



St Dunstan's  
— College —

## DISABILITY POLICY

### BACKGROUND

1. The Foundation acknowledges its duty towards those who have a disability. This duty is described in the Special Educational Needs and Disability Code of Practice (August 2014, revised January 2015). The Act states that it is unlawful:
  - To treat a disabled pupil or prospective pupil *less favourably* for a reason related to his or her disability than someone to whom that reason was not applied, without justification for doing so;
  - To fail to make *reasonable adjustments* to normal admission arrangements and in relation to education and associated services to ensure that disabled pupils or prospective pupils are not placed at a substantial disadvantage in comparison with non-disabled pupils, without justification for doing so.

In order to count as unlawful discrimination, less favourable treatment must meet three tests:

- The less favourable treatment must be for a reason related to the child's disability;
- It must be less favourable treatment than that given to another child to whom that reason does not apply;
- The less favourable treatment cannot be justified.

There are two ways in which less favourable treatment can be justified either:

- If it is a result of a 'permitted form of selection'; or
- If it is material to the circumstances of the particular case and substantial.

2. There is a duty to make reasonable adjustments; the Foundation must take steps to ensure that disabled pupils and prospective disabled pupils are not placed at a substantial disadvantage in comparison with those who are not disabled.

Furthermore, a school will be deemed to have discriminated against a child if it fails, without justification, to make reasonable adjustments to the detriment of the child.

There are two exceptions to the reasonable adjustments duty:

- A school does not have to provide auxiliary aid (i.e. A special piece of equipment such as hearing loop) or services, (i.e. arranging additional support such as a designated classroom assistant).

- Physical alterations to buildings do not have to be made at present, but auxiliary aids and services as well as physical improvements fall within the scope of a school's planning duties.

A school should do everything that it can to ensure that a disabled pupil is not placed at a substantial disadvantage. When it has worked out what, if anything, could be done to achieve this result, a reasonable test should be applied to any possible action. The following factors can be taken into account by a school in considering reasonableness:

- The need to maintain academic, musical, sporting and other standards;
- The financial resources available;
- The cost of taking particular action;
- The extent to which it is practicable to do so;
- The extent to which aids and services will be provided via a SEND statement;
- Health and safety requirements;
- The interests of other pupils.

## **ADMISSION**

1. Admission to the College depends upon a prospective pupil meeting the criteria required to maintain and if possible to improve, the educational and general standards for all its pupils commensurate with the ethos to which the College aspires. The College must also feel reasonably sure that it will be able to educate and develop the prospective pupil to the best of his or her potential and in line with the general standards achieved by the pupil's peers, so that there is every chance that the pupil will have a complete, happy and successful school career and emerge a confident, well-educated and well-rounded adult with a good prospect of a satisfying life. These criteria must continue to be met throughout the pupil's time at the school.
2. The policy of the College is to apply these criteria to all pupils and potential pupils regardless of any disability of which it is aware, subject to its obligation to make reasonable adjustments not to put any disabled pupil or potential pupil at a substantial disadvantage compared to any pupil who is not disadvantaged because of his or her disability.
3. The College asks parents to complete a disability form in respect of a prospective pupil at the time of application. In assessing any pupil or prospective pupil the College may take such advice and require such assessments as it regards as appropriate. Subject to this, the College will be sensitive to any requests for confidentiality.

## **REVIEW COMMITTEE**

1. Governors of the Foundation delegate to the Executive Committee the responsibility for insuring that the Foundation meets its obligations under the Act. The Executive

Committee is responsible for creating and maintaining such policies and procedures as are necessary and for keeping the Governing Body aware of the status of such plans and policies as required. It is required to;

- a. To review the College's policies, procedures and facilities as they are likely to affect pupils and prospective pupils who are disabled;
  - b. To make recommendations with a view to improving the accessibility of its education in its many aspects to pupils or prospective pupils with disabilities by means of reasonable adjustments and by planning for the future and to prepare this Disability Policy;
  - c. To prepare the College's Accessibility Plan;
  - d. To review such plans and policies as necessary and at least every 5 years;
2. The following areas have been considered in detail by the Committee with the results set out below:

a. **Admissions**

The Committee has reviewed the College's admissions literature, policy, examinations and procedures (including access to scholarships and bursaries) and has introduced a form (to be treated as confidential if the applicant or parents require) giving the College details of the nature and effect of any disability so as to enable it to consider any adjustments it might need to make.

