

## **Policy on Disability Discrimination**

(see also Communications; Health, Safety and Welfare; Inclusion; Special Educational Needs)

### **1 Introduction**

- 1.1 We are committed to giving all of our children every opportunity to achieve the highest of standards. We do this by taking account of pupils' varied life experiences and needs. We offer a broad and balanced curriculum, and have high expectations for all children. The achievements, attitudes and well-being of all our children matter. This policy helps to ensure that this school promotes the individuality of all our children, irrespective of ethnicity, religion, attainment, age, disability, gender or background.
- 1.2 The Disability Discrimination Act (DDA) of 1995 aims to end discrimination against people with disabilities and to improve access in all areas of life. Since 2002, it has been unlawful for schools and Local Education Authorities to discriminate against pupils with disabilities in admissions and exclusions, in education, and in associated services.
- 1.3 From 1st October 2004, it became unlawful to discriminate against people with disabilities by preventing them from having access to premises. Along with all other public buildings, our school is required to make 'reasonable adjustments' to enable access.
- 1.4 Our Accessibility Plan details the changes required to our buildings and to other aspects of our school, so that we fulfil our legal requirements, and remove barriers to inclusion for all pupils and staff with disabilities.

### **2 What is disability?**

- 2.1 The Disability and Discrimination Act states that 'a person suffers from a disability if he or she has a physical or mental impairment which has a substantial and long-term adverse effect on his or her ability to carry out day-to-day activities.
- 2.2 Physical or mental impairments can include sensory impairments (such as those affecting sight and hearing) and learning difficulties. The definition also covers certain medical conditions when they have a long-term and substantial effect on pupils' everyday lives.
- 2.3 Disability is not the same as special educational needs; not all children who are defined as having a disability have special educational needs, and vice versa.

### **3 Aims and objectives**

- 3.1 Our school aims to be an inclusive school. We actively seek to remove the barriers to learning and participation that can hinder or exclude individual pupils, or groups of pupils. This means that equality of opportunity must be a reality for all our children, and this of course includes pupils with disabilities.
- 3.2 We will ensure that pupils with disabilities have the same opportunities as non-disabled pupils to benefit from the education our school provides.
- 3.3 We will not treat a pupil with a disability less favourably than others because of the nature of his/her disability.
- 3.4 We will make all reasonable adjustments to ensure that a pupil or member of staff with disabilities is not placed at a disadvantage.
- 3.5 We will do our best to anticipate the needs of a pupil or staff member with disabilities before s/he joins the school.

## **4 Removing barriers**

- 4.1 The school must make reasonable adjustments to ensure that pupils and members of staff and of the public are not disadvantaged.
- 4.2 Disabilities can limit the extent to which children are able to participate in the curriculum, and can impede the delivery of information. So, for example, if a child suffers from hearing loss, the teacher will always try and face the child when addressing the class, or, in severe cases, the teacher may wear a microphone and transmitter.
- 4.3 The Accessibility Plan covers the measures we have already taken, and are still taking, to improve our school.

## **5 The physical environment**

- 5.1 We will endeavour to improve provision for disabled pupils and staff by developing the physical environment of the school, within the limits of the resources available. Where necessary, we will try to improve the following:
- access to the school, by installing setting-down and picking-up points, ramps, handrails and lifts;
  - movement around the building, e.g. by adaptations, such as improved colour schemes, for people with impaired sight;
  - accommodation within the building, by providing toilets for disabled pupils, sound-proofing for pupils with impaired hearing, and medical rooms;
  - furniture, by procuring rise-and-fall tables, sinks and ovens;
  - information and communication technology, by selecting appropriate hardware and software, and by using minicomms;
  - signage, by putting it in clear print.

## **6 The curriculum**

- 6.1 We use teaching strategies to enhance learning and participation in a broad and balanced curriculum. We find ways in which all pupils can take part in sport, music and drama. We plan our out-of-school activities and school trips in such a way that pupils with disabilities can participate.
- 6.2 We use language that does not offend, and we make staff and pupils aware of the importance of language.
- 6.3 Our library, reading books and other resources contain positive images of people with disabilities.
- 6.4 The school regularly reviews the way in which resources are matched to the needs of all the children. If necessary, to improve our provision, adjustments will be made to classroom organisation, the deployment of support staff, timetabling and staff training.
- 6.5 Many of the adjustments we make are dependent upon individual needs, and we are moving towards more individualised approaches. Individual Education Plans are effective and manageable.
- 6.6 We seek and respond to guidance from the parents/carers and the children.

