

**CILEx Reasonable Adjustments Policy and Procedures –
Level 3 Diploma in Law and Legal Skills (Tech Level)**

Policy name	CILEx Reasonable Adjustments Policy and Procedures – Level 3 Diploma in Law and Legal Studies (Tech Level)
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1. Introduction

This document sets out the CILEx Reasonable Adjustments Policy and Procedures for the Level 3 Diploma in Law and Legal Skills Qualification only.

Learners seeking adjustments to examination or assessment conditions due to temporary illness, temporary injury or other indispositions and/or protected characteristics under the Equality Act 2010 (with the exception of disability) should refer to the CILEx Access Arrangements Policy and Procedures.

2. Purpose

CILEx recognises that reasonable adjustments allow learners to show what they know and can do without changing the validity or demands of the assessment/examination.

This policy sets out:

- a definition of reasonable adjustments;
- the responsibilities of CILEx accredited centres in relation to reasonable adjustments;
- CILEx responsibilities in relation to reasonable adjustments;
- the responsibilities of CILEx learners in relation to reasonable adjustments;
- CILEx policy and procedures for reasonable adjustments for the Level 3 Diploma in Law and Legal Skills.

3. Scope

This policy applies to centres accredited to deliver the CILEx Level 3 Diploma in Law and Legal Skills, learners undertaking the CILEx Level 3 Diploma in Law and Legal Skills and CILEx Awarding Organisation staff.

4. Reasonable Adjustments Definition

- 4.1** Reasonable adjustments are offered within the scope of the Equality Act 2010. The Act defines someone with disabilities as having ‘a mental or physical impairment which is long-term and has a substantial adverse effect upon day-to-day activities’. Disabilities considered for reasonable adjustments include (but are not limited to): mobility issues; sensory impairments; learning difficulties such as dyslexia, Asperger’s syndrome and autism; long-term conditions such as multiple sclerosis, MND, ME, cancer treatment.
- 4.2** Indispositions arising from temporary illness or temporary injury are not considered under this policy but are considered under the Access Arrangements policy.
- 4.3** Under the duties from the Act, CILEx and its accredited centres must ‘have due regard to the need to: eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010; advance equality of opportunity between people from different groups and foster good relations between people from different groups’. Reasonable adjustments therefore are intended to assist learners to demonstrate their attainment without affecting or circumventing the assessment/examination requirements.
- 4.4** Reasonable adjustments are agreed before an assessment/examination. They allow learners with disabilities to be fairly assessed.
- 4.5** Reasonable adjustments can be made for learners taking assessment/examinations to alleviate or remove the effect of a disability, which places learners at a substantial disadvantage, to enable them to demonstrate their knowledge, skills and understanding to the levels of attainment required by the specification for that qualification.
- 4.6** Reasonable adjustments must not affect the validity or reliability of the assessment/examination outcomes. They may involve but not be limited to:
- changing standard assessment/examination arrangements, for example allowing learners extra time to complete the assessment/examination activity;
 - providing access facilitators during assessment/examination, such as a reader;
 - re-organising the assessment/examination room, such as removing visual stimuli for an autistic learner.
- 4.7** The use of reasonable adjustments will not be taken into consideration during the assessment/examination of learners’ work.
- 4.8** The Equality Act requires adjustments to be ‘reasonable’ for learners in terms of giving access and to organisations in terms of costs. CILEx must also consider the practicality and effectiveness of the adjustment. Other factors will be taken into account, such as the need to maintain academic standards, the assessment/examination environment for other learners and health and safety.
- 4.9** Further guidance on the types of reasonable adjustments centres, on behalf of learners may request is detailed in Section 12.

5. CILEx Duties/Responsibilities

CILEx as a regulated awarding organisation seeks to:

- 5.1** Determine reasonable adjustments in relation to the defined needs of individual learners.
- 5.2** Consider the learner's normal methods of studying and producing work, if appropriate, when making decisions on reasonable adjustments.
- 5.3** Approve valid reasonable adjustments for assessment/examinations, on the basis of clear, documented evidence from a qualified professional.
- 5.4** Ensure that reasonable adjustments do not reduce the reliability or validity of the assessment/examination so that academic credibility is maintained. The qualification of learners who had reasonable adjustments must have the same credibility as those of other learners. Ensure that the provision for reasonable adjustments does not compromise the integrity of the qualification.

