

REVIEW OF DISABLED STUDENTS ALLOWANCE PROJECT

Current Provision and Rules for Students Claiming Disabled Students Allowance

Purpose

1. The Review of Disabled Students Allowance (DSA) project has been undertaken as a result of the recommendations and issues contained in the Funding for Learners Review and the Funding for Disabled Students Project.
2. The purpose of this paper is to outline:
 - what is currently provided to eligible students under DSA;
 - the rules governing this provision; and
 - some of the strengths and limitations for individuals and institutions under the current DSA system which will require further investigation.

Background

3. In 2003/04 the Executive carried out an informal review of Further Education and Higher Education Student Support, Education Maintenance Allowances and Individual Learning Accounts. The objective of the review was to make or recommend changes that would improve the coherence, equity and effectiveness of the overall provision of learner funding. The final Funding for Learners report¹ was published on the 22 September 2004.
4. The Funding for Disabled Students Project² was set up in 2005, as a result of the Funding for Learners Review, to review the provision of funding for students with disability related additional needs in Further Education and Higher Education in Scotland. The main aim of the project was to consider options to improve the efficiency and effective use of the existing financial resource for individual support for disabled students, within the context of institutional funding to support widening access.
5. The following actions were contained in the Review of Provision for Disabled Student Project's recommendations included the following actions:
 - Undertake a full review of the support provided through DSA to consider the scope of the allowance and to consider what support institutions should be able to provide.
 - The review will be led by the Executive in close consultation with the Student Awards for Scotland (SAAS), the Scottish Funding Council (SFC) and the sector.
 - The review will engage with colleagues in the then Department for Education and Skills (DfES now known as the Department for Innovation Universities and Skills), the Department for Employment and the Welsh Assembly to consider cross border implications.
 - The review team should closely monitor the progress and the outcomes of other areas of work, including the SFC needs led definitions consultation/pilot, the SFC review of premium funding and the pilot of the toolkit of quality indicators.

¹ <http://www.scotland.gov.uk/Publications/2005/03/20899/55180>.

² <http://www.scotland.gov.uk/Resource/Doc/1049/0019044.pdf>.

- Depending on the outcomes of the review of DSA, the Executive may wish to consider undertaking a formal consultation at a later stage on options to amend the scope of DSA.

6. This current project was initiated to take forward those recommendations.

Legislative Context

7. There are several pieces of important legislation which are relevant to this current project. These include the Disability Discrimination Act (DDA) 1995 which brought in measures to prevent discrimination against disabled people in the areas of employment and services; the Special Educational Needs Act 2001 (SENDA); DDA 2005; and the DDA Amendment Act (Further and Higher Education Regulations 2006) which contains measures to prevent discrimination in education provision.
8. One of newest pieces of legislation, the DDA 2005 introduced a new disability equality duty for all public authorities, including colleges and universities. This duty states that when public authorities are carrying out their functions they should have due regard to :
- i. promote equality of opportunity between disabled persons and other persons;
 - ii. eliminate discrimination that is unlawful under the Act;
 - iii. eliminate harassment of disabled persons that is related to their disabilities;
 - iv. promote positive attitudes towards disabled persons;
 - v. encourage active participation by disabled people in public life; and
 - vi. take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons.
9. The duty to make 'reasonable adjustment' is a cornerstone of the DDA as a whole. The duty to make adjustments in education (DDA part 4) and in providing services (DDA Part 3) is an anticipatory one. This means that organisations should continually anticipate the general requirements of disabled people with a wide range of impairments and health conditions rather than simply waiting until a disabled person request an adjustment. For example this will involve making sure that disabled people are aware that information is available in alternative formats or electronically as a matter of course. A guide for colleges, universities and adult community learning providers in Great Britain has been published by the then Disability Rights Commission (DRC)³ now known as the Equality and Human Rights Commission.
10. In addition to this duty, certain public authorities including universities and colleges are subject to what are known as "specific duties", laid down in the Disability Discrimination (Public Authorities) (Statutory Duties) (Scotland) Regulations 2005 and the Disability Discrimination (Public Authorities (statutory Duties) Regulations 2005. The regulations, which came into force in 4 December 2006, set out specific steps which must be taken to assist these public authorities to fulfil the general duty, including a duty to:
- i. publish a Disability Equality Scheme demonstrating how it intends to fulfil its general and specific duties;
 - ii. involve disabled people in the development of the scheme;
 - iii. carry out impact assessments;
 - iv. make arrangements for gathering relevant information;

³ DRC- Understanding the Disability Discrimination Act, 2006

- v. develop an action plan;
- vi. take the steps set out in its action plan, within three years; and
- vii. publish a report.

Purpose of Disabled Students Allowance (DSA)

11. The DSA was originally established in the 1974/5 academic year by the then Scottish Office. It originally provided a single allowance of up to £100. In 1990/91 there was the introduction of the four separate allowances and in 1998/9 there was removal of the means testing element.
12. The purpose of the DSA is to address the needs of the student arising from the inaccessible elements of their course, such as providing specialist equipment, non medical personal help and other course related costs. A definitive guidance document has never been published which outlined the exact support, provision and services that DSA should fund, as opposed to the support that should be provided by an institution, the individual themselves or other authorities supporting the personal needs of individual students.
13. The landscape and the dividing line between what institutions provide and what the DSA should provide and what institutions in particular, should provide, has changed as a consequence of legislative changes.
14. During the initial information gathering phase of this review, the notes of which can be obtained from the Executive's website⁴, several stakeholders highlighted the following two issues as general concerns;
 - whatever its purpose the DSA should neither undermine the move, in universities and colleges, towards mainstreaming support and inclusiveness nor should it be regarded as a scaffolding to prop up a student through a course if that student is on an unsuitable course for their learning abilities or interests, and
 - the need for clarity around whether disabled students have an entitlement to DSA funding or whether they have an entitlement to access higher education, which DSA can help to remove additional financial barriers resulting from a students disability.

