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# EQUALITY, DIVERSITY, DISABILITY, DISCRIMINATION AND THE ACCESS PLAN



## **KING EDWARD VI ASTON SCHOOL**

*Educational excellence for our City*

<b>Responsible Board</b>	<b>Estates committee</b>
<b>Policy Officer</b>	<b>M Voisey</b>
<b>Date Adopted</b>	<b>January 2023</b>
<b>Last review date</b>	<b>Spring 2024</b>
<b>Reviewed by</b>	<b>M Voisey</b>
<b>Next review date</b>	<b>Autumn 2024</b>

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## DISABILITY DISCRIMINATION

### Policy

The governing body believes that it is wrong to discriminate against any young person or adult and it will do everything that is reasonably in its power to ensure that the school not only does not discriminate unlawfully, but that it offers appropriate support to those members of its community who have disabilities.

### Legislation

The Equality Act came into force on 1 October 2010.

The Act defines disability as when a person has a 'physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day to day activities.' Some specified medical conditions, HIV, multiple sclerosis and cancer are all considered as disabilities, regardless of their effect

### Non-discrimination duties

The Act makes it unlawful for the Governing body of a school to discriminate against, harass or victimise a pupil or potential pupil:

- in relation to admissions,
- in the way it provides education for pupils,
- in the way it provides pupils access to any benefit, facility or service, or
- by excluding a pupil or subjecting them to any other detriment

### Discrimination arising from disability

**Discrimination arising from disability will occur if the following three conditions are met:**

- A disabled pupil is treated unfavourably, that is putting them at a disadvantage, even if this was not the intention, and
- This treatment is because of something connected with (arising in consequence of) the disabled pupil's disability (which could be the result, effect or outcome of that disability) such as an inability to walk unaided or disability-related behaviour, and
- The treatment cannot be justified by showing that it is 'a proportionate means of achieving a legitimate aim'.

### Reasonable adjustments

The school will make reasonable adjustments:

- Where something the school does places a disabled pupil at a disadvantage compared to other pupils then the school will take reasonable steps to try and avoid that disadvantage.
- The school will provide an auxiliary aid or service for a disabled pupil when it would be reasonable to do so and if such an aid would alleviate any substantial disadvantage that the pupil faces in comparison to non-disabled pupils.
- The school is not subject to the requirement of reasonable adjustment duty concerned with making alterations to physical features because this is already considered as part of planning duties.

### Auxiliary aids and services

- The school will provide auxiliary aids as part of the reasonable adjustment duty
- Provisions of auxiliary aids will be considered as a reasonable adjustment where a disabled child does not have a SEN statement or where the statement does not provide the auxiliary aid or service.
- All decisions would depend on the facts of each individual case. The nature of the aid or service, and the existence of local arrangements between the school and local authorities, will help to determine what would be reasonable for the school or the LA to provide.

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- The term “auxiliary aids” found in the Equality Act 2010 covers both auxiliary aids and services but there is no legal definition for what constitutes auxiliary aids and services. Examples of what may be considered an auxiliary aid could be; hearing loops; adaptive keyboards and special software. However, the key test is reasonableness.
  - Some disabled children may have a need for auxiliary aids which are not directly related to their educational needs or their participation in school life, for example, things which are generally necessary for all aspects of their life, such as hearing aids. It is likely to be held that it would be unreasonable for a school to be expected to provide these auxiliary aids.

### **Making reasonable adjustments**

- The schools will continue to consider potential general reasonable adjustments which may be needed for disabled pupils generally. This strategic and wider view of the school’s approach to planning for disabled pupils will link closely with its planning duties
- The schools will consider the reasonableness of adjustments based on the circumstances of each case. However, factors considered when assessing the reasonableness of an adjustment may include the financial or other resources required for the adjustment, its effectiveness, its effect on other pupils, health and safety requirements, and whether aids have been made available through the Special Educational Needs route.
- The schools will try to ensure that disabled pupils can play as full a part as possible in school life and the reasonable adjustments duty will help support that. However, there will be times when adjustments cannot be made because to do so would have a detrimental effect on other pupils and would therefore not be reasonable
- The reasonable adjustments duties complement the accessibility planning duties and the existing SEN statement provisions.

In addition, as far as is reasonably and financially practicable, the school will continue to:

- consult with individual pupils, staff and parents/carers about how it can improve its assistance;
- seek information on disability from appropriate pupils, parents/carers and staff;
- ensure that disability is considered during the admissions and leaving processes;
- ensure that disability is considered when making staff appointments;
- ensure that physical aids, e.g. large print format documents and practical help e.g. the assistance of support staff, are available;
- ensure that all school provision, whether curricular or extra-curricular, is available to all and take account of learning styles and aptitudes;
- ensure that all children and adults with disability have access to the site and that disabilities are taken into account in the planning of new buildings or facilities;
- ensure that the social (in particular, exclusions and bullying) and academic progress of pupils with disabilities is adequately supported;
- ensure that there is no discrimination with regard to the professional opportunities offered to staff with disabilities and their advancement within the school;
- provide appropriate training for staff;
- maintain records;
- monitor its actions regularly and report on progress to the governing body;
- review its policy regularly and update it as necessary; and
- publish this document on the Internet.

### **Monitoring and review**

This policy and action plan will be monitored and reviewed annually by the Estates Committee

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# KING EDWARD VI ASTON SCHOOL

## ACCESSIBILITY PLAN

### Policy

We are committed to providing a fully accessible environment which values and includes all pupils, staff, parents and visitors regardless of their education, physical, sensory, social, spiritual, emotional and cultural needs. We are committed to challenging negative attitudes about disability and accessibility and to developing a culture of awareness, tolerance and inclusion. We plan, over time, to increase the accessibility of provision for all pupils, staff and visitors to the school.

### Context

We aim to support all children who have additional needs by discussion with parents, providers of specialist services and the pupils themselves before and after admission. No pupil has been denied full access to the curriculum because of disability.

Employees with known serious long term medical conditions are given support in their roles with regard to medical appointments and the need, at times, for periods of absence.

Review of the Disability Discrimination Policy and Accessibility Plan

These will be reviewed in the Spring Term each year by the Governors Estates Committee.

### Consultation

This policy will be circulated to all staff, parents/carers, School Council, regular users of the school site, disability advisors who regularly attend the school and the Governing Body. Their views will be incorporated in the revised plan as appropriate.

### Actions

The Accessibility Plan contains relevant actions to:

- Improve access to the **physical environment** of the school, adding specialist facilities as necessary. This covers improvements to the physical environment of the school and physical aids to access education.
- Increase access to the **curriculum** for pupils with a disability, modifying the curriculum as necessary to ensure that pupils with a disability are as equally prepared for life as are the able-bodied pupils. This covers teaching and learning and the wider curriculum of the school such as participation in extra-curricular activities including school visits. It also covers the provision of specialist **aids and equipment**, which may assist these pupils in accessing the curriculum.
- Improve the delivery of **written information** to pupils, staff, parents and visitors with disabilities.