



GUIDANCE ON REASONABLE ADJUSTMENTS

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1. Introduction

The duty of care to make reasonable adjustments requires education providers to take positive steps to ensure that disabled students can fully participate in education and enjoy the benefits of facilities and services which the University provides for all students. All students should have equal access to their course of study as outlined in the Equality Act (2010). This includes making anticipatory adjustments to ensure that teaching and learning is planned, delivered and assessed with consideration for inclusive and accessible practice. The University acknowledges that the disadvantage and exclusion faced by many disabled people is not an inevitable result of an impairment or health condition but can arise from environmental, social and attitudinal barriers and institutional practices.

2. Purpose

The purpose of this guidance is to set out a clear approach regarding reasonable and anticipatory adjustments to protect students who have a disability and to which staff can adhere. The guidance is in accordance with the Equality Act (2010) and is based on that issued by the Equalities and Human Rights Commission. In so doing it aims to meet the standards expected by the Office for Students (OFS) and related codes of practice.

3. The Social Model of Disability

Increasing opportunities for disabled students requires us to consider the social model of disability. This emphasises that disability is caused by the way society is organised, rather than by a person's impairment or difference and looks at ways of removing barriers that restrict life choices for disabled people. When barriers are removed, disabled people can be independent and equal in society, with choice and control over their own lives. The University embraces this approach as it supports and guides the ways in which pedagogy, curricula and assessment are designed and delivered to engage students in learning that is meaningful, relevant and accessible to all. It embraces a view of the individual and individual difference as the source of diversity that can enrich the lives and learning of others.

4. Legal Duties

4.1 Disability is defined as a physical or mental impairment that has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities. Long term means it has lasted for, or is likely to last, at least 12 months. Also covered by the definition are people with a severe disfigurement, as well as HIV infection, cancer or multiple sclerosis from when they are diagnosed. Additionally, 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:

- **Specific learning difficulties (SpLDs)** such as dyslexia, dyspraxia, or attention deficit (hyperactivity) disorder (AD(H)D);
- **Mental health difficulties** such as anxiety, eating disorders, obsessive compulsive disorder (OCD), bipolar affective disorder, personality disorders, or psychosis;
- **Autism spectrum conditions (ASCs)**, this includes Asperger syndrome (AS) and high-functioning autism (HFA);

- **Sensory impairments** such as visual or hearing impairment, blindness, or deafness (with or without British Sign Language as a first or preferred language);
- **Mobility difficulties** such as paralysis, scoliosis, chronic pain, difficulty walking, or using a wheelchair;
- **Ongoing health conditions** such as arthritis, epilepsy, diabetes, cystic fibrosis, narcolepsy, repetitive strain injury (RSI), cancer, HIV, hepatitis, multiple sclerosis, Crohn's disease, chronic pain, lupus, or chronic fatigue syndrome/myalgic encephalomyelitis (CFS/ME).

4.2 The Equality Act imposes a duty on the University to make reasonable adjustments for disabled students where they would be put at substantial disadvantage (i.e. one that is more than minor or trivial) in comparison with students who are not disabled through:

- a. the application of provisions, criteria or practices;
- b. the impact of a physical feature or facility;
- c. an impact that would be felt but for the provision of an auxiliary aid.

4.3 The University's duty to make adjustments applies to the totality of its relationship with disabled students and extends not only to the provision of courses, but to all services provided by the University.

4.4 The University will not always be in a position to make adjustments according to student expectation as they may not be reasonable in the circumstances. This guidance should therefore be used to help the University to determine what support it is reasonably able to provide. 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.

4.5 Medical information

- Should not usually be more than three months old at the date of submission to the University. Older information will only be deemed acceptable if accompanied by a new letter from a suitably qualified professional (see below) confirming that the old report is still valid and identifying any alterations that the University should take into account.
- Must be written by a medical or other suitably qualified professional in the field.
- Must be written in clear, accessible English (i.e. technical medical diagnoses are not acceptable without a supporting letter that describes the condition in layperson's terms to enable University staff to relate to study-related needs).
- Wherever possible, identify specific areas of difficulty in relation to access issues and study-related problems.

