

## University Policy on Supporting Disabled Students

### 1. Introduction

The University of Bristol is committed to creating and sustaining an excellent teaching and learning experience for our students, offering a high-quality, research-led education that encourages independence of mind, where students are encouraged to thrive academically. As a provider of education, we value the diversity of our students and remain committed to sustaining a fair, equitable and mutually supportive learning environment. We aim to create an environment where disabled students are supported to achieve their full potential, to contribute fully, and to derive maximum benefit and enjoyment from their involvement in the life of the University.

### 2. Legal context

For the purpose of this policy the following definition of a disability will apply as set out in the Equality Act 2010:

'A person has a disability if they have a physical or mental impairment, and the impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.'

The effect of the impairment is long term if it has lasted for 12 months; it is likely to last for at least 12 months; or is likely to last for the rest of the person's life. Physical or mental impairments include hidden impairments such as depression, dyslexia and epilepsy. A person with cancer, HIV or multiple sclerosis is covered by the Act from point of diagnosis. It is unlawful to discriminate against disabled students in relation to:

- admissions
- the provision of education
- access to any benefit, facility or service
- exclusions
- any other detriment

### 3. The Reasonable Adjustment Duty

The Equality Act places the University under a duty to make reasonable adjustments to support individual disabled students in realising their full potential and to ensure that they are not disadvantaged in comparison with non-disabled students. This duty is also anticipatory, meaning that the University is required to consider and take action in relation to barriers that impede disabled people generally prior to an individual disabled person seeking to become a student. Failure to make a reasonable adjustment can never be justified. The duty comprises three requirements:

- Where a provision, criterion or practice puts disabled students at a substantial disadvantage compared with those who are not disabled, to take reasonable steps to avoid that disadvantage.
- Where a physical feature puts disabled students at a substantial disadvantage compared with people who are not disabled, to take reasonable steps to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function.
- Where not providing an auxiliary aid or service puts disabled students at a substantial disadvantage compared with students who are not disabled, to take reasonable steps to provide that auxiliary aid/service.

The term provision, criterion or practice covers all aspects of the student experience, access to education, other benefits, facilities and services, as well as all University policies, procedures and regulations. In determining what is reasonable, the University will not compromise academic/competence standards<sup>1</sup> and the expectation is that disabled students will achieve the same learning outcomes as non-disabled students. Consideration will be given to adjusting the way in which a competence standard is assessed unless the passing of the assessment is conditional upon having a practical skill or ability which must be demonstrated by completing a practical component or demonstrating fitness to practise.

In determining what is reasonable in each individual case, the University may consider factors including but not limited to:

- whether taking any particular steps would be effective in overcoming the substantial disadvantage that disabled people face in accessing the education or other benefit, facility or service in question
- the extent to which it is practicable to take such steps
- the type of education or other benefit, facility or service being provided
- the effect of the disability on the individual
- the financial and other costs of making the adjustment
- the availability of grants, loans and other assistance to disabled students
- the extent to which aids and services will otherwise be provided to disabled people or students
- the resources of the education provider and the availability of financial or other assistance
- health and safety requirements (the Act does not override health and safety requirements)
- the relevant interests of other people, including other students

#### **4. Disability Disclosure**

Students who disclose a disability should be referred to Disability Services where further discussion can take place with a Disability Advisor on issues connected to support and to explore funding that may be available to cover the costs of reasonable adjustments where appropriate. Where appropriate a Disability Support Summary (DSS) will be produced to assist staff in determining what adjustments should be considered and to assist the University in meeting the requirements of the reasonable adjustment duty. It is expected that staff will engage fully with this process and familiarise themselves with any associated University guidance.

Students can disclose a disability at any point during the course of their studies. The reasonable adjustment duty applies to the individual student from this point of disclosure - regardless of whether the student has a DSS in place. In some cases (particularly where disclosure relates to an unseen disability) supporting evidence may be required to help understand the support needs of the individual student.

A disabled student has a right to request that the existence or nature of their disability be treated as confidential. In such cases, the recommended support can be shared (as agreed with the student in terms of what is shared) but the nature of the disability must remain confidential. In some instances this will limit the University's ability to implement satisfactory adjustments or result in no adjustments being provided.

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<sup>1</sup> A competence standard is defined as 'an academic, medical, or other standard applied by or on behalf of an education provider for the purpose of determining whether or not a person has a particular level of competence or ability'.

## **5. Responsibilities**

The University Board of Trustees is legally responsible for ensuring that the University properly discharges its duties under the Equality Act. As such, all University staff are expected to operate within the parameters of this policy and any associated guidance.

The success of the support that both the school and Disability Services are able to provide relies on the student's willingness to engage with it. The general expectation is that the student will assume an element of personal responsibility and work in partnership with their School and Faculty to ensure that any adjustments make a positive contribution to their ability to engage with their studies and to complete their programme successfully.

## Document control

Summary			
This policy defines how the University manages disability disclosure and reasonable adjustments to support disabled students.			
Scope - This document applies to:			
All staff and students, for compliance.			
For applicants entering in:	2019/20	Applies to academic year:	2018/19 onwards
Document Control			
Owner	Mark Ames, Director of Student Services		
Division	Student Services		
Lead contact	Lou Miller, Head of Disability Services		
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