



**Reasonable Adjustments
and
Special Considerations policy**

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<u>Accountable officer:</u>	Head of Training/Responsible Officer

Introduction

This policy sets out the expectations on all parties to ensure fair access in practice to End-point Assessment for apprentices being assessed by British Marine.

All apprentices and potential apprentices should be able to enter and successfully participate in an apprenticeship programme and end-point assessment in pursuit of their learning objectives.

British Marine is committed to ensuring that we provide apprentices with all relevant information and guidance about End-point assessment. Our guidance sets out our intention to deliver an End-point Assessment service which is fair, accessible and does not include any unnecessary barriers to entry.

British Marine fully supports the principle of equal opportunities and opposes all unlawful or unfair discrimination on the grounds of:

- Age
- ability
- disability
- gender reassignment
- marital/civil partnership status
- domestic circumstances
- pregnancy and maternity
- racial group
- religion or belief
- sex
- sexual orientation
- colour
- culture
- social background
- employment status
- or any other grounds or status

Definition

The Equality Act 2010 provides a legal framework to protect the rights of individuals and promote equality of opportunity for all. It protects individuals from various forms of discrimination and harassment.

Direct discrimination - treating someone with a protected characteristic less favourably than others.

Indirect discrimination - putting rules or arrangements in place that apply to everyone, but that put someone with a protected characteristic at an unfair disadvantage.

Harassment - unwanted behaviour linked to a protected characteristic that violates someone's dignity or creates an offensive environment for them.

Victimisation - treating someone unfairly because they have complained about discrimination or harassment.

Protected characteristics - characteristics (including perceived or by association) that are protected by the law. It is unlawful to discriminate (directly or indirectly) because of:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

These are known as "protected characteristics."

Stereotypes - making decisions about people based on stereotypes can be discrimination too.

Scope

This policy applies to all key stakeholders engaged with the End-point Assessment activities on behalf of British Marine and any person who can influence the outcomes of End-point Assessment. This includes Employers, Contractors, Partner Organisations, and British Marine employees and volunteers.

Policy statement

British Marine is committed to the development and support of apprentices which includes providing information and fair entry and access arrangements, irrespective of any protected characteristic they may have. British Marine is committed to:

- Ensuring that every British Marine approved End-point Assessment location has fair access for the delivery and facilitation of End-point Assessments.
- Ensuring that all End-point assessments are designed, developed and delivered to be representative of the apprentices, including ensuring that there are no features of End-point Assessment that could disadvantage any apprentice that has a particular protected characteristic or barriers to entry other than those directly related to the purpose of the end-point assessment or apprenticeship qualification. The nature of any such features or barriers will be stated and the inclusion of the requirements that create the barrier justified in terms of why they are required for the particular End-point Assessment. **Please refer to British Marine's Internal Quality Assurance policy for information on how we embed E,D& I in design and development.**
- Ensuring fairness in our application of all access arrangements, reasonable adjustments and special considerations for End-point Assessments.
- Ensuring that apprentices with a protected characteristic are neither advantaged nor disadvantaged in End-point Assessments in comparison to apprentices who do not share that characteristic, ensuring that all achievement of End-point Assessment is comparable.
- Ensuring that adequate monitoring and review of equality and diversity happens throughout the process of developing and delivering End-point Assessment products and services. **Please refer to British Marine's Internal Quality Assurance policy for information on how we will do this.**

- Ensuring that British Marine considers all requests relating to End-point Assessments that are received, except where acceptance of the request is not logistically possible or where acceptance would undermine the reliability or integrity of the assessment.
- Incorporate specific and appropriate duties in respect of implementing this policy into the work objectives of all staff involved in the delivery of End-point Assessments.
- Provide equality training and guidance as appropriate to our staff and contractors including as part of induction training as well as further on-going training. Where complaints relating to issues of fair access cannot be satisfactorily resolved, apprentices must be made aware of their right to complain to British Marine via the arrangements outlined in our End-point Assessment Complaints and Appeals Policy.

PART 1 - Reasonable adjustments

It is important that employers and training providers inform British Marine of any requests for reasonable adjustments required as soon as possible but not less than three months prior to the scheduled gateway date in order to ensure fair access to End-point assessment.

British Marine will consider each request and may only reject a request for a reasonable adjustment where it may constitute a serious safety hazard which cannot be reasonably overcome, or if any adjustment may create a serious loss of validity or independence within the assessment process.

