



Additional Learning Needs Fact Sheet

Disability Discrimination Act¹

The University and its partner colleges, as publicly funded institutions, are covered by Part IV of the Disability Discrimination Act. DDA Part IV makes it unlawful for the University and its partner colleges to discriminate against an ALN person or student:

- in admissions, enrolments or exclusions
- in the terms on which admission or enrolments are made
- by refusing or deliberately omitting to accept an application for admission or enrolment
- in the provision of student services

Educational programmes which are run at either the University or the partner colleges that are linked to qualifying bodies, e.g. Law Society or the General Social Care Council, are required to make reasonable adjustments for ALN students. However, qualifying bodies would not be expected to make a reasonable adjustment if they felt it compromised "core competencies."

Who is protected by the legislation?

Individuals have rights under the legislation if they meet the definition of disability which states that a person has an ALN:

"if he or she has a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities."

Any person with an ALN is protected by DDA Part IV whether they are an applicant, prospective student or undertaking a full-time, part-time or short courses.

What services are covered by the DDA, Part IV?

All services provided wholly or mainly to ALN students at either the University or its partner colleges are covered by Part IV of the legislation. These services could include:

- Teaching: classes, lectures, seminars, practicals
- Curriculum design
- Examinations and assessments

¹ The term ALN is used to define a disabled person or student. For the purpose of Bournemouth University programmes this term covers students with specific learning difficulties, e.g. dyslexia, medical conditions, mental health issues and disabilities. Different terms may be used at the partner institutions which have links with Bournemouth University.

- Field trips, outdoor education, outings and trips
- Arrangements for study abroad or work placements
- Research degrees and facilities
- Informal and optional study provision
- Short courses, training courses, day or evening adult education courses
- Distance learning and independent learning
- Institutional facilities e.g. classrooms, lecture theatres, labs, studios and darkrooms
- Libraries and learning resources
- Information technology e.g. institutional website
- Careers advice, training and resources
- Work placement services and job shops
- Job references
- Graduation ceremonies
- Leisure and recreation facilities
- Physical environment
- Chaplaincies and prayer areas
- Health, Counselling, Welfare and Advice services
- Residential accommodation services

Who is responsible under DDA, Part IV?

The Board of Governors of the University is responsible for the actions of its employees and agents. Individual employees or agents may themselves be liable for aiding an unlawful act if they knowingly act in a discriminatory way.

What is a reasonable adjustment?

The University and its partner colleges are required to make reasonable adjustments when an ALN person or student is placed at a **substantial disadvantage**. The duty to make a reasonable adjustment is an **anticipatory duty** which means that the University and its partner colleges need to think ahead to the type of adjustment that may be required, and whether or not it can be implemented.

Do I always have to make a reasonable adjustment?

The University and its partner colleges do not always have to make a reasonable adjustment for ALN students. The following factors would need to be taken into consideration if you feel it is not possible to make the adjustment.

- The need to maintain academic standards
- The financial resources available to the educational provider as a whole
- Any grants or loans available to the student, e.g. the Disabled Students' Allowance
- The cost of the adjustment
- The extent to which the adjustment is practicable

- The extent to which aids or services may be provided by other agencies or parties
- Health and safety requirements
- The relevant interests of other people including other students

How do I find out if someone has an ALN?

The University and its partner colleges are required to take reasonable steps to find out whether or not a student has an ALN. Reasonable actions to find out about a student's ALN might be:

- Asking applicants/students to declare an ALN on application, accommodation, field trips or placement forms
- Making sure there are systems in place so relevant staff are aware of an ALN and their subsequent needs
- Promoting to ALN students the support available throughout the academic year to assist them with their studies, e.g. coursework or examinations

It is possible that ALN students may request confidentiality, if they disclose their ALN to a member of staff. If this occurs the implications of the request needs to be explained to the individual student, and documented where appropriate.

Further information

If you require any further information about supporting ALN students please contact:

Additional Learning Needs Service
Talbot Campus Library and Learning Centre
Academic Services
Talbot Campus
Bournemouth University
Fern Barrow
Poole
Dorset
BH12 5BB

Tel: 01202 595327

Fax: 01202 595844

E-mail: alnge@bournemouth.ac.uk

Url: www.bournemouth.ac.uk/disabilities/