

**MAIDEN ERLEGH SCHOOL**



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**Examinations Access  
Arrangements and Special  
Consideration**

2017-18

## MAIDEN ERLEGH SCHOOL

### EXAMINATION ACCESS ARRANGEMENTS AND SPECIAL CONSIDERATION 2017-2018

Maiden Erlegh is determined to provide all deserving candidates with any necessary support to ensure that they are not disadvantaged by mental or physical impairment.

Clarity about criteria and clear timelines are essential so that we can make fair and timely provision and arrange any necessary additional resources - rooms, technical support, and personal assistance - in advance of the examination period. It is not possible at short notice to deploy resources to support Access Arrangements which in any case have to be a response to a long term impairment.

**Special Consideration** is a response *after the examination* as a result of something which occurs at, or near, the time of the examination.

This document is concerned with **Access Arrangements** which are adjustments made *prior to the examination* in response to the candidate's **substantial and long term impairment**.

The primary purpose of this document is to ensure clarity for students, parents and teachers, including those with pastoral responsibilities, about the criteria, timelines and procedures for **Access Arrangements**.

The JCQ document *Access Arrangements and Reasonable Adjustments* is 104 pages long. Some key extracts from JCQ guidelines are appended together with **Maiden Erlegh School - Examination Access Procedures**.

<https://www.jcq.org.uk/exams-office/access-arrangements-and-special-consideration/regulations-and-guidance/acce>

#### Eligibility Criteria

For a concession to be awarded the student must meet the criteria outlined by the JCQ:

"The SENCO must make their decision based on:

whether the candidate has a **substantial and long term impairment** which has an **adverse effect**; and

**the candidate's normal way of working within the centre."**

So -

There must be clear **evidence of need** for the particular concession requested.

There must also be substantial evidence within school that the concession requested reflects the candidate's **normal way of working**.

We define **long term** as for **at least the whole of the year in which the examination is being taken**.

There must be clear evidence **from the same time period** that **the impairment has had an adverse effect on the candidate's access to learning** which has necessitated a

change to their normal way of working. The **same adjustment** can then be made for their examinations.

### **Referrals**

If anyone in school is aware of a candidate who meets the two key criteria – substantial and long term impairment which has resulted in a change to the candidates' normal way of working. In addition to existing evidence held by the centre in support of this, we will liaise with parents in order to seek additional supporting evidence for the Examination Board.

- Internal assessments for all students on the SEND register
- Referral by subject teacher or teacher with pastoral responsibility (Using ME form)
- A written request from a parent/carer to the Head of Personalised Learning / SENCo, outlining the reason for the request and attaching supporting evidence.

An application for a concession is made following scrutiny of the evidence provided through at least one of the routes above by the Head of Personalised Learning / SENCo and the Senior Deputy Headteacher with responsibility for examinations. If an application is made, approval by JCQ is not guaranteed.

### **Timings**

“Access Arrangements are **pre-examination adjustments** for candidates based on evidence of need and normal way of working.” JCQ

The increasingly large numbers of examinations across multiple venues and the provision of access arrangements for an increasing number of students with diverse needs means that a good lead time prior to the commencement of examinations is essential to ensure the best possible provision.

***Maiden Erlegh School therefore requires all access arrangements to be in place by 2 February 2018 in order to meet the JCQ deadline of 21 February. Please note the JCQ deadline for modified papers is 31 January.***

Parents wishing to request special access arrangements must therefore put their case in writing, with all supporting evidence by 2 February 2018. Because access arrangements are a response to a long term impairment there can be no subsequent adjustment to any provision granted and any impairments which arise after March 1 will not be eligible for special access arrangements as they are not long term.

(Candidates with recent injuries which require adjustment to where and how they sit their examinations will not be disadvantaged by this.)

### **Alternative Venues**

Where there is clear evidence of need we will provide a small quiet venue away from the main examinations halls. Such venues are limited on this site and students would inevitably be grouped in these circumstances.

