

Disabled Students' Allowances

Higher Education Student Finance in England 2009/10 Academic Year

**TO LOCAL AUTHORITIES
(For the attention of the Student Support Officer)**

February 2009

Dear Colleague

2009/2010 STUDENT FINANCE IMPLEMENTATION PROJECT: DISABLED STUDENTS' ALLOWANCES (DSAs)

Attached is revised guidance for key delivery partners in the 2009/10 student finance implementation project: '**Disabled Students' Allowances (DSAs)**'. The attached chapter contains guidance on DSA legislation and the administration of DSA applications.

The chapter provides guidance on full-time DSAs (regulation 40 & 41), part-time DSAs (regulation 140), DSAs for full-time distance learning students (regulation 122) and DSAs for postgraduate students (Part 13) as provided in the Education (Student Support) (No.2) Regulations 2008. Guidance on other grants for living and other costs payable under Part 5 of the Regulations is provided separately in the guidance chapters 'Assessing Financial Entitlement' and 'Grants for Dependants and Travel Grants'. LAs/SLC should also refer to the LA Portal User Guide for information on processing Non-Loan Products on the single system.

If you have any enquiries on this guidance, please contact:

| | Telephone | Email |
|-----------------|------------------|------------------------|
| SLC Call Centre | 0845 602 0583 | ssin.queries@slc.co.uk |

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Introduction

1. The Regulations referred to throughout this chapter, unless otherwise stated, are the Education (Student Support) (No 2) Regulations 2008. This chapter provides guidance on the Disabled Students' Allowances (DSAs) for full-time students (regulation 40 & 41), part-time students (regulation 140), DSAs for full-time distance learning students (regulation 122) and postgraduate students (Part 13) of the Regulations.
2. DSAs for full-time students are one of the grants for living and other costs payable under Part 5 of the Regulations. Guidance on the other grants payable under Part 5 can be found in the following guidance chapters:
 - 'Assessing Financial Entitlement' (Maintenance Grant, Special Support Grant and Higher Education Grant); and
 - 'Grants for Dependants and Travel Grants' (Adult Dependants Grant, Childcare Grant, Parents' Learning Allowance and Travel Grant).

Policy

Full-time DSAs (regulation 40 & 41)

3. Under regulation 40 & 41 an eligible student qualifies for DSAs to assist with the additional expenditure that the local authority / Student Loans Company (LA/SLC) is satisfied he is obliged to incur to attend a designated course because of a disability. The four DSAs are intended to help a disabled student benefit fully from his course. The Regulations do not define disability, but LAs/SLC should consider all cases where extra costs are incurred in studying because of a disability, mental health condition or specific learning difficulty such as dyslexia. DSAs should:
 - be in respect of expenditure not covered elsewhere in the Regulations, and must arise from attending the course as well as from the disability;
 - not be made for disability-related expenditure which the student would incur irrespective of whether or not he was a student; and
 - not be made for expenditure relating to services which can reasonably be expected to be provided by the student's institution (further guidance in this respect is given under the heading 'The scope of DSAs' from paragraph 82).

Eligibility

4. The personal eligibility criteria for receiving full-time student support, including DSAs, are set out in the 'Assessing Eligibility Guidance' chapter.
5. DSAs are not subject to:
 - an age limit;
 - previous study rules; or
 - income assessment.

6. A student can only receive support for a designated course. Where the eligible course does not appear on the HEI database the LA/SLC will not be able to fully process the application. Information on what action should be taken in this situation is covered in the 'General Eligibility and Financial Assessment Administration' guidance.
7. Students are eligible for DSAs whilst attending an overseas institution as part of their UK course, whether obligatory or optional.
8. Students who are personally eligible for student support under paragraph 9 of Schedule 1 (i.e. nationals of member states of the European Community) but not under any other paragraph of that Schedule, are not eligible for DSAs.

Prisoners

9. Full-time students who are prisoners are potentially eligible for DSAs but will not generally qualify for other grants for living and other costs under Part 5 of the Regulations (regulation 105(8) & (9)). See 'Grants for Dependants and Travel Grants' guidance chapter.

Means-tested NHS bursaries

10. Under regulation 38(3)(a), students are not eligible for grants for living and other costs for any academic year during which they are eligible for NHS means-tested bursaries or similar awards bestowed under section 63 of the Health Services and Public Health Act 1968, article 44 of the Health and Personal Social Services (Northern Ireland) Order 1972 or sections 73(f) and 74(1) of the Education (Scotland) Act 1980 (if the latter is granted in respect of a course leading to a qualification in a healthcare profession other than as a medical doctor or a dentist). Students who are eligible for an NHS bursary should be directed to the NHS Student Bursaries website at www.nhsstudentgrants.co.uk for information about the financial support available through the NHS Bursary Scheme. Or they can phone the NHS Student Bursaries Helpline on 0845 358 6655.

ITT courses

11. Students on ITT courses of a year or more in length who undertake in aggregate six or more weeks' full-time attendance (including teaching practice) in the academic year are eligible for grants for living and other costs. However, there are special rules for the Maintenance Grant and Special Support Grant (see 'Assessing Financial Entitlement' guidance chapter).
12. Students on ITT courses of a year or more in length who undertake in aggregate *less than* six weeks of full-time attendance in the academic year are *not* eligible for grants for living and other costs (regulation 38(3)(b)), with the exception of DSAs (regulation 38(4)). But they are eligible for the reduced rate (approximately 50%) Maintenance Loan, which is not subject to income assessment. There are separate rates of DSAs for such students (regulation 41(4)). See also paragraph 19.

Sandwich courses

13. Students on part-year paid or unpaid placements where the periods of full-time study in the academic year are 10 weeks or more in aggregate remain eligible for DSA support. For example, DSAs could pay for additional disability related travel costs to and from the institution using

the general allowance and the additional support required for course work undertaken during the work placement. When a student is going on a work placement as part of their course, the DSA needs assessment should take this into account and, for example, consider the portability of equipment if students need to take it with them on the placement.

14. Under regulation 38(5) students are not eligible for grants for living and other costs, including DSAs, in any academic year of a sandwich course where the periods of full-time study are in aggregate less than 10 weeks (unless the period of work experience is an unpaid placement of a type specified in regulation 38(6)). Students who do not qualify for grants for living and other costs under regulation 38(5) are eligible for a reduced rate maintenance loan which is not subject to income assessment (regulation 72(1)(b) & 72(2)(b)).
15. Under regulation 38(6) students undertaking certain types of unpaid work experience in the public or voluntary sectors are potentially eligible for grants for living and other costs, including DSAs (even where the periods of full-time study in the academic year are less than 10 weeks in aggregate). See 'Grants for Dependants and Travel Grants' guidance chapter.

Students who become eligible during the course

16. Under regulation 38(7) & 38(8), a student **may qualify** for DSAs, from and including, the academic year during which:
 - his course becomes designated;
 - he, his spouse, his civil partner or his parent is recognised as a refugee or becomes a person with leave to enter or remain (in this context 'spouse' or 'civil partner' does not include a co-habiting partner of the student - also refer to the 'Assessing Eligibility' guidance);
 - the state of which he is a national accedes to the European Community where the student has been ordinarily resident in the United Kingdom and Islands throughout the three-year period immediately preceding the first day of the first academic year of the course;
 - he acquires the right of permanent residence;
 - he becomes the child of a Turkish Worker;
 - he becomes a person described in paragraph 6(1)(a) of Schedule 1; or
 - he becomes the child of a Swiss national.

However, such a student is not eligible retrospectively. That is, a student is not eligible for DSAs for academic years of the course falling **before** the academic year in which the events listed above occur.

Full-time distance learning courses

17. Where disabled students undertake a full-time course by distance learning because their disability prevents them from attending an institution, they are treated as being in attendance on the course. Such students are potentially eligible for DSAs under regulation 40 & 41. They

are also potentially eligible for the other elements of the full-time student support package (except travel grant).

- 18.** Where disabled students undertake a full-time course by distance learning but are not compelled to study in this way because of their disability, they cannot be treated as being in attendance on the course. Such students are potentially eligible for DSAs under regulation 122 which are payable at the same full-time rates as those provided under regulation 41. They are also potentially eligible for a fee grant and course grant similar to those offered to eligible part-time students.
- 19.** LAs/SLC should also refer to the guidance on full-time distance learning courses contained in the 'Assessing eligibility guidance 2009/10'.

DSAs for students attending full-time courses or part-time courses of ITT

- 20.** There are four allowances for students attending full-time courses or part-time ITT courses. The maximum allowances that such students may receive in 2009/10 are given in the table below. Two of the allowances (non-medical helper's allowance and general allowance) are lower for students attending ITT courses where the period of full-time attendance, including teaching practice, during the academic year aggregates less than six weeks.

| Allowance | Maximum payable | |
|--|-----------------|---|
| | Full-time | Part-time ITT (less than 6 weeks attendance) |
| Specialist equipment allowance (for the duration of the course) | £5,161 | £5,161 |
| Non-medical helper's allowance (each academic year) | £20,520 | £15,390 |
| General allowance (each academic year) | £1,724 | £1,293 |
| Travel allowance | Unlimited | Unlimited |

- 21.** There is no provision to pay more than the maximum allowances set out in the Regulations. Therefore, LAs/SLC should not use unspent DSAs from a previous academic year or anticipate grant entitlement for a future academic year to pay more than the maximum allowances in the current academic year. However, only the general allowance may be used to supplement expenditure on specialist equipment and non-medical helpers should the student's needs exceed the maximum allowances under the Regulations. The specialist equipment allowance, non-medical helpers allowance and the travel allowance should be used for the sole purpose as named and should not be used to supplement other DSAs.

Specialist equipment allowance

- 22.** The specialist equipment allowance (regulation 41(2)(b)) may be used to pay for items of equipment which the student will need, because of a disability, to benefit fully from the course. It may also be reasonable to meet associated insurance, extended warranty, repair and modification costs from the equipment allowance. Where students do not take out insurance and their equipment is stolen, the cost of replacing the stolen equipment should not normally be met from the DSAs. Therefore,

LAs/SLC are advised to recommend that students take out insurance cover for their DSA equipment. The insurance premiums can be paid from the DSA. LAs/SLC might, at the same time, also suggest that the student consider whether he might benefit from some initial training in the use of any equipment to be purchased. Research has shown that many students start their courses without becoming familiar with specialist equipment and can face difficulties that could be avoided. The cost of training in the use of specialist equipment may be set against DSAs, subject to the maxima specified in the Regulations.

Annual increase of specialist equipment allowance

23. As with other grants, the specialist equipment allowance for the duration of the course is increased annually. Therefore, a student who had received the maximum grant for specialist equipment (**£5,030**) in 2008/09, could, subject to need, receive a further **£131** for specialist equipment in **2009/10 (£5,161 - £5,030)** (maximum specialist equipment grant in 2008/09) = **£131**).

Course transfers and specialist equipment allowance

24. LAs/SLC should draw the student's attention to the fact that the specialist equipment allowance covers the whole course duration. If a student transfers his eligibility to another course, any amount awarded for specialist equipment in relation to the first course would still need to be considered as the period of eligibility has not been broken. For example, a student receives £3,000 from the specialist equipment allowance but then transfers his eligibility to another course. His specialist equipment entitlement for the second course should not exceed **£2,161**, as £3,000 has already been awarded for specialist equipment and given that **£5,161** is the maximum specialist equipment allowance.
25. All equipment purchased with the help of this allowance is and remains the property of the student. It is open to the student, at the end of his course, to offer the equipment to his institution or to the LA for the use of other students. Institutions and LAs/SLC are perfectly free to suggest that students make such gifts. There is, however, nothing in the Regulations to permit LAs/SLC to purchase equipment themselves, either to donate to colleges or to lend to students. LAs/SLC contemplating such purchases should consult their legal advisers as to what other statutory provisions exist to permit such purchases. Any expenditure incurred would, of course, be met from the LA's/SLC's own resources.

Non-medical helpers allowance

26. The non-medical helpers allowance (regulation 41(2)(a)) may be used to pay for helpers such as readers, lip-speakers, note-takers, campus specific mobility trainers, and any non-medical helpers necessary if he is to benefit fully from the course and where the LA/SLC is satisfied that they are needed because of his disability. Where the student has to make regular or frequent payments for a non-medical helper, it may be helpful if the LA/SLC arrange for some of his grant payments to be made in corresponding instalments. If grant payments are made in instalments, LAs/SLC may find it useful to inform the student, or their institution, how such transactions should be recorded and verified for audit purposes.
27. The provision for the non-medical helpers allowance does not remove the duty of local social services to provide assistance towards personal care costs that would have been incurred irrespective of a student's

attendance on a course. However, in some circumstances a personal carer may also provide course-related help for a student. In such cases LAs/SLC might agree to share the cost of the course-related help provided by the carer with the social services. The non-medical helpers allowance should not be used to pay for support that should properly be funded by social services.

28. In the Department's view, only a relatively small number of disabled students are likely to need the full amount of allowance available in any given year. For example, some deaf students whose first language is British Sign Language (rather than Sign Supported English) may incur higher costs because they make greater use of sign language interpreters and note takers.

General allowance

29. The general allowance (regulation 41(2)(d)) may be used both for miscellaneous expenditure not covered by the specific allowances and to supplement the specialist equipment and non-medical helpers allowances if a student's entitlement to them is exhausted.

Travel allowance

30. The travel allowance (regulation 41(2)(c)) may be used to pay the additional costs of travel to and from the institution which are incurred because of a disability. For example, if a student needs to travel by taxi rather than by public transport because of mobility or visual difficulties, then the DSAs will cover the additional expenditure that represents. In this instance, the amount of travel allowance should be any excess between public transport costs and taxi costs for the journey.
31. Some students may be required as a result of a disability to use their own car to travel to and from the institution. In this instance, the amount of travel allowance should be any excess between public transport costs and the cost of the same journey by car. For the purpose of deciding the cost of the journey by car, it is recommended that LAs/SLC calculate the cost of the journey at the rate of **21p per mile**. This rate is based on the mid point range of AA motoring costs which includes an element for wear and tear on the car. Some continuing students using their own car may already be receiving a travel allowance based on a higher mileage rate agreed by their LA/SLC. In such cases, it is recommended that LAs/SLC continue using the higher rate until the end of the course.
32. LAs/SLC will need to be satisfied that the travel expenditure arises in each case by reason of a disability to which the student is subject. The travel allowance should not be used to meet non-disability related travel expenditure incurred by a disabled student. For example, it is unlikely that a dyslexic student will incur additional travel expenditure as a result of their specific learning difficulty. A disabled student may still qualify for Travel Grant (regulations 48- 55) in the same way as any other student (see 'Grants for Dependents and Travel Grants' guidance 2009/10).

