

## Reasonable Adjustment and Special Considerations Policy

### 1. Introduction

The purpose of this policy is to support learners who have a disability or a temporary condition or unplanned event which impacts on their training, apprenticeship, development, assessment or qualification.

Reasonable adjustments are made to ensure that individuals who have a disability are not disadvantaged.

Special considerations are made to ensure that individuals are not disadvantaged by any unexpected exceptional circumstances that may arise prior to or during an educational activity.

Xact are required by law to do only that which is reasonable. What is deemed as being “reasonable” will depend on individual circumstances, cost implications and the practicality and effectiveness of the adjustment. Other factors, such as the need to maintain competence standards and health and safety, will also be taken into consideration.

This policy provides guidance on how we process applications for reasonable adjustment or special considerations.

### 2. Definitions

**Dependant:** Spouse, partner, child, grandchild, parent, someone dependant on applicant for care

**Disability:** The Equality Act 2020 defines **individuals as** disabled if they have a physical or mental impairment that has a substantial and long-term negative effect on their ability to do normal daily activities.

**Individual:** Those receiving our services e.g. apprenticeship training, courses, assessment, RPL, mentoring, learning support, qualifications, CPD activities etc.

**PMG:** Performance Management Group consisting of Directors and an Independent Governance Advisor

**Staff:** Employee, agency worker, contractor, sole trader, volunteer, work experience e.g. manager, supervisor, administrator, tutor, assessor, mentor, internal quality assurer, etc.

**Stakeholders:** Apprentice’s employer, end point assessment organisation, individuals employer, customer, supplier, user, awarding organisation and those with whom we associate

**Xact:** Xact Consultancy and Training Limited

## Reasonable Adjustment and Special Considerations Policy

### 3. Reasonable Adjustment

A reasonable adjustment is any supportive action that helps to reduce the barriers an individual may face because of their disability or physical or mental health condition and ensures that they are not substantially disadvantaged during training, development, assessment or qualification.

A reasonable adjustment is any supportive action that helps to reduce the barriers an individual may face because of their disability or physical or mental health condition so that they are not substantially disadvantaged during learning, development, assessment or qualification.

An adjustment may not be appropriate if an individual's particular difficulty directly affects their learning and assessment performance.

Individuals must apply<sup>1,2</sup> to Xact at least one month prior to when a reasonable adjustment is needed for learning and assessment activities. This will enable Xact to review, decide and put in place any approved reasonable adjustment arrangements beforehand.

**Note<sup>1</sup>:** Applications for reasonable adjustments will only be considered with supporting evidence from a medical practitioner.

**Note<sup>2</sup>:** Learners and organisations often assume that Xact can grant reasonable adjustments when learners state they require them. Reasonable adjustments can only be granted on evidence from a relevant professional. To grant a reasonable adjustment without evidence would entail sanctions by awarding organisation and appeals from other learners who did not receive the same reasonable adjustments.

Examples of reasonable adjustments are shown in Appendix A.

### 4. Special Considerations

A consideration which allows for an individual who has temporarily experienced an unexpected exceptional circumstances outside of their control that has disadvantaged them during their educational process. Special consideration is not appropriate for a minor illness or disturbance.

Please note that special consideration applications will not be considered for situations due to personal arrangements e.g. holiday, or when measures were not put in place for a situation which could be reasonably foreseen.

Individuals must apply<sup>1</sup> to Xact for any special considerations as soon as circumstances are identified.

**Note<sup>1</sup>:** Applications for special considerations will only be considered with appropriate supporting evidence.

## Reasonable Adjustment and Special Considerations Policy

Examples of special considerations are shown in Appendix B.

### 5. Responsibilities

- a) **Applicant:** Responsible for submitting an application for reasonable adjustments or special considerations. See Section 6.
- b) **Applications Manager:** Responsible for managing and responding to applications for reasonable adjustments or special considerations. See Section 7.1.
- c) **PMG:** Responsible for this policy and its compliance. See Section 7.2.

### 6. Making an Application

Applicants<sup>1</sup> must:

- a) Reasonable Adjustments<sup>2</sup>: Submit an application using form 4.2.1 at least one month prior to when a reasonable adjustment is needed for educational activities.
- b) Special Considerations: Submit an application using form 4.3.1 as soon as circumstances are identified.
- c) Include in their application:
  - i) Specific matter to which their application pertains.
  - ii) Provide evidence<sup>3</sup> which supports their application.
- d) Email applications to: [learner-requests@xact.org.uk](mailto:learner-requests@xact.org.uk)

**Note<sup>1</sup>:** Applications are only accepted from individual affected by application i.e. applications cannot be submitted by a third party on behalf of someone else except when an individual is incapacitated due to a serious medical condition.

