

Braintcroft E-ACT Primary Academy Disability Equality Scheme

Department Owner	Operations (National)
Section Owner	Education (National SEND Lead)
Approver	Education & Personnel Committee
Date Approved	July 2015
Review Date	July 2018
Status	This policy must apply to all E-ACT academies. The Headteacher is responsible for ensuring that all academy specific information is completed.

1 Scope

1.1 This Disability Equality Scheme (**Scheme**) applies to all pupils Braintcroft E-ACT Primary Academy (**Academy**), parents and carers of pupils, Academy staff, Academy governors and disabled people who use the Academy or who may want to use the Academy. The Scheme is published on the Academy's website and is available on request. This Scheme applies between July 2018 and July 2019

2 Aims of this scheme

2.1 The aims of this Scheme are to ensure that the Academy complies with its duties under the Special Educational Needs and Disability Act 2001 (**SENDA**) and Part 6 of the Equality Act 2010 (**Act**), including the public sector equality duty set out in section 149 of the Act. The Academy is required to have due regard to:

- The need to eliminate discrimination that is unlawful under the Act;
- The need to eliminate harassment of disabled persons that is related to their disabilities;
- The need to promote equality of opportunity between disabled persons and other persons;
- The need to take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons;
- The need to promote positive attitudes towards disabled persons; and
- The need to encourage participation by disabled persons in public life.

3 Scheme statement

3.1 The Academy will:

- continue its commitment to be and all ability and fully inclusive academy. maintain and drive a positive culture towards inclusion of disabled people in all the activities of the Academy and especially in the development of this Scheme
- train staff to understand the differing types of disabilities and how to deal with employees and pupils who are disabled. Staff will not be expected, unless medically qualified or specifically trained to do so, or it forms part of their job description, to administer medication
- adopt user-friendly procedures for considering admissions from parents of disabled children, being prepared to make all reasonable adjustments in the admissions process and other processes where appropriate
- implement and review the Accessibility Plan with the aim of increasing the accessibility of the Academy's curriculum, and to improve the physical environment of the Academy and to improve access to information for our employees, pupils, prospective pupils and parents / guardians
- keep under review the Academy's admission policy, equal opportunities and antibullying policies in line with the relevant legislation.

4 Disability: a definition

4.1 A disability is a "*physical or mental impairment which has a substantial and long-term, adverse effect on ability to carry out normal day-to-day activity*" (Equality Act 2010).

4.2 By way of further explanation:

- Physical disability includes medical conditions for which a person needs to use a wheelchair, for example, cerebral palsy or brittle bones.
- A mental impairment is a recognised mental illness which has been diagnosed, a severe learning difficulty or a psychiatric illness.
- Long-term means a period of 12 months or longer.
- An "adverse effect on day-to-day activity" means having a "significant and material" effect on the following: mobility, manual dexterity, physical co-ordination, continence, ability to lift carry or move every day objects, speech, hearing or eyesight, memory or ability to concentrate, learn or understand, and perception of the risk of physical dangers.

4.3 Case law indicates that "significant and material" means "more than minor or trivial".

4.4 Other disabilities which may amount to disability include:

- severe disfigurements, scarring conditions and birthmarks (but not including tattoos or piercings)
- progressive conditions which will result in a substantial long-term adverse effect on day-to-day activity
- a controlled impairment, i.e. a person with a prosthesis, or a person with drugcontrolled epilepsy or diabetes
- a history of impairment, for example a person who used to be disabled and has recovered, for example, a person with a previous mental illness.

4.5 Disability does not include:

- hay fever sufferers
- a person with anti-social tendencies such as paedophilia
- a person who has a behavioural difficulty, for a reason other than a disability, for example, arising from social or domestic circumstances
- a person who is addicted to nicotine, alcohol and other non-prescribed substances.

5 Disability discrimination

5.1 We will not treat a pupil or employee or a prospective pupil or employee less favourably on the grounds of disability.

5.2 We will not knowingly discriminate against a person on the grounds of disability:

- in the arrangements for determining admission or employment procedures
- in the terms on which a place at the Academy is offered
- by refusing or deliberately omitting to accept an application for admission or employment
- in the provision of education and associated services
- by excluding a person on the grounds of their disability
- by victimising a person with a disability

- by harassing a person with a disability
- by failing to take steps to ensure that disabled persons are not placed at a substantial disadvantage in comparison with non-disabled persons.

6 Admission procedure for students

6.1 The Academy will be open to applications from any prospective pupil with a physical and / or mental impairment. The Academy will treat every application from a disabled pupil in a fair, open-minded way.

7 Education and associated services

7.1 The Academy has an on-going duty to make reasonable adjustments in respect of the education and associated services provided. This is a broad expression that covers all aspects of Academy life. The range of activities that are covered by the expression include:

- the curriculum
- classroom organisation and timetabling
- access to Academy facilities
- sports
- Academy policies
- breaks and lunchtimes
- Academy meals
- assessment and examination arrangements
- Academy discipline and sanctions
- exclusion procedures
- Academy clubs, educational visits and other activities
- Preparation of pupils for the next phase of education.

8 Reasonable adjustments for pupils

8.1 The Academy is legally required to make "reasonable adjustments" in order to cater for a child's disability. The Academy is not legally required to make any alterations to the physical features of the Academy.

8.2 The Academy shall inform the pupils and parents of the reasonable adjustments that the Academy is legally required to make for that pupil, which may typically include:

- allowing extra time for a dyslexic child to complete an assessment or exam
- providing examination papers in larger print for a child with a visual impairment
- rearranging the timetable to allow a student to attend a class in an accessible part of the building
- arranging a variety of accessible sports activities.

9 How have disabled people been involved in the development of this Scheme?

9.1 The Academy published a draft Scheme on its website and invited comments

9.2 The Academy hosted a meeting in order to consult the contents of the Scheme.

10 Reporting and review

10.1 The Headteacher will report annually to the Raising Achievement Board in the summer term as to the progress that has been made on the action plan and the effect of the action taken.

10.2 The Headteacher and Raising Achievement Board will review the Scheme annually and will publish a revised Scheme in the autumn term.

11 Accessibility plans

11.1 The Academy has prepared an Accessibility Plan (**Plan**) which is available, on request, to all parents and staff.

11.2 The Accessibility Plan includes consideration of how the Academy proposes to:

- increase the extent to which disabled pupils can participate in the Academy's curriculum
- improve the physical environment of the Academy for the purpose of increasing the extent to which disabled pupils are able to take advantage of education and associated service
- improve the delivery to disabled pupils of information which is readily accessible to students who are not disabled.

11.3 The Plan will be reviewed every year, to ensure that the Plan is up-to-date and covers all aspects of Academy life.

