



# Special Consideration Procedure

*CILEX End-Point Assessment*

# Introduction

1. This procedure describes the way in which CILEX implements its CILEX Special Consideration Policy for CILEX End-Point Assessments (Appendix 1). This procedure should be read in conjunction with the CILEX Special Consideration Policy – CILEX End-Point Assessment.

## Scope

2. This procedure 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.

## Applying for special consideration

3. CILEX will accept applications from the apprentice, the apprentice's employer or the apprentice's training provider. Employers/training providers making an application on behalf of an apprentice must have the apprentice's explicit written permission. CILEX reserves the right to request to see a copy of the apprentice's written consent.
4. Applicants should download and complete the CILEX Special Consideration Form available on the CILEX EPA System and submit it as instructed on the form.
5. The form must be accompanied by appropriate supporting evidence.

## Apprentices eligible to apply for special consideration

6. Apprentices who are fully prepared for a scheduled assessment may be eligible for special consideration if their performance in an assessment will be, or has been, affected by adverse circumstances beyond their control. Adverse circumstances may include:
  - temporary illness/accident/injury at the time of the assessment
  - bereavement affecting the individual at the time of the assessment
  - domestic crisis arising at the time of the assessment
  - significant disturbance during the assessment.

## Requests that are not eligible for special consideration

7. The End-Point Assessment for the Level 6 Chartered Legal Executive Apprenticeship and the Level 7 Chartered Legal Executive Litigator and Advocate Apprenticeship do not include scheduled assessment activities and therefore, special consideration is not available for these End-Point Assessments.

8. Apprentices will not be eligible for special consideration if preparation or performance in an assessment is affected by:
  - long term illness or other difficulties during the course affecting revision time, unless the illness or circumstances manifest themselves at the time of the assessment
  - pregnancy unless other medical conditions resulting from pregnancy have arisen (medical, psychological or clinical evidence will be required)
  - domestic inconvenience at the time of the assessment such as moving house or lack of facilities
  - minor disturbance during the assessment, for example, momentary noise disturbance
  - consequences of committing a crime or being charged with an offence
  - consequences of taking alcohol or non-prescribed drugs
  - consequences of non-compliance with CILEX regulations
  - failure of a training provider to prepare apprentices properly for the assessment for whatever reason, including staff shortages, building work or lack of facilities
  - misreading CILEX assessment documentation including communications regarding scheduled date and time of assessments and/or failing to access the assessment at the right time
  - misreading the assessment instructions
  - making personal arrangements such as a wedding or holiday which conflict with the assessment timetable
  - failure to complete the course of study
  - ongoing disabilities unless a temporary illness has also affected the apprentice at the time of the assessment or where the disability exacerbates what would otherwise be a minor issue.
9. Apprentices who receive reasonable adjustments or access arrangements for assessments will not be entitled to receive special consideration for the same circumstances.

## Evidence requirements

10. Sufficient and appropriate supporting evidence must be submitted for all requests for special consideration. If sufficient or appropriate supporting documentation is not submitted the application will be rejected.

## Requests to postpone an assessment

11. Requests to postpone a scheduled assessment after the date of the assessment has been confirmed due to temporary illness, injury or adverse circumstances at the time of an assessment must be supported by evidence, for example, medical evidence from a qualified medical practitioner.

## Requests for a re-sit

12. Requests to be permitted a re-sit of an assessment due to significant disruption during the assessment should be supported by a summary of the incident provided on the CILEX Special Consideration Application Form and, where possible, supporting evidence to validate the summary.

# Timelines

13. Applications to postpone an assessment activity must be received by CILEX prior to the scheduled assessment. Where circumstances permit it, requests to postpone an assessment activity should be submitted to CILEX at least two working days before the scheduled date of the assessment activity.
14. Applications for a re-sit due to a significant disturbance must be submitted to CILEX no more than five working days after the assessment.
15. CILEX will process applications to postpone an assessment and notify apprentices of the outcome within five working days of receiving the application.
16. CILEX will confirm the outcome of a request for a re-sit within 20 working days of receiving the application.

# Decision making

17. The outcome of a special consideration application is decided by CILEX.
18. For applications which are approved, CILEX will contact the apprentice in order that the necessary arrangements can be put in place.
19. CILEX decisions are informed by the relevant criteria set out below.

## Criteria for postponing a scheduled assessment

20. In exceptional adverse circumstances which occur at the time of the assessment, CILEX will consider postponing an assessment. Adverse circumstances CILEX will consider are:
  - bereavement of immediate family member within the four-week period leading up to the assessment
  - major accident/injury endured by the apprentice within the four-week period leading up to the assessment
  - very serious and disruptive domestic crisis which occurs within the four-week period leading up to the assessment.

## Criteria for permitting a re-sit opportunity

21. Applications for a re-sit will only be considered if the apprentice:
  - fails an assessment component (i.e. Interview, Timed Assessment 1 or Timed Assessment 2 Professional Discussion or Presentation with Questions and Answers) and
  - there is sufficient validated evidence that the apprentice experienced a significant disruption incident during an assessment.

22. CILEX will only consider applications based on a significant system or technical disturbance during a Timed Assessment where there is evidence that the apprentice completed the system check prior to the Timed Assessment and issues are not due to the apprentice's equipment or internet connection issues.

## Retention of materials

23. CILEX retains special consideration applications and supporting evidence for seven years after the EPA results are released

## Review arrangements

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

Summary of changes between V3.0 and previous version
<ul style="list-style-type: none"><li>▪ Added Appendix 1 that lists the End-Point Assessments offered by CILEX.</li><li>▪ Amended where the special consideration form can be located.</li><li>▪ Amended the number of days the outcome is issued.</li><li>▪ Amended the requests for a re-sit</li><li>▪ Amended the retention period for special consideration applications and supporting evidence.</li></ul>

**CILEX End-Point Assessments:**

CILEX Level 3 End-Point Assessment for ST0245 Paralegal Apprenticeship Version 1.2

CILEX Level 3 End-Point Assessment for ST0245 Paralegal Apprenticeship Version 1.3