

Title of Policy	Student Disability Policy
Created by	Clara Badu Amoah Equality, Diversity and Disability Adviser (EDDA)
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Introduction

The Equality Act 2010 ('the Act') prohibits discrimination against people with the protected characteristics that are specified in section 4 of the Act. Disability is one of the specified protected characteristics. Protection from discrimination for disabled people applies to disabled people in a range of circumstances, covering the provision of goods, facilities and services, the exercise of public functions, premises, work, education, and associations. Only those disabled people who are defined as disabled in accordance with section 6 of the Act, and the associated schedules and regulations made under that section, will be entitled to the protection that the Act provides to disabled people.¹

The Act generally defines a disabled person as a person with a disability. A person has a disability for the purposes of the Act if he or she has a physical or mental impairment, and the impairment has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities. Impairment may be determined by the effect that impairment has on that person's ability to carry out normal day-to-day activities.

Guidance on matters to be considered in determining questions relating to the definition of disability:

- Developmental, such as autistic spectrum disorders (ASD); dyslexia and dyspraxia
- Learning disabilities
- Mental health conditions with symptoms such as anxiety, low mood, panic attacks, phobias, or unshared perceptions; eating disorders; bipolar affective disorders; obsessive compulsive disorders; personality disorders; post-traumatic stress disorder and some self-harming behaviour.
- Mental illnesses, such as depression and schizophrenia
- Disability produced by injury to the body, including to the brain.

A person who has cancer, HIV infection or multiple sclerosis (MS) meets the definition of disability under the Act from the day they are diagnosed.

The Department for Education and Skills (DfES) convened a Working Group² following requests from Local Education Authorities (LEA) to clarify what would constitute acceptable evidence of Specific Learning Differences (SpLD) to qualify for the Disabled Student Allowances (DSA). It was agreed for the purposes of this group, that SpLD should include the following:

- Dyslexia
- Dyspraxia, Developmental Co-ordination Disorder (DCD)
- Dyscalculia
- Attention Deficit Disorder (Attention Deficit Hyperactivity Disorder – ADHD)

It is recognised that there is considerable overlap between the characteristics of these four conditions. In general terms those with SpLDs have particular difficulties, which may include spelling, acquiring fluent reading and writing skills and/or manipulating numbers which may indicate their performance is well below their abilities in other areas. They may also have problems with working memory, organisational skills, receptive and expressive language or oral and auditory skills, maintaining concentration and co-ordination.

¹ Equality Act 2010

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/570382/Equality_Act_2010-disability_definition.pdf

² SpLD Working Group 2005/DfES Guidelines: Final report 19 July 2005.

The Law and Regulation

Since 2001, universities and colleges have had a legal requirement to make 'reasonable adjustments' for disabled students. Under the Act, universities and colleges have a duty to "take such steps as it is reasonable to have to take" to avoid putting disabled people at "a substantial disadvantage"³.

The Equality Act 2010 Technical Guidance for Higher Education Institutions (HEIs) stipulates that HEIs are required to make reasonable adjustments so that disabled people are not put at a substantial disadvantage. An HEI's duty to make reasonable adjustments does not only arise when an individual disabled person is disadvantaged. HEIs also have an anticipatory duty to anticipate the requirements of disabled people, including prospective applicants and students, and take reasonable steps in advance to reduce or remove barriers.

This duty requires HEIs to make changes to:

- Provisions, criteria or practices (for example, assessment methods)
- Physical features (for example, buildings or facilities)
- Auxiliary aids (for example, provision of equipment or human support)

The measure of what is a reasonable adjustment will depend on:

- How effective the change will be in removing the disadvantage.
- How practical it is to make the changes.
- The cost of the adjustment
- The resources and size of the HEI

Where a provision, criterion or practice is putting a student with a disability at a substantial disadvantage compared to other students, providers must take such steps as it is reasonable to avoid that disadvantage. Examples of a provision, criterion or practice are: "any formal or informal policies, rules, practices, arrangements, criteria, conditions, prerequisites, qualifications or provisions."⁴

There are several avenues for recourse when a disabled student feels a provider has not done enough. They can raise the issue with their provider, make a complaint to the Office of the Independent Adjudicator after they have exhausted the provider's internal complaints procedure, or take their provider to court.⁵

The London School of Theology's (LST) Disability Policy embraces the Equality Act 2010 and the Equality Act 2010 Technical Guidance in their entirety. We take every step to anticipate the requirements of students with disabilities before they arrive and make the necessary reasonable provisions, within the resource capability of the institution. LST has an Equality, Diversity & Disability Adviser (EDDA) - Clara Badu Amoah – who is responsible for all matters regarding disability and equality of access.

