

A practical briefing guide for reception, administrative and clerical staff in the further and higher education sectors.

Please note that this briefing guide is not a complete and authoritative statement of the law and does not provide definitive guidance on the practical implications of SENDO.

Introduction

The Special Educational Needs and Disability (Northern Ireland) Order 2005 (SENDO) applies to schools, universities and colleges, including teacher training and agricultural colleges. For the purposes of this guide all of these bodies shall be referred to as the '**institution**'.

Throughout this guide the term '**disabled student(s)**' is used to cover all disabled students including; full time, part time, international, adult learners, outreach and prospective disabled student(s). The term '**all staff**' includes full time, part time, temporary, permanent, contract, agency and outreach staff either directly or indirectly employed by the institution.

What is disability discrimination under SENDO?

SENDO places new duties not to discriminate against **all staff** and bodies responsible for the provision of education and associated services, admissions and expulsions/suspensions. The new duties can be summarised as follows:

- Not to treat disabled students and prospective disabled students **less favourably** (for a reason relating to their disability) than it treats, or would treat, a person to whom that reason does not or would not apply (without justification). **Victimisation** is also covered.
- To make '**reasonable adjustments**' to ensure that disabled students are not placed at a substantial disadvantage compared to students who are not disabled.

What impact will SENDO have on reception, administrative and clerical staff?

SENDO states that it is unlawful for institutions to discriminate against disabled students in their access to education and related services. This applies to **all** members of staff within the institution, i.e. full-time, part-time, permanent and temporary, based on or off the campus.

Reception, administrative and clerical staff should be prepared to make reasonable adjustments for disabled students and not treat a disabled student less favourably, as required under SENDO.

Anticipating and making reasonable adjustments

The duty to make reasonable adjustments is both an **anticipatory** and a **reactive duty**. The purpose of adjustments is to ensure that disabled students are not substantially disadvantaged compared to non-disabled students.

The reception area is often the first point of contact for all students that enter the institution. Nearly all students will use the administrative and clerical services within the institution at some stage during their time there, such as to pay for tuition fees or request an educational maintenance allowance form.

In providing reception, administration and clerical services, staff must be prepared to make reasonable adjustments to ensure that disabled students can access these services.

The most common reasonable adjustment that reception, administrative and clerical staff will have to make is to provide materials, such as information booklets and prospectus, in alternative formats.

The institution should have policies, practices and procedures in place to ensure that all material can be made available in alternative formats such as large print, Braille or audio etc, in a timely manner. If a disabled student makes a request for an alternative format, it should be provided within a short turnaround time.

There is also a number of other important reasonable adjustments that reception, administrative and clerical staff may consider.

These can include:

- Ensuring that staff make use of **low level desks** and counters at reception so that staff can talk face-to-face with disabled students who use a wheelchair.
- Providing leaflets to inform disabled students on how they can obtain material in **alternative formats** and the time scales involved.
- Asking **all** students who request forms or prospectus etc. if they would like a copy in an alternative format and providing it.
- **Distributing leaflets** on how disabled students can access the disability and learning support services within the institution.
- Checking that a **loop hearing system** is installed at the reception area. Remember that you should know how to **use** the system otherwise it will be an ineffective aid.
- Ensuring that when putting up urgent **notices** or signs, they are produced in contrasting colours using text in a size of at least 14 Arial font. Also, avoid using whiteboards and hand-written notices.
- Helping to ensure the institution is accessible at all times with **no obstacles** blocking doorways or corridors.

Case Study 1

A student with a visual impairment hands in her assignment to a school administrator in disk format because she uses a font size 18 to write assignments and it would be unreasonable to print the document out. She has arranged with her tutor that this is the most convenient way for her work to be assessed because he can resize the document on disk format.

The administrator refuses to accept her assignment and states that all assignments must be handed over in printed format. This is likely to be unlawful.