## **7 Information**

- 7.1 Information normally provided in writing (lesson content, texts, library resources and information about school events) will be made available in alternative formats that are clear and user-friendly, such as Braille, audio tape, and large print, or it may be transmitted

orally, or through lip-speaking or sign language, or through a recognised symbol system, or through ICT.

- 7.2 We always take account of disabilities, be they the pupils' or those of their parents or carers. For example, communication with a parent who is visually impaired may need to be by telephone rather than by letter.

## **8 Staffing**

- 8.1 When advertising posts, or interviewing applicants, or deciding on appointments, the governors and staff will follow the necessary procedures, and will not discriminate against people with disabilities.
- 8.2 Should a member of staff become disabled, the governing body will make reasonable adjustments to that person's employment arrangements, or to the premises, in order to enable them to continue in post.
- 8.3 All members of staff are entitled to professional development and training, and are expected to take advantage of a continuous programme of professional development.
- 8.4 This school will liaise with specialists to support individual pupils. Among these specialists are the following: physiotherapists, educational psychologists, speech therapists, doctors, the school nurse, social workers, and the staff of the voluntary and statutory agencies. We benefit from the LA's advice, and its provision through the Hearing Impaired and Visually Impaired services.

## **9 Health and safety**

- 9.1 Members of staff follow the school procedures both for the storage and for the administration of medicines to pupils. We also have procedures for when blood or other bodily substances have to be cleared away.
- 9.2 The school has members of staff qualified in giving first-aid treatment, and the emergency services will be called, should they be required.

## **10 Policy into practice**

- 10.1 The governing body is responsible for the school's duty not to discriminate.
- 10.2 A named governor and a designated member of staff jointly discharge the responsibility of ensuring that we meet our obligation not to discriminate.
- 10.3 The headteacher will ensure that all members of staff are aware of their responsibilities to all pupils without exception.
- 10.4 All members of staff are fully committed to the policy of not discriminating against pupils, parents/carers or staff with disabilities.
- 10.5 Parents and carers are asked to keep us informed about any relevant issues, so that we can work towards resolving them.

## **11 Monitoring**

- 11.1 We have high expectations of all our pupils. We monitor a range of data to make sure that all pupils are making the best progress possible, and that no groups of pupils are underachieving.
- 11.2 We monitor:
- admissions;
  - attainment;

- exclusions;
- rewards and sanctions;
- parental and pupil questionnaires.

11.3 Evaluations based on these data are then reported to the governing body, and an action plan will be drawn up if necessary.

## **12 Monitoring and review**

- 12.1 The governing body has a named governor with responsibility for matters of disability discrimination. It is this governor's responsibility to keep the governing body informed of any new regulations, and to ensure that the school regularly reviews its processes and procedures. The governor in question also liaises with the LA and other external agencies, to ensure that the school's procedures are in line with those of the LA.
- 12.2 The headteacher implements the school's disability non-discrimination policy on a day-to-day basis, and ensures that all staff are aware of the details of the policy as it applies to them.
- 12.3 The headteacher reports to governors annually on matters regarding disability discrimination.
- 12.4 This policy will be reviewed at any time on a request from the governors, or at least once every two years.

## **Equality act inclusions in red**

### **Disability Policy**

**In April 2011, the Equality Act 2010 came into force. At Tylorstown Primary we recognise our statutory duty to implement it. Below outlines the means by which this is achieved.**

At Tylorstown Primary School we are committed to ensuring equality of education and opportunity for disabled pupils, staff and all those receiving services from the school. We aim to develop a culture of inclusion and diversity in which people feel free to disclose their disability and to participate fully in school life.

The achievement of disabled pupils and students will be monitored and we will use this data to raise standards and ensure inclusive teaching. We will make reasonable adjustments to make sure that the school environment is as accessible as possible. **We recognise, as described in the Act, that at times this may require the school to positively discriminate in favour of someone with a disability in order that equal access and opportunity might be achieved.**

At Tylorstown Primary School, we believe that diversity is a strength, which should be respected and celebrated by all those who learn, teach and visit here.

## Policy on Disability Discrimination

In seeking to be a fully inclusive school, we will endeavour to create an environment which does not adversely affect any member of the school community, and which promotes enjoyment and achievement for all.

### **Check list for school staff and governors**

- ✓ Is information collected on disability with regards to both pupils and staff? Is this information used to improve the provision of services?
- ✓ Is pupil achievement monitored by disability? Are there are trends or patterns in the data that may require additional action?
- ✓ Are disabled pupils encouraged to participate in school life? How is this shown through representation in school events such as class assemblies and the school council?
- ✓ Is bullying and harassment of disabled pupils and staff monitored and is this information used to make a difference?
- ✓ Is disability portrayed positively in school books, displays and discussions such as circle time and class assemblies?
- ✓ Does the school take part in annual events such as Deaf Awareness week to raise awareness of disability?
- ✓ Is the school environment as accessible as possible to pupils, staff and visitors to the school? Are open evenings and other events which parents or carers attend held in an accessible part of the school?
- ✓ Is information available to parents, visitors, pupils and staff in formats which are accessible if required? Is everyone aware of this?
- ✓ Are procedures for the election of parent governors open to candidates and voters who are disabled?

