

# Spring—it's all change!



## Disability Discrimination Act: taking the work forward

This newsletter comes at a very interesting time. Not only is the DDA Public Sector Duty legislation proceeding at pace through the House of Commons, but the 2<sup>nd</sup> phase of regional action research projects are now up and running. (See pages 5 and 6). We are also developing two new programmes of support: one is for training providers – looking at how the DDA can be implemented in the work place and the other is on the implementation of the public sector duty.

Meanwhile, there are many actual and potential changes on the horizon for the Learning and Skills Sector. Andrew Foster is heading a DfES team taking a strategic look at the role of FE. The LSC is carrying out the 'Agenda for Change' – its strategy to implement government priorities. There is a fundamental review of FE funding. The provision of 'other' learning and adult community learning has come under scrutiny.

The impact of the review of 14-19 provision (the Tomlinson review) is being explored and of

course the LSC's strategic review of provision for learners with learning difficulties and disabilities is due to report in the summer. Nearer to home for those of us at LSDA is our new role as the National Quality Improvement Body.

Thinking ahead to yet more change can be daunting, albeit with new and improved prospects for disabled people and it made me reflect on just how far we have come in a

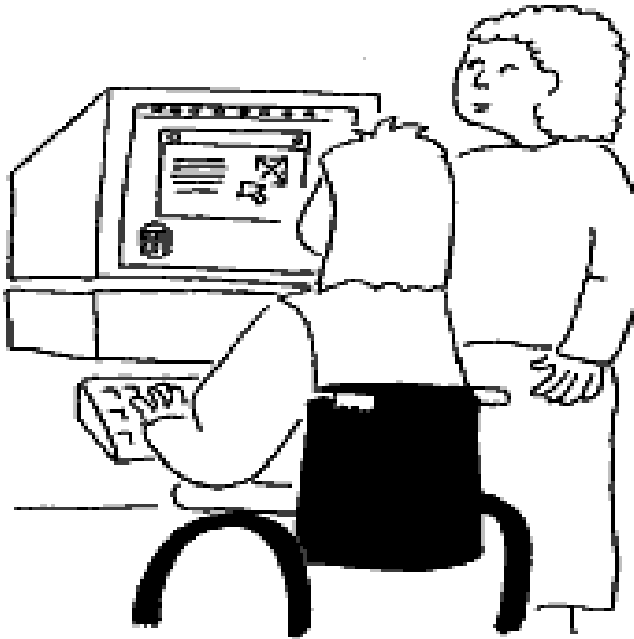
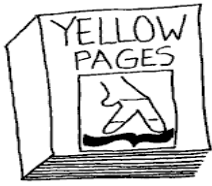
relatively few years. A study in the 1980's found that there were just 50,000 learners with learning difficulties and disabilities in FE.

Today there are nearer 550,000 learners receiving support - and this has been achieved during a period of unprecedented change and turbulence. So let us take a few moments to take stock, reflect on and celebrate the achievements and then look to the future – there remains much to be done!

**Sally Faraday (LSDA)**



# Developing an effective process for securing learning support for participants in work-based learning (WBL)



The current system for assessing support needs within Work Based Learning (WBL) is historic and bureaucratic. The funding mechanism for Additional Learning Needs (ALN) is fairly simple in that it is based on the Basic Skills Agency materials (2002) or other tests that are based on the Adult Literacy and Numeracy standards. For Additional Social Needs (ASN) it is more complex and the Learning and Skills Council (LSC) has continued with the categories used by TECs. The problem is that neither match Connexions' Assessment, Planning, Implementation and Review system (APIR) which uses a different range of criteria nor do they match the mechanisms in the other L & S sectors. The LSC is looking to rebuild

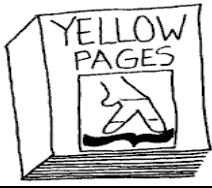
the system in a way which will reduce bureaucracy, enhances the relevance to the learner, promotes best practice in identifying and meeting additional learning needs, aligns the criteria with those used in APIR, facilitates ease of progression from Connexions case loads to WBL, and is applicable in other LSC sectors.

