Special Educational Needs and Disability Act 2001: scoping staff development and associated activities

A report to the Learning and Skills Council from

Learning and Skills Development Agency

National Institute of Adult Continuing Education

SKILL

# June 2002

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# Section 1: Executive Summary

The Learning and Skills Council (LSC) already has duties under the Learning and Skills Act 2000:

* *to have regard to the needs of learners with disabilities and learning difficulties*

*and*

* *to have due regard to promote equality of opportunity between disabled and non disabled learners.*

From September 2002 new legislation will be phased in which brings education under the Disability Discrimination Act (DDA). In the post school sector the responsible bodies which have duties under this legislation are Institutes of Higher Education, Further Education (FE) colleges, and Local Education Authorities (LEAs) providing adult education. Under DDA Part 4, these bodies will have new, legal responsibilities:

* *not to treat disabled learners less favourably for a reason related to their disability*

 *and also:*

* *to provide reasonable adjustments for disabled learners.*

These new duties apply not just to teaching and learning but also to any service, which is provided specifically for students. They are anticipatory, that is providers will need to anticipate the likely needs of disabled learners and not merely respond to individual needs as they arise. The LSC, as the funding body for further and adult education, will need to ensure that it gives them sufficient guidance and resources to fulfil their new duties. Indicative costings for staff development and premises are included in this report but LSC will need to consider the resources required for the other proposed actions. Although this study relates only to FE and adult education, the findings and requirements are equally applicable to work based learning providers who are already covered by similar but not identical legislation under Part 3 of the DDA.

This research project aimed to provide evidence-based advice to the LSC on staff development and other activities needed to ensure providers address the requirements of the DDA Part 4. It involved a short term but extensive consultation exercise with staff and learners in further education and adult community learning. The findings draw on evidence gathered by the project team from more than 1,750 people through consultation events, site visits to 10 institutions and an on-line questionnaire.

Results showed that some institutions were already providing extensive support for disabled learners. Providers are not starting from scratch as some already have a long history of including disabled people. The research showed that the FE and ACL sectors and different providers are at different stages. They have received differing levels of support and some will need more support than others in meeting the requirements of the new legislation. This has implications for the allocation of resources.

Even those staff in organisations where provision was well established recognised that this legislation marked a distinctive new phase. For the first time disabled learners will have legal rights and providers legal duties. Staff welcomed the new legislation as an important tool, which will provide an opportunity to develop still further this important area of work. However, the appeal for support from the LSC to help providers develop their practice was unanimous and urgent.

Below is a brief summary of the areas in which staff felt they would require support:

**Awareness of DDA Part 4**

Staff felt that while a few staff had a clear awareness of their new duties many staff had little or no awareness of the new legislation. They were particularly concerned as to how sub contracted staff could be made aware of their responsibilities.

**Perceptions of current practice**

Generally staff and learners were positive about the provision offered to learners with disabilities and learning difficulties. However, they were concerned as to how to meet the needs of under-represented groups of learners and about the availability of resources and expertise to provide support

**Staff development needs**

### Staff recognised that the requirements of DDA Part 4 would require considerable staff development. They requested centrally created staff development materials, which could be adapted for use by individual colleges and LEAs. They were also concerned as to how to ensure that any training they offered reached the full range of staff – full and part time, teaching and non-teaching.

**Procedures for consulting with learners**

Staff and learners recognised that it was essential that learners were informed about their rights under the new legislation and that they would need to review their procedures for consulting with learners.

**Auditing of current policies, practices and procedures**

Staff were aware that, in order to ensure compliance with DDA Part 4, they may need to revise their current policies, practices and procedures. They were aware that certain documents already existed to help them do this but felt they needed guidance on knowing which documents held which information. They said that they would benefit immensely from the establishment of local networks, supported by trained facilitators, in which they could share ideas of good practice and benchmark the changes they were making. Many expressed concerns about the lack of available expertise to support them.

**Ensuring sustainability**

While welcoming the recurrent funding to support the implementation of DDA Part 4, staff were also concerned that changes should be embedded into both internal and external procedures so that improvements in provision are sustained. They were also concerned about having to address the DDA Part 4 within an infrastructure whish is far from robust.

**Recommendations**

Based on the evidence collected in this research, we recommend 3 integrated strategies for: 1. information and communications; 2. building provider capacity and improving quality in the sector and 3. supporting and developing the infrastructure. Each recommendation has a series of proposed actions (presented below in summary form with the number of the action, from the main body of the text in brackets) which taken together should assist the LSC to:

* **promote awareness** of the DDA Part 4 and its implications in its own staff, providers and partners
* **support staff development** about the DDA Part 4 and its implications
* **address gaps in provision and support** for learners with learning difficulties and disabilities
* promote the development of **good practice in policies, practice and procedures**
* **ensure sustainability**

# Recommendation 1: strategy for information and communications

* **a publicity campaign**
* to raise profile and awareness of DDA Part 4 [action1]
* to inform providers about the action LSC is taking [action 1]
* **guidance to clarify responsibilities and address frequently expressed concerns including:**
* ensuring compliance by part time, temporary and subcontracted staff [action 2]
* responsibilities for shared premises [action 2]
* administration of medication [actions2,17]
* audits and physical access requirements of premises [action 17]
* update on the implications of case law [action 4]
* transport [action 2]
* responsibilities of staff with strategic role [action 2]
* health and safety and risk assessments [action 17]
* data protection [action 5]
* **commission documentation such as:**
* leaflets differentiated for staff and advice on dissemination [action 3]
* leaflets and posters for learners and advice on dissemination [action 14]
* initial staff development materials and advice [action 8]
* advice to providers in embedding in their cycles of planning, monitoring, review and evaluation [action 25]
* publish the scoping study resources review [action 16]
* **commission the creation, development and maintenance of a webportal** to provide:
* summary of available information/resources for staff development [action 10]
* signposts existing documentation [action 16]
* links to materials as they are developed e.g. leaflets, resources review, action research, best practice exemplars [action 19], staff development materials [16] updates of case law [actions 4, 16]
* email forum for learners [action 15]
* email network/discussion forum [action 27]
* links to an information and advice line, with DRC [action 27]

#### Recommendation 2: strategy for building provider capacity and improving quality in the sector

* **action research** to identify, develop and test best practice, produce exemplars for:
* collecting and using monitoring data from learners [action 5]
* working with disabled learners [action 6]
* disclosure and procedures for passing information on action 19]
* listening to and consulting with learners [action 13]
* embedding into cycles of planning monitoring, review, evaluation and staff appraisal/development review [action 26]
* **staff development for providers** supported by:
* a national training the trainers/facilitators programme [action 9]
* advice including: distance and online learning; different modes of delivery; initial teacher training and continuous professional development and involving learners in the design, delivery and evaluation [action 10]
* resources with the minimum of bureaucracy to ensure staff can attend training [action 10]
* access to trained facilitators and support networks [action 12]
* **an audit service** including:
* a national training programme for facilitators to provide an audit service [action 20]
* criteria for selecting facilitators [action 20]
* support for networks/ benchmarking clubs [action 21]

# Recommendation 3: strategy for supporting and developing the infrastructure

* **development for LSC staff** including:
* the development and delivery of a training package for LSC staff [action 10]
* the development of skills in advising and supporting providers and embedding in procedures [action 10]
* continuous updating and upskilling of LSC staff [action 22]

* **support providers** by monitoring the availability oflocal facilitators and networks for staff development [action 11] and audit [action 20], and by supporting the networks.
* **review methods of collecting data** to provide a national framework[action 4]
* **map provision and address gaps** bydeveloping a local profile, identify under representation, audit and ensure local availability of provision and support to meet need action 7]
* **listen to learners** and ensure that learners voices are both heard and acted upon [action 23]
* **allocate resources** to:
* develop sector wide additional learning support mechanism [action 7]
* put in place interim arrangements to ensure funding for ACL [7]
* **embed DDA Part 4 in procedures** including:
* performance review [action 11]
* quality improvement [action 11]
* the equality and diversity strategy [action 11]
* the ongoing review of LSC’s policies, practice and procedures [action 22]
* **monitoring, review and evaluation** including:
* the development of indicators and monitors, reviews evaluates and reports on impact [action 24]
* a steering group to oversee implementation[action 24]
* **develop the external infrastructure** by working with:
* ALI and Ofsted in relation to inspection and inspector training [action 24]
* the standards setting bodies e.g. FENTO, Paulo and the new sector skills councils [action 25]
* careers advice and guidance bodies including Connexions [action 25]
* partners to provide learner email forum [action 15]

# Section 2: Research Report

# Introduction

This research project has been undertaken by the Learning and Skills Development Agency (LSDA) in partnership with NIACE and Skill for the Learning and Skills Council. It aimed to identify staff and organisational development needs so that further and adult education providers can better meet the needs of disabled learners. An overview of the project is presented as Appendix A.

The Learning and Skills Council (LSC) already has duties under the Learning and Skills Act 2000:

* *to have regard to the needs of learners with disabilities and learning difficulties*

*and*

* *to have due regard to promote equality of opportunity between disabled and non disabled learners.*

From September 2002 new legislation will be phased in which brings education under the Disability Discrimination Act (DDA). In the post school sector the responsible bodies which have duties under this legislation are Institutes of Higher Education, Further Education (FE) colleges, and Local Education Authorities (LEAs) providing adult education. Under DDA Part 4, these bodies will have new, legal responsibilities:

* *not to treat disabled learners less favourably for a reason related to their disability*

 *and also:*

* *to provide reasonable adjustments for disabled learners.*

These new duties apply not just to teaching and learning but also to any service, which is provided specifically for students. They are anticipatory, that is providers will need to anticipate the likely needs of disabled learners and not merely respond to individual needs as they arise. The LSC, as the funding body for further and adult education, will need to ensure that it gives them sufficient guidance and resources to fulfil their new duties. Indicative costings for staff development and premises are included in this report but LSC will need to consider the resources required for the other proposed actions. Although this study relates only to FE and adult education, the findings and requirements are equally applicable to work based learning providers who are already covered by similar but not identical legislation under Part 3 of the DDA.

The new legislation has major implications for Further Education, LEA and adult community learning staff, who are referred to collectively as ‘providers’ of education in this report. We recognise that there are voluntary and community groups who also provide this education, but they are outside to scope of this study. Although this study relates only to FE and ACL, the findings and requirements are equally applicable to work based learning providers.

While this research responds to the imperative to ensure that institutions comply with the legislation, we recommend that a positive approach is taken. In terms of presentation, positive aspects which could be emphasised, include the opportunities the new legislation presents to attract new learners and to reach out to those currently excluded or under represented in education. This can help providers to meet their targets. We would recommend that providers focus on bringing about a culture of continuous improvement in accessibility for disabled learners rather than a more limited culture of compliance.

# Aims

The purpose of this research was to provide evidence based advice to the LSC. The primary concern of this study was the recurrent funding aspects of this work, however, the report refers to capital works, which are integral to compliance with the Act. The objectives, as stated in the specification, were:

1. to analyse the needs of the staff of the FE and ACL funding sectors with regard to their understanding of the implications of SENDA
2. to set out those learning needs in a training action plan for both full and part time staff, with timescales and suggested resourcing
3. to comment on the scope and range of activity required to satisfy those needs, with particular attention to the needs of new recruits and part-time staff and of staff at different levels within education organisations
4. to undertake the research using a variety of methods, including desk research, focus groups and face-to-face interviews.

