

ITC First

P8 Equality, Diversity and Assessment Policy [2.3]

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ITC First

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Website Access

For all policy statements and downloadable documents,

Upload to:

| Ofqual Portal | SQA Accreditation SharePoint | ITC WebOffice Support Resources | ITC Public Website | ITC Server |
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Appendix 1 Disability guidance

We require all Centres to inform learners where to find the current version of this policy.

Specifically: www.itcfirst.org.uk > home page > policies/procedures

1. Introduction

ITC First (ITC) is committed to providing services that embrace diversity, promote equality of opportunity and assessments that do not discriminate against anyone.

The purpose of this policy is to explicitly state how this commitment and current legislations are to be applied by the ITC Awarding Organisation [Ofqual], ITC Awarding Body [SQA Accreditation] and its Centres, to ITC training courses, qualifications and assessment practice.

1.1 Equality, Diversity and Access to Assessment

a) **Equality** is where people are treated fairly and given an equal opportunity, it is not about treating everyone in the same way, but recognises that needs can be met in different ways.

The Equality Act 2010 sets out the personal characteristics that are protected by law and the behaviour that is unlawful. Everyone is protected by the Act. The protected characteristics under the Act are:

- Age,
- Disability,
- Gender reassignment,
- Marriage and civil partnership,
- Pregnancy and maternity,
- Race,
- Religion and belief,
- Sex (gender),
- Sexual orientation.

b) **Diversity** is about recognising, valuing and managing individual differences to enable everyone to contribute in their own way, feeling comfortable with and understanding various different needs.

c) **Access to Assessment** is about designing inclusive vocational qualifications from the outset whenever it is possible, and then providing good practice guidance and regulations relating to candidates who are eligible for reasonable adjustments in assessment or who require special considerations to enable inclusivity and equality of opportunity.

1.2 Scope

ITC has developed this policy statement, with implementation procedures that can be evaluated for effectiveness summarised, in order to operate and develop regulated qualifications. This policy will be applied to all ITC qualifications, whether externally regulated (Ofqual or SQA Accreditation) or not.

A quotation ahead of its time!

'It is as unfair to treat unequals equally, as equals unequally'

Aristotle (384 – 322 BC)

2. Equality Statement

ITC is committed to providing equality of opportunity for everyone who is employed by ITC or takes advantage of ITC services. The Equality Act sets out personal characteristics protected by law [section 1.1].

ITC believe it is morally wrong to discriminate directly or indirectly and hinder equality of opportunity. Thus it is our intention to ensure that no person is subject to unfair treatment in any way.

2.1 Application of equality statement

ITC will monitor and take all possible, reasonable measures to ensure equality for all learners by requiring:

- a) all qualifications developed and offered by ITC to be free from bias, and to not discriminate against any learner. All vocational qualifications will be inclusive and fair by design and include this requirement during development.
- b) all assessment instruments and processes will be free from any bias, and inclusive for all candidates. All will be reviewed during development and through the unit or qualification lifetime.
- c) all ITC Centres to implement an appropriate equality and diversity policy, and all staff and students of that Centre are made aware of it.
- d) as many diverse learners as possible to have access to ITC qualifications.
- e) all candidates to have the opportunity to feedback directly to ITC with any concerns.
- f) that ITC Centres collect sufficient data to allow ITC to monitor and evaluate that there is no discrimination on the grounds of any of the protected characteristics.
- g) that this policy and statement is reviewed as required.
- h) all information pertaining to the protected characteristics is archived for review and evaluation in line with current data protection legislation.
- i) Centres to report to ITC any barriers to learning.

