

Barrier Breaking Approaches to Disability in eca

Models of Disability

Learning Profiles

Disability Disclosure

Flow of Disability Legislation

1975 United Nations (UN) Declaration of Rights of Disabled Persons

1993 United Nations (UN) Standard Rules on Equalities of Opportunities for Persons with Disabilities accepted internationally.

Rule 18.

The rights of organisations of persons with disabilities to represent persons with disabilities at nation-wide, regional and local levels. States should recognise the advisory roles of organisations of persons with disabilities in decision making on disability matters.

Rule 6.

States should recognise the principle of equal primary, secondary and tertiary educational opportunities for children, youth and adults with disabilities, in integrated settings. They should ensure that the education of persons with disabilities is an integral part of the educational system.

1995 UK Government Response - Disability Discrimination Act (DDA)

2001 amended to incorporate FE/HE with Special Educational Needs and Disabilities Act (SENDA)

Local Government - Scottish Executive initiatives
Partnership Agencies local and national

Institutions

Providers of goods and services (education)

Individual duties and responsibilities

The social model of disability

eca Student Services policy towards disabled people is guided by an acceptance of the social model of disability. This enabling model shows that if we are disabled or become disabled:

“Disability” is not an individual problem.

We can't compete on equal terms because there are too many barriers

We need to recognise that society (through Government and its agencies) has a duty to remove these barriers

Disabled people have the right to full equality as do all other citizens.

The medical model of disability

eca Student Services does not accept this view of disability which implies that if we are disabled (or become disabled):

we are the problem

our disability needs curing

we can't make decisions about our lives

we need professionals to look after us

we can never be equal to a non-disabled person

What to do when you get a student's Learning Profile.

Learning Profiles are written in response to a student's disclosure of a disability, condition or impairment. They are written by the Student Services Disability Co-ordinator in consultation with the student. The notes on data protection included in the document are discussed and deemed understood by the student before they are sent.

In line with the Data Protection Act (DPA) the purpose of the document is explained to its recipients at the end. It is important that anyone who receives a Learning Profile reads the DPA clauses and understands their duty regarding confidentiality.

Different schools have different procedures for handling Learning Profiles. They are only emailed to one named person in each school. Some Heads of Schools prefer to receive this themselves so it is emailed directly to them. Others have requested that the information be emailed to their school's administrator.

The important thing is that every school has some system in place and is responsible for ensuring that Learning Profiles are circulated to others "concerned with the student's learning environment or experience" that needs to know. The following is an example of a Learning Profile:

eca Learning Profile

Date: 14/01/04

Name

Student Number

Course First Year Art and Design Year 1

C.C Registry 08 Matthew Rampley, Birgitte MacDonald,
Tim O'Reilly Bennett (Main Library)

Student's strengths...

... is committed to her studies and keen to find solutions to difficulties that are presented by a condition which affects her back. She has back pain which can be exacerbated by prolonged sitting or having to lift heavy objects. At times ... may not be able to attend her course due to pain or medical appointments.

The following adjustments are recommended

- Staff must satisfy themselves that ... has received and understood important information.
- A flexible approach should be taken to ... attendance. At times when her condition prevents her from attending college she may still be able to participate in other ways and alternatives such as working from home or via internet should be explored with her.
- A flexible approach should be taken to deadlines for submitting work
- A named person should be identified within ... department whom she can liaise with when she is unable to attend.
- Tables must be available and adjusted so that ... can work at the right height.
- ... must have access to a lockable area close to where she will be working to minimise the effects of lifting and carrying objects and materials for any distance.
- At times ... may require a personal assistant to work with her under her direction. This should be permitted if requested

The following DPA notes are attached to all Learning Profiles to remind recipients that they must treat the information they have been sent as confidential.

Data Protection Information (see below)

The purpose of the above information is to prevent discrimination against the student because of their disability and to recommend adjustments for them, which could be considered reasonable under the terms of the Disability Discrimination Act (DDA).

This student understands that this information may be retained for five years and that it is only accessible to academic, administrative and support staff that need to know.

It is the responsibility of the Head of School to circulate this learning profile to appropriate members of staff or others who need to know including:

tutors, supply tutors, lecturers, visiting lecturers, technicians, field trip organisers, study tour organisers, organisers of student placements abroad, external examiners or anyone else concerned with the student's learning environment or experience.

This information must not be disclosed to anyone outside Edinburgh College of Art, for example potential future employers without further permission from the student.

If any further information is required please contact Jay Kirkland
6202/6023 j.kirkland@eca.ac.uk

What to do if a student discloses a disability to you.

An important aspect of the Disability Discrimination Act (DDA) is the responsibility it places on individuals working at eca when a student tells them of a disability, condition or impairment. If that happens the whole institution is deemed to know about the disability and is therefore responsible for providing reasonable support.

It is important to understand this and know what action it is appropriate to take if you are given such information.

Firstly it is important to confirm whether or not the information can be passed on. Of course it is necessary to respect a person's request for confidentiality however it would be unwise to guarantee this, as there are some legal situations that could require you to break confidentiality. When a person requests confidentiality they must be made aware of this.

If other people who work in the college are not informed that a student has specific requirements it is likely to mean that some forms of reasonable adjustments may not be made for them. Students should be made aware of the benefits of other people being told of their support requirements on a need to know basis.

Wider disclosure through the Student Services Disability Co-ordinator should be encouraged. The Disability Co-ordinator will work with the student to identify who needs to know about their support requirements and to make sure that these people are informed. No action is ever taken without the student's permission. Student Services' staff will always respect the student's confidentiality.

Unless information is given "in confidence" refer the student to Student Services Disability Co-ordinator so that their support can be co-ordinated college wide. The student can then also be informed of other support and funding that may be available to them.

Disclosure

If one employee of eca knows that a person is disabled then eca is deemed to know. This means that issues of disclosure arise. It is important to understand what these are.

If a service user discloses a disability or suggests they might have an undiagnosed disability to you, and requests that you make an adjustment to your service so that they can use it you must give due consideration to their request.

The person may also request that you keep the information confidential. You may have to explain that you cannot guarantee confidentiality. It would also be important to let the person know that the college might not be able to make other reasonable adjustments if no one else is to know about their disability.

If the person is a student you can refer them to the Student Services Disability Co-ordinator who will co-ordinate making reasonable adjustments for them throughout the college.

Next to canteen in Hunter Building.
0131 221 6023
email ss@eca.ac.uk
pop in and make an appointment