



# **Open Awards**

# **Access to Fair Assessment Policy**

## **Policy and Procedures - Access Arrangements, Reasonable Adjustments and Special Consideration Policy**

The Equality Act 2010 (Disability) Regulations 2010 requires awarding organisations (and their recognised centres) to take such steps as it is reasonable to avoid disadvantage (directly or indirectly).

The purpose of this policy is to set out the steps to follow when implementing reasonable adjustments and special considerations.

### **Policy statement**

Open Awards is committed to giving all learners equal access and opportunity to demonstrate their achievements.

There may be circumstances when arrangements will need to be made to take account of particular learners requirements, which ensure that this is achieved without giving any unfair advantage over other learners.

*It should be noted that a learner must achieve all the required units to gain an Open Awards Qualification.*

It may sometimes be the case that some qualifications are inaccessible because of a learner's inability to demonstrate competence in all units of the qualification. In these cases credit will be awarded for all units for which competence has been demonstrated.

### **Confidentiality**

Open Awards treat all records of reasonable adjustments and special consideration arrangements in confidence.

### **Access arrangements**

Access arrangements must be agreed before an assessment takes place. They allow learners with identified special educational needs, disabilities, or temporary injuries to access the assessment.

Access arrangements allow learners to show what they know and can do without changing or compromising the demands of the assessment, eg readers, scribes, word processors, and Braille question papers.

An Access arrangement that meets the needs of a disabled learner would be a "reasonable adjustment" for that learner.

## Reasonable Adjustment

Reasonable Adjustments are adjustments made to an assessment for a qualification so as to enable a disabled Learner to demonstrate his or her knowledge, skills and understanding to the levels of attainment required by the specification for that qualification.

Awarding organisations must, in accordance with Equalities Law, have in place clear arrangements for making Reasonable Adjustments in relation to qualifications which it makes available.

Reasonable adjustments are adjustments made to an assessment for a qualification so as to enable a disabled Learner to demonstrate his/her knowledge, skills and understanding to the levels of attainment required by the specification for that qualification.

A reasonable adjustment is any action that helps to reduce the effect of a disability or difficulty that places a learner at a substantial disadvantage in the assessment situation.

Reasonable adjustments must not affect the reliability or validity of the assessment outcomes but may involve:

- Changing the usual assessment arrangements, eg allowing a learner extra time to complete an assessment activity
- Adapting assessment materials eg by providing large print or providing materials in Braille
- Providing assistance during an assessment eg by providing a trained signer, interpreter or a reader
- Changing the assessment method eg from a written assessment to a spoken assessment
- Using assisted technology such as screen reading or a voice activated software.

Reasonable adjustments must be approved and set in place before the assessment takes place. The work produced by the learner will be assessed in the same way as all other learners.

## Types of Assessment - General Guidance

Centres are required to take into account the validity and fidelity of assessment methods they use. Open Awards encourages its centres to consider a variety of suitable assessment methods as good practice, taking into consideration its learners.

Different types of assessment make different demands on learners and will influence whether reasonable adjustments will be needed and the kind of suitable reasonable adjustment which may be put in place.

The adjustments that are appropriate for a particular assessment will depend upon:

- The specific assessment demands of the unit
- The type of assessment
- The particular needs and circumstances of the individual learner.

## Assessments which are *not* taken under Controlled Examination Conditions

This type of assessment will form the basis of the majority of Open Awards' assessment activity. These types of assessment allow the centre to have a greater flexibility, to be responsive to an individual learner's needs and to choose assessment strategies, activities and methods that will best allow the learner to demonstrate attainment. These may include for example:

- Coursework
- Set assessments which are researched in the learners own time
- Assessment activities which are devised by the centre
- Observation
- Question and Answer
- Assessments where the learner has to collect evidence in order to demonstrate competence.

In this type of assessment the learner may meet the specified assessment criteria for a unit in any way that is valid.

To enable access where there is evidence of need, the centre may allow the learner to use any mechanical, electronic or other aids in order to demonstrate achievement as long as the aids:

- are generally commercially available
- reflect the learners normal way of working
- enable the learner to meet the specified criteria
- do not give the learner an unfair advantage.

