

# Special Consideration Policy and Procedures

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CILEX END-POINT ASSESSMENT

The Chartered Institute of Legal Executives

@2019

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## **Introduction**

1. This document sets out the CILEx Special Consideration Policy and Procedure for the CILEx Level 3 Paralegal Apprenticeship End-Point Assessment (EPA) and CILEx Level 6 Chartered Legal Executive Apprenticeship End-Point Assessment only.

## **Scope**

2. This policy applies to apprentices undertaking CILEx End-Point Assessment, their employers and training providers and CILEx staff and contractors involved in the delivery of EPA services.

## **Explanation of Special Consideration for CILEx End-Point Assessment**

3. Special consideration applies to apprentices who experience temporary illness, injury or adverse circumstances at the time of an assessment affecting an apprentice's ability to demonstrate his or her level of attainment or causing him or her to miss an assessment activity.
4. CILEx delivers End-Point Assessment in accordance with the requirements set out in the relevant Apprenticeship Assessment Plan. The grading criteria for the EPA, as set out in the Assessment 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.
5. Consequently, special consideration is normally limited to allowing an apprentice to postpone a scheduled assessment activity, for example, a timed-assessment or interview.
6. The End-Point Assessment for the Level 6 Chartered Legal Executive Apprenticeship does not include scheduled assessment activities and therefore, special consideration is not available for this End-Point Assessment.
7. In exceptional circumstances, CILEx Level 3 Paralegal Apprenticeship apprentices who experience significant disruption during a timed assessment or interview resulting in the apprentice failing the affected assessment component may be permitted to re-sit the assessment component without the re-sit attempt being capped at the pass grade.
8. CILEx is unable to permit Level 3 Paralegal Apprenticeship apprentices, who experience significant disruption during a timed assessment or interview and who achieve a pass grade in the assessment component affected, any opportunity to re-sit the assessment component to improve their grade because this is prohibited by the Assessment Plan.

## **Procedure for Special Consideration applications**

### **Postponing an assessment activity for the CILEx Level 3 Paralegal Apprenticeship EPA**

9. CILEx will accept applications to postpone a scheduled assessment activity from the apprentice, the apprentice's employer or the apprentice's training provider. The applicant should complete the End-Point Assessment Special Consideration Application form.
10. Employers/training providers making an application on behalf of an Apprentice must have the apprentice's explicit written permission. Employers/training providers must ensure that they retain a copy of the written consent for at least six months following the application. CILEx reserves the right to request to see a copy of the apprentice's written consent.
11. Requests to postpone an assessment activity after the date of the assessment activity 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.
12. Applications to postpone an assessment activity must be received by CILEx prior to the scheduled date of the assessment. Where circumstances permit it, requests to postpone an assessment activity should be submitted to CILEx at least 2 working days before the scheduled date of the assessment activity.
13. CILEx will consider the supporting evidence underpinning the application in order to reach a decision.
14. CILEx will notify the applicant of the decision within 5 working days of receiving the application.
15. In the event that an application to postpone an assessment activity is approved, CILEx will contact the apprentice in order that the necessary arrangements can be put in place.

### **Significant disruptive incident during a CILEx Level 3 Paralegal Apprenticeship timed assessment or interview**

16. In the event that an apprentice experiences significant disruption during either a timed assessment or interview, the apprentice, their employer or training provider should provide a summary of the incident on the End-Point Assessment Special Consideration Application form and submit the form to CILEx along with supporting evidence within 5 working days of the scheduled assessment activity.

17. As identified above, employers/training providers making an application on behalf of an Apprentice must have the apprentice's explicit written permission.
18. In the event that the apprentice fails the assessment component affected, CILEx will consider the nature of the incident and supporting evidence in order to determine whether the apprentice is permitted an uncapped re-sit opportunity.
19. In such cases, the apprentice will be informed of the decision after the assessment results have been finalised.

### **Appeals**

20. Information about appealing a decision in relation to a special consideration application is set out in the CILEx Appeals Policy and Procedures - CILEx End-Point Assessment.

### **Useful contacts**

21. For more information about special consideration contact the Membership Contact Team – [membership@cilex.org.uk](mailto:membership@cilex.org.uk)

### **Policy review arrangements**

22. This policy and procedure are subject to a three-year review cycle. However, the policy and procedure may be reviewed more frequently to address regulatory changes, operational feedback or concerns brought to the attention of CILEx to ensure the policy and procedure remains fit for purpose.
23. This policy and procedure are also reviewed as part of CILEx's ongoing quality improvement monitoring.