Processing DSAs on the LA Portal

33. Functionality of the Non Loan Products screen on the LA Portal allows LAs/SLC to set a limit within each or any of the DSA categories up to the maximum for each category, including top ups from the general allowance. The LA/SLC user, having set the limits in accordance with the individual needs assessment recommendations will make payments

against the limits. Refer to the LA/SLC Portal system user guide for further information on processing DSAs on the single system.

Part-time DSAs (regulation 140)

34. Under regulation 140 an eligible part-time student qualifies for DSAs to assist with the additional expenditure that the LA/SLC is satisfied he is obliged to incur to undertake (i.e. to attend or study by distance learning) a designated part-time course because of a disability. DSAs for students undertaking a part-time course with the Open University are administered by the Open University and not by LAs/SLC.
35. The part-time DSA scheme closely follows that for full-time students. However there are, necessarily, some differences and these are explained below.

Eligibility

36. Like the full-time DSAs, previous study rules do not apply to part-time DSAs; they are available to eligible part-time students regardless of age and are not income assessed. For details of the personal eligibility criteria for receiving part-time support, including part-time DSAs, please refer to the guidance chapter 'Grants for part-time students'.

Designated part-time courses

37. To be eligible for support, including DSAs, a student must be undertaking a designated part-time course. The criteria for course designation in respect of part-time support, including part-time DSAs, are set out in the 'Grants for part-time students' guidance chapter.

DSAs for students undertaking part-time courses

38. There are four allowances for students undertaking part-time courses. The maximum allowances that part-time students may receive in 2009/10 are given in the table below. However, it is recommended that the maximum amount of the non-medical helper's allowance and general allowance should normally be calculated as a percentage of the full-time rates, according to the intensity of study.

| Allowance | Maximum payable | |
|--|-----------------|--|
| Specialist equipment allowance (for the duration of the course) | £5,161 | |
| Non-medical helper's allowance (each academic year) | £15,390 | 75% of a FT course = £15,390 60% of a FT course = £12,312 50% of a FT course = £10,260 |
| General allowance (each academic year) | £1,293 | 75% of a FT course = £1,293 60% of a FT course = £1,034 50% of a FT course = £862 |
| Travel allowance | Unlimited | |

39. There are no provisions within the Regulations to pay more than the maximum allowances for the academic year. Please refer to the guidance in respect of full-time DSAs at paragraphs 21 & 23.

Students whose status as an eligible (full-time) student is converted to that of an eligible part-time student (regulation 145(1)-(4))

40. When a student transfers from a full-time to a part-time course, the LA/SLC must convert his status as an eligible full-time student to that of an eligible part-time student. Where a student transfers from a full-time to a part-time course part way through the academic year:
- a) no instalment of full-time DSAs is payable after the student became an eligible part-time student;
 - b) the maximum amounts of part-time DSAs are reduced by one third where the student became an eligible part-time student during the second quarter of the academic year and by two thirds where he became an eligible part-time student in a later quarter of that year; and
 - c) where full-time DSAs have been paid to the student in a single instalment, the maximum amount of the corresponding part-time DSAs payable to him are reduced by the amount of full-time DSAs already paid (or further reduced if paragraph (b) above applies). If the resulting amount is nil or a negative amount, the part-time DSA is not payable.

Students whose status as an eligible part-time student is converted to that of an eligible (full-time) student (regulation 145(11)-(12))

41. When a student transfers from a part-time to a full-time course, the LA/SLC must convert his status as an eligible part-time student to that of an eligible full-time student. Where a student transfers from a part-time to a full-time course part way through the academic year:
- a) no instalment of part-time DSAs is payable after the student became an eligible full-time student;
 - b) the maximum amounts of any grants for living costs (and loan) for full-time students are reduced by one third where he became an eligible full-time student during the second quarter of the academic year and by two thirds where he became an eligible full-time student in a later quarter of that year; and
 - c) where part-time DSAs have been paid to the student in a single instalment, the maximum amount of the corresponding full-time DSAs payable to him are reduced by the amount of part-time DSAs already paid (or further reduced if paragraph (b) above applies). If the resulting amount is nil or a negative amount, the full-time DSA is not payable.

DSAs for postgraduate students

42. Under part 13 of the Regulations an eligible postgraduate student qualifies for DSAs to assist with the additional expenditure that the LA/SLC is satisfied he is obliged to incur to undertake (i.e. to attend or study by distance learning) a designated full- or part-time postgraduate course because of a disability. DSAs for students undertaking a postgraduate course with the Open University are administered by the Open University and not by LAs/SLC.
43. The postgraduate DSA scheme closely follows that for undergraduate students. However there are, necessarily, some differences and these are explained below.

44. Regulation 156 provides for a DSA of up to **£10,260** for the academic year **2009/10** to be paid to eligible postgraduate students undertaking designated full- and part-time postgraduate courses. There is no statutory provision to pay a postgraduate student in excess of **£10,260** during academic year 2009/10. There are no specific limits within the maximum **£10,260** on particular items or type of help on which the grant can be spent. The allowance is awarded depending on the recommendations of a needs assessment carried out by an assessment centre or other such body. The cost of the needs assessment can be paid for from the postgraduate DSA, but as with undergraduate DSAs, it cannot be used to pay for establishing a student's disability. The postgraduate DSA may be spent on specialist equipment, non-medical helpers, other general support or additional travel costs, or a combination of the above, up to the maximum amount for the academic year.

Eligibility

45. Like the undergraduate DSAs, previous study rules do not apply to postgraduate DSAs; they are available to eligible postgraduate students regardless of age and are not income assessed. To be eligible for the postgraduate DSA students must meet the personal criteria set out in Schedule 1 of the Regulations and undertake a designated postgraduate course (see paragraph 50).
46. Postgraduate students studying by distance learning are eligible for DSAs, but only if the course is undertaken in the United Kingdom (regulation 149(8)). Students undertaking courses on a distance learning basis are deemed to be studying at their home address. Therefore, to receive DSAs postgraduate distance learners must remain living in the United Kingdom whilst undertaking their course.
47. Under regulation 149(4), a postgraduate student is not eligible for DSAs if they:
- a) are in receipt of an -
 - NHS bursary or award under section 63 of the Health Services and Public Health Act 1968 or article 44 of the Health and Personal Social Services (Northern Ireland) Order 1972;
 - allowance under the Nursing and Midwifery Student Allowances (Scotland) Regulations 1992;
 - allowance, bursary or award of similar description made by a Research Council (a list of the relevant Research Councils is provided at Annex 6);
 - allowance, bursary or award of similar description made by their institution which includes a payment for meeting additional expenditure incurred because of a disability;
 - the NHS Business Services Authority (NHSBSA) bursary for students on full or part-time postgraduate social-work courses (see paragraph 47 below);
 - b) are in breach of an obligation to repay a student loan;
 - c) have not ratified an agreement for a student loan made with them when they were under the age of 18; or
 - d) have shown themselves by their conduct to be unfitted to receive support.

48. Postgraduate students may be in receipt of a bursary or award from another funding body that provides DSAs or support equivalent to DSAs. Postgraduate students are not eligible for the postgraduate DSA if they have been awarded a NHS bursary, a grant from a Research Council or the NHS Business Services Authority's (NHSBSA) bursary for students on full or part-time postgraduate social-work courses. Similarly, postgraduate students are not eligible for a postgraduate DSA if they are in receipt of a bursary or award from their institution which includes support equivalent to DSAs (excluding financial assistance received from their institution's Access to Learning Fund).
49. Under regulation 149(15) an eligible postgraduate student is not eligible for support for more than one designated course at a time.

Designated postgraduate courses for DSAs

50. Regulation 151(1) provides the criteria for course designation in respect of postgraduate DSAs. The requirements are:
- a first degree or higher qualification should be an entry requirement to the course;
 - a course duration of at least one academic year;
 - if the course is part-time, it must be ordinarily possible to complete the course in not more than twice the time ordinarily required to complete an equivalent full-time course;
 - the course is provided by a UK institution maintained or assisted by public funds;
 - the course is not an initial teacher training course or a course taken as part of an employment-based teacher training scheme.
51. Courses need to be provided by publicly funded institutions in order to be automatically designated, although courses at other institutions may be designated on application to the Department. Full and part-time Legal Practice courses and Bar Vocational courses are designated courses under the Regulations as the entry requirement to such courses is a first degree or higher. However, some of these courses are provided by private institutions which have been designated specifically for postgraduate DSAs. A list of postgraduate courses provided by private institutions which have been designated so that students may receive DSA support is provided on the Department's website at http://www.dcsf.gov.uk/studentssupport/des_.shtml
52. Students on postgraduate ITT courses are eligible for DSAs under the full-time scheme. They are not therefore eligible for the postgraduate DSA.
53. The Secretary of State may designate courses for the award of postgraduate DSA that are not automatically designated under the Regulations. An institution will be required to apply to the Department in the same way as for undergraduate courses, giving evidence of course aims and validation of the qualification. Designation in the middle of the academic year will allow payment of the DSA to cover the whole academic year in which designation takes place.

Periods of eligibility

54. Regulation 152 provides for DSAs to be paid for the period ordinarily required to complete the course (subject to the course satisfying the requirement of regulation 151). If a student withdraws from the course, abandons or is expelled from the course the period of eligibility is terminated and no further support should be paid.
55. Where a student intends at the outset to complete a part-time postgraduate course in not more than twice the period ordinarily required to complete an equivalent full-time course but subsequently takes longer, the period of eligibility will terminate at the end of the academic year during which it becomes impossible for him to complete the course within the required timeframe.

Example 1: Student A studies part-time for a Masters degree (which takes 1 year to complete studying full-time) for two years and then studies part-time for a PhD (which takes three years to complete studying full-time) for a further six years. As the duration of each of the two part-time postgraduate courses does not exceed twice the period normally required to complete its full-time equivalent, student A is eligible to receive support for the whole of that time.

Example 2: Student B undertakes the same two courses. However, while student B studies part-time for the Masters degree for two years, she then studies part-time for the PhD for eight years. As the PhD normally takes three years to complete full-time, the duration of the part-time PhD exceeds twice the period normally required to complete its full-time equivalent and is therefore not designated for support. Student B is only eligible for support for the two years of the Masters degree.

Example 3: Student C states an intention to study part-time for a PhD for six years. The equivalent full-time PhD would take three years. The student is awarded the DSA in years one to five of the course as the part-time study is at least 50% of a full-time course. However during the fifth year the student's pattern of part-time study changes so that he now requires a further three years part-time study to complete the course, making eight years in total. This period exceeds twice the period normally required to complete an equivalent full-time course and so the student cannot receive DSA support for the final three years of the course. His eligibility will cease at the end of the fifth year.

56. It is for higher education institutions (HEIs) to decide whether a postgraduate course is full-time or part-time and whether a part-time course takes more than twice the period ordinarily required to complete a full-time course leading to the same qualification.
57. LAs/SLC may terminate the period of eligibility where the eligible postgraduate student has shown himself by his conduct to be unfitted to receive support.
58. LAs/SLC may also terminate the period of eligibility or decide that a student no longer qualifies for an amount of grant if a student has failed to comply with a request to provide information or provided information that he knows is false. If the provisions in regulation 152(8) are used, LAs/SLC may treat support paid to the student as an overpayment for recovery under regulation 158.

Transfer of eligibility

- 59.** Regulation 153 provides for eligible postgraduate students to transfer their eligibility to another postgraduate course. A transfer is permitted provided that the period of eligibility for the first course has not expired or been terminated and a request to transfer eligibility is made by the student. It is also a requirement that the exporting institution recommends a transfer in writing and that the importing institution agrees to the transfer. If a student transfers his eligibility to another course, any DSA amount awarded for the first course would need to be considered for the second course as the period of eligibility has not been broken. For example, a student receives support of £3,000 but transfers to another course. For the remainder of the academic year, the student has **£7,260** remaining (**£10,260** maximum grant available less £3,000 already received for the first course). Students transferring courses may continue to receive support without the necessity of a further needs assessment unless their disability has changed in some way or the course is substantially different.

Students moving directly from undergraduate to postgraduate study

- 60.** Where a student has just graduated and is proceeding directly to postgraduate study, the DSA needs assessment that was undertaken in respect of the undergraduate course should be sufficient to identify the student's support needs in respect of the postgraduate course. This means, for example, that the student could continue to receive support from non-medical helpers without the necessity of a new needs assessment. However, if the student wishes to undergo a new needs assessment because their disability has changed in some way or the course is substantially different, this can be paid for from the postgraduate DSA.
- 61.** If the student seeks new equipment, the LA/SLC will need to take into account any equipment the student received as an undergraduate, having regard to how recently the equipment was bought and how appropriate it now is for the software necessary to support the student's disability. The Department's view is that the LA/SLC could replace equipment provided in the first year of an undergraduate course, but would need to look carefully at requests for new equipment if it had been provided in the final year of an undergraduate course.
- 62.** Students who have not studied recently (those with a break of at least two years since graduating) should be assessed in the same way as undergraduate students are currently. They should provide evidence of disability and then have their course related needs assessed.

Postgraduate students completing dissertations after their course ends

- 63.** A student retains his status as an eligible postgraduate for a period equal to that which is ordinarily required to complete the relevant designated postgraduate course. If the ordinary duration of the course includes a period to complete a dissertation or thesis, the Regulations provide for the student to be eligible to receive a postgraduate DSA for the period spent completing their dissertation or thesis. For example, if a course ordinarily takes two years to complete and the second year of the course is writing up the thesis, the postgraduate student will qualify for support during the writing up period.
- 64.** However, there may be occasions when students request payment of DSAs to continue when they are writing up a dissertation or thesis after

the end of the period ordinarily required to complete the designated course. Regulation 152(9) provides LAs/SLC with discretion to extend or renew a student's eligibility for such further periods as they consider appropriate after the expiry of the period ordinarily required to complete the course. This discretion might be used when a student is writing up a thesis or dissertation after the expiry of the period ordinarily required to complete the course. However, this is provided that the institution is still providing the teaching and supervision which comprises the course (regulation 151(2)(a)).

