

## P230 CAFRE Learner Support Policy

Issue	Date of Issue	Next Review Date	Responsibility of	Date approved by CAFRE Education Management Team
08	2015	June 2024	Learner Services Branch	30.06.24

	CAFRE Quality Manual Index	CAFRE Website (Tick as appropriate)
Document Available	√	√

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## P230 CAFRE Learner Support Policy

### Version History

Version	Description of Changes	Date
07	<p>The policy update aligns the policy with other education providers in the FE and HE sector. Key changes to the policy include:</p> <ul style="list-style-type: none"> <li>• Updates in terminology and legislative requirements.</li> <li>• Clearly identifying the process for disclosure and expectations of the learner.</li> <li>• Guidance on all elements of the learner support process.</li> </ul>	June 2022
08	Inclusion of commitment to guidelines set out by JCQ and awarding bodies in section 4.	June 2023

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## **1. Background and Introduction**

CAFRE is required under The Special Educational Needs and Disability (Northern Ireland) Order 2005 to make reasonable adjustments for learners with Specific Learning Difficulties and/or Disabilities (SLDD), so that they can access provision.

The Disability Discrimination Act 1995 requires that when carrying out its functions, CAFRE will have due regard to the need to promote positive attitudes towards people with a disability, learning difficulty or long-term medical condition: and encourage participation in public life.

This means that, wherever possible, disabled people should have the same opportunities as non-disabled people to benefit from whatever education or other related provision is available.

In addition, Section 75 of the Northern Ireland Act 1998 imposes statutory duties on Public Bodies to promote the equality of opportunity between the nine equality categories of person, including between persons with a disability and persons without.

To comply with these requirements CAFRE is obliged to make “reasonable adjustments” to meet the needs of learners with disabilities, learning difficulties and long-term medical conditions.

## **2. Scope**

This policy applies to all programmes under the control of CAFRE and includes applicants and enrolled learners.

## **3. Purpose**

The purpose of this policy is to ensure that effective processes are in place to provide learning support for learners with additional needs which are consistent across the sector and applied in a manner that is compliant with legislation and in accordance with the CAFRE’s commitments to equality and inclusion.

CAFRE acknowledges that people with disabilities have the right to equal access to its courses and facilities, and to be provided with reasonable support, resources, and adjustments in order to optimise their educational and personal performance.

CAFRE is committed to supporting enrolled learners who have a recognised disability, learning difficulty or long-term medical condition and will ensure that appropriate support is in place at the beginning of each new Academic Year by reviewing information provided by those applying to CAFRE.

CAFRE defines a disability, learning difficulty or long-term medical condition as stated in the Disability Discrimination Act 1995 as, “a physical or mental impairment, which has a substantial (more than minor or trivial) and long term (12 months or more) adverse effect on a person’s ability to carry out normal day-to-day activities”.

This policy ensures that appropriate arrangements are provided for learners who meet this definition. However, it is essential to note that CAFRE can only support learners where:

- The learner, their parent or guardian has disclosed an additional need.
- Appropriate evidence (usually medical or an educational psychologist's report) has been provided to support the learner's disclosure condition.

The objective of this policy is to provide those learners identifying with additional learning needs, disabilities, or long-term illness the best opportunities to reach their full potential, achieve their learning goals and progress towards further training and employment.

CAFRE provides additional specific funding, to assist in meeting this objective and implement CAFRE's strategy to widen access and participation, to increase the inclusion of learners with learning needs, disabilities, or long-term illness

#### **4. General Principles**

All applicants and enrolled learners will have the opportunity to disclose any learning needs, disabilities, or long-term illness, and discuss the impact of these on their learning and other activities in CAFRE. For these learners:

- CAFRE will make every effort through reasonable adjustments and support to provide them with the same opportunities and equal access to CAFRE's provision as other learners.
- CAFRE will always endeavour to meet their needs. However, applicants, parents/guardians and other stakeholders must accept that there may be occasions when CAFRE's provision is unable to address the needs of that learner.
- CAFRE will work in partnership with other local agencies including the Health and Social Care Trust Teams, Education Authority (EA), schools and other relevant stakeholders as appropriate to support learners.
- CAFRE will identify organisations and or individuals to provide specialist support which it could not be reasonably expected to undertake itself.
- CAFRE is committed to supporting, resourcing, and training those who work with learners with learning needs, disabilities, or long-term illness to ensure that effective support arrangements are in place.
- CAFRE is committed to providing support in line with the guidelines set out by the Joint Council for Qualifications and awarding bodies.

Where a learner fails to declare a learning need, disability, or long-term illness then CAFRE cannot be expected to make adjustments to meet their particular needs.

#### **5. Confidentiality**

CAFRE will ensure that all records are held in secure databases in line with GDPR arrangements and policies.

With the learner's consent, information may be shared with relevant staff within CAFRE which may include:

- Student Support Officer
- Programme Manager and Course Team
- Student Services Manager and Residential Support Team
- Invigilator Officer

## **6. Learners who are Care Experienced**

CAFRE is committed to prepare learners who are care experienced to fully participate in its education programmes and enable them to enhance their development and progression opportunities. This includes 'Looked After Children' (LAC) also known as 'Children Looked After' (CLA), and Care Leavers (CL).

Care Experienced applicants or learners are encouraged to contact the Student Support Officer to access extra support and guidance.

## **7. Appeals**

Any learner who feels that they have been discriminated against due to their learning need not being addressed, will have the right to appeal through the CAFRE Appeals procedure.

## **8. Equality**

Screening is one of the key tools to enable CAFRE to fulfil its statutory obligations and mainstream the Section 75 equality and good relations duties into policy development. Screening will help to identify policies that are likely to have an impact on equality of opportunity and help to draw considerations of equality of opportunity into the policy making process.

## **9. Legislative and Policy Context**

CAFRE will carry out its responsibilities under all relevant legislation, regulations, and professional guidelines.

- Adverse Childhood Experiences - Ensuring a better deal for children in Wales, Professor Mark A. Bellis, January 2017
- Adverse Childhood Experiences Factsheet, Volunteer Now, 2019
- Adversity and Trauma-Informed Practice, Young Minds, 2019
- Children (Leaving Care) Act (NI) 2002
- Children (Public Performances) Regulations (Northern Ireland) 1996
- Children and Young Persons Act (Northern Ireland) 1968
- Children's Services Co-operation Act (NI) 2015
- Education (NI) Order 1998
- Health and Personal Social Services (NI) Order 1972

- Health and Personal Social Services Act (NI) 2001
- Health and Social Care (Reform) Act (NI) 2009
- Human Rights Act 1998 – Enacted 2000; Arts 2-8
- Mental Capacity Act (Northern Ireland) 2016
- Prohibition from Teaching and Working with Children Regulations (NI) 2006
- Protection of Children (Northern Ireland) Order 1978 Article 3
- Safeguarding Board Act (NI) 2011
- Special Educational Needs and Disability Order (NI) 2005 (SENDO)
- The Children (NI) Order 1995
- The Data Protection Act 2018
- The Disability Discrimination Act 1995
- The Mental Health (NI) Order 1986
- The Northern Ireland Act 1998, Section 75
- The Safeguarding Vulnerable Groups (NI) Order 2007 (Amended 2012)
- United Nations Convention on the Rights of the Child 1989