

St John's C of E Primary School



Disability Equality and Accessibility Plan

Policy reviewed by: LM/SW
October 2023

Period covered by Plan: 2023-25

Introduction

Schools' Planning Duty

Schools' Planning Duty under the Equality Act 2010 schools should have an Accessibility Plan. The Equality Act 2010 replaced all existing equality legislation, including the Disability Discrimination Act. The effect of the law is the same as in the past, meaning that "schools cannot unlawfully discriminate against pupils because of sex, race, disability, religion or belief and sexual orientation". According to the Equality Act 2010 a person has a disability if:

- (a) he or she has a physical or mental impairment and,
- (b) the impairment has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.

It is our duty to make sure that:

- We do not to treat disabled pupils less favourably for a reason related to their disability
- We will make reasonable adjustments for disabled pupils, so that they are not at a substantial disadvantage
- We will plan to increase access to education for disabled pupils.
- We do not discriminate against anyone as explained in the DDA, 1995
- We do not allow any form of harassment of people with a disability
- We will promote positive attitudes towards anyone living with a disability
- We will remove barriers which may discourage disabled people from playing a full part in the life of our Trust
- We will encourage full participation by everyone in our activities

Vision and Values:

St John's C of E Primary School Vision

A family of equal, diverse and unique people, made in the image of God, together aspiring to fulfil our God given potential by nourishing The Fruits of the Spirit in our lives.

Values

School life is based around our Christian values. These values are interwoven into everything that we do from assemblies and lessons to conversations with pupils. They are not an add on but an integral part of school life at St John's. Each half term the whole school focuses on a different value that is supported by our PSHE curriculum.

As children move through St John's the values begin to underpin their social and moral development, helping them to make the right choices when they face challenges. Our pupils demonstrate a strong sense of right and wrong.

Staff at the school undertake training necessary to cater for the children that we have on role in any one year. Historically, staff have also attended training relating to; -

- ◆ Reading/writing interventions, including Accelerated Reading, phonics and Reciprocal Reading
- ◆ Maths interventions, including Big Maths and White Rose
- ◆ Pragmatics and Speech and Language interventions including Early Talk Boost, WellComm and Makaton
- ◆ Circle of Friends, Fun Friends, Friends for Life
- ◆ Dyslexia Friendly strategies
- ◆ Autism awareness
- ◆ Attachment disorders and trauma

We have a visiting speech therapist to support with our interventions for those children on the SEND register and for those who are in danger of falling behind their peers without intervention.

We liaise closely with outside agencies to seek advice relating to accessibility including Educational Psychology, Speech and Language, Health, Occupational Therapy, Visual Impaired team and Hearing impaired team.

Attendance of pupils with disabilities is closely monitored. Allowances are made for children who have to attend hospital appointments.

Health related questions for job applicants

It is unlawful for employers to ask health-related questions of applicants before job offer, unless the questions are specifically related to an intrinsic function of the work. This means that St John's will not require job applicants to complete a generic health questionnaire as part of the application procedure. There are potential implications in relation to establishing teachers' fitness and ability to teach (as required by the Health Standards (England) Regulations 2003). We will regularly review our existing practices to ensure they are complying with both the Health Standards Regulations and Section 60 of the Equality Act.

Positive Action

Positive Action provisions allows school to target measures that are designed to alleviate disadvantages experienced by, or to meet the particular needs of, pupils with particular protected characteristics. Such measures will need to be a proportionate way of achieving the relevant aim.

Victimisation

It is unlawful to victimise a child for anything done in relation to the Act by their parent or sibling.

Auxiliary aids

School has a reasonable adjustment duty to provide auxiliary aids and services to disabled pupils.

It is unlawful for the responsible body of 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.

The “responsible body” is the governing body or the local authority for maintained schools in England.

School must not treat bullying which relates to a protected ground less seriously than other forms of bullying.

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

Protected characteristics

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

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

Association

It is unlawful 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. So, for example, school must not discriminate by refusing to admit a pupil because his

parents are gay men or lesbians. It would be race discrimination to treat a white pupil less favourably because she has a black boyfriend.

Perception

It is also unlawful to discriminate because of a characteristic which you think a person has, even if you are mistaken

It is unlawful – as well as against education policy – for school to treat a pupil unfavourably because she is pregnant or a new mother.

