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### **Legal Framework**

The Open Door Academy Policy for EAA complies with the statutory requirement and has been written with reference to the following guidance and documents:

- JCQCIC EAA and reasonable adjustments regulations 2024-2025
- JCQCIC Regulations document: 'Adjustments for candidates with disabilities and learning difficulties EAA and Reasonable Adjustments'
- SEND Code of Practice (2015)
- Disability Discrimination
- Removing Barriers to Achievement 2004
- Education Act 2001
- Equality Act 2010
- Statutory Guidance on Supporting pupils at school with medical conditions April 2014
- Safeguarding Policy

This policy should be read in conjunction with The Open Door Academy:

- SEND Policy
- Accessibility Plan
- Word Processing Policy

The policy is annually reviewed to ensure that processes are carried out in accordance with the current edition of the JCQCIC publication Adjustments for candidates with disabilities and learning difficulties - EAA and Reasonable Adjustments.



### Introduction

An Exam Access Arrangement (EAA) is a provision or type of support given to a student (subject to exam board approval) in an exam, where a particular need has been identified and is provided so that the student has appropriate access to the exam. At The Open Door Academy, we will use every opportunity to identify students' needs from their first contact with the school. Professional reports are requested that demonstrate an Additional Educational Needs (AEN) and a recommendation for a reasonable adjustment to be made to meet the pupil's needs and the type of EAA that are appropriate.

Exam access arrangement extends and reflects the support that is given to a pupil who has SEND/AEN in the classroom, internal exams and mock exams. EAA are pre-examination adjustments for candidates based on evidence of need. EAA fall into two distinct categories: some arrangements are delegated to centres; others require prior JCQCIC awarding body approval. EAA allow candidates/learners with special educational needs, disabilities or temporary injuries to access the assessment without changing the demands of the assessment. For example, readers, scribes and Braille question papers. In this way, Awarding Bodies will comply with the duty of the Equality Act 2010 to make 'reasonable adjustments'.

The term 'SENCo' used throughout this document refers to the person appointed by the head of centre to coordinate the access arrangements process within the centre. This would also include an Access Arrangements Coordinator (AAC), an Assistant SENCo or a Deputy SENCo.

The head of centre must ensure that the SENCo has sufficient time to both manage the access arrangements process within the centre and familiarise themselves with the JCQCIC document Access Arrangements and Reasonable Adjustments. They must also ensure that the SENCo and the centre's appointed assessor undertake regular CPD such as attending an annual update course on these regulations.

### **Contacting JCQCIC**

Before contacting the JCQCIC and/or an awarding body with a query about access arrangements/ reasonable adjustments, the SENCo must ensure that this document or the relevant section of the JCQCIC document Instructions for conducting examinations has been checked.

### **Definition**

The JCQCIC Definitions, (page 7) state EAA are agreed before an assessment. They allow candidates with specific needs, such as special educational needs, disabilities or temporary injuries to access the assessment and show what they know and can do without changing the demands of the assessment. Ensure the proposed access arrangement does not unduly disadvantage or advantage the candidate. The intention behind an access arrangement is to meet the needs of an individual candidate without affecting the integrity of the assessment. EAA are the principal way in which awarding bodies comply with the duty under the Equality Act 2010\* to make reasonable adjustments.



### **Reasonable Adjustments**

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. The awarding body is required to take reasonable steps to overcome that disadvantage. An example would be a Braille paper which would be a reasonable adjustment for a vision impaired candidate who could read Braille. A reasonable adjustment may be unique to that individual and may not be included in the list of available access arrangements.

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

An adjustment will not be approved if it:

- involves unreasonable costs to the awarding body;
- involves unreasonable timeframes; or
- affects the security and integrity of the assessment.

This is because the adjustment is not 'reasonable'.

The centre must ensure that approved adjustments can be delivered to candidate.

