

## Heartlands Academy Disability Equality Scheme

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<b>Department Owner</b>	Operations (National)
<b>Section Owner</b>	Education (National SEND Lead)
<b>Approver</b>	Education & Personnel Committee
<b>Date Approved</b>	July 2015
<b>Review Date</b>	July 2018
<b>Status</b>	Active

## 1 Scope

1.1 This Disability Equality Scheme (**Scheme**) applies to all pupils at Heartlands Academy, parents and carers of pupils, Academy staff, Academy governors and disabled people who use the Academy or who may want to use the Academy. The Scheme is published on the Academy's website and is available on request.

## 2 Aims of this scheme

2.1 The aims of this Scheme are to ensure that the Academy complies with its duties under the Special Educational Needs and Disability Act 2001 (**SENDA**) and Part 6 of the Equality Act 2010 (**Act**), including the public sector equality duty set out in section 149 of the Act. The Academy is required to have due regard to:

- The need to eliminate discrimination that is unlawful under the Act;
- The need to eliminate harassment of disabled persons that is related to their disabilities;
- The need to promote equality of opportunity between disabled persons and other persons;
- The need to take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons;
- The need to promote positive attitudes towards disabled persons; and
- The need to encourage participation by disabled persons in public life.
- For details of the steps that the Academy intends to take in order to fulfil its duty, please see Appendix 1.

## 3 Scheme statement

3.1 The Academy will:

- continue its commitment to be a selective Academy in respect of academic standards whilst recognising its duties under the Equality Act 2010 in respect of persons with disabilities
- maintain and drive a positive culture towards inclusion of disabled people in all the activities of the Academy and especially in the development of this Scheme
- train staff to understand the differing types of disabilities and how to deal with employees and pupils who are disabled. Staff will not be expected, unless medically qualified or specifically trained to do so, or it forms part of their job description, to administer medication
- adopt user-friendly procedures for considering admissions from parents of disabled children, being prepared to make all reasonable adjustments in the admissions process and other processes where appropriate
- implement and review the Accessibility Plan with the aim of increasing the accessibility of the Academy's curriculum, and to improve the physical environment of the Academy and to improve access to information for our employees, pupils, prospective pupils and parents / guardians
- keep under review the Academy's admission policy, equal opportunities and anti-bullying policies in line with the relevant legislation.

## 4 Disability: a definition

4.1 A disability is a "*physical or mental impairment which has a substantial and long-term, adverse effect on ability to carry out normal day-to-day activity*" (Equality Act 2010).

4.2 By way 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 risk of physical dangers.

4.3 Case law indicates that "significant and material" means "more than minor or trivial".

4.4 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.

4.5 Disability does not include:

- hay fever sufferers
- a person with anti-social tendencies such as paedophilia
- 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.

## 5 Disability discrimination

5.1 We will not treat a pupil or employee or a prospective pupil or employee less favourably on the grounds of disability.

5.2 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 Academy 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 harassing 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.

## **6 Admission procedure for students**

6.1 The Academy will be open to applications from any prospective pupil with a physical and / or mental impairment. The Academy will treat every application from a disabled pupil in a fair, open-minded way

## **7 Education and associated services**

7.1 The Academy 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 Academy life. The range of activities that are covered by the expression include:

- the curriculum
- classroom organisation and timetabling
- access to Academy facilities
- sports
- Academy policies
- breaks and lunchtimes
- Academy meals
- assessment and examination arrangements
- Academy discipline and sanctions
- exclusion procedures
- Academy clubs, educational visits and other activities
- Preparation of pupils for the next phase of education.

## **8 Reasonable adjustments for pupils**

8.1 The Academy is legally required to make "reasonable adjustments" in order to cater for a child's disability. The Academy is not legally required to make any alterations to the physical features of the Academy.

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

- allowing extra time for a dyslexic child to complete an assessment or exam
- providing examination papers in larger print for a child with a visual impairment
- rearranging the timetable to allow a student to attend a class in an accessible part of the building

- arranging a variety of accessible sports activities.

## 9 How have disabled people been involved in the development of this Scheme?

- The Academy consulted with its disability working group

## 10 Information gathering

10.1 The Academy will use equal opportunities monitoring to monitor the effect of policies and procedures on the recruitment, development and retention of disabled employees

10.2 *[What arrangements are there for gathering information on the effect of policies and procedures on the educational opportunities available to, and on the achievements of disabled pupils?]* [• Monitoring attainment, participation and behaviour / sanctions / rewards.]

