



Scottish
Social Services
Council

THE GENERAL
TEACHING COUNCIL
FOR SCOTLAND



Learning support for disabled social work and teaching students: a guide

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SECTION ONE

Introduction

After looking into disabled people's access to the social work, teaching and nursing professions, the then Disability Rights Commission recommended in its *Maintaining Standards: Promoting Equality* report that

“All regulatory bodies, across England, Scotland and Wales, should review their competence standards to ensure that any negative impact on disabled people is eliminated. They should provide guidance on reasonable adjustments and consider what other guidance to provide to encourage others (such as higher education institutions) to adopt an enabling approach to disabled people”¹

Both the Scottish Social Services Council (SSSC)² and General Teaching Council in Scotland (GTCS)³ have considered these recommendations, one outcome of which is this guide.

The SSSC is a non departmental public body which was set up under the Regulation of Care (Scotland) Act 2001⁴. It has responsibility for the registration of the social services workforce, publishing Codes of Practice for the workforce, and the regulation and promotion of training and education for the workforce. This includes being part of the Sector Skills Council, Skills for Care and Development. The SSSC's regulatory role includes the approval and quality assurance of social work degree courses in Scotland.

The GTCS was set up under the Teaching Council Scotland Act 1965⁵ following concerns that entry requirements to the teaching profession had lowered after the Second World War and unqualified teachers were working in Scottish schools. It is the independent professional body

¹ *Maintaining Standards: Promoting Equality*. Professional regulation within nursing, teaching and social work and disabled people's access to these professions; Disability Rights Commission; September 2007

² www.sssc.uk.com

³ www.gtcs.org.uk

⁴ www.opsi.gov.uk/legislation/scotland/acts2001/asp_20010008_en_1

⁵ <http://www.statutelaw.gov.uk/legResults.aspx?LegType=All%20Primary&PageNumber=1&BrowseLetter=T&NavFrom=1&activeTextDocId=1556632>

which maintains and enhances teaching standards and promotes and regulates the teaching profession in Scotland. It aims to promote equality and diversity in all its activities.

Both organisations have spoken to a range of stakeholders to ascertain what type of guidance would be useful for disabled social work and teaching students. It was acknowledged as part of these discussions that much guidance already exists, both generic and specific to social work or teaching students, and that it would be important not to duplicate this information in a new guide.

As part of discussions relating to how the two organisations could work in partnership to achieve their aims, it was agreed that the development of this guide provided an ideal opportunity to work together. Both the SSSC and GTCS approve professional training delivered by eight universities in Scotland, seven of which are the same for both organisations. Therefore discussions about the guidance would be held with the same people in some cases. Additionally, it was agreed that as professional training for social workers and teachers is structured in a similar way, the learning support needs of both would be similar.

This guide aims to provide learning support guidance to disabled social work and teaching students, and others involved in their studies, whilst acknowledging the other guidance that already exists. Rather than duplicating the advice already provided, this guide will point the reader to specific references that may provide more information about the impairment or issues being researched. Please note that some of the guidance documents referred to relate to disability equality legislation which is no longer in place, such as the Disability Discrimination Act. Although many aspects of this previous legislation has been incorporated into the new Equality Act 2010, more specific guidance relating to the new legislation may also be sought by the reader. It should be noted that what is presented in this document is general guidance only. In specific cases, university staff and others involved in discussing support arrangements with a student should seek further advice from specialist services. The examples in this guide only provide a general indication of how reasonable adjustments should be approached; the circumstances of each case are different and must be considered distinctly at the particular time that the reasonable adjustment is to be made.

The guide is based around six scenarios which highlight some of the common issues which require consideration when providing learning support. These have been drawn from the various discussions that both organisations have held with stakeholders in relation to the guidance required. Each scenario is followed by a range of issues or questions that may be raised by the disabled student and those involved in supporting them. This may include

- the academic team
- practice learning providers
- employers
- people who use services
- pupils
- parents
- carers
- the university's Central Support Services Team

A suggested outcome, including reasonable adjustments, is then proposed, although it must be noted that this is merely a suggestion and is by no means the ideal or only solution. Each individual student's situation, and therefore support needs, will be unique to them, and each student will have their own views on the support they require. A principle underpinning all the scenarios is the need to encourage students to become as independent as possible which, for example, may be through the use of technology, review of internal systems, and so on. Key points and reference to generic or specific guidance is also included in the scenarios. Notes sections have also been added for the reader to use.

The Social Model of Disability has been used in this work and as such a student's health condition is described as an impairment, with the disability being what they face as a result of the interaction between this impairment and external barriers.

The guide is intended to be updated regularly to include up-to-date advice, guidance, and references. As such, any information that can be included would be gratefully received by the authors. It would also be helpful to include some real-life examples in the second edition of the guide and we would welcome any experiences that people would like to share. These can of course be anonymised.

Any feedback on the guide can be sent to:

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SECTION TWO

Numbers of social work and teaching students in Scotland who have disclosed a disability

Social work statistics

Social work students are asked to disclose whether they have a disability at the application and admissions stages of recruitment, although it is known that some students choose not to disclose their impairment at this stage of their education.

The SSSC annually collates statistics relating to the number of students admitted to social work degree courses who have disclosed a disability at the point of admission:

2004/05:	6%
2005/06:	7%
2006/07:	6%
2007/08:	4%
2008/09:	7%
2009/10:	6%

Dyslexia or another learning disability is the most common type of impairment disclosed at admission. Further details on statistics for 2007/08, which are the most recently published, can be found in the SSSC's Annual review of trends in qualifying social work training in Scotland 2007/08⁶

⁶ Annual review of trends in qualifying social work training in Scotland 2007/08; Scottish Social Services Council; March 2010

Teaching statistics

The number of teaching students declaring a disability at the point of entry to the Teacher Induction Scheme has increased slightly year on year:

2002/03 = 0.7%
2003/04 = 0.7%
2004/05 = 1.1%
2005/06 = 1%
2006/07 = 1.1%
2007/08 = 1.95%
2008/09 = 1.7%
2009/10 = 2.5%
2010/11 = 2.7%
2011/12 = 2.8%

SECTION THREE

Legislation and policy overview

Legislation

Various pieces of equality legislation relating to disability have been introduced over the past few years. These include the Special Education Needs and Disability Act (SENDA) 2001⁷ and the Disability Discrimination Act 1995 which was then amended in 2005⁸. However the Equality Act 2010⁹, which came into force in October 2010, supersedes and replaces these. It aims amongst other things to strengthen the protection from discrimination for disabled people.