### **Definition of disability:**

Section 6 of the Equality Act defines disability as a 'physical or mental impairment which has a substantial and long-term adverse effect on someone's ability to carry out normal day to day activities.

### **Evidence of need**

The evidence of need will vary depending on the disability and the access arrangement(s) being applied for. Access arrangements online will provide prompts as to the evidence required. However, please see the relevant section(s) of Chapter 5 for full details as to what constitutes the core evidence/ evidence of need for each access arrangement. Failure to produce the appropriate evidence of need will lead to the application being rejected. Usually, further evidence of need will be required for a substantial impairment.

### Substantial impairment - evidence of need

So as not to give an unfair advantage, the SENCo must complete Form 9 to:

- detail the candidate's current difficulties to show how they impact on teaching and learning and performance in examinations, summarising evidence of feedback from teachers and/or support staff;
- confirm that the EAA is the candidate's normal way of working.

Form 9 will be supported by specialist evidence confirming the candidate's disability:

- a letter/report from CAMHS, a HCPC registered psychologist, a medical consultant\*, a psychiatrist, a Speech and Language Therapist (SaLT); or
- a letter/report from the Local Authority Specialist Service, Local Authority Sensory Impairment Service or Occupational Health Service†; or



- a current EHCP (England), or a current Statement of special educational needs (Northern Ireland), or a current Individual Development Plan (Wales) which confirms the candidate's learning difficulty, medical condition, physical disability, sensory or multi-sensory impairment.
- \*Where the candidate has been referred to CAMHS or a local NHS Trust by their centre or GP, is on the list to be screened and/or is likely to receive a formal diagnosis, the SENCo may in exceptional circumstances use a CAMHS/NHS Trust referral confirmation/acceptance letter. This would be due to the length of CAMHS/NHS Trust waiting lists. However, the SENCo must produce a compelling picture of need within Part 1 of Form 9. There will be a greater reliance on centre-based evidence such as comments and observations from teaching staff, support staff.
- For example, an Occupational Therapist specialising in Children and Young People Services, learning disability, mental health.
- Specialist evidence must confirm that the candidate has a disability. However, the specialist
  is not required to recommend EAA in their report. The specialist evidence may relate to any
  age provided it remains current. The SENCo may accept a medical diagnosis from an
  appropriate specialist working within either the NHS or a private practice.
- Although a specialist, e.g. a medical consultant, may recommend specific access arrangements, it is the SENCo who must determine the arrangements for the candidate's examinations. It is the SENCo's professional judgement which is based on their knowledge of the candidate's disability, the candidate's normal way of working in timed assessments and comments and observations from teaching staff.

Arrangements must be processed and approved before an examination or assessment, no later than the published deadline as below:

### Add in updated table

### Late applications

(where an existing approved application will expire prior to or during the June 2026 examination series).

Applications must be processed and approved before an examination or assessment, no later than the published deadline as above.

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.

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.

Where an existing approved application will expire prior to or during the June 2026 examination series, and the candidate is studying at the same qualification level, it is permissible to process a new online application upon expiry and after 21 March 2026 using the existing evidence.

SENCos should refer to the JCQ document Guidance regarding access arrangements/ reasonable adjustments when a candidate changes centre for more information on the evidence required when a candidate resits the same qualification or progresses from Level 2 to Level 3 qualifications whether within the same centre or a new centre.



### Identification:

In line with JCQCIC regulations, The Open Door Academy will make all decisions with regard to EAA based upon whether the candidate has a substantial and long-term impairment, which has an adverse effect, in conjunction with the access arrangement being the candidate's normal way of working. Appropriate evidence of need will be available for inspection.

