

Response to “[Non-medical support for disabled students in higher education](#)” Call for Evidence

Disability Rights UK (DR UK) is a national organisation led and run by Disabled people. Our vision is a world where Disabled people have equal rights, opportunities, and access to power. Our work is rooted in the lived experience of Disabled people. We are a membership organisation and work closely with organisations led by Disabled people, across the UK. We also run a Disabled Students Helpline, and our advice and engagement work with Disabled students gives us valuable insight into the barriers that young Disabled people face.

This submission has been written with support from Disabled Students UK – the largest Disabled student-led organisation in the UK.

Introduction

The proposals set out in this call for evidence will not improve Disabled Students’ Allowance. Instead, it will make it harder for Disabled students to access the support they need. The proposed shift of responsibility for non-medical help (NMH) to Higher Education Providers (HEPs) is flawed and will exacerbate existing challenges.

Overview of context

Disabled students are a significant portion of the student population. [We currently make up 19% of UK enrolments](#), which is double the proportion of Disabled students in 2010. If this growth conditions, we will make up more than a third of home students by 2033. Despite making up a large part of the student body, our experience isn’t valued. According to the National Student Survey, [we are the second least satisfied group with our higher education \(HE\)](#).

Support for Disabled students is limited, and the number of barriers placed on us when trying to access our education is growing. These include but are not limited to, previous DSA cuts, consistently unlawful university practice, [limiting Disabled students’ access to Universal Credit](#), and insufficient accessible student housing.

Moving more responsibilities to HEPs will put Disabled students at a substantial disadvantage, at a time when the odds are already stacked against them. For more context on the barriers that young Disabled people face when they transition into adulthood, you can read and watch the [evidence we gave to the House of Lords Public Services Select Committee](#) last winter.

The Social Model of Disability has been used to justify the shift to HEPs. The claim is that, by shifting the responsibility to HEPs, the Government is encouraging universities to create more inclusive environments. But without providing the necessary resources or infrastructure to support universities to do this - we know that this will result in cuts to support and disruption to Disabled students' studies.

It is completely unacceptable to use our language against us to justify cuts to the support Disabled students need. The misuse of the social model undermines the very foundation of the model, which aims to empower and support Disabled people by addressing and dismantling societal barriers.

Disabled students need effective, holistic, support – not additional admin burdens, confusion and delays. These proposals will lead to the latter.

The following outlines our key concerns with the proposals:

1. This call for evidence does not prioritise the lived experience of Disabled students.

Disabled students were not consulted during the drafting of these proposals – despite being the group who will be impacted by the reforms. This call for evidence emphasises the need for engagement with stakeholders but fails to mention the importance of collaborating with Disabled students, and Disabled-led organisations to ensure that reforms meet our needs.

Disabled students have a unique education experience and face disproportionate barriers to accessing higher education. Many of us can't access university, with only [a quarter \(24.9%\) of Disabled people aged 21-64 having a degree](#) as their highest qualification, compared to nearly half (42.7%) of non-disabled people. Outside of higher education - we are also nearly [three times less likely to hold any qualifications](#) compared to our non-disabled peers. These barriers to accessing our education then contribute to the disability employment gap and our social exclusion. This lived experience must be considered when drafting policy.

Policies across Government departments often don't work together (e.g. gaps in support between DFE and DWP) so it's vital that the voices of young Disabled people, who can identify these gaps, are heard.

Recommendation: *Scrap the current proposals and co-produce reforms with Disabled students and Disabled-led groups. Any reforms to DSA must take an evidence-based approach from those directly affected. A thorough equality impact assessment must be carried out, and any proposed changes must be piloted before implementation.*

2. Universities act unlawfully and fail to deliver their current DSA responsibilities; they should not be given more responsibilities.

Since the [2016 DSA cuts](#), universities have consistently failed to deliver on their additional responsibilities. This puts Disabled students at a disadvantage every year.

We hear on our Disabled Students Helpline that support is not in place for the start of term, and cuts to the financial support originally available for laptops mean that many Disabled students can't buy a laptop until they receive their first student loan payment. For those who require assistive technology – additional delays to the installation and training for this software lead to months of disruption to their studies. This sets them back before their degree has even begun.

Other responsibilities moved to HEPs in 2016 – like specialist accommodation on campus, provision of notetakers, lab assistants and support around campus – are rarely delivered.

The justification behind the 2016 cuts was that non-medical support fell under reasonable adjustments and therefore was part of the university's legal obligations under the Equality Act 2010. However, we know that universities consistently fail to meet these legal obligations.

On making reasonable adjustments - [DSUK's Access Insights report](#) found that last year, only 36% of Disabled students said that all agreed adjustments were actually put in place. This was even lower (29%) for students from a low socioeconomic background. Less than half (45%) of Disabled students reported that their university approved all the adjustments they could to make their experience as equal as possible to the experience of a non-disabled student. When students had adjustments rejected, 54% were offered a harmful or inadequate adjustment as the only option – ignoring the needs of individuals.

