



29 August 2018

PRESS RELEASE

No exceptions – no extensions, gold medal winner told

A student who won a gold medal for badminton at the Special Olympics Ireland National Games has been paid compensation after he was refused funding for the final year of a catering skills programme. Adam Smyth, from Lisburn, who has a learning disability, received £2,000 compensation in a settlement made by the Department for the Economy and the South Eastern Regional College, without admission of liability.

Adam, assisted by the Equality Commission for Northern Ireland, had issued proceedings in the County Court alleging breaches of the Disability Discrimination Act 1995, in that the Defendants failed to make a reasonable adjustment to ensure he could receive funding for the completion of his course, and of the Special Educational Needs and Disability (NI) Order 2005.

The South Eastern Regional College provides a catering course within their Skills for Work programme, which is part of a Department for the Economy scheme known as 'Training for Success'. Adam completed Level One of the course in 2015, but took an extra year – three rather than two - to do so as a result of his disability. To take Level Two, he also needed two years, which would have meant exceeding by one year the Departmental guidelines for funding.

When Adam's circumstances were explained to the Department by the College, they were told "Unfortunately, an exception cannot be made; there are no extensions given." Adam eventually completed the course successfully, although he lost out on various benefits which he could have accessed had he not been outside the Training for Success Scheme.

"I had been pleased to get on this course, and delighted that I had got through Level One", Adam said. "When the funding was refused for Level Two I was very upset, and it seemed very unfair to me, but with the support of my family I'm happy to say I finished the course. Like everyone else I need a job and I need my independence. I hope any other student who sees my story will be encouraged to know they can challenge something they think is unfair."

"Under the Disability Discrimination Act any provider of services has a duty to make adjustments where their practices, policies or procedures make it impossible or

unreasonably difficult for a disabled person to access those services,” Dr. Michael Wardlow, Chief Commissioner of the Equality Commission said. “Adam had the time for his first course extended by one year because of his disability, and his request for a similar extension to the second course was entirely reasonable. The refusal by the Department to make an adjustment to the funding arrangements left Adam with less funding and support and it was more difficult for him to complete the course.”

South Eastern Regional College and the Department for the Economy have affirmed their commitment to equality of access to goods, facilities and services and affirmed that they will ensure their policies, practices and procedures conform to all relevant equality legislation. To this end they have undertaken to liaise with the Equality Commission to review the Skills to Succeed/Training for Success programmes.

ENDS