

## Equalities Procedure for Exams (2021-22)

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## Purpose of the policy

This document is provided as an exams-specific supplement to the *centre-wide accessibility policy/plan* which details how the centre

*“recognises its duties towards disabled candidates as defined under the terms of the Equality Act 2010†. This must include a duty to explore and provide access to suitable courses, submit applications for reasonable adjustments and make reasonable adjustments to the service the centre provides to disabled candidates.*

*†for any legislation in a relevant jurisdiction other than England and Wales which has an equivalent purpose and effect”*

[Quote taken directly from section 5.4 of the current JCQ publication [General regulations for approved centres](#)]

This publication is further referred to in this policy as [GR](#).

This policy details how the centre facilitates access to exams and assessments for disabled candidates, as defined under the terms of the Equality Act 2010, by outlining staff roles and responsibilities in relation to

- identifying the need for appropriate arrangements, reasonable adjustments and/or adaptations (referred to in this policy as ‘access arrangements’)
- requesting access arrangements
- implementing access arrangements and the conduct of exams
- good practice in relation to the Equality Act 2010

## The Equality Act 2010 definition of disability

A definition is provided in Appendix A.

## Identifying the need for access arrangements

### Roles and responsibilities

#### Head of centre

- Is familiar with the entire contents, refers to and directs relevant centre staff to the annually updated JCQ publications including General Regulations and Access Arrangements

#### Senior leaders

- Are familiar with the entire contents of the annually updated JCQ publications including General Regulations and Access Arrangements
- Ensures a appropriately qualified assessor(s) is appointed and that evidence of the qualification(s) of the person(s) appointed is held on file

#### Special educational needs coordinator (SENCo)

- Has full knowledge and understanding of the contents, refers to and directs relevant centre staff to the annually updated JCQ publication Access Arrangements
- Ensures the assessment process is administered in accordance with the regulations
- Leads on the access arrangements process to facilitate access for candidates
- Presents when requested by a JCQ Centre Inspector, evidence of the assessor’s qualification
- Ensures the quality of the access arrangements process within the centre
- Ensures staff roles, responsibilities and processes in identifying, requesting and implementing access arrangements are clearly defined and documented

- Defines and documents roles, responsibilities and processes in identifying, requesting and implementing access arrangements (*Access arrangements policy*)

### Teaching staff

- Inform the SENCo of any support that might be needed by a candidate
- Ensures arrangements put in place for exams/assessments reflect a candidate's *normal way of working* within the centre
- Provide information to evidence the normal way of working of a candidate

### Assessor of candidates with learning difficulties

- The centre assessor for candidates with learning difficulties has the appropriate qualifications required to assess the candidates. Appendix B.
- Has detailed understanding of the current JCQ publication Access Arrangements
- Supports the SENCo in determining the need for and implementing access arrangements
- Leads on the access arrangements process to facilitate access for candidates
- Ensures that all assessments carried out and arrangements put in place comply with JCQ and awarding body regulations and guidance
- Ensures the need for access arrangements for a candidate will be considered on a subject by subject basis
- Works with teaching staff, relevant support staff and the exams officer to ensure centre-delegated and awarding body approved access arrangements are put in place for candidates taking internal and external exams/assessments
- Conducts appropriate assessments to identify the need(s) of a candidate
- Provides appropriate evidence to confirm the need(s) of a candidate
- Completes appropriate documentation as required by the regulations of JCQ and the awarding body

## Requesting access arrangements

### Roles and responsibilities

#### Special educational needs coordinator (SENCo) / Specialist Assessor

- Determines if the arrangements identified for a candidate require prior approval from the awarding body before the arrangements are put in place or if approval is centre-delegated
- Follows guidance in Access Arrangements Chapter 8 to process approval applications for access arrangements for GCSE and GCE qualifications
- Applies for approval where this is required, through *Access arrangements online (AAO)*, or through the awarding body where qualifications sit outside the scope of AAO
- Ensures appropriate and required evidence is held on file to confirm validation responses in AAO including the completion of JCQ Form 8, where required, and a body of evidence to substantiate the candidate's normal way of working within the centre
- Ensures where form 8 is required to be completed, the original form is signed by hand and dated as required **prior** to approval being sought and that the original form is provided for processing and inspection purposes
- Confirms by ticking the '*Confirmation*' box prior to submitting the application for approval that the '*malpractice consequence statement*' has been read and accepted
- Makes an *awarding body referral* through AAO where the initial application for approval may not be approved by AAO, where it is deemed by the centre that the candidate does meet the criteria for the arrangement(s)

