

Education

Completed course

Lack of support on course



**RIGHT TO
PARTICIPATE**

Useful knowledge

Under the Equality Act 2010, all colleges and universities are expected to provide support for disabled students and make changes to help them learn. These changes are called 'reasonable adjustments'. Failure to make reasonable adjustments is a form of disability discrimination.

Useful knowledge

- Effective communication
- Negotiation skills
- Writing clearly
- Decision making
- Record-keeping

Ways to assert your legal rights

1. Informal resolution is the usual recommended starting point. However, whether informal resolution is suitable for you as a former student will depend various factors such; the outcome you're hoping for; whether it is achievable; if it is likely to be resolved straightforwardly with little or no investigation; and if it can be resolved quickly, for example with an apology or explanation.

As a former student, you could approach the Head of Student Services who is responsible for disability. They may be able to provide advice on how to best proceed, particularly if the complaint is about the failures of staff members within that department.

Provide details of your disability, the impact it has had on your ability to study, detail of any adjustments requested (with date, times and from whom if you can recall), details of both formal and informal needs assessments if carried out and the remedy you seek. You should provide details of any previous attempts as a student made to resolve the matter.

2. If you're not satisfied after informal discussions, you can make a formal complaint. You can usually find information about the internal complaints procedure from your student handbook, the college or university website or directly from the college. They must make the complaints procedure available to you in your preferred format.

[Download a template complaint letter about the failure to make reasonable adjustments](#)

3. If you've exhausted the complaints procedure and are unhappy with the outcome, you can take your complaint to an external body.

In further education, your Local Authority (LA) has the responsibility to consider decisions made in relation to EHC needs assessments.

The Education and Skills Funding Agency (ESFA) can deal with complaints about any post-16 training provider, college or employer funded by them. This includes providers delivering apprenticeships.

A copy of the procedure for handling complaints is available on the [gov.uk website](https://www.gov.uk).

In higher education, you can take your complaint to the Office of the Independent Adjudicator (OIA). At the end of the internal complaints process, your university will issue you with a Completion of Procedures letter. You have 12 months from the date on this letter to submit a complaint to the OIA.

4. You may want to take legal action. However, there are strict time limits for taking legal action under the Equality Act. You will have six months minus one day from the date of discrimination to make your claim in the County Court. Where a complaint has been made to the OIA, there is an extension available under the Equality Act s.118(2) and (3) – so that the claim must be within nine months rather than six.

The court can also consider claims outside the time limit if it considers it 'just and equitable' to do so.

You should take legal advice should you wish to pursue this through the legal route.

You can get more help from

The [Equality Advisory & Support Service \(EASS\)](#) runs a free helpline assisting individuals with equality and human rights issues across England, Scotland and Wales.

Telephone • 0808 800 0082
Text phone • 0808 800 0084
Email • [through websites form](#)

Disability Rights UK [student helpline](#)

Telephone • 0330 995 0414
Email • students@disabilityrightsuk.org

Disability Rights UK free factsheets on [Understanding the Equality Act](#) and [Making a complaint](#)

Disability Rights UK [Into Higher Education](#) guide

The [Office of the Independent Adjudicator \(OIA\)](#) is an independent body which investigates student complaints against higher education providers.

Telephone casework support team • 0118 959 9813
Email • [through website form](#)