2.2 Overview of ITC monitoring systems

This section outlines how ITC monitors and evaluates the application of the principle of Equality within its business activities:

- a) ITC has produced a policy (this document) that is reviewed as required by the Quality & Compliance Manager or other Senior Officer and presented to Policy Review Committee for approval. The current version is then uploaded to the following sites:
 - i) SQA Accreditation SharePoint,
 - ii) ITC Website (General Public),
 - iii) ITC WebOffice Support Resources (Members),
 - iv) ITC Server.The audit log on the WebOffice enables ITC to monitor which Centres have downloaded the policy. All ITC staff are expected to be familiar with ITC policies and implement them in their working activities.
- b) ITC ensure that all Centres are aware of their obligations under the Equality Act, by signing of the Centre agreement (C9), and each Centre producing its own policy. These policies are uploaded to the ITC WebOffice for approval by ITC prior to delivery of qualifications commencing. ITC requires policies to be reviewed when required for delivery to continue over time. Policies are again checked for validity and implementation on EQA visits.
- c) Centres and ITC can monitor Equality data via Registration forms (02) and this data is reported annually to Policy Review Committee within the Equality, Diversity & Assessment Report and in summary within the Qualifications Report. Gender and ethnicity of learners is reported in both; with special requirements (reasonable adjustments and special considerations) reported in the Equality Diversity & Assessment Report.
- d) Centres and ITC can monitor Equality data via Learner evaluation forms at the end of each course, and these are reported on annually to Policy Review Committee within the Equality, Diversity and Assessment Report. Learners are given a range of closed questions which typically include :
 - i. “The assessment was adapted fairly for those who required it to be adapted” Yes/No/Not Applicable
 - ii. “The event was free from race, disability or gender discrimination” Yes/No
 - iii. “The event was free from pregnancy, maternity, marital status, gender reassignment or sexual orientation discrimination” Yes/No
- e) Learner achievement data is monitored for equality data and reported within the Equality, Diversity & Assessment Report to Policy Review Committee annually.
- f) Learners with temporary or permanent reasons for requiring access arrangements to attend and achieve on a qualification, have the opportunity to declare their requirements and hence have reasonable adjustments made to enable them to achieve. These are recorded on form C4 and also on End of Course completion forms by Assessors (06 forms). Monitoring of these forms, and on this process occurring in real time occurs by EQA visits. Special considerations that arise on the day of assessment are recorded on C7 forms or on 06 forms and again monitored by ITC and EQAs.
- g) All 02, C4, C7 and 06 forms must be returned to ITC for each cohort of a qualification to enable certification to occur. Hence ITC can monitor equality data continuously and identify any Centres where issues are arising.
- h) All Qualifications are reviewed (QD1) and when new qualifications are developed (BP5, QD1), attention to detail is made to ensure that equality of opportunity is present for all learners and assessors. Stakeholders are asked to give feedback on pilots of new qualifications via form SK1.

- i) Centres are asked to give annual feedback to ITC via form F2 annually and these are monitored too for Equality issues.

2.3 Action plan

It is the responsibility of the Policy Review Committee to ensure that all actions plans related to equality are produced, monitored and completed. These will be recorded within the Policy Committee Action Plan.

3 Diversity Statement

- 3.1 Diversity is about valuing and respecting the differences between people, regardless of ability and/or circumstances or any other individual characteristic they may have. Within ITC this applies to all individuals working or assisting in the business and within ITC centres and applies to all (ITC qualification registered) learners.

ITC believes differences should be acknowledged, celebrated and embraced to help ensure that all learners feel included in the learning process and that the learning environment is suitable for all.

3.2 Application of diversity statement

ITC reviews all of its qualifications and assessment instruments (QD1 and Qualifications Report) in terms of valuing diversity. The following criteria are used:

- a) Environment and equipment, e.g. adjustable height workstations, accessibility, cpr manikins reflecting age and/or ethnic origin of potential learners.
- b) Programme resources, e.g. handouts and presentations to be capable of adaptation to a number of formats, consider other languages, language level and jargon, illustrations to reflect diversity of potential learners. (Language Policy P7)
- c) Staff development, e.g. ensuring that all staff are informed of current policies and procedures in good time for the knowledge to be meaningful. ITC website provides access to all assessors.
- d) Information, e.g. email or noticeboard or leaflet, this should be accessible to all.
- e) Liaising with others, e.g. language interpreters may be required or staff who can use sign language. (Language Policy P7) Information should be shared between agencies, however learners have to agree to the information to be shared with legitimate agencies as the GDPR gives the duty to comply with learners requests for confidentiality. (Records Retention Policy P9, Data Protection and Privacy Policy P22)
- f) Feedback and evaluation, e.g. forms are provided to all learners to ensure that current practices are meeting their needs and any barriers to learning identified and mitigated.

