



**Cleeve Park  
School**

# Accessibility Policy & Plan

## March 2019

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## **Contents**

Overview	2
Protected characteristics	2
Provisions relating to disability	2
Definition of disability	3
Reasonable adjustments	3
Auxiliary aids and services	3
Accessibility plan	4
Current provision for accessibility	4
Complaints and discrimination claims	6
Review date	6

## **Overview**

On 1 October 2010, the Equality Act 2010 replaced all existing equality legislation such as the Race Relations Act, Disability Discrimination Act and Sex Discrimination Act. The Equality Act 2010 now provides a single, consolidated source of discrimination law, simplifying the law and extending protection from discrimination in some areas. For further information see the school's Equality Policy.

The Act makes it unlawful for the school to discriminate against, harass or victimise a student or potential student:

- In relation to admissions;
- In the way it provides education for students;
- In the way it provides students access to any benefit, facility or service; or
- By excluding a student or subjecting them to any other detriment.

The school's liability not to discriminate, harass or victimise does not end when a student has left the school, but will apply to subsequent actions connected to the previous relationship between school and student, such as the provision of references on former students or access to "old students" communications and activities.

## **Key Objective**

To reduce and eliminate barriers to access to the curriculum and to full participation in the school community for students, and prospective students, staff, volunteers and visitors with a disability.

## **Protected Characteristics<sup>1</sup>**

It is unlawful for a school to discriminate against a student or prospective student by treating them less favourably because of their:

- sex
- race
- disability
- religion or belief
- sexual orientation
- gender reassignment
- pregnancy or maternity

It is also unlawful for a school to discriminate because of the sex, race, disability, religion or belief, sexual orientation or gender reassignment of another person with whom the pupil is associated.

## **Provisions Relating to Disability**

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<sup>1</sup> The term "protected characteristics" is used to refer to the personal characteristics to which the law applies.

The disability provisions in the Equality Act mainly replicate those in the former Disability Discrimination Act (DDA). There are some minor differences as follows:

- Unlike the DDA the Equality Act does not list the types of day to day activities which a disabled person must demonstrate that they cannot carry out, thus making the definition of disability less restrictive for disabled people to meet.
- Failure to make a reasonable adjustment can no longer be defended as justified.
- Direct discrimination against a disabled person can no longer be defended as justified.
- From September 2012 the school has a duty to supply auxiliary aids and services as reasonable adjustments where these are not being supplied through Special Educational Needs (SEN) statements or from other sources.

### **Definition of Disability**

The Equality Act 2010 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.

Long term is defined as lasting, or likely to last, for at least 12 months.

### **Reasonable Adjustments**

Where something which the school does places a disabled student at a disadvantage compared to other students the school will take reasonable steps to try and avoid that disadvantage.

The school will provide an auxiliary aid or service for a disabled student when it would be reasonable to do so and if such an aid would alleviate any substantial disadvantage that the student faces in comparison to non-disabled students.

In addition to considering reasonable adjustments for particular disabled students, the school will also consider potential adjustments which may be needed for disabled students generally as part of its accessibility planning duties.

All decisions under the reasonable adjustment duty will depend on the facts of each individual case, which may include the financial or other resources required for the adjustment, its effectiveness, its effect on other students, health and safety requirements, and whether aids have been made available through the SEN route.

The school will try and ensure that disabled students 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 students and would therefore not be reasonable.

### **Auxiliary Aids and Services**

From September 2012 schools have a duty to supply auxiliary aids and services as reasonable adjustments where these are not being supplied through SEN statements or from other sources.

Where an auxiliary aid is not provided under the SEN route there should be no assumption that it must be provided as a reasonable adjustment and all decisions will depend on the facts of each individual case.

There is no legal definition for what constitutes auxiliary aids and services and for the purpose of this policy, in accordance with the Department of Education's advice in *The Equality Act 2010 and schools* (May 2014), the school interprets this to mean any things or persons which help, for example, hearing loops, adaptive keyboards and special software.

It is likely to be considered unreasonable for the school to provide auxiliary aids which a student needs, such as hearing aids, which are not directly related to their educational needs or their participation in school life, but which are generally necessary for all aspects of their life.

