

# Disability and Accessibility Policy

**Seeking Excellence | Nurturing Relationships | Venturing Beyond**

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This Policy applies to all pupils including EYFS. It is to be cross referenced with the following:

- Behaviour Policy
- Safeguarding Policy
- Admissions Policy
- SEN Policy
- Equalities and Diversity Policy
- Exclusions, Removal and Review Policy
- Admission policy
- Able, Gifted and Talented pupils guidance.

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## **The Duty not to Discriminate**

Disabled pupils have a right not to be discriminated against at school.

This covers everything that the school provides for pupils, beyond just the formal education available. It includes access to all school activities such as extra-curricular and leisure activities, after-school and homework clubs, sports activities and educational visits, as well as access to school facilities such as libraries, laboratories and workshops.

The school must not discriminate against, or victimise, a pupil: –

- in the way the school provides education for the pupil, and in the way the school affords the pupil access to a benefit, facility or service;
- by not providing education for the pupil;
- by not affording the pupil access to a benefit, facility or service;
- by subjecting the pupil to any other detriment.

These obligations, however, do not apply to anything done in connection with the content of the curriculum. The school is not restricted in the range of issues, ideas and materials used in the school syllabus. The school can expose pupils to thoughts and ideas of all kinds, however controversial. Even if the content of the curriculum causes offence to pupils with certain protected characteristics, this will not make it unlawful unless it is delivered in a way which results in harassment or subjects pupils to discrimination or other detriment.

## **Additional Documents for Consideration**

[Reasonable adjustments for disabled pupils 2015](#)

[Ensuring a good education for children who cannot attend school 2013](#)

[Supporting pupils at school with medical conditions \(updated 2017\)](#)

[Mental Health and behaviour in school \(updated 2018\)](#)

## **The ‘reasonable adjustments’ Duty**

The school is expected to make ‘reasonable adjustments’ to enable disabled pupils as far as is reasonably practicable to overcome any disadvantage felt by a disabled pupil.

The ‘reasonable adjustments’ duty was first introduced under the Disability Discrimination Act 1995. The ‘reasonable adjustments’ duty under the Equality Act 2010 operates slightly differently and has been extended to cover the provision by a school of auxiliary aids and services. The object of the duty is to avoid as far as possible by reasonable means, the disadvantage which a disabled person experiences because of their disability.

This duty towards pupils sits alongside the school’s duties towards special educational needs and those of local authorities under Part 4 of the Education Act 1996. In some cases the support a

disabled pupil may receive under the special educational needs framework may mean that they do not suffer a substantial disadvantage, and so there is no need for additional reasonable adjustments to be made for them. In other cases disabled pupils may require reasonable adjustments in addition to the special educational provision they are receiving.

There are also disabled pupils who do not have special educational needs but still require reasonable adjustments to be made for them. The level of support a pupil is receiving under Part 4 of the Education Act 1996 is one of the factors to be taken into account when a school considers what it would be reasonable for the school to have to do.

## **Definition of Disability**

The Equality Act 2010 defines a person as disabled if they have a physical or mental impairment that has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities.

- 'Normal day-to-day' means things that people do on a regular or daily basis, such as reading, writing, using the telephone, having a conversation and travelling by public transport .
- 'Long-term' usually means the impairment should have lasted or be expected to last at least a year.
- 'Substantial' means not minor or trivial.

The key issue is not the impairment but its effect. Impairments such as migraines, dyslexia, asthma and back pain can count as a disability if the adverse effect on the individual is substantial and long-term. Some conditions automatically count as disabilities for the purposes of The Equality Act 2010, from the point of first diagnosis – these are cancer, HIV and multiple sclerosis (MS). Similarly, some types of special educational need might be substantial enough to be considered types of disability, in order to prevent the provision, criterion or practice, or feature, having that effect.

## **Confidentiality and Data Protection**

### **Data Protection**

The Data Protection Act 1998 places duties on the school to ensure confidential and appropriate handling of 'sensitive personal data', which includes data about a person's health.

The Data Protection Act also gives individuals the right to see personal data and information held or processed about them, provided they request it in writing. This provision is important in accessing personal information relating to a risk assessment and any other information about the disabled pupil.

## **Revealing a disability**

In order to enable the school to make reasonable adjustments a disabled pupil (or their advisers) must provide the school with sufficient information for the school to carry out that adjustment.

The school must, however, recognise the disabled person's right to confidentiality and the school must not disclose confidential details about them without their explicit consent or that of their family depending on their age.

Under the SEND Code of Practice (2015) the school also has the responsibility to provide for the needs of those pupils whose age or developmental delay may obscure any emerging learning issues. Identifying these needs, some of which might also be considered disabilities, is therefore also part of the school's responsibility.

## **When it is reasonable to make an adjustment**

Where disabled pupils are placed at a substantial disadvantage by a provision, criterion or practice or the absence of an auxiliary aid, the school will consider as soon as reasonably practicable whether any reasonable adjustment can be made to overcome that disadvantage. This can also include adjustments which might be necessary to ensure pupils are able to access lessons and exams.

