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Special Considerations Policy

April 2022 Printed versions are not subject to version control. Please see website for most up-to-date version.

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Introduction

Special Considerations Policy

Date approved	April 2022
Approved by	
Review date	April 2023
Responsible Manager	Head of Quality Assurance
Responsible Director	
Accessible to	Colleagues, External Stakeholders, Customers

Policy statement

This policy sets out NCFE's framework for dealing with special considerations requests, by outlining the processes and procedures for our customers.

Applicability of policy

This policy applies to:

- NCFE Awarding Organisation
- external stakeholders, including our customers
- any future business units or subsidiaries.

Scope and purpose of policy

The policy relates to all Awarding operations within and across the NCFE Group. The policy forms part of NCFE's Quality Assurance arrangements by allowing our customers, on behalf of a learner, to submit a special considerations request.

Linked policies

This policy should be read in conjunction with:

- Appeals Policy
- Maladministration and Malpractice Policy
- Access Arrangements & Reasonable Adjustments Policy
- Complaints Procedure



The Special Considerations Policy is located on our website www.qualhub.co.uk.

Persons responsible for the policy

- Responsible Officer
- Head of Quality Assurance.

Summary of Changes

Previous version February 2021v2

Section	Previous version	New version
3.6	Newly added section	Updated information & new form to submit

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 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.

1.5 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, please complete the appropriate form found on our website.

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:

- bereavement at the time of the assessment;
- temporary illness, accident or injury at the time of the assessment;
- domestic crisis which arises at the time of the assessment;
- serious disturbance arising during the assessment;
- 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:

- minor disturbance during the assessment, such as a mobile phone ringing or momentary distraction caused by another learner;
- long term illness, unless the illness manifests at the time of the assessment;
- 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;
- general domestic inconveniences, such as moving house;
- 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;
- personal arrangements, such as a wedding or holiday (this includes centre activities such as field trips);
- the consequences of committing a crime whereby formally charged;
- the consequences of being under the influence of alcohol or recreational drugs;
- failure to cover tasks or coursework as a result of the learner joining the class part way through;
- 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 Audit 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

Regarding 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:

- the application has been overlooked at the centre and the oversight is confirmed by the Head of Centre
- 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
- 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 confirmed by NCFE as part of the appropriate Quality Assurance process. Under the provision of special considerations the following information is for centres in relation to students' non externally assessed work which there is any issue in presenting evidence as per the expected qualification Quality Assurance process.

It must be noted that if the student is responsible for lost or damaged work the consequence of this negligence will not be eligible for special consideration and the centre will need to work with the student to generate appropriate evidence to be submitted for claiming grades. The same outcome applies in situations where qualifications have professional expectations attached to the studies.

If the centre is responsible for lost or damage work, then the applicant completing the 'Notification of lost centre assessed work' form confirms the following:

- the centre is responsible for the loss or damage of the work
- every opportunity for the learner to re-take the assessment or produce final portfolio of evidence have been explored/exhausted
- that the work was either partially completed or fully completed before this was lost or damaged
- the evidence was completed under supervision at the centre to be able to verify the outcome of the student work
- they will supply partial work in the instance that only part of the sample is lost or damaged
- offsite student work is inaccessible and can confirm evidence of actual work quality and all avenues for accessing work have been exhausted

The form that must be completed is the 'notification of lost centre assessed work' available on 'QualHub' >Delivery and Learner Support > Forms. The form must be completed on an individual basis.

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 considering 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 Reviewing a Learner's performance - Learner present for the external assessment but disadvantaged

Where applicable, special consideration will normally be given by applying an allowance of additional marks to each component affected within a specification. The size of the allowance depends on the timing, nature and extent of the illness or misfortune. The maximum allowance given will be 5% of the total raw marks available in the component concerned, including coursework/non-examination assessment.

The decision made by NCFE will be based on various factors which may vary from one subject to another. These may include:

- the severity of the circumstances;
- the date of the external assessment in relation to the circumstances;
- and

the nature of the assessment, e.g. whether written papers are affected as opposed to coursework/non-examination assessment, or whether a practical test or a speaking test is involved

5.3 Reviewing a Learner's performance - Qualifications where eligible learners can be awarded a % uplift on an external assessment.

For applicable qualifications which are numerically marked, one outcome of the special consideration process could be the application of a percentage uplift. The qualifications where this may be applied are listed in **Appendix B**.

The exact % depends on the reason the special consideration is being applied. The maximum uplift we can provide is 5% of the raw marks available for the assessment.

