

Policy Name: INTERNAL APPEALS PROCEDURE – ACCESS ARRANGEMENTS AND SPECIAL CONSIDERATIONS (EXAMS)

Policy Type: Statutory

Issue Date: 7th March 2025

To be reviewed: Annually – 7th March 2026

Approved by: Board of Trustees

Policy Owner: Steph Brown

Glossary of abbreviations

JCQ	Joint Council of Qualifications
JCQ GR	Joint Council of Qualifications : General Regulations

1. Aims

- a. The purpose of this procedure is to confirm the arrangements at the centre for dealing with appeals relating to access arrangements/adjustments and/or Special considerations decisions.

2. Legislation and Guidance

- a. This procedure ensures compliance with JCQ regulations (JCQ GR 5.3) which state that centres must have in place for inspection, reviewed and annually updated, a written internal appeals procedure which must cover at least appeals regarding centre decisions relating to access arrangements and special consideration.
- b. This procedure is also informed by the JCQ documents:
 - 1) A guide to the awarding bodies' appeals processes (3, 7)
 - 2) A guide to the special consideration process (1, 2, 6)
 - 3) Access Arrangements and Reasonable Adjustments
 - 4) General Regulations for Approved Centres (JCQ GR) (5.4)
 - 5) Suspected Malpractice: Policies and Procedures (3.3)

3. Access arrangements and reasonable adjustments

- a. The centre will comply with the principles and regulations governing access arrangements and reasonable adjustments as set out in the JCQ publication Access Arrangements and Reasonable Adjustments

- b. The centre will ensure that all staff who manage and implement access arrangements and reasonable adjustments are aware of the requirements and are appropriately supported and resourced In accordance with the regulations
- c. The centre recognises its duty to explore and provide access to suitable courses, through the access arrangements process submit applications for reasonable adjustments and make reasonable adjustments to the service the centre provides to disabled candidates
- d. The centre will comply with its responsibilities in identifying, determining and implementing appropriate access arrangements and reasonable adjustments
- e. Failure to comply with the regulations has the potential to constitute malpractice which may impact on a candidate's result(s). Examples of failure to comply include:
 - 1) putting in place access arrangements/adjustments that are not approved
 - 2) failing to consider putting in place access arrangements (which may be a failure to comply with the duty to make reasonable adjustments)
 - 3) permitting access arrangements/adjustments which are not supported by appropriate evidence
 - 4) charging a fee for providing reasonable adjustments to disabled candidates

4. Special consideration

- a. Special consideration is given to a candidate who is affected by adverse circumstances beyond their control at the time of the assessment.
- b. It is applied when the issue or event has had, or is reasonably likely to have had, a material effect on a candidate's ability to take an assessment or demonstrate their normal level of attainment in an assessment.
- c. The centre will:
 - 1) comply with the requirements as set out in the JCQ publication A guide to the special consideration process
 - 2) ensure that all staff who manage and administer special consideration applications are aware of the requirements
- d. Where the centre has appropriate evidence signed by a member of the senior leadership team to support an application, it will apply for special consideration at the time of the assessment for the affected candidate/candidates.

5. Centre decisions relating to access arrangements/reasonable adjustments and special consideration

- a. This may include a decision not to award/apply for a specific access arrangement/reasonable adjustment or to apply for special consideration, in circumstances where a candidate does not meet the criteria for, or there is no evidence/insufficient evidence to support the implementation of an access arrangement/reasonable adjustment or the application of special consideration

- b. Where the centre makes a decision in relation to the access arrangement(s)/reasonable adjustment(s) or special consideration that apply for a candidate or candidates:
 - 1) If a candidate who is the subject of the relevant decision (or the candidate's parent/carer) disagrees with the decision made and reasonably believes that the centre has not complied with its responsibilities or followed due procedures, a written request setting out the grounds for appeal should be submitted
 - 2) An internal appeals form should be completed and submitted within 5 calendar days of the decision being made known to the appellant
- c. To determine the outcome of the appeal, the head of centre will consult the respective JCQ publication to confirm the centre has complied with the principles and regulations governing access arrangements/reasonable adjustments and/or special consideration and followed due procedures.
- d. The appellant will be informed of the outcome of the appeal within 10 working days of the appeal being received and logged by the centre.
- e. If the appeal is upheld, the centre will proceed to implement the necessary arrangements/submit the necessary application.

6. Appeals regarding centre decisions relating to other administrative issues

- a. Circumstances may arise that cause the centre to make decisions on other administrative issues that may affect a candidate's examinations/assessments. Where the centre may make a decision that affects a candidate or candidates:
 - 1) If a candidate who is the subject of the relevant decision (or the candidate's parent/carer) disagrees with the decision made and reasonably believes that the centre has not complied with its responsibilities or followed due procedures, a written request setting out the grounds for appeal should be submitted
 - 2) An internal appeals form should be completed and submitted within 5 calendar days of the decision being made known to the appellant
- b. The appellant will be informed of the outcome of the appeal within 10 working days of the appeal being received and logged by the centre