

Consultation on the Disabled Students Allowance

Response from Lead Scotland (Specialists in Linking Education and Disability)

Lead Scotland is a charity that enables disabled adults and carers to access inclusive learning opportunities. At a local level, we do this by providing direct support to learners¹ through flexible person-centred learning opportunities and individualised guidance and support to help them plan their learning journeys. At a national level, we provide information and advice on the full range of post-school learning and training opportunities, as well as influencing and informing policy development.

General comments

Although the consultation paper highlights that students will only be affected in a positive way (i.e. faster turnaround of DSA payments), it will be essential to carry out a full equality impact assessment to fully consider the possible implications on disabled students.

Lead Scotland would also recommend that the Scottish Government issues clearer guidance to institutions regarding what should be provided through mainstream provision and what should be provided through DSA. At present, there seems to be significant inconsistency regarding what is provided in each institution resulting in confusion and inequity between different areas. Such guidance should encourage institutions to work towards a social model of disability, whereby the majority of support (where appropriate) is available within an inclusive anticipatory environment, rather than relying on 'add-on' measures to address the barriers experienced by disabled students. Lead Scotland would be happy to assist in this process where necessary. For example, we have wide-ranging experience in providing advice and training on promoting inclusiveness in learning environments, as well as extensive expertise in the application and understanding of the Equality Act

¹ We receive local authority funding to community learning and development services in Aberdeenshire, Dundee, Fife, Highland, North Lanarkshire, Moray and West Lothian.

(particularly in relation to anticipatory reasonable adjustments and the Public Sector Equality Duty).

1. Do you agree that budget responsibility should be devolved from SAAS? What are the advantages/disadvantages?

Yes. A system of local budgetary control already works well for further education funding, which allows institutions more control over how they allocate funding. Institutional staff are already well placed to develop relationships with individual students and in a much better position to fully understand their individual support needs. Allowing institutions control over their DSA budget will allow them to have a clearer vision of the way in which they are providing an inclusive learning environment, by encouraging them to focus more on mainstreaming inclusiveness into day-to-day practice instead of relying on DSA to address any barriers. Local control will also allow institutions to directly address any concerns regarding individual applications, as well as cutting out a third party in administrative and payment arrangements.

However, close consideration will need to be given to the following issues to ensure that students do not experience a reduced quality service:

- how will institutions be supported to deal with the extra time and resources (e.g. staff and administrative/IT functions) involved in processing payments?
- will students still be able to make online applications in the same way as the current system?
- will all institutions be expected to stick to the same deadlines for processing and payment to ensure consistency for all students across Scotland?
- how will the application process tie in with applications for other financial support from SAAS?
- will appeals and complaints be handled in the same way, and will SAAS be able to handle second-stage appeals/complaints?

2. If budget responsibility is devolved, how would this reach the Access Centres?

Consideration could be given to creating regional Access Centres (possibly in line with the new college regions) which could be funded separately. This would allow all students in Scotland the choice of having their needs assessment carried out at an Access Centre instead of their own institution in certain circumstances. We are aware of a number of disabled students who have experienced issues with their own institution (either issues with individual staff members or institutional

procedures), and therefore prefer for their assessment to be carried out elsewhere. At present, this is only really a feasible option for students who live or study near the existing Access Centres.

Funding for this model could be based on a model similar to the Disabled Students Premium, whereby the total amount of funding available to the Access Centres could be distributed pro rata to the number of students likely to require assessments at each Access Centre (with slight adjustments made to ensure that each centre receives at least a specified minimum amount). If this was done on a regional basis, this prediction could be based on the total number of students at each institution within each regional Access Centre's remit, with an assumption made about the proportion of disabled students within each institution (e.g. around 20% at each institution in line with the proportion of disabled people in the general population). A further assumption would need to be made about the number of students within the overall disabled student population likely to use an Access Centre rather than their own institution.

3. If a budget was to be devolved how should this budget be set?

Although many institutions are likely to find it difficult to predict future DSA claims, an initial model could be based on the number of historical DSA claims from each institution (with an uplift to take into account annual claims increases). However, this model would also need to take account of the fact that not all disabled students claim DSA (either because they choose not or they don't know about it), and would therefore need to allow for additional funding should claims increase.