Eligibility Criteria

15. The rules and regulations governing DSA awards in Scotland are determined by the Scottish Government and are overseen on a day to day basis by SAAS. Under the current criteria and rules any student with a disability who is studying one of the following courses may be entitled to apply for DSA:
 - Full time undergraduate course;
 - Full time Post Graduate students who are not receiving DSA support from another source;
 - Students receiving support under the Nursing and Midwifery Bursary scheme;
 - Part time Post Graduate course which is at least 50% of a full time course and the student is not receiving DSA support from another source;
 - Part time undergraduate course which is at least 50% of a full time course;

⁴ <http://www.scotland.gov.uk/Topics/Education/Funding-Support-Grants/FFL/PMB/dsa1>

- Distance learning students provided they are undertaking at least 50% of a full time course;
- Open University students who are studying at least 60 credits in a year; and
- Full time Adult Education course that is funded by SAAS

16. Those who are not currently eligible to apply for DSA are:

- EU Students;
- Part time Students undertaking less than 50% of a full time course;
- Open University students studying less than 60 credits;
- Students undertaking a course below HNC level (except those doing a SAAS funded Adult Education course at one of the UK's adult education residential colleges);
- Students who are receiving funding from their LEA; and
- Postgraduate Students receiving funding from a Research Council or the Social Work Department

17. Some stakeholders have raised the issue of part time students and students undertaking access courses and whether or not the eligibility criteria should be changed for these students. This matter will be examined during the next phase of the review.

18. Unlike other areas of student support the DSA does not depend on a student's or their family's income i.e. it is not means tested and the rules governing residency are exactly the same as any other form of SAAS living cost support.

Promoting the DSA

19. Students receive information about the DSA from a variety of sources. These include:

- SAAS publish information about the allowance on their website at http://www.student-support-saas.gov.uk/student_support/special_circumstances/disabled_students_allowance.htm
- Institutions often place posters around the their campus to advertise the scheme.
- Institutions write out to students who they know have a disability, either via the UCAS form, or due to an induction meeting etc, to inform them about the allowance.
- Institutions sometimes issue information about DSA as part of their general student pack which is issued to all students that have accepted places.
- Information and guidance booklets written by Skill Scotland and produced by the Scottish Government also provide information about the allowance, these booklets can be found at <http://www.scotland.gov.uk/Publications/2007/07/04111406/0>
- Skill Scotland have also produced a number of guidance documents which be located at <http://skillcms.ds2620.dedicated.turbodns.co.uk/page.aspx?p=188&c=67>
- SAAS attend careers fairs and institutions' open days where they provide information and advice to future students on available support, including the DSA.

20. However it has been highlighted that some of the information, advice and guidance (IAG) available to disabled students is not accessible or produced in a student friendly format. The review team will, during the next phase of the review, have further discussions with SAAS, NUS Scotland and Skill Scotland on this issues.

DSA Application Process

21. If a student or their institution believes that a student requires and is eligible for DSA then an application will need to be completed. This form can be obtained, in a variety of different formats:
 - downloading the appropriate application form⁵ from the SAAS website;
 - asking SAAS to send out one by ticking the relevant box on the main support application form;
 - phoning SAAS to post out an application form; or
 - collecting one from an institution's disability adviser.
22. Stakeholders have mentioned that it would be useful if the form could be submitted online. This request will be considered during the next phase of the review.
23. Once the DSA application form has been submitted to SAAS it is checked by the relevant SAAS team to make sure that it has been signed by the student and endorsed by the institution. For part time students the 'Certificate of Endorsement' of the part time application form must also be completed and submitted.
24. All applications for DSA are only valid for one academic session and a new application must be submitted for every year that a student is claiming DSA.
25. Both a DSA application form and an application for student support, form SAS3, must be completed. The student has to be entitled to funding for their course and the course must be one that is funded by SAAS or a Postgraduate course that is not funded by another organisation in order to have entitlement to DSA. The DSA application form can not be processed until the SAS3 form has been processed.
26. It is crucial that students recognise the importance of submitting all the relevant information to SAAS as failure to do this could result in a delay in the application being processed.
27. Students who are studying full time and are not applying for assistance with tuition fees should complete a DSA only application form. On receipt of their application, SAAS will check that these students meet the necessary residency and course criteria.
28. A student studying part time may also be entitled to DSA. The DSA is payable on a pro-rata basis ie if the student is studying 75% of a course they will be eligible for up to 75% of that support. The student must complete a DSA (DL/PT) application form. In order to be eligible for DSA these students must be:
 - working towards at least 50% of an eligible full time higher educational qualification leading to an HNC, HND, degree or equivalent (for Open University students, this means at least 60 credit points in each academic year);

⁵ Note that there are several different types of application forms for example –students who do not want assistance with tuition fees complete DSA Only application. Students who are studying full time and are also applying for assistance with tuition fees complete a DSA (F/T) application form and SAS3, Post Graduate students complete SAS 7. Students who are studying part time or distance learning complete DSA PT/DL (P/T). Students who are on the Nursing and Midwifery Students Bursaries Scheme complete DSA NMSB

- must follow a programme of study which lasts for more than one academic year but not more than twice the period normally needed to complete a full-time equivalent qualification; and
 - meet the residence requirements as stated above for DSA only applications.
29. Students who are studying on the Nursing and Midwifery Students Bursaries Scheme (NMSB) should complete a DSA NMSB application form. Again a student must apply for their main support before they apply for DSA. To be eligible a student must be taking:
- A diploma in nursing or midwifery: or
 - An honours degree course in nursing and midwifery that started in 2001 – 2002, or later. If the course of study started after 31 December 2002 (or had an offer of a place on a course by 31 October 2002), then they must also meet the residence requirements. (i.e. generally this means that they must have been a UK National and have been ordinarily resident in the UK, the Channel Islands or the Isle of Man for three years before the first day of your course.
30. SAAS aim to process fully completed DSA applications within 21 days of receipt. However, students will normally require a needs assessment with their initial DSA application and this process of undertaking an assessment can take longer. It is hoped that the pilot process for validating institutions to undertake needs assessments will help to alleviate the delay in students receiving an assessment.
31. A flow chart diagram outlining this process is in **Annex A**

Assessment Process

32. Prior to a student being referred for an assessment, the student is required to provide evidence of their disability. This can be a report from:
- An educational psychologist (for dyslexia or learning difficulties).
 - The Royal National Institute for the Blind (RNIB).
 - The Royal National Institute for Deaf People (RNID).
 - GP or consultant (for medical conditions or dietary needs only).
 - Students institution’s disability adviser (if they are qualified to make assessments).
33. The issue around evidencing a disability has been raised by a number of stakeholders including Skill at Scottish Parliament’s Equal Opportunity Committee’s Disability Inquiry – Removing Barriers and Creating Opportunities⁶ and will be discussed in more detail later in the paper.
34. On receipt of this evidence, once all the relevant documents have been checked by SAAS and if an assessment is still required, the students will be referred to an Assessment Centre or to their institution, if validated, for a needs assessment. The introduction of the toolkit for validation has meant that more often than not a students’ initial application does includes a full assessment of need and therefore does not require a referral, which speeds up the whole process.