4. Assessment Practice Statement

ITC ensures that assessment methods and requirements detail what is to be assessed and the suitable assessments. Assessment will be sufficient to meet award requirements.

4.1 Candidates with individual assessment requirements

- a) ITC is committed to providing equal opportunity and freedom from discrimination. Learners should receive pre-course information once they have registered to undertake an ITC qualification. Requests for reasonable assessment adjustments, by individuals with special needs, can be applied for using document (C4), in advance of the course commencing. Any individual with a learning disability or difficulty is entitled to apply for reasonable adjustments if they believe they will require them. If the decision falls outside of the guidelines in this policy document or the experience of the Centre, or the Centre requires advice then ITC will assist in the decision making process. ITC Customer Service Statement (P1) details response times for such enquiries.
- b) ITC requires that any reasonable adjustment arrangements will be valid and reliable, designed to reflect the learner's situation and to enable them to have an equal opportunity to meet the assessment outcomes of the qualification without an unfair advantage. Fair access by design is an essential requirement before the unit is signed off.
- c) ITC ensures this by issuing this policy guidance, scrutinising all C4 requests and providing appropriate responses to the Centre or candidate according to our Customer charter (P1).
- d) ITC will monitor by archiving annual C4 requests and then analysing along with learner registration and evaluation to inform the self-evaluation report.
- e) There will be two timescales for adjustments requests:
 - i) Where the learner requests reasonable adjustment more than 5 working days before the training and assessment
 - ii) Where reasonable adjustment decisions that have to be made shortly before the initial stages of the training.

4.2 Guidance

- a) SQA Accreditation define Reasonable Adjustments as "Arrangements which are approved in advance of an examination or assessment process to allow achievement to be demonstrated by the learners with either a permanent or long term disability to learning difficulty, or a temporary disability, illness or disposition".
- b) Within England and Ofqual regulated qualifications, the Joint Council for Qualifications provides the following guidance and defines Access Arrangements as "pre-examination adjustments for candidates based on evidence of need and normal way of working. Access Arrangements fall into two distinct categories: some arrangements are delegated to centres, others require prior JCQ awarding body approval. Access Arrangements allow learners with special educational needs, disabilities or temporary injuries to access the assessment without changing the demands of the assessment... In this way, Awarding Bodies will comply with the duty of the Equality Act 2010 to make reasonable adjustments" The JCQ then define Reasonable Adjustments as "The Equality Act 2010 requires an Awarding Body to make reasonable adjustments where a disabled person would be at a substantial disadvantage in undertaking an assessment. A reasonable adjustment for a particular person may be unique to that individual How reasonable the adjustment is will depend on a number of factors including the needs

of the disabled learner. An adjustments may not be considered reasonable if it involved unreasonable costs, timeframesor integrity of the assessment. There is no duty on the Awarding Bodies to make any adjustments to the assessment objectives being tested in an assessment. (<https://www.jcq.org.uk/exams-office/access-arrangements-and-special-consideration>)

