

**CILEx Reasonable Adjustments Policy and Procedures –
Level 3 and Level 6 Professional Qualifications and Level 3 and 4
Legal Services Knowledge Qualifications**

Policy name	CILEx Reasonable Adjustments Policy and Procedures Level 3 and Level 6 Professional Qualifications Level 3 and 4 Legal Services Knowledge Qualifications
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1. Introduction

This document sets out the CILEx Reasonable Adjustments Policy and Procedures for the Level 3 and Level 6 Professional Qualifications and the Level 3 and Level 4 Knowledge Qualifications only. Information about the CILEx Reasonable Adjustments Policy for **competence** qualifications for the Level 3 and Level 4 Legal Services Competence Qualifications is found in:

- CILEx Reasonable Adjustments Policy - Competence Qualifications

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.

This policy sets out:

- the responsibilities of CILEx accredited centres in relation to reasonable adjustments;
- the responsibilities of CILEx learners in relation to reasonable adjustments;
- CILEx policy and procedures for reasonable adjustments for knowledge qualifications.

3. Scope

This policy applies to CILEx centres accredited to deliver the CILEx Level 3 and Level 6 Professional Qualifications and/or the Level 3 and Level 4 Legal Services Knowledge Qualifications, CILEx learners undertaking the CILEx Level 3 and Level 6 Professional Qualifications or the Level 3 and Level 4 Legal Services Knowledge Qualifications and CILEx Awarding Organisation staff.

4. Reasonable Adjustments Definition

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. **Indispositions arising from pregnancy and maternity or temporary illness or temporary injury are not considered under this policy but are considered under the Access Arrangements policy.** 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 requirements. They are agreed before an assessment. They allow learners with disabilities to be fairly assessed. Reasonable adjustments can be made for learners taking examinations or assessments 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 unit.

Reasonable adjustments must not affect the validity or reliability of the assessment outcomes. They may involve but not be limited to:

- changing standard assessment arrangements, for example allowing learners extra time to complete the assessment activity;
- adapting assessment materials, such as providing materials in Braille;
- providing access facilitators during assessment, such as a reader;
- re-organising the assessment room, such as removing visual stimuli for an autistic learner.

The use of reasonable adjustments will not be taken into consideration during the assessment of learners’ work.

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 environment for other students and health and safety.

Further guidance on the types of reasonable adjustments learners (or 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 examinations and assessments, 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 examination or assessment so that academic credibility is maintained. The qualification of learners who had reasonable adjustments must have the same credibility as those of other learners. As CILEx offers professional qualifications, achievement of such qualifications must give a realistic indication to a potential employer of what the holder of the certificate can do.
- 5.5 Ensure that the provision for reasonable adjustments does not compromise the integrity of the final qualification.

6. Duties and Responsibilities of Centres

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

- 6.1 Choose the CILEx qualification – or the option(s) within a qualification – which is most appropriate for the learner with a known disability (as defined in Section 4). Any requirement for reasonable adjustments for learners should be considered by the centre at the outset when the learner applies for a CILEx course.
- 6.2 Ensure that all learners are aware of the CILEx Reasonable Adjustments Policy at the beginning of their CILEx course and are notified about the procedures for applying.
- 6.3 **Centres delivering the Level 3 and Level 4 Legal Services Knowledge Qualifications are expected, with the agreement of the learner, to apply for reasonable adjustments on the learner's behalf.**
- 6.4 Ensure that all arrangements requested will assist learners to demonstrate their attainment without affecting or circumventing assessment requirements.
- 6.5 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 academic qualification.
- 6.6 Ensure that buildings used for examinations and other assessments are accessible to learners with disabilities, as far as is practicable.

