

Rose Wood Academy  
Disability Equality Scheme  
And Accessibility Plan  
2014-2017

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## **Disability Discrimination Act**

The SEN and Disability Act 2001 extended the Disability Discrimination Act 1995 (DDA) to cover education. Since September 2002, the Governing Body has had three key duties towards disabled pupils, under Part 4 of the DDA:

- not to treat disabled pupils less favourably for a reason related to their disability;
- to make reasonable adjustments for disabled pupils, so that they are not at a substantial disadvantage;
- to plan to increase access to education for disabled pupils.

This plan sets out the proposals of the Governing Body of the school to increase access to education for disabled pupils in the three areas required by the planning duties in the DDA:

- increasing the extent to which disabled pupils can participate in the school curriculum;
- improving the environment of the school to increase the extent to which disabled pupils can take advantage of education and associated services;
- improving the delivery to disabled pupils of information which is provided in writing for pupils who are not disabled.

It is a requirement that the school's accessibility plan is resourced, implemented, reviewed and revised as necessary and reported on annually. Attached is a set of action plans showing how the school will address the priorities identified in the plan.

The plan must be renewed every three years. The current time frame is 2014-2017.

## **Disability Equality Duty**

The Disability Discrimination Act 1995 has been amended by the Disability Discrimination Act 2005 so that it now places a duty on all public authorities, including schools, when carrying out their functions, to have due regard to the need to:

- promote equality of opportunity between disabled persons and other persons
- eliminate discrimination that is unlawful under the Act
- eliminate harassment of disabled persons that is related to their disabilities
- promote positive attitudes towards disabled persons
- encourage participation by disabled persons in public life
- take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons.

The duty does not create new individual rights for disabled people. The duty provides a framework for schools to carry out their functions more effectively and to tackle discrimination and its causes in a proactive way. The duty thus reinforces the pre-existing duties under the Act. There are both general and specific duties. These duties are described in more detail in the next section.

The most important specific requirement is for public authorities, including schools, to have a Disability Equality Scheme. This requirement for schools comes into force in December 2006 (for secondary schools) and December 2007 (for other schools). This plan covers the requirements of the Scheme.

## Section 2 Definitions and Duties

### Disability Discrimination Act

The Disability Discrimination Act 1995 (DDA) defines a disabled person as someone who has: 'a physical or mental impairment which has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities'.

The definition can include a wide range of impairments, including hidden impairments such as dyslexia, autism, speech and language impairments, Attention Deficit Hyperactivity Disorder (ADHD). An impairment does not of itself mean that a pupil is disabled. It is the effect on the pupil's ability to carry out normal day-to-day activities that has to be considered.

The test of whether an impairment affects normal day-to-day activity is whether it affects one or more of the following:

- Mobility
- Manual dexterity
- Physical co-ordination
- Continence
- Ability to lift, carry or otherwise move everyday objects
- Speech, hearing or eyesight
- Memory or ability to concentrate, learn or understand
- Perception of risk of physical danger

A child's ability to memorise, concentrate, learn, speak, move is central to their education. An impairment that has a long-term and substantial effect on a child's ability to do these things may therefore amount to a disability.

#### Long-term and substantial

The expressions 'long-term' and 'substantial' are somewhat misleading. 'Long-term' is defined in the DDA as 12 months or more. Clearly this rules out conditions such as a broken limb that is likely to mend within that time. 'Substantial' means 'more than minor or trivial' but it may helpfully be thought of as meaning 'having some substance.' The combined effect of these two terms is to include more people in the definition of disability than is commonly anticipated.

The definition in the Disability Discrimination Act (DDA) is broad. It includes more pupils than many people think. There is a significant overlap with pupils with special educational needs, though the definition of special educational needs does not cover all disabled children, for example: pupils with medical conditions, disfigurements and other impairments may count as disabled but may not have special educational needs.

The existence of an impairment or condition does not depend on an official diagnosis. If the impairment is long-term and has a substantial adverse effect, it falls within the terms of the Act whether there has been an official diagnosis or not.

### The Duties in Part 4

It is unlawful for schools to discriminate against disabled pupils. A school discriminates if:

- It treats a disabled pupil or prospective pupil less favourably than another for a reason related to their disability and without justification
- It fails, without justification, to take reasonable steps to avoid placing disabled pupils at a substantial disadvantage. This duty is often known as the 'reasonable adjustments' duty

The reasonable adjustments duty requires schools to think ahead, anticipate the barriers that disabled pupils may face and remove or minimise them before a disabled pupil is placed at a substantial disadvantage. Reasonable adjustments may need to be made in admissions, exclusions and 'education and associated services,' a term that covers every aspect of the life of the school. A Code of Practice, published by the Disability Rights Commission (DRC) provides guidance on the way that the duties operate.

