



Title:	Accessibility Policy
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Accessibility Policy

INTRODUCTION

The Equality Act 2010 replaced all previous equality legislation such as the Race Relations Act, Disability Discrimination Act (DDA) and Sex Discrimination Act.

The Equality Act 2010 provides a single, consolidated source of discrimination law, covering all the types of discrimination that are unlawful. It simplifies the law by removing anomalies and inconsistencies that had developed over time in the existing legislation, and it extends the protection from discrimination in certain areas.

The law on disability discrimination is different from the rest of the Act in several ways. The overriding principle of equalities legislation is generally one of equal treatment. However, the provisions in relation to disability are different in that you may, and often must, treat a disabled person more favourably than a non-disabled person.

There are some minor differences around disability in the new Act when compared with the previous legislation.

- The Equality Act does not list the types of day to day activities which a disabled person must be unable to carry out to meet the definition
- Failure to make a reasonable adjustment can no longer be justified. The fact that it must be 'reasonable' provides the necessary test.
- Direct discrimination against a disabled person can no longer be justified (bringing it into line with the definition of direct discrimination generally).
- From September 2012 schools and local authorities will be under a duty to supply auxiliary aids and services as reasonable adjustments where these are not being supplied through a statement of SEND.

As in previous legislation a Learning4Life-GY must not discriminate against a pupil because of something that is a consequence of their disability.

It is unlawful for a to treat a disabled pupil unfavourably. Such treatment could amount to:

- Direct discrimination
- Indirect discrimination
- Discrimination arising from a disability
- Harassment

DEFINITION OF DISABILITY

Equality Act 2010: a person has a disability if:

- they have a physical or mental impairment;
- the impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities.

Progressive conditions considered to be a disability

There are additional provisions relating to people with progressive conditions. People with HIV, cancer or multiple sclerosis are protected by the Act from the point of diagnosis. People with some visual impairment are automatically deemed to be disabled.

Conditions that are specifically excluded

Some conditions are specifically excluded from being covered by the disability definition, such as a tendency to set fires or addictions to non-prescribed substances.

It should be noted that this definition is *not just regarding physical difficulties* but also covers a wide range of:

- Sensory difficulties
- Learning difficulties
- Impairment resulting from, or consisting of, a mental illness

In addition, there is a range of 'hidden impairments' such as

- Dyslexia
- Speech and Language Impairments
- Autism
- Attention Deficit Hyperactivity Disorder (ADHD)

Impairment does not itself mean that a pupil is disabled but rather it is the effect on the pupil's ability to carry out normal day-to-day activities in one or more of the following areas that must be considered:

- Mobility
- Manual dexterity
- Physical coordination
- Continence
- Ability to lift, carry or otherwise move everyday objects
- Speech, hearing or eyesight
- Memory or ability to concentrate, learn or understand
- Perception of risk of physical danger

Reasonable adjustments

We have a duty to make reasonable adjustments for disabled pupils:

- When something we do places a disabled pupil at a substantial disadvantage to other pupils, we must take reasonable steps to avoid that disadvantage;
- We will be expected to provide an learning support or an external service for a disabled pupil when it would be reasonable to do so, and where such an aid would alleviate any substantial disadvantage the pupil faces in comparison to his non-disabled peers.

A failure to make a reasonable adjustment can no longer be justified. The test is whether the adjustment is reasonable, and if it is then there can be no justification for why it is not made. We will not be expected to make adjustments that are not reasonable.

There is as yet no clarity on what may be 'reasonable' although the Code of Practice will include factors that should be taken into account. It will be for Learning4Life-GY to decide the reasonableness of adjustments based on the individual circumstances of each case.

Factors to consider may include the financial or other resources available, the effectiveness of the adjustment, its effect on other pupils, health and safety requirements, and whether aids have been made available through the SEND route.