To submit a reasonable adjustment request, the apprentice (or the employer or training provider with the apprentice's consent) should fill in the application form on the [British Marine website](#) and send the completed form to British Marine electronically or via post, as detailed at the base of the application form. If you are unable to complete an application form, please contact us via EPAO@britishmarine.co.uk or via telephone 07584563285.

During the End-point assessment the types of adjustments offered may include, but are not limited to, changes to elements such as:

- the location and timing of the assessment
- the format, wording or type of assessment activity
- the availability of support personnel for additional needs
- the availability of adaptive software or hardware, or specialist equipment

Further details are provided in the Institute for Apprenticeships and Technical Education's reasonable adjustment matrix shown on the following page.

Institute for Apprenticeships and Technical Education reasonable adjustment matrix

<https://www.instituteforapprenticeships.org/quality/end-point-assessment-reasonable-adjustments-guidance/>

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 as 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 Reasonable adjustment	Observation	Practical Skills Test	Test	Project	Presentation	Professional Discussion
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 worker in attendance	2,5,6,8	2,5,6,8	2,5,8	2,5,8	2,5,6,8	2,5,8
Timed 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 + extra time	7	7	7	7	7	7
Assistive technology – voice recognition			2, 4, 6			
Assistive technology – screen reader			8			
Assistive technology – text to speech			2, 4			
Flexibility with location				3, 4, 5, 6	3, 4, 5, 6	3, 4, 5, 6
	4	4	4	4	4	4

Assessment method Reasonable adjustment	Observation	Practical Skills Test	Test	Project	Presentation	Professional Discussion
Flexibility of time of assessment						
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				2, 3, 4, 5	2, 3, 4, 5	
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, 4, 5, 6
Rewording of questions / clarification if needed					2, 3, 7	2, 3, 7

Assessment method	Observation	Practical Skills Test	Test	Project	Presentation	Professional Discussion
Reasonable adjustment						
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

Adjustments 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. All applications must include supporting evidence. Evidence can be:

- Evidence of assessment of the apprentice’s needs by a member of staff with competence and responsibility in the areas, such as learning support staff, trainers, and other specialist staff.
- History of the provision provided by the employer and provider during the apprentice training
- 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 authored the report, and the report should detail the nature of the difficulty and extent to which the apprentice is affected by the difficulty, including the effects of any medication that the apprentice may be taking.

An apprentice with an Education and health Care Plan (EHCP) does not automatically qualify for reasonable adjustments, but it will be considered with any request.

It is important that reasonable adjustments **do not** affect the reliability or validity of assessment and they should not give the apprentice an advantage over other apprentices undertaking the same assessment.

All requests will be considered on the information received. Whether an adjustment will be considered reasonable will depend on a number of factors which will include, but are not limited to:

- the needs of the disabled apprentice;
- the types of adjustment requested compared to the adjustments provided on-programme;
- the effectiveness of the adjustment;
- the cost of the adjustment; and
- the likely impact of the adjustment upon the Apprentice and other Apprentices.

Some adjustments may not be considered reasonable if they:

- Do not meet the published criteria;
- Do not mirror the adjustments or support provided on-programme;
- Involve unreasonable costs to British Marine;
- Involve unreasonable timeframes;
- Affect the security and integrity of the apprenticeship itself;

- Put in jeopardy the health and well-being of the apprentice.

The review of the request and agreed reasonable adjustment will be made within ten working days of receipt of the request and will be subject to strict guidelines that will be written on the reasonable adjustment report. For example, the apprentice will not be permitted to talk with third parties during rest breaks and readers will not be able to provide advice or suggestions to the apprentice. Where a request is rejected or partially accepted, we will provide a written justification behind the decision. An apprentice has the right to appeal the reasonable adjustment decision in accordance with our appeals policy.

NOTE: British Marine will work with third parties where appropriate to ensure reasonable adjustments are made available on site and will conduct checks to ensure they have been implemented properly and are fit for purpose.

In addition to this, British Marine will support apprentices by ensuring that:

- The reasonable adjustments provide apprentices with the opportunity to demonstrate attainment against occupational competence;
- The assessment is reliable, and any person using the apprenticeship certificate to identify an individual's competence can have confidence in their skills and abilities;
- The assessment process is rigorous and fair, and the assessment activity is valid;
- The assessment is practically able to operate within available resources, following the application of any reasonable adjustments;
- Facilities and time allow apprentices to use any commercially available mechanical, electronic or other aids in order to demonstrate achievement so long as they reflect the apprentice's normal ways of working and do not give the apprentice an unfair advantage.

PART 2 - Special considerations

A special consideration is an allowance that is applied to an apprentice in the event that they are unable to undertake the EPA or demonstrate their occupational competence (due to extenuating circumstances as below).

