

Swim Wales Training and Development Reasonable Adjustments and Special Consideration Policy

DOCUMENT STATUS

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DOCUMENT CONTROL INFORMATION

Change History		
Version	Date	Details of changes
V2	12/02/2019	Amendments to existing policy
V3	03/04/2020	Amendments to existing policy
V4	18/09/2020	Amendments to existing policy

Swim Wales endeavours to make sure that there are no unnecessary barriers to qualification assessment and aims to ensure that the requirements and methods used are flexible enough to enable the widest range of learner access to Swim England accredited qualifications, as well as fairly and reliably demonstrate their competence for attainment.

Policy aim and purpose

This policy has been established to facilitate access to assessment and qualifications for learners who are eligible for adjustments in the range of assessments applied across Swim England qualifications. Adjustments are set out in two categories:

Reasonable adjustments: This is where measures are put in place for a learner who is disadvantaged as a result of a disability or other individual circumstances. The impact of this is assessed prior to the start of the qualification by Swim Wales.

A Reasonable Adjustment may be unique to the individual Learner and may not be included in the list of Access Arrangements within this policy. 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 Learner
- The effectiveness of the adjustment
- The cost of the adjustment
- The likely impact of the adjustment upon the Learner and other Learners

Special consideration: This is where measures are put in place for a learner who is disadvantaged as a result of a disability or other individual circumstances at the point of assessment. The impact of this is assessed at the point of assessment.

Swim Wales recognise the following Special Considerations categories, whereby the Learner has:

- An illness
- An injury

- A temporary disability, learning need or medical condition
- Experienced some other event outside of their control

Therefore, this policy aims to:

- Describe the practice for dealing with identification, justification and recording of data
- Identify individual roles and responsibilities
- Explain how to manage those reasonable adjustments or special consideration implemented in accordance with Equalities Law.

Approved Centre (Swim Wales) recruitment

It is vital that Swim Wales recruit with integrity onto Swim England accredited qualifications, whilst ensuring Learners are provided with accurate information and the correct advice for the qualification they have chosen to pursue. The recruitment process should include the assessment and identification of the Learner's potential to successfully achieve their chosen qualification. Such assessment must identify, where appropriate, the support that will be made available to the Learner to facilitate access to the assessment.

Where the recruitment process identifies that the Learner may not be able to demonstrate attainment, thus gain achievement in parts of assessment, this must be communicated to the Learner clearly from the onset. A Learner may still decide to proceed with pursuing a qualification and not be entered for all or part of the assessment.

Swim Wales must ensure Learners are aware of:

- The range of options available, including any access arrangements that may be necessary, to enable the demonstration of assessment criteria attainment
- Any restrictions on progression routes to the Learner as a result of not achieving all or part of the qualification.

Therefore, Swim Wales shall:

- Make sure that all relevant personnel have had training to ensure that they are aware of access related issues, protocol and procedure
- Explain the learning programme requirements and assessment criteria clearly to the Learner
- Establish early contact with the Learner in order to identify any potential barriers / restrictions to qualification entry, delivery or assessment and determine if reasonable adjustment is required
- Use specialist advice in identifying Learner's disabilities, where required
- Ensure buildings, assessment sites and resources used for delivery and assessment are accessible to all Learners, as far as practical
- Ensure appropriate equipment and personnel are available for selected adjustments to assessment, in accordance with this policy, such as electrical equipment or any assistive personnel (e.g. Reader, Scribe, Practical Assistant)
- Ensure adjustments made are justified, permitted and agreed with the Swim England Qualifications and the level / type of assistance provided is appropriate
- Record and securely retain all adjustment requests and decisions made within each Learner file
- Consider what reasonable adjustments future Learners may need and make appropriate provision in advance

Reasonable Adjustments

The Equality Act 2010 requires awarding organisations to lessen or remove the effects of a 'substantial (*meaning more than minor or trivial*) disadvantage' during assessment. It is important to note that not all arrangements will be practical in particular situations as the Learner may not need, nor be allowed, the same adjustment for all assessments.

All possible, practical steps must be taken to apply reasonable adjustments and promote equality of access for Learners who are placed at a 'substantial disadvantage' in comparison to other Learners without a disability or difficulty. Where applied, these arrangements **must not** affect the reliability or validity of assessment criteria and outcomes, nor must they give the Learner an unfair assessment advantage over other Learners undertaking the same or similar qualifications.

