



UCFB|GIS*

Student Disability Disclosure Policy and Procedure

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*UCFB and GIS are trading names of University Campus of Football Business Limited

1. Introduction

1.1. This document outlines the policy and procedures of student disclosure and confidentiality which applies across the UCFB|GIS community. This will provide steps and guidance of how to manage a disclosure of a disability, health condition, sensory impairment, mental health condition and/or learning difference. It is the responsibility of all staff members to follow this guidance to ensure that appropriate staff are informed and students are advised in the correct way.

1.2. Purpose

1.2.1. Set out a framework to ensure students with disabilities and additional support needs can disclose a disability so that appropriate advice and guidance can be given, and suitable reasonable adjustments can be considered.

1.2.2. Ensure that UCFB|GIS complies with its legal requirements under the Equality Act 2010, Data Protection Act 2018 and the General Data Protection Regulation (GDPR).

1.2.3. Provide procedures to enable staff to manage disclosure.

1.3. Scope

1.3.1. This policy will apply to all UCFB|GIS applicants and those students who are directly enrolled with UCFB|GIS and are either studying on campus or via a distance or distance with attendance course.

1.4. Equality Analysis

1.4.1. This policy is designed to ensure that our disabled students at UCFB|GIS receive the support and adjustments that they require in a fair and timely manner and are not unreasonably disadvantaged. The policy seeks to encourage and promote equality of opportunity and fair access and is a positive step towards inclusivity.

2. Definitions

2.1. Definition of a Disability

2.1.1. According to the Equality Act 2010, disability is defined as having a physical or mental health impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities. We will use this definition as the standard.

2.1.2. The term 'Mental Health Impairment' covers only clinically recognised conditions. In addition to physical and mental health impairments, the Act also covers sensory impairments and specific learning difficulties (SpLDs) such as dyslexia or dyspraxia and long-term medical conditions such as epilepsy and asthma.

2.2. Definition of Disclosure

- 2.2.1 For our purposes, the term disclosure, refers to the action of sharing information to an individual or organisation after acquiring a disability. This disclosure includes information that is new to the individual.
- 2.2.2 Although disability disclosure is not an obligation, UCFB|GIS do encourage applicants/students to inform the institution to ensure that they have access to their education.
- 2.2.3 The purpose of disclosure is to make it known so that an individual can explore their options of accessibility, additional support and reasonable adjustments.

2.3. Definition of Reasonable Adjustments

- 2.3.1 The Equality and Human Rights Commission (EHRC) defines 'reasonable adjustments' as: "Reasonable is what most people would agree is fair and sensible, when they think carefully about it. Adjustments means you are changing something". 'Reasonable adjustments' are about responding to individual cases by taking account of circumstances without necessarily setting precedents.
- 2.3.2 A Reasonable Adjustment is defined as a decision taken by UCFB|GIS to allow changes to be made to standard arrangements for students in relation to their study at UCFB|GIS. Some students may become disabled during their studies and the need to make reasonable adjustments is important to allow them to continue in their studies.
- 2.3.3 Reasonable adjustments will also apply to those applying to UCFB|GIS for employment, study or visiting.
- 2.3.4 UCFB|GIS is committed to supporting disabled students and will be proactive in making reasonable adjustments to remove barriers for individuals. What is reasonable depends on a range of factors. These include the effectiveness of adjustments, the size of the organisation, how practicable the changes are, the cost of making changes and the resources available.

3. Legal Context

3.1. Equality Act 2010

- 3.1.1. The Equality Act 2010 consolidates, harmonises and replaces all previous legislation with respect to the nine protected characteristics, one of which is disability. Within the context of disability, the act sets out the types of direct and indirect discrimination that may occur within an institution, including harassment, victimisation and failing to put in place reasonable adjustments.
- 3.1.2. As disability is a protected characteristic under the Equality Act 2010 public bodies must, in the exercise of their functions, have due regard to the need to:
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.

- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- make reasonable adjustments to work and study arrangements or physical features of premises which place the disabled person at a substantial disadvantage in comparison with others who are not disabled.
- integrate consideration of equality and good relations into their day-to-day business and to consider how a function can affect different groups in different ways.

3.1.3. People who are concerned that they have received less favourable treatment because of their disability should raise those concerns through the relevant Complaints Procedures.

