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REASONABLE ADJUSTMENTS AND ~~REASONABLE ADJUSTMENTS~~ SPECIAL CONSIDERATIONS POLICY

Comercial Escolà is committed to supporting the rights of students and/or contestants, customers and other stakeholders with a disability to be involved in an educational environment that is accessible, inclusive and free from discrimination and harassment.

SCOPE

This policy applies to all areas of disability as identified under the Spanish Disability Rights Code.

This policy applies to all students and/or contestants, customers and other stakeholders who are engaged in educational, training and assessment services provided by Comercial Escolà.

POLICY STATEMENT

Comercial Escolà is committed to the principles of equality and opportunity for students and/or contestants, customers and other stakeholders in all aspects of its operations.

Comercial Escolà acknowledges that it has a responsibility to conduct its operations in ways that do not disadvantage people with a disability as described under the *Real Decreto Legislativo 1/2013, de 29 de noviembre, por el que se aprueba el Texto*



Refundido de la Ley General de derechos de las personas con discapacidad y de su inclusión social.

Comercial Escolà will identify and support the Reasonable Adjustment needs of students and/or contestants, customers and other stakeholders with a disability through effective, open communication with all stakeholders

Comercial Escolà aims to take all reasonable measures regarding:

- Eliminating disability Discrimination
- Ensuring that students and/or contestants, customers and other stakeholders with disabilities have the same rights as any other clients involved with Comercial Escolà
- Promoting recognition and acceptance of these rights within Comercial Escolà

To achieve this commitment, Comercial Escolà will

- **Promote and foster** an environment which encourages positive, informed and unprejudiced attitudes towards students and/or contestants, customers and other stakeholders with a disability
- **Ensure** that requests for Reasonable Adjustments for students and/or contestants, customers and other stakeholders with disabilities are considered fairly, completed as soon as practicable and are appropriately monitored and reviewed
- **Ensure** that positive and practical steps are undertaken to enable people with a disability to apply for and enroll in Comercial Escolà's training programs and competitions and that barriers to access are identified and removed
- **Ensure** that the needs of students and/or contestants, customers and other stakeholders with a disability are met in relation to the physical environment of Comercial Escolà including buildings, facilities and information technology systems
- **Eliminate** obstacles making technology available to students and/or contestants, customers and other stakeholders with disability so they can access the benefits of the digital transformation, building a more accessible world. Accessibility criteria are to be integrated into Comercial Escolà's products and services, while improving the accessibility of all Comercial



Escolà's processes and facilities, including facilities, customer service and information channels.

DEFINITIONS

Under the *Real Decreto Legislativo 1/2013, de 29 de noviembre, por el que se aprueba el Texto Refundido de la Ley General de derechos de las personas con discapacidad y de su inclusión social*.

Disability: occurs when there is interaction between people with predictably permanent disabilities and any type of barrier which limits or prevents their full and effective integration into society, under the same conditions as everyone else.

Opportunities equity: absence of any direct or indirect discrimination, motivated by disabilities, including distinction, exclusion or restriction with the objective or the effect of preventing or invalidating the acknowledgment, use or practice, of all human rights and fundamental freedom in politics, economy, social, labour, culture, civil or any other type. Opportunities equity is also understood as the implementation of positive actions means.

Direct discrimination: occurs when a person with a disability is treated less favourably than a person without a disability would be treated in the same or similar circumstances.

Indirect discrimination: occurs when there is a legal requirement or norm, conventional or contractual clause, individual agreement, unilateral decision, or an environment, product or service, apparently equal to everyone but which has an unfair effect on a particular group of people, motivated by disability, provided that, objectively, these do not respond to a legitimate purpose and that means to achieve such a purpose are adequate and necessary.

Association discrimination: occurs when a person or group of persons suffers an unfair effect in their relationship with other people, motivated by disability.



Harassment: any behaviour related to a person's disability, with the purpose or consequence to offending his/her dignity or to create a hostile, humiliating or offensive environment.

Positive action means: specific actions aimed at avoiding or compensating disability-based disadvantages, and at accelerating or achieving de facto equality for disabled people and their full participation in politics, economy, social, education, labour and cultural life, considering different types and levels of disability.

Independent life: occurs when a disabled person has full control and decision power over his/her own existence and actively participates in his/her community, according to the right of free development of the individual.

Normalisation: principle that describes the right of disabled people to lead a life with equal opportunities, with granted access to the same places, spheres, goods and services available to any other person.

Social inclusion: principle that describes the social promotion of shared values related to common good and social cohesion, allowing disabled people to have the same opportunities and resources necessary to fully participate in political, economic, social, educational, labour and cultural life, and enjoy equal life conditions.

