

DDA PART IV

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DRC Post-16 Code of Practice

available at

<http://www.drc-gb.org/law/codes.asp>

Slide 2

DDA PART IV

DDA Part IV:

Why is it needed?

- Disabled people are twice as likely as non-disabled people to have no qualifications whatsoever.
- One in five pupils will be identified as having a 'special educational need' while at school.
- One in twenty disabled people are at a college of further or higher education or university – compared to one in ten of the rest of the population.
- More than double the number of disabled people are out of work compared to non-disabled people.

(DRC)

Slide 3

DDA PART IV

The Act and the curriculum covers:

- All publicly funded HEI's:
 - 'responsible bodies'
 - individual liability

- All students, all potential students, all courses.

Slide 4

DDA PART IV

The meaning of 'discrimination'

- Discrimination against disabled applicants or students can take place by:
 - Treating '**less favourably**'
 - Failing to make a '**reasonable adjustment**', which, if made, would avoid '**substantial disadvantage**'
 - Without justification

Slide 5

DDA PART IV

- All forms and elements of teaching, including curriculum design, are 'services'
- Discrimination by accepting disabled students followed by failure to make reasonable adjustments
- Discrimination by refusing to admit students or to consider reasonable adjustments

Slide 6

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- Reasonable Adjustments are anticipatory
- 'Training for Staff' is a defence

Slide 7

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'Reasonable Adjustments'

- Alleviate substantial disadvantage by
 - Changing procedures
 - Adapting curriculum
 - Providing additional services
 - Training staff
 - Altering the physical environment

Slide 8

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The Act and reasonable adjustments

Criteria for 'reasonableness':

- Academic and prescribed standards
 - Financial resources
 - Grants/loans
 - Cost
 - Practicality
 - Other available aids and services
 - Health and safety
 - 'Interests' of other students
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- Must not be used spuriously
 - Must be material and substantial

Slide 9

DDA PART IV

- **Disclosure**
- **Confidentiality**

Slide 10

DDA Amendment Regulations

DDA Amendment Regulations (in brief)

- Come into force October 2004
- Main aim is to protect disabled people from discrimination in vocational training
- Regulation 11 introduces new sections relating to discrimination by Qualifications bodies or Trade and professional bodies, and to practical work experience

Slide 11

DDA Amendment Regulations

DDA Amendment Regulations (contd)

- Section 14a sets out the circumstances in which it is unlawful for a qualifications body to discriminate against a disabled person
- Section 14b requires qualifications bodies to make reasonable adjustments – but not to ‘competence standards’

Slide 12

DDA Amendment Regulations

DDA Amendment Regulations (contd)

- 'Objective criteria'
- Sections 14c and 14d seek to prohibit unlawful discrimination and harassment in relation to work placements
- Draft Code of Practice available from 1st September at www.drc-gb.org

What the SDT does

- Provision of Central Training
 - **<http://www.sdt.ac.uk/events.asp>**
- Provision of Information
 - Website **www.sdt.ac.uk**
 - Written guidance as appropriate