At LST, we understand that:

- Some individuals may not define themselves as disabled but feel solely disabled by society, their environment, particularly within education, or by others.
- Some might feel their disability is disabling but find a majority of negative experiences stem from societal and environmental factors.
- Some individuals see their disability as a key part of their identity, rather celebrating an affirmative model of disability that focuses on their strengths, while targeting how society can make proactive changes to ensure accessibility for all.

³ Equality Act 2010, Sections 20 and 21

⁴ Equality Act 2010 Technical Guidance

⁵ OfS Insight 4: Beyond the bare minimum: Are universities and colleges doing enough for disabled students? October 2019. <https://www.officeforstudents.org.uk/publications/beyond-the-bare-minimum-are-universities-and-colleges>

The Referral Process at LST

Applicant

LST welcomes applications from students from all backgrounds. During the application stage, applicants are encouraged to disclose any known disability through a disability questionnaire. The EDDA receives this information and arranges a meeting with the applicant as part of the interview process. During that meeting, the following are discussed:

- The type of disability
- Whether this disability has been formally assessed / diagnosed. If it has, then the EDDA will request a copy of a diagnostic report /Letter from the GP. Otherwise, the student will be referred for an assessment after enrolment.
- If it is an ongoing disability, the EDDA will try to establish what type of support an applicant has received in the past
- The applicant will receive information about the types of support available at LST.
- The applicant will receive information about how to apply for the Disabled Student's Allowance (DSA)⁶ with the Student Loan Company if they have not already done so.

In the case of severe physical impairment needing certain physical accommodations, the Disability Adviser and LST's facilities department will both meet with the applicant during the application stage to perform a thorough assessment of the premises in respect of the applicant's specific requirements/needs and determine whether the site is suitable for the applicant. If found unsuitable, we will liaise with the Admissions team to propose an alternative study mode.

New students

If it is established that the applicant has not been formally assessed or has been assessed as a child and therefore has no recent assessment, the EDDA will refer the student to an Assessor who will arrange to undertake an assessment on LST premises, coordinated by the EDDA. The cost of this screening, which stands at £575, is currently shared between LST and the student. The report is submitted to the EDDA who will summarise the findings and recommendations into an Educational Needs Form (ENF) and will circulate it to the relevant members of the institution including Faculty, Librarian, Director of Vocational Services, Academic Registrar and Programme Administrator. The Librarian facilitates borrowing arrangements for all students with disability.

This process is summarised on page 8.

Continuing students

If a continuing student suspects they have a learning disability but have not been diagnosed, they must contact the EDDA. They will be asked to undertake a pre-screening test after which the Assessor will let the EDDA know if there is the need for a full diagnostic assessment. If they do not identify with any of the symptoms but require support, then the EDDA will work with them to identify any support needs that they may have.

Since the cost of an assessment is split equally between the student and the institution for payment, the Assessor will raise two invoices, one to LST and the other directly to the student, who will be expected to settle that part of the invoice in full. However, where this will present an additional challenge, the EDDA may work with the student to find an alternative payment means before the assessment takes place. While a student awaits formal assessment, provisional support arrangements are put in place to ensure that the student is not unduly disadvantaged.

⁶ <https://www.gov.uk/disabled-students-allowances-dsas>

This process is summarised on page 9.

Types of support available to LST students

LST offers a range of support to students with a range of physical and mental health conditions, developmental as well as specific learning difficulties such as dyslexia, dyspraxia and ADHD, based on the assessment report of submitted. Below are examples of the types of support we provide:

- Extended time for Coursework (2x 7-day automatic extensions per year) and more when necessary
- Access arrangements for examinations
- Curriculum access support
- Use of a Note-taker
- Extended borrowing time at the library
- Accessible accommodation
- Other specific support (for those with visual and hearing impairments)
- Audio recording of lectures

Coursework / Examination access arrangements

Eligible students will be allowed extra time for coursework, which will be added to the original assessment deadlines. This will consist of 2x (7-day) automatic extensions with effect from September 2023. Examination arrangements include 25% extra time, supervised rest breaks, use of a word processor or dictionary. Before the assessment cycle, eligible students will receive an Internal Memo signed by the EDDA which they must attach to every essay and examination booklet. A sample of this memo is displayed on page 10.