# Methodology

The research involved a short term but extensive consultation exercise with staff and learners in Further Education (FE) and Adult Community Learning (ACL). The findings draw on evidence gathered by the project team of 6, from 13 consultation events with more than 650 participants, site visits to10 institutions involving interviews with more than 178 individuals and a questionnaire completed by 942 respondents. In total, more than 1750 people were directly involved in the consultation. It also drew on a range of literature and research reports. The project was guided by an expert advisory group. For further details see Appendix A which gives an overview of the project and was disseminated widely to participants, Appendix B which describes the methodology and includes lists of the project team and expert advisory group members, Appendix C gives the research questions and D lists the consultation events and site visits. The questionnaire is in Appendix E and an analysis of the questionnaire responses is given in Appendix F.

# Findings

The following sections present the findings under 6 headings: A. awareness of the DDA; B. perceptions of current practice; C. staff development; D. listening to and consulting with learners; E. auditing of current policies, practice, procedures and premises and F. ensuring sustainability

Each section describes the research questions and summarises the responses with some analysis of the issues raised. The sections present a series of proposed actions of the LSC with a brief conclusion which offers and evaluative discussion of their advantages and limitations. The actions are divided into those for LSC nationally and Local LSCs and are further divided into immediate and medium term actions.

When referring to evidence from people who attended the consultation sessions or were interviewed during the site visits, the terms ‘participants’ or ‘staff’ are used. People responding to the online questionnaire are referred to as respondents.

1. **Awareness of DDA Part 4**

Participants were asked whether they were aware of the new duties coming to providers in relation to DDA Part 4 and whether they thought other staff were aware of them

###### Summary of responses

Participants felt that levels of awareness of the Act and its implications are variable. A small minority of specialists are highly knowledgeable while awareness amongst the majority is low, a view confirmed by the on line questionnaire. The first 10 ‘quiz’ style questions revealed that few respondents are fully aware of the detail of the Act. E.g. two thirds (62.8%) thought that all premises will need to be fully accessible by September 2002, Three quarters (73.5 %) think that all dyslexic learners will be covered by the Act and a fifth (20.8%) think that their websites and intranets are not covered by the Act. A quarter (24.0%) had not heard of the Act before completing the questionnaire. When rating their level of awareness, nearly half (41.3%) rated themselves as mostly aware and nearly half (44.5 %) slightly aware. Only 5.8% said they are fully aware. Nearly two thirds (61.2%) said that ‘some staff’ in their institutions are aware of the duties and a fifth (22.2%) think that very few are aware. Most respondents (80.9%) consider it is important to find out more about the implications of the Act.

Some staff pointed out that even where that there was an awareness of the Act, there was low awareness of its implications. The approach of institutions to preparing for the Act is also varied. A few institutions have made much progress in their preparation for the Act and have an action plan well underway. One LEA has already briefed two thirds of its staff and more than 200 staff in one college had attended a compulsory training session with the rest scheduled for a session before the end of this term.

There was a strong recognition of the need for immediate awareness raising. It was ‘essential’, ‘vital’ and ‘very important’. Some participants stressed the need for a disability equality perspective and the benefits of approaching disability issues within a wider equality and diversity agenda, including race and gender. Staff were particularly aware of the need for awareness raising amongst senior managers. Participants said that LSC should take a lead in promoting the Act. Specialists with responsibility for disabled learners were anxious that managers should recognise the management role in the implementation of the Act and not assume it would ‘all be sorted out by training from disability specialists’. Participants said that there is a tendency for relevant resources to be handed straight to the institution’s specialist for action rather than addressing the Act as a whole institution responsibility. There is a major staff development need associated with the implementation of this Act and staff development officers might be seen as key people. Yet, in the consultation session with staff development officers, only one out of nineteen was aware of or had seen the AoC ‘Rights of Access’ toolkit.

To help raise awareness immediately, staff welcomed the idea of a series of leaflets, aimed at different staff (senior managers including governors, teachers, learning support staff, including guidance and library and learning resource staff, and other support staff such as premises staff). They were however concerned that dissemination of these leaflets should be carried out through a strategic implementation process rather than a casual approach. They considered that it should be embedded in ongoingmeetings and training sessions and not limited to random distribution into staffs’ pigeonholes.

Senior staff said it was helpful to raise awareness of senior staff and governors through an introduction to the legal responsibilities. They also asked for updates on case law to support this.

Participants also commented on how the on-line questionnaire had helped raise awareness and welcomed the on-line format as being helpful for some staff in achieving this. They also stressed the value in providing a web portal for immediate access to information. Surprisingly, few participants said that have no access to the internet although a few described themselves as ‘technophobes.’

Staff recognised and welcomed the positive benefits, which the implementation of DDA Part 4 could bring to disabled learners. They saw awareness raising as a first step which needs to be followed up with disability equality training. They felt that training needs to be challenging if it is to lead to cultural change. They pointed out that it is not easy to access good quality training,

*‘There is no formal qualification or standard of delivery for disability awareness trainers and the training is highly variable. Guidance on acceptable standards would be invaluable to people trying to provide staff with awareness. However, it is important to recognise that many people with disabilities do not have formal qualifications and many people without disabilities are very capable of providing high quality training.’ Questionnaire response*

They pointed out that LSC could helpfully promote the implementation of DDA part 4 within the broader context of the equality and diversity agenda. This is required by section 14 of the Learning and Skills Act and should include a strong disability perspective. It can also be linked to the Basic Skills for Inclusive Learning programme that is currently underway, and to the Disability Rights Commission’s public awareness campaign scheduled for the autumn.

There was a clear message that any central information needed to be produced very soon and a concern that it already might be too late with implementation being in September 2002. Participants also said that they wanted to know what LSC would be doing to support them.

Two specific concerns were raised repeatedly, by ACL staff in particular:

* how to ensure awareness with part-time, temporary and sub-contracted staff

and

* the legal responsibilities for ensuring the accessibility of a building not owned by the education provider . This is a particular issue in relation to schools that are used extensively in community education.

#### Actions for national LSC – immediate

1. **That the LSC puts in place a communications strategy to raise the profile and awareness of DDA Part 4, including a major publicity campaign, aimed at providers including senior managers, LSC and LLSC staff and learners and links its strategy to the DRC publicity campaign. The LSC should also inform providers about the actions the LSC is taking to support the implementation.**
2. **That the LSC should, also as a matter of urgency, produce authoritative guidance for providers to those with a strategic role, to clarify responsibilities and address concerns.**

**These should give an outline of the new legislation, summarise what providers need to do to comply with it and what support is available from LSC. They should also deal specifically with particular queries raised in this scoping survey which might require the LSC to take external, legal guidance. These include:**

* **how to ensure compliance and promote best practice with part-time, temporary and sub-contracted staff**
* **the legal requirement of providers when buildings are rented for a few hours each week or are shared with schools**
* **what constitutes a reasonable adjustment in relation to learners who require help in receiving medication**
* specific information about what a provider can reasonably be expected to do if a student cannot get transport to college. In doing so, LSC should take note of DfES recommendations in relation to transport arising from the DfES commissioned research project carried out by Steer Davies Gleave.

1. **That the LSC should commission the production of and circulate a series of information leaflets, differentiated for different groups of staff, giving basic information about DDA Part 4 and the responsibilities it brings.**
2. **That the LSC commissions from the DRC an update on the implications of case law.**

Conclusion

These actions will help all providers and all staff (full time, part time, temporary and sub-contracted) to receive basic information about DDA Part 4 and its implications.

However, there is no assurance that all staff will read this information. There is also a danger that providers might feel that all that is needed is information without ensuring that practice is developed accordingly. Information alone is insufficient and these actions need to be supported by staff development and other actions (see the sections below).

1. Perceptions of current practice

Participants were asked how good they felt their organisation was at not treating disabled learners less favourably and at making reasonable adjustments for them, and where their main gaps were.

##### Summary of responses

A large proportion of those interviewed (both staff and learners) were positive about the provision being made for disabled learners. Participants made clear that in terms of current practice they are not starting from scratch. They are already subject to the earlier parts of the DDA in relation to the employment of staff and the provision of some services. ACL providers have longstanding experience of making simple adjustments, such as relocating classes and FE and more recently ACL providers have received the benefit of substantial programmes to develop practice through the Standards Fund and successive quality initiatives.

Adult education respondents spoke particularly positively about how their flexible approach meant they were in a good position to respond to individual needs. Front line staff say they are particularly used to disabled learners. Some ACL staff are concerned that they lack equipment, resources and specialist expertise to meet needs, although others did emphasise that the flexibility and individualised approach of ACL does make it a particularly supportive environment for many disabled learners. Some staff commended local partnership where equipment and expertise is shared and pooled and they suggested that LLSCs could have a role in facilitating this

The issue of funding was inevitably raised. Staff in FE were particularly positive about the way in which the flexibility of the current additional learning support mechanism allowed them to provide reasonable adjustments for disabled learners. There was strong support for the principle of a financially neutral position for providers and for the fact that it is based on individual need rather than categorisation. A college principal said,

*“ It is the single most important factor in enabling colleges to provide the extensive range of support, based on individual need.”*

All staff welcomed initial proposals by the LSC to extend some form of additional learning support funding to adult and community learning. They were clear that it must maintain its current flexibility if it is to support them in implementing the new legislation.

About half of questionnaire respondents (52.1%) thought their organisation is good at making reasonable adjustments and not discriminating, nearly a third rated their organisations as fair (32.0%) and 10.3% considered they are excellent with only 5.6% poor. Just over half (57.8%) were aware of problems experienced by disabled learners in gaining access to provision, of these about a third (37.2%) thought these problems were resolved satisfactorily. Another third (31.1%) thought they were not and the final third (31.8%) did not know.

Some staff also expressed concerns about their lack of knowledge of what equipment was available to help learners and the lack of resources to fund equipment. They felt that this was an area in which they might be challenged. In terms of advice on technology, few staff were aware of the TechDis website with its excellent database of equipment and wide range of useful information to support the implementation of the Act.

One group of learners from a further education college were extremely positive about the support available for them:

*‘Couldn't wish for a better support team’*

*‘You’re made to feel comfortable from the assessment’*

*‘A lot of help available: Dyslexia Support Group, laptops, tape recorder. I only hope I can get this sort of support in the working environment.’*

*‘I didn’t feel confident in saying I had a disability. The support team helped me get over the embarrassment and shame.’*

*‘All the staff are excellent, not just the support team’.*

 *‘All staff very good’.*

*‘The burden is taken off me, for example not having to feel worried I can’t make a deadline’*

‘Everything is explained, everyone is welcoming, the other students are very helpful. They rallied round me.’

# They stressed that they just wanted the college:

‘*to have time and resources to keep up the good work.’*

The same group of learners felt strongly that:

‘*if more disabled people knew about the support offered they would be far more likely to apply for places.’*

However, responses were variable. Some staff said that, while some areas of the institution had excellent provision there were other areas where it was less good. Some basic skills staff were particularly worried that they had neither the training nor the expertise to meet needs. There is a shortage of staff skilled to meet the basic skills needs of learners with learning difficulties and disabilities. Some staff expressed a concern that, while they catered well for learners who were very clear about their support needs, they were not confident about others such as students who might be dyslexic and students who had not disclosed a disability but then exhibited challenging behaviour or symptoms of mental health difficulties.

One group of learners were concerned that many teachers do not know how to adapt their teaching and tend to rely on support workers rather that change their own practice. One participant cited a publication written by students expressing their frustration and anger at the way they were treated. He said,

 “They have two hurdles to overcome: one is their disability, and the other is the attitude of staff”.

Many staff expressed concern that certain groups of disabled people are under-represented in their institution. People with mental health difficulties were cited as an under-represented group and others reported a lack of provision for people with profound and complex learning difficulties. Participants indicated that there remains widespread misapprehension that the LSC will only fund accredited courses or support on these courses. They said that some LSC staff in the local office implied that this is so. Despite LSC circulars which clearly state that this is not the case, the message does not seem to be getting through.

