

Disabled Students' Allowances – Continuing DSA students

Higher Education Student Finance in England 2015/16 Academic Year

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Dear Colleague

HIGHER EDUCATION STUDENT SUPPORT IN ENGLAND IN 2015/16: DISABLED STUDENTS' ALLOWANCES (DSAs).

Attached is revised guidance for the 2015/16 '[Disabled Students' Allowances \(DSAs\) for continuing DSA students](#)'. This chapter contains guidance on DSA legislation and the administration of continuing DSA applications.

[Guidance on the DSA legislation and administration of DSA applications for New DSA students is published separately and can be found at <http://www.practitioners.slc.co.uk/policy-information/guidance-chapters.aspx>](#)

[For descriptions of who is a new DSA student and who is a continuing DSA student in AY 2015/16 please paragraphs 2 and 3.](#)

[The January version of this guidance has been updated to confirm the position in respect of applications for DSAs received after the 9 month deadline, please see paragraphs 73 -76 for more information.](#)

[This version has also been updated with some extra guidance regarding missed NMH sessions, please see paragraphs 118- 124.](#)

The chapter provides guidance for '**continuing DSA students**' (see [paragraph 2 for the description of a continuing DSA student](#)) on full-time DSAs, DSAs for full-time distance learning students, part-time DSAs and DSAs for postgraduate students) as provided in **Education (Student Support) Regulations 2011 as amended by the Education (Student Fees, Awards and Support) (Amendment) Regulations 2012, The Education (Student Support and European University Institute) (Amendment) Regulations 2013, The Universal Credit (Consequential Supplementary, Incidental and Miscellaneous Provisions) Regulations 2013 and The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Savings Provisions) Order 2013 and the Education (Student Support) (Amendment) Regulations 2014 (referred to as the "Education (Student Support) Regulations 2011 as amended")**. 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 Dependents'. Also refer to the LA Portal User Guide for information on processing Non-Loan Products on the single system.

As the purpose of this guidance has changed over time, for example it is no longer used by local authorities, some of the text has been streamlined to reduce and improve the content. A change in text should not indicate a change in policy. Where changes to policy have been made, these have been indicated in blue.

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Introduction

1. The Regulations referred to throughout this chapter, unless otherwise stated, are the Education (Student Support) Regulations 2011 as amended by the Education (Student Fees, Awards and Support) (Amendment) Regulations 2012, The Education (Student Support and European University Institute) (Amendment) Regulations 2013, The Universal Credit (Consequential Supplementary, Incidental and Miscellaneous Provisions) Regulations 2013 and The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Savings Provisions) Order 2013 and the Education (Student Support) (Amendment) Regulations 2014 (referred to as the "Education (Student Support) Regulations 2011 as amended"). This chapter provides guidance on the Disabled Students' Allowances (DSAs) for full-time students (regulation 40 & 41), full-time distance learning students (regulation 127), part-time students (regulation 147) and postgraduate students (Part 12 of the Regulations).
2. **'Continuing DSA students' in AY 2015/16 are:**
 - **Students who are continuing a higher education course in AY 2015/16, having been awarded DSAs for a previous year/years of their course;**
 - **Students who are transferring to a higher education course in AY 2015/16 from a previous higher education course which started before AY 2015/16, where the student was awarded DSAs for a year/years of the previous course before AY 2015/16;**
 - **Students who are starting a higher education course in AY 2015/16 immediately after (excluding an intervening vacation – maximum 5 months) completing a previous higher education course, where the student was awarded DSAs for a year/years of the previous course before AY 2015/16;**
 - **Students who started a higher education course before AY 2015/16, who suspended their studies with the agreement of their HEI and notified Student Finance England and are returning to their course in AY 2015/16, where the student was awarded DSAs for a year/years of the course before AY 2015/16. (The period of suspension is normally up to 1 academic year in length but could be up to two years in exceptional circumstances.) or**
 - **Students who started a higher education course before AY 2015/16 have withdrawn from their previous course and who start a new course in AY 2015/16 where the intervening vacation is 5 months or less and where the student was awarded DSA for a year/years of the previous course before AY 2015/16.**
3. **'New DSA students' in AY 2015/16 are:**
 - **Students who are applying for DSA for the first time in AY 2015/16 including;**
 - **Students who are continuing a higher education course in AY 2015/16, having not been awarded DSAs for a previous year/years of their course.**
 - **Students who have withdrawn from their previous course or transferred from a previous course and who start a new course in AY 2015/16, applying for DSAs for the first time in AY 2015/16**
 - **Students who have ceased to undertake a previous course before AY 2015/16 (including withdrawal) and who commence a new course in AY 2015/16 where the gap between the two courses is more than 5 months, (i.e. a longer period than the longest summer vacation) and where the student had been awarded DSAs for a year/years of the previous course.**
 - **Students who completed a course before AY 2015/16 and following a gap of 5+ months start a new course and apply for DSAs (whether or not DSAs were awarded for the previously completed course.**

4. 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, Higher Education Grant and Travel Grant); and
 - 'Grants for Dependants' (Adult Dependants' Grant, Childcare Grant and Parents' Learning Allowance).

Policy

The purpose of DSAs

5. Disabled students' allowances are provided to students on an individual basis to help overcome the barriers that a disabled student may face, because of their disability, when accessing higher education. Support is provided to support the development of independent and autonomous learning.
6. Since AY 2014/15 a person is required to meet the Equality Act 2010 definition of disability in order to be eligible for DSAs. The Equality Act states that "A person has a disability for the purposes of the Act if he or she has a physical or mental impairment and the impairment has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities (S6(1))." The Student Support Regulations now define "disability" for the purpose of receiving disabled students allowances as the meaning given in section 6 of the Equality Act 2010. Aligning to the Equality Act definition will provide clarity and consistency, particularly where institutions are considering adjustments in parallel to DSA. This change will not have a negative impact on disabled students. However, where a continuing student is found to not meet the definition of disability under the Act, but has nevertheless been awarded DSAs prior to 2014/15 for a course, they will continue to receive the support put in place through their study needs assessment.

Full-time DSAs (regulation 40 & 41)

7. Under regulation 40 & 41, an eligible student qualifies for DSAs to assist with the additional expenditure that the Secretary of State is satisfied the student is obliged to incur to attend and undertake a designated course because of a disability. There are four elements to the full-time undergraduate DSAs and they are available to help with the extra costs that a student incurs because of a disability (including a long-term health condition, mental health condition or specific learning difficulty).
8. DSAs are not intended to pay for:
- disability related expenditure that the student would incur even if they were not attending a course of higher education;
 - costs that any student might have regardless of disability; and
 - services which can reasonably be expected to be provided by the student's institution.

Further guidance about the scope of DSAs can be found at paragraph 96.

Eligibility

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

11. A student can only receive support for a designated course. Where the eligible course does not appear on the HEI database, it will not be possible 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.
12. Students are potentially eligible for DSAs whilst attending an overseas institution as part of their UK course, whether obligatory or optional.
13. Students who are personally eligible for student support under paragraph 9 of Schedule 1 (i.e. nationals of member states of the European Union) but not under any other paragraph of that Schedule, are not eligible for DSAs.

Prisoners

14. Full-time students who are prisoners and who began a designated course before 1st September 2012 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 109(8) & (9)). See 'Grants for Dependants' guidance chapter. No Disabled Students' Allowances (DSAs) (including DSAs for postgraduate courses) will be available to any prisoner who starts a course on or after 1 September 2012. The responsibility to provide assistance for disabled prisoners will lie with the Prison Service.

Means-tested NHS bursaries

15. Under regulation 38(4)(a), students are not eligible for grants for living and other costs for any academic year during which they are eligible to apply 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 to apply 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.

Students who begin an Initial Teacher Training (ITT) course on or after 1st September 2010

16. Where a student begins an ITT course on or after 1st September 2010, the student support package available will depend on whether the course is either full-time or part-time. Designated full-time first degree and postgraduate ITT courses of at least one academic year in length will attract the same support package as full-time non-ITT first degree courses. Designated part-time first degree and postgraduate ITT courses of at least one academic year in length will attract the same part-time package as other part-time non-ITT first degree courses: for courses starting before 1 September 2012, a fee grant and a course grant and for courses starting on or after 1 September 2012, an up-front fee loan (see 'Support for Part-time Students' guidance chapter). Part-time ITT courses will also attract DSAs.

