

DISABILITY SUPPORT AND INCLUSION POLICY

- 1 The Disability Support and Inclusion policy of The University of Law (the University) has been informed by the Quality Assurance Agency's (QAA) UK Quality Code for Higher Education, specifically the Advice and Guidance on Enabling Student Achievement. The QAA's Quality Code is the definitive reference point for all UK higher education institutions and sets out how academic standards are established and maintained and how the quality of learning opportunities are assured and enhanced. This policy sits within the University's Quality and Standards Code which provides a suite of policies designed to safeguard the academic standards of the University and to assure the quality of learning opportunities offered; this policy should therefore be read in conjunction with other relevant policies within the Code.

This policy is also informed by the Office for Students Regulatory Framework, specifically Condition B2

Introduction

- 2 The University recognises that central to this policy is the University's responsibility for the academic standards of all awards granted in its name and the quality of learning opportunities for students. This policy sets out the scope of the University Disability Support and Inclusion policy.

Responsibility for implementing this policy

- 3 Ultimate responsibility for the development of clear and effective processes and procedures associated with the quality assurance and maintenance of standards of academic provision and overseeing their application lies with the Academic Board.

Expectation

- 4 The University has in place, monitors and evaluates arrangements and resources which enable students to develop their academic, personal and professional potential.

Key aims and principles

- 5 The University provides high quality training for all who seek access to its courses. In accordance with its Equality, Diversity and Inclusion Policy, the

University is committed to facilitating access to students who have support needs by reasons of disability as defined by the Equality Act 2010 (EA 2010), or any another protected characteristic as defined by the EA 2010. The university also facilitates access to students who require reasonable adjustments by reason of other illness or condition.

- 6 The University also complies with its professional obligation to provide vocational training such that students successfully completing its courses must meet the appropriate standards required by the relevant professional bodies and the learning outcomes of the programmes.
- 7 The University is committed to a positive student experience by creating an inclusive environment for learning. The University complies with its anticipatory duty under the EA2010 by considering the needs of students accessing the Disability Support and Inclusion Service at all stages of the student life cycle. It aims to reduce the need for individual adjustments by creating an inclusive environment for students to learn and succeed.
- 8 The University promotes inclusive practice and seeks to remove barriers for those with a disability or learning difficulty by making anticipatory adjustments to its provisions. This can be achieved by building flexibility into the processes of course design and the management and scheduling of assessments, as far as is consistent with the maintenance of standards and fairness. The goal is to increase accessibility, inclusion and success for all.
- 9 The University's Disability Support and Inclusion Service works to assist students with specific requirements. In this capacity, Disability Support and Inclusion Service staff:
 - 9.1 aim to agree with the student the reasonable adjustments that are required;
 - 9.2 once arrangements are agreed, ensure that they are put in place by the appropriate departments (and external suppliers where appropriate, e.g. for support workers);
 - 9.3 provide information on eligibility for and access to Disabled Student Allowance funding;
 - 9.4 in conjunction with Disability Liaison Officers where appropriate, monitor the effectiveness of arrangements agreed with the student,

and work with students on resolving any concerns or complaints relating to the provision of any adjustments;

- 9.5 respond to changing student conditions and support needs on an ongoing basis;
 - 9.6 provide guidance to academic staff on supporting students with disabilities or learning needs.
- 10 The Disability Support and Inclusion team offers a tailored service and works with other pastoral support staff within the University, e.g. Personal Tutors, to enhance support and ensure students' needs are catered for.

Confidentiality and student data

- 11 All personal information disclosed by students in their application or registration forms is treated as confidential to the University. Information disclosed on application becomes part of the electronic student record. Effective support and sometimes health and safety issues necessitate disclosure of arrangements to key staff by way of appropriate reports and evidence. Information is shared on a 'need to know' basis to facilitate support.
- 12 Information provided is treated confidentially and will not be shared with third parties outside of the University, except where required by law, or with the consent of the student.
- 13 Where a student discloses a disability for the first time to a member of University staff, the staff member is then deemed to have received the information on behalf of the University and has a duty of care to report the student's declaration to the Disability Support and Inclusion Service. This enables the University to ensure support is offered promptly, however students are not obliged to take up support and can decline in writing.
- 14 Students are advised of the uses of their data through the University's Privacy Policy. Further information can also be found at www.law.ac.uk/about/disability-support-service/

