

FOI Reference: 207-18

Date of Response: 09/10/2018

Request

“Can you please provide me with the exact paragraph in legislation that requires disabled students to have obtained rejection letters from other universities before they can apply for or be granted funding for distance learning.

Can you please provide me with your policy documents on how to deal with students/customers/applicants who have disabilities and mental health issues.

Can you please provide me with information on who internally is responsible for making sure you're team are trained on dealing with students with disability and mental health issues.

Can you confirm if your staff in contact centres are trained to deal with students with disability and mental health issues?

Can you tell me if your managers in your contact centres are aware of the equalities act and the fact that they could be discriminating against students if they aren't willing to consider their issues?”

Response

Question 1

There is no specific paragraph in legislation that requires disabled students to have obtained rejection letters from other universities before they can apply for or be granted funding for distance learning.

In order to explain the requirement or request it may be helpful to outline the student finance available for new English domiciled students wishing to study a distance learning course (being the relevant group to which your statement relates):

Students who commence a full-time distance learning course on or after 1 September 2012 will be eligible to apply for a full-time tuition fee loan only. The maximum amount the student can apply for is:

- £9,250 (Public Institution)
- £6,165 (Private Institution)

Students who commenced their part-Time distance learning course on or after 1 September 2012 will be eligible for tuition fee support only. The amount available will be:

- £6,935 (Public Institution)
- £4,625 (Private Institution)

Full-time students who are unable to attend their distance learning course due to a disability may be eligible to receive the full-time package of funding.

From 2018/19, part-time students who are unable to attend due to a disability may be eligible for the new part-time maintenance loan.

There is a statutory basis for the funding available. For full-time support over and above the tuition fee loan I would direct you to regulations 39 and 86 of the Education (Student Support) Regulations 2011, as amended (the “2011 Student Support Regulations”):

“39.— Students who are treated as in attendance

(1) A student to whom this regulation applies is treated as being in attendance on the designated course for the purpose of qualifying for the following grants—

- (a) disabled students' allowance;*
- (b) grant for dependants;*
- (c) maintenance grant or special support grant;*
- (d) higher education grant.*

(2) This regulation applies to—

- (a) a compressed degree student;*
- (b) a student on a period of study or period of work placement in an Erasmus year;*
- (c) a disabled student who—*
 - (i) is not a compressed degree student; and*

(ii) is undertaking a designated course in the United Kingdom but is not in attendance because the student is unable to attend for a reason which relates to the student's disability.” [emphasis added]

“86.— Students who are treated as in attendance on a course

(1) A student to whom this regulation applies is treated as being in attendance on the designated course for the purpose of qualifying for the loan for living costs or the long courses loan.

(2) This regulation applies to—

- (a) a compressed degree student;*
- (b) a student on a period of study or period of work placement in an Erasmus year;*
- (c) a disabled student who—*
 - (i) is not a compressed degree student; and*

(ii) is undertaking a designated course in the United Kingdom but is not in attendance because the student is unable to attend for a reason which relates to the student's disability. [emphasis added]”

For part-time support over and above the tuition fee support available I would direct you to regulation 157M of the 2011 Student Support Regulations:

“157M.— Students who are treated as in attendance on a course

(1) A student to whom this regulation applies is treated as being in attendance on the designated part-time course for the purpose of qualifying for the loan for living costs.

(2) This regulation applies to—

- (a) a student on a period of study or period of work placement in an Erasmus year;*

(b) a disabled student who is undertaking a designated part-time course in the United Kingdom but is not in attendance because the student is unable to attend for a reason which relates to the student's disability.” [emphasis added]

I would also refer you to the distance learning section of the Assessing Eligibility Guidance Chapter 2018/19 which can be found online at <https://www.practitioners.slc.co.uk/media/1652/sfe-assessing-eligibility-guidance-ay-1819.pdf>, specifically page 50 and 51. This Guidance Chapter covers full-time courses. For part-time distance learning courses I would refer to the Support for Part Time 2018/19 Guidance Chapter (available online at <https://www.practitioners.slc.co.uk/media/1658/support-for-pt-students-1819-england-v10.pdf>), specifically pages 8 and 9.

