



# Reasonable Adjustments Policy

## Version 2

Approved by Board of Governors

Last Amendment: September 2023

The following sets out how the School will make reasonable adjustments to ensure that students with disabilities or long term health needs (mental, neuro-diverse or physical) have access to both facilities and a learning environment that is, wherever reasonably possible, comparable to that of their non-disabled peers.

This policy has been aligned with the following legislation and/or external quality assurance frameworks:

- i. *The Equality Act 2010 (Amended 2012)*
- ii. *The Disability Discrimination Act (DDA 1995 – Revised 2010)*
- iii. *The Special Educational Needs and Disability Act (SENDA),*
- iv. *2001JCQ Access and Reasonable Adjustments document 2018*
- v. *England's Regulatory Framework for Higher Education*

## Document Information

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\*The document owner is responsible for maintaining and updating the content of this document and ensuring that it reflects current practice at the School.

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## 1. Introduction

- 1.1. This policy relates to the provision of access arrangements and reasonable adjustment for students with disabilities and learning difficulties. The policy has two main aims, namely:
  - i. To reflect on the School's vision and mission statements.
  - ii. To accord where appropriate for the qualifications which the School offers with the guidance provided by the JCQ Access and Reasonable Adjustments document 2018.
- 1.2. Additionally, the School will be bound by any regulations promulgated by the awarding body for the qualifications it offers.

## 2. Definitions under the Equality Act 2010

- 2.1. The statutory guidance states that disability is defined as “*a physical or mental impairment that has a ‘substantial’ and ‘long-term’ negative effect on your ability to do normal daily activities*” (Equality Act 2010). ‘**Substantial**’ is more than minor or trivial, e.g. it takes much longer than it usually would to complete a daily task like getting dressed.
- 2.2. ‘**Long-term**’ means 12 months or more, e.g. a breathing condition that develops as a result of a lung infection; Disability also covers progressive conditions that get worse over time.
- 2.3. However, you automatically meet the disability definition under the Equality Act 2010 from the day you’re diagnosed with HIV infection, cancer or multiple sclerosis.
- 2.4. In Higher Education the following are classed as requiring support and reasonable adjustment:
  - specific learning difficulty, for example dyslexia or ADHD,
  - mental health condition, for example anxiety or depression,
  - physical disability, for example if you have to use crutches, a wheelchair or a special keyboard,
  - sensory disability, for example if you’re visually impaired, deaf or have a hearing impairment,
  - long-term health condition, for example cancer, chronic heart disease or HIV.
- 2.5. Reasonable Adjustments

‘Reasonable adjustments’ are changes to the learning environment, and potentially to assessment conditions, that ensure people with disabilities, learning difficulties or long-term mental health conditions are not at a disadvantage in comparison to those not affected by such conditions.

Under the Equality Act 2010, universities and colleges have a legal requirement to make ‘reasonable adjustments’ for disabled students, including those with a mental health condition. The Equality Act stipulates that a mental health condition is considered a disability if it has a substantial, adverse and long-term effect on a person’s normal day-to-day activity. ‘Long-term’ is defined as the condition lasting, or being likely to last, for 12 months. However, the School will take a discretionary approach when determining whether the duration of the condition warrants the application of a reasonable adjustment, or whether it should be dealt with as a ‘mitigating circumstance’ under the mitigating circumstances policy.

A reasonable adjustment may be unique to an 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 student;
- the effectiveness of the adjustment;
- the cost of the adjustment; and
- the likely impact of the adjustment upon the student and other students

2.6. An adjustment will not be deemed as reasonable if it:

- involves significant fiscal costs when considered against the overall benefit;
- must be provided within an unfeasible timeframe;
- compromises the security or integrity of an assessment; or
- confers unfair advantage on individuals in relation to their peers

2.7. 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 student. There is no duty to make adjustments which the qualifications regulators have specified should not be made. The student will be required to produce an Evidence of Need. The Evidence of Need will vary depending on the disability and the access arrangement(s) being applied for.

2.8. It is important to note that not all of the adjustments (as above) will be reasonable, permissible or practical in particular situations. The student may not need, nor be allowed the same adjustment for all assessments.

2.9. Students must apply in a reasonable or by a set time for any reasonable or access requirement through Student Support. This will ensure that the individual student adjustments needs can be met, whilst still bearing in mind the specified assessment criteria for a qualification. As the needs and circumstances of each learner are different,

all requests will be considered on a case by case basis. Evidence of need via an approved needs assessor will be required.

