

**CILEx Special Consideration Policy and Procedures –
Competence Qualifications**

Policy name	CILEx Special Consideration Policy and Procedures – Competence Qualifications
Policy reference	PP00032
Date of Issue	July 2017

1. Introduction

This document sets out the CILEx Special Consideration Policy for competence qualifications only. Information about the CILEx Special Consideration Policy and Procedures for knowledge qualifications (including qualifications tested by formal examinations) is found in:

- *Special Consideration Policy and Procedures – Level 3 and Level 6 Professional Qualifications and Level 3 Legal Services Knowledge Qualification*

2. Purpose

This policy sets out:

- the responsibilities of CILEx accredited centres in relation to special consideration;
- the responsibilities of CILEx learners in relation to special consideration;
- CILEx Special Consideration Policy for competence qualifications.

3. Scope

This policy applies to CILEx centres accredited to deliver CILEx competence qualifications, CILEx learners undertaking CILEx competence qualifications and CILEx Awarding Organisation staff.

4. Explanation of Special Consideration for CILEx competence qualifications

Special consideration applies to learners who experience temporary illness, injury or adverse circumstances at the time of an assessment affecting the learner's ability to demonstrate his or her level of attainment or to miss an assessment activity.

CILEx competence qualifications require learners to demonstrate their competence in relation to each of the assessment criteria for each unit. Learners work with centre-appointed assessors to meet the learning outcomes and assessment criteria of each of the units. The learner uses a range of work place evidence to satisfy the requirements of each unit. Learners, who the centre considers have not fully met the assessment criteria, will work with an assessor to identify further evidence that the learner can use to demonstrate their competence.

CILEx does not permit centre assessors to reach a judgement in regard to a learner's potential level of achievement in relation to the assessment criteria for a unit. Assessment decisions have to be informed by evidence of a learner's actual achievement and competence in relation to the assessment criteria for a unit.

Consequently, special consideration is restricted to allowing the learner to postpone an assessment activity or to re-take an assessment activity, in the same way that learners who do not consider they are ready for an assessment activity or, for a variety of reasons, are not available for an assessment activity are permitted to postpone or re-take an assessment activity.

5. Responsibilities of CILEx accredited centre in relation to Special Consideration

Centre assessors are required to reach judgements regarding a learner's achievement in relation to the assessment criteria on the basis of evidence of a learner's competence. In this regard, a centre cannot in any way adjust the criteria against which a learner's achievement/competence is determined due to the learner being affected by illness, injury or adverse circumstances.

Centres must ensure that learners understand that if they experience temporary illness, injury or adverse circumstances at the time of an assessment affecting the learner's ability to demonstrate competence or to miss the assessment activity, the learner should notify the centre in order that the learner can be given further opportunities to demonstrate their competence in relation to the assessment criteria. Centres are required to allow learners to postpone an assessment activity or to re-take an assessment activity for which a learner was unable to demonstrate their competence.

6. Accredited centre failure to comply with the CILEx Special Consideration Policy

CILEx may take action in accordance with its Centre Malpractice and Maladministration Policy against centres which do not comply with the CILEx Special Consideration Policy.

7. Responsibilities of CILEx learners

Learners are responsible for informing their centre that they have experienced illness, injury or adverse circumstances which may affect their performance in an assessment or prevent them from carrying out an assessment activity. Learners must discuss with their centre assessor further opportunities to complete an assessment activity in order to be able to demonstrate their competence.

8. Accredited centre record keeping

Centres should keep appropriate and auditable assessment records in relation to each learner's assessment activities. CILEx will not normally ask to see records in relation to the postponement or re-taking of assessment activities for learners who experience illness, injury or adverse circumstances unless a complaint is made by a learner.

9. Learner complaints

In the event that a learner is dissatisfied with the centre's handling of a special consideration request (i.e. a request to postpone an assessment activity or re-do an assessment activity due to illness, injury or adverse circumstances), learners must utilise the centre's complaints policy. In the event that a learner is dissatisfied with the outcome of the centre's complaints process, the learner may request that the Head of Centre makes a special consideration enquiry to CILEx on the learner's behalf. In the event that the learner considers that CILEx has not handled their enquiry properly, the learner has the right to appeal. Information about special consideration enquiries and appeals is set out in *CILEx Enquiries and Appeals Policy – Competence Qualifications*.

10. Useful contacts

For more information about the CILEx Special Consideration Policy, email awards@cilex.org.uk.

11. Regulatory References

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

This policy addresses the following General/Standard Conditions of Recognition:

G7.1	For the purposes of this condition, Special Consideration is consideration to be given to a Learner who has temporarily experienced - (a) an illness or injury, or (b) some other event outside of the Learner's control, which has had, or is reasonably likely to have had, a material effect on that Learner's ability to take an assessment or demonstrate his or her level of attainment
G7.2	An awarding organisation must have in place clear arrangements for Special Consideration to be given to Learners in relation to qualifications which it makes available
G7.3	An awarding organisation must publish details of its arrangements for giving Special Consideration, which must include details as to - (a) how a Learner qualifies for Special Consideration, and (b) what Special Consideration will be given