

Equalities Impact Assessment - DSA procurement

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Part 1: Introduction

This document records the analysis undertaken by the Department for Education to enable Ministers to fulfil the requirements placed on them by the Public Sector Equality Duty (PSED) as set out in section 149 of the Equality Act 2010.

The PSED requires the Minister to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and those who do not; and
- foster good relations between people who share a protected characteristic and those who do not.

These aims are also known as the three limbs of the PSED.

Part 2: Brief outline of policy or service

The procurement will change the way in which certain goods and services funded through Disabled Students' Allowance (DSA) are purchased on behalf of students.

DSA is a grant for disabled students in higher education and is administered by the Student Loans Company Limited (SLC) on behalf of the Department for Education (DfE). Its purpose is to help disabled students meet the additional costs they may incur in higher education as a result of their disability. In the 2020/21 academic year, c. 83,000 students claimed DSA through Student Finance England (SFE).

Students who are eligible for DSA attend a needs assessment, where an assessor considers their support needs and makes recommendations to SLC for the support that should be funded through DSA. When SLC have approved these recommendations and have written to the student confirming the support that they have been awarded, the relevant goods or services are then sourced from any of a large number of independent suppliers. SLC usually pay the suppliers for the goods or services on behalf of the student and deduct the amount paid from the student's entitlement.

Currently, neither SLC nor DfE have any contractual relationship with DSA suppliers. Under the new procurement arrangements, SLC will enter into contracts for the purchase of DSA-funded needs assessments, assistive technology (equipment and software), and assistive technology training (training for students on how to use the assistive technology that they have been awarded). The aim of this new service model is to improve the DSA application journey and service while delivering greater value for money for the student and the taxpayer.

The new procurement arrangements will have no impact on DSA policy, or on students' eligibility or entitlement to DSA. They aim to improve value for money and students' experience of the DSA process. The four main areas in which there will or may be an impact on students' experience of the DSA administrative process are set out in Part 3 below.

Part 3: Analysis of impacts

The procurement is for goods and services for higher education students in receipt of DSA. All DSA recipients have a disability as defined under the Equality Act 2010.

We also hold overall data on the protected characteristics of sex, age and race for DSA recipients, which can be summarised as follows¹:

Sex

Table 1: undergraduate DSA recipients by sex

Sex	% sex split of all undergraduate students	% sex split of all undergraduate students known to be in receipt of DSA
Male	42%	32%
Female	57%	67%
Other	0%	1%
Total	100%	100%

¹ Analysis based on data from the Higher Education Statistics Agency (HESA) on English-domiciled students at UK higher education providers in the 2021/22 academic year. Note that the percentages refer to cases where the characteristics are known (i.e. "not known" has been excluded).

Table 2: postgraduate DSA recipients by sex

Sex	% sex split of all postgraduate students	% sex split of all postgraduate students known to be in receipt of DSA
Male	37%	30%
Female	63%	69%
Other	0%	1%
Total	100%	100%

Ethnicity

Table 3: undergraduate DSA recipients by ethnicity

Ethnicity group	% ethnicity split of all undergraduate students	% ethnicity split of all undergraduate students known to be in receipt of DSA
White	68%	75%
Asian	15%	8%
Black	10%	9%
Other (including mixed)	8%	8%
Total	100%	100%

Table 4: postgraduate DSA recipients by ethnicity

Ethnicity group	% ethnicity split of all postgraduate students	% ethnicity split of all postgraduate students known to be in receipt of DSA
White	73%	74%
Asian	12%	8%
Black	8%	10%
Other (including mixed)	7%	8%
Total	100%	100%

Age

Table 5: undergraduate DSA recipients by age

Age group	% age split of all undergraduate students	% age split of all undergraduate students known to be in receipt of DSA
20 years and under	51%	46%
21 - 24 years	22%	29%
25 - 29 years	8%	9%
30 years and over	18%	16%
Total	100%	100%

Table 6: postgraduate DSA recipients by age

Age group	% age split of all postgraduate students	% age split of all postgraduate students known to be in receipt of DSA
20 years and under	0%	0%
21 - 24 years	29%	35%
25 - 29 years	21%	24%
30 years and over	50%	40%
Total	100%	100%

Key points from this data include the following:

- Female students are more likely than male students to be DSA recipients at both undergraduate and postgraduate level when compared to the overall student population.
- At undergraduate level, DSA recipients are less likely to be aged 20 and under, and more likely to be aged 21-24, when compared with the overall student population. At postgraduate level DSA recipients are more likely to be aged 21-24 or 25-29, and less likely to be aged over 30, when compared with the overall student population.
- At undergraduate level DSA recipients are more likely to be White, and less likely to be Asian, when compared with the overall student population. At postgraduate level DSA recipients are less likely to be Asian when compared with the overall student population.