*‘clarification for senior management staff about how they can access funding for support. At present they will only fund support to accredited courses and nothing I say ever seems to convince them that funding for non accredited courses can be accessed.’ Questionnaire respondent*

Staff also asked for guidance on what might be deemed to be acceptable learning outcomes for those who are not on programmes leading to external certification.

Many participants were also anxious that the current emphasis on retention and achievement was discouraging staff from accepting disabled students. They said that this creates a tension with the competing agenda to attract new learners and that much more attention needs to be paid to advising admissions staff on setting appropriate, non discriminatory entry criteria and what might be considered reasonable adjustments.

Some staff mentioned the importance of the disability statement for informing potential students about the support available. They also welcomed the idea of leaflets to inform disabled learners of their legal rights.

Participants said that current data collection procedures were not always useful in accurately establishing the degree of under-representation of certain groups as they lack measures of prevalence of people with different disabilities within their local area. Therefore providers could not match their learners’ profile against the local demographic profile and so had no way of measuring how well they were including disabled learners. The expert advisory group pointed out that even if data is not completely accurate, as some learners may not choose to disclose their disabilities, it is essential to collect data. Even incomplete data can give broad indications of gaps.

There was also considerable concern about the ‘unfriendliness’ of some of the forms they were asked to use with learners to gather data, particularly during the admissions process. They expressed confusion about the collection and use of data with regard to data protection legislation and indicated that they would welcome advice on the issue.

Lack of appropriate transport too was frequently mentioned as an area of concern.

*‘Lack of transport can undermine all the efforts that colleges make’.*

Participants accepted that transport to and from classes was not the direct responsibility of either the LSC or the college but did feel that it might be cited as a reasonable adjustment which a college had failed to make and wanted guidance from the LSC about this.

## Actions for national LSC – medium term

1. That the LSC reviews its methods of collecting data to provide a national framework for monitoring the representation of particular groups of disabled people, and LSC commissions research to establish good practice in collecting and using data from learners, addressing confidentiality and data protection issues
2. That the LSC puts in place a strategy to address under representation and commissions a series of action research projects to identify, develop and disseminate examples of best practice in working with disabled learners

These projects should pay particular attention to reaching and meeting the needs of those with mental health difficulties, learners who exhibit challenging behaviour and those with profound and complex learning difficulties. They should also focus on issues causing concern e.g. sensitive procedures for data collection and use, setting learning outcomes

1. That the LSC develops a sector wide additional learning support mechanism to ensure that all providers have equitable access to resources to provide reasonable adjustments, and that during the year 2002-2003 (before adult and community education is eligible for the new additional learning support funding )LSC puts in place interim procedures to ensure funding for ACL providers so they can meet the requirements of DDA Part 4

Actions for Local LSCs – medium term

1. That LLSCs should:
* develop a local demographic profile and assist providers to match themselves against it
* map provision, review the balance of and address the needs of under-represented groups of disabled people in their areas
* audit local availability of resources and ensure there are effective operating networks for support
* ensure there are sufficient support services and expertise available to provide advice and/or reasonable adjustments for all learners who require them irrespective of which institution they attend and facilitate the sharing or pooling of resources

Conclusion

There is little data available that identifies participation by disabled learners. This is understandable in view of the difficulties over definitions and the reticence of some learners to disclose a disability. Nevertheless there are nationally available sources of information which could be used, e.g. the DRC analysis of Labour Force Survey Data available from their Helpline. If these actions are taken it will enable the LSC to deal with gaps in provision allocate resources more effectively.

These actions would also give providers an indicative profile of the incidence of different disabilities within local communities as a basis for planning and evaluating the effectiveness of their provision. It is important, however, not simply to focus on numbers participating as a measure of effectiveness but to also be aware of the quality of the experiences of disabled learners. It is essential to also address the gaps in expertise that have been identified by participants or it becomes a meaningless exercise.

1. **Staff development**

Staff were asked what kinds of strategies and staff development would be most effective for the full range of staff; whether centrally devised staff development materials would be useful, and what kinds of materials they felt would be most effective.

**Summary of responses**

Staff recognised there is a major need for staff development if DDA Part 4 was to be fully adhered to. They realised that this staff development needed to involve all staff and some pointed to useful comparisons with whole staff health and safety training. There was a strong feeling that staff development for all staff must be compulsory if the implementation of the Act is to be effective. Although others expressed concerns about the practicalities of this and the impact it might have on participants’ engagement in any training.

“ It should be compulsory for ALL staff to have staff development on disabilities and how to 'treat' disabled students in the classroom, and to understand the role of their support worker. There is a lot of 'does he take sugar' syndrome. It is so embarrassing to explain to a lecturer that this is not acceptable.” (questionnaire response)

Some staff felt that there needed to be different modes and content of staff development differentiated for different groups of staff – e.g. managers, governors, teaching, non-teaching, full time, part time. There was a particular concern that teaching staff needed far more training in how to differentiate their teaching in order to meet the individual needs of the full range of learners. However, many also expressed the view that general awareness raising activities could be most effective in mixed staff groups.

There was a strong recognition of the need to embed staff development into established in-house training and procedures, e.g. induction, regular meetings or staff development sessions, appraisal and development reviews and planning as well as the need to develop a culture of reflective practice.

Meeting the needs of part-time, temporary and subcontracted staff is known to be different from and more difficult than meeting the needs of full or fractional staff on site. Different strategies, materials and general approaches are needed. There was particular concern about how to get all staff, specifically part-timers, to attend and a recognition that this problem is exacerbated where staff are contracted. Some respondents said that, increasingly, part time staff are required to attend training as a condition of contract. Others are being paid to attend and are encouraged with inducements such as good food, pleasant surroundings and crèche facilities.

However, there was a strongly expressed view that the pressure on staff and lack of time would continue to be a barrier, so other strategies are required which do not always require attendance. Examples would be using non attendance methods such as web-based and distance learning approaches, and also a range of non training based learning opportunities such as team teaching, peer observation, working with other agencies, attendance at staff or committee meetings, etc. Some institutions reported extended appraisal schemes which include all part-time teaching staff and consider their development needs, in a systematic manner. They reported as most effective approaches which encourage ownership by practitioners and approaches which are based on existing practice and in particular peer-based approaches.

Participants were asked how they would like the resources to be divided between themselves for direct delivery and the central production of staff development materials. By far the majority of participants favoured the idea of some centrally produced staff training materials. The majority of survey respondents also(79.1%) want a balance between resources spent between nationally devised and delivered materials and resources to support institutions. However, participants were adamant that for raising awareness they wanted materials to be:

* short and simple
* differentiated
* an outline which they could then adapt for their particular use.

*‘ A variety of training materials and case studies to reach a wider audience is needed. Some of the materials currently available only deal with small sections or an overview. My particular need is to learn more about..technology….’ Questionnaire response*

### They were also clear that they would like these materials to be available in a variety of formats. Some groups were very keen to have web based materials (‘please not another ring-binder’) while others preferred the idea of a print copy. Many, but not all, respondents liked the idea of a training video including examples of bad practice and how it should be avoided. They cited the importance of using humour and mentioned other training videos on health and safety and management training as examples. They also indicated the value in involving disabled learners in training,

*‘Students that have experienced discrimination in education/placement would make interesting speakers and offer a different perspective on the subject.’ Questionnaire response*

Participants recognised that addressing the issues raised by the Act will not be achieved by a single approach or a one off training activity. They recognised the need to revisit the issue through an ongoing programme that uses a range of different approaches to ensure that practice continues to improve.

Staff accepted that a substantial proportion of training would need to be delivered internally, but they also welcomed the idea of having some of it delivered by a trained, external facilitator:

*‘can give it more status, particularly with senior managers’*.

Such training sessions might be in only one institution (for example if it was a large college) or cover a local group of staff from different organisations. These events would act as training for college and LEA staff who could then disseminate information within their own organisation. Of the questionnaire respondents, three quarters (75.4%) favoured an in-house training event, half (48.6%) wanted written materials and half (46.0%) a training video. Participants indicated that some staff, particularly those who teach the employment related aspects of business administration and those who work in the human resources area, have a useful working knowledge of the earlier parts of the DDA which could be helpfully utilised in some aspects of training.

There was strong support for working in networks for those with lead responsibility for this area within their institutions. The work of several regional networks and organisations already in existence could be built upon. The National Association of Staff Development (NASD) was mentioned as were the LSDA/NIACE networks for adult community learning.

In discussing staff development needs it was very clear that different providers had very different capacities for providing their own staff development. Smaller institutions and ACL providers have more limited capacity in house either to provide specialist staff or to access external resources, than larger FE colleges. Their need for resources is proportionately greater.

ACL with its much higher part time staffing has particularly strong needs for dedicated resources for staff development so they can:

 *‘ feed them, pay them and provide crèche facilities.’*

Not only is it important to pay part time staff to attend, but also there is an expectation that the cover costs for full time staff will be paid. However, the likely cost of doing so will be high.

In terms of the costs and numbers of staff involved, an estimated 315,000 part time staff are employed in FE and ACL (see Appendix G for sources of data and breakdown of figures). One college recommended a whole-day training events comprising 5.5 attendance hours paid at £12 per hour, plus refreshments and crèche facilities. Even were this sum to be reduced to a half-day training event comprising two attendance hours paid at £10 per hour, more than three-quarters of the assumed £8m budget would be required (2 hour hours x £10 x 315,000 part-time staff = £6.3m). Other calculations are provided in Appendix G.

Some participants said that they want to be told how much funding they can have and how to access it. Because claiming resources and providing audit evidence places proportionately greater demands on the administrative systems of smaller organisations, they want the simplest possible way of receiving resources and some said they do not mind a prescriptive approach. They asked if the audit and evidence requirements associated with any funding could be incorporated into the plans and returns they are already required to make. They do not favour a separate action plan for this work, but wanted it to appear within other plans. Some staff suggested that some form of weighting for the allocation of resources, perhaps by enrolments rather than FTEs, might address the issue of proportionality. However, we have been warned that at the moment there is a trend of ‘throwing money at initiatives’ and that some resources are unclaimed and allocations underspent.

Some staff pointed out that it might be helpful to link this training into the wider equalities and diversity agenda, especially as it has a higher profile in inspection and performance review, and it will be helpful to incorporate it into pre inspection briefings and training. It was also pointed out that joint training with other agencies might be appropriate. This was seen as particularly relevant in the instance of LEAs working with schools and the Youth Service as these organisations both have duties under DDA Part 4.

# Actions for national LSC - immediate

1. **That the LSC commissions a national ‘training the trainers’ or facilitators’ training programme and in the interim, commissions the creation of initial short and simple staff development materials, adaptable for local delivery**

1. **That the LSC makes advice and resources available with a minimum of bureaucracy to institutions to ensure that all staff can attend training**

**This should include:**

* **LSC commissioning the creation of a web portal and/or other ICT solutions with distance and online learning resources for staff development. It should link to the DRC site to be set up specifically for this Act**
* **strategic advice on how best to develop different modes of delivery and a wide range of approaches to staff development beyond traditional attendance-based methods, to ensure that their message reaches the full range of full- and part-time staff**
* **advice to providers on developing dedicated staff development strategies for part-time, temporary and subcontracted staff**
* **advice to ensure that providers’ in-service initial and continuing professional development for teaching and learning support staff addresses both the disability perspective and an understanding of identifying and meeting the needs of disabled students**
* **advice which encourages providers to involve learners in the design, delivery and evaluation of staff development.**

# Actions for both national and Local LSCs – immediate

1. That both national and local LSCs should ensure that all their staff and Council members are aware of the implications of DDA Part 4 and relevant staff are skilled in advising providers. This will include the development and delivery of a training package for all LSC staff. Issues relating to DDA Part 4 need to be embedded in all of LSC’s own policies, procedures and practices including performance review, quality improvement activities and the equality and diversity strategy, if LSC staff are to be better able to support providers. This is particularly important for staff working at a senior level.