In general it is the governing body of the school that is the 'responsible body' for the DDA duties and needs to ensure that everyone in the school, staff or volunteer, is aware of the duties owed to disabled pupils. To avoid discrimination against any disabled pupil, all staff need to implement the duties in relation to their area of responsibility.

If parents think that their child has been discriminated against, they have a right of redress by making a claim of disability discrimination to the SEN and Disability Tribunal. If the Tribunal finds that a school has discriminated unlawfully against a disabled pupil it can order any remedy that it sees fit, except financial compensation.

### **Disability Equality Duty**

The changes to the DDA 1995 brought about by the DDA 2005 have brought about a change in focus from a reactive to a proactive attitude to disability. The Disability Equality Duty includes both general and specific duties. The DRC again provides Codes of Practice for public authorities and schools must have 'due regard' to the Codes.

### Due Regard

"Due regard" comprises two linked elements: proportionality and relevance. In all their decisions and functions schools should give due weight to the need to promote disability equality in proportion to its relevance. This requires more than simply giving consideration to disability equality. Disability equality will be more relevant to some functions than others. Schools will need to take care when assessing relevance, as many areas of their functioning are likely to be of relevance to disabled people.

Proportionality requires greater consideration to be given to disability equality in relation to functions or policies that have the most effect on disabled people. Where changing a function or proposed policy would lead to significant benefits to disabled people, the need for such a change will carry added weight when balanced against other considerations.

It will not always be possible for authorities to adopt the course of action which will best promote disability equality but schools must ensure that they have due regard to the requirement to promote disability equality alongside other competing requirements.

### The General Duty

The general duty requires schools to consider the six issues listed in the Introduction in all actions which they take. The key task is to consider the promotion of disability equality and making sure it is, over time, mainstreamed into all school functions. This includes activities inside and out of the classroom as well as all other aspects of school life eg extended schools, school lettings, employment etc.

The general duty requires schools not only to have due regard to disability equality when making decisions about the future. They will also need to take action to tackle the consequences of decisions in the past which failed to give due regard to disability equality. This is best approached by working towards closing the gaps in outcomes.

The general duty will build on existing responsibilities under disability legislation in relation to schools, including the duties to make reasonable adjustments, and to plan strategically to increase access to schools over time. Schools can implement the general duty by actively reviewing all their policies, procedures and planned access improvements to remove barriers with a view to greater recruitment and retention of disabled staff; and greater participation of disabled pupils, disabled parents and disabled people in all aspects of school life, in the wider community and in the non-educational services they might provide.

Schools will use the framework of the specific duties to structure their information gathering and action planning in relation to the duty. Involving disabled people and where appropriate both disabled parents and parents of disabled children in setting the school development plans and conducting the daily running of the school is likely to be necessary for the general duty to be effectively met.

### The Specific Duty

The specific duty regulations require authorities, including schools, to produce and publish a Disability Equality Scheme, to implement certain aspects of the Scheme and to report on it. It makes sense to combine the Disability Equality Scheme with the Accessibility Plan.

- a school should publish a Disability Equality Scheme demonstrating how it intends to fulfil its general and specific duties
- a school should involve disabled people in the development of the Scheme
- the Scheme should include a statement of:
  - the way in which disabled people have been involved in the development of the Scheme
  - the authority's methods for impact assessment

- steps which the authority will take towards fulfilling its general duty (the "action plan")
- the authority's arrangements for gathering information in relation to employment, and, where appropriate, its delivery of education and its functions
- the authority's arrangements for putting the information gathered to use, in particular in reviewing the effectiveness of its action plan and in preparing subsequent Disability Equality Schemes
- a school must, within three years of the Scheme being published, take the steps set out in its action plan (unless it is unreasonable or impracticable for it to do so) and put into effect the arrangements for gathering and making use of information
- a school must publish a report containing a summary of the steps taken under the action plan, the results of its information gathering and the use to which it has put the information.

### **Section 3 Vision and Values**

Rose Wood Academy's commitment to equal opportunities is driven by the National Curriculum Inclusion statement.

#### **Vision**

Rose Wood Academy values all pupils equally. We expect and enable all children to participate in the curriculum in its entirety. No child at this school will be disadvantaged because of physical, intellectual, gender or racial characteristics. All children are expected and enabled to reach their full potential, building on their strengths.

