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Welsh Government
Consultation – summary of response

Responses to consultation on Reasonable Adjustments of General Qualifications

Consulting on draft Statutory Guidance for Reasonable Adjustments of General Qualifications - Exercising Welsh Ministers' regulatory power under the Equality Act 2010

Month 2026

Mae'r ddogfen hon ar gael yn Gymraeg hefyd / This document is also available in Welsh
Rydym yn croesawu gohebiaeth a galwadau ffôn yn Gymraeg / We welcome correspondence and telephone calls in Welsh

Overview

The Equality Act 2010 places a duty on qualifications bodies to make reasonable adjustments for disabled candidates. Treating candidates fairly, while making sure the qualification remains valid, is an important consideration.

We consulted on proposals to make specific and limited changes to the Reasonable Adjustments Specification to ensure that learners in Wales with impairments and/or disabilities are not precluded from accessing qualifications under the qualifications system, with the provision enabling awarding bodies to make adjustments to certain aspects of an assessment (for general qualifications) and where required remove assessment components (via an exemption) in permitted circumstances.

Informed by responses to the consultation an update to the Specification under the Equality Act 2010 (General Qualifications Bodies Regulator and Relevant Qualifications) (Wales) Regulations 2010 will be published shortly. As such its target audience must have regard to it when exercising functions under that Act.

Action Required

This document is for information only.

Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

Contact details

For further information:

Learner Pathways Division
Tertiary Education Directorate
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Email: QWSUCorrespondence@gov.wales

Additional copies

This summary of response and copies of all the consultation documentation are published in electronic form only and can be accessed on the Welsh Government's website.

Link to the consultation documentation: [Reasonable Adjustments of General Qualifications | GOV.WALES](https://gov.wales/Reasonable-Adjustments-of-General-Qualifications)

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Background to consultation

The Equality Act 2010 places a duty on qualifications bodies to make reasonable adjustments for disabled candidates.

The consultation sought views on proposals to make specific and limited changes to the Reasonable Adjustment Specification ('the Specification') published in statutory guidance '[Reasonable adjustments of general qualifications. Exercising Welsh Ministers' regulatory power under the Equality Act 2010](#)', which stipulates the guidelines and framework to ensure that learners in Wales with impairments and/or disabilities are not precluded from accessing qualifications. The provision enabling awarding bodies to make adjustments to certain aspects of an assessment (for general qualifications) and where required remove assessment components (via an exemption) in permitted circumstances.

Section 96 of the Equality Act 2020 (the 2010 Act) makes it unlawful for a qualifications body to discriminate against, harass or victimise a person in the arrangements it makes for deciding on whom to confer qualifications, and the terms on which those qualifications are conferred. Qualifications bodies are defined in section 97 of the 2010 Act and includes WJEC. Section 96 of the 2010 Act also places a duty on qualifications bodies to make reasonable adjustments for disabled people. There is a power for the Welsh Ministers to designate an "appropriate regulator" and in Wales, the Welsh Ministers are the appropriate regulator. The Welsh Ministers may specify matters which are not subject to the reasonable adjustments duty. The appropriate regulator may also specify which reasonable adjustments should not be made. In doing so, the appropriate regulator must have regard to the need:

- a. to minimise the extent to which disabled persons are disadvantaged,
- b. to secure the qualification gives a reliable indication of the knowledge, skills and understanding of a person upon whom it is conferred, and
- c. to protect the integrity of, and maintain public confidence in the qualification.

The Equality Act 2010 (General Qualifications Bodies Regulator and Relevant Qualifications) (Wales) Regulations 2010 appoint the Welsh Ministers as the appropriate regulator for Wales. This means that the Welsh Ministers have ownership of any specifications regarding the provision of reasonable adjustments as well as the list of qualifications these may apply to.

The current specification document details that an exemption from a qualification must not be used as a reasonable adjustment where it would form more than 40% of the available (weighted) marks of a qualification. Under these rules, any component, or combination of components, making up more than 40% of a qualification could not be exempted as a reasonable adjustment. In addition, an exemption for part of a component must not be used as a reasonable adjustment. Exemptions must only be

provided for whole components where a candidate cannot access any part of that component.