Actions for Local LSCs - immediate

1. **That the local LSCs should ensure that providers have access to trained facilitators and support networks, building on existing networks locally and regionally to support their staff development activities**

##### Conclusion

The actions above would help to support a national training programme, delivered through already established groups or in-house procedures, to support the implementation of DDA Part 4. However, as past experience has shown, part time staff, even if they can be paid for attendance, are not always able to attend staff development events. Providers need advice on how best to reach part time staff. One solution to this might be the development of non-attendance based strategies.

Centrally designed materials would ensure a consistency of approach and be cost effective and quick. However, there is a danger that some staff might use these too prescriptively as yet another task and not take true ownership of the information they contain. One way of limiting this disadvantage is to involve practitioners in the design of materials.

There is evidently a need for different groups of staff to receive differentiated training. However, this brings a danger of the whole institution approach becoming fragmented. This could be averted by general disability equality training being given to mixed groups followed by specific training for particular groups of staff.

**D. Listening to and consulting with learners**

Learners were asked whether they had already heard about the new legislation and how they should be provided with information about it. They were also asked about the best ways of consulting with learners, and how confident they felt disabled learners would be at asserting their rights.

Staff were asked about their current methods of consulting with learners and how they planned to inform them about DDA Part 4.

**Summary of responses**

###### Learners

Most learners who were interviewed had not heard about the new legislation. Those who had heard about it had done so through carrying out an assignment on the topic as part of their learning programme.

Many of them liked the idea of a student leaflet but felt it was essential that it should be available in large print, on tape and in an accessible format. Some learners said they preferred to have information given face to face but liked the idea that there should be a written version as back up.

Learners were very enthusiastic about the importance of disseminating awareness of DDA Part 4 both within and outside the college. Some of the means they suggested for raising awareness outside the college were:

* articles in local paper
* information from the LSC
* information at school
* through information and guidance providers, including careers and Connexions
* through Youth service workers
* broadcasting
* from learn direct
* through public libraries
* information at Job centres/from DEA

For raising awareness within their place of learning they suggested:

* information in college information centre, college handbook, prospectus, student handbooks
* initial interview at college
* information via the Student Union
* included as a course work assignment
* email forum
* tutorials and class discussion
* posters
* through the text messaging group

It was recognised that learners are experts in identifying their own learning needs and so it is essential to listen to them. Learners were asked about the best ways of being involved, and a number of areas were suggested: consultation; representation; advocacy; providing information; and peer support.

Learners who were studying in discrete groups were accustomed to being consulted as a part of the group. However, those learners who received individual support did not often have the opportunity to meet as a group. They appreciated the privacy of individual support, however, a group of learners from one college who were interviewed for this study had never formally met together with other disabled learners before. They said they had really enjoyed the experience of sharing issues in a supportive group. They suggested that the quality of their feedback was enhanced by discussing issues together rather than being interviewed individually. This has implications for advice to providers on consulting with learners.

When asked about how confident they felt disabled learners would be in asserting their rights, they felt that some learners might find this difficult. They were keen that learners who did feel confident and understood the new legislation might be able to support other learners

‘we can get involved in speaking on peoples’ behalf’.

They also felt that the advocacy role is important, and that the Students Union or students’ councils could to be used as vehicles for supporting students in understanding the implications of the new legislation and that there should be:

‘awareness raising with the Students Union about disability and the new Act.’

Disabled learners recognised the importance of non disabled learners being made aware of the Act and its implications. Some learners mentioned incidents of bullying and harassment, arising from the behaviour of other learners, particularly in unstructured setting such as the refectory. They welcomed attempts by institutions to address this.

###### Staff

When staff were asked about how they listened to and consulted with learners, their responses were mixed. Some respondents felt they did this informally but, with new legislation, needed to ensure there were more formal means. Many considered themselves to be weak in this respect. Participants identified this as a priority for improvement. They thought that it would be helpful for the LSC to give advice on a range of different ways in which learners’ (both disabled and non disabled) understanding of the implications of the new legislation could be enhanced.

Staff felt that they needed to ensure that information about DDA Part 4 was included in their internal procedures for giving information to learners. They suggested relevant procedures such as student induction, student charter, student forum and tutorials.

Some staff liked the idea of a leaflet for learners and said that these needed to be in accessible formats.

# Actions for national LSC - immediate

1. **That the LSC commissions action research to develop best practice examples and advice for staff on different ways of listening to and consulting with learners to ensure that their voices are heard and that they are involved proactively in planning**
2. **That the LSC ensures that leaflets and posters in accessible formats are produced to inform the full range of learners with learning difficulties and disabilities of their new rights and are widely disseminated including through national voluntary organisations, local bodies, information advice and guidance services, youth service and the full range of non post 16 education services`**
3. **That the LSC works with partners to provide an email forum for disabled learners**

# Conclusion

The provision of leaflets is a straightforward way of giving standardised information for learners, but it is no substitute for direct discussion with learners.

The advantage of action research and best practice examples is that they enable providers to draw on best practice in other sectors, in relation to involving disabled learners. The disadvantage is that it has a limited impact on those not involved in the research. To overcome this limitation, the action research needs to have an impact strategy built into the design stage, and to include a wider evaluation of the short and longer term impact.

* + 1. **Auditing of current policies, practices, procedures and premises**

Participants were asked about how their current policies, practices procedures and premises might need auditing or checking and updating in the light of DDA Part 4. Questions covered three main areas:

a. auditing of environment and provision, e.g. accessibility of buildings, teaching and learning, teaching materials and non teaching facilities such as canteen, sports facilities, car parking etc.

b. auditing of procedures, especially procedures for disclosure and passing on information, admissions procedures, complaints procedures, health and safety procedures, disciplinary procedures, quality assurance procedure, performance review and development.

c. auditing of policies and marketing materials

The responses and actions were very similar for all three areas so the findings are presented together under a single heading. In relation to premises, included below are the findings of a research report carried out by LSDA in November 2001 for DfES to cost access in FE colleges premises.

###### Summary of responses

###### Policies, practice and procedures

Participants became increasingly aware of the need to audit not just the physical accessibility of their buildings but all areas of their provision, e.g. teaching and learning, materials and all non-teaching facilities. Some of them expressed concern about their capacity to do this without external advice. Some said they would need expert ‘auditors’ to help them with this either because they lacked the expertise and/or time to do so.

Many of them would like some sort of checklists against which they could measure their own provision. A few staff knew that there were already publications which might help them to do this, (e.g. AoC Rights of Access and DfES/NIACE Guidance for LEAs), but they felt that they needed some pointers as to which documents would be most helpful for which issues.

Participants said that there were a number of areas in which their responsibilities were not clear or they wanted clearer advice on what might be reasonable. Particular concern was expressed by LEAs and ACL providers, about the extent of their duty or what could be reasonably expected when they were sharing or renting buildings for a few hours a week. They asked who would be responsible and who could claim resources for alterations, particularly when the premises are LEA schools? Another issue was clarity about who is responsible for what in situations of shared responsibilities under the Act, for example learners under sixteen who are attending college.

All staff interviewed recognised that there were gaps in their procedures which would need addressing to meet the requirements of the new legislation. One specific concern in regard to health and safety and risk assessment procedures was the issue of administering medication to learners i.e. should they be doing this as a ‘reasonable adjustment’ but what were the other health and safety implications.

Staff also felt that their policies and marketing materials would need updating in the light of DDA Part 4 and would welcome some advice on what this might require. The disability statement was mentioned as an important source document but few providers were aware of the need to revise the statement to align with the legislation. There is also a need for the LLSC to provide both demographic and labour market information to providers so they understand better the community they are trying to serve and how best to reach potential disabled learners and meet their needs.

Staff felt it would be very useful to have access to some national exemplars of good practice in procedures and policies. They were particularly concerned about the need for effective policies and procedures on bullying and harassment and to develop policies on disclosure that reflected sensitivity to cultural differences in attitudes to disability.

Staff with lead responsibility for disabled learners felt it would be extremely helpful to be able to consult with members of networks of staff with similar responsibilities. They said that this would enable them to share good practice and benchmark the changes they were making to policies, procedures and practices with other staff. They were very keen that these networks should have the advice of an expert, independent facilitator who could give both training and practical ‘surgery’ type advice. While some suggested that to some extent, large colleges with a developed infrastructure could help smaller organisations and act as a broker for external services, other ACL providers were resistant to this approach. They said that their needs are quite distinct and they might be swamped by those of the larger college.

###### Premises

A research project carried out by LSDA for DfES in November 2001 identified that only a minority of colleges appear to have had a full access survey carried out by an expert. The report recommended that funding allocations to institutions for capital works should be made on the basis of a current, valid access audit/survey, which is:

* carried out by recognised accessibility experts
* audits/surveys premises in relation to the SEND Act (rather than the previous, weaker requirements of the DDA) and part M of the building regulations
* can be used to obtain design solutions and a costed quantity surveyors report.

Participants were unsure whether this is the case at present.

The report also recommended that DfES, through LSC, consider carrying out a full national survey of premises, as was done in Wales and Scotland by HEFC.

The capital costs estimated in this report are well above the proportion represented by the capital allocated for 2002/3 and there could be a mismatch between the resources allocated and demand, especially if the publicity campaign is effective. (See Appendix H for extracts from the report).

The consultation suggests that providers are not yet well prepared for the premises aspects of the legislation which will come into force in September 2005.

###### Policies, practice, procedures and premises

The scoping study itself has raised awareness and has created an immediate demand for support. This raises a serious issue about the availability and quality of external expertise to meet this demand. Addressing this will be a long term issue, but in the meantime the most helpful approach will be to provide advice and suggest criteria for selecting consultants.

Staff recognised the need to encourage institutions to embed the Act and its implications into all their procedures and to go on doing so as a regular part of their planning and reviewing process. It needs to be made clear that this is not about a one off activity, but it is a process of constantly monitoring progress against targets for improvement.

# Actions for national LSC – immediate

1. **That the LSC commissions the creation of a web portal leading to a comprehensive directory which signposts existing documentation (audit tools, exemplars and good practice models) with clear, regularly updated pointers as to which publications will help staff in which areas, that LSC commissions materials to fill the gaps (See also action 9) and that LSC publishes and disseminates the resources review in this study. LSC should also make clear links to the DRC and other relevant websites.**

# Action for national LSC – medium term

1. **That the LSC provides guidance on how to address gaps in this information, particularly in hard to resolve areas such as shared buildings and the administering of medication, health and safety and risk assessments, and provides specific advice on audits of and physical access requirements of premises**
2. **That the LSC, in collaboration with DRC, provides on-going updates on case law relating to DDA Part 4**
3. **That the LSC should commission exemplars of good practice in relation to policies and procedures, e.g. examples of effective and sensitive procedures for the disclosure of disability and the passing on of information, and ensures that staff are able to access them**
4. **That the LSC commissions a national training for facilitators to provide an audit service to individual institutions and networks or benchmarking clubs and makes available information about experts who can provide auditing and related advisory services, together with criteria for selecting them (for example, the National Register of Access Consultants provides advice and a list of consultants and auditors specialising in the accessibility of buildings).**

Action for Local LSCs – medium term

1. **That the Local LSCs should support and monitor the availability of trained facilitators and local or regional networks, building on existing networks or benchmarking clubs, in relation to policies, practices and procedures**

**Conclusion**

These actions have the potential for ensuring that all staff have the opportunity to access detailed information and receive informed advice on how to audit the full range of their policies, practices, procedures and premises. However, these actions will only be fulfilled if:

* Staff receive sufficient resources, particularly in terms of staff time
* The full range of managerial staff are involved and not just those with specialist responsibility for disabled learners
* Facilitators have sufficient training and expertise to fulfil their role and providers are able to select a facilitator who has specific knowledge of their particular area of work

# Ensuring sustainability

Staff were asked what strategies they could use to ensure that improvements to bring providers in line with DDA Part 4 are sustained in the future.