The reasonable adjustments duty is intended to complement the accessibility planning duties, and the existing SEND statement provisions, under which Local Authorities have to provide auxiliary aids and services where a statement details that provision. When a disabled pupil does not have a statement of SEND (or the statement does not provide the necessary aid) then the duty to consider reasonable adjustments and provide such auxiliary aids will fall to the school/setting.

As in the previous legislation we are not under a duty to make alterations to the physical environment though we should be planning to do so as part of our Accessibility planning.

Accessibility plan - Learning4Life-GY will:

- ensure the development of the plan involves the Local Authority in line with the LA Accessibility Strategy and ensure that Learning4Life-GY provides the best choices for students wanting to enrol here;
- consult with the full governing body including the SEND governor;
- consult with SENCO;
- investigate how the access to those areas of the curriculum that are normally difficult for disabled students to access can be improved;
- investigate what support or alternative approaches can be adopted to increase the choice/participation of disabled students;
- investigate alternative provision/routes and collaboration that will assist disabled students to learn including liaison with the LA Special Educational Needs and Disabilities (SEND) Statementing and Provision Team.

Learning4Life-GY plans to increase access to the curriculum for pupils with a disability, expanding the curriculum as necessary to ensure that pupils with a disability are as, equally, prepared for life as are the able-bodied pupils. This covers teaching and learning and the wider curriculum of the school such as participation in, leisure and cultural activities or off-site visits. It also covers the provision of specialist aids and equipment, which may assist these pupils in accessing the curriculum. The school will continue to seek and follow the advice of LA services, such as specialist teacher advisers and SEND inspectors/advisers, and of appropriate health professionals from the local NHS Trusts.

Learning4Life-GY will take account of the needs of pupils and visitors with physical difficulties and sensory impairments when planning and undertaking future improvements and refurbishments of the site and premises, such as improved access, lighting, acoustic treatment and colour schemes, and more accessible facilities and fittings. This is required regardless of whether the school has pupils or visitors with disabilities and is preparation for a situation when they do.

The main entrance is wheelchair friendly, and there is a lift to the 1st and 2nd floor of the building. Both floors are equipped with disabled toilets.

Access to appropriate literature - We will:

- produce literature at the correct font size to help visually impaired students;
- investigate alternative ways of providing access to information, software and activities;
- investigate ways of communicating effectively with disabled parents and carers and other disabled adult users of the site;
- ensure timetables and other literature is made available in various preferred formats within a reasonable time frame.

The Principal and the CEO will review the financial implications of the School Accessibility Plan as part of the normal budget review process. The objective is that over time the Accessibility Plan actions will be integrated into the Development Plan. We will finance the plan by identifying costs and incorporating them into current and future budget commitments.

The Principal will undertake a disability audit using a cross section of staff, pupils and parents and as a result of the audit, we shall:
produce action plans, with definite time scales for the implementation of the actions implicit in the plan;

- plans to provide workshops so staff can understand the Accessibility Plan as part of the bigger picture and not see it as a bolt on;
- present the plan to the governing body for their approval;
 - modify the plan based on the views of stakeholders;
- review the plan and the associated action plans to see if milestones are being met. This plan will be reviewed and adjusted as necessary every three years.

Learning4Life-GY will monitor and evaluate the plan. Evaluation will be useful and may identify or include:

- success in meeting identified targets;
- changes in physical accessibility of the school;
- questionnaires, responses from stakeholders e.g. parents, pupils and staff, indicate increased confidence in the school's ability to promote access to educational opportunities for pupils with disabilities;
- improved levels of confidence in staff in reducing the obstacles to success for pupils with additional needs;
- recorded evidence that increased numbers of pupils with disabilities are actively participating in all areas of the school/setting;
- recorded evidence that fewer pupils are being excluded from school/setting opportunities as their needs are being more effectively addressed through the application of strategies and procedures;
- increased levels of achievement for pupils with disabilities;
- pupil responses; verbally, pictorially and written that indicate that they feel themselves to be included;
- Ofsted inspections that identify higher levels of educational inclusion.