Sandwich courses and work placements

17. 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 are potentially eligible for DSAs. For example, DSAs could pay for additional disability related travel costs to and from the institution using the travel 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. Some adjustments will be made by the provider of the work placement and some courses provide separate funding towards costs e.g. social work courses may attract a bursary towards travel costs.
18. Under regulation 38(6) 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(7)). Students who do not qualify for grants for living and other costs under regulation 38(6) are eligible for a reduced rate maintenance loan which is not subject to income assessment (regulation 80(1)(b) & 80(2)(b)).

19. Under regulation 38(7) 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 'Assessing Eligibility Guidance'.

Students who become eligible during the course

20. Under regulation 38(8) & 38(9), a student **may qualify** for DSAs from and including the academic year during which:
- the student's course becomes designated;
 - the student, their spouse, civil partner or their parent is recognised as a refugee or is granted Humanitarian Protection (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 the student is a national accedes to the European Union and 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;
 - the student acquires the right of permanent residence;
 - the student becomes the child of a Turkish Worker;
 - the student becomes a person described in paragraph 6(1)(a) of Schedule 1; or
 - the student becomes the child of a Swiss national.
21. However, such a student is not eligible retrospectively. With the exception of the allowance for major items of specialist equipment, a student is not eligible for DSAs for quarters falling before, or in which, the date eligibility was acquired due to an event listed above. 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

22. Where disabled students undertake a full-time course by distance learning solely 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).
23. 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 127 which are payable at the same full-time rates as those provided under regulation 41. Where the student commences their full time distance learning course prior to 1st September 2012, they are also potentially eligible for a fee grant and course grant similar to those offered to eligible part-time students. Where the student commences their full time distance learning course on or after 1st September 2012 they will potentially be eligible for a tuition fee loan to cover the tuition fee charged, but no maintenance support. Such students will continue to be potentially eligible for DSAs under regulation 127.
24. There is further guidance about full-time distance learning courses in the 'Assessing eligibility guidance 2015/16'.

DSAs for students attending full-time courses.

25. There are four allowances for students attending full-time courses. The maximum allowances that such students may receive in 2015/16 are given in the table below.

Allowance	Maximum payable
	Full-time
Specialist equipment allowance (for the duration of the course)	£5,212
Non-medical helper allowance (each academic year)	£20,725
General allowance (each academic year)	£1,741
Travel allowance	Uncapped

26. There is no provision to pay more than the maximum allowances set out in the Regulations. It is not possible, therefore, to 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. Moreover, 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 helper allowance and the travel allowance should be used for the sole purpose as named and should not be used to supplement other DSAs.

Types of disabled students' allowances – full-time undergraduate

Specialist equipment allowance

27. The specialist equipment allowance (regulation 41(2)(b)) is to provide funding for additional major items of specialist equipment which the student will need, because of a disability, to undertake their course on an equal basis to other students. 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 will not normally be met from the DSAs. Students should therefore be advised to take out insurance cover for their DSA equipment. The insurance premiums can be paid from the DSA. **Please note the specialist equipment allowance is for the duration of the course.**

Course transfers and specialist equipment allowance

28. It should be made clear to students that the specialist equipment allowance covers the whole course duration. If a student transfers their eligibility to another course, any amount awarded for specialist equipment in relation to the first course would still need to be taken into account as the period of eligibility has not been broken. For example, a student receives £3,000 from the specialist equipment allowance but then transfers their eligibility to another course. Their specialist equipment entitlement for the second course should not exceed **£2,212**, as £3,000 has already been awarded for specialist equipment and given that **£5,212** for 2015/16 is the maximum specialist equipment allowance.
29. 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 their course, to offer the equipment to their institution for the use of other students. Institutions are perfectly free to suggest that students make such gifts.

Non-medical helper allowance

30. The non-medical helper allowance (regulation 41(2)(a)) is to provide funding for helpers such as readers, note-takers, laboratory assistants etc for the student to undertake the course on an equal basis to other students and where the study needs assessor is satisfied that they are needed because of the student's disability. This allowance also provides for assistive technology (AT) training. The manual 'Non-Medical Help Services Reference Manual' which is published at <http://www.practitioners.slc.co.uk/products/disabled-students'-allowances/dsas-forms-and-guides.aspx> provides further detail on the roles and activities within the scope of this element of DSA. Where the student has to make regular or frequent payments for a non-medical helper, it

may be helpful to arrange for some of their grant payments to be made in corresponding instalments. If grant payments are made in instalments, inform the student, or their institution, how such transactions should be recorded and verified for audit purposes.

31. The provision for the non-medical helper 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 it may be appropriate to share the cost of the course-related help provided by the carer with the social services. The non-medical helper allowance should not be used to pay for support that should properly be funded by social services.

General allowance

32. The general allowance (regulation 41(2)(d)) may be used both for miscellaneous expenditure not covered by the other allowances and to supplement the specialist equipment allowance and non-medical helper allowance, if necessary. The cost of a study needs assessment is drawn from the general allowance.

Travel allowance

33. 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 can 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. Public transport costs are deemed to be those incurred by the general student population, not those that the individual student would have incurred, had they been able to use the public transport. Therefore the availability of concessionary fares in specific circumstances (e.g. a free bus pass) will not reduce the amount taken into account as public transport costs.
34. Some students may be required as a result of a disability to use a private 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. The cost of a journey by car is calculated by using the mid-point range of AA motoring costs which includes an element for wear and tear on the car. This is currently (financial year 2014-15) **24p per mile**. Suitable parking facilities should be arranged by the HEI.
35. Generally, where the student has opted to use a mobility element of their Disability Living Allowance (DLA) or Personal Independence Payment (PIP) to lease a Motability car, they will be expected to use that car to attend their institution and travel costs will be calculated using the AA motoring costs of 24p per mile (as above). Suitable parking facilities should be arranged by the HEI.
36. The study needs assessor will need to be satisfied that the travel expenditure arises in each case solely 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 the 'Assessing Financial Entitlement' guidance chapter 2015/16).

Processing DSAs

37. An individual payment limit is set for each of the DSAs up to the maximum for each allowance, including top ups from the general allowance. Once the payment limits have been set in accordance with the needs assessment recommendations, payments will only be made against those limits.

Part-time DSAs (regulation 147)

38. Under regulation 147 an eligible part-time student qualifies for DSAs to assist with the additional expenditure that the SoS is satisfied the student 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 which they commenced prior to 1st September 2012 with the Open University are currently administered by the Open University and will continue to be until the course is completed. From AY 2014/15 onwards DSAs for students undertaking a part-time course with the Open University which commenced on or after 1 September 2012 will be administered by SLC.

39. The part-time DSA scheme closely follows that for full-time students. However there are some differences and these are explained below.

Eligibility

40. 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 'Support for part-time students'.
41. Students who begin part time courses on or after 1st September 2012 must be studying at a minimum intensity of 25% FTE during the academic year to be eligible for PT DSAs (Regulation 147(4)).

Designated part-time courses

42. 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 'Support for part-time students' guidance chapter.

Types of disabled students' allowances – part-time undergraduate

43. There are four allowances for students undertaking part-time courses. These mirror those available to full-time students, but have different maximum amounts. The maximum allowances that part-time students may receive in 2015/16 are given in the table below. The maximum amount of the non-medical helper allowance and general allowance are calculated as a percentage of the full-time rates, based on the actual intensity of study. Some examples of the maximum amounts available are given below.

Allowance	Maximum payable	
Specialist equipment allowance (for the duration of the course)	£5,212	
Non-medical helper allowance (each academic year)	£15,543	75% of a FT course = £15,543 60% of a FT course = £12,435 50% of a FT course = £10,362 25% of a FT course = £5,181
General allowance (each academic year)	£1,305	75% of a FT course = £1,305 60% of a FT course = £1,044 50% of a FT course = £870 25% of a FT course = £435
Travel allowance	Uncapped	

44. 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 25 and 26.