6. Duties and Responsibilities of Centres

Centres should work in partnership with the learner and CILEx and:

- 6.1** Ensure that all learners are aware of the CILEx Reasonable Adjustments Policy at the beginning of their CILEx course.
- 6.2** Centres delivering the Level 3 Diploma in Law and Legal Skills are expected, with the agreement of the learner, to apply for reasonable adjustments on the learner's behalf.
- 6.3** Ensure that all arrangements requested will assist learners to demonstrate their attainment without affecting or circumventing assessment/examination requirements.
- 6.4** Consider the learner's normal way of studying and producing work using clear, documented evidence from a qualified professional as a basis for reasonable adjustments, provided that this compensates for the barrier caused by the disability without reducing the integrity of the qualification.
- 6.5** Ensure that buildings used for assessment/examinations are accessible to learners with disabilities, as far as is practicable.
- 6.6** Centres applying for reasonable adjustments on a learner's behalf should send all specific enquiries, requests for advice and completed application forms to CILEx as soon as possible and before the deadlines set out in the Key Dates and Deadlines for the Level 3 Diploma in Law and Legal Skills.

7. Responsibilities of Learners

- 7.1** Learners must ensure that they are familiar with CILEx's Reasonable Adjustments Policy and Procedures – Level 3 Diploma in Law and Legal Skills.
- 7.2** Learners should discuss their reasonable adjustments with their centre in order that their centre can apply to CILEx on their behalf.
- 7.3** It is a learner's responsibility to provide documents which support the reasonable adjustment application, as detailed in Section 9.
- 7.4** Learners are encouraged to discuss any assessment/examination-related needs with their centres.

- 7.5 Learners should note that failure to comply with the CILEx Reasonable Adjustments Policy and Procedures might lead to grades or results being withheld and/or to an investigation into the matter.
- 7.6 Learners who receive reasonable adjustments for assessment/examinations will NOT be entitled to receive special consideration (see CILEx Special Consideration Policy and Procedures) for the same circumstances.

8. Learners Eligible for Reasonable Adjustments

- 8.1 Learners will be eligible for reasonable adjustments if their performance during an assessment/examination is likely to be substantially affected by a particular impairment as defined under the Equality Act 2010.
- 8.2 Some learners with disabilities may not need reasonable adjustments for assessment/examinations. Learners may have developed coping mechanisms which minimise or remove the need for adjustments.
- 8.3 Learners will only be eligible for reasonable adjustments if supporting evidence accompanies the application from the centre in accordance with the requirements in Section 9.
- 8.4 Learners with a Statement of Special Educational Need do not automatically qualify for reasonable adjustments. The demands of the qualification are taken into account. The reasons for the statement may have only limited effect on achievement in the assessment/examination.

9. Supporting Evidence for Reasonable Adjustments Applications

- 9.1 Learners/centres are responsible for ensuring that appropriate supporting documentation accompanies all requests for reasonable adjustments to ensure that CILEx is able to provide each learner with the appropriate assistance.
- 9.2 Supporting evidence must be sufficient, valid and reliable from an appropriately qualified professional. Learners need to explain to this professional the circumstances around their level of study and the format of the assessment/examination.
- 9.3 Appropriate supporting evidence may include:
- A report from a medical, psychological or clinical professional
 - A report from qualified staff engaged by the centre.
- 9.4 The report must state:
- The name, title and professional credentials of the person who carried out the assessment/examination of the learner and wrote the report;
 - The barrier to taking the assessment/examination arising from the disability and recommend the reasonable adjustments required to reduce this barrier.
- 9.5 The evidence should be accurate about the learner's current level of disability and, where possible, should have been written within the last six months, particularly where it might be expected that there could be changes in the way the learner is affected by the disability.
- 9.6 The supporting evidence will be used to assess the reasonable adjustments application. If the adjustments are not reasonable (as defined in Section 4), they will not be agreed. The health and safety issues for learners will be considered since for some learners, postponing the assessments/examinations will provide more appropriate health and safety outcomes. In some

circumstances, alternative adjustments will be suggested which are more practical for particular situations.

