



## **Tuition, Medical and Behaviour Support Service**

### **The Equalities Act, Special Needs and Access Arrangements**

<b>Adopted:</b>	September 2018
<b>Reviewed:</b>	September 2023
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<b>Responsibility:</b>	Lisa Bloomer / Lindsay Crozier

## **Introduction**

The Equalities Act 2010 places a duty on us to avoid discrimination against a disabled person:

“A person has a disability that is covered by the Act if s/he has a physical or mental impairment that has a substantial and long-term adverse effect on her/his ability to carry out normal day-to-day activities.”

This policy is concerned with the avoidance of discrimination in examination situations within this Service. The aim of this policy and the actions it specifies is to enable an individual to perform as well as he/she is able in an examination context – stressing his/her abilities, not their disabilities.

This policy is also informed by the JCQ booklet: “Access Arrangements and Reasonable Adjustments”. When deciding on entitlements and adjustments the SENDCo and the Examinations Officer will be guided by this booklet.

A candidate’s special needs requirements are determined by the SENDCo, the educational psychologist and/or the Centre Manager. The SENDCO/Centre Manager will inform subject teachers of candidates with special educational needs who are embarking on a course leading to an examination. The SENDCO/Centre Manager can then inform individual staff of any special arrangements that individual candidates may be granted during the course and in the exam

## **Assessor**

TMBSS will ensure that when a candidate requires an assessment of needs, he/she will be assessed by an appropriately qualified assessor as detailed in Section 7.3 of “Access Arrangements and Reasonable Adjustments”.

## **Candidate Applications**

The examination entries for internal candidates are a matter for the subject staff concerned. The examination team will fully support any internal candidate that the school chooses to enter for an examination.

Applications to sit an examination are not normally accepted from external candidates unless they have a close and recent connection to the school. The Examinations Officer does not accept applications unless he/she is satisfied as to the adequacy of the prospective candidate’s academic preparations. Payment (including administration charges) is always required in full in advance from external candidates. Providing the preceding criteria are met, the school is committed to making reasonable adjustments to facilitate a disabled person’s application.

## **Access Arrangements**

All students with a disability have their individual needs assessed in advance and arrangements are put into place and shared with the student to ensure they have full access to all examinations. Making special arrangements for candidates to take exams is the responsibility of the Senior Leadership Team, Centre Managers, SENDCO and the Examinations Officer. Submitting completed access arrangement applications to the awarding bodies is the responsibility of the Examinations Officer.

Rooming for access arrangement candidates will be arranged by the Senior Leadership Team/Centre Manager. Invigilation and support for access arrangement is arranged by the Senior Leadership Team/Centre Manager/Examinations Officer.

All access arrangements and the circumstances and criteria under which they may be granted for an examination are clearly laid out in the current JCQ booklet "Access Arrangements, Reasonable Adjustments and Special Consideration".

### **Physical Disabilities**

Each Centre is adapted to students with physical disabilities and rooms will be chosen for examinations which are wheel-chair accessible.

Candidates who have physical difficulty in writing – eg a broken arm – will be provided with a scribe. The access arrangements website supports emergency applications in circumstances such as a broken arm.

The Examinations Officer will discuss arrangements for a physically disabled candidate with the Senior Leadership Team/ Centre Manager / SENDCO and any relevant specialists or carers. There is a presumption that, in routine cases such as a person on crutches or in a wheel chair, physical access to the examination room will not be problematic for the candidate concerned. Procedures in the event of emergency evacuation will be written on a case by case basis but should, in general, include the provision of an assistant dedicated to ensuring the safe evacuation of the disabled candidate.

Candidates who become physically ill during an examination, whether from a pre-existing condition or not, should always:

- be allowed to leave the examination room under supervision (with timing of the examination stopped);
- be given the opportunity to recover;
- be allowed to complete the examination when they are recovered;
- be given the full examination time once re-started, ie full compensation for the amount of time they have missed – refer to the guidelines below concerning rest breaks;
- be supervised in such a way that the security or integrity of the examination is not breached and so that their paper is not invalidated.

### **Note**

In all cases where a reasonable adjustment is needed, the school is entitled to reasonable notice to carry out its responsibilities – eg a scribe or simple alterations to an examination room can easily be provided with 24 hours' notice. It may not be possible to provide a scribe or change seating or access arrangements if the request is made with no notice.

## **Learning Difficulties**

Identification of students who may have learning difficulties is the responsibility of the Senior Leadership Team/Centre Manager, in consultation with the SENDCO, parents/carers, teaching colleagues and support staff, to develop teaching and learning strategies appropriate to the needs of individual students. At the beginning of Year 11, (in some cases Year 10), the SENDCO/Centre Manager/Examinations Officer will follow JCQ procedures to apply for access arrangements for all entitled students. These arrangements will ideally be in place by the end of the Autumn term. At TMBSS students join throughout Year 11 and therefore some access arrangements would have to be made during the Spring term.

