

The Sixth Form College, Birkenhead

Student Disability Disclosure Policy

Summary of Content:

This policy document outlines the College's commitment to potential and existing students with a disability including legislative responsibility, 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. Students play a major part in developing ideas in all areas of the College; we intend to take account of individual needs and continue to work with our students to find appropriate solutions to problems that might arise.

Legislative Framework

The Equality Act 2010 came into force on 1 October 2010, replacing the Disability Discrimination Act 1995. The Equality Act 2010 places a positive duty on all public bodies, to eliminate discrimination and harassment and to promote equality of opportunity for people with disabilities. The Act includes a new **public sector equality duty**, replacing the separate duties on race, disability and gender equality. This 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. It will make reasonable adjustments to support students in their learning environment and so far as possible remove or reduce barriers which prevent disabled students from successful integration in all aspects of College life.

Definition of Disability

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 course has 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.

Disclosing a disability

A disabled student is encouraged to disclose their disability at an early stage, such as application or enrolment. Information on disability disclosure procedure is available on the College web site. The Additional Learning Support Manager or Co-ordinator aims to make contact with any student who has disclosed a disability, giving them the opportunity to be interviewed to discuss any support needs. A disabled student is usually required to provide written evidence of their disability (such as an educational psychologists report) if they are requiring adjustments or exam concessions. A student support agreement is signed and completed with the Additional Learning Support Manager or Co-ordinator; this will be distributed to relevant staff ONLY, in order to ensure adjustments are in place.

There are a number of situations at which students may be asked or wish to disclose the existence and/or nature of a disability. Examples include:

- When contacting the College for information before applying to enrol on a course
- Disclosure on the application form
- When arranging to make an information visit
- At Interview
- During enrolment
- At a first meeting with student's personal tutor or subsequent tutorials
- When arranging work placements or field trips.
- And subsequently at appropriate times throughout the course

There is no duty on a student to disclose a disability. The College will take reasonable steps to find out if a student has a disability so that appropriate action can be taken. Not knowing about a student's disability cannot be used as a defence if an adjustment (Appendix 1) could have reasonably been anticipated or if the college failed to make attempts to find out. All attempts will therefore be made to encourage students to disclose any kind of disability or access need so that appropriate adjustments can be made at the appropriate time.

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 generally knowledge. Students will always be informed that any disclosure will not be circulated to students or staff who do not need to know and will only be shared with agreed personnel.

Some students may disclose details of a disability or support need to staff other than teaching staff. In all cases staff must comply with this policy.

For further information concerning disclosing a disability contact the Additional Learning Support manager.

Confidentiality and disclosure

The College seeks to encourage potential and existing students to disclose a disability so that the student's needs 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
- Publicising the provision that is made for students with disabilities
- Providing opportunities for potential and existing students to disclose their disability by raising awareness of the Additional support

The College will ensure that information regarding a student's disability is not passed on to relevant staff without the permission of a student. Exceptions are:

- If the student is considered to be in danger to themselves or others.
- If the student appears to be at risk of abuse
- If there is a legal requirement.
- Where there is an immediate and serious threat to the safety of others

If a student refuses to give permission for this information to be shared to other relevant staff in College they will be asked to complete and sign a document (Appendix 2). The College will seek to ensure that the culture of the College is open and welcoming, so that students with a disability feel happy to disclose a disability. Where a student has disclosed disability the College will make reasonable adjustments where appropriate by agreement with the student. The College will ensure that all staff and students are made aware of this policy.

If a student discloses their disability to a member of staff and asks for confidentiality, the advantages/disadvantages of not disclosing must be discussed. The decision to disclose ultimately rests with the student. It would be sensible to explore ways in which any reasonable adjustments could be made without compromising the student's request for confidentiality. Written consent must be obtained of the student's decision not to have information disclosed.