10. Applying for Reasonable Adjustments

- 10.1** Centres should complete the Application for Reasonable Adjustments form available on the CILEx website when applying for reasonable adjustments.
- 10.2** Applications for reasonable adjustments must be sent to the Assessment Team at CILEx by the deadlines set out in the Key Dates and Deadlines for the CILEx Level 3 Diploma in Law and Legal Skills.
- 10.3** Centres applying on behalf of learners must complete an application form for each assessment/examination session. All the assessment/examinations for which reasonable adjustments are required at the assessment/examination session must be recorded on the application form.
- 10.4** Where reasonable adjustments for an assessment/examination have been approved by CILEx within the last 12 months, and there are no changes to the barrier to taking the assessment/examination arising from the disability, and the evidence previously submitted remains accurate, centres must complete a reasonable adjustments application form and submit the form to CILEx by the published deadline but do not need to submit the same evidence with the application again. However, CILEx reserves the right in such cases to request further or up to date evidence.
- 10.5** Applications received after the deadline or without the required supporting documentation may not be processed in time for the learner to take the assessment/examination or may be rejected.

11. Reasonable Adjustments Appeals

Centres wishing to appeal the outcome of reasonable adjustment applications are entitled to do so. Information about appeals is set out in *CILEx Qualifications Appeals Policy and Procedures*.

12. Range and Types of Reasonable Adjustments

Section 12 sets out examples of the range and type of reasonable adjustments which may be considered. CILEx will only approve reasonable adjustments for which there is supporting evidence in accordance with the requirements in Section 9. CILEx must be satisfied that the reasonable adjustments approved compensate for the barrier caused by a learner's disability without modifying or invalidating CILEx examination requirements or reducing the integrity of CILEx qualifications.

12.1 Commonly Requested Reasonable Adjustments

Detailed below are the most commonly requested adjustments to standard assessment/examination arrangements. This is not an exhaustive list:

- supervised rest breaks (stopping the 'clock' for each break so the learner is given the full examination time);
- extra time of up to 25%.

12.2 Reasonable Adjustments Categories

The list of reasonable adjustments is organised under the following headings:

- changes to assessment/examination conditions;
- alternative ways of presenting responses;
- use of access facilitators.

12.3 Guidance on Types of Reasonable Adjustments

Changes to assessment/examination conditions

12.3.1 Extra time

Subject to the supporting evidence, learners for whom supervised rest breaks ('clock stopping') are not appropriate or for whom other reasonable adjustments do not reduce the barriers, may be allowed extra time during an assessment/examination if they have disabilities which affect speed of cognitive processing.

The amount of additional time granted will be based on the supporting evidence (see Section 9). Normally, an additional allowance of up to 25% of the total assessment/examination time will be considered.

12.3.2 Supervised rest breaks ('clock stopping')

Subject to the supporting evidence, a learner may be allowed supervised rest breaks during an assessment/examination. Supervised rest breaks may be taken either inside or outside the assessment/examination room. The duration of the breaks will not be deducted from the assessment/examination time.

12.3.3 Change in the organisation of the assessment/examination room

Subject to the supporting evidence, minor changes to the organisation of the assessment/examination room may benefit some learners with particular disabilities such as: visually impaired learners may benefit from sitting near a window for good lighting; hearing impaired learners may benefit from being seated near the front of the room; autistic learners may benefit from having visual/noise stimuli, such as a ticking clock, removed from the room.

12.3.4 Separate accommodation within the centre

Subject to the supporting evidence, learners will be accommodated separately if they are using readers or British Sign Language Interpreters, which may disturb other learners.

In such circumstances the usual assessment/examination conditions will apply and the assessment/examinations will be invigilated in accordance with CILEx instructions.

Alternative ways of presenting learner responses

Subject to the supporting evidence, learners wherever possible will be provided with the means to present their responses by the method most appropriate and being normally used by them during their course of study.

12.3.5 Responses on voice recorders

Subject to the supporting evidence, learners may be permitted to record their responses to questions onto voice recorders. Where the learner's responses are recorded onto a voice recorder, CILEx will arrange for a transcript of the learner's responses. The transcript will be produced by a responsible adult either by writing down the answers or word processing them.

Use of access facilitators and appropriate technology

12.3.6 Reader

A reader is a person who, when requested, will read to the learner all or part of the assessment/examination content and read back the learner's typed responses.

For learners requiring a reader and a scribe, the same person may act as both.

- Additional time will be permitted for the use of a reader and will normally be up to 25% of the prescribed duration of the assessment/examination.
- A reader must be a responsible adult who is able to read accurately and at a reasonable rate and should ideally have a working knowledge of the subject being examined or assessed.
- A reader should not normally be the learner's lecturer/assessor. However, there may be particular circumstances in which it is necessary to use the learner's own lecturer/assessor, and these must be discussed with CILEx in order that CILEx can determine if such an arrangement is appropriate. On no account may a relative, friend or peer of the learner be used as a reader.
- A learner should, wherever possible, have adequate practice in the use of a reader.
- Learners having the services of readers must be accommodated separately to avoid disturbing other learners. The reader may **not** act as invigilator.

