

Davidson Training UK Limited

Reasonable Adjustments Policy

Policy and Procedure

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Reasonable Adjustments Policy

Reasonable Adjustments

The Equality Act 2010 places a duty on employers to make "reasonable adjustments" to any provision, criterion or practice that they apply and to physical features of their premises, to accommodate the needs of disabled employees and job applicants. The following guidance is provided to support managers in implementing reasonable adjustments for disabled staff in accordance with the Equality Act 2010, and in line with the University's Equal Opportunities Policy. This policy is aimed at our centre and learners who are undertaking or have completed a Davidson Training qualification. We are committed to complying with all current and relevant regulation and legislation to the development and delivery of our qualifications. Our aim is to facilitate open access for all learners who are eligible for reasonable adjustments or special considerations in assessments, whilst ensuring the assessment of understanding, knowledge, skills and competence is not compromised in any way for all of the protected characteristics within the Equality Act 2010.

This policy will also be used by our staff to ensure they are dealing with all reasonable adjustments and special considerations requests in a fair and consistent manner.

This document outlines the following:

- Arrangements for making reasonable adjustments and special considerations in relation to the delivery and assessment of our qualifications
- How learners qualify for reasonable adjustments and special considerations
- Reasonable adjustments we will accept and requests that are required prior to them being applied
- What special considerations can be granted for learners.

Definitions

Reasonable Adjustment

A reasonable adjustment relates to any actions that help to reduce the effect of a disability or difficulty, which may place the learner at a disadvantage during the delivery of a qualification or an assessment situation. They are applied to an assessment process for a qualification to enable a learner with a disability or difficulty to demonstrate his or her knowledge, skills and understanding of the levels of attainment required in the qualification specification.

When a reasonable adjustment has been applied, the work produced by the learner will be marked to the same standards and assessment requirements as the work assessed of the other learners.

Special Consideration

Special consideration is a post-assessment adjustment to the marks of a learner's assessment paper or rearrangement of an assessment time and/or date.

A special consideration can be granted after an assessment has taken place if a learner may have been disadvantaged.

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Policy

As a centre, we expect your operations to adhere to relevant requirements and legislation to promote fair access to assessment for all learners. You should have policies and procedures in place which reflect the principles included within this document.

Assessment should be a fair test of learner's knowledge, skills and ability. The standard format of assessment may not be suitable for all learners, our aim is that our assessments and qualifications do not prevent any learners from attaining them.

At Davidson Training, we recognise that reasonable adjustments or special considerations may be required at the time of assessment where the following applies:

- Learners have a permanent disability or specific learning needs
- Learners have a temporary disability, learning needs or medical condition
- Learners are not available at the time of assessment

Reasonable adjustments and special consideration arrangements are available to ensure all learners receive recognition of their achievement providing there is evidence that the equity, validity and reliability of the assessments can be assured. These arrangements should not be used to make assessments easier for learners or give learners a head start and should not disadvantage other learners.

All requests for reasonable adjustments and special considerations will be reviewed on an individual basis and all the information received will be considered.

Principles of Granting Reasonable Adjustments

Davidson Training will support our centre making these reasonable adjustments by ensuring that the following applies:

- Reasonable adjustments granted provide learners with the opportunity to demonstrate their attainment
- The reasonable adjustment compensates for any disadvantage imposed by the disability or difficulty but do not disadvantage others
- Certificates issued do not mislead anyone regarding the learner's attainment
- The assessments were rigorous and fair
- The assessment activity is valid and is measurable against the assessment criteria
- Assessment results are reliable.

Reasonable adjustments that may be requested are as follows:

Modified enlarged manuals or assessment papers

For learners with a visual impairment where enlarged text would allow them access to fair delivery and assessment (pre-assessment notice is required).

Assessment extension time

Extra time is not permitted in practical skills performance. An allowance of 25% extra time is permissible for assessment papers if the learner has learning difficulties, supported by an assessment report evidencing the need for the adjustment.

