



Department
for Business
Innovation & Skills

HIGHER EDUCATION

Disabled Students' Allowances
Consultation: Equality Analysis

DECEMBER 2015

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Introduction

Equality Duty

1. Under the Equality Act 2010, the Department for Business, Innovation and Skills (BIS), as a public authority, is legally obliged to give due regard to equality issues when making policy decisions in order to comply with the Public Sector Equality Duty (PSED). Analysing the effects on equality of the decision to rebalance the funding available to students through the Disabled Students Allowances (DSAs) and institutional support, and in certain areas reduce the funding available through DSAs, through development of an equality impact assessment is one method of ensuring that thinking about equality issues is built into the policy process, and informs Ministers' decision making.
2. BIS, as a public sector authority, must, in the exercise of its functions, have due regard to the need to:
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - Advance equality of opportunity between people who share a protected characteristic and those who do not; and
 - Foster good relations between people who share a protected characteristic and those who do not.
3. The PSED covers the following protected characteristics: age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or beliefs, and sexual orientation. As disadvantage in higher education is still apparent in connection to family income and economic status, we will also look at the impact on individuals from lower income groups.
4. We will use the terms protected group and disadvantaged group, as well as low income backgrounds, and protected characteristics. 'Protected group' is a reference to people with protected characteristics, and 'disadvantaged group' refers to groups with low participation rates more widely.

UN Convention on the Rights of Persons with Disabilities

5. In undertaking this Equality Analysis, the Department has also taken into account the United Nations Convention on the Rights of Persons with Disabilities ("UNCRPD") and in particular article 24(5) which states that parties to the Convention should ensure that persons with disabilities are able to access general tertiary education without discrimination and on an equal basis with others, and should in particular ensure that reasonable accommodation is provided to persons with disabilities.

Any queries about this Equality Analysis should be addressed to:

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Description of the policy

6. The Government provides student support to eligible students in higher education to meet tuition fee costs and to assist with living and other costs. The package of student support includes loans for tuition fees, maintenance loans and grants, and grants for students who are disabled (Disabled Students' Allowances) or who have dependants (Childcare Grant, Parents' Learning Allowance and Adult Dependants' Grant). The legislation dealing with the provision of student support to eligible students undertaking higher education courses is the Education (Student Support) Regulations 2011 (as amended).
7. The Disabled Students' Allowances (DSAs) are paid in respect of the 'additional expenditure' that a student is 'obliged to incur' to undertake a course of higher education because of a 'disability' to which they are subject. Disability in this context includes a long-term health condition, mental health condition or specific learning difficulty such as dyslexia. DSAs are paid in addition to the standard student support package. They are not means tested and do not have to be repaid.
8. DSAs are not intended to cover disability-related expenditure that the student would incur even if they were not attending a course of higher education, nor are they intended to cover study costs that any student might incur regardless of whether they are disabled.
9. Government spending on DSAs has increased annually. DSAs are being reviewed to ensure that support through DSAs is sustainable, is targeted effectively into the kinds of support that can make the most difference to students and value for money. Part of that review has been to take account of the rapid technological advances in recent years and the more common ownership of equipment such as computers, tablets and smart phones. The focus has been to determine what are now truly 'additional' costs incurred by disabled students whilst studying on a higher education course.
10. The role of government policy in providing support for disabled students has also been reviewed in light of the specific duties placed on higher education institutions by the Equality Act.¹ There is a potential overlap between the specific duty placed on institutions to make reasonable adjustments under the Equality Act and the funding provided on an individual basis through DSAs. We are proposing changes to the DSAs support to reflect the fact that higher education institutions should now be in a position to meet more consistently their obligations to provide reasonable adjustments. This will lead to a more consistent DSAs offer, as students will no longer require increased DSAs support to address a lack of support from institutions. A consultation exercise on the Government's preferred approach to the provision of DSAs from 2016/17 was run from 01 July to 24 September 2015. The responses to that consultation have informed this equality analysis and to ensure that students' needs continue to be met.

¹ <http://www.legislation.gov.uk/all?title=equality%20act%202010>

11. This Equality Analysis considers the impact of the Government's preferred option for the provision of DSAs set out in the consultation document. The proposed changes related to:
 - Funding for peripheral IT equipment
 - Funding for IT consumables
 - Funding for the additional costs of specialist accommodation
 - Funding for Non-medical helper support

12. In developing the proposals we have considered what should now be the correct balance between Government funding and what should be provided by institutions under their duty to make reasonable adjustments under the Equality Act. The proposals look at elements of DSAs-funded support that we believe are primarily the responsibility of HE providers under their legal duties to provide reasonable adjustments. The continued provision of DSAs funding in these areas does not represent value for money. The Government's proposal will see the primary responsibility for certain aspects of support transferring to HE providers. However, no changes are currently proposed in relation to the travel allowance, funding for other equipment, assistive software or for certain non-medical help support roles. In addition, DSAs support will continue to provide funding towards equipment and support which we consider to be genuinely 'additional' and above and beyond what is a general cost for students or reasonable for a higher education institution to meet.

Policy proposals

Funding for IT peripherals

13. There are a number of items of equipment that are currently routinely supplied to disabled students as a package that accompanies a computer (desktop or laptop). The equipment is supplied irrespective of the specific needs of the student and will, in a considerable number of cases, be unrelated to their specific disability or needs. For example all students that receive a computer via DSAs receive a standard bundle of non-specialist items, irrespective of needs, which includes amongst other things a carry case, riser stand, extension lead and USB hub. In addition 79% of DSA students receive a digital voice recorder to record lecture and seminars. Research undertaken by specialists in the sector found that only around two thirds of students receiving the voice recorder found it useful in their studies². This additional cost to Government represents questionable value for money and we have considered whether they should continue to be funded through DSAs as a matter of course. We propose that some items will still be funded through DSAs where a specific disability-related need is fully evidenced and justified.
14. Further equipment is regularly provided to students where its use is linked to the provision of computer equipment e.g. printers and scanners. Currently 57% of DSA students receive a device which has both printing and scanning functions. Around 20% of students receive a standalone printer and most of these students also receive a standalone scanner. There are a variety of ways in which the need for individual hard copy or scanned materials can be reduced, including the provision by their HE provider of alternative format publications and long library loans. Institutions' printing services also have a role here. We propose that such equipment will no longer be routinely funded through DSAs, unless alternatives are not possible.

Funding for IT consumables

15. The consequential effect of the removal of funding for personal printers and hard copy materials will reduce the expectation of a personal allowance for printing costs. The expectation of improved library services extends to printing and scanning services where required by disabled students.
16. It is proposed that students will no longer be recommended funding for consumables as a matter of course and that alternative ways of meeting the need for printed documents is considered by the institution in the first instance.

Accommodation

17. DSAs funding is often requested to cover the additional costs of accommodation that arise due to the student's disability. Most commonly this relates to a student's request for en-suite accommodation.

² *Review of technology-based support to reduce the impact of note-taking difficulties on disabled students.* Abi James & EA Draffan, June 2014.

18. We have considered the specific duty under the Equality Act that is placed on institutions who provide accommodation, and their agents. In particular we have considered whether the additional costs of accommodation for disabled students, including access to en-suite accommodation, are something which institutions should consider meeting as a reasonable adjustment.
19. Some modifications to accommodation will be part of the care package arranged by the student's local authority and fall outside the scope of this document, as the cost of such modifications remain with the local authority under their continuing duties under the Care Act 2014.
20. It is our view that the extra costs associated with the provision of appropriate accommodation for disabled students does engage the Equality Act, and having done so, any extra charge related to that accommodation cannot be passed on to the student. Some costs will be covered by the local authority as part of the student's personal care package, but some costs may fall outside of that, for example where the student does not have a personal care package in place, but nevertheless requires a particular type of accommodation.
21. Once the Equality Act is engaged, we are of the view that DSAs should not be provided in order to fund the additional cost and therefore propose that DSAs will no longer be provided in such cases. We intend that this should apply to accommodation provided by institutions or their agents.
22. DSAs funding will only be available to provide funding towards the additional costs of accommodation which is not provided by the student's institution or its agent, other than by exception.

Non-Medical Help (NMH) support

23. We have considered the financial accountability of the provision of non-medical help and the type of support that is funded through the Non-Medical Help allowance. It is estimated that around £81.9m was spent on providing Non-Medical Help support to full-time undergraduate students in 2012/13³.
24. The term Non-Medical Help covers a wide range of functions, from taking notes on behalf of a student and helping students to access libraries and laboratories to providing more specialist support e.g. British Sign Language interpreters. DSAs funding currently covers the full range of services that can be classed as Non-Medical Help, up to the maximum amount that can be paid to an individual student. Non-Medical Help is also delivered in a variety of ways. Some institutions provide Non-Medical Help support through in-house teams of staff, others have entered into arrangements with single Non-Medical Help provider organisations and some leave the identification and selection of Non-Medical Help support staff to the DSAs study needs assessors.
25. The Equality Act imposes a duty on institutions to take reasonable steps to provide auxiliary aids or services where not doing so would put disabled students at a substantial disadvantage compared with students who are not disabled. We have considered what this duty might mean and how that duty might be viewed in relation to the provision of DSAs.

³ The non-medical help allowance included expenditure on study needs assessments in 2012/13.

26. We recognise that many students require very specialist help or a range of help, as they have a high level of support requirements, for example where they have more than one impairment. However, there are many students whose requirements might require a much lower level of response. Some students may be sufficiently assisted simply by changing the way in which course materials are delivered or improvements in the accessibility of resources, for example improved library services or the provision of electronic books could remove the need for students to scan or purchase their own hard copies of books. The provision of accessible computer rooms, including quiet rooms, could remove the need for students to work away from the institution. Some students may find that the provision of assistive technology could remove the need for human support and enable independent, autonomous learning, for example recording devices and lecture capture technologies could remove the need for an individual note-taker in some cases.
27. Institutions are best placed to determine how courses and information might be best delivered to ensure that the majority of students can access the course without the need for specialist, individual support. We expect institutions to work towards providing inclusive methods of providing information and support, so that all students can easily access their course. We also expect institutions to consider how it can provide more individual support needed by disabled students. To this end, we propose that DSAs funding support is targeted at those students with the need for more specialist support and have identified a number of types of support that will no longer be ordinarily funded through DSAs.
28. We propose that the following areas of support will no longer be ordinarily considered for DSAs funding from 2016/17, these are generic terms but will also cover support where other descriptive terms are used, but the support is essentially the same:
- Practical Support Assistant
 - Library Support Assistant
 - Reader
 - Scribe
 - Workshop/Laboratory Assistant
 - Proof Reader
 - Study Assistant
 - Examination Support Worker
 - Manual Note-takers
 - Specialist Transcription Services
29. The majority to these changes of NMH affect support in Band 1 and Band 2. The SLC does not provide official statistics on spending by band, but a small sample of DSAs recipients provided to BIS indicates that expenditure on band 1 and 2 accounted for 8% of the total NMH spending in 2012/13 (see Table 6).

Background: Supporting disabled students to access higher education (HE)

Institutions providing higher education

30. For the purpose of this document the term 'institution' covers any institution which provides higher education courses which are designated for higher education student support purposes, including further education colleges providing higher education and alternative providers, unless otherwise indicated. Institutions providing higher education are autonomous bodies, independent from Government. They have legal responsibilities under the Equality Act 2010 to support disabled students, when they are both applying to higher education, and studying. Decisions about how to provide such support are matters for individual institutions.
31. Publicly funded institutions wanting to charge more than the basic fee level (£6,000 a year for full-time courses and £4,500 for part-time courses) need to agree access agreements with the Director for Fair Access. In access agreements, institutions set out what they will do to attract and retain disadvantaged students, including students with disabilities. This includes their targets and milestones for success.
32. Institutions are expected to have arrangements in place that can proactively meet the needs of disabled students and which can also be adapted to individual circumstances. The detailed decisions of how an institution will comply with legislation and more broadly support disabled students will be determined by the institution itself within the requirements of the law.
33. Most institutions have dedicated disability advisors in place who are responsible for helping students access the support a student may need whilst studying, in order to get the most out of their time there. An ever increasing number of disabled people apply to study in higher education each year and the processes to support these students and make sure they have an excellent learning experience are well understood and recognised by institutions.

The Disability Premium

34. *The government currently provides annual funding to publicly funded institutions, through the Disability element of the Student Opportunity Funding of the HEFCE (Higher Education Funding Council for England) grant, to help them recruit and support disabled students. This funding rose to £20 million for 2015/16, an increase of £5 million on the previous year.*

Disabled Students' Allowances

35. Published figures show that in 2012/13 56,600 full-time undergraduate students received DSAs totalling £127.6m, 3,000 part-time undergraduates received

£7.3m and 4,900 post-graduate students received £10.9m: a total DSAs spend of £145.8m⁴. Expenditure on DSAs has increased year on year.

36. A table showing the different allowance rates is at Annex 3.

Alternative providers

37. Alternative providers of higher education courses do not receive a Disability Premium as they do not receive public funding for the provision of higher education courses. Nor are alternative providers of higher education subject to Part 6 of the Equality Act which specifically covers Universities funded under section 65 of the Further and Higher Education Act 1992, Higher Education Corporations and institutions designated under Part 2 of 1992 Act. They are however covered by Part 3 of the Equality Act as a service provider and therefore likewise have a duty to make reasonable adjustments in respect of disabled persons.

The duty to make reasonable adjustments

38. Many of the proposed changes are based on the principle that institutions have duties to make reasonable adjustments for disabled students. The duties are set out in legislation. In the case of England, Scotland and Wales the relevant legislation is the Equality Act 2010 ("the Equality Act"). For Northern Ireland the relevant legislation is the Disability Discrimination Act 1995 ("the 1995 Act") and the Special Education Needs and Disability (Northern Ireland) Order 2005 ("the 2005 Order").

39. The duty to make reasonable adjustments comprises three requirements:

- where a provision, criterion or practices puts disabled persons at a substantial disadvantage compared with those who are not disabled, there is a requirement to take reasonable steps to avoid that disadvantage;
- where a physical feature puts disabled persons at a substantial disadvantage compared with persons who are not disabled, there is a requirement to take reasonable steps to avoid that disadvantage; and
- where not providing an auxiliary aid or service puts disabled students at a substantial disadvantage compared with students who are not disabled, there is a requirement to take reasonable steps to provide that auxiliary aid or service.⁵

40. The duty to make reasonable adjustments applies to various types of persons and in particular:

- responsible bodies for "Higher Education Institutions"⁶ in England, Scotland and Wales, and "Educational Institutions"⁷ in Northern Ireland (referred to collectively in this section as "HEIs");
- service providers⁸; and

⁴ Statistical first release – 27 November 2014

⁵ Section 20 of the Equality Act.

⁶ Part 6 of the Equality Act.

⁷ Part 3 of the 2005 Order.

- persons letting, managing or disposing of premises⁹.
41. The relevant parts of the legislation which apply to service providers would cover institutions providing higher education which are not HEIs. Providers of student accommodation might fall within the provisions dealing with HEIs, service providers or landlords depending on who the accommodation was being provided by and the circumstances in which it was being provided.
 42. The nature and extent of the duty varies depending on the person to whom the duty applies. The main difference is that persons letting, managing or disposing of premises do not have a duty to make reasonable adjustments to physical features of their premises.¹⁰ By contrast, HEIs and service providers must comply with all three requirements.¹¹ In addition, the duty insofar as it applies to persons letting premises etc. only arises following a request made by a disabled person.¹² In relation to HEIs and service providers the duty is anticipatory: they must proactively consider addressing any barriers which might impede disabled students from accessing the benefits, facilities and services which they offer.¹³
 43. The duty to make reasonable adjustments requires institutions to take reasonable steps to address barriers which put disabled students at a substantial disadvantage. Whether a particular step is reasonable will depend on the circumstances. A number of factors will be relevant including the effectiveness of the adjustment, the practicability of the adjustment, the impact on the student and others, the cost of the adjustment and the size and resources of the institution.
 44. We expect that in most cases institutions will have a duty to meet the additional cost of accommodation, aids and services which are no longer being met by DSAs. We do though accept that there is a risk institutions may take a different view of what those duties might look like, or might simply fail to meet their duties. The impact of that risk is that disabled students may find themselves without the appropriate support from institutions and at the same time find DSAs are no longer available. The result of that might be that students fail to achieve the outcome they are capable of, withdraw from their course or decide not to enrol for study at all.
 45. Whilst the risk of institutions failing to discharge their duties has been recognised, we are unable to quantify the extent of that risk. Engagement with institutions' sector representative bodies and individual institutions has not resulted in specific evidence that the duty to provide reasonable adjustments will not be met. However, a number of stakeholders have raised concerns that the timescale within which to implement the changes is challenging and that shifting too great a burden onto institutions might leave smaller and more specialist institutions unable to make full provision for the learning needs of their disabled students. Other institutions have provided examples of work they are

⁸ Part 3 of the Equality Act; Part 3 of the 1995 Act.

⁹ Part 4 of the Equality Act; sections 22 to 24L of the 1995 Act.

¹⁰ Schedule 4 to the Equality Act; section 24E of the 1995 Act.

¹¹ Parts 3 and 6 of the Equality Act; Part 3 of the 1995 Act and the 2005 Order.

¹² Schedule 4 to the Equality Act; sections 24C and 24D of the 1995 Act.

¹³ Although note that in Northern Ireland, there is a limited exception where the institution could not have been reasonably expected to know that the student was disabled, see article 29 of the 2005 Order.

undertaking to ensure they do discharge their duties effectively. Concerns have however been raised about the burden on those institutions with a large disabled student body and how funding streams might be altered to take account of that.

46. Whilst the removal of DSAs funding will be replaced by institutional support in some circumstances, either on a like for like basis or through alternative ways of delivering support, some institutions may determine that they are unable to provide the appropriate support. The student will have two avenues of redress. First, the student can appeal against the institution's decision that an adjustment is not reasonable. Ultimately that appeal can go to the Office of the Independent Adjudicator for higher education www.oia.org.uk. The higher education sector is being asked to improve the process for students wishing to make such an appeal.
47. Second, the DSAs system will have an Exceptional Case Process in place. DSAs study needs assessors may request Student Finance England to consider awarding DSAs funding where it would not ordinarily be available, for example where there is an expectation of institutional support through a reasonable adjustment. However, it will not be the place of this process to replace reasonable adjustments in the longer term and discussions would be undertaken with the institution to determine what action will be taken to improve the support available through reasonable adjustments. The Exceptional Case Process cannot be used for support that is specifically prohibited under the regulations. The Office of the Independent Adjudicator may consider a case concerning a disabled student's request for an adjustment and conclude that the institution has acted appropriately. In such cases DSAs funding will be considered for the longer term to ensure the student receives the support they need for the duration of their course.
48. Monitoring the Exceptional Case Process will enable BIS to consider institutions' performance in relation to the provision of reasonable adjustments and indicate where BIS expectations are not being met, and whether this is due to different interpretation of the legal duty, resourcing issues or practical delivery issues.