### **Accessibility Plan**

Schools are legally required to prepare a written Accessibility Plan for disabled students to;

- Increase the extent to which disabled students can participate in the curriculum;
- Improve the physical environment of the school to increase the extent to which disabled students are able to take advantage of education and benefits, facilities or services provided or offered by the school; and
- Improve the delivery to disabled students of information readily accessible to students who are not disabled, within a reasonable time and in ways which are determined after taking into account the students' disabilities and any preferences expressed by them or their parents.

Schools must keep their Accessibility Plan under review throughout the period to which it relates and revise it if necessary. Schools must ensure that they implement their Accessibility Plan, and that they have adequate resources to implement it. A school inspector can ask to see the Accessibility Plan and may consider the preparation, publication, review, revision and implementation of it.

The Accessibility Plan should be read in conjunction with the following policies, strategies and documents:

- Curriculum
- Equality
- Staff development
- Health & safety
- Special educational needs
- Behaviour
- Teaching and learning
- Raising achievement
- School prospectus

The Plan will be monitored through the committee structure of the governing body.

The school's Accessibility Plan is currently under development.

### **Current Provision for Accessibility**

The following information provides a statement of the current provision for accessibility.

#### **1) Increasing the extent to which disabled students can participate in the school curriculum:**

- a) SENCo and Deputy SENCo.
- b) Appointment of staff member with responsibility for disability access and student medical support.
- c) Curriculum differentiated by task and outcome.
- d) Fully accessible curriculum, including PE, swimming and technologies.
- e) In-class and small group support with Teaching Assistants.
- f) Teaching Assistants trained in moving and handling.
- g) Liaison with external agencies e.g. physiotherapist, occupational therapist, counsellors, school nursing service, specialist teachers, speech and language therapists, wheelchair services.
- h) Special arrangements made for internal exams at KS3.
- i) Access arrangements at KS4.
- j) Assistive technology e.g. Dragon voice recognition software, reading pens, laptops, alpha smart computers.
- k) Specialist equipment acquired where necessary.
- l) Learning mentors.
- m) Screening and diagnostic testing undertaken / arranged where necessary.
- n) Specialist tuition provided with SEN.

#### **2) Improving the physical environment of the school to increase the extent to which disabled students are able to take advantage of education and benefits, facilities or services provided or offered by the school**

- a) Wheelchair access to all school buildings.
- b) Some automated external doors.
- c) Disabled toilets.
- d) Ramps.
- e) Lifts in both buildings.
- f) Minibus with disabled access.
- g) Disabled parking in both the main and visitor's car parks.
- h) Audible fire alarms.
- i) Fire refuges.
- j) Evacuation sledges for disabled students.
- k) Medical room with height adjustable bed and physiotherapy couch.
- l) Mobile hoist.
- m) Low-level working areas in Food Technology rooms and science laboratories.

**3) Improving the delivery to disabled students of information readily accessible to students who are not disabled, within a reasonable time and in ways which are determined after taking into account the students' disabilities and any preferences expressed by them or their parents<sup>2</sup>.**

- a) Use of ICT.
- b) Teaching assistant support.
- c) Staff training on how to provide information to disabled pupils.
- d) Exam papers offered in a larger font or on coloured paper if required.
- e) Use of microphones for staff if required.
- f) Coloured overlays and magnifying strips.

### **Complaints and Discrimination Claims**

Should parents or students be dissatisfied with the support provided they should discuss their concerns directly with the school. If for whatever reason this does not resolve the issue, they may make a formal complaint in accordance with the school's complaints policy.

Claims of discrimination on grounds of disability against the school will be heard by the First-tier Tribunal. Claims of discrimination or harassment against a student by the school have to be brought to the tribunal by the parent of the student within six months of the act to which the claim relates. Any remedy ordered by the tribunal is expected to be educational and will not include payment of compensation.

<p><b>Policy to be reviewed: March 2022</b> <b>To be reviewed by: SENCO</b></p>
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<sup>2</sup> All further references to a parent or parents also includes a carer or carers