

Understanding and developing competence standards: a step-by-step guide

Centre for Innovation in Education /
Disability Advice and Guidance



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01

Introduction

‘Competence standards are necessary for academic and/or professional integrity and to ensure the value of qualifications, describing the very few aspects of a course or programme that must be attained by all students. This means they are not subject to the reasonable adjustment duty that may otherwise apply for those who are disabled under the Equality Act 2010.’ (AdvanceHE et al, p. 4).

The Equality Act (2010) includes a duty to make (anticipatory) reasonable adjustments to teaching, learning and assessment, **unless these are competence standards** (Equality Challenge Unit, p. 6). To avoid discrimination, all competence standards for any programme or course delivered by the University must be clearly identified and communicated. Assessment methods and learning/teaching practices remain subject to reasonable adjustment while the competence standard itself cannot be adjusted.

Conflating competence standards with other standards or practices, or with modes of assessment, risks discrimination and adversely impacts students. (See the [2024 Equality and Human Rights Commission advice note for the higher education sector](#) following the legal case of University of Bristol vs Abrahart).

Some courses may be regulated by a Professional Statutory and Regulatory Body (PSRB) with pre-set competence standards. Staff delivering these will still need to develop competence standards independently and ‘work together [with the PSRB] in a way that ensures the reasonable adjustments duty is met’. (AdvanceHE et al. p. 10).



02

Design Steps

'An understanding of how disability legislation interacts with course requirements, including competence standards, will support staff in designing courses that are non-discriminatory and accessible to disabled students.' (Equality Challenge Unit, p. 6).

Competence standards should be determined **at programme level**, with a clear plan for how and at which point/s in the curriculum they will be met (e.g. how planned for over the programme? How achieved and at what point?). All staff involved in designing or delivering the curriculum need to understand competence standards and their intersection with reasonable adjustments, to avoid discrimination within modules or programme elements.

1. Understand what a competence standard is

The Equality Act 2010 defines a competence standard as:

'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' (Sch. 13, para 4(3)).

The Equality Challenge Unit (ECU) further clarifies: **'A [...] particular level of competence or ability that a student must demonstrate to be accepted on to, progress within and successfully complete a course or programme of study.'** (Equality Challenge Unit, p. 1).

Competence standards must be: **'objectively justifiable'** **'a proportionate means to a legitimate aim'**, and **'genuinely relevant to the particular course.'** (Ibid, p. 6).

These additional definitions may help:

- **Proportionate** – 'appropriate and necessary' (Ibid, citing Equality & Human Rights Commission, 2014a).
- **Proportionate means to a legitimate aim** – the competence standard must be the most appropriate way of achieving the necessary aim of ensuring competence. The importance and benefits of the legitimate aim should significantly outweigh the discriminatory effect, and there should be no reasonable alternative to the competence standard in question.
- **Objectively justifiable and genuinely relevant to the particular course** – a non-specialist must be able to understand the justification requiring the competence standard.



2. Understand what a competence standard is not:

AdvanceHE et. al, (2025) incorporate recent guidance from the Equality and Human Rights Commission (2024) relating to the court case *University of Bristol v Abrahart*, and offer clarity on what a competence standard is not:

- 'A method of assessment (e.g. way of gauging an ability or level of knowledge such as a practical test)
- A requirement unrelated to the content and objectives of the course (e.g. a fitness requirement for a course not involving strenuous physical activity)
- A requirement that arises from pedagogic preferences or arbitrary norms of practice (unless that is the competence standard, e.g. the ability to perform a task in a specific timeframe)
- A requirement based on notions of what is deemed to constitute a 'good degree' (e.g. subjective approaches to particular activities imposed by tradition and historic practice)'.
(AdvanceHE et. al, p. 13)

The following standards are examples which may or may not be competence standards, depending on whether they meet the Equality Act definition: Academic standards, course requirements, course competencies, learning outcomes. Where they are not competence standards, they may be adjusted.

It is likely that students will need to demonstrate they can meet competence standards to access or gain their qualification. This differs from professional competencies at work, which may be subject to reasonable adjustment should staff acquire a disability. A competence standard for a degree programme must be met by all students/prospective students. Generic employability skills are unlikely to be competence standards.