The Evidence Base

Introduction

49. For this equality analysis the primary sources of data are:
- HESA student record data for all UK domiciled students at UK institutions¹⁴;
 - Student Loans Company (SLC) data on the characteristics of English domiciled DSAs recipients studying at UK institutions;
 - Wider research undertaken by stakeholders and other organisations (listed in Annex 4).
50. These data sources allow us to examine the recent trends in higher education participation by students with disabilities and identify any potential impacts of the policy changes on disabled students and other groups with protected characteristics of age, ethnicity and gender. We do not have specific evidence relating to gender reassignment, pregnancy and maternity, sexual orientation and religion or belief, as data has not been collected on these groups previously. As disadvantage for those accessing higher education remains evident in higher education for those from low income households, this analysis also considers the impact of policy changes on students from less advantaged backgrounds.
51. Our analysis of the evidence base is structured as follows:
- The evidence base first reviews the participation of UK domiciled people with disabilities at UK publicly-funded institutions and their educational and labour market outcomes;
 - Secondly it sets out the trends in DSAs expenditure and the pattern of current expenditure. It also sets out evidence on publicly-funded institutions' own expenditure on access and student success for their disabled student populations;
 - Thirdly it examines the characteristics of current recipients of DSAs compared to the wider student population to ascertain whether other protected groups are over represented in the DSAs recipient group. Where possible, the evidence considers the characteristics of students that would be affected by each element of the DSAs policy change. Only English domiciled students studying at UK institutions are eligible for DSAs through the English student support arrangements. The devolved administrations offer their own package of DSAs support; and
 - Finally it examines the available evidence on the potential impact of the DSAs policy changes on those students eligible for DSAs. This includes considering the extent to which modern technology has become part of the modern higher education teaching environment, the extent to which financial support affects the

¹⁴ HESA data on protected characteristics is self-reported. The numbers of disabled students are derived from information in the student record where students declare they have a disability. This number will differ from the numbers of students having their disability assessed and awarded for DSAs purposes.

decision to participate in higher education and once in higher education the financial position of disabled students compared to non-disabled students.

Participation in Higher Education

Summary

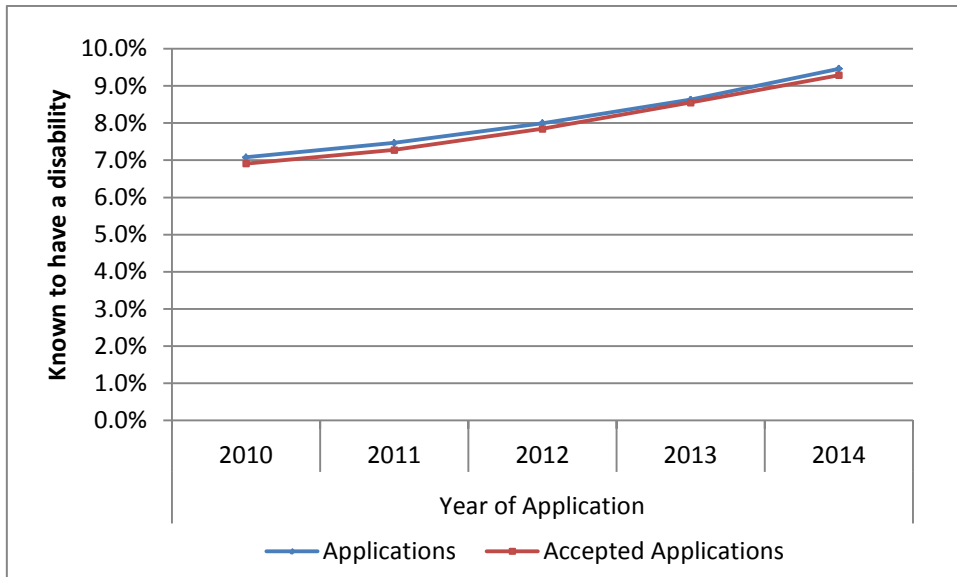
- The proportion of the UK domiciled entrants with a declared disability has been rising in recent years.
- Almost half (49 %) of disabled UK-domiciled undergraduate entrants in 2013/14 reported a Specific Learning Difficulty (SpLD).
- Students with known disabilities are more likely to study creative arts and design courses than their non-disabled peers.
- Institutions with the highest proportion of DSAs-eligible students tend to be small and specialist institutions, particularly those offering creative and land-based subjects.
- A small number of institutions have between one fifth and one quarter of their students reporting a specific learning difficulty.
- Evidence shows that students with a declared disability are more likely to continue their studies, i.e. not drop-out, than their non-disabled peers.
- Evidence suggests that DSAs are supporting student success and that DSAs recipients out-perform non-disabled students once other factors that affect educational outcomes are taken into account.
- However it is not possible to say which elements of DSAs support (travel, general, non-medical help or equipment) delivers the most effective support for students.

Trends in participation

52. Overall HESA student record data points to diminishing inequalities in higher education and improved representation from some previously under-represented groups (see Annex 1). Evidence about participation in higher education seems to indicate that there is good representation from protected and disadvantaged groups such as females and minority ethnic communities; the proportion of students declaring a disability has increased; and the proportion of young people living in the most disadvantaged areas who enter higher education has increased. These groups have traditionally been under-represented in higher education.
53. More specifically with regards to people with disabilities, UCAS data shows that the proportion of university applicants who have a self-reported declared disability has risen gradually between 2010 and 2014 (Chart 1). HESA data shows that the proportion of UK domiciled higher education entrants who have a disability has risen steadily in the past five years (Chart 2).
54. In terms of subject area, disabled students (and the sub group awarded DSAs) are just as likely as their non-disabled counterparts to study STEM subjects. Previous analysis of 2010/11 HESA data showed that 40.6% of disabled students and 42.7% of DSAs recipients studied STEM subjects, compared with 41.7% of non-disabled students. Students with known disabilities are more

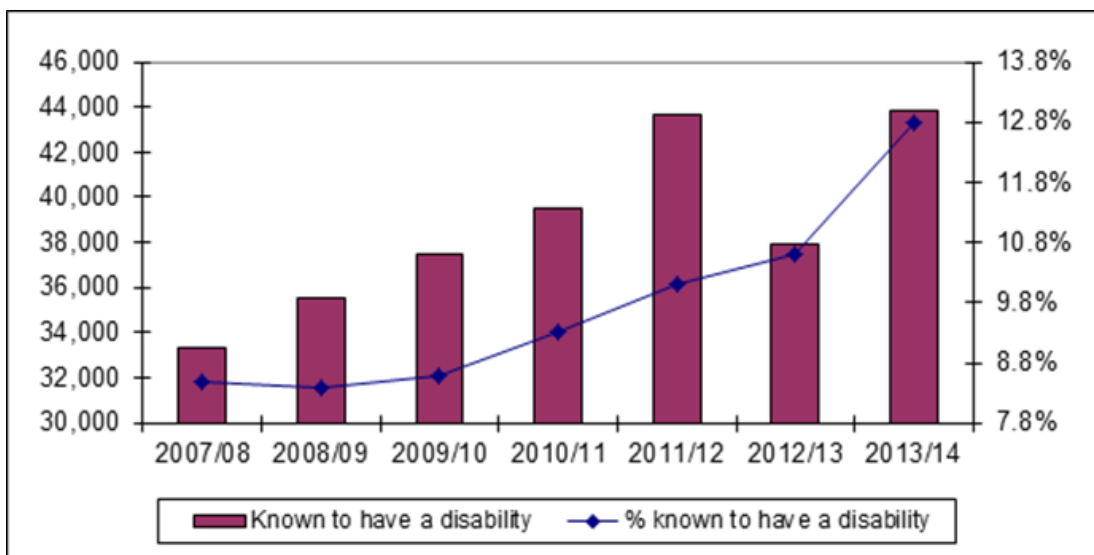
likely to study creative arts and design courses, 14.7% of disabled students (16.4% of DSAs students), compared with just 6.5% of non-disabled students. Disabled students were most under-represented in business and administrative studies: 8.2% of them (7.4% of DSAs recipients) compared with 14.9% of non-disabled students.

Chart 1: Proportion of UK full-time undergraduate student applicants and accepted applicants who have declared a disability, by year of application cycle



Source: UCAS, Annual reference tables: Disability (UK)

Chart 2: UK domiciled first year full-time undergraduate entrants to UK institutions known to have a disability

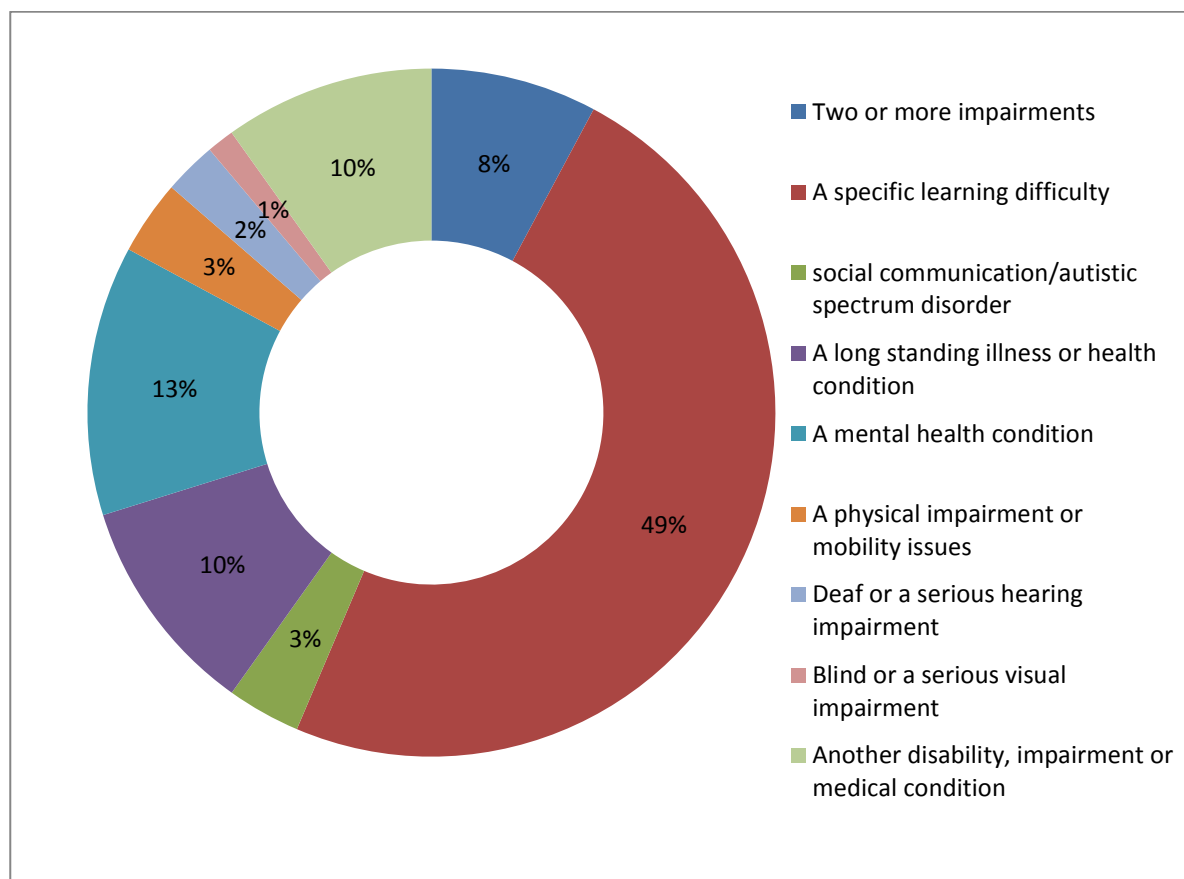


Source: HESA Table 14

Type of disability

55. Almost half (49 %) of disabled UK-domiciled undergraduate entrants in 2013/14 reported their condition as being a specific learning difficulty. Around one in ten (10.3 %) reported a long-standing illness or health condition, and around one in eight (13%) a mental health condition. Other conditions or combinations of conditions were less common (see Chart 3).

Chart 3: UK-domiciled undergraduate disabled entrants to UK higher education by type of disability



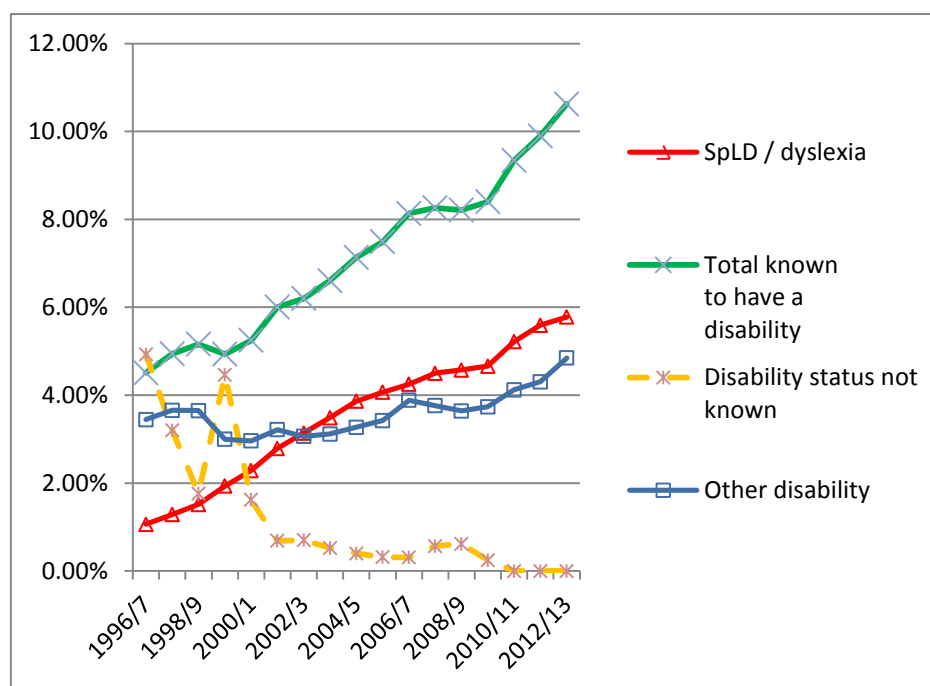
Source: HESA Table 14 - First year UK domiciled higher education students by level of study, gender, mode of study and disability 2013/14

Specific Learning Difficulties

56. The prevalence of Specific Learning Difficulties (SpLD) in the UK domiciled student population is estimated by HESA to be around 6% for full time undergraduate entrants in 2013/14 and 3% for part time entrants. Students with a SpLD represent just under half (49%) of all UK domiciled undergraduate entrants declaring a disability. Earlier HESA data only collected information on the prevalence of dyslexia, not other Specific Learning Difficulties. This data shows that the incidence of dyslexia alone amongst the full time undergraduate entrants was 3% in 2002/03, rising to 4% in 2006/07. Although not strictly comparable data, the HESA time series seems to suggest that the incidence of Specific Learning Difficulties in the undergraduate population has at least remained constant over the last decade.

57. HEFCE research¹⁵ used an institutional study approach looking at 25 institutions as case studies. This involved consultations with 200 members of staff and 150 students and Students' Union representatives. This research repeated research undertaken in 2008/09. It found that the SpLD student numbers in the sample institutions increased by an average of 38% between 2008 and 2013.
58. The British Dyslexia Association provided the graph below (Chart 4) showing the longer term trend in dyslexia/disability. It is to be noted that from 07/08 there was a definition change from dyslexia to SpLD which means the series from 96/97 to 2006/07 and 2007/08 to 2012/13 are not strictly comparable.

Chart 4: Percentage of first year students on full-time first degrees declaring a disability since 1996/7



Source: British Dyslexia Association analysis of HESA data (submitted to BIS)

Mental Health

59. A report to HEFCE¹⁶ by the Institute for Employment Studies (IES) and Researching Equity, Access and Partnership (REAP) explored institutional support provision for student with mental health problems. The research consisted of a literature review and case study visits to 12 HEIs and FECs across England. Through interviews with HEIs and FECs, the research noted staff reporting mounting caseloads with mental health problems. Staff raised concerns that disclosure rates meant that monitoring data did not accurately reflect the prevalence of mental health in the university population. Interviewees also highlighted that the needs of students are becoming more complex, as well as comorbidity of mental health problems alongside other impairments.

¹⁵ http://www.hefce.ac.uk/media/HEFCE,2014/Content/Pubs/Independentresearch/2015/SupportforStudentswithSpLD/HEFCE2015_spld.pdf

¹⁶ http://www.hefce.ac.uk/media/HEFCE,2014/Content/Pubs/Independentresearch/2015/Understanding.provision.for.students.with.mental.health.problems/HEFCE2015_mh.pdf

60. The research did not highlight the same increase in prevalence of students with multiple disabilities requiring multi agency support.
61. The increased prevalence in mental health problems has led to an increasing demand for mental health provision. The report highlighted that this was due to an increase in pre-arrival disclosure, an increase in needs emerging whilst students were at university, increasing complexity of problems and comorbidity of mental health problems alongside other impairments.
62. The report also found that some academic tutors were unclear or surprised about the nature of changes that they might need to make for students with a mental health problem, or complex disability.

Institutional variation in DSAs eligibility

63. Figures collated by GuildHE in 2014 indicated that there is wide variation in the proportion of students at each UK institution who are eligible for DSAs (Table 1). The institutions with the highest proportion of DSAs-eligible students tend to be small and specialist institutions, particularly those offering creative and land-based subjects.

Table 1: 25 UK institutions with largest proportion of full time, first degree students in receipt of DSAs, 2012/13

| Institution | Percentage of students in receipt of DSAs (%) |
|--|--|
| Total UK | 6.5 |
| Falmouth University | 30.2 |
| The Liverpool Institute for Performing Arts | 24.5 |
| Central School of Speech and Drama | 23.8 |
| University of the Arts, London | 23.8 |
| Glyndŵr University | 23 |
| Guildhall School of Music and Drama | 20.3 |
| Royal Agricultural University | 19.9 |
| Harper Adams University | 18.3 |
| The Royal Veterinary College | 18 |
| Glasgow School of Art | 17.3 |
| Trinity Laban Conservatoire of Music and Dance | 16.6 |
| Norwich University of the Arts | 16.4 |
| University for the Creative Arts | 16.2 |
| Leeds College of Art | 15.3 |
| Rose Bruford College | 15.3 |
| Conservatoire for Dance and Drama | 13.5 |
| University of St Mark and St John | 13.1 |
| Royal Northern College of Music | 13 |
| Royal Conservatoire of Scotland | 12.8 |

| Institution | Percentage of students in receipt of DSAs (%) |
|---|--|
| The University of Winchester | 12.1 |
| University of Wales Trinity Saint David | 11.9 |
| Bath Spa University | 11.7 |
| The University of Chichester | 11.3 |
| The Arts University Bournemouth | 11 |
| Newman University | 11 |

Source: GuildHE analysis of HESA data (submitted to BIS in 2014)

64. The GuildHE analysis of DSAs recipients by institution identified four institutions where the proportion of students with a reported Specific Learning Difficulties was between 20-25% of all students (Table 2).