**Summary of responses**

Participants were concerned about the mixed messages they had received from national and Local LLSc, and other sources. They cited examples of apparent ‘misinformation’ on topics as widely varied as the requirement for accreditation on courses to claiming funding for premises adaptations. They said that they sometimes had difficulty in getting access to information. They wanted easy access, but they stressed that information provided needs to be authoritative and accurate.

In relation to their own practice, staff were very concerned that compliance with DDA should not just be seen as an ‘add on’ but should be embedded in both internal and external structures. Some staff referred to the lessons that could be learned from examining cases where initiatives had led to successful, long term cultural change in their institutions.

Some of the ways they felt providers themselves should ensure sustainability were by incorporating the Act:

* in annual planning and review
* in annual reports to governors
* by including DDA information in induction processes and staff training days
* in self assessment, monitoring, review and evaluation activities and staff performance and development review
* as a standing agenda item in committees and management meetings
* by ensuring that disabled learners voices are both heard and acted upon

Ways in which they wanted DDA Part 4 embedded in systems outside their own organisations include ensuring that:

* all National and Local LSC staff were aware of the new legislation and that issues relating to it should be embedded in all their policies, procedures and practices, including consulting with and listening to learners
* staff offering careers advice and guidance, including Connexions advisers and youth service staff should be trained about the DDA Part 4
* compliance with DDA should be included in self-assessment, inspection and the training of inspectors
* compliance with DDA should be considered within any future review of FENTO national occupational standards undertaken by the nascent post-compulsory Learning Sector Skills Council, and related training and qualifications, such as the leadership college and management training programmes. It is particularly timely with the establishment of the new sector skills councils and presents an opportunity to ensure that aspects related to the DDA are embedded from the start.
* awareness of DDA should be included in other external qualifications, such as National Vocational Qualifications undertaken by front line staff.
	+ - * national organisations that advise on disability issues such as DRC, Skill, RNIB and Mencap and other advisory and provider organisations such as NYA, NIACE, LSDA and AoC act as partners and a resource in promoting the DDA Part 4.

Staff also felt that they would like ongoing information on progress of the DDA Part 4 such as updates on the outcomes of any cases which did go to court. The importance of supportive advice from LSC and LLSCs was frequently stressed and senior managers expressed concerns about a possible heavy handed approach with measurement, performance review and inspection that might hinder a more positive approach to disability issues.

Many staff were particularly keen on the idea of web based information services to keep up to date and an email network which allowed them to access and contribute to current debate. Technological solutions can helpfully be developed in collaboration with the DRC and with reference to TechDis.

Many staff interviewed, while very strongly supporting the substance of DDA Part 4, expressed considerable concern about its implementation. They stressed the need for cultural change, to move beyond ‘support as a bolt on’ to a situation where support is an inextricable part of the whole provision and is, without question, the responsibility of everyone. They said that the context is not ideal. Providers were currently having to incorporate a raft of new, national initiatives within an infrastructure which itself was far from robust.

# Actions for both national and Local LSCs – medium term

1. That both national and local LSCs should ensure that all their staff are trained and updates on the implications of DDA Part 4 and that they continue to develop their knowledge and skills in advising providers. The LSC should also ensure the ongoing review of its own policies, procedures and practices, including performance review, quality improvement activities and the equality and diversity strategy, to embed the DDA Part 4 in them
2. That both national and local LSCs create opportunities which ensure that disabled learners’ voices are both heard and acted upon.
3. That LSC develops indicators and monitors, reviews, evaluates and reports on the impact of all the measures it has taken in relation to the implementation of DDA part 4 and sets up a steering group to oversee the process.

Actions for national LSC – medium term

1. **That LSC works closely with external bodies to ensure that issues related to DDA Part 4 are embedded in practice. These bodies include:**
	* + - **Ali and Ofsted in relation to in the inspection process and the training of inspectors**
			- **standard setting bodies for teachers, support staff and others (e.g. FENTO and Paulo) to ensure that their standards relate to DDA Part 4**
			- **QCA and external awarding bodies to ensure that qualifications incorporate the requirements of the DDA Part 4**
			- **careers advice and guidance bodies including Connexions and the youth service**
			- **national disability advisory organisations such as DRC, Skill, RNIB and Mencap and other advisory and provider organisations such as NYA, NIACE, LSDA and AoC.**

1. **That LSC commissions the writing of advice to providers as to how they can best embed implementation of DDA Part 4 into their own cycles of planning, monitoring, review and evaluation as well as staff appraisal/development review.**
2. **That LSC supports the commissioned provision of on line services including an email network/discussion forum, an information and advice line, in collaboration with DRC Helpline, for all staff working with disabled learners and ensures that these are maintained and regularly updated**

##### Conclusion

The above actions are necessary if DDA Part 4 is to become truly embedded in the culture of providers. However, many of them rely on LSC working with or through external organisations where LSC does not have direct control.

If DDA Part 4 is to create an enhanced situation for disabled learners it is essential that its implementation is embedded throughout the infrastructure both of the LSCs and their providers. However, this will only happen if the infrastructure is robust.

# Overall Conclusion

The findings reveal that institutions are at different stages in their preparation for the Act a few are well underway, others are waiting for support. They are not starting from scratch, but are building on practice which has already been subject to the DDA Part 3 in some respects and has benefited from a range of initiatives and strategies for improvement, but effectiveness varies.

The appeal for support is unanimous and urgent. Although staff have expressed concerns that support from LSC has been rather late, they are pleased that it is now on the way. LSC will be able to offer some ‘quick wins’ by making available the items identified as quickly as possible. They thought that the best way to help learners is to take action immediately and put measures in place quickly.

The immediate expressed need is to raise the profile of this area and for easy access to existing information and other sources of advice and support. Some useful resources are not reaching the staff who need them. Staff want information for all their staff to raise awareness about the Act and why it is important for their practice. To take advantage of opportunities to include initial training into planned staff meetings and development sessions, staff have asked for clear and simple training materials about the implications of the Act differentiated for the range of staff roles. They need access to training from a disability perspective. They point out that this can helpfully be integrated into the wider equalities and diversity agenda and other current initiatives such as BASIL.

Moving beyond the initial awareness raising phase to bring about sustained and systemic changes to practice, is a more complex and long term task. There are no quick fixes. It requires a strategic approach and requires programmes of staff and organisational development designed to bring about fundamental cultural change. To be effective this approach must be supported by appropriate and sufficient resources.

Progress will also depend on the quality of the overall infrastructure of providers and the contexts in which they are working. Many staff interviewed, although supporting the substance of DDA Part 4, expressed considerable concern about its implementation. They said that providers were currently having to incorporate a raft of new, national initiatives within an infrastructure which itself was far from robust.

Summary of proposed actions

Actions for national LSC – immediate

1. **That the LSC puts in place a communications strategy to raise the profile and awareness of DDA Part 4, including a major publicity campaign, aimed at providers including senior managers, LSC and LLSC staff and learners and links its strategy to the DRC publicity campaign. The LSC should also inform providers about the actions the LSC is taking to support the implementation.**
2. **That the LSC should, also as a matter of urgency, produce authoritative guidance for providers to those with a strategic role, to clarify responsibilities and address concerns.**

**These should give an outline of the new legislation, summarise what providers need to do to comply with it and what support is available from LSC. They should also deal specifically with particular queries raised in this scoping survey which might require the LSC to take external, legal guidance. These include:**

* **how to ensure compliance and promote best practice with part-time, temporary and sub-contracted staff**
* **the legal requirement of providers when buildings are rented for a few hours each week or are shared with schools**
* **what constitutes a reasonable adjustment in relation to learners who require help in receiving medication**
* specific information about what a provider can reasonably be expected to do if a student cannot get transport to college. In doing so, LSC should take note of DfES recommendations in relation to transport arising from the DfES commissioned research project carried out by Steer Davies Gleave.

1. **That the LSC should commission the production of and circulate a series of information leaflets, differentiated for different groups of staff, giving basic information about DDA Part 4 and the responsibilities it brings.**
2. **That the LSC commissions from the DRC an update on the implications of case law.**
3. That the LSC reviews its methods of collecting data to provide a national framework for monitoring the representation of particular groups of disabled people, and LSC commissions research to establish good practice in collecting and using data from learners, addressing confidentiality and data protection issues
4. That the LSC puts in place a strategy to address under representation and commissions a series of action research projects to identify, develop and disseminate examples of best practice in working with disabled learners

These projects should pay particular attention to reaching and meeting the needs of those with mental health difficulties, learners who exhibit challenging behaviour and those with profound and complex learning difficulties. They should also focus on issues causing concern e.g. sensitive procedures for data collection and use, setting learning outcomes

1. That the LSC develops a sector wide additional learning support mechanism to ensure that all providers have equitable access to resources to provide reasonable adjustments, and that during the year 2002-2003 (before adult and community education is eligible for the new additional learning support funding )LSC puts in place interim procedures to ensure funding for ACL providers so they can meet the requirements of DDA Part 4

Actions for Local LSCs – medium term

1. That LLSCs should:
* develop a local demographic profile and assist providers to match themselves against it
* map provision, review the balance of and address the needs of under-represented groups of disabled people in their areas
* audit local availability of resources and ensure there are effective operating networks for support
* ensure there are sufficient support services and expertise available to provide advice and/or reasonable adjustments for all learners who require them irrespective of which institution they attend and facilitate the sharing or pooling of resources

# Actions for national LSC - immediate

1. **That the LSC commissions a national ‘training the trainers’ or facilitators’ training programme and in the interim, commissions the creation of initial short and simple staff development materials, adaptable for local delivery**

1. **That the LSC makes advice and resources available with a minimum of bureaucracy to institutions to ensure that all staff can attend training**

**This should include:**

* **LSC commissioning the creation of a web portal and/or other ICT solutions with distance and online learning resources for staff development. It should link to the DRC site to be set up specifically for this Act**
* **strategic advice on how best to develop different modes of delivery and a wide range of approaches to staff development beyond traditional attendance-based methods, to ensure that their message reaches the full range of full- and part-time staff**
* **advice to providers on developing dedicated staff development strategies for part-time, temporary and subcontracted staff**
* **advice to ensure that providers’ in-service initial and continuing professional development for teaching and learning support staff addresses both the disability perspective and an understanding of identifying and meeting the needs of disabled students**
* **advice which encourages providers to involve learners in the design, delivery and evaluation of staff development.**

# Actions for both national and Local LSCs – immediate

1. That both national and local LSCs should ensure that all their staff and Council members are aware of the implications of DDA Part 4 and relevant staff are skilled in advising providers. This will include the development and delivery of a training package for all LSC staff. Issues relating to DDA Part 4 need to be embedded in all of LSC’s own policies, procedures and practices including performance review, quality improvement activities and the equality and diversity strategy, if LSC staff are to be better able to support providers. This is particularly important for staff working at a senior level.

