



# Disability Discrimination Act 1995

## 1995 CHAPTER 50

### PART IV

#### EDUCATION

#### **29 Education of disabled persons**

- (1) In section 161(5) of the Education Act 1993 (information relating to pupils with special educational needs to be included in annual report), omit the words from “and in this subsection” to the end.
- (2) After section 161(5) of that Act insert—
  - “(6) The annual report for each county, voluntary or grant-maintained school shall include a report containing information as to—
    - (a) the arrangements for the admission of disabled pupils;
    - (b) the steps taken to prevent disabled pupils from being treated less favourably than other pupils; and
    - (c) the facilities provided to assist access to the school by disabled pupils.
  - (7) In this section—

“annual report” means the report prepared under the articles of government for the school in accordance with section 30 of the Education (No. 2) Act 1986 or, as the case may be, paragraph 8 of Schedule 6 to this Act; and

“disabled pupils” means pupils who are disabled persons for the purposes of the Disability Discrimination Act 1995.”
- (3) In section 1 of the Education Act 1994 (establishment of the Teacher Training Agency) add, at the end—
  - “(4) In exercising their functions, the Teacher Training Agency shall have regard to the requirements of persons who are disabled persons for the purposes of the Disability Discrimination Act 1995.”

**30 Further and higher education of disabled persons. 1992 c. 13**

- (1) The Further and Higher Education Act 1992 is amended as set out in subsections (2) to (6).
- (2) In section 5 (administration of funds by further education funding councils), in subsection (6)(b), after “may” insert “, subject to subsection (7A) below,”.
- (3) After section 5(7) insert—
- “(7A) Without prejudice to the power to impose conditions given by subsection (6) (b) above, the conditions subject to which a council gives financial support under this section to the governing body of an institution within the further education sector—
- (a) shall require the governing body to publish disability statements at such intervals as may be prescribed; and
  - (b) may include conditions relating to the provision made, or to be made, by the institution with respect to disabled persons.
- (7B) For the purposes of subsection (7A) above—
- “disability statement” means a statement containing information of a prescribed description about the provision of facilities for education made by the institution in respect of disabled persons;
- “disabled persons” means persons who are disabled persons for the purposes of the Disability Discrimination Act 1995; and
- “prescribed” means prescribed by regulations.”
- (4) In section 8 (supplementary functions) add, at the end—
- “(6) As soon as is reasonably practicable after the end of its financial year, each council shall make a written report to the Secretary of State on—
- (a) the progress made during the year to which the report relates in the provision of further education for disabled students in their area; and
  - (b) their plans for the future provision of further education for disabled students in their area.
- (7) In subsection (6) above—
- “disabled students” means students who are disabled persons for the purposes of the Disability Discrimination Act 1995; and
- “financial year” means the period of twelve months ending with 31st March 1997 and each successive period of twelve months.”
- (5) In section 62 (establishment of higher education funding councils), after subsection (7) insert—
- “(7A) In exercising their functions, each council shall have regard to the requirements of disabled persons.
- (7B) In subsection (7A) “disabled persons” means persons who are disabled persons for the purposes of the Disability Discrimination Act 1995.”
- (6) In section 65 (administration of funds by higher education funding councils), after subsection (4) insert—
- “(4A) Without prejudice to the power to impose conditions given by subsection (3) above, the conditions subject to which a council makes grants, loans or other

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*Status: This is the original version (as it was originally enacted).*

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payments under this section to the governing body of a higher education institution shall require the governing body to publish disability statements at such intervals as may be specified.

(4B) For the purposes of subsection (4A) above—

“disability statement” means a statement containing information of a specified description about the provision of facilities for education and research made by the institution in respect of persons who are disabled persons for the purposes of the Disability Discrimination Act 1995; and

“specified” means specified in the conditions subject to which grants, loans or other payments are made by a council under this section.”

(7) The Education Act 1944 is amended as set out in subsections (8) and (9).

(8) In section 41 (functions of local education authorities in respect of further education), after subsection (2) insert—

“(2A) It shall be the duty of every local education authority to publish disability statements at such intervals as may be prescribed.

(2B) For the purposes of subsection (2A) above—

“disability statement” means a statement containing information of a prescribed description about the provision of facilities for further education made by the local education authority in respect of persons who are disabled persons for the purposes of the Disability Discrimination Act 1995; and

“prescribed” means prescribed by regulations made by the Secretary of State.”

(9) In section 41(7), (8) and (11), for “this section” substitute “subsections (1) and (6) above”.

### **31 Further and higher education of disabled persons: Scotland. 1992 c. 37**

(1) The Further and Higher Education (Scotland) Act 1992 is amended as follows.

(2) In section 37 (establishment of Scottish Higher Education Funding Council) after subsection (4) insert—

“(4A) In exercising their functions, the Council shall have regard to the requirements of disabled persons.

(4B) In subsection (4A) above, “disabled persons” means persons who are disabled persons for the purpose of the Disability Discrimination Act 1995.”

(3) In section 40 (administration of funds by the Council), after subsection (4) insert—

“(5) Without prejudice to the power to impose conditions given by subsection (3) above, the conditions subject to which the Council make grants, loans or other payments under this section to the governing body of an institution within the higher education sector shall require the governing body to publish disability statements at such intervals as may be specified.

(6) For the purposes of subsection (5) above—

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*Status: This is the original version (as it was originally enacted).*

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“disability statement” means a statement containing information of a specified description about the provision of facilities for education and research made by the institution in respect of persons who are disabled persons for the purpose of the Disability Discrimination Act 1995; and

“specified” means specified in the conditions subject to which grants, loans or other payments are made by the Council under this section.”