



The Aylesbury Vale Academy

Success Beyond Belief

A Church of England Academy

DISABILITY POLICY

SEPTEMBER 2009

VISION:

That every young person graduates from Aylesbury Vale Academy as citizens of an international community where they have the mobility borne from their outlook, qualifications, skills and experience to be successful.

GUIDING PRINCIPLES: WE ADOPT THE CHRISTIAN VALUES OF:

- Honesty
- Respect
- Compassion
- Love
- Forgiveness
- Self-discipline
- Creativity
- Hope

OBJECTIVES:

1. To provide a safe and healthy environment for disabled students and staff.
2. To treat disabled students and staff indiscriminately.
3. To cater for a disabled person's learning needs fairly and appropriately.

MONITORING (via Governors' Management Committee):

1. Throughout the academic year the committee will ask to see evidence the Academy adheres to the Disability Discrimination Act 1995.
2. The committee will gain evidence from the Principal.
3. The chair of the committee will ask to see any matters arising relating to disabled students or staff.
4. The committee will be provided with the findings of the said matters.
5. Visit the Academy to follow lines of enquiry as a result of the committee meeting (adhering to the protocol for governor visits).

REVIEWING

The Governing Body is responsible for reviewing its policies and the Principal is responsible for reporting on the implementation of the policy.

1. Has the policy been successfully implemented?
2. Has the policy had the intended impact in the Academy and on the young people?
3. Are the current objectives to remain the same and do they support other policies and development priorities?

NOMINATED MEMBER OF STAFF:

HEAD OF COLLEGE

APPENDIX 1

Operating Statement

Disability is defined by the Disability Act 1995 (DDA): "A person has a disability if he or she has a physical or mental impairment that has a substantial and long-term adverse effect on his/her ability to carry out normal day to day activities".

The Aylesbury Vale Academy recognises its duty under the DDA:

- Not to discriminate against disabled students in their admissions and exclusions, and provision of education and associated services
- Not to treat disabled students less favourably
- To take reasonable steps to avoid putting disabled students at a substantial disadvantage
- To publish and Accessibility Plan
- To ensure governors and staff have regard to the DRC Code of Practice (2002) when performing their duties
- To value parents' knowledge of their child's disability and its effect on his/her ability to carry out normal activities
- To respect the parent's and student's right to confidentiality
- To provide all students with a broad and balanced curriculum, differentiated and adjusted to meet the needs of individual students and their preferred learning styles and to endorse the key principles in the National Curriculum framework, which underpin the development of a more inclusive curriculum. In so doing, setting suitable learning challenges by:
 - Responding to students' diverse learning needs
 - Overcoming potential barriers to learning and assessment for individuals and groups of students
- To treat all staff fairly and appropriately if they are, or become, disabled

APPENDIX 2

Effective Policy

Aylesbury Vale Academy will:

- Fulfil its legal obligations under the Disability Discrimination Act 1995 and any related subsequent legislation
- Seek to identify and remove all unjustified direct and indirect discrimination against people with a disability/learning difficulty
- Pursue a consistent programme of development and improvement in facilities, in processes and in the skills, knowledge and understanding of staff to meet the needs of people with disability/learning difficulty
- Liaise with national organisations and local support services to ensure that a range of options, resources and facilities are identified for the benefit of individuals

In Addition:

- Admissions from potential pupils or applications for employment are assessed on the basis of the applicant's aptitudes, abilities and qualifications
- Disabled staff and pupils have access to the appropriate support and adaptations to enable them to be fully included in the life of the Academy
- The views of the individual pupil or member of staff are taken into account at all times when their requirements are being assessed
- Members of staff working with disabled people either as colleagues or pupils, have appropriate information and support
- The Academy will take steps to enable staff and pupils who become disabled during their time at the Academy to continue in their chosen career or Academy career, wherever possible
- The Academy will endeavour to accommodate disabled visitors, wherever possible, to enable them to participate in events held on Academy premises
- So far as is reasonably practicable and within the constraints of existing buildings, the Academy locations are accessible and safe for disabled people

