



DISABILITY DISCRIMINATION

Inclusion/Accessibility policy

*Just because an instrument is shaped a little differently,
doesn't mean it can't play a beautiful tune.*

Anon

ECM: Be Healthy, Stay Safe, Enjoy & achieve, Make a positive contribution

Definitions

Disability

A person has a disability if he/she has a physical or mental impairment that substantially, and in the long term, adversely affects the person's normal day-to-day activities. This applies to members of staff and pupils.

Pupils:

Each pupil at South Lee with a disability will require separate consideration and treatment.

Unlawful Discrimination

It is unlawful to treat a disabled person less favourably for a reason related to his/her disability than a person who does not have a disability, without justification.

Pupils:

It would also be unlawful to fail to take 'reasonable adjustments' to admission and curriculum arrangements and, in relation to education and associated services, to ensure that disabled pupils are not disadvantaged in comparison with pupils who are not disabled, without justification.

Less Favourable Treatment

For 'less favourable treatment' to lead to unlawful discrimination, it must be:

- for a reason related to the person's disability;
- less favourable treatment than the treatment given to a non-disabled person; and
- not be justified.

Justification

Less favourable treatment can be justified if the reasons are material to the circumstances and substantial. (Examples are given in the Disability Rights Commission's Code of Practice for Schools. Available from the DRC or from the internet at www.drcgb.org/drc/documents/schoolscop2.doc)

Pupils:

In addition, for pupils, non-admission to a school can be justified if it is as a result of a 'permitted form of selection'. Selective schools can continue to select so long as the criteria are not such as to only exclude disabled pupils. All non-selective schools when they have reached their admission limit can admit pupils according to criteria, which must not, amongst other things, discriminate on the grounds of disability.

Rationale

Staff: At South Lee we value each member of staff for their contribution to the school and will seek to ensure that no member of staff is disadvantaged by reason of his/her disability.

Pupils: We value all of our pupils and seek to ensure that our practices are fully inclusive. Every effort will be made to ensure that 'reasonable adjustments' are made to accommodate disabled pupils, whilst bearing in mind the interests of other pupils.

Parents, Guests and Visitors: We shall try to ensure that no parent, guest or visitor is disadvantaged by reason of his/her disability.

The school is required to make:

- Improvements in access to the curriculum for disabled students;
- Physical improvements to increase access to education and associated services (eg extra-curricular activities); and
- Improvements in the provision of information in a range of formats for disabled students.

There is an additional requirement for schools to explore whether or not students with behaviour issues may or may not have an underlying disability leading to this. For example, the following may be underlying reasons for poor behaviour: mental illness, mental health problems, learning difficulties, dyslexia, diabetes, epilepsy.

The School will take into account all of these requirements when considering the inclusion of disabled pupils in the school's curriculum.

Aims

Staff:

The School aims, within the constraints of resources available, to ensure that no member of staff is less favourably treated in the school's procedures and practices in respect of: recruitment, performance management, promotion, staff development, teaching environment and access to the premises.

Pupils:

The School aims, within the constraints of resources, to enable each pupil to fulfil his/her potential, within an educational programme that has the development of the whole person at its core.

The School aims to fulfil the requirements of the legislation to make 'reasonable adjustments'.

The School will examine each disability case individually to determine the best adjustments that can be made to accommodate a disabled pupil's needs.

Responsibilities

The governing body is ultimately responsible for admissions to this school.

The Head is responsible for:

Staff:

- ensuring that the policy is implemented;
- identifying and liaising with staff who have a disability;
- identifying where adjustments can be made, and reporting to the governing body those that cannot be made within the allocated resources; and
- implementing and maintaining procedures that identify and eliminate areas of possible 'less favourable treatment' for disabled staff.

Pupils:

- identifying pupils who have disabilities;
- ensuring that the governors' policy is implemented in the school;
- that non-discriminatory practices are developed;
- identifying where 'reasonable adjustments' can be made;
- training all staff in their responsibilities towards disabled pupils;
- delegating responsibilities and tasks to other staff as appropriate; and
- liaison with parents and any agencies as necessary.

All Staff are responsible for knowing their responsibilities towards pupils with disabilities and for taking appropriate action.

Action

Staff: The Head will report to the governing body at least annually on members of staff who have a disability, and the steps taken to ensure that they are not treated less favourably.

Regular liaison with parents of pupils with disabilities takes place.

Premises

To meet its obligations, the School will ensure that the needs of disabled staff and pupils are fully considered in any strategic planning for the development of the school campus.

The school will bear in mind health and safety requirements and the interests of other pupils in all the above considerations.

Discrimination in Admissions

The governing body will ensure that disabled pupils are not discriminated against:

- through the criteria they determine for admission to the school, including criteria used where the school is oversubscribed; and
- by refusing, or deliberately not accepting, an application from a disabled person for admission to the school.

Teaching

Staff:

The development needs of disabled staff will be discussed with the member of staff on a regular basis.

Where necessary, support staff time will be allocated, relevant to the disabled member of staff's needs.

Wherever possible the timetable will be adjusted to reflect the needs of disabled members of staff.

Within the constraints of financial resources the school aims to make adjustments to the premises to enable the member of staff to teach effectively.

Pupils:

In all teaching and learning activities a full range of teaching and learning styles will be employed to ensure that no pupil is excluded from learning

Teaching staff will seek, as relevant, advice from appropriate external agencies regarding the learning needs of pupils with disabilities.

Staff Training

Regular staff training will be undertaken regarding the needs for learning of particular pupils.

Support staff working with disabled members of staff and pupils will be given relevant training.

Liaison with Parents

The School will continue to ensure close liaison with families of all students with a disability.

Under the supervision of a senior member of staff with delegated responsibility, staff with pastoral responsibility will liaise closely with the homes of students who exhibit behavioural difficulties to determine whether they arise from disability or from domestic or social circumstances. They will report to the senior member of staff who will determine, after consultation, appropriate action.

Monitoring and Review

Incidents involving students with disability will be carefully monitored by all staff and any overt or unintended discrimination will be identified, reported, and dealt with by senior staff.