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Use of a reader

For learners with a visual impairment whose reading skills have been tested and defined as below average or where English is a learner's second language. The reader is a responsible adult who reads the questions to the learner but must not be the tutor, assessor, relative, friend or peer to the learner. The reader must only read the question paper instructions and the questions, they must not explain or clarify. They may if requested repeat instructions, read back what has been written or give the spelling of a word on the paper.

Use of a scribe

For learners who have learning difficulties and are unable to write legibly. The scribe is a responsible adult who writes down the learner's dictated answers to the questions, they must not be the tutor, assessor, relative, friend or peer to the learner. The use of computer software that produces a hard copy of the learner's dictated speech is permissible.

Use of a sign interpreter

For learners who communicate by using sign language. The interpreter is a responsible adult who is proficient in the use of sign language, they must not be the tutor, assessor, relative, friend or peer to the learner. The interpreter must only sign the question paper instructions and the questions, they must not explain or clarify. They may if requested repeat instructions, learners are only permitted to sign their answers in coursework and exams where the answers required involve single words.

Centres may reject requests in situations as follows:

- Reasonable adjustments must not invalidate the assessment requirements set out in the qualification specification
- The content and delivery of the chosen course of study would prevent the learner from fulfilling a major section of the course affecting the assessment requirements
- Must not give the learner an unfair advantage compared to other learners for whom a reasonable adjustment has not been granted.

Procedure to Request a Reasonable Adjustment

Centre co-ordinators, tutors and assessors must endeavour to identify learner needs as soon as possible to request the appropriate adjustments are reviewed by Davidson Training, once approved these can be implemented.

The process for requesting access arrangements and the evidence required may vary dependent upon the qualification specification, the learner's circumstances and any other factors that need to be taken in to consideration.

Reasonable adjustments may cover all of the course content and not just the assessment. We ask that a request is submitted to Davidson Training prior to the course starting, if the adjustment is to an assessment paper a minimum of 14 days' notice is required. All arrangements for adjustments must be approved by Davidson Training before being implemented.

The Davidson Training reasonable adjustments and special considerations form is available from your tutor/assessor or you can request a copy by contacting us.

All requests for reasonable adjustments and special considerations will be reviewed on an individual basis and all the information received will be considered.

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Davidson Training will not approve any adjustments that may compromise the assessment criteria and that may disadvantage other learners.

Centre co-ordinators, tutors and assessors may assist learners in choosing an appropriate course of study, making them aware of the qualification specification requirements. Learners may still decide to undertake/complete a qualification knowing they are unable to fulfil the assessment requirements, in this situation a certificate of attendance may be issued.

Failure to comply with this policy may constitute malpractice and the resulting disqualification of the learner.

Principles of Granting Special Considerations

Learners must have attended the course for the appropriate amount of guided learning hours and have been fully prepared by the tutor/assessor to take the assessment. If their performance in the assessment or in the production of coursework is affected by adverse circumstances beyond their control, a special consideration may be granted for a learner if they have temporarily experienced any of the following:

- Illness or injury
- An event out of the learners control which has or is likely to have an impact on the learner's ability to take an assessment or demonstrate their levels of attainment during the assessment.

Any special considerations granted must:

- Treat all learners fairly
- Require the learner to fully meet the assessment requirements
- Maintain the relevance, reliability and comparability of the assessment.

They must not invalidate the assessment requirements set out in the qualification specification. Special considerations should not give the learner an unfair advantage, neither should it mislead an employer/training provider regarding the learner's achievements for certification. The learner's results must reflect the achievement in assessment and not their potential ability.

If a special consideration is granted this may result in a post-assessment adjustment to the marks of the learner. The adjustment will depend on the circumstances and reflect the difficulty faced by the learner.

Note: *It may not be possible to grant a special consideration where an assessment requires the learner to demonstrate practical competence or when assessment criteria must be fully met, or in a case the qualifications confer a license to practice.*

Procedure to Request a Special Consideration

Following an assessment, a centre co-ordinator, tutor or assessor may wish to submit a reasonable adjustment and special consideration form, in recognition of the difficulty a learner has encountered. The form is available from the Quality Assurance co-ordinator. This should be submitted with all the paperwork within 7 working days of the assessment.