Open Awards encourages its centres to:

- adopt a flexible approach in identifying alternative ways of achieving the assessment criteria for a unit.
- present assessment materials or documents in a way that reflects a learners normal way of working
- allow learners to present their answers or evidence in any format as long as it enables them to demonstrate that they have met the assessment criteria
- consider the benefits of being able to vary the assessment methods and choose the most appropriate way of obtaining evidence when a learner is first accepted onto a course
- contact Open Awards to discuss alternative arrangements that may be appropriate for specific situations.

The outcomes produced by learners must at all times:

- meet the requirements of the specifications regardless of the process or method used
- be as rigorous as assessment methods used with other learners
- be accessible
- be subject to the same verification processes as all other evidence.

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Where reasonable adjustments are put in place for verified types of assessment the centre should first check whether permission needs to be obtained from Open Awards (*please refer to the Permissions Table*). If the centre is uncertain, please contact Open Awards for advice.

The centre should ensure that they adhere to Open Awards' requirements for record keeping and supporting evidence (*please refer to recording reasonable adjustments*).

Where reasonable adjustments have been agreed, centres should make the learner evidence available to their EV/Moderator to allow them to include as part of their representative sample.

Where centres benefit from Direct Claims Status (through Open Awards Approved Internal Verifier Status) the AIV should in the same way include learner evidence where reasonable adjustments have been agreed as part of their representative sample.

## **Assessments taken under Exam Conditions**

In situations where the learner is given set assessment materials and must complete the task in a fixed amount of time, there may be a greater need for adjustments to standard assessment arrangements in order to give access.

In such instances, centres must obtain approval from Open Awards before the assessment is planned to take place.

## **Identification of Learners who are eligible for Reasonable Adjustments**

Any adjustment to an assessment activity will be based on what the learner needs to access the assessment. Below are some examples of learner needs that may be adjustments to assessments. This list is not exhaustive and it should be noted that some learner needs will fall within more than one of the categories set out below:

- Communication and interaction needs
- Cognition and learning needs
- Sensory and physical needs
- Behavioural, emotional and social needs

The learner will be eligible for reasonable adjustments if their performance during an assessment is likely to be substantially affected by a particular impairment. Many of these learners will be defined as being disabled under the Disability Discrimination Act 1995, and the Equality Act 2010.

An adjustment to assessment should only be considered where the difficulty experienced places the learner at a substantial disadvantage, in comparison with persons who are not disabled. Where the difficulty is minor, the centre should assist the learner by offering help with study and assessment skills.

A learner does not necessarily have to be disabled (as defined by the Disability Discrimination Act 1995 and Equality Act 2010) to be entitled to reasonable adjustments to assessment. Every learner who is disabled will also not necessarily be entitled to or need an adjustment to assessment. The learner may have developed coping mechanisms which minimise or remove the need for assistance.

## **Identifying and Obtaining Supporting Evidence**

In order to ensure that any adjustment to assessment will only provide the learner with the necessary assistance without giving him or her an unfair advantage over others, the centre must be clear about the extent to which the learner is affected by the disability or difficulty.

Where the centre can verify supporting evidence of the disability or difficulty and where the implications are clear, such as for a learner with physical difficulties, profound hearing impairment or who are registered as blind or partially sighted, the centre does not need to provide further evidence of these physical difficulties.

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Where the implications of the difficulty are not obvious, such as for identified learning difficulties, or mental health difficulties, the centre will need to provide additional evidence of the effect of the impairment on the learner's performance in the assessment. Any of the following types of evidence would be acceptable.

The centre should decide which of these will best assist understanding of the learner's circumstances:

- Evidence of assessment of the learner's needs in relation to the particular assessment, made within the centre by the relevant member of staff with competence and responsibility in this area; staff include learning support staff, teaching staff, trainers, assessors and other specialist staff. If necessary, external experts may be called upon to assess the learner. This evidence should include an indication of how the centre plans to meet the learner's needs and should show that the learner can cope with the level and content of the assessment. The evidence should be documented for audit purposes. 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 should 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. These reports should state the name, title and professional credentials of the person who wrote the report. The report should set out the nature of the difficulty and extent to which the learner is affected by the difficulty, including the effects of any 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

A learner with a Statement of Special Educational Need does not automatically qualify for reasonable adjustments. The demands of the unit should be taken into account. The reasons for the statement may have only limited effect on achievement in the assessment.

It is the centre's responsibility to ensure that all applications for reasonable adjustments are based on the individual need of the learner and that the evidence in support of the application is sufficient, reliable and valid.

