

Special Considerations Policy - External

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V1.3	02-2023	Removal of reference to appendix B	Richard Blount	
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1. Policy Principles

This policy sets out NCFE's framework for dealing with special considerations requests, by outlining the processes and procedures for our customers.

2. Introduction

This policy is aimed at our customers, including learners, who are using NCFE products and services and who submit requests for special considerations.

The policy forms part of NCFE's quality assurance arrangements by allowing our customers, on behalf of a learner, to submit a special considerations request.

The policy relates to all awarding operations within and across NCFE.

2.1. Purpose

The purpose of this policy is to:

- a) support centres with submitting a special consideration request to NCFE.
- b) provide centres with details on the process we follow when reviewing a special consideration request and advising you of a decision.

2.2. Scope

This policy covers the delivery of NCFE qualifications, which are subject to scrutiny and enforcement by our qualifications regulators (regulated qualifications), and unregulated products which are owned and/or accredited by NCFE, including products under the CACHE portfolio.

2.3. Responsibilities/Duties

The centre must make all centre staff (including centre, satellite, subcontract centres or contractual staff) who are involved in the design, delivery, management, assessment and quality assurance of our products and your learners aware of, and familiar with the contents of the policy.

2.4. Definitions

Word/Acronym	Definition
N/A	N/A

2.5. Location

This document will be available on QMS SharePoint and Camms.Policy

3. Process

3.1. Overview

The Equality Act 2010 requires awarding organisations to make special considerations to ensure learners who have not been able to demonstrate their usual level of abilities at the time of an assessment, due to extenuating circumstances, illness, or injury, as defined in the Act, are not placed at a substantial disadvantage in comparison to learners whose assessment performance has not been compromised.

The provisions for special considerations are made to ensure that learners receive recognition of their achievement so long as the equity, validity, and reliability of the assessments can be assured. Such arrangements are neither concessions to make assessments easier for learners nor advantages to benefit the learners.

3.2. Definition of a special consideration

Special consideration can be applied after an assessment if there is a reason the learner may have been disadvantaged during the assessment. Reasons for special consideration could be temporary illness, injury or adverse circumstances which has impacted on the learner's ability to demonstrate their usual level of attainment at the time of the assessment.

Learners cannot enter a plea for special consideration for assessment solely on the grounds of disability or learning difficulty.

Special consideration should not give the learner an unfair advantage. The learner's result must reflect the learner's achievement in the assessment and not necessarily the learner's potential ability.

Special consideration may result in a small post-assessment adjustment to the mark of the learner. The size of the adjustment will depend on the circumstances during the assessment and will reflect the difficulty faced by the learner but will always be a minor adjustment as to do more may jeopardise the standard.

Where an assessment requires a competence, criterion or standard to be met fully, or in the case of qualifications that confer a license to practice, it may not be possible to apply special consideration. It may be more appropriate to offer the learner an

opportunity to retake the assessment at a later date or to extend the assessment period so that the learner has more time to complete the assessment activity.

All learners regardless of their special consideration must still meet our minimum requirement for the award of a certificate.

3.3. Requesting a special consideration

3.3.1. How to submit a special consideration request

To request a special consideration, please complete the appropriate form on our website.

3.3.2. Which requests are eligible for special consideration?

Learners may be eligible for special consideration if their ability at the time of the assessment has been affected by an event outside of their control. NCFE will review all applications on a case-by-case basis.

The list below is neither exhaustive nor definitive, but we may accept the following:

- bereavement at the time of the assessment
- temporary illness, accident, or injury at the time of the assessment
- domestic crisis which arises at the time of the assessment
- serious disturbance arising during the assessment
- an error or accidental event such as being supplied with the incorrect assessment paper, defective materials, or failure to conduct the assessment due to materials not arriving on time.

Where an assessment has been missed or is in the form of an on-demand test, such as an electronic test, the centre should offer the learner an opportunity to take the assessment at a later date.

3.3.3. Which requests are not eligible for special consideration?

The below list, whilst not exhaustive or definitive, details requests for special considerations which we will not accept:

- minor disturbance during the assessment, such as a mobile phone ringing or momentary distraction caused by another learner
- long term illness, unless the illness manifests at the time of the assessment
- bereavement which occurs more than six months before the assessment, unless there are any on-going implications because of the bereavement, such as a court case
- general domestic inconveniences, such as moving house
- lack of preparation on behalf of the centre – this includes staff shortages, lack of facilities, failure to adhere to assessment timetables or conducting the assessment at the incorrect time and/or place
- personal arrangements, such as a wedding or holiday (this includes activities organized by the centre such as field trips)

- the consequences of committing a crime whereby formally charged
- the consequences of being under the influence of alcohol or recreational drugs
- failure to cover tasks or coursework as a result of the learner joining the class part way through
- learning difficulties or a disability over and above those that a previously approved access arrangement or reasonable adjustment would have alleviated unless this affects the learner at the time of the assessment or where the disability exacerbates what would otherwise be a minor issue.

