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Student Disability Disclosure Policy

Student Disability Disclosure Policy 2016

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1. Overview

This policy document outlines the College's commitment to students with a disability including the legislative framework, reasonable adjustments, confidentiality and disclosure plus division of responsibility within College. The College will seek to encourage students to disclose a disability and to ensure that students with a disability are protected from discrimination and have access to the full range of College facilities and services. We endeavour to provide an inclusive learning environment free from disability discrimination to work towards the social model of disability, thereby not focussing on an individual's disability or medical condition, but ensuring their rights and requirements are met.

2. Statutory Requirements –

2.1 The Equality Act 2010 places a positive duty on all public bodies, to eliminate discrimination and to promote equality of opportunity for people with disabilities. The Act includes a new public sector equality duty, which came into force on 5 April 2011. The aim of the general duty is to ensure that public authorities and those carrying out a public function consider how they can positively contribute to a fairer society through advancing equality and good relations in their day-to-day activities.

The College will put in place procedures to ensure that all disabled students are treated fairly. Some adjustments can only be put in place if the College knows about a student's disability and are able to pass on relevant information to the members of staff who will need to know about the adjustment.

2.2 Definitions - Under the Equality Act, a person is disabled if they have a physical or mental impairment which has substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. Impairment covers physical, mental or sensory impairment.

Students who become disabled, or become aware of their disability during their time in College, should have every opportunity to complete their course through reasonable adaptations and support, comparable to a student who disclosed a disability at the start of their course. **See Appendix 2 FAQs**

2.3 Disclosure – For some students, disclosing a disability is straightforward, as their disability may be obvious. Once a student has disclosed their disability on their application form, the Additional Learning Support Manager, dyslexia tutor or support Co-ordinator will interview the student to give them the opportunity to discuss any reasonable adjustments or support that they may need in College. Although students are not obliged to disclose their disability, the College fosters an environment and culture which encourages disclosure.

Some students (particularly those with hidden disabilities) might be reluctant to disclose their disability because they are worried that they may be discriminated against. The College will ensure that all students are treated equally and fairly and can feel confident in disclosing a disability. Students may also fear that, by disclosing details of a disability, this will become general knowledge. Students will always be informed that any disclosure will be circulated to only to staff who need to know and will only be shared with agreed personnel.

3. Reasonable Adjustments

When a student has disclosed a disability the College is required to make ‘reasonable adjustments’ to ensure that disabled students are not placed at a ‘substantial disadvantage’. The Learning Support Manager will ensure that relevant staff and tutors are made aware of the adjustments. Reasonable adjustments are changes to the environment or how activities are undertaken, which aim to ensure that a disabled person is not substantially disadvantaged as a result of disability. This may involve providing additional services or equipment, or making changes to the physical environment.

Decisions about whether an adjustment can reasonably be made will depend upon individual circumstances; resources of the College, the cost of adjustment, the practicality of any changes and the potential benefit will be taken into consideration.

Evidence of disability, medical condition or dyslexia will be required in order for College to make specific reasonable adjustments.

4. Confidentiality and disclosure

The College seeks to encourage potential and existing students to disclose a disability so that the student can be assessed and, where possible, arrangements made for support and/or specialist equipment. The College seeks to encourage potential and existing students to disclose a disability by asking students to disclose their disability on application and enrolment forms, by publicising the Additional Learning Support provision, by providing opportunities for existing students to disclose their disability in College. The additional support required by a student is entered onto the internal Sapien system; with the prior consent of the student (see additional support form – appendix 1).

If a student does not wish to give permission for their disability to be disclosed and shared with relevant staff, they will be asked to complete and sign the document (Appendix 1). Access to the disability information is then restricted to the person to whom the student disclosed their disability.

5 Division of Responsibility

The Governing Body of the College has overall responsibility for this policy. Managers, and in particular the College Principal and Senior Management Team are responsible for taking the lead in challenging discriminatory behaviour on the part of the managers, staff or students and creating a positive working environment and inclusive ethos. All staff have an awareness of the College statutory duties in relation to disability legislation, ensure that all aspects of College policy and activity are sensitive to disability issues. The College ensures that disability monitoring information is collected and analysed and the College ensures that marketing materials present appropriate positive and non-stereotypical messages of disabled people and non-disabled people.

The Additional Learning Support Team is responsible for ensuring that all students with disabilities receive the necessary support, the Additional Learning Support Team will liaise with staff to ensure that they are aware of the support needed, provide advice and guidance to staff and students and complete an online Individual Learning Plan (ILP) of the support needs to monitor and evaluate our service.

