

P230 Learner Support Policy

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| | CAFRE Quality Manual Index | CAFRE Website (Tick as appropriate) |
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This document can also be produced in alternative formats upon request.

P230 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"> • Updates in terminology and legislative requirements. • Clearly identifying the process for disclosure and expectations of the learner. • Guidance on all elements of the learner support process. | June 2022 |
| 08 | Inclusion of commitment to guidelines set out by JCQ and awarding bodies in section 4. | June 2023 |
| 09 | This policy was reviewed and no updates required. | June 2024 |
| 10 | <ul style="list-style-type: none"> • Inclusion of awarding bodies in section 2. • Updates to section 3 to include CAFREs aim for Learner Support. • Update to appeals section and inclusion of Northern Ireland Public Service Ombudsman (NIPSO) and Customer Complaints Procedure | July 2025 |
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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.

In some instances, this policy may be superseded by policies from the relevant Awarding Organisations, Higher Educational Institutions, Public, Statutory and Regulatory Bodies.

3. Purpose

CAFRE Learner Support aims to provide a safe and enabling service to maximise learner potential. 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.

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(s)

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

The learner has the right to appeal a formal decision made by CAFRE. The appeal will be considered by an appeals panel chaired by an independent head of branch.

The appeal must be submitted:

- Within 7 working days of the decision leading to the appeal, and,
- In writing, either by letter or email to CAFREappeals@daera-ni.gov.uk.

If the learner's appeal is not received within 7 working days from the date of the original decision, the learner will be deemed to have accepted the original decision as being fair and will forfeit the right to make an appeal (unless exceptional circumstances can be proven and permitted by the designated Appeals Officer).

CAFRE will aim to notify the learner of the outcome of their appeal within 10 working days of the date when the learner submitted their written appeal.

8. Northern Ireland Public Service Ombudsman (NIPSO)

The decision of the respective appeals panel is final and there is no right to appeal to CAFRE. However, if the learner remains dissatisfied, they have the right to refer the appeal to the Northern Ireland Public Services Ombudsman. Further information about these processes can be found at www.nipso.org.uk.

9. Customer Complaints Procedure

CAFRE is committed to providing its customers with a high standard of service. We welcome comments on the quality of service received and suggestions on how we can improve our service.

A customer service complaint is any communication to us, which expresses dissatisfaction with the quality of our service. It does not deal with academic issues or issues relating to educational needs, bullying or harassment or disciplinary matters.

To make a complaint about the quality of service provided by CAFRE, the procedures as outlined in the Department of Agriculture, Environment and Rural Affairs (DAERA) website on 'How do I make a complaint', referring to the link below should be followed.

<https://www.daera-ni.gov.uk/publications/how-do-i-make-complaint-if-i-am-unhappy-quality-service-i-received>

10. 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

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- 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