



GENDER, RACE AND DISABILITY EQUALITY POLICY

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Elm Academy Disability Policy

Elm Academy is committed to ensuring a fair and open accessibility policy and plan is developed to meet the needs of all.

The accessibility plan is required for :

- Increasing access for disabled students to the curriculum
- Improving access to the academy's physical environment
- Improving written information for disabled students

There are three main duties and responsibilities for the Elm Academy community to follow and respect:

- Not to treat disabled students less favourably
- To make reasonable adjustments to avoid putting disabled students at a substantial disadvantage
- To prepare an accessibility plan for increasing the accessibility of academies for disabled students.

We need to consider the requirements of current and future disabled students in ongoing developments and plans.

The duty not to discriminate covers all aspects of academy life, including extra-curricular activities, educational visits and academy trips. The duty to make reasonable adjustments refers to the full range of policies, procedures and practices of the academy.

Legal Background

The Disability Discrimination Act – DDA, as amended by the SEN and Disability Act 2001, requires all academies and LEAs to plan to increase, over time, accessibility to academies for disabled students. Academies are required to produce plans for their individual academy and LAs are required to prepare accessibility strategies covering the maintained schools in their areas.

Elm Academy and the LA are required to plan for :

- Increasing access for disabled students to the curriculum
- Improving access to the academy's physical environment (buildings and academy grounds)
- Improving written information for disabled students

At a legislative level there are three main strands for disabled students :

- The SEN Framework (the Education Act 1996 and the SEN and Disability Act 2001)
- The Disability Discrimination Duties (Sections 28A-28C of the DDA 1995)
- The planning duties (Section 28D-28E of the DDA 1995)

The SEN Framework is designed to meet the special educational needs of individual students, some of whom may be disabled, who need provision that is additional to, or different from, what is normally available in schools maintained by the LA. In general, students with statements must be educated in a mainstream academy unless the parents do not want this or it will affect the provision of efficient education for other students. Elm Academy must demonstrate that there are no reasonable steps they could take to prevent this happening.

The SEN and Disability Act (2001) amended Part 4 of the Disability Discrimination Act (1995) by introducing new duties on LAs and academies relating to disabled students and prospective students. From September 2002, it has been unlawful for academies and LAs to discriminate against disabled students in their admissions and exclusions policies, education and associated services.

There are three main duties :

- Not to treat disabled students less favourably
- To make reasonable adjustments to avoid putting disabled students at a substantial disadvantage
- To prepare accessibility strategies (LAs) and accessibility plans (academies) for increasing, over time, the accessibility of academies for disabled students (the 'planning duty').

Please note that these duties are all 'anticipatory'; Elm Academy needs to consider the requirements of current and future disabled students. This means that academies are expected to make reasonable enquiries to find out whether students currently on roll, as well as those seeking admission, have a disability.

The duty not to discriminate covers all aspects of academy life, including extra-curricular activities, educational visits and academy trips. The duty to make reasonable adjustments refers to the full range of policies, procedures and practices of the academy.

In deciding whether a step is reasonable, academies may take into account the need to maintain;

- Academic standards
- Available resources
- The practicalities of making a particular adjustment
- The health and safety of the disabled students and others and the interests of others

However, it is the view of both the Dcfs and the Disability Rights Commission that, where schools have already developed inclusive cultures and practices, these legal duties should mean little extra work.

Definition of Disability

Students falling within the definition of disabled will have a wide range of needs and requirements including: mobility impairment, sensory impairment, learning disabilities, mental health conditions, epilepsy, AIDS, asthma and progressive/degenerative conditions.

Academies must not automatically consider students with a disability to have special educational needs, as can be seen below.

Disability

The DDA definition states that 'a person has a disability if he or she has a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities'.

Special Educational Needs

The Education Act 1996 states that 'students have a special educational need if they have a learning difficulty which calls for special educational provision to be made for them'. Students have a learning difficulty if they:

- Have a significantly greater difficulty in learning than the majority of students of the same age
- Have a disability which prevents, or hinders, them from making use of educational facilities of a kind generally provided for students of the same age in academies
- Are under compulsory school age and fall within the above definitions, or would do so if special educational provision was not made for them.

For the purpose of the DDA 1995, academies and LAs are required to consider the needs of students in relation to physical adaptations, curriculum access and auxiliary aids and services. These areas also fall within the scope of the SEN Framework. LAs and academies will continue to consider students' needs, particularly in relation to auxiliary aids and services, within the SEN Code of Practice context.

We will always consider access issues when planning any work involving the alteration or improvement of academy premises. We will make every effort to improve access for disabled people with funding sources linked to ensure the maximum benefit.

Elm Academy

INCLUSION – A STATEMENT OF INTENT

INTRODUCTION

Inclusive practice and academy improvement are linked. This is reflected in the recent changes to the education service.

The different parts of the plan will be supported by the development of policy and practice. The starting point for inclusion is the needs of the students and young people.

- The aim of education for students with additional needs – including those with SEN, disabilities, or excluded from the academy – are no different from those of all students and young people.
- Inclusion is not a state but a process that requires continued and planned development.
- Inclusive practice and academy improvement are linked.

WHAT IS INCLUSIVE EDUCATION?

Inclusive education uses proven methods of teaching from which all students can benefit; it assumes human differences are normal. Learning must be adapted to the needs of the student, not the student fitted to the system.

Therefore, an Inclusive Education that values diversity and meets a wide range of needs improves the achievements of all students and young people.

WHAT DOES ELM ACADEMY BELIEVE ?

- Good schools are inclusive schools.
- All students can learn successfully. The development of more inclusive academies will help raise standards in teaching, learning and attainment by looking at how best to meet the needs of **all** students.
- Including students with additional needs in their local academies is a major contributor to tackling discrimination. Inclusive education embraces the concept of equality of opportunity for all students.
- Change should be undertaken step by step, properly funded and guided by evidence of best practice.

WHAT DOES ELM ACADEMY WANT ?

A strategic approach that ensures:-

- All agencies work together to develop inclusive practice.
- Widespread acceptance on the part of staff of the aims of inclusion.
- Clear links are made with other key plans from, health, social services and education
- All students achieving the highest possible standards in learning and behaviour.
- An approach that allows regular meetings with all concerned to test and check progress towards increasing inclusion.