In order to assess whether a distance learning applicant would be eligible to receive the full-time support package/part-time maintenance loan, evidence is required and each applicant's individual circumstances will be reviewed on a case-by-case basis. Evidence should include, but is not limited to:

- medical evidence from their GP and/or Consultant confirming that the student's condition prevents them from travelling to/from their Higher Education Provider (“HEP”) **and** physically attending their HEP; and
- evidence that the student has had discussions with their HEP/multiple HEPs about the facilities available, accessibility and why the HEP/s cannot accommodate the student's requirements. This could be emails/correspondence between the student and different HEPs – this is to be differentiated from a “rejection letter”.

For disabled students who apply for Disabled Students' Allowance and who are studying via distance learning, there is no requirement to provide any evidence that applicants wishing to receive a maintenance loan are asked to provide. Disabled distance learning students' allowance is provided for by regulation 127 of the 2011 Student Support Regulations.

Question 2

There is no “policy document” held by the Student Loans Company Limited (“SLC”) which details how staff should deal with students/customers/applicants who have disabilities and mental health issues. It is through live scenarios/calls that advisors learn to handle these scenarios.

From a contact perspective we seek to answer incoming queries in a consistent way across all customers. Beyond this there are mechanisms (for example Consent to Share, translation services, live interpreter [at the customer's end] and social media) which allow for different ways of accessing our services. To support the corporate approach we will have individual processes to facilitate these mechanisms, specific to each and their relevant business area. These are able to be used by all customers.

At a corporate level, I would refer you to SLC's Equality, Diversity and Inclusion Strategy 2020 (available online at <https://www.slc.co.uk/about-us/equality-diversity-and-inclusion.aspx>), which sets out our commitment to treating people fairly, respecting differences, understanding different needs, valuing people and meeting the public sector requirements of the Equality Act 2010.

Question 3

There is no one individual responsible for ensuring that staff are trained on dealing with students with disability and mental health issues. Operational trainers ensure that contact centre staff complete induction training, which includes an Equality, Diversity and Inclusion ("EDI") eLearning module. For non-customer facing staff, the same module is required to be completed as part of new staff induction, and individual line managers are responsible for ensuring that their staff complete this.

Question 4

As part of new staff induction all staff are required to complete eLearning modules, which include the EDI eLearning module referred to above. Contact centre staff also have access to a specific "EDI in contact" video.

As stated in the response to question 3, there is no specific policy document that we utilise to deal with students with disabilities, including mental health issues – it is through live scenarios/calls that advisors learn to handle these scenarios.

All the contact centre advisors are trained to answer customer queries having been trained on the requisite elements of student support those queries relate to. This ongoing training and coaching also enables the advisors to handle calls using techniques to question and respond in a conversational manner to re-assure customers they are there to help and then provide the answers required. Advisors routinely handle a very broad range of queries from an equally diverse range of customers and adapt to each call to deliver a professional, tailored service. Our advisors are supported where they believe the customer's wellbeing may be of concern and have steps they can follow to both escalate this for the customer from a safeguarding perspective and receive personal support if required thereafter. We also adopt a third party access framework allowing others to discuss accounts with the express consent of the customer - something which is readily accessible by all customers if they choose.

Question 5

All SLC staff, including managers, are aware of the Equalities Act 2010 as a direct result of the requirement to undertake mandatory EDI training, in conjunction with the SLC's Equality, Diversity and Inclusion Strategy.

The information contained in the preceding paragraph only covers the first part of your fifth question - your statement "*the fact that they could be discriminating against students if they aren't willing to consider their issues*" is considered to contain argument/your own personal view rather than fact.