### **Anxiety**

Examinations are inevitably a stressful experience and different students respond in different ways. We will not consider requests for Access Arrangements or Special Consideration based on a general diagnosis of anxiety, even if it is supported by a letter from a GP. Access Arrangements will be considered based on the school's own assessment supported by evidence from a mental health doctor or psychiatric nurse who has worked with the student over a period of time.

# Access Arrangements, Reasonable Adjustments and Special Consideration

## An Overview

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### Access Arrangements

Access Arrangements are pre-examination adjustments for candidates based on evidence of need and normal way of working. Access Arrangements fall into two distinct categories: some arrangements are delegated to centres, others require prior JCQ<sup>CIC</sup> awarding body approval.

Access Arrangements allow candidates/learners with special educational needs, disabilities or temporary injuries to access the assessment without changing the demands of the assessment. For example, readers, scribes and Braille question papers. In this way Awarding Bodies will comply with the duty of the Equality Act 2010 to make 'reasonable adjustments'.

### Reasonable Adjustments

The Equality Act 2010 requires an Awarding Body to make reasonable adjustments where a disabled person would be at a substantial disadvantage in undertaking an assessment.

A reasonable adjustment for a particular person may be unique to that individual and may not be included in the list of available Access Arrangements.

How reasonable the adjustment is will depend on a number of factors including the needs of the disabled candidate/learner. An adjustment may not be considered reasonable if it involves unreasonable costs, timeframes or affects the security or integrity of the assessment.

There is no duty on the Awarding Bodies to make any adjustment to the assessment objectives being tested in an assessment.

### Special Consideration

Special consideration is a post-examination adjustment to a candidate's mark or grade to reflect temporary illness, temporary injury or some other event outside of the candidate's control at the time of the assessment, which has had, or is reasonably likely to have had, a material effect on a candidate's ability to take an assessment or demonstrate his or her normal level of attainment in an assessment.

## Appendix 2 - Definitions As Published by JCQ

### Access arrangements are agreed before an assessment.

They allow candidates 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 candidate without affecting the integrity of the assessment. Access arrangements are the principal way in which awarding bodies comply with the duty under the Equality Act 2010 to make 'reasonable adjustments'.

### Reasonable Adjustments

The Equality Act 2010\* requires **an awarding body** to make reasonable adjustments where a candidate, who is disabled within the meaning of the Equality Act 2010, would be at **a substantial disadvantage** in comparison to someone who is not disabled. The awarding body is required to take reasonable steps to overcome that disadvantage. An example would be a Braille paper which would be a reasonable adjustment for a vision impaired candidate who could read Braille. A reasonable adjustment may be unique to that 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 disabled candidate;
- the effectiveness of the adjustment;
- the cost of the adjustment; **and**
- the likely impact of the adjustment upon the candidate and other candidates.

An adjustment will not be approved if it:

- involves unreasonable costs to the awarding body;
- involves unreasonable timeframes; or
- affects the security and integrity of the assessment.

This is because the adjustment is not "reasonable".

## APPENDIX 3 JCQ EXTRACTS (AA Regs. 2017-18)

### 5.16 Other arrangements for candidates with disabilities\*

\*For the access arrangements detailed below, there is not a requirement to process an application using Access arrangements online or to record the use of the arrangement. No evidence is needed to support the arrangement.

- Amplification equipment
- Brailers
- 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

The SENCo must make their decision based on:

- whether the candidate has a substantial and long term impairment which has an adverse effect; and
- the candidate's normal way of working within the centre.

SENCOs must note that candidates are only entitled to the above arrangements if they are disabled within the meaning of the Equality Act. The candidate is at a substantial disadvantage when compared with other non-disabled candidates undertaking the assessment and it would be reasonable in all the circumstances to provide the arrangement.

(The only exception to this would be a temporary illness, a temporary injury or other temporary indisposition which is clearly evidenced.)

For example, in the case of separate invigilation, the candidate's difficulties are established within the centre (see section 4.1.4, page 16) and known to a Form Tutor, a Head of Year, the SENCo or a senior member of staff with pastoral responsibilities.

Separate invigilation reflects the candidate's normal way of working in internal school tests and mock examinations as a consequence of a long term medical condition or long term social, mental or emotional needs.