Research carried out by LSDA during January and February 2005 with work-based learning providers, local Connexions Services and local LSCs regarding the current process for endorsing those learners with additional learning and/or social needs concluded that there is varied practice currently in operation. The main discrepancies appear to be the involvement at local level with Connexions services and the length and nature of reviews with learners of individual learning plans.

An invited group of 'experts' from work-based learning providers, local Connexions Services and local LSCs met in January 2005 to discuss the findings of the research and to agree key principles for an effective process. The following key principles agreed: the process should be learner focused and not solely funding driven; the process should be agreed by all partners, with clearly defined roles and responsibilities; thorough initial

*(Continued on page 3)*

# Developing an effective process for securing learning support for participants in work-based learning (WBL)



*(Continued from page 2)*

assessment should be carried out in order to clearly identify learners' support needs; initial assessment should inform the planning of learning for each learner, reviews of learners progress should be carried out in accordance with their individual needs and any new documentation which is designed to support the process should be simple and fit for purpose.

The next stage of the project is to agree with LSC and Supporting Children and Young Peoples Group the key recommendations and then to produce and test further guidance. The outcomes of the project will include a re-issue of guidance documents from LSC to take effect from April 2005 and an effective practice guide issued by LSDA to aid providers with the new process.

## **Sylvia Gentleman (LSDA)**



## **Spring term regional DDA events**

Following on from the regional events in the Autumn Term, 2004, a series of regional events is now being organised for the Spring and Summer terms. These events are to provide further support in the region in implementing the DDA. They are in response to the issues identified by delegates at the Autumn term events. Individual providers in each region have agreed to host the events. In addition to providing support on a number of important topics, these events are also an opportunity for practitioners to come along and meet others in the region working in the post-16 sector.

The events are intended for those with management responsibility for the implementation of the DDA, in Further Education, Adult Community Learning, and Work-based Learning.

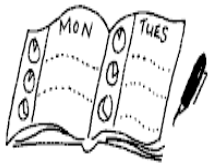
*(Continued on page 4)*



# Spring term regional DDA events



(Continued from page 3)



## Dates of events in the Spring term:

- **North:** Monday 21<sup>st</sup> February 2005  
**(Completed)**
- **South East:** Thursday 24<sup>th</sup> February 2005  
**(Completed)**
- **West Midlands:** Friday 25<sup>th</sup> February 2005  
**(Completed)**
- **Yorkshire & Humberside:** Monday 7<sup>th</sup> March 2005  
**(Completed)**
- **East Midlands:** Wednesday 9<sup>th</sup> March 2005
- **North West:** Friday 11<sup>th</sup> March 2005
- **East:** Thursday 17<sup>th</sup> March 2005
- **London:** Friday 11<sup>th</sup> March 2005
- **South West:** Friday 22<sup>nd</sup> April 2005

Topics to be covered include disclosure, access to premises, supporting learners with mental health difficulties and risk assessment. Further details of the topic for each region can be found on the DDA projects website.

<http://www.lsda.org.uk/programmes/dda/index.asp?section=8>.

The dates for the Summer term events have still to be confirmed and details will be posted on the DDA projects website when available.

If you have any queries you can email

[DDAProjects@lsda.org.uk](mailto:DDAProjects@lsda.org.uk)

**Dr Gill O'Toole (LSDA)**



**Reminder:** The DDA website is updated on a regular basis. Dates for the forthcoming summer events will be published on the website in the near future.



## Phase 2 Regional Action Research Projects



Now that spring is finally upon us it is that time for the Action Research projects to begin. Many thanks to all those who have kindly volunteered to come on board including all the coordinators and the sites who will be at the heart of the project within their region.

A list of topics for each region was chosen (after much debate) at the last series of events and it is now time for implementation! Despite the short period of time given between the end of last year, all those involved have managed to juggle their time and commitments. Things get underway at the first Action Research Training day on Tuesday 1st March 2005. Details of this event, including the topics chosen for each region have been put up on the DDA website which I will endeavour to update on a regular basis:

<http://www.lsda.org.uk/programmes/dda/index.asp>

As mentioned in the winter 2004 edition of the newsletter, each region will be responsible for carrying out the new Action Research project which is to be led by a single organisation (the regional coordinator) and including four or five others (the sites involved).