3. Review some examples of competence standards:

Language Proficiency: requirement for students in a Modern Languages program to demonstrate proficiency in reading and writing in the target language.

Reasoning: This competence standard is necessary to ensure that students can engage with course materials and participate fully in the program. Adjustments, such as providing texts in large print for visually impaired students, can be made without compromising the standard itself (EHRC, p. 113).

Legal Knowledge: A requirement for Law students to demonstrate a particular standard of knowledge in specific areas of law to obtain their degree.

Reasoning: Ensures graduates have the necessary legal knowledge to practice law. While adjustments can be made to how students demonstrate this knowledge (e.g. allowing extra time for exams), the core competence standard remains unchanged (EHRC, p. 112).

Additional examples are available in the [Competence Standards Toolkit](#), which this guide is part of.

4. Codify any competence standards which are part of your programme using 3 key questions taken from the Equality Challenge Unit (2015, pp. 9–12):

The ECU recommends competence standards are developed and reviewed by departmental academic staff in collaboration with disability support professionals. In some subjects, competence standards are determined by PSRBs (e.g. the Nursing and Midwifery Council (NMC)), but all programme teams need to carefully consider competence standards and how to implement them. (Should you believe a PSRB competence standard may be discriminatory, we recommend you first raise this within your faculty. PSRBs may be open to dialogue (ECU, pp. 23–24)).

Competence standards also enable efficient decision-making by the Disability Advice & Guidance office when developing student support plans.

The ECU recommends consideration of the following questions when developing competence standards:

1. 'Is the standard under development or review a competence standard or is it some other kind of criterion or policy?'
[...] [e.g.] 'A school of nursing has a requirement for a student to attend at least one placement outside a city, which requires a longer journey. These rules are not competence standards, therefore adjustments can be made for disabled students if their particular impairment means it is very hard for them to travel longer distances' (Ibid, p. 9).
2. 'Is the competence standard an appropriate and necessary way of meeting a legitimate aim?'
[...] [e.g.] 'In a chemistry degree which is predominantly theoretical, being able to manipulate test tubes or visually identify chemicals might not be a competence standard, and may be reasonably adjusted through provision of a practical assistant. However, in a pharmacy degree training a student to achieve the practical competencies to become a pharmacist, the same tasks might constitute competence standards' (Ibid, pp. 10–11).
3. 'Is this competence standard articulated in a way which may present unnecessary barriers to disabled students?'
[Language is important when expressing a competence standard, e.g.] 'If speaking and listening [...] are essential to the competence standard and are objectively justified, then these words should be used. However, where these specific skills are not essential then a more general term such as communication should be used, [...] to be inclusive of students who have different means of communication' (Ibid, p. 11).

In considering modules or programme elements, make sure any competence standards have been identified and communicated at programme level, with a plan for exactly which module/element will be chosen to assess them.

5. Checklist for non-discriminatory design: Design out reasonable adjustment where possible:

Understanding how disability legislation interacts with course requirements, including competence standards, supports staff to design courses that are non-discriminatory and accessible. To avoid discrimination, staff need to understand and be prepared for the intersection with reasonable adjustments.

Designing learning with clearly identified competence standards allows students to select programmes which are appropriate for their capabilities.

A competence standard **may not** be adjusted and **must** be attained by each student on that programme to receive the qualification. The method by which it is assessed/attained **may** be adjusted.

- List anything in your programme which **must be successfully completed or demonstrated by students in order to access, progress within, or successfully complete your programme**. Consider admissions criteria, and any course requirements which must be met and might cause a student to fail the programme.
- After identifying possible competence standards, revisit steps 1-4 and use these as a framework within which to carefully consider each one – do they meet the guidance to be competence standards?
- If so, consider how to apply each in practice – can you design inclusively to avoid barriers in how you expect students to attain and demonstrate them? (examples may include flexibility in placement participation, choice of format of assessment, additional support and scaffolding to prepare students adequately, etc.).
- Consider your programme design – how will students be supported to achieve each competence standard? where will it be situated? At what point, how, and by whom will it be assessed? Is this as equitable as possible? our [step-by-step guide to designing inclusive and accessible assessments](#) may help.
- If you cannot see a way to avoid a reasonable adjustment – what might that adjustment look like? Can you write this into your guidance so that students experience transparency when applying for your programme? (The University of Liverpool's Code of Practice on Assessment (CoPA) may help: [Appendix K – Policy on Adjustments to Examination and Assessment Arrangements for Disabled Students](#), and [Appendix K, Annexe 1 – Guidelines for Appropriate Marking and Feedback for Students with Specific Learning Difficulties \(SpLDs\)](#)).
- Seek feedback or advice from colleagues, your Departmental Disability Contact (DDC), and/or the Disability Advice and Guidance team, and (where possible) disabled students, to ensure your practice is not discriminatory.

