

Reasonable Adjustments and Special Considerations Policy

Document Specification:			
Purpose:	To set out the policy and procedure to be followed by Learners and Centres of NALP qualifications when applying for a reasonable adjustment or special consideration and to set out the criteria NALP staff and management will look for in such requests when considering these.		
Accountability:	NALP Governing Board	Responsibility:	Responsible Officer
Last Review date:	April 2022	Next Review due:	April 2024
Version:	9	Links to Ofqual GCR:	G6 & G7

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Contents

1. Introduction and Scope of Policy	3
2. Data Protection	3
3. Definition.....	3
4. General Guidance for Centres.....	4
5. Reasonable Adjustments – Process for Centres and Learners	5
6. Special Considerations – Process for Centres and Learners	6
7. Submitting Requests	7
8. Evidence requirements	8
9. Appeals.....	8
10. Maximum Additional Time Allowance.....	8
11. Record Keeping and Reporting.....	9
12. Monitoring this Policy	10

1. Introduction and Scope of Policy

NALP is an Awarding Organisation recognised by the Office of Qualifications and Examinations (“Ofqual”) in England. NALP specialises in providing regulated qualifications to the Legal and associated sectors, in particular for Paralegals, which are respected and recognised by those professions. NALP has forged close links with the other professional bodies within the Legal and associated sectors, such as the Law Society, and is committed to ensuring the provision of the highest quality qualifications to that sector.

As part of its recognition by Ofqual, NALP must ensure that it complies with all Conditions of Recognition, as amended from time to time, as well as all other relevant legislation and regulation. It must also ensure that it follows any recognised best practice where this would increase or improve the level of service, security or validity of the qualifications it offers.

This policy sets out NALP’s commitment to compliance with all Ofqual General Conditions of Recognition, with specific emphasis on those areas which are not covered within other policies.

2. Data Protection

The information provided will be processed in accordance with the current data protection legislation and regulation. Data will be processed only to ensure that all persons to whom this policy relates act in the best interests of the Learners, the Centres delivering the qualifications and NALP. The information provided will not be used for any other purpose.

Please note that we treat all records of reasonable adjustments and special consideration arrangements in confidence and will not make details available to any other parties.

3. Definition

In respect of reasonable adjustments, Ofqual’s Condition of Recognition, Condition G6.1 states:

“Reasonable Adjustments are adjustments made to an assessment for a qualification so as to enable a disabled Learner to demonstrate his or her knowledge, skills and understanding to the levels of attainment required by the specification for that qualification.”

Reasonable adjustments therefore help to reduce the effect of a disability or difficulty that places the Learner at a significant disadvantage in the assessment situation. Reasonable adjustments made may involve:

- making changes for individuals to the standard assessment arrangements, for example allowing learners extra time to complete the assessment

- adapting assessment materials, such as providing materials in Braille for those with visual impairments
- providing access facilitators during assessment, such as a sign language interpreter or a reader
- re-organising the assessment room, such as removing visual stimuli for an autistic learner.

Where reasonable adjustments are made, these must:

- not affect the integrity of the award
- reflect the current needs of the individual Learner
- not give the Learner an unfair advantage over other Learners
- ensure that examination continues to be valid, reliable and comparable against stated examination criteria.

In respect of special considerations, Ofqual's Condition of Recognition, Condition G7.1 states:

"Special Consideration is consideration to be given to a Learner who has temporarily experienced:

(a) an illness or injury, or

(b) some other event outside of the Learner's control,

which has had, or is reasonably likely to have had, a material effect on that Learner's ability to take an assessment or demonstrate his or her level of attainment in an assessment."

Special considerations are therefore given when unforeseen circumstances prevent the Learner from attending or completing their assignments for assessment within the stated timescales, such as temporary illness, injury or bereavement.

4. General Guidance for Centres

Where appropriate (i.e. at Centres that provide classroom-based tuition as part of their services to Learners) Centres are expected to have suitable facilities to allow access for Learners with physical disabilities, including wheelchair access and disabled toilet facilities.

Centres must not discriminate against any Learner on the grounds of race, gender, age, disability, marital status, sexual orientation, gender-reassignment, pregnancy and maternity and religion or belief and must at all times adhere to the Equalities Act 2010.

All Centres must have a suitable Equality Policy which details the way in which they adhere to this legislation.