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Please indicate on the form the exact nature of the adverse condition(s) that you consider makes the learner eligible for a special consideration, supply copies of any appropriate evidence to support your request and securely attach to the form. You may photocopy the completed form for your records.

Please note that there will be occasions when learners are too unwell or distressed to complete an assessment and occasionally learners do underperform.

All requests for special considerations will be reviewed on an individual basis and all the evidence received will be considered.

If the request for a special consideration is successful, the learner's performance will be reviewed based on the evidence that was submitted. A successful request of a special consideration will not necessarily change a learner's result.

Davidson Training will not approve any special considerations that may compromise the assessment criteria and that may disadvantage other learners.

Failure to comply with this policy may constitute malpractice and the resulting disqualification of the learner.

Centre Responsibility

It is important that all centre personnel involved in the management, assessment and quality assurance of all Davidson Training qualifications, are fully aware of the contents within this policy and ensure their learners are made aware of the policy when undertaking or completing any of our qualifications.

When an EQA visits a centre, they may ask personnel and learners some questions to identify if they are aware of the policies contents and purpose.

Arrangements Not Covered Within This Policy

If any circumstances arise relating to internal or external assessment not covered within this policy you should contact the Training Operations Manager at Davidson Training to discuss prior to the assessment taking place.

Appeals

If you wish to appeal against our decision to decline a request for a reasonable adjustment or special consideration please refer to our appeal policy, you can request a copy by contacting us. This is also in your handbook that you received upon enrolment.

Monitoring and Review

This policy and its procedures will be reviewed regularly for improvements as part of our quality assurance requirements. This will ensure it is fit for purpose, reflects the services we deliver to our approved training centres and we provide services which are relevant to the requirements of individual needs.

Contact Details

Sarah Collins 0 Training Operations Manager: Tel: 01375 480088;
email: sarahcollins@davidsontraining.com

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The duty to make reasonable adjustments applies to three separate requirements:

1. Adjusting the way things are done.

This refers to any provision, criterion or practice which may place a disabled person at a substantial disadvantage in comparison to someone who is not disabled. These cover all aspects of employment, for example: recruitment and selection; promotion; training; retention, including sickness absence policies.

2. Adjusting physical features of the workplace.

It may be necessary to make adjustments to overcome barriers created by the physical features of the workplace. This includes any physical feature which puts a disabled person at a substantial disadvantage compared with a non-disabled person.

3. Providing extra equipment.

The Equality Act 2010 refers to this as an auxiliary aid (for example a hearing-loop) or an auxiliary service (a person/service provider that gives assistance to the disabled person). This requirement means taking reasonable steps to provide an auxiliary aid where the absence of such an aid would place a disabled person at a substantial disadvantage when compared with persons who are not disabled.

There can be no justification for a failure to make a 'reasonable' adjustment.

Examples of Possible Reasonable Adjustments

The following list sets out some possible examples reasonable adjustment which could be made to accommodate an individual's disability.

Please note that reasonable adjustments can potentially be implemented on a temporary, occasional or a permanent basis.

- Modifying instructions or reference manuals, e.g. providing them in Braille or large print;
- Providing additional or tailored training, coaching or mentoring, for example for someone with severe dyslexia;
- Adjusting working hours, for example allowing someone whose medication's side effect is fatigue a later or flexible start time, or more frequent rest breaks;
- Changing the place of work, for example moving an individual with limited mobility to a ground-floor location or allowing home working for part of the working week;
- Providing special equipment, for example voice-activated software for someone with a visual impairment;
- Providing a reader or interpreter, e.g. for someone who is deaf;
- Agreeing to part-time working;
- Changing the method of doing the job, e.g. allowing an employee who cannot drive due to epilepsy to use taxis for business travel;
- Adjusting the duties of the job, for example exempting an employee with a back condition from the elements involving physical work;
- Modifying procedures for testing and / or assessments as part of a recruitment exercise;

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- Extending an individual's probationary period if disability-related sickness has prevented the individual from being able to demonstrate an acceptable level of performance during the normal probationary time-scale for the role;
- Arranging for meetings to be held at a location or at a time to suit the individual or arranging for short breaks during long meetings - (for example, during disciplinary or grievance procedures);
- Allocating some minor aspects of the role to another / other individuals without overburdening other individuals.