- c) Competence standards and method of assessment are separate items. ITC cannot make an adjustment to the national and international competence standards to which some of the qualifications are mapped. The assessment process can be adjusted to give an individual the equality of opportunity to demonstrate the required standard. However the reasonable adjustment must not give the candidate an unfair advantage.
- d) ITC is taking the stance that, within its qualifications, individual adjustments may be required for a number of reasons, including:
 - i) Temporary or permanent illness or injury,
 - ii) Sensory impairment,
 - iii) Reading &/or writing difficulties,
 - iv) English as a second language,
 - v) Other extenuating circumstances.
- e) ITC will approve reasonable adjustment requests if they are sent (form C4) to ITC at least 5 working days prior to the assessment. Centres should use the Access to Training & Assessment Form (C4) which is downloadable from the ITC website. Decisions will be made by ITC. Centres wishing to appeal against any decision will contact ITC directly using the contact details above.
- f) ITC will consider and approve reasonable adjustment requests from Centres providing:
 - i) Requests are received (C4) by ITC at least 5 working days prior to the course commencement.
 - ii) Adjustments to the assessment are reasonable.
- g) If learners are unable to attend scheduled assessments for justifiable extenuating circumstances, then an alternative date for assessment may be made for the candidate, at the discretion of the Centre, normally within 6 weeks of the original date. The assessment process can thus be deferred to a time when the candidate has recovered from their indisposition, temporary illness or injury. All such events need to be recorded (C4), forwarded to ITC with all assessment evidence and copies made available to the ITC External Quality Assurer.
- h) For some first aid qualifications where the learners are assessed in real time scenarios, as the course progresses this assessment opportunity normally requires candidates to attend part of another training course for the qualification.
- i) Due to the 'real-life' practical nature of first aid qualifications, regardless of the extenuating circumstances, the learner must demonstrate competency up to the minimum standard to be awarded the qualification.
- j) ITC will monitor equality of access to assessment by requesting that all learners complete an assessment evaluation section on their end of course evaluation form (sent electronically). This gives the learner the opportunity to provide direct feedback to the awarding body. The evaluation data will be analysed, and evaluated, with change implemented if necessary.

Note:

Document Form C4 relates to adjustment requests known to the Centre **before** the training course commences.

4.3 Minor and routine occurrences

- a) Routine reasonable adjustment to assessment decisions can be made by the Centre, on the condition that all such decisions are recorded on document C4 and that a copy of the latter is returned to ITC with the assessment evidence.
- b) For routine minor illness, injury situations or similar close to the time of assessment, a Centre can, at its discretion, choose to adjust the time of the assessment (for instance by asking the candidate to attend a session from another short course delivered at the Centre) and record such decisions on C4 document and send ITC with the assessment evidence. These rearrangements must be within the allowable timeframe for completion of the qualification e.g. Paediatric First Aid must be completed within 7 weeks.

4.4 Temporary indisposition

- a) Candidates regularly present themselves with a temporary problem, impairment or circumstances that might intrude on their performance during an active course such as the Outdoor First Aid course e.g. recovering from surgery, lower back pain, damaged joint, muscle pain, digestive system upsets, migraine, occasional seizure, diabetic episode or faint.
- b) ITC would expect the Centre to make a reasonable adjustment to normal activity to provide every opportunity for the learner to demonstrate competence. A recent example from a first aid qualification:

A learner presents with lower back pain, and so are unable to bend down to a simulated casualty comfortably. The Centre assessor will negotiate with the learner and arrange a solid table to be present so that the learner can perform, and be assessed performing, a casualty assessment protocol with a simulated casualty lying a hip height. Similarly a CPR manikin can be placed upon the table. As the course develops and the learner performs in a variety of situations appropriate terrain and simulated first aid scenarios can be arranged. E.g. the casualty could be placed upon a safe rocky ledge or the learner could stand in a safe ditch.

- c) These minor reasonable adjustments to normal procedure are typically left to the judgement of the Assessor at the time, as there are a large number of potential occurrences and guidance cannot be given for every potential occurrence. Form C4 must be used as described above.
- d) If a copy of form C4 is **not** available, a record is made of the decision and a comment made on the Course Details Form (06) and ideally the Learner Registration Form (02).
- e) If the situation is beyond the experience of the Assessor and the situation necessitates immediate advice then the Assessor has the option of phoning the ITC First Office.

4.5 Evidence of indisposition

Please do not send any supporting evidence, e.g. original Doctor's note, unless specifically asked for by ITC.

4.6 Appeals against reasonable adjustments to be made

If there is disagreement with the ITC Access to Training & Assessment request decision please contact the ITC Office for informal dialogue and please refer to the ITC Appeals Policy (P5).