Disability is one of nine protected characteristics covered by the Equality Act. As defined by the legislation, a person has a disability if they have a physical or mental impairment and this impairment has a substantial or long-term adverse effect on their ability to carry out normal day-to-day activities.

The implications of this legislation for the universities in Scotland that deliver the social work and teaching degrees are that:

- disabled students must not be discriminated against in gaining access to social work or teacher education.
- disabled students must not be discriminated against in the delivery and assessment of their education, including when undertaking practice learning opportunities.
- disability equality must be promoted.
- there is an anticipatory duty for universities to provide reasonable adjustments in case a disabled or other student should require these in the future. This relies on the institution being proactive rather than waiting until a disabled student requires reasonable adjustments to be made.
- universities are responsible for the actions of anyone else doing work on their behalf, for example contractors or guest lecturers

⁷ http://www.opsi.gov.uk/ACTS/acts2001/ukpga_20010010_en_1

⁸ http://www.opsi.gov.uk/acts/acts1995/ukpga_19950050_en_1

⁹ <http://www.legislation.gov.uk/ukpga/2010/15/contents>

- all students are covered by the legislation, including those from abroad or who are visiting from another university
- universities, as public bodies, have a duty to eliminate unlawful discrimination, harassment, and victimisation of disabled people.

It is also a requirement to ensure that competence standards being applied, such as the Standards in Social Work Education¹⁰, Standard for Initial Teacher Education¹¹ and the Standard for Full Registration¹² do not negatively impact on disabled students or newly qualified practitioners. To achieve this universities have a duty to make reasonable adjustments for disabled students where required. While there is no requirement to reasonably adjust genuine competence standards there may be a need to reasonably adjust how these standards are assessed. The university has a duty to arrange this.

Policy

In terms of its responsibilities under the Regulation of Care (Scotland) Act 2001 the SSSC has responsibility, detailed within the SSSC Rules for Social Work Training 2003¹³, for the quality assurance of social work programmes including the monitoring of equal opportunities and legal obligations in all aspects of delivery. These Rules have Ministerial consent and reflect the Scottish Government's ownership of the Framework for Social Work Education in Scotland.

Additionally, the SSSC's Codes of Practice for Social Service Workers and Employers¹⁴ are codes of conduct and practice that all workers and their employers must follow. With regards to equality they refer to an employer's requirement to "put in place and implement written policies and procedures to deal with dangerous, discriminatory, or exploitative behaviour and practice". Several of the codes for workers relate to equality including the need to

- promote equal opportunities for services users and carers
- respect diversity and different cultures and values

¹⁰Standards in Social Work Education, Framework for Social Work Education in Scotland; Scottish Government; 2003

¹¹ Standard for Initial Teacher Education; General Teaching Council for Scotland; December 2006

¹² The Standard for Full Registration; General Teaching Council for Scotland; December 2006

¹³ Rules for Social Work Training; Scottish Social Services Council; December 2003

¹⁴ A copy of the Codes of Practice in pdf, text and pictorial formats can be found on the SSSC website at <http://www.sssc.uk.com/>

- use established processes and procedure to challenge and report dangerous, abusive, discriminatory or exploitative behaviour and practice
- and not condone any unlawful or unjustifiable discrimination by service users, carers or colleagues.

The Teaching Council (Scotland) Act 1965 states that the GTCS will, as well as its other functions, contribute to improving the quality of teaching and learning and, specifically, have regard to the requirements of disabled people.

In 2009 the SSSC commissioned an impact assessment of the Framework for Social Work Education in Scotland 2003 in respect of disability equality. This project identified those standards within the entry, teaching, learning and assessment requirements, and those Standards in Social Work Education, which are genuine competence standards. It also suggested ways in which those standards that were potentially discriminatory for disabled students could be adjusted.

The Standard for Initial Teacher Education and Standard for Full Registration were both reviewed from a disability perspective when they were last revised in 2006. This included a consultation with stakeholders to obtain their views. All courses in teacher education offered by universities, accredited and reaccredited by the GTCS, are scrutinized to ensure that they are compliant with disability equality legislation and the relevant standards.

SECTION FOUR

Reasonable adjustment

The Equality Act 2010¹⁵ describes the duty to make adjustments for disabled people as being the duty to take steps as it is reasonable to have to take to avoid disadvantage. It provides that reasonable adjustments must be made where the following exist and would place a disabled person at a substantial disadvantage in comparison to someone who is not disabled:

- a. a provision, criterion or practice, or
- b. a physical feature, or
- c. where a disabled person would, but for the provision of an auxiliary aid, be put at a substantial disadvantage.

There is then a duty for institutions to take reasonable steps to prevent these having an adverse effect.

Whether or not an adjustment is “reasonable” will depend on a variety of factors including, but not limited to, the situation itself and all the circumstances surrounding the situation that student is in, the availability of financial or other resources required to make the adjustment, practical issues, health and safety implications, and duty of care implications for people that the student will be working with.

The duty to make adjustments is a continuous one and as such adjustments must be reviewed to ensure that they remain effective. Additional adjustments may also be required.

Competence standards

A competence standard is defined by the Equality Act 2010 as “an academic, medical or other standard applied for the purpose of determining whether or not a person has a particular level of competence or ability”¹⁶. Reasonable adjustments do not have to be made to competence standards themselves. However, in order to comply with the legislation, reasonable adjustments, where required, must be made to the assessment of competence standards.

¹⁵ The Equality Act 2010; Adjustments for disabled persons; Sections 20 to 22;
<http://www.legislation.gov.uk/ukpga/2010/15/contents>

¹⁶ The Equality Act 2010; Qualifications bodies; Section 53

SECTION FIVE

Funding available to support disabled social work and teaching students

Disabled Students' Allowance (DSA)

Disabled social work degree and teaching degree students may be eligible to apply for a DSA. For undergraduate courses and some postgraduate courses, these are administered and disbursed by the Students Award Agency for Scotland (SAAS)¹⁷. For postgraduate social work degree students, the funding is disbursed by the SSSC¹⁸. Each university is allocated a number of postgraduate bursaries for students each year, which are funded by the Scottish Government.