7. Responsibilities of Learners

- 7.1 Learners must ensure that they are familiar with CILEx's Reasonable Adjustments Policy and Procedures - Level 3 and Level 6 Professional Qualifications, Level 3 and 4 Legal Services Knowledge Qualifications. All queries relating to this document should be raised with the Awards-Operations Department at CILEx.
- 7.2 Learners studying the CILEx Professional qualifications must ensure that all requests for reasonable adjustments are made to the Awards-Operations Department at CILEx.
- 7.3 Learners studying the CILEx Level 3 or Level 4 Legal Services Knowledge qualifications should discuss their reasonable adjustments with their centres in order that their centres can apply to CILEx on the learner's behalf. However, if a learner wishes to apply to CILEx directly this is permitted.
- 7.4 Learners applying for reasonable adjustments should send all specific enquiries, requests for advice and completed application forms directly to CILEx as soon as possible and before the deadlines detailed in Section 10.
- 7.5 It is a learner's responsibility to provide documents which support the reasonable adjustment application, as detailed in Section 9.
- 7.6 Learners are encouraged to discuss any assessment-related needs with their centres.
- 7.7 Learners should note that failure to comply with the CILEx Reasonable Adjustment Policy and Procedures might lead to grades or results being withheld and/or to an investigation into the matter.
- 7.8 Learners who receive reasonable adjustments for examinations/ assessments 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 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 examinations or other assessments. 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 learner or accredited 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.

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 examination or assessment.
- 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.
 - The report must state the name, title and professional credentials of the person who carried out the assessment of the learner and wrote the report. The report must set out the barrier to taking the examination or assessment arising from the disability and recommend the reasonable adjustments required to reduce this barrier. 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.
- 9.4 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 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 Learners and centres should complete the Application for Reasonable Adjustments form (see Appendix 1) when applying for reasonable adjustments.
- 10.2 All applications for reasonable adjustments must be sent to the Awards-Operations Department at CILEx by the deadlines shown here (https://www.cilex.org.uk/study/information_for_students/key_dates_and_deadlines).

However, wherever possible, applications should be made as early as possible.

* Learners requiring reasonable adjustments to the pre-release case study materials for the Level 3 and Level 6 Practice Units should ensure their applications are submitted by the following deadlines shown here (https://www.cilex.org.uk/study/information_for_students/key_dates_and_deadlines).

Professional Skills Assessments – Level 3 Units 16 & 17, Level 6 Units 22 & 23

Each accredited centre decides when the different tasks for the Professional Skills assessments are undertaken by their learners. Any learner requiring adapted materials for the Professional Skills assessments must apply for reasonable adjustments a minimum of 4 weeks before they are required in order that the requests and supporting documentation can be considered and any reasonable adjustments which are approved can be processed.

- 10.3 Applications for assessments in Braille must be made at least **8 weeks prior** to the assessment/examination in order that the necessary arrangements and quality assurance checks can be undertaken.
- 10.4 Learners (and centres applying on behalf of learners) must complete an application form for each examination session. All the examinations/assessments for which reasonable adjustments are required at the examination session must be recorded on the application form.
- 10.5 Where reasonable adjustments for an examination/assessment have been approved by CILEx within the last 12 months, and there are no changes to the barrier to taking the examination/assessment arising from the disability, and the evidence previously submitted remains accurate, learners must complete a reasonable adjustment application form and submit the form to the 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.
- 10.6 Applications received after the deadline or without the required supporting documentation may not be processed in time for the learner to take the examination/assessment, or may be rejected.

11. Reasonable Adjustments Appeals

Learners/centres wishing to appeal the outcome of reasonable adjustment applications are entitled to do so. Information about appeals is set out in the 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 assessment 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 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);
- Assessment material in enlarged format either hard copy or electronically
- Assessment material on coloured paper;
- Use of a laptop with a cleared hard disc, if this has become the learner's normal way of working to overcome the barrier caused by a disability which prevents handwriting (this would also require separate accommodation to reduce the noise effects on other learners);
- 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 conditions;
- Use of mechanical and electronic aids;
- Modifications to presentation of assessment material;
- Alternative ways of presenting responses;
- Use of access facilitators.

12.3 Guidance on Types of Reasonable Adjustments

Changes to assessment conditions

12.3.1. Extra time

Subject to the supporting evidence, where assessment activities are time constrained, 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 examination/assessment if they have disabilities which affect speed of cognitive processing or of handwriting.

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 time will be considered.

12.3.2 Supervised rest breaks (“clock stopping”)

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

12.3.3 Change in the organisation of the assessment room

Subject to the supporting evidence, minor changes to the organisation of the assessment 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, scribes, British Sign Language interpreters, amplification or word processing equipment which may disturb other learners.

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

Use of mechanical, electronic and technological aids

12.3.5 Use of coloured overlays, amplification equipment, brailers, low vision aids/magnifiers, tinted spectacles, CCTV, OCR scanners and amplification equipment

Subject to the supporting evidence, some learners with visual impairments, hearing impairments or learning difficulties may benefit from using these aids. Learners requiring these reasonable adjustments should have been normally working with these aids during their course of study and must be confident in the use of these aids.

