



**ASHFIELD
SCHOOL**

DISABILITY EQUALITY SCHEME 2016 - 2019

Date of issue: 01/09/2016

ASHFIELD SCHOOL Ambition | Teamwork | Honesty



Mission Statement

At ASHFIELD School we are committed to ensuring equality of education and opportunity for staff, students and all those receiving services from the school, irrespective of any disability. Our vision is to support and challenge all learners to fulfil their potential now and in the future. We will aim to provide our students with a firm foundation which will enable them to fulfil their potential, regardless of any disability. We will seek to eliminate unlawful discrimination against pupils and staff by adhering to our duties as an employer under the legislation. At ASHFIELD School we believe that diversity is a strength, which should be respected and celebrated by all those who learn, teach and visit here.

Introduction

The Disability Discrimination Act 2005 requires schools, when carrying out their functions to have due regard to the need to:

- Promote equality of opportunity between disabled persons and other persons
- Eliminate discrimination that is unlawful under the Act
- Eliminate harassment of disabled persons that is related to their disabilities
- Promote positive attitudes towards disabled persons
- Encourage participation by disabled persons in public life, and
- Take steps to take account of disabled persons disabilities even where that involves treating disabled persons more favourably than their non-disabled peers

The Special Education Needs and Disability Act

From September 2002 it is unlawful to discriminate against disabled pupils (current or prospective) in the provision of education and associated services, and in respect of admissions and exclusions.

The legislation

There are two key duties:

- Not to treat disabled pupils less favourably
- To Make reasonable adjustments to avoid putting disabled pupils at a substantial disadvantage

These duties sit alongside the SEN framework and the new planning duties. It strengthens the general duty to provide mainstream education for a child with special educational needs, where parents want it and where it is compatible with the efficient use of resources.

The Act describes the planning duties that require schools and LEAs to draw up accessibility strategies, (LEAs), and accessibility plans, (schools), to improve access to the curriculum, physical environment of schools to increase access to education and associated services and improvements in the provision of information.

The Secretary of State for Education has powers to direct schools and LEAs if an inspection of the LEA or OFSTED inspection of school finds that those inspected have not complied with the planning duties or have acted unreasonably in carrying out their duties.

Definition of Disability (as laid down by the Act)

A disabled person is described as "someone who has a physical or mental impairment, which has an adverse, substantial and long-term effect on his or her ability to carry out normal day-to-day activities."

This includes any physical or mental disability including sensory impairment. It also covers "hidden" disabilities such as mental impairment, mental health problems, learning impairment, dyslexia, epilepsy and people with severe disfigurement.

Discrimination is:



- treating a disabled pupil (current or prospective) less favourably for a reason relating to disability
- failing to make **reasonable adjustments** to admission arrangements and, in relation to education and associated services, to ensure that disabled pupils (current or prospective) are not placed at a substantial disadvantage compared with non-disabled peers.

It may be unlawful for a responsible body of a school to discriminate against a disabled pupil (current or prospective) at the school because of their disability in

- the admission arrangements
- terms on which it offers admission
- refusing or deliberately omitting to accept the application
- in the education or associated services provided for or offered to a pupil at the school

What is reasonable adjustment?

The Act says that a school discriminates against a disabled child if it fails to (to the detriment of the child and without justification) take reasonable steps to ensure those disabled pupils and disabled prospective pupils are not placed at a disadvantage in comparison to those who are not disabled.

The Act includes provision to protect responsible bodies from being liable to a claim of discrimination if they didn't know that a pupil was disabled, and if they couldn't reasonably be expected to have known (the "lack of knowledge defence").

Schools will need to be proactive in seeking information about disabled pupils, otherwise they may not be able to claim lack of knowledge. This could include schools creating an inclusive atmosphere where pupils and parents feel able to disclose information about disability and staff feel able to discuss this with them. In cases where a member of staff has been informed about a pupil's disability it is the responsibility of that person to share that information appropriately. If this is not done then the responsible body may not be able to rely on lack of knowledge defence.

This Disability Equality Scheme sets out the ways in which ASHFIELD School will meet its general and specific duties.

The Accessibility Plan of ASHFIELD School already lays out the plans to increase access for disabled pupils in line with the planning duties in the Special Educational Needs and Disability Act 2001.

Involving Disabled People

ASHFIELD School has involved disabled people in the development of this Scheme by:

- Consulting parents, carers, and other users of the school
- Consulting disabled members of the local community
- Questionnaires
- Eliciting the views of disabled pupils
- Discussions at School Council meetings

Gathering Information

ASHFIELD School will continue to gather information to ensure that policies and practices meet the legal responsibilities of the Disability Equality Duty.

The recruitment, development and retention of disabled employees

To ensure this happens we use

- safeguarding children guidance, the use of application form data and stating in adverts that the post is suitable for all including the disabled.
- guidance from initial information gathering that facilities are in place.



Educational opportunities available to disabled pupils

The following areas of the curriculum can present challenges so when planning takes place we aim to ensure that all learners have equality of opportunity to access the curriculum.

- Participation in extra-curricular activities
- Different forms of communication
- Alternative provisions
- Attendance of disabled pupils on residential visits and clubs
- adults attending courses run in schools e.g. Family literacy, adult computer classes

All extended school activities allow full participation of disabled pupils.

We will use visual timetables and makaton signing.

Depending on the nature of the residential, by providing extra staffing access to as much as is reasonable.

Action Plan to promote Disability Equality

Based on consultations, taking account of the information gathered, and in order to meet the duties, ASHFIELD School has developed an Action Plan to promote Disability Equality (see Appendix 1)

Accessibility Plan

ASHFIELD School's Accessibility Plan (See Appendix 2) shows how the school will:

- increase access to the curriculum for disabled pupils;
- improve the physical environment of the school to increase access to education at the school;
- improve the provision to disabled pupils of information that is provided in writing to pupils who are not disabled.

The Accessibility Plan must be:

- in writing;
- adequately resourced;
- implemented;
- reviewed termly - this is to be reviewed by SEN governor, SENCO, HT;
- revised as necessary.

Key questions to Ask

- are policies, practises and procedures flexible enough to adjust to those with disabilities

Key tests are that policies, procedures and practices do not lead directly to less favourable treatment or substantial disadvantage and that they provide the school with the flexibility required to respond to individual needs as they arise.

Monitoring and Reporting

The monitoring of the actions outlined in the action plan will be monitored in accordance with the specified timescales. If any adverse impacts are identified during the monitoring process, the action plan will need to be revised.

An annual report will be produced which outlines the progress of the Disability Equality Scheme and assesses the implementation of the action plan for effectiveness. This report will be circulated to the Headteacher and Governors, and the findings will be used to improve the Disability Equality Scheme and feed into future practice.



This Scheme and Action Plan has been agreed by the Chair of Governors

Signed _____

Date _____