The SENDCO is responsible for the analysis of a student's need, and the Examinations Officer is responsible for the JCQ application and the appropriate storage of all data to do with a student's need for support. The Examinations Officer must make this material available to the JCQ inspection service in response to any reasonable request.

The school will endeavour to ensure that sufficient staff are available to meet the entitlements of students. Details of the arrangements will be delegated to the Examinations Officer.

## **Emotional Difficulties**

Examinations are innately stressful. Teaching colleagues, support staff, parents/carers and the candidates themselves all have a duty and a right to inform the Examinations Officer if there is a long-term or temporary reason why adjustments should be made for a specific candidate. Some candidates, for example, may need to be seated near a door or may require a break if they find the situation difficult. Some candidates may need to be examined in a less intimidating environment. The Examinations Officer has a duty to make special arrangements to accommodate these difficulties wherever possible.

Candidates who become distressed during an examination, whether from a pre-existing condition or not, should always:

- be allowed to leave the examination room under supervision (with timing of the examination stopped);
- be given the opportunity to recover;
- be allowed to complete the examination when they are recovered;
- be given the full time of the examination with time re-started from when stopped– refer to the guidelines below concerning rest breaks;
- be supervised in such a way that the security or integrity of the examination is not breached and so that their paper is not invalidated.

## **Special Consideration**

The circumstances under which special consideration will be granted by examination boards are clearly identified in the JCQ booklet: "Access Arrangements and Reasonable Adjustments".

Many decisions concerning an application for special consideration are entirely at the discretion of the Examinations Officer who needs to exercise their judgement as to how severely something has affected a candidate. There is a need to balance the problems of an individual candidate with the maintenance of fairness to the vast majority who neither claim nor receive special consideration.

The SENDCo/Examinations Officer will always make an application when there is supporting medical evidence, a witness statement from a colleague or relevant information of a personal nature from a colleague.

### **Modified Papers**

All request for modified papers will be made via Access Arrangements On-line by the published deadline date.

### **Guidance for Supervised Rest Breaks**

Supervised Rest Breaks (hereafter referred to as Rest Breaks) are a centre delegated Access Arrangement, that is to say that they are granted by the school in line with JCQ guidance. The latter requires that ‘..the candidate has an impairment which has a substantial and long term adverse effect, giving rise to persistent and significant difficulties. (The candidate is disabled within the meaning of the Equality Act)’.

Furthermore it must be ‘..his/her normal way of working within the centre’ and ‘..the candidate’s difficulties must be established within the centre..’.

For the school to consider granting Rest Breaks for a long term condition, evidence will usually be required that a student is receiving clinical care at a consultant level, and that he or she is requiring rest breaks on a day to day basis beyond those normally provided by morning break and lunchtime.

Only in exceptional circumstances will a student have Rest Breaks and Extra Time together. In this case it may be necessary to vary the arrangements shown on the next page.

We would expect that in each year group being examined the number of students who qualify would be likely to be in low single figures in any academic year. Rest Breaks do not usually ‘roll forward’ from one year to the next, and a new assessment may be required for each year in which they are requested.

The decision as to how Rest Breaks are to be applied in practice lays with the school. They must not be seen to unfairly advantage any student. Therefore, TMBSS follows the following guidelines:

<b>Length of exam</b>	<b>&lt;1h*</b>	<b>1h</b>	<b>Up to 1h30</b>	<b>Up to 2h</b>	<b>Up to 2h30</b>	<b>Up to 3h</b>
Maximum total length of rest break(s)	0	10m	15m	20m	25m	30m
Maximum number of rest breaks **	0	1	2	2	3	3

\*Rest breaks may not normally be taken in exams lasting less than 1 hour

\*\* For example in a 2 hour exam a student may take up to 2 rest breaks totalling 20 minutes, NOT 2 rest breaks of 20 minutes each

NB

1. Rest Breaks are granted on the timetabled length of the exam.
2. Rest Breaks may not be taken in the first or last 20 minutes of any exam.
3. Students may not have access to question papers/answer booklets during a Rest Break – this is a JCQ regulation.
4. Students are normally expected to remain at their desk during any break – again this is a JCQ regulation.

Note that in an emergency Rest Breaks may be granted to a candidate on a temporary basis, for example because of a medical crisis – this will be at the sole discretion of the Examinations Officer, and all the conditions listed above will normally apply.