The DSA is split into three categories of funding:

1. Basic allowance for miscellaneous items, which is awarded on an annual basis
2. An allowance to buy or hire large items of equipment, which is awarded for the whole period of study
3. Non-medical personal help for course assistance, which is awarded on an annual basis

The maximum amount of funding a disabled student can claim in all these categories is set each year. Further information can be found at the SAAS website¹⁹. Information and application forms can be obtained from SAAS or the SSSC as appropriate.

Students applying for the DSA for the first time will be required to complete a needs assessment which the university or another appointed agency will provide. Most universities have advisers who will support students to complete the documentation and access an assessment.

Discretionary Fund

¹⁷ <http://www.saas.gov.uk/>

¹⁸ <https://grantsandbursariesof.sssc.uk.com/OnLineForms/pages/login.aspx>

¹⁹ http://www.saas.gov.uk/student_support/special_circumstances/dsa_what_we_pay.htm

Each university in Scotland will have access to a Discretionary Fund for students who are genuinely in need of financial support. This was previously referred to as the Hardship Fund. SAAS offer guidance on eligibility and how to access the fund. It is not intended to replace the DSA but can be applied to if the DSA amount awarded is not enough or if the type of support required cannot be funded by the DSA.

Other sources of funding

The SAAS website provides details of other possible sources of funding for disabled students, including VAT exemption for certain equipment and travel expenses provided for students on particular courses.

SECTION SIX

Scenario One: Admission to university for someone with epilepsy

James developed epilepsy as a young child. It is mostly controlled with medication however he can have a seizure if he does not receive his medication on time. James is academically bright and has a strong support network of family and friends who supported him through school. He has applied for a four-year undergraduate Social Work degree course. The university admissions tutor, who is new in post, does not know a lot about epilepsy and liaises with James, the course team and the university's central support services to identify what issues may arise for James, what reasonable adjustments could be made, any resource implications, funding implications, and to establish how best to support him.

Issues that may arise:

- Does James need to tell people about his epilepsy?
- The programme has a paper-based selection process so James will not be interviewed. Should he say anything about his epilepsy on his application form? Could he be disadvantaged if he discloses his impairment on his application form because he would not have an opportunity to discuss his support needs with anyone at an interview?
- Are there any aspects of the course that James will not be able to do or that may be a challenge because of his epilepsy?
- If James has a seizure in class, will other students and staff know what to do? What are the university's procedures for communicating this?
- What do staff and others need to know about James' condition?
- What about when James goes on placement – what support can he expect to receive?
- Does James' epilepsy have an impact on what type of practice learning opportunity he can undertake e.g. setting, groups working with, etc?
- Who in the practice learning provider organisation needs to know that James has epilepsy?
- Will James have to drive when on placement? Can his practice teacher ask him about this? Are there any insurance implications and if so, what?
- Would the practice teacher need to change the way they provide practice assessment to accommodate James' needs? What might be the implications of this in terms of assessing competence?
- What does the legislation say must be done to support James?
- Are there any reasonable adjustments that the course team, practice learning provider organisation and others need to make to support James to access this course? If so, how would they know what reasonable adjustments are required? And would everyone understand what reasonable adjustments are?
- What resources would be required for reasonable adjustments that are identified, and would there be a budget for this? What should the course team do if they cannot afford to make the reasonable adjustments identified?

Issues that may arise (continued):

- What advice and guidance on working with students with epilepsy can the university's central support service provide?
- Are there colleagues in the university's internal or external networks that could provide advice and guidance?

Notes:

Possible outcome, including suggested reasonable adjustments:

- Firstly, James is the best person to ask about how his epilepsy affects him. He will have developed strategies that work for him and could work with course staff to identify reasonable adjustments.
- James could disclose his epilepsy once he is admitted to the course. He can ask that only relevant people within the academic team and his work placement provider are made aware of his epilepsy, however it may be useful for the admissions tutor to point out that fellow students and work placement colleagues may also need to be aware so that they can provide support in the event of James having a seizure.
- University staff, students, the practice teacher, and employer representatives from the placement agency could be offered Epilepsy Awareness training so that they are more aware of the condition, what triggers a seizure, and how to provide support to James.
- As James' seizures can be brought on by him not receiving his medication on time, a reasonable adjustment would be to allow him time out of lectures and seminars to take his medication in private.
- If there is a certain time of the day that James tends to have seizures, the start time of his course day could be adjusted to ensure that he has ample time to recover from the seizure before he starts his academic or work placement day.
- Memory problems can be a symptom of epilepsy. If this was the case for James, a reasonable adjustment could be to provide him with ways of remembering key issues, such as a dictaphone. Similarly providing James with access to an electronic organiser for his work placement may also be useful.
- Some people have photo-sensitive epilepsy. In these cases, and where the student works with a computer, a liquid crystal display (LCD) screen could be purchased.
- Stress can increase a person's chance of having a seizure. There are various reasonable adjustments that could be put in place to support James if this was likely to happen to him. He could be given extra time to undertake exams, for example, or be given extra physical space such as a separate room.

Possible outcome, including suggested reasonable adjustments (continued):

- Many reasonable adjustments could be put in place to try to minimise the likelihood of James having a seizure, however adjustments could also be made to ensure that James is safe in the event that he does have a seizure. These would be recorded as part of a health and safety risk assessment and may include changes to the physical environment to make it safer (e.g. classroom and office furnishings) or the need for James to work with a colleague at certain times of the day when seizures are more common.
- Although James' seizures are currently mostly controlled with medication, it has been known for seizure patterns to change if something in the person's life changes. A change such as moving out of the family home into student accommodation may be such an occasion and James and the academic team should consider this.