Disability Code of Practice – Code of Practice relating to pupils

Admissions

- All parents of pupils who are being called for a discussion at the Academy should be asked if they require any assistance to enable them or their child to access the buildings and/or to participate fully in the discussions, for instance the provision of information in an alternative format
- Applications from all pupils will be assessed on the basis of academic suitability. Discussions about the support requirements of pupils will be separate from that consideration
- The Academy will make available clear information about access to buildings and support facilities to enable the parents of disabled pupils to make an informed choice
- The Academy will identify a designated member of staff with whom the parents of disabled pupils may discuss the curriculum, the teaching and learning activities entailed, to ensure that any learning support and other needs are clearly identified. Designated members of staff will receive appropriate training.
- No pupil will be refused a place at the Academy on the grounds of disability alone before an opportunity has been provided for full consideration of the specific support or facilities required, in consultation with the Principal, the Special Education Needs Co-ordinator and others whose expertise may be required for the specific situation
- If a pupil is rejected on grounds other than academic considerations, a record of the decision and the reasons for it will be kept for one year. When requested the Academy will give feedback to the pupil's parents.

Curriculum and Assessment

- The Academy will take appropriate steps to ensure that lessons are organised in ways which offer the best possible opportunities for full participation by disabled pupils
- The Academy will identify designated members of staff with whom disabled pupils and their parents may discuss the specific requirements of their intended curriculum, in advance, to ensure that learning support and other needs are identified and made known to relevant staff. This mechanism will also be used to enable pupils and their parents to discuss any emerging needs and identify appropriate possible courses of action to address those needs. Designated members of staff will receive appropriate training.
- Appropriate modes of examination and assessment will be determined after consultation with the pupil and their parents, relevant academic staff, the Special Education Needs Co-ordinator and others, as necessary, to enable pupils to demonstrate that they have met the criteria for progression or the conferment of an award. The purpose of any special arrangements shall be to compensate for any restriction imposed by the disability without compromising academic standards.
- Any request for special arrangements, in relation to examination and assessment procedures, must be supported by medical or other evidence and it is the pupils and their parents' responsibility to make that available to the Academy
- The Academy will take all appropriate steps to ensure that a pupil who becomes disabled during their time at the Academy has every opportunity to remain at the Academy through the provision of the same level of adaptation and support as a comparable pupil who is disabled at the start of their Academy career
- The Academy will aim to ensure that disabled pupils have equal access to all pupil facilities. While it is recognised that some of these facilities are located in buildings, which have access problems, the Academy will ensure that the facility can be provided in such a way that the needs of the disabled pupil are met. Examples of this would be assistance in the library to obtain books, provision of information in Braille or large print, special keyboards and software programmes.
- The Academy will take account of the needs of students 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 scheme and more accessible facilities and fittings

Health and Safety

- The Academy will ensure that all pupils, including pupils with special educational needs and disabilities, are familiar with emergency evacuation procedures and all other Health and Safety issues within the Academy

Disability Code of Practice – Code of Practice on Employment

- The Disability Discrimination Act makes it unlawful for the Academy, and therefore, any of its employees to discriminate in the field of employment, against a disabled person for a reason that relates to the persons disability, if that treatment cannot be justified. This applies not only to requirements, but to all areas of employment including the terms of employment, opportunities for promotion, transfer or training, dismissals or redundancies. This Code of Practice aims to ensure that the Academy acts within the law.

Wherever practicable, the Academy will:

- Seek to employ disabled people in jobs suited to their aptitudes, abilities and qualifications
- Seek to ensure that disabled employees are considered for promotion according to their aptitudes, abilities and qualifications
- Ensure that disabled people are not disadvantaged when the renewal of fixed term contracts is being considered

Recruitment

- Application and selection procedures used in the recruitment and selection of staff should encourage disabled people. All applicants should be asked when being called for interview if they require any assistance to enable them to participate fully in the interview, or example an accessible interview venue, a signer or the provision of information in an alternative format.
- All candidates will be assessed on their abilities, qualifications and experience according to the objective criteria developed for the post. It may be that a 'reasonable adjustment' would be required to allow a disabled candidate to meet the criteria but it should be assumed, in deciding whether the individual meets the criteria, that the appropriate adjustment had been made. For example, no candidate will be rejected simply on the basis that they cannot gain access to the building and detailed discussions should take place with the Principal before any decision is made. Most arrangements to accommodate disabled employees can be made within existing resource constraints or at minimal cost. It should, therefore, not be assumed that employing disabled people will cause problems or generate significant additional cost.

