



UNIVERSITY COLLEGE  
OF ESTATE MANAGEMENT

# **UCEM Code of Practice**

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## Neurodiversity, Disability and Wellbeing

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# 1. Introduction

- 1.1 The Disability and Wellbeing Team provide information advice and guidance to prospective and current students on the support and reasonable adjustments that could be provided during their studies. All students can contact the Disability and Wellbeing Team at any stage of their studies.
- 1.2 This Code of Practice Chapter provides a framework for the implementation of reasonable adjustments to support students with a disability or neurodiversity. UCEM aims to ensure that all students achieve their full academic potential and that no student is disadvantaged because of a disability, neurodiversity or health condition.
- 1.3 UCEM has a duty to anticipate reasonable adjustments in the design of its programmes and their assessment, and in the development and provision of other facilities and services that support students and their learning. A reasonable adjustment is a reasonable variation or alteration made to UCEM processes so that a disabled student can access without disadvantage the higher educational opportunities of UCEM, as an online institution, without compromising the expected academic standards. There is no duty on UCEM to make adjustments to genuine academic competence standards.
- 1.4 UCEM is subject to the Equality Act 2010 (the “Act”). The Equality Act 2010 requires that UCEM pays due regard to the need to: “advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it”.
- 1.5 The Act confirms that a person has a disability if:
  - a) they have a physical or mental impairment; and,
  - b) the impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.
- 1.6 According to the Act, the effect of an impairment is a long-term effect if:
  - a) it has lasted at least 12 months;
  - b) the period for which it lasts is likely to be at least 12 months; or
  - c) it is likely to last for the rest of the life of the person affected.
- 1.7 The Act (section 20) confirms the following requirements for reasonable adjustments:
  - (i) where a provision, criterion or practice (of an institution) puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to avoid the disadvantage.
  - (ii) where a physical feature puts a disabled person at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to avoid the disadvantage.
  - (iii) where a disabled person would, but for the provision of an auxiliary aid, be put at a substantial disadvantage in relation to a relevant matter in comparison with persons who are not disabled, to take such steps as it is reasonable to have to take to provide the auxiliary aid.

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- 1.8 Neurodiversity refers to the different ways the brain can work and interpret information. It highlights that people naturally think about things differently. UCEM recognises autism spectrum disorders, ADHD, and specific learning difficulties as examples of neurodiversity
- 1.9 UCEM is also committed to operating within the precepts set out in [Quality Assurance Agency \(QAA\) Quality Code \(opens new window\)](#) for the assurance of academic quality and standards in higher education which relates to its treatment of disabled students.
- 1.9 Equality of opportunity involves enabling access for people who have differing individual requirements as well as eliminating arbitrary and unnecessary barriers to learning. In addition, disabled students and non-disabled students are offered learning opportunities that are equally accessible to them, by means of inclusive design wherever possible and by means of reasonable individual adjustments wherever necessary.
- 1.10 The Data Protection Act 2018 and General Data Protection Regulation (GDPR) define information about a person's physical or mental health to be sensitive personal data (or "special categories of personal data" under GDPR). The information must be treated even more carefully in terms of whether, and why, it needs to be collected and who can have access to it. This data is requested for specific purposes and will not be used for any other purpose. Nor will sensitive personal data be released to a third party without the student's consent, unless it is necessary to protect the vital interests of the student or another person. Students' sensitive personal data will only be kept for as long as it has a purpose. UCEM's [Data Protection Policy and Privacy Policy \(opens new window\)](#) set out how this information is collected and how it can be used.

## 2. Responsibility

### UCEM

- 2.1 The Disability and Wellbeing Team has primary responsibility for working with individual students with disabilities and neurodiversity in advising on their support needs and recommending an appropriate course of action.
- 2.2 If a student does not have a diagnosed disability or neurodiversity the Disability and Wellbeing Team will work with them to answer any queries, signpost to external services, or provide support with accessing an assessment or diagnosis.
- 2.3 The Disability and Wellbeing Team must respect the dignity and confidentiality of a student disclosing a disability or neurodiversity. Information will not be disclosed further without the student's prior written consent and if this consent is given, any further disclosure will be on a need to know basis. Confidentiality must be broken in cases where failure to do so might put at risk the health and safety of the student or others, in keeping with the [UCEM Safeguarding Procedure \(opens new document\)](#).

