

Brine Leas School

An Academy

DISABILITY POLICY

1. INTRODUCTION

Brine Leas School has a legal duty to be non-discriminatory towards disabled students and staff, and to provide equal access and opportunity to the curriculum and place of work. The Disability Discrimination Act (DDA) 2005 has strengthened the DDA 1995 and the SEN and Disability Act (SENDA) 2001, supported further by the 2010 Equality Act by broadening the definition of a disabled child or adult and placing on schools a more proactive duty to promote equality of opportunity for disabled children and adults. The duties falling on the school apply to disabled students, disabled staff, governors and disabled people who use the services provided by the school. Responsibility for DDA lies with the Board of Governors and this is devolved to the Headteacher.

There is a significant overlap between children and young people with disabilities and those with Special Educational Needs and many will also be supported by the Children and Families Act of 2014. Details of the school's provision for those with SEN will be found in our Local Offer, published by the Local Authority in February 2017 and which will also be available on our web site.

The Disability Policy covers the following elements:-

- The promotion of equal opportunities for all people with disabilities.
- The elimination of discrimination that is unlawful (Equality Act 2010).
- The elimination of harassment related to disability.
- The encouragement of full participation for disabled students and adults in school.
- To take steps to meet the needs of disabled people, even if this requires a measure of positive action.
- Scrutiny of the methods of assessment undertaken and the impact on people with disability.
- The steps required for the delivery and maintenance of this policy.
- A bi-annual review mechanism.
- Complaints procedures to address complaints and concerns.

The Leadership Team will be responsible for the provision of advice and guidance to students, staff, job applicants and recruitment/interviewing panels on the implementation of this policy.

2. DEFINITION OF A DISABILITY

The Equality and Human Rights Commission (ERC) guidance produced after the 2010 Act came into operation, states that:

'A person is a disabled person (someone who has the protected characteristic of disability) if they have a physical and/or mental impairment which has what the law calls 'a substantial and long-term adverse affect on their ability to carry out normal day-to-day activities'. There is no need for a person to have a medically diagnosed cause for their impairment, what matters is the effect of the impairment, not the cause.

In relation to physical impairment:-

- Conditions that affect the body such as arthritis, hearing or sight impairments (unless this is correctable by glasses or contact lenses), diabetes, asthma, epilepsy, conditions such as HIV infection, cancer and multiple sclerosis, as well as loss of limbs or the use of limbs are covered.*
- HIV infection, cancer and multiple sclerosis are covered from the point of diagnosis.*
- Severe disfigurement (such as scarring) is covered even if it has no physical impact on the person with the disfigurement, provided the long-term requirement is met.*
- People who are registered as blind or partially sighted, or who are certified as being blind or partially sighted by a consultant ophthalmologist, are automatically treated as disabled under the Act.*

Mental impairment includes conditions such as dyslexia and autism as well as learning disabilities such as Down's Syndrome and mental health conditions such as depression and schizophrenia.

The other tests to decide if someone has the protected characteristics of disability are:-

- The length the effect of the condition has lasted or will continue: it must be long term. 'Long term' means that an impairment is likely to last for the rest of the person's life, or has lasted at least 12 months or where the total periods of which it lasts is likely to be at least 12 months. If the person no longer has the condition but it is likely to reoccur, they will be considered to be a disabled person.*
- Whether the effect of the impairment is to make it more difficult and/or time consuming for a person to carry out an activity compared to someone who does not have the impairment, and this causes more than minor or trivial inconvenience.*
- If the activities that are made more difficult are 'normal day-to-day activities' at work or at home.*
- Whether the condition has this impact without taking into account the effects of any medication the person is taking or any aids or assistance or adaptations they have, i.e. wheelchair, walking stick, assistance dog or special software on their computer. The exception to this is the wearing of glasses or contact lenses where it is the effect while the person is wearing the glasses or contact lenses, which is taken into account.'*

3. DEFINITION OF A LEARNING DIFFICULTY

The DfE website (www.education.gov.uk) offers guidance 'Special Education Needs (SEN) – A Guide for Parents and Carers' (2009) which defines a learning difficulty as follows:-

'Children with special educational needs all have learning difficulties or disabilities that make it harder for them to learn than most children of the same age. Children with special educational needs may need extra help because of a range of needs, such as in thinking and understanding, physical or sensory difficulties, emotional and behavioural difficulties, or difficulties with speech and language or how they relate to and behave with other people.'