Students whose status as an eligible (full-time) student is converted to that of an eligible part-time student (regulation 152(1)-(4))

45. When a student transfers from a full-time to a part-time course, their status must be converted from 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:
- no instalment of **full-time** DSAs is payable after the student becomes an eligible part-time student;
 - the maximum amounts of part-time DSAs are reduced by one third where the student becomes an eligible part-time student during the second quarter of the academic year and by two thirds where they become an eligible part-time student in a later quarter of that year; and
 - 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 them 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 152(12)-(13))

46. When a student transfers from a part-time to a full-time course, their status must be converted from 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:
- no instalment of **part-time** DSAs is payable after the student becomes an eligible full-time student;
 - the maximum amounts of any full-time DSAs are reduced by one third where the student becomes an eligible full-time student during the second quarter of the academic year and by two thirds where they become an eligible full-time student in a later quarter of that year; and
 - 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 them is 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 (Regs 158 – 168)

Eligibility

47. 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 eligibility criteria set out in Schedule 1 of the Regulations and undertake a designated postgraduate course (see paragraph 51).
48. Postgraduate students studying by distance learning are eligible for DSAs, but only if the course is undertaken in the United Kingdom (regulation 159(11)). 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.
49. Under regulation 159(4), a postgraduate student is not eligible for DSAs if they:
- a) are eligible to apply for a –
 - 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 1);
 - allowance, bursary or award of similar description made by their institution which includes a payment for meeting additional expenditure incurred because of a disability (excluding financial assistance received from their institution's Access to Learning Fund);
 - the NHS Business Services Authority (NHSBSA) bursary for students on postgraduate social-work courses which includes a payment for meeting additional expenditure incurred because of a disability;
 - 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.
50. Under regulation 159(18) an eligible postgraduate student is not eligible for support for more than one designated course at a time.
51. Under part 12 of the Regulations an eligible postgraduate student qualifies for DSAs to assist with the additional expenditure that the SoS is satisfied the student 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, where the course commenced before 1st September 2012 are currently administered by the Open University and will continue to be until the course ends, From AY 2014/15 onwards, DSAs for students undertaking a postgraduate course with the Open University, where the course commenced on or after 1st September 2012 will be administered by SLC.

52. The postgraduate DSA scheme differs from that for undergraduate students in that one single allowance is available.
53. Regulation 166 provides for a DSA of up to **£10,362** for the academic year 2015/16 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 **£10,362** during academic year 2015/16. There are no specific limits within the maximum **£10,362** on particular items or type of help on which the grant can be spent. The allowance is awarded depending on the recommendations of the needs assessment carried out by the study needs assessment centre. The cost of the needs assessment is payable 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.

Designated postgraduate courses for DSAs

54. Regulation 161(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;
 - where the course commences on or after 1st September 2012, if the course is part-time, it must be of a minimum intensity of 25% FTE during the academic year and ordinarily possible to complete the course in not more than four times the time ordinarily required to complete an equivalent full-time course;
 - where the course commences before 1st September 2012, 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 wholly provided by an authority-funded¹ institution in the UK; provided by a publicly funded institution in the UK on behalf of an authority-funded educational institution or by an authority funded institution in conjunction with an overseas institution;
 - the course is not an initial teacher training course or a course taken as part of an employment-based teacher training scheme.
55. Full and part-time Legal Practice courses and Bar Vocational courses provided by authority funded institutions are designated postgraduate courses under the Regulations as the entry requirement to such courses is a first degree or higher.

The Secretary of State may specifically designate courses for the award of postgraduate DSA that are not automatically designated under the Regulations. Details of the specific designation process along with an application form can be found on the HEFCE's website <http://www.hefce.ac.uk/whatwedo/reg/desig/apply/>

¹ "authority-funded" means—

- (a) in relation to educational institutions in England, maintained or assisted by recurrent grants from the Higher Education Funding Council for England;
- (b) in relation to educational institutions in Wales, maintained or assisted by recurrent grants from the Higher Education Funding Council for Wales;
- (c) in relation to educational institutions in Scotland, maintained or assisted by recurrent grants from the Scottish Funding Council; and
- (d) in relation to educational institutions in Northern Ireland, maintained or assisted by recurrent grants from the Department for Employment and Learning in Northern Ireland or the Department for Agriculture and Rural Development in Northern Ireland.”;

The HEFCE website also includes links to the latest BIS guidance on the new process. The arrangements apply to all new specific course designation applications for 2013/14 onwards. From 2014/15 onwards there will be two application windows, in August and February, and the process will take up to four months to complete (subject to the provider submitting the necessary information).

The current list of specifically designated courses is on the Student Finance England website at:

<http://www.practitioners.slc.co.uk/policy-information/designated-courses.aspx>

56. Eligible students on courses that are designated during the academic year will only be eligible for DSAs for the quarters following the award of designation, with the exception of the specialist equipment allowance.

Postgraduate ITT courses

57. Students on postgraduate ITT courses are potentially eligible for DSAs under the full-time or part-time scheme. They are not therefore eligible for the postgraduate DSA.

Periods of eligibility

58. Regulation 162 provides for DSAs to be paid for the period ordinarily required to complete the course (subject to the course satisfying the requirement of regulation 161). 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.
59. Where the part-time course begins before 1st September 2012 and 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 them to complete the course within the required timeframe. (See examples 1, 2 and 3 below).

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, they then study 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 they now require 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. Their eligibility will cease at the end of the fifth year.

Where the part-time course begins on or after 1st September 2012 and where a student intends at the outset to complete a part-time postgraduate course in not more than four times 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 them to complete the course within the required timeframe. (see example 4)

Example 4: Student D states an intention to study part-time for a PhD for 12 years. The equivalent full-time PhD would take three years. The student is awarded the DSA in years one to eleven of the course as the part-time study is at least 25% of a full-time course. However during the 11th year the student's pattern of part-time study changes and they reduce intensity to below 25%. This will effectively make the period of study exceed four times the period normally required to complete a full-time course and means the student cannot receive any further DSA support. Their eligibility will cease from when the intensity drops below 25%.

60. 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 (where the course begins before 1st September 2012) or where the course takes more than four times the period ordinarily required (where the course begins on or after 1st September 2012) to complete a full-time course leading to the same qualification.
61. The period of eligibility may be terminated where the eligible postgraduate student has shown themselves by their conduct to be unfitted to receive support.
62. 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 they know is false. If the provisions in regulation 162(8) are used, support already paid to the student may be treated as an overpayment for recovery under regulation 168.

Transfer of eligibility

63. Regulation 163 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 their eligibility to another course, any DSA amount awarded for the first course is taken into account 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 **£7,362** remaining (**£10,362** 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

64. 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 in most cases 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. If any student wishes to undergo a further needs assessment because their disability has changed in some way this can be paid for from the postgraduate DSA. However, any needs assessment must be agreed by SFE before it takes place. DSAs will not cover the cost of needs assessments that are undertaken without prior approval from SFE.
65. If a student is recommended new equipment via a further needs assessment, any equipment the student received as an undergraduate must be taken into account, having regard to how recently the equipment was bought. Requests for any new equipment should be considered very carefully.
66. 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

67. A student retains their 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.
68. Generally the period of eligibility is limited to the ordinary duration of the course. However, regulation 162(9) provides some discretion to extend or renew a student's eligibility for such further periods as may be considered appropriate after the expiry of the period ordinarily required to complete the course. Such discretion will be considered on a case by case basis, taking into consideration the reasons for the request to extend the course after the expiry of the period ordinarily required to complete the course.
69. In the case of part-time designated postgraduate courses which began before 1st September 2012, 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. Where the part-time postgraduate course begins on or after 1st September 2012, if the additional period of writing up a thesis or dissertation would mean the overall duration of the part-time course will be more than four times the time needed to complete the full-time equivalent course, the part time course will cease to be designated and the student will not qualify for further DSA support.

70. In the case of part-time postgraduate designated courses regulation 159(9) provides that where the course begins on or after 1st September 2012, an eligible student will not qualify for postgraduate DSAs where the course intensity of study in the academic year for which the support is requested is less than 25%.