4. Policy

4.1. Disclosure and Confidentiality

- 4.1.1. Under the Equality Act there is a legal imperative to try and secure disclosure of disability and, once disclosed, there is an obligation on UCFB|GIS to act on this information to meet the individual needs of the disabled applicants/students concerned.
- 4.1.2. It is not compulsory under the Equality Act for applicants and students to disclose a disability. It is therefore essential that UCFB|GIS endeavours to foster an inclusive environment and culture that encourages disclosure.
- 4.1.3. Disclosures made during the application process will be managed under the UCFB|GIS Admissions Policy.
- 4.1.4. Records will be kept and retained in line with UCFB|GIS records management.
- 4.1.5. All information relating to disclosure of a disability will be treated as sensitive information as laid down in the Data Protection Policy.
- 4.1.6. Disclosure is **not the same as obtaining consent** to use information supplied. Disclosure may be accompanied by the insistence that the information should remain confidential and not be shared with others. Under the Equality Act disabled people who disclose their disability also have the right to insist on it remaining confidential.
- 4.1.7. Information relating to a student's disability will usually only be shared with the person's consent, to ensure that appropriate support to meet the individual's needs can be provided (annex A).
- 4.1.8. It is the responsibility of the student to ensure that information pertaining to their needs and adjustments are shared with relevant internal and external parties, especially when sessions are delivered by new or substitute staff, or where students may need adjustments on placements. On request, the Learning Support Team can help to facilitate this.

- 4.1.9. Staff may only break confidentiality agreements in the following circumstances:
- If a student is in danger of harming themselves or anyone else;
 - If there is a legal requirement to do so at the direction of a regulatory body; and
 - Where professional fitness to practice may be compromised (this will apply to a limited number of jobs where the disclosure of personal data is necessary to assess fitness to practice).

4.2. Facilitating Disclosure

4.2.1. UCFB|GIS recognise that some individuals may be reluctant to disclose their disability and it may only be at a point when they are experiencing difficulties with their course that they choose to disclose.

4.2.2. UCFB|GIS will facilitate disclosure in the following way:

- By ensuring that publications and websites include information on the support services available to disabled applicants and students;
- By embedding disability disclosure into the Admissions Process. This includes automatic referrals to the Learning Support Team of details of all applicants who are made an offer by the institution. This allows for early contact from the Learning Support Team;
- Advertising support services available to disabled students throughout the duration of the course;
- By making training and support available to staff, including tutors, so that they are aware of their responsibilities regarding disability disclosure and reasonable adjustments;
- Having a formal process in place for staff to use when reporting disclosures.

5. Procedure

5.1. Staff procedure for reporting disability disclosures – Step 1.

5.1.1. Staff member should identify if the student has already formally disclosed to UCFB|GIS by asking the student if they have registered with the Learning Support Team.

5.1.2. If the student has registered, then no further action is required with regard to disclosure, however, Academic staff should ensure that they make themselves aware of the student's recommended adjustments by checking the student's EBS Ontrack profile, or by contacting the Learning Support Team. Staff must also be aware of any Personal Emergency Evacuation Plans (PEEPs) that may be in place for a student that may have difficulties exiting a building in the event of an emergency.

5.1.3. Where a student is not registered with the Learning Support Service, or they are unsure of their registration status, the staff member must:

- Ensure that the student is informed of their right to request reasonable adjustments in relation to their disability, and refer them to the Learning Support Service if the student agrees that this is the course of action they would like to take.

- Ensure that the student is aware that if they decide not to formally register with the Learning Support Service at this stage, they can change their decision at any time and access advice and support around reasonable adjustments.
- Inform the student that choosing not to register will restrict the support available to them and could place them at a disadvantage.
- Inform the student that the disclosure has placed a legal responsibility on UCFB|GIS and the staff member is required to record the disclosure appropriately on the student information system.

5.1.4. The staff member will need to ascertain whether the information given to them by the student identifies a legal risk or a Health and Safety risk to the individual student or others. All staff must follow step 2 before moving forward to step 3 where this is appropriate.

