



UNIVERSITY OF
PORTSMOUTH

“Reasonable, for Whom?”
Understanding Staff
Perceptions of Assessment
Adjustments in Practice

Dr Charles Barker
School of Law



In what situations do
you feel a student
should be entitled to
reasonable
adjustments in their
assessment?



extra entitled learning
room different presentation don
flexibility differently see
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situation adjusting flexible anywhere
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accommodating practical
assessment time
recall problem
individual
adjustments
network medical record
coursework



- “understanding the impact... adjust... so they're not at a disadvantage”
- “once we're aware... we're required to input the adjustment”
- “remove barriers”



Help and advice

Advice and support for students or applicants who discloses a disability or additional learning need

Advice note for the higher education sector from the legal case of University of Bristol vs Abrahart

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competence student adjustment disability assessment
support reasonable knowledge ability evidence responsibility
duty health processes requirement
equality standard mental act
staff diagnosis method anticipatory learning
disadvantage university



- EHRC - “The duty to make reasonable adjustments... apply where a disabled person is placed at a substantial disadvantage when compared to a non-disabled person.”
- EHRC - “Student-facing staff cannot just pass on the duty... but must consider what steps they should take... to ensure the student is not disadvantaged.”



- “There are so many different ways that we can support our students.”
- “Allowing them the opportunity to take their exam in a quiet room”
- “If a student... come and speak to me... I don't see it as entitled”
- “Across the board, we’re very accommodating.”

EHRC

“The duty to make reasonable adjustments is an anticipatory duty, meaning providers should have thought about what adjustments they ought to make... prior to becoming aware of a specific student’s disability.”

- “If a student asks for reasonable adjustments... they should at least be heard.”
- “It's important to have that balance, students do need to be challenged, but if it becomes...severely overwhelming, whether they find it impossible to function or perform to the best of their ability, then that's when we would look at reasonable adjustments, absolutely.”

evidence

medical record

EHRC (based on the decision in Abrahart)

- “Reasonable adjustment duties arise without a formal diagnosis and rely on actual or constructive knowledge”.
- What a student says *is* evidence.
- Provided the University including its staff “has constructive knowledge of the effects of the condition, it should be able to deduce that a student has a disability.”

- “If they've been through the disability advice consultation... they should absolutely be allowed...”
- “If there's any recognised disability... evidence from disability support... demonstrate what the issue is”
- “There is no evidence needed... any student is entitled... system being misused”
- “If a student asks... because they're nervous... we don't really have to say yes”

competence

- A competence standard is an academic, medical or other standard applied for the purpose of determining whether or not a person has a particular level of competence or ability.
- “Methods of assessment will rarely, if ever, amount to a competence standard. They will therefore rarely, if ever, be outside the duty to make reasonable adjustments.” EHRC

coursework learning presentation

- “I know that in some courses there is a requirement for examinations.”
- “We... have to have a live assessment... because of AI”
- “In... medical... I do see the argument of not implementing all reasonable adjustments, especially in practical assessments.”
- “Preparedness to make an adjustment, unless a core competence standard is in the equation, would be my understanding.”

Phenomenographic Hierarchy (Outcome Space): 'Reasonable, for Whom?'

Procedural / Eligibility
(Diagnosed need)

Disadvantage-based
(Remove barriers)

Individualised
(Case-by-case)

Relational / Compassionate
(Any expressed need)

Inclusive / Universal
(For everyone)

Definitions

Competence standard: 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.

Reasonable adjustment: a change that a provider must make to ensure a disabled person is not disadvantaged compared to non-disabled people.

Disability: A person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

The relationship between reasonable adjustments and competence standards

Providers are not required to make reasonable adjustments to the competence standards.

They *are* required to make reasonable adjustments to the way that a competence standard is assessed so that disabled students are not disadvantaged.

Define true competence standards clearly

Learning outcomes or professional body requirements are only competence standards if they are objectively justified -
i.e. a proportionate means to a legitimate aim and genuinely relevant to the course.

Subject knowledge uncontroversial but what about assessing skills?

Define true competence standards clearly

“Methods of assessment...will rarely, if ever, amount to a competence standard. They will therefore rarely, if ever, be outside the duty to make reasonable adjustments.”

EHRC - Advice note for the higher education sector from the legal case of University of Bristol vs Abrahart July 2024



**Equality and
Human Rights
Commission**

Define true competence standards clearly

Note that even if the method of assessment is inextricably linked to the competence standard, the University is still required to make adjustments to the way that competence standard is assessed so that disabled students are not disadvantaged.

Academic Registry Pages

Within the supporting videos and documentation on this site, you will find details on:

- legal requirements and the responsibilities of academic and support staff in meeting these requirements
- understanding core competencies
- the process for referring students to additional support
- the process for recording and viewing students' reasonable adjustments in SITS
- [Full video on Reasonable Adjustments and Assessments](#)
- [Staff guide](#) and [flow chart](#)



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Any questions?

