



# **REASONABLE ADJUSTMENT POLICY**

1<sup>st</sup> September 2015

DOCUMENT CONTROL

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| <b>Document Reference</b>   | Reasonable Adjustment Policy   |                    |
| <b>Version</b>  | 01   |                    |
| <b>Status</b>   | Approved   |                    |
| <b>Publication Date</b>   | September 2015   |                    |
| <b>Related Policies</b>   | Safeguarding Policy  |                    |
| <b>Review Date</b>  | September 2017   |                    |
| <b>Approved/Ratified by</b>   | Full Governing Body  | Date: 07 July 2015 |
| <b>Distribution:</b>  |  |                    |
| Future The Trusts Trust Staff   |  |                    |
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| Version | Date    | Comments | Author            |
|---------|---------|----------|-------------------|
| 01      | 23.6.15 |          | S Parish/ S Doyle |
|         |         |          |                   |
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**Review Process Prior to Ratification:**

| Name of Committee | Date                       |
|-------------------|----------------------------|
| Safeguarding      | 23 <sup>rd</sup> June 2015 |
|                   |                            |

## **Introduction**

All The Trust must use their best endeavours to ensure reasonable adjustments are made to include all pupils have the same access and rights within the Trust and its day to day running.

Reasonable adjustment must be made in order to ensure that the needs of all are being met appropriately and that every situation is dealt with in a fair and diplomatic way.

The Disability Discrimination Act 1995 (DDA) requires The Trusts and local authorities to make reasonable adjustments to ensure that disabled pupils are not at a substantial disadvantage.

The Trust is inclusive The Trust and has over 2500 pupils and continually welcomes many children with many different Special Educational Needs and disabilities.

This document sets out the Trusts policy in dealing with any disabled person; whether already at the Trust or is looking to join and how we are able to support their needs.

All of The Trust's policies have a focus on ensuring to the need to eliminate any form of discrimination and advance equality of equal opportunity.

The Trusts governors recognise that disabled pupils have a right not to be discriminated against at The Trust, and that this covers everything that the Trust provides for our pupils, beyond just the formal education available. It includes access to all The Trust activities including after The Trust clubs, sports activities and educational visits, as well as access to the Trust facilities such as libraries, science lab and workshops etc.

The Trust will not discriminate against or victimise a pupil:

- In the way the Trust provides education for the pupil;
- In the way the Trust affords the pupil access to a benefit, facility or service;
- By not providing education for the pupil;
- By not affording the pupil access to a benefit, facility or service; or
- By subjecting the pupil to any other detriment

The reasonable adjustments duty was first introduced under the Disability Discrimination Act 1995. The reasonable adjustments duty under the Equality Act 2010 operates slightly differently and has been extended to cover the provision by a The Trust of auxiliary aids and services.

The duty towards pupils sits alongside the Trust's duties towards special educational needs under Part 4 of the Education Act 1996. In some cases the support of a disabled pupil may receive under the SEN framework may mean that they do not suffer a substantial disadvantage, and so there is no need for additional reasonable adjustments to be made for them. In other cases disabled pupils may require reasonable adjustments in addition to the special education provision they are receiving.

### Definition of disability

The Equality Act 2010 defines a person as disabled if they have a physical or mental impairment that has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities.

- **Normal day-to-day** means things that people do on a regular or daily basis, such as reading, writing, using the telephone, having a conversation and travelling by public transport.
- **Long-term** usually means the impairment should have lasted or be expected to last at least a year.
- **Substantial** means not minor or trivial.

The key issue is not the impairment but its effect. Impairment such as migraines, dyslexia, asthma and back pain can count as a disability if the adverse effect on the individual is substantial and long-term. Some conditions automatically count as disabilities for the purposes of The Equality Act 2010, from the point of first diagnosis – these are cancer, HIV and multiple sclerosis (MS)

### Factors the Trust must take into account

The Trust is required to use their best endeavours to avoid substantial disadvantage where a provision, criterion or practice puts disabled pupils at a substantial disadvantage.

### Requirements

Reasonable adjustments meet the statutory requirements when they:

- Act to prevent disabled pupils being placed at a substantial disadvantage;
- Are aimed at all disabled pupils;
- Are anticipatory;
- Enable pupils to participate in education and associated services.

When deciding if a reasonable adjustment is necessary to avoid placing disabled pupils at a substantial disadvantage, the Trust needs to consider the potential impact on disabled pupils in terms of:

- Time and effort;
- Inconvenience;
- Indignity or discomfort;
- Loss of opportunity;
- Diminished progress.

## Principles

The Trust will make reasonable adjustments for disabled pupils at different levels of Trust life:

- For the individual disabled pupil;
- In their practices and procedures;
- In their policies.

To make reasonable adjustments we will need to:

- Plan ahead;
- Identify potential barriers;
- Work collaboratively with disabled pupils, their parents and others;
- Identify practical solutions through a problem solving approach;
- Ensure that staff have the necessary skills;
- Monitor the effects of adjustments on a pupil's progress.

The Trust ensure that the following people are all involved in the implantation of all reasonable adjustments that need to take place:

- Governors;
- Principal;
- SENCOs;
- Teachers and all other staff are engaged in the process.

The Trust will know we are succeeding in making reasonable adjustments when disabled pupils are participating fully in Trust life:

- In the classroom;
- In the 'school curriculum';
- At breaks, lunchtime and beyond the school day;

And when:

- Disabled pupils feel part of the life of the Trust;
- Disabled pupils are included by their peers in all parts of Trust life;
- Parents feel their disabled child is part of the life of the Trust;
- Staff feel confident in working with disabled pupils.

The duty does not require the Trust to make reasonable adjustments to avoid the disadvantages caused by physical feature as this is covered by planning duties.

The Trust cannot justify a failure to make a reasonable adjustment. Where the duty arises the issue will be whether or not to make the adjustment is 'reasonable' and this is an objective question for a tribunal to determine ultimately.

The Trust understands that the Trust is not expected to anticipate the needs of every prospective pupil but acknowledges that it is required to think about, and take reasonable steps to overcome, barriers that may impede pupils with different kinds of disabilities.

The Trust will not wait until an individual disabled person approaches the Trust before considering how to meet the duty. We will plan ahead for the reasonable adjustments that may need to be made, regardless of whether the Trust currently has any disabled pupils.

### Responsibilities

The Senior Leadership Team is responsible for ensuring there is no discrimination in relation to education or access to any benefit, facility or service.

The SLT has determined this policy and delegated the implementation to the Principal.

The Principal will make decisions about the reasonableness of the provision.

The Trust has an on-going duty to make reasonable adjustment in respect of the education and associated services provided. This is a broad expression that covers all aspects of Trust life.

Some of the activities that are covered by the expression include:

- The curriculum;
- Classroom organisation and timetabling;
- Access to Trust facilities;
- School sports;
- Trust policies;
- Breaks and lunchtimes; the serving of meals;
- Assessment and examination arrangements;
- School discipline and sanctions;
- Exclusion procedures;
- School clubs, educational visits and other activities;
- Preparation of pupils for the next phase of education.

All staff must cooperate with the Trust as far as is compatible with their contractual duties in discharging the Trust's responsibility.