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- 2.4 Should a student disclose to a member of staff at UCEM or should a member of staff become aware of a student with a disability or neurodiversity, written consent to share the information will be required before it can be passed to the Disability and Wellbeing Team. Students should be aware that when applying for mitigating circumstances a member of the Disability and Wellbeing Team will be notified of any cases regarding neurodiversity, disability, and wellbeing. A member of the Team will also be present at Mitigating Circumstances Committee meetings.
- 2.5 All information regarding disability is treated as sensitive and is not shared with another party without the student's consent, unless there is a genuine safeguarding concern, in which case information will be shared on a need to know basis in keeping with the UCEM Safeguarding Procedure. The Disability and Wellbeing Team uses a Case Management system to ensure that information regarding a student's disability is kept confidential.
- 2.6 Where additional support funding is being claimed through The Education and Skills Funding Agency (ESFA), UCEM monitors the students' needs and their use of the support provided.
- 2.7 Where information needs to be shared for the provision of student support the Disability and Wellbeing Team use UCEM's data management systems to share relevant information with appropriate staff, in accordance with the student's additional support plan.
- 2.8 UCEM is committed to supporting student wellbeing and recognises that a positive approach to managing physical and mental health is crucial to a student's learning and overall academic achievement. UCEM also recognises there are sometimes circumstances where it is in the best interest of the student for them to stop studying, either temporarily or permanently. In such circumstances UCEM may initiate the [Fitness to Study Procedure \(opens new window\)](#).
- 2.9 UCEM as an institution accepts overall responsibility for implementation of this Code; however individual students are required to abide by the principles set out below.

### STUDENT

- 2.10 Students are encouraged to disclose their disability, neurodiversity, or any other need for additional support at the application stage. In addition, the Disability and Wellbeing Team will make students aware of the service at appropriate times during the semester, so that support can be discussed. It should be noted that where a student chooses not to disclose a disability it is more difficult for UCEM to comply with its legal obligations under the Equality Act.
- 2.11 Students need to comply with UCEM procedures for determining and implementing their support and adjustments. Reasonable adjustments cannot be delivered unless a disability or neurodiversity is disclosed, appropriate evidence provided, and consent given for dissemination of necessary information to a limited number of individuals on a 'need to know basis'.
- 2.12 If a student does not have a diagnosis but is concerned their studies may be being adversely affected by a suspected disability, neurodiversity or health condition they are encouraged to contact the Disability and Wellbeing Team as soon as possible for advice and guidance.

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- 2.13 If the needs of a student change after they have signed an additional support plan, they are encouraged to notify the Disability and Wellbeing Team as soon as possible. If the student, no longer feels they require an additional support plan they must confirm this by signing a Cancelled ASP Disclaimer form, this must be requested in writing from the Disability and Wellbeing Team through Student Central.
- 2.14 For information on what is considered as appropriate diagnostic evidence please refer to the [Neurodiversity, Disability and Wellbeing procedure document](#). Any further queries should be emailed to [disabilitysupport@ucem.ac.uk](mailto:disabilitysupport@ucem.ac.uk).
- 2.15 Students are also encouraged to refer to the [Student Charter](#), specifically to those points referring to their responsibilities as a student.

### 3. Accessibility

- 3.1 As an online provider of education UCEM does not have a physical campus. If external premises are used for events, such as workshop or graduation ceremonies, the Disability and Wellbeing Team will work with students to ensure that they are able to access these sites or make alternative arrangements.
- 3.2 UCEM is committed to making its website and materials accessible, in accordance with the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018. More information can be found on individual sites accessibility statements.

### 4. Admissions

- 4.1 UCEM does not discriminate on the grounds of disability. Information about the requirements of individual courses is available in the prospectus and through the website. Students should refer to the [Code of Practice: Admissions and Recognition of Prior Learning Chapter \(opens new window\)](#).
- 4.2 The Disability and Wellbeing Team offers advice and guidance to any person with a disability, neurodiversity or health condition as well as anyone with queries regarding disability and wellbeing support who is considering studying with UCEM.

### 5. Reasonable Adjustments

- 5.1 A reasonable adjustment is a reasonable variation or alteration made to university processes so that a student with a disability, neurodiversity, or wellbeing issue can access the educational opportunities of the institution without compromising the expected academic or professional standards. There is no duty on UCEM to make adjustments to genuine competency standards.
- 5.2 UCEM has a duty to make anticipatory reasonable adjustments through an inclusive and accessible learning and teaching environment.