When adjustments aren't delivered, Disabled students end up going without – as 70% of students state that they give up when it takes too long to follow up and ensure that support is implemented. This puts Disabled students at a substantial disadvantage – impacting their academic outcomes, their personal development, and their health and wellbeing.

HEPs also fail to teach and assess in inclusive and accessible ways. DSUK found that only 16% of Disabled students feel that their modules have been designed with accessibility in mind.

HEPs also fail to demonstrate their commitment to delivering an equitable and inclusive education for Disabled students – as only 11 (out of over 160) UK universities have signed up to the [Disabled Student Commitment](#).

The issue of better integration and improved delivery of DSA support is not going to be solved by pushing more responsibility onto HEPs who already ignore their obligations. The way to improve the delivery of DSA is to create a system of accountability for HEPs who refuse to engage in the process or deliver an accessible education.

- **Recommendation:** *In recognition of universities' failure to support Disabled students, move all DSA responsibilities back to Student Finance England. Expand the scope of support offered by DSA (including pre-2016 levels) to ensure that individual support is delivered. On tackling university failures – refer to point 3.*

3. A robust system of accountability for HEPs is urgently needed.

Placing additional responsibilities onto universities with no system of accountability gives them a blank cheque for unlawful practice. It is irresponsible and will harm Disabled students.

The fact that HEPs who fail to deliver their responsibilities have faced zero accountability since 2016, in addition to the fact that no system of accountability has been proposed in this call for evidence, makes it clear that the motivation for these proposals is not to improve DSA and support Disabled students, but to shift responsibility from the Government and cut costs.

DSA cuts have previously been justified as a way to improve the integration of support that should already be provided by universities. But the lack of accountability across the board on the Equality Act – whether that's unlawful practice by education providers, employers, or local authorities - is unacceptable and means that our rights are often stronger on paper than in practice.

For students who try to challenge this, [research shows that they aren't listened to](#). DSUK found that when Disabled students escalated a disability issue, only 34% felt heard. This culture of negligence and unaccountability leads to nearly half (45%) of Disabled students holding back from raising access issues they encounter because they assume that it will be too difficult and time-consuming to advocate for themselves. This assumption isn't wrong – as 47% of Disabled students who have raised access issues, have never had one resolved.

The failure to hold universities accountable when they don't meet their obligations negatively impacts our health and outcomes - with 83% of Disabled students reporting that their health has suffered as a result of their degree, and [45% considering leaving university](#) in the last year.

Shifting the responsibility for NMH from the Government to HEPs also weakens accountability on how funds are allocated to Disabled students. For example, the 2016 reforms gave universities £40 million via Disability Premium to support them to bring non-specialist non-medical support in-house. But this funding was not ring-fenced so could be spent by HEPs on unrelated things.

The value of Disability Premium has decreased with inflation, while the number of students identifying as Disabled has significantly increased. This decline in resources, and no audit or ring-fencing process, has resulted in the misallocation of funds and inadequate provision for Disabled students.

This failed approach cannot be repeated, yet these proposals provide no details on how funds will be allocated, or audited, which suggests that the same mistakes will be made.

- **Recommendation:** *Urgently introduce a robust system of accountability for HEPs – on how they deliver DSA, but also how they meet their Equality Act obligations. Maintain the individual entitlement for specialist NMH support through DSA and ensure that any funds provided to HEPs are ring-fenced and audited to guarantee that they are spent directly on the support that they are intended for.*

4. Inconsistency in HEP practice, and a shift from individual entitlement for support, leads to dangerous gaps in provision.

Due to the unacceptable lack of accountability towards HEPs' unlawful practice – Disabled students face a postcode lottery, with hugely varied experiences from one university to the next.

Not all HEPs have the same level of resources or expertise to support Disabled students adequately (especially to deliver support in line with the social model), and some are more committed to inclusion than others. This leaves Disabled students completely unaware of what support will be made available.

This increases young Disabled people's admin burden as they're left to find out what's available for themselves - making the process of looking at universities incredibly stressful. Whereas for our non-disabled peers, it's an exciting time. This anxiety-inducing process often leads to us discounting university as an option because we assume that support won't be guaranteed, despite universities' obligations being the law for nearly 30 years.

Student support services in many HEPs are also already under significant strain. Transferring the responsibility of NMH provision entirely to HEPs would exacerbate this issue. HEPs would need to establish new systems and processes to manage and coordinate support services effectively. This would include recruiting additional staff and training them to create inclusive services so they could handle any additional responsibilities. All of this would require significant investment and time.

We're also concerned about the risk to individual entitlement. The 2016 DSA reforms moved away from individual entitlement – as Disability Premium funding was an overall pot for universities, rather than specific funding for each student. The individual entitlement through DSA mitigates the disparities in practice and resources between HEPs – as it ensures that students at all institutions have equal access to essential support. We're concerned about the lack of clarity in these proposals, and whether moving specialist NMH would follow a similar Disability Premium approach. Individual entitlement must be protected – especially while university practice continues to vary so much.

