

**College of Business and Development Studies**



**Disability Strategy**  
**Reasonable Adjustment and Special**  
**Considerations Policy**

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## **Disability Equality Vision, Values and Principles**

College of Business and Development Studies mission for Disability Equality is encompassed within its general duty to provide Equal Opportunity for all. To this end it seeks to provide easily accessible, responsive, supportive and high quality education and training, employment opportunities and services for all its students, staff and customers. It is committed to serving the whole community fairly and equally. It values and respects everyone within and outside the college community. It will pursue an inclusive and proactive Policy in the provision of:

- Education
- Recruitment, development and promotion of staff
- Services and the use of its facilities

Any complaints of discrimination or harassment will be treated seriously, and will be fully investigated and may result in disciplinary action by College management.

The College will provide in-service training opportunities for all staff, relating to the Disability Policy and its implementation.

The Health and Safety Policy needs to be read in conjunction with the College's

- Mission Statement
- Equal Opportunities Policy
- Race Equality Policy
- Staff Appointments and Promotion Procedure

### **Scope and Codes of Practice**

This policy applies to the following:

- All students, whether full-time; part-time; day release; attending short courses or link courses and all those in community settings
- All visitors
- All staff, whether full-time or part-time; in teaching or support roles and voluntary workers working in or for the College.

The following list indicates the kinds of acts which might occur in incidents of discrimination/harassment:

- Physical assault and abuse;
- Verbal threat and abuse;
- Unwelcome physical contact;
- Derogatory name-calling, insults, demeaning jokes;
- Offensive comments;
- Incitement of others to behave in an offensive or oppressive manner;
- Provocative behaviour, mimicry etc;
- Wearing of discriminatory logos, badges or insignia;
- Graffiti directed against an individual or vulnerable group;
- Displaying or distributing products (e.g. leaflets or magazines) containing offensive material;
- Attempts to recruit other users, staff or students to any form of discriminatory practice.

### **Codes of Practice**

The main legislation covering disability includes the following:

- The Chronically Sick and Disabled Persons Act (1970)
- The Equal Pay Act (1970, amended 1983)
- The Sex Discrimination Act (1975)
- Special Education Needs Disability Act (SENDA 2001).
- The Disabled Persons (Services, Consultation and Representation) Act (1986)
- The Disability Discrimination Act (1995)
- The Human Rights Act (1998)
- The Learning and Skills Act (2001)
- Disability Discrimination Act Part 4 (September 2002) and any other associated parts.
- Disability Equality Duty

Any subsequent legislative changes or additions will be incorporated within this policy, normally through the review process; date of all reviews will be identified on the college internet.

## **General Policy**

### **Access**

- The College will continue to widen participation amongst under-represented groups by developing community-based access centres and flexible modes of learning.

### **Marketing and Recruitment**

- A Disability statement will appear in all College prospectuses and publicity material.
- College publicity will reflect the cultural diversity of the College community and will avoid all types of negative stereotyping.
- Information about special facilities and resources for supported learning students and students with disabilities will be included in the College prospectus.

### **Curriculum and Learning Support**

The College will seek to ensure that curriculum content and learning resources are in accordance with the Equal Opportunities and Disability Policies.

- Materials used on courses (e.g. textbooks, videos, etc) will be demonstrably free of stereotyping on the grounds of race, ethnicity, sex or disability.
- All full-time/part time students will be assessed for basic skills/additional support needs at the beginning of their course of study, where appropriate and in the best interests of the student additional support may be allocated.
- All students who are speakers of other languages will be entitled to English language support to enable them to pursue their studies effectively.

### **Student Support**

- All students will be offered access to tutorial and pastoral support which is relevant to their needs and course of study.

## **Staffing and Staff Development**

- All potential staff will have equal access to employment opportunities, provided they meet the requirements of the job description and person specification.
- The college will actively seek to select and appoint staff displaying sensitivity and understanding of disability issues.
- The College will not discriminate in providing access to training, promotion and career development opportunities on the grounds of disability.