Notes:

Key points:

- A student is under no obligation to disclose an impairment. However if they do disclose an impairment, the university knows about it and therefore the student will be protected by the legislation.
- It is difficult, if not impossible, for the university to be able to suggest reasonable adjustments if they are not aware of the impairment and what requirements the student has because of this.
- Reasonable adjustment is not always possible.
- The university may “reasonably have known” about an impairment even if it hasn’t been disclosed e.g. physical impairment. In this case they would reasonably know if James had a seizure in class, for example.
- If the social work programme that James is hoping to undertake is an employment-based route, he will be required to undertake one of his practice learning opportunities in his employing organisation and his colleagues may already be aware of his condition.
- James may, like many people with epilepsy, keep information about his condition and treatment on a card in his pocket, or on a bracelet, etc. If fellow students, tutors, and people that James will work with on his placement are not aware of his impairment, this would provide them with essential information.
- If the university uses a paper-based selection process they must equality impact assess this to ensure that it does not discriminate against disabled students. If it is found that it could, the university would have a duty to change the process so that it was not discriminatory.
- If James needs funding to support reasonable adjustments, he may be eligible for a DSA from SAAS and should contact them for advice. He would have to complete a needs assessment and should allow plenty of time to do this to ensure that he gets the funding he requires as soon as possible after he starts his course.
- There are a variety of organisations that provide support and advice for people with epilepsy or those providing them with support.
- Some short-term driving licences are available for people with epilepsy if they can evidence that they have not had a seizure for a defined period of time. A reasonable adjustment may be that James is given extra time within his work day to use public transport instead of driving.

Key points (continued):

- If James is allocated a practice learning opportunity where the student may be required to drive, this must be established in plenty of time before it starts so that the employer's and James' insurance policies can be checked. However, insurance is covered by the legislation and so James should be insured like any other employee as long as a risk assessment has been completed relating to his epilepsy and the job he will be undertaking.

Notes:

References and further reading on epilepsy and admission to university:

- A Briefing on Competency Standards and Admissions to Higher Education; SKILL; October 2007
- Epilepsy Action;
www.epilepsy.org.uk/info/education/highereducation
- Community Care Magazine; 25 July 2008;
<http://www.communitycare.co.uk/Articles/25/07/2008/107863/learning-by-experience-disabled-students-and-staff-disclosing-disability.htm>
- LSN Learning; Do you have a disability – yes or no? Or is there a better way of asking?;
<https://crm.lsnlearning.org.uk/user/order.aspx?code=052243>
- National Society for Epilepsy;
<http://www.epilepsysociety.org.uk/AboutEpilepsy>
- Epilepsy Scotland; <http://www.epilepsyscotland.org.uk/>

Scenario two: Dyslexia

Jane has been successful in her application to a postgraduate social work course and is a couple of months into the first year of a two-year course. She has always had difficulty processing written information but got through her undergraduate degree with support from friends and other students. She thought she would be able to do the same with this course but is finding it very demanding and thinks she needs some more support. She decides to raise it with her course tutor who advises that they speak to the university's central support services. Jane is concerned because a lot of the course assessments she has to complete are written, she will have to draft reports and other written work as part of her practice learning opportunity, and she knows that as a social worker you have to be able to read and complete reports and other documentation.

Issues that may arise:

- Jane may be wondering if she has dyslexia or some other learning support need and may want to know how she can find this out.
- Jane may be concerned about having to pay for an assessment or equipment.
- Jane may be wondering what kind of support might be available for her.
- Jane may be concerned about going on placement, the support she may need and how staff and service users would react to her support needs.
- Jane may wonder if she will be able to meet the Standards in Social Work Education if she needs additional support.
- Are there any reasonable adjustments that the course team would need to make to support Jane to access this course? If so, how would they find out what reasonable adjustments are required?
- Who could provide a needs assessment?
- If a needs assessment indicates that Jane has dyslexia but Jane refuses to acknowledge this, what should the course team do?
- What advice/guidance do the university's central support services have on supporting students with dyslexia that could be useful?
- Are there colleagues in the university's internal or external networks that could provide useful advice?
- What resources would the course team need to make reasonable adjustments and would they have a budget for this? What would they do if they did not have the necessary budget to make the reasonable adjustments identified as being required?
- What might the implications of the identified reasonable adjustments be?
- The course team may be wondering how to liaise with the practice learning provider if Jane has additional support needs, and what their responsibilities towards her are.
- Who in the practice learning provider organisation needs to know that Jane has additional support needs?
- What support would Jane require when out on placement, and how would the placement provider be supported to provide it?
- Would the placement provider need to change the way they provide practice assessment to accommodate Jane's needs? What are the implications of this in assessing competence?

Issues that may arise (continued):

- Would Jane's additional support needs have an impact on the type of practice learning opportunity she can undertake e.g. setting, groups working with, etc?
- If Jane had to write a report on her placement about a particular case, could the person using the service and their carer be assured that all the correct information would be recorded, and in a way that other people would understand?

Notes:

Possible outcome, including suggested reasonable adjustments:

- Jane's academic tutor could suggest that she undertakes an assessment to determine if she has a form of dyslexia. This should be done sensitively and it could be pointed out to Jane that there are different forms and levels of dyslexia and as such the impacts of these can be many and varied. It would be important for the tutor to be well-informed in advance of this meeting and to provide references for Jane to find out more information. It may be useful to ask someone from the university's central support services to be available to provide Jane with reassurance and further information on ways to proceed.
- A good assessment will define what issues Jane has and what needs to be done to address these. Working with Jane to gain this information is the first and most important step to be taken.
- If Jane's assessment reveals that she is dyslexic, she should be advised to complete a needs assessment to identify what her support needs may be for her academic work and work placement. Funding could then be sought to meet these needs. If Jane receives a postgraduate bursary from the SSSC, she will be entitled to DSA and should apply for this from the SSSC. If she pays for her course personally, she may be eligible for funding from the university's discretionary fund. She will receive some travel expenses anyway for her work placement.
- There are several types of reasonable adjustment that could be made depending on what Jane's level of need is, as would be outlined in her assessment.
- More time could be provided to assist Jane to organise or read work, gather, record and sift information for assessments, and so on.
- The use of mind maps may be useful for helping Jane to organise her work or make links in what she is being taught.
- The use of coloured paper is sometimes useful, as well as the use of larger fonts.
- Grammar and spelling mistakes may be ignored if they are not genuine competence standards.
- Notes could be provided to all students in advance of classes.
- Allowing Jane to record lectures using a dictaphone may be useful.
- It may be useful for lecturers and others involved in Jane's learning to use more simple language, speak slowly and speak more clearly.