Case Study 2

A disabled student who is blind enters the reception area of a university with an assistance dog. The receptionist tells the student that he must leave the dog outside as it is the university's policy not to allow pets onto campus. This is likely to be unlawful.

Both Case Studies 1 and 2 highlight how lack of awareness of policies and apparent minor incidents can cause potential discrimination against disabled students.

- In Case study 1, the reason why the disabled student produced her assignment in disk format was directly related to her disability. The administrator failed to make the reasonable adjustment necessary in not accepting the assignment in disk format.
- In Case study 2, the receptionist assumed that the assistance dog was a pet and not an aid to the disabled student and therefore failed to make the necessary reasonable adjustment. Assistance dogs are working dogs and not pets. All staff should be aware of the institution's policy on allowing assistance dogs onto campus.

Anticipating and making reasonable adjustments for disabled students can help avoid complaints of disability discrimination.

Communication is also a **key factor** to ensure that the institution is accessible to disabled students.

By talking to disabled students and to staff who have experience working with disabled students, reception, administrative and clerical staff can improve the accessibility of their service to disabled students.

Reception, administrative and clerical staff should seek **training** in communicating with disabled students. This might include training in:

- British or Irish Sign Language;
- the use of telephone systems, such as text phone and type talk (a service that deaf or hard of hearing students may use);
- meeting the needs of students who are visually impaired;
- disability etiquette.

In many cases, a disabled student may **not** disclose his/her disability to the institution. This may be because he/she has their own coping mechanisms and feel they don't need any additional support or are embarrassed about his/her disability and feel it could jeopardise a place on a course.

Given the direct contact that **many** reception, administrative and clerical staff **will** have with disabled students it is possible that a disabled student could disclose their disability to such staff.

Under SENDO, once one member of staff knows about a student's disability then the institution is deemed to have knowledge that the student is disabled.

It is recommended that you make yourself aware of the **disability** or **learning support services** available within your institution. You should advise disabled students who disclose their disability how to contact the service. You can also use the service as a support for making reasonable adjustments and understanding the issues surrounding disability.

However, in some cases of disclosure the disabled student may ask you **not** to pass on the knowledge that you have of his/her disability. The disabled student has this right to **confidentiality** and it should be respected. You can encourage the student to seek further support but you cannot enforce it.

The institution should have a **policy** and **procedure** for recording a disabled student's wish to either disclose the details of their disability or their request to keep the existence of their disability confidential. Once recorded, this information should be stored in a secure place in order to **maintain confidentiality**. As an institution is deemed to have knowledge of a student's disability once one member of staff is informed, these records may be referred to in the future for the purposes of making reasonable adjustments.

In situations such as these you should seek to make a reasonable adjustment for the disabled student. Discuss with the disabled student how you can make a reasonable adjustment but ensure the student is aware that their request for confidentiality may limit the support you can offer. By doing this you are striving to make the institution accessible, without affecting a disabled student's right to confidentiality.

In some cases, it is possible that when a disabled student discloses a disability to you, a perceived **health and safety risk** to the disabled student, to other students or to staff within the institution is identified. It is essential that all staff make themselves aware of the institution's policies, practices and procedures on health and safety. If you have any concerns you should speak directly to your line manager.

Where can I get more advice and information?

It is essential that **all staff** are aware of their duties under SENDO. Contact the **staff development officer**, the **learning support** or **disability services** at the institution for advice and support.

You may also contact the following organisations for advice and support:

Equality Commission for Northern Ireland

Equality House
7 – 9 Shaftesbury Square
Belfast
BT2 7DP
Telephone: 028 90 500 600
Textphone: 028 90 500 589
Fax: 028 90 248 687
Email: information@equalityni.org
Website: www.equalityni.org



Skill NI National Bureau for Students with Disabilities

Unit 2
Jennymount Court
North Derby Street
Belfast
BT15 3HN
Telephone/ Textphone: 028 90 287 000
Fax: 028 90 287 002
Email: info@skillni.org.uk
Website: www.skillni.org.uk



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