## **Environment and Facilities**

- The College will endeavour to create a safe, welcoming environment which enables each student to feel comfortable and reach her or his full learning potential.
- All practical steps will be taken to provide safe access and working conditions on College premises for students with learning difficulties/disabilities.
- The College will endeavour to provide facilities for individual worship.

## **Implementation, Monitoring, Evaluation and Review**

- All staff and students will be made aware of the Policy and implementation strategy at induction.
- CBDS team will receive regular reports on equal opportunities analysing the students and staffing profile in terms of gender, ethnicity and disability.

## **Complaints**

A complaints procedure exists for the use by and protection of all members of CBDS

Students/staff needing support/advice or information about related issues will be able to obtain this by contacting one of the following: -

- Equal Opportunities Manager (Umair Anwar)
- Students Union office (Tahir Hussain)

## **Equal Opportunities**

The College will ensure that its Disability Policy operates within the spirit and letter of the College Equal Opportunities Policy.

## **Definitions of Disability**

By 'disability' we mean any impairment, medical condition, mental health difficulty or specific learning difficulty that has an impact on the ability to study or on any other aspect of College life. If a student is unsure whether a particular difficulty would be considered a disability they are welcome to discuss this in complete confidence with the Disability support person.

The Disability Discrimination Act defines disability as "a physical or mental impairment which has a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities". In some cases CBDS would consider someone to be disabled even though the disability might not meet all the DDA criteria.

## **Pre application information**

All disabled students considering whether to apply to College of Business and Development Studies are encouraged to contact the Disability Team to find out about the range of services for disabled students. Students with a mobility difficulty are strongly advised to visit CBDS and discuss their requirements in detail with the Disability Staff before application.

## **Admissions**

Applicants who declare a disability on the application form will be contacted by the Disability Team to seek further information. This is to help us put reasonable adjustments in place.

Admissions tutors are expected to seek advice from the Disability Team whenever there is a concern about the impact of a disability on a student's ability to follow a course.

## **Applications from students with mobility difficulties**

Admissions Tutors must ensure that certain procedures are followed when considering applications from these students. This is to ensure that access and emergency egress routes are established before a student arrives. If reasonable adjustments to buildings and procedures cannot be put in place it is essential that an applicant is informed in a timely manner.

Admissions Tutors who make an offer to a student with restricted mobility must notify the Head of Department, the Departmental Tutor, the Registrar, the Dean of Students, the Disability and the Residence Office, as soon as practically possible.

## **POLICY ON REASONABLE ADJUSTMENT AND SPECIAL CONSIDERATIONS**

College of Business and Development Studies aims to facilitate open access to qualifications offered by Awarding bodies through the College for learners who are eligible for reasonable adjustment and/or special consideration in assessments in accordance with each awarding body policies and procedures, without compromising the assessment of the skills, knowledge, understanding or competence being measured.

This will be achieved through:

### **Reasonable Adjustment**

This is agreed at the pre-assessment planning stage and is any action that helps to reduce the effect of a disability or difficulty, which places the learner at a substantial disadvantage in the assessment situation. Reasonable adjustments must not, however, affect the reliability or validity of assessment outcomes nor must they give the learner an assessment advantage over other learners undertaking the same or similar assessment.

### **Special Consideration**

This is a post-assessment allowance to reflect temporary illness, injury or indisposition that occurred at the time of assessment. Any special consideration granted cannot remove the difficulty the learner faced at the time of assessment and can only be relatively small adjustment to ensure that the integrity of the assessment is not compromised. Special consideration cannot apply to “license to practice” units within a qualification, or “license to practice” qualifications.

### **Guidance on Reasonable Adjustment and Special Considerations**

- **Reasonable adjustment**
- **Explanation of reasonable adjustment**

A reasonable adjustment helps to reduce the effect of a disability or difficulty that places the learner at a substantial disadvantage in the assessment situation. Reasonable adjustments must not affect the validity or reliability of assessment outcomes, but may involve:

- \* changing usual assessment arrangements
- \* adapting assessment materials
- \* providing assistance during assessment
- \* re-organising the assessment physical environment
- \* changing or adapting the assessment method
- \* using assistive technology.

Reasonable adjustments must be approved (internally or externally) and set in place prior to assessment commencing. It is an arrangement to give a learner access to a qualification.