Possible outcome, including suggested reasonable adjustments (continued):

- Funding could be used to employ the services of a proof reader for Jane's reports and other work.
- If the use of a support worker, such as a scribe, was required, it would be useful if this person did not know anything about social work or the subject matter so that their writing and actions remained as objective as possible.
- It would be important to ensure that academic staff and practice learning staff providing support are made aware of the types of support required by Jane and why, e.g. they are provided with suitable training
- Extra time may be provided for exams and other written assessments
- Jane could be provided with additional coursework instead of an exam
- Jane could evidence that she has met a standard by undertaking an oral assessment instead of a written exam e.g. a viva with the examiner, or delivering a presentation.
- However it is important to note that the type of assessment or the way it is undertaken may be changed, but not the way it is marked. The standard still needs to be met.
- Jane's practice learning opportunity should be arranged well in advance to ensure that reasonable adjustments are put in place on time and that she is able to start her placement at the same time as her fellow students.
- It would be important to establish early on in the university/student/practice learning provider/practice teacher relationship what Jane's expectations of her placement and support needs are. It is important to develop a culture of trust and openness, whilst maintaining Jane's confidentiality and respecting her right to not disclose details of her impairment to some people.
- The practice learning agency's recording systems should be checked to see if they are compatible with Jane's support mechanisms e.g. the need to make sure that any software or hardware that Jane uses is compatible with the agency's software and systems. The agency would need to consider the reasonable adjustments that they would have to make.

Notes:

Key points:

- Dyslexia can affect people in a variety of ways including their reading, spelling, writing, and processing and sequencing of information.
- It can be more prevalent in stressful situations.
- There are other conditions similar to dyslexia that can affect people in a similar way.
- Although reasonable adjustments will be put in place to support Jane, she will still be required to meet the Standards in Social Work Education, for example, she will have to be able to produce meaningful reports. How she is assessed in meeting these standards may vary from other students, but she will still need to demonstrate that she meets the required standards.
- Sometimes there will not be enough funding or other resources to support the student in the most desirable way. Therefore another adjustment that is more reasonable in those circumstances must be identified.
- It is important to consider the cognitive ability of a student with a learning impairment versus making reasonable adjustments and be clear that a student can still fail even if reasonable adjustments have been put in place. The assessment would clarify this.

Notes:

References and further reading on dyslexia:

- Understanding Dyslexia: An introduction for Dyslexic Students in Higher Education; Jill Hammond, Fabian Hercules; Glasgow School of Art; 2002. Revised 2007
- Dyslexia Scotland; www.dyslexiascotland.com

Scenario three: Mental health and disclosure

John, in his mid-twenties, began his first year in Initial Teacher Education as a model student. His attendance and effort in class were exemplary and his early assessments went well.

However, as the year progressed, fellow students and teaching staff noticed and began to comment on a change in John. On some days he was extremely enthusiastic and a strong contributor to the work in classes. On other days he appeared quiet, withdrawn, down in the dumps. On some days he was absent.

Whilst staff had some concerns they were not sufficiently serious to prompt them into action and, in any case, John successfully completed all his year one assessments including a short, formatively assessed placement.

Year two opened in a similar manner to year one but quickly students and staff began to notice more frequent and severe changes in John's demeanour. One day he would be the life and soul of the party; the next he would be very quiet and withdrawn. He then increasingly frequently began to be absent.

His absences and slightly odd behaviour were brought to the attention of his academic counsellor who arranged to meet with John, but John did not turn up. Two further appointments were made and not kept.

Eventually John was formally written to by his counsellor and attended for interview. Discussions were amicable but John denied there were any real problems. He was finding the workload difficult and at times he was unhappy with the way he was treated by his fellow students, but there were no real problems.

Year two contained a six week placement in a school and in week three the university was contacted by John's mentor to say that they had concerns about John's behaviour which had become erratic. The concerns were such that they were unsure if it was safe for John to complete the placement because of the effect he was having on everyone in the workplace. They were concerned he was a risk to others and possibly to himself. Would the university 'sort it out'?

John's placement tutor contacted him by e-mail to arrange a meeting but for a week heard nothing. On contacting the placement mentor she was told that John had been absent from the placement for the last week and that they thought it best if he simply did not come back to them for the remaining part of the placement. She requested that they complete the placement report on John and send it in to the university.

The placement tutor also contacted John's academic counsellor who relayed previous concerns. He too emailed John asking him to get in touch.

At the end of the placement period John resurfaced in the university and met with both the placement tutor and his academic counsellor. Reluctantly he admitted that he did have a mental health problem and indeed had had treatment before becoming a student. He had not disclosed his condition on the UCAS form or during the university's application processes as he was concerned about people's reaction and the potential stigma. However, he had been to his doctor and had a change of prescription which meant that he was now fine and wanted to continue with the course. He had also returned to getting professional counselling.

He appreciated that he would have to repeat the placement but was happy with that and was looking forward to completing the rest of the year successfully.

Both his doctor and his mental health counsellor had mentioned to him that his condition constituted a disability and he now wanted to disclose that to the university and request that it give him appropriate support along with reasonable adjustments. However, he was still concerned about confidentiality and did not want all and sundry to know his business. He was particularly concerned about his repeat placement and was worried about how staff might react if they knew of his mental health condition.

Issues that may arise:

- John is concerned about how others might react to his condition if he discloses it. Does he have to disclose his condition to anyone other than his placement tutor and academic counsellor?
- Does everyone at John's second placement have to know about his condition? Who would it be useful to disclose it to?
- John may wonder what information about his impairment is held by the university, where, and who has access to this.
- What should John do if his counselling sessions clash with classes or his placement? Who should he tell?
- What do the academic team need to do now to support John academically and on his next placement?
- What reasonable adjustments could be suggested and how would these be set up?
- What help would the academic team and/or placement provider need to be able to support John appropriately?
- Would the practice assessor need to change the way they provide practice assessment to accommodate John's needs? What would be the implications of this in assessing competence?
- Does John's condition have an impact on what type of practice learning opportunity he can undertake e.g. setting, groups working with, etc?
- If John's condition were to deteriorate during a placement, what should the practice assessor and placement provider do?
- If there was a situation like this again where the academic team suspected that a student had an impairment but they had not disclosed it, what should they do? What are their legal responsibilities?
- How can students with an impairment be encouraged to disclose this at the admissions stage of their course so that appropriate support for them can be arranged up front?
- What advice/guidance do the university's central support services have on working with students with a mental health condition that they can provide for the course team?
- Does the university's central support services have sufficient experience of supporting students with mental health conditions or do they need to find out more about this?
- Are there colleagues in the university's internal or external networks that could provide advice?

