

	<h2 style="text-align: center;">Equal Opportunity and Disability Policy</h2>
Person(s) Responsible:	
Approval:	Governing Body
Headteacher:	Gary Edmunds
Policy Originator:	Clare McGrath
Date Approved:	September 2020
Date of Review	September 2021

**To be read in conjunction with:** SEND Policy, Looked After Children Policy, Equal Opportunity Policy, Anti- Bully Policy, Admissions Policy, Disciplinary policy, Behaviour Management Policy

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### 1.0 Policy Statement

Spring Hill High School is committed to securing equality of opportunity through the creation of an environment in which individuals are treated on the sole basis of their relevant merits and abilities. This commitment is shared by students, staff, parents and governors. We oppose all forms of unlawful or unfair discrimination because of a person’s disability, and aim to ensure equal treatment for everyone in all aspects of school life.

### 2.0 Aims of the Policy

2.1 The aims of this policy are:

- to afford proper opportunities to employees and students who have a disability;
- to ensure compliance with the provisions of the Special Education Needs and Disability Act 2001 (“SENDA”) and the Equality Act 2010; and the SEN Code of Practice 2015.
- to have regard to the guidance issued by the Disability Rights Commission - “The Code of Practice for Schools” - and by the Equality and Human Rights Commission.

2.2 The School will –

- maintain and drive a positive culture of anti-discrimination and inclusion towards disabled people.
- train staff to understand the types of disabilities and how to deal with employees and students who have disabilities. Staff will not be expected, unless medically qualified, to administer medication.

- adopt inclusive and user-friendly procedures for considering referrals from parents of disabled children.
- maintain, review and revise the School's Accessibility Plan, with the aim of increasing the accessibility of the School's curriculum, improving the physical environment of the School and improving access to information for our employees, students and prospective students.
- maintain, review and revise the School's Admissions Policy, Equal Opportunities and Anti-Bullying policies in line with SENDA and the Equality Act 2010.

### **3.0 Procedure**

#### **3.1 Disability Discrimination**

We will not, without justification, treat a student or employee or a prospective student or prospective employee less favourably because of a disability. We will not knowingly discriminate against a person on the grounds of disability:

- In the arrangements for determining referrals 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 referrals 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.

#### **3.2 .Referrals procedure for students**

The school will be open to referrals from any prospective student with a physical and/or mental impairment.

- The registration or referral form will enable the parents to give details of their child's disability.
- Every referral will be considered on its merits within the School's criteria for selection on grounds of the student's ability and aptitude.
- The School will treat every referral from a disabled student 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, education psychologist reports and any other report which assesses the child's disability so that the School can make an assessment of the adjustments that would be needed in order to provide adequately for the student's physical and education needs.
- The referral will be considered on the basis of the 'reasonable adjustments' that could be made by the School in order to cater for the child's disability.
- The School will not offer a place if, after due consideration of the reasonable adjustments that would have to be made, the School will not be able to provide adequately for the student'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 has declined.

#### **4.0 Education and Associated Services**

**4.1** 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 organisation 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, trips and other activities
- the preparation of students for the next phase of education.

#### **5.0 Reasonable adjustments for students**

**5.1** The School will make 'reasonable adjustments' to attempt to cater for a child's disability. However, the School is not currently legally required to supply auxiliary aids. The School shall inform the students and parents of the reasonable adjustments that the School are legally required to make for that student, which may typically include:-

**5.2** Making arrangements for a child in a wheelchair to attend an interview in an accessible ground floor room.

**5.3** Making allowances where appropriate in the marking of examination scripts to enable a disabled child not be placed at a disadvantage.

**5.4** Providing examination papers in larger print for a child with a visual impairment.

**5.5** Rearranging the timetable to allow a student to attend a class in an accessible part of the building.

**5.6** Arranging a variety of accessible sports activities.

#### **6.0 Disclosure**

**6.1** Parents will be requested to provide the School with copies of the child's latest medical report, educational psychologist's report and any other information regarding the child's disability. It is crucial that parents provide as much information as possible to enable the School to take such steps as may be required.

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

## **7.0. Complaints Procedure**

If the School decides it is unable to offer a child a place, the child's parents may invoke the complaints procedure. The Complaints procedure is available to prospective parents on request.