For further information please see **Chapter 8 of the JCQ publication** Instructions for conducting examinations –

<http://www.jcq.org.uk/exams-office/ice---instructions-for-conducting-examinations>

### 4.1.3 Sensory and Physical Needs

E.g. Hearing Impairment (HI), Multi-Sensory Impairment (MSI), Physical Disability (PD), Vision Impairment (VI)

Candidates with sensory and physical needs may require for example:

- supervised rest breaks
- extra time
- a computer reader or a reader
- read aloud or an examination reading pen
- a word processor
- a scribe
- a live speaker
- a Sign Language Interpreter
- a practical assistant
- Braille papers, modified enlarged and/or modified language papers.

### 4.1.4 Social, Mental and Emotional Needs†

E.g. Attention Deficit Disorder (ADD), Attention Deficit Hyperactivity Disorder (ADHD), Mental Health Conditions

Candidates with social, mental and emotional needs may require for example:

- supervised rest breaks
- a prompter
- separate invigilation within the centre
- alternative site arrangement
- extra time
- a word processor
- a computer reader or a reader
- read aloud or an examination reading pen
- a scribe.

†The candidate **must** have an impairment in their first language which has a **substantial and long term adverse effect**. A candidate **does not** have a learning difficulty simply because their first language is not English, Irish or Welsh.

## APPENDIX 4 - JCQ EXTRACTS (ICE 2017-18)

### Timetabling of Examinations – Supervision of Candidates

**2.5** Candidates who take an examination later than the published starting time shown on the timetable must be kept under centre supervision (which you [the school] must arrange) from 30 minutes after the published starting time for the paper concerned until they begin the examination.

### **8.6 Separate invigilation within the centre**

A candidate may only take their examinations under separate invigilation within the centre where he/she has **an established difficulty** - see **section 5.16** of the JCQ publication Access Arrangements and Reasonable Adjustments 1 September 2017 to 31 August 2018 - <http://www.jcq.org.uk/exams-office/access-arrangements-and-special-consideration>

Where candidates are subject to separate invigilation within the centre, the regulations and guidance within this booklet [JCQ ICE] **must** be adhered to at all times. This is particularly so in relation to accommodation and invigilation arrangements.

### **Appendix 2.**

Candidates must be under centre supervision by no later than 9.30 am for a morning examination or no later than 2.00 pm for an afternoon examination.

## APPENDIX 5

### Maiden Erlegh School - Examinations Access Procedures

*Revised Edition September 2017. Please note that this document is subject to update at any time to reflect revised JCQ regulations.*

#### **What Are Access Arrangements, as outlined by the Joint Council for Qualifications (JCQ)?**

Access Arrangements allow candidates/learners with special educational needs, disabilities or temporary injuries to access an assessment without changing the demands of the assessment. Their overall objective is to allow attainment to be demonstrated.

Such Access Arrangements are pre-examination adjustments for candidates based on, 'evidence of need,' and, 'normal way of working,' and have to be approved BEFORE an examination or assessment.

#### **Maiden Erlegh Centre Procedures**

The following is an outline of the Centre's Procedures with regard to the awarding of concessions within KS4 and KS5 Assessments/Examinations. All decisions by the Centre are made within JCQ regulations.

##### Referral Procedure

The referral procedure with regard to students being put forward for testing for Examination Access Arrangements are as follows:

- All students on the SEND register are tested in the Summer Term of Year 9 and Autumn Term of Year 12 (if taking written examination subjects) by the Centre's Assessor. Whilst the latest JCQ guidelines state that it is not necessary to re-test in Year 12, they still require substantial evidence for a concession's continuation. Therefore, the Centre considers that retesting in Year 12 is essential in providing this evidence, taking into account a student's current needs and ensuring fairness and consistency for all students.
- A Teacher can refer a student using the Centre's referral form and by providing evidence to support the reason for the referral.
- A written request from a parent/carer to Ms McCaffrey, Head of Personalised Learning / SENCo, outlining the reason for the request and attaching any relevant evidence to support the request.