Centres must also ensure that all relevant staff are aware of how a reasonable adjustment or special consideration should be handled in line with this policy.

5. Reasonable Adjustments – Process for Centres and Learners

Centres must contact NALP regarding every request for reasonable adjustments, but Centres must ensure that they have the capacity to deal with any such requests. A list of potential reasons for a reasonable adjustment and the sort of adjustments which may be made is provided below.

Learners requesting reasonable adjustments must provide their Centre with evidence of their specific needs and a copy of this must be provided to NALP with the request.

All requests for reasonable adjustments must be received at NALP at the time of enrolment onto the qualification, due to the assessments for NALP qualifications being assignment based. This is to ensure that any necessary arrangements have been put into place in advance of any assignments being set for the Learner and to allow for the provision of additional support or adjustments during the study periods.

The following are examples of conditions which may require reasonable adjustments and what those adjustments may be. Please note that this list is not exhaustive:

Learners with Visual Impairment

- Large print or Braille course material
- Coloured backgrounds, paper or overlays for course material
- Extra time allocated for study and assignments
- Readers and/or scribes

Learners with Hearing Impairment

- Use of hearing aids/hearing induction loops (where applicable at Centre level)
- Extra time allocated for training and examination
- British Sign Language or other suitable interpreter

Learners with Reading, Writing or Learning Difficulties

- Extra time allocated for study and assignments
- Reader and/or scribe

- Dictation via Audio-cassettes
- Speech synthesisers
- Word-processing or transcription software
- Coloured backgrounds, paper or overlays for course material

Learners who have a permanent physical impairment

- Reader, scribe and/or interpreter
- Mechanical/electronic aids or software

Learners whose first language is not English

- Use of a bilingual dictionary (book form only; not electronic dictionaries or translators)

NALP qualifications have been designed specifically to be studied via distance learning, therefore, if a Learner uses adaptive technology or software, etc. to assist them during their studies, this will normally be allowed. However, **all such adjustments made directly by Learners must be disclosed to the Centre and to NALP prior to commencement of studies to ensure that this does not provide an unfair advantage to the Learner.**

Every request for a reasonable adjustment will be considered on a case-by-case basis by NALP. What is reasonable in terms of an adjustment to the assessment will depend on the individual circumstances, cost implications and the practicality and effectiveness of the adjustment.

6. Special Considerations – Process for Centres and Learners

Special consideration is given to events or circumstances, beyond the Learner's control and which could not have been foreseen, which lead to a Learner being unable to complete their course or assignment within the given timescales. Examples of events that attract special consideration would be:

- Temporary illness
- Injury to self or an immediate family member
- Bereavement
- Mental health issues

NALP reserves the right to request evidence of the reason given for the special consideration being made so Learners should make this available on request.

Extra work commitments; childcare or elderly care issues of a general nature; other assessments with similar deadlines; no computer facilities at home; etc. are not considered as exceptional extenuating circumstances.

The following are examples of conditions which may require a special consideration and what adjustments may be made. Please note that this list is not exhaustive:

Services for learners who have a medical condition or temporary injury

- Reader and/or scribe and/or interpreter
- Mechanical/electronic aids or software

Learners who suffer a bereavement, temporary illness or mental health issue will be offered an extension to their study or assignment deadline, up to a maximum of 25% additional time for study or to complete an assignment. The maximum time allowed as an extension for each qualification we offer is set out in Section 10 of this policy.

If a Learner requires more than 1-week additional time to complete an assignment, the original assignment will be withdrawn from them without affecting their record of achievement. They will then be issued a new assignment when they inform us that they are recovered sufficiently to be able to complete this within the usual 4-week period.

All requests for special consideration must be received by NALP at least 24 hours prior to the deadline for submission of assignments for assessment.

7. Submitting Requests

Centres are required to fill in the *Request for Reasonable Adjustments or Special Consideration form* in all cases. The form is available from our website: www.nationalparalegals.co.uk, or on request from 0207 112 8034.

Each request should include the following information:

- The nature of the learner's disability/learning need/reason for special consideration
- Details of the adjustments being requested
- Any supporting evidence or a copy of the evidence.

All requests for reasonable adjustments must be made at the time of enrolment of the Learner. Requests for Special Considerations must be made at least 24 hours prior to the deadline for submission of the assignment for assessment.

Please post or email the completed form for the attention of The Chief Executive.

