

Special Considerations Policy

October 2019 (v1.1)

SPECIAL CONSIDERATIONS POLICY

CONTENTS

Section 1: Overview and scope of the policy	3
1.1 What is the scope and purpose of the policy?	3
1.2 What products and services are covered by this policy?	3
1.3 Who needs to know about the policy?	3
1.4 How can we obtain copies of the policy?	3
1.5 Review of the policy	3
1.6 Complaints	3
Section 2: Definition	4
2.1 Overview	4
2.2 Definition of special considerations	4
Section 3: Requesting a special consideration	4
3.1 How to submit a special consideration request	4
3.2 Which requests are eligible for special consideration?	5
3.3 Which requests are not eligible for special consideration?	5
3.4 Evidence requirements	5
3.5 Timescales for submitting a special consideration request	5
3.6 Lost or damaged work	6
Section 4: Processes and timescales regarding special considerations	6
4.1 Request for a special consideration	6
4.2 Special consideration timescales	6
Section 5: Outcomes regarding special considerations	7
5.1 Outcomes of a special consideration request	7
5.2 Appeals	7
Section 6: Confidentiality of data and information	7
6.1 Data Protection and GDPR	7
Section 7: Contact information	8
Appendix A Our qualifications regulators' details	9

Section 1: Overview and scope of the policy

1.1 What is the scope and purpose of the policy?

This policy is aimed at our customers, including learners, who are using NCFE products and services and who submit requests for special considerations.

The purpose of this policy is to:

- support centres with submitting a special consideration request to NCFE
- provide centres with details on the process we follow when reviewing a request and advising you of a decision

1.2 What products and services are covered by this policy?

This policy covers the delivery of NCFE qualifications, which are subject to scrutiny and enforcement by our qualifications regulators (regulated qualifications), and unregulated products which are owned and / or accredited by NCFE. All NCFE products include those that may be offered and / or delivered under an NCFE-owned brand name (for example 'CACHE').

1.3 Who needs to know about the policy?

The centre must make centre staff (including centre, satellite, sub contract centres or contractual staff) who are involved in the design, delivery, management, assessment and quality assurance of our products and your learners aware of, and familiar with the contents of the policy.

1.4 How can we obtain copies of the policy?

You can download copies of the policy from www.qualhub.co.uk. Centres can request copies from our Customer Support Team on 0191 239 8000 or by emailing customersupport@ncfe.org.uk.

1.5 Review of the policy

We review this policy regularly and may revise it as required in response to changes in legislation, changes in our practices, actions from our regulatory or external agencies, and / or in response to customer and stakeholder feedback.

This document is subject to revision and is maintained electronically. Electronic copies are version controlled, however printed copies are not subject to this control.

1.6 Complaints

We have a separate complaints process which covers our centres' or learners' dissatisfaction with our products or services, other than those categories listed in Section 1.1 of this policy.

You can view our **Complaints Procedure** document via www.qualhub.co.uk

Section 2: Definition

2.1 Overview

The Equality Act 2010 requires Awarding Organisations to make special considerations to ensure learners who have not been able to demonstrate their usual level of abilities at the time of an assessment, due to extenuating circumstances, illness or injury, as defined in the Act, are not placed at a **substantial** disadvantage in comparison to learners whose assessment performance has not been compromised.

The provision for special considerations are made to ensure that learners receive recognition of their achievement so long as the equity, validity, and reliability of the assessments can be assured. Such arrangements are neither concessions to make assessments easier for learners nor advantages to benefit the learners.

2.2 Definition of special considerations

Special considerations can be applied after an assessment if there is a reason the learner may have been disadvantaged during the assessment. Reasons for special consideration could be temporary illness, injury or adverse circumstances which has impacted on the learner's ability to demonstrate their usual level of attainment at the time of the assessment.

Learners cannot enter a plea for special considerations for assessment solely on the grounds of disability or learning difficulty.

Special consideration should not give the learner an unfair advantage. The learner's result must reflect the learner's achievement in the assessment and not necessarily the learner's potential ability.

Special consideration may result in a small post-assessment adjustment to the mark of the learner. The size of the adjustment will depend on the circumstances during the assessment and will reflect the difficulty faced by the learner, but will always be a minor adjustment as to do more may jeopardise the standard.

Where an assessment requires a competence, criterion or standard to be met fully, or in the case of qualifications that confer a Licence to Practise, **it may not be possible** to apply special consideration. It may be more appropriate to offer the learner an opportunity to retake the assessment at a later date or to extend the assessment period so that the learner has more time to complete the assessment activity.

All learners regardless of their special consideration must still meet our minimum requirement for the award of a certificate.

Section 3: Requesting a special consideration

3.1 How to submit a special consideration request

To request a special consideration, you should complete the appropriate request form on www.qualhub.co.uk > Policies & Documents > Forms > Request for Special Considerations

3.2 Which requests are eligible for special consideration?

Learners may be eligible for special consideration if their ability at the time of the assessment has been affected by an event outside of their control. NCFE will review all applications on a case-by-case basis. The list below is neither exhaustive nor definitive, but we may accept the following:

- 3.2.1 bereavement at the time of the assessment;
- 3.2.2 temporary illness, accident or injury at the time of the assessment;
- 3.2.3 domestic crisis which arises at the time of the assessment;
- 3.2.4 serious disturbance arising during the assessment;
- 3.2.5 an error or accidental event such as being supplied with the incorrect assessment paper, defective materials, or failure to conduct the assessment due to materials not arriving on time;