Table 2: 25 UK institutions with largest proportion of students with a Specific Learning Difficulty, 2012/13

| Institution | Percentage of students with SpLD (%) |
|--|---|
| Total UK | 4.6 |
| Leeds College of Art | 25 |
| Falmouth University | 23 |
| The Liverpool Institute for Performing Arts | 21 |
| Royal Agricultural University | 20 |
| University for the Creative Arts | 16 |
| Norwich University of the Arts | 16 |
| Royal College of Art | 15 |
| Rose Bruford College | 15 |
| Central School of Speech and Drama | 15 |
| University of the Arts, London | 15 |
| The Royal Veterinary College | 14 |
| Guildhall School of Music and Drama | 13 |
| Conservatoire for Dance and Drama | 12 |
| Royal Conservatoire of Scotland | 12 |
| Ravensbourne | 11 |
| Trinity Laban Conservatoire of Music and Drama | 11 |
| Writtle College | 11 |
| Glasgow School of Art | 10 |

| Institution | Percentage of students with SpLD (%) |
|-----------------------------------|--------------------------------------|
| Harper Adams University | 10 |
| The University of Chichester | 9 |
| Bath Spa University | 9 |
| Bournemouth University | 9 |
| SRUC | 9 |
| The University of Winchester | 9 |
| University of St Mark and St John | 8 |

Source: GuildHE analysis of HESA data (submitted to BIS in 2014)

Student success and progression

65. Research by the National Audit Office concludes that there are many reasons for students not continuing their studies but that the most common reasons are: personal reasons, lack of integration, dissatisfaction with course/institution, lack of preparedness, wrong choice of course, financial reasons and the wish to take up a more attractive opportunity. The research looked at HESA data and showed that access to DSAs was associated with better rates of continuation. Disabled students who obtain DSAs are more likely to continue their studies than both students who declare a disability who do not receive DSAs, and those students without a disability. The research does not conclude that there is a causal relationship between DSAs and continuation rates as it doesn't control for other factors affecting continuation which may vary across the groups.¹⁷
66. The Higher Education Funding Council for England (HEFCE) report that entrants to full-time first degrees in 2010-11 who are disabled are less likely to remain in higher education (8.2% non-continuation) at the end of year one when compared to entrants who are not disabled (7.4 % non-continuation). This analysis shows that the proportion of disabled students no longer in higher education is lower than expected given the characteristics of age, subject and entry qualifications of disabled entrants¹⁸. This finding supports earlier research and multivariate analysis by the National Audit Office in 2007 which reported that "both full and part-time students who declare a disability are slightly more likely to continue than those without a (declared) disability when all other factors are held constant"¹⁹.

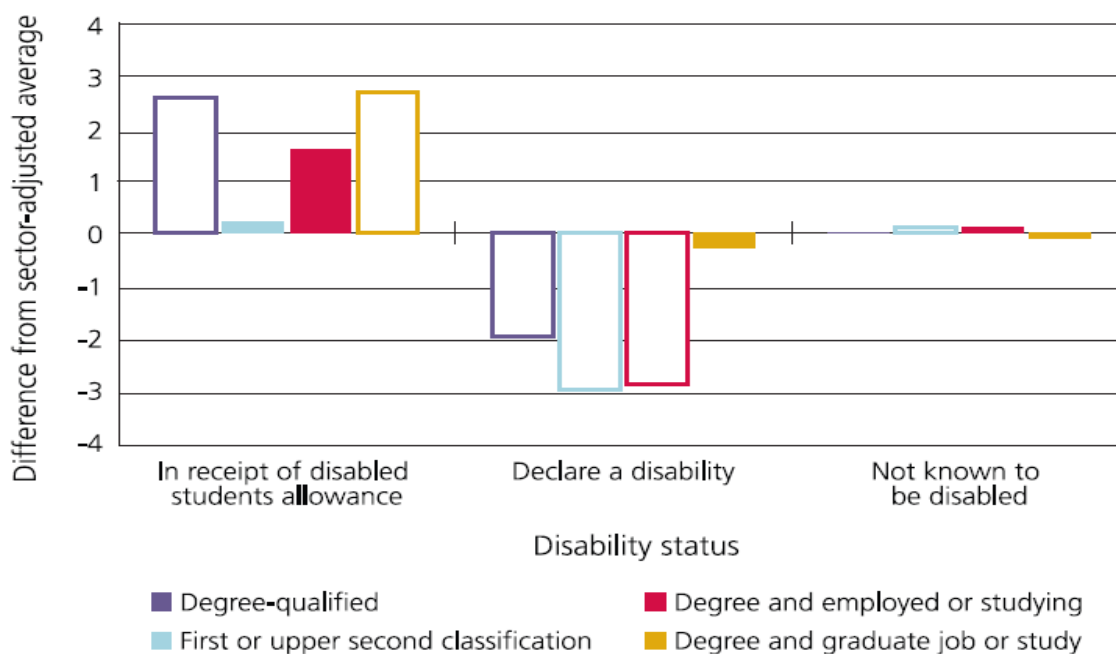
¹⁷ National Audit Office, Staying the course: The retention of students in higher education: REPORT BY THE COMPTROLLER AND AUDITOR GENERAL | HC 616 Session 2006-2007 | 26 July 2007

¹⁸ Non-continuation rates at English HEIs: Trends for entrants 2005-06 to 2010-11, HEFCE, 2013. Disability definition based on self-reported characteristics and students claiming DSAs.

¹⁹ Controls for type of institution attended, prior qualifications, course studied, gender, age, socio-economic status, HE neighbourhood participation and ethnicity. See footnote 16.

67. The HEFCE analysis shows that there are small differences in degree outcomes between those who receive DSAs, those who declare a disability but do not receive DSAs, and those not known to be disabled. The proportion of non-disabled first degree qualifiers achieving a first/2.1 is 63.8% whilst for those with a disability it is 61.2%. Disabled students who received DSAs were more likely to obtain a first class or upper second class honours degree (62.2%) than those who did not receive DSAs (60.7%). Chart 5 below shows DSAs recipients' outcomes on obtaining a degree and on progression to graduate employment or study are 2-3 percentage points above the "sector adjusted average", i.e. the outcome expected after accounting for other characteristics. Outcomes for the wider group that declare a disability are 2-3 percentage points below this average, whereas outcomes for non-disabled population mirror the "sector adjusted average".²⁰
68. An analysis of HESA data submitted to BIS by the British Dyslexia Association (Table 3) shows that degree outcomes for all groups have improved since 1996/97 but the percentage of students with SpLDs achieving a first/2.1 in their degree still lies behind students with other disabilities and students with no disabilities, but is broadly in line with the group of students in receipt of DSAs. It should be noted however that unlike the HEFCE analysis in Chart 5, this analysis is not based on sector adjusted averages that control for other differences between groups such as prior attainment, and subject studied and age.

Chart 5: Percentage point difference of the outcome from the sector-adjusted average for the four outcomes, by disability status



Source: HEFCE/OFFA's National strategy for access and student success in higher education

²⁰ HEFCE/OFFA's National strategy for access and student success in higher education, BIS, April 2014, pp.49-50

Note: Where a bar is filled in the graph, this indicates that the difference is not statistically significant.

Table 3: Degree classifications for disabled students compared to those with no disability

| 1996/7 | 1 st | 2:1 Hons. | 2:2 Hons. | 3rd | Unclassified |
|--------------------|-----------------|-----------|-----------|-------|--------------|
| Dyslexia | 3.6% | 37.0% | 44.3% | 10.4% | 4.7% |
| Other disabilities | 6.4% | 44.0% | 38.2% | 7.8% | 3.5% |
| No disabilities | 7.1% | 44.6% | 37.7% | 0.7% | 3.6% |
| Unknown | 8.2% | 45.5% | 33.5% | 8.6% | 4.2% |
| All students | 7.2% | 44.6% | 37.2% | 7.4% | 3.6% |
| 2012/13 | 1 st | 2:1 Hons. | 2:2 Hons. | 3rd | Unclassified |
| SpLD | 15.4% | 49.3% | 26.4% | 5.4% | 3.6% |
| Other disabilities | 17.2% | 53.2% | 25.0% | 2.6% | 2.0% |
| No disabilities | 18.8% | 50.9% | 22.6% | 4.0% | 3.7% |
| Unknown | 8.6% | 24.6% | 31.9% | 24.6% | 10.4% |
| In receipt of DSA | 15.7% | 48.2% | 26.0% | 5.7% | 4.5% |
| All students | 18.4% | 50.6% | 23.0% | 4.3% | 3.7% |

Source: British Dyslexia Association analysis of HESA data (submitted to BIS in 2014)

Funding and provision for students with disabilities

Summary

- Published figures show DSAs spending increased by around 44% between 2009/10 and 2012/13, from £101.3m to £145.8m. Provisional figures for 2013/14 are slightly lower than the peak seen in 2012/13.
- The majority of DSAs funding is directed to non-medical help, followed by spending on equipment.
- Funding of £20m was delivered directly to institutions by HEFCE in 2015-16 from its disability allocation to help recruit and support disabled students.
- In 2013/14 institutions invested £59m in disabled students, including outreach, progression, and support for disabled students.
- Significant improvements in the provision of support for disabled students have been made in recent years. However there is some evidence to suggest that provision across the sector may still be inconsistent.

Government funding

69. In 2012/13 a total of £145.8m was awarded to students through DSAs. Table 4 shows that total DSAs expenditure has increased by around 44% over three

years. Provisional data for 2013/14 suggests that the overall number of DSA applicants is likely to rise from 2012/13 levels.

Table 4: DSAs expenditure, number of applicants and average award amount by level and mode of study

| | Description | 2009/10 | 2010/11 | 2011/12 | 2012/13 | 2013/14 (provisional) | %age change 2009/10-2012/13 |
|-------------------------|--------------------------------------|--------------|--------------|--------------|--------------|-----------------------|-----------------------------|
| Undergraduate full-time | Number of applicants awarded ('000s) | 41.7 | 47.4 | 53.3 | 56.6 | 58.5 | 35.7% |
| | Amount paid (£m) | 87.8 | 109.2 | 125.1 | 127.6 | 126.1 | 45.3% |
| | Average award (£) | 2,110 | 2,300 | 2,350 | 2,250 | 2,160 | 6.6% |
| Undergraduate part-time | Number of applicants awarded ('000s) | 2.2 | 2.6 | 3 | 3 | 2.5 | 36.4% |
| | Amount paid (£m) | 5.3 | 6.9 | 7.9 | 7.3 | 6 | 37.7% |
| | Average award (£) | 2,410 | 2,650 | 2,630 | 2,430 | 2,400 | 0.8% |
| Post-graduate | Number of applicants awarded ('000s) | 3.5 | 3.9 | 4.7 | 4.9 | 4.9 | 40.0% |
| | Amount paid (£m) | 8.2 | 9.6 | 11.8 | 10.9 | 9.8 | 32.9% |
| | Average award (£) | 2,340 | 2,460 | 2,510 | 2,220 | 2,000 | -5.1% |
| Total | Amount paid (£m) | 101.3 | 125.7 | 144.8 | 145.8 | 141.9 | 43.9% |

Source: SLC, Statistical First Release on Student Support for Higher Education in England (27/11/2014). Note: 2013/14 figures are provisional, and liable to upward revision

70. Table 5 shows SLC's monitoring information for DSAs spend in 2012/13 (the latest available finalised data) by type of DSAs expenditure. This shows expenditure for full-time undergraduates separately for the four elements of support available: general, travel, equipment and non-medical help (NMH). The table shows that the largest area of expenditure for full-time undergraduate students was for Non-Medical Help at £81.9m, followed by equipment at £36.9m. The amount shown in this table under NMH includes expenditure on DSAs study needs assessments, estimated to be around £21m. From 2013/14 this expenditure is drawn from the general allowance.

Table 5: Disabled Students Allowance (DSA) - Full time students domiciled in England, Academic Year 2012/13

| | Description | Amount awarded (£m) | Number of applicants awarded* ('000s) |
|---------------|---------------------------|---------------------|---------------------------------------|
| Undergraduate | Full-time DSA – General | 4.9 | 24.3 |
| | Full-time DSA – Travel | 3.8 | 2.0 |
| | Full-time DSA – Equipment | 36.9 | 27.8 |
| | Full-time DSA – NMH | 81.9 | 48.8 |
| | Full-time total | 127.6 | 56.6 |

Source: SLC national statistics Supplementary Tables – Payments of DSA by DSA Type published on 21 January 2015

Note: Students will draw down from a number of allowances and therefore these figures do not equate to the sum total of students in receipt of DSAs.

71. Non-Medical Help (NMH) spending is now divided into bands: ranging from band 1, the lowest-paid helpers (such as library support assistants), to band 4, the highest paid (such as sign language interpreters). The SLC does not provide official statistics on spending by band, but a sample of DSAs recipients provided to BIS indicates that band 4 accounts for the majority of Non-Medical Help spending (see Table 6).

Table 6: Breakdown of Non-medical Helper expenditure by type of support, sample of DSAs recipients 2012/13

| Band | % of Non-medical Helper expenditure |
|---|-------------------------------------|
| Band 1 (e.g. proof reader, scribe) | 5% |
| Band 2 (e.g. exam support, study assistant) | 3% |
| Band 3 (e.g. transcription) | 6% |
| Band 4 (e.g. study skills, Assistive Technology training) | 64% |
| Band not known | 22% |

Source: Sample of 1163 DSA recipients who were new entrants to Higher Education in 2012/13, provided by the Student Loans Company

Note: includes 700 students with Specific Learning Difficulties and 463 with other disabilities

72. In addition to DSAs funding provided by the government direct to the student, funding is delivered directly to publicly-funded institutions through the HEFCE mainstream disability allocation. In 2015-16 this funding was increased by £5m to £20m²¹. This funding is provided to institutions to assist with the recruitment and support of disabled students. The funding may be used to fund a variety of support, which may include equipment, extra staff, learning aids and facilities for disabled students as well as individual funding for students with disabilities.

Institutional expenditure and provision for disabled students

73. A HEFCE review of disability provision in 2009 concluded that there had been significant developments in institutional support to meet the entitlements of disabled students since their original guidance to the sector was issued in 1999²². The research found that the vast majority of institutions were complying fully with the Disability Equality Duty (DED) legislation, with disability issues

²¹ National strategy for access and student success in higher education, OFFA and HEFCE March 2014, published by BIS

²² Outcomes of HEFCE review of its policy as it relates to disabled students, HEFCE 2009/49, December 2009.

regularly considered across a range of institutional functions and processes and evidence of widespread commitment and innovation among key staff in institutions. However, the review also found there were inconsistencies among institutions regarding the quality and level of support provided to disabled students, and there were still some instances of unmet entitlement. The report stated that although support services for disability are widespread there were differences in the prioritisation of different impairment categories and the subsequent level of resource committed to them. As part of the review, survey results suggested that a very small number of institutions may have failed to meet all of the component parts of the Disability Equality Duty. Areas that some institutions found challenging include:

- Involving disabled students in the production of their Disability Equality Scheme (DES)
- Either producing an annual report on actions or targets in their DES or making the annual report publicly available and easily accessible
- The extent to which disability data was monitored and acted upon in some institutions appeared to be limited.

74. Overall the review concluded there had been 'significant progress in support for disabled students but further work is needed to embed support and move towards disability equality'.

75. The recent report by OFFA²³ on the outcomes of expenditure on widening participation activity showed that at a sector level English publicly-funded institutions reported that their total support for disabled students (including provision of advice and support to disabled students and potential students, and inclusive learning and teaching environments) increased to £54.1 million in 2013-14 (up from £51.7 million in 2012-13)²⁴. This comprised £5.7 million in outreach and £48.4 million in support for current disabled students. For the first time, the report collected information on the expenditure on progression for disabled students which totalled £4.9 million in 2013-14. In 2013-14 access agreements, one in five institutions mentioned disability among their National Scholarship Programme bursary eligibility criteria, and a further 7% of 2013-14 access agreements included non-National Scholarship Programme bursaries directed at students with disabilities²⁵.

76. The joint report by HEFCE and OFFA highlighted that in terms of outcomes around equality and diversity key activities reported by institutions in 2012/13 included inclusive curriculum development and additional support for learners with disabilities. However, only twenty institutions highlighted in their reports the attainment and retention of learners with specific disabilities, although OFFA and HEFCE report that there was evidence in the returns from institutions that institutions are making the whole higher education experience more inclusive for all students.

²³ www.offa.org.uk/wp-content/uploads/2015/06/2013-14-monitoring-outcomes-report.pdf

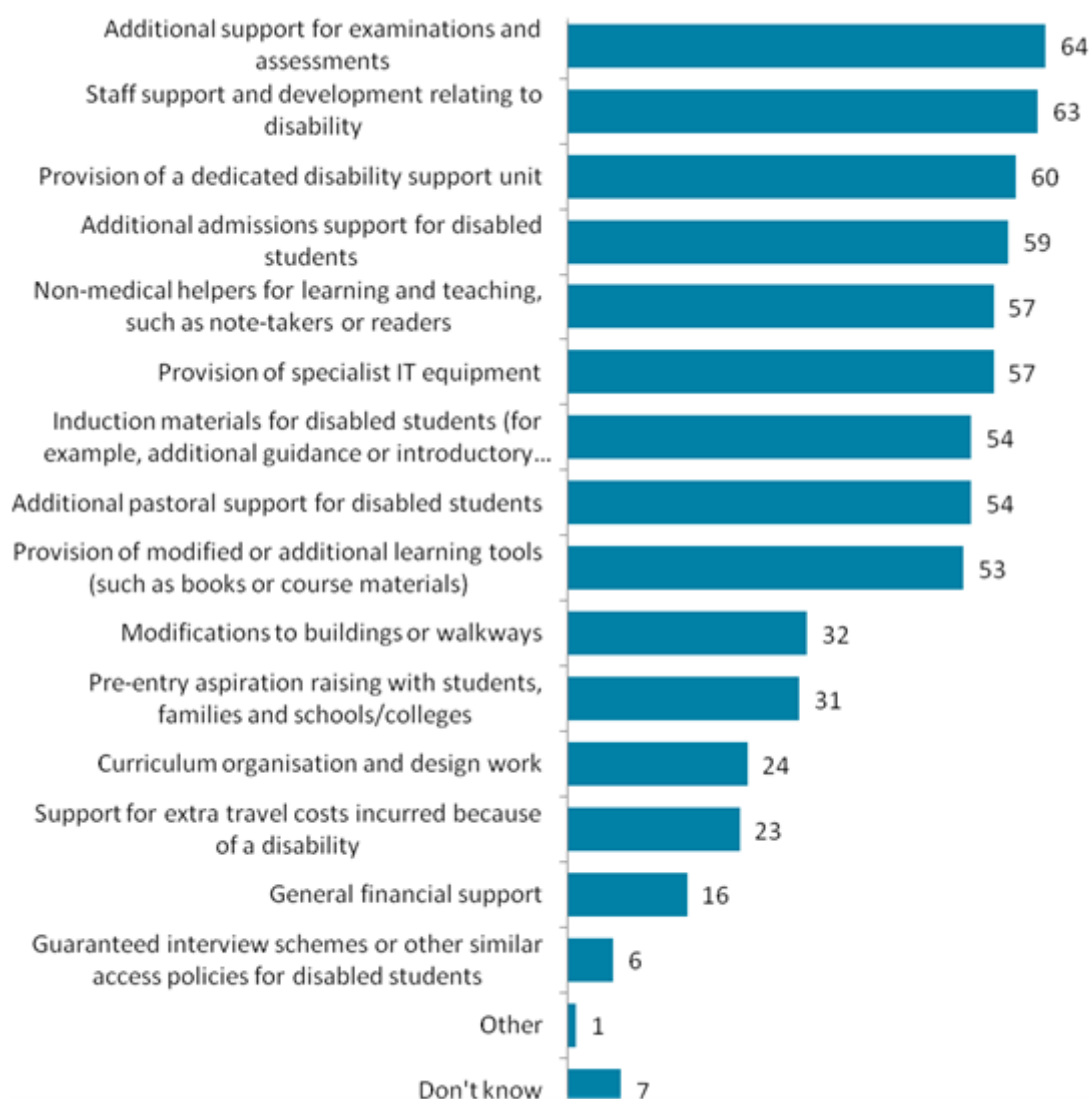
²⁴ Outcomes of access agreement, widening participation strategic statement and National Scholarship Programme monitoring for 2012-13, HEFCE July 2014/15 and OFFA July 2014/05.

²⁵ National strategy for access and student success in higher education, OFFA and HEFCE March 2014, published by BIS.