Procedural approach

Admissions & Pre-Course Disclosures

- 15 The application and acceptance of offer process for all University programmes invites prospective students to disclose information about disabilities, health conditions (including mental health conditions) and specific learning difficulties (such as dyslexia).
- 16 Students are encouraged to follow the application and acceptance process to disclose their disability. Once the student has accepted their place, the University's Disability Support and Inclusion Service has access to this information and contacts them to commence the process of forming a University of Law Inclusion Plan (ULIP).
- 17 To ensure support is in place promptly, students should respond to the Disability Support and Inclusion Service as soon as possible. This enables the University to arrange for the necessary support arrangements to be put in place by the start of the course wherever possible.
- 18 Where students disclose a disability within the application process but accept their place close to the course start date, the University will take all possible steps to implement the required adjustments promptly. In complex cases, if this is not possible, the University may require students to defer their studies for up to one year to allow the University time to organise and implement the internal/external support required. In all cases, the University will liaise with students individually to achieve the best possible outcomes.
- 19 Students can contact the Disability Support and Inclusion Service to arrange campus visits prior to their registration. Each campus has a Disability Liaison Officer to facilitate this – the Disability Liaison Officer has access to University of Law Inclusion Plans.

Other disclosures

- 20 In the event that a student declines to disclose their disability in their application and it later becomes apparent to the University that adjustments may be necessary to meet the student's needs, where practicable adjustments will be put in place promptly.

- 21 In the case of late disclosures or the onset of new conditions after the course start date, the University may require students to defer or intermit their studies to allow an assessment of their needs to be undertaken and considered. This is only likely in complex cases and enables the University to ensure the student is able to access the internal and external support required to maximise their chances of success.
- 22 Should a deferral/intermission be required as outlined in paragraph 22, this could result in the student being unable to resume studies for up to one year. The University will work with the student to achieve the best outcome in each individual case.
- 23 Where students request arrangements for assessments and examinations such as extra time or stop the clock breaks, the University needs at least 28 days' notice before the next scheduled exam period to put any adjustments in place. Requests for more complex arrangements may require a longer period. Requests must be supported by appropriate evidence. Students can refer to <https://www.law.ac.uk/about/disability-support-service/>, for further details of the types of evidence the University can accept.

Ongoing Support

- 24 The University understands that students may declare a disability or condition but also indicate that they have no specific requirements; in these circumstances, the student is asked to confirm this in writing. The University also understands that situations do change. If this happens, the student should get in touch with the Disability Support and Inclusion Service as soon as possible for advice and guidance.
- 25 For long term, static conditions which do not fluctuate, e.g. dyslexia, the arrangements made in the University of Law Inclusion Plan are valid for the period of the course (including any re-sits). If a condition is temporary or may be fluctuating, the Disability Support and Inclusion Service may request up to date medical evidence to ensure the adjustments continue to be appropriate and sufficient. The University will notify students where this is required.
- 26 Whether a condition is short-term or long-term, the University of Law Inclusion Plan may be reviewed at any time either on the student's request or when circumstances change. It is the students' responsibility to inform the Disability Support and Inclusion Service if their needs change during the course.

University of Law Inclusion Plans

- 27 The University of Law Inclusion Plan records a student's condition/status together with the support to be provided by the University on an ongoing basis. Adjustments cannot be put in place until supporting evidence has been provided and the University has considered whether:
- the adjustments are likely to significantly reduce or prevent the substantial disadvantage faced by a disabled student while maintaining relevant standards
 - the adjustments are reasonable
 - the adjustments do not endanger the health and safety of the disabled person or other people
 - the adjustments do not substantially disadvantage other students or other people
- 28 Where a student has provided evidence indicating a Specific Learning Difficulty (SpLD) which demonstrates support has been provided in the past but does not have a diagnostic assessment, a temporary agreement will be issued. Under these circumstances, with the student's consent, the University will make a referral for a diagnosis to its partner Educational Psychologist and implement interim adjustments. The temporary agreement will last for 2 months from the date of referral to allow for the Educational Psychologist's report to be provided.
- 29 Where students have a medical condition that may need emergency first aid or medical attention, they are encouraged to inform the Disability Support and Inclusion Service so that first aiders can be informed. This is to ensure the student's safety, ensure that key medical information is communicated and enable the University to provide the best care should an emergency medication situation arise.

