Birmingham City University

Reasonable Adjustments Panel Guidance

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Birmingham City University

Reasonable Adjustments Panel Guidance

Introduction

This guidance sets out the arrangements for holding a Reasonable Adjustments Panel ('Panel') and should be read alongside the University's Student Disability and Mental Health Policy. The procedure outlined in this guidance applies only to applicants with an offer from BCU or students enrolled with BCU; they do not apply to students who are no longer enrolled with BCU.

A Panel will be held where an adjustment or the type/amount of support requested by an applicant or student or recommended by a DSA needs assessor is not considered by the relevant support team or the student's School to be reasonable. Where cost is one of the factors which may mean the adjustment is not reasonable, the Panel will be convened where:

- The cost of the one-to-one support or reasonable adjustment requested is not of a type that would be covered by Disabled Students' Allowances and exceeds 50% of the student's course fee (postgraduate taught courses) or 50% of the student's course fee for one year (undergraduate taught courses); or
- Where the cost of the one-to-one support or reasonable adjustment requested would exceed the amount that would be paid by Disabled Students' Allowances by £1,000 or more.

The purpose of the Panel is to consider the type/amount of support requested; the reasons why the support is considered unreasonable, as set out by the relevant support team or School; and whether the support (or suitable alternative adjustments) should be offered.

Membership

The Panel will consist of:

- Head of Department from the relevant School **(Chair)**
- Head of Student Inclusion (where support relates to Mental Health & Wellbeing)
- Head of Mental Health and Wellbeing (where support relates to Disability Services)
- Clerk

Where appropriate, the Chair may agree that additional individuals can act as panel members. For example, a practising professional (practitioner) from a related area of the University or external profession might act as a panel member where the adjustments under review relate to placement; or a member of Students' Union staff might act as a panel member if the applicant requests their attendance, and in order to ensure representation of the student body generally. A member of Students' Union staff would not be in attendance as a representative or advocate of the specific student to whom the meeting relates.

Where any Panel member has a conflict of interest in hearing the case, their place will be taken by a suitable alternative member of staff who will be independent of the issue and not conflicted to consider the case.

Attendance

Where any panel member is unable to attend a panel meeting, the Chair can request that the member nominate a suitable alternative to attend in their place. All panel members (or alternatives agreed by the Chair) must be present for the panel to proceed.

The following staff members (or their agreed alternatives) will attend the panel meeting as witnesses in order to explain the reasons why support is not considered reasonable:

- Head of Student Inclusion (where support relates to issues associated with disability services);
- Head of Mental Health & Wellbeing (where support relates to Mental Health & Wellbeing);
- Course Leader.

Where any of these individuals is unable to attend and an alternative attendee is not available, the Chair may accept a written statement in place of attendance.

The applicant/student will not normally be invited to attend a panel meeting but will be invited to submit written representations in advance. The Chair can decide to invite the applicant/student to attend if the Chair considers there is good reason for doing so.

Meeting arrangements

We will convene the panel as quickly as possible and normally within 10 working days. We will notify the applicant/student of the panel date and when an outcome will be issued, but the applicant/student will not normally be expected to attend a panel meeting.

Possible outcomes
The outcomes available to the panel are:

- To offer support/reasonable adjustments as requested by an applicant or student or recommended by a DSA needs assessor;
- To decline to offer any support/reasonable adjustments as requested by an applicant or student or recommended by a DSA needs assessor, on the basis that the associated adjustments are unreasonable and that no reasonable alternatives are available;
- To offer an alternative version of the support/reasonable adjustments as requested by an applicant or student or recommended by a DSA needs assessor, on the basis that the requested support or adjustments are unreasonable but alternative support or adjustments are considered reasonable and will provide a broadly equivalent level of support or access.

Panel decision
Not everyone on the panel has to agree to the final panel decision – the panel can issue a majority decision. In circumstances where the panel decision is evenly split, the Chair will make the final decision.

The panel decision will be sent to the applicant/student within 10 working days of the panel meeting.

Right of review

The applicant/student will have the right to request a review of the panel decision. The available grounds of review are:

- I have new evidence which I was unable, for valid reasons, to provide earlier in the process that would have had a significant effect on the outcome of the formal stage;

- The correct procedure was not followed during the formal stage and this has had a significant effect on the outcome;

- The outcome was unreasonable given all the circumstances and the evidence considered.

Review requests should be made in writing and submitted within 10 working days of the panel outcome being sent, via email to the panel clerk. The panel clerk will then arrange for the review request to be considered by the University Secretary (or an appropriately qualified and senior member of staff nominated by the University Secretary).

The University Secretary can uphold the panel decision; make an alternative decision; or request that the case be considered further by a differently-constituted panel. A review decision will be issued within 10 working days of receipt of the review request.

Where the University Secretary upholds the panel decision, a student will be issued with a Completion of Procedures letter (a CoP) and will be advised about their right to make a complaint to the Office for the Independent Adjudicator. Applicants will receive a copy of the University Secretary's decision but will not receive a formal CoP because the OIA does not consider complaints associated with admissions decisions.

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