Issues that may arise (continued):

- Is everyone aware of the confidentiality and data protection issues relating to this case?

Notes:

Possible outcome, including suggested reasonable adjustments:

- John has obvious concerns currently and it is important that the academic team provide him with the support he requires.
- Providing a mentor for John may be an option and could be discussed with him. If he requires financial assistance to provide support, he would be able to apply for a DSA via SAAS.
- It may be useful to seek specialist advice from John's mental health counsellor and his doctor to ascertain exactly what support he requires and who would be best to provide it. This would need to be done with John's permission. Academic tutors are not necessarily trained counsellors and should only provide suggestions or support that they are able to deliver.
- John should be provided with time to meet with his mental health counsellor and doctor.
- It would be necessary to plan for John's next placement in plenty of time and ensure that a full support plan was put in place and able to be met by the placement school.
- It would also be necessary to complete a risk assessment.
- Providing John with extra time and space for course preparation and reading academic materials may also be useful.
- The staff that John has disclosed his impairment to should make it clear to him that they won't disclose the information to anyone else unless they have a good reason to do so. They should keep a written record of their discussions and what has been disclosed and record any confidentiality agreement made with John. This would constitute personal and sensitive data as defined by the Data Protection Act 1998 and as such would have to be stored securely and disposed of appropriately at a later stage.
- John's ability to drive may be affected if the symptoms of his condition are severe. However if he needs to travel for his work placement, he would be able to use public transport.

Notes:

Key points:

- A student is under no obligation to disclose an impairment. However if they do disclose one, the university knows about the impairment and therefore the student will be protected by the legislation. This applies even if the student tells only one person.
- It is difficult, if not impossible, for the university to be able to suggest reasonable adjustments if they are not aware of the impairment and what requirements the student has because of this. However the anticipatory duty placed on the university means that they should have planned for such an occasion anyway.
- Similarly, if confidentiality is requested by the student, the university may not be able to provide reasonable adjustments for them. It may be possible in these cases to provide a lesser adjustment which does not highlight the issue and respects the student's right to confidentiality.
- Reasonable adjustment is not always possible.
- The university may "reasonably have known" about an impairment even if it has not been disclosed e.g. if they have seen medical certificates that note something relating to the impairment. In John's case, the academic team may not reasonably have known as his behaviour and absence could have been due to a variety of reasons, however they did do the right thing in trying to meet with John to discuss this. Ignoring the issue could have made the situation worse.
- It is good practice to encourage disclosure at various stages of a course e.g. before or during a practice learning opportunity, before formal assessments, in course literature throughout the period of the award. This provides students with another opportunity to disclose their impairment and request support, although disclosure may occur at any time. If John's mental health condition is exacerbated by stress, the time before going on placement and before exams may be difficult for him and may be when he requires a lot of support. If the academic and practice learning teams can develop a culture of trust, the student may be more inclined to disclose.
- If a student is behaving erratically and there is a potential risk to other students, colleagues, or users of the service or pupils, then this would need to be addressed by the university and the placement agency.

Key points (continued):

- Mental health difficulties affect many people and it would be good practice for the university to provide some information or training on mental health to all students and tutors. Counselling and mentoring services should be promoted.
- The university's anticipatory duty would require them to think ahead and identify what support John, or another student with a mental health condition, may require in the future. John may, for example, be under more stress when he has to complete his dissertation and may require more, or different, support at that time.

Notes:

References and further reading on mental health and disclosure:

- Disclosing Disability; Disabled students and practitioners in social work, nursing and teaching; Disability Rights Commission; <http://www.equalityhumanrights.com/advice-and-guidance/before-the-equality-act/guidance-for-education-providers-pre-october-2010/maintaining-standards-promoting-disability-equality/>
- Student Mental Health: planning, guidance and training; Lancaster University; 2002
- The facts about mental health problems and driving; Scottish Association for Mental Health; www.samh.org.uk

Scenario four: Sight impairment and practice learning, including confidentiality and health and safety issues

Sarah is undertaking a teaching qualification. Her sight is impaired and the university has made various reasonable adjustments for her. Lecture notes are provided in large print prior to lectures and she records both lectures and tutorials. She has constant access to a laptop computer.

However, within a practice setting she will have to deal with the work environment in her professional field where such adjustments may be more difficult. There are concerns about confidentiality, health and safety, and meeting professional requirements.

In preparation for her first placement, Sarah, the university, and the placement provider are concerned about how she will cope with the professional demands of the placement and have set up a visit for her and her tutor to investigate what reasonable adjustments might be appropriate.

Issues that may arise:

- What support will Sarah need when she goes on placement and how might the staff and pupils react?
- The reasonable adjustments made by the university so far have provided Sarah with the support she needs. Sarah may be wondering if this support will still be available on her placement and if people will be supportive.
- What reasonable adjustments could be made to support Sarah on her placement?
- Will the placement school be able to make these adjustments?
- What support will the placement provider, practice teacher and others in the placement school need in order to support Sarah?
- Does the practice teacher need to change the way they provide practice assessment to accommodate Sarah's needs? Are there implications for this in assessing competence?
- Does Sarah's impairment have an impact on what type of practice learning opportunity she can undertake e.g. setting, groups working with, etc?
- What does the course team need to do about the health and safety issues?
- What would happen if there was an incident which Sarah did not notice and the care of pupils or other teachers was compromised as a result? What are the course teams' and placement providers' responsibilities in such a situation?
- What confidentiality issues are there and what are the course team's responsibilities regarding this?

Notes:

Possible outcome, including suggested reasonable adjustments:

- It is important that Sarah's placement is planned well in advance to ensure that reasonable adjustments are able to be arranged, funding required to provide these, and to ensure that everyone is aware of what is required.
- The placement provider needs to be aware of what adjustments Sarah will require for her placement and what they can reasonably provide.
- The placement provider will have to complete a health and safety risk assessment which may determine what types of reasonable adjustment need to be put in place.
- The placement provider may need to ensure that the software and hardware they provide for Sarah to use on her placement is compatible with any software and hardware she currently uses.
- Sarah may require a screen enlarger for working with computers. She may also need to use technology when presenting information to her class or reading pupils' coursework.
- It may be useful for Sarah to record meetings or classes. Alternatively she could use a laptop to take notes which will translate the information into a format that she can read later.