The school's starting point in determining what a reasonable adjustment might be is to consider how to ensure that disabled pupils can be involved in every aspect of school life, and to introduce and maintain 'adjustments' that the school considers are effective.

The school will take into account the Equal Opportunities and Human Rights Commission (EOHRC) advice that often effective and practical adjustments involve little or no cost or disruption. (*see examples in Appendix 1*)

The school considers that it is good practice to work with disabled pupils and their parents in determining what reasonable adjustments can be made.

Although the school will not expect disabled pupils to suggest adjustments, the school will encourage them to make suggestions and will have regard to any suggestions made that might help to overcome the disadvantage. The school will determine whether the suggestions are reasonable for the school to implement in all the circumstances.

## **Factors that the school must take into account**

The school is required to take reasonable steps to avoid substantial disadvantages where a provision, criterion or practice puts disabled pupils at a substantial disadvantage.

This duty is owed to:

- existing pupils,
- applicants for places, and,
- in limited circumstances, to disabled former pupils

in relation to the following areas:

- deciding who is offered admission to the school as a pupil,
- the provision of education, and
- access to any benefit, service or facility.

The factors to take into account when making an adjustment are:

- how effective the adjustment would be in overcoming the disadvantage
- how practicable it is to make the adjustment
- the financial and other costs incurred and the extent of any disruption to activities
- the extent of the employer's financial and other resources
- the availability of financial and/or other assistance in making the adjustment
- restrictions on adjustments due to listed building status/planning

The duty does **not** require the school to make reasonable adjustments to avoid the disadvantage caused by physical features as this is covered by the planning duties.

The school cannot justify a failure to make a reasonable adjustment. Where the duty arises the issue will be whether or not to make the adjustment is 'reasonable' and this is an objective question for a tribunal to determine ultimately.

The duty is an anticipatory and continuing one that the school owes to disabled pupils generally, regardless of whether staff at the school know that a particular pupil is disabled or whether the school currently has any disabled pupils on roll.

The school understands that it is not expected to anticipate the needs of every prospective pupil but acknowledges that it is required to think about, and take reasonable and proportionate steps to overcome, barriers that may impede pupils with different kinds of disabilities.

The school will not wait until an individual disabled pupil approaches the school authorities before considering how to meet the duty. The school will plan ahead for the reasonable adjustments that may need to be made, regardless of whether the school currently has any disabled pupils on roll. This planning will be included in the school's Accessibility Plan for how capacity to make adjustments will be developed over time.

## School Accessibility

Cransley School aims to reduce and, where possible, eliminate barriers to accessing the curriculum and to full participation in the Cransley Community for pupils and prospective pupils with a disability. See **Appendix 2: Three year accessibility plan**.

Cransley School is housed in Belmont Hall, a Grade 1 Listed Building. Belmont Hall is the home of the Senior Department and many rooms (such as the Dining Room, the Music Room and the main ICT Suite) are used by all the students of the school. Belmont Hall is a Georgian building with 4 floors and many sets of steps and narrow flights of stairs and corridors.

There is ramped access to the upper ground floor of the building, and therefore the Dining room, Music room, Head's Study, English rooms, via the dining room external doors. There is access to the lower ground floor also and the School offices, Food technology room and pupil support areas.

There are no lifts and, at present, no designated accessible toilets in Belmont Hall itself.

There is an accessible toilet in the Junior School building and the Sports Pavilion.

When a pupil is undergoing temporary physical disability, a member of staff is trained to assist with intimate care.

The immediate surroundings in the hall are also governed by the listing, so the outside paths are gravelled and uneven rather than tarmac, making access more difficult for those in wheelchairs or with other mobility problems.

### Accessible areas

- Belmont Hall: The main Dining room, Music room, Head's Study, English rooms, via the dining room external doors, and the School offices, Food technology room and pupil support areas via the East door or front side door.
- The classrooms in the EYFS and the Junior School
- Toilets in the Junior School – there is also a separate, designated accessible toilet
- Class 6 mobile classroom and Dyslexia Unit – via a ramp
- Sports Hall and the Art/Pottery Department
- The Science Laboratories
- The Sports Pavilion wherein there is a designated accessible toilet.
- The School Office/Bursar's Office in Belmont Hall
- The Design Technology Department: Food classroom in Belmont Hall

### Accessible areas with difficulty

All other rooms in Belmont Hall.

## Temporary Access

In the event of a pupil with a temporary disability following an accident/operation, arrangements are made to allow the pupil to have access to as much of the school day as possible.

These arrangements may include:

- Lessons to be relocated if possible
- Assistance to be provided for visiting the toilet
- Access to Cransley School Online and/or remote video learning
- Work sent to be completed in an alternative location – Senior Department

Extra movement time between lessons – in cases of students on crutches etc.

## Provision of auxiliary aids and services

The school has a duty to provide reasonable auxiliary aids and services which are required in order to overcome a disabled pupil's disadvantage. These auxiliary aids and services can take many forms, from the provision of wheelchairs to persons engaged to sit with the pupil while the pupil is learning.

The school cannot charge for auxiliary aids and services which are judged to be reasonable.