Funding is available for all those

participating, and if last year is anything to go by — the research and findings that came out of the twenty DDA projects has provided a wealth of exceptional material all of which are on the DDA website; the next few months ahead will be both challenging and rewarding — an exciting time ahead for all of us!

Here is a reminder of what those action research topics are:

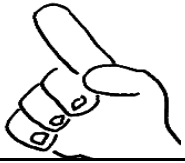


- **West Midlands**  
Developing a whole organisation approach to staff development involving learners.

- **Yorkshire and Humberside**  
Developing a whole organisation approach to staff development involving learners.

- **South East**  
In implementing the DDA, how can we reconcile the competing needs of individuals, organisations and legislation?
- **East**  
Information Sharing.

*(Continued on page 6)*



## Phase 2 Regional Action Research Projects



(Continued from page 5)

- **London**  
Staff Development: champions and reaching part-time staff.
- **South West**  
Raising awareness: working with partners including employers.
- **East Midlands**  
Improving information flows between organisations / managing transition information for the learner.
- **North**  
Developing staff skills and developing best practice guidelines.
- **North West**  
Flexible approaches to provision: Investing in multi-agency partnerships.

**Al Lockhart Smith (LSDA)**



## Newsletter artwork

The drawings featured in this newsletter come from the CHANGE picture bank.

CHANGE is a national organisation. It is for people with learning disabilities, including people with learning disabilities who are blind or deaf.

If you wish to contact the organisation and find out more about the people at CHANGE then please use the various methods of contact given on this page.

### Address:

CHANGE units 19-20  
Unity Business Centre  
26 Roundhay Road  
Leeds  
LS7 1AB

**Telephone:** 0113 243 0202

**Fax:** 0113 243 0220

**Minicom:** 0113 243 2225

### Web address:

[www.changepeople.co.uk](http://www.changepeople.co.uk)

### Email:

[changepeople@btconnect.com](mailto:changepeople@btconnect.com)



# One Learner's Story



I came to Blackpool & the Fylde College in September 2000 to attend the Stepping Stones course, "Build on your Skills". For many years I had suffered from an acute anxiety condition known as social phobia. Entering the college or any other public environment was very difficult.

The 'build on your skills course' was designed for adults with any mental health illness in order to help build confidence and self-esteem by working on improving communication skills and assertiveness and in an environment which was supportive and understanding. The objectives of this course were for us to progress on to a mainstream college course or voluntary work and the final aim to achieve eventual re-employment.



One issue was that I did not know which career to progress into and the prospect of years of training was quite daunting. A

Stepping Stones tutor asked me how I would feel about doing some voluntary support work in a classroom situation with adults with severe learning difficulties who attend the college. I thought this potentially a great idea as it would give me the opportunity to take my mind off my own difficulties and help others much less fortunate. I also realized it might be a challenge because I had no experience and did

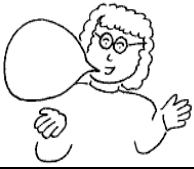
not know if I was capable.



In September 2001, to help me, I started the C&G Basic Learning Support Competences course held at Blackpool and the Fylde College. This course was designed for people working with adults who have learning difficulties. I found this initial transitional period from having been on a Stepping Stones course where my needs were understood and going into a mainstream environment where people are less aware of Mental Health Issues very difficult and at one stage I was unsure if I would be able to continue.

Fortunately, one of the measures put in place for people progressing from Stepping Stones into mainstream education is the availability of one-to-one support from a Stepping Stones tutor for an hour weekly. This proved to be invaluable as my tutor, Kath - who had plenty of experience of working with people with Mental Health issues and was aware of my own - gave me a lot of encouragement and support providing constructive advice on my approach to my work and strategies to help alleviate anxieties in the classroom environment. This helped me stay on track.

*(Continued on page 8)*



# One Learner's Story



(Continued from page 7)

The voluntary work which ran concurrent to the course was also very beneficial; I could enjoy it without putting myself under too much pressure and was able to further develop the inter-personal relationship skills required in the workplace, which I missed out on for many years. I also found working with adults with learning difficulties was very rewarding and discovered that it was my 'niche' and that it was what I definitely wanted to pursue as a career.