By way of example, arrangements permissible are inclusive of, but not limited to, the following:

- Modifying assessment materials, such as large font, word version, colour etc.
- Providing appropriate assistance during assessment, such as a Scribe, Reader, Practical Assistant or Interpreter
- Using assistive technology, mechanical and electronic aids, such as computer software which scans but does not encode or interpret assessment questions
- Alternative ways of presenting responses, such as word processor
- Allowing for extra time for completion of assessed work.

Eligibility and application of reasonable adjustments

A Learner does not have to be disabled (as defined by the DDA) to qualify for a reasonable adjustment, nor will every Learner who is disabled be entitled to reasonable adjustment. Allowing the application of a reasonable adjustment is dependent on how it will facilitate the Learner's access to assessment.

Reasonable adjustments may take on a number of forms, however may only be granted where adjustment does not:

- Affect the validity or reliability of the assessment
- Give the Learner in question an unfair advantage over other Learners taking the same or similar assessments
- Influence the final outcome of the assessment decision.

Swim England Qualifications expects Swim Wales to apply reasonable adjustments in a clear, transparent and unbiased manner. All reasonable adjustments made must be recorded using the Swim England Qualifications *Reasonable Adjustments Notification Form* (Appendix 1).

Once completed, these must be held by Swim Wales in the relevant Learners file and should be available at all times for scrutiny, when requested, by Swim England Qualifications. All reasonable adjustments are subject to meeting the requirements of the appropriate specification and assessment criteria for Swim England Qualifications. It is the responsibility of the Swim Wales, Key Contact to ensure any access arrangement implemented by Swim Wales, on behalf of the Learner, is based on firm evidence highlighting the barrier of assessment.

Swim Wales will not be required to apply to the Swim England Qualifications for reasonable adjustments requested, however must:

- Only make reasonable adjustments that are in line with this policy
- Record all reasonable adjustments made on the Swim England Qualifications Reasonable Adjustments Notification Form (Appendix1)
- Keep all notification forms within the appropriate Learner's file
- Make all notification forms available to the Swim England Qualifications as required.

Requesting reasonable adjustments from the Swim England Qualifications

In the event a Learner's need for access is in doubt and Swim Wales unaware of the provision which should provide, Swim Wales will contact the Swim England Qualifications officer responsible for advice and guidance. If the adjustment requested is not appropriate, the Swim England Qualifications will source and provide an alternative method to enable the Learner to demonstrate competence.

Assessing achievement

Where reasonable adjustments are applied, Swim Wales must ensure achievement is given only for the skills demonstrated by the Learner and that the reasonable adjustments applied do not compromise the outcomes of the assessment (as identified within eligibility and application of reasonable adjustments).

Where reasonable adjustments are applied, Swim Wales is required to evaluate the outcomes on behalf of the Learner via completion of the evaluation section of the Swim England Qualifications *Reasonable Adjustments Notification Form* (Appendix 1) and retain within the appropriate Learners file. The Swim England Qualifications will monitor the application of reasonable adjustments applied through the centre review process.

In the event Learners are not satisfied with the access arrangements made by Swim Wales, they should report their concerns to Swim Wales and further ensure it is reported formally to the Swim England Qualifications where, upon receipt, it will be reviewed and acted upon should corrective action be required.

Inappropriate use of reasonable adjustments

If Swim Wales misuses this policy, the Swim England Qualifications will take appropriate action. Such action may range from advice and action for Swim Wales, through to the implementation of steps to manage assessment malpractice.

Special Education Needs & Disability (SEND)
Swim Wales notes that a statement of SEND does not automatically qualify the Learner for a reasonable adjustment as:

- The SEND statement may not contain a recent assessment of needs
- The reasonable adjustment may compromise assessment.

Synopsis of reasonable adjustments

Type of need	Learners special needs	Reasonable adjustments
Sensory and physical needs	Visual Impairment	OCR scanners Low vision aid Prompter Reader
		Large Print Modified enlarged format A4-A3 Modified language Tactile diagrams Voice activated computer
		Prompter Colour naming
	Hearing Impairment	BSL Communicator Live Speaker
		Amplification equipment Coloured overlays Transcriber (transcript of tape)
		Additional tapes/CD/DVD Speech/screen reading software
		Practical Assistant Reader Scribe Voice activated software Word processor
	Physical disabilities (e.g. dyspraxia)	Coursework extension
		Enable a competent person to conduct the demonstration
	Illness/ injury/ medical	Alternative accommodation/venue
Psychological	Provision of qualification specifications and assessment materials in appropriate manner where applicable.	
Communication and foreign language needs	First language is not English	Photocopy onto coloured paper Word processor
Cognition and learning needs	Dyslexia	Reader Prompter
	Learning difficulties	Transcriber Word Processor
	Handwriting difficult to decipher	