- 65.** In the case of part-time designated postgraduate courses, if the additional period of writing up a thesis or dissertation would mean that the overall duration of the part-time course will be more than double the time needed to complete a full-time equivalent course, the part-time course would then cease to be designated. Consequently, the student would not qualify for any further DSA support after the ordinary duration of the part-time course.

The Administration of DSAs

Evidence of a disability

- 66.** For most applicants, there should be little difficulty establishing their eligibility for DSAs. Their disability will have been identified and documented at an earlier stage, in many cases while they were at school. However, it is not essential for an applicant's disability to have been identified at school in order to be eligible for DSAs. Eligibility for DSAs is not dependent on an applicant being registered as disabled. Nor is there any requirement or provision within the Regulations to apply the definition of disability contained in the Disability Discrimination Act. LAs/SLC might find it helpful to know that the categories of disability used on the UCAS application form are:

- specific learning difficulty (e.g. dyslexia);
- blind/partially sighted;
- deaf/has hearing impairment;
- wheelchair user/has mobility difficulties;
- student needs personal care support;
- has mental health difficulties;
- unseen disability i.e. diabetes, epilepsy, asthma;
- two or more of the above; and
- a disability, special need or medical condition not listed above.

Care will be needed for applicants whose disabilities have not previously been identified. In such cases, LAs/SLC should request an assessment of the disability by a suitably qualified person or body for the purposes of establishing eligibility for DSAs.

- 67.** The DSAs are not intended to provide assistance to members of the general student population who suffer temporary illness or injury. Assisting such students would properly be the responsibility of HEIs.
- 68.** Students can become eligible for DSAs at any point during their course, not just at the start of their first year. Some students become disabled or have a disability identified after their course has started. Others may

decide to disclose their disability only after their course has started. Equipment needs may arise later in the course. LAs/SLC must not, therefore, adopt a policy of only accepting applications for the DSAs at the beginning of a course.

69. Students who are physically disabled, or have a mental-health condition, will need to provide medical evidence of their condition, such as a letter from their doctor or an appropriate specialist. Medical evidence should state the nature of the student's disability and ideally should also briefly explain how the student is affected by the disability. Students with a specific learning difficulty such as dyslexia will need to provide evidence of this in the form of a diagnostic assessment from a psychologist or suitably qualified specialist teacher (see paragraphs 99-106). However, any costs a student incurs obtaining the necessary expert evidence or opinion cannot be met from the DSAs. This is because such costs are not incurred by the student to attend or undertake their course; they are incurred to substantiate their claim for DSAs. However, students might be able to receive assistance with such costs from their institutions Access to Learning Fund.
70. Cases may arise where an LA/SLC is not satisfied from the evidence that the student has a disability. In such cases, the student should be invited to provide further evidence, perhaps in the form of a diagnosis undertaken by a body or person acceptable to the LA/SLC. In making such an invitation, it is important that the LA/SLC make clear to the student that they will normally be liable to meet the cost of providing the necessary evidence. Students can, however, apply for help with such costs from their institutions Access to Learning Fund..
71. Once the LA/SLC is satisfied with the medical evidence, the student is required to undergo a DSA needs assessment to identify the appropriate course-related support. The cost of the assessment is met from the DSA. Once the initial evidence of a disability has been accepted, in most cases there should be no need for students to provide updated evidence of their disability at a later stage in the course. An exception would be if the student's condition changes or if there is reason to believe that the student's condition may change later in the course. Sometimes an expert may also include recommendations for DSA support with their medical evidence. Given that the expert is unlikely to be unaware of course requirements and technologies, there is still a requirement for the student to receive a separate full assessment of their course needs.

Assessment of course-related needs

72. Once an LA/SLC has established that a student is an eligible student under the Regulations (i.e. eligible to receive support for fees, living and other costs) the student is potentially eligible at that stage for DSAs. An assessment of course needs should be arranged as soon as possible after it is established that the student is eligible for support and the LA/SLC is satisfied that they have a disability, mental health condition or specific learning difficulty. The needs assessment allows the LA/SLC to determine the amount of DSA grant for which the student is eligible. Given that the assessment may be carried out some months before start of the course, some students may subsequently attend a different institution or course. In such cases, a top-up assessment can be carried out once the student has confirmed his place on a course.
73. A DSA needs assessment report will contain information about the student's disability, mental health condition or specific learning difficulty which is classed as sensitive personal data under section 2 of the Data

Protection Act 1998. This means that the written consent of the student should always be obtained before releasing the DSA needs assessment report or any other disability-related information to a third party. During the DSA needs assessment interview, needs assessors are requested to explain the role of Disability Adviser and a copy of the needs assessment report should be sent to the Disability Adviser and the LA/SLC by the assessment centre once agreed. It would also help assessors if they are provided with a copy of the letter to the student which sets out the agreed DSA support (see Annex 3 for suggested text). This is subject to the student giving their consent. This information would make assessors aware of any recommendations which have fallen outside the scope of the Regulations and reduce the likelihood of similar inappropriate recommendations in the future. From academic year 2009/10 there will be two DSA application forms, both referred to as 'Disabled Student Allowances 2009/10 Application Form'. DSA1F is aimed at students who have not yet applied for student support and DSASL is aimed at those students who have already completed an application for student support and therefore do not need to provide some information again. The form 'Application for DSAs for the academic year 2009/10' (DSA1) asks students to give their consent to the release of information about their DSA application to third parties such as disability advisers and DSA assessors (see paragraph 184).

- 74.** The cost of the early DSA needs assessment should be met from the DSA. The DSA general allowance may also be used to pay for the student's travel costs to the assessment of needs interview. In the case of students not going on to attend a course, they should not be asked to repay the fee for the needs assessment. In many cases, they will reapply for higher education courses the following year and in such cases, the needs assessment already completed for them should be sufficient to process their new DSA application. The Department is prepared to write off the DSA needs assessment costs for those students who do not enter higher education.

DSA Quality Assurance Group (DSA-QAG)

- 75.** DSA-QAG is a non profit making Regulatory Company Limited by Guarantee. It is made up of representatives from DIUS, LAs/SLC, HEIs, DSA needs assessors, DSA equipment suppliers, Skill and the NUS. DSA-QAG has designed a quality assurance framework against which levels of service for both DSA assessment centres and equipment suppliers will be audited. A central administrative unit supports this work. LAs/SLC are encouraged to use DSA-QAG registered or accredited assessment centres to carry out DSA needs assessments, and DSA-QAG registered or accredited equipment suppliers to provide necessary equipment to DSA students. More information on the progress of the work of DSA-QAG and a list of registered and accredited assessment centres and suppliers is available at the following website:
<http://www.dsa-qag.org.uk/>.

Needs assessments for students studying in Scotland and Northern Ireland

- 76.** It is hoped that the majority of students domiciled in England and Wales studying in Scotland and Northern Ireland receive a DSA needs assessment in their home areas before they start their courses. The assessments would be carried out by one of the centres which have registered for the DSA quality assurance scheme.

- 77.** However, there will be some occasions when students who are domiciled in England but study in Scotland, Wales or Northern Ireland require a needs assessment during term time. In these circumstances, it would seem sensible to recommend that LAs/SLC accept needs assessments carried out by centres used by the Students Awards Agency for Scotland (SAAS) and the Department for Employment and Learning (Northern Ireland).
- 78.** In 2005/06, SAAS started a scheme 'Toolkit of Quality Indicators for Needs Assessments' under which institutions and centres become validated as assessors recognised by SAAS. A list of institutions and centres validated by SAAS to undertake DSA needs assessments can be found on the SAAS website: www.saas.gov.uk (click on 'disabled students', and then 'how do I apply').

Disability Advisers

- 79.** Most higher education institutions have someone responsible for advising on disability matters in support of students. The job title varies - they could be Disability Officers or Disability Co-ordinators as well as Advisers, for example - but they are expected to play an important role in the DSA process. If requested to assist a student with their DSA assessment of needs it is essential that they liaise with the relevant LA/SLC before making any arrangements, primarily to ensure the student is an eligible student under the Regulations. Disability Advisers have an understanding of the course and the institutional environment and will have access to academic teaching staff and to detailed course information. LAs/SLC should particularly note that Disability Advisers could provide useful advice to LAs/SLC when there is uncertainty about recommendations in the assessment of needs report. As well as the job title, the role of Disability Advisers may vary between institutions but the following provides a clearer insight into their roles and their importance in the DSA process. In the main, Disability Advisers may:
- help students with their DSA applications;
 - offer disabled students advice on other sources of funding and support that may be available;
 - advise or help students to arrange assessment of needs appointments;
 - help put in place the institutional and non- medical helper support that is recommended in the needs assessment report;
 - advise on particular needs that may arise from specific courses;
 - arrange diagnostic assessment for students who feel they may have a specific learning difficulty such as dyslexia;
 - explain and give advice on diagnostic assessment reports of specific learning difficulties such as dyslexia;
 - explain and give advice on DSA needs assessment reports;
 - co-ordinate the network of support workers;
 - work with Accommodation Services, Social Services, LAs/SLC and academic departments;
 - make recommendations to central departments in relation to students, for example, extended library loans, networked adaptive software or alternative timetabling arrangements;

- supervise and arrange the recruitment and training of support workers;
 - administer the payment of support workers and maintain records of the support provided and payments made;
 - research, develop and help implement institutions' policy for exams, physical access and field work; and
 - develop and put into practice disability elements of various institutional strategies.
- 80.** Without the involvement of a Disability Adviser, the process of obtaining DSA support and putting this support in place can be lengthy and complicated for both students and LAs/SLC. The student may also not receive the necessary disability related support from their institution. In order for Disability Advisers to assist students it is important they are kept informed about the student's DSA application at an early stage by receiving a copy of the DSA needs assessment report and the DSA Awards letter which sets out the DSA support agreed by the LA/SLC. In the interests of administrative simplicity and to satisfy data protection requirements, students should be encouraged to make their own contacts with Disability Advisers and to show or supply them with a copy of their DSA assessment report and DSA award letters. Needs assessors are also asked to provide disability advisers with a copy of the report subject to the students' written consent. Therefore, it is important that students are encouraged to involve their Disability Advisers in arranging their DSA support and this is best achieved through 'Bridging the Gap', information in letters issued by LAs/SLC to students and information provided by assessors at the DSA needs assessment interview. Some trained disability advisers may also carry out DSA needs assessments. However, it is the view of the Department that it would not normally be appropriate for a disability adviser to carry out the DSA needs assessment of students for whom they are responsible.
- 81.** A DSA needs assessment report will contain information about the student's disability, mental health condition or specific learning difficulty which is classed as sensitive personal data under section 2 of the Data Protection Act 1998. This means that the written consent of the student should always be obtained before releasing the DSA needs assessment report or any other disability-related information to a third party. During the DSA needs assessment interview, needs assessors are requested to explain the role of Disability Adviser and a copy of the needs assessment report should be sent to the Disability Adviser and the LA/SLC by the assessment centre once agreed. It would also help assessors if they are provided with a copy of the LA/SLC letter to the student which sets out the agreed DSA support (see Annex 3 for suggested text). This is subject to the student giving their consent. This information would make assessors aware of any recommendations which have fallen outside the scope of the Regulations and reduce the likelihood of similar inappropriate recommendations in the future. The form 'Application for DSAs for the academic year 2009/10' (DSA1) asks students to give their consent to the release of information about their DSA application to third parties such as disability advisers and DSA assessors (see paragraph 190).

The scope of DSAs

- 82.** LAs/SLC must satisfy themselves that the student is obliged by reason of his disability to incur additional expenditure to be able to attend or undertake his course. Las/SLC must also be satisfied that all such

expenditure is reasonably incurred and appropriate to the individual needs of the student. DSAs are not intended to assist with disability-related expenditure that the student would continue to incur if he were not following his course. The local social services department may well continue to provide assistance towards personal care costs that will be incurred irrespective of whether or not the student is attending his course.

- 83.** Higher Education Institutions and those Further Education Colleges which deliver directly funded higher education courses receive a funding allocation from the Higher Education Funding Council for England (HEFCE) for spending on institutional costs. This allocation includes the mainstream disability allocation which supports institutions in widening access and improving provision for disabled students. Although institutions are accountable for showing that their funds have been spent appropriately, institutions are autonomous in the way they distribute funds internally. Other funding areas also relate to improving provisions for disabled students. It is outside the HEFCE remit to make detailed rules on how the mainstream disability allocation should be used. This is for the institution to decide and the courts would decide on whether an institution should fund a particular area in the event of any legal challenge. Therefore, HEFCE does not produce detailed guidance on how institutions should use their disability-related funding allocation but draws institutions' attention to its guidance on base-level provision and the Disability Discrimination Act. HEFCE also funds the Disability Equality Partnership which provides advice and guidance to institutions on improving provision for disabled students.

The Disability Discrimination Act 1995 (DDA 1995)

- 84.** It is for local authorities, higher education institutions and further education colleges to take their own advice on how the DDA 1995 and related legislation applies to them.
- 85.** In April 2005, the Disability Discrimination Act 2005 was passed, making amendments to the DDA 1995. The 2005 Act introduces a positive duty on the public sector to promote disability equality (the Disability Equality Duty).
- 86.** The duty requires public authorities (which will include most colleges and universities), when carrying out their functions, to have due regard to the need to:
- promote equality of opportunity between disabled people and other people;
 - eliminate discrimination that is unlawful under the Disability Discrimination Act 1995;
 - eliminate harassment of disabled people that is related to their disabilities;
 - promote positive attitudes towards disabled people;
 - encourage participation by disabled people in public life; and
 - take steps to take account of disabled peoples' disabilities, even where that involves more favourable treatment.
- 87.** These elements are defined as the general duty to promote disability equality. Higher education institutions (HEIs) also have specific duties, which provide a clear framework to meet the general duty. Central to the

specific duties is the requirement on HEIs to produce a Disability Equality Scheme. For further information on these duties see the Equality and Human Rights Commission Code of Practice on the Duty to Promote Disability Equality.

- 88.** In addition it is unlawful under part 4 of the DDA 1995 (as amended by the Special Educational Needs and Disability Act 2001) for educational institutions (including higher education institutions) to discriminate against disabled people. The Act encompasses any services provided for students - education, training, leisure facilities and accommodation – and also covers admissions, enrolments and exclusions. Part 4 includes two key requirements on bodies responsible for educational institutions:
- i. responsible bodies must not treat a disabled person 'less favourably' than a non-disabled person for reasons related to his or her disability; and
 - ii. responsible bodies must make 'reasonable adjustments' to ensure that a disabled student is not placed at a 'substantial disadvantage'.