12.3.6.1 Role of the Reader

The reader must not emphasise any words, reading neutrally at all times and:

- must abide by assessment/examination regulations or the learner will be disqualified;
- must read only as requested by the learner. Learners may choose to read some parts of the assessment/examination themselves;
- must read accurately. If the reader is working with a deaf or hearing-impaired learner, the reader will articulate clearly;
- must only read the exact wording (instructions and questions), but not give meanings of words, rephrase or interpret anything;
- must repeat instructions and questions on the paper only when specifically requested to do so by learners. The repetition of the instructions and questions will be agreed with and explained to learners prior to the assessment/examination;
- must read, as often as requested, the answers already recorded, but will not act as proof-reader;
- must not advise the learner regarding which questions to do, when to move on to the next question, nor the order in which the questions should be answered;

- may enable a visually impaired learner to identify which piece of visual material relates to which question, but will neither give factual help to the learner nor offer any suggestion;
- may read numbers printed in figures as words, while pointing to the number on the screen;
- is permitted to help a visually impaired learner using diagrams, graphs and tables to obtain the information that the on-screen copy would give to a sighted learner;
- may, if requested, give a visually impaired learner the spelling of a word which appears in a question, but otherwise spellings will not be given;
- must refer any problems during the assessment/examination to the invigilator.

12.3.7 Scribe (formerly Amanuensis)

Subject to the supporting evidence, CILEx may agree the use of a scribe. A scribe is a responsible adult who types a learner's dictated answers to the questions. If a learner dictates answers on to a voice recorder, a responsible adult must type the dictated answers to the questions.

- The scribe must not perform tasks which are part of the assessment/examination. Additional time will be permitted for the use of a scribe and will normally be up to 25% of the prescribed duration of the assessment/examination. A scribe should be able to produce an accurate record of the learner's answers; must type accurately and at a reasonable speed; and should ideally have a working knowledge of the subject being examined.
- A scribe should not normally be the learner's own lecturer/assessor. However, there may be particular circumstances in which it is necessary to use the learner's own lecturer/assessor, and these must be discussed with CILEx in order that CILEx can determine if such an arrangement is appropriate. On no account may a relative, friend or peer of the learner be used as a scribe.
- A learner should wherever possible have adequate practice in the use of a scribe.
- A learner using a scribe should be accommodated separately to avoid disturbing other learners.
- The scribe may not also act as an invigilator.
- Scribes should **not** normally also act as prompters, or Sign Language Interpreters, unless permission is given by CILEx.

12.3.7.1 Role of the Scribe

During the assessment/examination, scribes:

- must check with learners for which parts of the assessment/examination they wish to have their responses scribed. Learners may choose to type some responses themselves;
- must not give factual help to the learner, not offer any suggestions, not suggest when the answer is complete;
- must not advise the learner which questions to do, when to move on to the next question, or the order in which the questions should be answered;
- must abide by the regulations or the learner will be disqualified;
- must type answers exactly as they are dictated. Where spelling, accuracy and punctuation is being tested, the scribe will follow explicit instructions from the

learner with regard to spelling and punctuation. The scribe will not take responsibility for spelling of technical words;

- must type a correction if requested to do so;
- may at the learner's request read back what has been recorded, but must not make any comment about any part of the learner's response;
- must immediately refer any problems in communication during the assessment/examination to the invigilator.

12.3.8 Sign Language Interpreter (British Sign Language)

Subject to the supporting evidence, where sign language is the primary means of verbal and aural communication for deaf or hearing-impaired learners, these learners may have the support of a Sign Language Interpreter when instructions are given aurally.

- A Sign Language Interpreter should only be used if this has become the normal way of working on the course. Depending on supporting evidence, arrangements for 'full signing' will be made by CILEx to ensure that signer has supervised access to the assessment/examination material immediately in advance of the assessment/examination, to prepare.
- Where the supporting evidence recommends assistance with the written word, the interpretation must not give the learner an unfair academic advantage. In assessment/examinations using technical terms or subject specific language, signers must only finger spell these terms, not interpret. If signers interpret technical or subject specific terms, it is malpractice and learners would be disqualified.
- If permission is given for full signing, any words or phrases interpreted for the learner should be noted on the online response to the assessment/examination question. Sign Language Interpreters may repeat their signing if requested to do so by the learner. Sign Language Interpreters must not explain the question or clarify the text.
- Learners may only sign their answers for assessment/examinations where they can finger spell their answers or where the answers involve single words.
- Learners using signers will be accommodated separately so as not to disturb other learners.
- Signers may not act as invigilators. Signers may also act as readers if permitted by CILEx in cases where the supporting evidence recommends learners have their answers read back to them. In such cases, the signers would read the answers and sign them to the learner.