⁶ <http://www.scottish.parliament.uk/business/committees/equal/reports-06/eor06-02-Vol01-05.htm>

35. When assessors are making recommendations about study aids, strategies and support in needs assessment reports, assessors consider the relationship between the student's individual support needs and the institution's responsibility to make its courses and provision as accessible as possible. An individual allowance, such as the DSA, is intended to meet those support needs that remain even after the institution has fulfilled its duty. This distinction has become more apparent as a consequence of the Disability Discrimination Act Part IV, which requires education providers to make 'reasonable adjustments' when disabled students are placed at a substantial disadvantage, and is likely to result in a gradual shift of the dividing line between what should be provided by the institution and what is still supplied via the individual allowance. As part of the next phase of the review there will be a paper which examines this issue in more detail and will provide some case studies.

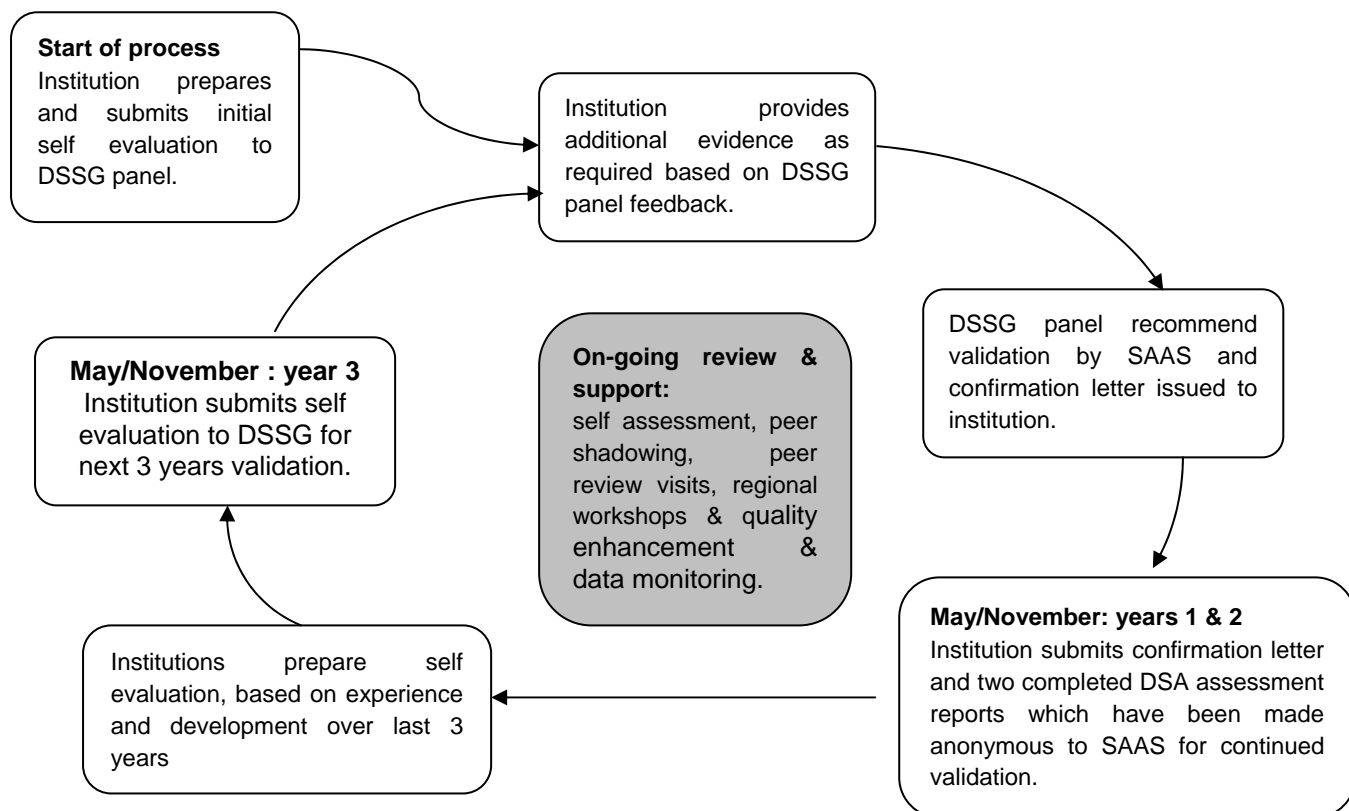
Access Centres

36. If a student is being referred to an Access Centre, SAAS will send the Centre all the relevant documentation including the original DSA application form and copies of supporting evidence. If the student is living away from home the referral can be made to the Access Centre nearest the place to where the student is studying. A letter is also sent to the student to advise them what is happening, where they are being referred to and the contact number for that Access Centre.
37. If SAAS have received a 'Priority form' then the student's application will be fast tracked and referred as a matter of priority for an assessment of needs. A priority form indicates a student whose disability is a serious impediment and without the recommended equipment or NMPH from DSA, would be completely unable to start their course without temporary support from their institution.