Postal address

National Association of Licensed Paralegals

LG.02 Lincoln House
1-3 Brixton Road
London SW9 6DE
E-mail: info@nationalparalegals.co.uk

When we receive the request, we will make a decision and inform centres within 48 hours for reasonable adjustments or on the next working day for special considerations. If it will take longer than this to make a decision, we will inform the centre and indicate a timescale for the decision.

8. Evidence requirements

Learners requiring arrangements for reasonable adjustments should provide centres with evidence of their learning needs or medical condition. The centre must ensure that suitably qualified personnel check that the evidence is current and relevant to the learner. Examples of evidence could be a relevant diagnostic report or statement of learning needs or medical condition from appropriately qualified personnel.

Requests for special consideration should be supported by evidence of the temporary illness or injury, such as a doctor's or hospital 'Fit Note'. If the request is for other reasons, such as bereavement, NALP reserves the right to request evidence in some circumstances, such as a Learner making more than one request for a special consideration during the allotted time allowed for a single qualification.

In the case of an appeal, centres must ensure that evidence to support a reasonable adjustment or special consideration is retained for 3 months after the learner has been issued with the results of an assessment.

9. Appeals

If learners wish to appeal against the decision by the awarding organisation to decline requests for reasonable adjustments or special consideration arrangements, please refer to our *Appeals Policy*, available to download from our website at www.nationalparalegals.co.uk or by contacting 0207 112 8034.

10. Maximum Additional Time Allowance

For many individuals who require allowances for reasonable adjustments or special considerations, the most appropriate adjustment will be to allow them additional time to complete their qualification and/or assignment. However, there is a maximum of 25% additional time allowed for this. This may be applied to more than one assignment (e.g. if it is a reasonable adjustment due to an ongoing condition, then any additional time will be allotted to all assignments) but it can only be applied to a qualification as a whole once. So, if an individual has an incident for which they claim a Special Consideration and are allowed 25% extra on their allotted time to complete the qualification, should another

incident occur, they will not be allowed any further time. If, however, in the first instance they are only allotted 10% additional time, they may be allowed to claim the further 15% up to the overall maximum of 25% additional time. The maximum time allowed for each qualification we offer is as follows:

Qualification Title	Maximum Study time extension	Maximum assignment extension
Level 3 Award in Paralegal Practice	3 months	1 week
Level 3 Certificate in Paralegal Practice	6 months	1 week
Level 3 Diploma in Paralegal Practice	6 months	1 week
Level 4 Diploma in Paralegal Studies	6 months	1 week
Level 7 Diploma in Paralegal Practice	6 months	1 week

11. Record Keeping and Reporting

As noted in Section 2, all data collated under this Policy will be treated in the strictest confidence and in line with the Data Protection Act 2018 and any other relevant regulations or legislation. Any medical reports or documents will not be held for longer than is absolutely necessary which is normally no longer than the term of enrolment of the learner on a NALP qualification.

If a learner appeals against a decision made by NALP in respect of a request for a reasonable adjustment or special consideration, the information and evidence supplied as part of the application for such reasonable adjustment or special consideration will be shared with the individual dealing with the appeal which, if escalated to a Stage 3 appeal, may be someone outside of NALP who is providing an independent view of the decision made. Any such independent persons appointed to deal with such appeals will be subject to a strict Non-Disclosure and Confidentiality agreement to ensure that such information will be treated in the strictest confidence in such situations.

The Governing Board are provided with some statistical data regarding the level of reasonable adjustments and special considerations, however this data does not include any learner names or access to any medical or other sensitive information provided as part of the application for a reasonable adjustment or special consideration.

As a recognised Awarding Organisation, NALP is sometimes required to provide general information to its regulators regarding what reasonable adjustments and special consideration requests it has received, including the outcome of those requests and what

adjustments have been allowed. Such information is provided to the Regulator(s) on an anonymised basis. No learner names, nor access to any medical data or evidence is provided as part of this monitoring.

12. Monitoring this Policy

NALP will ensure that:

- Reports are made to the Governing Board as part of the Self-Evaluation procedure
- Guidance from the regulators is reviewed and the policy is updated to comply with best practice
- Information from monitoring activities is made available to Ofqual as part of the Awarding Organisation's self-evaluation procedure and on request
- This policy is reviewed at least annually or earlier as required