The following assistive personnel and equipment may be used in the application of reasonable adjustments provided by Swim Wales:

Communicator	A Communicator may be used to interpret Learner responses in British Sign Language (BSL).
Practical Assistant	A Practical Assistant may be used to undertake practical tasks at the instruction of the Learner during the assessment.
Prompter	A Prompter may be used with the Learners who have little or no sense of time, to draw their attention back to the assessment task.
Reader	A Reader may be used to read, all part or only certain words of the assessment material, as requested by the Learner, as well as read the Learners written response.
Scribe	A Scribe may be used to write down or type the Learners answers exactly as spoken during the assessment.
Transcriber	A Transcriber may be used to produce a transcript after completion of assessment, to assist the Assessor in the assessment of the Learner work where handwriting is illegible or responses are in Braille/BSL.
Word processor	A word processor may be used by Learners whose disability impairs their handwriting or if it illegible. Work must be signed by the Learner, completed and printed within the deadline set.

All assistive equipment and personnel used are required to be contained within the reasonable adjustments framework for the best interests of the Learner and to prevent disadvantaging others who are not affected by any difficulties or particular needs.

Deliberate exploitation of reasonable adjustments to affect the assessment outcome or enable the Learner to unfairly achieve the qualification constitutes malpractice and an investigation will be conducted.

Special consideration

Any special consideration granted cannot remove the difficulty experienced by the Learner at the time of assessment and can only be a relatively small adjustment to

ensure the integrity of the assessment is not compromised. Learners who have fully prepared for the assessment and successfully completed the whole qualification, but whose performance during assessment is affected by adverse circumstances outside of their control, will be eligible for special consideration.

It is important to note that it may not be possible to apply for special consideration in instances where:

- Assessment requires the demonstration of practical competence
- Criteria have to be met fully
- Units/qualifications confer license to practice.

A special consideration must not give the Learner an unfair advantage, nor must its use cause the user of a certificate to be misled regarding a Learners achievement. The Learners result must reflect real achievement in assessment and not potential ability.

To this end, special consideration can only be a small post-assessment adjustment to the outcome result. Responsibility for approving special considerations lies with the Swim England Qualifications. The decision made will be based on various factors, which will vary from Learner to Learner, and from one subject to another. These factors may include the severity of the circumstances, the date of assessment, and the nature of the assessment.

Eligibility and application of special consideration

A Learner who is fully prepared and present for a scheduled assessment may be eligible for special consideration if:

- The Learners performance in an assessment is affected by adverse circumstances beyond the Learners control (e.g. injury, recent temporary illness, accident, bereavement, serious disturbance at the time of the assessment)
- The Learner missed a component of the assessment or was not present at the time of the assessment and has been disadvantaged due to circumstances beyond their control
- Accidental events related to the organisation of the assessment or the provision of access arrangements affected the Learners performance
- Alternative arrangements agreed prior to assessment proved inappropriate or inadequate
- Sufficient differentiation is shown between the parts of assessment to which the special consideration was applied, and other parts of the qualification which have been achieved, to conclude that the Learner could have performed more successfully during the assessment.

Learners will not be eligible for special consideration if:

- A component of the assessment is missed due to personal arrangements, including holidays or unauthorised absence
- All components of the assessment were missed without a viable reason
- The Learner fails to request access arrangements on time
- Preparation for a component is affected by difficulties during the qualification (e.g. disturbances through building work, permanent illness/disability, lack of proper facilities, changes in or shortages of staff, or industrial disputes)

- The application for special consideration is submitted without the relevant evidence to demonstrate that the Learner's performance has been affected at the time of the assessment by a particular condition.

The following are examples of circumstances that may be eligible for special consideration (this is not exhaustive):

- Terminal illness of the Learner
- Terminal illness of a parent
- Recent bereavement of a member of immediate family
- Serious and disruptive domestic crises leading to acute anxiety about the family
- Incapacitating illness of the Learner
- Severe car accident
- Recent traumatic experience such as death of a close friend or distant relative
- Flare up of severe congenital conditions such as epilepsy, diabetes, severe asthma attack
- Recent domestic crises
- Recent physical assault trauma
- Broken limb on the mend.

Unlike reasonable adjustments, there are no circumstances whereby Swim Wales can apply its own special consideration. Applications must be made directly to the Swim England Qualifications.

Requesting special consideration

Swim England Qualifications expects Swim Wales to put arrangements in place to enable a Learner, in extenuating circumstances, to complete assessment and thus achieve the qualification. Only when this is unsuccessful should an application for special consideration be made. All applications for special consideration may only be made on a case by case basis and thus separate applications must be made for each Learner.