### **EAA** may include:

### The following arrangements must be applied for online:

- Access to a mobile phone for medical purposes
- Bilingual dictionary with 25% extra time (solely for those qualifications listed within Chapter 5, paragraph 5.18.2)
- Computer reader/reader
- 25% extra time
- Extra time over 25%
- Listening to music/white noise due to a substantial impairment
- Practical Assistant
- Remote invigilation
- Scribe/speech recognition technology
- Timetable variation on the day of the exam for a candidate with a disability
- Timetable variation requiring overnight supervision for a candidate with a disability

### The following arrangements do not need to be processed online:

- Alternative rooming arrangements sitting the examination outside of the main examination hall/room, e.g. a room for a smaller group of candidates
- Amplification equipment
- Bilingual dictionary
- Braille transcript
- Braillers
- Colour naming by the invigilator for candidates who are colour blind
- Coloured overlays
- Communication Professional (for candidates using Sign Language)
- Examination on coloured/enlarged paper
- Fidget toys and stress balls
- Live speaker for pre-recorded examination components
- Low vision aid/magnifier
- Non-electronic ear defenders/ear plugs
- Non-electronic headphones
- Optical Character Reader (OCR) scanners
- Prompter
- Read aloud (which can include an examination reading pen)
- Squared paper for visual spatial difficulties
- Supervised rest breaks
- Timer on a candidate's desk a small countdown clock, a small analogue or digital clock, digital timer
- Word processor



### Identifying the need for EAA

Students who may qualify for formal EAA during KS4 and 5 are identified early in KS3 (Y7). At this stage needs are identified, rather than formally assessed. Adjustments to Quality First Teaching within lessons are then made according to need to enable a student to access their learning and make progress. All staff are involved in monitoring the adjustments. Formal assessments for EAA take place in Y10 during the first half of Autumn Term. Students who have had EAA at KS2 are screened for EAA at this stage. Although they may have received EAA at KS2, it does not necessarily mean that they automatically receive it at KS4 exams because their needs may have changed.

For example, a student who had a reader at KS2 may not qualify for a reader at KS4 because their reading has improved to the extent it does not meet the exam board criteria.

### **Assessment:**

A centre must make decisions on appropriate access arrangements for their candidates. Although professionals from other organisations may give advice, they cannot make the decision for the centre. They will not have a working knowledge of an individual candidate's needs and how their difficulties impact in the classroom and/or in timed assessments. It is the responsibility of the SENCo to make appropriate and informed decisions based on the JCQCIC regulations.

Assessments are carried out by an assessor(s) appointed by the head of centre. The assessor is appropriately qualified as required by JCQCIC regulations. For those students potentially requiring EAA formal assessment and application to JCQCIC is carried out in KS2 and in Year 10/11 and Year 12 as standard. Assessments may also be carried out at other points, where necessary. When granted EAA are valid for 26 months.

Any student with scores which indicate a substantial impairment will be considered for EAA. The most recent tests are binding and determine any subsequent EAA.

Specialist assessments for EAA will be carried out at The Open Door Academy by an appropriately qualified assessor.

The SENCo must work with the centre's appointed assessor to ensure a consistent, joined-up process. This will also allow the SENCo to discuss individual candidate cases with the assessor before making final decisions.

Parents may request an independent assessment. However, The Open Door Academy may elect to accept or reject a privately commissioned report. If rejected the SENCo or a member of the Head of Centre must provide a brief, written rationale to support this decision, which must be available for inspection purposes.

At The Open Door Academy examination officers, specialist assessors, primary and secondary SENCO's and teaching staff all work together to ensure that appropriate EAA are put in place for all tests and examinations.



### Refusal of EAA

If a student chooses continually not to use the agreed EAA either because their needs change or they do not feel it aids their learning or achievement, then EAA can be removed.

If the SENCo and/or specialist assessor considers that EAA cease to be the student's 'normal way of working', they reserve the right to withdraw the permission, providing written confirmation to parents/careers.

Procedures for processing an application parents must declare at the time of enrolment and when completing the school application form if their child has any medical or psychological condition, SEND needs, previous EAA at another educational institution or any other issues that may require an EAA. Failure to disclose this negates The Open Door Academy from their responsibilities.

