

# **Disability Policy**

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**Immanuel College**

March 2010

## **1 Aims of this policy**

1.1 The aims of this policy are:

- to afford opportunity to employees and pupils who are disabled;
- to ensure compliance with the Disability Discrimination Act 1995 as amended by 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".

## **2 Policy Statement**

2.1 Immanuel College ("the College") will:

- maintain and drive a positive culture towards inclusion of disabled people in all the activities of the College;
- 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 medication;
- adopt user-friendly procedures for considering admissions from parents of disabled children, being prepared to make reasonable adjustments in the admissions process where appropriate;
- implement and review the Accessibility Plan with the aim of increasing the accessibility of the College's curriculum, and to improve the physical environment of the College and to improve access to information for our employees, pupils and prospective pupils;
- keep under review the College's Admission Policy, Equal Opportunities and Anti-Bullying policies in line with SENDA.

## **3 Disability**

3.1 A disability is a "physical or mental impairment which has a substantial, long-term, adverse effect on day-to-day activity" (**Disability Discrimination Act 1995**).

3.2 By way of further explanation:

- 3.2.1 physical disability includes medical conditions for which a person needs to use a wheelchair, for example, cerebral palsy or brittle bones;
- 3.2.2 a mental impairment is a recognised mental illness which has been diagnosed, a severe learning difficulty or a psychiatric illness;
- 3.2.3 "long-term" means a period of 12 months or longer;
- 3.2.4 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.

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

3.3 Other conditions 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.

#### 3.4 Disability does not include:

- A person who suffers from hay fever;
- 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.

## **4 Disability discrimination**

4.1 We will not treat a 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.

4.2 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 College 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, or for a reason relating to 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.

## **5 Admission procedure for pupils**

5.1 The College will be open to applications from any prospective pupil with a physical and/or mental impairment.

5.2 The registration or admission form will enable the parents to give full details of their child's disability.

5.3 Every application will be considered on its merits within the College's criteria for selection on grounds of the pupil's ability and aptitude.

5.4 The College will treat every application from a disabled pupil in a fair, open-minded way.

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

- 5.6 Applications will be considered on the basis that all '**reasonable adjustments**' have been made by the College in order to cater for the child's disability (see definition below).
- 5.7 The College will not offer a place if, after all reasonable adjustments have been made, the College will not be able to provide adequately for the pupil's physical and educational needs.
- 5.8 The College 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.

## **6 Education and associated services**

- 6.1 The College has an on-going duty to make reasonable adjustment in respect of the education and associated services provided. This is a broad expression that covers all aspects of College life. The range of activities that are covered by the expression include:
- the curriculum;
  - classroom organisation and timetabling;
  - access to College facilities;
  - College sports;
  - College policies;
  - breaks and lunchtimes;
  - the serving of College meals;
  - assessment and examination arrangements;
  - College discipline and sanctions;
  - exclusion procedures;
  - College clubs, educational visits and other activities;
  - preparation of pupils for the next phase of education.

## **7 Reasonable adjustments for pupils**

- 7.1 The College is legally required to make 'reasonable adjustments' in order to cater for a child's disability. The College is not legally required to supply auxiliary aids or services or to make any alterations to the physical features of the College.
- 7.2 The College shall inform the Pupils and Parents of the reasonable adjustments that the College are legally required to make for that pupil, which may typically include:
- making arrangements for a child in a wheelchair to attend an interview in an accessible ground floor room;
  - allowing extra time for a dyslexic child to complete an entrance exam;
  - providing examination papers in larger print for a child 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.
- 7.3 The College 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 library;

- auxiliary aids and services such as a loop for children with hearing aids;
- large LCD screen computers and disability trained classroom assistants.

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

## **8 Disclosure**

- 8.1 Parents will be requested to provide the College with copies of the child's latest medical report, educational psychologist's report and any other information regarding the child's disability.
- 8.2 If, following the offer of the place, it is discovered that the College has not received full disclosure of information relating to the child's disability **and** the College is not able to make reasonable adjustments for those disabilities, then the College may withdraw the offer of a place, or ask the parents to withdraw a child who is already a pupil.

## **9 Review procedure**

- 9.1 Parents may request a Review if the College 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 will advise as to the procedure under which such a Review will be conducted.

## **10 Accessibility plans**

- 10.1 The College has prepared an Accessibility Plan which is available, on request, to all parents and staff.
- 10.2 The Accessibility Plan includes consideration of how the College proposes to:
- increase the extent to which disabled pupils can participate in the College's curriculum;
  - improve the physical environment of the College 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 Plan will be reviewed every year, to ensure that it is up-to-date and covers all aspects of College life.

This policy complies with the requirements of the Disability Discrimination Act 1995, Special Educational Needs and Disability Act 2001 and the *Disability Discrimination Act 1995 part 4: Code of Practice for Schools* Disability Rights Commission, 2nd Ed, 2002