#### **Inclusion**

Rose Wood Academy has a commitment to equal opportunities. The school:

- sets suitable learning challenges for all pupils;
- acknowledges and responds to children's needs;
- works hard to overcome potential barriers to learning for all children;
- attempts to overcome barriers to learning through careful assessment of the needs of individual pupils;
- makes all pupils feel welcome and valued, regardless of race, colour, creed or impairment;
- employs the latest technologies to support teaching and enable access to the curriculum for all;
- sets high ambitions for all its pupils

### **Section 4 Accessibility**

Rose Wood Academy's governors and staff will have regard to the "Code of Practice for Schools" issued by the Disability Rights Commission (DRC) concerning the DDA. The school will also follow the guidance issued by the DfES in 2006 entitled "Implementing the Disability Discrimination Act in schools and early years settings."

Rose Wood Academy will ensure that all staff and governors are aware of the implications of the DDA and, through training and development opportunities, embed the good practice across all aspects of school life.

During the period of the first Accessibility Plan in 2006 -2009, Rose Wood Academy tried hard to achieve its vision and a number of the successful outcomes are listed below:

- Visual timetables are used in a number of classes (information)
- Areas of the school have been decorated with colours that help children with visual impairment

In the succeeding plan (2010 – 2103), the following successful outcomes were achieved:

- All teachers plan differentiated work to take account of individual needs
- Teachers are aware of all pupils in vulnerable groups within their classes, (including those with a disability) and devise activities which close the learning gap between them and other pupils
- A pupil with a visual handicap has had further resources purchased to support his learning
- Two disabled parking places have been created on the car park
- Information to parents has been improved through the VLE and Parentmail

At Rose Wood Academy we try to ensure that every child has the best opportunity to achieve. We make 'reasonable adjustments' to our practices and policies to meet the requirements of the DDA. We do recognise that there is always room to improve and the Action Plan shows our wish to continue to develop our practice.

On 'access to the curriculum,' we have incorporated inclusive developments through national strategies, through local initiatives and through in-school developments. Lesson observations include aspects of inclusion in teaching and learning. Scheme of Work revisions include measures to ensure that all pupils including those with disabilities can access the curriculum. This is a rolling programme of improvements that is leading to holistic embedding of the principles. We identify children with barriers to learning and ensure that teachers take account of these needs, plan to overcome them and report progress to Senior Management (see Underachievers data, Vulnerable groups data and Progress and Provision grids).

On 'physical environment,' we have done what we are able to within the resources available. The last audit in our school identified a range of issues with differing levels of importance. We have a desire to improve the environment in a way that promotes inclusion for all pupils and will continue to do so subject to resources being available. New classrooms are fitted with appropriate entry and access doors.

On 'information,' we have tried to use a range of formats to meet differing needs. Visual signs are used in appropriate places for all pupils, and particularly for those who need visual cues to help them. We are aware of services to produce alternative formats if necessary.

We will use our information systems to monitor our progress as a school and the progress of disabled children within the school to ensure that we are helping all children achieve.

## **Section 5 Involvement**

Children with disabilities are eligible to stand as School Council members.  
Children with disabilities have access to the full range of curriculum activities.

## Section 6 Management, Coordination and Implementation

The Head Teacher has overall responsibility for monitoring this area, with support from the school's SENCOs and Standards team Leaders.

The Curriculum Committee of the Governing Body is responsible for reporting and monitoring this area

Monitoring will include the following groups:

- Numbers and names of disabled children, parents and staff;
- Attainment of identified groups of pupils as compared to rest of pupils;
- Involvement of identified groups in the wider activities of the school.

Aspects to be taken into account include:

- Mobility
- Manual dexterity
- Physical co-ordination
- Continence
- Ability to lift or move everyday objects
- Speech, hearing or eyesight
- Memory or inability to concentrate, learn or understand
- Perception of physical risk or danger

Attainment is reported termly to Governors, and will include analysis of all identified groups.