77. A report by CFE/Edge Hill University ²⁶ on the uses and impact of HEFCE funding found that institutions provide support for a range of activities from the HEFCE mainstream disability allocation (see Chart 6). While some institutions have developed a targeted approach focusing on the specific needs of the individual student, others are adopting an inclusive model that seeks to ensure all aspects of the institutional offer are accessible to disabled students. Some forms of provision are more commonly provided across the sector than others. The study showed that 64 institutions out of the 89 included in the research provided additional support for examinations and assessments and 60 provided a dedicated disability unit whereas fewer (53) provided modified or additional learning tools such as books or course materials.

Chart 6: Number of institutions delivering listed activities using the HEFCE mainstream disability allocation

(base = 89)



²⁶ www.hefce.ac.uk/pubs/rereports/Year/2013/wpusesimpact/Title,92176,en.html

78. HEFCE guidance recommends a minimum of one disability practitioner for every 200 DSAs recipients. A survey of institutions conducted in May 2014 by the National Association of Disability Practitioners reached 63 institutions in the UK of which 53 were in England (Table 7). The survey found that English institutions currently employ one disability practitioner for around every 300 students in receipt of DSAs, a higher ratio than in Wales (one for every 400), but lower than in Scotland (one for every 225). Given the sample sizes and the likelihood that the achieved sample is not fully representative of the sector, these results need to be treated with some caution, particularly comparisons between countries. In addition the researchers reported that there was some uncertainty amongst institutions as to the definition of a disability practitioner, with some respondents excluding mental health workers or student helpdesk advisors. However the research suggests that the sector is not exceeding HEFCE's guidance on minimum provision of disability practitioners.
79. A survey of disability practitioners conducted by researchers at the University of Southampton found that institutions provided a range of disability support roles (Table 8)²⁷. Specialist study skills tutors were particularly common, and 62.5% of respondents said that their tutor was at least three-quarters funded by DSAs. Again these results should be treated with caution. They do at least suggest that provision of disability support is more concentrated on the employment of specialist study skills tutors and less on the provision of support to help students in accessing alternative formats of reading materials and using assistive technology. However, there may have been some confusion as to definitions of job roles, and advisor roles in institutions may cover support needs for all student groups, not just students with disabilities.
80. The National Association of Disability Practitioners reported that Assistive Technology was provided to students in different ways. Most commonly, specialist software was made available to students over the network. Hardware such as scanners and magnifiers was provided in the library or, less frequently, in dedicated assistive technology rooms (Table 9).

Table 7: Number of Disability Practitioners at UK institutions

| Country | Total no of FTE Disability Practitioners | Total number of DSAs students at institution respondents | No of Disability Practitioners per 200 students in receipt of DSAs |
|------------------|--|--|--|
| England | 207.7 | 60,375 | 0.7 |
| Scotland | 15.7 | 3,530 | 0.9 |
| Wales | 14.7 | 6,170 | 0.5 |
| Northern Ireland | 5 | 1,230 | - |
| Total | 243.1 | 71,395 | 0.7 |

Source: Based on data submitted to BIS from the report, Snapshot of disability provision in UK HEIs – May 2014

²⁷ Abi James and E.A. Draffan, Snapshot of disability provision in UK HEIs – May 2014

Table 8: Provision of disability support roles at UK institutions

| Country | England | Scotland | Wales |
|--|---------|----------|-------|
| % employing specialist study skills tutors | 84% | 75% | 100% |
| % of institutions with a role responsible for inclusive learning practice | 31% | 100% | 100% |
| % of institutions that have policy statements encouraging the development of inclusive learning practice | 72% | 100% | 100% |
| % of institutions that employ at Assistive technology trainer | 19% | 100% | 100% |
| Average % of A.T role funded by DSAs | 45% | 42% | 83% |
| % of institutions that have a role responsible for advising or supporting students on the use of assistive technology within the institution | 30% | 100% | 60% |
| % of institutions that have a role responsible for supporting disabled students in accessing alternative formats of reading materials | 34% | 50% | 60% |

Source: Based on data submitted to BIS from the report, Snapshot of disability provision in UK HEIs – May 2014

Table 9: Availability of Assistive Technology facilities in UK institutions

| Facility | % of institutions where this facility is available to... | | | |
|--|--|------------------|----------------|------------|
| | ...all students | ...some students | ...no students | Don't know |
| Specialist software on network | 76.2% | 9.5% | 6.3% | 6.3% |
| Assistive Technology in a dedicated room | 17.5% | 44.4% | 28.6% | 9.5% |
| Assistive Technology in the university library | 57.1% | 33.3% | 4.8% | 4.8% |

Source: Based on data submitted to BIS from the report, Snapshot of disability provision in UK HEIs – May 2014

The characteristics of DSAs recipients

Summary

- The gender and socio-economic profile of English domiciled disabled HE entrants to UK institutions that receive DSAs is very similar to higher education entrants without a known disability.
- Around two thirds of higher education entrants receiving DSAs are from the top three socio-economic groups (managerial, professional and associate technical groups). Only 13% are from low participation neighbourhoods.
- Young people are over-represented in the DSAs recipient group, whereas ethnic minority students are under-represented.
- DSAs recipients are slightly more likely to be awarded the full maintenance grant: 43% of all full time undergraduate applicants for student support in 2012/13 received the full grant compared to 47% of comparable DSAs recipients.
- The gender and age profile of recipients of the equipment and non-medical help elements of DSAs is broadly similar to that for the undergraduate DSAs group as a whole. The proportions awarded the full maintenance grant are also broadly similar.
- Female and mature undergraduate students are particularly likely to apply for General and Travel related forms of DSAs support. A higher proportion is awarded the full maintenance grant.
- The group of students claiming the smallest equipment grant (under £500) has an older age profile than the overall DSA equipment segment. In addition the group claiming the most (over £3000) are around twice as likely to be over 25.
- The larger the DSAs equipment grant claimed the more likely students are to be eligible for a full Maintenance Grant.

Profile of the DSAs recipient population

81. Data from the HESA student record is examined to ascertain whether groups with protected characteristics other than disability are over, under or proportionately represented in the sub group of English domiciled student at UK institutions that are in receipt of DSAs.
82. Table 10 shows that the gender profile of English domiciled entrants to UK institutions that declare a disability and the subgroup of these that receive DSAs is the same as entrants without a known disability: the majority (59%) are female.
83. The age profile of entrants that declare a disability is similar to that for entrants without a known disability. However the subgroup of entrants that receive DSAs is younger: most of them (53%) are under 21 compared to 45% of entrants with no known disability.
84. The ethnic profile of disabled entrants is different to that of those with no known disability: only 17% of disabled entrants are from a minority ethnic background compared to 24% of non-disabled entrants. This is due to lower representation of Asian and African-background entrants amongst disabled students. The

profile of the DSAs recipient group does not differ significantly from that of the wider group of entrants declaring a disability.

85. In terms of measures of disadvantage based on socio-economic class and on neighbourhood participation rates the profile of the three groups is similar: around two thirds of entrants are from the top three socio-economic groups (managerial, professional and associate technical groups) and only around one in eight students (12-13%) are from low participation neighbourhoods.
86. A slightly higher proportion of DSAs recipients are awarded the full maintenance grant. An analysis of SLC data on undergraduate student finance applicants finds that at the end of Academic Year 2012/13, 47% of eligible DSAs recipients applicants were awarded a full maintenance grant compared to 43% of the wider population of all eligible student finance applicants²⁸.

Table 10: Profile of university entrants by disability status, Academic Year 2013/14

| Disability status | Gender | | Age | | | Disadvantage | |
|---------------------|----------|------------|--------------|--------------|---------|------------------------|--|
| | Male (%) | Female (%) | Under 21 (%) | 21 to 24 (%) | 25+ (%) | NS-SEC classes 4-7 (%) | Low participation neighbourhoods (POLAR3 Q1) (%) |
| No known disability | 41 | 59 | 45 | 17 | 38 | 35 | 12 |
| Declared disability | 41 | 59 | 46 | 19 | 36 | 34 | 13 |
| DSA recipient | 41 | 59 | 53 | 19 | 28 | 34 | 13 |

Source: HESA, English-domiciled entrants at UK institutions, all modes at all levels of study

| Disability status | | Black | | | | Asian | | | | | Other |
|---------------------|--|-----------|---------------|-------------|-----------|------------|---------------|-----------------|-------------|-----------|-----------------|
| | | White (%) | Caribbean (%) | African (%) | Other (%) | Indian (%) | Pakistani (%) | Bangladeshi (%) | Chinese (%) | Other (%) | Mixed/Other (%) |
| No known disability | | 76 | 2 | 6 | 0.4 | 4 | 3 | 1 | 1 | 2 | 5 |
| Declared disability | | 83 | 2 | 4 | 0.4 | 2 | 2 | 1 | 0.3 | 1 | 5 |
| DSA recipient | | 82 | 3 | 4 | 1 | 2 | 2 | 1 | 0.3 | 1 | 5 |

²⁸ These are prospective students who had been approved for Maintenance Grant and would be paid the grant if they became attending students. Eligible student finance applicant population includes students on postgraduate Initial Teacher Training courses, who are eligible for maintenance funding.

87. Table 11 shows the characteristics of DSAs recipients that are considered to be disadvantaged according to socio-economic background.²⁹ The data shows that the pattern of male and female participation across advantaged and disadvantaged students is broadly similar.
88. In terms of age, DSAs recipients from advantaged backgrounds are significantly more likely to be younger than recipients from more disadvantaged backgrounds: 77% of DSAs recipients from the highest socio-economic groups (NS-SEC 1-3) are aged 21 or under, compared with 59% of recipients from the more disadvantaged socio-economic groups (NS-SEC 4-7 and never worked and long-term unemployed). DSAs recipients from disadvantaged backgrounds are significantly more likely to be aged 25 and over than those from advantaged backgrounds.

Table 11: Profile of DSA recipients by socio-economic status, entrants in Academic Year 2013/14

| SES status | Gender | | Age | | |
|--|------------|------------|--------------|--------------|------------|
| | Male (%) | Female (%) | Under 21 (%) | 21 to 24 (%) | 25+ (%) |
| Advantaged (NS-SEC Classes 1-3) | 44% | 56% | 77% | 10% | 13% |
| Disadvantaged (NS-SEC Classes 4-7 and Never worked & long-term unemployed) | 39% | 61% | 59% | 18% | 24% |
| Total | 42% | 58% | 71% | 13% | 17% |

| SES status | BME | White | Black | | | Asian | | | | | Other |
|--|-------------------------|------------|---------------|-------------|-----------|------------|---------------|------------------|-------------|-----------|------------------|
| | Any ethnic minority (%) | White (%) | Caribbean (%) | African (%) | Other (%) | Indian (%) | Pakistani (%) | Bangla-deshi (%) | Chinese (%) | Other (%) | Mixed/ Other (%) |
| Advantaged (NS-SEC Classes 1-3) | 13% | 87% | 2% | 3% | 0% | 2% | 1% | 0% | 0% | 0% | 4% |
| Disadvantaged (NS-SEC Classes 4-7 and Never worked & long-term unemployed) | 21% | 79% | 3% | 5% | 0% | 2% | 3% | 1% | 0% | 1% | 5% |
| Total | 16% | 84% | 2% | 4% | 0% | 2% | 2% | 1% | 0% | 1% | 5% |

Source: HESA, English-domiciled entrants at UK institutions, all modes at all levels of study. SES information is based on 60% of all DSAs recipients

89. There also appears to be differences in participation of minority ethnic groups across social background, with minority ethnic DSAs recipients overrepresented as a proportion of recipients from more disadvantaged backgrounds. Of those

²⁹ Disadvantaged according to NS-SEC classes 4-7 (small employers and own account workers, lower supervisory and technical occupations, semi-routine occupations and routine occupations)

from the highest socio-economic groups, 13% are from minority ethnic groups. This rises to 21% of recipients from the more disadvantaged socio-economic groups.

90. Almost half of students with disabilities (49%) have a Specific Learning Difficulty (SpLD). Students with a Specific Learning Difficulty who receive DSAs have a similar profile to the all DSAs recipient group; except that they have a slightly younger age profile (in Table 12 24% are 25 or over, compared with 28% of all DSAs recipients in Table 10). Students with a Specific Learning Difficulty who do not receive DSAs are more likely to be male and more likely to be mature than those who receive it.

Table 12: Profile of university entrants with Specific Learning Difficulties, Academic Year 2013/14³⁰

| Disability status | Gender | | Age | | | Disadvantage | |
|-------------------|----------|------------|--------------|--------------|---------|------------------------|--|
| | Male (%) | Female (%) | Under 21 (%) | 21 to 24 (%) | 25+ (%) | NS-SEC classes 4-7 (%) | Low participation neighbourhoods (POLAR3 Q1) (%) |
| Not receiving DSA | 46 | 54 | 45 | 20 | 35 | 31 | 11 |
| DSA recipient | 41 | 59 | 55 | 20 | 24 | 33 | 11 |

| Disability status | BME | White | Black | | | Asian | | | | | Other |
|-------------------|-------------------------|-----------|---------------|-------------|-----------|------------|---------------|-----------------|-------------|-----------|-----------------|
| | Any ethnic minority (%) | White (%) | Caribbean (%) | African (%) | Other (%) | Indian (%) | Pakistani (%) | Bangladeshi (%) | Chinese (%) | Other (%) | Mixed/Other (%) |
| Not receiving DSA | 15 | 85 | 2 | 3 | 0 | 2 | 1 | 0 | 0 | 1 | 5 |
| DSA recipient | 17 | 83 | 3 | 4 | 0 | 2 | 1 | 1 | | 1 | 5 |

Source: HESA, English-domiciled entrants with Specific Learning Difficulties at UK institutions, all modes at all levels of study

91. Table 13 sets out data provided by the SLC on the characteristics of DSAs applicants by type of DSA support. The only robust data available is on the protected characteristics of age and gender³¹. Despite this limitation the data is useful in potentially identifying whether a group with a shared protected characteristic would be particularly affected by a policy change aimed at a specific type of DSAs support. The proportion in receipt of a full maintenance

³⁰ Figures may not total 100% due to rounding

³¹ Data on ethnicity collected by the SLC is self-reported and only a small proportion of students provide this data to the SLC

grant is also provided as a measure of disadvantage. Note that this data covers full-time and part-time undergraduate students only, i.e. excludes postgraduate students.

92. The analysis shows that the gender, age band and disadvantage profile of students applying for Non-medical Help and Equipment support is broadly equal to the overall DSAs population³².
93. However, the evidence suggests that female students are particularly likely to apply for General and Travel related forms of DSAs support. Applicants for these elements of support more likely to be in the older age group compared to other elements of DSAs support. A higher proportion of applicants for the General and Travel element of DSAs support students are awarded the full maintenance grant.

Table 13: Profile of DSAs undergraduate applicants by type of DSAs support 2012/13

| Type of DSA | Gender | | Age | | | Disadvantage |
|--|-----------|------------|--------------|--------------|-----------|--|
| | Male (%) | Female (%) | Under 21 (%) | 21 to 24 (%) | 25+ (%) | Full Maintenance Grant / Student Support Grant (%) [1] |
| Non-medical Helper | 42 | 58 | 58 | 20 | 22 | 44 |
| Equipment | 42 | 58 | 59 | 19 | 22 | 45 |
| General | 36 | 64 | 50 | 20 | 30 | 47 |
| Travel | 32 | 68 | 37 | 19 | 45 | 62 |
| Total DSAs undergraduate recipients | 42 | 58 | 57 | 20 | 23 | 44 |

Source: SLC data

Note: [1] Percentage of full-time undergraduate applicants (part-time are not eligible for maintenance grant)

Further analysis of DSAs equipment support

94. Further analysis was undertaken to understand the levels of equipment support claimed under DSAs, and whether different groups received different levels of support. A data extract from the SLC management information shows that around one third of students in receipt of equipment support claimed £1,000-£1,250 (the modal group). The vast majority (over 80%) claimed under £1,750.
95. The further analysis of students who claim DSAs for equipment spending suggests that the gender balance does not change substantially by the size of the equipment grant (Table 14). Those spending the most on equipment (over £3,000) are roughly twice as likely as the others to be over 25. Interestingly,

³² This is unsurprising, given that the majority of DSAs applicants apply for Non-medical helpers and equipment support (see Table 5)

the group with the smallest equipment spend (under £500) is also older than the overall DSAs equipment group (Table 13 and 14).

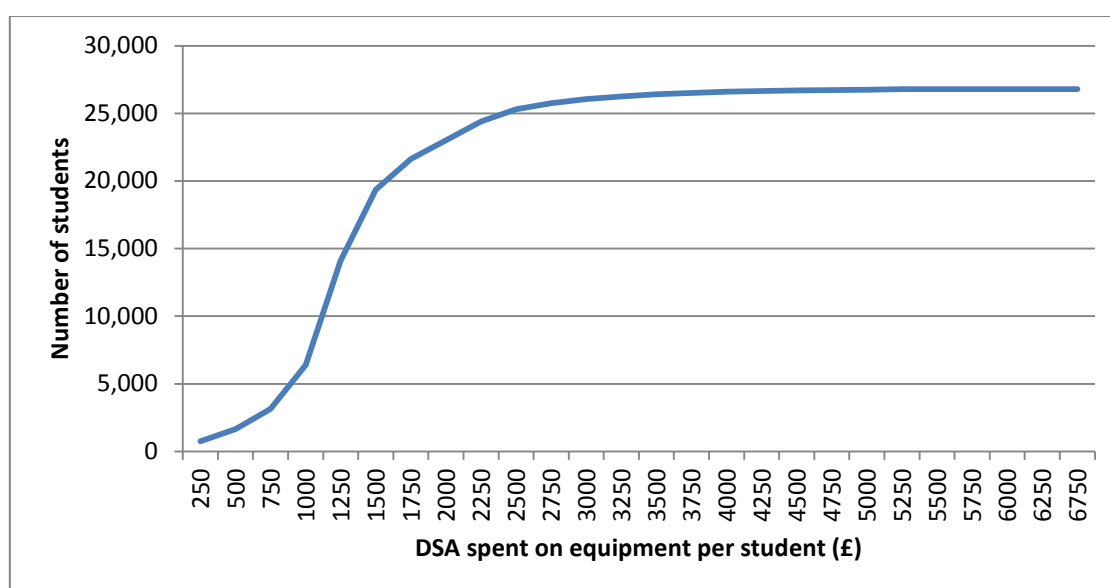
96. The higher a student's DSAs equipment grant the more likely they are to be eligible for a full Maintenance Grant (i.e. have a household income below £25,000). The groups with the highest equipment grants are 15 percentage points more likely to be awarded the full Maintenance Grant than the groups with the lowest equipment grants. This may, in part be explained by the higher proportion of this group that are in the over 25 age category. Mature students are more likely to be awarded the full maintenance grant as they are more likely to be judged on individual rather than household incomes. Chart 7 shows that the distribution of equipment spend is concentrated heavily between £250 and £2500 per student. A minority (approximately 1500) of students receive over £2500 in equipment grants.