Validated Institutions

38. The Disabled Students Stakeholder Group (DSSG) was established in 2004 to bring together the range of stakeholders involved in the information, advice, guidance and delivery of student support, and to consider and address issues relating to the support available to learners with disability related additional needs in further and higher education. The group comprises the key stakeholders and delivery partners, including the Scottish Executive, the Student Awards Agency for Scotland (SAAS), the Scottish Funding Council, BRITE, the Scottish Access Centres, NUS, Skill Scotland, the Scottish Disability Team, post school psychological services (PSPS), RNIB and the Open University.
39. The DSSG recognised that students applying for DSA often faced delays in receiving a needs assessment and subsequently their DSA support. These delays were sometimes caused by a backlog of assessment applications, mainly due to there being only a limited number of recognised assessors accepted by SAAS. Previously, SAAS only accepted assessment reports from a small number of sources, including the four Scottish Access Centres and a limited number of HEIs. However, there was no obvious process or accreditation system for institutions to follow to allow them to become recognised assessors. The 'toolkit of quality indicators for needs assessments' was therefore developed to offer institutions or centres a route by which to become validated as assessment centres.

40. The DSSG also thought that it would be beneficial to all, and in particular those students with additional support needs, to be assessed within their own institution and learning environment. Students would be dealing with familiar staff, with whom they had previously developed a relationship and the assessment would take place within familiar surroundings. The assessor would be familiar with the student's learning context and the support provisions and/or mechanisms that the institution could offer and put in place for the student, on which the DSA application is based. In addition validated institutions enable a student to be assessed within their learning context. Another benefit is that it relieves the student of usually having to travel to an access centre. The inclusion of a full assessment of needs in the initial DSA application will also cut down the time the students has to wait to receive their DSA allocation.
41. The toolkit sets out a series of quality indicators which institutions will have to evidence they are able to meet in order to undertake in-house needs assessments which will be accepted by SAAS.
42. Following the DSSG's work in developing and promoting the toolkit of quality indicators for needs assessments, to date; five validation rounds have taken place, with around 20 institutions now validated to conduct their own needs assessments. A number of other institutions are going through the validation process at present. A full list of validated institutions is available from the SAAS website at http://www.student-support-saas.gov.uk/student_support/special_circumstances/dsa_needs.htm
43. With the pilot now established, the next step in the process is the development and implementation of a quality enhancement and monitoring strategy to ensure the toolkit is working as intended. Institutions are now asked to provide evidence on the student's experience of the needs assessment process. Student views have also been sought via a student questionnaire which issued to students by SAAS. An analysis of the responses is available on SAAS website at <http://www.student-support-saas.gov.uk/forms/dsa.pdf> .
44. At two stakeholder workshops held in April 2006 there was general feedback from practitioners that being able to conduct assessments in-house has been positive move as it allows assessors to monitor students who may have changing needs.
45. A diagram outlining the validation process is below:



Next Steps for the pilot

46. SAAS and the Scottish Government will collect and has been monitoring data to establish the impact of an increased number of validated institutions carrying out DSA needs assessments on the delays and backlogs previously experienced by students waiting for assessment, and ultimately receiving their DSA. A questionnaire will be issued to institutions participating in the pilot to gain their views and also to those not participating to find out what the impact has been on the general waiting times for students. The DSSG intends in the Spring of 2008 to consider all the information and feedback around this and consider whether or not the pilot should be continued as normal practice as well as recommending changes or improvements to the design of the toolkit.

Assessment Report Received

47. When the completed 'Needs Assessment Report' has been received from the Access Centre or a validated institution this will be checked over by SAAS and payment will be processed as per the recommendations.

48. A letter is then sent to the student and copy to the Access Centre or the institution, if that is where the student was assessed, confirming the amount that has been approved. The letter will also give details of any help and travel costs that have been approved. A list of the equipment that has been approved is also copied with the letter to the student.

49. The student is required to return copies of the receipts for the items purchased within 28 days. However there has some anecdotal evidence which suggests that this procedure is not stringently enforced which has resulted in some instances of suspected fraud. There

have been calls from stakeholders that issues relating to the verification of purchases and the appropriate use of NMPH be tightened up by SAAS. SAAS will look into these issues and it is hoped that some revised guidance can be prepared in the future.

50. If training for the equipment is recommended then this will only be paid after the training has been carried out and an invoice has been received. Training must be carried out by a recognised training body as any training to use specialised equipment by friends or relatives will not be accepted and will not be reimbursed by SAAS. The Scottish Government will undertake some further investigation into the quality and usefulness of the training during the next stages of the review.

Continuing Students

51. Continuing students do not normally have another full assessment of needs carried out by an Access Centre or their institution unless they have a change of circumstances ie they have changed to a completely new course, their health has declined or they have a new disability. Usually they just need to submit a letter from their disability advisor supporting their continuing claim.
52. Students will be awarded the amount claimed under small items on receipt of a completed DSA application form for the relevant session.
53. A letter will be sent to the student to confirm the level of support they will receive from DSA for the academic session. Payments will also be processed for any consumable items that have been applied for and have been recommended in the report.

Appeals Process

54. If students have either a general or specific complaint about the way SAAS has handled their case or they want to appeal against a decision, they should write to “The Head of Section” marking their letter clearly as a complaint or appeal. SAAS will look into all complaints/appeals and aim to reply within 14 days of receipt. If students are not satisfied with the response they can write to the Chief Executive of SAAS. This is the final stage in the internal complaints procedure. If they are still not satisfied, they can write to their MP or MSP or they can ask the Scottish Public Services Ombudsman to investigate matters further on their behalf.
55. Skill Scotland have produced a guidance document which gives advice on how students can make a complaint. A copy of the guidance can be obtained via <http://skillcms.ds2620.dedicated.turbodns.co.uk/page.aspx?p=188&c=67>
56. Some stakeholders believe that this process can be quite slow and that there should be some mechanism for handling exceptional cases. This matter will be considered during the next phase of the review.

Payment

57. Once a student’s assessment and forms have been submitted and approved the student will be paid. Students used to receive their payment by cheque however in light of stakeholder feedback SAAS are intending to ask student’s for their account details on the

DSA form. This will put the onus on the student to make sure their account is in order. SAAS intend making it clear in their DSA literature for 2008-09 that this will be the system. A letter will also be sent to the student to let them know how much they have been awarded, what the money covers, details of any non medical help approved, any approved travel and a copy of the recommended equipment list that the DSA payment has been based on. Subject to permission from the student, which will have been obtained during the initial application stage, the letter will also now be copied to their institution.