The Administration of DSAs

Evidence of a disability

71. For most applicants, there should be little difficulty establishing their eligibility for DSAs. Their disability and its impact 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.
72. 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 and the NHS, as appropriate. Nor are DSAs intended to provide assistance to students with general learning difficulties.

Time limits for applying for DSAs

73. **The Student Support Regulations require that student support must be applied for on an annual basis. Generally a time limit for applications is set at nine months from the start of the academic year (Regulation 9). For disabled students this can be extended as long as the application has been made as soon as is reasonably practicable (Regulation 9(2)(d)). Students are advised to apply as soon as possible, to enable support to be put in place by the start of the academic year.**
74. **Students may apply outside the general time limit for a number of reasons for example, they are newly diagnosed with a disability or the need for support has only arisen later in the academic year or towards the end of their course. Students are permitted to apply for DSAs irrespective of the time left on the course. Students should continue to apply for support as and when the need arises. However, students applying outside the general time limit will need to provide details of why they have applied outside the general time limit to enable the Secretary of State to determine that they have applied as soon as reasonably practicable.**
75. **Applications for DSAs that are made after the end of the academic year will generally not be considered retrospectively for that year. The application will ordinarily be administered as being an application for the academic year within which the application has been received.**
76. **It is advised that students requiring support near the end of their course should contact their disability adviser in order for reasonable adjustments to be considered in the first instance. Disability Advisers may be able to arrange institutional support, such as exam support, study support or revision skills, and loan equipment**
77. Students wishing to claim DSAs must 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's disability will affect their ability to study on their chosen course. 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 (more details on specific learning difficulties can be found at Annex 1). The diagnostic assessment must have been carried out after the student's 16th birthday to be valid for DSA purposes. Any cost 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 institution's discretionary funds.
78. Cases may arise where the evidence that the student has a disability is deemed unsatisfactory. In such cases, the student should be invited to provide further evidence, perhaps in the form of a diagnosis undertaken by a

professional body or another acceptable person. In making such an invitation, it must be made clear to the student that they will normally be liable to meet the cost of providing the necessary evidence. Assistance may be available from their institution's Access to Learning Fund or other institutional funding.

79. Once satisfactory medical evidence is received, 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 general allowance of 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 a medical practitioner may also include recommendations for DSA support with their medical evidence. Given that the medical practitioner is unlikely to be aware of course requirements and technologies, there is still a requirement for the student to attend a study needs assessment to determine their course needs, and different recommendations may be made.

Assessment of course-related needs

80. Once the student's personal and course eligibility has been established and they have provided satisfactory evidence of their disability, they are eligible at that stage for DSAs and should be invited to arrange a needs assessment as soon as possible. The needs assessment will help determine what support the student might require, if any, and the amount of DSA grant for which the student is entitled. During the DSA needs assessment interview, needs assessors are requested to explain the role of Disability Adviser. Given that the assessment may be carried out some months before the start of the course, some students may subsequently attend a different institution or course. In such cases, SFE may seek further information via a further assessment or disability advisor as appropriate. Students should not be advised to attend a second study needs assessment without prior approval from SFE.
81. A DSA needs assessment report will contain information about the student's disability which is classed as sensitive personal data under the Data Protection Act. 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. A copy of the needs assessment report should be sent to the Disability Adviser and SLC by the assessment centre once agreed. Where the student gives consent, a copy of the DSA2 letter can be provided to the study needs assessor which sets out the agreed DSA support. This allows the study needs assessor to see any recommendations which are deemed to be outside the scope of the Regulations and may also help reduce instances of similar recommendations in the future. There are two DSA application forms; both entitled 'Disabled Students' Allowances 2015/16 Application Form'. The full form - DSA1F - is aimed at students who have not applied for other student support and the slim form - 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. Both forms ask 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 150).
82. The cost of the DSA needs assessment is met from the general allowance. The general allowance may also be used to pay the student's travel costs to the needs assessment. Where students do not subsequently start a course, they are not required to repay the needs assessment fee. If they reapply for a higher education course the following year, the needs assessment already carried out should be sufficient to process their new DSA application. SFE should determine if a further study needs assessment is needed and inform the student whether or not to attend a further assessment. From AY 2013/14, the cost of the study needs assessment for part-time students will be taken from the general allowance, before the general allowance is pro-rated according to the intensity of study. Please see paragraph 43 for information regarding the part-time maxima.
83. When notifying students that they will need to undergo a DSA needs assessment, SFE inform the student what is involved in the assessment and that if they do not attend an assessment they will not be able to receive the additional support they may require. Students should use DSA-QAG registered or accredited assessment centres (see paragraph 89). Students should be directed to the DSA Quality Assurance Group (DSA-QAG) website, which holds an up-to-date list of assessment centres and allows students to select their nearest centre.
84. The DSA covers the cost of only one study needs assessment, other than in such circumstances as SFE deem a further assessment is needed. Students should be advised that they cannot have a second assessment without prior permission from SFE.
85. Providing that students have granted permission, a copy of the needs assessment and awards letter (DSA2 letter) should be sent to the Disability Adviser at their institution once they have received confirmation of a place. This will help ensure that the support the student requires is put in place.

DSA Quality Assurance Group (DSA-QAG)

86. DSA-QAG is a non-profit making company with charitable status. Its board is made up of representatives from HEIs, DSA needs assessors, DSA equipment suppliers and the NUS, with observers from BIS and the SLC. A central administrative unit supports this work. DSA-QAG has responsibility for a quality assurance framework against which levels of service for both DSA assessment centres and equipment suppliers are audited. From 2015/16, only DSA-QAG registered or accredited assessment centres can provide DSA-funded study needs assessments. Assistive technology, including assistive software is expected to be provided and installed by registered assistive technology service providers. However students may opt to source a computer from the open market. Assistive technology training is currently provided by a mix of providers, some of whom fall within this arrangement and some who do not. More information on 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/>.

Students diagnosed after the start of their HE course

87. Students who are diagnosed with a disability, including a SpLD, after the start of their HE course of study may apply for DSAs once they have received their diagnosis or diagnostic assessment.

Needs assessments for students studying in Scotland, Wales and Northern Ireland

88. Some English students who intend to study in Scotland, Wales or Northern Ireland may attend a DSA needs assessment in their home area before they start their course. This should be carried out by a DSA-QAG registered or accredited assessment centre.
89. 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, SFE will 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). Students studying in Wales are covered by the DSA-QAG administered list of assessment centres.
90. SAAS operate a '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 'needs assessment').

Disability Advisers

91. Most higher education institutions have someone responsible for advising on disability matters in support of students. The job title varies (for example, they could be Disability Officers or Disability Co-ordinators as well as Advisers) but they can 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 SFE before making any arrangements, primarily to ensure the student is an eligible student under the Regulations. Disability Advisers have an understanding of the institutional environment and will have access to academic teaching staff and to detailed course information. Disability Advisers could provide useful advice to study needs assessors when there is uncertainty about what recommendations would best support the student in the particular context.
92. Disability advisers will also have an up-to-date knowledge of the level and type of support offered by their institution as reasonable adjustments under the Equality Act, or more generally as part of the institution's support for disabled students or students in general. Needs assessors must take account of what help is available from the institution (for example transcribing services) when assessing what type and level of support is additional to that already available in order to make appropriate recommendations.
93. It is the view of the Department that it is not appropriate for a disability adviser to carry out the DSA needs assessment of students for whom they are responsible.
94. **Once a student has started their course, it may become apparent that additional or different support may be needed. Students should contact their assessment centre to discuss varying the support recommended. Assessment centres will also be asked by SFE to consider requests made by the institution to vary the support recommended. Additional DSAs-funded support will only be agreed by SFE once the view of the assessor has been received and taken into account.**

The scope of DSAs

95. SFE must be satisfied that the student is obliged by reason of their disability to incur additional expenditure to be able to attend or undertake their course. SFE 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 they were not following their 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 their course.
96. The Higher Education Funding Council for England (HEFCE) allocates a Disability Premium to HEIs in England (£15m in 2014/15), through the student opportunity fund. Allocations are made to HEFCE-funded HEIs and FECs on a pro-rata basis, based in part on the proportion of students recruited who are in receipt of DSAs. The aim of the funding is to support the recruitment and retention of disabled students. The funding is not ring-fenced but the investment in disabled students and activities supported are recorded through institution's Widening Participation Strategic Assessment submission to HEFCE. Although institutions are accountable for showing that their funds have been spent appropriately, institutions are autonomous in the way they distribute funds internally. 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 Equality Act.