5. Special Considerations

If the course or candidate assessment is disrupted for unforeseen reasons beyond the assessor or learner's control then special considerations can be taken by the assessor or Centre to ensure that learners are treated fairly in accordance with current guidelines from ITC and the regulatory authorities. For learners and courses where additional special considerations are required this guidance should be followed.

5.1 Guidance

- a) SQA Accreditation define Special Considerations as “a post assessment adjustment to a learner's mark or grade to reflect temporary illness, temporary injury or any other indisposition at the time of assessment”
- b) The Joint Council for Qualifications in England define Special Consideration as “..a post examination adjustment to a candidate's mark or grade to reflect temporary injury, illness or other indisposition at the time of the examinations/assessment.”
- c) ITC runs short first aid courses and other courses with ongoing assessment rather than written exams. Hence ITC have taken the decision to apply special considerations to any short term unforeseen events that happen during the assessment of the course e.g. fire alarm, the key holder being late, unforeseen noisy intrusive building work close by, sudden sickness/illness, recent bereavement and other similar circumstances.
- d) Typically a one off short-term solution is found such as changing rooms or buildings, extending the working session by a short time or adding additional time to the training programme by negotiation.
- e) If candidates are unable to attend scheduled assessments for these or similar reasons, then an alternative date for assessment may be made for the candidates, normally within 6 weeks of the original date. The assessment process can thus be deferred to a time when the individual candidate has recovered from their indisposition, temporary illness or injury or the environment has again become conducive to training and assessment for the whole group.
- f) All such events need to be recorded on the Special Considerations Form Regarding Unforeseen Occurrences (Form C7) and made available to ITC. This document is normally completed **during** or **immediately** as is practicable **after** a training & assessment course
- g) With sudden unforeseen events the onus is on the individual assessor to make a discretionary judgement decision that may have to be made instantly. An assessor working at a Centre should contact the Centre Manager immediately for advice and consultation. For assessor and Centre Managers the ITC First Office is constantly in operation during normal office hours where the Chief Verifier or other Senior Officers are available for advice and consultation.

5.2 Decision parameters

- a) The following guidelines outline the parameters within which to make various decisions. It is recognised that by the nature of events that Form C7 completion will in all probability be a retrospective occurrence.
 - i) **Danger to the learners**
E.g. Fire alarm, noxious fumes then the assessor will immediately remove the group from danger and if the event is not temporary and easily dealt with by returning to the building upon the all clear, or changing rooms then the session may well be cancelled and ITC

informed immediately by telephone. All course learners will be given another opportunity for training and assessment as soon as reasonably practicable afterwards.

ii) **Intrusive events or noise**

The course venue may be moved. Additional time may be allocated. Training and assessment opportunities may be presented to the group on alternative dates.

iii) **Temporary indisposition of individuals**

Guidance is produced for access to training and assessment earlier in this policy. Form C4 is required. Minor adjustment to normal procedure is decided upon and recorded on the reverse side of the Course Details Form 06. If there is a need for additional time resources for that individual, e.g. the opportunity for assessment at a later time or place then Form C7 needs to be completed.

- b) These special considerations treat learners fairly and give them every reasonable opportunity to fulfil the training and assessment requirements of the qualification.
- c) Whatever decision is made regarding moving or deferring training and assessment, the minimum requirements must be met, e.g. the Outdoor First Aid award requirements include the candidate to have received a minimum 16 contact hours of training and assessment and due to the real life nature of the award demonstrate practical competence to the stated minimum standards.
- d) If in doubt as to any decision contact the ITC First Office immediately.
- e) A Senior Officer of ITC or Chief Verifier (for immediate possible response) examines special considerations involving Form (C7), immediately upon receipt.
- f) An annual record of all C4 and C7 forms is maintained within the ITC Office.
- g) The Policy Review Committee monitors and evaluates procedures, producing and publishing any changes in guidelines. Any changes will be published to all Centres via the 'support resources' section of the ITC website.
- h) The making of an aegrotat (an award made to a candidate who is unable through temporary indisposition to complete all of the usual assessment requirements) is usually not contemplated with short qualifications, as the minimum evidence to fulfil most of these qualifications 'license to practice' involves training contact time, e.g.
 - i) Outdoor First Aid Qualification: The award is 16 hours first aid training and assessment contact time. If the contact time cannot be fulfilled then the NGB's will not recognise the training as being suitable for purpose. Due to the 'real life' nature of the qualification candidates must demonstrate competence to a minimum standard as well as attend the minimum contact hours.
 - ii) Emergency First Aid at Work: Statutory regulations stipulate a minimum contact time of 6-hours. The assessment processes can be deferred to a time when the candidate is able to complete the assessment safely and in comfort.

