



## Disability Policy

This policy applies to all pupils in the school including those in the EYFS.

### Aims of this policy

The aims of this policy are:

- To afford opportunity to employees and pupils who are disabled;
- To ensure compliance with the Equality Act 2010 and the Special Educational Needs and Disability Act 2001 (“SENDA”);
- To have regard to the guidance issued by the Disability Rights Commission “Code of Practice for Schools”.

### Policy Statement

Oakwood School welcomes all pupils who can make the most of the opportunities offered and can flourish in the caring environment that the School provides.

Oakwood School (“the School”) will:

- Maintain and drive a positive culture towards inclusion of disabled people in all the activities of the School
- Train staff to understand the types of disabilities and how to deal with employees and pupils who are disabled. Staff will not be expected, unless medically qualified, to administer medicines
- Adopt user-friendly procedures for considering admissions from parents of disabled pupils, being prepared to make reasonable adjustments in the admissions process, where appropriate
- Implement and review the 3 year Access Plan and Accessibility Policy with the aim of increasing both the accessibility of the School’s curriculum and to improve access to information for our employees, pupils and prospective pupils and to improve the physical environment of the School
- Keep under review the School’s Admissions Policy, Equal Opportunities, Special Educational Needs and or Disabilities and Anti-Bullying policies in line with SENDA.

### Disability

The Special Educational Needs and Disability Act became law on 11 May 2001. The new act amended the existing Disability Discrimination Act 1995. The SENDA came into effect on January 2002 and was revised in 2005.

The act defines disability as a physical or mental impairment which has a “substantial and long term adverse effect on (the individual’s) ability to carry out normal day to day activities” (Equality Act 2010).

Special Educational Needs and or Disabilities (SEND) refer to any circumstances resulting in an individual pupil requiring additional or different help in order to take full advantage of the educational opportunities offered to pupils of the same age. These difficulties include physical, emotional, behavioural and specific learning difficulties and can also refer to gifted and talented pupils.

The act itself requires schools to examine all aspects of their provision of educational and associated services and to ensure that appropriate responses are made to meet the needs of those with disabilities or special needs

By ways of further explanation:

- Physical disability includes medical conditions for which a person needs to use a wheelchair, for example, cerebral palsy or brittle bones
- A mental impairment is a recognised mental illness which has been diagnosed, a severe learning difficulty or a psychiatric illness
- “Long-term” means a period of 12 months or longer

An “adverse effect on day-to-day activity” means having a ‘significant and material’ effect on the following: mobility; manual dexterity; physical co-ordination; continence; ability to lift, carry or move every day objects; speech, hearing or eyesight; memory or ability to concentrate, learn or understand; and perception of the risks of physical dangers.

Case law indicates that “significant and material” means “more than one minor or trivial”.

Other disabilities which may amount to disability include:

- Severe disfigurements, scarring conditions and birthmarks (but not including tattoos or piercings)
- Progressive conditions which will result in a substantial long-term adverse effect on day-to-day activity
- A controlled impairment, i.e. a person with a prosthesis, or a person with drug-controlled epilepsy or diabetes
- A history of impairment, for example a person who used to be disabled and has recovered, for example, a person with a previous mental illness.

Disability does not include:

- Hay fever sufferers
- A person with anti-social tendencies such as paedophilia and/or abusive behaviour
- A person diagnosed as HIV positive, until they exhibit physical symptoms or related conditions

- A person who has a behavioural difficulty, for a reason other than a disability, for example, arising from social or domestic circumstances
- A person who is addicted to nicotine, alcohol and other non-prescribed substances.

### **Disability discrimination**

We will not treat a child, pupil or employee or a prospective pupil or employee less favourably on the grounds of disability unless it is necessary and justified in all the circumstances.

We will not knowingly discriminate against a person on the grounds of disability:

- In the arrangements for determining admission or employment procedures
- In the terms on which a place at the School is offered
- By refusing or deliberately omitting to accept an application for admission or employment
- In the provision of education and associated services
- By excluding a person on the grounds of their disability
- By victimising a person with a disability
- By failing to take steps to ensure that disabled persons are not placed at a substantial disadvantage in comparison with non-disabled persons.

### **Admission to the School**

The School will be open to applications from any prospective pupil with a physical and/or mental impairment. The School, however, must feel reasonably sure that throughout the pupil's time at Oakwood, it will be able to educate a prospective pupil to the best of his/her potential and in line with the general standards achieved by the pupil's peers.