I was offered a job as an Educational Support worker and once I completed my Basic Learning Support course I began working for the college. This was in October 2002. Since then I have completed the Advanced Certificate in Learning Support and also the C&G 7302/01 initial teacher training certificate in delivering learning; this was also a considerable challenge to me.

Throughout my progression and because I have continued to develop the facility for one-to-one support has constantly been made available to me. I am now doing a BA in English as well as continuing working. After this I would like to complete my teacher training and go on to becoming a tutor specializing in Special Needs capacity.

My learning experiences and also having the opportunity to work with students with learning difficulties has transformed my

life. I still occasionally have anxiety difficulties and probably always will have, but I now accept it as part of who I am. I also have much more confidence and I am hopeful of the future. I feel that it is important that those who are in the position I was once to see that hope and recovery is truly achievable.

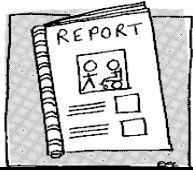
It would be great to see others who have suffered from Mental Health problems being given the opportunities that I have had - to be slowly rehabilitated into a working role in a chosen career.

**Nichola J**

**February 2005**

A thematic report on mental health difficulties will be published and made available in the near future.





## New report on disability from Prime Minister's Strategy Unit



### Improving the life chances of disabled people

The Prime Minister's Strategy Unit has published its report 'Improving the Life Chances of Disabled People'. The report focuses on four main areas: independent living, early years and family support, transition to adulthood, and employment. On transition, the report says that there needs to be more personalisation of transition and more opportunities for inclusion in further education and meaningful employment. The report recommends that the needs of disabled young people be effectively built into the 14-19 reform proposals, and that advice and guidance, including Connexions, meets the needs of disabled people.



Recommendations in the report will be introduced over the next 10 years, and will include the establishment of an Office for Disability Issues later this year. For more information and a copy of the report, see:

[www.strategy.gov.uk](http://www.strategy.gov.uk),

Phone 020 7276 1881

or email  
[strategy@cabinet-office.x.gsi.gov.uk](mailto:strategy@cabinet-office.x.gsi.gov.uk)

### Disability Bill Update - Public Sector Duty

Work in Parliament on the Disability Bill is going on apace with the expectation it will complete its passage through Parliament before the General Election.

A very important part of the Disability Bill is that it will place a Public Sector Duty on all publicly funded organisations. This will include not only educational providers but also public funding bodies including HEFCE and the LSC.

The Disability Rights Commission has published draft codes for the public sector duty on disability equality for consultation.

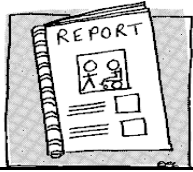
There are two codes: one for England and Wales and another for Scotland. The consultation runs until 22 April and the DRC is also putting on a number of consultation events.

For more information see:

[www.drc-gb.org/thelaw/publicsectordutycodes.asp](http://www.drc-gb.org/thelaw/publicsectordutycodes.asp)

The Public Sector Duty will require a whole organisational approach from all

*(Continued on page 10)*



## New report on disability from Prime Minister's Strategy Unit



(Continued from page 9)

colleges and LEA providers of adult education in that they will have to identify and analyse the potential for discrimination against disabled people in all of their policies, procedures and practices. They will also have to show how they are actively promoting greater equality for disabled people. Colleges and LEAs will be required to produce a Disability Equality Scheme. This will be a far more proactive document than the current Disability Statements as in it providers will need to produce an action plan which will spell out how they are going to ensure equality for disabled people.

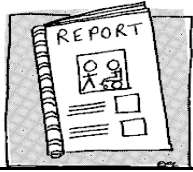
They will need to show how they will collect data on the numbers of disabled learners in their organisation and how they will monitor their retention and achievement. The Code of Practice also states that disabled people will need to be involved in drawing up and designing the Disability Equality Scheme.