5.2. When UCFB|GIS must be informed – Step 2

5.2.1. It is always preferable to obtain the student's written consent to inform UCFB|GIS of a disclosure whenever possible. There are, however, occasions **when UCFB|GIS must be informed**. These are as follows:

5.2.1.1. Legal requirements

- Non-disclosure would prejudice the prevention or detection of a crime

5.2.1.2. Safety/Disadvantage requirements

- The behaviour of the student suggests that their personal safety is at risk
- The behaviour of the student puts other people at risk
- The behaviour of the student is adversely affecting the rights of others

5.2.1.3. Fitness to Study/Practise

- Where the student's condition would prevent them from fulfilling professional practice requirements
- Where students must disclose due to professional practice requirements

5.2.2. If the staff member is unsure whether compulsory disclosure applies, advice and guidance can be given confidentially (without the student being identified) by the:

- Learning Support Team; or
- Student Support Management Team

5.2.3. Where it is identified that a compulsory disclosure is required:

5.2.3.1. Legal issues must be reported to the Student Support Management Team immediately. The Student Support Management Team may seek advice from the UCFB|GIS Executive Leadership Team and/or UEL Governance and Legal team. Following consultation, the relevant people/services will be informed as necessary if any additional action needs to be taken.

5.2.3.2. If the personal safety of the student is feared to be at risk, the staff member must inform the Learning Support Team immediately so that Safeguarding Procedures can be followed.

5.2.3.3. If the student's behaviour is believed to be adversely affecting the rights of others, this should be referred to the Student Support Management Team who will decide the appropriate way forward.

5.3. Where compulsory disclosure is not required – Step 3

5.3.1. The student confirms that they would like to disclose to UCFB|GIS and UEL.

5.3.1.1. If the student has not yet registered with the Learning Support Service, they should be encouraged to do so. A staff member can facilitate this by:

- a. Accompanying the student to introduce them to a member of the Learning Support Team on campus; or
- b. Using EBS Ontrack: Student Concern Process (Linked under related policies and procedures below), with the appropriate consent of the student documented; or
- c. Emailing the Learning Support Team at learningsupport@ucfb.com with a copy of the student's written consent. This should only be used when a member of staff is unable to follow actions a. or b. outlined above.

5.3.1.2. If a member of staff is seeking written consent to share information with the Learning Support Service, an email (template in annex B) must be sent to the student's UCFB email requesting a response with permission to share.

5.3.1.3. Consent must be received in writing from the student's UCFB email account so that their identity can be verified.

5.3.1.4. If the student does not respond to the initial email within 10 working days, a follow up email (template in annex C) must be sent requesting a reply within 10 working days, stating a date for the response. During this period, it is recommended that the member of staff use approved channels of communication to inform the student that they need to respond to the email before the Learning Support Service can make contact.

5.3.1.5. If the student does not respond in the 10 working day period, a standard closure email (template in annex D) should be sent, copying in the Student Support Management Team. This email indicates that it is assumed that the student no longer wishes to access additional support, and that their information will be kept confidentially on their student record but with no further action required at this time.

5.3.2. If the student does not wish to disclose to UCFB|GIS and UEL.

5.3.2.1. Ensure that the student is fully aware that if they choose not to disclose and register with the Learning Support Service, access to reasonable adjustments may be affected.

5.3.2.2. If the student confirms that they do not wish to disclose or receive additional support, ask them to complete the relevant section on the Learning Support Service Registration form (annex A) and return to LearningSupport@ucfb.com.

5.3.2.3. Send the standard email (annex E) to the student's UCFB email account, and copy to the Student Support Management Team. This email indicates that it is understood that following advice, the student does not wish to access additional support, and that their information will be kept confidentially on their student record but with no further action required at this time.

5.3.3. If the student refuses to engage with the process

5.3.3.1. The staff member must explain that they still have a duty to report the disclosure. This will be done by completing the relevant part of the Learning Support Registration Form and sending it to learningsupport@ucfb.com, where it will be kept confidentially against the student's record. This would only be accessed if UCFB|GIS were to ever receive a legal challenge pertaining to the support provided for the student or are legally required to do so by a regulatory body. This is required because UCFB|GIS has a legal obligation to ensure that support is offered and it must have a record of this event.

5.3.3.2. Send the standard email (Annex E) to the student's UCFB email address. This gives advice and guidance on the consequences of their decision and how they can contact the Learning Support Team at any time if they change their minds and wish to access support.

