

Disability Policy

Full School including EYFS

2023 / 2024



Ibstock Place

CO-EDUCATIONAL DAY SCHOOL

IBSTOCK PLACE SCHOOL

Disability Policy

Full School including EYFS

Scope

This policy applies to all pupils (age 4 (EYFS) - 18) and staff at Ibstock Place School (hereinafter 'Ibstock' or 'the School').

Roles and Responsibilities

The Governing Body delegates responsibility to the Head for developing and enacting any required "Good Practice" policies. These policies are non-statutory and do not require ratification by the Governing Body. As such, the Head has delegated accountability and responsibility for the operationalisation of this policy to the Bursar, who ensures the consistent application and implementation of this policy across the School. Staff should follow the expectations set out in this policy.

1. Aims of this Policy

This policy aims to:

- Afford opportunity to employees and pupils (aged 4 (EYFS) - 18) who have a Disability
- Ensure compliance with the Children and Family Act (CAFA) 2014, the Special Educational Needs and Disability (Coronavirus) (Amendment) Regulations 2020 and the Equality Act 2010
- Have regard to the guidance:

What equality law means for you as an education provider: schools (Equality and Human Rights Commission, April 2014)

The Equality Act 2010 and schools (DfE, May 2014); and

Reasonable adjustments for disabled pupils (Equality and Human Rights Commission, April 2015)

Policy Statement

Ibstock is committed to the equal treatment of all pupils including those with Special Educational Needs (SEN) and disabilities.

The School will do the following:

- Maintain and drive a positive culture of anti-discrimination towards disabled people.
- Train staff to understand the types of disabilities and how to deal with employees and pupils who have disabilities. Staff will not be expected, unless medically qualified, to administer medication.
- Adopt user-friendly procedures for considering admissions from parents of disabled children, being prepared to make reasonable adjustments in the admissions process where appropriate.
- Keep under review the School's Admissions Policy, Equal Treatment and Anti-Bullying Policies in line with Equality Act 2010.

In drawing up this policy, the School has had regard to the following guidance and advice (in so far as they apply to the School):

- Special Educational Needs and Disability Code of Practice: 0 to 25 years (January 2015)
- Equality Act 2010
- Children and Families Act 2014
- Statutory framework for the early years foundation stage (September 2021)
- Education and Skills Act 2008
- Children Act 2004
- Childcare Act 2016

This policy should be read in conjunction with the School's Admissions Policy, Equal Opportunities Policy and Accessibility Plan.

3. Definition of Special Educational Needs

A child or young person has SEN if he or she has a learning difficulty or disability which calls for special educational provision to be made for them. In accordance with the Children and Families Act 2014, a child of compulsory school age or a young person has a learning difficulty or disability if they:

- have a significantly greater difficulty in learning than the majority of children their age;
- have a disability which either prevents or hinders them from making use of educational facilities of a kind generally provided for others of the same age in mainstream schools or early years providers;
- are under five years old and would be likely to have such difficulties if special educational provision were not made for them.

Children will not be regarded as having a learning difficulty solely because the language or form of language of their home is different from the language in which they will be taught. The School's support for those children whose first language is not English is set out in the School's Academic Mentoring Policy.

4. Disability

A disability is a "physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day to day activity" (Section 6 Equality Act 2010). By way of further explanation:

- Physical disability includes medical conditions for which a person needs to use a wheelchair, 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; perception of the risk of physical dangers.

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 drug-controlled 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

Disability does not include:

- Hay fever sufferers
- A person with anti-social tendencies such as paedophilia and/or abusive behaviour
- A person diagnosed as HIV positive, until they exhibit physical symptoms or related conditions
- 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. Learning Difficulty

The DfE website (www.education.gov.uk) Special educational needs and disability – a guide for parents and carers – August 2014, 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. These children may need extra or different help from that given to other children of the same age.

6. Disability Discrimination

Discrimination arising from disability occurs when a disabled person is treated unfavourably because of something connected with their disability and the treatment cannot be shown to be a proportionate means of achieving a legitimate aim.

We shall 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 School is offered;
- by refusing or deliberately omitting to accept an application for admission or employment;
- in the provision of education and associated services in the way the School affords access to any benefit, service or facility offered or provided by the School;
- by excluding a person on the grounds of their disability;
- by harassing a person with a disability;
- by victimising 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.

7. Admission Procedure for Pupils

The School will be open to applications from any prospective pupil with a physical and/or mental impairment.

The registration or admission form will enable the parents to give details of their child's disability.

Every application will be considered on its merits within the School's criteria for selection on grounds of the pupil's ability and aptitude.

The School will treat every application from a disabled pupil in a fair, open-minded way.

