitted.
Use of visual aids
Change in the organisation of the assessment room and/or location
Use of assistive software
Assessment material in enlarged format
Change in the organisation of assessment room
Taking the assessment at an alternative venue
Use of bilingual and bilingual translation dictionaries
Assessment material in Braille
Assessment material in BSL
Assessment material on coloured paper
Assessment material in audio format
Use of ICT
Responses in BSL
Responses in Braille
Reader
Scribe
BSL/English interpreter
Assessment scheduled out of usual office hours or to suit shift patterns usual to the job role

See below clarification to make clear when a Reasonable Adjustment could be considered appropriate.

<p><b>Reasonable Adjustments</b> Where evidence has been submitted and arrangements agreed in advance.</p>	<p><b>Cognitive processing</b> (e.g. dyslexia, dyspraxia) - a need in executive function, visual processing speed, visual perception, literacy, numeracy, verbal reasoning, capacity to recall and remember.</p> <p><b>Social/communication need</b> such autistic spectrum condition</p> <p><b>Long standing illness</b> (e.g. cancer, epilepsy, Crohn's, IBS, Colitis, Chronic Fatigue, ME, MS, Parkinson's disease)</p> <p><b>A mental health condition</b></p> <p><b>A physical need</b> (e.g. crutches, wheelchair user, arthritis, rheumatoid arthritis, scleroderma, paraplegia, quadriplegia, cerebral palsy, motor-neuron diseases, other auto-immune diseases, pulmonary fibrosis, spina bifida)</p> <p><b>Hearing need</b></p> <p><b>Visual need</b></p>
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Marshall Assessment use the IfATE Matrix below to map the reported need of the apprentice with possible adjustments. It should be noted that all requests will be considered on a case-by-case basis and this matrix does not provide an exhaustive list of possible needs or adjustments.

## IfATE - Reasonable adjustment matrix

1. No known disability
2. Cognitive processing need 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	Observation	Practical Skills Test	Test	Project	Presentation	Professional Discussion
<b>Reasonable adjustment</b>						
Extra time allowance	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 worked in attendance	2,5,6,8	2,5,6,8	2,5,8	2,5,8	2,5,6,8	2,5,8
Time 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 plus extra time	7	7	7	7	7	7
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		6	3,4,5,6	3,4,5,6	3,4,5,6	3,4,5,6
Permission to write notes						2,4,5
Permission to bring notes				2,4,5		2,4,5
Info presented in required format – size, font style, colour			2,8			
Individual testing			3,4,5			
Paper-based option			2,4			
Supervised assessment taken at home			3,4,5,6			

Written questions to back up verbal					2,4,5,6	2,3,5,6
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

## 1.2 Special Considerations

Special consideration can go some way to assist a candidate affected by a potentially wide range of difficulties, emotional or physical, which may influence performance in their assessment. It cannot remove the difficulty faced by the candidate.

### Examples of when Special Considerations may be requested:

- Bereavement at the time of assessment (this would not usually apply to extended family)
- Illness on the day of completing the assessment which affected performance
- Temporary injury which affected performance in the assessment
- Unavoidable circumstances beyond their control for example a serious disturbance during an assessment.

### Special Considerations will not be considered in the following circumstances:

- Long term illness, unless the symptoms manifest themselves at the time of the assessment
- Bereavement more than 6 months prior to the assessment unless particular circumstances arise regarding the situation (such as information released from an inquest for example)
- Domestic inconvenience, such as moving house.

### Evidence required to support a request for Special Consideration could include:

- medical information / report / documentation / letter outlining the circumstances
- a signed statement from the employer or assessor detailing the event(s) which occurred before or during an assessment activity which impacted the apprentice's ability to perform as they would under normal circumstances

See below clarification for the circumstances where Special Considerations could be requested.

<p><b>Special Considerations</b> Something which occurred during an assessment, or a request made post assessment in order to provide a fair and valid assessment decision.</p>	<p>Technical Failure - internet          Technical Failure – equipment          Technical Failure – software issues, requiring alternative software to be used, that the apprentice is not familiar with          Employer not present for the assessment where stipulated in the assessment plan          Temporary Illness/Injury- or minor accident on the day, that impedes performance          Temporary Disability          Events outside the Apprentices control          Alternative assessment arrangements agreed in advance were inappropriate or inadequate</p>
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<p><b>Incidents*</b> Anything occurring which had the potential to, or did, have an adverse effect on the Apprentices performance in their Assessment.</p>	<p>Disturbance - due to noise Disturbance - due to interruption Assessment interrupted due to an unexpected event Business levels not as expected, impacting on assessment and evidence opportunities Apprentice leaving area of assessment Assessor arriving late for assessment Apprentice arriving late for assessment Assessment area (for presentation/challenge) changed and alternative site does not have the same access to resources as planned location.</p>
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**\*Incidents** should be considered in relation to the impact, or potential impact on the assessment validity. Assessors should consider the level of risk to altering the Apprentice’s assessment and/or grading and take action appropriately. For example, a slight disturbance due to noise which is isolated and does not impede the assessment would be considered low risk and no alteration to usual grading or processes required. A more significant and/or persistent noise, which impedes the apprentice’s ability to perform in the assessment, would be considered at high risk and considerations around time or voiding of the assessment may be most appropriate. Assessors should contact Marshall Assessment’s Assessment Quality Manager for advice and to agree a course of action if required.