Reasonable adjustments cover everything from admissions procedures, to teaching arrangements, exam procedures or course content. HEIs must anticipate what sort of adjustments may be necessary for disabled students in future and, where appropriate, make adjustments in advance.

- 89.** The duties in respect of students over 16 years were introduced in three stages: majority of legislation, September 2002; provision of auxiliary aids and services, September 2003; adjustments to physical features of premises, September 2005. This means that providers of goods and services must take reasonable steps to remove or alter a physical feature which makes it difficult for a disabled person to use a service, or provide the service in an alternative way. Funding has been made available to HEIs to enable them to implement the new duties and widen access to premises to bring buildings up to the standards required by the Act. The Equality and Human Rights Commission website (<http://www.equalityhumanrights.com>) provides a useful source of information about the DDA 1995 including code of practice for the post-16 sector (<http://www.equalityhumanrights.com/en/publicationsandresources/Disability/Pages/Education.aspx>).

DDA 1995 and work placements

- 90.** Work placements are currently included in the DDA 1995 Part 4 (Education) (as amended by the Special Educational Needs and Disability Act 2001) which means that college and university staff must take into account a person's disability when arranging work placements and liaise with the work placement providers to implement the support.
- 91.** The DDA 1995 Part 2 (Employment) now includes people who are on a work placement as part of a vocational training programme. A vocational training programme is likely to include most students who are undertaking a work placement as an integral part of a further or higher education course. The providers of work placements are now required to ensure that they do not have discriminatory practices and also to make reasonable adjustments for disabled people on a work placement. The length of the work placement may be a factor when determining whether an adjustment is reasonable.

Support appropriate to the DSAs

92. The following headings provide a breakdown of the disability-related support considered appropriate to the DSAs, although it should be noted that the contents are not an exhaustive definition of support appropriate to the DSAs or appropriate in all cases.

Special Equipment

- Computer hardware/lap tops
- Disability software
- Computer furniture for student's residence
- Furniture used for study purposes within student residence
- Recording devices
- Fridges for diabetic students in student's residence

Non-medical helpers' allowance

- Training in use of disability software
- Note-takers
- Study skills **tuition**
- Library Support
- Human assistance with carrying course-related materials and mobility around the HEI
- Payments to non-medical helpers comply with statutory employment rights (e.g. tax, holiday pay)
- Assessment of needs fee
- Support for course practical work
- Interpreters to access lectures and other academic areas where learning takes place
- Administration costs incurred in recruiting and organising helpers
- Readers/scribes and proof readers

General Allowances

- Travel costs to/from a needs assessment
- Book Allowances
- Photocopying
- Disability-related travel costs to/from a work placement
(if transport costs for non-disabled students are not met by HEI)
- Internet connection
- HEI Intranet connection
- Consumables (batteries, cartridges, paper)
- Additional costs of en suite university accommodation

93. Given the complexities surrounding disability-related support, it is impossible to provide an exhaustive list of support appropriate to DSAs. In many cases, a separate decision would need to be taken, taking into

account circumstances and the purpose of the disability-related support. The following principles could be used to decide if the support is appropriate for DSA funding when it is unclear if the funding should be met from the DSAs or the institution's own funding allocation:

- the support in question is not provided by the institution for all other students; and
- the equipment is provided for use exclusively by the disabled student.

94. The Department recommends:

- DSAs should not be used for charges for support, counselling or tutorial services which the institution makes available to all students;
- DSAs are not intended for the costs of extra academic tuition or support in the main subject area(s) being studied. Institutions should normally meet these costs as part of providing the course;
- Similarly, where an institution makes special adaptations to course handouts or other course equipment for use by a disabled student during the delivery and assessment of the curriculum, it should meet any associated costs as part of providing the course;
- The cost of any special arrangements that institutions may need to make to enable a disabled student to take examinations (e.g. providing physical access to the examination hall or allowing the examinations to be taken and invigilated somewhere else) should not be set against DSAs. Additional costs which the disabled student himself needs to incur in taking his examinations (for example, a helper or item of specialised equipment) would however fall within the scope of DSAs; and
- DSAs may be used only where a student is obliged by reason of his disability to incur costs in receiving specialised individual support. Some students will require additional support to develop appropriate learning strategies because of their disability, for example dyslexia or a mental health condition. The aim of this support is to maximise their ability and remove the barriers caused by the impairment. The costs of extra tutorial support to improve his study skills (e.g. in essay construction and writing, examination techniques, revision skills) would be appropriate for DSAs. However, LAs/SLC should satisfy themselves that the cost is reasonable and appropriate. If such study skills or IT support or IT installation and training are provided through the summer, it would seem reasonable to use DSAs to pay for it. However, any such training undertaken outside term time would not count as attendance on the course and therefore would not trigger extra weeks' Maintenance Loan.

Social Services

- 95.** Social Services may continue to provide assistance towards personal care costs that would be incurred in the UK, regardless of whether or not a student is attending a course. Support needs can be reassessed by Social Services when there is a change in a person's personal circumstances, such as leaving home to attend a course or a change in health. In the event of a student moving away from their home area to attend a course, funding responsibilities for personal care would continue to rest with the Social Services Department in the student's home area. Social Services receive money from Central Government to fund

personal care support for disabled people and are responsible for deciding how their budget allocation is spent (see also paragraph 27).

Dyslexia

What is dyslexia?

- 96.** The Report of the National Working Party on Dyslexia in Higher Education (published in January 1999) identifies the following two forms of dyslexia.
- a) Developmental dyslexia – a problem with particular aspects of learning despite adequate intelligence and general learning skills. Developmental dyslexia is the more common form of dyslexia. This type is usually inherited and neurologically based.
 - b) Acquired dyslexia – is characterised by a loss of literacy skills as a result of a neurological trauma, illness or brain disease.
- 97.** Dyslexia is a variable condition and not all students with dyslexia will display the same difficulties or characteristics. The following characteristics have been noted in connection with dyslexia;
- a marked inefficiency in the working or short-term memory system which may result in problems retaining the meaning of text, disjointed written work and the omission of words and phrases in examinations because students have lost track of what they are trying to express;
 - inadequate phonological processing abilities (innate difficulty linking sound and symbol) which affects either the acquisition of phonic skills in reading and spelling so that unfamiliar words are frequently misread which may also affect comprehension or reading and writing fluency;
 - difficulties with motor skills or coordination which might affect the ability to listen with understanding while taking notes or to concentrate on both spelling and the content of written work;
 - problems with visual processing which can affect handwriting and reading, causing the print to appear distorted or the reader to lose the place excessively (this is termed visual stress or Mears-Irlen Syndrome);
 - reading and writing problems which may include slow reading speed, difficulty extracting sense from written material without substantial re-reading, inaccurate reading, omission of words and perceived distortion of text;
 - writing problems which may include poor handwriting and slow writing speed, omission of words, spelling problems, difficulties categorising information and sequencing ideas;
 - difficulties with numeracy which may take the form of inaccuracy in calculations or failure to grasp mathematical or computational course components;
 - lack of structure in oral presentations and word retrieval difficulties;
 - short attention spans and a high level of distractibility; and
 - poor organisation making time management very difficult.

Dyslexia screening

- 98.** Screening for dyslexia usually precedes a diagnostic assessment and the purpose is to determine whether a full psychological or diagnostic assessment would be warranted. Screening can save the cost of a full diagnostic assessment in cases where the outcome of screening suggests that a full diagnostic assessment would be unwarranted. Quick Scan, Dyslexia Adult Screening Test (DAST, Bangor Dyslexia Test,) and Lucid Adult Dyslexia Screening (LADS) are examples of screening tests, although there are other screening tests. Screening for dyslexia does not constitute a diagnostic assessment of dyslexia and therefore LAs/SLC should not accept a screening for dyslexia as the sole evidence of dyslexia. There is no requirement for a student to undergo a screening for dyslexia when providing their evidence of dyslexia for HE purposes.

Full diagnostic evidence of dyslexia

- 99.** LAs/SLC will be aware that a Specific Learning Difficulties (SpLDs) Working Group was set up in 2003 to review the arrangements for identifying and assessing SpLDs in higher education students. The Working Group was asked to produce a report recommending a framework to guarantee the quality of assessments which diagnose specific learning difficulties. The Working Group has now finished its work and the final report has been published on the Department's website at: http://www.dcsf.gov.uk/studentssupport/dsa__1.shtml (please note the double underscore in the website address).
- 100.** The SpLDs Working Group asked a committee to take a lead in implementing a number of the report's recommendations. This committee is, the SpLD Assessment Standards Committee (SASC). A sub-committee of SASC, the SpLD Test Evaluation Committee (STEC), will review periodically the list of suitable tests contained in the SpLDs Working Group report and consider new tests for inclusion. Further information about SASC and STEC is provided at paragraphs 179 - 181.
- 101.** The success of the new framework recommended in the report relies heavily on the support of LAs/SLC who are strongly encouraged to adopt the recommendations. The following schedule shows dates for introducing specific parts of the framework described in the report's recommendations.

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| Diagnostic assessments carried out before September 2006 | <ul style="list-style-type: none"> Local authorities to accept diagnostic assessments carried out by psychologists and suitably qualified specialist teachers. Specialist teachers who assess dyslexia should hold AMBDA (Associate Membership of the British Dyslexia Association) or a qualification from an advanced training course which assesses adults for dyslexia and is recognised by the British Dyslexia Association's Accreditation Board (see Annex 7). |
| Diagnostic assessments carried out between September 2006 and August 2007 | <ul style="list-style-type: none"> Local authorities to accept diagnostic assessments carried out by psychologists and suitably qualified specialist teachers as above. Diagnostic reports to be in the format recommended in the SpLDs Working Group's |

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| | <p>report.</p> <ul style="list-style-type: none"> • Diagnostic reports to use tests recommended in the SpLDs Working Group's guidelines or added by the SpLD Test Evaluation Committee (STEC). See paragraph 180. |
| <p>Diagnostic assessments carried out between September 2007 and August 2008</p> | <ul style="list-style-type: none"> • Local authorities to accept diagnostic reports from psychologists and specialist teachers. Specialist teachers must hold a current practising certificate in assessing specific learning difficulties issued by their relevant professional association (for example, the Professional Association of Teachers of Students with Specific Learning Difficulties (PATOSS) or Dyslexia Action). Psychologists must hold a current practising certificate issued by their relevant professional association (for example, the British Psychological Society). • Diagnostic reports to be in the report format recommended in the SpLDs Working Group's guidelines • Diagnostic reports to use tests recommended in the SpLDs Working Group's guidelines or added by the SpLD Test Evaluation Committee (STEC). See paragraph 180. |
| <p>Diagnostic assessments carried out from September 2008</p> | <ul style="list-style-type: none"> • Procedures as from September 2007 above plus the following. • All training for assessing specific learning difficulties to incorporate the SpLDs Working Group's guidelines. |

- 102.** It is recommended that a full diagnostic assessment of a higher education student for dyslexia should contain the following.
- Evidence of any significant difficulties in reading, writing, spelling and numeracy relevant to the standards in these skills required in higher education.
 - Evidence of a significant discrepancy between the abilities in reading, writing, spelling and numeracy and the level of those abilities expected of the student in terms of their general intellectual ability.
 - Evidence of cognitive disabilities or neurological anomalies (affecting memory, visual perception, phonological processing, including speed of processing or motor coordination) which are likely to have adverse effects on learning.
 - Evidence that the learning difficulties identified are likely to affect learning in higher education.
- 103.** Once an LA/SLC has accepted a diagnostic report there is no requirement for a student to undergo a new diagnosis later in the course. A diagnostic report accepted for a first course should also be acceptable for subsequent courses, including postgraduate courses.

- 104.** If the diagnosis was carried out before the age of 16, the student should normally be asked to undergo an 'Assessment of Performance Attainment' which would provide an update on their current performance in reading, writing and spelling. Intelligence is unlikely to change significantly even if the student was diagnosed as a child and therefore there is no requirement for another assessment of intelligence. However, reading, writing and spelling could change in adulthood. The 'Assessment of Performance Attainment' is a 'top up' diagnosis which provides up to date evidence of the student's current degree of difficulty in reading, writing and spelling. The top up diagnosis is to establish the likely impact of the student's specific learning difficulties on the skills needed for higher education. The top up diagnosis should be based on tests recommended in the Specific Learning Difficulties Working Group's guidelines or added by the SpLD Test Evaluation Committee (STEC). See paragraph 180. The Assessment of Performance Attainment is part of the diagnosis and the cost should be met by the student, although an application may be made to the institution's discretionary Access to Learning Fund to meet the cost. The Assessment of Performance Attainment could be carried out by specialist teachers who hold a current practicing certificate in assessing specific learning difficulties issued by their relevant professional association (for example, the Professional Association of Teachers of Students with Specific Learning Difficulties (PATOSS) or Dyslexia Action), or by psychologists who hold a current practising certificate issued by their relevant professional association (for example, the British Psychological Society).
- 105.** The diagnostic report should state that because the student has dyslexia he should receive extra support to compensate for these difficulties. The diagnostic report will often classify the dyslexia into three bands, severe, moderate and mild. Mild dyslexia does not always mean that the student will encounter mild problems as mild dyslexia can cause severe problems and still need support to compensate. Therefore, the written report of a relevant specialist or expert whose qualifications have been checked should be sufficient to enable the student to proceed to the next stage of the process; the assessment of course related needs. There is no requirement for LAs/SLC to consider the level or severity of dyslexia. The judgement on eligibility made by a qualified professional should be accepted unless it can be shown that the supporting evidence is inadequate to have reasonably formed a view; for example, the evidence is out of date, irrelevant to the applicant or very cursory. In such circumstances, further information should be sought and the views of institution's Disability Adviser should also be taken into account.
- 106.** There should be no need for the LA's/SLC's educational psychologist to provide a second opinion on a diagnosis already made by another professional. However, if an LA/SLC is dissatisfied with the written evidence provided on dyslexia it can seek further evidence or request a new full diagnostic report.