The Equality Act 2010

97. The Equality Act 2010 came into force from 1st October 2010. The Equality Act generally carries forward the protection that the Disability Discrimination Act 1995 provided for disabled people.
98. It is for SFE, higher education institutions and further education colleges to take their own advice on how the Equality Act and related legislation applies to them.

The Equality Act 2010 and work placements

99. Work placements are currently included in the Equality Act 2010 which means that college and university staff must also take into account a person's disability when arranging work placements and liaise with the work placement providers to implement the support. This 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

100. The following provides examples of the disability-related support that *might* be considered appropriate to the DSAs in some circumstances. This list is not exhaustive, nor is it the case that such elements will be appropriate in all cases.

Special Equipment – for example:

- Computer hardware/laptops
- Disability software
- Ergonomic furniture required for study purposes within the student's residence

Non-medical helper allowance – for example:

- Training in use of disability software
- Note-takers
- Specialist Support
- Library Support
- Practical assistance with carrying course-related materials and mobility around the HEI

- Payments to non-medical helpers to comply with statutory employment rights (e.g. tax, holiday pay)
- Practical 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 Allowance

The general allowance can cover other disability-related items which are not covered elsewhere or to provide extra funds in relation major items of specialist equipment or non-medical helper support.

Travel Allowances

- The cost of the student's travel to and from an institution
- The cost of the student's travel to and from a work placement
- The cost of the student's travel to and from a field trip.

101. 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 in relation to their course.

102. The Department has advised:

- 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 meet these costs as part of providing the course;
- 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 themselves needs to incur in taking their examinations (for example, a helper or item of specialised equipment) would however fall within the scope of DSAs; and
- Study skills support, IAT support or IAT installation and training provided during the long vacation may be considered through DSAs, if SFE are satisfied that the support is reasonable and appropriate with regard to the circumstances of the student. Any such support undertaken outside term-time does not count as attendance and therefore would not trigger Loan Courses Loan or extra weeks' maintenance loan.

Social Services

103. 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 31).

The arrangements for engaging non-medical helpers

Students employing their own non-medical helpers

104. Students in receipt of DSA for non medical help will in the vast majority of cases utilise helpers who are employed by their institution, employed by an outside organisation, or are self employed. A small number of students may choose to employ their own non medical helper (i.e. to act as the non-medical helper's direct employer), but as the rules regulating employment are complex BIS and SFE do not recommend that students directly employ non medical helpers.
105. **Generally DSA funding will not be available for individuals without an appropriate employment status i.e. they must be registered with HMRC to pay tax and national insurance on their earnings. DSAs funding will not be provided for family members or friends to provide NMH support without evidence that they have the appropriate qualifications and employment status. Students will be asked to provide appropriate evidence when requesting that a family member or colleague provides their support. Exceptions can be considered, for example for the short-term, where an appropriate support worker cannot be identified before the student's studies commence.**
106. Students who do wish to employ their own non medical help should seek independent advice before so doing, but the following gives an outline of some areas for consideration and where further advice may be found. DSAs NMH services should be provided by support workers who have the appropriate employed or self-employed status.

Minimum wage - Students will need to ensure that they comply with legislation regarding the minimum wage. Further information can be found on the Gov website at <https://www.gov.uk/national-minimum-wage-rates>.

Tax and National Insurance Contributions (NICs) - The employers of non-medical helpers are responsible for calculating the amount of tax and NICs, deducting it from the employee's wages and making payments to HMRC. Employers may also be required to pay Employer's National Insurance contributions. Further information on tax and national insurance is available from HMRC.

Employment rights - Employees have certain other employment rights. Some examples of these are itemised pay statements, time off for public duties, maternity and paternity leave, paid holiday entitlements, and so on. Further information is available at <https://www.gov.uk/browse/working>.

Insurance - It is also the employer's responsibility to take out insurance against liability for bodily injury or disease sustained by their employees during the course of employment. More information about employer's liability insurance is available from the Health and Safety Executive (HSE).

Using non-medical helpers employed by HEIs

107. 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 contributions and other employer-related costs.

Using self employed non-medical helpers

108. Non-medical helpers who are self-employed are responsible for their own tax and national insurance contributions etc. Using a self-employed non-medical helper would mean that students, or any other body, are not the employer of the non-medical helper. **For the purpose of tax and National Insurance contributions it is the engager's responsibility to decide whether someone is an employee or self-employed.** HMRC can provide advice and, in deciding whether to approve a non-medical helper as self employed, HMRC would look at what the job involves. If a person negotiates their own fees, runs their own business 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.

Administration charges for arranging non-medical helpers

109. In the context of DSAs, many HEIs arrange and administer non-medical helper support; and 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.
110. However, although it is permissible for HEIs to recover administrative costs associated with the provision of non-medical helpers funded through DSAs, DSAs cannot be used as a contribution towards the infrastructure, general administration and pastoral costs of the HEI. That is, DSAs must not be used to cross-subsidise the infrastructure of HEIs' disability services.
111. HEI governing bodies are responsible for the proper stewardship and value for money of public funds, and the amount HEIs claim for DSA administration needs to be relevant and proportionate, and to have been incurred by the HEI specifically in providing the DSA service. 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.
112. Costs should be based on actual delivery and not assessed delivery. It is reasonable for students or SFE to ask for evidence that the support for which they are invoiced by HEIs or other providers was delivered. 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 the invoices submitted. SFE will need to assure themselves about the amounts claimed by individual providers and might, for example, ask providers to submit details of how their administrative costs have been calculated with the first claims each year.
113. A fundamental review of costs should be undertaken by HEIs 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.
114. SLC should be satisfied that claims for DSAs are made in accordance with guidance and should challenge costs which do not appear to them to be reasonable.

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

115. **As a general rule NMH provision will only be paid for through DSAs if the student has booked their support sessions with their NMH provider and attended the sessions. 'Booked' means that the student and NMH provider have agreed the date, time, location and support role in advance of the session. Below paragraphs set out how sessions that are not attended by the student will be treated for funding purposes.**
- **There will be occasions where a student does not attend a booked support session and/or does not give more the 24 hours notice of cancellation, for example because they were ill or had a personal emergency or unforeseen circumstances. In these cases the student is engaging with their support provider and the cancellation was at short notice solely due to reasons outside the students' control. In this scenario it is understood that the NMH provider has arranged for a Non-medical Helper to attend the session and has therefore incurred a cost for arranging the support. The cost of these booked support sessions will be met from the student's DSAs as it is understood that the student booked the session expecting to attend (subject to paragraph 116 below).**
 - **There may be occasions where a student does not attend a session and could have cancelled the session with more than 24 hours notice. The cost of such sessions may still be met through the**

student's DSAs where the NMH provider has incurred a cost for arranging the support and paying the support worker for those sessions (subject to paragraph 116 below).

- DSA funding will not be provided where the institution is responsible for cancelling the session. The institution must take responsibility for notifying the student that the session is cancelled to enable the student to cancel the NMH session with the NMH provider.

116. However, in all scenarios, DSA funding will not be provided for NMH provision that is repeatedly not being used once booked or cancelled with less than 24 hours' notice when the student could have cancelled the support session with sufficient notice or where students indicate that they no longer need or want NMH support. Repeatedly may be if more than two sessions have been missed per term.
117. All missed sessions will be carefully considered by SFE before payment and where more than two sessions have been missed per term, to ensure that all parties understand their responsibilities and reasons for missed sessions will be investigated and documented. DSA funding may be suspended for the NMH support that is question.

