



## **DISABILITY POLICY**

### **Aims of this Policy**

- To afford opportunity to employees and pupils who have a disability.
- To ensure compliance with the *Special Educational Needs and Disability Act 2001* ("SENDA").
- To have regard to the guidance issued by the Disability Rights Commission "The Code of Practice for Schools".

### **Policy Statement**

Bath Academy will:

- Maintain a positive culture of anti-discrimination towards disabled people.
- Train staff to understand the types of disabilities and how to deal with pupils and staff who have disabilities.
- Adopt user-friendly procedures for considering admission of disabled students.
- Implement and review the college's Accessibility Plan.
- Keep under review the college's Admissions Policy, Equal Opportunities Policy and Anti-Bullying Policy in line with SENDA

### **Disability**

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

Physical disability includes mental conditions for which a person needs to use a wheelchair, 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 mobility; manual dexterity; physical co-ordination; continence; ability to lift, carry or move everyday objects; speech, hearing or eyesight; memory or ability to concentrate, learn or understand; perception of the risk of physical dangers.

Other difficulties that may amount to disability include:-

- Severe disfigurements, scarring conditions and birthmarks (but excluding tattoos or piercings);
- Progressive conditions which will result in a substantial long-term adverse effect on day-to-day activity;
- A controlled impairment, eg prosthetic devices, drug-controlled epilepsy or diabetes;
- A history of impairment, eg a person who used to be disabled and has recovered (eg a person with a previous mental illness).

Disability does not include:-

- Hay fever sufferers;
- A person with antisocial tendencies (such as paedophilia and/or abusive behaviour);
- A person diagnosed as HIV-positive, until they exhibit physical symptoms or related conditions;
- A person who has a behavioural difficulty, for a reason other than a disability, eg arising from social or domestic circumstances;
- A person who is addicted to nicotine, alcohol and other non-prescribed substances.

## 1 **Disability Discrimination**

Bath Academy will not treat a pupil or employee or a prospective pupil or employee less favourably on the grounds of disability ***without justification***.

Bath Academy will not knowingly discriminate against a person on the grounds of disability:-

4.1 In the arrangements for determining admission or employment procedures.

4.2 In the terms on which a place or position at the college is offered.

4.3 By refusing or deliberately omitting to accept an application for admission or employment.

4.4 In the provision of education and associated services

4.5 By excluding a person on the grounds of their disability.

4.6 By victimising a person with a disability.

4.7 By failing to take steps or **make reasonable adjustments** to ensure that disabled persons are not placed at a **substantial disadvantage** in comparison with non-disabled persons.

## 2      **Admissions Procedures for Students**

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

The registration form or medical form to be completed with the registration form will enable students/parents to give details of a student's disability.

Every application will be considered on its merits within the college's criteria for selection (see *Admissions Policy*).

The college will treat every application from a disabled student in a fair, open-minded way.

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

The application will be considered on the basis that all “***reasonable adjustments***” (see definition below) have been made by the college in order to cater for the student's disability.

The college will not offer a place if, after all reasonable adjustments have been made, the college will not be able adequately to provide for the student's physical and educational needs.

The college shall inform the student and/or parents of its decision and give details of the reasonable adjustments it is going to make or give reasons why it is unable to make the offer of a place.

## 3      **Education and Associated Services**

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 which covers all aspects of college life including:-

The curriculum

Classroom organisation and timetabling

Access to the College's facilities and activities, including extracurricular activities

The college's policies

Timetabled breaks

Assessment and examination arrangements

College discipline and sanctions

Exclusion procedures

Preparation of students for the next phase of education, eg university education

#### 4 **Reasonable Adjustments**

The college **is legally obliged** to make "*reasonable adjustments*" in order to cater for a student's disability. The college **is not legally required** to provide auxiliary aids or services or to make any alterations to the physical features of the college.

The college shall inform students and parents of the reasonable adjustments that it is legally required to make for that student, which may typically include:-

7.1 Making arrangements for a student in a wheelchair to attend an interview in an accessible ground floor room.

7.2 Allowing extra time for a dyslexic student to complete an examination.

7.3 Providing examination papers in large print for a student with a visual impairment.

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

7.5 Arranging a variety of accessible sporting activities

The college **is not legally required** to make adjustments which include:-

7.6 Physical alterations such as the provision of a stair lift or new ground floor facilities such as a new library or new laboratories.

7.7 Auxiliary aids and services such as a loop for students with hearing aids, large LCD screen computers or disability-trained teaching or teaching assistant staff.

## 5 **Disclosure**

Parents will be requested to provide the college with copies of the student's most recent medical report, educational psychologist's report and any other information regarding the student's disability.

If, having offered a place, the college discovers that it has not received full disclosure of information relating to the student'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 parents to withdraw a student who is already enrolled.

## 6 **Review Procedure**

Parents may request a review of a decision not to offer a place on the grounds of disability. The request must be made within seven days of the decision being notified to parents. The Principal will advise as to the procedure under which such a review will be conducted.

## 7 **Accessibility Plans**

The college's accessibility plan will be available on request to all parents and staff. It will include consideration of how the college proposes to:-

Increase the extent to which disabled students can **participate in the curriculum**.

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

Improve the **delivery** to disabled students of information that is usually provided in writing to pupils who are not disabled.

The accessibility plan will be reviewed on a continuous basis.