



# 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 CILEX qualification 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.
5. Special consideration is consideration given to an apprentice who has experienced temporary injury, illness, other indisposition or event outside of the apprentice’s control which has, or is reasonably likely to have, materially affected the apprentice’s ability to take an assessment or demonstrate their level of attainment in the assessment.

# Key principles

6. CILEX delivers End-Point Assessment in accordance with the requirements set out in the relevant Apprenticeship End-Point Assessment Plan. The grading criteria for the EPA, as set out in the EPA Plan, 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 achievements. An apprentice’s results must reflect the achievement in an assessment and not their potential ability.
8. Special consideration will be dependent on the nature of the assessment and the adverse circumstances encountered and may include:
  - postponing a scheduled assessment
  - permitting an uncapped re-sit of an assessment component for EPA where the EPA Plan states that a re-sit is capped at a Pass.
9. In circumstances where special consideration is approved the integrity of the assessment must not be compromised.

10. Paralegal apprentices who pass an assessment are not permitted to re-sit the assessment to improve their grade. This is prohibited by the EPA Plans. Any special consideration CILEX considers will comply with this requirement.
11. CILEX does not permit, within the scope of its special consideration policy, an EPA result to be awarded to an apprentice who has not successfully completed all the EPA components.
12. Apprentices who have temporary injuries, illness or other indisposition which present a barrier to accessing the assessment and require arrangements to support their access to the assessment should refer to the CILEX Access Arrangements Policy – CILEX End-Point Assessment and the associated procedure.

## Eligibility for special consideration

13. Apprentices who are fully prepared for a scheduled assessment may be eligible for special consideration if their performance in an assessment is materially affected by adverse circumstances beyond their control.
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 an apprentice's own actions and personal choices, 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.

## 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 which is not capped at pass grade (for EPA where the EPA Plan states that a re-sit is capped at a Pass);
  - 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 associated Appeals Procedure.

## 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 V2.1 and previous version
Minor changes to paragraphs 8 and 23 to address the situation that not all EPA plans require a re-sit to be capped.
Assessment plan amended to End-Point Assessment Plan or EPA Plan throughout.