When a student discloses a disability, they will be interviewed by the Additional Learning Support Manager or the Additional Learning Support Co-ordinator and an initial interview form will be completed to plan for support, exam concessions, equipment and reasonable adjustments. The form will be circulated to the relevant teaching staff with the students' permission (see appendix 3)

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.
- Awareness of the College statutory duties in relation to disability legislation.
- Staff and student awareness of the procedures to deal with issues of confidentiality and disclosure.
- Ensuring that all aspects of College policy and activity are sensitive to disability issues.
- Ensuring that disability monitoring information is collected and analysed.
- Ensuring that the procedures for the provision of education, associated services and admission/suspension/" expulsion reflect best practice in equal opportunities.
- Ensuring that the College marketing materials present appropriate positive and non-stereotypical messages of disabled people and non-disabled people.

Employees are responsible for ensuring that:

- They are aware of the College statutory duties in relation to disability legislation, including confidentiality and disclosure.
- Opportunities are given for disclosure, for example during tutorials.
- They pursue an inclusive ethos beyond compliance with the legislation by being genuinely welcoming to students with disabilities Information on supporting a student who has disclosed a disability is passed on to relevant staff where permission has been given (see appendix 3) and the student support plan is produced in consultation with the student.
- Students are given the opportunity to request special exam concessions and these are arranged in a timely manner in consultation with the College Exams team.

The Additional Learning Support Team is responsible for:

- Ensuring that all students with disabilities receive the necessary support.
- Liaising between staff and students to ensure that they are aware of the support needed.
- Providing advice and guidance to staff and students and complete a progress report on 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.
- 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.
- 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.
- They respond appropriately to the support agreed and provided. Failure to do so may in exceptional circumstances cause the support to be withdrawn.

Appendix 1 – Reasonable Adjustments

A reasonable adjustment might be action that helps to alleviate a substantial disadvantage. It might involve:

- Changing college procedures
- Adapting curriculum, electronic or other materials, or modifying the delivery of teaching
- Providing additional services, such as a sign language interpreter or material in Braille
- Training staff
- Altering the physical environment

The College is only expected to do what is “reasonable”. What is reasonable will depend on all the individual circumstances of the case, including the financial or other resources of the College and the practicality of the adjustment. Other issues, such as the need to maintain academic standards, the relevant interests of the other people (including other students), and health and safety are also important.

Disclosure of Disability form

I hereby give my permission to pass on my details to the Additional Learning Support manager for the purpose of discussing potential support. I understand that this information will be kept on file for the purpose of co-ordinating support requirements and will not be passed on to anyone else without my permission.

I have disclosed personal information to a member of College staff but I do not wish this information to be disclosed to other staff members. I would like the member of staff to whom I have disclosed this information to provide help and support during my time at College. I realise that this course of action may in some circumstances be detrimental to my progress at College but this is my request. I am aware that information will be passed on if there is a legal requirement to disclose or where withholding it would endanger my life or that of other persons. I understand that this form records my decision and that this will be passed to the Additional Learning Support team and will not be passed to anyone else.

I have disclosed personal information to a member of College staff but I do not wish this information to be acted upon or disclosed to other staff members. I realise that this may be detrimental to my progress at College but this is my request. I understand that this form records my decision and will not be passed to anyone else.

Student Signature

Staff Signature

Date.....

Additional Learning Support interview form

Name	
Address	
Telephone number	
Emergency contact Name Relationship Telephone number Address (if different from above)	
Previous School	
Long Term Plans	
Courses discussed	

Disabilities, difficulties, medical conditions

Dyslexia		Asthma		Asperger's	
Dyspraxia		Allergies		Learning difficulty	
Dyscalculia		Epilepsy		other	
Visual impairment		ADHD			
Hearing impairment		ADD			
Physical impairment		Autism			

Please explain how your difficulty/ disability affects you?

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What support did you receive at your previous school?

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What support do you have outside of school?

Name	Address	Telephone number

Do you take any medication?

Yes – please state	
No	

Do you qualify for exam concessions?

Yes – please state	Evidence?
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No	

Summary of support needs, including teaching strategies

Requirements – please tick if required

Other Please state	Equipment	Support in class	Support out of class	Discrete support in class	Dyslexia support

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. I am also aware that the nature of my disability is kept confidential.

Student signature.....

Date.....