Protection for transgender pupils against gender reassignment discrimination is also included. The term “protected characteristics” is used as a convenient way to refer to the personal characteristics to which the law applies.

A person’s age is also a protected characteristic but age as a protected characteristic does not apply to pupils in school. School therefore remains free to admit and organise children in age groups and to treat pupils in ways appropriate to their age and stage of development without risk of legal challenge, even in the case of pupils over the age of 18.

Unlawful behaviour

The Act defines four kinds of unlawful behaviour – direct discrimination; indirect discrimination; harassment and victimisation.

Direct discrimination occurs when one person treats another less favourably, because of a protected characteristic, than they treat – or would treat – other people. This describes the most clear-cut and obvious examples of discrimination – for example if school were to refuse to let a pupil be a prefect because she is a lesbian.

Indirect discrimination occurs when a “provision, criterion or practice” is applied generally but has the effect of putting people with a particular characteristic at a disadvantage when compared to people without that characteristic.

Harassment has a specific legal definition in the Act - it is “unwanted conduct, related to a relevant protected characteristic, which has the purpose or effect of violating a person’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person”. This covers unpleasant and bullying behaviour, but potentially extends also to actions which, whether intentionally or unintentionally, cause offence to a person because of a protected characteristic

Victimisation occurs when a person is treated less favourably than they otherwise would have been because of something they have done (“a protected act”) in connection

with the Act. A protected act might involve, for example, making an allegation of discrimination or bringing a case under the Act, or supporting another person's complaint by giving evidence or information, but it includes anything that is done under or in connection with the Act. Even if what a person did or said was incorrect or misconceived, for example based on a misunderstanding of the situation or of what the law provides, they are protected against retaliation unless they were acting in bad faith. The reason for this is to ensure that people are not afraid to raise genuine concerns about discrimination because of fear of retaliation. As well as it being unlawful to victimise a person who does a protected act, a child must not be victimised because of something done by their parent or a sibling.

Special provisions for disability

The law on disability discrimination protects disabled people but not people who are not disabled. This means that schools are allowed to treat disabled pupils more favourably than non-disabled pupils, and in some cases are required to do so, by making reasonable adjustments to put them on a more level footing with pupils without disabilities. The definition of what constitutes discrimination is more complex. Provision for disabled pupils is closely connected with the regime for children with special educational needs.

Schools with a religious character

Schools with a religious character (commonly known as faith schools) have certain exceptions to the religion or belief provisions which allow them to discriminate because of religion or belief in relation to admissions and in access to any benefit, facility or service.

It would, for example, allow a Church of England school to allocate some places to children from Hindu or Muslim families if it wanted to ensure a mixed intake reflecting the diversity of the local population. It would not, however, allow the school to base this selection on ethnic background rather than faith.

These exceptions allow such schools to conduct themselves in a way which is compatible with their religious ethos. But the Equality Act does not permit less favourable treatment of a pupil because they do not (or no longer) belong to the school's religion.

Curriculum

The way in which school provides education – the delivery of the curriculum – is explicitly included in this policy. School ensures that the way in which issues are taught does not subject individual pupils to discrimination. There is a general exception, which applies to all schools, to the religion or belief provisions which allows all schools to have acts of worship or other forms of collective religious observance. This means the daily act of collective worship, which for maintained schools is mandatory and should be of a broadly Christian nature, is not covered by the religion or belief provisions. The exception means that school will not be acting unlawfully if they do not provide an equivalent act of

worship for other faiths. School is free to celebrate religious festivals if taught during the correct time of year.

Uniforms

School uniform can be found on our school website. Our uniform policies do not discriminate because of race, religion or belief, gender, disability, gender reassignment or sexual orientation. School will be sensitive to the needs of different cultures, races and religions and act reasonably in accommodating these needs,

Bullying

The issue of bullying motivated by prejudice is a particularly sensitive issue. School will ensure that all forms of prejudice-motivated bullying are taken seriously and dealt with equally and firmly.

Schools' duty of care

School has a duty of care to pupils, and duty to deliver key areas of the curriculum such as religious education or sex and relationship education.

Gender reassignment

Protection from discrimination because of gender reassignment in school applies to both pupils and school staff.