### The Disability Equality Scheme will need to:

- Detail an action plan identifying areas of improvement over 3 years
  - Explain arrangements for monitoring progress and gathering evidence of progress
  - Outline how the particular data collected will be analysed and updated so it informs future planning in a useful way
  - Indicate to what extent [public bodies are co-operating to promote equality
  - Report annually on the scheme's progress and review 3 years from the date of its first publication
- The Public Sector Duty is likely to be implemented in autumn 2006 and it is also likely that the first Disability Equality Schemes will need to be published in December 2006.
- This timescale suggests that providers will need to start working on their Disability Equality Schemes prior to implementation of the Duty. LSDA is hoping to be working with NIACE and Skill, with the LSC and with a selection of colleges and LEAs in order to produce guidelines to support providers in fulfilling this new duty.

(Continued on page 11)



## New report on disability from Prime Minister's Strategy Unit

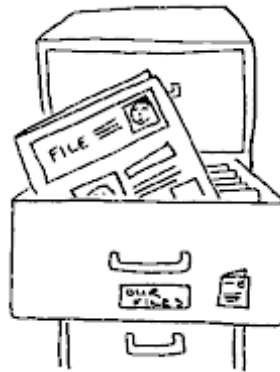


(Continued from page 10)

### E2E – is it working?



The Adult Learning Inspectorate has published a report on the first year of the Entry to Employment (E2E) programme. The report is positive, and says that the statistics (only 6 percent of young people on the programme have gone on to apprenticeships) do not reflect the positive progression young people have made on E2E. It also shows that young people who have identified themselves as having a disability or learning difficulty were as likely to achieve positive outcomes as those young people who had not self declared. It mentions a concern that some learners with dyslexia have not always received appropriate additional support, but it is positive about certain programmes which have used the flexibility of E2E to provide very appropriately for young people with mental health difficulties. It is clear that where E2E is most successful is when its three strands - basic skills, vocational preparation and personal and social development - are closely integrated and it gives some positive examples of how this has occurred. It



is also clear that E2E works

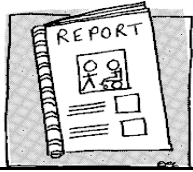
most effectively when a variety of partners are involved, including specialist disability organisations.

The Report acknowledges that currently the E2E cohort includes a very wide range of learners and questions whether a single programme should be catering for such a wide spectrum. However, it does endorse the fact that the flexible structure of E2E can be very effective as a means of engaging and

supporting those learners who have particular learning needs. In recent months several providers have expressed concern that E2E entry requirements may be tightening and that it might be refocusing to include only those learners who are likely to progress to a Modern Apprenticeship. This Report endorses the importance of there being a flexible programme such as E2E which can include those learners who may never progress to an Apprenticeship but who do genuinely want to develop their skills and gain employment.

The Report made a number of recommendations for the programme, which include improving support arrangements for learners with specific learning difficulties, and having clear,

(Continued on page 12)



## New report on disability from Prime Minister's Strategy Unit



(Continued from page 11)

measurable and realistic targets for all learners.

It also mentions that the roles and expectations of Connexions services need to be clarified. For more information see

[http://www.ali.gov.uk/html/news\\_news.asp](http://www.ali.gov.uk/html/news_news.asp)



### DDA Part 4 – cases

Up to now there has only been one case in the further education sector which has gone to court under DDA Part 4. This was the case, now widely reported on, of a young man who used a wheelchair being refused entry to a sixth form college because, although he was happy to use his own stair climbing wheelchair, the college felt that this would provide a health and safety hazard to other learners. This case has now been settled in the young man's favour and he is now attending the sixth form college.

However, several cases have been settled under conciliation through the Disability Rights Commission. Several of these are confidential but one, concerning a post-graduate learner at De Montfort University, has been made public.

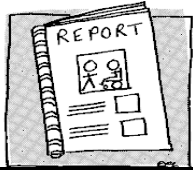
The person involved had been accepted onto a PGCE course. However, a month before her course was due to start she was asked to sign a contract containing additional terms and conditions which non-disabled students were not asked to sign. The wording of the contract demonstrated a lack of knowledge of disability equality issues on the University's part.