Universal accessibility: conditions to be met by environments, processes, goods, products and services, as well as by objects, instruments, tools and devices to be understandable, usable and practicable for every single person with security and convenience, in the most autonomous and natural way possible. Implies the "universal design or design for all" strategy, including needed reasonable adjustments.

Universal design or design for all: The design and composition of an environment so that it may be accessed, understood and used to the greatest possible extent, in the most independent and natural manner possible, in the widest possible range of situations. Without the need for adaptation, modification, assistive devices or specialised solutions, by any persons of any age or size or having any particular



physical, sensory, mental health or intellectual ability or disability, and means, in relation to electronic systems, any electronics-based process of creating products, services or systems so that they may be used by any person. Universal design should not exclude support products for specific groups of disabled people, when needed.

Reasonable adjustments: necessary changes and adaptations of the physical, social and behavioural environment to the specific needs of disabled people, which do not imply inappropriate or out of proportion charges, when required in a particular case in an efficient and practical way, to facilitate accessibility and participation and to grant the use or practice, in equal conditions, of all rights. In the specific case of Comercial Escolà, these are measures implemented to enable the student and/or contestant, customer and other stakeholders with a disability undertake the Inherent Requirements of the training program they are enrolled in.

Civil dialog: principle describing the participation of organisations representing persons with disabilities and their families, according to current legislation, in the elaboration, execution, follow up and evaluation of official policies developed in the sphere of persons with disabilities. In any case, these policies will ensure the right of children with disabilities to express their opinions about every topic that will affect them in a free manner, and to receive appropriate assistance according to their level of disability and their age.

Cross-functionality of policies related to disability: principle describing not only actions from Public Administration in terms of plans, programmes and specific actions, but also policies and general action guidelines in any sphere of public action, which will consider the needs and demands of persons with disabilities.

Inherent requirements: are the fundamental, essential elements to the performance of the roles and tasks of the training program that Comercial Escolà considers whether the person could perform these requirements if some Reasonable Adjustment was made, including adjustments to facilities, equipment, work or study practices or training

Unjustifiable Hardships: is a defence to a claim of discrimination on the grounds of disability. It requires Comercial Escolà to consider all relevant circumstances of a



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particular situation before making a decision in regards to admitting/enrolling a person with a disability into a Training Program. It includes the following:



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- Nature of the benefit or detriment likely to accrue or be suffered by any persons concerned
- Effect of a disability of the person concerned
- Options available to meet the requirements of the person with a disability
- Financial circumstances and the estimated expenditure by Comercial Escolà

APPLYING FOR REASONABLE ADJUSTMENTS

Students and/or contestants, customers and other stakeholders must submit a Reasonable Adjustments Application Form to the APP Main Contact 6 weeks before the assessment date for which reasonable adjustment is being sought and at the time of booking. Eligibility will only be considered if accompanied by supporting independent documentation.

Comercial Escolà will keep records of all applications for reasonable adjustment.

For further guidance on how candidates qualify for reasonable adjustments and what provision may be made, please contact Comercial Escolà Main Contact.

SPECIAL CONSIDERATION

Special consideration is an action taken after an assessment to allow students and/or contestants, customers and other stakeholders who have been disadvantaged by temporary illness, injury, indisposition or adverse circumstances at the time of the assessment to demonstrate attainment.

Special consideration will not give unfair advantage over students and/or contestants, customers and other stakeholders for whom special consideration is not being applied or alter the assessment demands of the qualification as detailed in the applicable Specification.



A student and/or contestant, customer and other stakeholder may be eligible for special consideration if:

- Performance in an assessment is affected by circumstances beyond the control of the student and/or contestant, customer and other stakeholder. This may include recent personal illness, accident, bereavement or exam room conditions;
- Alternative assessment arrangements which were agreed in advance of the assessment proved inappropriate or inadequate;
- The application of special consideration would not mislead the user of the certificate as to the student and/or contestant, customer and other stakeholder attainment.

Please note that Comercial Escolà, as an Approved Programme Provider (APP) for WSET does not offer aegrotat and that all assessment requirements of WSET qualifications must be met.

APPLYING FOR SPECIAL CONSIDERATION

Students and/or contestants, customers and other stakeholders must submit a Special Consideration Application Form to the APP Main Contact within 48 hours of the date of booking the assessment date for which special consideration is being sought. Eligibility will only be considered if accompanied by supporting independent documentation.

In cases of serious disruption during the exam, the Exams Officer must submit a detailed report of the circumstances and candidates affected to WSET. This must be returned with the completed exam papers.

Comercial Escolà will keep records of all applications for special consideration.

For further guidance on how candidates qualify for special consideration and what provision may be made, please contact Comercial Escolà Main Contact.



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RELATED DOCUMENTS

- [Comercial Escolà Privacy and Data Protection Policy](#)
- [Comercial Escolà Complaints & Appeals Policy](#)
- [Comercial Escolà Diversity and Equity Policy](#)