## Principles

- Compliance with the DDA is consistent with our School Aims and our Equal Opportunities Policy, as well as our SEN and Inclusion Policy.
- We recognise our duties **under the Equality Act 2010**.
- Not to discriminate against disabled pupils in their admission or exclusion, nor in the provision of education and associated services
- To take reasonable steps to avoid putting disabled pupils at a substantial disadvantage
- To identify and review barriers to access annually, and produce an action plan to address these
- In performing their duties, the Governors and Staff will have regard to the DRC Code of Practice 2002.
- The school recognises and values parents' knowledge of their child's disability and its effect on his/her ability to carry out normal activities, and respects the parents' and child's right to confidentiality.
- The school provides all pupils with a broad and balanced curriculum, differentiated and adjusted to meet the needs of individual pupils and their preferred learning styles.
- The school endorses the key principles of the National Curriculum framework which underpin the development of a more inclusive curriculum, by:
  - o Setting suitable learning challenges
  - o Responding to pupils' diverse needs
  - o Overcoming potential barriers to learning and participation for individuals and groups of pupils
- We recognise that disability of a family member can impact on the lives of the whole family and will endeavour to:
  - o Ensure siblings of disabled children are assessed as individuals unrelated to the disability of their sibling.
  - o Assess the impact of disability of a sibling or parent/carer on individual children and provide support as appropriate and required.

### **Planning the Curriculum**

- We will obtain data on future pupil population, wherever possible, to enable advanced planning to accommodate the needs of children with disability
- The curriculum will be differentiated where necessary by task, by outcome and by support offered.
- We will liaise with external agencies for the benefit of the child
- We will offer support to ensure the curriculum needs are met
- We will ensure sufficient information is provided to staff, bearing in mind the needs of the child and the need for confidentiality
- We will ensure special arrangements are made to support the child in statutory assessment (SATs)
- We will seek to obtain specialist resources to support specific needs
- We will involve the pupils and their parents in drawing up Individual Education Plans

### **The Physical Environment**

- We will take account of the needs of pupils and visitors with physical difficulties and sensory impairments when planning and undertaking future improvements and refurbishments of the site and premises as identified in our Disability Discrimination Act Survey and Access Plan.
  - o We will review these annually and identify priorities for the coming year.

## The Disability Equality Duty (DED)

### Definition of disability

The Disability Discrimination Act 2005 (DDA) defines a disabled person as someone who has ‘a physical or mental impairment which has a substantial or long-term adverse effect on his or her ability to carry out normal day-to-day activities’.

The DDA 2005 has also extended the definition of disability as follows:

- People with HIV, multiple sclerosis and cancer (although not all cancers) are deemed disabled before they experience the long-term and substantial adverse effect on their activities.
- Section 18 has been amended so that individuals with a mental illness no longer have to demonstrate that it is “clinically well-recognised”, although the person must still demonstrate a long-term and substantial adverse effect on his/her ability to carry out normal day-to-day activities.

### The Duty

The [Equality Act 2010](#) places a general duty on schools, who need to have due regard for the following when carrying out their functions:

- Promoting equality of opportunity between disabled people and other people;
- Eliminating discrimination that is unlawful under [the Equality Act 2010](#).
- Eliminating harassment of disabled people that is related to their disability;
- Promoting positive attitudes towards disabled people;
- Encouraging participation in public life by disabled people;
- Taking steps to meet disabled people’s needs, even if this requires more favourable treatment.

This is also known as the Disability Equality Duty (DED) and applies to all disabled pupils, staff and those using services provided by schools.

## **The Disability Equality Duty (DED)**

### **Monitoring**

To meet the Disability Equality Duty, it is essential that aspects of school life are monitored to identify whether there is an adverse impact on children and young people with disabilities. The following will be monitored:

- Achievement of pupils by disability
- Disabled staff (including numbers, type of disability and satisfaction rates in staff surveys etc.)

### **Additional implications for schools**

The role of a school as a service provider

Schools have additional implications as a service provider to make their buildings accessible when they hire out rooms or parts of the building.

Contact with parents and carers

When providing newsletters and information for parents and carers, schools should make this information available in an accessible format so that parents or carers who may be, for example, visually impaired, can access the information.