Notes:

Key points:

- If a personal assistant is providing support to the student, they too will be bound by confidentiality duty.
- They will also need to be checked under the Protecting Vulnerable Groups Scheme²⁰ as they will come into contact with pupils.
- Sarah's sight impairment should not mean that she can't teach pupils, however she may need to use technology or a personal assistant to help her to present information to pupils and read pupils' work. She should therefore be able to meet the professional requirements for her teaching course.
- As long as sufficient support is provided, Sarah should be able to manage the professional demands of the placement.

Notes:

²⁰ <http://www.scotland.gov.uk/Topics/People/Young-People/children-families/pvglegislation>

References and further reading on sight impairment, teacher education, practice learning, confidentiality and health and safety issues:

- National Framework for Inclusion; Scottish Teaching Education Committee
- Into teaching; positive experiences of disabled people; SKILL National Bureau for Students with Disabilities; 2008
- Disclosing Disability; Disabled students and practitioners in social work, nursing and teaching; Disability Rights Commission; <http://www.equalityhumanrights.com/advice-and-guidance/before-the-equality-act/guidance-for-education-providers-pre-october-2010/maintaining-standards-promoting-disability-equality/>
- Providing Work Placements for Disabled Students: A good practice guide for further and higher education institutions; Department for Education and Skills; 2002; www.lifelonglearning.co.uk
- Best Practice Guide: disabled social work students and placements; The University of Hull; June 2005; www.hull.ac.uk/pedds
- Access to Practice: Overcoming the barriers to practice learning for disabled social work students; SWAPItsn; 2004; www.swap.ac.uk
- Disabled Students on Placement: Information for Placement Providers, Colleges and Universities; West of Scotland Consortium; 2003; www.hull.ac.uk/pedds
- Health and Safety Executive; <http://www.hse.gov.uk/>

Scenario five: Autism

Brian disclosed on his application to Initial Teacher Training that he has an autistic spectrum disorder and that he has benefitted in school, prior to entry into higher education, from a structured and supportive environment. Academically he has no particular difficulties in learning but he does find novel situations challenging and, at times, has difficulties dealing with the nuances of social communication. However, for some time he has been committed to working in a professional field which involves helping others.

Brian is due to undertake his first teaching placement next year. Whilst nervous about the placement, he is looking forward to it. The course team must find a suitable placement and plan and prepare for it. They are particularly keen to ensure that Brian is well prepared for practice, is able to meet the competency standards set, and is appropriately supported during and beyond the placement. Brian has been open with university staff in discussing matters.

Staff in the placement organisation have some concerns about how he will cope.

Issues that may arise:

- What support could be put in place for Brian now, during the placement, and afterwards? What reasonable adjustments could be made?
- Will the placement school be able to meet these?
- Is the university or the school responsible for funding reasonable adjustments?
- What should be done if there is little funding available within the university or school to provide the additional support that Brian needs?
- How might staff and pupils react to reasonable adjustments that are made, and how will Brian be supported to manage this?
- How would school staff and pupils need to be supported to support Brian?
- Brian may be concerned that he finds himself in a situation on placement that he cannot cope with. What support could be provided for him and others?
- Do arrangements for practice assessment need to be altered to accommodate Brian's support needs? If so, are there implications for assessing competence?
- Does Brian's impairment have an impact on what type of practice learning opportunity he can undertake e.g. setting, groups working with, etc?
- Will Brian be able to meet the teaching standards if he needs additional support?
- Might parents want to know about how Brian interacts with pupils?

Notes:

Possible outcome, including suggested reasonable adjustments:

- The type of support that Brian needs will depend on which part of the autism spectrum he has been placed. Typically people with autism have difficulty with communication, interacting with other people, and being able to think and act flexibly i.e. they prefer structure and routine and can find uncertainty difficult to handle. A diagnostic assessment of Brian's needs would identify which of these was more of a challenge for Brian and would identify areas where adjustments and support would be useful.
- In the classroom, Brian will have to interact and communicate with his pupils. If he has particular difficulties in this area, one solution may be for Brian to employ a personal assistant to help provide explanations.
- Sometimes autism can affect an individual's eye contact with others and therefore it would be important to make colleagues and pupils aware of this.
- Noise and some lighting can sometimes cause people with autism to become stressed and therefore some changes in the classroom may be required e.g. keeping a window open instead of using noisy air conditioning.
- Brian may find it useful to record discussions or meetings on a laptop so that he can go back to them later.
- Sometimes people with autism use language literally and pupils and colleagues would need to be made aware of this to avoid confusion. It is sometimes more useful to provide clear written communication instead of verbally, as this is more structured, although this will not always be possible in a classroom environment.
- It may be important to identify a colleague within the teaching team that could be a mentor for Brian.
- It would be useful to provide Brian with more time before and after classes to prepare and check understanding of work.

Notes:

Key points:

- It would be important to identify Brian's specific needs via a diagnostic assessment.
- As long as the standards within the Standard for Initial Teacher Education have been confirmed as genuine competence standards, it will be necessary for Brian to meet all of these. However the way in which he is assessed as having met them may be adjusted. As communicating and interacting with others and being able to work with children who are not always predictable are core to the role of a teacher, the provision of support and reasonable adjustment to a student like Brian would have to be thought through very clearly to allow fair opportunity that the required standards are still met.

Notes:

References and further reading on autism and disabled teaching students:

- National Framework for Inclusion; Scottish Teaching Education Committee
- Into teaching: positive experience of disabled people; SKILL National Bureau for Students with Disabilities, 2008
- The National Autistic Society; <http://www.autism.org.uk>
- The National Autistic Society Scotland; <http://www.scotland.autism.org.uk/nas>
- The Scottish Society for Autism; <http://www.autism-in-scotland.org.uk>
- Teachers Magazine; Issue 45, July 2006; <http://www.teachernet.gov.uk/teachers/issue45/primary/features/NeedtoknowguideAutism/>

Scenario six: Mobility and accessibility

Natalie has decided to retrain as a social worker. She lost the use of her legs in an accident a couple of years ago and uses a wheelchair. She feels confident that the university's buildings will be accessible but is concerned that the type of work placement she is offered will be limited if agency premises or peoples' homes are not fully accessible. Natalie is particularly keen on working with people in the community and so being able to meet with people in their own homes may be required.

