

HEBBURN COMPREHENSIVE SCHOOL



DISABILITY EQUALITY SCHEME

Approved by Governors: February 2010

Review Date: March 2011

This policy incorporates the duties for schools under the **Disability Discrimination Act 1995 (DDA)** and the **DDA 1995 Part 4 (as amended by the Special Educational Needs and Disability Act 2001) (SENDDA)** and takes full account of the **Code of Practice for Schools published by the Disability Rights Commission (2002)**.

Definitions

Disability

According to the Disability Discrimination Act 1995, a person has a disability if he/she has a physical or mental impairment, which substantially and in the long term adversely, affects the person's normal day-to-day activities. The scope of the definition applies to members of staff and pupils.

Pupils

Having a disability does not imply that a pupil has, for that reason alone, 'special educational needs' under the terms of the Education Act 1996 and the Code of Practice. Therefore, each pupil with a disability will require separate consideration and treatment.

It is also 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.

As a non-selective school, Hebburn Comprehensive, when we have reached our admission limit, will admit pupils according to criteria, but such criteria will not discriminate on the grounds of disability.

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.

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).

Rationale

Staff

The school values each member of staff for his/her individual and corporate contribution to the school and will seek to ensure that no member of staff is disadvantaged by reason of his/her disability.

Pupils

As a fully inclusive school, 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, while bearing in mind the interests of all pupils.

The school is required to make, under the terms of SENDDA 2001:

- Improvements in access to the curriculum for disabled pupils;
- 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 pupils.

There is an additional requirement for schools to explore whether or not pupils 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. (Behaviour difficulties arising from social or domestic circumstances are not covered by the Act. Other school policies cover these areas.)

The school will take into account all 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 make excellent progress, within an overall educational programme that has 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 to determine the best adjustments that can be made to accommodate a disabled pupil's needs.

Responsibilities

The Governing Body is responsible for the discharge of the duties under the DDA 1995 and SENDDA 2001, and for the provision of education and associated services. This includes Governing Body responsibility for volunteer helpers including parents, support service teachers, school meals staff, after-school clubs, or any other activity included within the 'provision of education and associated services'.

The Head Teacher is responsible for:

Staff

- ensuring that the Governing Body policy is implemented and reporting to the Governing Body on members of staff who have a disability, and the steps taken to ensure that they are not treated less favourably;
- 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 (in consultation with the LA and others as appropriate) pupils who have disabilities;
- ensuring that the Governing Body policy is implemented in the school;
- ensuring 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
- liaising with parents and any agencies as necessary.

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

Premises

The school recognises that through the provisions of SENDDA it is not required to provide 'auxiliary aids' (i.e. special equipment or additional personal support), nor make 'physical alterations to the buildings (such as provide lifts).

However, to meet its obligations, the school will ensure that the needs of disabled staff and pupils (and any adult students) are fully considered in any strategic planning for the development of the school site.

When determining the priorities for the use of the annual Capital Grant, the school will take into account the need to make the school campus more accessible for staff and pupils with disability.

The school will budget annually for reasonable minor adjustments to the environment to enable a member of staff and/or a pupil with a disability to have access to the full teaching and learning of the school.

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

Teaching

Staff

The development needs of those staff who identify themselves as disabled will be discussed with the members 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 be given, as relevant, advice from appropriate external agencies regarding the learning needs of disabled pupils.

Staff Training

Training will be given to senior staff to ensure understanding of the DDA and SENDDA and how actions at school level may be undertaken to ensure inclusion of disabled members of staff and pupils.

All staff (teaching and support staff) must attend training regarding duties to disabled members of staff and pupils under the DDA and SENDDA, and to attend up-dating sessions when deemed necessary.

All teaching staff will have training regarding improved practice in differentiation for all pupils including those with disability.

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

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

Monitoring and Review

Staff

Procedures are in place for disabled staff to discuss problems and needs with relevant senior staff.

The needs of disabled members of staff will be taken into account in the school's Performance Management system (both teaching and support staff). The system will enable senior staff to appraise the effectiveness of the school's treatment of disabled staff.

Pupils

The school will monitor separately the progress, attainment and exclusions of pupils with disability and this information will be shared annually with the Governing Body.

Incidents involving pupils with a disability will be monitored and any overt or unintended discrimination will be identified, reported, and addressed by senior staff.

Governing Body

The Governing Body will review the effectiveness of the policy and procedures annually, to ensure full compliance with the **Disability Discrimination Act 1995 (as amended by the Special Educational Needs and Disability Act 2001**