

CMI AB EPA Reasonable Adjustment & Special Consideration Policy

November 2024 • V4.1



History

| Date | Amendments Made |
|------------|---|
| 27/11/2024 | <p>Pg 2 Introduction - Text added: All Reasonable Adjustments and Special Consideration decisions are subject to CMI EPA Quality Assurance.</p> <p>Pg 2 - Reference to Ofqual Conditions of Recognition and Legislation added</p> |
| 20/03/2024 | <p>Thorough review and update of the whole document. Amendments made as follows: Some initial capitals changed and abbreviations for End Point Assessment, EPA, training provider, apprentice and employer as well as for special considerations and reasonable adjustments for consistency but no change to context.</p> |
| 20/07/2023 | <p>Review and amendments made in line with updated guidance from IfATE</p> |
| 22/02/2023 | <p>Change of special consideration application procedure and additional information on types of special consideration that may be applied.</p> <p>Policy renamed as Reasonable Adjustments and Special Consideration Policy</p> <p>New application process and webform to apply for adjustments implemented</p> |
| 11/03/2022 | <p>Thorough review and update of the whole document. Amendments made in line with updates in Ofqual General Conditions of Recognition, JCQ Access Arrangements, Reasonable Adjustments and Special Consideration</p> |

Distribution

Distribution List

- This policy will be published on the CMI website
- Employers and Training Providers
- All EPA Managers
- CMI staff and associated third parties
- Independent Apprenticeship Assessors

Purpose

Introduction and Purpose

End Point Assessment (EPA) should be a fair assessment of an apprentice's knowledge, skills and behaviours, therefore in line with legal and regulatory requirements this policy outlines the criteria and process for making reasonable adjustments and for special considerations in relation to the end-point assessment for all apprenticeship standards that CMI is recognised to provide.

There are two ways in which access to fair assessment can be maintained:

- Reasonable adjustments – defined as any action that helps reduce the effect of a disability that places the apprentice at a substantial disadvantage in the assessment situation. Agreed before the assessment takes place to enable the apprentice to demonstrate their knowledge, skills and behaviours; or
- Special considerations – can be applied during the EPA period (or post assessment) if there is a reason the apprentice may have been disadvantaged during the assessment period by an event outside of their control. This also includes requests for any extension to EPA deadlines where there are extenuating circumstances. In some cases, for example apprentice redundancy, special considerations might apply immediately in advance of the apprentice reaching Gateway.

Reasonable adjustments and/or special considerations should not give the apprentice an unfair advantage. The apprentice's result must reflect their achievement in the assessment and not necessarily their potential ability. Adjustments must not affect the integrity of the assessment.

The provision for reasonable adjustments and/or special consideration arrangements are made to ensure that apprentices receive recognition of their achievement so long as the equity, validity and reliability of the assessments can be assured. Such arrangements are not concessions to make assessments easier for apprentices, nor are they to give apprentices a head start.

All apprentices, regardless of their reasonable adjustment or special consideration, must still meet the minimum requirements to achieve their apprenticeship.

All Reasonable Adjustments and Special Consideration decisions are subject to CMI EPA Quality Assurance.

Regulatory Requirements This policy meets the regulatory requirements set out by the Ofqual - General Conditions of Recognition.

Condition G6 Arrangements for Reasonable Adjustments G6.1 An awarding organisation must, in accordance with Equalities Law, have in place clear arrangements for making Reasonable Adjustments in relation to qualifications which it makes available.

G6.2 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 Adjustment will be made.

Condition G7 Arrangements for Special Consideration G7.1 An awarding organisation must have in place clear arrangements for Special Consideration to be given to Learners in relation to qualifications that it makes available.

G7.2 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.

Reasonable Adjustments

Scope for Reasonable Adjustments

EPAOs, training providers and employers are required by law to do what is 'reasonable' to ensure that apprentices have fair access to assessment and must ensure that their approach is collaborative. What is reasonable will depend on the 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.

An adjustment will not be approved if it:

- May create a serious loss of validity or independence within the assessment process.
- May constitute a serious safety hazard.

Each assessment will be subject to some variance due to job role, employment context and apprentice support needs, and should be adapted as necessary. The support needed for a particular person will be unique to that individual, and may not be listed as a need in the relevant category in the disability grouping framework, so flexibility is required. It is also important to remember that appropriate adjustments are likely to be a continuation of the additional support that the apprentice has received during their apprenticeship.

The outcome produced by the apprentice must at all times:

- meet the requirements of the occupational standard regardless of the process or methods used;
- be as rigorously assessed as outcomes generated by other apprentices;
- be assessable;
- be a valid measure of occupational competence; and
- be able to be moderated or verified.

If ATE provides guidance on reasonable adjustments for End Point Assessment, as a single web page under section 2. This matrix should be used to determine and apply for reasonable adjustments and may be accessed [here](#).