Alternatively, similar to our suggestion for funding the Access Centres, the total amount of funding for DSA nationally could be distributed pro rata to FTE number of funded places allocated through each institution's main teaching grant, with an adjustment to ensure each institution receives a specified minimum amount. This would be a good way of providing a fairly accurate indication of the actual number of students in each institution (and thereby a proportional indication of the number of disabled students). Funding could either be allocated on a simple FTE pro-rata basis, or based on an assumption of the total number of disabled students in each institution (e.g. based on the proportion of disabled people in the general population, ie. around 20%).

4. Within an institution, would it be necessary to ringfence budgets allocated for the purposes of supporting students with a disability?

Yes, this is essential. At present, students can be fairly certain that they will receive their DSA if their individual needs assessment identifies that support is required. If funding is not ringfenced within institutions, there is no guarantee that students will receive their DSA, and funding could become allocated on a funding-led rather than a needs-led basis for some students. Although some institutions may choose to draw down funding to meet students' DSA claims from other budgets, this may not happen in all institutions, resulting in a postcode lottery of DSA provision across Scotland. This is clearly a step backwards, and any proposals not to ringfence DSA budgets would need to properly impact assessed.

Lead Scotland does not support any proposals for a ringfenced pot of funding within institutions for supporting disabled students (via increased institutional core funding), instead of students applying for DSA to arrange their own support. While this would be our long-term goal for the overall landscape of support for disabled students across Scotland (particularly as it is more in line with a social model of disability), we do not believe that all institutions across the country are in a position to provide the level of support necessary to realise this vision of inclusiveness. In addition, the results of the Lead/NUS survey of disabled students indicate that the vast majority of students are satisfied with the current DSA model.

5. Devolved budgets would be set in advance. How would budgetary increases be negotiated?

Assuming that institutional budgets are allocated either on the basis of historical DSA spend at each institution, or on a pro-rata FTE basis, budgetary increases could be determined in the same retrospective manner as at present.

6. What sort of safety net would be required in order to support institutions dealing with exceptional cases?

Lead's preferred option would be the option of in-year redistributions as a means of allowing institutions to recoup the costs of unanticipated DSA claims. As this system is already place for other institutional funding streams, administrative and staff resources should not be significantly affected. Any retention of a top-slice by SAAS appears to go against the principles of the proposal to devolve responsibility to institutions, and could result in delays in students with exceptional circumstances receiving their DSA (as a second tier of processing/decision-making would now be involved).

7. Are there aspects of this proposal that would justify a pilot approach?

Yes. A pilot could either be carried out across all institutions on a regional basis (to take account of a proposed regional structure for the Access Centres), or, a specified number of institutions (ensuring a varied mix of institutions). The pilot could be carried out in a similar manner to the Scottish Funding Council's pilot of the needs-led assessments for Extended Learning Support. It would be essential for institutions taking part in the pilot to report back on how funding has been spent, and the level of unanticipated demand/exceptional cases.

8. Are institutions who already administer FE support locally already well placed to include HE support in their budgetary arrangements?

Yes. Colleges already have a great deal of experience in administering support locally (including claiming for in-year redistributions). There could be scope for college funding staff to provide support and mentoring to both college and university staff during a pilot period to take account of the inevitable increased training and resource requirements. There may also be potential for DSA claims to be processed and paid alongside bursaries and/or other student support payments for college students to ensure a more streamlined system for both students and staff.

9. What would be the ongoing role of SAAS and the Scottish Government?

SAAS currently holds considerable staff expertise which could be utilised in a regional model. For example, current SAAS staff could be seconded to new regional Access Centres which, as well as carrying out assessments, could take on a new role in providing administrative and technical support, as well as handling appeals and dealing with complaints. This would allow for devolved budgetary responsibility, while still allowing for second-party appeals and arbitration.

It would be essential for the Scottish Government to continue to coordinate the Validation Panels as a means of ensuring quality and consistency across institutions, as well as ensuring that the DSA budget across Scotland is being spent as it should be and allocated on a needs-led basis.

10. When do you think this should take effect from?

It would be sensible to put the process in place after a one-year pilot period. It may also be worth considering phasing the process in

gradually to allow institutions who are not yet ready to operate such a system a longer timeframe to learn from the experiences of other institutions.