NMH sessions

118. A session will be deemed to be an entire day. Therefore an NMH provider who has been booked to provide a support role at any point during that day will have an equal status. For each support role, that day will be deemed the first missed session. Similarly, where repeat sessions are booked during the day, all sessions for that support role will be deemed as a single session, but charges should not be made where the support provider is able to make alternative arrangements for the remainder of the day. Any support that was not scheduled for that day will remain unaffected. No 'missed sessions' will be counted against scheduled support for that day. For example:

Student has 4 booked sessions during the day:

Booked session 1 BSL + notetaker

Booked session 2 BSL + notetaker

Booked session 3 BSL + mentoring

Booked session 4 notetaker and study skills support

All the BSL support booked for that day will be counted as one missed session for the purpose of DSAs funding

All the notetaking support for that day will be classed as one missed session for the purposes of DSAs funding.

The same will apply for the library assistant, mentoring and study skills support. The student has also recommended to have workshop assistant support, but none was booked on this particular day, therefore any allocation of workshop assistant support remains unaffected.

What action should the support worker or service provider take when a session is missed?

119. At the first missed session, the support worker or service provider should make all reasonable efforts to contact the student to find out the reason for the student missing the session and confirm arrangements for the next session booked. The support worker should not attend the next session until the arrangement is confirmed with the student. If the student states they no longer require the support, support should be terminated and SFE informed. The same process should be followed for the second missed session. The support worker should not suspend the student's support if the student wishes to book a future session. If the support works no longer wishes to continue providing the support, they

should notify SFE immediately so that another support worker can be identified, Alternatively they should contact the disability adviser to discuss ongoing support.

What is deemed a term when considering missed sessions

120. Generally the academic year falls into 3 terms/semesters. However some courses have non-standard delivery models that do not fall into 3 periods. For ease we will refer to terms. This refers to the study periods that run either side of the standard holidays i.e. September to December, January to April, and May to July/August. The start of the academic year is not relevant for this purpose.
121. DSAs funding is available on a first come, first served basis. Therefore where a student is nearing the statutory cap and a number of support workers are requiring payment this will still be managed on a first-come, first served basis. Providers are encouraged to submit invoices in a timely and regular manner to ensure payment can be made. Whilst BIS acknowledges that exceptions may need to be considered, it is expected that providers and students are working together to minimise the number of missed sessions and that exceptions will only be considered rarely.

NMH support following missed sessions

122. SFE will not suspend support after two missed sessions. It is assumed that the need for support continues and that sessions are being managed by the support worker and the student. However, payment will not be made for any missed sessions occurring beyond the first two, other than in exceptional circumstances.

The role of the HEI disability adviser in managing missed sessions

123. Where there is consent to share information with the institution, support workers may wish to liaise with the disability adviser if it appears that the student is not managing their sessions effectively and sessions are regularly being cancelled or missed without cancellation. This may indicate other problems or may indicate that the student does not require, or is not satisfied with the support they have been recommended. Early intervention in such cases may result in different support being offered.
124. BIS and SLC will separately consider what action might be taken if the nature of the student's disability is such that they might regularly need to miss booked sessions without warning. Study needs assessors should indicate on the needs assessment report if they identify that this is likely to occur.

Payments of DSAs

125. Regulation 108 (full time DSAs), 127 (full-time distance learning DSAs) 147 (part-time DSAs) and 167 (postgraduate DSAs) provide 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, consideration should be given to the practical implications for the student who may have to make frequent payments to support workers. However, it is not appropriate to provide payment of the full allowance available to the student in advance of the services being carried out. SFE will decide whether provisional monthly or termly payments can be paid, basing this on an estimate, where appropriate. SFE 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

126. There is no bar under the Regulations to making such payments in advance of the student's actual attendance on their course. In some cases, it may be necessary or desirable for students to purchase items of specialist equipment before the start of their courses, so that they may make use of them from the very beginning of their studies. Once it has been established that a student who meets the criteria of an eligible student under the Regulations is eligible specifically for DSAs, and the type and level of support required has been determined, the purchase and supply of equipment may be arranged shortly before the start of the course, once the student's place is unconditional. 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 may

recommend that equipment is supplied before the start of the course to allow time for training in the use of the equipment. However, it is not expected that payments of DSAs are made well in advance of the start of the course, particularly where the student is still at school.

Payments to third parties and directly to students

127. It is recommended to pay DSAs directly to assessment centres and suppliers of services and equipment after obtaining the student's written consent. Students should not be asked to purchase recommended DSA equipment using their own funds and then reimburse the student from the DSAs, where consent is held to pay the supplier direct. 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 a student was written to advising that payment would be made directly 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, it is recommended that the student's explicit consent is obtained prior to making the payments directly to the supplier or assessment centre. Students should not expect reimbursement of costs for any equipment they have purchased without the prior consent of SFE.

DSA applications received in the final stages of a course

128. 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.
129. 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 approach the institution's disability services to seek reasonable adjustments, such as exam support, study support or revision skills, or loan equipment at short notice. However, a study needs assessment would be required to identify any assistive technology requirements. Although it is reasonable for specialist equipment needs to arise at the end of a course, it is advised to treat applications for the equipment allowance towards the end of a student's course with caution. Institutions may be able to arrange for the loan of equipment, and failing that, suppliers may be willing to rent out equipment and if rental is better value for money, rental or hired equipment can be allowed under the Student Support Regulations. 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 until the completion of their course.

Student leaves a course after receiving equipment

130. If a student receives DSA equipment whilst on their course and then withdraws from or 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

131. 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 before the start of term 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 117 (full-time students), regulation 135 (full-time distance learning students) regulation 156 (part-time students) and regulation 159 (postgraduate students).
132. Similarly, a student may start their course, then abandon it and then receive DSA payments or equipment after they have abandoned the course (possibly because SLC had not been notified that the student had left the course). This will constitute an overpayment for the purposes of regulation 117(7) (full-time students), regulation 135(8) (full-time distance learning students), regulation 156(7) (part-time students) and regulation 168(6) (postgraduate students).
133. SFE can accept the return of the equipment to the supplier, a monetary repayment or a combination of both against the overpayment. 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.

134. It should be clearly explained 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

135. 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.
136. 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, they 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*.
137. 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.
138. 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.

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

139. In general, computer equipment is only zero-rated if it is 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.
140. 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*.
141. 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.
142. Under VAT notice 701/7/2002, the following are listed as services which might be zero-rated to a disabled person: installation of qualifying goods, adaptation of general goods, repair and maintenance of qualifying goods, **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 SLC

143. DSA funds belong to the student and items purchased with these funds remain the property of the student. If SFE orders and pays for the equipment on behalf of the student, VAT relief may be available where all the

relevant conditions are met. VAT relief, if appropriate, is applied at the time of purchase by the supplier. Where VAT is charged, it cannot be reclaimed from HMRC by SFE or the student.

144. 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_ShowContent&id=HMCE_CL_000184&propertyType=document

Information to help with frequently asked questions

Internet connection

145. For new students from AY 2014/15 onwards, internet connection will no longer be covered by DSAs, other than in exceptional circumstances. The wide availability of internet access through institutions, student accommodation and other venues has removed the necessity of providing individual personal internet access. Exceptions will be considered on a case by case basis.

Non-recommended suppliers and upgrades

146. There is currently 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 funding to purchase the same support that has been agreed by SLC and the cost cannot exceed that which has been agreed. Students are advised to discuss potential changes of supplier ahead of putting arrangements in place. SLC will need to be satisfied that the expenditure is reasonable. Purchases made directly by students should always be supported by receipts which 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 funds to meet the extra costs. Students will not be reimbursed for any equipment or services that are not recommended in a study needs assessment, or were purchased ahead of the study needs assessment.

Electrically powered wheelchairs and scooters

147. Generally the cost of purchasing wheelchairs and scooters would be incurred regardless of whether the student is attending a course and therefore will not normally be covered through DSA funding. Individuals may receive support from the health authority or through DWP benefits to meet such mobility needs.

