



## Disability Policy

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<b>Approved by</b>	Management Committee
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<b>Staff Member Responsible</b>	Director of Training
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### Amendment History

Revision Summary	Date Approved	Author

## **Irish Baptist College**

### **Disability Policy**

#### **Purpose**

1. This Disability Policy reinforces the commitment of the Irish Baptist College to ensuring equality of opportunity for the diverse student body and to review its policies and practices in light of developments in the Higher Education sector and the legislative framework.
2. This policy sets out the College's commitment to disabled students and outlines the College's duties and the options available to students with disabilities in seeking support or adjustments to their working and studying environment.
3. The policy should be read in conjunction with the College's:
  - Diversity and Equal Opportunities Policy
  - Disability Statement and Special Educational Needs Guidelines
  - Fitness to Study Policy

#### **Responsibilities**

4. The College is responsible for the well-being of current disabled students, together with actively encouraging disabled students to join the College. It has a responsibility to avoid discrimination on the grounds of disability.
5. The Principal and Director of Training are responsible for advising and assisting students on these matters.
6. Behaviour or actions that are contrary to the provisions of this Policy are grounds for disciplinary action.

#### **Legal Framework**

7. The College is bound by the Disability Discrimination Act 1995 and the Special Educational Needs & Disability (NI) Order 2005. These pieces of legislation place a duty on providers to make reasonable adjustments for people with disabilities and ensures the owners, governors and managers of schools, colleges and universities make reasonable adjustments for children and adults with disabilities in completing their courses of study there.

#### **Admissions**

8. The College is committed to ensuring that students are recruited and selected on the basis of their academic merit and ability and will not refuse to admit an applicant on the grounds of disability without fully considering the specific support or facilities required for the applicant to undertake their course of study at the College.

9. In very exceptional cases, the College may not admit an otherwise qualified applicant on the grounds that reasonable adjustments cannot be practically provided by the College.
10. The College encourages existing students and applicants to declare a disability or specific learning difficulty either on application or any time thereafter in order that they can be made aware of possible entitlements and the support that is available to assist them to achieve their potential in study.

### **Assessment**

11. The College is committed to ensuring that any student with a disability that may affect their performance in an examination or assessment exercise is not put at a disadvantage compared to other candidates. Adjustments will be made as reasonable, to compensate for any disadvantage, without affecting the validity of the assessment.
12. Any request for special consideration in relation to examination and assessment procedures must be supported by medical or other evidence. Advice and assistance on obtaining such evidence can be provided by the College Registrar.

### **Student Retention**

13. Where a student becomes disabled whilst they are already studying at the College, they will be provided with such support as may reasonably be possible to enable them to maintain or return to their programme of study or help them explore alternate programmes. The College will make reasonable adjustments to facilitate the continuation of the student's studies.

### **Fitness to Study**

14. A programme of study which requires a student to undertake practical training in a professional role in relation to mission and ministry will be governed by a requirement that the student demonstrates their Fitness to Study.
15. The College has a 'Fitness to Study' policy to consider, make a determination and take action as appropriate in respect of:
  - any conduct which may render that student a person not fit to be admitted to and practise that profession or calling; or
  - any health problems which may render that student a person not fit to be admitted to and practise that profession or calling.
16. The Fitness to Study policy has been developed with regard to equality, diversity and inclusion legislation and so disability does not preclude application to study nor should it disadvantage students with disabilities in the assessment of Fitness to Study.
17. The Fitness to Study policy sets out the scope, application and principles to be applied in all cases. Applicants are required to declare conditions which could be viewed as having a potential impact on their Fitness to Study.

## **Reasonable Adjustments**

18. The College is required to make reasonable adjustments when a disabled student may be placed at a substantial disadvantage in comparison with a person who is not disabled.
19. Examples of reasonable adjustments for students include making appropriate arrangements in such activities as:
  - teaching, including classes, lectures, seminars, practical sessions
  - examinations and assessments
  - field trips and outings
20. Adjustments may include specific examination arrangements, provision of additional support for learning, adjustments to assessment practices, accommodation arrangements, and specific access issues such as the use of guide dogs.
21. 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. All reasonable adjustments will be considered on a case by case basis taking into account a variety of factors.
22. Where an individual requires or may require an adjustment to the teaching and learning environment they should bring this to the attention of the Director of Training.

## **Disabled Student Allowance**

23. UK students have the option to apply for a Disabled Students Allowance (DSA). DSAs help pay for the extra costs associated with studying that are incurred as a direct result of a disability (for example, mobility impairment, sensory impairment, Autistic Spectrum Condition, AD(H)D, mental health difficulty, effects of disabling illness) or specific learning difficulty (dyslexia, dyspraxia, dyscalculia, AD(H)D). The allowances can help to pay for a non-medical personal helper, items of specialist equipment, assistive software, travel and other course-related costs. The allowance is neither means-tested nor repayable.
24. Further details can be found at <https://www.gov.uk/disabled-students-allowance-dsa> or <https://www.studentfinancenetwork.co.uk/types-of-finance/postgraduate/northern-ireland-student/extra-help/disabled-students-allowance/what-is-it/>
25. Non-UK students should consult with the College at the earliest opportunity to discuss requirements for disability-related academic support.