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- 5.3 When a disability, neurodiversity, or wellbeing issue is declared at the admissions stage, or at any time during their study with UCEM, the student will be contacted by the Disability and Wellbeing Team and offered support in identifying needs and drawing up an Additional Support Plan, if appropriate. Where the student has declared a disability, neurodiversity, or wellbeing issue on their application form, they will be contacted within 10 working days of them receiving their offer letter.
- 5.4 For students with disabilities as defined by the Equality Act 2010, adjustments are only made from the point at which a signed Additional Support Plan is returned
- 5.5 At this stage the Disability and Wellbeing Team will provide the relevant Academic staff with access to the information within the students Additional Support Plan.
- 5.6 A new Additional Support Plan must be put in place for any new programme of study undertaken by the student.
- 5.7 Reasonable adjustments, including consideration of alternative form of assessment, will be determined on a case by case basis. The support offered will vary according to the student's individual needs.
- 5.8 Reasonable adjustments are made on the basis of identifiable evidence verified by the Disability and Wellbeing Team. It should be noted that reasonable adjustments a student may have had at a previous educational institution prior to their starting a programme of study at UCEM will not necessarily be adopted.
- 5.9 Once all reasonable adjustments have been arranged, normal academic, general, and assessment regulations will apply.
- 5.10 Although short term health conditions are not specifically referred to in the Equality Act 2010, UCEM will take an empathetic approach to significant and properly verified short term conditions. This Code of Practice defines a "short term condition" as any condition not covered by the definition of a disability as defined by the Equality Act 2010. If reasonable adjustments cannot be made for a short-term condition, the student should submit mitigating circumstances.
- 5.11 The UCEM Mitigating Circumstances procedure be used in cases where it has not been possible to make reasonable adjustments, or the reasonable adjustments implemented were not sufficient. [The Mitigating Circumstances Procedure \(opens new window\)](#) should be consulted in addition to this Code of Practice.

## 6. Staff Development

- 6.1 UCEM ensures that all staff involved with disability, neurodiversity and wellbeing provision are informed and clear about their roles and responsibilities.
- 6.2 All UCEM student support staff receive an induction with the Disability and Wellbeing Team, so that they are fully aware of the support that is offered and are able to refer students to the Team, when required. Advice from the Disability and Wellbeing Team is available to all UCEM staff throughout the year.
- 6.3 All academic staff receive ongoing training, advice and briefing throughout the year
- 6.4 The Disability and Wellbeing Team is committed to CPD and ensure that they remain informed about current internal and external policy, procedures and guidelines.

## **7. Monitoring, Review and Student Feedback**

- 7.1 The Disability and Wellbeing Team monitors and tracks supported students during each semester. It also provides and outcomes-based report for each academic programme.
- 7.2 Student feedback on the service is collated annually and forms part of the Disability and Wellbeing Service annual report which is reviewed by the Quality Standards Enhancement Committee.
- 7.3 Students in turn are informed of developments and improvements to the service which are made as a result of their feedback.
- 7.4 The Code of Practice is reviewed four yearly by the Quality Standards Enhancement Committee.



## Appendix A Related Policies

This policy should be read in conjunction with the following:

- [UK Quality Code, Advice and Guidance: Enabling Student Achievement \(opens new window\)](#)
- [OfS \(2020\) Effective Practice in Access and Participation \(opens new window\)](#)
- [UCEM Code of Practice \(opens new window\)](#)
- [Neurodiversity, Disability and Wellbeing Procedure \(opens new window\)](#)
- [Privacy and data protection policy \(opens new window\)](#)
- [Student Charter \(opens new window\)](#)
- [UCEM Code of Practice: Equality and Diversity \(opens new window\)](#)
- [Code of Practice: Admissions and Recognition of Prior Learning \(opens new window\)](#)
- [Code of Practice: Safeguarding and Prevent \(opens new window\)](#)

## Appendix B Benchmarked Policies

[QAA \(2013\) UK Quality Code for Higher Education. Part B: Assuring and Enhancing Academic Quality. Chapter B4 Enabling Student Development and Achievement \(opens new window\)](#)

[OIA \(2017\) The Good Practice Framework: Supporting Disabled Students \(opens new window\)](#)

[University of Surrey Disability Policy \(opens new window\)](#)

[University of Kent Disability Policy \(opens new window\)](#)