Note to Training Providers and Employers: It may not be possible to grant a Special Consideration where an assessment requires the Apprentice to demonstrate competence in a specific setting and environment, as detailed in the relevant Assessment Plan.

### 1.3 Case study examples and additional guidance

Please see below some examples of requests for adjustments and the evidence submitted to support the request. Each Apprentice’s needs and circumstances will be considered on a case-by-case basis, but please note that failure to produce appropriate evidence of need may lead to an application for adjustments to be declined.

Examples of Reasonable Adjustments and evidence provided to support the request

#### i) An Apprentice with Dyslexia

The Apprentice has been assessed by the Training Provider’s appointed Access Arrangements assessor using current nationally standardised tests, the report is provided along with a completed Marshall Assessment Reasonable Adjustment request form. Request for a coloured overlay and a word processor for the written test element of the EPA.

Response: The use of a green or yellow-coloured overlay is a Reasonable Adjustment for the Apprentice since it helps them to improve reading accuracy, and the use of a word processor is a Reasonable Adjustment since it is their normal means of producing written work and is appropriate to their needs. These would be Reasonable Adjustments granted for a written test element of EPA.

ii) Apprentice has a substantial and long-term impairment as their working memory and speed of reading are in the below average range.

The Apprentice has standardised scores of 79 and 81. The Access Arrangements Assessors report is backed up by a SENCo assessment which details this need showing 25% extra time as their normal way of working.

The application of 25% extra time is a Reasonable Adjustment for a discussion and/or written test /knowledge test element of EPA as the evidence confirms this is the Apprentice's usual way of working in this situation and they would be significantly disadvantaged without this provision.

iii) An Apprentice has ASD (Autistic Spectrum Disorder) which is formally confirmed by a letter from a consultant paediatrician. They have persistent and significant difficulties with their handwriting which is poor and can be illegible. They are unable to complete mock papers in the time allowed. The SENCo completes a review and a request for 25% extra time on account of the impairment which is having a substantial and adverse effect in any assessment with extended writing. Without the application of 25% extra time in those subjects the Apprentice would be at a substantial disadvantage.

The application of 25% extra time would be a Reasonable Adjustment along with the use of a word processor for the written test element of EPA.

v) An apprentice with a dyslexia and dyspraxia diagnosis confirmed by a medical report, including details of problems with visual memory, information processing and slow visual-motor co-ordination states without 25% extra time in assessments, the Apprentice would be at a significant disadvantage. This report is backed up with a ALS questionnaire from the Training Provider signed by the Apprentice requesting extra time for assessments.

The application of 25% extra time would be a Reasonable Adjustment for this apprentice for discussion and written test elements of EPA.

There may be Apprentices who require other adjustments which are not listed in this policy or supporting IfATE matrix. Accordingly, the list of arrangements is not exhaustive.

Apprentices with disabilities and learning difficulties may have several needs and may require a range of adjustments. The examples given are therefore not exhaustive and are illustrative only.

Cognition and learning needs E.g. Learning difficulties or specific learning difficulties (such as Dyscalculia and Dyslexia) Candidates with cognition and learning needs may require, for example:

- supervised rest breaks
- extra time
- a computer reader or a reader
- read aloud
- a scribe
- a word processor
- a prompter
- a practical assistant
- coloured overlays
- coloured/enlarged papers
- modified language papers.

Communication and interaction need E.g. Autistic Spectrum Disorder (ASD), Speech, Language and Communication Need. Apprentices with communication and interaction difficulties may require, for example:

- supervised rest break
- extra time
- a computer reader or a reader
- read aloud
- a scribe
- a word processor

Please note - the Apprentice must have an impairment in their first language which has a substantial and long-term adverse effect. An Apprentice does not have a learning difficulty simply because their first language is not English, Irish or Welsh.

Extra time will not be allowed if a candidate's literacy difficulties are primarily caused by English, Irish or Welsh not being their first language

Sensory and physical needs e.g., Hearing Impairment (HI), Vision Impairment (VI), Multi-Sensory Impairment (MSI), Physical Disability (PD) Apprentices with sensory and physical needs may require, for example:

- supervised rest breaks
- extra time
- a computer reader or a reader
- read aloud
- a scribe
- a word processor
- a live speaker
- a practical assistant
- Braille papers, modified enlarged and/or modified language papers

Social, emotional and mental health need e.g., Attention Deficit Disorder (ADD), Attention Deficit Hyperactivity Disorder (ADHD), Mental Health Conditions Candidates with social, emotional and mental health needs may require, for example:

- supervised rest breaks
- extra time
- a computer reader or a reader
- read aloud or an examination reading pen
- a scribe
- a word processor
- a prompter
- alternative site arrangement
- separate invigilation.