Learners using these aids will be accommodated separately with separate invigilation.

12.3.6 Use of assistive technology, such as speech software, voice activated software, a computer reader

Subject to the supporting evidence, blind or visually impaired learners may benefit from the use of software which reads material to them and potentially allows them to write using their voices. Learners with physical difficulties may benefit from the use of voice activated software to record their responses.

Modifications to the presentation of the assessment material

12.3.7 Assessment material in enlarged format

Subject to the supporting evidence, learners may apply for assessment material to be enlarged to a format suitable for learners with visual impairment.

The enlargement can take two forms:

- unmodified enlarged papers where the standard paper is photocopied from A4 to A3, thus enlarging the whole paper and retaining the original layout and visual presentation;
- modified enlarged paper where the paper is modified by simplifying the layout while still meeting the same objectives as those tested in the original paper.

12.3.8 Assessment material in Braille

Subject to the supporting evidence, some learners with visual impairment may benefit from having assessment materials in Braille.

Learners requiring assessment paper/s in Braille must apply to CILEx **8 weeks prior** to the date of the assessment in order that CILEx can ensure that the paper/s will be available in time and the necessary quality assurance procedures have been applied.

12.3.9 Assessment material on coloured paper

Subject to the supporting evidence, some learners with visual impairment or learning difficulties may benefit from having assessment material printed on coloured paper.

12.3.10 Assessment material in audio format

Subject to the supporting evidence, CILEx may be able to provide assessment material in audio format.

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 courses of study.

12.3.11 Use of ICT to present responses

The use of ICT in this context is taken to include computers, laptops, tablets, and other microprocessor controlled devices producing output in text. The principle is that word processors must have become the normal working method for learners during their course of study to reduce the barriers caused by their disabilities if attempting handwritten work. This reasonable adjustment does not apply for learners who simply prefer typing. If permitted a word processing device, some learners might use handwriting for shorter answers and type longer answers. For example learners requesting this adjustment might have a physical disability affecting use of their hands, a medical condition affecting use of their hands, a sensory impairment, planning and organisational problems, a learning difficulty such as dyslexia.

Subject to the supporting evidence, CILEx will make every attempt to respond positively to requests for learners to use computers subject to the following principles and procedures:

- 12.3.11.1 The object of reasonable adjustments is to enable learners with disabilities to demonstrate their attainment in relation to the learning outcomes and assessment criteria of the CILEx unit/s. This principle applies to the use of computers in the same way as it does to other types of reasonable adjustments. It is the attainment of the learner which must be assessed, and the use of the computer must not create a misleading impression of that attainment or reduce academic validity.
- 12.3.11.2 It is anticipated that learners who are able to produce work for assessment by handwriting will do so. Learners with disabilities may be permitted to produce their answers via a computer in cases where their disability means they cannot present handwritten answers. It is expected that the reasonable adjustments requested will reflect the learner's normal method of working in the classroom. This encourages independent working which is preferable to using a scribe.
- 12.3.11.3 Before choosing an examination specification/syllabus for a learner who uses a computer, the centre should consider whether the assessment objectives can be met fully if answers are presented in such a way.

- 12.3.11.4 It is in the best interests of learners to establish at an early stage whether or not reasonable adjustments can be made.
- 12.3.11.5 If the supporting evidence recommends a scribe, learners can alternatively use assistive technology: word processor with spelling and grammar check enabled (as long as marks are not allocated to correct spelling); voice-activated software which produces hard copy with predictive text when the learner dictates into a word processor. Software (a screen reader) may be used to read back and correct the learner's dictated answers; computer software which produces hard copy with predictive text, spelling and grammar check enabled when the learner uses a word processor; computer software, producing speech, which is used to dictate to a scribe.
- 12.3.11.6 CILEx reserves the right to seek independent advice concerning the operation of computers and software used by learners in order to help determine what reasonable adjustments can be made.
- 12.3.11.7 Where it is apparent that assessment objectives cannot be met fully if a computer is used, CILEx may:
- Suggest alternative reasonable adjustments **or**
 - Refuse the request.
- 12.3.11.8 Where the use of a computer has been approved, CILEx will award marks on the basis of the positive achievement demonstrated by the learner.
- 12.3.11.9 The computer provided must not be used by someone acting on the learner's behalf. The supporting evidence must clearly set out which software is required. Operator manuals may not be used in examinations.
- 12.3.11.10 Learners must have access only to those facilities which have been agreed in advance.
- 12.3.11.11 In exceptional cases where the supporting evidence recommends use of special computers or particular software on learners' own computers, a method must be found to stop learners accessing existing files or documents.
- 12.3.11.12 Learners using computers in circumstances where their use may distract other learners, must be accommodated separately from others for formal examinations. CILEx's normal regulations concerning invigilation will be applied.
- 12.3.11.13 The frequent saving of work must be undertaken. Where available, an AutoSave facility should be used.
- 12.3.11.14 The printing of answers may take place after the time for the examination has expired. Learners should be present in order to verify that their printing is complete.
- 12.3.11.15 Where a question/answer booklet is provided, learners might need to answer some questions in the booklet together with a completed cover sheet.