The work produced following a reasonable adjustment must be assessed in the same way as the work from other learners. Below are examples of reasonable adjustment. It is important to note that not all adjustments described below will be reasonable, permissible or practical in particular situations. The learner may not need, nor be allowed the same adjustment for all assessments.

Reasonable adjustments may fall into the following categories which may vary in accordance with the requirements of each awarding body:

- \* changes to assessment conditions
- \* the use of mechanical and electronic aids
- \* modification to the presentation of assessment material
- \* alternative ways of presenting responses
- \* use of access facilitators.

Reasonable adjustment must never affect the validity or reliability of assessment, influence the outcome of assessment or give the learner(s) in question an unfair assessment advantage.

### **Applying reasonable adjustment**

Reasonable adjustments are approved before an assessment and are intended to allow attainment to be demonstrated. A learner does not have to be disabled (as defined by the DDA) to qualify for reasonable adjustment; nor will every learner who is disabled be entitled to reasonable adjustment. Allowing reasonable adjustment is dependent upon how it will facilitate access for the learner. A reasonable adjustment is intended to allow access to assessment but can only be granted where the adjustment does not:

- \* affect the validity or reliability of the assessment
- \* give the learner(s) in question an unfair advantage over other learners taking the same or similar assessment
- \* influence the final outcome of the assessment decision.

The Principal Responsibility is to ensure that any access arrangement implemented by the college on behalf of the learner, is based on firm evidence of a barrier to assessment.

The centre will consult with the Awarding body before applying any reasonable adjustments.

## Special Considerations

### What is special consideration?

A special consideration is consideration given following a period of assessment for a learner who:

- was prepared for and present at an assessment but who may have been disadvantaged by temporary illness, injury or adverse circumstances that have arisen at or near to the time of assessment
- misses part of the assessment due to circumstances outside their control.

It may not be possible to apply special consideration in instances where:

- assessment requires the demonstration of practical competence
- criteria have to be met fully
- Units/qualifications confer license to practice.

Where assessment is in the form of on demand assessment, such as electronic tests set and marked by a computer, then it is probably more appropriate to offer the learner an opportunity to take the assessment at a later date. A special consideration cannot give the learner an unfair advantage, nor must its use cause the user of a certificate to be misled regarding a learner's achievement. The learner's results must reflect real achievement in assessment and not potential ability. To this end, special considerations can only be a small post-assessment adjustment to the mark or outcome.

The ultimate decision to grant special consideration rests with the Awarding body and these are based on various factors, which may vary from learner to learner, and from one subject to another. These factors may include the severity of the circumstances, the date of the assessment, the nature of the assessment (e.g. practical, oral presentation, etc). A learner who is fully prepared and present for a scheduled assessment may be eligible for special consideration if:

- performance in an assessment is affected by circumstances beyond the control of the learner, e.g. recent personal illness, accident, bereavement, serious disturbance during the assessment
- alternative assessment arrangements which were agreed in advance of the assessment proved inappropriate or inadequate
- part of an assessment has been missed due to circumstances beyond the control of the learner.

A learner will not be eligible for special consideration if:

- no evidence is supplied by the centre that the learner has been affected at the time of the assessment by a particular condition
- any part of the assessment is missed due to personal arrangements including holidays or unauthorised absence
- preparation for a component is affected by difficulties during the course, e.g. disturbances through building work, lack of proper facilities, changes in or shortages of staff, or industrial disputes.

The following are examples of circumstances which might be eligible for special consideration (this list is not exhaustive):

- terminal illness of the learner
- terminal illness of a parent
- recent bereavement of a member of the immediate family
- serious and disruptive domestic crises leading to acute anxiety about the family
- incapacitating illness of the learner
- severe car accident
- recent traumatic experience such as death of a close friend or distant relative
- flare-up of severe congenital conditions such as epilepsy, diabetes, severe asthmatic attack
- recent domestic crisis
- recent physical assault trauma
- broken limb on the mend.

Unlike reasonable adjustment, there are no circumstances whereby College of Business and Development Studies will apply its own special consideration. Applications will be made to the respective Awarding body.