Curriculum access support

Depending on the nature of the module, and where possible, a lecturer may provide lecture notes and handouts ahead of lectures in accessible format. Where this is necessary, it would be indicated on a student's Educational Needs form. A sample of this form is displayed on page 11.

Note-taker

It is possible to enlist the help of a Note-taker if this is indicated on a student's Educational Needs form. LST does not pay for a Note-taker's services - this is paid for by a student's DSA entitlement. When this is indicated in a student's Needs Assessment and the student intends to use them, the EDDA must be will notify the relevant lecturer (s).

Library Support

A student will be allowed to have extended borrowing time on library books if this is indicated on their Educational Needs form. For further library support, a student may liaise directly with the Librarian: keith.lang@lst.ac.uk.

Accessible accommodation


This may include special seating during lectures and examinations, especially for students who suffer from back injuries and other physical disabilities. Seating students with specific conditions by the window and allowing intermittent breaks during double lectures are other examples of accessible accommodation permitted.

Timetabling of lectures must consider students with physical impairments taking that module and efforts must be made to ensure that lectures take place in rooms accessible via lifts.

Other specific support

Students with visual impairments can use BSL interpreters. We are also able to accommodate hearing dogs for those with hearing impairments.

LST Lecture Capture Policy⁷

Previously, students with disabilities were allowed to record lectures using their own devices. LST has since February 2023, introduced a lecture capture policy which allows all lectures to be recorded and shifts the burden of recording from the student to the institution. Please refer to the policy here from the Student Hub - Key Documents> Policies and Regulations> Lecture Recording  [LST Class Content Capture Policy - Jan 2023.pdf](#).

All recorded lectures are placed on the VLE and made available to those who are registered for that module. The recordings are available until the end of the term in which the lectures occurred.

Complaints and Appeals

All complaints will be handled in conjunction with the existing Student Academic Complaints and Appeals procedures. Disability-related complaints will, however, be dealt with based on the recommendations from a student's Needs Assessment report or diagnostic report. Deadlines for submission of complaints will be adjusted to accommodate students with disabilities.

Students with disability may be accompanied by a friend if they so desire. If necessary, a student may bring in an external representative to speak on their behalf.

Throughout the complaint or appeals process, the student will be supported by the EDDA and the Pastoral Care team.


In all cases, the institution will ensure that proportionality, timeliness and fairness in any complaint or appeal process involving a student with disability.

Fitness to Study

LST exercises a duty of care towards all students, including those with disclosed disabilities. Before any discussions about a student's fitness to study, the Welfare Panel would review the adjustments for the student and determine whether they are working. Where necessary, a Personal Development Plan (PDP) will be created in agreement with the student.

Students with disabilities are deemed to be particularly vulnerable to challenges arising from their studies. Besides the reasonable adjustments provided, if a student with disability is identified as benefitting from the Fitness to Study process, LST will ensure that the process is a supportive one that is approached with utmost sensitivity and confidentiality and the outcome, proportionate and reasonable to the situation.

Where a student with disability's behaviour is subject to a Fitness to Study process, the policy and process will be followed to the letter.

LST's approved Fitness to Study policy can be found on the Student Hub: Key Documents> Policies and Regulations> Academic Regulations and Guidance>  [Fitness to Study Policy Sept 2023.pdf](#).