6. Related Policies and Procedures

6.1. [UCFB|GIS Policies:](#)

- Confidentiality - Student Wellbeing Guidance Statement
- Fitness to Study
- Disability Policy
- Admissions Policy
- Privacy Policy
- Logging a Student Concern Process – User Guide – (staff access only)

7. Annexes

7.1. Annex A - Learning Support Service Registration Form

Student Name:	
Student ID:	
Student Email:	
Explained EBS: ontrack: <input type="checkbox"/>	
Reasonable Adjustments Agreed: <input type="checkbox"/>	
DSA Application Completed: <input type="checkbox"/>	
DSA Needs Assessment Completed: <input type="checkbox"/>	
Non-Medical Helper Support Allocated: <input type="checkbox"/>	
Non-Medical Helper Guidance Read: <input type="checkbox"/>	
Assistive Technology Received: <input type="checkbox"/>	
Discussed Email Account and Correspondence: <input type="checkbox"/>	
Option to contact IT to add emails to phone given: <input type="checkbox"/>	
Data Protection: UK data protection regulations contain a classification of Special Category Data, and we require explicit consent from you (the data subject) to collect, store, process and share this type of personal data/information. The types of data classified as special category includes information on an individual's physical and mental health, political beliefs, religion, and ethnicity. In providing consent, all of your other rights to have the information handled securely, and the other rights in relation to data handling and access remain unaffected (outlined on page 5). Confidentiality: UCFB GIS understand confidentiality to mean that personal information of a student will only be shared, with others at UCFB GIS or with external agencies with the expressed consent of the individual. However, there are boundaries and limits to confidentiality in certain cases. Confidentiality may be broken if: <ul style="list-style-type: none">• You or others, in the opinion of staff, seem to be in danger or at serious risk of being harmed• We are required to do so by court order• You infer that you are involved in or have knowledge of an act of terrorism, money, laundering or drug trafficking• You infer knowledge of or involvement in behaviours that may in staff's opinion, lead to harm or neglect to children and vulnerable adults. Where possible, we will always aim to discuss our concerns with you before speaking to external individuals and/ or management.	
Data Protection and Confidentiality has been read: <input type="checkbox"/>	
Consent to process and share: I agree that information concerning my disability/ reasonable adjustments can be	

disclosed to staff within UCFB|GIS and external agencies on a 'need to know' basis. The information may be shared with selected people and organisations; this will include but is not limited to:

- UCFB|GIS Academic and Professional Services Staff
- UEL
- Selected 3rd parties, including UCAS, accommodation providers, Student Support
- Parents, guardians and next of kin (where there is a legitimate reason/concern requiring disclosure)

I understand my information/data will be stored and processed securely at all times.

It is important to note that having given consent, you may withdraw consent for the processing of this data at any time. This should be done by contacting UCFB|GIS Learning Support Team.

I consent to information disclosure:

Signed..... Date.....

Refusal of Consent to disclose:

I understand that by refusing consent:

- Staff with UCFB|GIS and external agencies will not have the information that enables them to support me with my studies.
- If information is not shared I will not be able to receive reasonable adjustments
- A record of my disability will be held on record by the Learning Support Team but will not be disclosed to staff with UCFB|GIS or external agencies.

I do not consent to information disclosure:

Signed..... Date.....

For STAFF use only: To be completed by staff members if student refuses to complete the form.

I confirm that I provided the student with all the relevant information relating to completion of this document. I have sent the student a completed copy of this form for their retention. I enclose a copy of the email with this document.

Until a definitive answer is received as to whether the student would like to register, communication will continue to be sent throughout the year using their UCFB student email address.

Signed..... Date.....

Personal Emergency Evacuation Plan (PEEP):

In the event of an emergency evacuation, would you require assistance?

Please also tick this box if you require emergency evacuation procedures to be supplied to you in an alternative format, such as large print, braille, written, recorded on tape etc.

In addition to the right to withdraw consent for processing at any time, you also have a number of other important data rights, these are summarised as the right to:

- Request access to your personal data (commonly known as a “data subject access request”).
- Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected.
- Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it.
- Request restriction of processing of your personal data.
- Request the transfer of your personal data to you or to a third party.