Issues that may arise:

- What should Natalie do if the practice learning opportunities she is offered are limited because of her impairment? What are her rights?
- How can the course team ensure that Natalie's choice of practice learning opportunity is not restricted because of her impairment?
- How should the course team and placement provider ensure that Natalie is going to be safe when she visits people who use services on her placement, especially if she is on her own and is faced with a challenging situation?
- What would Natalie do if she found herself in a challenging situation with someone she was working with and felt threatened? What could she do to ensure her safety?
- Are all the university buildings physically accessible? What about external venues that are used?
- If a venue was not accessible for Natalie, what should the university do?
- The homes of some of the people that Natalie could be providing a service for on her placement may not be accessible for someone using a wheelchair. What is the placement provider's responsibility towards Natalie in this situation?
- What reasonable adjustments could be made for Natalie and what are the implications of these?
- What funding might be available to implement reasonable adjustments, especially as physical changes to premises can be costly?

Notes:

Possible outcome, including suggested reasonable adjustments:

- Adjustments to the university's premises may have to be made if any parts of them are inaccessible for someone who uses a wheelchair. These would include creating wider doorways, ramps, accessible toilets, lifts, hoists, lower light fittings, and so on. The university should already have made reasonable adjustments to comply with disability legislation.
- Emergency procedures would need to be reviewed and Natalie and others in the department made aware of the evacuation procedures should there be a fire, for example.
- Seating in lecture halls should be made accessible and there should be enough room for Natalie to move her chair.
- Natalie may also need extra time to get between lectures.
- In order to ensure that Natalie's placement opportunities are not limited, it would be essential to plan these well in advance and prioritise the accessible practice learning opportunities for Natalie and other disabled students.
- A risk assessment would need to be completed with regards to the practice learning opportunity and the potential risk of harm to Natalie as a result of working with people who may be challenging. This would need to be planned for. A reasonable adjustment may be for someone to accompany Natalie on such visits.
- Other adjustments such as a calling-in procedure could be used whereby Natalie would call the office or a colleague after she has completed a visit.
- If a user of the service has a home that is not accessible for Natalie, it may be possible for her to meet them somewhere else, but this would be planned in advance.

Notes:

Key points:

- Natalie may have little say over which practice learning opportunity she is given if there are few of them in the first place. As long as this is the case for all students, then Natalie is not being discriminated against. The university needs to ensure that the teaching, learning and assessment requirements for the social work degree are being met in respect of the practice learning opportunity.
- Newer houses are more accessible for physically disabled people.

Notes:

References and further reading on mobility and accessibility:

- Guidelines for Creating an Accessible Environment; Scottish Disability Team; 2003;
http://www.sfc.ac.uk/access/equality_diversity/GuidelinesAccessibleEnvironment.aspx
- Many of the general references included in this guide make reference to physical accessibility

General references and further reading:

- The Equality Act 2010; <http://www.legislation.gov.uk/ukpga/2010/15/contents>
- Equality Act 2010: Guidance for education providers; Equality and Human Rights Commission; August 2010; <http://www.equalityhumanrights.com/advice-and-guidance/new-equality-act-guidance/equality-act-guidance-downloads/>
- A guide for disabled students; Disability Rights Commission; www.equalityhumanrights.com
- Understanding the Disability Discrimination Act (DDA): information for disabled students; Skill: National Bureau for Students with Disabilities; October 2007; www.skill.org.uk
- Understanding the Disability Discrimination Act: a guide for colleges, universities, and adult community learning providers in Great Britain; Disability Rights Commission in collaboration with SKILL and The Learning and Skills Network; 2007; www.equalityhumanrights.com
- Disability Discrimination Act 1995, Code of Practice (revised) for providers of post-16 education and related services; Disability Rights Commission; 2007; www.equalityhumanrights.com
- The Disability Discrimination Act Part 4: Examinations and Assessment Good Practice Guide; Disability Rights Commission in partnership with Skill, Universities UK, Universities Scotland, Higher Education Wales and Scop, with support from the Higher Education Funding Council; www.equalityhumanrights.com
- Finding Out About People's Disabilities: A good practice guide for further and higher education institutions; Department for Education and Skills; 2002; www.lifelonglearning.co.uk
- Code of practice for the assurance of academic quality and standards in higher education; Section 3: Students with disabilities; The Quality Assurance Agency for Higher Education; October 1999; www.qaa.ac.uk
- A disabled person's guide to becoming a health professional; Health Professions Council; August 2007; <http://www.hpc-uk.org/publications/index.asp?id=111>

General references and further reading (continued):

- Maintaining Standards: Promoting Equality. Professional regulation within nursing, teaching and social work and disabled people's access to these professions; Disability Rights Commission; September 2007; <http://www.equalityhumanrights.com/advice-and-guidance/before-the-equality-act/guidance-for-education-providers-pre-october-2010/maintaining-standards-promoting-disability-equality/>
- Professional regulation and disability equality: challenges for disabled social work students and professionals; Chih Hoong Sin, Janice Fong, Abul Momin; Office for Public Management and Equality and Human Rights Commission
- Supporting Inclusive Learning and Teaching; The Higher Education Academy/Social Policy and Social Work; SWAP Guide 1; June 2007
- Revised Code of Practice: Trade Organisations, Qualifications Bodies and General Qualifications Bodies; Equality and Human Rights Commission
- National Framework for Inclusion; Scottish Teaching Education Committee
- into teaching: positive experiences of disabled people; SKILL National Bureau for Students with Disabilities; 2008
- Equality Act 2010: Implications for higher education institutions; Equality Challenge Unit, November 2010; <http://www.ecu.ac.uk/publications/equality-act-2010>
- Joint Information Systems Committee (JISC); <http://www.jisc.ac.uk/aboutus.aspx>

All references in this guide are examples of a selection of materials that can be retrieved on the web, via universities, and via disability organisations. It is not exhaustive and the authors would be interested in including other useful references that people have come across.

Scottish Social Services Council and
General Teaching Council for Scotland
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