Generally, impairments that require reasonable adjustments have to meet the statutory requirements set out in section 6 and Schedule 1 to the Equality Act 2010 and associated regulations. The Equality Act 2010 definition of disability is usually considered cumulatively in terms of:

- Identifying a physical or mental impairment;
- Looking into adverse effects and assessing which are substantial;
- Considering if substantial adverse effects are long term;
- Judging the impact of long term adverse effects on normal day to day activities.

Statutory guidance on the Equality Act 2010 definition of disability has been produced by the Office for Disability

Issues (within the Department for Work and Pensions) to help better understand and apply this definition:
<http://odi.dwp.gov.uk/docs/wor/new/ea-guide.pdf>

The clear starting point in the statutory guidance is that disability means 'limitations going beyond the normal differences in ability which may exist among people'. 'Substantial' means 'more than minor or trivial'. Substantial adverse effects can be determined by looking at the effects on a person with the impairment, and comparing those to a person without the impairment, to judge if the difference between the two is more than minor or trivial.

'Long term' means the impairment has existed for at least 12 months or is likely to do so. 'Normal day to day activities' could be determined by reference to the illustrative, non-exhaustive list of factors in pages 47 to 51 of the statutory guidance relating to the Equality Act 2010. (Study and education-related activities are included in the meaning of 'day to day' activities.)

The guidance from the Office for Disability Issues referred to above illustrates the factors which might reasonably be regarded as having a substantial adverse effect on a normal day to day activities. Factors that might reasonably be expected not to have a substantial adverse effect are also provided. Factors that might reasonably be expected to have a substantial adverse effect include:

persistent and significant 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 multisensory impairment;

persistent distractibility or difficulty concentrating;

difficulty understanding or following simple verbal instructions;

physical impairment – for example, difficulty operating a computer because of physical restrictions in using a keyboard.

Factors that might reasonably be expected not to have a substantial adverse effect include:

- minor problems with writing or spelling;
- inability to read very small or indistinct print without the aid of a magnifying glass;
- inability to converse orally in a language which is not the speaker's native spoken language.

Although many adjustment requests may be covered under the Equality Act 2010, Training Providers may also apply for adjustment where a Learner may be unfairly disadvantaged due to temporary illness or injury. The application process remains the same in these circumstances.

When is a Reasonable Adjustment or Special Consideration applied?

Reasonable Adjustments

Reasonable adjustments are approved and applied before the assessment activity; this seeks to ensure the apprentice has fair access to assessment.

CMI must have approved all necessary reasonable adjustment arrangements before the time that the apprentice starts to complete any end point assessment. Only reasonable adjustments that have been approved by CMI may be applied. Adjustments must be consistent across all of the apprenticeship and where appropriate the same as those made in the apprentice's workplace by the employer/training provider including any off-the-job training.

Reasonable adjustments must not affect the integrity of what needs to be assessed, but may involve:

- Changing usual assessment arrangements, for example allowing an apprentice extra time to complete the assessment activity.
- Adapting assessment materials, such as providing materials in Braille.
- Providing assistance during assessment, such as a sign language interpreter or a reader.
- Re-organising the assessment room, such as removing visual stimuli.
- Changing the assessment method, for example from a written assessment to a spoken assessment.
- Using assistive technology, such as screen reading or voice activated software.
- Holding the assessment face to face rather than remotely
- Providing the mechanism to have different colour backgrounds to screens for onscreen assessments or asking for permission for copying to different coloured paper for paper-based assessments.
- Providing and allowing different coloured transparencies with which to view examination papers.

Training providers, employers or apprentices are required to apply for reasonable adjustment a minimum of 20 working days **in advance of Gateway** by completing the appropriate web form and providing a link to the supporting evidence.

Evidence may include, but is not limited to:

- Copies of dyslexia/dyspraxia statements
- Outputs from initial screening activities
- Statement of educational needs
- Individual education learning plans
- Outputs from Disability Advisor Assessments
- Letters or reports from experts/doctors (for example, educational psychologist reports, dyslexia screening reports, other screening or diagnostic reports, reports from an occupational health advisor or other health professional)
- Whatever evidence is appropriate for the apprentice's specific circumstances

If a diagnostic has been undertaken by the training provider, this would also be acceptable evidence. We will also accept a letter on headed notepaper from the training provider, having completed a disability assessment of the additional support they are providing for the learning programme.

For Data Protection Purposes - Please complete the application form on the CMI website and provide a link/URL/file sharing site to the supporting documents; **DO NOT** email CMI directly with these documents.

<https://www.managers.org.uk/mycmi/end-point-assessment-support/epa-adjustment-application/>

Special Considerations

Special considerations can be applied immediately prior, during or after an assessment only if there is a reason the apprentice may have been disadvantaged during the assessment period due to an event outside of their control. Annual leave and work related pressures are not normally considered as reasons to apply

special consideration.