- Ensures that arrangements, and approval where required, are in place before a candidate takes his/her first exam or assessment (which is externally assessed or internally assessed/externally moderated)
- Ensures that where approval is required that this is applied for by the awarding body deadline
- Maintains a file for each candidate that will include:
  - completed JCQ/awarding body application forms and evidence forms
  - appropriate evidence to support the need for the arrangement where required
  - appropriate evidence to support normal way of working within the centre
  - in addition, for GCSE and GCE qualifications (where approval is required), a print out of the AAO approval and a signed data protection notice (which provides candidate consent to their personal details being shared)
- Presents the files when requested by a JCQ Centre Inspector
- Liaises with teaching staff regarding any appropriate modified paper requirements for candidates
- Ensure a statement is provided which details the criteria the centre uses to award and allocate word processors for exams
- Provides a policy on the use of word processors in exams and assessments

### **Exams officer**

- Is familiar with the entire contents of the annually updated JCQ publication General Regulations and is aware of information contained in Access Arrangements where this may be relevant to the EO role
- Liaises with the SENCo to ensure arrangements are in place to either order a non-interactive electronic (PDF) question paper or to open question paper packets in the secure room within 90 minutes of the published starting time for the exam and that AAO approval is in place for early opening of papers where this may be required where the centre is permitted to modify a timetabled written component exam paper (copy on coloured paper, enlarge to A3 or copy to single sided print)
- Following the appropriate process(AAO for GCE and GCSE; *JCQ Form 7* or *Form VQ/EA*), orders published modified papers, by the awarding body's deadline for the exam series, where these may be required for a candidate

## **Implementing access arrangements and the conduct of exams**

### **Roles and responsibilities**

#### **External assessments**

These are assessments which are normally set and marked/examined by an awarding body which must be conducted according to awarding body instructions and/or the JCQ publication *Instructions for conducting examinations* (ICE).

#### **Head of centre**

- Supports the SENCo, the exams officer and other relevant centre staff in ensuring appropriate arrangements, adjustments and adaptations are in place to facilitate access for disabled candidates to exams

#### **Special educational needs coordinator (SENCo) / Specialist Assessor**

- Support the SENCo and the exams officer to ensure appropriate arrangements, adjustments and adaptations are in place to facilitate access for disabled candidates to exams
- Ensures appropriate arrangements, adjustments and adaptations are in place to facilitate access for candidates where they are disabled within the meaning of the Equality Act (unless a temporary emergency arrangement is required at the time of an exam)
- Ensures a candidate is involved in any decisions about arrangements, adjustments and/or adaptations that may be put in place for him/her and ensures the candidate understands what will happen at exam time
- Ensures that any arrangements put in place do not unfairly disadvantage or advantage disabled candidates
- Liaises with other relevant centre staff regarding the provision of appropriate rooming and equipment that may be required to facilitate access for disabled candidates to exams
- Ensures facilitators supporting candidates are appropriately trained and understand the rules of the particular access arrangement(s)
- Liaises with the EO to ensure that invigilators are made aware of the Equality Act 2010 and are trained in disability issues
- Ensures training is given to LSA's facilitating students with access arrangements.