Programme demands documents

- 30 The University publishes programme demands documents on the Disability Support and Inclusion Service microsite (<https://www.law.ac.uk/about/disability-support-service/>), which explain the nature of the requirements of each course. These documents give an overview of the structure of each course and the skills required for successful completion.

- 31 Due to the distinctive nature of many of the University's programmes, the type and level of support received during previous studies may no longer be appropriate. Therefore, students may be required to have an updated Specific Learning Difficulties (SpLD) assessment or obtain contemporaneous medical evidence. Students will be contacted by the Disability Support and Inclusion Service with details should this apply.

Funding

- 32 If students require equipment for their own use, those eligible may be able to obtain funding by applying for the Disabled Students' Allowance (DSA). This allowance, which is not means tested, may also pay for non-medical helpers and any one-to-one study skills and mentoring that may be needed. Details can be found via the www.gov.uk/disabled-students-allowances-dsas website. Students need to apply for this allowance as early as possible as the process can take up to 14 weeks to complete. It is advisable to have funding agreed and in place prior to induction onto the course.
- 33 In the event that a student has applied late for Disabled Students' Allowance funding and the Needs Assessment is not received at least 28 days prior to the start of the course, it may be necessary for the student to defer their enrolment, resulting in the student being unable to resume studies for up to one year. This is to ensure students have the best chance of success and access to appropriate support. The University will work with the student to achieve the best outcome in each individual case. Where a Needs Assessment has been received at least 28 days prior to the start of the course, the University will provide interim funding where required for up to four weeks to allow the DSA application to be finalised.
- 34 Where the University requires a reassessment of the student's needs, the cost may be recoverable from the DSA. Students can check <https://www.gov.uk/disabled-students-allowances-dsas> for further details.
- 35 Where a student is unable to obtain DSA funding, or the DSA funding does not cover the expenditure required to meet a student's needs, the Disability Support and Inclusion Service Manager can refer the case to a Disability Support Funding Panel for a decision on whether or not the University can provide the funding. Students must advise the Disability Support and Inclusion Service as soon as they become aware they are not eligible for DSA funding and require support.

- 36 A Disability Support Funding Panel will include three members of staff at Manager level or above. Funding panels usually take place within 7 calendar days from receipt of all required information/evidence for the case. The funding panel will consider the criteria outlined in paragraph 27 prior to reaching any decision. If the funding panel decides not to fund the adjustments, the student may request a review of this by a Disability Review Panel as outlined in paragraphs 45 – 51.
- 37 Where students who are ineligible for DSA funding are provided with equipment from the University, the equipment remains the property of the University and is provided on a loan basis. Equipment must be returned at the end of the course.
- 38 As DSA funding is not available for students after the official course end date, the University will consider applications for additional funding for reasonable adjustments where a student subsequently has assessments outstanding. In these circumstances, applications for additional funding are generally only considered for up to one year following course completion.

Disability Advisory Group

- 39 In cases where the request for adjustment to the assessment regime compromises the learning outcomes of the relevant course and / or the requirements of Professional, Statutory and Regulatory Bodies (PSRBs) the Disability Support and Inclusion Service Manager will convene a Disability Advisory Group (DAG). The student will be notified by the Disability Support and inclusion Service of the referral to the Disability Advisory Group.
- 40 The Disability Advisory Group shall be comprised of a minimum of three from the following:
- Disability Support and Inclusion Service Manager
 - Head of Student Support Services
 - Head of Quality Assurance
 - National Programme Director & Student Affairs Lead for the course concerned, or their nominee
 - Any other National Programme Director & Student Affairs Lead for any other course subject to PSRB requirements, or their nominee
- 41 The DAG shall be convened within 14 days of the notification to the student of the decision that the adjustments do not meet the PSRB requirements.

- 42 The DAG will consider the evidence provided and adjustments requested by the student with reference to the PSRB requirements. If the DAG decides that adjustments can be made that are compatible with PSRB requirements, this will be communicated to the student and if the student agrees, the adjustments will be implemented in the University of Law Inclusion Plan.
- 43 If the DAG decides that, on the basis of the evidence provided, the requested adjustments cannot be implemented without reference to the PSRB, the student's consent will be sought to share information with the PSRB for them to make a decision as to the requested adjustments. If the PSRB agrees with the adjustments, they will be implemented in the University of Law Inclusion Plan.
- 44 If the PSRB does not approve the adjustments, the DAG must notify the student and provide details of the Disability Review Process.