Actions for Local LSCs - immediate

1. **That the local LSCs should ensure that providers have access to trained facilitators and support networks, building on existing networks locally and regionally to support their staff development activities**

# Actions for national LSC - immediate

1. **That the LSC commissions action research to develop best practice examples and advice for staff on different ways of listening to and consulting with learners to ensure that their voices are heard and that they are involved proactively in planning**
2. **That the LSC ensures that leaflets and posters in accessible formats are produced to inform the full range of learners with learning difficulties and disabilities of their new rights and are widely disseminated including through national voluntary organisations, local bodies, information advice and guidance services, youth service and the full range of non post 16 education services`**
3. **That the LSC works with partners to provide an email forum for disabled learners**

# Actions for national LSC – immediate

1. **That the LSC commissions the creation of a web portal leading to a comprehensive directory which signposts existing documentation (audit tools, exemplars and good practice models) with clear, regularly updated pointers as to which publications will help staff in which areas, that LSC commissions materials to fill the gaps (See also action 9) and that LSC publishes and disseminates the resources review in this study. LSC should also make clear links to the DRC and other relevant websites.**

# Action for national LSC – medium term

1. **That the LSC provides guidance on how to address gaps in this information, particularly in hard to resolve areas such as shared buildings and the administering of medication, health and safety and risk assessments, and provides specific advice on audits of and physical access requirements for premises**
2. **That the LSC, in collaboration with DRC, provides on-going updates on case law relating to DDA Part 4**
3. **That the LSC should commission exemplars of good practice in relation to policies and procedures, e.g. examples of effective and sensitive procedures for the disclosure of disability and the passing on of information, and ensures that staff are able to access them**
4. **That the LSC commissions a national training for facilitators to provide an audit service to individual institutions and networks or benchmarking clubs and makes available information about experts who can provide auditing and related advisory services together with criteria for selecting them (for example, the National Register of Access Consultants provides advice and a list of consultants and auditors specialising in the accessibility of buildings).**

Action for Local LSCs – medium term

# That the Local LSCs should support and monitor the availability of trained facilitators and local or regional networks, building on existing networks or benchmarking clubs, in relation to policies, practices and procedures.

# Actions for both national and Local LSCs – medium term

1. That both national and local LSCs should ensure that all their staff are trained and updates on the implications of DDA Part 4 and that they continue to develop their knowledge and skills in advising providers. The LSC should also ensure the ongoing review of its own policies, procedures and practices, including performance review, quality improvement activities and the equality and diversity strategy, to embed the DDA Part 4 in them
2. That both national and local LSCs create opportunities which ensure that disabled learners’ voices are both heard and acted upon.
3. That LSC develops indicators and monitors, reviews, evaluates and reports on the impact of all the measures it has taken in relation to the implementation of DDA part 4 and sets up a steering group to oversee the process.

Actions for national LSC – medium term

1. **That LSC works closely with external bodies to ensure that issues related to DDA Part 4 are embedded in practice. These bodies include:**
	* + - **Ali and Ofsted in relation to in the inspection process and the training of inspectors**
			- **standard setting bodies for teachers, support staff and others (e.g. FENTO and Paulo) to ensure that their standards relate to DDA Part 4**
			- **QCA and external awarding bodies to ensure that qualifications incorporate the requirements of the DDA Part 4**
			- **careers advice and guidance bodies including Connexions and the youth service**
			- **national disability advisory organisations such as DRC, Skill, RNIB and Mencap and other advisory and provider organisations such as NYA, NIACE, LSDA and AoC.**

1. **That LSC commissions the writing of advice to providers as to how they can best embed implementation of DDA Part 4 into their own cycles of planning, monitoring, review and evaluation as well as staff appraisal / development review.**
2. **That LSC supports the commissioned provision of on line services including an email network/discussion forum, an information and advice line, in collaboration with DRC Helpline, for all staff working with disabled learners and ensures that these are maintained and regularly updated**

# Section 3: Resources Review

The aim of this Resources Review is to give an overview of documents and websites which are likely to be of use when FE colleges and LEAs are looking at how their provision and practice needs to be developed in the light of DDA Part 4. It is not intended to be a comprehensive review, but does attempt to refer to key documents, give a brief summary of how they might be useful and identify where they might be obtained.

This Review is divided into the following parts:

# Part One: The Special Educational Needs and Disability Act and literature directly related to it

Part Two: Inclusive learning

Part Three: Skills for Life - literacy, numeracy and spoken language

Part Four: Materials produced by specific organisations

Part Five: Technical support

Part Six: Physical Access

Part Seven: Other education sector publications

Part Eight: Non educational publications

Part Nine: General staff development materials

# Part One

# The Special Educational Needs and Disability Act and literature directly related to it

## The Special Educational Needs and Disability Act, 2001

Copies of the Act can be found on: (<http://www.hmso.gov.uk/acts/acts2001/20010010.htm> ). This Act brought education under the Disability Discrimination Act and from now on will be referred to as DDA Part 4. Under DDA Part 4 it will be illegal for colleges and LEAs to discriminate against a disabled learner or potential learner for a reason related to their disability. LEAs and colleges will have new duties:

* Not to treat a disabled student or potential students less favourably for a reason related to their disability

And

* To provide ‘reasonable adjustments’ for disabled students

DDA Part 4 will be implemented in September 2002

Changes related to ‘auxiliary aids and services’ will be implemented in September 2003

Changes related to ‘physical features’ will be implemented in September 2005

## The Code of Practice post 16

Accompanying DDA Part 4 are two Codes of Practice (one for schools and one for post 16 education). These Codes were produced by the Disability Rights Commission. Draft Codes were circulated for consultation between May and October 2001. Revised Codes will be available from July 2002 from DRC. Currently the most recent draft can either be obtained in hard copy from (DRC at tel: 08457 622 633, textphone: 08457 622 644 or faxback service: 08457 622 611) or is available on DRC website: [www.drc-gb.org](http://www.drc-gb.org)

**The Code of Practice Post 16** explains in detail the new legal duties given to colleges, universities and LEAs under the DDA Part 4. The Code in itself is not an authoritative statement of the law as that is a matter for the courts. However, it can be used in evidence in legal procedures under the Disability Discrimination Act. It is likely to be particularly relevant to colleges and LEAs if they wish to understand the details of the DDA Part 4. It is written in a comprehensible style and is particularly useful because of its wide range of case study examples which give very clear indications of what might or might not be considered discriminatory action under the new legislation. These case study examples might also be very useful if staff are planning staff development activities on the new duties under DDA Part 4.

# Other literature directly related to the Act

The DfES has produced three documents directly related to DDA Part 4. The first of these is:

**Finding out about peoples’ disability** - **A good practice guide for further and higher education institutions (**Department of Education and Skills, 2002.Ref: DfES/0023/2002).

Under DDA Part 4 colleges and LEAs have to be proactive in encouraging learners and potential learners to disclose their disability. This document suggests ways in which they might do this and will be useful for LEAs, adult providers and colleges who are looking at their procedures for disclosure of disability.

The second document is:

**Providing Work Placements for Disabled Students - A good practice guide for further and higher education institutions (**Department of Education and Skills, 2002. Ref: DfES/0024/2002).

Under DDA part 4 colleges and LEAs have to ensure they do not discriminate against disabled students not just in teaching and learning but in any service provided wholly or mainly for students. Work experience is an area in which providers often fail to make reasonable adjustments for disabled students and this Guidance suggests procedures and practices which they might follow to ensure that disabled students have equal access to work experience placements.

The third document is **the DfES DDA Planning Duty Guidance for schools and LEA’s.** Although written primarily for schools, this offers guidance on the legal position for schools and LEAs and the three strands of the planning duty. It will be particularly useful for LEAs, but has sections on developing an accessibility strategy an accessibility plan and has various useful appendicies and checklists that may also be useful more widely.

All of these documents are free and can be obtained directly from the DfES (Publications Centre, PO Box 5050, Sherwood Park, Annesley, Notts, NG15 0DJ and tel: 08456 022 260).

Two guidance documents have been written which are specifically designed to help colleges and LEAs revise their policies, procedures and practices in the light of DDA Part 4. The first of these is:

**Rights of Access – a toolkit to help colleges meet or exceed the requirements of the Disability Discrimination Act.** It has been produced by the Association of Colleges. Copies have been distributed to all colleges.

Useful sections in **Rights of Access** include:

* Preparing for the implementation of the Act
* Guidelines for the setting up and maintenance of college structures and strategies for ensuring compliance with the Act
* A checklist for some of the things the college may wish to consider in making good provision for people with disabilities
* A checklist for the self-assessment and improvement of provision in colleges
* Guidelines for determining priorities for improvements

It also includes a very practical section on ways in which college literature could be adapted in order to ensure compliance with DDA Part 4.

The second is:

**Guidance for LEAs and adult education providers on the implementation of DDA Part 4.** It has been produced by NIACE for the DfES. It is divided into two sections. Section One gives an overview of both the Act and the Code. Section Two looks in detail at how LEAs and providers might begin to audit the full range of their procedures, practices and policies in order to ensure compliance with DDA. Subsections on procedures include:

* Admissions and enrolment procedures
* Disclosure procedures
* Procedures for responding to information
* Procedures for working with other agencies
* Complaints procedures

Subsections on practices include:

* Environment
* Teaching materials
* Access to teaching and learning
* Staff training
* Health and safety
* Activities outside the normal curriculum

Each subsection is followed by a simple checklist.

Although **Rights of Access** was written specifically for colleges and the **Guidance** specifically for LEAs they both cover the same legislation and so inevitably each document is potentially of value to the other sector. They have both been written in a short space of time in response to a very recent piece of legislation and it would be wrong to see either of them as being a definitive resource. Managers and practitioners in both sectors might well find it useful to refer to both documents, and to other sources, in order to gain as comprehensive a picture of the implementation requirements of DDA Part 4 as possible.

Finally it is important to remember that Part 4 of the DDA which covers education is not the only aspect of the DDA which colleges and LEAs need to be aware of. They will also have duties as an employer under DDA Part 2 and are likely at times to have duties under Part 3 as providers of Goods and Service. Skill, the National Bureau for Students with Disabilities has produced

**A Guide to the Disability Discrimination Act 1995 for Institutions of Further and Higher Education**. This has been updated in 2001 to cover new duties under Part 4.

The DRC publishes useful guides and publications related to all Disability Discrimination legislation and has a Helpline tel: 08457 622 633 textphone: 08457 622 644 fax: 08457 778 878 email: enquiry@drc-gb.org

# Part 2

# Inclusive Learning

Colleges and LEAs are certainly not starting from scratch in implementing the requirements of DDA Part 4. For many years institutions of further and adult education have been developing their provision and practices in ways which try to ensure increasingly greater inclusion of learners with disabilities and learning difficulties. The key document is:

 **Inclusive Learning**, the Report of the Learning Difficulties and/or Disabilities Committee established by the Further Education Funding Council and chaired by Professor Tomlinson (FEFC, 1996).

**Inclusive Learning** shifted the whole emphasis on how the inclusion of learners with disabilities and learning difficulties needed to be viewed. It states clearly that, if they are to become truly inclusive, institutions need to move from an approach which simply gives ‘some students who have learning difficulties some additional or human or physical aids’ to one which redesigns ‘the very processes of learning, assessment and organisation so as to fit the objectives and learning styles of the students’. The findings and recommendations of **Inclusive Learning** are extremely relevant in addressing the implementation of DDA Part 4.

 The publication of **Inclusive Learning** led to a plethora of publications and staff training initiatives at both national and local level. The key national initiative was the FEFC Quality Initiative whereby the FEFC commissioned the writing of a seven volume **Inclusive Learning Quality Initiative,** produced by AoC for FEFC. This publication addresses a range of ways in which institutions can develop their organisational structures in order to ensure that they are in line with the principles of inclusive learning. The materials include case studies, audit tools and staff development suggestions. Each further education college had the opportunity to receive a copy of the materials and the services of a trained facilitator.