12.3.12 Responses on audio cassette

Subject to the supporting evidence, learners may be permitted to record their responses to questions onto audio cassette. Where the learner's responses are recorded onto audio cassette, 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.

12.3.13 Responses in Braille

Subject to the supporting evidence, learners may be permitted to present their responses in Braille. In these cases arrangements will be made for a transcript of the learner's responses to be provided.

Use of access facilitators and appropriate technology

12.3.14 Reader

A reader is a person who, when requested, will read to the learner all or part of the assessment material and read back the learner's written responses. If a recommended computer reader is not capable of reading a particular word, a reader can read that word. A computer reader is preferable since it will not emphasise any particular words. Readers may add a layer of vocal interpretation suggesting nuance and meaning which could compromise the reliability of the qualification.

Subject to the supporting evidence, the learner/centre, in consultation with CILEx, should consider carefully whether the use of a reader or a computer reader will be an effective arrangement.

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

- 12.3.14.1 Additional time will be permitted for the use of a reader and will normally be up to 25% of the prescribed duration of the examination.
- 12.3.14.2 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.
- 12.3.14.3 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.
- 12.3.14.4 A learner should, wherever possible, have adequate practice in the use of a reader.
- 12.3.14.5 Learners having the services of readers must be accommodated separately to avoid disturbing other learners.
- 12.3.14.6 The reader may act as invigilator (as long as 12.3.14.5 is satisfied).
- 12.3.14.7 **Role of the Reader:**

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

- must abide by examination and assessment 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 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;
- 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 paper;
- is permitted to help a visually impaired learner using diagrams, graphs and tables to obtain the information that the print/amended print copy would give to a sighted learner;
- may, if requested, give a visually impaired learner the spelling of a word which appears on the paper, but otherwise spellings will not be given;
- must refer any problems during the assessment to the invigilator.

12.3.15 Scribe (formerly Amanuensis)

Subject to the supporting evidence, CILEx may agree the use of a scribe. A scribe is a responsible adult who writes down or word processes a learner's dictated answers to the questions. If a learner dictates answers on to a tape, a responsible adult must write down or word process the dictated answers to the questions.

- 12.3.15.1 The scribe must not perform tasks which are part of the assessment.
- 12.3.15.2 Additional time will be permitted for the use of a scribe and will normally be up to 25% of the prescribed duration of the examination/ assessment.
- 12.3.15.3 A scribe should be able to produce an accurate record of the learner's answers; must write legibly or type accurately and at a reasonable speed; and should ideally have a working knowledge of the subject being examined or assessed.
- 12.3.15.4 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.
- 12.3.15.5 A learner should wherever possible have adequate practice in the use of a scribe.
- 12.3.15.6 A learner using a scribe should be accommodated separately to avoid disturbing other learners.
- 12.3.15.7 The scribe may not also act as an invigilator.
- 12.3.15.8 Scribes should not normally also act as practical assistants, prompters, or Sign Language Interpreters, unless permission is given by CILEx.

12.3.15.9 Role of the Scribe

During the examination or other assessment, scribes:

- must check with learners for which parts of the assessment they wish to have their responses scribed. Learners may choose to write 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 write or word process 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 write or word process 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 examination/assessment to the invigilator.

12.3.16 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. Given the professional and vocational nature of CILEx qualifications, use of Sign Language interpreters to "translate" or simplify the language in written questions will reduce the validity of the qualification. In 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 will be disqualified.