Once diagnostic tests have been conducted and there is a recommendation for EAA, there is a named person at the secondary phase of the academy who is qualified to carry out EAA related assessments and tests who applies to the exam board and if the application is successful informs the Exams Officer. Since the application requires evidence of need, the Academy will hold evidence in its files that can be inspected at short notice.

### This can include:

- Educational psychologist reports.
- Speech Therapist reports.
- Occupation Therapist reports.
- Letters from outside agencies such as hospitals, doctors, and CAHMS (Children and Adolescent Mental Health Service).
- Reports from Hearing Impairment (HI) and Visual Impairment (VI) advisory teachers.
- Copies of Statements of Special Educational Needs, or Education, Health Care Plans (EHCP).
- Permission from the exam board for the arrangements.
- A signed copy of Form 8 report by the academy's designated assessor
- A record of all occasions when a pupil has been supported by EAA.

Joint Council for Qualifications (JCQCIC) deadlines are fully adhered to. Evidence needed to apply for EAA there are a number of pieces of evidence that can be used to apply for EAA to JCQCIC:

- Form 8 reports from specialist teacher carrying out EEA assessments/tests.
- Form 9 reports
- Form 8RF
- Form BD25
- Previous EAA from another school.
- Subject teachers- examples of work as appropriate and support given in class or evidence from tests or mock exams.
- Results from baseline tests such as reading age, writing tests.
- Medical reports outlining significant medical needs and disability.
- An educational psychology report, which explicitly diagnoses severe dyslexia.
- A Speech therapy report, which diagnoses severe language impairment.



### Processing applications for access arrangements and adjustments

Access arrangements online enables centres to make a single online application for a candidate requiring access arrangements/reasonable adjustments, using any of the awarding bodies' secure extranet sites.

Online applications must only be processed where they are supported by the centre and the candidate meets the published criteria for the arrangement(s) with the full supporting evidence in place.

A Form 8 cannot roll forward from GCSE qualifications to GCE AS and/or A-level qualifications where a candidate will continue to require extra time of more than 25% (26% to 50%) and/or a Language Modifier. A new Form 8 must be completed and the candidate must be reassessed.

A Form 9 cannot roll forward from GCSE qualifications to GCE AS and/or A-level qualifications. A new Form 9 must be completed and a new online application processed for GCE qualifications

The deadline for online applications for Access Arrangement varies slightly from year to year and is set by the government. Additional time is also applied for on the basis of whether a pupil requires a reader. An application for early opening of the papers is usually made each year. The deadline for early opening applications is usually at the start of the year and varies slightly from year to year. This deadline is set by the government and this deadline is fully adhered to. How do staff and parents know whether a student has EAA?

When a need for EAA has been identified, the relevant parties are informed:

- Parents in writing the letter outlines the type of arrangements that have been awarded.
- Students are informed verbally.
- Access Arrangement list is made available to the exam officer.
- A list of those who receive EAA is made available to all staff.

This information will be placed on the academy's relevant shared drives.

### Private Educational Psychologists' or other commissioned Reports

A parent may have their children assessed by a private educational psychologist and submit the report to the academy's SENCo as evidence that their child should be awarded extra time or EAA. Private educational psychologists' report cost a significant amount of money. Therefore, this means that parents who are unable to obtain a private report through their financial circumstances are put at a disadvantage. As an exam centre The Open Door Academy must be consistent in its decisions and ensure that no student is either given an unfair advantage or disadvantaged by any arrangements put in place. Therefore, when parents submit such reports to The Open Door Academy, we will look for evidence of a history of need. Such privately commissioned reports can be in conflict with what The Open Door Academy's tester (specialist teacher) recommends. If the academy's diagnostic tests contradict privately commissioned reports then the academy's tests and assessments will take precedence and will inform EAA decisions and no further negotiation regarding this matter will take place with the parent/carer.