There is also a range of resources developed by the FEDA/LSDA Inclusive Learning Research Networks (1998/99), including: *Good practice in the design and delivery of on-programme support* co-ordinated by Kathryn Jordan, West Kent College; *Applications of ILT to students with learning difficulties and disabilities,* co-ordinated by Graham Jowett, Lord Mayor Treloar National Specialist College; *Reaching out: finding and meeting the perceived needs of under-represented groups*  co-ordinated by Rachel Bowser; *Strategies for teaching that match individual learning styles,* co-ordinated by Jane Bedlington, Milton Keynes College; *Preparing students for transition from FE to HE*, co-ordinated by Brenda Mullen, Derby College for Deaf People.

# Part Three

# Skills for Life - literacy, numeracy and spoken language

In recent years the Government has placed a high priority on the teaching of basic skills to adults. When the Adult Literacy and Numeracy Curricula were produced many disability organisations and staff working with learners with disabilities and learning difficulties expressed concern that this curriculum was not written in such a way as to include the full range of learners. These concerns were expressed in a DfEE document **Freedom to Learn** available from [www.lifelonglearning.co.uk/freedomtolearn/front.htm](http://www.lifelonglearning.co.uk/freedomtolearn/front.htm). As a result of this document the DfES funded a Basic Skills Initiative followed by a staff training programme (managed jointly by LSDA and NIACE with a consortium of key national agencies including Skill).

Two key documents produced as a result of this initiative are:

**Adult pre Entry Curriculum Framework for literacy and numeracy**

and

**Access for All – guidance on making the adult literacy and numeracy core curriculum accessible**

Both of these documents have invaluable information for staff wishing to ensure the accessibility of the basic skills curriculum to the full range of learners. Although they both deal specifically with the basic skills curriculum, the information in them is relevant to staff working with learners with disabilities and learning difficulties across a much wider curriculum framework. Both are available from the Basic Skills Agency.

Other publications which have been produced as a result of the Basic Skills Initiative include:

**Living our Lives – 10 readers by learners for learners**

(life stories of people with learning difficulties)

**Self Advocacy Action Pack (for people with learning difficulties)**

**Yesterday I never stopped writing** – guidance on developing community based skills for people with a disability or learning difficulty

**Skills Explorer – Cd rom of practical activities for BSL users at Entry Level**

**Skills Explorer – Cd rom of practical literacy and numeracy activities for learners at Entry Level**

**Resource Pack for staff teaching basic skills to adults with learning difficulties and disabilities** – a staff development pack with a generic introduction and specialist sections (not available until later this year)

As these materials are published they will be made available on the BASIL website:

<http://www.ctad.co.uk/basil/Staff/resources/staffdevelopment.asp>

# Part Four

# Materials produced by specific organisations

Many of the resources produced to support the access of disabled people in adult and further education are produced by specific disability or educational organisations. The best way of finding out about materials available is to look at the organisation’s website. Below are details of the major organisations and a brief selection of some of their materials which might be of most use in implementing the requirements of DDA Part 4.

**Association of Colleges (**[**www.aoc.co.uk**](http://www.aoc.co.uk)**)**

The AoC is the collective voice of institutions in the further education sector and has produced some relevant resources such as the Inclusive Learning Quality Initiative pack and the Rights to Access Toolkit. Contact: AoC, 5th Floor, Centre Point, 103 New Oxford Street, London, WC1A 1RG, Tel: 0207 827 4600, fax: 0207 827 4650, email: enquiries@aoc.co.uk

**BCODP (British Council of Organisations of Disabled People) (**[**www.bcodp.org.uk**](http://www.bcodp.org.uk)**)**

BCODP is an affiliated organisation of disabled people which campaigns to overcome the oppression of disabled people. It can provide access to disability equality training.
Contact: Litchurch Plaza, Litchurch Lane, Derby DE24 8AA
Tel: 01332 295 551 Fax: 01332 295 580 Minicom: 01332 295 581 Email: general@bcodp.org.uk

**Disability Equality in Education** **(**[**www.diseed.org.uk**](http://www.diseed.org.uk)**)**

DEE is a small charity based on the pioneering work of Richard Rieser and Micheline Mason. It provides training and resources primarily for schools, but also for colleges and local education authorities around the issue of inclusion for all students within our education system.

**The Disability Rights Commission** **(**[**www.drc-gb.org**](http://www.drc-gb.org)**)**

The DRC is an independent body, established to eliminate the discrimination faced by disabled people and promote equality of opportunity. The DRC produces many useful guides and publications such as how to organisae disability awarerness/equality training and it has helpline.

**Contact the DRC through** the DRC Helpline, which you can access by voice, text, fax, post or email, between 08:00 and 20:00 hours, Monday to Friday.

Telephone 08457 622 633,Textphone 08457 622 644, Fax 08457 778 878,
Email enquiry@drc-gb.org

**Dyslexia organisations:**

**British Dyslexia Association (**[**www.bda-dyslexia.org.uk**](http://www.bda-dyslexia.org.uk)**)**

The BDA is a membership organisation for dyslexic people. It offers advice, information and help to families, professionals and dyslexic individuals. It works to raise awareness and understanding of dyslexia, and to effect change. BDA provides a range of useful resources related to dyslexia. Contact: The British Dyslexia Association,98 London Road,READING,RG1 5AU. Admin Tel: 0118 966 2677.
Fax: 0118 935 1927, E-mail: admin@bda-dyslexia.demon.co.uk Helpline: 0118 966 827 Monday to Friday,10.00am-12.45pm and 2.00-4.45pm, E-mail: info@dyslexiahelp-bda.demon.co.uk.

**Adult Dyslexia Organisation (**[**www.futurenet.co.uk/charity/ado/adomenu/adomenu.htm**](http://www.futurenet.co.uk/charity/ado/adomenu/adomenu.htm)**)**

The ADO is an organisation of dyslexic adults. It provides support for dyslexic adults and resources for those working with dyslexic adults.

Contact: Admin: 0207-737-7646,Helpline: 0207-924-9559, Fax: 0207-207-7796, Email: dyslexia.hq@dial.pipex.com

**The London Languages and Literacy Unit (LLLU)** **(**[**http://www.sbu.ac.uk/LLLU/**](http://www.sbu.ac.uk/LLLU/) **)**

LLLU aims to help organisations improve the quality of education and training by pioneering and disseminating innovative approaches and good practice, so that individuals with a wide range of language and learning needs can achieve success. They publish useful documents including the forthcoming **‘Supporting Dyslexic Students in Further Education, Guidelines for best practice’** Which will be available from Avanti Press summer 2002). It specifically sets out to provide a framework that will enable colleges to meet the requirements of DDA Part 4 in relation to dyslexic students. It covers the student’s experience from pre-entry to progression from the course and also the necessary managerial and administrative framework which needs to be in place.

Other useful publications on supporting dyslexic students in post school education include:

**Demystifying Dyslexia: Raising Awareness and developing Support for Dyslexic Young People and Adults** by Cynthia Klein and Marysia Krupska, (LLLU, 1995). This includes much practical information and staff development materials.

**Maths for the Dyslexic**: A Practical Guide by A. Henderson, (David Fulton, 1998). This gives useful examples of the particular difficulties which those with dyslexia can have with maths and suggestions for alternative ways of presenting information.

There is also a video **‘On being Dyslexic: adults talking about dyslexia’** (LLLU, available from Avanti) which gives powerful images of dyslexic adults talking about what helps them and what they need to learn and could be a useful tool in staff development activities.

**Learning and Skills Development Agency (LSDA)**

**(**[**www.lsda.org.uk/home.asp**](http://www.lsda.org.uk/home.asp)**)**

The Learning and Skills Development Agency is a strategic national resource for the development of policy and practice in post-16 education and training. The Agency was previously known as the Further Education Development Agency (FEDA). It produces a wealth of publications, many of which can be downloaded from the LSDA website.

*Consultancy for free: making the most of complaints* by Jane Owen (2001) This publication gives guidance to colleges on how to put in place an effective complaints procedure that will meet the needs of your customers: learners, their parents, employers and funders. Topics include developing and implementing the complaint process, management style and making your organisation more accessible to customers, plus there's a step-by- step guide to dealing with complaints. Find out how to see complaints as an opportunity to improve processes, rather than as a threat, and discover why it's important to deal with complaints swiftly and efficiently. It can be downloaded free from the LSDA website: <http://www.lsda.org.uk/pubs/dbaseout/detailedQuick.asp?search=consultancy+for+free&B1=Next+%3E%3E>

*Equality and diversity in adult and community learning* by Anna Reisenberger and Stella Dadzie (2002) LSDA. This practical guide for ACL mangers explains how to address equality and diversity issues in the context of the Learning and Skills Council remit and the Common Inspection Framework. It outlines new legislative and reporting requirements for local authority adult education. Case studies highlight good practice - from equal opportunities information packs to staff training days with a dramatic twist. To help mangers and coordinators evaluate and improve their provision, the booklet concludes with a self-audit tool. It can be downloaded free from the LSDA website:

<http://www.lsda.org.uk/pubs/dbaseout/detailed.asp?year=%25&title=equality+and+diversity+in+&author=&summary=&seriesid=%25&ref=&downloadable=%25&B12=Next+%3E%3E>

To assist colleges to respond to behaviour which is challenging FEDA published a manual ‘*Aint Misbehavin’* by Lance Haward, Carole Mitchell, Douglas Pride and Brenda Pride (1998). This publication aims to help colleges manage and include students who exhibit disruptive behaviour so that their learning experiences are successful. It does this by offering a model for developing a whole-college approach, covering strategies, systems and delivery methods. At each level it outlines an agenda for action. The manual also includes a section on the key legal issues surrounding disruptive behaviour and provides invaluable guidance, with an emphasis on the practical. Available form LSDA website: <http://www.lsda.org.uk/pubs/dbaseout/download.asp?code=ISBN185338478x>

Contact: Learning and Skills Development Agency, Regent Arcade, House, 19-25 Argyll Street, London W1F 7LS
switchboard: 020 7297 9000, fax 020 7297 9001.For further information about LSDA or any of its activities contact the Information Services team: tel. 020 7297 9144, fax: 020 7297 9242,
Email**:** enquiries@LSDA.org.uk

**Mencap (**[**www.mencap.org.uk**](http://www.mencap.org.uk)**)**

#### Mencap is one of the major organisations for people with learning difficulties. Mencap has produced several documents looking at the learning needs of people with learning difficulties attending further or adult education. The most recent of these is the recent Essential Skill Curriculum produced for learners with learning difficulties. Contact: 123 Golden Lane, London EC1Y 0RT, Telephone: 020 7454 0454, Fax: 020 7696 5540, Email: information@mencap.org.uk.

**The Mental Health Foundation and Foundation for people with learning difficulties** **(**[**www.mentalhealth.org.uk**](http://www.mentalhealth.org.uk)**)**

The **Mental Health Foundation** produces many publications on mental health. It also produces a newsletter, monthly updates and factsheets. It has recently expanded to include the **Foundation for people with learning difficulties** which has its own website ([www.learningdifficulties.org.uk](http://www.learningdifficulties.org.uk)). The **Foundation for people with learning difficulties** runs two web based fora – ***The Choice Forum*** which brings together staff in a range of agencies who work with people with learning difficulties and ***The Policy Forum*** which brings together anyone working in a policy capacity. The **Foundation for people with learning difficulties** places regular articles on ***The Policy Forum*** dealing with recent policy changes. ***The Choice Forum*** is a very active network on which people can exchange ideas and information. While primarily addressing the needs of staff in health and social services both of these fora might well be useful sources of advice for people working in adult or further education.