Additionally, events for parents and carers such as open evenings, meetings with teachers, should be held in accessible parts of the building.

Hiring transport

School staff will need to be aware of Section 6 of the Act when hiring transport as it puts new duties on transport providers, including the bus and coach companies, and the taxi and private hire car trade. The requirement to provide accessible vehicles is extended to include these transport providers. Bus companies will not be able to refuse a job because, for example, it may take longer to pick up disabled students.

## **The Disability Equality Duty (DED)**

### Election of parent governors

The election of parent governors will now be covered by the DDA 2005, and governors will need to ensure that the procedures for candidates to stand for election and for parents to vote for candidates are accessible to disabled people. However, the result of the election is not covered and disabled candidates will not be able to claim that they were not elected simply because they were disabled. Once a disabled parent governor is elected, the school governing body functions in relation to that parent are covered and the school must ensure that they can participate fully in school life.

## **Involvement and consultation**

It is a requirement that disabled pupils, staff and those using school services should be involved in the production of the Disability Equality Scheme.

Tylorstown Primary School has consulted with disabled pupils, staff and service users in the development of our Disability Equality Scheme by:

- Carrying out a survey to identify disabled parents/carers and children. the aim of the survey was:
  - To invite comments on our provision and seek suggestions on how we can improve it for the individual concerned
  - To invite parents/carers to be part of a disability monitoring group now or in the future.
- Working with a governor who has experience of disability.

## Making things happen

In order to ensure that action is taken to meet the Disability Equality Duty, Tylorstown Primary School has drawn up an action plan to make things happen, which outlines how the requirements of the DDA 2005 will be met. This action plan has been shaped in consultation with disabled people as outlined in the previous section, and may include some of the good practice examples below.

### Good practice examples

The following examples provide good practice suggestions on how disability equality can be promoted in a school environment and are presented here as a resource on which to draw during annual review. They have been reviewed to show what we have done in the past and/or continue to do to enable us to identify priorities.

Good Practice Examples	Past Present Practice
<ul style="list-style-type: none"> <li>● Promoting equality of opportunity between disabled people and other people.                             <ul style="list-style-type: none"> <li>- Increase awareness of the ways in which parents of disabled children and young people can help to support their learning, for example through workshops;</li> <li>- Ensuring that the talents of disabled pupils are represented accordingly through the Gifted and Talented Learning Registers.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>● Parents signposted to services as appropriate</li> <li>● Proactively sought support when needs are identified</li> <li>● Talented and able learning is recorded on a central register. This register records exceptional learning in all areas.</li> </ul>
<ul style="list-style-type: none"> <li>● Eliminating discrimination that is unlawful under the DDA and harassment of disabled people that is related to their disability.                             <ul style="list-style-type: none"> <li>- Monitor incidents of harassment and bullying of disabled pupils. Encourage pupils to report and take action against offenders.</li> <li>- If a number of incidents have been prevalent within a particular year group, use circle time, story time or assembly to investigate and address the issue with all pupils.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>● Constantly review provision for disabled pupils to ensure they receive their due</li> <li>● Give due regard to the social/personal issues that face disabled pupils and work proactively to address them in a positive way.</li> <li>● All bullying/harassment is dealt with swiftly</li> <li>● Vulnerable pupils are observed and monitored in the playground to ensure safe and happy playtimes</li> <li>● Children involved in accidents are recorded in the Accident Book so we can track possible bullying.</li> <li>● Staff issues addressed in the Bullying and Harassment Policy</li> </ul>
<ul style="list-style-type: none"> <li>● Promoting positive attitudes towards disabled people.                             <ul style="list-style-type: none"> <li>- Use the school environment to promote positive attitudes to disability. Ensure that disability is</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>● Have had posters up of disabled people celebrating excellence</li> <li>● Have had several assemblies focused on the achievement of disabled people.</li> </ul>

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<p>represented in posters, collages, displays and learning materials.</p> <ul style="list-style-type: none"><li>- Celebrate and highlight key events such as the Paralympics, Deaf Awareness Week and Learning Disability Week.</li><li>- At schools with specialist units, staff have successfully raised awareness about disability by going to talk to pupils from the mainstream school.</li></ul>	
<ul style="list-style-type: none"><li>● Encouraging participation in public life by disabled people.<ul style="list-style-type: none"><li>- Ensure that disabled pupils are represented and encouraged to participate in class assemblies, plays, events and on the school council.</li></ul></li></ul>	<ul style="list-style-type: none"><li>● Disabled children are fully involved in the delivery of class assemblies to parents. If necessary, in the past, we have used digital video to ensure disabled pupils are included.</li></ul>