An independent school may charge pupils for the following:

- an admission application;
- education provided during school hours (including the supply of any materials, books, instruments or other equipment);
- education provided outside school hours if it is part of the National Curriculum, or part of a syllabus for a prescribed public examination that the pupil is being prepared for at the school, or part of religious education;
- tuition for pupils learning to play musical instruments if the tuition is required as part of the National Curriculum, or part of a syllabus for a prescribed public examination that the pupil is being prepared for at the school, or part of religious education;
- entry for a prescribed public examination, if the pupil has been prepared for it at the school;
- examination re-sit(s) if the pupil is being prepared for the re-sit(s) at the school.

## Reasonableness in the provision of auxiliary aids and services

What is 'reasonable' will depend on many factors – including the nature of the aid or service, the size of the school, the funds available, the effects on other pupils, and staff expertise.

In determining the reasonableness of the provision of an auxiliary aid or service the school will take account of:

- the nature of the disability;
- the age, ability and aptitude of the pupil;
- the range of possible adjustments which would substantially improve the disabled pupil's ability to participate in the life and activities of the school;
- the nature and range of the auxiliary aids and services which might be required to make substantial improvements for the pupil;
- the availability of persons with relevant expertise;
- the likely effect on other pupils and on staff of the provision of possible auxiliary aids and services; – the resources available; and – the finance available.

Decisions about the reasonableness of the provision of aids and services will be made by the Head or the Head's representative following consultations with the pupil and/or his/her parents.

## **Responsibilities**

The 'responsible body' of a school is responsible for ensuring there is no discrimination in relation to education or access to any benefit, facility or service.

The governing body is the responsible body at Cransley school.

The 'responsible body' has determined this policy and delegated the implementation to the Head.

The Head, or a person with delegated duties, will make decisions about the reasonableness of the provision of auxiliary aids and resources.

All staff must cooperate with the school as far as is compatible with their contractual duties in discharging the school's responsibility

## **Training**

The school will ensure that staff receive appropriate training, and will keep a log of the training, which will be regularly reviewed.

In particular all staff will be made aware of the requirements of the Act and the implications for the education provision and delivery. This is the shared responsibility of the Headteacher and the Special Educational Needs and Disability Coordinator.

## **Equal Opportunities**

In implementing the policy the school will ensure that the requirements of other equal opportunities legislation, regulation and guidance are taken into account.

## **Monitoring and Review**

The school will make regular reviews of its practices, policies and procedures to ensure that appropriate reasonable adjustments are made to alleviate the effects of a pupil's disabilities.

The Head will report on the working of the policy to the governing body at least annually.

The policy will be reviewed every two years.

## **Appendix 1; Examples of simple and effective ‘reasonable adjustments’**

Please see guidance using the links below:

[Reasonable adjustments for disabled pupils 2015](#)

[Ensuring a good education for children who cannot attend school 2013](#)

[Supporting pupils at school with medical conditions \(updated 2017\)](#)

[Mental Health and behaviour in school \(updated 2018\)](#)

### **Examples of reasonable adjustment**

A teacher always addresses the class facing forward to ensure that a pupil with hearing difficulties is able to lip-read.

The Senior school runs a buddy system for new pupils, allowing disabled pupils to adapt more easily to a new environment.

The Junior school introduces a playground buddy system and a friendship bench which creates a supportive and friendly place for disabled pupils during breaks.

The school provides appropriate training for the disabled pupil and their colleagues.

The school provides suitable equipment, or adapts equipment for the disabled pupil. e.g. chairs, desks, computers, minibuses.

The school ensures that teachers are trained to modify instructions or procedures e.g by providing larger print, or material in Braille, or hearing loops.

The school might improve communications for disabled pupils e.g. by providing a reader, or visual as well as audible alarms.

Teachers could be trained to provide suitable alternative work for disabled pupils.

## Appendix 2: Three Year Accessibility Plan

### 2021-2024

Improvement	Timescale	Completed
Continued improvement of paths around school including handrail installation	Ongoing	Ongoing
Construction of a Multi-Use Games Area with an all-weather 4G pitch to assist with wheelchair access to Sports facilities	Summer 2022	
Training on portable ROGER hearing system, and general accessibility for pupils with hearing difficulties	September 2021	All staff trained (INSET)
Use of Chromebooks to assist with learning and physical/sensory difficulties	September 2021	In place on CSO - Ongoing development

### 2018-2021

Improvement	Timescale	Completed
Continued improvement of paths around school including handrail installation	Ongoing	Ongoing
Ramped access to Belmont Hall via Dining Room, and access to lower office level, Food Tech room and pastoral support through improved pathways and disabled parking	April 2019	May 2019
Gymnasium courtyard repaired and paved allowing wheelchair access	April 2019	December 2018
Improved access to stage (handrails)	April 2019	January 2019
Ramped access to Sports Pavilion and Junior School building	September 2018	June 2018
Disabled toilets and changing rooms constructed in the Pavilion.	September 2018	June 2018
Leasing of new minibuses with ramped disabled wheelchair access	September 2020	April 2019
Training on portable ROGER hearing system	September 2020	Junior School September 2020 Repeat training for Senior School Sept 2021.