Table 14: Profile of undergraduate DSAs recipients by size of equipment grant (2012/13)

| Equipment grant (£) | Gender | | Age | | | Disadvantage |
|---------------------|----------|------------|--------------|--------------|---------|--|
| | Male (%) | Female (%) | Under 21 (%) | 21 to 24 (%) | 25+ (%) | Full Maintenance Grant / Student Support Grant (%) |
| Less than 500 | 40 | 60 | 47 | 29 | 24 | 36 |
| 500-1000 | 42 | 58 | 57 | 22 | 20 | 41 |
| 1000-2000 | 42 | 58 | 61 | 17 | 22 | 43 |
| 2000-3000 | 39 | 61 | 60 | 17 | 22 | 44 |
| More than 3000 | 40 | 60 | 46 | 10 | 44 | 51 |
| Overall | 42 | 58 | 59 | 19 | 22 | 43 |

Note: excludes DSA recipients who did not receive an award for equipment

Chart 7: Cumulative frequency chart of DSAs spending on equipment (2012/13)

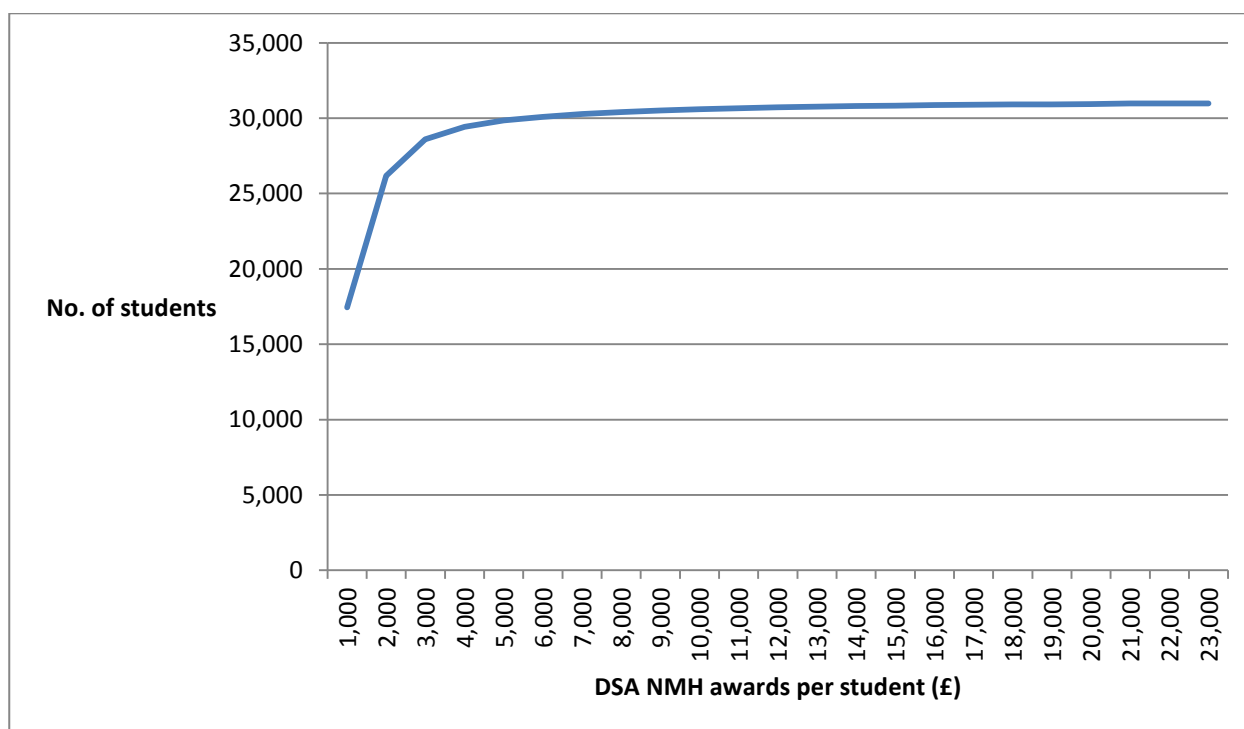


Source: SLC data (excludes all DSA recipients who did not claim for equipment)

Further analysis of DSAs NMH support

97. Further analysis was undertaken to understand the levels of NMH and SNA³³ support claimed under DSAs, and whether different groups received different levels of support.
98. Chart 8 shows the distribution of NMH awards. Most of the awards are concentrated at the lower end, with 56% of awards between £0-£1000, and 96% of awards between £0-£5000. Just over 1% (less than 400) of those receiving a NMH grant receive over £10,000.
99. Further analysis (Table 15) of NMH spending suggests that the gender balance does vary slightly with level of NMH grant. Females are slightly more represented in the lower level of grants (under £10,000), with male students more likely to be in receipt of a higher level of grant. Younger students (20 and under) are more likely to receive smaller levels of grants, and those aged 21 and over are more likely to receive higher levels of grant. Students in receipt of the full maintenance grant or the full student support grant are also more likely to receive higher levels of NMH grant.

Chart 8 Cumulative frequency chart of DSAs spending on NMH (2012/13)



Source: SLC data (excludes all DSAs recipients who did not claim for NMH or SNA)

³³ Applicants for DSAs will have a DSAs study needs assessment to identify the type of support that they may need to undertake their course. Assessments take place throughout the year and reviews can be undertaken at any time during the course. The fees for an assessment were drawn from the non-medical help allowance until 2012/13. From 2013/14 assessment fees are drawn from the general allowance.

Table 15. Profile of undergraduate DSAs recipients by the size of NMH (including Study Needs Assessment) grant (2012/13)

| NMH and SNA grant (£) | Gender | | Age | | | Disadvantage |
|-----------------------|------------|-----------|------------------|-----------|-----------------|---|
| | Female (%) | Male (%) | 20 and under (%) | 21-24 (%) | 25 and over (%) | Full Maintenance Grant or Student Support Grant (%) |
| Less than 1000 | 56 | 44 | 59 | 20 | 21 | 39 |
| 1000-2000 | 62 | 38 | 57 | 19 | 24 | 43 |
| 2000-5000 | 61 | 39 | 51 | 19 | 31 | 47 |
| 5000-10000 | 52 | 48 | 52 | 17 | 31 | 48 |
| 10000-15000 | 49 | 51 | 52 | 14 | 34 | 54 |
| 15000-20000 | 54 | 46 | 42 | 26 | 32 | 51 |
| 20000+ | 38 | 62 | 47 | 26 | 26 | 61 |
| Overall | 58 | 42 | 57 | 19 | 24 | 42 |

Source: SLC data (excludes all DSA recipients who did not claim for NMH or SNA)

100. The British Dyslexia Association submitted evidence from a survey on the positive impact of digital recorders for disabled students (table 16). 81% of students surveyed with a SpLD or ADHD said that the recorder had a positive impact on their studies.

Table 16: Usefulness of digital recorders by disability

| | Positive impact on studies | No impact on studies | Not recommended | Recommended NMH for note-taking |
|---------------------------------------|-----------------------------------|-----------------------------|------------------------|--|
| Asperger, autism spectrum | 61.5% | 26.9% | 21.2% | 9.1% |
| Chronic medical & fatigue | 92.2% | 3.5% | 11.2% | 15.7% |
| Hearing Impairment | 55.6% | 22.2% | 24.0% | 44.0% |
| Mental Health | 72.0% | 14.0% | 2.0% | 7.8% |
| Mobility Impairment & Pain | 83.6% | 4.9% | 18.6% | 17.4% |
| SpLD, ADHD | 80.9% | 12.3% | 9.4% | 2.6% |
| Visual Impairment | 81.8% | 9.1% | 25.0% | 34.4% |

Source: Submitted to BIS by the British Dyslexia Association³⁴.

³⁴ An online survey conducted between September 2011 and February 2012 of students who had been in receipt of DSAs in the past 5 years. There were 841 respondents of whom 533 stated they had a specific learning difficulty. An overview of this survey was published in Draffan, E. A., James, A., Wilkinson, S., & Viney, D. (2013) Assistive technology and associated training: a survey of students who have received the Disabled Students' Allowances. *Journal of Inclusive Practice in Further and Higher education*. Issue 5.1 Special Edition, 5-10.

Disabled students' income and expenditure and impact on the decision to participate in higher education

Summary

- The 2011/12 Student Income and Expenditure Survey (SIES) showed that full-time disabled students (those in receipt of DSAs) appear to have lower average levels of total borrowings.
- While the SIES raw data shows that total expenditure for the academic year was higher amongst disabled students than non-disabled students further analysis showed that this was explained by other factors, mainly family and housing circumstances: disabled students were more likely to be owner-occupiers or renting alone or with family.
- While there was little difference in participation costs between disabled and non-disabled students, SIES data showed that there was a difference in computer expenditure: those in receipt of DSAs had a mean expenditure on computer equipment of around £335 compared to around £163 for non-disabled students.
- Disabled students receiving DSAs support up to and including £1000 were only slightly less likely to work during the academic year compared to their counterparts not in receipt of DSAs (47% compared to 53%), whereas those receiving more than £1000 in DSAs support were much less likely to work (32%).
- The impact of the availability of student support on the decision to participate in HE for those students in receipt of DSAs of less than or equal to £1000 was similar to non-DSAs students, for both groups around one third said that student funding and support available to them affected their decisions about study.
- For those in receipt DSAs for higher amounts, i.e. more than £1000, attitudes were quite different. Just over half said that student funding and support available to them affected their decisions about study.
- Research by the NUS shows that disabled students are more likely to be worried about not having enough money to meet basic living expenses such as rent and utility bills than students overall.

Evidence from the Student Income and Expenditure Survey³⁵

³⁵ The statistics in this section from the Student Income and Expenditure survey should be treated with some caution. The survey was representative of English domiciled undergraduate students but the design of the survey (and weighting) was not specifically representative of disabled students. Sample sizes for disabled students are relatively small and are shown as footnotes where appropriate. Figures are for full-time under-graduate students only

Income from student loans, overdrafts and commercial credit

101. The 2011/12 Student Income and Expenditure Survey (SIES) showed that full-time disabled students (those in receipt of disability allowance) appear to have lower average levels of total borrowings³⁶. Overall the mean total borrowings for all full time students were £9,720³⁷. The mean for those in receipt of DSAs was £8,970 compared to non-disabled students of £9,760 (See Table 17).

Table 17: Total borrowing

| Whether received/expected to receive money from the Disabled Students Allowance | Mean | N | Std. Deviation |
|---|------|------|----------------|
| Yes | 8970 | 180 | 5950 |
| No | 9760 | 3240 | 7440 |
| Total | 9720 | 3419 | 7370 |

Source: internal analysis of the 2012 Student Income and Expenditure Survey

Note: Relates to old funding system but includes student loans; overdrafts and commercial credit

Expenditure

102. The 2011/12 Student Income and Expenditure Survey (SIES) showed that total expenditure for the academic year was higher amongst disabled students than non-disabled students (£14,790 compared with £13,610 for students without disability). However regression analysis showed that the observed differences were explained by the associations with other factors. Family and housing situation were the factors often related to higher spending amongst students. Disabled students were more likely to be owner-occupiers or renting alone or with family, compared with non-disabled counterparts who were more likely to live with their parents or share rented accommodation with friends. Difference in disability status was not significant in the regression model.³⁸
103. In terms of the element of expenditure that is defined as participation costs further analysis of SIES shows little difference overall between those receiving DSAs and those non-disabled students in total participation costs (Table 18). However those in receipt of DSAs had a mean expenditure on computer equipment of around £335 compared to around £163 for non-disabled students (Table 19).³⁹

³⁶ Total borrowing is predicted level of borrowing by the end of the academic year (2012)

³⁷ Note mean is based on all students including those with zero borrowings.

³⁸ Note that this was all students who reported a disability not those in receipt of a disability allowance

³⁹ Some caution needed as sample sizes small for disabled sample – indicative differences

Table 18: Total participation costs

| Whether received/expected to receive money from the Disabled Students Allowance | Mean | N | Std. Deviation |
|---|------|------|----------------|
| Yes | 3790 | 87 | 1270 |
| No | 3980 | 1600 | 1410 |
| Total | 3970 | 1687 | 1410 |

Table 19: How much spent on computer/computer equipment

| Whether received/expected to receive money from the Disabled Students' Allowances | Mean | N | Std. Deviation |
|---|------|------|----------------|
| Yes | 335 | 93 | 1010 |
| No | 163 | 1738 | 316 |
| Total | 172 | 1832 | 384 |

Working while studying

104. The Student Income and Expenditure Survey reports that 52% of all full time HE students⁴⁰ undertook some paid work during the academic year (note academic year includes Christmas and Easter vacation but not summer vacation). Splitting the sample into those who were in receipt of (or expected to receive) DSAs⁴¹ compared to all other students shows that 42% undertook some form of paid work during the academic year whereas the proportion of all other students undertaking some form of paid work was 53%.
105. For those actually in receipt of DSAs at the time of the survey, splitting them into amounts received up to and including £1,000⁴² and those receiving larger amounts, i.e. more than £1000⁴³ shows that:
- 47% of those receiving amounts up to (and including) £1,000 undertook some form of paid work during the academic year and 53% reported doing none during this period.

⁴⁰ Unweighted sample size for all full-time students – n=2982.

⁴¹ Unweighted sample size for those who received or expected to receive DSAs - n=157

⁴² Unweighted sample size for those in receipt of up to £1,000 – n=70

⁴³ Unweighted sample size for those in receipt of more than £1,000 – n=48

- 32% of those receiving amounts of more than £1,000 undertook some form of paid work during the academic year and 68% reported doing none during this period.

Attitudes to funding pre entry to higher education

106. SIES contained a limited number of questions in 11/12 measuring attitudes. One question asked students whether the student funding and financial support available to them affected their decisions about HE Study in any way. Those in receipt of DSAs were more likely to say yes to this question (41%) compared to non-disabled students (33%). Of this group the large majority of disabled students who said yes to this question (83%) said they wouldn't have studied without funding. This compares with 68% of non-disabled students who said that their decisions had been affected by student funding and financial support available.
107. However those in receipt of DSAs for less than or equal to £1,000 had attitudes that were similar to non DSAs students, 34% said that student funding and support available to them affected their decisions about study (33% of non-disabled students) and of these 75% said they wouldn't have studied without funding.
108. For the group in receipt of DSAs for higher amounts, i.e. more than £1,000, attitudes were quite different. This time 54% said that student funding and support available to them affected their decisions about study and of these 93% of this group said they wouldn't have studied without funding.

Impact analysis

Introduction

109. To understand the impact of the policy changes on protected groups we have taken the following three step approach in relation to each of the proposed changes:

- Whether protected groups are disproportionately affected: We have compared the protected characteristics profile of DSAs recipients to the wider HE population to try and examine whether some groups are under, over or proportionately represented in the population of DSAs recipients. Where possible we also consider the characteristics of DSAs students claiming a particular form of support relating to the changes to the DSAs offer, and compare the characteristics against the whole DSAs population. This allows us firstly to examine whether changes to the DSAs package as a whole will fall disproportionately to a particular group and then secondly whether changes to elements within the package could disproportionately affect a particular subgroup of the DSAs recipient population.
- Nature and magnitude of any impact: At the individual level we have tried to analyse whether the impact on a DSAs recipient will be positive, negative or broadly neutral and examined whether or not the nature and magnitude of the average impact is expected to be similar across all protected groups.
- How this affects the equality aims: Finally, we have given specific consideration to how the above analysis reads across to each of the three aims which comprise the public sector equality duty.

Equality aims

110. We have considered the impact of these policies on the need to eliminate discrimination and other prohibited conduct. A general effect is that there will be greater onus on institutions to make provision for disabled students in order to comply with their duties to make reasonable adjustments under the Equality Act. This may increase the potential for discrimination by institutions in circumstances where they fail to comply with those duties.

111. We have considered the impact of these policies on the need to advance equality of opportunity between people who share a protected characteristic and those who do not in relation to the proposed changes. We have looked in particular at the need to:

- remove or minimise disadvantages suffered by those who share a protected characteristic,
- take steps to meet the needs of persons who share a protected characteristic to the extent those needs are different, and
- encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

112. We have considered the impact of these policies on the need to foster good relations between persons who share a protected characteristic and those who do not share. We have considered in particular the need to tackle prejudice and promote understanding.
113. The Public Sector Equality Duty covers the following protected characteristics: age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or beliefs and sexual orientation. As disadvantage in higher education is still apparent in connection to family income and economic status, we will also look at the impact on individuals from lower income groups.
114. We have focused our analysis in particular on the protected characteristic of disability since the proposed changes have an obvious and direct impact on persons who are disabled. Following this we also consider the age, gender and ethnicity profile of DSAs recipients, along with a range of measures of disadvantage. We do not have data on gender reassignment, pregnancy and maternity and sexual orientation profile of higher education students.
115. The definition of disability is set out in section 6(1) of the Equality Act, which states that:
- “A person (P) has a disability if –
- (a) P has a physical or mental impairment, and
- (b) the impairment has a substantial and long-term adverse effect on P’s ability to carry out normal day-to-day activities.”
116. This Equality Analysis considers the impact of a number of proposed changes to DSAs. Students currently qualify for DSAs to cover additional expenditure which they are obliged to incur in connection with their course by reason of disability to which they are subject.
117. All of the proposed changes will therefore have a direct impact on disabled people who are applying for support for a higher education course under the student support regulations.

Changes to the overall package of support

Summary

- A range of changes to specific elements of the DSAs offer have been proposed and considered.
- At the aggregate level the changes to the overall package of support affects disabled students, by the nature of the policy, as the funding is targeted at disabled students.
- The available data suggests that young students (under 21) are also particularly likely to be affected by the overall change to the DSAs offer: compared to non-disabled higher education entrants, DSAs recipients have a younger age profile.
- The proportion of full-time undergraduate DSA recipients awarded the full maintenance grant is higher than for the wider student population who have received some form of student support (47% compared to 43%). This suggests that recipients from low income households could be more affected by the overall changes to the package of DSAs support. Analysis shows that students that receive DSAs and are from lower socio-economic backgrounds are more likely to be mature and from a minority ethnic background. These groups could therefore be more affected than other groups of students.

118. Paragraphs 13-29 set out in detail the policy proposals under consideration:

- Funding for IT peripherals
- Funding for IT consumables
- Accommodation
- Non-medical helper support

Will the changes to the overall package of support disproportionately affect protected groups?

119. Changes to the overall package of support will have a direct impact on persons who are disabled as this student product is targeted specifically at students with this protected characteristic.
120. In numerical terms the data on the profile of English domiciled entrants to UK HE institutions shows that the majority of entrants in receipt of DSAs are female (see Table 10). However the evidence shows that the proportion of DSAs recipients that are female is similar to the proportion in the non-disabled student entrant population, showing that the potential impacts of the policy changes would not disproportionately fall to female students, similarly for minority ethnic groups. However this analysis does point to the DSAs policy changes particularly affecting young people: the majority of higher education entrants receiving DSAs are under the age of 21 and a higher proportion of DSAs recipients are young compared to the non-disabled student entrant population.
121. The evidence shows that the majority of higher education entrants in receipt of DSAs are from the higher socio-economic groups. The proportion of students from lower socio-economic classes is similar across the populations of non-

disabled students, all disabled students and those in receipt of DSAs. This is also the case when considering disadvantage using the measure based on low participation neighbourhoods (POLAR). This suggests that the potential impacts of the policy changes to remove the provision of standard specification computers would not disproportionately fall to those students from low participation areas and lower socio-economic classes.

122. The proportion of full time undergraduate DSAs recipients awarded full maintenance grant is higher than for the wider student population who have received some form of student support (47% compared to 43%). This suggests that there is the potential for students from low income households to be more affected by the policy proposals. Analysis shows that students that receive DSAs and are from lower socio-economic backgrounds are more likely to be mature and from a minority ethnic background. This suggests that these groups could therefore be more affected by the overall change to the DSAs offer.
123. Changes to the individual elements of support are examined separately below to ascertain whether the proposed change could potentially affect other protected groups disproportionately within the disabled student population. To assess the potential nature and magnitude of the impact on protected groups from the proposed changes to the DSAs package of support changes, and the implications for the equality aims, individual elements of support are again considered separately.

How will this affect the Equality Aims?