Study support for dyslexic students

- 107.** Dyslexic students may be eligible for the following support from the DSAs subject to the nature of their learning difficulties and their needs assessment.
- Study skills tuition to help manage difficulties within higher education, language and numeracy through the more effective use of dyslexic thinking styles. Individual study support sessions may be required because generalised advice offered by a department may not take into account different learning skills. The Department

has not set a ceiling on the number of hours of study skills support that may be provided through the DSAs. However, the aim of such support should be to impart generic skills which, together with any specialist equipment that has been provided, will allow the student to become an independent learner. Therefore, any study skills support recommended should be tailored to the student's individual needs, setting out clear goals and timescales for achieving those goals.

- A computer with a word processing package, spell-checker, dictionary and/or voice recognition software, text help software and mind-mapping software reduces the need for redrafting. A scanner with Optical Character Recognition (OCR) software linked to text-to-speech software, may also be appropriate where students have particularly poor reading skills.
- Training in the use of disability software.
- Readers to read text to students either in person or on tape.
- Scribes to note down the student's ideas for early drafts.
- Proof readers to correct minor technical errors.
- An allowance for additional textbooks so that the student may use them to implement various reading strategies, such as book-marking and highlighting key words. Extended library loans are useful but inadequate as substitute strategies.
- Photocopying allowances so that students can obtain enlarged copies of text to alleviate visual discomfort. Extended library loans are useful but inadequate as substitute strategies.
- Portable spell-checkers.
- A tape-recorder, mini disk or digital recorder to record lectures or to compose orally before writing onto a computer.

Students diagnosed after the start of their HE course

- 108.** It has often been asked why students who previously attained high levels of academic achievement without any additional support request DSA support after entering higher education. In order to gain entry to higher education, most dyslexic students have developed compensatory strategies. Although these strategies may have been adequate in their previous learning environment, they may be inadequate for coping with the greater demands of higher education. The switch to independent learning and self reliance in the organisation of study can present extreme difficulties. Students with dyslexia typically have greater problems in adjusting to independent learning because the necessary organisational capacity is weak. The dyslexic student who has used compensatory strategies will usually need to put in more time and effort than other students to complete the same academic work. As they progress through their courses, the quantity and volume of work increases and they can no longer cope without additional support.

The arrangements for engaging non-medical helpers

The employment rights of non-medical helpers including tax and National Insurance Contribution implications

- 109.** Please note that all figures listed in this paragraph are for the 2008/09 tax year; 2009/10 figures can be viewed when available at: http://www.hmrc.gov.uk/employers/rates_and_limits.htm. If non-medical

helpers earn more than the National Insurance lower earnings limit of **£90 (2008/09)** per week issues arise relating to the employment of the non-medical helper and pay records will need to be submitted to HM Revenue & Customs (HMRC). In the tax year **2008/09** Class 1 national insurance contributions (NIC) are payable by the employer and the employee when the employee earns **£105** per week or more. Employee's national insurance contributions are 11% of weekly earnings between **£105** and **£770**. Employer's contribution is 12.8% on earnings above **£105** per week. Non-medical helpers pay income tax on earnings over and above **£5,435 (2008/09)** per annum but may have to pay tax on earnings below this level if, for example, they have other employment earnings which combined takes their earnings above the threshold. The employers of non-medical helpers are responsible for calculating the amount of tax and national insurance, deducting it from the employee's wages and making payments to HMRC. Employers may also be required to pay Employer's National Insurance contributions. This will be in addition to the gross pay paid to the non-medical helper and therefore needs to be taken into account when agreeing how much the helper will be paid.

- 110.** Non-medical helpers have certain other employment rights regardless of how much they earn. These rights are:
- itemised pay statements;
 - time off for public duties;
 - basic maternity leave for women;
 - basic paternity leave for men;
 - not be discriminated against on grounds of sex, race or disability;
 - not to be victimised for trade union membership; and
 - paid holiday entitlements.

The Department for Business, Enterprise and Regulatory Reform (formally Department for Trade and Industry) provides information on the individual rights of employees. This information may be accessed through the website at: <http://www.berr.gov.uk/employment/>.

The employer of the non-medical helper

- 111.** It is the engager's (**e.g. the student or HEI**) role to decide whether the person they are hiring should be treated as an employee or self-employed. Individuals and their engagers are free to decide the terms and conditions of any engagement but they cannot simply call a contract employment or self-employment unless the facts support that. For the purpose of tax and national insurance contributions (NICs), where the facts suggest that the contract is one of employment, PAYE income tax and Class 1 NICs should be deducted. In order to make this decision, each case needs to be considered on an individual basis. It is impossible to provide comprehensive guidance on where employer responsibilities lie for every arrangement. The following case studies provide an indication of who would be treated as the employer of the non-medical helpers. They are based on advice received from HMRC technical advisers. Further advice on identifying the employment status of non-medical helpers can be obtained direct from HMRC Enquiry Offices and at: www.hmrc.gov.uk/employment-status.

Case Study 1

The university recruits, organises and trains the non-medical helpers. The university invoice the LA/SLC and then pay the non-medical helper.

Assuming the contract of service is between the HEI and the non-medical helper, regardless of the invoicing arrangements, the HEI, as the employer, is responsible for PAYE/NICS. If under the same arrangements, the LA/SLC or student pays the non-medical helper direct this does not affect who is the secondary contributor (the person responsible for paying the secondary contribution which is normally the employer).

Case Study 2

The student recruits and arranges their own non-medical helper. The university draws the DSA monies from the LA/SLC and pay the non-medical helper direct.

Assuming the contract of service is between the student and the non-medical helper, the student would be the employer. If under the same arrangements, LAs/SLC make payments direct to the non-medical helpers the student is still the liable secondary contributor for NICS and PAYE.

Case Study 3

The student recruits, organises and pays the non-medical helper directly.

Assuming a contract of service between the student and non-medical helper the student is the employer and responsible for PAYE/NICS.

- 112.** In all of the three case studies, if the non-medical helper has other engagements, it is likely the non-medical helper is self employed and responsible for their own Class 2/Class 4 NICS and tax on their trading income.

Relieving students of employer responsibilities

- 113.** Few students are trained or equipped to act as the employer of a non-medical helper and we also believe that whenever possible disabled students should not be burdened with employer responsibilities if they do not desire this role. As LAs/SLC have no role in engaging non-medical helpers and agreeing the terms of engagement, it is unlikely that LAs/SLC would be the employer of a non-medical helper. Some text on the subject has been added to the suggested text for the 'Awards Letter' at Annex 3. It may help LAs/SLC when approving payments for non-medical helper support to request a statement from the helper that they are self employed or a statement from the employer confirming they are acting as the employer of the non-medical helper. But remember, individuals and their engagers are free to decide the terms and conditions of any engagement but they cannot simply call a contract employment or self-employment unless the facts support that. LAs/SLC may wish to draw students' attention to Skill publications 'Personal Assistance for Disabled Students in Higher Education' and 'Employing Support Workers in Higher Education'. Copies may be obtained from Skill (020 7450 0620).
- 114.** The following arrangements could be considered to avoid students being the employer of their non-medical helpers.

Using non-medical helpers employed by HEIs

115. Many universities already employ non-medical helpers on behalf of disabled students or administer a register of non-medical helpers who are self employed. This involves advertising, recruiting, training, organising and paying the non-medical helpers. Some universities operate a register of support workers and have formal contracts or agreements with the non-medical helpers. In such arrangements, as well as paying the non-medical helper's wages, the DSA could also pay for the non-medical helpers' tax, national insurance and other employer-related costs.

Using self employed non-medical helpers

116. Non-medical helpers who are self-employed are responsible for their own tax and national insurance and are not covered by the employment legislation set out in the paragraphs above. Therefore, using a self-employed non-medical helper for the particular engagement would mean that students, or any other body, are not the employer of the non-medical helper. For the purpose of tax and NICS it is the engager's responsibility to decide whether someone is an employee or self-employed. HMRC can provide advice. In deciding whether to approve a non-medical helper as self employed, HMRC would look at what the job involves. If a person is paid by the job and works for a number of people it is more likely they would be classed as self-employed. If the non-medical helper has regular payments from the student and works under the student's direction this would indicate that they are more likely to be employed.

National Insurance rates

117. For **2008/09**, employees' National Insurance contributions are 11% of weekly earnings between **£90** and **£770** and 1% of weekly earnings above **£770**. The employer's contribution is 12.8% on earnings above **£90** per week with no upper limit. The rate of Class 2 contribution (paid by self employed workers) is **£2.30** per week. Please note that figures for the 2009/10 tax year can be viewed when available at: http://www.hmrc.gov.uk/employers/rates_and_limits.htm.

Income tax

118. In **2008/09**, income tax is paid on earnings **£0- £36,000** at 20% and above **£36,000** at 40%. Please note that for the 2009/10 tax year figures can be viewed when available at: http://www.hmrc.gov.uk/employers/rates_and_limits.htm.

Annual leave

119. From 1st October 2007 the Working Time Regulations changed to allow full time workers 4.8 weeks paid annual leave (24 days if working a 5 day week). This figure will increase to 5.6 weeks (28 days if working a 5 day week) from 1st April 2009, pro-rata for those working part-time. For example, if a non-medical helper works 5 days per week, annual leave entitlement is 24 days a year from 1st October 2007, increasing to 28 days a year from 1st April 2009. If the non-medical helper works 2 days per week the annual leave entitlement is 8 days per year. See Department for Business, Enterprise and Regulatory Reform (formerly DTI) website: <http://www.berr.gov.uk/employment/holidays/index.html>.
120. The entitlement begins on the first day of employment. The amount of leave accrues monthly at the rate of one-twelfth of the annual entitlement

each month. When the calculation does not result in an exact number of days, the amount of leave is rounded up to the next half day. For example, a worker who works 5 days per week would have accrued 6 days annual leave after 3 months (24 divide by 12 x 3), or 7 days annual leave after 3 months (28 divided by 12 x 3).

Employers' liability (compulsory insurance)

121. The Employer's Liability Act 1969 also requires employers to take out insurance against liability for bodily injury or disease sustained by their employees during the course of employment. This requirement applies when the employer deducts national insurance and income tax and controls where and how the work is carried out. Employer's Liability Insurance is not required if the worker is self employed. More information about employer's liability insurance is available from the Health and Safety Executive.
122. For further guidance and clarification on the above and other employment legislation, advice should be taken from the appropriate sources.

National minimum wage

123. From 1st October 2007 the main (adult) rate is **£5.52** per hour for those aged 22 years and over. There is a Development Rate of **£4.60** per hour for workers aged 18-21 years inclusive. The development rate can also apply to workers aged 22 and above during their first 6 months in a new job with a new employer and who are receiving accredited training.

Administration charges for arranging non-medical helpers

Summary

124. A DSA for a full time student is 'a grant to assist with the additional expenditure which the Secretary of State is satisfied that the student is obliged to incur in connection with his attendance on a designated course by reason of a disability to which he is subject' (regulation 40 of the Education (Student Support) (No 2) Regulations 2008). The allowance is made up of different elements including expenditure on a non-medical helper.
125. DSAs cannot be used as a contribution towards the infrastructure, general administration and pastoral costs of the HEI. DSAs must not be used to cross-subsidise the infrastructure of HEIs' disability services.
126. It is permissible for HEIs to recover administrative costs associated with the provision of non-medical helpers funded through DSAs.
127. Fixed percentages without an evidence base do not provide a sound basis for the calculation of relevant admin charges.
128. The clear and consistent allocation of relevant costs provides the most accurate guide to the true cost of delivering the service.
129. HEIs need to think through their costs properly: LAs/SLC need to assure themselves that they are not endorsing claims which are "over the odds".

Context

130. The Department depends on HEIs to provide a range of well-managed services that respond to the needs of students. In the context of DSAs, many HEIs arrange and administer non-medical helper support; HEIs may incur extra costs in providing this service. Such costs might include recruiting potential non-medical helpers, advertising for helpers, selecting suitable candidates, training unqualified non-medical helpers and maintaining records of their personal and financial details. The Department accepts that it is legitimate for HEIs to add the relevant element of these administration costs into their charges for non-medical helper support. Furthermore the Department accepts that such charges, as an integral part of the provision of non-medical helper support, constitute a cost that a student requiring non-medical helper support is obliged to incur and can therefore be met from the student's DSA.

The DSAs

131. HEI governing bodies are responsible for the proper stewardship and value for money of public funds. The amount they claim for DSA administration needs to be relevant and proportionate, and to have been incurred by the HEI specifically in providing the DSA service.
132. Fixed percentages without an evidence base do not provide a sound basis for the calculation and award of relevant administration costs. Finding the clearly calculated cost of activity is a more transparent and sustainable means of funding than arbitrary fixed percentages.
133. Costs should be based on actual delivery and not assessed delivery. It is reasonable for LAs/SLC to ask for evidence that the support for which they are invoiced by HEIs or other providers was delivered. (Further guidance on whether charges incurred when a student fails to attend a pre-arranged session with a non-medical helper can be met for the DSAs is provided at paragraphs 137 & 138).
134. Administration charges and associated overheads should be claimed only once: the same activity should not be claimed twice. A reasonable level of actually-incurred marginal costs should be the maximum. HEIs should clearly distinguish the types of services and their costs on invoices submitted to LAs/SLC. LAs/SLC will need to assure themselves about the amounts claimed by individual providers. They might, for example, ask providers to submit details of how their administrative costs have been calculated with the first claims each year.
135. A fundamental review of costs should be undertaken periodically to ensure that the service continues to provide value for money (for example, that efficiency improvements are effectively managed, to avoid a "last year plus x per cent" approach, and to assess whether the level of resources used to provide the service remain appropriate in the light of changing demand and other factors) and to avoid double-counting.
136. LAs/SLC should satisfy themselves that claims for DSAs are made in accordance with Departmental guidance and should challenge costs which do not appear to them to be reasonable. The Department is considering introducing spot check audits to see how LAs/SLC and HEIs are interpreting the revised guidance.

Cancellation charges when students fail to attend a pre-arranged session with a non-medical helper

137. The Department would not support a general policy of paying for NMH provision that has been recommended in a DSA needs assessment

report and put in place by an HEI or other provider, regardless of whether or not the student takes up that support. There will of course be occasions where a student fails to attend NMH sessions at short notice for reasons such as illness, etc. It is the Department's view that if the student is required in such circumstances to pay a cancellation charge, then the charge could be met from the student's DSAs as part of the expenditure they were obliged to incur to secure NMH support. For example, where the terms of a contract the student has entered into with an HEI or other provider of NMH support stipulate that a charge will be made for missed sessions if less than 24 hours' notice of cancellation is given.