We would not expect the changes made through the procurement to have a differential impact on DSA recipients with certain other protected characteristics. The positive impact of the changes should apply to all DSA recipients regardless of protected characteristics, and the number of DSA recipients who may see a slight negative impact compared to the current arrangements as a result of the change to the approach to equipment repairs and replacements is so small (a likely upper limit of c. 23 students a year, with the possibility that none will be affected) that the findings of any analysis into other protected characteristics is likely not to be very meaningful and could be subject to considerable variation. The analysis below therefore focuses on the impact of the changes on DSA recipients generally, who as noted above all have the protected characteristic of disability.

Table 1: Summary of impact by protected characteristic

Protected characteristic	Impact			
	Limb 1 – eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act	Limb 2 – advance equality of opportunity between people who share a protected characteristic and those who do not	Limb 3 – foster good relations between people who share a protected characteristic and those who do not	Other impacts/ intersectional analysis
Age	Neutral	Neutral	Neutral	Neutral
Disability	Neutral	Positive overall, but possibility of additional slight negative impact on small number of DSA recipients	Neutral	Neutral
Gender reassignment	Neutral	Neutral	Neutral	Neutral
Marriage and civil partnership	Neutral	N/A	N/A	Neutral
Pregnancy and maternity	Neutral	Neutral	Neutral	Neutral
Race	Neutral	Neutral	Neutral	Neutral
Religion or belief	Neutral	Neutral	Neutral	Neutral
Sex	Neutral	Neutral	Neutral	Neutral
Sexual orientation	Neutral	Neutral	Neutral	Neutral

There are four main areas in which students' experience of the DSA administrative process will or may change as a result of the new procurement arrangements:

1. Contacting suppliers

Under the current arrangements, the onus is on the student to organise a DSA needs assessment and to contact the suppliers of their DSA-funded support. Under the new arrangements, the contracted suppliers will contact students directly to organise their DSA needs assessment, the delivery of any assistive technology that they have been awarded, and the provision of any assistive technology training required. We expect the impact of this process change to be positive. This is because it will reduce the amount of administration that students in receipt of DSA have to undertake themselves, and it is also expected to reduce the time taken to get support in place. These are both key issues that have been identified with the current process. In AY (Academic Year) 2020/21, 57,546 students applied for DSA, and this change is expected to have a positive impact on all students who progress to the needs assessment stage. We anticipate that, through the reforms, we may be able to reduce the average, estimated journey time from more than 100 days to fewer than 75 days.

2. Insurance and warranty arrangements

Currently, students can request that their DSA pays for insurance and extended warranty on the DSA-funded equipment that a student receives. If the student then experiences an issue with the equipment, they have to contact either the supplier or the insurer to make a claim. Under the new arrangements, instead of purchasing insurance and extended warranties, SLC will pay for repairs and replacements out of the student's DSA as needed; students who experience any issues with their equipment which are not covered by the manufacturer's warranty can contact their supplier, who will liaise with SLC to agree repairs, replacements, etc. It is expected that this will reduce the administrative burden on the student compared to the current arrangements, and it is likely to make the process of receiving a repair or replacement quicker (the speed of the process is important for DSA recipients because they need their equipment to be functioning so that they can access their higher education course). The supplier will be required to deliver loan equipment to the student within 5 days of the issue being raised if it cannot be resolved within that timeframe.

The cost of repairs will be taken from the student's DSA grant. This means that it is possible that some students may have more taken from their grant to pay for repairs or replacements than they would have done under the previous arrangements to fund insurance and extended warranty. As it is rare for students to take up the maximum, or close to the maximum, of the annual DSA (the maximum entitlement is £26,291 in AY2023/24), and as the vast majority of students currently use only a small proportion of the maximum possible DSA, our assessment is that the number of students who may be negatively impacted by this change is likely to be extremely small. Any

negative impact is only likely to occur if a student has already used the maximum DSA for the AY in which a repair or replacement is needed, or if the cost of that repair or replacement would be more than the student's remaining DSA. As it is not possible under the student finance regulations for SLC to pay more than the maximum DSA to a student, students in this scenario would need to fund the repair or replacement from other sources. It has always been the case that there are a small number of students whose overall support costs are higher than the maximum DSA available; this change may very slightly increase the chance of a student falling into this category, or increase the amount by which their overall support costs exceed the maximum DSA. In AY2021/22 there were 23 students who reached or were within £500 of that year's maximum DSA entitlement of £25,000 (excluding travel, which is uncapped) and who had received equipment, constituting 0.03% of DSA recipients in that year. Students in this category will only be affected by this change should they require an equipment repair or replacement, so the number above is presented as a likely upper limit; it is possible that no students will be affected. It is of course possible for students to take out their own insurance policy should they prefer to do so. Given the very small numbers, an analysis of the protected characteristics of this group has not been undertaken as the sample size is so small that any findings are not likely to be very meaningful and could be subject to considerable variation each year. In addition to this, the group of students detailed above is historic and it may not be the case that their profile will be similar to the profile of students affected in the future.

