



Appendix E – SSW response to flagging of rent adjustment responsibilities

In this document we wish to give an example of the kind of responses we have encountered at UCL when we have presented feedback about their services. This to illustrate the systemic obstacles to UCL offering equal access to education. The example we use is SSWs approach to the law about rent adjustments for accessible accommodation. Please note that this is one of many examples of similar interactions with UCL. The previous DSO has confirmed that this way of handling feedback go back at least 5 years.

What does the law state?

A combination of the pre-existing 2010 Equality Act, and a change to the Disabled Students' Allowance in 2016 means that from 2016 universities can no longer legally charge disabled students more for accessible housing. If an accessible room costs more than an equivalent but non-accessible room, the university must not charge a disabled student more for the accessible room. For instance, a student with inflammatory bowel disease may get an en-suite room for the same price as a normal room. The DSA guidance states: "Institutions should not pass any additional costs of specialist accommodation on to the student"¹.

As with any reasonable adjustment, the university has a responsibility not just to provide this rent adjustment upon request but to make sure that students are aware that this adjustment exists so that they can ask for it.

When we became aware of the problem

In 2018 our Disabled Students' Officer spoke to SSW about getting a rent adjustment for themselves. At that time SSW showed no knowledge of such a right and instead advised them to apply for a hardship fund. After some back and forth our DSO was finally allowed the rent adjustment. A year afterwards we found out that another student went through a very similar process the same fall - she informed SSW about her right to a rent adjustment and after some discussion had the request approved.

Summer and fall of 2019

Despite knowing that the DSO had informed SSW about the law, DSN kept hearing from a number of students who had a right to rent adjustments but were not being informed of this right or who had asked for a rent adjustment and been told this was not a possibility. In the summer of 2019 DSN arranged a meeting with SSW and SU about this issue. While SSW emphasised that part of the responsibility lies with Accommodation they said that they would work towards putting up information about who can apply for the rent adjustment on the UCL website.

After the meeting and throughout the fall, SU and the DSO chased up SSW in 5 emails. In one of their first responses SSW stated that they will be automatically reducing rents for students who provide evidence for

¹ https://www.practitioners.sl.c.uk/media/1338/sfe_dsa_guidance-document-for-new-dsa-students_pdf_1617_d.pdf?fbclid=IwAR3GwAzCt5FZwUQtbwjnu6pJMg_FOY7Nw6oCeAAyElepH2URbg3yT4KOY8



needing an accessible room in the 2019/20 academic year. However, they also stated that they had not agreed on criteria for which students would be eligible.

At least two students have reported to the DSN during the fall of 2019 that they have provided letters from doctors as medical evidence for needing an accessible room. One received a rent adjustment only after initial refusal and subsequent advocacy from the DSN, the other remains without an adjustment.

When the university does not have legally abiding criteria for who has a right to rent adjustments the fact that some students are given automatic rent adjustments does not mean that the law is being followed.

Furthermore, if students are not told about the possibility of a rent adjustment many students will not apply for an accessible room even if they need one.

When pushed on these matters SSW responded to by avoiding the question of the law, not inviting the DSO to meetings on the issue and stating that they could not present a deadline for when this would be done.

Winter 2019

In October a student newspaper released an article about UCL's approach to rent adjustments². Subsequently, information was put on the UCL website stating only that those with severe mobility impairments have a right to rent adjustments. The DSO then contacted SSW again, informing them that such an eligibility criterion is not in keeping with the law as many disabled students who do not have mobility impairments have a right to rent adjustments. The DSO received no response to this message.

Because of the inaction from UCL the DSO brought up issues with the way SSW were handling feedback, among other issues, at a meeting of the Student Experience Committee on November 19th. This resulted in a meeting on November 27th between the DSO, SU and SSW in which SSW stated that they would work on the information about rent adjustments on the website by the first week of December.

At the time of writing, on January 16th 2020, there is no information about rent adjustments on the website. Instead it states:

Funding

This section is currently under review.

If you have an enquiry about funding for accommodation related to a disability or long-term health condition, please contact [UCL Accommodation](#).

² <https://cheesegratermagazine.org/2019/10/30/ucl-ambiguous-approach-to-disabled-students-allowance/>



[Image description: Black text on white background which reads: “Funding. This section is currently under review. If you have an enquiry about funding for accommodation related to a disability or long-term health condition, please contact UCL Accommodation.”]

Where are we now

4 years after the law became relevant, 1.5 years after we know that at least 2 students informed SSW about the law and 6 months after DSN arranged a meeting about the matter, there is no evidence that UCL is offering rent adjustments to the vast majority of students who have a right to them.

Only two weeks ago DSN received an email from a student who had asked for reimbursement after having been overcharged for her accessible accommodation for a year. Her request was denied.

SSW have not:

- » Sent out information to disabled students about the right to rent adjustments
- » Put up any information on the UCL website about the right to rent adjustments
- » Started reimbursing students who have been overcharged
- » Confirmed whether they are informing any disabled students about their right to accessible accommodations with rent adjustments
- » Stated what criteria they are using to determine a student's right to a rent adjustment

To this day SSW have not once addressed the question of their legal duties when it comes to rent adjustments.

What does this tell us about systemic obstacles to equal access at UCL?