### **Exams officer**

- Is familiar with and follows the *Checklist for heads of centre and examination officers – The Equality Act 2010 and conduct of examinations* provided in the current Instructions for Conducting Examinations (Appendix C)
- Ensures that prior to any arrangements being put in place checks are made that arrangements do not impact on any assessment criteria/competence standards being tested
- Liaises with the SEN Co-ordinator regarding rooming of access arrangement candidates
- Liaises with the SENCo to ensure exam information (JCQ information for candidates documents, individual exam timetable etc.) is adapted where this may be required for a disabled candidate to access it
- Liaises with the SENCo regarding the facilitation and invigilation of access arrangement candidates
- Checks in advance of dated exams/assessments that modified paper orders have arrived (and if not will contact the awarding body to ensure that papers are available when required)
- Makes modifications that are permitted by the centre (a question paper copied onto coloured paper or where a question paper may need to be downloaded in non-interactive PDF format where a candidate is approved the use of a computer reader) no earlier than 60 minutes prior to the published start time of the exam (Available from Awarding Body)
- Understands that where permitted/approved, secure exam question paper packets may need to be opened early where preparation is required by the facilitator (Oral Language Modifier, Live Speaker, Sign Language Interpreter only)
- Ensures that the facilitator only has access to the papers 60 minutes prior to the published start time of the exam
- Provides cover sheets prior to the start of an exam where required for particular access arrangements and ensures that these have been fully completed by facilitators before candidates' scripts are dispatched to examiners/markers
- Has a process in place to deal with emergency (temporary) access arrangements as they arise at the time of exams in terms of rooming and invigilation
- Liaises with the SEN Co-ordinator where a facilitator may be required to support a candidate requiring an emergency (temporary) access arrangement at the time of exams
- Ensures training is given to LSA's facilitating students with access arrangements.

### **SEN Co-ordinator**

- Ensures exam information (JCQ information for candidates documents, individual exam timetable etc.) is adapted where this may be required for a disabled candidate to access it
- Ensures that prior to any arrangements being put in place checks are made that arrangements do not impact on any assessment criteria/competence standards being tested
- Liaises with the exams officer (EO) regarding facilitation and invigilation of access arrangement candidates in exams
- Appoints appropriate centre staff as facilitators to support candidates (practical assistant, prompter, Oral Language Modifier, reader, scribe or Sign Language Interpreter)
- Ensures the facilitator is known by or introduced to the candidate prior to exams
- Ensures a facilitator acting as a prompter is aware of the appropriate way to prompt depending on the needs of the candidate
- Liaises with the EO where a facilitator may be required to support a candidate requiring an emergency (temporary) access arrangement at the time of exams
- Liaises with the SENCo and other relevant centre staff to ensure appropriate arrangements, adjustments and adaptations are in place to facilitate access for disabled candidates to exams
- Ensures appropriate seating arrangements are in place where different arrangements may need to be made for a candidate to facilitate access to his/her exams
- Ensures invigilators are briefed prior to each exam session of the arrangements in place for a disabled candidate in their exam room

### **Other Centre Staff**

- Centre IT staff will support the Exams Officer and the SEN Co-ordinator in setting up it equipment required for candidates
- Estates/site staff responsible for **rooms and non-specialist equipment** (chairs, tables, clocks etc.) used for exams that may need to be adapted for a candidate
- Senior staff responsible for the centre's **emergency evacuation procedures** and the arrangements that may need to be in place for a candidate with a disability who may need assistance when an exam room is evacuated

### **Internal assessments**

These are non-examination assessments (NEA) which are normally set by a centre/awarding body, marked and internally verified by the centre and moderated by the awarding body.

- Externally marked and/or externally set practical examinations taken at different times across centres are classified as 'NEA'.

### **Special educational needs coordinator (SENCo) / Specialist Assessor**

- Liaises with teaching staff to implement appropriate access arrangements for candidates
- Ensures centre-delegated and awarding body approved arrangements are in place prior to a candidate taking his/her first formal supervised assessment
- Ensures candidates are aware of the access arrangements that are in place for their assessments
- Ensures facilitators supporting candidates are appropriately trained and understand the rules of the particular access arrangement(s)

## **SEN Co-ordinator**

- Liaises with the teacher where a facilitator may be required to support a candidate requiring an emergency (temporary) access arrangement at the time of his/her formal supervised assessment

## **Teaching staff**

- Support the SENCo in implementing appropriate access arrangements for candidates
- Provide the SENCo with assessment schedules to ensure arrangements are put in place when required
- Liaise with the SENCo regarding assessment materials that may need to be modified for a candidate

## **Internal exams**

These are exams or tests which are set and marked within the centre; normally a pre-cursor to external assessments.