Race

The definition of race includes colour, nationality and ethnic or national origins. School will make sure that pupils of all races are not singled out for different and less favourable treatment from that given to other pupils. School will check that there are no practices which could result in unfair, less favourable treatment of such pupils. Segregation of pupils by race is always direct discrimination.

Religion or belief

School defines "religion" as being any religion, and "belief" as any religious or philosophical belief. A lack of religion or a lack of belief are also protected characteristics. School will not discriminate on the basis of religion or belief.

Sex/gender

School will make sure that pupils of one sex are not singled out for different and less favourable treatment from that given to other pupils. School will check that there are no practices which could result in unfair, less favourable treatment of boys or girls.

Single sex sport

Although the Equality Act forbids discrimination in access to benefits, facilities and services; the Act does contain an exception which permits single-sex sports. It applies to

participation in any sport or game, or other activity of a competitive nature, where the physical strength, stamina or physique of the average woman (or girl) would put her at a disadvantage in competition with the average man (or boy). But while this exception might permit a mixed school to have a boys-only football team, school will still allow girls equal opportunities to participate in comparable sporting activities.

Pregnancy and maternity

Protection for pupils from discrimination because of pregnancy and maternity in schools is covered in the Equality Act. This means it is unlawful for school to treat a pupil less favourably because she becomes pregnant or has recently had a baby, or because she is breastfeeding. School will also have to factor in pregnancy and maternity when considering their obligations under the Equality Duty.

Sexual orientation and marriage and civil partnership

School will ensure that all gay, lesbian or bi-sexual pupils, or the children of gay, lesbian or bi-sexual parents, are not singled out for different and less favourable treatment from that given to other pupils. They should check that there are no practices which could result in unfair, less favourable treatment of such pupils.

Provisions relating to disability

Failure to make a reasonable adjustment will not be defended as justified.

Definition of disability

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. The Act sets out details of matters that may be relevant when determining whether a person meets the definition of disability. Long term is defined as lasting, or likely to last, for at least 12 months.

Unlawful behaviour with regard to disabled pupils

Direct discrimination

School must not treat a disabled pupil less favourably simply because that pupil is disabled

Indirect discrimination

school must not do something which applies to all pupils but which is more likely to have an adverse effect on disabled pupils only – for example having a rule that all pupils must demonstrate physical fitness levels before being admitted to the school

Discrimination arising from disability

A school must not discriminate against a disabled pupil because of something that is a consequence of their disability.

Harassment

school must not harass a pupil because of disability

Reasonable adjustments and when they have to be made

The duty to make reasonable adjustments applies only to disabled people.

- Where something school does places a disabled pupil at a disadvantage compared to other pupils then school must take reasonable steps to try and avoid that disadvantage.
- School will be expected to 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. Schools are not subject to the requirement of reasonable adjustment duty concerned with make alterations to physical features because this is already considered as part of their planning duties.

Auxiliary aids and services

Many disabled children will have a SEN and may need auxiliary aids which are necessary as part of their SEN provision. These aids may be provided in the school under the SEN route, in which case there will be no need for the school to provide those aids as part of their reasonable adjustment duty. School will consider whether to provide auxiliary aids as a reasonable adjustment for disabled children. This will particularly be the case where a disabled child does not have an EHCP.

School has a duty to make reasonable adjustments.

Schools' duties around accessibility for disabled pupils:

This policy includes accessibility planning for disabled pupils.

The school has; -

Disabled toilet in the main building with a changing table.

Automatic doors to the Reception area.

Widened doors in the music room and Key Stage 2 cloakrooms and Reception classes.

Nursery with ramp access, changing area and disabled toilet/wet room.

Portable ramp for wheelchair access through any door.

Altered groundwork leading into the Reception classrooms so that there is not a step, thus enabling easy wheelchair access.

Open plan style building.

School trips are planned on the basis that all pupils are included. Staff do pre trip visits to ensure suitability for all. We use companies that provide transport with a disabled access facility when required.

Named staff members are trained in educational visits protocol and named staff are accessible who are not on the visits.

We work closely with our out of school hours' provider 'Headstart'

Using school assessment system, observations by senior staff and SEND monitoring, we track and analyse the achievement of all our pupils.

The school adopts the Local Authority policy of guaranteeing an interview to job applicants with a disability, who meet the essential criteria. Three members of the SLT have the 'Safer recruitment' certificate and the Chair of Governors.

