

Appendix Q: Reasonable Adjustments Policy

Name of Policy Writer/Amendments	Date Written & agreed / Amended	Approved by	Review Date
S McKenzie	July 2017	Academic Board	July 2018

What is a 'Reasonable Adjustment' for a disabled student?

Under the Equality Act 2010 (previously the Disability Discrimination Act), discrimination against disabled people can take place in either of two ways: by:

- Treating them less favourably than other people, or,
- Failing to make reasonable adjustments when they are placed at a substantial disadvantage compared to other people for a reason relating to their disability.

Institutions are only expected to do what is reasonable. This will depend on individual circumstances, and on financial and other resources available. Health and safety issues and the interests of other people may be relevant here although this not likely to be the case. Many reasonable adjustments are free or low cost.

Under The Act, Higher Education Institutes also have an anticipatory duty to provide reasonable adjustments for disabled applicants and students. This means that in addition to providing individual reasonable adjustments for specific requirements, NSCD must plan ahead and take a strategic approach to addressing and removing the barriers that potentially impede the progress of disabled students.

In the event of reasonable adjustment being required, specialist advice will be sought, where appropriate, on the most appropriate course of action.

Where the term 'reasonable adjustment' is used alone in this policy, it refers to both individual and anticipatory adjustments.

Who is covered by the term 'disabled student'?

Under The Equality Act a person is disabled if they have:

- An impairment which has an adverse effect on the ability to carry out normal day-to-day activities;
- The adverse effect is substantial;
- The adverse effect is long-term. This means that it has lasted for 12 months, is likely to last for more than 12 months, or for the rest of a life or (particularly in the case of conditions such as mental health difficulties and ME) is likely to reoccur.

The term 'disabled person' can include those with the following conditions:

- Dyslexia and other specific learning difficulties
- Mental health difficulties
- 'Hidden impairments' such as diabetes, asthma and sickle cell anaemia
- Visual impairments
- Hearing impairments
- Mobility difficulties
- Medical conditions including cancer and HIV/Aids from the point of diagnosis;

- Social and other communication and learning difficulties such as autism, Asperger syndrome and ADHD/ADD.

The meaning of the term 'student' is also very wide and includes postgraduates and undergraduates, home and overseas students, those on short courses (including fully fee paying courses), those visiting from other institutions, applicants and those attending audition. This policy focuses on NSCD students who are applying for or attending our Further and Higher Education Programmes.

NSCD employs a robust and research based approach to inclusive practice which includes making reasonable adjustment where necessary.

What is 'reasonable'? Maintaining academic and other standards and identifying the 'core elements' of the training:

The purpose of the legislation on reasonable adjustments is to enable disabled people to gain access to learning opportunities that are available to their peers and would otherwise be denied to them. It is not expected that academic, artistic and other relevant learning standards should be lowered or compromised.

To achieve this, NSCD needs to be precise on what is and what is not a **core element** of a programme so that they can assess what is just a traditional, 'tried and tested' method of teaching and what is an essential component of the course. This will help to see where appropriate individual or anticipatory adjustments can be made.

Under the reasonable adjustments policy, who has responsibility for developing and implementing adjustments?

Individual reasonable adjustments are usually developed by the Director of Studies and/or Head of Performance and Head of Creative & Contextual Studies, often this will also include the Learner Support Coordinator and/or Health & Wellbeing Coordinator and written in a **Personal Learner Support Plan (PLSP)**. The student should always be a key part of developing and modifying their PLSP.

Confidentiality and disclosure of information:

Students have the right to choose not to disclose information about their condition or impairment or to disclose information to particular members of staff and ask for this to be kept confidential to others. Students need to understand that although they have the right not to disclose information, it may limit the possibility of making reasonable adjustments (although NSCD still has the responsibility to make anticipatory adjustments). The Data Protection Act considers information about disability to be confidential information and staff need to take great care not to pass information on to students or to other members of staff who might not have been included in the PLSP which outlines the agreed adjustments.

Students should be involved in drawing up a list of reasonable adjustments and they have the right to say who should see this information. A PLSP will need to be signed by the student and the Learner Support Coordinator. Staff need to accept that there are occasions when they will be asked to make and/or agree an adjustment without being given all the details of the student's disability, medical or mental health condition.

All members of staff have the responsibility to:

- Make sure that they read all PLSPs that are sent to them and keep up to date with any changes or developments;
- Take a proactive approach to finding out about reasonable adjustments that they have responsibility for implementing;
- Remember to implement the reasonable adjustments that have been approved and decided, not on a 'one-off' basis but throughout the course;

- Take steps to see where, in their own teaching or work, an adjustment (both anticipatory and individual) might help a student to make progress and achieve their potential;
- Have a sensitive and respectful approach to discussing adjustments with the student concerned;
- Respect confidentiality of information both within the classroom/studio/workshop and in the School;
- Discuss any problems or successes with the Director of Studies, Learner Support and/or Health & Wellbeing Coordinator.