10.3 *[• Statement on the Academy's arrangements for making use of the information gathered to i) review the effectiveness in the steps outlined in Appendix 1 and ii) preparing subsequent schemes.*

## 11 Equality impact assessment

The Academy will assess the impact of the Disability Equality Scheme by taking into account:

- the number of complaints
- the number of bullying incidents;
- the number of pupils with disabilities at the Academy;
- feedback from disabled parents, staff, pupils and governors;
- attainment of pupils with disabilities;
- the number of staff and the success of staff with disabilities.]

## 12 Reporting and review

12.1 The Headteacher will report annually to the Raising Achievement Board in the summer term as to the progress that has been made on the action plan and the effect of the action taken.

12.2 The Headteacher and Raising Achievement Board will review the Scheme annually and will publish a revised Scheme in the autumn term.

## 13 Accessibility plans

The Academy has prepared an Accessibility Plan (**Plan**) which is available, on request, to all parents and staff. The Accessibility Plan includes consideration of how the Academy proposes to:

- increase the extent to which disabled pupils can participate in the Academy's curriculum
- improve the physical environment of the Academy for the purpose of increasing the extent to which disabled pupils are able to take advantage of education and associated service

- improve the delivery to disabled pupils of information which is readily accessible to students who are not disabled.

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

### Appendix 1 Action Plan

What steps will the Academy take to eliminate discrimination that is unlawful under the Acts?

No	Action	Date for completion / review	Intended outcome	Who has responsibility? Are there resources?	Evidence that action has been completed
1	[• Staff training / Personal Social Health and Economic education (PSHE) / awareness days / working group for disability awareness / raising expectations for disabled students and staff / improving communication]				
2	[• Correct application and ongoing review of admissions policy in line with disability discrimination requirements]				
3	[• Dealing quickly with complaints or concerns about provision for those with disabilities]				

What steps will the Academy take to eliminate harassment of disabled persons that is related to their disabilities?

No	Action	Date for completion / review	Intended outcome	Who has responsibility?
1	[• Staff training / awareness days / working group for disability awareness]			

No	Action	Date for completion / review	Intended outcome	Who has responsibility?
1	[• Correct application and ongoing review of Anti-bullying Policy in line with disability discrimination requirements, educating students about the School's Anti-bullying Policy]			

**What steps will the Academy take to promote equality of opportunity between disabled persons and other persons?<sup>1</sup>**

No	Action	Date for completion / review	Intended outcome	Who has responsibility?
1	[• Academy focus on special education needs, which often amount to a disability]			
2	[• Awareness of the disabled pupils / parents at the Academy and the needs that may arise]			
3	[• Recruitment, development and retention of disabled employees: set out clear goals]			

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<sup>1</sup> Take ideas from the Accessibility Plan



**What steps will the Academy take to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons**

No	Action	Date for completion / review	Intended outcome	Who has responsibility?
1	[• Additional coaching or training, special facilities]			
2	[• Involvement in academy plays and performances]			
3	[• Recruitment, development and retention of disabled employees: set out clear goals e.g. interviewing all disabled applicants who meet the minimum requirements for a job]			

**What steps will the Academy take to promote positive attitudes towards disabled persons?**

No	Action	Date for completion / review	Intended outcome	Who has responsibility?
1	[• Education through PSHE / Staff training]			
2	[• Staff modelling respectful attitudes]			
3	[• Promotion through other areas of the curriculum]			

**What steps will the Academy take to encourage participation by disabled persons in public life?**

No	Action	Date for completion / review	Intended outcome	Who has responsibility?	
1	[• Teachers must be aware of students' disabilities and must try to promote them for work experience/public speaking/school plays/representative roles etc]				
2	[• Monitor data on attendance, exclusion and bullying by disability]				

**Appendix 2 Aims under the previous scheme**

<b>No.</b>	<b>Aim</b>	<b>To what extent has this aim been achieved?</b>
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*Not for publication - invitation to be added to the Academy's website.*

### **Appendix 3 Consultation on our new Disability Equality Scheme**

We have published our draft Disability Equality Scheme on our website in order to give disabled people a chance to comment on the Scheme.

Please send comments to [• name / role] at [• e-mail address] or speak to [• name / role] on [• telephone number].

We also propose a meeting to consult on the content of this Scheme at [• time] on [• date].

We would be grateful for any contributions to the Scheme at this meeting. If you would like to attend, please contact [• name / role] or [• name / role] on the details above.