A centre should maintain records of all cases for audit purposes and to monitor the effectiveness of the reasonable adjustments which have been made.

## Recording the use of Reasonable Adjustments

Centres should distinguish between the following and complete the appropriate form and follow the procedures and timescales as indicated on the form to record the requests.

- Reasonable adjustments that can be made at the discretion of the centre **Use RA1**
- Reasonable adjustments that require the express permission of Open Awards **Use RA2**

## Permissions Table

Key: A = Reasonable Adjustment Permitted at the discretion of the centre  
 B = Apply to Open Awards for Permission

| Reasonable Adjustment   | Qualifications where Assessments are NOT externally set and NOT taken under examination or Controlled Conditions* | Qualifications where Assessments are externally set and taken under examination or Controlled Conditions* |
|---|---|---|
| Extra time up to 25%  | A   | B   |
| Extra time in excess of 25%   | A   | B   |
| Supervised rest breaks  | A   | B   |
| Change in the organisation of the assessment room                                   | A   | A   |
| Separate accommodation within the centre  | A   | A   |
| Taking the assessment at an alternative venue                                       | A   | A   |
| Use of coloured overlays, low vision aids, tinted spectacles, CCTV and OCR scanners | A   | A   |
| Use of assistive software   | A   | B   |
| Use of bilingual and bilingual translation dictionaries                             | A   | B   |
| Assessment material in enlarged format  | A   | B   |
| Assessment material in Braille  | A   | B   |
| Language modified assessment material   | A   | B   |
| Assessment material in BSL  | A   | B   |
| Assessment material on coloured paper   | A   | B   |
| Assessment material in audit format   | A   | B   |
| Use of ICT  | A   | B   |
| Responses using electronic devices  | A   | B   |
| Responses in Braille  | A   | B   |
| Reader  | A   | B   |
| Amanuensis (Scribe)   | A   | B   |
| BSL/English interpreter   | A   | B   |
| Prompter  | A   | B   |
| Practical assistant   | A   | B   |
| Transcriber   | A   | B   |

\*Controlled Conditions are those under Tutor/Assessor supervision, eg subject to formal invigilation/exam conditions.

*This list is not exhaustive and centres should contact Open Awards' to discuss any other arrangements that may be required.*

**Any adjustment to assessment must not invalidate the assessment requirements or the qualification or the requirements of the assessment strategy. Some arrangements may still not be possible if it is judged that competence standards may be compromised.**

## Reasonable Adjustments that can be made at the Discretion of the Centre

Centres should complete an Open Awards **RA1** form for each assessment where any of the following have been used:

- Low vision aids/overlays
- Brailing of non-secure assessments
- Amplification, taped questions responses
- Supervised rest breaks
- Use of a trained Reader
- Use of a trained Amanuensis (Scribe )
- Use of a practical assistant
- Use of a Communicator
- Bilingual dictionaries with an allowance of additional time
- Transcription of a learner's written responses
- Use of a word processor
- Use of a prompter
- Use of sign language interpreters
- Prior modification of an externally set task eg photocopying onto coloured paper, or change of font for ease of reading etc. can be carried out before the assessment takes place, as long as the modifications are carried out under secure conditions.

**Open Awards will require centres to bring any reasonable adjustments that have been made at their discretion, to the attention of the Open Awards External Verifier and to provide the External Verifier with the following:**

- a completed **RA1** form
- the modified assessment details/task  
the supporting evidence of need
- the assessment evidence that has been generated by the learner
- the Internal verification records of the assessment decision
- evidence that the outcomes of the adjusted assessment, have been subjected to a rigorous internal verification process and included in any standardisation event held for the unit

The Open Awards External Verifier will include the learners work as part of their representative sampling activity; confirm that the adjustments to assessments have been made in accordance with the guidelines in this document, and that:

- there is evidence of need on file
- the modification to the task does not confer any unfair advantage on the learner
- the modifications and assessment decisions have been subjected to a rigorous internal verification process including internal standardisation
- the award of credit and or qualifications to the learner is secure

## **Arrangements which require permission from Open Awards**

Arrangements, other than those listed in the Permissions Table as “A” or listed above will require permission from Open Awards and any application for these must be submitted to Open Awards’ Quality Manager (Regulation & Standards) **at least 20 working days** before the assessment is due to take place.