The School will, if appropriate, request from the parents or previous school full details in the form of medical reports, educational psychologist reports and any other report which assesses the child's disability so that the School can make an assessment of the adjustments that would be needed in order to provide adequately for the pupil's physical and educational needs.

The applications will be considered on the basis that all 'reasonable adjustments' have been made by the School in order to cater for the child's disability. (See definition below.)

The School will have due regard to any request by a parent or pupil (who has sufficient understanding of the nature and effect of the request) to treat the nature or existence of a person's disability as confidential.

The School will not offer a place if, after all reasonable adjustments have been made, the School will not be able to provide adequately for the pupil's physical and educational needs.

The School will inform the parents of its decision and give details of the reasonable adjustments it is going to make or give reasons why the offer of the place is declined.

8. Education and Associated Services

The School has an on-going duty to make reasonable adjustment to '*education and associated services provided*'. This is a broad expression that covers all aspects of school life. The range of activities that are covered by the expression include:

- The curriculum
- Classroom organisation and timetabling
- Access to school facilities
- School sports
- School policies
- Breaks and lunchtimes
- The serving of school meals

- Assessment and examination arrangements
- School discipline and sanctions
- Exclusion procedures
- School clubs, trips and other activities
- Preparation of pupils for the next phase of education

9. Reasonable Adjustments for Pupils

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

The School will inform the pupils and parents of the reasonable adjustments that the School is legally required to make for that pupil, which may typically include the following:

- Making arrangements for a child in a wheelchair to attend an interview in an accessible ground-floor room;
- Allowing extra time for a dyslexic child to complete an entrance examination;
- Providing examination papers in larger print for a child with a visual impairment;
- Rearranging the timetable to allow a pupil to attend a class in an accessible part of the building;
- Arranging some accessible sports activities.

The School is not legally required to make adjustments which include:

- Physical alterations such as the provision of a stair-lift or new ground floor facilities, such as a new library.
- The Equality Act 2010 requires all schools to provide auxiliary aids and services for disabled pupils as part of the duty to make "reasonable adjustments". The School will carefully consider any proposals and will not unreasonably refuse any requests for such aids and services to be provided.

10. Disclosure

Parents will be requested to provide the School with copies of the child's latest medical report, educational psychologist's report and any other information regarding the child's disability.

If, following the offer of the place, it is discovered that the School has not received full disclosure of information relating to the child's disability and the School is not able to make reasonable adjustments for those disabilities then the School may withdraw the offer of a place, or ask the parents to withdraw a child who is already a pupil.

11. Review Procedure

Parents may request a review if the School decides it is unable to offer their child a place on the grounds of disability. The request must be made as soon as possible and in any event within seven days of the decision being notified to the parents. The Head will advise as to the procedure under which such a review will be conducted.

Reasonable adjustments for the public

The School may provide services to the public, for example at:

- open days
- parents' evenings
- concerts and plays
- art exhibitions

Where a physical feature (for example steps, entrances, exits, toilet facilities) makes it impossible or unreasonably difficult for a disabled person to access the service, schools are required to take reasonable steps to:

- remove the feature; or
- alter it so it no longer has that effect; or
- provide reasonable means of avoiding the feature; or
- provide a reasonable alternative method of making the service available.

Where an auxiliary aid or service would enable a disabled person to make use of a service, schools are required to take reasonable steps to provide it. An auxiliary aid or service could be something as simple as extra assistance from a member of staff or a large print sign, or it might be a temporary ramp where steps are preventing wheelchair access.

12. Accessibility Plan

The School has prepared an Accessibility Plan which is available, on request, to all parents and staff.

The Accessibility Plan includes consideration of how the School proposes to:

- increase the extent to which disabled pupils can participate in the School's curriculum;
- improve the physical environment of the School for the purpose of increasing the extent to which disabled pupils are able to take advantage of education and associated service;
- improve the delivery of information to disabled pupils which is usually provided in writing to pupils who are not disabled.

13. Training

The School ensures that regular guidance and training is arranged on induction and at regular intervals thereafter so that staff and volunteers understand what is expected of them by this policy and have the necessary knowledge and skills to carry out their roles.

The level and frequency of training depends on role of the individual member of staff.

The School maintains written records of all staff training.

Staff will be trained to understand the types of disabilities and how to deal with pupils who are disabled. Staff will not be expected, unless medically qualified or trained, to administer medication.

14. Record keeping

All records created in accordance with this policy are managed in accordance with the School's policies that apply to the retention and destruction of records.

Queries

Queries on this policy should be directed to the Bursar.

Review and Verification

This policy is reviewed annually by the Bursar. The Accessibility Plan will be monitored every year, to ensure that it is up-to-date and covers all aspects of School life.