- 138.** However, the Department would expect the number of missed sessions and the reasons for not attending to be closely monitored. Where students continually fail to attend NMH sessions without good reason a point must come where the local authority (LA) or SLC can no longer agree to pay for NMH provision that is not being used. Similarly where students give notice part way through the year that they no longer need or want NMH support, we do not consider that LAs/SLC should continue to pay for NMH provision that is not being taken up. The Department considers that it would be reasonable for LAs/SLC to request evidence that any NMH support for which they are invoiced by HEIs or other providers has been delivered.

Payments of DSAs

- 139.** Regulation 105 (full time DSAs), 130 (full-time distance learning DSAs) 146 (part-time DSAs) and 157 (postgraduate DSAs) provide a discretion as to the timing of DSA payments and also whether payments should be paid in instalments. Where high costs in respect of a non-medical personal helper's allowance are incurred, LAs/SLC will wish to consider the practical implications for the student who may have to make frequent payments to support workers. For example, a student who has to pay a helper £60 per week may have difficulty in meeting such costs in advance of receiving his grant instalment. While we do not recommend the payment of the full allowance available to the student in advance of the services carried out, LAs/SLC may wish to consult their auditors on whether provisional monthly or termly payments might be paid based on an estimate. LAs/SLC would need to be satisfied that the student had attended the sessions for which provisional payments had been made.

Timing of payments for specialist equipment

- 140.** In some cases, it may be necessary or desirable for students to purchase items of special equipment before the start of their courses, so that they may make use of them from the very beginning of their studies. LAs/SLC should not expect students initially to make large payments themselves and then claim reimbursement. Once the LA/SLC has established that the student is eligible for DSAs, it would not be unreasonable for it to arrange the purchase and supply of equipment shortly before the start of the course once the student's place is unconditional, i.e. after 'A' level results and it is established that the student is eligible for student support. In particular, students with severe disabilities, such as blind students, may need longer time for training in the use of their DSA equipment and software. Needs Assessors and Disability Advisers may recommend that equipment is supplied before the start of the course to allow time for training in the use of the equipment. We advise that LAs/SLC accept such recommendations. We would not expect LAs/SLC to make payments of DSAs well in advance of the start of the course, particularly where the student is still at school.

There is no bar under the Regulations to making such payments in advance of the student's actual attendance on his course.

Payments to third parties

- 141.** The Department recommends that LAs/SLC pay DSAs directly to assessment centres and suppliers of services and equipment after obtaining the student's written consent. We discourage LAs/SLC insisting that students purchase recommended DSA equipment using their own monies and then reimburse the student from the DSAs. The Teaching and Higher Education Act 1998 (section 22) and the Student Support Regulations authorise the payment of DSAs directly to students. Therefore, payment directly to a third party would not satisfy the statutory requirements unless the student consents to this arrangement. Consent could be inferred if an LA/SLC wrote to a student advising that payment would be made by the LA/SLC to a supplier and the student accepted delivery of the equipment. Acceptance of the equipment could be inferred as the student giving their consent. However, from a legal perspective the safest course would be to obtain the student's written consent to making the payments directly to the supplier or assessment centre.

DSA applications received in the final stages of a course

- 142.** Some students may apply for DSA support in the latter stages of the final year of their courses. Many of the students who apply late for DSA support do so because they have been reluctant to disclose their disability and now have concerns about their impending examinations or are struggling with dissertations. If a need for disability-related support is identified in the latter stages of the course, it is important the student receives the appropriate support, even if it is only for a short period until the end of the course.
- 143.** A concern is that students applying late may not receive their DSA support before the end of their courses. It is recommended that students applying near the end of their courses are also referred to their Disability Advisers for further advice. Disability Advisers may be able to arrange human support, such as exam support, study support or revision skills, at short notice. However, the usual DSA needs assessment would be required to identify any assistive technology requirements. Although it is reasonable for special equipment needs to arise at the end of a course, we continue to advise that LAs/SLC treat with caution applications for the equipment allowance towards the end of a student's course. If suppliers are willing to rent out equipment and if rental is better value for money, LAs/SLC should consider rental or hired equipment as the Student Support Regulations allow for support to be provided by way of hire or rental as well as through outright purchases. Assessment centres can offer information on equipment suppliers who provide equipment for hire or rental. However, it is important that students receive the necessary support and in the event that it is not possible to rent or hire equipment, purchases of equipment should be made.

Student leaves a course after receiving equipment

- 144.** If a student receives DSA equipment whilst on their course and then abandons the course, there is no provision within the Regulations for recovery of the equipment, regardless of the length of time the student spent on the course. This is because the award was made with statutory

authority and the purpose for which the equipment was supplied had already materialised.

Equipment supplied before the student starts the course / delivered after the student has left the course

145. A DSA assessment may be provided before a student has started their course to ensure that any equipment or other support they need can be arranged and delivered for the beginning of term. In some cases it may be appropriate to supply DSA equipment early as well e.g. where training on the equipment is necessary before the student starts their course. However, if the student subsequently does not start the course, this will constitute an overpayment for the purposes of regulation 114 (full-time students), regulation 131 (full-time distance learning students) regulation 148 (part-time students) and regulation 158 (postgraduate students).
146. Similarly, a student may start his course, then abandon it and then receive DSA payments or equipment after he has abandoned the course (possibly because the LA/SLC had not been notified that the student had left the course). This will constitute an overpayment for the purposes of regulation 114(7) (full-time students), regulation 131(8) (full-time distance learning students), regulation 148(7) (part-time students) and regulation 158(6) (postgraduate students).
147. LAs/SLC will be able to accept the return of the equipment to the supplier, a monetary repayment or a combination of both. For example, where the student has received two items of equipment through the DSA and it is possible to return one item to the supplier and secure a full refund but it is not possible to return the other item, the student should only have to pay for the second item of equipment.
148. LAs/SLC should clearly explain to students who are supplied with equipment before the start of their course, that they may be liable for the cost of the equipment if they do not subsequently begin the course.

VAT and Disabled Students' Allowances

149. Under VAT law, equipment and appliances are VAT zero-rated if:
 - i. they are designed *solely* for use by a disabled person;
 - ii. the supply is to a disabled person for their personal or domestic use; and
 - iii. the equipment is relevant to a person's disability.
150. If the supplier has received advice/confirmation from the 'designer and/or manufacturer' that the goods are '*designed solely for use by a disabled person*' (condition 'i' above) and the supplier is satisfied that conditions ('ii' & 'iii' above) for VAT relief are met, he should not charge VAT on the goods at *the time of supply*. Before zero-rating the goods, a supplier should ask a purchaser to complete an 'eligibility declaration' contained in VAT Notice 701/7/2002 *Reliefs for disabled people*.
151. The services of adapting goods that have not been designed solely for use by disabled people, to suit the condition of a disabled person can also be zero-rated. The goods themselves however remain standard-rated and the value of those goods and of the zero-rated services of adaptation can be apportioned when calculating the VAT chargeable.

152. For the purpose of VAT relief, a disabled person is:
- a person with a physical or mental impairment which has a long term and substantial effect on their ability to carry out everyday activities;
 - a condition which the medical profession treats as a chronic sickness (for example, diabetes); or
 - a person who is terminally ill.

Items that may be zero-rated when supplied to a disabled person for personal or domestic use

153. In general, goods are only zero-rated if they are designed solely for use by a disabled person. Examples of equipment which might qualify for zero-rating include special items of furniture, Braille embossing printers and speech synthesisers. A central processor can **by concession** be zero-rated if it has software installed which enables a disabled student to use the computer effectively or to carry out tasks effectively when otherwise they could not do so and is sold as part of a computer system.
154. When a computer system is purchased that contains both elements on which VAT is chargeable as well as zero-rated, the supplier may decide **by concession** to apply a 'composite rate' of VAT to the whole system. Suppliers who decide to apply a composite rate of VAT for computer packages may do so after consulting HM Revenue & Customs (HMRC). Please refer to Section 9 of VAT Notice 701/7/2002 *Reliefs for disabled people*.
155. General purpose goods and services such as standard recording or computer equipment (standard printers, keyboards, VDUs or software) are not eligible for VAT relief even when purchased for, or by a disabled person. There is no provision for VAT relief on taxi fares and VAT will be chargeable in the usual way.
156. Under VAT notice 701/7/2002, the following are listed as services which might be zero-rated to a disabled person: installation of goods, adaptation of goods, repair and maintenance, **some** building alterations, goods supplied in connection with **qualifying** services and letting of goods on hire or lease.

DSA equipment ordered and paid direct by LAs/SLC

157. DSA funds belong to the student and items purchased with these funds remain the property of the student. If an LA/SLC orders and pays for the equipment on behalf of the student, VAT relief may be available where all the relevant conditions are met. VAT is properly chargeable **at the time of purchase** (i.e. the VAT relief, **if appropriate**, is applied at **that time by the supplier**) and *cannot be reclaimed* from HMRC by the LA/SLC or the student.
158. Further advice and help on VAT relief for disabled people can be obtained from VAT Notice 701/7/2002: VAT reliefs for disabled people. A copy of this notice and further advice may be obtained from the HMRC Charities Helpline, that also deals with VAT relief's for disabled people, on 0845 3020203 or by visiting the HMRC website at:
http://customs.hmrc.gov.uk/channelsPortalWebApp/channelsPortalWebApp.portal?_nfpb=true&_pageLabel=pageVAT_FAQs&propertyType=document&columns=1&id=HMCE_PROD_007380.

Information to help with frequently asked questions

Internet connection

- 159.** Internet connection may be necessary for some disabled students. However, it is the view of the Department that access to the Internet should only be considered if it is recommended in the students DSA needs assessment. The Department does not recommend approval of Internet access on the basis of a request by the institution alone unless it is part of a DSA assessment. Where the LA/SLC is satisfied that the student's need for connection to the Internet arises because of a disability, the Department's view is that support for associated costs (e.g. subscribing to an Internet provider) may be met from the DSA, subject to the limits of the particular allowance.

DSAs and laptop computers

- 160.** Laptop computers may be more expensive to purchase than an equivalent desktop computer. If a desk top computer is sufficient to meet the student's disability-related needs, the use of DSA monies to purchase a laptop computer would not satisfy the Regulations which describe DSAs as grants to assist with the additional expenditure which the Secretary of State (i.e. the LA/SLC) is satisfied that the student is obliged to incur. A laptop should not be approved, for example, when a student states that they do not have enough space in their accommodation to house a desk top computer or simply because a laptop computer is more convenient. When it is not appropriate to provide a DSA grant for a laptop computer, it is permissible for a student to use his/her own money to pay the difference in cost between a desk top and a lap top computer. If a student decides to purchase a laptop using part DSA monies and his/her own monies, it should be made clear at the outset that any malfunctioning or incompatibility with other recommendations is the student's responsibility. The laptop should meet the specifications set out in the DSA needs assessment report and have sufficient memory to take account of changing needs during the course.
- 161.** However, there may be occasions when a grant from the DSA is needed to purchase a laptop computer due to a student's disability, for example, a student with a physical disability which requires them to work from a chair rather than at a desk or a student who has regular kidney dialysis and needs a laptop with them. Further examples when a laptop might be considered are when a disabled student studies part of their course abroad or attends residential work placements where they need to use special software to write up notes or submit course work during the placement. This is not an exhaustive list of examples when it may be appropriate for a student to be supported with a laptop. LAs/SLC should always ensure that the need for a laptop arises because of a disability, if necessary consulting with DSA needs assessors and Disability Advisors. LAs/SLC should also recommend that students take out sufficient insurance to cover possible loss or damage when the laptop is in transit or used outside the home.

Non-recommended suppliers and upgrades

- 162.** There is no statutory requirement that students should purchase the DSA equipment or other support they need from a particular supplier. However, although a student is free to use a different supplier from that recommended in the DSA needs assessment report, they may only use DSA monies to purchase support which has been agreed by the LA/SLC.

LAs/SLC will need to be satisfied that the expenditure is reasonable. Purchases made directly by students should always be supported by receipts which LAs/SLC may request under the provisions of Schedule 3 of the Student Support Regulations. If a student wishes to purchase equipment of a higher specification than that recommended, they must use their own monies to meet the extra costs.

Electrically powered wheelchairs and scooters

- 163.** Generally the cost of purchasing wheelchairs and scooters would be incurred regardless of whether the student is attending a course and therefore would not normally be an appropriate charge to the DSA. Individual health authorities have duties to meet the mobility needs of people who are unable or virtually unable to walk. However, some students may have requirements which arise specifically because of the course. For example, attendance on a course may mean that a student has to use hilly terrains which can be avoided in ordinary life. Advice may be requested from the institution's Disability Advisor. A hilly university campus terrain may mean that a manual wheelchair is inadequate or that a student with mobility problems might require human assistance to move around the campus. An electrically powered wheelchair/scooter in such cases would probably be more cost effective over the life of the course. If lectures are held in different parts of the campus which are some distance apart, students may be required to travel quickly in order to reach their next lecture on time. This may not be possible for a student with limited mobility or a manual wheelchair. Therefore, we believe that each request for mobility equipment such as wheelchairs and scooters should be considered individually in the light of course requirements and the terrain of the university campus.

Using DSAs to support participation in extra curricular activities

- 164.** It has been asked whether the DSAs can be used to fund extra curricular activities and participation in Freshers' week. The Regulations allow for the DSAs to be used for additional expenditure which the LA/SLC is satisfied the student is *obliged* to incur in connection with his attendance on (or his undertaking) a designated course. This would not allow the DSAs to be used to support a student when participating in Freshers' week or other extra curricular activities where there is *no link* with the course of study. However, if it could be demonstrated that the extra curricular activity is a course requirement, we can see no statutory bar to paying a DSA to allow the student to participate in that activity. Examples might be a music student participating in a choral society, or a drama student involved in a drama group. It is recommended that the DSAs can be used to provide support for students during induction meetings they might have with their course tutors during Freshers' week (as well as during other parts of their course) as this is course-related.

Reimbursing HEIs for support provided before a DSA assessment was carried out

- 165.** Where a disabled student has a clear need for non-medical helper and/or other support, HEIs will sometimes provide this support whilst the student's DSA application is still being processed and before a DSA needs assessment has been carried out. This might occur when the application for DSAs is made after the course has started and a DSA needs assessment is not immediately available. In the Department's view the HEI can be reimbursed from the student's DSA (where subsequently awarded) if the type of support provided was later recommended in the DSA needs assessment report.