The University then advised the prospective student that her place on the course was no longer secure as they needed to seek further medical advice on her fitness to train as a teacher and her fitness to teach. The University also breached confidentiality by discussing her situation without permission.

The prospective student complained about this treatment using the University's internal complaints procedure and enlisted the support of a DRC case worker who wrote to the University outlining the provisions of the DDA and how they were likely to have been breached and suggesting remedies.

The outcome was favourable with the woman receiving an apology in respect of all of her complaints, an acknowledgment that the matters had been badly handled, and a sum of

(Continued on page 13)



# New report on disability from Prime Minister's Strategy Unit



(Continued from page 12)

£1000.

Although this case concerns a learner at Higher Education the issues which it raises certainly have implications for those working in further or adult education.

## Book Review

### Employing people with learning disabilities – A handbook for employers

Susan Hemmings and  
Jenny Morris  
Joseph Rowntree  
Foundation, 2004

This Handbook was compiled with a group of people who themselves have learning disabilities and the advice and examples in it come entirely from the experience of 26 employers who were interviewed as part of the project. Their practical experience shows itself in both the layout and the content of the publication.

The book is very clearly laid out under a series of headings:

- Recruitment
- Induction and initial training

- The job
- Management and day to day supervision
- Appraisal and performance monitoring
- Helping people progress in employment

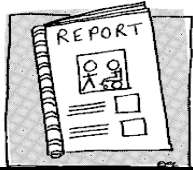
- Dealing with problems



Each section discusses the issues, gives examples of good practice, and ends with a checklist for employers. A final section contains additional information including where employers can go to if they require additional support. Included at the end are some simple, detachable Information Cards covering the main points raised in the body of the text.

The tone of the handbook is especially welcome. It makes clear employers' duties under the DDA but is in no way a guide on how merely to become DDA compliant. It also avoids the often held 'charity model' of employment of people with learning difficulties. Instead it places the employment of people with learning disabilities firmly within the context of making sound business

(Continued on page 14)



## New report on disability from Prime Minister's Strategy Unit



(Continued from page 13)

sense.

This is certainly a publication that should be owned by every employer. It also contains information which is likely to be useful for anyone working in education or work based learning on programmes which aim to support people with learning difficulties into employment.

**Liz Maudslay (Skill)**



### Want to know more?

For general enquiries contact DDAProjects:

[DDAProjects@lsda.org.uk](mailto:DDAProjects@lsda.org.uk)

or look at the website on:

<http://www.lsda.org.uk/programmes/dda/index.asp>

**Al Lockhart Smith:**

DDA administrator  
LSDA  
Regent Arcade House  
19-25 Argyll Street  
London  
W1F 7LS

**Email:** [asmith@lsda.org.uk](mailto:asmith@lsda.org.uk)

**Office:** 020 7297 9179

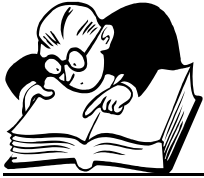
**Dr Gillian O'Toole:**

DDA researcher  
LSDA  
Regent Arcade House  
19-25 Argyll Street  
London  
W1F 7LS

**Email:** [gotoole@lsda.org.uk](mailto:gotoole@lsda.org.uk)

**Office:** 020 7297 9108

(Continued on page 15)



## Want to know more?



(Continued from page 14)

**Dr Lisa Doyle:**  
DDA researcher  
LSDA  
Regent Arcade House  
19-25 Argyll Street  
London  
W1F 7LS

**Email:** [ldoyle@lsda.org.uk](mailto:ldoyle@lsda.org.uk)

**Office:** 020 7297 9249

**Sally Faraday:**  
Research manager  
LSDA  
Regent Arcade House  
19-25 Argyll Street  
London  
W1F 7LS

**Email:** [sfaraday@lsda.org.uk](mailto:sfaraday@lsda.org.uk)

**Office:** 020 7297 9098



## Newsletter Contribution

If you would like to contribute to future DDA newsletters with your progress or anything else that you feel to be relevant then you could be filling this space! Send all relevant articles or documents to Al Lockhart Smith.

Any comments or advice in terms of content readability and design are also welcome.