The registration or admission form will enable the parents to give details of their child's disability. The School will treat every application from a disabled pupil in a fair, open-minded way.

The School will, if appropriate, request from the parents or previous School, full details in the form of medical reports, educational psychologist report and any other report which assesses the pupil's disability so that the School can make an assessment of the adjustments that would be needed in order to provide adequately for the pupil's physical and educational needs.

Applications will be considered on the basis that all '**reasonable adjustments**' have been made by the School in order to cater for the pupil's disability (see definition below).

The School will not offer a place if, after all reasonable adjustments have been made, the School will not be able to provide adequately for the pupil's physical and educational needs.

The School shall inform the parents of their decision and give details of the reasonable adjustments they are going to make or give reasons why the offer of the place is declined.

## **Education and associated services**

The School has an on-going duty to make reasonable adjustments in respect of the education and associated services provided. This is a broad expression that covers all aspects of school life. The range of activities that are covered by the expression include:

- The curriculum
- Classroom organization and timetabling
- Access to school facilities
- School sports
- School policies
- Breaks and lunchtimes
- The serving of school meals
- Assessment and examination arrangements
- School discipline and sanctions
- Exclusion procedures
- School clubs, educational visits and other activities
- Preparation of pupils for the next phase of education.

## **Reasonable adjustments for pupils**

The School is legally required to make 'reasonable adjustments' in order to cater for a pupil's disability. The School is not legally required to supply auxiliary aids or services or to make any alterations to the physical features of the School.

The School shall inform the pupils and parents of the reasonable adjustments that the School are legally required to make for that pupil, which may typically include:

- Allowing extra time for a dyslexic pupil to complete an exam
- Providing examination papers in larger print for a pupil with a visual impairment
- Rearranging the timetable to allow a pupil to attend a class in an accessible part of the building
- Arranging a variety of accessible sports activities

The School is not legally required to make adjustments which include:

- Physical alterations such as the provision of a stair-lift or new ground floor facilities such as a new boarding house
- Auxiliary aids and services such as a loop for pupils with hearing aids
- Large LCD screen computers and disability trained classroom assistants.

If parents are willing to pay for auxiliary aids and services, the School will carefully consider any proposals and will not unreasonably refuse any requests for such aids and services to be provided.

## **Disclosure**

Parents will be requested to provide the School with copies of the pupil's latest medical report, educational psychologist's report and any other information regarding the pupil's disability.

If, following the offer of the place, it is discovered that the School has not received full disclosure of information relating to the pupil's disability **and** the School is not able to make reasonable adjustments for those disabilities, then the School may withdraw the offer of a place, or ask the parents to withdraw their child.

### **Review Procedure**

Parents may request a Review if the School decides it is unable to offer their child a place on the grounds of disability. The request must be made as soon as possible and in any event within seven days of the decision being notified to the parents. The Head Teacher will advise as to the procedure under which such a Review will be conducted.

### **Accessibility Policy**

The School has prepared an Accessibility Policy which is available, on request, to all parents and staff and is also available to staff on the school's intranet.

The Accessibility Policy includes consideration of how the School proposes to:

- Improve the physical environment of the school for the purpose of increasing the extent to which disabled pupils are able to take advantage of education and associated service
- Improve the delivery of information to disabled pupils which is usually provided in writing to pupils who are not disabled.

The Policy will be reviewed every year, to ensure that the Policy is up-to-date and covers all aspects of School life.

### **Physical accessibility**

The School has an active monitoring policy and will do its best to make adjustments to take account of individual pupils' needs within the constraints imposed by the historic buildings on a scattered site. We are progressively enhancing the School's facilities for disabled access as part of the School's Three Year Development Plan and Accessibility Policy. A number of modifications to existing buildings have been considered and implemented to increase physical access to the school such as a widening the entrance to Lyne Hall to admit wheelchairs and ensuring that portable ramps and user-friendly hand rails are available to provide access where possible to the majority of the school's building. All of these comply with the Equality Act of 2010.

### **Medical Issues**

The staff members qualified in First Aid are available throughout the School day so that qualified help can be summoned immediately. A list of qualified First Aid trained staff can be found in the "First Aid Policy".

### **Staff Training**

The School's teaching staff receives training on the learning needs of pupils with Special Educational Needs and or Disabilities.

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Signed: 	By:	Clare Bradbury Headteacher
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