## **Externally set and marked assessment including externally set examinations**

Open Awards will respond to any requests to provide special versions of such assessment materials eg in Braille or sans serif font (for registered dyslexics). Other examples would include, 18 point bold or A3 enlargement of A4 papers.

Requests must be submitted using form **RA2** as soon as possible after the start of the learner’s course **and in any event at least 20 working days** before the assessment is due to take place.

## **Monitoring of use of Reasonable Adjustments**

Open Awards will monitor all requests for reasonable adjustments made by its centres.

Open Awards recognises that where requests for a reasonable adjustment occur repeatedly and overtime, it may indicate that a unit needs to be reviewed in order to ensure the inclusiveness of its design. Therefore monitoring of all requests will be undertaken and considered through the unit review and validity audit process.

Open Awards will monitor and report on the use of any access arrangements, reasonable adjustments and special considerations to the Regulator as required.

## Special Considerations

These are adjustments which may be applied post assessment.

Special Consideration is consideration to be given to a Learner who has temporarily experienced:

- an illness or injury, or
- some other event outside of the Learner's control, which has had, or is reasonably likely to have had, a material effect on that Learner's ability to take an assessment or demonstrate his or her level of attainment in an assessment.

Awarding organisations must have in place clear arrangements for Special Consideration to be given to Learners in relation to qualifications which it makes available.

A learner will be eligible for special consideration if they have been fully prepared and have covered the whole unit or series of units but performance in an assessment is affected by mitigating or adverse circumstances beyond their control.

**It is important to note that it may not be possible to apply special consideration where:**

- **An assessment requires the demonstration of a practical competence**
- **The assessment criteria have to be fully met**
- **Unit(s) confer licence to practice**

**Where an assessment has been missed or is in the form of an on-demand test, such as an electronic test set and marked by computer, the centre should offer the learner an opportunity to take the test at a later date/series.**

Open Awards will ensure that any special considerations claimed:

- do not confer an unfair advantage over other learners
- do not mislead users about level and extent of attainment
- do not compromise the integrity or credibility of the unit(s), for the learner concerned or for other learners
- are clearly tracked for audit purposes, with all supporting documentation where appropriate.

## Eligibility

The mitigating/adverse circumstance(s) may include:

- Temporary illness or accident/injury at the time of the assessment
- Bereavement at the time of the assessment
- Domestic crisis arising at the time of the assessment
- Serious disturbance during the assessment
- Other accidental events, such as being given the wrong assessment
- Failure by the centre or Open Awards to implement previously agreed access arrangements.

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Learners will not be eligible for special consideration if preparation for or performance in the assessment is affected by:

- Long term illness or other difficulties during the course affecting revision time, unless the illness or circumstances manifest themselves also during the assessment
- Bereavement occurring more than six months before the assessment, unless an anniversary has been reached or there are ongoing implications such as inquests or courts cases

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- Domestic inconvenience such as moving house, lack of facilities or taking holidays at the time of the assessment
- Minor disturbances during the assessment, eg a mobile phone ringing or a badly behaved learner.

### Applying for Special Considerations

Centre must inform Open Awards of any requests for special consideration **within 48 hours** of becoming aware of the mitigating/adverse circumstances occurring.

The centre should complete form **SC1 Request for Special Consideration form**, and return it to Open Awards together with any supporting evidence or documentation within **seven working days** of the end of the assessment period.

Open Awards will consider each case on its individual merits and inform the centre of its decisions.

### Open Awards Statement on Language

Open Awards will provide qualification guides and assessment materials/guidance that are expressed in English for use by learners/tutors.

Where appropriate we will consider providing qualification guides and assessment materials/guidance in Welsh or Irish (Gaelige) upon request and by prior arrangement.

If a centre wishes to assess learners in Welsh or Irish (Gaelige) then this must be notified to Open Awards **at the point of registration**. Open Awards require sufficient notice to ensure that any assessment carried out in languages other than English is comparable.

Open Awards will conduct all activities in English but may access a translator facility in the conduct of Quality Assurance. Verification will be supported by a translator and verification and reporting will be conducted in English.

Training, standardisation and centre guidance materials will be made available in English.

## **Enquiries and Appeals relating to Reasonable Adjustments (Access Arrangements) and Special Considerations**

If a Centre (or a private learner) is dissatisfied with a decision made by Open Awards in relation to a request for a reasonable adjustment or for special consideration, the Head of Centre should in the first instance, contact Open Awards to discuss the matter informally as they may often be resolved at this stage.