## **Special educational needs coordinator (SENCo)**

- Liaises with teaching staff to implement appropriate access arrangements for candidates

## **Examinations Officer**

- Provide exam materials that may need to be modified for a candidate, received from Teaching Staff
- Provide the SENCo with internal exam timetable to ensure arrangements are put in place when required
- Liaise directly with the SEN Co-ordinator with a list of candidates sitting the examinations and when

## **Teaching staff**

- Support the SENCo in implementing appropriate access arrangements for candidates

## **Facilitating access**

The following information confirms the centre's good practice in relation to the Equality Act 2010 and the conduct of examinations.

On a candidate by candidate basis, consideration is given to

- adapting assessment arrangements
- adapting assessment materials
- the provision of specialist equipment or adaptation of standard equipment
- adaptation of the physical environment for access purposes

The table below provides example arrangements, adjustments and adaptations that are considered to meet the need(s) of a candidate and the actions considered/taken by the centre for the purposes of facilitating access.

| Example of candidate need(s)   | Arrangements explored   | Centre actions  |
|--|---|---|
| A medical condition which prevents the candidate from taking exams in the centre | Alternative site for the conduct of examinations<br><br>Supervised rest breaks              | <p><i>SENCo and Student Support Officers gather evidence to support the need for the candidate to take exams at home</i></p> <p><i>Year Student Support Officer provides written statement for file to confirm the need</i></p> <p><i>Approval confirmed by SENCo; AAO approval for both arrangements not required</i></p> <p><i>Year Student Support Officer and Head of Year have discussion with candidate to confirm the arrangements should be put in place</i></p> <p><i>Exams Officer submits appropriate 'Alternative site for the conduct of exams form'</i></p> <p><i>Exams Officer provides candidate with exam timetable and JCQ information for candidates</i></p> <p><i>Year Student Support Officer confirms with candidate the information is understood</i></p> <p><i>Year Student Support Officer agrees with candidate that prior to each exam will call to confirm fitness to take exam</i></p> <p><i>Exams Officer allocates invigilator(s) to candidate's timetable; confirms time of collection of exam papers and materials</i></p> <p><i>Invigilator monitors candidate's condition for each exam and records any issues on incident log</i></p> <p><i>Invigilator records rest breaks (time and duration) on incident log and confirms set time given for exam</i></p> <p><i>Invigilator briefs Exams Officer after each exam on how candidate's performance in exam may have been affected by his/her condition</i></p> <p><i>Exams Officer discusses with Year Student Support Officer if candidate is eligible for special consideration (candidate present but disadvantaged)</i></p> <p><i>Exams Officer processes request(s) for special consideration where applicable; incident log(s) provides supporting evidence</i></p> |
| Persistent and significant difficulties in accessing written text                | Reader/computer reader<br><br>25% Extra time<br><br>Separate invigilation within the centre | <p><i>Specialist Assessor confirms candidate is disabled within the meaning of the Equality Act 2010</i></p> <p><i>Specialist Assessor applies for AAO and informs Examinations Office once approved.</i></p> <p><i>Papers checked for those testing reading</i></p> <p><i>Computer reader/examination reading pen sourced for use in papers (or sections of papers) testing reading OR up to 50% extra time awarded</i></p> <p><i>Original Form 8, signed by hand and dated, with Sections A, B and C completed; kept on file with body of supporting evidence,</i></p>  |