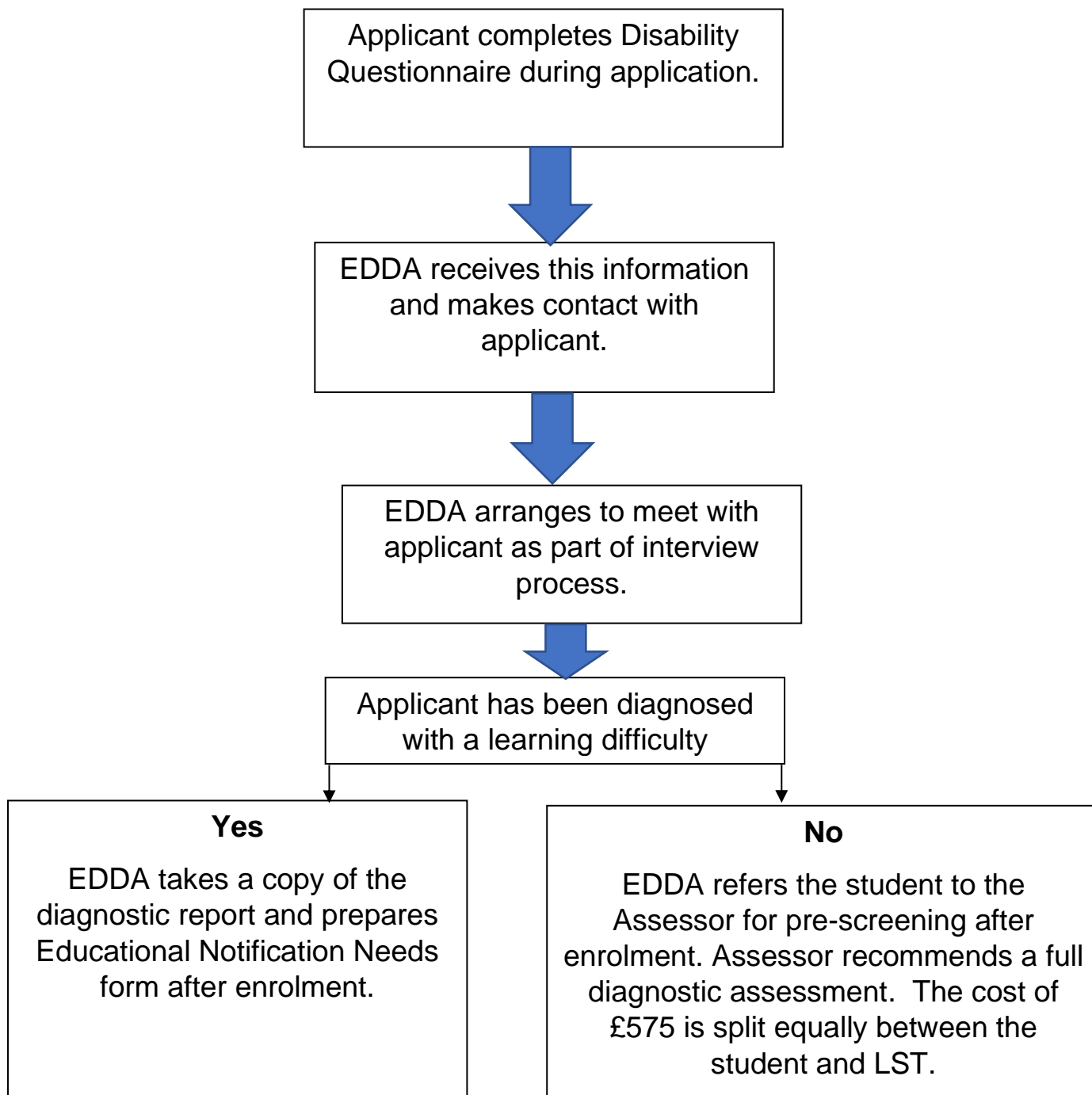
Conclusion

LST will ensure that the learning environment is inclusive by making the necessary access arrangements for the students who need it. Therefore, we encourage students to disclose their disability and welcome referrals by tutors and staff who may become aware of a student's disability in the course of their interactions with them.

For all enquiries pertaining to disability support and access arrangements, please contact Clara Badu Amoah, EDDA, at c.badu-amoah@lst.ac.uk.

⁷ Recording of lectures is generally considered to be a "reasonable adjustment" under Section 20 and 21 of the Equality Act (2010) for those students who are unable otherwise to take handwritten notes because of the nature of their disability.

