



GUIDELINES FOR STAFF ON REASONABLE ADJUSTMENTS FOR HE STUDENTS

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1. Introduction

The University seeks to provide equal access for its disabled students through inclusive design of teaching and learning and where possible and, otherwise, through reasonable adjustments.

2. Purpose

This guidance provides a framework that provides advice, guidance and support to staff in determining and agreeing reasonable adjustments for disabled students.

3. Legal Duties

3.1 The Equality Act places the University under a duty to make reasonable adjustments to support individual disabled students in realising their full potential and to ensure that they are not disadvantaged in comparison with non-disabled students. This duty is also anticipatory, meaning that the University is required to consider and take action in relation to barriers that impede disabled people generally, prior to an individual disabled person seeking to become a student. The duty comprises three requirements:

- Where a provision, criterion or practice puts disabled students at a substantial (i.e. not minor or trivial) disadvantage compared with those who are not disabled, to take reasonable steps to avoid that disadvantage;
- Where a physical feature puts disabled students at a substantial (i.e. not minor or trivial) disadvantage compared with people who are not disabled, to take reasonable steps to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function;
- Where not providing an auxiliary aid or service puts disabled students at a substantial (i.e. not minor or trivial) disadvantage compared with students who are not disabled, to take reasonable steps to provide that auxiliary aid/service.

3.2 In determining what is reasonable, the University will not compromise academic competency standards and the expectation is that disabled students will achieve the same learning outcomes as non-disabled students.

3.3 The definition of disability from the Equality Act 2010 is ‘a person has a disability if they have a physical or mental impairment, and the impairment has a substantial and long-term adverse effect on the person’s ability to carry out normal day-to-day activities’. That effect must be substantial, adverse, and long term (has lasted or is likely to last for at least a year).

3.4 People who have had a disability previously are covered, which may be particularly relevant for people with fluctuating and/or recurring impairments. Disabilities include (but are not limited to) the following:

- Blind or have a visual impairment uncorrected by glasses;
- D/deaf or have a hearing impairment;
- Development condition which affects motor, cognitive, social and emotional skills, and speech and language;
- Learning difference such as dyslexia, dyspraxia or AD(H)D;

- Long-term illness or health condition such as cancer, HIV, diabetes, chronic heart disease or epilepsy;
- Mental health condition, challenge or disorder, such as depression, schizophrenia or anxiety;
- Physical impairment (a condition that substantially limits one or more basic physical activities such as walking, climbing stairs, lifting or carrying).

3.5 This guidance should be used to help the University to determine what support it is reasonably able to provide for social/communication conditions such as a speech and language impairment or an autistic spectrum condition. In order for the University to make a decision the student may be required to provide medical information to assist the University in understanding the condition and in deciding what adjustments would be reasonable in the context of the University's environment.

3.6 Medical information

Supporting evidence must:

- Be on official headed paper;
- Be signed by the medical professional, or someone acting on their behalf ('p.p');
- Be as up to date as possible (this is not as vital if it is a long-term or life-long condition);
- Give a clear clinical/medical diagnosis of a disability that is likely to affect your ability to do everyday or academic tasks;
- Clearly state that your disability is long-term (i.e. has lasted, or is likely to last, for at least 12 months);
- Indicate the impact your disability has on your daily life, particularly your studies;
- Be written in English or be a formally certified translation.

4. Anticipatory Adjustments

4.1 The Equality Act places a duty on the University to make anticipatory adjustments for students in addition to their entitlement to individual reasonable adjustments for specific requirements. The University recognises that the more anticipatory adjustments that are in place, the less likely it is that individual adjustments will be required.

4.2 Making anticipatory adjustments involves pro-actively considering barriers which certain groups of students may face, and to eliminate or reduce them through the overall design of teaching and learning. Providing anticipatory adjustments supports an inclusive approach, which meets the learning requirements of a full range of students. This is considered to be of benefit to all and as such is part of general good practice. University's inclusive learning environment avoids representing these anticipatory adjustments as reasonable adjustments within a Learning Support Plan.

4.3 Anticipatory adjustments to access facilities on both campuses have been made to address mobility around the building, the accessibility of toilets and the presence of specific equipment to enable access to workshops and processes and facilities. Decisions regarding the reasonableness of further alterations to the physical features of the buildings where they are considered to cause substantial disadvantage will take into account all factors including cost.