Special considerations are given to apprentices who have temporarily experienced

- illness,
- injury or
- other relevant situation that affected the apprentice at the time of the assessment.

British Marine will always ensure the integrity of the assessment is maintained when taking into account any special considerations.

British Marine must be made aware of the request for a special consideration as soon as is practicably possible before (usually 48 hours prior) or during the assessment or affected activity is due to take place, via EPAO@britishmarine.co.uk. Each request will be considered on a case-by-case basis. If you are making this request on the due date of the assessment or activity, please follow up your email with a call to the training operations manager on 07584563285.

If the request is being made after the assessment / activity, this must be made within 24 hours of the completion of the assessment / activity and can only be made to address the apprentice not being able to demonstrate occupational competence due to any of the following reasons.

Please note British Marine have a cancellation and rescheduling of assessments policy in place, special considerations cannot be used for those purposes.

A special consideration may be applied for an apprentice in the following situations:

- Performance in the assessment is affected by circumstance beyond the control of the apprentice – for example, illness, injury, bereavement, serious disturbance during the assessment.
- Making sure fair access is available to the apprentice, for example in the case of injury and inability to write, providing a suitable person to write on their behalf, adhering to test and assessment security and integrity.
- Reasonable adjustments agreed in advance of the assessment were inadequate or inappropriate.
- Part of an assessment has been missed due to circumstances beyond the control of the apprentice.

Requests for special consideration will not be permissible under the following circumstances:

- if the assessment is missed due to pre-planned arrangements such as holiday, and hospital appointments.
- If it provides unfair advantage or disadvantage to apprentices.
- if the apprentice does not provide supporting evidence, such as a medical certificate, where consideration is requested for a medical condition.
- if the request is based on a minor illness or a minor disturbance during the assessment, such as a mobile phone ringing.
- If the request alters or prevents the assessment / activity form providing a reliable indication of the understanding and demonstration of the knowledge, skills and behaviours being assessed.

If the circumstances beyond the apprentice's control are the result of the staffing or equipment associated with British Marine, such as equipment failure on the day of, or during, an observation, or assessor's illness preventing attendance, a request for special consideration is not required, and the assessment will be re-arranged.

In such circumstances the apprentice has the right to complain under the British Marine complaints and appeals policy. We will also consider any potential or actual adverse effects and investigate and report to the regulator (Ofqual) accordingly.

Any requests for special consideration are considered by a person not involved in the activity subject to the special consideration. If there are no conflicts of interest, this is usually the Training Operations Manager or Responsible Officer, with a written decision about whether to accept or reject the application within five working days.

If the application is accepted, a range of options may be available, which will depend on the circumstances, for example:

- Re-scheduling of the assessment
 - the rescheduling of the assessment in such circumstances is not considered a re-sit or re-take.
 - re-assessment will be conducted no later than 8 weeks after the application for special consideration, depending on the apprentice's circumstances, and the timeframes permissible within the apprenticeship assessment plan.
- Re-marking of the assessment to take account of the reduced time an apprentice had to complete the assessment.
 - It should be noted that a successful application of Special Consideration will not necessarily change a learner/apprentice's results.

If an application is rejected, the apprentice has the right to appeal through the British Marine complaints and appeals policy.

Data Protection

Information about an apprentice's disability is deemed 'sensitive personal data' and therefore we are required by law (under the Data Protection Act) to process the information 'fairly and lawfully.' An apprentice's information will only be made available to those on a 'need to know' basis based on the Equality Act 2010. This will include EPA administrative staff and the assessor, as well as people who may be required to assist the apprentice during the assessment.

We will keep on record all reasonable adjustment and special consideration applications and evidence for a period of 6 years after the assessment in line with the document retention period specified within the conditions for acceptance for end-point assessment organisations.

British Marine will conduct analysis of the data around the number of requests made for special considerations every quarter, these will factor in the following:

- Apprenticeship Standard,
- Type of Assessment / Activity
- Employer,
- Training Provider,
- Type of Consideration,
- Outcome – Accepted not accepted
- Changes to results made
- Overall process and timelines

No names or sensitive information will be used in this analysis. Its purpose is to monitor and prevent misuse of special considerations, reviews the whole process and evaluates its effectiveness.

Monitoring the Policy

This policy will be reviewed annually to ensure that its provisions continue to meet the legal obligations of British Marine and reflect best practice.

Questions about the content or application of this policy should be directed to the Responsible / Head of Training at epao@britishmarine.co.uk or 07584 563343.