



FULHAM PREP  
EQUALITY, DISABILITY AND DISCRIMINATION POLICY  
(SENDA)

This policy incorporates the duties for schools under the Disability Discrimination Act 1995 (DDA) and the DDA 1995 Part 4 (as amended by the Special Educational Needs and Disability Act 2001) (SENDA) and takes full notice of the Code of Practice for Schools published by the Disability Rights Commission (2002) and the Equality Act 2010.

From October 2004 the Disability Discrimination Regulations include small schools that were previously exempted. The Equality Act 2010 replaces the three previous equality duties for race, disability and gender, and covers age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In accordance with the Act the school will have regard to the need to;

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the act
- advance equality of opportunity between people who share a protected characteristic and those who do not
- foster good relations between people who share a protected characteristic and those who do not.
- Equal Opportunities is the responsibility of the whole school community. It is reflected throughout the organisation of the school and addressed in the taught and hidden curriculum. The school ensures that staff expectations of different race/religious belief groups are no different.
- All staff, governors, parents/guardians and pupils regardless of race, ethnicity, disability, gender and socio-economic background, are welcome and will be encouraged to participate in the life of the school.
- The application of the Act can be seen in all aspects of school life, especially in its safer recruitment policy and special educational needs policy. All curriculum policies state that pupils will have equal opportunities to access the curriculum.

## Definitions

### Disability

According to the Equality Act, a person has a disability if he/she has a physical or mental impairment which substantially and in the long term adversely affects the person's normal day-to-day activities. This applies to members of staff and pupils.

Having a disability does not, however, imply that a pupil has for that reason alone 'special educational needs' under the terms of the Education Act 1996 and the Code of Practice. Therefore, each pupil with a disability will require separate consideration and treatment.

### Unlawful Discrimination

It is unlawful to treat a disabled person less favourably than a person treats or would treat others because of their disability (which is known as a ("protected characteristic").

It is also unlawful to discriminate against a person for a reason arising from disability. A person discriminates against a disabled person if:

- he or she treats the disabled person unfavourably because of something arising in consequence of that disabled person's disability, and
- he or she cannot show that the treatment is a proportionate means of achieving a legitimate aim, and
- he or she knew, or could reasonably have been expected to know, that the disabled person had the disability

It will also be unlawful to fail to make 'reasonable adjustments' to admission and curriculum arrangements, and in relation to education and associated services, to ensure that disabled pupils are not disadvantaged in comparison with pupils who are not disabled, without justification.

### Less Favourable Treatment

For 'less favourable treatment' to lead to unlawful discrimination, it must be:

- for a reason related to the person's disability, and
- less favourable treatment than the treatment given to a non-disabled person, and
- not be justified

### Justification

Less favourable treatment can be justified if the reasons are material to the circumstances and substantial. (Examples are given in the Disability Rights Commission's Code of Practice for Schools. Available from the DRC or from the internet at –

[www.drc-gb.org/drc/documents/schoolscop2.doc](http://www.drc-gb.org/drc/documents/schoolscop2.doc)

The school believes;

- All pupils are of equal value whether or not they are disabled, whatever their ethnicity, culture, national origin or national status, whatever their gender and gender identity, whatever their religious or non-religious affiliation or faith background and whatever their sexual orientation.

- Diversity is a strength therefore the school, respects, values and welcomes difference.
- It is important to acknowledge and celebrate differences and strive to remove barriers and disadvantages which people may face, in relation to disability, ethnicity, gender, religion, belief or faith and sexual orientation.
- Positive attitudes and relationships must be fostered and mutual respect shown between groups and communities different from each other.
- A shared sense of cohesion and belonging within the school and wider community is fostered
- Staff policies and procedures, including recruitment, promotion and continuing professional development must benefit employees and potential employees.
- Throughout the school standards and support for all pupils are paramount, especially those requiring additional assistance.
- It accounts for equality issues in relation to admissions and exclusions; the provision of education and access for all pupils to facilities and services.
- It is aware of the Reasonable Adjustment duty for disabled pupils, designed to enhance access to and participation by disabled pupils, preventing them being placed at a disadvantage compared to their non-disabled peers.
- No one is discriminated against when it comes to employment, promotion or training opportunities.
- It actively promotes equality and diversity through the curriculum and by creating an environment which champions respect for all.
- Admissions arrangements are fair
- It does not discriminate against pupils or staff by treating them less favorably on the grounds of their sex, race, disability, religion or belief, sexual orientation, gender reassignment, pregnancy or maternity.

