

## Learners with Learning Difficulties and/or Disabilities

There are two broad definitions used by the LSC in defining this group of learners

The first, taken from the **Disability Discrimination Act, 2005**, is very broad and gives the following definition

- A person has a disability, for the purposes of the Act, if he/she has a physical or mental impairment which has a substantial and long-term adverse effect on his/her ability to carry out normal day-to-day activities.

The second, taken from the **Learning and Skills Act 2000**, refines this and is the one used by the LSC for Learners with Learning Difficulties and/or Disabilities (LLDD).

A person has a learning difficulty if

- He/she has a significantly greater difficulty in learning than the majority of persons of his/her age
- Or
- He/she has a disability which either prevents or hinders him/her making use of facilities of a kind generally provided by institutions providing post-16 education or training

From an ESF perspective the **DDA** definition would apply to the broader recruitment of disabled learners and the **LSA** to those who are targeted in the "Hardest to Help" programme. The distinction seems to be one of degree. The first would apply to any level of disability and the second to that level of disability where considerable additional support, physical as well as personal, is needed. For instance sight impaired would normally fall in the first group as they can usually fit in to existing provision. Under the terms of the DDA anyone supplying goods and services must make **reasonable** provision for that group. The second group, in effect, need "**unreasonable**" provision, that is those who need support above what can reasonably be expected of a provider.

Funding levels in each specification have been based on the target groups. For instance the Adult SO1 and SO3 are targeted, inter alia, on learners with disabilities or health problems with an average unit cost of £1,500 whilst SO2 targets the hardest to help which includes LLDD and has a higher average unit cost of £2,000. Both Employer Responsiveness programme have one of their priority targets as learners with disabilities and are funded accordingly. Youth programmes SO1 and SO2 both specify LLDD and uplift has been built into those contracts that will deliver training to LLDD. The Youth programme SO3 has no specific disability target