Assessment Fee

58. The fee for the assessment will be paid direct to the Access Centre or institution who carried out the assessment. The assessment fee normally ranges from £208 to £450. If a home visit is required then the fee is likely to be much higher as it would include the assessors travelling time and expenses. SAAS issue validated institutions with guidance that they should not charge any more than the Access Centres ie £45 per hour and no longer than 10 hour assessments.
59. The assessment fee does not meet the cost of any diagnosis or any assessment service towards that diagnosis. The fee covers the actual 'needs assessment', which identifies specific equipment, non-medical personal help, etc required to enable the student to access their HE course.

Diagnostic Fee

60. If a student does not have up to date and relevant existing evidence of a disability then any cost of a diagnosis is the responsibility of the student and DSA does not cover this cost. However, in some situations the institution will contribute or pays this cost.
61. There are a range of practices used across the sector with regard to who pays for the diagnostic fee. At the DSSG workshops some institutions stated that they pay the diagnostic fee, others said that sometimes the students themselves have to pay for the assessment and in other institutions students can apply for help from their institution's discretionary funds. It should be noted that if a student has had a recent diagnosis from a 'relevant professional' another diagnosis will not be necessary. This also includes any diagnosis which was made while the student was at school.
62. There has also been some debate about who would be considered as being a 'relevant professional'. With reference specifically to dyslexic diagnostic reports the DSSG will consider this issue in more detail and any recommendations will be considered for future SAAS guidelines.
63. Some of the stakeholders who attend the workshops also questioned the value of obtaining a diagnosis where it is clear that the student is facing financial barriers to accessing their course due to their disability.. It was felt by some practioners that the diagnosis did not really reveal why the DSA would be useful to the student and that it was the actual assessment of need which proved the evidence as to why a student requires assistance via the DSA. As this issue provoked some considerable debate, further consideration will be required during the next stage on the review.

DSA Allowances For 2007/ 08

64. The DSA is made up of three allowances:

- i. Basic Allowance - £1640 - Covers small items such as tapes, Braille paper, extra photocopying, printer cartridges and other small items of equipment. If the course is part time then the allowance is scaled down pro rata e.g. (if a student is studying for 50% of a full time course they are entitled to 50% of the basic allowance). A student may also claim the extra cost of medically-certified special dietary needs that are over and above the normal costs that they occur as a result of their disability and their studies. Any unspent basic allowance can be used to top up the other two allowances if necessary. However, they can not later use the basic allowance to buy other large items of equipment. Students cannot exceed the maximum allowances. This is an annual allowance and the amount is reviewed each year.
- ii. Large Items Allowance - £ 4905. This allowance is set at the start of the academic year in which the student makes their first application. It will cover the cost of equipment such as a PC, Braille printer or notetaker, port loop or a radio aid, or CCTV. We may also pay for other items of equipment and we will consider each application individually. This allowance is a set allowance and is fixed at the start of a student's course. Students cannot exceed the maximum allowances. This allowance is not reduced for part time students. If equipment costs more than the maximum a student may use any unspent basic allowance to make up the difference.
- iii. Non-Medical Personal Help - £12,420 - Covers course related personal help and can cover things like scribes and sign language interpreters. If costs exceed the maximum a student can use any unspent basic allowance. If the course is part time then allowance is scaled down pro rata e.g. (if a student is studying for 50% of a full time course they are entitled to 50% of the basic allowance). Students cannot exceed the maximum allowances.

Travel Allowance

65. Students are entitled to claim travel under DSA if they are unable to use public transport due to their disability and have to use alternative means of travel such as a car or taxis. All students claiming travel under DSA must provide a letter from their GP confirming that they are unable to use public transport as a direct result of their disability. All students claiming taxi expenses must provide at least two quotes from two different taxi companies. Taxi costs are normally paid monthly in arrears on receipt of an invoice from the taxi company. However, if students are unable to set up a contract with a taxi company they can send in individual receipts at the end of each month.

66. SAAS have received a number of complaints from taxi companies and students about the SAAS payment system to taxi companies. SAAS recognise the inconvenience their current payment system can cause these students and taxi companies. It is envisaged that the new students payments computer system currently being developed for SAAS will be able to resolve such payment problems.

67. There have been queries as to why there are thresholds for equipment, NMPH and personal allowance but not for travel expenses. Some institutions have commented that there are some instances when taxis are being used despite the recommendation of the needs assessment and the student stating that they would prefer to stay in student halls of residence. This issue also relates to difference between academic support and personal care support. The issue of travel allowance thresholds will be examined during the second phase of the review. It should also be noted that the Scottish Government is currently considering whether or not to extend the guide 'Partnership Matters'⁷ to the higher education sector. This guide outlines the roles or responsibilities of colleges, Local Authorities (Education and Social Work), Health Boards and voluntary organisations in supporting students with additional support needs in further education. The Scottish Government will update the DSSG on the progress of this work.
68. If a student is using a car they should send in a letter detailing the number of miles they travel per day and the cost per mile. Claims will be restricted to the normal mileage rate we pay for all students. Students applying for car costs may apply for up to 50% of their travel expenses in advance. DSA travel can be paid to a 3rd party.
69. If students are able to use public transport they should apply for travel in the normal way and their claims will be processed by SAAS.
70. SAAS do not pay for:
- Travel that is not between home and institution (unless student is claiming travel expenses for an approved course related placement).
 - Travel out with term time.
 - First £155 or (£80 if a postgraduate diploma student) of any claim for travel expenses is not paid for by SAAS. This is the amount that students are expected to meet themselves from their loan, bursary or their own resources. However, if a student is not entitled to a student loan because of their age (i.e. 55 or over) then the first £155 to be paid by the student is waived.
 - If a student is over 55 and on a loan bearing course they do not have to pay the travel element, this is because they are not eligible for a Student Loan. However if they are on a postgraduate diploma course then the element of £80 should be deducted as these students are still entitled to a maintenance grant.
71. Part time students do not have the travel element deducted and students who are distance learners are not generally entitled to a travel allowance. However if these students are required to attend a compulsory residential summer school or tutorial then SAAS can pay for the difference in cost between travel by public transport and a student's additional travel costs.
72. Nursing and Midwifery Student Bursary students can normally only claim additional travel costs for clinical placements, and not for daily travel costs to and from their institution unless the extra travel costs are directly linked to their disability. All students claiming travel costs under DSA must have a letter from their GP which confirms that they are unable to use public transport. A deduction of up to a maximum of £5 a day for normal daily travel expenses (this is the amount the student would be expected to meet

⁷ <http://www.scotland.gov.uk/Publications/2007/08/partnershipmatters>

from their bursary) will be made. There is no limit to the amount of travel that is claimed. Only DSA travel that has been approved can be claimed. Students are required to submit proof (if this has not already been done) of their disability and the additional costs they are likely to incur.

