



Additional Support Needs

First-tier Tribunal for Scotland
Health and Education Chamber
Glasgow Tribunals Centre
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Glasgow
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20 May 2024

Your tribunal hearing

Thank you for making an application to the Tribunal. We have now decided this and a copy of our reasons is attached. I have summarised the decision for you in this letter.

You asked us to decide that the responsible body had treated you unfairly (discriminated) by failing to give you three supports or services. You also asked us to decide that this amounted to another kind of discrimination – indirect discrimination.

Reasonable Adjustments

The three supports or services you asked for are:

1. Consistent, regular access to a Teacher of the Deaf.
2. BSL support.
3. Access to the Deaf Base at the school.

We have decided that the Council has discriminated against you because they did not make the reasonable adjustments you asked for.

We decided that you should be given the three things you asked for and that these are reasonable adjustments for the Council to make. We have ordered the Council to provide these to you and we have decided that you should be the one to decide how often and where certain things should take place, in discussion with others. We think





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your views are important. For that reason it is important that the school and the deaf service listen to you.

Indirect Discrimination

We decided that indirect discrimination did not take place. This is because the law tells us we must compare your disability (caused by deafness) with pupils who are deaf but not disabled. Being deaf will not always mean a person has a disability.

The two policies you ask us to look at apply the same for all deaf pupils, whether they are disabled or not. This means that they do not put pupils who are disabled as a result of deafness at a disadvantage when compared with deaf but not disabled pupils.

We wish you every success in your Nat 5s and your future Highers.

Yours sincerely,