Following advice from Qualifications Wales, we consulted on proposals to make an exceptional rule on exemption of assessment for specific GCSE qualifications. These exceptional rules were proposed to allow awarding bodies scope to apply the provision for exemptions to enable learners with certain impairments and/or disabilities to access specific qualifications.

These were as follows:

- (a) add an exception for GCSE Core Cymraeg, so that 50% of the qualification assessment can be exempted as a reasonable adjustment where no other reasonable adjustment is available.
- (b) For the current GCSE Welsh Second Language qualification the proposal is to add an exception so that 50% (opposed to 40%) of the qualification assessment can be exempted as a reasonable adjustment where no other reasonable adjustment is available, for those learners who will be assessed against that qualification in the 2026 examination series. The current GCSE Welsh Second Language qualification will cease to be taught in schools to new Year 10 learners from September 2025, when the qualification will be replaced by GCSE Core Cymraeg; and
- (c) for GCSE Cymraeg Language and Literature and GCSE English Language and Literature to make a change to the specifications so that partial exemption of one or more components is allowed as a reasonable adjustment where no other reasonable adjustment is available.

As a result of the design structure of these qualifications, the current parameters of the Reasonable Adjustment Specification would impact on learners undertaking these qualifications whose disability (e.g. occasional mutism) may affect their ability to complete the oracy assessment.

Engagement with consultation

The [consultation](#) was published on the Welsh Government website between 1 September – 24 October 2025. Secondary schools were notified of the consultation via Dysg and Welsh Government social media channels. Links to the consultation were shared with key stakeholders including awarding bodies, UK Qualifications Regulators, Welsh Local Government Association and ADEW, Welsh language organisations, the Departments for Education in England, Scotland and Northern Ireland, and key equalities contacts and networks. A total of seven responses were received to the consultation.

- 1) Ceredigion County Council
- 2) Coleg Cymraeg Cenedlaethol
- 3) Estyn
- 4) NASUWT – The Teachers’ Union
- 5) National Education Union Cymru (NEU Cymru)

- 6) Swansea Council
- 7) Undeb Cenedlaethol Athrawon Cymru - UCAC

Overall, the responses to the consultation were positive with all either strongly agreeing or agreeing to the proposals.

Responses to consultation questions

Question 1 – Do you agree with the proposed approach to amend the Reasonable Adjustment Specification to make exceptional rules on exemption of assessment for the specific GCSE qualifications identified?

Strongly Agree = 3

Agree = 4

Summary of responses

Responses to this question noted that the proposals struck a balanced, learner-centred approach and avoided disadvantaging disabled learners and/or those with certain impairments from the specified qualifications.

Feedback from respondents highlighted the importance of Welsh Government clearly conveying in the amendments to the Reasonable Adjustment Specification that exemptions should be considered as a last resort and that they would only apply where no other reasonable adjustment is possible.

Welsh Government response

We will take steps to ensure that the revised Reasonable Adjustment Specification, when published, provides clarity on this point, emphasising that exemptions are to be used only as a last resort and must be evidenced by the individual circumstances of a learner. This will link to the broader guidance on Access Arrangements and Special Consideration published annually by the Joint Council for Qualifications (JCQ) and will highlight that every effort should be made to identify reasonable adjustments that may allow the learner to participate in the assessment of all parts of a qualification, to allow them to demonstrate fully what they can achieve. Where this is not possible, consideration of an exemption would be appropriate.

Question 2 – If you disagreed, or strongly disagreed with Question 1, we would like to know your views on whether this was in relation to the proposed approach overall, or in relation to one of the specific GCSE qualifications identified.

No comments were submitted to this question as all respondents strongly agreed or agreed with Question 1.

Question 3 – Do you agree that the proposed approach will allow for fair and equitable access to the specific qualifications for learners whose disability may affect their ability to complete the oracy assessment?