**NIACE, the National Institute of Adult Continuing Education** **(**[**www.niace.org.uk**](http://www.niace.org.uk)**)**

NIACE is the leading national organisation for adult education. Its work includes policy development, research and the creation of resources. It produces a monthly journal **Adults Learning**. NIACE has a regular team of staff working on issues related to disability and learning difficulty. Publications likely to be of specific relevance to those working with adults include:

**Images of Possibility: creating learning opportunities for adults with mental health difficulties,** Alison Wertheimer, 1997. This book looks at key features and innovative practice in LEA and college provision.

**All things being equal? A practical guide to widening participation for adults with learning difficulties in continuing education**, Jeannie Sutcliffe and Yola Jacobsen, 1999. This looks specifically at those groups of people with learning difficulties who tend to miss out on continuing education and contains useful summaries, checklists and resource recommendations.

**Integration for adults with learning difficulties**, Jeannie Sutcliffe, 1992. A practical guide documenting innovative schemes of integrated learning in a wide range of contexts.

**Self-advocacy and adults with learning difficulties**, Jeannie Sutcliffe and Ken Simons, 1993 in which people with learning difficulties describe in their own words what self-advocacy means to them.

In addition NIACE is currently producing a research publication **Making the Jump.** This examines provision in further and adult education which supports people with learning difficulties to make the transition from education to employment. It also includes a **Learner Pack** which enables people with learning difficulties to assess their own needs in making the jump from college to work. (will be available summer 2002)

**RADAR (Royal Association for Disability and Rehabilitation)**

**(**[**www.radar.org.uk/**](http://www.radar.org.uk/)**)**RADAR provides information and advice on all aspects of disability.
Contact: 12 City Forum, 250 City Road, London EC1V 8AF
Tel: 0171 250 3222

**Royal National Institute for the Blind (RNIB) (**[**www.rnib.org.uk**](http://www.rnib.org.uk)**)**

The RNIB produces a huge range of resource materials. It runs a telephone information service and supports this by a range of fact sheets.

Publications which might be particularly relevant for those working in adult or further education include:

**Breaking Down Barriers: accessing further and higher education for visually impaired students.**

**Lifelong learning** – the summary of a report that looks at improving opportunities for people with sight problems

**Listening to students – older blind and partially sighted peoples’ experiences and assessment of adult education**

One of the main ways in which LEAs and colleges will need to respond to DDA Part 4 is by ensuring that blind and partially sighted students can have access to teaching materials. RNIB has a wealth of experience in this area. Relevant publications include:

**Accessing technology – using technology to support learning and employment opportunities for visually impaired learners**

RNIB also produce four leaflets on technology covering the areas of:

**Braille production**

**Computer basics fact sheet**

**Scanners**

**Screen readers**

They have also produced a tutorial series for people with sight problems which includes:

**Listening to the Internet**

**Listening to Windows 98**

**Listening to Word**

**Royal National Institute for the Deaf (RNID)** **(**[**www.rnid.org.uk**](http://www.rnid.org.uk)**)**

The RNID runs a telelphone/teletext Helpline and also produces information leaflets and fact sheets.

Its most recent publication on post school education is **Deaf Students in Further Education.** This is a very comprehensible and clear account of what deaf learners might need when studying at college. It covers:

* assessment
* the role of specialist staff
* modification of learning materials
* physical environment
* technical support
* staff development and deaf awareness training
* personal issues/counselling

While being written specifically for college staff the issues raised in this book are equally relevant for those working in adult and community education.

**Skill, the National Bureau for Students with Disabilities** **(**[**www.skill.org.uk**](http://www.skill.org.uk)**)**

Skill is the only organisation which works specifically to further the interests of disabled learners in post school education. It covers the areas of policy development, research and information.

Skill runs an Information Service, produces regularly updated Information Leaflets, and also produces a regular Journal and Newsletter.

Skill publications are referred to in other sections of this Resource Guide. Additional relevant publications are:

**Students with Mental Health Difficulties: your questions answered**. This gives an overview of the specific issues related to working with learners with mental health difficulties in a further education context.

**Enhancing Quality of Life for students with profound and complex learning difficulties**. This is a Resource Pack which includes a Staff Development Guide, a Briefing Paper for Policy makers and implementers, a Briefing paper for managers, an Audit Tool for monitoring provision and a video. This pack was the result of a three year research project run jointly by Skill and the University of Cambridge.

Contact: Chapter House,18-20 Crucifix Lane, London SE1 3JW, telephone/ minicom: 020 7450 0620, fax: 020 7450 0650 Email: skill@skill.org.uk, Information Service Tel: 0800 328 5050, Minicom: 0800 068 2422, Email: info@skill.org.uk

# Part Five

# Technical support

Access for disabled learners is increasingly being enhanced by the development of technical support. Two organisations which can support staff in finding out about different technical support available are:

**Techdis (**[**www.techdis.ac.uk**](http://www.techdis.ac.uk)**)**

Techdis is a Joint Information Systems Committee (JISC) funded service supporting the further and higher education communities in all aspects of technology and disability and/or learning difficulty support. It can give advice on new and emerging technology in the field of learning and teaching. (email help desk: helpdesk@techdis.ac.uk).

**Abilitynet (**[**www.abilitynet.org.uk**](http://www.abilitynet.org.uk)**)**

Abilitynet is a charity that brings the benefits of computer technology to adults and children with a disability. It gives free information and advice on any aspect of the use of a computer by someone with a disability.

# Part Six

# Physical Access

## National Register of Access Consultants ([www.nrac.org.uk](http://www.nrac.org.uk) )

There is now a national register of approved access consultants offering a database of appropriately qualified and experienced access consultants and auditors who have demonstrated their expertise in access matters to the satisfaction of the Register’s Admissions Panel. This is a government sposored scheme administered by the Centre for Accessible Environments.

Contact the Register Manager: Mary Noble
Nutmeg House 60 Gainsford Street London SE1 2NY
Tel: 020 7234 0434 Minicom: 020 7357 8182 Fax: 020 7357 8183

Email: marynoble@nrac.org.uk

## The Centre for Accessible Environments ([www.cae.org.uk](http://www.cae.org.uk))

The CAE is a key organisations dealing with the accessibility of the built environment. It is a charity which provides information on all aspects of physical access to the built environment. As well as its information services it produces publications and provides training and consultancy services.

Contact at Centre for Accessible Environments
Nutmeg House, 60 Gainsford Street, London SE1 2NY
Minicom / Tel:(+44) 020 - 7357 8182, Fax:(+44) 020 - 7357 8183
Email:info@cae.org.uk

**Accessible Schools: Planning to increase access to schools for disabled pupils** This document outlines the statutory duties for LEAs including improving acces to the physical environment of schools. There is a useful checklist for identifying barriers to access. Available from DfES publications and the DfES website: [www.dfes.gov.uk/sen](http://www.dfes.gov.uk/sen)

# Part Seven

# Other education sector publications

Certain publications in the Higher Education and school sector could also provide a useful resource for staff working in further and adult education.

These include:

**Auditing for Change** (Skill, 2000). This is a structured discussion resource pack listing a series of questions, which could be asked to staff and students as an initial audit of an institution.

**IDEAs Resource Pack** (Scottish Higher Education Funding Council). This gives the results of a project funded by the Scottish Higher Education Funding Council in which four higher education institutions in Scotland were audited for their accessibility to disabled students. The pack reproduces questions asked and a summary of findings.

**Teachability** (University of Strathclyde, 2002). This is another Scottish Higher Education Funding Council Project, which focuses specifically on disabled students access to the curriculum. It describes the methodology used in the project, makes recommendations to SHEFCE and provides very useful advice to staff on ways of making their teaching more accessible to the full range of disabled learners.

**Accessible Curricula, Good Practice for All** (UWIC, 2002). This is a publication produced by staff at the University of Wales, Cardiff. It contains very useful and clear information on how to make both content and delivery of the curriculum accessible to students with disabilities and learning difficulties and also includes sections on web accessibility, laboratory practicals, work placements and field trips, assistive technology and assessment and examinations.

# Part Eight

# Non educational resources

It is important to be aware of developments in sectors other than education. The move towards greater inclusion of people with disabilities and learning difficulties has not just come from the education sector. In 2001 the Department of Health issued a White Paper **Valuing People: A new strategy for learning disability in the 21st century.** This has been followed by DoH Guidance documents issued under the generic title **Towards Person Centred Approaches: Planning with People.** These documents are very relevant for those working with people with learning difficulties in further and adult education. They advocate a radical change of approach, which does not fit individuals with learning difficulties into pre-existing provision but instead works with those people to find out what their desires and aspirations are and then attempts to create provision based on them. The document **Towards person Centred Planning: Guidance for Implementation Groups** contains a very thorough Resources Section which lists and describes a range of materials (both written and in other medium) for working with people with learning difficulties on articulating and planning their own lives. Although not written specifically for people in further or adult education, staff working in these areas are likely to find this resource section very useful as a tool for creating accessible curricula for people with learning difficulties.

# Part Nine

# General staff development materials

The following resources are not in any way intended to provide an exhaustive list. Rather they focus on those areas, which are most relevant to the research, and so should provide guidance in thinking about and planning useful training and development interventions.

*Supporting Part-time teachers in Further Education Colleges. National Report from the Inspectorate 1999-00* (Further Education Funding Council, Coventry, 2000); and Elizabeth Walker, Derek Betts, Jan Dominey and Jeanne Goulding, *Effective Management of Part-time Lecturers* (FEDA, London, 2000). Taken together these publications should help staff developers to understand the diversity of development needs of the growing number of part-time staff in FE and ACL. Both publications may be viewed at <[www.lsc.gov.uk](http://www.lsc.gov.uk)> and <[www.lsda.org.uk](http://www.lsda.org.uk)>.

NIACE and LSDA have embarked on a three-year programme to support ACL providers to meet quality requirements of inspection and funding agencies and improve their provision. Information about the full range of activities supported by this initiative may be found at <[www.qualityACL.org.uk](http://www.qualityACL.org.uk)>. Practitioner-focused publications which are most relevant to the research include Anna Reisenberger and Stella Dadzie, *Equality and diversity in adult and community learning* (LSDA, London, 2002); Mark Ravenhall, *Listening to Learners* (LSDA, London, 2002); David Ewen, *Observation of teaching and learning in adult education* (LSDA, London, 2002).

With regard to the last publication, Ted Wragg, *An introduction to classroom observation*. 2nd edition (Falmer, Routledge 1999) provides a good introductory text with practical ideas for implementing perhaps the single-most powerful staff development intervention, with a strong emphasis on developmental (rather than judgmental) purposes and benefits for both participants and their institutions.

Jack Sanger in his publication *The Compleat Observer? A field research guide to observation, The Falmer Press, 1966,* provides a valuable text which debates issues related to observation. It gives an introduction to the complexity of theory and detailed guidance to observational practice.

The National Association for Staff Development provides a valuable, practitioner-led forum for exchanging information, networking and debating key issues. Further information about membership, events, and the *NASD Journal* may be found at <[www.nasd.org.uk](http://www.nasd.org.uk)>.

The Further Education National Training Organisation (FENTO) and Paulo have been responsible for developing national occupational standards and qualifications frameworks for staff working in FE and ACL. Further information about relevant standards, qualifications and training providers work may be found at <[www.fento.ac.uk](http://www.fento.ac.uk)> and <[www.paulo.org.uk](http://www.paulo.org.uk)>.