Support in Employment

- Some disabled people may require additional support when settling into their working environment. Head of Colleges and colleagues should ensure that particular needs are discussed with the individual concerned. In particular, consideration should be given to any adaptation e.g. provision of equipment, modification to the working environment or to the organisation of the post, which may be necessary to enable the individual to work on equal terms with non-disabled colleagues. Any necessary modifications should ideally be agreed and carried out before the individual commences work. Some of the adjustments may have implications for other staff and it is important that they are consulted about proposed changes. Consideration should also be given to

parking facilities, toilet facilities and health and safety issues such as fire alarms and procedures.

Confidentially

Where the disability is not obvious, the individual should be asked if they wish their colleagues to be informed of their disability and Heads of College/Line Manager should respect their wishes in this regard. In certain cases, it may be appropriate for some colleagues to be aware of the condition in order to be able to respond appropriately in cases of emergency.

Training

Training should be made available to disabled people on the same basis as their colleagues. Where special arrangements are required, for example, accessible training accommodation or Braille handouts, this should be put in place.

Members of Staff who become Disabled

Losing the services of a member of staff who becomes disabled can deprive the Academy of a considerable asset in terms of the skills and experience of the individual as well as an investment in that individual's training and development. Where practicable the Academy will attempt to retain staff who become disabled and to ensure suitable employment for them. Senior members of staff should deal as sensitively as possible with these situations and seek help where required. Help should be sought when considering not only the possible effects of the disability but also other consequential disadvantages, such as loss of status, financial loss and reduced self-esteem.

The Academy is required by law to make reasonable adjustments to enable the individual to continue in post.

There are a number of possible options to consider:

- Continuing in the same post – where the disability has occurred as the result of an accident, for example, the individual has been absent from work for some time, the Academy should be flexible and sensitive in assisting staff to return to work. In circumstances where it is envisaged that some difficulties may be encountered the Academy should consider a gradual return to work or a permanent reduction in hours until confidence and ability are fully restored, or a trial period of up to twelve weeks can be used to try to assess whether the member of staff can cope with the old job or a new one.
- Re-deployment – where it is not practicable for the individual to continue in their former post, the Academy should attempt to re-deploy the individual into a suitable alternative post. The individual's qualifications and skills as well as their own preferences in terms of type of work should be taken into account when trying to identify a suitable vacancy.
- If a suitable vacancy cannot be found within the Academy, there may be a suitable vacancy at another school. This would be subject to a trial period to see how they coped and the Academy will do everything possible to support the

individual. At the end of the trial period a formal review should be held to determine whether the individual should be confirmed in the post. Substantive grounds would be required if it is considered that the individual is not suitable.

In both options outlined above, individuals have recourse to the Grievance Procedure if they are not satisfied that they have been treated fairly.

- Premature retirement on grounds of incapacity – where it has been decided that redeployment is impracticable, the member of staff may be considered for retirement on the grounds of medical incapacity under the normal terms of the appropriate procedure.
- Termination of employment – if all other options have been explored and found to be impracticable, dismissal on grounds of incapacity should be considered. If it proves to be necessary, termination will be in accordance with the appropriate procedures which include a right of appeal. In some cases, the disability will be a progressive condition, which develops over time and a number of the options will be appropriate at different stages. For example, the individual will probably be able to continue for some time in their existing post, with or without appropriate adjustments, before any of the other options require to be considered.

Visitors

The Academy will aim to ensure that all buildings intended for use by disabled people are accessible. Provision of information will also be required for emergency and evacuation procedures.

Responsibilities

Academy staff are expected to be aware of this policy and treat disabled people, whether pupils, staff, visitors, members of the public in accordance with these provisions. In particular, Heads of Colleges will be responsible for ensuring that the policy is communicated effectively and is being implemented in their areas of control. This policy will be reviewed annually.

The Academy will seek and take account of relevant advice, where appropriate, of external services, such as specialist teacher advisors and SEN inspectors/advisors and of appropriate health professionals from the NHS Trusts.

Further information

Further information can be obtained from:

- i. the 'Code of Practice for Schools' (Disability Discrimination Act 1995: Part 4)
- ii. the Employment Service
- iii. the Disability Rights Commission (www.drc.org/drc/)

APPENDIX 3

APPROVED	JULY 2009		
REVIEW DATE	JULY 2010		
SIGNED PRINCIPAL		PRINT NAME	
SIGNED CHAIR OF GOVERNORS		PRINT NAME	