



Special Consideration Policy

CILEX End-Point Assessment

Purpose

1. CILEX recognises that some apprentices who are fully prepared for an assessment may have been temporarily disadvantaged by adverse circumstances beyond their control at the time of the assessment. The CILEX Special Consideration Policy – CILEX End-Point Assessment sets out CILEX's policy position for supporting apprentices, who have been disadvantaged, whilst ensuring that the integrity of the End-Point Assessment is maintained.
2. This policy should be read in conjunction with the CILEX Special Consideration Procedure – CILEX End-Point Assessment.

Scope

3. This policy applies to apprentices undertaking CILEX End-Point Assessments (EPAs), their employers and training providers, CILEX staff and contractors involved in the delivery of EPA services.

Definitions

4. The term 'assessment' in the context of this policy includes the components of an End-Point Assessment listed in Appendix 1.
5. Special consideration may be applied in circumstances where an apprentice is materially affected by adverse circumstances beyond their control at the time of an assessment. The adverse circumstances may include temporary injury, illness, other indisposition or event outside of the apprentice's control.

Key principles

6. CILEX delivers EPA in accordance with the requirements set out in the relevant Apprenticeship End-Point Assessment Plan (EPA Plan). The grading criteria for the EPA, as set out in the EPA Plan, as applicable, informs the grade an apprentice is awarded. The grade an apprentice is awarded for the EPA reflects his/her actual achievement in the EPA and not his/her potential achievement.
7. Special consideration should not give an apprentice an unfair advantage, neither should it mislead stakeholders regarding an apprentice's achievement. An apprentice's result must reflect the achievement in an assessment and not their potential ability.
8. Special consideration will be dependent on the nature of the assessment, the requirements set out in the EPA Plan and the adverse circumstances encountered and may include:
 - postponing a scheduled assessment
 - flexibility to timelines for submission of an EPA component post Gateway
 - permitting a re-sit of an assessment component.

9. In circumstances where special consideration is approved, the integrity of the assessment must not be compromised. Special consideration will align with the relevant EPA Plan.
10. CILEX does not permit, within the scope of its special consideration policy, a final end-point assessment result to be awarded to an apprentice who has not successfully completed all the End-Point Assessment components.
11. Apprentices who have temporary injuries, illness, any other indisposition or a protected characteristic (with the exception of disability¹) which present a barrier to accessing the assessment or may require additional support should refer to the CILEX Access Arrangements Policy and the corresponding CILEX Access Arrangements Procedure for End-Point Assessment.

Eligibility for special consideration

12. Apprentices who are fully prepared for a scheduled assessment may be eligible for special consideration if their performance in that assessment is materially affected by adverse circumstances beyond their control.
13. Apprentices for whom the EPA requires the completion of a post-Gateway EPA component by a deadline, for example a project, may be eligible for special consideration if they are materially affected by adverse circumstances beyond their control during the period for the completion of EPA component.
14. CILEX will set out circumstances for which special consideration will **not** be agreed. This will include but not be limited to circumstances which are not proximate to the assessment, issues arising due to an apprentice's own actions and personal choices, and issues affecting preparation for an assessment (for example, loss of learning).
15. Apprentices who receive reasonable adjustments or access arrangements for assessments will not be entitled to receive special consideration for the same circumstances.
16. There will be situations where apprentices should delay going through Gateway until the temporary adverse circumstances have been resolved.
17. Apprentices will only be eligible for special consideration if supporting evidence accompanies the application in accordance with the requirements set out below.

Supporting evidence

18. Written evidence from an authoritative source which can be validated must support applications for special consideration.
19. It is the apprentice's responsibility to provide sufficient evidence.

¹ The CILEX Reasonable Adjustment Policy – CILEX End-Point Assessment sets out the policy for providing reasonable adjustments within the scope of the Equality Act 2010 to alleviate or remove the effect of a disability.

Decision making

20. CILEX decides the outcomes of special consideration applications.
21. In making decisions CILEX will consider:
 - documented, valid supporting evidence
 - the assessment type
 - the CILEX criteria for postponing an assessment, as applicable
 - the requirements of the relevant EPA Plan
 - the potential impact of any special consideration on the validity or integrity of the assessment.
22. CILEX may consider whether the cost implications of postponing an assessment are reasonable in the circumstances, before approving an application.
23. The outcome of a special consideration request may be:
 - the postponement of an assessment at no extra charge
 - a future re-sit of an EPA component
 - agreed flexibility to timelines for submission of an EPA component post Gateway
 - rejection of the application.

Special consideration appeals

24. Information about appealing the outcome of a special consideration application is set out in the CILEX Appeals Policy – CILEX End-Point Assessment and the CILEX Appeals Procedure – CILEX End-Point Assessment.

Policy review arrangements

25. This policy is subject to a three-year review cycle. However, the policy may be reviewed more frequently to address regulatory changes, operational feedback or concerns brought to the attention of CILEX to ensure the policy remains fit for purpose.
26. This policy is also reviewed as part of CILEX ongoing quality improvement monitoring.

Summary of changes between V4.0 and previous version
▪ Definitions section – minor revisions. ▪ Key principles section – additional example of special consideration added. ▪ Eligibility section – updated to include submission of projects after Gateway. ▪ Decision making section – outcomes updated to address EPA components submitted after Gateway. ▪ Appendix 1 – updated with all the End-Point Assessments offered by CILEX.

CILEX End-Point Assessments

CILEX Level 3 End-Point Assessment for ST0245 Paralegal Apprenticeship Versions 1.2 and 1.3

CILEX Level 6 End-Point Assessment for ST0244 Chartered Legal Executive (CLE) Versions 1.0 and 1.1

CILEX Level 7 End-Point Assessment for ST1368 Chartered Legal Executive (CLE) Litigator & Advocate
Version 1.0