## **Disability Disclosure**

26. The College seeks to create an environment and culture where individuals feel comfortable disclosing a disability. Though there is no obligation to disclose, disabled persons are encouraged to do so in order to enable the College to make reasonable adjustments. The College will treat any disclosure of a disability in strict confidence, with sensitivity and in accordance with current data protection legislation.

## **Confidentiality**

27. The College will safeguard the confidentiality of personal and medical information and will take appropriate steps to ensure that disclosures relating to a person's disability take place only with the explicit consent of the individual, or where necessary within the law.
28. Access to disability-related information will be provided on a need-to-know basis only, in order for reasonable adjustments to be implemented. The Director of Training will oversee the implementation of reasonable adjustments. They may share information with academic staff in order to allow the disabled person to implement specific adjustments to enable them to study. Other staff may be informed as necessary. These may include library staff for library-related support, and other staff for health and safety reasons. Information will only be shared with placements or other external institutions where the student has given permission.
29. A student or member of staff has the right not to disclose their disability or to request that the existence or nature of their disability be treated as strictly confidential and therefore not shared with relevant staff across the College. The responsibility of the staff member informed is to ensure that the disabled person is aware that this is likely to have an effect on any reasonable adjustments which may be required and to document this.

## **Harassment and Discrimination**

30. The College has a legal duty to have due regard to the need to eliminate harassment of disabled people that is related to their disabilities or to the disabilities of others associated with them. Harassment may take the form of verbal abuse or other actions which make an individual feel uncomfortable, intimidated or degraded.
31. Complaints will be taken seriously and dealt with as appropriate under the Student Complaints Procedure.

## **Monitoring and Review**

32. Student files, kept by the Registrar and Director of Training, will maintain records of all students and potential students who declare a disability and will record data on the support provided to students.
33. The Policy Committee will review the Disability Policy on an annual basis and make recommendations for changes when necessary.

## **Contacts and Further Information**

34. Further information on disability is available from the Director of Training.

## **Appendix 1: Disability Definitions – Further information**

### **When is a condition considered to be a disability?**

- a) The important factor in determining whether something is a disability is whether the impairment resulting from the condition has an effect on the ability to carry out normal day-to-day activities and the extent and timescale of this effect. In general, one would be considered to have a disability if one has an impairment that is either physical or mental, the impairment has adverse effects which are ‘substantial’, and the substantial effects are long-term.

### **What is a ‘substantial’ adverse effect on the ability to undertake an activity?**

- b) A substantial effect is:
  - greater than the effect resulting from the physical and mental conditions experienced by most people, which result in only minor or trivial effects
  - likely to impact upon the length of time it takes to undertake an activity and/or the way it is undertaken
  - in some cases, the result of a combination of conditions which alone would only cause a minor effect
- c) People with progressive medical conditions would be defined as disabled even if their current condition only results in some adverse effects, but the adverse effects are likely to become substantial in the future.

### **What is a long-term effect?**

- d) 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?**

- e) In general, day-to-day activities are the things people do on a regular or daily basis such as shopping, reading, writing, having a conversation, getting washed and dressed, preparing and eating food, walking and travelling by various forms of transport, taking part in social activities, etc. For a student, studying would be an everyday activity.

## **What sorts of impairments are classified as disabilities?**

- f) It is not possible to provide a definitive list of conditions, but a disability can arise from a wide range of impairments. Categories of impairment and examples within each category are listed below:
- Sensory: Visual (including Irlen syndrome) and hearing impairments
  - Developmental: Autistic Spectrum Disorders (ASD)
  - Specific Learning Difficulties (SpLDs): Dyslexia, dyspraxia, dyscalculia, dysgraphia
  - Mental health conditions/illnesses: Depression, schizophrenia, eating disorders, bipolar affective disorders, obsessive compulsive disorders (OCD), personality disorders, some self-harming behaviour
  - Fluctuating or recurring conditions: Rheumatoid arthritis, myalgic encephalitis (ME)/chronic fatigue syndrome (CFS), fibromyalgia, epilepsy, diabetes
  - Progressive conditions: Motor neurone disease (MND/ALS), muscular dystrophy, forms of dementia, lupus (SLE), multiple sclerosis (MS)
  - Organ specific conditions: Respiratory (e.g., asthma) and cardiovascular conditions (including thrombosis, stroke and heart disease)
  - Body or brain injury: Paralysis, brain damage.
- g) Hay fever (seasonal allergic rhinitis) is not considered to be a disability unless it aggravates the effect of another condition.
- h) If someone has depression that has a substantial adverse effect on carrying out normal day-to-day activities then they would be considered to have a disability. Even if the effects may seem minor in isolation (e.g., they 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 the person was not taking medication or receiving counselling.