Strongly Agree = 1

Agree = 6

Summary of responses

From the responses received, respondents agreed that the proposed approach supported fair and equitable access for learners whose disabilities impact their ability to complete oracy assessments, for the specific GCSE qualifications identified.

Again, respondents highlighted the importance of emphasising in the guidance that exemptions are a last resort and would only apply where no other reasonable adjustment to allow the learner to undertake the assessment is/are possible.

Question 4 – Do you agree that the proposed approach will minimise the extent to which disabled persons are disadvantaged in attaining the qualification because of their disabilities?

Strongly Agree = 3

Agree = 4

Summary of responses

Respondents agreed that the proposed approach will help minimise disadvantage for disabled learners in accessing and attaining the new GCSE qualifications within the specified subjects.

Alignment with the Equality Act 2010 was noted throughout the responses, which requires awarding bodies to make reasonable adjustments so that disabled learners are not unfairly penalised by assessment arrangements.

Question 5 – Do you agree that the proposed approach will continue to allow the qualifications stipulated to give a reliable indication of the knowledge, skills and understanding of a person upon whom it is conferred?

Strongly Agree = 1

Agree = 5

Disagree = 1

Summary of responses

Six of the seven responses noted the proposals would ensure future awarding approaches were consistent with existing practice, enabling a fair and valid qualification which reflected a learner's ability. Respondents further referenced how the proposal would safeguard public confidence, citing that any exemptions granted

will be clearly indicated on the learner's certificate, ensuring transparency for further education providers and employers.

One respondent did raise a concern. This noted the need for a 'total communication approach' within schools. Commenting that they believe learners could communicate using a method that is comfortable to them rather than being exempted from oral elements as they lack spoken language. It is noted that there are alternative assessment approaches available to ensure fairness and inclusivity such as AAC¹ tools, British Sign Language etc. and it is recognised that these options are explored fully before considering exemptions.

Welsh Government response

The scope of the Reasonable Adjustments provisions allows for adjustments to certain aspects of an assessment. The JCQ Guidance 'Adjustments for candidates with disabilities and learning difficulties – Access Arrangements and Reasonable Adjustments'² sets out the range of support options which can be considered. Chapter 5 indicates the alternative communication methods that may support the learner as part of the assessment and are to be considered before an exemption is applied for. It reiterates that exemptions are considered as a last resort in permitted circumstances, if no alternative arrangements or adjustments are considered to be appropriate.

Question 6 – Do you agree that by undertaking the proposed approach that public confidence in the qualifications stipulated will be maintained?

Strongly Agree = 1

Agree = 6

Summary of responses

Respondents noted that the amendments apply only in exceptional cases where no other reasonable adjustment is appropriate. The qualifications will still be awarded based on a sufficient proportion of assessed content, ensuring they continue to represent a valid and reliable measure of the learner's knowledge, skills, and understanding. In their response, Estyn recommend that the Welsh Government, in partnership, monitor the application of exemptions annually. Evaluating patterns of use, learner outcomes and centre consistency would provide assurance that the approach remains equitable and continues to command public confidence.

Welsh Government response

In terms of the application of exemptions, it would be for WJEC as the awarding body to consider an application from a Centre on behalf of a learner and approve or refuse the application, as they deem appropriate. Qualifications Wales as regulator has oversight of the process. Currently, following each examination series, on an

¹ Augmentative and Alternative Communication.

² JCQ – 2025/26 - [JCQ-AARA-2025_FINAL.pdf](https://www.jcq.org.uk/-/media/assets/jcq-standards-and-regulation/adjustments-for-candidates-with-disabilities-and-learning-difficulties-access-arrangements-and-reasonable-adjustments-2025-26.ashx)

annual basis Qualifications Wales publishes a statistical data analysis on the number of special consideration requests and approvals in Wales for GCSE, AS and A level qualifications³.

We will explore with both WJEC and Qualifications Wales whether through the monitoring of this process there are opportunities to consider further evaluation of patterns of use, learner outcomes and centre consistency in request of exemptions.