12.3.8.1 Role of the Sign Language Interpreter

The Sign Language Interpreter will work as follows:

- In exceptional cases for 'full signing' arrangements will be made by CILEx to ensure signers have supervised access to the assessment/examination material immediately in advance of the assessment/examination, to prepare;
- Signers must be familiar with the subject being examined and must work at the learner's pace. It is preferable that signers are known to the learners;
- Signers must not interpret technical or subject specific language or explain questions. In the exceptional 'full signing' situation, signers may finger spell these terms;

- Signers must abide by the regulations or the learner will be disqualified.

12.3.9 Prompter

Subject to the supporting evidence, CILEx may agree the use of a prompter. Prompters may be requested by learners with a substantial and long-term adverse impairment resulting in persistent distractibility or significant difficulty in concentrating. This would apply in timed assessment/examination situations to keep the learners focused on the need to answer a question and then move on to answering the next question.

- A prompter should only be used if this has become the normal way of working on the course. Learners should have had adequate practice in the use of a prompter.
- For learners where the supporting evidence indicates the problem is one of concentration, consideration should be given to requesting supervised rest breaks rather than a prompter.
- Prompters should not normally be the learner's own lecturer/assessor. However, there may be particular circumstances in which it is necessary to use the learner's own lecturer/assessor in that capacity, and these should be discussed with CILEx in order that CILEx can determine if such an arrangement is appropriate. On no account may a relative, friend or peer of the learner be used as a prompter.
- Prompters should be sufficiently familiar with learners to recognise when their attention is no longer on the assessment/examination task and that they are not, for example, looking away from the assessment/examination whilst thinking.
- Prompters should sit near enough to be able to observe learners and draw their attention back to the task. This should, however, be organised as unobtrusively as possible. The learner's attention may be drawn back to the task using a light tap on the learner's arm or shoulder or, alternatively, the workstation. Verbal prompting should not normally be used. Methods used by prompters to bring back the learner's attention should be agreed by them before the assessment/examination and must be acceptable to CILEx. It should be noted that some learners with emotional and behavioural sensitivity/vulnerability and/or mental ill health conditions may not be comfortable with 'light tap' prompt. A form of verbal prompting should be considered for these learners.
- In the case of learners with epilepsy where the problem is one of temporary absenting, the normal procedure to help that learner will be allowed.
- Prompters may not act as invigilators. Additional time will be permitted for the use of a prompter and will normally be up to 25% of the prescribed duration of the assessment/examination.

12.3.9.1 Role of the Prompter

During an assessment/examination, prompters:

- must keep learners focused on the need to answer a question, then move on to answering the next question, using the time effectively;
- must use the method of prompting agreed with the learner;
- must not give factual help to the learner or offer any suggestions;

- must not advise the learner on which questions to do, whether there is sufficient content in the answer, or the order in which the questions should be done;
- must abide by the regulations or the learner will be disqualified;
- must be prepared for periods of inactivity during the assessment/examination, but will remain vigilant;
- must immediately refer any problems during the assessment/examination to the invigilator.

13.Regulatory References

CILEx is required by Ofqual to demonstrate compliance with the General Conditions of Recognition.

This policy addresses the following General Conditions of Recognition:

C2.3h	Require the Centre to undertake the delivery of the qualification required by the awarding organisation in accordance with Equalities Law
D2.1	An awarding organisation must ensure that it complies with the requirements of Equalities Law in relation to each of the qualifications which it makes available.
G6.1	For the purposes of this condition, Reasonable Adjustments are adjustments made to an assessment for a qualification so as to enable a disabled Learner to demonstrate his or her knowledge, skills and understanding to the levels of attainment required by the specification for that qualification
G6.2	An awarding organisation must, in accordance with Equalities Law, have in place arrangements for making Reasonable Adjustments in relation to qualifications which it makes available
G6.3	An awarding organisation must publish details of its arrangements for making Reasonable Adjustments, which must include details as to- (a) how a Learner qualifies for a Reasonable Adjustment, and (b) what Reasonable Adjustments will be made.