



**Ormiston Victory Academy**

## **DISABILITY POLICY**

This Policy was created in 2007 and this issue was released in:	<b>July 2010</b>
It was ratified by the Board of Directors on :	<b>3 August 2010</b>
This policy will be reviewed on:	<b>Summer Term 2012</b>

## **Introduction**

This policy seeks to address the requirements of the Disability Discrimination Act (2005) Part 5A as well as the Disability Discrimination Act of 1995, the Education Act of 1996 and the SEN and Disability Act of 2001.

The DDA (2005) introduces new duties which require all governing bodies to publish a Disability Equality Scheme (DES).

The Academy, through the Governing Body, is the “responsible body” and therefore has primary responsibility for ensuring that the academy complies with the DDA.

The principles that underpin this policy are enshrined in the above legislation as it applies to secondary schools. The requirements of the DDA Part 5A in particular are that schools have a General duty and a Specific duty with regard to disability. The Academy therefore seeks to fulfil the General duty as follow:

- Having a due regard to the need to promote equality of opportunity between disabled people and other people.
- Eliminating discrimination that is unlawful under the Disability Discrimination Act.
- Eliminating harassment of disabled people that is related to their disability.
- Promoting positive attitudes towards disabled people.
- Encouraging participation by disabled people in public life.
- Taking steps to meet disabled peoples’ needs, even if this requires more favourable treatment.
- Applying this general duty across all disabled staff, students, parents/carers and other users of the academy.

The Academy seeks to fulfil the Specific duty as follows:

- By preparing and publishing a Disability Equality Scheme (plan) which will set out how the academy will meet the requirements of the General duty.
- By involving disabled people in the development of the scheme/plan.
- By implementing the scheme/plan.
- By reporting on the scheme/plan annually to the Governing Body.

Guidelines on the following are given in appendices one and two:

- The definition of Disability
- The Required contents of the Disability Equality Scheme.

## **Further Principles for Action:**

The Academy recognises that society and the environment are disabling elements in the lives of people with disabilities. The academy therefore seeks to:

- Provide a comprehensive educational environment capable of responding to the needs of all students and staff with disabilities.
- Establish and implement policies and provisions which afford staff and students with disabilities an equal opportunity to participate in all aspects of the curriculum and school life in general.
- Challenge and counter discrimination and harassment on the grounds of disability.

- Provide for the individual needs of students, having regard to any specialist support required to fulfil the learning potential of those with disabilities.
- Provide for the individual requirements of staff with disabilities, having regard for any specialist support required to fulfil their role and to further their professional/career development.
- Encourage the representation and participation in decision making processes of people with disabilities.
- Encourage, through positive action, the recruitment and promotion of staff with disabilities at all levels.
- Encourage the appointment of people with disabilities on to the Governing Body.
- Raise the achievement and attainment levels of students with disabilities in all areas of the curriculum.
- Work towards all academy facilities being fully accessible for people with disabilities.
- Enable all individuals to develop their skills, talents and personal qualities to the full.
- Monitor and evaluate this policy and make appropriate changes as and when necessary.

### **Policies**

- The Academy, in consultation with staff, students, parents and Governors will develop their own Equal Opportunities policies and will be responsible for publicising, monitoring and re-evaluating them.
- The academy will draw up, in consultation with the main stakeholders, a Disability Equality Scheme/ plan which will meet the requirements of the DDA 2005 and will have due regard to the differing physical environments on the two collegiate sites.
- The academy will establish monitoring systems which will include statistics on students and staff with disabilities, educational outcomes, referrals to outside agencies, incidences of harassment and discrimination etc in order to judge the impact of the policy and prepare for future development.

### **Staffing**

- Each academy site will identify a member of staff with responsibility for implementing and developing Equal Opportunities (Disability) policies and co-ordinating the Disability Equality Scheme.
- All recruitment, selection and promotion procedures will be in accordance with the equal opportunities policies including those dealing with disability.
- The academy will seek to redress, where appropriate, the imbalance in the representation of people with disabilities at all levels of staffing.
- All staff will be made fully aware that discrimination and harassment on the grounds of disability is a disciplinary offence.
- The academy will ensure that there is provision for the acquisition of welfare, medical and technical staff sufficient to support students and staff with disabilities.
- The academy will ensure that staff with disabilities have access to appropriate support in the form of aids, adaptations and other specialist services.

### **Curriculum**

- Equal Opportunities targets, including for disability equality, will be incorporated into development plans.

- The curriculum will reflect strategies for the implementation of disability equality through departmental schemes of work.
- Where relevant, the curriculum will promote positive role models of people with disabilities and not enforce negative stereotypes.
- Forms of student assessment will be kept under review to ensure that procedures are not discriminatory to people with disabilities and alternative forms of assessment will be introduced when appropriate.