Useful factors to consider when determining what is reasonable

The following points of wider consideration should be explored in relation not only to the individual but the team:

Equality Factors (Equality Act 2010)

- Will it be reasonable to make a combination of adjustments?
- The fact that other staff (without a medical condition) would like the benefit of an adjustment is not relevant (legally) to the reasonableness of an adjustment for a member of staff with a medical condition.
- If you make an adjustment that goes beyond the requirements of the Equality Act 2010 i.e. it is more than what it would be reasonable for you to do, this does not necessarily mean you have to provide a similar adjustment for other staff with a similar medical condition.

How effective will the change be?

- Consider the extent to which the adjustment benefits the staff member, e.g. would the adjustment enable the individual to carry out his/her existing duties (even if some minor duties have to be reallocated)? If so, then it is likely to be reasonable to make that adjustment.

How practical will the change be?

- How easy would it be to implement the adjustment? e.g. if an adjustment involved significant alterations to the procedures used, such that there had to be a complete revision of the way work is done in an area, this may be too impracticable to be considered reasonable.
- Are there any health & safety considerations e.g. the effect it will have on other staff;

Resource Implications

- If an adjustment costs little or nothing it is very likely to be reasonable unless some other factor (such as its practicability) makes it unreasonable. Other costs to be taken into account include staff and other resource costs. [See Funding the Cost of 'Reasonable Adjustments']
- Consider the relative cost of the adjustment against what you might have to spend if the staff member does not return to his/her existing duties, e.g. it would be reasonable to spend at least as much on an adjustment to enable the retention of a member of staff (including any retraining) as might be spent on recruiting and training a replacement.

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- Consider the extent to which an adjustment will cause operational disruption: the greater the operational disruption, the less likely the adjustment will be considered reasonable.
- Each case depends on its own circumstances, but it will generally be reasonable to make significant efforts to: reallocate minor or subsidiary duties; provide additional supervision.

Availability of other assistance

- Seek advice from Workplace Health & Wellbeing/GP/Specialist on the need for an adjustment.
- Always consider the availability of outside help, especially in assessing the reasonableness of the cost of adjustments.

It is important to be cautious to ensure that any reasonable adjustments are not based on assumptions or incorrect perceptions as to someone's disability. This can be avoided by ensuring, as a manager; you speak to the individual about their needs (see guidance on Process for identifying and implementing Reasonable Adjustments).

Good Practice when making Reasonable Adjustments

- Give consideration to making reasonable adjustments, where possible, for those who may have a health issue which may not be covered by the Equality Act 2010 definition of a disability.
- Ensure that throughout every aspect of the employment relationship, the disabled person has the same access to everything that is involved in getting and doing a job as a non-disabled person, as far as is reasonable.
- Consider each case fully and fairly. Managers are encouraged to liaise with Human Resources, as required.
- Advice and support may be sought from Human Resources at any stage of considering and implementing reasonable adjustments. Though it is recognised that a lot of situations may be addressed simply.
- Although there are no prescribed time-scales for making reasonable adjustments and these will be dependent upon the type of adjustment required, it is important that any such adjustments are put in place as promptly as possible.
- If you anticipate that there may be any funding issues or there may be a delay in implementing a reasonable adjustment, please contact your HR Adviser for advice. This is particularly important if the delay may prevent the individual from returning to work.

Reasonable Adjustments and Redeployment

Redeployment may be explored in instances where for example;

- all possible reasonable adjustments have been explored but do not meet the needs of the individual;
- adjustments that have been tried were not effective;
- adjustments are no longer effective.