## **8.0 Accessibility Plan**

**8.1** The School's written Accessibility Plan is available, on request, to all parents and staff. The Accessibility Plan includes consideration of how the School proposes to:

**8.2** increase the extent to which disabled students can participate in the school's curriculum;

**8.3** Improve the physical environment of the school for the purpose of increasing the extent to which disabled students are able to take advantage of education and associated services; and

**8.4** improve the delivery of information to disabled students which is usually provided in writing to students who are not disabled.

**8.5** SENCo will complete an individual risk assessment for students with physical disabilities. The site most appropriate to meet a student's needs will be identified as the appropriate location for education.

The plan will be reviewed every year by the SENCo and the Headteacher to ensure that it is up-to-date, appropriate and covers all aspects of school life as determined under the Act.

## **9.0 Prohibition on Disability Discrimination**

**9.1** We will not tolerate any form of discrimination against anyone because of any disability, physical or mental, that they may have. Harassment of anyone on any such grounds, whether inside or outside of the classroom, will be treated as discrimination and may include the following conduct:

- physical harassment including gestures;
- verbal or written (including electronic communication) abuse, intimidation, derogatory comment, insults, threats and jokes;
- visual displays of offensive material including posters and graffiti;
- refusing to co-operate with others on the grounds of their disability;
- isolation or exclusion from social activities;
- making offensive remarks about anyone's disability.

## **10.0 Informal Procedure**

**10.1** An individual or group who has been subjected to any form of discrimination on account of their disability may wish to try and resolve the problem informally before, or instead of, invoking the formal procedure.

**10.2** Anyone subjected to discrimination is encouraged to try to settle the matter by a direct approach to the individual, group or member of staff involved.

**10.3** If such an approach is impractical or unsuccessful, the incident should be reported to a member of senior management who will consider with the individual or group how the problem may best be resolved on an informal basis.

## **11.0 Formal Procedure for dealing with any incident of discrimination or harassment**

**11.1** At any time during such process and/or if any informal approach proves unsuccessful in resolving the issue, the individual or group may invoke the formal procedure.

- Any such incident must be reported to the Head.
- Any such incident will be recorded in a special file.
- A senior member of staff, usually the Deputy Head (the investigating officer), will interview, within 72 hours of the complaint, the individual or group against whom it was committed. Written signed statements will be taken at the interview.
- The investigating officer will then interview the individual(s) who is (are) alleged to have committed the alleged offence (including members of staff if appropriate). Written signed statements will be taken at the interview.
- Parents/guardians of all students involved in the incident will be informed and can attend the interview involving their child.
- The investigating officer will prepare a report for consideration by the Head, or Governing Body who will decide on the suitable sanction, if any, to be imposed.
- Victims or witnesses of harassment/discrimination will receive appropriate support, counselling and protection from any retaliation.

## **12.0 Sanctions**

**12.1** If a student or group of students are considered to have committed a breach of this policy, the Headteacher will apply an appropriate sanction which will be recorded in the special file and in the student's personal file.

**12.2** Appropriate sanctions may include the following:

- Perpetrators of verbal abuse will be given time out. This means the student will spend time away from other students for a fixed period of time. The time is decided by the deputy or site leader;
- Perpetrators of physical harassment may be taught individually in a separate classroom from a group or may receive a fixed term exclusion.

**12.3** Where discrimination has been found to have taken place, those involved will be monitored to ensure there is no repetition.

**12.4** Where breaches of this policy are committed by members of staff, the sanctions to be applied are contained in the disciplinary policy.

## **13.0 Training**

**13.1** The Headteacher will ensure that the appropriate training will be made available to all members of staff to ensure that they are kept fully aware of their responsibilities in respect of equal opportunities and discrimination on grounds of disability.

Similarly the Headteacher will ensure that students are aware of the school's attitude to disability discrimination, and the conduct expected of students, through PHSE.

### **13.0 Monitoring/Evaluation**

**13.1** This policy will be kept under review and will be evaluated at least annually. An analysis of incidents will be undertaken with a view to informing or amending practices or procedures.

### **14.0 Provision of Information**

**14.1** This school welcomes and encourages the open and frank exchange of information between the school, staff, parents and students about the disability of any student or any concerns about harassment or discrimination of any student in an attempt to create an environment to enable the student to maximise his or her abilities. New parents in particular are encouraged to provide as much information as possible about a disabled student. The school is happy to accept such information on a confidential basis if necessary, subject always to the reserved right to make appropriate disclosure to relevant staff in accordance with health and safety requirements and in the best interests of the student.

Ratified by:

Name: Barbara Scrivens

Role: Chair of Governors