Students are responsible for ensuring that they contribute to a learning environment in which the dignity of every student is respected, that they inform the College of their needs in relation to any disability and give permission for this information to be passed to relevant staff as appropriate, that they declare any disability or medical condition which may put themselves or others at a Health and Safety Risk on the particular course of study that they are undertaking and that they respond appropriately to the support agreed and provided.

6 Additional Learning Support on Sapien.

Students with disabilities are interviewed by the Additional Support Manager, dyslexia tutor or the Co-ordinator ; Once the student has given permission for their support details to be passed on to relevant College staff, this information is placed on the student's Sapien page and is available only to the teachers who teach the student. The student can access this information from home.

The Additional support information includes any 'reasonable adjustments', examination concessions and support needs.



Additional Learning Support interview form

| | |
|----------------------------|--|
| Person completing the form | |
|----------------------------|--|

| | | | |
|--------------|--|------|--|
| Student Name | | Date | |
|--------------|--|------|--|

| | | | |
|--------------------------|--|--------------|--|
| Emergency contact name | | Relationship | |
| Emergency contact number | | | |

| | |
|---------|--|
| Address | |
|---------|--|

| | | | |
|----------------|--|-----------------------------|--|
| Current School | | Other high schools attended | |
|----------------|--|-----------------------------|--|

| | |
|-----------------------------------|--|
| Career ambition / long term plans | |
|-----------------------------------|--|

| | |
|-------------------|--|
| Courses discussed | |
|-------------------|--|

| | |
|-----------------------------------|--|
| Nature of Difficulty / Disability | |
|-----------------------------------|--|

| | |
|--|--|
| Explain how your difficulty may affect you and your learning | |
|--|--|

| | |
|------------------------------------|--|
| What support do you get at school? | |
|------------------------------------|--|

| | | | | |
|---|------|--|----------------------------|--|
| Do you see any specialists regarding your difficulty? | Name | | How often do you see them? | |
|---|------|--|----------------------------|--|

| | |
|-----------------------------|--|
| Do you take any medication? | |
|-----------------------------|--|

| | |
|--|--|
| Do you qualify for any exam concessions? | |
|--|--|

How can we support you in College?

| Support in class | Discrete support in class | Support outside of class | Dyslexia support | Equipment | Other |
|------------------|---------------------------|--------------------------|------------------|-----------|-------|
| | | | | | |

CONSENT

I hereby give consent for this information to be circulated to staff on a 'need to know' basis. I also give my consent for this information to be made available on Sapien.

Student signature.....

Date.....

OR

I do not wish the information in this form to be passed on to anyone else but understand that the person to whom I have disclosed may need to discuss my disclosure with their manager. I understand that this may limit the adjustments which can be made for me.

Student signature.....

Date.....

Disability Policy - Frequently Asked Questions (FAQs)

How do I know if my condition is considered to be a disability? The important factor in determining whether something is a disability is whether the impairment resulting from the condition has an **effect** on your ability to carry out normal day-to-day activities and the extent and timescale of this effect. In general you would be considered to have a disability if you have an impairment that is either physical or mental, your impairment has adverse effects which are 'substantial' and the substantial effects are long-term.

What counts as a 'substantial' adverse effect on my ability to undertake an activity / activities? A substantial effect is one that is greater than the effect which would be produced by the sort of physical and mental conditions experienced by many people, which result in only minor or trivial effects. A substantial effect is likely to impact upon the length of time it takes to undertake an activity and/or the way it is undertaken. In some cases a substantial effect may be the result of a combination of conditions which alone would only cause a minor effect. People with progressive medical conditions would be defined as disabled even if currently their condition only results in some adverse effects if the adverse effect is likely to become substantial in the future.

What is defined as a long-term effect? A long-term effect of an impairment is one:

- which has lasted at least 12 months; or
- where the total period for which it lasts, from the time of the first onset, is likely to be at least 12 months; or
- which is likely to last for the rest of the life of the person affected.

What is a normal day-to-day activity? In general, day-to-day activities are things that people do on a regular or daily basis (e.g. shopping, reading and writing, having a conversation or using the telephone, getting washed and dressed, preparing and eating food, walking and travelling by various forms of transport, taking part in social activities etc.). It is not intended to include activities which are normal only for a specific person or small group of people. However, this does not mean that an activity must be carried out by the majority of people as some activities may be carried out only, or more predominantly, by people of a particular gender. Therefore while such activities are not normal for most people they would still be considered to be normal day-to-day activities.