3.3.4. Evidence requirements

Please retain all evidence and make it available to any of our authorised representatives who visit your centre. This includes External Quality Assurers, External Verifiers, Quality Verifiers, Assessment Audit Advisors and Customer Quality Advisors.

In the case of an appeal, you must ensure that evidence to support a special consideration is retained for three months after you've been issued with the results of an assessment.

3.3.5. Timescales for submitting a special consideration request.

For external assessments, you must submit your application as soon as possible after the assessment and no later than five working days after the assessment has taken place or the assessment window has closed. We may also accept special consideration requests for controlled/internal assessments. A request for a special consideration for a controlled/internal assessment should be raised at the earliest opportunity.

We can only accept requests for special consideration after the results of the assessment have been released in the following circumstances:

- the application has been overlooked at the centre and the oversight is confirmed by the Head of Centre
- medical evidence comes to light about a learner's condition, which demonstrates that the learner must have been affected by the condition at the time of the assessment, even though the problem revealed itself only after the assessment
- for on-screen assessments where results are immediately available.

3.3.6. Lost or damaged work

The centre is responsible for learners' work until this has been confirmed by NCFE as part of the appropriate quality assurance process. Under the provision of a special consideration, the following information is in relation to students' non-externally assessed work where there is an issue in presenting evidence as per the expected qualification quality assurance process.

If the student is responsible for the lost or damaged work, they will not be eligible for special consideration and the centre will need to work with the student to generate

appropriate evidence to be submitted for claiming grades. The same outcome applies in situations where qualifications have professional expectations attached to the studies.

If the centre is responsible for the lost or damaged work, then the applicant completing the 'Notification of lost centre-assessed work' form confirms the following:

- the centre is responsible for the loss or damage of the work
- every opportunity for the learner to re-take the assessment or produce final portfolio of evidence have been explored/exhausted
- that the work was either partially completed or fully completed before this was lost or damaged
- the evidence was completed under supervision at the centre to be able to verify the outcome of the student work
- the centre will supply partial work in the instance that only part of the sample is lost or damaged
- offsite student work is inaccessible and can confirm evidence of actual work quality and all avenues for accessing work have been exhausted.

The form must be completed on an individual basis.

3.4. Processes and timescales regarding special considerations

3.4.1. Request for a special consideration

Once a request for a special consideration is received, NCFE will complete a review of the request and the evidence provided.

3.4.2. Special consideration timescales

We'll aim to review your request within five working days of it being received. If this is not possible, it'll be acknowledged within two working days of receipt with notification provided of what action will be taken.

We aim to conclude special consideration requests within five working days upon receipt of a fully completed request. We'll inform you if these timescales cannot be adhered to for any reason.

3.5. Outcomes regarding special considerations

3.5.1. Outcomes of a special consideration request

The outcome of a special consideration request could be:

- agreement to review the learner's performance considering available evidence
- rejection of your request based on investigation of the circumstances detailed in your request.

Please note that an approved application for a special consideration would not necessarily change a learner's result.

3.5.2. Reviewing a learner's performance: learner present for the external assessment but disadvantaged.

Where applicable, special consideration will normally be given by applying an allowance of additional marks to each component affected within a specification. The size of the allowance depends on the timing, nature and extent of the illness or misfortune. The maximum allowance given will be 5% of the total raw marks available in the component concerned, including coursework/non-examination assessment.

Our decision will be based on various factors which may vary from one subject to another. These may include:

- the severity of the circumstances
- the date of the external assessment in relation to the circumstances
- the nature of the assessment, e.g. whether written papers are affected as opposed to coursework/non-examination assessment, or whether a practical test or a speaking test is involved.

3.5.3. Reviewing a learner's performance: qualifications where eligible learners can be awarded a percentage uplift on an external assessment.

For applicable qualifications which are numerically marked, one outcome of the special consideration process could be the application of a percentage uplift.

The exact percentage depends on the reason the special consideration is being applied. The maximum uplift we can provide is 5% of the raw marks available for the assessment.

Special consideration cannot be applied cumulatively. Special considerations should only be applied for the most serious indisposition.

5% the maximum allowance, reserved for the most exception cases, such as:

- Terminal illness of the learner
- Terminal illness of a parent/carer/Brother or Sister
- Death of a member of the immediate family within two months of the external assessment
- Very serious and disruptive crisis/incident at or near the time of the external assessment.