Individual Student Data Rights has been read:

Student Signature:

Staff Signature:

Print Name:

Print Name:

Date:

Date:

7.2. Annex B - Email Template - Consent to disclose to the Learning Support Team

To: <UCFB|GIS student email>

Subject: **Confirmation required for disclosure to the Learning Support Team**

Dear <student name>

Further to our meeting on <insert date> you disclosed to me that you had a disability that has not been previously disclosed to UCFB|GIS. As you have now declared this to me, UCFB|GIS is required to provide you with details of the support available to you so that you can make an informed choice about whether you would like to access additional support.

I would like to share your disclosure with our Learning Support Team who will invite you to register with their service to discuss how your condition may affect your ability to study and the options available to you. They will then work together with you to agree an approach and assess possible Reasonable Adjustments and Teaching Considerations. Following your registration, and with your permission, they will add necessary details to our Student Information System. Examples of adjustments that they can put in place for you may include:

- Exam adjustments (subject to published deadline dates)
- Extended Library Loans
- Provision of materials in alternative formats

Please note that adjustments will only be put in place on the basis of evidence that you provide.

The Learning Support Team will also be able to provide information on other external support available dependent on your needs. The most common form of external support is through an application for Disabled Students Allowances (DSA) if you're eligible. For more information on this process and eligibility, please follow the link <https://www.gov.uk/disabled-students-allowances-dsas/overview>.

Please send confirmation by return email that you are happy for me to provide information of your disclosure to the Learning Support Team, in order that they can invite you in for an appointment to register with them. Alternatively, you can contact the Team directly via learningsupport@ucfb.com to discuss your needs. Please be assured that this is a confidential service and any information you provide will only be shared with your consent.

I look forward to hearing from you soon.

Kind Regards

7.3. Annex C - Email Template - Follow up email

To: <UCFB|GIS student email>

Subject: **Confirmation required for disclosure to the Learning Support Team (follow up)**

Dear <student name>

I am contacting you to remind you to respond to the email I sent you on <insert date> regarding disclosing your details to the Learning Support Team. We are keen to ensure that you have all available support to ensure that you can succeed in your studies.

Please confirm if you are happy for me to disclose your condition to the Learning Support Team. If you prefer that I do not disclose this information, could you also respond to this email, so I can log this information. Please respond to this email within 10 working days.

If you require any further information on this process please feel free to contact me or if you prefer you can contact the Learning Support Team directly via learningsupport@ucfb.com

Kind Regards

7.4. Annex D - Email Template - Second follow up email informing Student Support Management Team

To: <UCFB|GIS student email>

CC: Student Support Management Team

Subject: **Confirmation required for disclosure to the Learning Support Team (follow up 2)**

Dear <student name>

I have tried to contact you via email on <insert date> regarding permission for me to disclose your details to the Learning Support Team. As I have had no response to this request, I can only assume that you do not wish to formally disclose your condition. As such I have CC'd our Student Support Management Team into this email, so we have a log of this correspondence; please be assured that this information will be kept confidential.

If at any stage in the future, you change your mind and wish to formally disclose your condition to the Learning Support Team, you can do this by making an appointment with the Learning Support Team via learningsupport@ucfb.com

As stated in my previous email, UCFB|GIS are keen to ensure that you receive all the support that is available to you to ensure that you can succeed in your studies.

Kind Regards

7.5. Annex E - Email Template - Standard Email for confirmation of non-disclosure

To: <UCFB|GIS Student email>

Subject: **Confirmation of non-disclosure of disability**

Dear <student name>

Further to our meeting on <insert date> you advised me that you did not want to formally disclose your condition to the Learning Support Team and signed the relevant part of the registration form to this effect, as is your right to do so.

I have forwarded the signed form to our Student Support Management Team, where it will be logged.

The Learning Support Service is a confidential service and as such will not disclose any information relating to your condition without your written consent, if you choose to contact them. Please be advised that as you have chosen not to formally disclose at this stage, reasonable adjustments cannot be assessed or implemented.

If you are eligible you can still apply for the Disabled Students Allowance (DSA), details of which can be found by following the link <https://www.gov.uk/disabled-students-allowances-dsas/overview>

If you do change your mind at any stage in the future regarding formally disclosing your condition, then please contact the Learning Support Team via learningsupport@ucfb.com

If you would like to discuss this further, please feel free to contact me.

Kind Regards