### **3. Academic Standards**

- 3.1. Notwithstanding any adjustment made in accordance with this policy, it is a primary tenet of the School that nothing shall compromise the academic standards of the qualification.
- 3.2. The academic standard or level which must be reached by each candidate to achieve a particular grade is identified by the grade boundary. These boundaries may be identified as marks, assessment criteria, the outcomes of verbal examination etc. The grade boundaries are applied equally to all candidates. To be awarded a grade, the candidate must be able to demonstrate the level of competence or ability against the assessment objectives.
- 3.3. Some types of disability may affect the candidate's ability to demonstrate one or more of the assessment objectives. An alternative route may be available in the specification and advice must be sought. In some cases, a candidate with a disability may have to be exempted from a component if that is the only adjustment available to enable them to overcome a substantial disadvantage in accessing the specification.
- 3.4. 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.

### **4. Students with Disabilities and Learning Difficulties**

#### **4.1. Recruiting with Integrity**

The School will ensure that prospective students have the correct information and advice on their selected qualification(s) and that the qualification(s) will meet their needs. The recruitment process will include assessing each potential student and making justifiable and professional judgements about their potential to successfully complete the assessments and achieve the qualification. The assessment will aim to identify, where appropriate, the support that can be reasonably made available to the student to facilitate access to the qualification(s).

Where the recruitment process identifies that the student may not be able to demonstrate attainment and thus gain achievement in all of the assessments for the selected qualification, this will be communicated clearly to them. If a student still decides to

proceed with a particular qualification and not be entered for all or some of the assessments the implications and effects in all aspects will be made clear.

The School will ensure that students are aware of:

- the range of options available, including any reasonable adjustments that may be necessary, to enable the demonstration of attainment across all of the required assessments; and
- any restrictions on progression routes to the student as a result of not achieving certain outcomes.

#### 4.2. Access Arrangements

Access arrangements are agreed before an assessment. They allow students with 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 student without affecting the integrity of the assessment. Access arrangements are the principal way in which LSST will comply with its duty under the Equality Act 2010 to make 'reasonable adjustments'.

#### 4.3. Application for Access and Reasonable Adjustments

The student must contact Student Support to discuss their needs and make contact as earliest as possible to notify any medical condition, disability or mental health need that might affect their learning. There is no set deadline, but this contact should be made well before the assessment due date to ensure the appropriate support can be provided.

#### 4.4. Determining of the need for reasonable adjustment

Where a learner has been identified during recruitment as having a permanent or long-term disability or health need requiring an adjustment to the assessment process this will be agreed and recorded as a by the Registry and applied at each appropriate assessment stage. If at this stage the learner disagrees with the determined adjustment they may appeal in accordance with the Recruitment Appeals policy.

If during the course the learner becomes aware of, or is identified as having a new disability/health need which might qualify for an adjustment they will be advised each semester by Student Support or can make a direct application to apply for Mitigating Circumstances. This will then be assessed under the Mitigating Circumstances Policy. If they disagree with the determined adjustment they may appeal in accordance with the School's Appeals policy.

#### 4.5. Assessment Boards

Assessment Boards convened by the School in accordance with the regulations of the awarding body are concerned solely whether a student has reached the appropriate grade boundary for the assessment concerned. Any reasonable adjustments made to accommodate students will have been made with the aim of eliminating any disadvantage that may affect a student during an assessment and will therefore not factor in Assessment Board determination of achievement.

Students may however appeal against an assessment decision in accordance with the School's Appeals Policy, where they have cause to believe an approved reasonable adjustment was not applied properly and this can be shown to have affected the assignment outcome.

### 5. Review and Update of this Policy

- 5.1. This policy will be reviewed and updated periodically by the Executive Committee in consultation with key stakeholders; proposed changes to it will be reviewed and ratified by the School's Board of Governors.

## APPENDIX: Adjustments for Students with Disabilities and Learning Difficulties

The following are examples of adjustments that can be made to remove the impeding affect to study of a disability, learning difficulty or long-term mental health condition.

**Note:** LSST delivers learning opportunities in partnership with university awarding bodies under accreditation and franchise agreements. Approval for certain adjustments to be made to assessment conditions may need to be endorsed by the awarding body; the School will liaise with awarding bodies and affected students to ensure that arrangements are acceptable to all parties.

