



ST ALBANS
SCHOOL

Access Arrangements Policy

Date of review	October 2021
Effective date	November 2021
Date of next review	September 2022
Responsibility for review	VJS, AJB, AKG, NMG
Circulation	Governors, all staff, volunteers, website, parents on request.
Status	Complies with: <ul style="list-style-type: none">• JCQ Access Arrangements regulations 2021-2022¹• JCQ Instructions for conducting examinations 2021-2022²• CAIE Access Arrangements (January release)³• Equality Act (2010)⁴• ISI Commentary on the Regulatory Requirements (2021)⁵• Keeping Children Safe in Education (2021)⁶

¹ Source: https://www.jcq.org.uk/wp-content/uploads/2021/08/AA_regs_21-22_v11.pdf [Accessed Sept. 2021].

² Source: <https://www.jcq.org.uk/exams-office/ice---instructions-for-conducting-examinations/> [Accessed Sept. 2021].

³ Source: <https://www.cambridgeinternational.org/exam-administration/cambridge-exams-officers-guide/phase-1-preparation/access-arrangements/> [Accessed Sept. 2021].

⁴ Source: <http://www.legislation.gov.uk/ukpga/2010/15/contents> [Accessed Sept. 2021].

⁵ Source: <https://www.isi.net/news/isi-document-update> [Accessed Sept. 2021 p.13-14 Special educational needs – 2(1)(b)(i)].

⁶ Source: <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2> [Accessed Sept. 2021].

Access Arrangements for Public Examinations

Statement – the importance of these regulations:

1. The Joint Council for Qualifications (JCQ) regulations reflect a whole centre approach to access arrangements.
2. It is therefore the responsibility of the Head of Centre, members of the senior leadership team, the Head of Learning Support and their team to familiarise themselves with the **entire** contents of the JCQ regulations.
3. The Head of Learning Support, fully supported by teaching staff and members of the senior leadership team, **must** lead on the access arrangements / reasonable adjustments process within the centre.
4. Teaching staff and members of the senior leadership team **must** support the Head of Learning Support and their team in identifying, determining and implementing appropriate access arrangements and reasonable adjustments.
5. The Head of Learning Support and their team **must** work with teaching staff, support staff and exams office personnel to ensure that approved access arrangements / reasonable adjustments are put in place for internal school tests, mock examinations and examinations.
6. Where appropriate, the Head of Learning Support and their team will also need to work with specialist advisory teachers, educational psychologists and medical professionals.
7. The Head of Learning Support and / or the Access Arrangements Assessor will also be the in-house designated assessor and will thus assess candidates, process applications on-line and hold the evidence for inspection purposes for GCSE and/or GCE qualifications.
8. The JCQ regulations must be used when processing applications using *Access arrangements online*.⁷
9. **Failure to comply with the regulations contained in the JCQ document have the potential to constitute malpractice which may impact on the candidate's result(s).**
10. Examples of failure to comply include:
 - Putting in place access arrangements/adjustments that are **not** approved;
 - Failing to consider putting in place access arrangements (which may be a failure to comply with the duty to make reasonable adjustments);
 - Permitting access arrangements/adjustments within the centre which are **not** supported by appropriate evidence; or
 - Charging a fee for providing reasonable adjustments to disabled candidates.
11. Whilst the JCQ document addresses the duty upon awarding bodies to make reasonable adjustments and avoid unfavourable treatment towards disabled candidates, it cannot cover every scenario. Each case will turn on its own facts as to what is reasonable.

⁷ The CAIE regulations must also be used where appropriate and when processing applications online.

The Equality Act 2010:

1. The Access Arrangement and Learning Support Policies are underpinned by the Equality Act 2010.
2. Definition of disability - impairments have to meet the statutory requirements set out in section 6 and Schedule 1 to the Equality Act 2010 and associated regulations.
3. Generally, impairments have to meet the statutory requirements set out in section 6 and Schedule 1 (of) the Equality Act 2010 and associated regulations.
4. 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.
5. 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.⁸
6. 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’.
7. ‘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.
8. ‘Long term’ means the impairment has existed for at least 12 months or is likely to do so.
9. ‘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.)
10. 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.
11. Factors that might reasonably be expected to have a substantial adverse effect include:
 - persistent and significant difficulty in reading and understanding written material where this is in the person’s native language, for example because of a mental impairment, a learning difficulty or a sensory or multi-sensory impairment;
 - persistent distractibility or difficulty concentrating;
 - difficulty understanding or following simple verbal instructions;
 - physical impairment – for example, difficulty operating a computer because of physical restrictions in using a keyboard.

⁸Source: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/570382/Equality_Act_2010-disability_definition.pdf [Accessed Sept. 2021]

12. 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.

Reasonable Adjustments:

1. The Equality Act 2010 requires **an awarding body** to make reasonable adjustments where a candidate, who is disabled within the meaning of the Equality Act 2010, would be at a **substantial disadvantage** in comparison to someone who is not disabled.
2. A reasonable adjustment may be unique to that individual and may not be included in the list of available access arrangements.
3. Whether an adjustment will be considered reasonable will depend on several factors which will include, but are not limited to:
 - the needs of the disabled candidate;
 - the effectiveness of the adjustment;
 - the cost of the adjustment; **and**
 - the likely impact of the adjustment upon the candidate and other candidates.
4. An adjustment will not be approved if it is unreasonable such as it:
 - involves unreasonable costs to the awarding body;
 - involves unreasonable timeframes; or
 - affects the security and integrity of the assessment.

