**Reasonable Adjustments to Assessment Policy**

**Policy on the reasonable adjustment of assessments for disabled students**

1. The University will provide reasonable adjustments in the assessments of disabled students to ensure that disabled students have the same opportunities as their non-disabled peers.
2. The legal definition of disability is set out in annex 1 attached.
3. The University will comply with the principles of the Equality Act 2010 (see annex 2) in appropriately acting to accommodate the needs of disabled students following a disclosure of disability information, by making reasonable adjustments to assessments.
4. The authority for identifying reasonable adjustments to assessments resides with the specialist Disability Practitioners in Disability Services. Disability Practitioners assess the student’s individual circumstances, in conjunction with the nature of their programme of study, to identify where reasonable adjustments to assessment are necessary.
5. Disability Practitioners in Disability Services will determine the most appropriate reasonable adjustments to assessment, with support from academic colleagues in the School. This may include discussion with the student to establish effectiveness.
6. School Disability Contacts are responsible for sharing disability information given to them by Disability Services with those staff responsible for teaching, assessing, and supporting disabled students within the School.
7. The Head of Schoolis responsible for ensuring the implementation of the reasonable adjustments to assessment identified by Disability Services for all disabled students within the School. They may devolve this responsibility to other members of the School, such as the Director of Student Education or the School Academic Lead on Inclusive Pedagogies.
8. Under the Equality Act, there is no legal requirement to make reasonable adjustments to genuine and legitimate competence standards which meet the legal test (see Annex 3). However, there is a legal requirement to make reasonable adjustments to the ways in which competence standards are assessed. Competence standards are defined as that set out in annex 3.
9. The University will publish the competence standards required for the programme of study and the associated award as part of the programme and module specifications within the University’s catalogues.
10. Where, after due consideration by the School and Disability Services, it is not possible to agree a reasonable adjustment to an assessment, the reasons for declining the request must be clearly stated, with reference to the competence standards of the course and the two tests of reasonableness (effectiveness and practicability). This will form part of the legal basis for declining an adjustment and therefore requires accompanying robust evidence.

Annexe 1

**Definition of disability**

1. The Equality Act 2010[[1]](#footnote-1) defines disability as follows:

*“*A person has a disability if they have a physical or mental impairment, which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.*”* [[2]](#footnote-2)

* **Normal day-to-day activities** include mobility, manual dexterity, physical coordination, continence, ability to lift, carry and move everyday objects, sensory perception, speech, hearing, eyesight, memory, or ability to concentrate, learn or understand, and perception of risk or physical danger. For a student, 'normal day to day activities' might include taking notes, writing, researching, reading large amounts of text, and moving between multiple locations.
* **Substantial** means more than minor or trivial e.g., it takes much longer than it usually would to complete a daily task like getting dressed, or to find and process information.
* **Long term** means has lasted or is likely to last for 12 months or more.
1. This definition includes, but is not limited to, people who:
* are D/deaf or hearing impaired
* are blind or visually impaired
* have a physical disability, and/or mobility difficulties
* have a specific learning difficulty (e.g., dyslexia or dyspraxia)
* have a neurodevelopmental condition (e.g., AD(H)D)
* have a neurological condition (e.g., Multiple Sclerosis, epilepsy, Tourette Syndrome, stammer)
* are autistic
* have a long-term mental health condition (e.g., depression, an eating disorder, schizophrenia)
* have a long-term medical condition (e.g., chronic fatigue syndrome, asthma, diabetes, cancer, HIV)
* have a developmental condition not listed above which affects motor, cognitive, social, and emotional skills, and speech and language (e.g., some people with cerebral palsy or spina bifida).
* have a combination of these

It is also important to note that:

* Any terminal condition is included in this definition, regardless of time frames involved.
* Progressive conditions are covered from the point of diagnosis, regardless of symptoms.
* Conditions that are intermittent, or which fluctuate over time, will always entitle the person to protection under the Act, even if the condition is in remission at a particular point in time.
1. The law stipulates that once a student has shared information about their disability to one part of the University, they are deemed to have shared this information to all parts of the University[[3]](#footnote-3). This means that the University, and individual staff members, are legally required to act on any disclosure of disability information.
2. Students are expected to provide evidence in accordance with the [guidance on providing evidence](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fstudents.leeds.ac.uk%2Finfo%2F1000070%2Fsetting_up_your_support%2F1092%2Fproviding_your_evidence&data=05%7C02%7CA.Lassu%40leeds.ac.uk%7C80db59ebc2fe4188cd1a08dc297b8030%7Cbdeaeda8c81d45ce863e5232a535b7cb%7C0%7C0%7C638430857598133274%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=xLY0TC5Up4Ytj9IpUcTSHo04GWkalZR%2FBvRJB3u9zQw%3D&reserved=0).

 https://students.leeds.ac.uk/info/1000070/setting\_up\_your\_support/1092/providing\_your\_evidence