Students in receipt of help towards travel costs from other government agencies or LA

148. Students may be receiving funding for travel assistance from other Government agencies as well as help with travel costs through DSAs. It is the Department's view that to duplicate this provision may in some circumstances constitute double funding. From AY 2014/15 onwards, SFE will ask DSA students to indicate on their DSA application form whether they are in receipt of any form of support towards travel costs from other government agencies or their local authority. This information would then be used by the needs assessor and SFE in order to assess what additional help towards travel costs the student needs. Receipt of another means of support does not preclude a student from receiving DSAs, however it informs the decision as to what additional help the student might require. (See paragraph 35 on calculating travel costs for the use of Motability cars.)

Using DSAs to support participation in extra-curricular activities

149. The Regulations allow for the DSAs to be used for additional expenditure which SLC is satisfied the student is *obliged* to incur in connection with their attendance on (or their 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, in the event that the extra-curricular activity is a course requirement, the payment of DSA to enable the student to participate in that activity may be considered. 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 long as this is course-related.

Reimbursing HEIs or students for support or equipment provided before a DSA assessment was carried out or SLC approval has been provided

150. Current policy is that students will not be reimbursed for items bought before SLC has approved support. HEIs can claim reimbursement for NMH support that they have provided in advance of the study needs assessment; on condition that the type and level of support is subsequently recommended by the study needs assessor. Travel costs will only be considered from the date the application for DSAs is received by SFE.

Student fails to pay an assessment centre or supplier

151. Although it is recommended to 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 funding and make payments direct. In some cases, the DSA assessment has been undertaken but the student has not paid for the assessment. This would not constitute an overpayment and is a matter between the assessment centre and the student. There are no provisions in the Regulations which would enable, 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

152. Where DSA funding has been paid to a supplier of specialist equipment (paid either by SFE or the student) and the supplier has gone bankrupt before supplying the equipment, 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. Students in this position may need to seek legal advice. If the student is unable to obtain their equipment or recover their monies, a further grant could be paid, but subject to the statutory maxima.

The role of disability organisations

153. There are a number of useful organisations which can often provide specialist support and advice to students and practitioners, including Disability Alliance, RNIB (Royal National Institute of the Blind) and RNID (Royal National Institute for Deaf People). A list of organisations is at Annex 2.

Guidance for students

154. The Department has published a supplement to its 'A Guide to Financial Support for Higher Education Students in 2015/16' booklets which provides information about the DSAs. The booklet 'Bridging the Gap: a guide to the Disabled Students' Allowances (DSAs) in Higher Education for 2015/16' 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: <https://www.gov.uk/student-finance>

The DSA Application Process

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

155. It is important that applications for DSA are dealt with quickly, to ensure students are properly equipped to embark on their course.
156. Students are asked on the PN1 and the PR1 if they wish to apply for DSAs. 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 DSA applications to be prioritised. Where a student answers 'yes' to these questions, the SLC user at data entry is prompted to raise an 'Issue Information Pack
157. To simplify the application process for returning students and to comply with regulation 8(1). SFE have introduced a DSA returning application form, DSA1R. This application will be sent to DSA only customers who do not have the opportunity to apply for other core support and therefore cannot indicate their intention to reapply for DSA in the new academic year.

Information for students

158. 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.
159. 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 DSAs (samples available in the DSA letter catalogue). The DSA application form for 2015/16 should also be sent at this stage. (DSA1F for students who have not yet submitted a student support application or DSASL, which can be requested via the correspondence screen in the student's account, for those who have.)
 - A brief outline of the DSA assessment process and its importance. This letter would confirm that SLC accepts the evidence of disability provided by the student and clearly sets out the arrangements for obtaining a DSA assessment.
 - Full details of the DSA support awarded, delivery arrangements and method of paying for DSA support. This letter would be issued once SLC has agreed the DSA support to be awarded.
 - A reference to Disability Advisers at HE institutions as a source of further assistance for the student. Whenever possible it would be helpful to include the name and contact details of the Disability Adviser at the student's institution.
160. Continuing students who received a DSA earlier in the course are not required to resubmit evidence of their disability unless their condition has changed and they are seeking reassessment. 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. To minimise the risk of delays in the DSA application process the following action is taken.
- 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 applications;
 - 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, contact the student with a view to arranging an assessment of course needs (see sample letters in the catalogue);
 - If a student has indicated they wish to apply for DSAs on their application form but not included evidence of a disability, establish eligibility for support and then issue a DSA application pack, consisting of the booklet 'Bridging the Gap', 'Application for Disabled Students' Allowances 2015/16 (form DSA1F or DSASL) and a covering letter, requesting the student returns evidence of their disability.
161. The DSA application form for 2015/16 (either DSA1F for students who have not yet submitted a student support application or DSASL for those who have) will ask the student to agree that SLC can:
- release information about their application to the Disability Adviser at their institution and to their DSA needs assessors;
 - discuss the application with the supplier; and
 - pay suppliers of equipment and support direct.
162. Where an application for DSAs is rejected or allows only part of the application, it should provide clear reasons to the applicant for the decision. This rejection should not delay the student's application for other types of student finance provided all the relevant eligibility criteria have been met. The student should be sent information on appeals policies and procedures. SLC should make full use of the notes facility on the student's record on the system to detail information that may assist with enquiries from students.

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

163. Students wishing to apply for DSAs 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. (from AY 12/13 New FTDL students apply for their tuition fee loan only on the PN1, however still complete the DSASL for their DSA support) Postgraduate students will be required to complete the DSA1F. In order to expedite the application process it is recommended to issue a cover letter with the DSA application forms, requesting that students provide evidence of their disability with their completed application form.
164. 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 (DSA1F only). Under the Equality Act 2010, 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 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 Act.
165. 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 Equality Act, we recommend the following action:
- the student completes all parts of the DSA1F application form except Section 5 and returns the form to SLC;
 - the student obtains a letter from 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 SLC via the student.

Annex 1

Specific Learning Difficulties (SpLD)

“Specific learning difficulty” is often used as an umbrella term to cover the following:

- Dyslexia
- Dyscalculia
- Dysgraphia
- Dyspraxia or Developmental Coordination Disorder (DCD)
- Attention deficit disorder or attention deficit hyperactivity disorder (ADD or ADHD)

As with any disability, no two individuals experience the same combination of difficulties and some students may exhibit signs of more than one SpLD. There are two forms of SpLD

- Developmental SpLD – a neurologically based problem with particular aspects of learning despite appropriate educational opportunity and intellectual ability.
- Acquired SpLD – is characterised by a loss of skills as a result of a neurological trauma, illness or brain disease.

The following characteristics have been noted in connection with SpLDs;

- a marked inefficiency in the working or short-term memory system which may result in, for example, problems with reading comprehension and written composition;
- inadequate phonological processing abilities (innate difficulty linking sound and symbol) which affects the acquisition of fluent reading and spelling skills;
- difficulties with motor skills or coordination which might affect tasks which involve simultaneous use of several skills;
- problems with visual processing which can affect reading (for example, causing the print to appear distorted or the reader to lose their place excessively) and handwriting (for example losing track of place when copying. This can be termed visual stress);
- reading problems which may include slow reading speed, difficulty extracting sense from written material without substantial re-reading, inaccurate reading, omission of words;
- writing problems which may include poor handwriting and slow writing speed, omission of words, spelling problems, difficulties categorising information and sequencing ideas;
- difficulties with mathematical skills and concepts: can also be seen in difficulties with abstract concepts of time and direction, following sequential instructions, sequencing events affects, ability to acquire arithmetical/mathematical skills;
- lack of structure in oral presentations, seminars and discussion and difficulties with word retrieval;
- short attention spans and a high level of distractibility; and
- poor organisation making time management very difficult.

Screening for SpLDs

Screening for SpLDs usually precedes a diagnostic assessment and the purpose is to determine whether a full diagnostic assessment would be warranted. Screening for SpLDs does not constitute a diagnostic assessment and therefore a screening for SpLDs as the sole evidence of an SpLD will not be accepted. There is no requirement for a student to undergo a screening for SpLDs when providing their evidence for HE purposes. Full diagnostic evidence of SpLDs

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 final report has been published and is available on the Student Finance England practitioners' website at: http://practitioners.studentfinanceengland.co.uk/portal/page?_pageid=133,4210339&_dad=portal&_schema=PORTAL#section7.

