



Disability Discrimination Act 1995

1995 CHAPTER 50

PART IV

EDUCATION

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—

Status: This is the original version (as it was originally enacted).

- “(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 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”.