We find a number of things remarkable about this chain of events:

1. No one at UCL made sure that when changes happened to their responsibilities under the law they changed their disability services to comply with this law
2. Being informed about this law by at least two students did not cause UCL to change their disability services to comply with this law
3. When SU and DSN told SSW about this law they did not change their disability services to comply with this law.
4. When under pressure to comply with the law SSW responded in a number of ways:
 - a. Refusing to acknowledge the question of the law
 - b. Delays and deflection
 - c. Putting the responsibility of informing students on DSN
 - d. Stating that they cannot give a deadline for their work
 - e. Not inviting DSN to meetings, not keeping DSN updated and not booking meetings with DSN upon request
 - f. Not responding to messages
 - g. Providing a change but one that is not in keeping with the law
 - h. Saying that they will make a change by a certain time and then not doing so

Please see a timeline of the email chain below:



Timeline

24-06-2019

In meeting notes emailed to SSW, SU:

- » repeat UCL's legal obligation
- » express their hope that criteria will be set up within weeks detailing who will be able to get accessible accommodation and thus have a right to rent adjustments

04-08-2019

After not hearing from SSW the DSO emails SSW:

- » Repeating the SSW legal obligation
- » Letting SSW know that students are still not being offered rent reductions
- » asking SSW to ensure that all eligible students are made aware of this opportunity.
- » Asking for a meeting

06-08-2019

- » In their reply SSW:
- » Do not respond to the comment about SSW legal obligations
- » Ask DSN themselves to tell students to apply for rent reductions
- » Delay the meeting

06-08-2019

The DSO responds

- » Asking whether students who request accessible rooms are automatically being offered reduced rates
- » Asking whether disabled students who are placed in UCL halls are being informed that they can get an accessible room.
- » Asking for SSW to put the information about rent reductions on the website this summer and to email students who are staying in halls with the information because:

“If the university does not make it known to all students that accessible rooms with reduced rent are possible, the requirements under SFE guidelines are still not being met.”

07-08-2019

SSW respond

- » Stating that they cannot make such changes this year
- » Ignoring the comment about SSW legal obligations
- » Stating that they will be automatically reducing rents for students who provide evidence for needing an accessible room in 2019/20
- » Stating that they have not yet agreed on the criteria students need to meet for this. When they have agreed on new criteria this will be applied in the 20/21 academic year.



- » Ignoring the comment about the need to tell students about their right to rent adjustments

24-09-2019

The DSO writes to SSW

- » Asking for a meeting to discuss the criteria
- » Repeating the legal obligation of the university
- » Stating that to allow disabled students to make informed choices about whether they can afford to study at UCL the criteria must be done and available by the end of January.
- » Emphasising that students who suffer from chronic fatigue, mobility issues bowel disease etc may not request accessible housing if they are not aware that they can get a rent reduction.

26-09-2019

SSW respond

- » Saying that they are continuing to work on it and will keep the DSO updated
- » Ignoring the comment about SSW legal obligations
- » Delaying a meeting

01-10-2019

The DSO writes to SSW

- » Asking when the next meeting on this issue will be held

01-10-2019

SSW respond

- » Stating that there will be a meeting without DSN in October to review the impact of making this change. Stating that a meeting will be held with DSN after this.
- » Stating that they cannot guarantee that the change will happen before the end of January

DSN keeps hearing from students who

- » need accessible accommodation but have not been informed about their right to a rent adjustments
- » Have asked for a rent reduction but their request has been denied without reason
- » Have asked for and been denied reimbursement for not getting a rent adjustment during a time when they had a legal right to rent adjustments

30-10-2019

A story is released in a student newspaper indicating that UCL is illegally overcharging their students. After this UCL write on their website that students with severe mobility difficulties can get rent reductions. The page stated:

“Students with disabilities or medical conditions outside these criteria [severe mobility difficulties] can still apply for accommodation citing their needs in the Additional Requirements section of the application process. However, we cannot guarantee that you will be accommodated or receive funding towards the cost of your accommodation”



06-11-2019

After seeing this new information on the website, and having heard nothing from SSW about the October meeting the DSO writes to them:

- » Asking to hear the results of the meeting
- » Stating that 5 months have passed since SSW were asked to draft criteria and yet they have not provided a deadline or a schedule for how these changes will be made.
- » Repeating UCL's legal obligation
- » Explaining that the new information that has been put up on the website is not in keeping with the SFE guidelines or the Equality Act which state that no additional costs of specialist accommodation may be passed on to disabled students.
- » Explaining that the definition of disabled students according to the 2010 Equality Act is much wider than those with severe mobility difficulties.
- » Repeating that a legally abiding set of criteria and a transparent process for rent reductions must be available on the SSW website by January 17th
- » Stating their availability
- » Stating that we must escalate this matter if delays and lack of communication continue.

18-11-2019

- » After getting no response the DSO writes to SSW again asking to work together on this issue.

19-11-2019

Frustrated about the inaction from UCL the DSO brings up issues with the way SSW are handling feedback, among other issues, at a meeting of the Student Experience Committee on November 19th.

19-11-2019

After this meeting SSW respond:

- » Stating that they will arrange a meeting
- » Stating that they wish to also discuss the progress they have made.

27-11-2019

A meeting between the DSO, SU and SSW takes place. SSW state that they will work on the information about rent adjustments on the website by the first week of December.



16-01-2020

Text taken from <https://www.ucl.ac.uk/students/support-and-wellbeing/disability-support/prospective-students/accommodation?fbclid=IwAR2LbSwMVHmStFdHCrl6paAcunaQREjtVSxg4cDhK9pHsoJOD6awY8co3T4> on January 16th 2020:

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The role of DSN

Please note that DSN consists of a group of 8 unpaid students who are undersupported and spending a significant amount of time advocating for individual disabled students. Informing students of the accommodation that UCL offers should not be DSN responsibility. Informing UCL about the law should not be DSN responsibility. Chasing after UCL to make sure that they follow the law should not be DSN responsibility.