

# **BISHOP'S HATFIELD GIRLS' SCHOOL**

## **DISABILITY EQUALITY POLICY / SCHEME**

**Date of last review: Summer Term 2019**

**Date of next review: Summer Term 2022**

**School Based Policy**

## DISABILITY EQUALITY POLICY / SCHEME

### DEFINITIONS: Disability

According to the Equality Act 2010 which replaces the Disability Discrimination Act 2005 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. This applies to members of staff and pupils. This includes people with HIV, MS or cancer. A disability will be adjudged to have affected normal activities if it affects one of:

- Mobility
- Manual dexterity
- Physical co-ordination
- Continence
- Ability to lift or move objects
- Speech, hearing or eyesight
- Memory, ability to concentrate, learn or understand
- Perception of the risk of physical danger

#### Pupils:

Having a disability does not, however, 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.

### 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 will 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, and
- less favourable treatment than the treatment given to a non-disabled person, and
- not be justified.

## **Rationale**

#### Staff:

The school values 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:

The school values the full range of its students and seeks to ensure that its 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 other pupils.

The school is required to make, under the terms of the Equality Act 2010:

- Improvements in access to the curriculum for disabled students
- Physical improvements to increase access to education and associated services (e.g. extra-curricular activities)
- 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.

(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 fulfil his/her potential, within an educational programme that has development of the whole person at its core.

The school aims to fulfill 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 LA is responsible for admissions to this school.

The Governing Body (GB) is responsible for the discharge of the duties under the Equality Act 2010 and the provision of education and associated services. This includes GB responsibility for volunteer helpers including parents / carers, support service teachers, school meals staff, after school clubs, or any other activity included within 'provision of education and associated services.

The Headteacher is responsible for:

Staff:

- 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
- 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 governors' 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
- liaison with parents / carers and any agencies as necessary

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

## **Action**

The Governing Body must:

- oversee the implementation of all the school's policies and practices in this area, including Disability Equality
- consider what reasonable adjustments are being made and could be made
- make recommendations to the Headteacher with a view to improving access to teaching and learning
- consider the school's systems and procedures for making staff, parents / carers and pupils aware of the policies
- consider the school's Accessibility Plan
- review the Plan annually.

Liaison will take place with the Governors' Finance and Resources Committee about access to school buildings.

Staff:

The Headteacher 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.

Pupils:

The school will produce an Accessibility Plan which will be reviewed by the relevant committees of the full Governing Body.

Regular liaison with parents / carers of disabled pupils takes place.

## **Premises**

The school recognises that through the provisions of the Equality Act 2010, it is not required to provide 'auxiliary aids' (ie special equipment or additional personal support), nor make 'physical alterations to the buildings.

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 site 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.

### **Action on Transfer into the School**

At transfer to the school, additional liaison time is allocated for disabled pupils and their families to ensure that the pupil's educational needs and this school's requirements are fully understood by staff at the feeder school, parents / carers and pupil, and to ensure that the transfer process is effective.

### **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 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 Equality Act 2010 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 Equality Act 2010 and to attend up-dating sessions when deemed necessary by the Headteacher.

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

Regular staff training will be undertaken regarding the needs for learning of particular disabled pupils. Support staff working with disabled members of staff and pupils will be given relevant training.

### **Liaison with Parents / Carers**

The school will continue to ensure close liaison with families of all students with disability through the provision of designated staff members with allocated time and effective communication

Whenever appropriate, information sent home is provided in different formats to take account of disability.

Under the supervision of a senior member of staff with delegated responsibility, staff with a pupil

development responsibility will liaise closely with the parents/carers 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.

The School will ensure that parents / carers can access the school's Complaints Procedure via the website.

### **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 are taken into account in the school's Performance Appraisal system (both teaching and support staff). The system enables the Headteacher 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.

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

The governors will monitor the above statistics and information.

#### **Governing Body:**

The governing body will review the effectiveness of its policies and the school's procedures to ensure full compliance with the Equality Act 2010.