If the matter cannot be resolved informally then a formal enquiry should be made to the Head of Quality at the following address:

**Head of Quality  
Estuary Business Park  
17 De Havilland Drive  
Speke  
Liverpool  
L24 8RN**

Open Awards will acknowledge an enquiry **within 5 working days** and appoint an appropriate member of staff to review the enquiry.

Open Awards will normally report to the centre **within 30 working days** of receipt of the enquiry. Reports are usually completed within 30 working days but if an enquiry requires a centre visit, this and the revised timescale will be agreed between Open Awards and the centre.

The process will be conducted fairly and consistently in line with regulatory requirements and Open Awards may request further information from the centre, discussions with centre staff or a centre visit. Appellants will be kept informed throughout the process.

If the enquiry is not resolved at this stage, the Head of Centre should make a written request setting out the grounds for a Stage 1 Appeal.

### **Stage 1 Appeal**

The request should be submitted within two calendar weeks of receiving the original decision letter.

The receipt of a Stage 1 appeal will result in a fresh examination of the case. This will be conducted by a Senior Open Awards Officer who has not had any previous connection with the case. The stage 1 review will take into account the written submission from the appellant, and involve a review of all relevant guidance, any precedent, and the procedures that were followed in arriving at the decision being appealed against.

Open Awards will deal with any Stage 1 Appeals as promptly as is consistent with a thorough exploration of the case and the outcome of the appeal will be reported as soon as it is available.

Open Awards will communicate the outcomes to the appellant in writing **within 3 days** of the decision being reached.

## **Stage 2 Appeals**

If the appellant disagrees with the outcome of the Stage 1 Appeal a written request for a Stage 2 Appeal hearing should be sent to Open Awards who will make arrangements for a Stage 2 Appeals Panel to be convened.

The request should be submitted within two calendar weeks of receiving the outcomes of stage 1 decision.

The stage 2 process is designed to ensure that the appellant has a formal opportunity to present their case to an impartial body appointed in accordance with the Conditions of Recognition issued by the regulators (QAA, Ofqual in England, DCELLS in Wales and CCEA in Northern Ireland). This states that the appeal should focus on whether Open Awards has:

- Used procedures that were consistent with the regulatory requirements
- Applied its procedures properly and fairly in arriving at judgements.

For a stage 2 hearing Open Awards will convene a panel. All appeals will be heard by an Appeals Panel that includes independent members. The Appeals Panel will consist of the chair of Open Awards Board and two independent members. Independent in this context relates to someone who has not been a member of the Open Awards Board or Committees, or who is an employee, verifier, assessor or marker at any time during the last 7 years. In addition the independent member will have no interest or involvement in the complaint/appeal.

**The Procedures for Conducting a Stage 2 Hearing are set out in *Appendix 1* of the Open Awards Enquires and Appeals Policy and Procedure.**

The hearing of the appeals panel will be communicated in writing to the centre.

**This will complete the Open Awards appeals procedures and no further appeals will be accepted by Open Awards.**

## Forms - Open Awards Reasonable Adjustments

### Form RA1

This form must be completed by a centre when it wishes to make a reasonable adjustment to an internally set and assessed assessment or examination which the Open Awards Reasonable Adjustments policy states **can be made at the discretion of the centre**.

The centre should ensure that in making any adjustments they have read and understood the guidance provided by Open Awards.

The completed **RA1** form **MUST** be made available to the Open Awards External Verifier at external verification together with all of the following:

- The modified assessment details/task
- The evidence of need
- The assessment evidence that has been generated by the learner
- The internal verification records of the assessment decision
- Evidence that the evidence has been included in any internal standardisation events.

***Please retain a copy of the Form for at least 3 years from the end of the year to which it relates.***

### Form RA2

This form must be completed by a centre when it wishes to make a request for a reasonable adjustment to any assessment task prescribed and produced by Open Awards (eg assessments taken under controlled exam conditions).

The form **MUST** be completed as soon as possible after the need has been identified, and in **any event at least 20 working days before the assessment is due to be taken**.

**The form must be sent to the Open Awards' Head of Quality.**

Supporting evidence must be provided – this may include one or more of the following:

- The centre's assessments of the learner's needs
- History of provision within the centre
- Medical Certificate
- Psychological or other professional assessment/report

***Please retain a copy of the Form for at least 3 years from the end of the year to which it relates.***