5. Anticipatory Adjustments

5.1 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 there are in place, the less likely it is that individual adjustments will be required.

- 5.2 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.
- 5.3 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.

6. Reasonable Adjustments

- 6.1 Reasonable adjustments are any actions that prevent a student from suffering a substantial disadvantage in their education. Adjustments will be made in order that the student may benefit from the learning that will take place and that they may engage with the student experience. 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.
- 6.2 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 to 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.
- 6.3 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. 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.
- 6.4 Following a disclosure and registration with the Disability Advisor, the Disability Advisor will determine whether the disability can be supported through existing arrangements for student support or requires further assessment. Where existing services are appropriate the Disability Advisor will gain consent for the information to be shared with the appropriate support service staff members and draw together a plan which, with the approval of the Head of Student Support, 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 administrator
- Where appropriate Disabled Student Allowance (DSA) funded Non-Medical Helper (NMH) support worker
- External DSA funded support workers.

6.5 Where the disclosure is more complex or involves the potential for further adjustments the Academic Support Advisor will refer to a member of the HR team to carry out an assessment with the student alongside the student's Course Leader to determine whether further adjustments are appropriate.

7. Examples of Standard Anticipatory and Reasonable Adjustments

7.1 Examples of existing and understood adjustments include:

- extended loan facility in the University Library;
- extension to assessment deadlines (one week maximum);
- alternatives to presentations are accepted when the student experiences unmanageable levels of anxiety when giving presentations. Alternative arrangements should be agreed by the module leader and student. Audio or video presentations may be allowed for students who find direct presentation difficult (e.g. due to expressive language difficulties);
- adapting assessment methods, for example from a written assessment to a spoken assessment;
- adapting assessment materials into Braille, large format, coloured paper or digitally;
- providing assistance such as sign language interpreter or reader;
- oral presentation of work allowed in the form of vivas. When allowed, vivas should be recorded for external examiners;
- mind mapped presentations may be acceptable for some assessment components;
- portfolios or presentations may be acceptable alternatives to essays;
- short answer responses may be an acceptable alternative to essays in some contexts;
- the use of voice activated software allowed if needed;
- the use of text reading software, if needed.

7.2 It is expected that in order to be considered a reasonable adjustment, extensions to deadlines take into account the impact of the individual student's disability and not be assumed as an automatic response. A scale of 3-7 days is stipulated and intended for interpretation based on both the impact of the individual's disability and the length/requirements/credits awarded for the piece of work. It may instead be appropriate to consider spreading what would otherwise be a cluster of assignment deadlines to help a student manage their workload more effectively. Extra time is often recommended for students with some kind of processing

difficulty. This can be the result of a specific learning difficulty (such as dyslexia), a mental health difficulty (such as depression), or an autism spectrum condition (such as Asperger syndrome). It is also recommended for students with fatigue conditions (such as CFS/ ME) and for students who are prescribed medication which may slow cognitive processing (such as some medications for hyperthyroid conditions, depression or chronic pain). Any arrangements should be in place for the remainder of the student's period of study as part of their plan and invoked as required and therefore further applications for extensions should not be required.

8 Extenuating Circumstances

Extenuating circumstances may only apply where any 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. Extenuating Circumstances must be applied for using the relevant procedure

9 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 Disability Advisor will liaise with the Risk and Safety 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.

10 Monitoring, Reporting, Reviewing and Updating

10.1 Monitoring of the application of this guidance will be through the University's Equality, Diversity and Inclusion Committee, which will report annually to 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.

10.2 In monitoring success the Equality, Diversity and Inclusion Committee will consider:

- The satisfaction, retention levels and academic results of levels of disabled students and students in receipt of DSA.
- The general levels of complaints relating to any areas of the University's operations and identify any significant differences for disabled students.

10.3 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.

- 10.4 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.
- 10.5 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.
- 10.6 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.
- 10.7 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.