### Adjustments for Assignment-based Assessment

- **Extra Time:** to apply for extra time students are advised to follow the procedure defined in the Mitigating Circumstances Policy.
- **Word Processor:** The use of word processors in non-examination assessment components will be considered standard practice unless prohibited by the specification. Students are allowed and recommended to use the spelling and grammar check facility provided by the word processor.
- **Special Equipment:** Although the School does not commit to provide any special equipment to support the disability it will make reasonable provision to adjust the use of such equipment.

### Adjustments for Examination-based Assessment

- **Supervised rest breaks:** The student must satisfy that they have an impairment which has a substantial and long term adverse effect, giving rise to persistent and significant difficulties; and the student is disabled within the meaning of the Equality Act and that there is a genuine need for the arrangement.

Supervised rest breaks will be awarded on account of:

- cognition and learning needs;
- communication and interaction needs;
- a medical condition;
- sensory and physical needs;
- social, mental health and/or emotional health needs.

The timing of the examination should be paused and re-started when the student is ready to continue.



During the supervised rest break the student will not have access to the question paper/answer booklet.

There will be some constraints on timing if the candidate has more than one examination to take each day. The supervised rest break is not included in any extra time allowance.

- **Extra Time**

Extra time must not be confused with supervised rest breaks.

To award extra time, the needs of the student will be pre-determined based on the provided evidence.

Appropriate evidence of need must be submitted to the School and approved before the provision could be provided.

- **Read-aloud or use of Reading Pen**

The arrangement must reflect the candidate's normal way of working in internal school tests and mock examinations.

A candidate who reads aloud to themselves will be accommodated separately within the centre.

A permitted examination reading pen will not have an in-built dictionary or thesaurus, or a data storage facility.

- **Scribe / Speech recognition technology**

The student must confirm that they have persistent and significant writing difficulties and is disabled within the meaning of the Equality Act 2010.

A scribe is a responsible adult who, in non-examination assessments and/or in an examination but not in a Speaking Test, writes or types a candidate's dictated answers to the questions.

A scribe is not a practical assistant, a prompter or a reader. The same person may act as a practical assistant, a prompter, a reader and/or a scribe as long as permission has been given for these arrangements.

In cases where a candidate is dictating to a scribe for the entire duration of the examination an extra time will always be considered.

A scribe will not be permitted to perform tasks which are part of the assessment objectives.

- **Prompter**

A prompter may be permitted where a student has a substantial and long term adverse impairment/mental health need resulting in persistent distractibility or significant difficulty in concentrating.

- **Modified Papers**

Modified enlarged papers are only produced when orders are made by the deadline. They are not produced automatically and are intended for candidates who cannot read a standard examination paper.

The standard modified paper formats will, in the vast majority of cases, enable a candidate with a substantial and long term visual impairment to access their examinations. However, in rare and exceptional cases, a candidate with a substantial and long term visual impairment may require question papers in an alternative format. The candidate will require a reasonable adjustment on account of their disability.

Where a disabled candidate requires question papers in an alternative format the School will discuss their particular requirements at the earliest opportunity with the relevant awarding body's Modified Papers Unit, ideally at the start of the course.

- **Other arrangements**

Following are some other arrangements that the School will consider based on the application and evidence provided:

- Amplification equipment
- Closed circuit television (CCTV)
- Colour naming by the invigilator for candidates who are Colour Blind
- Coloured Overlays (this would also include reading rulers, virtual overlays and virtual reading rulers)
- Examination on coloured/enlarged paper
- Low vision aid/magnifier
- Optical Character Reader (OCR) scanners
- Separate invigilation within the centre

## 5.2. Adjustments for Oral Assessment

- **Sign Language Interpreter:** The role of a Sign Language Interpreter may be undertaken by a Communication Support Worker, a Sign Language Interpreter, a Teaching Assistant or a Teacher of the Deaf.

Sign Language interpretation is done 'live' in the presence of the candidate during the examination in order to allow for the candidate's regional variations in BSL/ISL signs.

The Sign Language Interpreter must not sign texts/source material or literary extracts.

Extra time will always be considered on account of the additional repetition which may be required.



## Version History

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Original author(s):	Head of Student Support
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Reviewed by:	Executive Committee	September 2018 September 2019
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<b>Version</b>	
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Revised by:	Name; Title
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