6. Summary of procedures

6.1 Learner procedures

- a) For any matter arising from or relating to this policy, learners should:
- i) Inform the Assessor delivering the course. Most matters can be resolved at this level. Minor concerns can be addressed by making a comment upon the course evaluation form (03).
 - ii) Inform the Centre in writing at their earliest opportunity if the learner cannot easily resolve the situation.
 - iii) Inform ITC directly if the ITC Centre cannot resolve the matter to the candidate's satisfaction.

6.2 Centre procedures

To discuss any equal opportunities issue or any matters relating to this policy, contact ITC directly at the address above.

6.3 Policy procedures (for review and evaluation of this policy)

- a) This falls under the terms of reference of the Policy Review Committee. Collected information and data will inform development alongside internet research to establish current best practice.
- b) Information reviewed includes: initial application feedback, feedback from specific ITC training events, analysis of EQA reports, analysis of candidate registration and evaluation documents, key legislative websites.
- c) The Policy Committee produces any amendments to this policy when required.

7. ITC Appointment, Induction & Professional Development of Staff

- 7.1 Equality and Diversity applies to all aspects of ITC operation including staff selection, induction and training.
- 7.2 The process of staff appointment and induction within ITC reflects the equality, diversity and inclusion statements within this policy is by the Chief Executive Officer and overseen by the Policy Review Committee.
- 7.3 An equal opportunities statement should be appended to all advertisements for employment positions by the Chief Executive Officer. A detailed, non-discriminatory job description and person specification should be available for every role.
- 7.4 Advertisements should be placed appropriately to ensure equality of opportunity. This is overseen by the Policy Review Committee.
- 7.5 Records of short listings of candidates and decisions will be archived in the HR folder, with short listing completed by more than one Senior Officer in a quantitative manner.
- 7.6 Interview panels will be mixed and all members of the panel will have joint responsibility for equal opportunities. The criteria listed in the job description should be the basis for questions in the interview. Interviewers should not discriminate directly or indirectly by asking questions about personal circumstances. A commitment to equal opportunity should be a required

condition of appointment. All candidates should be offered a debriefing session after the interview.

- 7.7 Staff induction should highlight an awareness of equal opportunities. Staff induction is by the Chief Executive Officer or Awards Manager normally.
- 7.8 Staff development should be equally available to all in line with the ITC commitment to CPD. Training will be sourced for all staff wishing to explore further ways to engender equal opportunities, diversity and inclusion. This will be overseen by the Chief Executive Officer and Policy Review Committee.

8. Data Collection

- 8.1 As a recognised Awarding Organisation/Body ITC has to have procedures in place to collect sufficient data to allow the monitoring and evaluation of compliance with the requirements of equality and diversity legislation to ensure that there is no bias or discrimination on the grounds of current protected characteristics. ITC First's current Data Protection and Privacy Policy (P22) is published and contains further detail on how learner data is used.
- 8.2 Learner Registration (02) and Evaluation (03) documents are monitored and reviewed to enhance both learner consultation and data collection.
- 8.3 It is ITC policy that all information and data be shared with the regulatory authorities upon request.
- 8.4 Learner registration form (02)
Each candidate is asked to complete a Registration Form giving details of:
 - i) Forenames (text box)
 - ii) Family Names (text box)
 - iii) Date of Birth (text box)
 - iv) Gender – male, female, prefer not to disclose (tick box)
 - v) National identity (tick box)
 - vi) Ethnicity - ethnic group definitions based upon 2011 census question (tick box)
 - vii) Special needs or reasonable adjustments requested (text box)

These results are compiled then evaluated to monitor trends and potential barriers to entry and the results of the registration evaluation form part of the annual qualification self-evaluation report.