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 Annex 2 p45

Diagnostic assessments carried out before September 2006	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 the table in Annex 1).
Diagnostic assessments carried out between September 2006 and August 2007	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 report. Diagnostic reports to use tests recommended in the SpLDs Working Group's guidelines or added by the SpLD Test Evaluation Committee (STEC). See p45
Diagnostic assessments carried out between September 2007 and August 2008	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), Dyslexia Action or the British Dyslexia Association). 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 p45
Diagnostic assessments carried out from September 2008	Procedures as from September 2007 above plus the following. All training for assessing specific learning difficulties to incorporate the SpLDs Working Group's guidelines.
From 2012	Psychologists will be registered with the HCPC (the Health and Care Professions Council, formerly the Health Professions Council) as practitioner psychologists.

The framework recommended in the report has been adopted by SFE. The table below sets out the criteria a diagnostic assessment must meet depending on when it was carried out.

Further information on identifying specific learning difficulties through assessment can be found in the regularly updated guidance issued by SASC and its SpLD Test Evaluation Committee see www.sasc.org.uk. Guidance relating to the assessment of ADHD and updated guidance on Dyspraxia is now available.

Diagnostic assessments conducted from the age of 16 are appropriate for the purposes of DSA eligibility. If the diagnosis was carried out before the age of 16, the student will require a further diagnostic assessment. The

diagnostic assessment should focus on those areas where there are likely to be difficulties that impact on study, in particular working memory, information processing and phonological awareness. It should include exploring effects on literacy skills, (speed and accuracy in reading and writing individual words and prose, also incorporating reading comprehension). The report should identify strengths, current strategies and anticipated difficulties that impact on study at HE level.

Once the diagnostic report has been accepted 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.

If assessments conducted before the age of 16 are incomplete or inconclusive further testing should be conducted at the discretion of the assessor. Further testing may also be indicated if many years have past since the last assessment (e.g. assessment at 40 following diagnosis at 15, or assessment at 18 following diagnosis at 7)

A post-16 diagnostic assessment should be based on tests recommended in the Specific Learning Difficulties Working Group's guidelines and updated by SASC and its SpLD Test Evaluation Committee (STEC). See 'SpLD Assessment Standards Committee (SASC) and the SpLD Test Evaluation Committee' p 45. This post-16 assessment 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. This assessment should be carried out by a qualified specialist assessor as noted in the table above.

The Diagnostic report should state that because the student has a specific learning difficulty they should receive extra support to compensate for these difficulties. The study needs assessment will then determine the nature of the support that is required. 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 or very cursory. In such circumstances further information should be sought.

Courses Accredited by BDA for Dyslexia Assessments carried out by teachers

Courses Leading to SpLD Assessment Practicing Certificate-

The following courses will qualify successful candidates to apply for SpLD Assessment Practicing Certificate from Patoss or Dyslexia Action.

- All courses leading to AMBDA
- University College London - Certificate in the Diagnostic Assessment & Management of Literacy Difficulties [from 2000 through 2004]
- Evesham & Malvern Hills College Postgraduate Certificate in the Assessment of Specific Learning Difficulties validated by University of Worcester
- London South Bank University LLU+ Postgraduate Diploma in Adult Dyslexia, Diagnosis and Support M Level (7) [from November 2006]
- Oxford Cambridge and RSA Examinations OCR Level 7 Certificate in Assessing and Teaching Learners with Specific Learning Difficulties (Dyslexia)
- Below are tables that give details of the specific institutions and courses that meet the above requirements.

Accredited AMBDA Courses

Institution	Course Title	Level
Bath Spa University	Professional Masters Programme, Module One Identifying and supporting Learners with Specific Learning Difficulties/Dyslexia and Module Two Assessment Methodology for SpLD/Dyslexia	AMBDA

Institution	Course Title	Level
Bangor University of Wales	Advanced Certificate of Further Professional Studies (8 modules)	AMBDA
Birmingham University	B Phil / PG Dip / M Ed in Dyslexia Studies	AMBDA
Durham County Council	PG Cert in Teaching Pupils with SpLD/Dyslexia within the School Context	AMBDA
Dyslexia Action (formerly Dyslexia Institute)	PG Dip in Dyslexia and Literacy	AMBDA & AMBDA FE/HE
East Sussex County Council	Meeting the Needs of Pupils with Dyslexia (SpLD)	AMBDA
Edge Hill College of HE	Postgraduate Certificate in SpLD	AMBDA
University of Gloucestershire	Postgraduate Certificate in SpLD	AMBDA
Leicester University	Postgraduate Certificate in Education Studies	AMBDA
Liverpool John Moores University	PG Cert in SEN (Dyslexia) (with upgrade to AMBDA)	AMBDA
London Metropolitan University	PG Dip: Assessment for Specific Learning Difficulties (Dyslexia)/PG Cert Teaching Adult Dyslexic Learners in Higher Education (PGC: TADHLE)	AMBDA FE/HE & AMBDA
Manchester Metropolitan University	i) PG Dip/Cert in SpLD ii) PG Cert in SpLD (FE/HE)	i) AMBDA ii) FE/HE
Newport, University of Wales	MA (SEN), Dip SEN (SpLD)/ CFPS (SpLD) (modules G101444, G101511, G101512 & G105688)	AMBDA
OCR (previously RSA)	SpLD Diploma Level 7	AMBDA
Open University	E801: Difficulties with Literacy Development	AMBDA
Oxford Brookes University – Reaccreditation in progress	Working with Children and Young People with Literacy Difficulties: Postgraduate Certificate in Advanced Professional Practice (Level M)	AMBDA
Somerset LEA	PG Dip in Complex Specific Learning Difficulties (Dyslexia)	AMBDA
Southampton University	PCES: Specific Learning Difficulties (Dyslexia): Identification and Assessment	AMBDA
Swansea LEA	Teaching Pupils with SpLD (Dyslexia) (with upgrade to AMBDA)	AMBDA
University of Teesside	University Certificate in Advanced Professional Development Dyslexia in Post Compulsory Education Settings	AMBDA

Courses Leading to SpLD Assessment Practising Certificate

Institution	Course Title
University College London	Certificate in the Diagnostic Assessment & Management of Literacy Difficulties

Evesham & Malvern Hills College	Postgraduate Certificate in the Assessment of Specific Learning Difficulties
London South Bank University	LLU+ Postgraduate Diploma in Adult Dyslexia, Diagnosis and Support M Level (7)
Oxford Cambridge and RSA Examinations	OCR Level 7 Certificate in Assessing and Teaching Learners with Specific Learning Difficulties (Dyslexia)

For additions check the SASC and BDA websites

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

The SpLD Assessment Standards Committee (SASC) leads in implementing a number of the recommendations contained in the report of the SpLDs Working Group. 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.

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/or STEC can be found on the SASC website at www.sasc.org.uk or Email: info@sasc.org.uk.

Annex 2

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

National Association of Disability Practitioners (NADP)

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 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)

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: admin@nnac.org

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

Tel: 01432 376 630

Association of Study Aids and Study Strategies Assessors (ASASA)

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

Disability Rights UK

Disability Rights UK (formerly Disability Alliance) is a national charity which promotes opportunities for disabled people in higher education. It can provide information and advice to disabled students and the people who work with them. They are 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. Their Information Service team can answer enquiries and supply information booklets on a range of subjects, such as ‘

Key titles relating to higher education are:

- Into Higher Education – a comprehensive guide to higher education for disabled students (produced annually);
- The Co-ordinator's Handbook (for Disability Advisers).
- Applying to Higher Education: Guidance for Disabled People, and
- Funding Higher Education for disabled students in higher education.

All of Disability Rights UK information booklets are also available on their website at: www.disabilityrightsuk.org.uk. Disability publications and information booklets are also available from the online Bookshop at <http://www.radar-shop.org.uk/> or by contacting Disability Rights UK. Telephone 0800 328 5050, text phone 0800 068 2422, email skill4disabledstudents@disabilityrightsuk.org