



## PLANNING FOR LIFE AFTER 16

### Education - disability discrimination

#### Introduction

All schools, colleges and universities are bound by the 2010 Equality Act, which states that they:

- > must not treat students with a disability less fairly than other students
- > must make reasonable adjustments to enable them to access school or college life.

#### Definition of disability

The Act defines people as disabled if they have 'a physical or mental impairment' which has a 'substantial and adverse long-term effect on their ability to carry out normal day-to-day activities'. Under this definition, it is likely that most people with speech and language difficulties would be considered to have a disability.

#### Disclosing a disability

Once a young person reaches 16, it is up to them whether they disclose a disability or not. Students are sometimes reluctant to admit to having a speech and language impairment and parents may wonder whether or not it is to their advantage to do so.

It is, however, important to bear in mind that the duty not to discriminate usually only applies if the education provider could be reasonably expected to have known that the student has a disability, which usually means if your son or daughter tells them.

Do be aware that their current school will not automatically pass on this information if they move to a college or another school.

**Skill**, which was forced to close recently, published a useful booklet explaining the situation in more detail called *Telling people about your disability*. This is now available from **The Disability Alliance** which has been given funding to take over some of Skill's functions. They have recently published a new leaflet called *Understanding the Equality Act: information for disabled students*. See the factsheet *Education: Sources of Further Information* for details of how to contact Skill and the Disability Alliance.

For more information about how colleges support students with special needs or disabilities, see the factsheet *Special Needs Support in Colleges*.

#### Disability Equality Duty

In addition, publicly-funded schools, colleges and universities are legally obliged actively to promote the equality of disabled students, and must have a written policy, called a *Disability Equality Statement*, setting out how they do this. For more information about the Disability Equality Duty, and what you can do if you think a school or college is failing to comply adequately or is discriminating against your son or daughter, contact the **Equality and Human Rights Commission**. See the factsheet *Education: Sources of Further Information* for details of how to do this.

For more information on any of these issues and contact details of organisations mentioned here, see the factsheet *Education: Sources of Further Information* or contact the **Afasic Helpline on 0300 666 9410 or 0207 490 9420**.