- 8.5 Learner evaluation form (03)
 - a) Each candidate is asked to complete a paper end of course evaluation form. Answers are given a numerical value allowing each Centre and course type to be analysed in relation to the information asked for. This paper evaluation captures data for the protected characteristics in a yes/no format with additional text box for description if required.
 - b) Each candidate who has provided ITC with an email address is automatically provided with a digital end of course evaluation form. Answers are given a numerical value allowing each Centre and course type to be analysed in relation to the information asked for. This digital evaluation captures data for the protected characteristics in a yes/no format with additional text box for description if required.

- c) These results are compiled then evaluated to monitor trends and potential discrimination (locally/nationally or randomly/systemically) and the results of this end of course evaluation form part of the annual qualification self-evaluation report.

- 8.3 Access to training & assessment form (C4), special needs in advance of the course
Each completed form will be scrutinised and responded to on a case-by-case basis by the Chief Verifier or other Senior Officer and recorded on the appropriate register.

- 8.4 Special considerations form (C7), regarding unforeseen occurrences
Each completed form will be scrutinised and responded to on a case-by-case basis by the Chief Verifier or other Senior Officer and recorded on the appropriate register.

- 8.5 Awarding body annual assessment by centre feedback form (F2)
Each completed form will be scrutinised by the Chief Verifier and information forwarded to the appropriate Senior Officer.

Appendix 1 - Disability guidance (as viewed on www.acas.org.uk on 01/08/19)

You may be classed as disabled if you have:

- A mental or physical impairment
- This has an adverse effect on your ability to carry out normal day to day activities
- The adverse effect is substantial
- The adverse effect is long term (meaning it has lasted for 12 months, or is likely to last for more than 12 months or for the rest of your life)

Whether a condition is a disability though depends on all the facts and circumstance of an individual's life.

There are some provisions, for example:

- If your impairment has substantially affected your ability to carry out normal day-to-day activities but does not anymore, it will still be counted as having that effect if it is likely to do so again.
- If you have a progressive condition, and it will substantially affect your ability to carry out normal day-to-day activities in the future, you will be regarded as having an impairment that has a substantial adverse effect from the moment the condition has some effect on your ability to carry out normal day-to-day activities.
- If you have been diagnosed as having cancer, HIV infection or multiple sclerosis you will automatically be considered as 'disabled'.
- If you are registered blind or partially sighted or certified as blind or partially sighted by a consultant ophthalmologist, you will automatically be considered as 'disabled'.

What are 'normal day-to-day activities'?

At least one of the following areas must be substantially affected:

- Mobility
- Manual dexterity
- Physical co-ordination
- Continence
- Ability to lift, carry or move everyday objects
- Speech, hearing or eyesight
- Memory or ability to concentrate, learn or understand
- Understanding of the risk of physical danger

It is important to think about the effect of impairment without treatment.

All treatment or correction should not be taken into account, including medical treatment or the use of a prosthesis or other aid (for example, a hearing aid). The only things that are taken into account are glasses or contact lenses.

It is important for the candidate to work out how their impairment affects them. They should focus on what they cannot do, or find difficult, rather than what they can do.

For example, if, as a result of hearing impairment, you experience difficulty hearing someone talking at a sound level that is normal for everyday conversations in a moderately noisy place, it would be reasonable to regard this as having a substantial adverse effect. Being unable to hold a conversation in a very noisy place such as a factory floor would not.

If your impairment affects your mobility, being unable to travel a short journey as a passenger in a vehicle would reasonable be regarded as having a substantial adverse effect as would only being able to walk slowly or with unsteady jerky movements. But experiencing some minor discomfort as a result of walking without help for about a mile would not.