3.3 Which requests are not eligible for special consideration?

The below list, whilst not exhaustive or definitive, details requests for special considerations which we will not accept:

- 3.3.1 minor disturbance during the assessment, such as a mobile phone ringing or momentary distraction caused by another learner;
- 3.3.2 long term illness, unless the illness manifests at the time of the assessment;
- 3.3.3 bereavement which occurs more than six months before the assessment, unless there are any on-going implications as a result of the bereavement, such as a court case;
- 3.3.4 general domestic inconveniences, such as moving house;
- 3.3.5 lack of preparation on behalf of the centre. This includes staff shortages, lack of facilities, failure to adhere to assessment timetables or conducting the assessment at the correct time and/or place;
- 3.3.6 personal arrangements, such as a wedding or holiday (this includes centre activities such as field trips);
- 3.3.7 the consequences of committing a crime whereby formally charged;
- 3.3.8 the consequences of being under the influence of alcohol or recreational drugs;
- 3.3.9 failure to cover tasks or coursework as a result of the learner joining the class part way through;
- 3.3.10 learning difficulties or a disability over and above those that a previously approved access arrangement or reasonable adjustment would have alleviated, unless this affects the learner at the time of the assessment or where the disability exacerbates what would otherwise be a minor issue;

3.4 Evidence requirements

Please retain all evidence and make it available to any of our authorised representatives who visit your centre, this includes: External Quality Assurers, External Verifiers, Quality Verifiers, Assessment Monitoring Advisors and Customer Quality Advisors

In the case of an appeal, you must ensure that evidence to support a special consideration is retained for 3 months after you've been issued with the results of an assessment.

3.5 Timescales for submitting a special consideration request

In regards to external assessment please submit your application as soon as possible after the assessment and **no later than 5** working days after the assessment has taken place or the assessment window has closed. We may also accept special consideration requests for controlled / internal

assessments. A request for a special consideration for a controlled / internal assessment should be raised at the earliest opportunity.

We can only accept requests for special consideration after the results of the assessment have been released in the following circumstances:

- 3.5.1 the application has been overlooked at the centre and the oversight is confirmed by the Head of Centre
- 3.5.2 medical evidence comes to light about a learner's condition, which demonstrates that the learner must have been affected by the condition at the time of the assessment, even though the problem revealed itself only after the assessment
- 3.5.3 for on-screen assessments where results are immediately available.

3.6 Lost or damaged work

The centre is responsible for learners work until this has been sent to and received by NCFE.

Instances regarding lost or damaged work will be reviewed on a case-by-case basis.

In the event a learner's work has been lost or damaged, the centre **must** provide evidence and verify that the work was completed and monitored whilst in progress.

Section 4: Processes and timescales regarding special considerations

4.1 Request for a special consideration

Once a request for a special consideration is received, NCFE will complete a review of the request and the evidence provided.

4.2 Special consideration timescales

NCFE will aim to review your request within 5 working days of it being received. If this is not possible it will be acknowledged within 2 working days of receipt with notification provided of what action will be taken.

NCFE aims to conclude special consideration requests within 5 working days upon receipt of a fully completed request.

NCFE will inform you if these timescales cannot be adhered to for any reason.

Section 5: Outcomes regarding special considerations

5.1 Outcomes of a special consideration request

The outcome of a special consideration request could be:

- agreement to review the learner's performance in light of available evidence
- rejection of your request based on investigation of the circumstances detailed in your request.

Please note that an approved application for a special consideration would not necessarily change a learner's result.

5.2 Appeals

If you or your learners remain dissatisfied following the outcome of the request that you have submitted, you may submit an appeal in line with our Appeals Policy, which is available on www.qualhub.co.uk. For further information, please contact our Customer Support Team on 0191 239 8000 or at customersupport@ncfe.org.uk.

Section 6: Confidentiality of data and information

6.1 Data Protection and GDPR

We may need access to confidential information and where this is necessary we will ensure that such information is kept secure, only used for the purposes of the relevant request and handled at all times in accordance with prevailing data protection legislation. We do not disclose confidential information to third parties unless we are required to do so, for example by our regulators, law enforcement or statutory bodies.

When requesting copies of valid supporting evidence of learner need for the purpose to review the request of special consideration, we will do this via a secure file transferring platform. Any learner evidence provided for such requests will be reviewed only for the purposes of special consideration and will be retained for no longer than **30 working days**.

We aim to access and retain original evidence or information; if original records cannot be retained, we will photocopy the original and record the copy as authentic.

Section 7: Contact information

If you've any queries about the contents of the policy, please contact the Customer Support Team.

For NCFE and CACHE products:

Email: customersupport@ncfe.org.uk

Telephone*: 0191 239 8000

Post for NCFE and CACHE products:

NCFE
Q6, Quorum Business Park
Benton Lane
Newcastle upon Tyne
NE12 8BT

*To continue to improve our levels of customer service, telephone calls may be recorded.

Appendix A Our qualifications regulators' details

England:

Ofqual

Spring Place
Herald Avenue
Coventry
CV5 6UB

Email public.enquiries@ofqual.gov.uk

Telephone 0300 303 3344

Wales:

Qualifications Wales

Q2 Building
Pencarn Lane
Imperial Park
Coedkernew
Newport
NP10 8AR

Email enquiries@qualificationswales.org

Telephone 01633 373 222

Northern Ireland:

CCEA

The Council for Curriculum, Examinations and Assessment (CCEA)
29 Clarendon Road
Clarendon Dock
Belfast BT1 3BG

Email info@ccea.org.uk

Telephone 028 9026 1200