

SWINDON ACADEMY STAFF POLICIES

Disability Access Policy (L18)

Policy Overview

1. Swindon Academy is committed to providing a challenging educational environment with high expectations of success for all pupils and staff regardless of their age, gender, ability, social background, ethnic origin or additional educational need or disability.
2. The Disability Discrimination Act 1995, Part 4, as amended by the Special Educational Needs and Disability Act 2001, and described in the Disability Rights Commission Code of Practice for Schools, makes it unlawful for the Academy to discriminate against a disabled pupils, parents/carers or staff on the grounds of disability:
 - a. In relation to admissions
 - b. In relation to education and associated services
 - c. By excluding a pupil or by disciplinary procedures
3. Discrimination against a disabled pupil , parent/carer or member of staff can occur in two possible ways. Discrimination is either:
 - a. Treating a disabled pupil, or employee or prospective pupil , employee less favourably, and without justification, for a reason relating to his or her disability, than someone to whom that reason does not apply; or
 - b. Failing to take reasonable steps to ensure that disabled pupils , employees or prospective pupils or employees are not placed at a substantial disadvantage in comparison with their non-disabled peers without justification. This is known as the reasonable adjustments duty.
4. The definition of a disabled person (Disability Discrimination Act 1995) is “someone who has a physical or mental impairment which has an effect which is substantial, adverse and long-term on his or her ability to carry out normal day-to-day activities. For the purposes of this Policy, disabled pupils or employees may include pupils and employees with physical, mental or sensory impairments, pupils with learning disabilities and pupils, employees with impairment by long-term or serious illness or condition.
5. The duty to take reasonable steps or adjustments is owed to all disabled pupils, and the Academy has therefore to anticipate needs. The Academy recognises its duty to consider the broad range of needs and requirements of all pupils and employees, current and future, and accordingly to plan and make changes to policies, procedures and practices, to ensure that disabled pupils and employees will not be placed at a disadvantage.

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6. In making reasonable adjustments and in drawing up accessibility plans to improve access over time, the Academy will take into account the LA's accessibility strategies, the Academy's own resources, the health and safety of all pupils, the practicalities of making adjustments and the need to maintain standards for all pupils and employees

A. Admissions

1. The requirements of Swindon Academy's Admissions Policy determine the admission of pupils. In accordance with the Code of Practice on Academy Admissions, any pupil with disabilities must be treated as fairly as other applicants, in the Admissions Procedures and in any subsequent Appeals.
2. The Academy may not refuse to admit a child who has special educational needs but does not have a statement because it feels unable to cater for his or her special educational needs.
3. The Academy may not refuse to admit a child who has special educational needs and a statement, unless this would be incompatible with the wishes of the child's parents or the provision of efficient education of other pupils.
4. "Other pupils" are those pupils, with whom the child who has the statement will directly come into contact on a regular day-to-day basis, including the pupil's form or tutor group, pupils in the pupil's subject classes or groups or, exceptionally, the entire year group.
5. The Academy's Admissions Policy works within the context of Wiltshire County Council's Admissions Policies. The Academy liaises with the LA and with feeder primary schools in order to have clear information about pupils who may be coming to the Academy and for whom the Academy may need to plan reasonable adjustments.
6. Liaison with parents and pupils continues to be an important part of the admissions and induction process, so that the Academy can anticipate any adjustments which might need to be made to support any pupil's inclusion.
7. Part of the admissions and induction process may include appropriate training and familiarisation of staff in the special educational needs and / or disabilities of any of the Academy's pupils. The training enhances staff knowledge and confidence and supports inclusion of any pupil with disabilities.

B. Education and associated services

1. The term "education and associated services" covers all aspects of Academy life including:
 - a. induction
 - b. the curriculum
 - c. teaching and learning
 - d. classroom organisation
 - e. timetabling
 - f. grouping of pupils
 - g. homework
 - h. access to Academy facilities

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- i. activities to supplement the curriculum
 - j. Academy sports
 - k. Academy policies
 - l. breaks and lunchtimes
 - m. the serving of Academy meals
 - n. interaction with peers
 - o. assessment and examination arrangements
 - p. Academy discipline and sanctions
 - q. exclusion procedures
 - r. Academy clubs and activities
 - s. Academy visits
 - t. the Academy's arrangements for working with other agencies
 - u. preparation of pupils for the next phase of education
2. The Academy seeks to ensure that all pupils have maximum access to the education and associated services of the Academy, by anticipating the needs of pupils in all its planning and provision and making reasonable adjustments wherever possible.
 3. The Academy aims to keep all policies, practices and procedures under regular review, to ensure that no pupils are placed at a substantial disadvantage or treated less favourably.
 4. The Academy aims to uphold a positive, non-discriminatory approach to disability, as part of its commitment to equal opportunities and to comprehensive education. The delivery of education and associated services listed above provides opportunities to endorse a positive and proactive approach to disability.
 5. The Academy aims to involve any disabled pupils in every aspect of life of the Academy, and will consider how to support pupils' inclusion, without placing these pupils at a substantial disadvantage. A risk assessment will be carried out for any activity, such as an educational visit, to find out whether the health and safety of any individual pupil or group of pupils might be jeopardised.
 6. The Academy will always aim to plan for positive solutions to enable disabled pupils to participate fully in Academy life, but will also take into account the following factors:
 - a. the need to maintain academic, musical, sporting and other standards;
 - b. the financial resources available to the Academy;
 - c. the cost of taking a particular step;
 - d. the extent to which it is practicable to take a particular step;
 - e. the extent to which services and / or equipment is provided to disabled pupils by the LA under the terms of the Education Act 1996;
 - f. health and safety requirements;
 - g. the interests of other pupils.

