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Person Responsible:
Centre Manager

# REASONABLE ADJUSTMENTS PROCEDURE

## 1.INTRODUCTION

General qualifications - information and guidance for centres

The awarding bodies have a duty not to discriminate against individuals in relation to conferring qualifications in respect of all protected characteristics set out in the Equality Act 2010 (with the exception of the protected characteristics of marriage and civil partnership). They will take steps when developing specifications, identifying the assessment criteria and drafting question papers to ensure that the impact of each of these upon individuals with differing protected characteristics is minimised.

This specifically sets out the duty upon awarding bodies to make reasonable adjustments and avoid unfavourable treatment towards disabled candidates.

### 1.1 Awarding bodies – general qualifications

Section 96 (1-6) of the Equality Act 2010 states that when assessing candidates and conferring general qualifications awarding bodies must not discriminate, harass or victimise and have a duty to make reasonable adjustments.

### 1.2 Duty to make a reasonable adjustment

The duty for an awarding body to make a reasonable adjustment will apply where assessment arrangements would put a disabled candidate at a substantial disadvantage in comparison with a candidate who is not disabled. In such circumstances, the awarding body is required to take reasonable steps to avoid that disadvantage. Awarding bodies are not required to make adjustments to the academic or other standard being applied when conducting an examination/assessment.

### 1.3 Definition of disability

Section 6 of the Equality Act 2010 defines disability as a 'physical or mental impairment which has a substantial and long-term adverse effect on someone's ability to carry out normal day to day activities.

### 1.4 Definition of special educational needs

A candidate has 'special educational needs' as defined in the SEND code of practice: 0 to 25 years.

Children have special educational needs if they have a learning difficulty or disability which calls for special educational provision to be made for them.

The Equality Act 2010 definition of disability includes substantial and long-term sensory impairments such as those affecting sight or hearing, mental health difficulties and long-term health conditions such as asthma, diabetes, epilepsy and cancer. Children and young people with such conditions do not necessarily have SEN, but there is a significant overlap between disabled children and young people and those with SEN.

1.5 Commitment from CMBD

CMBD will provide support and guidance in accordance with JCQ and CMI requirements in order to ensure that CMI qualifications are accessible to all learners and those who wish to achieve them are able to do so. CMBD will follow the CMI Reasonable Adjustments procedure and make a report to CMI on the appropriate form attached to the CMI Reasonable Adjustments Procedure.

## 2 DEFINITIONS

Access Arrangements

Access arrangements are agreed before an assessment. They allow candidates with specific needs, such as special educational needs, disabilities or temporary injuries to access the assessment and show what they know and can do without changing the demands of the assessment. The intention behind an access arrangement is to meet the particular needs of an individual candidate without affecting the integrity of the assessment. Access arrangements are the principal way in which awarding bodies comply with the duty under the Equality Act 2010* to make 'reasonable adjustments.

Reasonable Adjustments

The Equality Act 2010* requires an awarding body to make reasonable adjustments where a candidate, who is disabled within the meaning of the Equality Act 2010, would be at a substantial disadvantage in comparison to someone who is not disabled. The awarding body is required to take reasonable steps to overcome that disadvantage. An example would be a Braille paper which would be a reasonable adjustment for a vision impaired candidate who could read Braille. A reasonable adjustment may be unique to that individual and may not be included in the list of available access arrangements. Whether an adjustment will be considered reasonable will depend on a number of factors which will include, but are not limited to:
• the needs of the disabled candidate; • the effectiveness of the adjustment; • the cost of the adjustment; and • the likely impact of the adjustment upon the candidate and other candidates.
An adjustment will not be approved if it:
• involves unreasonable costs to the awarding body; • involves unreasonable timeframes; or • affects the security and integrity of the assessment.
This is because the adjustment is not 'reasonable'.

In most cases it will not be reasonable for adjustments to be made to assessment objectives within a qualification. To do so would likely undermine the effectiveness of the qualification in providing a reliable indication of the knowledge, skills and understanding of the candidate. There is no duty to make adjustments which the qualifications regulators have specified should not be made. There is no duty to make adjustments to competence standards within vocational qualifications.

Evidence of need

Learners in the first instance must advise the CMI Centre of any reasonable adjustments that they may require, to the current delivery or assessment methods being used. The CMI Centre should deem what is reasonable depending on the individual circumstances of the case, including how important the adjustment is, how practical it is, and the financial implications and effects on other resources of the CMI Centre.

It is the financial resources of the CMI Centre as a whole and not the budget of an individual department or service area that counts.


Some examples of what is reasonable could be;

• difficulty in reading and understanding written material where this is in the person's native language, for example because of a mental impairment, a learning difficulty or a sensory or multi-sensory impairment;
• persistent distractibility or difficulty concentrating;
• difficulty understanding or following simple verbal instructions;

Note:
This procedure contains information from JCQ and CMI documents.