

# DDA part 4

## THE DISABILITY DISCRIMINATION ACT PART 4 – EDUCATION

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### WHAT IS THE DDA PART 4?

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Disabled people now have a legal right to fair treatment in education on grounds of disability.

Higher Education Institutions (HEIs) have a legal responsibility to anticipate the needs of disabled students and where possible put reasonable adjustments in place prior to an individual requiring these. HEIs should also proactively seek to ensure that its services do not provide any unnecessary barriers for disabled students and must not treat a disabled person 'less favourably' than a non-disabled person for reasons related to his/her disability without 'justification'.

HEIs are required to make 'reasonable adjustments' to ensure that a disabled student is not placed at a substantial disadvantage and need to make adjustments that involve the provision of auxiliary aids and services.

From September 2005 Universities are required to make adjustments to physical features or premises where these put disabled people or students at a substantial disadvantage.

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### WHAT DOES IT COVER?

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- It affects everyone involved in delivering post-16 education, including all lecturers and teachers.
- Disability is defined as a physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities. It includes, for instance, dyslexia.

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- Students need to be given every encouragement and opportunity to disclose disabilities, but if they choose not to, and the institution could not be expected to realise the student has a disability or have anticipated their needs, then a case of discrimination might not be legally upheld. However, if a student discloses their disability to one person (eg a lecturer) then the institution is deemed to know about it.
- The DDA part 4 affects all services provided wholly or mainly for students/applicants including admissions, course content, teaching arrangements, development and provision of materials, work placements and visits and support services.

Please seek advice from your institution outlining what steps you should take if a student tells you about their disability.

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### HOW DOES THE DDA PART 4 AFFECT YOU?

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- Lecturers are expected to anticipate the needs of students with disabilities, to ensure that all reasonable adjustments are made to avoid discrimination (eg in support, teaching, providing materials etc).
- If a disabled student feels they have been the subject of discrimination, even by a visiting lecturer giving a one-off talk, they can take legal action against the institution. It is therefore everyone's responsibility to be aware of the additional requirements of disabled students, as well as to avoid discriminatory practices and language.
- It's a good idea to keep written records of any action taken concerning students requiring disability related adjustments. These records should be kept up to date, and relevant issues should be brought to the attention of full-time staff, respecting issues around confidentiality.

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### FOR MORE HELP OR INFORMATION

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If you would like advice, help or further information, contact your institution's Disability Officer, or Skill – National Bureau for Students with Disability [www.skill.org.uk](http://www.skill.org.uk) or TechDis at [www.techdis.ac.uk](http://www.techdis.ac.uk).