See Link to JCQ Regulations

<https://www.jcq.org.uk/exams-office/access-arrangements-and-special-consideration/regulations-and-guidance>

Note: All new students' academic data will be reviewed when they join the school. If they are then subsequently referred for testing, any relevant evidence provided by their previous school can be used to 'support evidence of need' and the student's 'normal way of working'. The JCQ stipulate that the candidate must be re-tested by the Centre entering them for the examinations.

## **The Administrative Procedure**

In advance of the individual testing by the Centre's Assessors, a student record sheet is prepared which provides an academic and SEND overview of the student. Once the testing is completed, the scores are recorded on the required document (known as a Form 8). This document and any supporting evidence, where applicable, is then reviewed by the Head of Personalised Learning / SENCo in consultation with the Centre's Assessors (CCET and AAC qualified), and Senior Deputy Headteacher. At this point an application for the concession is made, if the centre has the required evidence from the testing to support it. Please note, that even if an application is made, approval is not guaranteed.

Parents are informed in due course as to the outcome of the testing in writing by Ms McCaffrey, SENCo / Head of Personalised Learning Faculty.

### **Note**

All testing has to be completed within a certain timeframe, dictated by the examination boards, well in advance of the examination. This testing has a 26 month 'shelf life,' after which a student is required to be re-assessed.

Any external reports supplied are used within the context of the overall assessment made by the Centre and can be used as supporting evidence. However, they do not over-ride the outcome of the testing conducted by the Centre.

Where appropriate we may take direction from organisations such as Patoss or JCQ and if the recommendations of an external report are rejected by the school, it would not be based on a dispute of the diagnosis made by the professional but on the lack of evidence of current need within the Centre and/or if the degree of difficulty does not meet JCQ guidelines."

The Centre makes all their decisions based on JCQ criteria and the Centre's decision is final.

## **The Testing**

The following assessments are carried out by the qualified Assessors approved and employed by the Centre/School in order to assess a student's performance within a range of areas. The following tests are JCQ approved.

- Reading Skills – WRAT 4, GORT 5. LUCID EXACT
- Spelling – WRAT 4
- Handwriting Speed – DASH
- Cognitive Processing – CTOPP2

Note: The tests used are reviewed at the start of each academic year to reflect updated JCQ regulations and to ensure that they are still considered to be the most appropriate tests to assess need.

## **The Range of Concessions Available Include:**

Extra Time  
Scribe  
Laptop  
Prompter  
Practical Assistance  
Supervised Rest Breaks  
Modified Papers  
Read Aloud  
Bi-lingual translation dictionary

PLEASE NOTE: For a concession to be awarded the student must meet the stringent criteria outlined by the JCQ. In addition to this, the Centre must also substantiate a picture of need through a comprehensive body of evidence taken from the candidate's 'normal way of working'.

## **Additional Information As Outlined by the JCQ**

### Reasonable Adjustment

The Equality Act 2010 requires an Awarding Body to make reasonable adjustments where a disabled person would be at a substantial disadvantage in undertaking an assessment.

## Appendix 5 - The Equality Act 2010 definition of disability

Generally, impairments 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, 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 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 multi-sensory 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.

A reasonable adjustment for a particular person may be unique to that individual and may not be included in the list of available Access Arrangements.

There is no duty on the Awarding Bodies to make any adjustment to the assessment objectives being tested in an assessment.

**Special consideration** is a post-examination adjustment to a candidate's mark or grade to reflect temporary illness, temporary injury or some other event outside of the candidate's control at the time of the assessment, which has had, or is reasonably likely to have had, a material effect on a candidate's ability to take an assessment or demonstrate his or her normal level of attainment in an assessment.

Special consideration can only seek to go some way to assist a candidate affected by a potentially wide range of difficulties, emotional or physical, which may influence performance in examinations. It cannot remove the difficulty faced by the candidate. There will be situations where candidates should not be entered for an examination. Only minor adjustments can be made to the mark awarded because to do more than this would jeopardize the standard of the examination.

Instructions and deadlines for making a request for Special Consideration may be found on the examinations pages on the Maiden Erlegh School website.

**You can access the JCQ's Published Regulations via the following link.**  
<http://www.jcq.org.uk/exams-office/access-arrangements-and-special-consideration>