b. **Physical lay-out of the College**

One of the obvious problems which the College has in common with many other schools is its lay-out which consists of many separate buildings of several floors and without lifts. These have grown up since the College was founded. Another is the system, again common to many schools, of having fixed classrooms for each subject, based on the valid ground of having all the facilities for one subject in one place. This requires pupils to go from classroom to classroom, often up steps or stairs in buildings without lifts. It is not hard to conclude that any pupil with impaired mobility is going to be put at a disadvantage by these problems, if not prohibited altogether from access to some or all of the educational and other facilities the College offers. It is not possible for these matters to be remedied in any substantial way by reasonable adjustments short of making major alterations to physical features of the College at prohibitive cost. Even the fruition of long-term plans can only go some way to ameliorate the position.

The Committee has considered the installation of lifts, of various types, to the upper floors of, the main building, the Pre Prep department, the Music department, the Physics department, the changing rooms and the Prep block. In all cases the costs would be substantial and it is felt that other alterations, if required, would be cost effective. Provided resources permit new buildings constructed will be designed to allow access for disabled pupils and will comply with contemporary building standards legislation.

### c. **Education**

The Committee has considered how the College should comply with the new statutory obligations and will attempt to ensure that no pupils are disadvantaged through barriers to learning or inappropriate teaching styles. Additionally, the College will encourage disabled pupils to take part in the extra-curricular activities on offer. In support of these aims, the following actions will be taken.

- Consideration will be given during all reviews as to the accessibility of the curriculum. There is, however, a problem of physical access caused by the fixed classroom system. The College is also mindful that within the context of enhancement of school education and life by adopting inclusive policies, equal importance must be given to ensuring that no pupil's education is impaired.
- College staff will report on whether their classrooms are optimally organized for disabled pupils. Consideration will be given to the use of large print, audio tape, Braille, overhead projector and whiteboards. Measures to improve audio levels in classrooms have been ongoing for several years as has a substantial programme of the introduction of overhead projectors and interactive whiteboards.
- Heads of Department will be required to consider in their annual report whether the teaching styles used in their departments are sufficiently responsive to pupil diversity.
- Staff in charge of extra-curricular activities will consider how participation by disabled pupils is fostered and encouraged.
- An explanation of the Act and the implications will be provided for all staff at the College.
- Systems will be put in place to ensure that, as far as possible, all applicants have equal opportunities in the entrance examinations. Similarly systems will be put in place to ensure that, as far as possible any disabilities are discounted in the selection processes.

### d. **Welfare**

The Committee has considered how the Foundation will take account of difficulties that might arise for specific types of disability and the need to ensure that all policies concerning the welfare of a pupil are adjusted accordingly. The School has in place policies on

- Safeguarding (P01)
- Pastoral care & personal development (P02)
- Behaviour Management (P03)
- Anti-Bullying (P04)

- Learning Support and enrichment (P06)
- Equal Opportunities (P13)

In addition a comprehensive complaints procedure (P11) exists in the College.

e. **Awareness and Observance of the Policy**

The Committee has considered how all working in or associated with the Foundation should be made aware of the view and duties of the Foundation with regard to disabilities and how policies, procedures and guidelines are to be observed. The Governors have delegated to members of the College Leadership Team, the responsibility for making sure that staff, pupils, other employees, self-employed staff and helpers and volunteers are aware and observe its policies. They are to make use of existing management lines to discharge the responsibilities.

## **CONCLUSION**

1. The Foundation is committed to doing all that it reasonably can to provide access to the education it provides for those with disabilities. Whenever an existing or prospective pupil is deemed to be disabled, consideration will be given by the CLT to determine if there are physical improvements or other actions which could be viewed as “reasonable adjustments”. The Executive Committee will review the considerations of the CLT endorsing necessary alterations if affordable.
2. This policy is to be reviewed annually by the Governing Body.