124. We have considered the impact of this policy on the need to eliminate discrimination and other prohibited conduct. A general effect of this policy is that there will be greater onus on institutions to make provision for disabled students in order to comply with their duties to make reasonable adjustments under the Equality Act. This may increase the potential for discrimination by institutions in circumstances where they fail to comply with those duties.
125. We have considered specifically the impact of this policy on the need to advance equality of opportunity between people who share a protected characteristic and those who do not in relation to the proposed changes. We have looked in particular at the need to:
- remove or minimise disadvantages suffered by those who share a protected characteristic,
 - take steps to meet the needs of persons who share a protected characteristic to the extent those needs are different, and
 - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
126. Whilst this policy proposal could have a limited adverse impact on the advancement of equality of opportunity, we expect this to be mitigated by institutions making the reasonable adjustments as per the Equality Act.
127. We have considered the impact of this policy on the need to foster good relations between persons who share a protected characteristic and those who

do not. We have considered in particular the need to tackle prejudice and promote understanding.

128. The policy may assist with fostering good relations, insofar as the policy may lead to disabled students having improved access to educational facilities across the institution, alongside their non-disabled peers. However, the policy may adversely impact the relations between disabled and non-disabled students. HEIs are expected to use their own sources of income to provide provision previously funded by DSAs. The perception that the amount of money all students pay to go to university is linked to the need to provide reasonable requirements for disabled students may have negative consequences in fostering good relations between disabled and non-disabled students. However, the fees charged for providing a HE course are not charged on a strictly full-cost basis. Fees are set by the institution based on the overall costs of providing the range of courses they provide and the range of students that may access them. It is for institutions to endeavour to create an inclusive learning environment to reduce the need for students to seek individual help. This will help create an inclusive environment for all students, thereby fostering good relations between disabled and non-disabled students.

Funding for IT peripherals

Summary

- Analysis of the available data, albeit limited, suggests changes to the funding of IT peripherals will not disproportionately fall to the protected groups defined by age and gender: the protected characteristics profile of the subgroup of DSAs recipients that receive equipment funding does not significantly differ from the profile of all DSAs recipients. There is no significant difference between the two groups in terms of the likelihood of being awarded a full maintenance grant. Due to data limitations no assessment can be made of whether some ethnic groups are more likely to be affected by the policy change than others.
- The nature of the impact on all disabled students of the removal of funding for peripheral IT equipment will be negative, if that support is not replaced with alternative forms of support or similar support provided through institutions.
- The impact may be greater for those disabled students from low socio-economic backgrounds (particularly those aged 35 and over) who are less likely to have the additional means to purchase IT peripherals in the absence of DSAs funding. Students that receive DSAs and are from lower socio-economic backgrounds are more likely to be mature and from a minority ethnic background, and could therefore be more likely to face a greater negative impact than other groups of students.
- DSAs funding will be considered on an exceptional case basis where alternative provision is either not possible or is not accessible by the student.
- Our view is that this policy proposal will have limited adverse impact on the advancement of equality of opportunity. The provision of better library services and improved mainstreaming of services overall for disabled students will reduce the disadvantage that disabled students may currently experience.
- We conclude that that this policy may help foster good relations between protected groups, insofar as this group of students will have improved access to the facilities available through their institution's libraries and other services, alongside their non-disabled peers.

Will the policy disproportionately affect protected groups?

129. Students will no longer have access to DSAs funding to routinely purchase IT peripherals. This change will disproportionately impact disabled students, given that they are the target group for DSAs and currently receive funding for a wide range of peripheral IT equipment through DSAs.
130. To assess the impact of the proposed changes to this specific element of the DSAs support offer we consider the potential disproportionate effects within the group of DSAs recipients, comparing the characteristics of DSAs recipients affected by the change in computer funding against all DSAs recipients. This allows us to ascertain whether or not the proposal particularly affects a subgroup of DSAs recipients with protected characteristics other than disability.
131. Analysis of the available data suggests changes to the funding of IT peripherals will not disproportionately fall to protected groups. DSAs IT peripheral funding is allocated under the broader 'equipment' category by the SLC (see Table

13)⁴⁴. The analysis shows that the profile of this group of DSAs recipients is similar to the overall DSAs recipients' profile, in terms of gender and age, and therefore suggests the potential impacts of the policy would not fall disproportionately on these groups. Due to data limitations no assessment can be made of whether some ethnic groups are more likely to be affected by the policy change than others. There is no significant difference in terms of the likelihood of being awarded a full maintenance grant.

What is the likely nature and magnitude of the impact on the relevant protected groups?

132. The nature of the impact on disabled students of the removal of funding for peripheral IT equipment will be negative, if that support is not replaced with alternative forms of support or similar support provided through institutions. The impact may be greater for those disabled students from low socio-economic backgrounds who are less likely to have the additional means to purchase IT peripherals in the absence of DSAs funding. Analysis (page 31, Table 11) shows that students that receive DSAs and are from lower socio-economic backgrounds are more likely to be mature and from a minority ethnic background, and could therefore be more likely to face a greater negative impact than other groups of students.
133. This proposal is based on the expectation that institutions' library services are equipped to provide support in a variety of ways that will remove the need for some IT peripherals e.g. printers and scanners.

Alternative support provided by library services could include:

- Providing materials in alternative formats wherever possible.
 - Where materials are not available in an alternative format, providing long library loans or fully accessible scanned versions (where copyright regulations allow).
 - Where students need printed materials, considering how that need might be met at no additional cost to the student, through the use of the institution's printing facilities.
 - When producing reading lists, considering if the textbooks on those lists are fully accessible to disabled students.
134. Where alternative provision is not possible or is not accessible for the student, peripherals will still be considered for DSAs funding. Therefore overall there will be minimal impact on disabled students from the policy proposal.

Mitigation

135. DSAs funding will continue to be available for printer/scanners where the need for the purchase of an individual item is clearly evidenced and justified. Additionally funding will continue to be considered for other IT peripherals on an exceptional basis where there is an evidenced need for an individual item and alternative provision is either not possible or is not accessible by the student.

⁴⁴ Similar to the caveat mentioned in footnote 46, we assume the overall characteristics of the population that receives 'equipment' funding are similar to the population receiving IT peripheral funding.

How will this affect the Equality Aims?

136. We have considered the impact of this policy on the need to eliminate discrimination and other prohibited conduct. As set out above, a general effect of this and other policies is that there will be greater onus on institutions to make provision for disabled students in order to comply with their duties to make reasonable adjustments under the Equality Act. This may increase the potential for discrimination by institutions in circumstances where they fail to comply with those duties.
137. We have considered specifically the impact of this policy on the need to advance equality of opportunity between people who share a protected characteristic and those who do not in relation to the proposed changes. We have looked in particular at the need to:
- remove or minimise disadvantages suffered by those who share a protected characteristic,
 - take steps to meet the needs of persons who share a protected characteristic to the extent those needs are different, and
 - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
138. Whilst this policy proposal could have a limited impact on the advancement of equality of opportunity, the provision of better library services for disabled students will reduce any disadvantage that disabled students may experience. Disabled students should expect to have the same access to library provision as their peers. We anticipate improved mainstreaming of services overall and in particular disabled students having easier access to research and journals which are compatible with their assistive technology.
139. We have considered the impact of this policy on the need to foster good relations between persons who share a protected characteristic and those who do not. We have considered in particular the need to tackle prejudice and promote understanding.
140. We conclude that the policy may assist with fostering good relations, insofar as the policy may lead to this group of students having improved access to the facilities available through their institution's libraries and other services, alongside their non-disabled peers.

Funding for IT Consumables

- The policy will have a direct impact on persons who are disabled as this student product is targeted specifically at students with this protected characteristic. The nature of the impact on disabled students is likely to be negative.
- It is not possible to make a robust assessment of whether the proposed changes to the funding of IT consumables could disproportionately fall to a subgroup of DSAs recipients with protected characteristics other than disability. However the available data does suggest that disabled females, those aged 25 and over and those from low income backgrounds could be disproportionately affected by the changes to the funding of IT consumables. Due to further data limitations no assessment can be made of whether some ethnic groups are more likely to be affected by the policy change than others.
- The impact may be greater for students from low income backgrounds who are less likely to have the additional means to purchase IT consumables should they need to in the absence of DSAs funding. Students that receive DSAs and are from lower socio-economic backgrounds are more likely to be mature and from a minority ethnic background, and could therefore be more likely to face a greater negative impact than other groups of students.
- We expect the impact to be mitigated in a number of ways, at least partially, by institutions adjusting their access to learning materials to better accommodate the needs of their disabled students.
- A general effect of this and other policies is that there will be greater onus on institutions to make provision for disabled students in order to comply with their duties to make reasonable adjustments under the Equality Act. This may increase the potential for discrimination by institutions in circumstances where they fail to comply with those duties.

Will the policy disproportionately affect protected groups?

141. The policy will have a direct impact on persons who are disabled as this student product is targeted specifically at students with this protected characteristic.
142. It is not possible to make a robust assessment of whether the proposed changes to this specific element of the DSAs support could disproportionately fall to a subgroup of DSAs recipients with protected characteristics other than disability. Consumables are funded under the broader DSAs General Allowance category by the SLC (see table 13). This allowance is also used to fund textbooks and other miscellaneous items and can also be used to 'top-up' the Non-medical Help allowance and the specialist equipment allowance.
143. The profile of students in receipt of the General Allowance does differ to the overall DSAs recipients' profile in terms of gender and age: they are more likely to be female and to be aged 25 and over, compared with the DSAs population. They are also more likely to be awarded the full maintenance grant. This therefore tentatively suggests that any potential impacts of changes to funding

for consumables would fall disproportionately on these groups. However, it is not possible to draw firm conclusions on whether some groups would be more likely to be affected by the specific changes to the funding of IT consumables. Due to further data limitations no assessment can be made of whether some ethnic groups are more likely to be affected by the policy change than others.

What is the likely nature and magnitude of the impact on the relevant protected groups?

144. The nature of the impact on disabled students of the removal of funding for IT consumables is likely to be negative. The impact may be greater for students from low income backgrounds who are less likely to have the additional means to purchase IT consumables should they need to in the absence of DSAs funding. Analysis (page 31, Table 11) shows that students that receive DSAs and are from lower socio-economic backgrounds are more likely to be mature and from a minority ethnic background and would therefore be more likely to face a greater negative impact than other groups of students.

Mitigation

145. We expect the impact to be mitigated, at least partially, in a number of ways by institutions adjusting their access to learning materials to better accommodate their disabled students, for example, longer loans from their libraries or better access to electronic versions of publications to remove the need for printed materials. Where a student is awarded an individual printer/scanner, the related consumables will continue to be funded, where the cost of the consumables is additional to that a non-disabled student might require.

How will this affect the Equality Aims?

146. We have considered the impact of this policy on the need to eliminate discrimination and other prohibited conduct. As set out above, a general effect of this and other policies is that there will be greater onus on institutions to make provision for disabled students in order to comply with their duties to make reasonable adjustments under the Equality Act. This may increase the potential for discrimination by institutions in circumstances where they fail to comply with those duties.
147. We have considered specifically the impact of this policy on the need to advance equality of opportunity between people who share a protected characteristic and those who do not in relation to the proposed changes. We have looked in particular at the need to:
- remove or minimise disadvantages suffered by those who share a protected characteristic,
 - take steps to meet the needs of persons who share a protected characteristic to the extent those needs are different, and
 - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
148. Whilst this policy proposal could have a limited adverse impact on the advancement of equality of opportunity, we expect this to be mitigated by

institutions making adjustments regarding access to learning materials to better accommodate disabled students and remove the need for printed materials. The provision of improved access, such as to longer textbook loans and electronic versions of publications will reduce the disadvantage that disabled students may experience.

149. We have considered the impact of this policy on the need to foster good relations between persons who share a protected characteristic and those who do not. We have considered in particular the need to tackle prejudice and promote understanding.
150. We conclude that the policy may assist with fostering good relations, insofar as the policy may lead to this group of students having improved access to learning materials available through their institution's libraries and other services, alongside their non-disabled peers.

Accommodation

Summary

- The policy will have change will disproportionately affect disabled students, given that they currently receive targeted funding through DSAs.
- It is not possible to make a robust assessment of whether the proposed changes to the funding for accommodation could disproportionately fall to a subgroup of DSAs recipients with protected characteristics other than disability. However the available data does suggest that disabled females, those aged 25 and over and those from low income backgrounds could be disproportionately affected by the changes to the funding of accommodation. Due to further data limitations no assessment can be made of whether some ethnic groups are more likely to be affected by the policy change than others.
- We expect there to be no impact on the majority of students. Where adjustments need to be made to accommodation they will be funded either by the provider or by DSAs in the case of private landlords.
- If an institution or its agent is unable to meet its legal obligation to make reasonable adjustments then this may have a negative impact on the student whose accommodation is unsuitable. To mitigate potential impacts we will provide an Exceptional Case Process which will consider individual cases where institutions (or their agents) assert that it would not be reasonable for them to provide appropriate adjustments to accommodation.
- We believe that the policy will assist in fostering good relations between disabled and non-disabled students, insofar as it ensures that disabled students are able to live alongside and share communal facilities with non-disabled students. This is subject to safeguards which ensure that the necessary adjustments will be made in all cases.

Will the policy disproportionately affect protected groups?

151. Students will no longer receive DSAs funding for the additional costs of accommodation provided by an institution or its agent that arise due to the student's impairment. This change will disproportionately impact disabled students, given that they currently receive targeted funding through DSAs.
152. Accommodation spending is funded from the DSAs General Allowance. A robust assessment of whether the proposed changes to this specific element of the DSAs support could disproportionately fall to a subgroup of DSAs recipients with protected characteristics other than disability is not possible. The broader DSAs General Allowance category is also used to fund IT consumables, textbooks and other miscellaneous items and can also be used to 'top-up' the Non-medical help allowance and the specialist equipment allowance. The profile of students in receipt of the General Allowance does differ to the overall DSAs recipients' profile in terms of gender and age: they are more likely to be female and to be aged 25 and over, compared with the DSAs population. They are also more likely to be awarded the full maintenance grant. This therefore suggests that any potential impacts of changes to funding for accommodation

would fall disproportionately on these groups. However, it is not possible to draw firm conclusions on whether some groups would be more likely to be affected by the specific changes to accommodation funding. Due to further data limitations no assessment can be made of whether some ethnic groups are more likely to be affected by the policy change than others.

What is the likely nature and magnitude of the impact on the relevant protected groups?

153. We expect there to be no impact on the majority of students: where adjustments need to be made to accommodation they will be funded by the local authority, where a care plan is in place, the HE provider (in the case of institutions and their agents) or by DSAs (in the case of private landlords). Where physical adjustments are not required, but the type of accommodation required incurs a higher cost (e.g. en-suite), we expect that to be provided to the student in the normal way. The additional costs of such accommodation should not be passed on to the student where it is provided by the institution or its agent. DSAs will continue to be available in other cases. If an institution is unable to meet its legal obligation to make reasonable adjustments then this may have a negative impact on the student whose accommodation is unsuitable. We have provided mechanisms for resolving such situations, described below.

Mitigation

154. We are intending to provide an Exceptional Case Process which will consider individual cases where institutions (or their agents) assert that it would not be reasonable for them to provide appropriate adjustments to accommodation or to absorb the additional costs of providing the adjustment. Similarly, DSAs will remain available to fund the additional costs of accommodation provided by private landlords where that cost is not being met from elsewhere e.g. through a local authority personal care plan.

How will this affect the Equality Aims?

155. We have considered the impact of this policy on the need to eliminate discrimination and other prohibited conduct. As set out above, a general effect of this and other policies is that there will be greater onus on institutions to make provision for disabled students in order to comply with their duties to make reasonable adjustments under the Equality Act. This may increase the potential for discrimination by institutions in circumstances where they fail to comply with those duties.
156. We have considered specifically the impact of this policy on the need to advance equality of opportunity between people who share a protected characteristic and those who do not in relation to the proposed changes. We have looked in particular at the need to:
- remove or minimise disadvantages suffered by those who share a protected characteristic,
 - take steps to meet the needs of persons who share a protected characteristic to the extent those needs are different, and

- encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

157. Suitable accommodation, of appropriate size and distance from university buildings, is vital to ensure that disabled students are able to participate fully in higher education and engage in learning activities. The policy sets out an expectation that such accommodation will be available to disabled students, and reasonable adjustments will be made where needed. DSAs funding will remain available where needed.

158. We have considered the impact of this policy on the need to foster good relations between persons who share a protected characteristic and those who do not. We have considered in particular the need to tackle prejudice and promote understanding. We believe that the policy will help to promote good relations between disabled and non-disabled students, insofar as it aims to ensure that disabled students are able to live alongside and share communal facilities with non-disabled students. This is subject to the safeguards laid out in the Mitigation section above, which ensures that the necessary adjustments will be made in all cases.

Non-Medical Help support

Summary

- The policy proposal would disproportionately affect disabled students, given that they currently receive targeted funding through DSAs.
- Analysis of the available data, albeit limited, suggests changes to the funding of non-medical helper support will not disproportionately fall to the protected groups defined by age and gender: the protected characteristics profile of the subgroup of DSAs recipients that receive non-medical helper funding does not significantly differ from the profile of all DSAs recipients. There is no significant difference between the two groups in terms of the likelihood of being awarded a full maintenance grant. Due to data limitations no assessment can be made of whether some ethnic groups are more likely to be affected by the policy change than others.
- The proposal to remove DSAs funding from certain less specialised forms of Non-Medical Help may impact negatively on students who currently receive this form of support.
- Male students and mature students are more likely to receive higher amounts of NMH award and so there is potential the impact on these groups will be greater.
- The impact may be greater for those disabled students from low income backgrounds who are less likely to have the additional means to purchase replacement services themselves. Students that receive DSAs and are from lower socio-economic backgrounds are more likely to be mature and from a minority ethnic background and could therefore be more likely to face a greater negative impact than other groups of students.
- Students are not expected to be put in the position of needing to purchase replacement services. Publicly-funded institutions are provided with significant government funding to ensure equality of learning opportunities for disabled students.

Will the policy disproportionately affect protected groups?

159. Non-Medical Help is an important type of support for HE students. Some of the help is highly specialised e.g. British Sign Language interpreters and some is less specialised e.g. note-taking. By definition of eligibility for DSAs the policy change will disproportionately affect disabled students.
160. The analysis shows that the gender, age band and disadvantage profile of students applying for Non-Medical Helper support is broadly equal to the overall DSAs population suggesting that the potential impacts of this policy change will not disproportionately affect other protected characteristic groups. Due to data limitations no assessment can be made of whether some ethnic groups are more likely to be affected by the policy change than others.

What is the likely nature and magnitude of the impact on the relevant protected groups?

161. The proposal to remove DSAs funding from certain less specialised forms of Non-Medical Help may impact negatively on students who currently receive this form of support. It is recognised that students from low income households

may be less likely to purchase replacement services themselves. Analysis (page 31, Table 11) shows that students that receive DSAs and are from lower socio-economic backgrounds are more likely to be mature and from a minority ethnic background, and would therefore be more likely to face a greater negative impact than other groups of students. Analysis of the level of NMH awards (page 36, table 15) shows that male students and mature students are more likely to receive higher amounts of NMH award. There is potential the impact on these groups to be greater if the support they were receiving is no longer funded.