6. Provide clear information to current and prospective students about competency requirements for your programme and module

This is not only required with regard to discrimination, but accurate descriptions of courses of study are also subject to consumer law:

'It is incumbent on higher education providers to ensure that applicants and students are provided with accurate and clear information about the courses they are considering and studying. This obligation extends to pre-course information and any representations that providers make to prospective students and covers details of any PSRB requirements and competence standards that apply to them. Programme catalogues, module handbooks and placement guidance must all be written and maintained with these obligations in mind'. (AdvanceHE et. al, p. 11).

Transparency and availability of competence standards at the point of application enable students to independently assess the achievability of the course in the context of their disability and the parameters of reasonable adjustment.

03

Further guidance

For more support with competence standards, please see the additional resources in our [Competence Standards Toolkit](#), which this guide forms part of, and the references below.

As we get more familiar with competence standards, the process of identifying them will hopefully become easier. Meanwhile, please don't hesitate to reach out for support, to ensure that the competence standards you identify are appropriate and equitable.

Has this got you thinking? When considering Inclusivity, you might want to go beyond competence standards and check your Programme Learning Outcomes (PLOs) and Module Learning Outcome (MLOs) to see if you can design out the need for any reasonable adjustments within them. Your teaching and assessments should all align with these outcomes, providing opportunities for students to demonstrate that they have met them. Are any outcomes likely to be unachievable by students with some disabilities? If you can see problems, think about starting the process of revising your LOs – either now, while this is in your mind, or perhaps put a date in your calendar to revisit?

For additional advice and support with inclusivity/equity within the curriculum, including teaching, learning and assessment, please visit our [Inclusive Curriculum Toolkit](#).

References and additional reading:

Specific to competence standards:

[Abrahart, Duncan \(2024\) 'How to become competent over competence standards', \(WonkHE\)](#) (accessed 19.05.25).

[Advance HE et al. \(2025\) Disabled Student Commitment: Competence Standards Guidance](#)

[Equality and Human Rights Commission \(2014a\) 'Equality Act 2010: technical guidance on further and higher education', Manchester.](#)

[Equality and Human Rights Commission \(2024\) 'Advice note for the higher education sector from the legal case of University of Bristol vs Abrahart'](#) (accessed 23.05.25).

[Equality Challenge Unit. \(2015\). 'Understanding the Interaction of Competence Standards and Reasonable Adjustment', ECU: London.](#)



Evans & Petch, (2025) [Competence Standards Toolkit](#) (Centre for Innovation in Education, Disability Advice & Guidance, University of Liverpool) (accessed 20.05.25).

[The Equality Act 2010, Schedule 13 – Education: Reasonable Adjustments](#) (accessed 19.05.25).

Non-specific, but useful:

Blundell & Evans, et al. [Inclusive Curriculum Toolkit](#) (Centre for Innovation in Education, University of Liverpool). (Accessed 19.05.25).

Cheetham & Evans (2022), [Designing inclusive and accessible assessments: A step-by-step guide](#) (Centre for Innovation in Education, University of Liverpool) (accessed 19.05.25).

The University of Liverpool's Code of Practice on Assessment (CoPA): [Appendix K – Policy on Adjustments to Examination and Assessment Arrangements for Disabled Students](#), and [Appendix K, Annexe 1 – Guidelines for Appropriate Marking and Feedback for Students with Specific Learning Difficulties \(SpLDs\)](#) (accessed 19.05.25).

