**Purpose**

This document is intended to serve as a guide for both managers and staff to ensure that they are aware of:

* The legal requirements to make reasonable adjustments for people with disabilities in accordance with the Equality Act 2010
* Reasons for special consideration

**Scope**

All training organised and delivered by LLS members of staff

**Responsibilities**

All staff delivering or supporting training offered by LLS

**Process**

This is aimed at helping learners to achieve formal recognition of their achievements, without compromising the assessment process or the assessment objectives.

Reasonable adjustments are made to ensure that learners who are disabled are not disadvantaged in any way. Learners must declare their needs prior to the assessment period and all necessary reasonable adjustment arrangements must have been implemented before the time of their assessment.

Special considerations are made to ensure that learners are not disadvantaged by any exceptional circumstances that may arise prior to, or during the assessment.

**What is a Reasonable Adjustment?**

The Equality Act says there's a duty to make reasonable adjustments if a person is at a substantial disadvantage because of a disability compared to - people with no disabilities, or people who don't share this disability. Substantial means more than minor or trivial. This does not mean making all changes the customer requests but we have a duty to make an assessment on and provide what is reasonable to do so.

**What is meant by reasonable?**

Adjustments only have to be made if it isreasonable to do so. What is reasonable to ask for depends on:

* the nature of the disability
* how practicable the changes are
* if the changes asked for would overcome the disadvantage that the customer and other people who are disabled experience
* the size of the organisation (not your service/team)
* how much money and resources are available
* the cost of making the changes
* the impact on others
* any changes that have already been made
* the extent of our duty as a public sector organisation

Reasonable adjustments must not compromise the assessment process or the assessment objectives and may involve:

* allowing learners extra time to complete the assessment activity
* adapting assessment materials using ICT or electronic devices
* providing access facilitators during assessment

The use of a reasonable adjustment will not be taken into consideration during the assessment of a learner’s work

What is reasonable will depend on the individual circumstances; cost implications; health and safety; practicality and the effectiveness of the adjustment.

Adjustments to assessments should:

* not invalidate the assessment requirements of the qualification
* not give learners an unfair advantage
* reflect the learner’s normal way of working
* be based on the individual need of the learner

Requests for making reasonable adjustments should be made by email or letter to the relevant Manager with evidence for consideration.

The minimum amount of notice required is 10 working days.

The Duty around providing reasonable adjustments is ‘**anticipatory**’. This means an organisation cannot wait until a person with a disability wants to use its services, but must think in advance (and on an ongoing basis) about the range of impairments that might need reasonable adjustments and special considerations, such as people who have a visual impairment, a hearing impairment, a mobility impairment, a learning disability or mental health condition. The duty is also a continuing duty; it is not something which needs simply to be considered once and once only, and then forgotten.

Centres must ensure that learners have:

* Sufficient information, advice and guidance on their chosen qualification at the start of their programme
* That reasonable adjustments are available throughout their programme (if required)
* That the qualification meets their needs

Centres must assess each learner’s potential to successfully complete the assessment and achieve the qualification. Where the initial assessment identifies that the learner may not be able to achieve the full qualification, this should be communicated clearly to the learner.

**Special Considerations**

Although there is no duty it is good practice to make special considerations if we can when requested.

Special considerations can be applied for if it becomes apparent that there was a reason the learner may have been, or will be disadvantaged during the assessment process. Examples which might be eligible for special considerations (the list is not exhaustive):

* serious illness of the learner
* serious illness of a parent
* bereavement of an immediate family member
* incapacitating illness of the learner
* recent domestic crises
* accident and injury to the learner
* trauma caused by a recent event or experience

Learners cannot enter a plea for special considerations for assessment solely on the grounds of disability or learning difficulty. Special consideration should not give the learner an unfair advantage. The learner’s results must reflect his or her achievement in the assessment and not necessarily his or her potential ability.

Where an assessment requires a competence to be met fully, it may not be possible to apply any special consideration. In some circumstances it may be more appropriate to offer the learner an opportunity to retake the assessment at a later date so that the learner has more time to complete the assessment activity.

Learners who believe that they have been disadvantaged through circumstances beyond their control can request that special consideration is made regarding the outcomes of their assessment.

Requests for making special considerations should be made by email or letter to the relevant Manager and must be accompanied by supporting evidence, e.g. in the case of an illness, a doctor’s letter.

The Manager will confirm receipt of the request within two working days and provide written feedback on the decision to both the assessor and the learner within seven working days of receipt of the request.