4. ADMISSIONS AND PUPILS WITH DISABILITIES, SEN AND LEARNING DIFFICULTIES

The governors and staff are firmly committed to inclusivity and to giving every child the best possible start in life.

Students, whose Special Educational Needs and Disability (SEND) and learning difficulties are suited to the curriculum, are welcome and the school, together with the Learning Support Department will use its best endeavours to provide them with the help and support they require. The school will not necessarily be the best place for all children, as the school may not have specialist resources/rooms to cater for every need.

5. PHYSICAL ACCESSIBILITY

Parents of current and prospective students with disabilities may wish to obtain copies of the school's Accessibility Policy available from the website or the school office. This shows the ways in which governors plan to make the buildings progressively more accessible to disabled students, disabled parents and visitors. The school has an active monitoring policy and will do its best to make adjustments to take into account an individual student's needs, within the constraints imposed by its buildings. This would be done in partnership with families. As the school buildings are updated, so too is our accessibility.

6. OTHER ADJUSTMENTS

Dependent upon need, children can use their own laptop computers or tablets in class and, with prior arrangement, can be given large print or documents printed on coloured paper if required.

Menus for school meals can be devised to cater for special dietary requirements.

7. THE LEARNING SUPPORT DEPARTMENT

The Learning Support Department is staffed by a fully qualified specialist who is able to support each student with a specific learning difficulty in the following areas:-

- Dyslexia
- Dyspraxia
- Asperger's Syndrome
- Attention Deficit Disorder (ADD)
- Attention Deficit Hyperactivity Disorder (ADHD)

Teaching assistants have enhanced knowledge in the four broad areas of SEN:-

- Communication and Interaction
- Cognition and Learning
- Social, emotional and mental health difficulties
- Sensory and/ or physical difficulties

Some disabled students may require specialist support from the Learning Support Department. This would normally be discussed with parents before their child enters the school. Students with identified or suspected learning difficulties will be assessed, initially by the Head of Learning Support/ SENDCO, who may then recommend to parents that they seek further assessment from an Educational Psychologist or other specialist to ensure that the areas that require support can be identified. Specialist 1:1 lessons and help with study skills are offered outside the normal curriculum.

8. SCHOOL BEHAVIOUR AND DISCIPLINE

The school takes pride in its well developed system of pastoral care for social interaction amongst students. All students are taught that victimisation and bullying is prohibited and will not be tolerated.

The school’s objective is to ensure that a student with a disability, or other protected characteristics does not suffer less favourable treatment as a result of discrimination. Students are taught, through the curriculum and other activities, the importance of respecting each other and behaving towards each other with courtesy and consideration. The school’s Anti-Bullying Policy makes clear the seriousness of bullying, victimisation and harassment in all its pernicious forms (including racial, religious, cultural, sexual, sexist, gender-related, sexual orientated homophobic, disabled and cyber). Considerable teacher time is expended on preventing bullying, victimisation and harassment, and in dealing with it when it occurs. All students understand that the school has a zero tolerance policy on bullying and that bullies can expect strong sanctions to be applied to them.

9. PARTNERSHIP WITH PARENTS

The school’s hope is that all parents will feel able to share any concerns about their child with the pastoral staff in order that a healthy partnership for the care of their child can be developed. The SENDCO, other pastoral staff, tutors and teaching staff are always happy to discuss any parental concerns. A member of staff will always ask to see a parent if it is felt that an adjustment to the curriculum is needed. Such action will be taken if thought to be in the student's best interest or if there is a specific concern learning programme is followed by a student if it is in their best interests or if there is a specific concern.

10. STAFF WITH DISABILITIES

10.1 Recruitment

- The school will review and develop its recruitment procedures to encourage applicants with disabilities and ensure that no unlawful discrimination takes place.
- Candidates with disabilities will have any additional needs met wherever possible and practicable, if called for interview.
- All staff appointments will be made on the basis of qualifications, experience and skills of the applicant, regardless of disability.

10.2 Retention

- The school will support, where possible, any employee who suffers a disability whilst at work, so that they may continue their employment.
- Any reasonable adjustments to the working environment will be made.

10.3 Training and CPD

- Training and CPD opportunities will be available to all staff regardless of disabilities.
- Additional needs with regard to access, equipment and facilities will be made to ensure full participation is available.

10.4 The Working Environment

- The school will make every effort to ensure that the environment for work does not prevent persons with disabilities from taking up or continuing in employment for which they are suitably qualified.

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