5. Reasonable Adjustments

- 5.1 The University provides anticipatory and individual reasonable adjustments. Anticipatory reasonable adjustments are those more readily incorporated into inclusive curriculum design that benefit all students. The University aims for assessment practices to be inclusive, so the need for discrete interventions are the exception. Individual reasonable adjustments are discrete individualised interventions required to overcome disadvantage associated with a student's disability and need.
- 5.2 The University will ensure that all students who are eligible for adjustments can demonstrate they have the potential to attain the knowledge, skills and understanding to be able to achieve the level required for the qualification in line with the University's obligations under the Equality Act. All individual reasonable adjustments will be documented in a Learning Support Plan (LSP) drafted by the Academic Support Team and after discussion with the student concerned. LSPs will be stored centrally on SharePoint so that those who need to adhere to it can easily access the information. The Academic Support Team will inform Course Teams that an LSP is in place or has been amended.
- 5.3 Individual reasonable adjustments are made based on a student's specific circumstances and are agreed on an individual basis; there are no automatic extensions to deadlines for disabled or dyslexic students. What is reasonable will be determined by the University taking into account: the students' individual circumstances, the impact of the disability and the effectiveness of the proposed alterations or adaptations, the financial and other costs of making the adjustment, the availability of grants, loans and other assistance for disabled students, the extent to which aids and services will otherwise be provided to disabled people or students, the University's resources and the availability of financial or other assistance, health and safety requirements, and in limited circumstances, the relevant interests of other people, including other students where the adjustment results in significant disadvantage for those others. Reasonable adjustments reflect the legal and ethical obligations to ensure disabled students are offered a level playing field without affecting academic competency standards.
- 5.4 Students are encouraged to disclose disabilities to the University at application, early disclosure will help the University plan and improve support for disabled students. The University will promote a culture of positive attitudes towards disability and endeavour to increase disclosure of disability at all stages of the student lifecycle. A student can disclose a disability at any time whilst at University through interaction with support staff or course teams, for example during tutorials. If a disclosure is made it must be passed onto the Academic Support Team so that they can work with the student to understand their disability and any Reasonable Adjustments and LSP required. A condition may emerge during their studies or a student may choose to disclose later in their course. Encouraging disclosure means a student's requirements for attending university can be determined and planned for. A student can choose not to disclose a disability but should be aware that they may limit the support they receive, until such time as they choose to disclose any disabilities.
- 5.5 Following a disclosure, the Academic Support Manager and Academic Support Coordinator will determine whether the disability can be supported through existing arrangements for student support or requires further assessment. Where existing facilities, services and/or processes are appropriate the Academic Support Coordinator will draw together a plan which will be

shared with appropriate staff members. A refusal to provide consent to share relevant disability-related information with staff who need to know in order to implement reasonable adjustments may mean that those adjustments cannot be made. These staff may include:

- Course Leader and course team members who work with the student;
- workshop and computer staff who have direct contact with the student;
- librarians when consideration needs to be made for accessing the library or extensions to library loans;
- course administrators;
- academic progression administrators;
- Where appropriate Disabled Student Allowance (DSA) funded Non-Medical Helper (NMH) support worker;
- External DSA funded support workers.

5.6 Where the disclosure is more complex or involves the consideration of further more specialised adjustments, the Academic Support Coordinator will refer to a member of the HR team to carry out an assessment with the student to determine whether further adjustments are appropriate. This includes cases where a professional assessment is required for equipment or auxiliary aids or a Practical Support Worker may be necessary.

6. Extenuating Circumstances

Extenuating circumstances may only apply where a student is unexpectedly disadvantaged during the assessment period and as such is not part of a reasonable adjustment process. Extenuating circumstances are not included in this guidance and must be applied for using the relevant procedure.

7. Risk Assessments

In a small number of cases a risk assessment may be necessary to ensure that practical aspects of the studio and workshop environment are accessible for the individual. Risk assessments are carried out by the course team and workshop technicians who understand where risks may take place within studios or workshops. The Academic Support Coordinator will refer cases to the Health and Safety and Facilities Manager to ensure that a Personal Evacuation Plan is in place and ensure that relevant course and workshop staff are aware that a risk assessment needs to be undertaken.

8. Monitoring, Reporting, Reviewing and Updating

8.1 A reasonable adjustments report will be prepared annually for the Senior Management Team. The guidance will be reviewed on a 3-year cycle or earlier if there are changes in legislation which affect it.

8.2 The Equality, Diversity and Inclusion Committee will also consider:

- The satisfaction, retention levels and academic results of levels of disabled students and students in receipt of DSA.

8.3 The Academic Board also consider:

- The general levels of complaints relating to any areas of the University's operations and identify any significant differences for disabled students.
- 8.4 The University will always do its best to accommodate adjustments whenever possible, however there are occasions when it may not be feasible for particular adjustments to be put in place. This may be because of the practicality of the adjustment or because it has a detrimental effect on other students. The cost of some adjustments may also make them impractical to implement, for example, where major building work would be involved. In addition, some recommendations may not be feasible if they conflict with University policy or regulations. The University will, however, consider all requests on their individual merit.
- 8.5 Similarly, where, for reasons of confidentiality, a student requests that information about their disability is not disseminated to named areas within the University, this may limit the ability of the University to put particular adjustments in place.
- 8.6 In terms of academic study, it may not be possible to put in place a reasonable adjustment where it conflicts with an academic competence standard. Where competence standards are involved, the University has a duty to put adjustments in place to help the individual to meet the standard, but not to alter the standard itself.
- 8.7 Personal support can occasionally be affected by the availability of support workers. Some types of support worker, such as communicators, are in high demand and must be booked in advance. Similarly, where the requests for support come in at the end of semester, there can be issues with availability as most support workers are already fully booked. The University will do its best to keep this type of problem to a minimum, however, we encourage all of our applicants and students to contact us as early as possible so that we can work with the agencies involved to put the support in place.
- 8.8 Where a student is entitled to apply for Disabled Students' Allowances but either refuses to do so or fails to submit subsequent application forms, the University may decline to put adjustments in place that should be funded from these allowances until it receives confirmation that the funding has been claimed. The University has the legal right to take this funding into account as the allowances are mandatory and non-means tested and therefore available to all students who meet the eligibility criteria. The University reserves the right to recover support costs in these instances.