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C. Exclusions

1. The Academy follows the law and good practice on the proper use of exclusion and the reintegration of excluded pupils as described in Circular 10/99 and the Revised Guidance on Exclusion from Schools 2002.
2. It is unlawful for the Academy to exclude any pupil whether for a fixed period or permanently for any reason relating to the pupil's disability.
3. Through its Behaviour Policy, the Academy provides a range of strategies to pupils, in order to support social inclusion, to develop moral awareness, and to set targets for appropriate behaviour. Staff training in behaviour management includes positive strategies for working with all pupils, both individually and within the classroom, in order to prevent exclusion.

D. Permitted forms of selection

There are limited permitted forms of selection, none of which apply to Swindon Academy.

E. Improvements in access for disabled pupils

There are three distinct elements in planned improvements in access for disabled pupils:

- a. improvements in access to the curriculum;
- b. physical improvements to increase access to education and associated services;
- c. improvements in the provision of information in a range of formats for disabled pupils

F. Improvements in access to the curriculum

The Additional Educational Needs Policy gives guidance on improving the accessibility of the curriculum for pupils, including those with disabilities. Additionally, guidance is given in the Staff Handbook and by the Inclusion team on maximising accessibility to pupils. All subject teams are required to include subject-specific guidance on accessibility to the curriculum and supporting individual needs in schemes of work and subject handbooks.

G. Physical alterations to the buildings

1. Under the "reasonable adjustments" duty, Academy's are not required to remove or alter physical features.
2. However, the Academy is required to make reasonable adjustments to ensure that a disabled pupil is not at a substantial disadvantage.

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3. Accessibility strategies are drawn up by the LA and accessibility plans by the Academy to improve access to education to all pupils over time. The Academy's Formula Capital spending includes provision for pupil and community access to education.
4. Evacuation procedures and escape routes for students and staff with disabilities will be carefully planned and published to all staff

H. Improvements in the provision of information in a range of formats for disabled pupils

1. The Academy's Teaching and Learning and Additional Educational Needs Policies give guidance on improving the provision of information in a range of formats for pupils, including those with disabilities.
2. Under the Public Examinations Policy, special consideration or specific permitted support, including a range of formats, either because of additional educational needs or disability is applied for by the Examinations Officers.
3. Guidance is given in the Staff Handbook and by the Inclusion team on maximising accessibility to pupils.

I. Complaints

1. All parents have the right to raise a concern about any aspect relating to Disability Discrimination under the Complaints Procedures and the Curriculum Complaints Procedures. In the first instance, any informal concern should be raised with the relevant teacher or team leader, or with the Principal. If the complainant is not satisfied with the outcome of the first, informal stage, the matter should be referred to the Governing Body, usually through the Clerk to the Governors, who will liaise with the Chairman of Governors and set up, where required, the appropriate panel of Governors to consider the complaint.

Where a pupil's parents make a claim against the Academy of unlawful discrimination against a pupil, this may be taken to the Special Educational Needs and Disability Tribunal.

Staff

- a) Where schools/academies seek to make reasonable adjustments to enable disabled staff to continue in post, some or all of the following options should be considered:
 - (i) Reasonable adaptations to premises and/or alternative accommodation
 - (ii) Re-allocation of some duties; redeployment
 - (iii) Altering hours and/or rehabilitation leave; a gradual return to work

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- (iv) Training
 - (v) Modifying equipment, instructions
 - (vi) Provision of a reader, interpreter, supervision
 - (vii) Premature retirement on grounds of incapacity; termination of employment
- b) Members of staff who become disabled, so far as is practicable, should continue to remain employed by the Academy at the discretion of the Head/Principal and Local Governing Body (“LGB”), who should take into account the member of staff’s ability to carry out the duties of their post.
- c) In cases where a disability is a degenerative, progressive condition that develops over time, careful consideration will be given to the selection of the most appropriate option(s).

Additional Information

- staff and students who become disabled during their time at a Academy continue in their chosen career or course of study as far as is practicable;
- disabled members of the public, including parents, can fully participate in public events held within the Academy;
- Academy premises are accessible and safe for all;

Roles and Responsibilities

The Principal, together with the Local Governing Body, has overall responsibility for ensuring this policy is implemented.

The Principal, together with the LGB, has responsibility for ensuring that the Academy complies with the requirements of the DDA and SENDA.

The SENCo is responsible for ensuring that IEPs are created and that staff and parents are made aware of the implication(s) of their contents