### Useful Resources and Websites

DfES (2006)

Disability Rights Commission (2002)

Disability Rights Commission (2005)

*Implementing the DDA in schools and early years settings*

*Disability Discrimination Act 1995: Part 4: Code of Practice for Schools*

*The Duty to Promote Disability Equality: Statutory Code of Practice (England & Wales) [often referred to as the Code of Practice on the Disability Equality Duty]*

<http://www.everychildmatters.gov.uk/>

<http://www.teachernet.gov.uk/wholeschool/sen/senstrategy/>  
<http://www.drc-gb.org/>  
<http://www.ofsted.gov.uk/publications/>  
<http://www.teachernet.gov.uk/wholeschool/sen/schools/accessibility>

**Action Plan**

**ROSE WOOD ACADEMY : Action Plan 2014 -2017**

Strand 1: Increasing the extent to which disabled pupils can participate in the school curriculum

<b>Task</b>	<b>Actions</b>	<b>Team(s) Responsible</b>	<b>Timescale</b>	<b>Monitoring</b>	<b>Outcomes</b>
Consider whether teaching and learning can be improved to increase access	<ul style="list-style-type: none"> <li>Planning review includes consideration of needs of disabled pupils</li> </ul>	All staff	2013 - 2015	HT/SMT	All new curriculum policies will facilitate disabled access
Vulnerable groups identified to ensure equality of access to the curriculum	<ul style="list-style-type: none"> <li>Teachers to identify underachievers/SEN pupils and ensure barriers to progress are removed/addressed</li> </ul>	All staff with particular responsibility for DHT	2014 onwards	HT/SMT	Barriers to learning (including disability) are addressed through appropriate actions. Vulnerable groups tracked rigorously

## ROSE WOOD PRIMARY: Action Plan 2014-2017

### Strand 2: Improving the physical environment

Task	Actions	Team(s) Responsible	Timescale	Monitoring	Outcomes
Improve WC facilities in accessible WC	<ul style="list-style-type: none"> <li>• Provide emergency assistance alarm</li> <li>• Provide grab rail</li> <li>• Provide easy-grip taps</li> <li>• Reposition toilet flush</li> </ul>	School	On next refurbishment	HT	Users of WC have means of obtaining assistance
Improve access to main entrance for wheelchair users	<ul style="list-style-type: none"> <li>• Replace double doors with door and half leaf</li> <li>• Adjust pressure of doors</li> <li>• Provide ramp to doors to be used when needed</li> </ul>	School	At next refurbishment of entrance area	HT	Wheelchair users can open main entrance doors easily
Ensure main Reception desk accessible to wheelchair users	<ul style="list-style-type: none"> <li>• Provide lower section of counter</li> </ul>	School	On next refurbishment of Reception area	HT	Wheelchair users can access Reception desk
Internal decoration takes account of disability eg colour schemes	<ul style="list-style-type: none"> <li>• Colour used to demarcate areas and emphasise hazards</li> </ul>	HT	Ongoing from 2014	HT	Pupils with visual disability are supported

## ROSE WOOD PRIMARY SCHOOL: Action Plan 2014 -2017

Strand 3: Information for disabled pupils which is provided in writing for pupils who are not disabled and alternative formats

Task	Actions	Team(s) Responsible	Timescale	Monitoring	Outcomes
Typical info to consider <ul style="list-style-type: none"> <li>• homework</li> <li>• time-tables</li> <li>• worksheets</li> <li>• teacher marking and feedback</li> <li>• notices</li> <li>• tests</li> </ul>	<ul style="list-style-type: none"> <li>• Develop use of Learning Platform to provide visual information to parents</li> </ul>	ICT Co-ordinators  All staff	From 2014 onwards	HT	Parents have information about homework, policies etc through the internet
Ensure all written communication to parents is available in required formats	<ul style="list-style-type: none"> <li>• School adopts Good Print Guidelines</li> <li>• School uses services available through LA for converting written information to alternative formats where necessary</li> </ul>	Administrative staff	From 2014 onwards	HT	All parents have access to all communications from the school, regardless of impairment

# ROSE WOOD PRIMARY SCHOOL: Action Plan 2014 – 2017

## Strand 4: Disability Equality Duty - Whole school actions

<b>Task</b>	<b>Actions</b>	<b>Team(s) Responsible</b>	<b>Timescale</b>	<b>Monitoring</b>	<b>Outcomes</b>
Staff and governor training to raise awareness of issues and responsibilities	<ul style="list-style-type: none"> <li>In house training provided</li> </ul>	SMT	2014 onwards	HT	All staff and Governors aware of DDA issues and responsibilities
All policy reviews will take account of DDA issues eg discipline School trips, extended school s etc	<ul style="list-style-type: none"> <li>All staff required to consider Equal Opportunities as part of policy review</li> </ul>	All staff	2014 onwards	HT, Governors	All policies include a statement on Equal Opportunities