- 12.3.16.1 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 material immediately in advance of the assessment, to prepare.
- 12.3.16.2 Where the supporting evidence recommends assistance with the written word, the interpretation must not give the learner an unfair academic advantage. In 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.
- 12.3.16.3 If permission is given for full signing, any words or phrases interpreted for the learner should be underlined on the assessment material, which, if separate from the answer book, should be attached to the learner's answer book. Amended versions of questions should be shown on the assessment material.
- 12.3.16.4 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.

- 12.3.16.5 Learners may only sign their answers for papers or in controlled assessment situations where they can finger spell their answers or where the answers involve single words.
- 12.3.16.6 Learners using signers will be accommodated separately so as not to disturb other learners.
- 12.3.16.7 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.

12.3.16.8 **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 material immediately in advance of the assessment, 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;
- Texts/source material or literary extracts must not be signed;
- 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.

12.3.17 **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 distractability or significant difficulty in concentrating. This would apply in timed assessment situations to keep the learners focused on the need to answer a question and then move on to answering the next question.

- 12.3.17.1 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.
- 12.3.17.2 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.
- 12.3.17.3 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.
- 12.3.17.4 Prompters should be sufficiently familiar with learners to recognise when their attention is no longer on the assessment task and that they are not, for example, looking away from the paper whilst thinking.
- 12.3.17.5 Under no circumstances may prompters draw the attention of learners to part of the question paper or the answer paper.

- 12.3.17.6 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 desk (though not in a way that may be taken to indicate any part of the examination question paper). 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 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 a "light tap" prompt. A form of verbal prompting should be considered for these learners.
- 12.3.17.7 In the case of learners with epilepsy where the problem is one of temporary absencing, the normal procedure to help that learner will be allowed.
- 12.3.17.8 Prompters may not act as invigilators.
- 12.3.17.9 Additional time will be permitted for the use of a prompter and will normally be up to 25% of the prescribed duration of the examination/assessment.

12.3.17.10 **Role of the Prompter**

During an examination/assessment, 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 regarding which questions to do, if 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 examination, but will remain vigilant;
- must immediately refer any problems during the examination to the invigilator.

12.3.18 **Practical Assistant in written papers**

Subject to the supporting evidence, CILEx may agree the use of a practical assistant. Practical assistants may carry out practical tasks at the instruction of the learner. Examples include; turning the pages of the question paper, guiding the hand of learners with severe visual impairment to the relevant page or section of text.

- 12.3.18.1 The use of a practical assistant must not modify CILEx's syllabus/assessment requirements.
- 12.3.18.2 Additional time may be permitted for the use of a practical assistant and will be normally up to 25% of the prescribed duration of the examination/assessment.
- 12.3.18.3 Practical assistants 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, 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 practical assistant.

12.3.18.4 Practical assistants are not readers or scribes. Depending on supporting evidence, agreement can be given for a practical assistant to act as a reader and/or scribe.

12.3.18.5 During an examination/assessment a practical assistant: must not give factual help to the learner or offer any suggestions or advice; must immediately refer any problems to the invigilator.

12.3.18.6 **Role of the Practical Assistant**

During an examination/assessment practical assistants:

- must follow the instructions approved by CILEx on the level and kind of assistance which can be given to the learner;
- must ensure the safety of learners and those around them;
- must not give factual help to learners or offer any suggestions;
- must not advise learners regarding which questions to do, when to move on to the next question, or the order in which the questions should be done;
- must perform practical tasks according to the learner's instructions exactly as they are given unless to do so would cause a hazard. If practical assistants do not understand the learner's instructions, they may ask for clarification but must not lead the learner in any way or attempt to interpret the learner's wishes; if incorrect or inadequate instructions are given by the learner, this will be reflected in the assessment outcome;
- must abide by the regulations or the learner will be disqualified;
- must not expect to assist the learner throughout an examination/assessment (there may be parts of the assessment which the learner can do without help and thus gain credit for demonstrating the required skills);
- must immediately refer any problems during an assessment to the invigilator/supervisor.

12.3.19 **Transcriber**

Subject to the supporting evidence, CILEx may agree the use of a transcriber. A transcriber may be used by learners whose handwriting is illegible, but who are unable to use a computer or dictate their responses either to a scribe or by using voice-operated software.

Transcribers will produce transcripts after the examination/assessment has taken place and without the participation of learners. The transcript is to assist the examiner/assessor in the assessment of a learner's work. The examiner/assessor will assess the learner's work and will only refer to the transcript if it is impossible to decipher any part of the learner's paper.

