

Key Facts:

- This plan enables the school to ensure compliance with laws regarding opportunity for pupils/ potential pupils
- It is reviewed every 3 years or earlier if necessary.
- Newton Leys Primary School and Nursery will comply with statutory requirements and guidance
- The school's liability extends beyond the life of the pupil at the school
- The spirit of the law is to make/ consider reasonable adjustments
- The plan outlines Newton leys Primary School and Nursery's duties around accessibility

1 Background

- 1.1. On 1 October 2012, The Equality Act replaced all existing equality legislation such as the Race Relations Act, Disability Discrimination Act and Sex Discrimination Act. It extends protection from discrimination in some areas and has placed new duties on schools. (For further information see the Equality and Diversity Policy).
- 1.2. The Act makes it unlawful for Newton leys Primary School and Nursery and the Governing Body, which is the responsible body of a school, to discriminate against, harass, or victimise a pupil or potential pupil in relation to:-
 - 1.2.1. Admissions;
 - 1.2.2. The way we provide education for pupils;
 - 1.2.3. The way we provide pupils access to any benefit, facility or service;
 - 1.2.4. By excluding any pupil or subjecting them to any other detriment.
- 1.3. The protected characteristics are:
 - 1.3.1. sex;
 - 1.3.2. race;
 - 1.3.3. disability;
 - 1.3.4. religion or belief;
 - 1.3.5. sexual orientation;
 - 1.3.6. gender reassignment;
 - 1.3.7. pregnancy or maternity;
- 1.4. There is still a requirement to have an accessibility plan outlining how we intend to improve access for disabled pupils to the physical environment, the curriculum and written information.
- 1.5. The Equality Act applies to all independent schools in England and Wales. (Equality Act 2010: Schedule 10, Paragraph 3 and Disability Discrimination regulations 2005). This Accessibility Plan is reviewed every three years.
- 1.6. Any person such as staff in schools who act on behalf of the school and Governing Body, are responsible for their own discriminatory actions.
- 1.7. The school's liability not to discriminate, harass or victimise does not end when a pupil has left the school, but relates also to events afterwards such as the provision of references.

2 Disability Discrimination Act

- 2.1. The disability provisions in the Equality Act mainly replicate those in the former Disability Discrimination Act (DDA). There are some minor differences as follows:-
 - 2.1.1. the definition of disability is less restrictive;
 - 2.1.2. direct discrimination can no longer be defended as justified;
 - 2.1.3. failure to make a reasonable adjustment can no longer be defended as justified;
 - 2.1.4. from September 2012, we are under a duty to make available auxiliary aids and services as reasonable adjustments, where these are not being supplied through a Statement of Special Educational Needs or from other sources.

3 Definition of Disability

- 3.1. 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.*
- 3.2. Some specific conditions such as multiple sclerosis, cancer or HIV are considered as disabilities regardless of their effect.
- 3.3. Long term is defined as lasting, or likely to last, for at least twelve months.-

4 Reasonable Adjustments

- 4.1. We aim to ensure that nothing we do as a school places a disabled pupil at a disadvantage compared to other pupils. However, where we have to do so, we make sure that we take reasonable steps to try and avoid that disadvantage.
- 4.2. When it is reasonable to do so, we provide auxiliary aids or services for a disabled pupil, when such an aid would alleviate any substantial disadvantage that the pupil faces compared to other non-disabled pupils.
- 4.3. Where an auxiliary aid is not provided under the SEN system (ie via a Statement/EHC Plan) there should be no assumption that it must be provided as a reasonable adjustment. Any decision would be taken on the basis of the facts of an individual case, including cost implications.
- 4.4. There is no legal definition of auxiliary aids. We interpret this to mean any or all of the following: helpful; providing support or assistance; and that these can be things or persons which help. We include adaptive keyboards, and special software.
- 4.5. Our SEN policy defines what provision we make available including reasonable adjustments in our school. We will consider what is reasonable in the context of our school, given the circumstances of each individual case.
- 4.6. Where the auxiliary aid has a benefit to the rest of the child's life outside of school, it would be unreasonable for our school to make such provision; eg hearing aids.
- 4.7. We consider that effective and practicable adjustments for disabled pupils will involve little or no cost or disruption, and will therefore be considered as reasonable.
- 4.8. It is our aim to ensure that disabled pupils play as full a part as possible in school life and our accessibility plan and reasonable adjustments help support that aim. Where any adjustment would have a detrimental effect on other pupils, we would not consider it to be *reasonable*. For example, if a geography field trip were planned to involve climbing and a wheelchair user could not take part, we would carefully consider how the disabled pupil could participate viably, but we would not cancel the trip because to do so would be detrimental to other pupils.

5 Our Vision

- 5.1. We believe that every child has the right to be happy, healthy, safe and successful, loved, valued and respected, and to have high aspirations for their future.
- 5.2. Inclusion is the process of taking the necessary steps to ensure that every young person is given equality of opportunity to develop socially, to learn and to enjoy school life.