73. There is an assumption that if a student is already receiving public funds from another source such as car under the Motability scheme they must declare they should not be claiming for similar support under the DSA. It is hoped that this would be discussed and noted during a needs assessment. Under the current Scheme rules a contract agreement can only be entered into by or on behalf of someone who has been awarded the higher rate mobility component of DLA for a sufficient duration. Awards of DLA can only be made in accordance with the legislative requirements. The current rules stipulate that the mobility component of DLA can only be awarded to those aged from 3 to 65 years.
74. The Motability vehicle can be driven either by the disabled person or on their behalf as a passenger with up to two nominated drivers. An application for a car can also be made on behalf of a child aged three or older, who is entitled to the mobility allowance. Vehicles obtained under this scheme are intended to be used for the benefit of the DLA recipient. If the disabled person's mobility needs were left unmet, while the car is being used for another purpose that would be an abuse of the scheme and should be reported to Motability, who have the power to cancel the lease and repossess the car.

Non Medical Help

75. SAAS will pay up to the maximum amount allowed under 'Non Medical Help' or the maximum recommend limits in the Access report, which ever is the lesser.
76. Students are awarded a yearly allowance for course related personal help such as:
- Readers
 - Sign language interpreters
 - Lip speakers
 - Note takers including text help operators
 - Helpers for people in wheel chairs
 - Scribes
 - IT Trainers
77. SAAS do not pay for:
- subject specific tuition;
 - personal help that is required outside class time e.g. help with getting dressed in the mornings; and
 - any services that the institution makes available to all it's students
78. There has been some concern raised regarding students employing other students who are in receipt of DSA. Currently SAAS will not pay other students who are in receipt of DSA as being NMPH. The next part of the review will examine these and other issues such as the training and effectiveness of NMPH..
79. A student may opt for SAAS to pay their expenses direct to the provider i.e. taxi company, note taker, scribe, institution, recruitment company etc. A 'Third Party

Agreement' form has to be completed (unless they are using the SAAS pro forma invoice) by the student who must also sign the form along with the person who provided the service. This form should then be sent to SAAS along with the invoice. In the case of on going provision by a provider an agreement can be completed to cover all related costs for that provider i.e. a taxi company, non medical helper.

80. Evidence shows that there is no single way in which disabled students get support workers in higher education and the way a student gets their assistance will depend upon the institution and what suits the students the best. For example
- institutions have staff who are employed to support individual students;
 - institutions use private agencies to get support workers,
 - institutions use specialist agencies, for example for sign language interpreters;
 - institutions use volunteers, voluntary organisations or community service volunteers to get support workers; and
 - students can employ their own support worker.
81. There are many advantages and disadvantages associated with either of these options. Some of the issues were raised during the information gathering phase of the review.
82. The employment of a NMPH is the source of much discussion and a sub group of the DSSG met to discuss particular issues around. provision of guidance for students and institutions and subsequently commissioned Skill to produce 'Employing Support Workers in Higher Education'⁸ a guidance booklet for student on getting assistance from different types of helpers or support workers.
83. It should be noted that the guidance booklet does not provide information on obtaining assistance to meet a student's daily living needs. This daily living support is mainly funded by the social work services of the local authority that student normally lives in or through the Independent Living Fund. The DSA does not pay for these costs.
84. In addition to the costs of NMPH that DSA cover which are expressly stated in the booklet, the DSA also covers administration costs associated with the provision of NMPHs. While the DSA cannot be used as a contribution towards infrastructure and general administration and pastoral costs it is permissible for institutions to recover costs associated with the provision of NMPH. There should be a sound evidence base for the calculation and while SAAS do not insist on a set % charge it is normally within 20%. It should be noted that SAAS prefer institutions to return their invoices clearly showing the hourly rate and the length of time NMPH is given per student. In a very few cases, institutions may add an administration fee on to the overall invoice .
85. It is recognised that the hourly rate charged for NMPH varies considerably depending on the task and the geographical location of the institution and that this can put additional financial pressures on the student. Currently DSA does not take account of this. The DSSG will examine the matter during the next phase of the review and will consider if and how the rate of pay for NMPH should vary to reflect different types of NMPH activity and the geographical circumstances.

⁸ <http://www.scotland.gov.uk/Publications/2007/07/06105621/0>

Payment Of Invoices

86. Students submit invoices to SAAS that they have received from the person who has provided them with a service i.e. Taxi Company, note taker, scribe, non medical helper, training etc. The invoices must be submitted in arrears and are normally sent to SAAS on a monthly basis. In exceptional circumstance students may submit invoices on a fortnightly basis.
87. All invoices must be endorsed by both the student and the person providing the service to confirm the help has been given i.e. a student's scribe should give the student an invoice stating the dates and hours they have provided the help for along with the hourly rate. This should then be totalled up and given to the student. The student should then check the invoice and if they are happy this was the amount of help they received then they should countersign the invoice and send it to SAAS for payment.
88. Any invoice received by SAAS that has not been signed by both parties will be returned to the student without payment.
89. If a 'Third Party Agreement' form has been enclosed or one is held for that provider, then payment will be sent directly to the provider. All other payments will be sent to the student.
90. Invoices for Assessment Fees are normally paid direct to the Access Centre or Institution that carried out the assessment. This payment comes out of a separate DSA budget, held by SAAS, but is not deducted from the student's DSA allowance.
91. SAAS can make payments up to a month in advance of a student starting their course where the student's circumstances require it e.g. where a student requires training on a specialist piece of equipment. If an early payment is made and the student subsequently does not take up their place at the institution then they will be required to return the payment in full. Payments earlier than one month are not possible.
92. One area of concern which has recently been raised is about the payment of multiple NMPH. SAAS recognise the concern surrounding their current payment system and are hopeful that their new computer system, which is due to be installed early summer 2008 will alleviate this problem. Introduction of the new system will be phased in so it should be noted that there will be no definite timescale regarding alleviating the issue of multiple nominee payment facility.