4% very serious problems, such as:

- Life-threatening illness of learner or member of immediate family
- Major surgery at or near the time of the external assessment
- Severe disease
- Very recent death of member of extended family

- Severe or permanent bodily injury occurring at the time of the external assessment
- Serious crisis/incident at the time of the external assessment.

Please note that 'very recent' is defined as within one month of the external assessment(s) taking place.

3% a more common category (more cases will fall into this category), including:

- Recent traumatic experience such as death of a close friend or distant relative
- Recent illness of a more serious nature
- Flare-up of a severe congenital/medical condition or a psychological condition
- Broken limbs
- Organ disease
- Physical assault trauma before an external assessment
- Recent crisis/incident
- Witnessing a distressing event on the day of the external assessment involved.

Please note that 'recent' is defined as up to four months prior to the external assessment(s) taking place.

2% the most common category of allowance (most cases will fall within this category), including:

- Illness at the time of the external assessment
- Broken limb that is on the mend
- Concussion
- Effects of pregnancy (not pregnancy per se)
- Extreme distress on the day of an external assessment (not simply exam related stress)
- Allowance on last paper taken in a day when a learner has been booked for three or more external assessments timetabled for the same day and the total duration of those assessments is more than 5 hours 30 minutes. Where extra time has been used following formal approval, this should be included in the calculation. Supervised rest breaks must not be included in the total duration of the papers when applying for special consideration.

1% Reserved for more minor problems:

- Noise during examination which is ongoing.
- Illness of another learner which leads to disruption in the examination room
- Stress or anxiety for which medication has been prescribed
- Hay fever on the day of an examination
- Minor upset arising from administrative problems.

Where the request for special consideration fails to meet the criteria, it will be rejected.

3.5.4. Learners who are absent from a timetabled external assessment for acceptable reasons

For applicable qualifications which are numerically marked, one outcome of the special consideration process could be the application of a replacement grade.

When a learner has missed a timetabled component/unit for acceptable reasons and the centre is prepared to support an application for special consideration, an adjustment may be made to the terminal grade, in applicable qualifications. However, the component/unit must have been missed in the terminal series and 25% or more of the qualification must have been completed. NCFE cannot give advice as to whether a learner is fit to take an external assessment. Centre staff must follow their internal procedures for dealing with learners who feel unwell on the day of an external assessment.

For unitised external assessments taken in a series prior to certification, learners must be re-booked for any missed components at the next assessment opportunity. Unless there are difficulties arising, e.g. group performances which cannot be repeated, special consideration will not be applied. This principle also applies where entire cohorts miss units due to adverse weather conditions or for any other reason, or where individual candidates miss units because of a change of centre.

3.5.5. Internally assessed components.

Where a learner meets the published criteria for special consideration, eg a temporary illness, temporary injury, or other indisposition prior to the submission of their work, it may be possible to allow a short extension to the deadline.

It's not possible to grant any other special considerations for internally assessed units as the flexible nature of the qualification allows claims to be submitted when the learner is ready to certificate.

3.5.6. Appeals.

If you or your learners do not believe we have applied this policy correctly in a fair and consistent way, you may submit an appeal in line with our Appeals Policy.

For further information, please contact our Customer Support Team via email on customersupport@ncfe.org.uk through live chat on our website or call 0191 239 8000.

3.6. Complaints

We have a separate complaints process which covers dissatisfaction with our products or services. View our complaints procedure on our website.

4. Confidentiality of data and information

4.1. Data protection and GDPR

We may need access to confidential information and where this is necessary, we'll ensure that such information is kept secure, only used for the purposes of the relevant request, and always handled in accordance with prevailing data protection legislation. We don't disclose confidential information to third parties unless we are required to do so, for example by our regulators, law enforcement or statutory bodies.

When requesting copies of valid supporting evidence of learner need for the purpose to review the request of special consideration, we will do this via a secure file transferring platform. Any learner evidence provided for such requests will be reviewed only for the purposes of special consideration and will be retained for no longer than thirty working days.

We aim to access and retain original evidence or information; if original records cannot be retained, we will photocopy the original and record the copy as authentic.

4.2. Governance and Control

In line with NCFE's privacy policy/notice we note that this policy holds information on Jamie Miller, Richard Blount, Sonny Cheung and Philip Le Feuvre. NCFE is committed to protecting people's privacy and respect any personal information we share with you. This information should not be used for any other reason that this policy intends.

5. Initial Equality Impact Assessment

An Initial Equality Impact Assessment has been completed for this policy, and no concerns were raised.

6. References to Associated Documents

N/A

7. Implementation and Dissemination

Upload to website

8. Monitoring Arrangements

We review this policy regularly and may revise it as required in response to changes in legislation, changes in our practices, actions from our regulatory or external agencies, and/or in response to customer and stakeholder feedback.

9. Appendices

None