Mitigation

162. Publicly-funded institutions currently receive government funding through the Disability Premium which has enabled them to put in place strategies to support disabled students, including those students who receive DSAs on an individual basis. The Disability Premium in 2015-16 is £20 million, *an increase of £5 million on the previous year*. If publicly-funded institutions have used these funds to make improvements in the accessibility of resources and computer facilities, then this will mitigate the need for additional NMH for those disabled students with less complex needs.
163. For example, 81% of institutions provide lecture hand-outs to students prior to the lecture and 45% provide audio recordings of lectures via a centralised system.⁴⁵ These improvements in technology should reduce the need for manual note-takers for disabled students. Personal digital recorders have been available to DSAs students since 2007, and provide even more powerful opportunities for autonomous learning. Smart phone technology and computer technology has also opened up opportunities for students to record information through their personal devices. Video-capture technology is still evolving, but accessible video clips of lectures, with search facilities and time-linked transcripts, hold great potential for assisting disabled students with their learning. Survey evidence from the NADP suggests that institutional provision of assistive technology, especially via communal facilities, is still variable (page 28, Table 9).
164. Stakeholders raised concerns that institutions would not be ready to meet fully their legal duties under the Equality Act by the start of academic year 2015/16 and that students applying shortly would have no knowledge of how their institution intended to support them. Given the potential negative impact on students in institutions where support has not been put in place, this proposal was delayed until 2016/17. This allowed an additional year for those institutions with insufficient provision to address these issues.
165. Following the recent consultation on DSAs which considered non-medical help provision some changes have been made to the original proposals to help mitigate the impact on institutions and students. The response to the consultation is published separately.
166. Support will be considered through the Exceptional Case Process for the remaining support roles where the primary responsibility is expected to be borne by the institution.

⁴⁵ Abi James and E.A. Draffan, *Review of technology-based support to reduce the impact of note-taking difficulties on disabled students* (June 2014)

167. Further information will also be sought from stakeholders to determine what specific exceptions to the general rules might be introduced, for example how note-taking support for disabled students with needs that cannot be met through assistive technology and reasonable adjustments might be met or library support for visually impaired students. This will mitigate the increased burden on institutions and potentially reduce the need for students to access the Exceptional Case Process.
168. Work will also be undertaken with the sector to consider what best practice in the provision of reasonable adjustments looks like and how that practice might be achieved more consistently across the sector.

Institutions' response to the proposed changes

169. Consultation responses discussed some of the factors that may impact on a HEI's ability to respond to the proposed changes. There was a variety in the arguments presented of how the response by HEIs may vary:

Size of HEIs and proportion of DSA recipients

- There is a large variation in the proportion of students claiming DSAs and the number of students declaring disabilities by institution.
- HEIs which currently have small numbers of disabled students do not have the knowledge and expertise, or resources to respond to changes by 16/17.
- HEIs who currently have a large proportion of students who claim DSA will struggle to find funding if some DSA funding is removed.
- Small HEIs may not be able to benefit from economies of scale in funding reasonable adjustments.

Types of HEIs

- Institutions split across multiple campuses may find it harder to fund reasonable adjustments.
- The type of courses offered may affect HEIs ability to respond. Courses with large practical elements, professional courses, or those that require students to undertake placements in different accommodation may lead to a higher cost to fund the support currently funded through DSAs.
- As a consequence, inconsistencies could be seen across different courses, departments, faculties, or campuses, as well as between institutions.
- The variation in retention and attainment gaps across institutions may already indicate the variation in services provided by HEIs.
- Scottish HEIs will be particularly affected if they have a large proportion of English domiciled students (the University of Edinburgh, St Andrews, and Aberdeen had the highest proportion of disabled English domiciled students over the last 5 years). It may be more difficult for Scottish HEIs to respond to changes to English domiciled students, if they do not have to fund the support for Scottish domiciled students, due to lower economies of scale. There may be differences between the level of support English domiciled, and Scottish domiciled students receive when attending a Scottish HEI.

HEI's funding stream

- There are 3 streams of funding for students with disabilities, DSA, SOF and private income from universities, i.e. tuition fees. The level of all of these sources of income and the trade-off between them needs to be acknowledged in HEI's ability to respond to reforms.
170. Consultation responses raised concerns that if HEIs did have a different ability to respond and fund the support previously funded through DSAs then this may lead to a change in admissions:
- In considering which institutions to apply to, students would focus on those who had the best support. They may face more choice restriction in the institutions and courses they can, or feel they can, attend.
 - HEIs may have an incentive to admit fewer disabled students. Although this would be contrary to HEI's obligation under the Equality Act 2010, some consultation responses raised concerns that prospective disabled students, and particularly those requiring the most support, would be disadvantaged in the admission process. There was also a perception that these changes may punish those HEIs which made a greater effort to recruit disabled students.
 - What is deemed 'reasonable' to implement may vary by size of HE provider, and the resources they have available to them. This may lead to a postcode lottery in terms of HE provision for disabled students.
171. We do not have evidence about how HEIs will respond to these reforms. The Equality Act places a duty on HE providers to not only provide reasonable adjustments for disabled students, but also to monitor its own compliance with the Equality Act. Therefore we expect institutions to have robust processes in place to monitor its compliance with the Equality Act.
172. In addition BIS will work with external organisations and stakeholders to help identify what mechanisms might be put in place by the sector to monitor and encourage the provision of reasonable adjustments for disabled students in HE, the development of inclusive learning environments and the dissemination of good practice across the sector.

Cumulative Impacts

173. DSAs recipients can be awarded different types of support. As such, a recipient may be impacted by a combination of the proposed changes to DSAs policy. For example, students from low income backgrounds may see a greater impact from changes to the funding of IT peripherals and NMH. They are less likely to have the resources to purchase replacement services themselves.
174. However, we anticipate that institutions will mitigate the effect of these changes. In developing the proposals we have considered what should now be the correct balance between Government funding and what should be provided by institutions under their duty to make reasonable adjustments under the Equality Act. DSAs support will continue to provide funding towards equipment and support which we consider to be genuinely 'additional' and above and beyond what is a general cost for students or reasonable for a higher education institution to meet. If institutions fully mitigate the effect of these changes, we do

not anticipate cumulative impacts on students affected by multiple proposed policy changes.

175. The proposed freeze to the maximum level of DSA award will not directly interact with these proposed reforms. The freeze to the maximum level of award will affect those students who are claiming the maximum or close to the maximum award. SLC data from 2012/13 shows that less than 1% of full-time students in receipt of Equipment, NMH, and General support received the maximum or higher amount of DSA support (27, 34 and 60 full-time students respectively). Where students do reach the maximum amounts, institutions currently consider how they can best meet the needs of the student, in the absence of DSAs. The effect of these proposed changes is to decrease a student's DSA award as the institution provides and funds this support. Therefore, there is no additional impact on students because of an interaction between these proposals and any freeze to the maximum level of award.
176. There are wider reforms to the student finance system under consideration, such as the switch from grants to loans. DSAs funding will remain demand led and non means-tested. Therefore, changes elsewhere in student support funding should not create a cumulative effect to the support disabled students will receive when considered in the context of these changes.
177. If students perceive that the changes to DSA funding, or the wider changes to the student support system, means that the support offered will be reduced then this may impact on their decision to participate, or their course or location of institution. However, the extent of this impact is uncertain.

Overall Equality Impacts

178. By the nature of support offered through DSAs, all the students affected by the proposed changes to DSA funding will be disabled students. We anticipate that institutions will mitigate the effect of the changes to DSA funding by providing the reasonable adjustments, as per their duty under the Equality Act.
179. If institutions do not mitigate the effect of the changes to DSA funding then some students may be disproportionately affected by the proposed change. Some responses to the consultation discussed factors that may impact an institution's ability to respond to the proposed changes, for example, the proportion of students claiming DSAs and the proportion of students declaring disabilities at an institution, the size of an institution, and the make-up of courses offered. If not all institutions can mitigate the effect of the changes to DSAs across all of their courses and students, then there could be a negative impact on some students.
180. An Exceptional Case Process will be put in place as part of the changes to consider cases where either a) the support is the primary responsibility of the HE provider, but the provider does not agree that it is a reasonable adjustment and b) the individual circumstances of the student are exceptional and therefore it is not expected that the HE provider should make an adjustment.
181. The gender and socio-economic profile of English domiciled disabled HE entrants to UK institutions that receive DSAs is very similar to higher education entrants without a known disability. However, young people are over-represented in the DSAs recipient group, and ethnic minority students are under-represented. DSAs recipients are slightly more likely to be awarded the full maintenance grant compared to all full time undergraduate applicants. The students over-represented in the DSA population may be disproportionately affected by the changes to DSA funding, if institutions do not mitigate the effects.
182. Students from low income backgrounds may be less able to fund their own support if the institutions do not fully mitigate the effect of the proposed changes, and so could be affected more from the proposed changes. These students are more likely to be mature students, and from a minority ethnic background.
183. **IT peripherals:** Analysis of the available data suggests changes to the funding of IT peripherals will not disproportionately fall to protected groups defined by age and gender, or on those from low income backgrounds. Due to data limitations, no assessment has been made of the likely impact on minority ethnic students. DSAs funding will be considered on an exceptional case basis where alternative provision is either not possible or is not accessible by the student.
184. **IT consumables:** Available data suggests that disabled females, those aged 25 and over and those from low income backgrounds could be disproportionately affected by the changes to the funding of IT consumables.

185. **Accommodation:** Available data suggests that disabled females, those aged 25 and over and those from low income backgrounds could be disproportionately affected by the changes to the funding of IT consumables.
186. **Non-Medical Help:** Analysis of the available data suggests changes to the funding of non-medical helper support will not disproportionately fall to the protected groups defined by age and gender, or those who receive a full maintenance grant. Male students and mature students are more likely to receive high levels of NMH award and so the impact on these students may be greater.

Monitoring and Review

187. We will look for suitable opportunities, including through existing stakeholder forums, to monitor developments and feedback.
188. We shall continue to monitor HESA, SLC, and UCAS data to determine the participation, retention and outcomes for disabled students, particularly in relation to the following sub-groups of DSAs recipient:
- Female
 - From an ethnic minority background
 - Young students
189. OFFA and HEFCE monitor and publish a report on an annual basis on the outcomes of access agreements and widening participation strategic assessments. We will consider this, and any other emerging evidence, as we monitor and review the policy.
190. The Equality Act places a duty on HE providers to not only provide reasonable adjustments for disabled students, but also to monitor its own compliance with the Equality Act. Therefore we expect institutions to have robust processes in place to monitor its compliance with the Equality Act.
191. In addition BIS will work with external organisations and stakeholders to help identify what mechanisms might be put in place by the sector to monitor and encourage the provision of reasonable adjustments for disabled students in HE, the development of inclusive learning environments and the dissemination of good practice across the sector.

Consideration of Alternatives

192. The Government consulted with stakeholders on the Government's preferred approach to reforming the provision of non-medical help, but additionally provided a number of alternatives for consideration. Full details can be found at [\[link\]](#).
193. The policy intent is to achieve improved accessibility of the learning environment for all disabled students with all HE providers fulfilling their duties under the Equality Act; re-balancing the provision of support between HE providers and DSAs; and improving value for money by ensuring DSAs only provides support not reasonably available to disabled students from other sources.
194. We believe that the current system discourages HE providers from properly considering their obligations under the Equality Act, because DSAs covers all of the costs incurred by disabled students to access their learning environment. If the need is already being met from DSAs, then the HEI might consider that there are no further reasonable adjustments to make. Further, we believe that the DSAs system reduces the requirement of the institution to be innovative in

finding ways to reduce barriers for all disabled students, not just those in receipt of DSAs.

195. In order to ensure that HE providers are properly considering reasonable adjustments, including anticipatory adjustments, we believe that the current system needs to change, in order to give HE providers a clear obligation to consider the reasonable adjustments that they might need to make. , HE providers will subsequently give more consideration to developing inclusive learning environments and reducing barriers to learning for all students.
196. We considered each of the alternative proposals within this context.
197. The alternative option of maintaining the status quo was rejected as outlined above. A new policy is needed which ensures that HE providers assume responsibility to address barriers that could be met through reasonable adjustments. We also considered that we needed a policy which drew a clear line between the responsibilities of HE providers and what DSAs would continue to fund, in order to ensure ease of understanding and reduce any potential administrative burden. The current policy does not achieve that, which resulted in the consideration of alternative options.
198. We considered transferring responsibility for all NMH provision to HE providers. We concluded this option was not viable at this time. Responses to the consultation indicated that there is work to be done to develop more inclusive learning environments and to help providers achieve a consistently good level of support for disabled students across the sector. Transferring responsibility for all NMH support at this time could risk many institutions being unable to meet their legal duties and result in students receiving less support than they require. Whilst it would meet our criteria of providing clarity about what DSAs would fund and what the HE provider would fund, it requires HE providers to assume responsibility for addressing barriers that they may not consider could be met through reasonable adjustments. At this stage the risk is too high that many disabled students would not get the support they need to access their HE course.
199. We considered a model whereby HE providers would fund support up to a pre-determined level, with DSAs being used to top-up support once that level was reached. We concluded that on balance this option would increase administrative responsibilities for HE providers as they would be required to evidence in each case what support had been provided, at what cost and what additional support was needed. This proposal would not provide a clear distinction between what was the HE provider's responsibility and what DSAs will fund, and therefore does not meet one of our key criterion. This proposal was not widely supported in the consultation, although some respondents did identify some merits with this approach.
200. We considered an approach that would see HE providers taking a bigger role in assessing students for support and drawing down DSAs funding where needed. We considered this option in the context of the appropriateness of DSAs funding being drawn down by HE providers, how conflicts of interests might be managed and the loss of an independent service for students. We concluded that it would not be appropriate for HE providers to assess students for DSAs funding at this time, given the potential for this to result in students being recommended to receive DSAs support in place of the institution putting in

place a reasonable adjustment. The practice of providing reasonable adjustments is not consistently embedded across the sector, which could give rise to a continued call on DSAs funding and a continued lack of motivation to develop inclusive learning environments. We therefore considered that this proposal did not meet our criteria of ensuring that HE providers assume responsibility to address barriers that could be met through reasonable adjustments, and further that it did not draw a clear line between what is the HE provider's responsibility and what is fundable through DSAs.

201. We have also considered and rejected additional proposals that were provided by respondents during the consultation exercise. These are detailed in the Government's response and centred on three broad ideas:

Division between DSAs-funded students and HE provider-supported students:

202. This would see students requiring a high level of support becoming 'DSAs-funded students', and those requiring a lower level of support becoming 'HE provider-supported' students. We have concluded that students should not be divided into DSAs-funded students and HE provider-supported students. Our view is that all students should have their needs met by the HE provider where it is reasonable to do so, in line with their Equality Act duties, and that DSAs will remain available to all students where additional individual support is required over and above those reasonable adjustments. To do otherwise may discharge providers of their Equality Act duties towards some students. This therefore does not meet our criteria of ensuring that HE providers assume responsibility to address barriers that could be met through reasonable adjustments, and further does not draw a clear line between the HE provider's responsibility and what is fundable by DSAs.

Provision of support based on disability type:

203. Some respondents to the consultation felt that some types of disability, which may result in a higher level of support, should result in the student being wholly supported through DSAs. We have also concluded that provision of support should not be based on disability type. This could lead to charges of discrimination, and again may discharge providers of their Equality Act duties towards some students. This could potentially meet our criteria of clear line of responsibility, but it does not meet our criteria of ensuring that HE providers assume responsibility to address barriers that could be met through reasonable adjustments.

Division due to purpose of support – i.e. whether it relates solely to the taught environment:

204. Some respondents saw merit in considering responsibilities for providing support based solely on the function of that support role. We also concluded that provision of support should not be wholly based on the purpose of support – i.e. whether it relates solely to the taught environment. This is because it does not provide a clear division and could therefore cause confusion and administrative burden. In addition we believe that due to the high costs and specialist nature of a number of the roles which are solely for providing support within the taught environment, they may not be deemed reasonable

adjustments by the HE provider. This therefore does not meet either of our criteria.

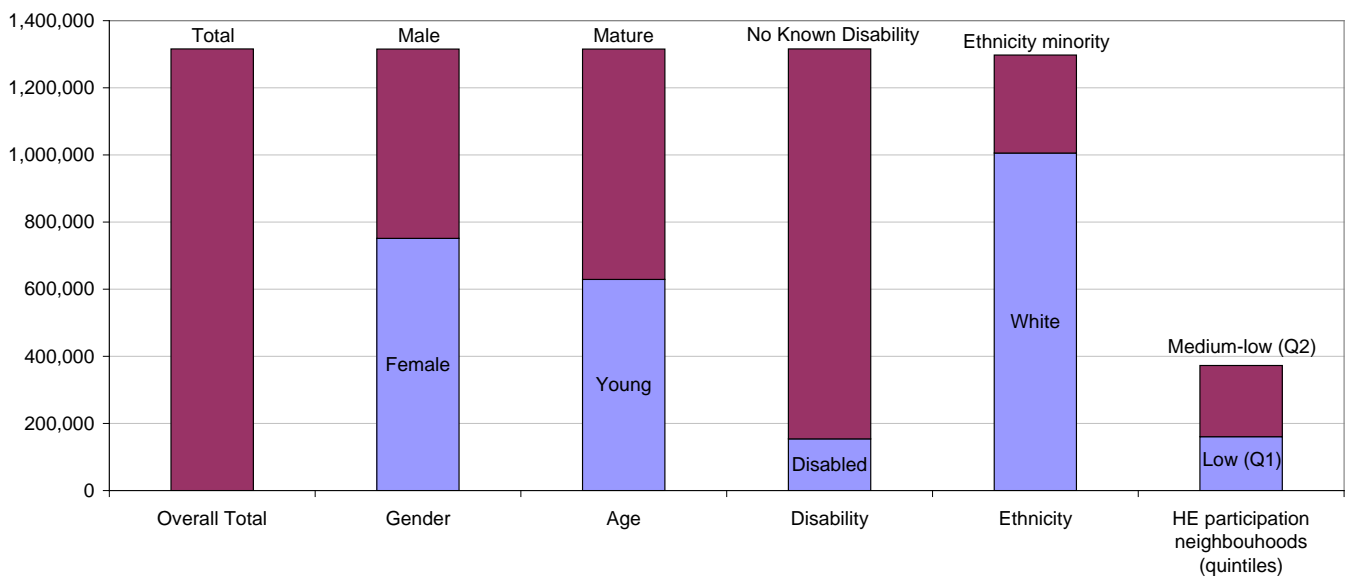
205. A further three variations were described by respondents that would see support divided by distinguishing between i) support required for accessing the teaching/ learning environment versus support needed to get around; ii) support provided on campus versus that provided off campus; and iii) making reasonable adjustments in the form of changes to the learning environment versus individualised support to enable independent learning. These were also rejected as they did not meet our criteria. HE providers have a responsibility to make reasonable adjustments, and that is not prescribed by location or the purpose of support.

Annex 1 – Snapshot of participation in Higher Education

The charts below provide a ‘snapshot’ of participation in higher education in 2012/13, and a comparison of the student population with the general population in 2011/12 (the year of the last census).