Although access arrangements/adjustments are intended to allow access to assessments, they cannot be granted where they will compromise the assessment objectives of the specification in question, for example, the use of a practical assistant will not normally be allowed when practical skills are being tested.

## Appendix 2

### Application for Reasonable Adjustments / Access Arrangements form

This form must be used to collate the evidence and must be kept on file by the Training Provider by the SENCo for inspection purposes. The SENCo, or the Access Arrangements assessor working within the Training Provider should complete this form where applicable.

Apprentice Name:		Apprentice ULN:	
Employer Name:		Standard Code:	

Training Provider		Contact Details	
EPA Date:	Click or tap to enter a date.	EPA Location	

#### Part 1:

If the candidate has previously been granted reasonable adjustments or access arrangements by an awarding body, please specify.

What is the candidate's history of needs?

What are the candidate's current needs with tests and assessments?

What support and adjustments were in place for the candidate during on-programme assessments?

**Part 2:**

<b>Has the candidate been assessed by a qualified SENCo or Access Arrangement Assessor?</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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If the candidate has been assessed the Training Provider will need to include the full report with this completed form to allow Marshall Assessment to consider alterations to the End-Point Assessment. A summary of the findings should be included below:

Summary of findings and requested alterations to EPA: (please list any evidence you are submitting with this application and how it supports the request for adjustments).
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**Declaration:** I am satisfied that the information provided is accurate and fully support the application.

<b>Training Provider Representative or details of person completing the Application</b>	
Name (Please Print)	
Relationship to Apprentice	
Signature	
Date	Click or tap to enter a date.

**Marshall Assessment Use Only:**

Response to request:
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<b>Marshall Assessment Representative</b>	
Name (Please Print)	
Signature	
Date:	Click or tap to enter a date.

### Appendix 3

#### Application for Special Considerations

Special Consideration is a post examination adjustment to an Apprentice’s mark or grade to reflect temporary injury, illness or other indisposition at the time of the assessment activity. 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 this will continue during the EPA.

In cases where medical/psychological evidence is available, please ensure that this is securely attached to the form.

Please fill in the details required in the table for which an application is made specifying the EPA component(s) affected.

Apprentice Name:		Apprentice ULN:	
Employer Name:		Standard code:	

Training Provider:		Contact Details:	
EPA Date:	Click or tap to enter a date.	EPA Location	

Date problem began:	Click or tap to enter a date.	Is the problem continuing?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Please summarise adverse circumstances and which part of the EPA this relates to:

Current medical/psychological evidence is attached: Yes  No

**Declaration:** I am satisfied that the information provided is accurate and fully support the application.

**Details of the person completing this application**

Name (Please Print)	
Relationship to Apprentice	(Training Provider / Employer / Assessor)
Signature	
Date	Click or tap to enter a date.

**For Office use:**

## Appendix 4

### The Equality Act 2010 definition of disability

Generally, impairments have to meet the statutory requirements set out in section 6 and Schedule 1 to the Equality Act 2010 and associated regulations. The Equality Act 2010 definition of disability is usually considered cumulatively in terms of:

- identifying a physical or mental impairment;
- looking into adverse effects and assessing which are substantial;
- considering if substantial adverse effects are long term;
- judging the impact of long-term adverse effects on normal day-to-day activities.

Statutory guidance on the Equality Act 2010 definition of disability has been produced by the Office for Disability Issues (within the Department for Work and Pensions) to help better understand and apply this definition:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/570382/Equality\\_Act\\_2010-disability\\_definition.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/570382/Equality_Act_2010-disability_definition.pdf)

**4.1 Section 96 (1-6) of the Equality Act 2010** states that when assessing candidates and conferring general qualifications awarding bodies must not discriminate, harass or victimise and have a duty to make Reasonable Adjustments.

#### **4.2 Duty to make a reasonable adjustment**

The duty for an awarding body to make a Reasonable Adjustment will apply where assessment arrangements would put a disabled candidate at a substantial disadvantage in comparison with a candidate who is not disabled. In such circumstances, the awarding body is required to take reasonable steps to avoid that disadvantage. Awarding bodies are not required to make adjustments to the academic or other standard being applied when conducting an examination/ assessment.

Where a centre (read EPAO) is under a duty to make a Reasonable Adjustment, it must not charge a disabled candidate any additional fee in relation to the adjustment or aid.

#### **4.3 Definition of disability-**

Section 6 of 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-today activities'.

#### **4.4 Definition of special educational needs**

A candidate has 'special educational needs' as defined in the SEND code of practice: 0 to 25 years. Children have special educational needs if they have a learning difficulty or disability which calls for special educational provision to be made for them. The Equality Act 2010 definition of disability includes substantial and long-term sensory impairments such as those affecting sight or hearing, mental health difficulties and long-term health conditions such as asthma, diabetes, epilepsy and cancer. Children and young people with such conditions do not necessarily have SEN, but there is a significant overlap between disabled children and young people and those with SEN.