6 Our duty around Accessibility for Disabled Pupils

- 6.1. Our accessibility plan focuses on the following areas for implementation:--
 - 6.1.1. increasing the extent to which disabled pupils can participate in the curriculum;
 - 6.1.2. improving the physical environment to enable disabled pupils to take better advantage of education, benefits, facilities and services provided;
 - 6.1.3. improving the availability of accessible information to disabled pupils.
- 6.2. Our plan also includes the resource implications of implementing the Plan.
- 6.3. Our approach includes the following:-
 - 6.3.1. access, audit and review (**See appendix 2**) (ie the nature of the schools' population, context, future pupil numbers, staff training needs, impact of anti-bullying strategies, timetabling, trips, medicines, clubs, outcomes for SEND in external exams, views of parents, pupils, voluntary sector, symbols, signage, font size etc);
 - 6.3.2. identify actions;
 - 6.3.3. set goals and targets;
 - 6.3.4. consult on the proposed plan;
 - 6.3.5. publicise the plan;
 - 6.3.6. implementation; and
 - 6.3.7. evaluate the effectiveness of the Plan.
- 6.4. Our accessibility plan is outlined on the attached proforma at **Appendix 1**.

7 Discrimination Claims

- 7.1. Claims for discrimination on the grounds of disability against our school must be heard by the First Tier Tribunal (SENDIST) in England.
- 7.2. Such claims of discrimination or harassment which would be brought by a parent of a pupil against our school, would be brought to the Tribunal by the parent. This must be brought within six months of the act to which the claim relates. Any remedy will not include compensation.-

8 Monitoring & Evaluation

- 8.1. The named person in our school who is responsible for this plan is **the Headteacher**.
- 8.2. The Headteacher is responsible for ensuring that this Plan is implemented and to ensure that it is fair and equal to all.
- 8.3. It is the responsibility of all staff to monitor the success of this Plan by ensuring that the priority areas are addressed by them in the classroom, particularly with regard to the provision of information and curriculum access.
- 8.4. Progress reports are provided termly to our Governing Body by the Headteacher and thereafter reported to our Senior Leadership Team.

9 Related Policies, Guidelines, Templates and Forms

- Special Educational Needs;
- Equality & Diversity;
- Allegations of Abuse against Teachers & Other Staff;
- Safeguarding Children including Child Protection;
- Health & Safety; and
- Premises Management.

APPENDIX 1

CREATING AN ACCESS PLAN

The school should monitor the implementation of the plan and to keep under review the access needs of the school.

	Targets	Strategies	Outcome	Timeframe	Goals Achieved
Short Term	Availability of written material in alternative formats.	The school makes itself aware of the services available through its LEA for converting written information into alternative formats.	If needed, the school can provide written information in alternative formats.	Term 3 2002/03	Delivery of information to disabled pupils improved.
Medium Term					
Long Term					

APPENDIX 2

IDENTIFYING BARRIERS TO ACCESS: A CHECKLIST

This list should help you identify barriers to access that exist in schools. The list is not exhaustive. It is designed to encourage a flexible approach to the further questioning of the accessibility of your school.

Section 1 : How does your school deliver the curriculum?		
Questions	Yes	No
Do you ensure that teachers & teaching assistants have the necessary training to teach and support disabled pupils?		
Are your classrooms optimally organized for disabled pupils?		
Do lessons provide opportunities for all pupils to achieve?		
Are lessons responsive to pupil diversity?		
Do lessons involve work to be done by individuals, pairs, groups & the whole class?		
Are all pupils encouraged to take part in music, drama & physical activities?		
Do staff recognize and allow for the mental effort expended by		

some disabled pupils, for example using lip reading?		
Do staff recognize and allow for the additional time required by some disabled pupils to use equipment in practical work?		
Do staff provide alternative ways of giving access to experience or understanding for disabled pupils who cannot engage in particular activities, for example some forms of exercise in physical education?		
Do you provide access to computer technology appropriate for students with disabilities?		
Are school visits, including overseas visits, made accessible to all pupils irrespective of attainment or impairment?		
Are there high expectation of all pupils?		
Do staff seek to remove all barriers to learning and participation?		
Section 2 : Is your School designed to meet the needs of all pupils?		
Questions	Yes	No
Does the size and layout of areas – including all academic, sporting, play, social facilities; classrooms; the assembly hall; canteen; library; gymnasium and outdoor sporting facilities; playgrounds and common rooms – allow access for all pupils?		
Can pupils who use wheelchairs move around the school without experiencing barriers to access such as those caused by doorways, steps and stairs, toilet facilities and showers?		
Are pathways of travel around the school site and parking arrangements safe, routes logical and well signed?		
Are emergency and evacuation systems set up to inform ALL pupils, including pupils with SEN and disabilities; including alarms with both visual and auditory components?		
Are non-visual guides used, to assist people to use buildings including lifts with tactile buttons?		
Could any of the décor or signage be considered to be confusing or disorientating for disabled pupils with visual impairment, autism or epilepsy?		
Are areas to which pupils should have access well lit?		
Are steps made to reduce background noise for hearing impaired pupils such as considering a room's acoustics and noisy equipment?		
Is furniture and equipment selected, adjusted & located appropriately?		

Section 3 : How does your School deliver materials in other formats?		
Questions	Yes	No
Do you provide information in simple language, symbols, large print, on audiotape or in Braille for pupils and prospective pupils who may have difficulty with standard forms of printed information?		
Do you ensure that information is presented to groups in a way which is user friendly for people with disabilities eg, by reading aloud overhead projections and describing diagrams?		
Do you have the facilities such as ICT to produce written information in different formats?		
Do you ensure that staff are familiar with technology and practices developed to assist people with disabilities?		