Reasons for special considerations could be (but are not limited to), temporary illness, injury, redundancy, bereavement or any circumstances that may adversely affect the apprentice's performance during the assessment period. Special considerations also apply to apprentices who have moved past Gateway into the EPA period and need to apply for an extension to an end-point assessment deadline - please ensure that the '**Extension to End Point Assessment Deadline Request**' option is selected on the application form.

Types of special consideration applied, may include, but are not limited to

- an adjustment to an apprentice grade for an apprentice whose performance in assessment has been affected; grade adjustments may be applied to an individual element or to the overall grade dependent on individual circumstances
- an adjustment to the arrangements for accessing an assessment for an apprentice where the ability to access the assessment has been affected by injury, illness or other circumstance outside of their control
- Extension to an end-point assessment deadline within the Gateway period if the apprentice has been adversely affected by extenuating circumstances outside their control. **Note: annual leave and work pressures/arrangements are not normally considered as extenuating circumstances**

Where an assessment requires a competence, criterion or standard to be fully met, it may not be possible to apply special considerations and **apprentices must complete and achieve a pass in all elements of their assessment**. It may be more appropriate to offer the apprentice an opportunity to retake the assessment at a later date.

Please note that approval of any special consideration that requires the postponement or cancellation of a live assessment activity **will still be subject to cancellation fees**.

How to request a Reasonable Adjustment or Special Consideration

CMI Training Providers or Employers

The training provider or employer should liaise with the apprentice to identify any reasonable adjustment requirements that they may have as soon as possible after starting their apprenticeship.

The training provider, employer or apprentice must complete the application form on the CMI website a minimum of 20 working days prior to the Gateway documentation being submitted or the Live Assessment being booked, whichever comes first. The application form should clearly detail the adjustments that are being requested and the reasons why. A link to the evidence of the difficulty/disability will be required to support the application, along with evidence of any existing adjustments or additional support provided by the employer or training provider.

For Data Protection purposes - Please provide a link/URL/file sharing site to the supporting documents; **DO NOT** email CMI directly with these documents.

Special Considerations

Requests for a special consideration should be submitted as soon as possible after the circumstance is identified. The training provider, employer or apprentice must complete the EPA Special Consideration Application Form which can be found on the CMI website <https://www.managers.org.uk/mycmi/end-point-assessment-support/epa-adjustment-application/> and submit this as soon as possible, but at the latest within 5 working days of the final element of end point

assessment being completed.

Each request will be considered individually based on the circumstances. A response will be provided within 15 working days after receipt of the request. All special consideration decisions will be recorded and monitored.

Extension Requests

Special considerations also apply to apprentices who have moved past Gateway into the EPA period and need to apply for an extension to an end-point assessment deadline - please ensure that the '**Extension to EPA Deadline Request**' option is selected on the application form on the CMI website.

Each request will be considered individually based on the circumstances. A response will be provided within 5 working days after receipt of the request. All extension decisions will be recorded and monitored.

<https://www.managers.org.uk/mycmi/end-point-assessment-support/epa-adjustment-application/>

Timescales

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|------------------------|---|
| Reasonable Adjustments | <p>Training providers, employers or apprentices are required to submit reasonable adjustment requests a minimum of 20 working days in advance of Gateway or the live assessment being booked, whichever comes first by completing the application from on the website https://forms.gle/5FXm6fwwYa6rQFA58</p> <p>and providing a link to the required documentation to support the application. Any requests submitted outside of this time-frame may not be approved, or CMI may not be able to meet the requirements for planned assessment dates.</p> <p>Once a request for a reasonable adjustment is received, CMI will review the request and evidence provided within 15 working days of it being received. Reasonable adjustments will not be approved until sufficient evidence is provided.</p> |
| Special Considerations | <p>To request a special consideration you should complete the EPA Special Consideration Application Form on our website as soon as possible after the circumstance is identified, but at the latest within 5 working days after the completion of the final element of the EPA for that apprentice. Training providers, employers and apprentices all have the right to make an application for special consideration.</p> <p>Once a request for a special consideration is received, CMI will review the request within 15 working days of it being received and a response will be provided.</p> <p>If the request is for an extension to an EPA deadline, CMI will review the request and respond within 5 working days of it being received.</p> |

Appeals

If a training provider or employer remains dissatisfied following the outcome of a request that has been submitted, they may submit an appeal in line with our EPA Enquiries and Appeals Policy. Please contact the

Awarding Body Team at epa.absupport@managers.org.uk for additional information.

Monitoring and Review

CMI will review this policy annually as part of our self-evaluation arrangements and revise it in line with any feedback from stakeholders, regulatory authorities or external agencies, or changes in our practices.

Link to application form is given below:

<https://forms.gle/5FXm6fwwYa6rQFA58>