What sorts of impairments are classified as disabilities? It isn't possible to give a definitive list of impairments. The important factor to consider is whether the impairment has an **effect** on the ability to carry out normal day-to-day activities and the extent and timescale of this effect. A disability can arise from a wide range of impairments which can be:

- Sensory impairments such as those affecting sight or hearing.
- Developmental conditions such as autistic spectrum disorders (ASD).
- Specific Learning Disabilities (SpLDs) such as dyslexia, dyspraxia, dyscalculia and dysgraphia.
- Mental health conditions and illnesses, such as depression, schizophrenia, eating disorders, bipolar affective disorders, obsessive compulsive disorders (OCD), as well as personality disorders and some self-harming behaviour
- Fluctuating or recurring conditions such as rheumatoid arthritis, myalgic encephalitis (ME)/chronic fatigue syndrome (CFS), fibromyalgia, depression and epilepsy
- Progressive conditions such as motor neurone disease, muscular dystrophy, forms of dementia and lupus (SLE).
- Organ specific conditions, including respiratory conditions (e.g. asthma) and cardiovascular diseases including thrombosis, stroke and heart disease
- Produced by body or brain injury.

I have hayfever which has an adverse effect on me during the summer, is this considered to be a disability? Hayfever (seasonal allergic rhinitis) is not considered to be a disability unless it aggravates the effect of another condition.

I have depression but I'm taking medication and receiving help from a counselling service so do I have a disability? If you have depression which has a substantial adverse effect on carrying out normal day-to-day activities then you would be considered to have a disability. Even if the effects may seem minor in isolation (e.g. you find it difficult to get up in the morning), several minor effects can have a substantial cumulative effect. The effects of the condition are considered by reference to what they would be if you were not taking medication or receiving counselling.

I wear spectacles so do I have a disability? If your sight impairment is capable of correction by spectacles or contact lenses then you would not be considered to have a disability unless any adverse effects from the visual impairment remain after correction. If you use any other devices to correct your vision other than spectacles or contact lenses, then you may be considered to have a disability.

I have a substance addiction so does this mean I have a disability? Addiction to, or dependency on, alcohol, nicotine, or any other substance (other than in consequence of the substance being medically prescribed) would not be classified as a disability.

If I disclose a disability to College who will be told about my disability? Access to disability-related information will be provided on a need to know basis only in accordance with the Data Protection Act (1998), in order for reasonable adjustments to be implemented. The Additional Learning Support specialists will co-ordinate the implementation of reasonable adjustments. They may share information with your subject teachers in order to allow them to implement specific adjustments to enable you to study. The Hub may be informed if specific Hub-related support is recommended. The Examinations Officer may be informed where exam adjustments are required and other College staff, such as the First Aid co-ordinator or the Premises Manager may be informed for health and safety reasons. Information will only be shared with placements or other external institutions where the student has given permission.

What if I don't want to tell anyone at the College that I have a disability? You have the right not to disclose your disability or to request that the existence or nature of your disability be treated as strictly confidential and therefore not shared with relevant staff across the College. However if your disability impacts upon professional fitness to train/practice standards, you are personally responsible for disclosing relevant information about your disability in line with professional accreditation requirements. Birkenhead Sixth Form College promotes disclosure of disability as disclosure enables the College to best support disabled students; requests for strict confidentiality may mean that a less satisfactory adjustment is provided or that no adjustment can be provided.

I didn't know I had dyslexia until a recent diagnosis so I have only just disclosed my disability to The College. Does this mean I can request to have all of my previously assessed work (prior to my diagnosis) re-marked? As a student you are responsible for disclosing your disability to the College and the College cannot implement reasonable adjustments retrospectively (i.e. prior to disclosure or diagnosis of disability). From the point of disclosure onwards the College will, as far as possible through reasonable adjustments, change practices or environments to remove any disabling effects or barriers to participation, in order that you can fully participate in the education, facilities and services provided by the College.

What are reasonable adjustments? I'm dyslexic, so what reasonable adjustments will be made for me? A reasonable adjustment is any action that helps to reduce the effect of an impairment, which places a learner at a substantial disadvantage. Reasonable adjustments must not affect the validity or reliability of assessment outcomes nor must they give the learner an unfair academic advantage over other learners. Reasonable adjustments must not impact on any competence standards and must be permissible and practical for the particular circumstances in which they are implemented. As a result the same adjustments may not always be allowed or possible to implement in all situations. The College do not set specific reasonable adjustments for students with particular disabilities such as dyslexia. All reasonable adjustments will be considered on a case by case basis taking into account a variety of factors..

How do I find out what reasonable adjustments can be made for my disability? The first point of contact is the additional learning support specialists. You should make an appointment with a specialist to discuss the impact of your disability and the options available to you in terms of reasonable adjustments and support. If you haven't done so already you will need to provide some medical evidence or relevant documentation which confirms your condition and/or explains the impact of your condition on your everyday activities and functioning. To make an appointment with a specialist go to the Learning Support Manager in the LAB.