Addressing points raised in response to Questions 7 - 10

The responses received to Questions 7-10 highlighted similar points and covered broadly similar themes. These responses are summarised below.

Question 7 - We would like to know your views on the effects that the proposed amendments to the Reasonable Adjustment Specification will have on the diverse needs of individual learners, including those from disadvantaged backgrounds and those who share protected characteristics (as set out under the Equality Act 2010).

Respondents noted that the proposed amendments represent a positive and proportionate step towards meeting the diverse needs of individual learners, strengthening compliance with the Equality Act 2010 and offering greater flexibility for learners who would otherwise be disadvantaged by the design of oracy assessments within the new English and Welsh GCSE qualifications.

Balancing the provision for exempting elements from qualification assessments against the need to maintain opportunities for learners to practice and develop their oracy skills, was noted.

Question 8 - What, in your opinion, would be the likely effects of proposed amendments on the Welsh language in Years 10 and 11? We are particularly interested in any likely effects on opportunities to use the Welsh language and on not treating the Welsh language less favourably than English.

Do you think that there are opportunities to promote any positive effects?

Do you think that there are opportunities to mitigate any adverse effects?

Respondents noted that the proposed amendments could have a small positive effect on the Welsh language in Year 10 and 11 by making the Welsh qualifications more accessible to learners with specific disabilities.

Consistency of approach was noted, with the proposed amendments applicable to GCSE Welsh Second Language, GCSE Core Cymraeg, GCSE Cymraeg Language and Literature, and GCSE English Language and Literature, ensuring that the Welsh language is not treated less favourably than English, and that learners can access

³ Qualifications Wales Statistical Release - [Special consideration in GCSE, AS and A level in Wales: Summer 2025 | Qualifications Wales](#) (November 2025)

the appropriate qualifications and continue with their Welsh learning journey, reinforcing the commitment to a bilingual and inclusive education system.

Question 9 - In your opinion, could the proposed amendments in relation to the GCSE Core Cymraeg and GCSE Cymraeg Language and Literature qualifications be changed so as to:

- have positive effects or more positive effects on using the Welsh language and on not treating the Welsh language less favourably than English; or
- mitigate any negative effects on using the Welsh language and on not treating the Welsh language less favourably than English?

Respondents noted that the proposed amendments would have a positive effect, highlighting that with clear implementation, consistent application, and appropriate monitoring, these changes can enhance the inclusivity of Welsh-medium qualifications while continuing to support the Welsh Government's commitment to promoting the Welsh language across all sectors

Question 10 - We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

In response to this question, a respondent noted the capacity of the education workforce to deliver the teaching of Welsh across the curriculum. The respondent conveyed their view on assessing the Welsh language skills of the education workforce with the implementation of a workforce plan, to enable more education professionals to teach and support children through the medium of Welsh.

Welsh Government response

While outside the scope of this consultation, we have shared this feedback with Welsh Government policy teams with responsibility for curriculum, Welsh language and school workforce.

Next steps

Based on the positive support for our proposals received via the consultation responses, it is our intention to proceed as planned. We have responded to specific feedback received in the consultation responses in the summaries detailed above.

Informed by the consultation, we intend to publish revised Guidance via the Reasonable Adjustment Specification '[Reasonable adjustments of general qualifications. Exercising Welsh Ministers' regulatory power under the Equality Act 2010](#)' in due course to make an exceptional rule on exemption of assessment for specific GCSE qualifications.

These exceptional rules will allow awarding bodies scope to apply the provision for exemptions to enable learners with certain impairments and/or disabilities to access these specific qualifications.

When updating the Specification, it will be clarified that an awarding body is required to explore all other options prior to considering an exemption, with any use of an exemption considered as a very last resort and must be evidenced by the individual circumstances of a learner.

We will also engage with Qualifications Wales in their capacity as regulator and WJEC, as the awarding body for GCSE qualifications in Wales, to ensure the changes to the guidance document are noted and conveyed to examination officers as appropriate.