**Note<sup>2</sup>:** Applications will only be considered for reasonable adjustments if evidence is provided from a professional or a report from a psychologist specialising in specific learning difficulties who is registered with the Health Care Practitioners Council, or a specialist teacher/assessor with AMBDA and/or Assessment Practicing Certificate (APC).

**Note<sup>3</sup>:** Applications will only be considered when appropriate supporting evidence is included.

#### 6.1 Appeals

Individuals may appeal against Reasonable Adjustment and Special Consideration outcomes using the Appeals Policy.

### 7. Internal Roles

#### 7.1 Applications Manager

Responsible for monitoring, administering, responding and recording applications<sup>1</sup> including:

- a) acknowledging application by email within three working days of receipt
- b) where appropriate, agree an individual support programme

## Reasonable Adjustment and Special Considerations Policy

- c) determining and providing a response<sup>1</sup> to applications
- d) notifying applicant of outcome within 10 working days of application acknowledgement
- e) notify those relevant to process<sup>2</sup> e.g. tutor, assessor, internal quality assurer etc
- f) immediately reporting to PMG serious or potentially serious matters e.g. criminal acts; equality, diversity and inclusion, litigation, domestic violence etc
- g) managing any conflicts of interest<sup>3</sup>
- h) managing any other matters e.g. awarding organisation notifications, duty of care, safeguarding etc
- i) recording applications e.g. database, logs etc
- j) ensure information is stored in accordance with our Data Management Policy
- k) ensuring standards are maintained and improved as appropriate

**Note<sup>1</sup>:** Consulting others as appropriate i.e. Awarding organisation, Director etc

**Note<sup>2</sup>:** i.e. Enter into database for automatically notify those relevant to process

**Note<sup>3</sup>:** i.e. staff member implicated in application

### 7.2 PMG

Responsible for this policy, its compliance and review, including:

- a) advising Applications Manager
- b) ensuring all serious or potentially serious<sup>1</sup> matters are reported to appropriate agency
- c) managing any matters involving litigation
- d) ensuring other parties are notified e.g. awarding organisation for notifiable events, employer for duty of care concerns etc
- e) reviewing and evaluating outcomes to improve internal processes e.g. those relating to reasonable adjustments and special considerations, equality, diversity and inclusion, conflict of interest etc

**Note<sup>1</sup>:** E.g. Criminal matters involving money laundering, sexual harassment, safeguarding, prevent etc

### 8. Confidentiality

Xact has a duty of care towards all individuals. Therefore, if we consider that an individual's health, safety or wellbeing is being affected, we will discuss the matter with appropriate persons or organisations e.g. employer, safeguarding agencies, professional bodies etc

All personal data will be processed in accordance with our Data Management Policy.

**9. Associated Policies**

This policy should be used in conjunction with other policies e.g.

- a) Conflict of Interest Policy
- b) Data Management Policy
- c) Appeals Policy
- d) Equality, Diversity and Inclusion Policy
- e) Safeguarding Policy
- f) Prevent Policy and British Values Policy
- g) Vexatious or Malicious Behaviour Policy
- h) Standards of Behaviour and Appearance Policy: Individuals
- i) Customer Care Policy
- j) Complaints Policy

## **Reasonable Adjustment and Special Considerations Policy**

### **Appendix A: Examples of Reasonable Adjustments**

Examples of Reasonable Adjustments include but are not limited to:

- a) Additional time for completing an activity
- b) Adapting activity materials e.g. different coloured paper for paper-based assessments
- c) Supporting use of software/assistive technology, such as screen reading or voice activated software to read text
- d) Supporting use of specialist equipment
- e) Providing different coloured transparencies to view documentation
- f) Providing personnel for the support of additional needs
- g) Varying teaching or assessment activity format, wording or type
- h) Varying timing and/or location of assessment
- i) Impaired hearing – reserving a space at front of teaching or assessment room, supporting use of a hearing loop
- j) Impaired vision - reserving a space at front of room activity is taking place, printing written materials in larger type, supporting use of assistive technology
- k) Physical impairments – wheelchair access, chair with back support

### **Appendix B: Examples of Special Considerations**

Each request for special considerations will be unique to individual circumstances but list below offers some broad examples:

- a) An individual misses part or all of an activity due to circumstances outside of their control e.g. unexpected fire alarm resulting in emergency evacuation of building in which activity is taking place.
- b) An individual attends an activity, but may be disadvantaged due to temporary illness, injury or other circumstances that occurred at, or near, the time of activity
- c) Alternative arrangements, agreed in advance of activity, are inadequate or inappropriate e.g. access arrangements unsuitable due to individual having leg in a plaster cast.
- d) Other examples include:
  - i) serious or incapacitating illness
  - ii) serious illness of a dependant
  - iii) bereavement of an immediate family member
  - iv) recent domestic crises
  - v) accident and/or injury
  - vi) trauma caused by a recent event or experience.