

Swanmead Community School



Disability Equality Duty Policy

DATE OF POLICY: **7th May 2015**
REVIEW DATE: **May 2018**

PERSON RESPONSIBLE
Headteacher

Disability Equality Duty

1. General Duty

The school welcomes its general responsibilities under the new Disability Equality Duty (DED) to have due regard to the need to:

- promote equality of opportunity between disabled people and other people
- eliminate discrimination that is unlawful under the Disability Discrimination Act 1995
- eliminate disability related harassment
- promote positive attitudes towards disabled people
- encourage participation by disabled people in public life
- take steps to meet disabled people's needs even if this involves treating disabled people more favourably than other people

2. Aim

At Swanmead Community 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 diversity in which people feel free to disclose their disability and have opportunity to participate fully in school life. We believe that diversity is a strength which should be respected and celebrated by all those who learn, teach and visit here.

3. Definition

Disability is defined by the Disability Discrimination Act 1995 – 'A person has a disability if he or she has a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day to day activities.' (See Appendix 1 for further explanation).

4. Specific Duty

Disability Equality Scheme

4.1 In accordance with the Disability Discrimination Act (DDA) 1995, as amended by the SEN and Disability Act 2001 (SENDA) and DDA 2005 our Scheme demonstrates how we intend to fulfil our duties.

5. Gathering information on the effect of our policies and practices on disabled people

5.1 We recognise that our policies and practices may impact on disabled people and in particular on:

- the recruitment, development and retention of disabled employees
- the educational opportunities available to and the achievements of disabled pupils

5.2 We recognise that ongoing information gathered from a wide range of sources will be required in order to identify the actions which we need to take to promote disability equality.

5.3 We will ensure that information is gathered in relation to both employment, opportunity and the delivery of education. The processes we use for gathering information will include:

- questionnaires
- open forums

6. **How we will put the information we gather to use**

6.1 The information we gather will be used to create an action plan, addressing issues we have identified. The effectiveness of any action plan will be reviewed on an annual basis.

7. **Specific Duty Disability Accessibility**

7.1 In accordance with the planning duty in the Disability Discrimination Act 1995, as amended by the SEN and Disability Act 2001 (SENDA), this plan has been prepared. It draws on the guidance set out in "Accessible Schools: Planning to increase access to schools for disabled pupils", issued by DfES in July 2002. In performing their duties, governors and staff will have regard to the Disability Rights Commission Code of Practice (2002);

7.2 The key objectives are to reduce and eliminate barriers to

- access of curriculum,
- provision of information for all stakeholders
- physical access

leading to full participation in the school community for pupils, staff, parents/carers and visitors with a disability.

8. **Principles**

8.1 Compliance with the DDA is consistent with the school's aims and equal opportunities policy, and the operation of the school's SEN policy;

The school recognises its duty under the DDA

- not to discriminate against disabled pupils in their admissions and exclusions, and provision of education and associated services
- not to treat disabled pupils less favourably
- to take reasonable steps to avoid putting disabled pupils at a substantial disadvantage

8.2 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' / child's right to confidentiality.

8.3 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; and endorses the key principles in the National Curriculum framework, which underpin the development of a more inclusive curriculum:

- setting suitable learning challenges
- responding to pupils' diverse learning needs
- overcoming potential barriers to learning and assessment for individuals and groups of pupils.

9. **Activity to fulfil duty**

9.1 Education & related activities

The school will continue to seek and follow the advice of LA services, such as specialist teacher advisers and SEN inspectors/advisers, and of appropriate health professionals from the local NHS Trusts.

9.2 Physical environment

The school will take account of the needs of pupils, staff and visitors with physical difficulties and sensory impairments when planning and undertaking future improvements and refurbishments of the site and premises, such as improved access, lighting, acoustic treatment and colour schemes, and more accessible facilities and fittings.

9.3 Provision of information

The school will make itself aware of local services, including those provided through the LA, for providing information in alternative formats when required.

10 **Monitoring**

10.1 The Disability Equality Duty and Action Plan will be monitored by School Leadership and the Governor Personnel Committee.

10.2 This policy will be reviewed and revised after 3 years.

Date Agreed : 7th May 2015

Date of Review : 3 years

Next Review: May 2018

The DDA defines a disabled person as someone who has:

'a physical or mental impairment which has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.'

Definition of the terms:

'physical impairment' includes sensory impairments;

'mental impairment' includes learning difficulties and an impairment resulting from or consisting of a mental illness;

'substantial' means 'more than minor or trivial'; and

'long-term' is defined as 12 months or more.

The definition includes a wide range of impairments, including hidden impairments such as dyslexia, autism, speech and language impairments, Attention Deficit Hyperactivity Disorder (ADHD). These are all likely to amount to a disability, but only if the effect on the person's ability to carry out normal day-to-day activities is substantial and long-term, as defined above.

The effect on normal day-to-day activities is on one or more of the following:

- mobility;
- manual dexterity;
- physical co-ordination;
- continence;
- ability to lift, carry or otherwise move everyday objects;
- speech, hearing or eyesight;
- memory or ability to concentrate, learn or understand;
- perception of risk of physical danger.

Some people are automatically covered by the definition; those with cancer, multiple sclerosis, HIV infection or a severe disfigurement. There are special provisions for people with progressive or recurring conditions.