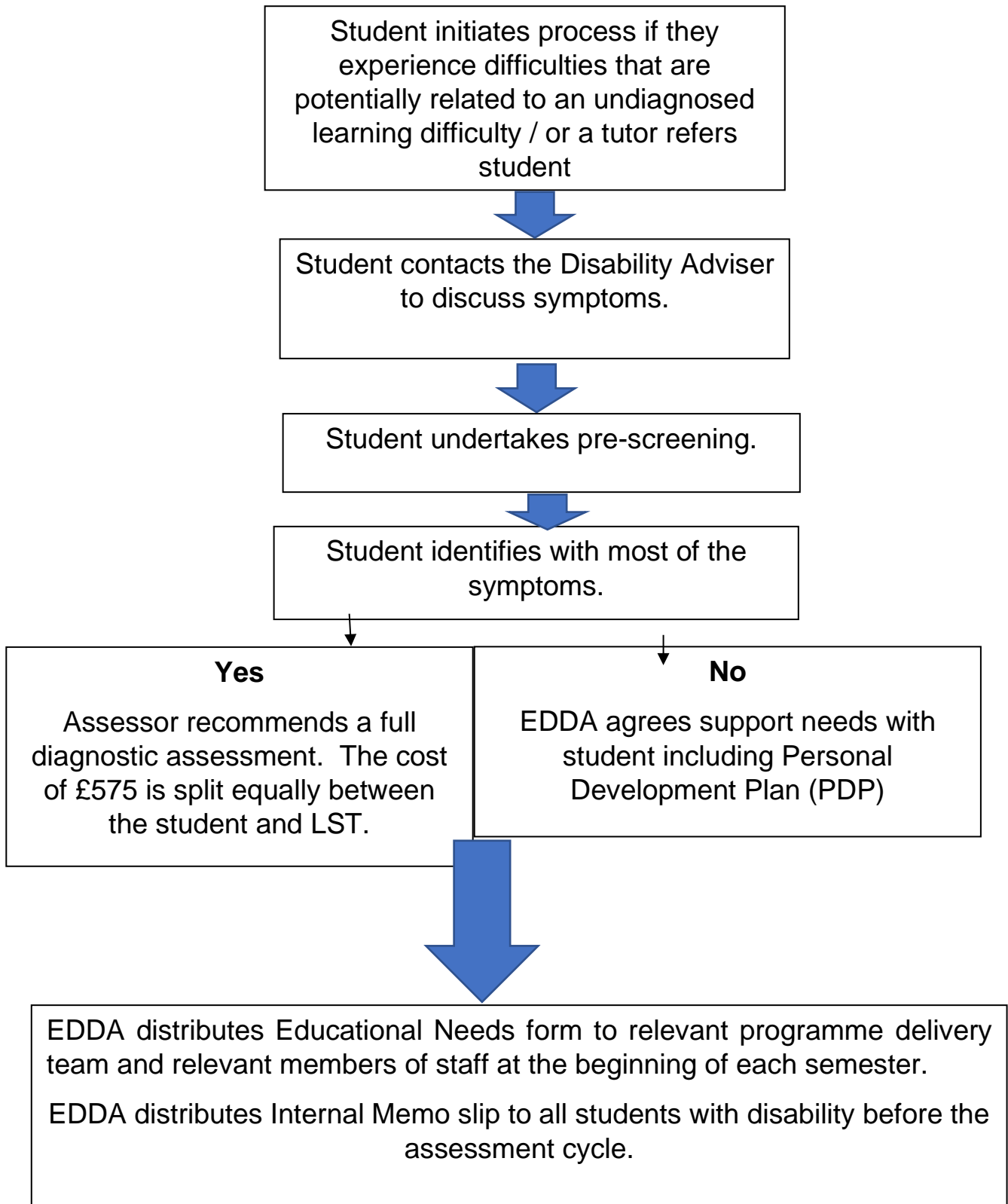
Applicant/New student



EDDA distributes Educational Needs form to the student and relevant programme delivery team / members of staff at the beginning of each semester.

EDDA distributes Internal Memo slip to all students with disability before the assessment cycle.

Continuing student



Sample Internal Memorandum

Academic year: XXX

To: First and Second Marker

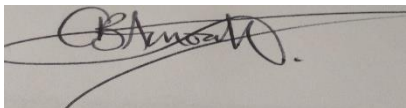
From: Equality, Diversity & Disability Adviser
On behalf of Academic Secretary, Director of Academic Support

For: (Student ID)

Subject: Disability

Please be aware, in assessing the merit of this work, that the student is Dyslexic, and this learning difficulty may impact the quality of his writing, such as incoherent sentence structures and lack of clarity. Therefore, it would be appreciated if your feedback takes this condition into account and, as such, is clear, constructive, and encouraging.

If you would like further advice about this issue, please contact me.



Clara Badu Amoah
Equality, Diversity and Disability Adviser

Sample Educational Needs Form

Academic year: xxx
To: Whom it may concern
From: Equality, Diversity & Disability Adviser

Please be advised that the student below has educational needs that you are required to consider in a number of different contexts.

Student name:		
Student number:		
Programme:		
Condition:		
Date:		
<u>Educational needs</u>		
Lectures	Coursework	Examinations

Clara Badu Amoah
 Equality, Diversity and Disability Adviser