Equipment

93. The equipment a student may require to support their disability, is assessed on an individual basis. Each student will require a 'Needs Assessment' undertaken by an Access Centre or a validated institution. The needs assessment will identify the type of equipment and strategies that will best support the student's disability. The assessment is undertaken in relation to the specific course the student is undertaking and also in the wider context of the institution they are attending. Equipment and strategies should reduce the additional barriers the student has in accessing their course after any reasonable adjustment has been made by the institution.

94. Most common types of equipment funded are:

- Computers and Laptops (PC or Apple)
- Printers
- Consumables (paper, printer ink, photocopying)
- Software including Microsoft Office
- Braille Printers
- Portable loops
- Radio Aids
- CCTV to enlarge book print
- Digital Hearing Aids – considered on an individual basis and only if a student is unable to get them on the NHS within a reasonable time scale
- Digital Camera – as for digital hearing aids. However, if student on a photographic course then we would not pay for it. If the student needs to hire a digital camera than we will pay the difference in hire charges from that of a student without a disability.
- Insurance or extended warranty relating to equipment purchased with DSA funding
- Approved repairs or updates
- Internet Access

95. SAAS do not normally pay for

- Broadband, during term time.
- Equipment purchased that has not been approved by us or recommended by a qualified assessor.
- Phone line installation or rental.
- Books - except books that are directly related to the students disability i.e. Dyslexia related books.
- Personal Insurance.
- Any equipment that an institution should be reasonably expected to provide.
- Equipment that is required by all students on the course. For example all OU students on certain courses are required to have a PC, video, TV etc before they enrol on their course. In these cases we will not pay for the cost of this equipment but if a student needs a more powerful PC than the standard model we can pay for the difference in cost. Further information about the equipment requirements for OU courses can be found on the OU website.

96. However each individual case is looked at on its own merits and if it is felt that there is an exceptional reason then SAAS are willing to look into the matter. There was a suggestion that there should be a mechanism in place for dealing with exceptional cases. The next phase of the review will examine this suggestion.

97. Students are required to send SAAS copies of their receipts after the purchase of equipment. The receipts are checked by SAAS to make sure that the student has only purchased the recommended equipment. However it should be noted that there has been some informal concern raised about this robustness of this process.

98. Current audit checks and fraud investigations are being reviewed within SAAS.

99. The next phase of the review will consider matters surrounding the purchasing of equipment and the training requirements for students.

Dietary Needs

100. A maximum of £24.50 per week can be paid to a student for extra dietary costs incurred as a result of their disability. The onus is on the student to provide evidence of the additional costs. SAAS require the student to confirm the following:

- a list of what their normal weekly diet consists of;
- a list of the extra weekly items they have to purchase because of their condition;
- medical evidence that all the extra weekly items are required as a direct result of their condition; and
- confirmation from a doctor or dietician of the extra needs **as a result of undertaking their course.**

Steps Taken When Payment Runs Out

101. Another concern raised by a number of stakeholders is the process for informing students that their funding is about to run out. It has been reported that when a student is nearing the upper threshold of their DSA a letter is issued to the student informing them of this point. However it has been noted that such a letter can cause distress to students who are unaware that their institution may be able to cover some of the costs and therefore do not always approach their disability services.

102. SAAS will now alert institutions at the same time as students that the student is approaching their threshold, this will hopefully provide institutions with as much notice as possible to consider what support they will be able to provide to the student and to minimise anxiety on the part of the student..

103. The Scottish Government and SAAS have been considering the threshold limits available to pay for NMPH. There have been some specific concerns around the costs of NMPH for students with complex or multiple disabilities, for instance, a deaf student requiring BSL interpreter support where the costs of NMPH would be in excess of the current limits. On 12th November 2007 the Cabinet Secretary for Education and Lifelong Learning announced that the capped limits for NMPH will be increased to £20,000 from 2008/09.

Next steps in the Review of DSA

104. Having completed this initial examination into current practices it is clear that stakeholders have highlighted some areas of concern. These issues have been briefly outline in the paper and for ease they have been inserted into a table contained in **Annex B**. The Scottish Government and SAAS will fully consider these issues and in discussions with the DSSG and other stakeholders will try to identify ways in which they can be resolved.

105. The next stage of the review process will be to meet with more institutions, students and relevant stakeholders to identify more detailed information on existing practice of institutional support and reasonable adjustments made for disabled students and how this ,