Special consideration cannot be applied cumulatively. Special considerations should only be applied for the most serious indisposition.

5% The maximum allowance, reserved for the most exceptional cases, such as

- terminal illness of the learner
- terminal illness of a parent/carer
- death of a member of the immediate family within two months of the external assessment
- very serious and disruptive crisis/incident at or near the time of the external assessment.

4% Very serious problems such as:

- life-threatening illness of learner or member of immediate family
- major surgery at or near the time of the external assessment
- severe disease
- very recent death of member of extended family
- severe or permanent bodily injury occurring at the time of the external assessment
- serious crisis/incident at the time of the external assessment.

NB 'Very recent' is defined as within one month of the external assessment(s) taking place.

3% A more common category (more cases will fall into this category), including:

- recent traumatic experience such as death of a close friend or distant relative
- recent illness of a more serious nature
- flare-up of a severe congenital/medical condition or a psychological condition
- broken limbs
- organ disease
- physical assault trauma before an external assessment
- recent crisis/incident
- witnessing a distressing event on the day of the external assessment involved.

NB 'Recent' is defined as up to four months prior to the external assessment(s) taking place.

2% The most common category of allowance (most cases will fall within this category) including:

- illness at the time of the external assessment
- broken limb on the mend
- concussion
- effects of pregnancy (not pregnancy per se)
- extreme distress on the day of an external assessment (not simply exam related stress)
- allowance on last paper taken in a day when a learner has been booked for three or more external assessments timetabled for the same day and the total duration of those assessments is more than 5 hours 30

minutes. (Where extra time has been used following formal approval, this should be included in the calculation. Supervised rest breaks must not be included in the total duration of the papers when applying for special consideration.)

1% Reserved for more minor problems:

- noise during examination which is more than momentary
- illness of another learner which leads to disruption in the examination room
- stress or anxiety for which medication has been prescribed
- hay fever on the day of an examination
- minor upset arising from administrative problems.

Where the request for special consideration fails to meet the criteria it will be rejected.

5.4 Learners who are absent from a timetabled external assessment for acceptable reasons

When a learner has missed a timetabled component/unit for acceptable reasons and the centre is prepared to support an application for special consideration, an adjustment may be made to the terminal grade, in applicable qualifications. However, the component/unit must have been missed in the terminal series and 25% or more of the qualification must have been completed. NCFE cannot give advice as to whether a learner is fit to take an external assessment. Centre staff must follow their internal procedures for dealing with learners who feel unwell on the day of an external assessment.

For unitised external assessments taken in a series prior to certification, learners must be re-booked for any missed components at the next assessment opportunity. Unless there are difficulties arising, e.g. group performances which cannot be repeated, special consideration will not be awarded. This principle also applies where entire cohorts miss units due to adverse weather conditions or for any other reason, or where individual candidates miss units as a result of a change of centre.

5.5 Internally Assessed Components

Where a learner meets the published criteria for special consideration, i.e. a temporary illness, temporary injury or other indisposition prior to the submission of their work, it may be possible to allow a short extension to the deadline.

It is not possible to grant any other special considerations for internally assessed units as the flexible nature of the qualification allows claims to be submitted when the learner is ready to certificate.

5.6 Appeals

If you or your learners do not believe we have applied this policy correctly in a fair and consistent way, 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 have any queries about the contents of the policy, please contact the Customer Support team.

Email: customersupport@ncfe.org.uk

Telephone*: 0191 239 8000

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

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

Appendix B - Replacement grades and percentage uplift

Qualifications where a replacement grade or percentage uplift may be applied as an outcome of the special considerations process are listed below:

- NCFE Level 3 Certificate in Mathematics for Everyday Life 603/3437/X
- T Level¹ Technical Qualification in Science (Level 3) (Delivered By NCFE) 603/6989/9
- T Level Technical Qualification in Health (Level 3) (Delivered By NCFE) 603/7066/X
- T Level Technical Qualification in Healthcare Science (Level 3) (Delivered By NCFE) 603/7083/X
- T Level Technical Qualification in Digital Support Services (Level 3) (Delivered By NCFE) 603/6901/2
- T Level Technical Qualification in Digital Business Services (Level 3) (Delivered By NCFE) 603/6902/4
- T Level Technical Qualification in Education and Childcare (Level 3) (Delivered By NCFE) 603/5829/4

¹ 'T Level' is a registered trademark of the Institute for Apprenticeships and Technical Education. The T Level Technical Qualification is a qualification approved and managed by the Institute for Apprenticeships and Technical Education