For students who decide to upgrade their computer equipment, and where the cost of the repair or replacement for the upgraded equipment is higher than it would have been for the DSA-agreed equipment, SLC will, if requested by the student, fund from the student's DSA grant the cost of a repair or replacement up to the cost of a standard replacement, at which point the student will have the choice of taking a standard replacement or paying the remainder of the costs. Alternatively, students with upgraded equipment will have the option of taking out their own insurance policy, though DSA will not contribute to this (a change from the current arrangements, where SLC will pay through DSA a contribution to an insurance policy for upgraded equipment up to the amount that would have been paid for an insurance policy for the DSA-agreed equipment). The reason for the difference in treatment between students with DSA-agreed equipment and students with upgraded equipment is because DSA can fund only the additional disability-related costs that a student may incur on a higher education course, and therefore cannot fund costs relating to an upgrade chosen by a student for reasons unrelated to a disability (where a student needs higher specification equipment for a disability-related reason this would usually be funded through DSA if appropriate justification is provided).

This change means that students will have the choice of taking out an insurance policy or taking on the risk of contributing the difference between the cost of repairing or replacing their upgraded equipment and the cost of a standard replacement, if the former is higher. At present students' only option is to take out an insurance policy, so

this change will provide more choice for students. In addition to this, the fact that if the student cannot or does not wish to fund the additional costs of repair for upgraded equipment they can still receive a standard replacement is a key safeguard.

It is possible that some students may pay more for their contribution for repairs or replacement than they would have paid as a contribution to an insurance policy under the previous arrangements. To mitigate this, SLC will clearly set out the new system for students so that they can make an informed choice as to whether to purchase an insurance policy or to take on the risk of contributing the difference between the cost of repairing or replacing their upgraded equipment and the cost of a standard replacement, if the former is higher. We do not have data available on whether students with certain protected characteristics are more or less likely to decide to upgrade their equipment.

For students who choose the SLC route, the cost of repairs or replacements up to the amount of a standard replacement will be taken from their available DSA grant. This means that it is possible, as for students with DSA-agreed equipment, that some students may have more taken from their grant to pay for repairs or replacements than they would have done under the previous arrangements to fund insurance and extended warranty. As it is rare for students to take up the maximum, or close to the maximum, of the annual DSA (the maximum entitlement is £26,291 in AY2023/24), and as the vast majority of students currently use only a small proportion of the maximum possible DSA, our assessment is that the number of students who may be negatively impacted by this change is likely to be extremely small. Any negative impact is likely to occur only if a student has already used the maximum DSA for the AY in which a repair or replacement is needed, or if the DSA-fundable cost of that repair or replacement would be more than the student's remaining DSA. As it is not possible under the student finance regulations for SLC to pay more than the maximum DSA to a student, students in this scenario would need to fund the repair or replacement from other sources. It has always been the case that there are a small number of students whose overall support costs are higher than the maximum DSA available; this change may very slightly increase the chance of a student falling into this category, or increase the amount by which their overall support costs exceed the maximum DSA. As noted above, in AY2021/22 there were 23 students who reached or were within £500 of that year's maximum DSA entitlement of £25,000 (excluding travel, which is uncapped) and who had received equipment, constituting 0.03% of DSA recipients in that year. Students in this category will be affected by this change only should they require an equipment repair or replacement. Students in this category will only be affected by this change should they require an equipment repair or replacement, so the number above is presented as a likely upper limit; it is possible that no students will be affected.

3. Student choice of needs assessment centre

Under the current arrangements, students can choose to have their DSA needs assessment at any registered centre. Under the new arrangements, students will be automatically allocated to a needs assessment supplier. While this does remove an element of choice for the student, on the other hand bringing this under contract will allow SLC to assure that all students receive consistently high standards regardless of location. The automatic allocation of students to needs assessment suppliers will also enable the supplier to contact the student proactively to organise their assessment, speeding up the process and reducing the administrative burden for the student.

4. Switching students to a different needs assessment supplier

Under the new arrangements, there will be a proportion of students who are initially allocated to one supplier but then need to be switched to another supplier (e.g. because they move to a different region). This will result in students in this position experiencing an additional step in the process compared to other students. However, SLC have estimated that the proportion of students likely to fall into this scenario is very low (c. 1.3%, or approx. 750 students annually), and are intending to mitigate this by putting in place processes to make the re-allocation quick and painless for the student. In addition to this, overall the process is still expected to be an improvement on the current arrangements for students in this scenario.

Part 4: Decision-making

Our overall assessment is that the changes made through the procurement should generally have a positive impact on all DSA recipients. One of the changes (from funding insurance and warranty to funding repairs and replacements where needed) carries a risk that there may be a very small number of DSA recipients who may experience a slight negative impact compared to the current arrangements. However, this change has clear positive impacts for all other DSA recipients in terms of reducing the administrative burden and making the process of receiving a repair or replacement quicker (the speed of the process is important for DSA recipients because they need their equipment to be functioning so that they can access their higher education course). We therefore intend to proceed with the change.

Part 5: Monitoring evaluation and action plan

We will regularly monitor the number and circumstances of DSA recipients who are unable to access a DSA-funded repair or replacement for their equipment because they do not have sufficient DSA entitlement remaining in the relevant academic year. We will use this information to consider whether any changes should be made to this policy in the future.