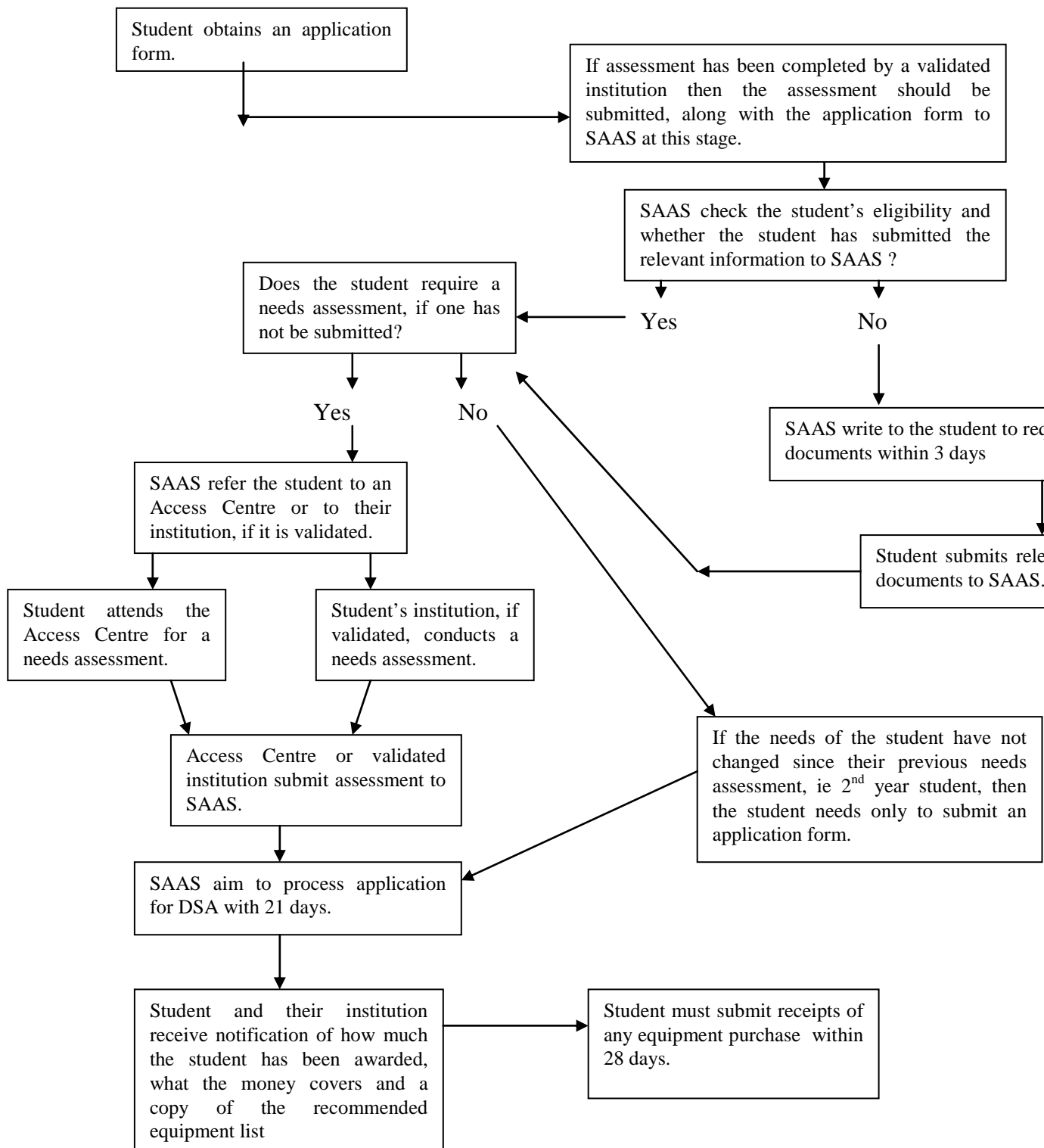
varies across the sectors as well as to identify examples of best practice which could be helpfully disseminated.

106. It is also important to note that the DSA is a UK wide allowance. A paper comparing the DSA provision/rules in Scotland with those in England, Northern Ireland and Wales will be produced shortly.

**REVIEW OF DISABLED STUDENTS
NOVEMBER 2007**

Annex A – Flowchart of the DSA Application Process

DSA application process flowchart



Annex B - Issues Table Regarding DSA

Issue	Action To Be Taken	Lead	Completion Date
1. Is there a need for the initial SAAS application form for DSA or could the form be amended.	The matter was further discussed at the November meeting of the DSSG and SAAS will consider further amendments for 2008/09	SAAS	Spring 2008
2. Could all the forms be available for completion and submission online.	The matter was further discussed at the November meeting of the DSSG and SAAS will consider further amendments for 2009/10	SAAS	2009/10
3. Length of time SAAS takes to pay NMPH for students who have multiple NMPH's	SAAS recognise this concern and are hopeful that their new computer system, which is due to be installed early summer 2008 will alleviate this problem. Introduction of the new system will be phased in so it should be noted that there will be no definite timescale regarding alleviating the issue of multiple nominee payment facility.	SAAS	Summer 2008
4. The reporting and auditing procedures for fraud.	Consider evidence and update stakeholders.	SAAS	Spring 2008
5. How can the needs assessment process for students seeking DSA be improved.	Analyse the responses from the SAAS student questionnaire to identify issues. Consider and discuss possible improvements at the DSSG.	SAAS & Review Team	Spring 2008
6. The quality of training DSA students receive from companies who supply the equipment.	Consider during the next phase of the review.	Review Team	Spring 2008
7. Insufficient funding for NMPH for deaf students	The Cabinet Secretary has considered this matter and announced on 12 th November that the maximum threshold for NMPH will increase to £20,000	Review Team	November 2007
8. Consider the IAG for the DSA.	Consider during the next phase of the review. Set up a meeting between Skill Scotland, NUS Scotland, SAAS and Scottish Government to discuss future IAG.	Review Team	Spring 2008
9. Consider the threshold for	Consider during the next phase	Review Team	Spring 2008

travel arrangements.	of the review.		
10. Institutions believe DSA should be available out with term time if required.	Consider during the next phase of the review.	Review Team	Spring 2008
11. Insufficient numbers of interpreters across Scotland particularly in rural areas.	Undertake a project to map linguistic access in FE/HE. Evidence to feed into the next phase of the review. Possible presentation to DSSG.	Scottish Government – Equality Unit & Review Team	Spring 2008
12. Lack of communication between disability advisors and staff members from other departments	Facilitate joint networking for disability advisors, needs assessors and technology assessors. Encourage partnership working.	Review Team	Spring 2008
13. Improvements to staff training.	Consider the evidence and discuss at the DSSG	Review Team	Spring 2008
14. Consider issues relating to diagnosis and educational psychologists.	Consider the evidence and discuss at the DSSG	Review Team	Spring 2008
15. Reconsider eligibility criteria for DSA needs especially for students who study part time or are undertaking relevant access course.	Consider the evidence during next stage of the review.	Review Team	Spring 2008
16. Consider the long term future of the pilot and toolkit.	Consider this matter at DSSG.	DSSG	Spring 2008
17. Consider whether there is a need to review the NMPH guidance and draft suggested scales of pay for different types of support workers.	Consider this matter at the DSSG.	DSSG	Spring 2008
18. Appeals process and procedure for process exceptional cases.	Consider during the next phase of the review.	Review Team	Spring 2008
19. Obtain case studies regarding reasonable adjustments.	Consider during the next phase of the review.	Review Team	Spring 2008
20. Consider the provision of guidance on the roles and responsibilities of agencies regarding the provision of academic support and social care.	Scottish Government to undertake a review of Partnership Matters. Update the DSSG on this review.	Scottish Government	Summer 2008