Applications for special consideration should be submitted to the Swim England Qualifications (courseadmin@swimenglandqualifications.com).

To ensure effective processing of the application Swim Wales shall submit:

- Swim England Qualifications Special Consideration Application Form
- The Learner's personal achievement record
- Evidence to support the application such as a medical certificate, a doctor's letter, a statement from the Tutor/ Assessor or any other appropriate information.

Applications must be submitted to Swim England Qualifications (via the Key Contact) within seven calendar days of the assessment having taken place. Following receipt of the application, Swim England Qualifications will confirm receipt within two working days and will usually give a decision within a further 10 working days.

Where a case is complex, Swim England Qualifications will inform Swim Wales if a decision cannot be made within the timescale specified. During the processing of an application, Swim England Qualifications will only liaise with Swim Wales Key Contact making the claim on behalf of the Learner, and not with the Learner or their designated

third party. It is important to note that special consideration applications will not be considered where Learner achievement has been claimed and certificated.

An extension to a Learner's registration period may be required as a direct result of a special consideration request. Where Learners are eligible in line with these arrangements and who have made an appropriate request, this will be granted. Where special consideration is granted, the outcomes are required to be monitored.

In the event Learners are not satisfied with Swim England Qualifications decision or the arrangements made by Swim Wales, they should report their concerns via this mechanism and corrective action will be taken (if appropriate).

Conferral of Aegrotat awards

Swim England Qualifications will consider applications from Learners who, for medical reasons (temporary illness or indisposition) or compassionate reasons have been unable to take or complete the usual assessment requirements, to be recommended for an aegrotat awarded qualification. Aegrotat awards may be issued to a Learner where there is sufficient evidence that, if not for illness or other valid cause, the Learner would have reached the standard required.

A Learner who, in the opinion of Swim Wales, has satisfactorily completed all the requirements of a qualification but due to medical or compassionate reasons has been unable to take or complete assessments, and evidently will not have the opportunity to take further assessments in future for valid reasons, may be considered eligible for an aegrotat award.

Alternatively, the Learner may be granted the opportunity, on Swim England Qualifications recommendation, to take or complete the assessment at the next available, suitable date. Learners affected by illness or other sufficient cause, after they have completed 75% of the qualification or completed and passed all components of the assessment and before the end of the final assessment, may complete Swim England Qualifications *Special Consideration Request Form* (Appendix 2) to apply for an aegrotat award which will be evaluated in accordance with the following eligibility requirements.

Learners may be eligible for an aegrotat award if all the following conditions have been fulfilled and the required evidence is provided:

- The Learner was prevented, by illness or other sufficient cause, from beginning or completing the assessment(s)
- The Learner has met all requirements of the qualification
- The Learners performance and work during the qualification has been satisfactory
- The Learner has provided relevant evidence, including sufficient medical certification in the case of illness /injury, or appropriate documentation in other cases
- The Learner submitted Swim England Qualifications Special Consideration Request Form (Appendix 2) to apply for an aegrotat award
- The Learner is unlikely to be able to complete the qualification at a subsequent date (relevant evidence must be provided where possible)
- The Learner has received a statement from Swim Wales which proves the Learners performance is satisfactory, that the Learners prior performance demonstrates that they would have passed but for the illness / event occurring

- The Learner has submitted their record of achievement.
- Learners must be made aware that if they are affected by extenuating circumstances over the whole period of the qualification, they will be not issued an aegrotat award.

Procedure for the issue of an aegrotat award

Learners taken ill prior to or during the period of an assessment must contact their Medical Practitioner immediately and obtain a medical certificate / evidence, which should be forwarded without delay to Swim England Qualifications via email (courseadmin@swimenglandqualifications.com), accompanied by the completed Swim England Qualifications *Special Consideration Request Form* (Appendix 2) for attention of the responsible officer. This is required to be forwarded prior to any assessment being considered by an Assessor. This will then be handled in line with the special consideration procedure and outcomes. Learners taking assessments, who wish for compassionate circumstances to be taken into account, should provide details within the request to enable a full evaluation of the situation to be conducted.

Monitoring of access arrangements

In responding to requests for reasonable adjustments or special consideration, we aim to ensure that the arrangements made will be valid, reliable and applied to accurately reflect the Learner's competence to meet qualification assessment outcomes. On this basis, we will continually monitor the application of access arrangements to verify Learners are not given an unfair advantage over Learners without particular needs. In accordance with our continual strive for quality development, Swim England Qualifications monitors and evaluates the effectiveness of our access arrangements procedure annually to ensure that the requirements of current legislation and Learners particular needs are met.