|   |  |   |
|---|--|---|
|   |  | <i>printed approval from AAO and signed data protection notice available for inspection by JCQ Inspector</i>  |
| Significant difficulty in concentrating | Prompter<br>Separate invigilation within the centre                        | <i>Specialist Assessor and Teaching Staff gather evidence to support substantial and long term adverse impairment</i><br><i>SEN Co-ordinator confirms with candidate how and when they will be prompted</i><br><i>SEN Co-ordinator / Specialist Assessor briefs invigilator on how to monitor candidate and the method of prompting go to the candidate, say their name and bring their attention back to the paper</i>   |
| A wheelchair user                       | Desk<br>Rooms<br>Facilities<br>Seating arrangements<br>Practical assistant | <i>Specialist Assessor applies for practical assistant to help candidate set up wheelchair and other equipment in a practical assessment; approval automatically fails so awarding body referral lists the tasks that will be performed</i><br><i>Site Team / SEN Co-ordinator provide height adjustable desk in exam room</i><br><i>SEN Co-ordinator allocates exam room on ground floor near adapted bathroom facilities</i><br><i>Site Team space desks to allow wheelchair access</i><br><i>SEN Co-ordinator seats candidate near exam room door</i><br><i>SEN Co-ordinator / SENco confirms arrangements in place to assist the candidate in case of emergency evacuation of the exam room</i><br><i>Examinations Officer prints Practical assistant cover sheet; to be completed by facilitator and inserted inside the candidate's work where this may be applicable to the assessment</i> |

## Appendix A

### 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 multisensory 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.

This information has been taken from Page 4 of the JCQ Publication *Adjustments for candidates with disabilities and learning difficulties* Access Arrangements and Reasonable Adjustments

## Appendix C

### Checklist for heads of centre and examination officers – The Equality Act 2010 and conduct of examinations:

The following checklist, which is not an exhaustive one, has been produced as a good practice guide for centres.

| <b>A Training invigilators</b>                    |  |
|---|--|
| 1   | Ensure that invigilators are made aware of the Equality Act 2010 and are trained in disability issues.   |
| 2   | As part of the training process make sure that invigilators are aware of policies and procedures relating to emergency evacuation and medication, especially where they relate to candidates with a disability.  |
| 3   | Ensure that invigilators are aware of alternative means of communication, especially in the exam room when conveying information to disabled candidates.   |
| <b>B Information for candidates</b>               |  |
| 1   | Ensure that information supplied to candidates with a disability, such as JCQ <i>Information for candidates</i> documents, are suitably sized and adapted.   |
| <b>C Seating arrangements</b>                     |  |
| 1   | Make sure that there are chairs available outside the examination room(s) to enable those with a disability or those candidates who experience extreme stress or anxiety, to sit and rest before they enter the examination.   |
| 2   | Ensure that there is sufficient space between desks and chairs to enable a candidate (or an invigilator) who uses a wheelchair to enter and leave the room without difficulty.   |
| 3   | If you know that a candidate may become unwell during the examination due to the nature of their disability, try to ensure that you seat them close to the exits to make them feel more comfortable and to limit any disruption to others within the examination room.   |
| 4   | Ensure that the seating is both appropriate and comfortable for those who may have a disability which affects sitting and posture.   |
| <b>D Candidates requiring access arrangements</b> |  |
| 1   | Where a candidate has been granted the use of an Oral Language Modifier, a reader or a scribe, ensure that those individuals who will be acting as an Oral Language Modifier, a reader or a scribe are introduced to the candidate prior to the examination(s) taking place. This is particularly important for those candidates with autism, who will find it difficult to relate to someone who is a stranger. |
| 2   | Where a candidate has been granted supervised rest breaks, try to ensure that the rest areas are suitably comfortable as well as maintaining the security of the examination. Supervised rest breaks will apply to those candidates who suffer from fatigue, hyperactivity, obsessive compulsive disorders or long term health conditions.   |
| 3   | Where a candidate has been granted the use of a prompter, it is important that the person appointed to act as a prompter is aware of disability etiquette, particularly when touching the candidate's desk as a means of a prompt, or tapping the candidate's arm or shoulder. This will apply to those candidates with autism who may have difficulty with time.  |
| 4   | For on-screen tests, ensure that hardware and software have been adapted for those candidates with a sensory or multi-sensory impairment.  |
| <b>E Emergency evacuation procedures</b>          |  |
| 1   | Invigilators and all other centre staff involved in conducting examinations <b>must</b> be aware of the emergency evacuation procedures in place for those candidates with a disability who may need assistance in leaving the building.   |
| 2   | When evacuation and emergency procedures are being explained to candidates, attention should be given to those candidates with a disability, for whom such procedures may be different.  |