12.3.19.1 **Role of the Transcriber**

The transcriber:

- must produce the transcript in a separate copy of the question paper/answer booklet or on lined or unlined white paper as appropriate;

- may handwrite or word process the transcript. If handwritten, dark blue or black ink should be used. Pencil must never be used;
- must, for examinations, produce the transcript immediately after the examination under secure conditions;
- must not involve the learner in the production of the transcript;
- must abide by the regulations or the learner will be disqualified
- will normally transcribe complete answers. In cases where only occasional words need to be transcribed, these may be written on a photocopy of the learner's script. On no account should the learner's original script be marked or annotated in any way;
- will normally be a word-for-word transcription, i.e. an exact copy of what the learner has written. The transcriber must not insert or omit words or alter their order. Any errors, including those of spelling, punctuation and grammar, will be transcribed as given by the learner and will not be corrected;
- must indicate any corrections by the learner to spelling on the verbatim transcript using a different colour ink, but not red, green or purple ink. Pencil must not be used for this purpose.

13. Regulatory References

CILEx is required by Ofqual, Qualifications Wales and CCEA to demonstrate compliance with the General Conditions of Recognition.

This policy addresses the following General/Standard 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.

Appendix 1

REASONABLE ADJUSTMENTS APPLICATION FORM



Applications for reasonable adjustments are considered before an examination/assessment. Learners/centres should refer to the **CILEX Reasonable Adjustments Policy and Procedures – Level 3 and Level 6 Professional Qualifications and Level 3 and 4 Legal Services Knowledge Qualifications** for information about CILEX policy and procedures.

This form can be completed electronically or manually by learners or centres and should be completed as far in advance of the examination/assessment and no later than the deadlines shown here

https://www.cilex.org.uk/study/information_for_students/key_dates_and_deadlines).

* Learners requiring adjustments to the pre-release case study materials for the Level 3 and Level 6 Practice Units should ensure their applications are submitted by the following deadlines shown here

https://www.cilex.org.uk/study/information_for_students/key_dates_and_deadlines).

For queries about reasonable adjustments, contact the Awards-Operations Department. The completed form should be sent to the Awards-Operations Department at CILEX.

Learner's Membership Number:		Learner's Name:	
Examination Centre:			

EXAMINATION/S/ASSESSMENT/S FOR WHICH REASONABLE ADJUSTMENTS ARE REQUESTED:

Level (ie 3,4 or 6)	Unit	Date of Examination/ Assessment

REASONS FOR THE REASONABLE ADJUSTMENTS REQUEST:

FULL DETAILS OF THE REASONABLE ADJUSTMENTS REQUIRED as set out in the supporting evidence, taking account of the examples given in the CILEx Reasonable Adjustments Policy and Procedures.

In addition to the summary in the box above, supporting evidence in accordance with the requirements in Section 9 of the CILEx Reasonable Adjustment Policy and Procedures must be submitted with this form. Supporting evidence must be sufficient, valid and reliable from an appropriately qualified professional (for example, medical, psychological or clinical professionals). The evidence must set out the barrier to taking the examination or assessment arising from the disability and recommend the reasonable adjustments required to reduce this barrier. Learners need to explain to this professional the circumstances around their level of study and the format of the examination or assessment.

Evidence attached to form	Insert X to confirm
Medical, psychological, clinical, religious or social care evidence:	
Other evidence accompanies this form:	

Please note that it is the applicant's responsibility to ensure that all relevant evidence is provided in support of the application

DECLARATION FOR APPLICATIONS MADE BY LEARNERS

I confirm that the information provided on this form is accurate.

Signature of Learner:		Date:	
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DECLARATION BY LEARNERS FOR DATA PROTECTION LEGISLATION

To process your application, we need your consent to share the information on this form with CILEx staff and the colleagues with whom they work, when they consider your application under the relevant Policy and Procedures. Insert 'X' in the table below to confirm whether you give your consent.

Yes I give my consent:		No I do not give my consent:	
Signature of Learner:		Date:	

DECLARATION FOR APPLICATIONS MADE BY A CENTRE ON BEHALF OF A LEARNER

I confirm that the information provided on this form is accurate.

Name of Centre:	
Name of Centre Contact:	
Telephone Number of Centre Contact:	
E-mail Address of Centre Contact:	
Signature of Centre Contact:	
Date:	