LST Student Disability Policy

Executive Team Member Responsible:	Academic Dean
Individual Responsible:	Disability, Inclusion & Learning Support Manager
Date Last Approved:	November 2024
To be Reviewed:	Every 12 months
Review consultation:	Academic Board
Date of Next Review:	September 2025
Related policies	Wellbeing Policy; Fitness to Study Policy; Student Academic Complaints and Appeals Procedures

1. 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 under 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 Group[2] 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

[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.

problems with working memory, organisational skills, receptive and expressive language or oral and auditory skills, maintaining concentration and co-ordination.

2. The Law and Regulation

Universities and colleges have had a legal requirement to make 'reasonable adjustments' for disabled students for some time now. Under the Equality Act 2010, universities and colleges must "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 a Disability, Inclusion and Learning Support Manager (DILS) - Clara Badu Amoah – who is responsible for all matters regarding disability and equality of access.

THE REFERRAL PROCESS AT LST

3. Applicants

3.1. 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 DILS 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

[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

- Whether this disability has been formally assessed/diagnosed. If it has, then the DILS 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 DILS will try to establish what type of support an applicant has received in the past
- The DILS will inform the applicant of the types of support available at LST.
- The DILS will provide information about how to apply for the Disabled Student's Allowance (DSA)[6] if they have not already done so.

3.2 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.

4. New students

4.1. If it is established that the applicant has not been formally assessed for a Specific Learning Difficulty (SpLD), the DILS will refer the student for an assessment. The cost of this screening is currently shared between LST and the student. The report is submitted to the DILS who will summarise the findings and recommendations and with the student's consent, shared with the relevant members of the institution, mainly Programme Leaders and the Librarian who facilitates borrowing arrangements for all students with disability.

5. Continuing students

5.1. Assessments are also possible during the academic year if a student suspects they have a learning disability but have never been formally diagnosed.

5.2. They will be asked to undertake a pre-screening test first and proceed to a full diagnostic assessment if necessary. If they do not identify with any of the symptoms but require support, then the DILS will work with them to identify any support needs that they may have to enable them to undertake their study successfully.

5.3. Where the cost of the assessment will present an additional challenge, the DILS may work with the student to find an alternative means of payment before the assessment takes place.

5.4. While a student awaits formal assessment, provisional support arrangements are put in place to ensure that the student is not unduly disadvantaged.

6. Types of Support Available To LST Students

6.1. 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 (SpLDs), based on the assessment report submitted. Below are examples of the types of support we provide:

- Extended time for Coursework (2x 7-calendar day automatic extensions per year)
- Access arrangements for examinations
- Curriculum access support
- Support with Disabled Students' Allowance (DSA) applications
- Extended borrowing time at the library
- Accessible accommodation
- Other specific support (for those with visual and hearing impairments)
- Audio recording of lectures

7. Coursework – Extenuating Circumstances

7.1. Students will be allowed extra time for coursework which will consist of two (7-calendar day) automatic extensions per academic year which they can choose to apply to any deadline of their choice. At the discretion of the DILS, some students with acute medical conditions may have more than two automatic extensions if needed.

7.2. Once a condition or disability is declared and the appropriate support/adjustment has been put in place, it is not covered by the extenuating circumstances procedures for the purpose of extensions.

7.3. In cases where there has been a significant change or worsening of a known condition/disability or any unexpected issues that have arisen for the student around their disability-related support, the extenuating circumstance process can be used in the normal way.

[6] https://www.gov.uk/disabled-students-allowances-dsas

7.4. Students are also able to Self-certify, i.e. deem themselves unfit to submit an assessment without the need of further evidence, following an extenuating circumstance for up to 3 calendar days after the deadline **(i.e. a 3-calendar day extension**). **Students who are self-certifying must complete an extenuating circumstances form (linked above)** and seek approval from the Panel otherwise their assessment submission will be considered late and therefore a non-submission.

8. Examination access arrangements

8.1. 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 DILS which they must attach to every essay and examination booklet. A sample of this memo is displayed on page 6.

9. Curriculum access support

9.1. Depending on the nature of the module, and where possible, a lecturer may provide lecture notes and handouts ahead of lectures in an 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 7.

10. Disabled Students' Allowance (DSA) application support

10.1. The Disability, Inclusion & Learning Support Manager provides support to both applicants and students for their DSA application.

11. Library Support

11.1. 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.

12. Accessible accommodation

12.1. This may include special seating in classrooms and during examinations for students who suffer from back injuries and other physical disabilities.

12.2. Seating students with specific conditions by the window and allowing intermittent breaks during double lectures are other examples of accessible accommodation permitted.

12.3. Timetabling of lectures takes into account students' physical impairments and efforts are usually made to ensure that lectures for such students taking that module take place in rooms accessible via lifts.

13. Other specific support

13.1. Students with hearing impairments can use BSL interpreters.

13.2. We are also able to accommodate hearing dogs for students with hearing impairments and Emotional Support Animals for students with mental health issues.

14. LST Lecture Capture Policy[7]

14.1. Previously, students with disabilities were allowed to record lectures using their own devices. LST has since February 2023, introduced a lecture capture policy that 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.

14.2. 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.

15. Complaints and Appeals

15.1. 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.

15.2. Deadlines for submission of complaints will be adjusted to accommodate students with disabilities.

15.3. Students with a 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.

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

[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.

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

16. Fitness to Study

16.1. 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 Attendance & 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.

16.2. Students with disabilities are deemed to be particularly vulnerable to challenges arising from their studies. Besides the reasonable adjustments provided, if it is considered necessary for a student with a disability to go through the Fitness to Study process, LST will ensure that the process is even more supportive and one that is approached with utmost sensitivity and confidentiality. The Panel will ensure that the outcome is proportionate and reasonable to the situation.

16.3. 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 Aug 2024.

17. Conclusion

17.1. LST will ensure that the learning environment is inclusive by making the necessary access arrangements for all 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 during their interactions with them.

17.2. For all enquiries about disability support and access arrangements, please contact Clara Badu Amoah, Disability, Inclusion and Learning Support Manager, at either c.badu-amoah@lst.ac.uk or inclusion@lst.ac.uk.

Sample Internal Memorandum

Academic year: XXX

To: First and Second Marker

From: Disability, Inclusion & Learning Support Manager
On behalf of the 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.

[Signed]

Clara Badu Amoah
Disability, Inclusion & Learning Support Manager

Sample Educational Needs Form

Academic year: xxx

To: Whom it may concern

From: Disability, Inclusion & Learning Support Manager

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

Student name:		
Student number: **Programme**:		
Condition:		
Date:		
Educational needs		
Lectures	**Coursework**	**Examinations**

Clara Badu Amoah
Disability, Inclusion & Learning Support Manager