Annexe 2

**Reasonable adjustments to assessment**

1. In responding to this duty, the Act requires HEIs to make **‘reasonable adjustments’** for disabled students in relation to:
	* **a provision, criterion, or practice** (for example, teaching practices, assessment methods and standard processes)
	* **physical features** (for example, access to teaching spaces, laboratories, and libraries)
	* **auxiliary aids, including auxiliary services** (for example, hearing loop systems, providing information in accessible formats, and the provision of professional support workers[[4]](#footnote-4)
2. A ‘**reasonable adjustment**’ is defined within the Equality act. It is an adjustment that prevents substantial disadvantage, including:
	* The time and effort expended by a disabled student
	* The inconvenience, indignity or discomfort suffered
	* The loss of opportunity or diminished progress experienced[[5]](#footnote-5)
3. What is considered reasonable is decided by law, not by individual academics, programmes, schools or faculties. There are two key tests of reasonableness that should be considered:
	* Is the adjustment **effective** in achieving its aim (will it work)?
	* Is the adjustment **practicable** in its application (is it possible)? [[6]](#footnote-6)
4. HEIs can take the following into account when considering reasonableness
	* Health and safety
	* The effect on other students
	* The availability of resources
	* The financial cost to the institution (considering the total income of the University)

These factors will not usually prevent the application of a reasonable adjustment to assessment.

Annexe 3

**Competence standards**

1. The Equality Act defines a competence standard as: ‘An academic, medical or other standard applied for the purposes of determining whether or not a person has a particular level of competence or ability’[[7]](#footnote-7).
2. A competence standard must not be unlawfully discriminatory. It must be applied equally to all students, and it must be objectively justifiable, i.e., the competence standard must be a proportionate means to a legitimate aim, and genuinely relevant to the course. The Equality & Human Rights Commission’s technical guidance on the Equality Act describes proportionate as ‘appropriate and necessary’[[8]](#footnote-8).

For example, it would not be legitimate to insist on an oral presentation to a group for a degree in biomedical sciences, while it might be legitimate for an initial teacher training degree.

1. Competence standards must be explicit, written down, clearly published, and made available to applicants and students at the earliest opportunity in order that they may make informed choices around programmes of study. They cannot be applied after the fact and cannot cover pedagogic ‘preferences’ or ‘norms’ of practice unless there is an objectively justifiable reason for including these competencies. Arguments relating to established practice, assumptions around the content or standard assessment of a ‘good’ degree or reputational concerns may not be justifiable[[9]](#footnote-9). In most cases, the mode of assessment itself is unlikely to constitute a competence standard, except in some practice- or performance-based programmes.

**Annex**
**Reasonable Adjustments in Assessment Policy: implementation plan**

1. **Immediate implementation steps**

* 1. Publication of [Developing Competence Standards SharePoint](https://leeds365.sharepoint.com/sites/Developingcompetencestandards) site to key academic and professional service colleagues.
	2. Communications strategy to introduce the topic of competence standards and point to associated guidance, training, and support.
	3. Competence standards to be added to new programme and module approval documentation.
	4. Scrutiny and approval of competence standards in new modules and programmes by Programme Approval Group.
	5. Publication of competence standards as part of module and programme catalogue, under heading of ‘Competence standards’.
	6. Design and disseminate a process and proforma for recording declined adjustments to assessment.

1. **Immediate training requirements to support implementation**

* 1. Series of open-access information activities to raise the profile of competence standards.
	2. Series of workshops exploring competence standards aimed at academic staff.
	3. Detailed training provided to Programme Approval Group members.
	4. Training for relevant SES colleagues around disability and reasonable adjustments so they can support requests for adjustments to assessment.
	5. Open-access information activities for students to foster understanding of competence standards.

1. **Longer term implementation steps**

* 1. Improved communications process for sharing disability information across the University.
	2. Retrospective identification of competence standards for continuing modules and programmes.
	3. Approval of competence standards for continuing modules and programmes.
	4. Publication of competence standards for continuing modules and programmes.

1. **Longer term training requirements to support implementation and embedding**

* 1. Disability and reasonable adjustments training for all University staff.
	2. Disability awareness raising activities for all students.

Implementation supported by the Quality Assurance Team, the Learning Design Agency, the Communications & Engagement Team, LITE, the SALIP network, the Assessment Leads Network, and Disability Services. Training provision supported by OD&PL, Disability Services, the Communications & Engagement Team, LITE, the SALIP network, Student Success Team, and SES Training & Development Team.

1. <https://www.equalityhumanrights.com/sites/default/files/equalityact2010-technicalguidance-feandhe-2015.pdf> [↑](#footnote-ref-1)
2. <https://www.gov.uk/definition-of-disability-under-equality-act-2010> [↑](#footnote-ref-2)
3. <https://www.judiciary.uk/wp-content/uploads/2022/05/Abrahart-v-Uni-Bristol-judgment-200522.pdf> [↑](#footnote-ref-3)
4. <https://www.equalityhumanrights.com/sites/default/files/equalityact2010-technicalguidance-feandhe-2015.pdf> [↑](#footnote-ref-4)
5. <https://www.equalityhumanrights.com/en/advice-and-guidance/what-are-reasonable-adjustments> [↑](#footnote-ref-5)
6. <https://www.ecu.ac.uk/publications/managing-reasonable-adjustments-in-higher-education/> [↑](#footnote-ref-6)
7. <https://www.legislation.gov.uk/ukpga/2010/15/schedule/13> [↑](#footnote-ref-7)
8. <https://www.equalityhumanrights.com/en/publication-download/equality-act-2010-technical-guidance-further-and-higher-education> [↑](#footnote-ref-8)
9. <https://www.advance-he.ac.uk/guidance/equality-diversity-and-inclusion/student-recruitment-retention-and-attainment/inclusive-learning-and-teaching/competence-standards-and-reasonable-adjustments> [↑](#footnote-ref-9)