Student fails to pay an assessment centre or supplier

- 166.** Although it is recommended that LAs/SLC obtain the consent of the student to make payments direct to suppliers and other service providers, some students have insisted on exercising their rights to receive their DSA monies and make payments direct. In some cases, the DSA assessment has been undertaken but the student has not paid for the assessment. Advice is that this does not constitute an overpayment and that this is a matter between the assessment centre and the student. There are no provisions in the Regulations which would enable LAs/SLC in such circumstances to set the student's debt to the provider against future grants or to make other arrangements for recovery. The same advice would apply if a student failed to pay a supplier for equipment.

Supplier of equipment becomes bankrupt

- 167.** It has also been asked what should be done if DSA monies have been paid to a supplier of specialist equipment (paid either by the LA/SLC or the student) and the supplier has gone bankrupt before supplying the equipment. In such circumstances, under insolvency law, the student could become a creditor of the bankrupt's estate and potentially recover the monies subject to prior creditor's claims or receive the equipment already paid for, assuming the supplier still has the equipment. However, if the student is unable to obtain their equipment or recover their monies, a further grant could be paid subject to the statutory maxima. For example, a full-time student pays £3,000 to an equipment supplier who then goes bankrupt. The student is unable to obtain their equipment or recover their monies. The student still needs the equipment costing £3,000. The student could be awarded the remaining **£2,030** of the equipment allowance and **£1,680** from the general allowance so that they can purchase the equipment from another equipment supplier (this assumes the student used the general allowance or any other monies from the equipment allowance).

The role of disability organisations

- 168.** National disability organisations such as Skill: National Bureau for Students with Disabilities, RNIB (Royal National Institute of the Blind) and RNID (Royal National Institute for Deaf People) can often provide valuable specialist support and advice upon which LAs/SLC can draw. They can help LAs/SLC in one or more of the following ways:
- providing information on particular disabilities;
 - assessing students' needs;
 - helping with the training of Student Support Officers;
 - increasing awareness of DSAs in their own constituent groups; and
 - providing a network of wider help for LAs/SLC.
- 169.** The Department's view is that it is important for LAs/SLC to establish good working relationships with the national bodies. LAs/SLC who have a nominated officer with responsibility for DSAs will find it easier to establish and maintain a good working relationship. Assistance of the type described above from a national body need not replace any local arrangements that LAs/SLC may already have but can usefully supplement them.

Skill

- 170.** Studying in higher education can be challenging.. This is especially true for disabled students, who must also negotiate assessments, funding applications and, sometimes, discriminatory practices. Skill: National Bureau for Students with Disabilities helps to ease the journey of disabled people into and through higher education.
- 171.** Every year Skill gives information and advice to thousands of disabled students and the people who work with them.. Questions vary from the straightforward, 'What funding is available for disabled higher education students?' to the complex, 'I'm currently receiving income support, disability living allowance, housing benefit and incapacity benefit. I've been given support towards my fees to do a degree. How will this affect my benefits?'
- 172.** Skill's Information Service team can answer enquiries and supply information booklets on a range of subjects, such as 'Applying to Higher Education: Guidance for Disabled People' and 'Funding for disabled students in higher education'. All of Skill's information booklets are also available on their website at: www.skill.org.uk. The Skill information Service is open Tuesdays 11.30am – 1.30pm and Thursdays 1.30 – 3.30pm. Telephone 0800 328 5050, text phone 0800 068 2422, e-mail info@skill.org.uk.
- 173.** Skill also promotes opportunities for disabled people through conferences, publications and working with its members to influence policy makers. Skill's publications provide a range of information and include original research, practical guidelines and compendiums. Key titles relating to higher education are:
- Into Higher Education – a comprehensive guide to higher education for disabled students (produced annually);
 - Financial Assistance for Students with Disabilities in Higher Education;
 - A Guide to the Disability Discrimination Act: for institutions of further and higher education (revised and abridged 2007 – online resource);
 - Personal Assistance for disabled students in higher education; and
 - The Co-ordinator's Handbook (for Disability Advisors).
- 174.** Copies of all Skill publications and information booklets are available from the online Bookshop at www.skill.org.uk or by contacting Skill on 020 7450 0620, email skill@skill.org.uk or writing to Unit 3, Floor 3, Radisson Court, 219 Long Lane, London SE1 4PR.
- 175.** Skill can give up-to-date information and advice on applications, getting support, grants and benefits; profiles of disabled students; and details of universities and colleges offering higher education courses. Skill is also able to provide training for Student Support Officers and other LA and SLC staff on the Disability Discrimination Act Part 4 (Post-16 education), the Disability Equality Duty and DSAs.

National Association of Disability Practitioners (NADP)

- 176.** The National Association of Disability Practitioners (NADP) Ltd is the professional organisation for disability and support staff in further and higher education. NADP is for anyone working in the post-16 education

sector and involved in the management or delivery of services for students with disabilities. NADP is available to respond to questions LAs/SLC have on the role of disability staff and how they support disabled students.

National Association of Disability Practitioners Ltd
Moulton Park Business Centre
Redhouse Road
Moulton Park
Northampton
NN3 6AQ

Tel/Fax: 01604 497933

Email: admin@nadp.org.uk

Website: <http://www.nadp-uk.org>

The National Network of Assessment Centres (NNAC)

177. The National Network of Assessment Centres (NNAC) comprises of assessment centres that have registered with DSA-QAG. NNAC represents assessment centre managers and all those who work within centres. NNAC itself does not currently deal with complaints about assessment centres, which should be directed to the individual centre concerned. Queries can be addressed to the NNAC Administration Centre, contact details below.

NNAC Administration Centre

Email: admincentre@nnac.org

Website: <http://www.nnac.org>

Tel: 01432 376 630

Association of Study Aids and Study Strategies Assessors (ASASA)

178. ASASA is a voluntary organisation of Needs Assessors, Diagnosticians (SpLD), Study Skills Providers and IT Trainers. It is independent of other stakeholders in the sector and its remit is to provide a forum where issues relating to the DSA needs assessment process can be discussed and considered.

Website: www.asasa.org.uk

Email: admin@asasa.org.uk

SpLD Assessment Standards Committee (SASC) and the SpLD Test Evaluation Committee (STEC)

179. The SpLD Assessment Standards Committee (SASC) is taking a lead in implementing a number of the recommendations contained in the report of the SpLDs Working Group (see paragraph 99). Membership consists of individuals representing organisations with national roles in promoting standards in SpLD assessment, support and teacher training. SASCs purpose and responsibilities are to:

- implement the recommendations for SpLD assessor training contained in the SpLD Working Group report;

- promote continuing professional development in SpLD assessment;
 - oversee and approve processes of awarding SpLD Assessment Practising Certificates;
 - maintain list of approved evaluators for Accreditation of Prior Learning and/or Experience (APL/ape) applications;
 - provide training for evaluators;
 - approve course as meeting standards of SpLD assessor training; and
 - draw on expertise across the sector and provide a forum for sharing good practice.
- 180.** A sub-committee of SASC, the SpLD Test Evaluation Committee (STEC), will review periodically the list of suitable tests contained in the SpLDs Working Group report and consider new tests for inclusion (see paragraphs 90 and 93). Membership consists of individuals representing organisations with national roles in promoting standards in SpLD assessment and identification.
- 181.** Further information about SASC and/or STEC can be found on the SASC website at www.sasc.org.uk. Enquiries relating to the work of SASC and/or STEC should be directed to –

Lynn Greenwold
Chair, SASC
c/o Patoss
PO Box 10
Evesham, Worcs
WR11 1ZW
E-mail: info@sasc.org.uk

Further guidance

- 182.** It is important that students who may be eligible for DSAs know that they are available. The Department has published a supplement to its 'A Guide to Financial Support for Higher Education Students in **2009/10**' booklets (separate booklets are issued for new and returning students in 2009/10), which provides information about the DSAs. The booklet 'Bridging the Gap: a guide to the Disabled Students' Allowances (DSAs) in Higher Education. Guide for **2009/10**' is available by calling the Department's free publication line on 0800 731 9133. Bridging the Gap can also be downloaded from the website at: www.direct.gov.uk/studentfinance.
- 183.** The Department also publishes advice for LAs/SLC in its Disability Directory. The latest edition is August 2005. The Directory is prepared by SKILL and offers advice about the course-related needs that can arise from particular disabilities and guidance as to the likely costs of equipment and services. The Directory also lists experts and specialists (including recognised assessment bodies) and useful publications. Copies should be downloaded from the Department's website at: http://www.dcsf.gov.uk/studentssupport/administrators/dsp_section_101.shtml.

The DSA Application Process

Application procedures for students applying for DSAs in respect of full-time courses

- 184.** It is important for LAs/SLC to identify as early as possible in the application process any applicant who may be disabled. Students are asked on the PN1 and the PR1 if they wish to apply for a DSA and to provide details and, if possible, evidence of their disability. Continuing students applying for the non-income assessed element of the student loan are asked on the PR1a if they wish to apply for DSAs. These questions allow the LA/SLC user to recognise and prioritise the processing of these application forms. Where a student answers yes to these questions, the LA/SLC user, at data entry is prompted to raise an 'Issue Information Pack' task. This task should then be processed by the LA/SLC (this may be the responsibility of the same person who completed data entry or another officer). The processes of assessing a disabled applicant's needs for his course, and arranging for those needs to be met, can take time. The aim must be for them to be completed before the start of the course so that the student can embark on it properly equipped.
- 185.** It is recommended that LAs/SLC have a nominated officer with specific responsibility for handling DSA applications. LAs/SLC should also ensure that other officers are trained in DSA work to provide cover for the nominated officer during periods of absence. The Department commends this as good practice to be followed wherever possible. It is also recommended that LAs/SLC make full use of the notes facility on the single system which will help other Student Support Officers to provide instant answers to enquiries and maintain standards of customer service, particularly in the absence of the nominated DSA officer.

Information for students

- 186.** The process of applying for DSAs can be confusing for students as they do not always understand what evidence is required. Therefore, it is important that students are provided with sufficient information on the stages in the DSA process, the DSA support awarded to them, the arrangements for delivering and paying for support, the importance of the DSA assessment and the support available from Disability Advisers at their institutions. Students should also be made aware that they have responsibilities to supply information promptly to minimise the risk of delay in processing their applications and arranging their support. Therefore, LA/SLC letters issued to students should include the following.
- Information on the evidence of disability required from students together with a brief outline of the DSA process. This letter should be issued with Bridging the Gap when students enquire about DSAs or have indicated on their application forms that they wish to apply for a DSA (see sample letter at Annex 1). The Disabled Students Allowances 2009/10 application form (either DSA1F for students who have not yet submitted a student support application or DSASL for those who have) should also be sent at this stage to obtain the consent of students attending full-time courses.
 - A brief outline of the DSA assessment process and its importance. This letter would confirm the LA/SLC accepts the evidence of disability provided by the student and clearly sets out the arrangements for obtaining a DSA assessment (see sample 'letter setting out arrangements for obtaining a DSA assessment appointment' at Annex 2).

- Full details of the DSA support awarded, delivery arrangements and method of paying for DSA support. This letter would be issued once the LA/SLC has agreed the DSA support to be awarded (see sample 'awards letter' at Annex 3).
 - Named LA/SLC contacts for DSA enquiries.
 - A reference to Disability Advisers at HE institutions as a source of further assistance for the student. Whenever possible it would be helpful if LAs/SLC included the name and contact details of the Disability Adviser at the student's institution.
- 187.** This text is not prescriptive given that individual circumstances may require different approaches (for example, different arrangements for arranging DSA assessments or obtaining equipment) and that some LAs/SLC already have their own letters which adequately provide the information contained in the bullet points in the previous paragraph. Due to the varied and complex nature of DSAs it has been decided, for the time being, that it is not appropriate to hold a suite of DSA letters on the single system. Instead LAs/SLC should continue to produce locally prepared letters, updating student support system records to show where this has been done.
- 188.** Where an LA/SLC rejects an application for DSAs or allows only part of the application, it should provide clear reasons to the applicant for its decisions. In such cases, it would be helpful if the LA/SLC at the same time provided the applicant with information on its appeals policies and procedures. Whatever the outcome the Department expects all applications to be dealt with expeditiously. It is recommended that LAs/SLC make full use of the notes facility on the students' record on the system to detail information that may assist with enquiries from students.
- 189.** The DSA flag (found on the Eligibility Details screen) is defaulted to 'Undetermined'. Once the LA/SLC has determined a student's eligibility to receive DSAs they should set the flag accordingly. DSAs cannot be made against a student's record in any year unless the DSA flag for that year has been set to 'Eligible'.
- 190.** In 2009/10 the PN1 and PR1 forms request that, whenever possible, students wishing to apply for DSAs should include evidence of their disability with their completed application forms. The PR1a form requests that students should provide details of their disability. LAs/SLC should note that continuing students who received a DSA earlier in the course are not required to resubmit evidence of their disability. In order to minimise: a) an increased demand on assessment centres for needs assessments over a shorter period of time; and b) delays in general DSA processing, LAs/SLC are requested to consider the advice provided below to minimise the risk of delays in the DSA application process.
- LAs/SLC identify students wishing to apply for DSAs by checking the PN1, PR1 or PR1a and the accompanying evidence of a disability if supplied immediately on receipt of application forms;
 - LAs/SLC determine eligibility for student support from potential DSA applicants as a priority, if necessary fast tracking such applicants;
 - Once established that a student is eligible for support and if the student has provided acceptable evidence of their disability with their application forms, LAs/SLC should contact the student with a view to arranging an assessment of course needs (see letter at Annex 2);

- If a student has indicated they wish to apply for DSAs on their application form but not included evidence of a disability, LAs/SLC should establish eligibility for support and then issue a DSA application pack, consisting of the booklet 'Bridging the Gap', 'Application for Disabled Students' Allowances 2009/10' (form DSA1F pr DSASL) and a covering letter as at Annex 1, requesting the student returns evidence of their disability.
- 191.** The Disabled Students Allowances 2009/10 application form (either DSA1F for students who have not yet submitted a student support application or DSASL for those who have) is also used for obtaining student consent to paying suppliers direct and for releasing information about the student's DSA application to third parties such as Disability Advisors and DSA needs assessors. DSA1F can be issued by LAs/SLC to full-time undergraduate students with 'Bridging the Gap' at the beginning of the application process. DSASL is a new form for 2009/10 which can be requested via the correspondence screen in the customer's account.