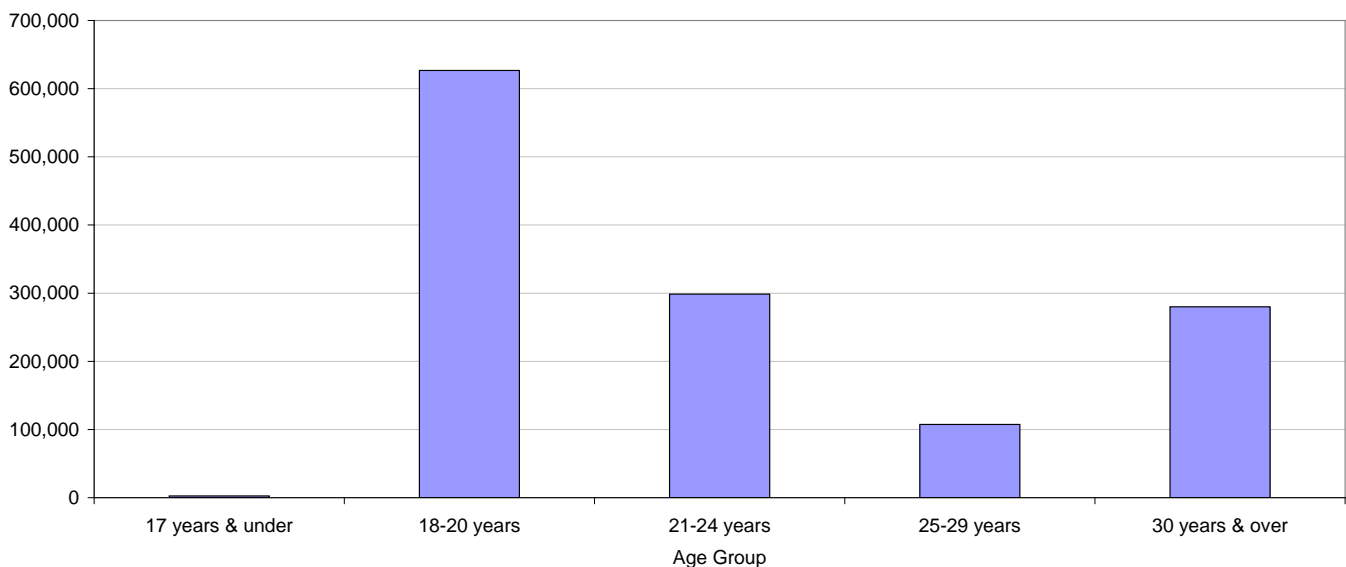
Enrolments – the raw numbers in Charts 1-3 show enrolments broken down by protected characteristics and disadvantaged groups. Source: HESA Student Record (excludes alternate providers).

Chart 1 - UK Domiciled Undergraduate Enrolments English HEIs 2012/13



Source: HESA Student Record (excludes alternate providers)

Chart 2 - UK Domiciled Undergraduate Enrolments by Age Group English HEIs 2012/13

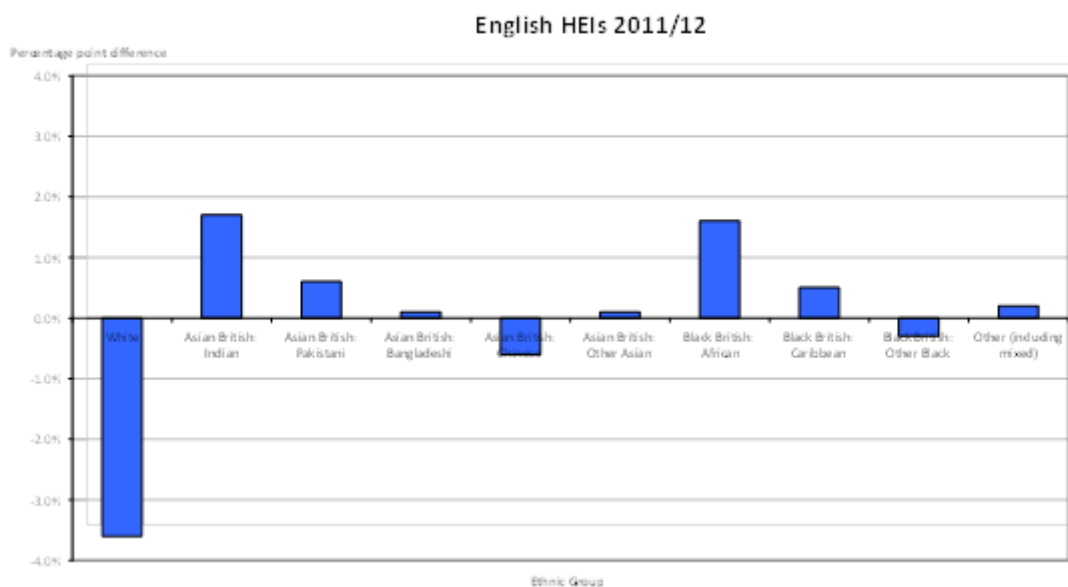


Source: HESA Student Record (excludes alternate providers)

1. Combining English census 2011 data with Higher Education Statistics Agency (HESA) estimates of higher education undergraduate enrolments we can attempt to provide an updated snapshot of the participation of people from minority ethnic backgrounds in English institutions compared with their representation in the population. The charts below generally show a positive representation in higher education for minority ethnic groups. Young people from Chinese and Black Other backgrounds are the only groups that appear to have a lower representation in higher education compared to their representation in the 18-24 year old population. Compared to the representation of minority ethnic groups in the general population (all ages) only the Black Other group is underrepresented in the higher education population. As a proportion of the higher education population it is students from the 'White' group who are under-represented, in relation to their proportion in the population. (See Charts 4 and 5.)

2. Other research also shows that young people from minority ethnic backgrounds are overwhelmingly more likely to enter higher education compared to White people with the same prior attainment⁴⁶. In addition compared to people from White groups with the same prior attainment those from minority ethnic groups have a similar or higher probability of attending the most selective universities⁴⁷.

Chart 4: Representation of ethnic groups in the UK domiciled undergraduate population compared to the overall population in England aged 16-24



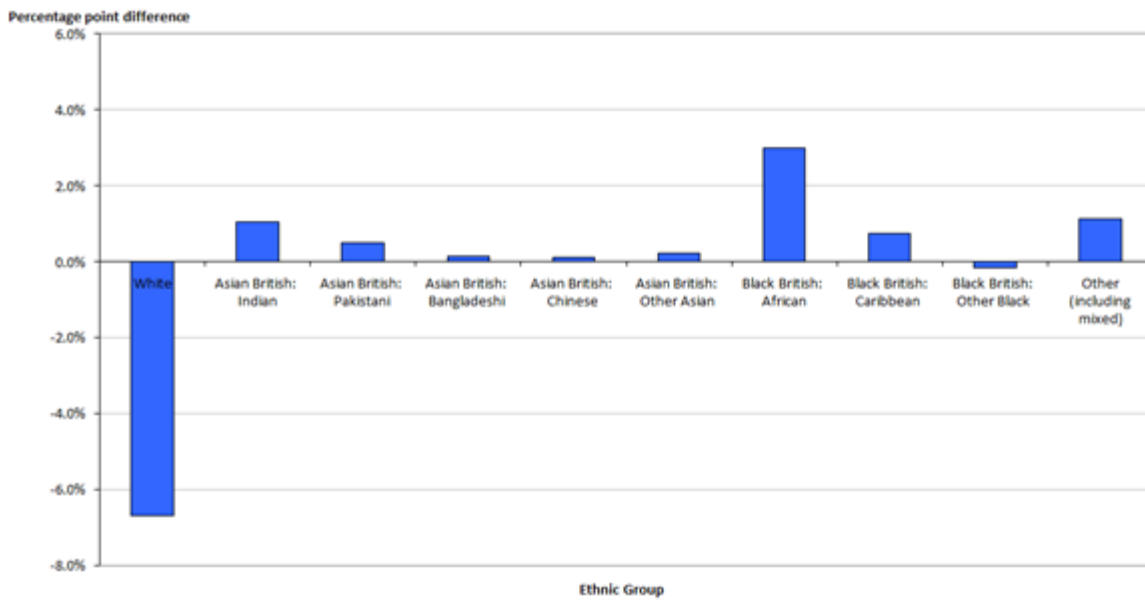
Source: HESA record, 2011 UK Census

⁴⁶ www.education.gov.uk/research/data/uploadfiles/DIUS-RR-08-14.pdf

⁴⁷ www.ifs.org.uk/publications/4234

Chart 5: Representation of ethnic groups in the UK domiciled undergraduate population compared to the overall population in England

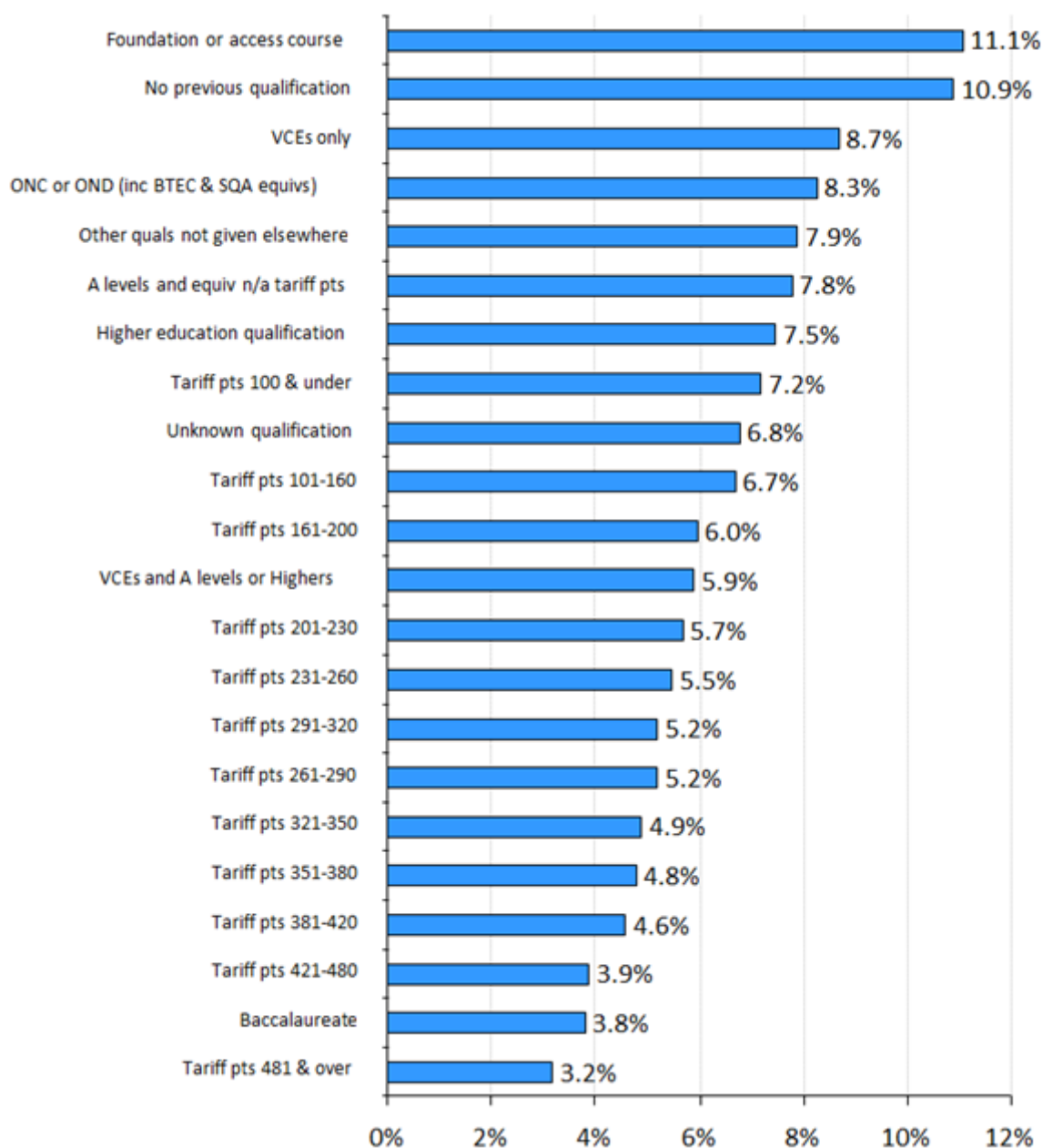
English HEIs 2011/12



Source: HESA record, 2011 UK Census

Annex 2 – Snapshot of disabled students' academic and employment characteristics

Chart 1: Proportion of full-time, first degree students receiving DSAs, by entry qualifications



Source: HESA. Table SD1

Note: DSAs recipients are 5.9% of FT, first degree students overall

Table 1: Destinations of disabled students

| | No known disability | Known to have a disability |
|--|----------------------------|-----------------------------------|
| Full-time paid work only (including self-employed) | 48.9% | 43.2% |
| Part-time paid work only | 12.3% | 12.5% |
| Voluntary work or other unpaid work | 2.2% | 3.5% |
| Work and further study | 8.7% | 8.6% |
| Further study only | 14.8% | 14.5% |
| Assumed to be unemployed | 8.6% | 11.7% |
| Not available for employment | 3.3% | 4.7% |
| Other | 1.1% | 1.6% |

Source: HESA. Table 3a - Destinations of leavers by level of qualification obtained, activity, gender, age group, disability status and ethnicity 2010/11

Annex 3 – Current DSAs package of support (England)

| Allowance | Maximum amounts | | |
|---|-----------------|--------------|---------------------------------------|
| Study mode | Full-time UG | Part-time UG | Postgraduates (FT and PT) |
| Specialist equipment allowance (for the duration of the course) | £5,161 | £5,161 | £10,260 (one allowance for all costs) |
| Non-medical helper allowance (each year) | £20,520 | £15,390 | |
| General allowance (each year) | £1,724 | £1,293 | |
| Travel allowance (each year) | Uncapped | Uncapped | |

Annex 4 – Summary of stakeholder evidence provided as part of the BIS consultation on proposed changes to Disabled Students' Allowances

BIS has received information and evidence from a number of stakeholders regarding the proposed changes to DSAs. These were taken into account during the development of the final policy and, where appropriate, evidence was used for this Equality Analysis. This section draws from the evidence provided to the DSAs consultation which ran from 01 July to 24 September 2015. The evidence provided is summarised here:

General comments

1. Some respondents offered case studies of DSAs recipients to demonstrate how support, currently funded through DSAs, assists and enables them to undertake their study.
2. Some respondents offered institutional level insights into the type and volume of support they are providing at the moment, and the outcomes of disabled students at an institution. They also offered comments on the type and volumes of support they would be expected to fund themselves and the impact of their resources.
3. One respondent offered a small scale survey of current recipients of the use of DSAs in their current studies, and their perceptions of the effect on their studies if the support through DSAs was removed.
4. One respondent referred to the research University Challenge (2013)⁴⁸. This research interviewed university representatives and surveyed university websites to investigate access to higher education and how disabled students tackle challenges. There was variety in responses from representatives at different HEIs. 30% felt limited in where they could choose to study owing to concerns over their care packages, 90% said their disability advisors were helpful, and only one third are not affected by listed building status that would delay installation of adaptations.

Response to proposed changes: Non-medical help

5. Some responses highlighted the variation in costs across HEIs for note taking.

⁴⁸ www.mdctrailblazers.org/assets/0000/9417/UniversityChallenge2013_WEB.pdf

Suggested alternatives to the proposed changes

6. A number of respondent to the consultation suggested alternative ways of reforming DSAs, including more responsibility transferring to institutions, dividing students into DSAs-funded and institution-funded and passing ring-fenced funding to HEIs to under assessments. Some respondents favoured no change to the current system. The Government response is published separately.

Comments on monitoring and evaluation

7. Many consultation responses highlighted the need to monitor and evaluate the effect of the proposed changes at both a student, and an institutional level.
8. In terms of student, many responses highlighted the need to look at student outcomes throughout their journey at university. Monitoring should cover:
 - Applications
 - Retention and achievement at university, and student satisfaction scores
 - Outcomes after university

These should be monitored for different sub-groups of disabled students, and at an institutional level to explore how the proposed changes are affecting different institutions and disabled students.

9. Many responses raised concerns that there is a lack of systematic monitoring and evaluation of institutions currently. A lot of evidence is anecdotal and this makes rigorous evaluation of how institutions are fulfilling their obligations and how students experience differs almost impossible. Some responses encourage BIS to develop a framework for institutions to use consistently to ensure better evidence is gathered.
10. Some consultation responses highlighted specific areas where they felt a need for monitoring once the reforms are brought in:
 - Accommodation – is there evidence of the costs of adaptations to accommodation being passed onto all students in increased rent?
 - Fostering good relations – have relations between disabled and non-disabled students deteriorated because of the changes to DSA funding? Has the nature or rate of disability hate crime increased?
 - Quality of NMH – is there any evidence of the quality of NMH provision decreasing in some institutions?
 - Exceptional Case Process – responses welcomed the introduction of an Exceptional Case Process but highlighted the need for specific monitoring to ensure it is providing the intended support in a reasonable time frame.

Annex 5 – Consideration of the Family Test

The introduction of a Family Test was announced by the Prime Minister in August 2014. The objective of the test is to introduce an explicit family perspective to the policy making process, and ensure that potential impacts on family relationships and functioning are made explicit and recognised in the process of developing new policy.

Money should not be a barrier for people who get offered a place at a Higher Education institution to take-up study in the UK. Consequently the English government offers a package of financial support for home students which include annually determined student loans and non-repayable grants and bursaries depending on individual circumstances. This financial support covers tuition fees and living costs and is available to all eligible students regardless of any protected characteristic.

Families are supported to enable their children to attend Higher Education as well as parents who may be studying in their own right. We recognise that poverty and financial hardship can be a significant risk factor for relationship instability and poor family functioning.

Eligible disabled students can apply for additional support through the Disabled Students' Allowances (DSAs). DSAs are payable to contribute towards the additional costs a student is obliged to incur because of their disability. The allowances are not means-tested, are available for all modes of study and are payable regardless of the family circumstances of the student.

Prevalence of parents in the population of DSA recipients

Analysis of SLC data for 12/13 applicants can give an estimation to the prevalence of parents in the population of DSA recipients. 5.6 per cent of DSA recipients received Parents' Learning Allowance (PLA), 2.3 per cent received Child Care Grant (CCG) and 2.3 per cent received both PLA and CCG. This indicates that at the very least 5.6 per cent of DSA recipients have dependents under 15 years old (or under 17 years old with special educational needs).

Looking at the entire student support population, 3.6 per cent of student support recipients received PLA, 1.4 per cent received CCG whilst 1.4 per cent received both PLA and CCG. Compared with the entire student support population we can see that DSA recipients are much more likely to receive PLA, whilst also slightly more likely to receive CCG or both. We can infer from this that DSA recipients are more likely to have child dependents.

The Family Test Questions

1. What kinds of impact might the policy have on family formation?

We do not think this test is applicable to these policy changes, given that the DSAs are specifically paid towards the additional study related costs the student incurs solely because of their disability and are paid irrespective of personal family circumstances.

2. What kind of impact will the policy have on families going through the key transitions such as becoming parents, getting married, fostering or adopting,

bereavement, redundancy, new caring responsibilities or the onset of a long-term health condition?

The student finance package is designed to help support students who are managing the transition into Higher Education. DSAs particularly assist students who are disabled or who become disabled during their HE studies. We do not think this test is applicable to these policy changes, given that the DSAs are specifically paid towards the additional study related costs the student incurs solely because of their disability and are paid irrespective of personal family circumstances or when a long-term health condition presents.

3. What impacts will the policy have on all family members' ability to play a full role in family life, including with respect to parenting and other caring responsibilities?

We do not think this test is applicable to these policy changes, given that the DSAs are specifically paid towards the additional study related costs the student incurs solely because of their disability and are paid irrespective of personal family circumstances.

4. How does the policy impact families before, during and after couple separation?

We do not think this test is applicable to these policy changes, given that the DSAs are specifically paid towards the additional study related costs the student incurs solely because of their disability and are paid irrespective of personal family circumstances.

5. How does the policy impact those families most at risk of deterioration of relationship quality and breakdown?

We do not think this test is applicable to these policy changes, given that the DSAs are specifically paid towards the additional study related costs the student incurs solely because of their disability and are paid irrespective of personal family circumstances.

Mitigation

No impacts related to the family test have been identified and therefore no mitigations are being considered in relation to family issues.

How will this affect the Equality Aims?

We have assessed the impact of the changes on protected and disadvantaged groups, where information was available and a full equality analysis is set out within the body of this document.



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