This policy is maintained and held by the SENCO alongside the individual files/e-folders of each EAA candidate. Each file/e-folder contains detailed records of all the essential information that is required to be held according to the regulations.



Where the SENCO is storing EAA documentation electronically he/she **must** create an e-folder for each individual candidate. The candidate's e-folder must hold each of the required documents for inspection.

### Arrangements requiring awarding body approval

EAA Online (AAO) & Pearson's EAA Online (PAAO) is a tool provided by JCQCIC member awarding bodies for centres to apply for required access arrangement approval for the qualifications covered by the tool. This tool also provides the facility to order modified papers for those qualifications included.

### Word Processor Policy (Exams)

An exam candidate may be approved the use of a word processor where this is appropriate to the candidate's needs and not simply because this is the candidate's preferred way of working within the centre.

### **Separate Invigilation Policy**

A decision where an exam candidate may be approved separate invigilation within the centre will be made by the SENCO.

The decision will be based on:

- whether the candidate has a substantial and long-term impairment which has an adverse effect; and
- the candidate's normal way of working within the centre.
- Medical evidence provided by a consultant (not GP)

Nervousness, low level anxiety or being worried about examinations is not sufficient grounds for separate invigilation within the centre.

### **Appeals**

Appeals regarding centre decisions relating to EAA and special consideration
This procedure confirms that the academies comply with JCQCIC's **General Regulations for Approved Centres** (section 5.3x) that the centre will:

 Have in place and available for inspection a written internal appeals procedure which must cover at least appeals regarding. centre decisions relating to EAA and special consideration

The Open Door Academy will:

- comply with the principles and regulations governing EAA and special consideration as set out in the JCQCIC publications EAA and Reasonable Adjustments and A guide to the special consideration process
- ensure that all staff who manage and implement EAA and special consideration are aware of the requirements and are appropriately supported and resourced
- EAA and reasonable adjustments
- In accordance with the regulations, The Open Door Academy Academies recognises its duty to explore and provide access to suitable courses, through the EAA process submit applications for reasonable adjustments and make reasonable adjustments to the service the centre provides to disabled candidates.
- complies with its responsibilities in identifying, determining and implementing appropriate EAA and reasonable adjustments



Failure to comply with the regulations have the potential to constitute malpractice which may impact on a candidate's result(s). Examples of failure to comply include:

- putting in place EAA/adjustments that are not approved
- failing to consider putting in place EAA (which may be a failure to comply with the duty to make reasonable adjustments)
- permitting EAA/adjustments within the centre which are not supported by appropriate evidence
- charging a fee for providing reasonable adjustments to disabled candidates AARA (Importance of these regulations)

### Special consideration

Where The Open Door Academy Academies can provide signed evidence to support an application, it will apply for special consideration at the time of the assessment for a candidate who has temporarily experienced illness, injury or some other event outside of their control when the issue or event has had, or is reasonably likely to have had, a material effect on the candidate's ability to take an assessment or demonstrate his or her normal level of attainment in an assessment.

### Centre decisions relating to EAA, reasonable adjustments and special consideration

This may include The Open Door Academy Academies decision not to make/apply for a specific 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.

Where The Open Door Academy Academies decides in relation to the exam access arrangement(s), reasonable adjustment(s) or special consideration that apply for a candidate or candidates:

- 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
- An internal appeals form should be completed and submitted

To determine the outcome of the appeal, the head of centre will consult the respective JCQCIC publication to confirm the centre has complied with the principles and regulations governing EAA and/or special consideration and followed due procedures.

The appellant will be informed of the outcome of the appeal in writing within 7 days or receiving an outcome

This procedure is informed by the JCQCIC publications <u>A guide to the awarding bodies' appeals processes</u> (section 3), <u>Suspected Malpractice: Policies and Procedures (section 3.3), General Regulations for Approved Centres (section 5.4), EAA and Reasonable Adjustments</u> (Importance of these regulations) and A guide to the special consideration process (sections 1, 2, 6)