Complying with this policy

Swim Wales should note that failure to comply with the requirements contained within this policy may lead to assessment malpractice, which will impact on the Learners result.

Failure to comply is defined as any, or all, of the following:

- Where applicable, putting in place arrangements without Swim England Qualifications approval
- Exceeding the allowance given by Swim England Qualifications
- Agreeing delegated adjustments that are not supported by evidence
- Failing to maintain records
- Failing to report delegated adjustments when requested to do so by Swim England Qualifications
- Implementing delegated adjustments that affect the validity and reliability of assessment, compromises the outcomes of assessment or gives the Learner in question an unfair advantage over other Learners undertaking the same or similar assessment.

Right to appeal

Where Swim Wales fails to agree with a Swim England Qualifications decision made in respect of this policy, the Centre has the right to appeal. Appeals shall be submitted to



Swim England Qualifications within 14 working days of receipt of the decision from Swim England Qualifications. Upon receipt of an appeal, Swim England Qualifications will acknowledge receipt within three working days and adjudicate within a further 28 working days.

Detail of the appeals process for Swim England qualifications is detailed within the Swim England Qualifications *Enquiries and Appeals Policy*.

Pregnant Candidates

The learner should declare this at the earliest opportunity and complete the relevant form accordingly, and then discuss before and again on the first day of the course with the educator. This is especially important for Health and Safety reasons and should they be taken ill whilst attending a course. This will be kept confidential if the learner wishes.

The educator (with Swim Wales support) should complete a risk assessment (see attached in tutor resources) and support process for the course, agreed and signed by both the learner and educator.

Additional details including checking whether the course venue has any additional expectations, relevant policies and procedures will be adhered to.

Monitoring and review of the policy

This policy and its procedures will be reviewed annually to ensure that it remains fit for purpose and reflects the types of reasonable adjustments or special consideration that may arise, and how access arrangements are managed in accordance with the requirements of Equalities Law.

The next policy review will take place in March 2021

Swim Wales Training & Development
Tel: 01792 513580
www.swimwales.org



Appendix 1: Reasonable Adjustments Notification Form

To be completed by Swim Wales Key Contact

Centres must use this form to record a reasonable adjustment applied by Swim Wales. All reasonable adjustments must be applied in line with the published regulations. A copy of this form and supporting evidence must be retained by the Centre and made available to Swim England Qualifications awarding organisation upon request.

Centre and qualification information

Approved Centre Name		Centre Number:	
Key Contact Name			
Key Contact Email			

Learner information

Learner Name	
Learner Email	
Learner Registration Number	
Qualification title	
Registered qualification number	
Unit(s) concerned	

Reasonable adjustment(s)

Details of reasonable adjustments to be applied:

Evidence held (please attach supporting evidence with this form):

Declaration

1. This form contains accurate details of the reasonable adjustment(s) applied.
2. The adjustment will not compromise assessment validity or reliability, affect the outcome of the assessment or give the Learner an unfair assessment advantage over other Learners undertaking the same or similar assessments.
3. The reasonable adjustment has been made in line with the published regulations.
4. The Learner's knowledge, skills and understanding will be appropriately assessed and the Learner will be able to demonstrate the assessment criteria required by the specification following the application of the reasonable adjustment(s).

Please return form to: qualityassurance@swimenglandqualifications.com

Signature:		Date:	
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Appendix 2: Special Consideration Request Form *To be completed by Swim Wales Key Contact*

If the Learner did not attend assessment due to adverse circumstances, requests for special consideration must be made no later than 20 working days after the assessment. Please ensure you have read the requirements of eligibility for special consideration contained within *Swim England Qualifications Reasonable Adjustments and Special Consideration Policy* prior to completion and submission of this form.

Centre and qualification information

Approved Centre Name		Centre Number:	
Key Contact Name			
Key Contact Email			

Learner information

Learner Name	
Learner Email	
Learner Registration Number	
Qualification title	
Registered qualification number	
Unit(s) concerned	

Special consideration

Details of special consideration request:

Evidence held(please attach supporting evidence with this form):

Declaration

I confirm that the information included in this form is accurate, to the best of my knowledge, and that the Centre will provide the arrangements in accordance with the guidance given by the Swim England Qualifications

Signature:		Date:	
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Please return form to: qualityassurance@swimenglandqualifications.com

Swim England Qualifications awarding organisation outcome:			
Signature:		Date:	