Access Arrangements:

1. The intention behind an access arrangement is to meet the needs of an individual candidate without affecting the integrity of the assessment.
2. Access arrangements are the principal way in which awarding bodies comply with the duty under the Equality Act 2010⁹ to make 'reasonable adjustments'.
3. Candidates first need to be assessed by the school's suitably qualified assessors. "This ensures that the access arrangements/reasonable adjustments approved allow the candidate to access the assessment, but do not result in the candidate gaining an unfair advantage."¹⁰
4. The Learning Support Policy provides further details relating to the assessment process for determining access arrangements.

Evidence of Need

⁹ Source: <https://www.gov.uk/guidance/equality-act-2010-guidance> [Accessed Sept. 2021]

¹⁰ Source: <https://www.gov.uk/guidance/equality-act-2010-guidance> [Accessed Sept. 2021 p.81]

1. All access arrangements require clear evidence of need and normal way of working. An application cannot be made without this information.
2. The evidence of need will vary depending on the disability and the access arrangement(s) being applied for.
3. Chapter 5 of the JCQ regulations provides full details as to what constitutes the core evidence/evidence of need for each access arrangement. *Access arrangements online* will provide prompts as to the evidence required.
4. Failure to produce the appropriate evidence of need will lead to the application being rejected.
5. Usually, further evidence of need will be required for arrangements that are considered rare and/or exceptional.

Transition Points:

1. All new pupils are screened upon entry to the School and where appropriate, further standardised assessments are undertaken in relation to GCSE and / or A Level exams.
2. New pupils may need to be re-assessed by the Access Arrangements Assessor.
3. At the start of an A Level course, access arrangements / reasonable adjustments will be ‘rolled-forward’ as per the JCQ regulations (2021-2022).
4. It is the responsibility of pupils and / or parents to explain and discuss individual needs and access arrangements/reasonable adjustments with relevant institutions beyond St Albans School.
5. The Learning Support Department will share appropriate access arrangement evidence with leaving pupils for Sixth Form/University purposes, if requested by the pupil.

Deadlines:

1. Access arrangements may cover the entire course. Ideally, they should be applied for at the start of the course.
2. Arrangements **must** be processed and approved **before** an examination or assessment, no later than the published deadline.
3. Late applications on account of a temporary injury or impairment, or a diagnosis of a disability or manifestation of an impairment relating to an existing disability arising after the published deadline are permissible. Centres **must** process applications as detailed in Chapter 8, section 8.3 using *Access arrangements online* where required.¹¹

¹¹ JCQ, (2021:94) “...centres will need: the candidate’s consent (completed candidate personal data consent form) to record their personal data online; (When progressing from GCSE to GCE AS and/or A-level qualifications the candidate will need to sign a new candidate personal data consent form.)”.

4. Any application processed after the published deadline may be subject to scrutiny. SENCos **must** ensure that the appropriate paperwork is on file and available for inspection.

Further information:

1. Chapter 1 of the JCQ regulations (2021-2022)¹² provides further information and guidance for centres relating to general qualifications. The subsections are as follows:
 - 1.1 Awarding bodies – general qualifications
 - 1.2 Duty to make a reasonable adjustment
 - 1.3 Definition of disability
 - 1.4 Definition of special educational needs
 - 1.5 The power of the regulator
 - 1.6 Which qualifications are covered by section 96 of the Equality Act 2010 in England and Wales
 - 1.7 How can centres apply for reasonable adjustments for candidates defined as disabled under the terms of the Equality Act 2010?
2. Chapter 2 of the JCQ regulations (2021-2022) relates to vocational qualifications.
3. Chapter 3 of the JCQ regulations (2021-2022) provides further information about candidates with disabilities and learning difficulties and the application of assessment objectives. The subsections are as follows:
 - General qualifications
 - Assessment objectives and grade boundaries
4. Chapter 4 of the JCQ regulations (2021-2022) provides further information about the adjustments for candidates with disabilities and learning difficulties, managing the needs of candidates and principles for centres. The subsections are as follows:
 - Managing the needs of candidates with disabilities and learning difficulties
 - Principles for centres
5. Chapter 5 of the JCQ regulations (2021-2022) provides further information about access arrangements and adjustments. There are 18 subsections including:
 - 5.1 Supervised rest breaks
 - 5.2 25% extra time
 - 5.8 Word processor
 - 5.10 Prompter
6. Chapter 6 of the JCQ regulations (2021-2022) provides further information about modified papers with associated subsections.
7. Chapter 7 of the JCQ regulations (2021-2022) provides further information about learning difficulties. The subsections are as follows:
 - 7.1 Accountabilities
 - 7.2 Appropriate adjustments for candidates with learning difficulties
 - 7.3 Appointment of assessors of candidates with learning difficulties
 - 7.4 Reporting the appointment of assessors

¹² Source: https://www.jcq.org.uk/wp-content/uploads/2021/08/AA_regs_21-22_v11.pdf [Accessed Sept. 2021].

- 7.5 Guidelines for the assessment of the candidate's learning difficulties
 - 7.6 Completing Form 8 – JCQ/AA/LD, Profile of Learning Difficulties
8. Chapter 8 of the JCQ regulations (2021-2022) provides further information about processing applications for access arrangements. The subsections are as follows:
- 8.1 General information
 - 8.2 JCQ regulations and *Access arrangements online*
 - 8.3 Late diagnosis of a disability, late manifestation of an impairment or a temporary injury/impairment
 - 8.4 Cases that do not gain approval
 - 8.5 Qualifications and arrangements covered by *Access arrangements online*
 - 8.6 How to use *Access arrangements online*
 - 8.7 Pre-planning in advance of examination series
 - 8.8 Entry Level Certificate (ELC) qualifications.
 - 8.9 Other adjustments
 - 8.10 Internally assessed Cambridge Technicals and Project qualifications
9. Appendices: memory aids for a reader, scribe, language modifier, communication professional.