In addition to inconsistencies across HEPs - these proposals also exacerbate inconsistencies between support in education and employment. For example,

Access to Work includes human support like assistants – rather than just assistive technology. So, moving NMH to HEPs would put DSA out of line with Access to Work, making the transition to employment less smooth for young Disabled people.

There is also already inconsistency in support provision across Government departments. For example, the social security system fails to provide the necessary support Disabled students need when most young people moving into full-time higher education are ineligible for welfare benefits such as Universal Credit (UC).

Disabled students fall through the gaps between Government departments, and varied university practice. Inconsistencies in support provision must be tackled, but these proposals will exacerbate them.

- **Recommendation:** *Ensure all DSA funding is based on and delivered via individual entitlement. Co-produce reforms with Disabled students to tackle the gaps between Government departments and refer to point 3 for how to tackle inconsistent HEP practice.*

5. Risks to mental health and wellbeing

The mental health crisis among young people underscores the significance of our concerns. The number of young [people referred to mental health services reached a record high in 2022](#). In 2021, 198 young people aged 15-19 in England took their own lives, the highest number in over [30 years](#). Government policy and university support are currently failing Disabled students. Urgent, well-coordinated, quality, support is vital.

The current transition into HE – including the disproportionate responsibilities that Disabled students face in identifying which HEPs meet legal obligations – has a tangible negative impact on Disabled students' wellbeing and their confidence in whether university is a place for them. Navigating an even more complex system, where less support will be guaranteed, will increase stress and anxiety, creating additional barriers to accessing higher education.

These proposals will make the transition to HE even more disjointed than it currently is, making it harder for students to get the help they need. Students mustn't feel isolated and unsupported during such a pivotal time, because the consequences of this are detrimental – as highlighted by the [recent and shocking case against the University of Bristol](#).

- **Recommendation:** *Ensure that NMH remains within a centralised system to provide consistent and coordinated services. Before implementing further changes, evaluate the impact of recent reforms. Implement measures to alleviate shortages in NMH support roles. Improve mental health support for students.*

6. This is an impractical and unworkable proposal.

We are deeply concerned by the lack of detail provided in this proposal.

Clarification is needed on whether funding for specialist NMH would be added to the Disability Premium pot, or whether funding would remain as an individual entitlement. There is also no clarification on how providers, who are already under significant strain, will deliver more support, or how these proposals will be delivered without increasing delays and disrupting studies. There is also no clarity on how students' needs will be assessed by universities, and how universities will be held accountable if they don't deliver NMH.

There is also no clarity on the route to challenge university decisions. As previously mentioned, Disabled students who challenge university negligence are rarely heard – and then no further accountability is taken on the university. If more responsibilities are moved to HEPs then that also limits the scope that a Disabled student has to complain to SFE – rather than their university. It removes any independent body from the process of challenging providers, leaving students less protected and having to advocate for themselves.

Breaking up DSA support takes a disjointed approach to supporting Disabled students when we know that the best way to support Disabled students is holistically. A non-holistic approach is also out of line with the Education Health and Care Plan (EHCP) framework, which should transition with a young person to the age of 25. Breaking up where support comes from depending on whether it's deemed non-medical or specialist is impractical and will only cause confusion amongst HEPs and Disabled students.

Universities must become more inclusive and accessible, but the reality is that this progress is slow – and many universities are refusing to engage in creating a more equitable Higher Education system. Although a robust system of accountability should be introduced to prevent this, it's essential that Government support schemes like DSA ensure in the meantime that individual entitlement is protected and every Disabled student can access the support that they need to reach their full potential.

- **Recommendation:** *Ensure any future proposals clarify the details around delivery, accountability for HEPs, and individual entitlement funding. Scrap these proposals and co-produce any reforms with Disabled students and Disabled-led groups.*

Conclusion

The aim of these proposals is not to improve DSA, it is to lessen Government responsibility and cut costs. This will make it harder for Disabled students to access the support they need – when we're already at a substantial disadvantage.

These proposals claim to fix the ways that DSA isn't currently "working optimally" but the current issues with DSA aren't going to be solved by HEPs taking on more responsibility. The current issues with DSA are the barriers to accessing it. Many

students don't qualify, most international students aren't eligible, and much of the support that needs covering is no longer included in DSA. None of this will be improved by shifting responsibilities onto HEPs. We need more support from DSA, not less.

HEPs already fail to meet their legal obligations and many Disabled students don't receive the adjustments they need. Shifting the responsibility of non-medical help to HEPs without a robust accountability framework will worsen these issues, leading to greater inconsistencies and inequalities.

Any reform to the non-medical support of DSA must prioritise the needs and rights of Disabled students, ensuring equal access to necessary support. Disabled students already face a postcode lottery when it comes to accessing support in higher education. Examples like the recent case in Bristol highlight the dangerous position that this can leave us in.

These proposals do not reflect the needs of Disabled people. We urge the Government to reconsider them, reflecting on the lived experiences of Disabled students and learning from past mistakes with DSA reform.

Response to be sent to: DSANMH.CallForEvidence@education.gov.uk