Application procedures for students applying for DSAs in respect of full-time distance learning courses, part-time courses and postgraduate courses

- 192.** Students wishing to apply for DSA support in respect of a full-time distance learning course or a part-time undergraduate course are requested to complete the DSASL if they have already completed a PTG1. Postgraduate students will be required to complete all of the DSA1F. Supplies of the DSA1F will be delivered via Prolog. In order to expedite the application process it is recommended that LAs/SLC issue the text contained in Annex 1 with DSA1F application forms they issue, requesting that students provide evidence of their disability at the same time they submit the application form designed for such students.
- 193.** The DSA application process for students undertaking full-time distance learning, part-time and postgraduate courses involves completion of the DSA1F / DSASL form by the student and endorsement of course details by institutions. The Disability Discrimination Act 1995 was extended to cover education in September 2002 and under the Act, disabled students have the right to confidentiality which means that they are not required to reveal their disability to their institution. We expect that most students will not object to asking their institutions to endorse their application form. However, some disabled students (we expect the number to be minimal) may object to asking their institution to complete the form because this would disclose that they are disabled and deny their rights to confidentiality under the DDA.
- 194.** In the event that a disabled student does object to their institution seeing their application form on the grounds that this breaches their right under the DDA, we recommend the following action:
- the student completes all parts of the DSA1F application form except Section 5 and returns the form to the LA/SLC;
 - the student obtains a letter from their LA/SLC requesting information from the HEI about their course and the student's study pattern;
 - the student passes the letter to the HEI; and
 - the information is returned by the HEI to the LA/SLC via the student.

- 195.** Suggested text for inclusion in the letter referred to under the second bullet point in the previous paragraph is provided at Annex 5. Please note that letters should not mention that the student is disabled or is applying for a DSA.

Assessments of course needs

- 196.** When advising students that they will need to undergo a DSA needs assessment, LAs/SLC should ensure that the student understands what a needs assessment involves and that if they do not attend their support will be delayed and they may not receive the additional support they require. LAs/SLC are encouraged to use the assessment centres which have registered their intentions of meeting the standards of service set out in the DSA-QAG framework (see paragraph 74). Suggested text for LA/SLC letters is provided later in this chapter at Annex 2. When students are asked to arrange their own DSA assessments, LAs/SLC should consider including the most recent list of assessment centres with this letter to allow students to select the nearest centre for their assessment. However, if LAs/SLC arrange the appointment, students should also be consulted on when the appointment is set up, which will help to reduce the number of missed appointments which contributes to the backlog in obtaining new appointments.
- 197.** Providing that students have granted permission, a copy of the needs assessment and awards letter should be sent to the Disability Adviser at their institution once they have received confirmation of a place. This will allow the Disability Adviser to help set up any support that is required, and to advise of any matters which the needs assessment has not considered.

Annex 1

STUDENT INDICATES THEY WISH TO APPLY FOR DSAs (SUGGESTED LETTER TEXT)

Student Support Section
Please ask for: Name of LA/SLC contact

STUDENT FINANCIAL SUPPORT 2009/10 - DISABLED STUDENTS' ALLOWANCES

Dear

Thank you for your recent request for further information on additional allowances available to students with a disability, mental health condition or specific learning difficulty. If you are eligible, Disabled Students' Allowances (DSAs) help pay for additional course-related expenses incurred as a result of your disability.

I am enclosing a copy of the booklet called 'Bridging the Gap' which provides further information on DSAs. If you would like to apply for a DSA, you must first provide the named contact in this letter with evidence of your disability, usually a medical certificate from your doctor or specialist. If you have a specific learning difficulty or dyslexia, you will need to provide a diagnostic assessment report provided by a qualified professional (usually a qualified psychologist or a teacher with a qualification in assessing adults with specific learning difficulties) as evidence of your dyslexia. If your diagnostic assessment was carried out before you were 16, you may be asked to arrange for the report to be updated in order to establish the likely impact on the skills needed for higher education. Please note that you are responsible for any cost incurred in providing evidence of your disability.

The process of providing your DSA support will be much easier and quicker if you agree that details of your application and any recommended support are provided to those involved in providing your DSA support. This will usually be your institution's Disability Adviser and suppliers of equipment and services. It would help us to process your application if you complete and return the enclosed '**Application for Disabled Students' Allowances (DSA1)**' with evidence of your disability.

In the meantime, you may wish to contact your university or college Disability Adviser who will be able to assist with your application and also offer you further advice and support.

Annex 2

SUGGESTED LETTER SETTING OUT ARRANGEMENTS FOR OBTAINING DSA NEEDS ASSESSMENT APPOINTMENTS

Student Support Section
Please ask for: Name LA/SLC contact

Dear

Thank you for your application for a Disabled Students' Allowances (DSAs) and supporting medical evidence/psychologist's report.

In order for us to process your application further, a DSA needs assessment must be carried out by an agreed assessment centre.

{LA/SLC to insert details of their own procedures for obtaining a needs assessment appointment}

The fee for the needs assessment will be paid from your Disabled Students' Allowances. On receipt of the assessor's report, I will contact you again about arranging and providing your DSA support.

If you have not already done so, you may also want to contact the Disability Advisor at your university or college who can offer you further advice and support.

If LA/SLC procedure is for students to arrange their own needs assessment appointment, consider adding the following lines:

'DSA assessment centres have a large demand for their services and I would therefore advise you to make contact straight away. You should also note that we are unable to pay your DSA support until we have received your needs assessment report. Given the high demand for appointments, you are advised to attend the earliest needs assessment appointment available.'

LAs/SLC should also consider enclosing a list of assessment centres that have registered their intent to meet the quality assurance standards. The list which will be updated monthly should be downloaded from the **DSA-QAG** website: <http://www.dsa-qag.org.uk/>.

Annex 3

SUGGESTED DSA AWARDS LETTER

Student Support Section
Please ask for: Named LA/SLC contact

Dear

STUDENT FINANCIAL SUPPORT 2009/10 DISABLED STUDENTS' ALLOWANCES (DSAs)

I refer to your application for additional course-related support from the Disabled Students' Allowances. I have now received your needs assessment report from *{insert assessor details}* and I am pleased to inform you that assistance has been agreed from the equipment allowance/non-medical helpers allowance/general allowance/travel allowance for the purpose of attending your institution. Full details of the items agreed are shown in the attached schedule.

Specialist Equipment
{include arrangements for ordering and paying for equipment}

Insurance

You can use the DSA to cover the cost of any extra insurance to cover the equipment purchased from your DSA. You will need to send us a receipt, showing the cost of the extra insurance cover for the DSA equipment only. Insurance cover is important as the DSA cannot be used to meet the cost of replacement when the original has been lost or stolen.

Non-Medical Helper's Allowances
{insert text detailing LAs/SLC arrangements for making payments}

You should note that, depending upon the terms and conditions under which your non-medical helper is engaged, you may be classed as their employer. This could mean you are responsible for complying with various employment legislation and ensuring that your helper's tax and national insurance contributions are paid. You will not be an employer if you select a helper who is self-employed or a helper who is employed by your institution. Your institution's Disability Advisor should be able to offer you more advice on this subject. You may also wish to speak to your local HM Revenue & Customs office and also contact SKILL (telephone 020 7450 0620) to obtain a copy of their leaflet, 'Employing Support Workers in Higher Education'.

General Allowance
{insert text detailing LAs/SLC arrangements for making payments}

Travel Allowance
{insert text detailing LAs/SLC arrangements for making payments}

If you require any further information or advice, please contact { } at the above address. You may also wish to provide a copy of this letter to the disability co-ordinator at your university or college as they can help you putting in place the support you need.

Name of Awards Officer

Annex 4

SUGGESTED SCHEDULE INFORMING STUDENT OF AGREED DSA
SUPPORT

DISABLED STUDENTS' ALLOWANCES

Name ----- Student Support Number -----

Your application for support from the Disabled Students' Allowances has been agreed as follows:

| Equipment Allowance | | Non-Medical Helpers Allowance | |
|--|------------|--|--|
| Equipment and related items | Cost | Purpose | Cost |
| Toshiba satellite Pro 4600, Celeron 650 PC, 126 Mb SDRAM, 10GB HDD, 13.3" TFT, CD ROM, 56K Modem | £1,039 | Half days training in use of specialist software 50 hours per year dyslexia tutorial support @ £35 per hour | £250. Lansyst to bill us direct. University to invoice us direct. |
| Epson Stylus 840 Printer | £92.83 | | |
| Texthelp | £115 | Equipment/Services not approved | |
| Inspiration v 6 | £70.44 | | |
| MS Office 2000 | £116.33 | | |
| Techair Carry Case & Portable Laptop Stand | £102.23 | | |
| Oxford Dictionary & Thesaurus CD-ROMs | £15.62 | | |
| Sony Minidisk recorder | £268.50 | | |
| VAT | £ included | | |
| | | | |
| Total amount approved | £1,819.95 | Insurance on your computer. | |
| General Allowance | | | |
| Purpose | Cost | | |
| £50 per term for consumables such as ink, stationary & photocopying. | £150 | | |
| | | | |
| Total amount approved | £150 | | |
| | | | |
| | | | |

Annex 5

DSA APPLICANTS EXERCISE THEIR RIGHT UNDER THE DDA NOT TO DISCLOSE THEIR DISABILITY TO THEIR INSTITUTION
(SUGGESTED TEXT FOR LETTER)

Dear [HEI]

[Full name of student]

The above student is [studying/applying] for a part-time undergraduate/full/part-time postgraduate/full-time undergraduate distance learning course at your institution.

We would be grateful if you could confirm the following information to enable us to process this student's claim for financial support:

- title of the course;
- course start and finish dates
- the qualification which will be gained at the end of the course;
- the course has an entry requirement of a first degree or higher (for postgraduate courses only);
- you are a publicly-funded institution;
- the rate of study on this part-time course will be xx % (please give the figure) of that needed to complete the course, or an equivalent course, on a full-time basis;
- the student is not receiving any other bursary or award from your institution (other than an award from the Access to Learning Fund). If the student is receiving a bursary, please give details (for postgraduate students only).

Yours sincerely,

[Name, Position, LA]

Annex 6

LIST OF RESEARCH COUNCILS

Research Councils

The Arts and Humanities Research Council (AHRC) at www.ahrc.ac.uk

Biotechnology and Biological Sciences Research Council (BBSRC) at
www.bbsrc.ac.uk

Economic and Social Research Council (ESRC) at www.esrc.ac.uk

Engineering and Physical Sciences Research Council (EPSRC) at
www.epsrc.ac.uk

Medical Research Council (MRC) at www.mrc.ac.uk

Natural Environment Research Council (NERC) at www.nerc.ac.uk

Science and Technology Facilities Council (STFC) at www.scitech.ac.uk

Annex 7

COURSES ACCREDITED BY BDA FOR DYSLEXIA ASSESSMENTS CARRIED OUT BY TEACHERS

| Institution | Course Title | Level | Accredited From |
|---|---|----------------|------------------------|
| Bangor University of Wales | Advanced Certificate of Further Professional Studies (all 8 modules) | AMBDA | pre 1995 |
| Bar Ilan University, Israel | Teaching of English as a Foreign Language to Students with SpLD | AMBDA Overseas | 1997 |
| Birmingham University | B Phil / PG Dip / M Ed in Dyslexia Studies | AMBDA | 2001 |
| CARE, Pakistan | CARE Teacher Training Programme for SpLD | AMBDA Overseas | 2001 - 2006 |
| University of Gloucestershire (formerly Cheltenham & Gloucester College) | Postgraduate Certificate in SpLD | AMBDA | 1999 |
| De Montfort University | PG Cert / PG Dip / MA in Dyslexia Studies | AMBDA | 2001 |
| Durham CC | PG Cert in Teaching Pupils with SpLD/Dyslexia within the School Context (with upgrade to AMBDA) | AMBDA | 2004 |
| Dyslexia Institute (now Dyslexia Action) | PG Dip in Dyslexia and Literacy | AMBDA | pre 1995 |
| Dyslexia Institute (now Dyslexia Action) | Supporting Adults in Dyslexia and Literacy: A Course for Tutors of Adult Literacy | AMBDA | 2004 |
| East Sussex CC | MA in Education Studies (Diploma in Dyslexia) | AMBDA | 2001 |
| Helen Arkell Dyslexia Centre | Helen Arkell Diploma for Teachers of SpLD | AMBDA | pre 1995 |
| Hornsby Centre | Hornsby Diploma (Attendance/distance learning) | AMBDA | pre 1995 |
| Hornsby Centre | Kingston Hornsby Diploma (Distance Learning) | AMBDA | 2005 |

| Institution | Course Title | Level | Accredited From |
|----------------------------------|---|-------------------|------------------------|
| Liverpool John Moores University | PG Certificate in SEN (Dyslexia) (with upgrade to AMBDA) | AMBDA | 2005 only |
| London Metropolitan University | Advanced Diploma in Professional Development: Teaching Adult Dyslexic Learners in Higher Education | AMBDA FE/HE | 1998 |
| Manchester Metropolitan Univ. | PG Dip/Cert in SpLD | AMBDA | 1995 |
| Manchester Metropolitan Univ. | PG Cert in SpLD (FE/HE) | AMBDA FE/HE | 1998 |
| Mark College | AMBDA Numeracy | AMBDA Numeracy | 2000 |
| Newport, University of Wales | MA (SEN) / Dip SEN (SpLD)/ CFPS (SpLD) (modules PDM01B, PDM01C, PDM014 & PDM015) | AMBDA | 2000 |
| Open University | E801: Difficulties with Literacy Development | AMBDA | 2001 |
| OCR (previously RSA) | SpLD Diploma | AMBDA | Pre 1995 |
| Oxford Brookes University | Working with Children and Young People with Literacy Difficulties: Postgraduate Certificate in Advanced Professional Practice (level M) | AMBDA | 2004 |
| Oxford Dyslexia Foundation | Certificate in SpLD | AMBDA | 2002 |
| Somerset LA | PG Dip in Complex Specific Learning Difficulties (Dyslexia) | AMBDA | 2001 |
| Southampton University | CAES: Specific Learning Difficulties Assessment, Identification and Teaching of Individuals | ATS | 1997 |
| Southampton University | CAES: Specific Learning Difficulties Assessment, Identification and Teaching of Individuals (with Upgrade to AMBDA) | AMBDA | 1999 |
| Swansea LA | Teaching Pupils with SpLD (Dyslexia) (with Upgrade to AMBDA) | AMBDA | 1999 |