Disability Review Process

- 45 If the student is not happy with the outcome of the Disability Advisory Group or a Disability Funding Review Panel, they may request a review under the Disability Review Process.
- 46 The Disability Review Process is managed by Academic Registry. A student who wishes to request a review under this process must do so within 14 days of notification of the Disability Funding Review Panel or Disability Advisory Group's decision. Requests made outside of this timeframe will only be considered where the student has exceptional circumstances. All other requests made outside this time frame will be considered as submitted out of time and the student will be given a Completion of Procedures Letter and details of the Office of the Independent Adjudicator (OIA).
- 47 Upon receipt of the Review request, Academic Registry will acknowledge receipt within seven days and request from the Disability Support and Inclusion Service Manager a report which will clarify whether the student is disabled under the Equality Act 2010, the effect of the disability on the student's learning, how the requested adjustment may help the student, if the student will be at an advantage or disadvantage with or without the adjustment and recommendations to overcome any dispute with the student.
- 48 Academic Registry will provide a copy of the report to the student and invite their comments. The student must reply within seven days to make a written

or recorded statement for the Disability Review Panel. If no response is received from the student, the Panel may be convened without the response.

- 49 Academic Registry will convene a Disability Review Panel which will consist of three members of staff at Manager level or above who have had no prior involvement with the case. The Disability Review Panel will consider the report from the Disability and Inclusion Service Manager and the student's statement.
- 50 Academic Registry will confirm the decision of the Disability Review Panel to the student within seven days of the panel meeting.
- 51 If the student remains dissatisfied with the decision of the Disability Review Panel they may appeal to the Disability Appeal Panel using the Form provided with the outcome of the Disability Review Panel.

Disability Appeal Panel

- 52 If the student is dissatisfied with the outcome of the Disability Review Process they may appeal to the Disability Appeal Panel using the form provided with the outcome notification. The appeal must be submitted within 14 days of notification of the Disability Review Panel's decision. Appeals submitted outside of this timescale will only be considered in exceptional circumstance. All other appeals submitted after 14 days will be considered out of time and a Completion of Procedures Letter issued.
- 53 An appeal may only be made on the following grounds:
 - a) Further evidence in support of the adjustment is available which was not available earlier in the process;
 - b) The Disability Review Process was not followed correctly and this has had a detrimental impact on the student;
 - c) The decision reached is perverse.
- 54 Academic Registry will convene a Disability Appeal Panel which will consist of three members of staff at Executive Manager level or above. The Panel may also include an External Examiner as nominated by the relevant Board of Examiners.
- 55 The Disability Appeal Panel will consider the appeal and Academic Registry will notify the student of the decision within seven days of the panel meeting.

This notification will include a Completion of Procedures Letter and details of the Office of the Independent Adjudicator.

Responsibility for the provision

- 56 Responsibility for the implementation of this provision lies with the University's Student Experience, Wellbeing and Inclusion Function.

Monitoring and evaluation of the provision

- 57 Responsibility for reviewing and evaluating the effectiveness of Disability Support and Inclusion Policy lies initially with Student Experience, Wellbeing and Inclusion. Formal responsibility for monitoring and evaluation of this provision lies with the Academic Board.

Version history:

Version	Amended by	Revision summary	Date
V1.0	Head of Careers Service	Initial drafting group	31/05/13
V1.1	Head of Tutors – Chester and Manchester	QA group	05/07/13
V1.2	External Consultant	Coherence activity amendments	21/08/13
V1.3	Student Officer	Review	17/09/13
V1.4	VP – AGQS	Review	18/09/13
V1.5	Academic Registrar	Review	24/09/13
V1.6	Academic Board	Approval	03/10/13
V1.7	VP – AGQS	Sign-Off	19/12/13
V1.8	Disability Support Service Manager and Group Legal Counsel	Updates to reflect update to service name and ensure compliance with appropriate legislation	21/11/14

Disability Support and Inclusion Policy



V1.9	Head of Quality Assurance	Amendments as per Academic Board approval	18/12/14
V2.0	Head of Disability Support Service	Full Review	18/11/15
V2.1	Academic Board	Approval	10/02/16
V2.2	Head of Disability Support Service	Minor amendments	20/04/16
V3.0	Disability Support and Inclusion Service Manager	Full Review	05/11/19
V3.1	Head of Student Support Services	Minor amendments and updating; inclusion of more detail on Disability Advisory Group, Disability Review Panel and Disability Appeal Panel	30/10/20