Policies are regularly updated to ensure that equality for all is adhered to and addressed if necessary.

The General Duty

The school is committed to incorporating personalised learning into all lesson planning. The School Development Plan highlights any areas for development over a three-year period, based on needs arising from data meetings.

SENCO is responsible for:

- ◆ evaluating the effectiveness and impact of interventions and adaptations
- ◆ observing lessons and sampling lesson planning, looking specifically at target groups of pupils (including those with disabilities) and reviewing assessment for learning;
- ◆ monitoring the appropriateness of pupil groupings;
- ◆ monitoring the deployment of Teaching Assistants.

Information from this additional monitoring and evaluation will then be used to inform future policy and practice.

The PSHE Co-ordinator will review how well we are developing awareness of disability through the PSHE and RSE, and the RE coordinator will review the school worship provision.

Parents are made aware that they can request letters, newsletters etc in different formats (e.g large print, having it read to them, any format at their request) on the school's website and in person during pre-school visits. Alternatively, that information can be emailed to homes so that parents can enlarge documents to the size they need or use their own software to access information.

How we will meet the General Duty & Specific Duty

Management, coordination and implementation

This policy will be reviewed annually by school senior leaders. A report updating the Governing Body will be presented regularly to highlight any further changes that need to be made in school to make the site more accessible and disability friendly. The update will be preceded by consultation with pupils, staff and parents. The update will include specific evidence of impact over the preceding twelve-month period.

This Scheme will be looked at in conjunction with the following documents; -

- ◆ School self-evaluation form (sections on Views of Stakeholders, Achievements and Standards, Quality of Provision)
- ◆ SEN self-evaluation form's completed by the children and by parents
- ◆ School Development Plan
- ◆ CPD plan
- ◆ Health and Safety Action Plan; Health and Safety matters are discussed at the Monday morning briefing on a weekly basis.

The policy is available in the following ways:

A copy can be requested from the School Office or alternatively, can be emailed via Parentmail.



Appendix 2: St Johns C of E Primary School Disability Equality Action Plan

Date: 10/10/23

Target	Tasks	Timescale	Resources	Responsibility	Monitoring
Access to Curriculum	To ensure all children can access curriculum including those with additional needs.	Constantly reviewed		Deputy Head/SENCO	SLT
Access to Curriculum Create effective learning environments for all utilising feedback from pupil groups.	Ensure all classrooms and resources are organised in accordance with pupil need. Ongoing programme of staff training in disability awareness to reflect diverse needs of students within the school and anticipatory duties. To make use of ipads to allow children to access the curriculum.	Constantly reviewed	When needs arise.	All staff SENCO	SLT
Access to wider curriculum Increase participation in school activities.	Audit participation in extra-curricular activities and identify any barriers and work with out of school hours' provider to increase opportunities available. Ensure school activities are accessible to all students. Investigate TA flexibility to cover extracurricular activities if needed.	Constantly reviewed	When need arises	All staff	SLT
Impact Analysis Ensure all policies consider the implications of Disability Access.	Analyse impact of Behaviour Policy, School Rules, Anti-Bullying Policy, Educational Visits, Homework, Health Provision in relation to pupils with disabilities. Involve School Council in all reviews. Consult pupils and staff on any proposed changes.	Behaviour related policies	When need arises	SENCO monitoring termly	SLT

	Introduce new policies	reviewed annually			
Premises	Ensure disabled parking space is available to parents who request it for picking up pupils and dropping off.	Current		Office staff	SENCO
Changing facilities	Provide a changing table in main building			AM	
Attitudes To promote positive attitudes to disability	Review PSHE Curriculum & school worship planning Review Assembly Programme: widen focus of Different/Same theme Involve local disability groups in assemblies and visits to school. Regular items for newsletter highlighting achievements of pupils with disabilities	Policy to be updated annually	When required	AL	SLT
Newsletters and Information Availability of documents in alternative formats.	Large print and audio formats etc as required. Monitor uptake of documents in alternative formats Review accessibility of newsletter and letters for parents. Homework information available as information sheets in alternative formats as appropriate.	Current		Business Manager	SLT
Staff Promoting equality of opportunity for staff	Monitor data in relation to recruitment, retention and professional development. Encourage disclosure of disability. Incorporate questions into annual staff survey.	Current		SLT, safer recruitment officer	Head