### **Training**

- All staff will receive equal opportunities training which will include disability awareness/equality. This training will be part of staff induction as well as the CPD programme.
- The academy will ensure that no member of staff is denied access to training because of an inaccessible venue or because the provision does not account for their disability.
- Staff with disabilities will be actively encouraged to attend course which will support their career progression and personal development.

### **Access**

- The academy will work towards ensuring that staff and students with disabilities have equal access with their peers to all school buildings and information services.
- The academy will work towards adapting facilities and equipment to ensure that all staff and students are afforded maximum access to educational opportunities.
- The academy will outline their priorities for access improvement in the Disability Equality Scheme/plan.
- Resources will be allocated to support work in equal opportunities, including disability awareness, access and equality.

### **The Role of the Governing Body**

- To ensure that all policies and practices promote equality of opportunity for all staff and students regardless of gender, ethnicity, disability, or age.
- To ensure that all equal opportunities policies, including that for Disability equality, are reviewed and updated regularly.
- To ensure that people with disabilities are included in the process of drawing up the Disability Equality Scheme.
- To monitor educational outcomes, incidents of harassment and discrimination, and referrals by a range of criteria including disability.
- To endeavour to include people with disabilities on the Governing Body.
- To ensure that all recruitment, selection and promotion procedures observe the equal opportunities policies of the academies.
- To endeavour to redress the imbalance in recruitment of staff with disabilities at all levels.
- To undertake training on disability awareness and equality as necessary
- To ensure that resources are allocated to the promotion of equality of opportunity including disability.

## Appendix One: Definition of Disability

### Who is disabled?

The Disability Discrimination Act (1995) defines a disabled person as someone who 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”.

- A **physical or mental impairment** includes sensory impairments; impairments relating to mental functioning, including learning disabilities; and long term health conditions such as diabetes, epilepsy, HIV infection, cancer or multiple sclerosis.
- **Substantial** means more than minor or trivial.
- **Long-term** means an impairment that has lasted at least 12 months, or is likely to last 12 months or for the rest of the person’s life.
- **Normal day-to-day activities** cover the following categories: mobility; manual dexterity; physical coordination; continence; ability to lift carry or otherwise move everyday objects; speech; hearing or eyesight; memory or ability to concentrate, learn or understand; perception of the risk of physical danger.

Some of the disabilities listed may not be obvious on casual observance and the DCSF points out that the definition covers more people than is commonly realised. The following list is not meant to be exhaustive but will give staff an indication of the range of possible forms of disability.

- **Mobility:** getting around school – getting to and from school – going on school visits – accessing particular parts of the school building.
- **Manual dexterity:** holding a pen, pencil or book – using tools in design and technology – playing a musical instrument – doing science experiments – catching or hitting a ball.
- **Physical co-ordination:** washing or dressing – taking part in P.E. and games.
- **Ability to lift, carry or otherwise move every day objects:** carrying a full school bag or other fairly heavy objects.
- **Continence:** going to the toilet often or lack of control on occasions.
- **Speech:** communicating with others or understanding what others are saying – having difficulty in expressing themselves orally.
- **Hearing:** hearing what people say in person or on a video/DVD/tape recording.
- **Eyesight:** ability to see clearly even with spectacles/lens – inability to see small print/certain kinds of print or colour.
- **Memory or ability to concentrate, learn or understand:** inability to follow work in school, unable to learn by memory, distracted and disruptive
- **Perception of the risk of danger:** inability to recognise dangerous situations – i.e touching hot surfaces, crossing roads.

## Appendix Two: The Disability Equality Scheme

### What should the DES contain?

Governing bodies are required to develop a Disability Equality Scheme to support the implementation of the general duty.

The DES must include:

- a statement of how disabled students and others have been involved in developing the scheme.
- arrangements for gathering information on the effect upon:
  - recruitment, development and retention of disabled employees.
  - educational opportunities available to and the achievements of disabled students
- details of how information gathered is to be used in reviewing the effectiveness of the action plan and in preparing subsequent schemes (review every 3 years).
- methods for assessing impact generally.
- an 'action plan' to meet the general duty.

### What are the practical implications of this?

In the short term, the academy will need to focus on assessing the impact of current policies and practice (including the curriculum) on disabled people and revising the accessibility plan accordingly. This will inevitably lead to changes that will benefit disabled people. Some changes will be minor (e.g. decisions about what colour paper to use in the photocopier to make printed sheets more accessible to some students), and some will be major (e.g. decisions about which accredited courses to offer, to enable all students to achieve qualifications suited to their ability). Schools also need to ensure that they are taking measures to meet disabled students' needs by, where necessary, treating them more favourably than non-disabled students.

There is a requirement to consult disabled people about the Disability Equality Scheme and schools are advised to contact disabled parents and members of the community (either directly or through charitable organisations) in addition to consulting with disabled pupils.

**There is no requirement that schools do plan anything in their DES that is unreasonable or impracticable.**