The school;

- prepares pupils for life in a diverse society and ensures that activities across the curriculum promote pupils' spiritual, moral, social and cultural development
- actively supports difference and diversity and raises pupils' awareness of the negative impact of stereotyping, prejudice and discrimination through PSHE and citizenship and across the curriculum.
- ensures resources reflect the diversity of the school population and local community and provide opportunities for pupils to appreciate their own culture and celebrate the diversity of other cultures.
- promotes a whole school ethos and values that challenge prejudice of all types
- provides opportunities for pupils to listen to a range of opinions and empathise with different experiences.
- promotes positive messages about equality and diversity through displays, assemblies, visitors, whole school events
- ensures statements of equality and opportunity are included in all relevant school documentation e.g. school prospectus, vision statement, policies and in the staff handbook.
- Aims to enable governors, staff and pupils to receive training in relevant aspects of equal opportunities to ensure their ability to actively support this policy.
- Provides parents and pupils with information detailing the school's rules, identifying expectations of behaviour.

With specific regard to the Multi-Cultural perspective, the school:

- Ensures staff incorporate a balanced view of the world in their teaching through a multi-cultural approach.

- Ensures staff recognise and understand that pupils are world citizens who will meet a wide variety of cultures throughout their lives.

With specific regard to Gender, the school:

- Promotes non-sexist attitudes in both children and staff.
- Ensures pupils have equal access to opportunities which will equip them for adult life
- Ensures all pupils, irrespective of gender, meet challenging expectations.
- Works towards the eradication of sexual stereotyping.
- Enables all pupils to try out new roles in play and learning activities, equipment and resources
- Ensures equal distribution of tasks between girls and boys
- Reviews resources and displays to ensure they present a non-sexist attitude
- Reviews responses to behaviour problems to ensure equal approaches to both genders.

With specific regard to Race, the school:

- Challenges racism in the context of a caring school community
- Ensures no pupil or adult is treated in any way differently, or in a derogatory manner, because of their race.
- Does not tolerate provocative behaviour, i.e. wearing of any racist badges or insignia.
- Does not accept verbal abuse or name calling of a racist nature.
- Will not allow pupils to be ridiculed due to racial differences.
- Will not allow racist jokes or stories.

With specific regard to Ability the school:

- Believes every pupil is entitled to a positive, helpful learning environment, with work that matches individual needs. This will be through differentiated planning and additional support from various support staff. (see SEND policy)
- Allows all pupils access to equipment, resources and support.
- Values all pupils' efforts and achievements across the curriculum.
- believes all pupils have a common entitlement to a broad and balanced academic and social curriculum
- responds to pupils learning needs individually
- understands pupils learn at different rates and factors affecting achievement, include ability, emotional state, age and maturity.
- provides teaching and learning contexts which enable each pupil to achieve to his or her full potential.

With specific regard to Physical Disability, the school:

- Does not treat pupils differently to others due to their individual physical disabilities and needs.
- Makes provision, where possible and reasonable, for the individual special needs of any disabled children within the school community.
- Believes a physically disabled pupil has a right to participate in all activities in so far as their individual disability allows them to do so

Pupils:

The School will continue to consider disabled pupils for admission to the School provided

that the criteria for admission are met and that the child is not discriminated against on the grounds of disability alone

**Pupils:**

The School values the full range of its pupils and seeks to ensure that its practices are fully inclusive. Every effort will be made to ensure that 'reasonable adjustments' are made to accommodate disabled pupils, while bearing in mind the interests of other pupils.

The school is required to make, under the terms of SENDDA 2001:

- Improvements in access to the curriculum for disabled students
- Physical improvements to increase access to education and associated services (e.g. extra-curricular activities)
- Improvements in the provision of information in a range of formats for disabled students

There is an additional requirement for schools to explore whether or not students with behaviour issues may or may not have an underlying disability leading to this. For example, the following may be underlying reasons for poor behaviour:

Mental illness, mental health problems, learning difficulties, dyslexia, diabetes, epilepsy.

(Behaviour difficulties arising from social or domestic circumstances are not covered by the Act. Other school policies cover these areas.)

The School will take into account all these requirements when considering the inclusion of disabled pupils in the school's curriculum.

### The Head and Senior Managers

The Head is responsible for overseeing implementation of the policy; for ensuring that all staff are aware of their responsibilities, are given appropriate training and support and for taking appropriate action in any cases of unlawful discrimination.

The Senior Management team has the day-to-day responsibility for co-coordinating implementation of the policy and for monitoring outcomes. They will have informed knowledge of the Equality Act

### Staff:

The school values each member of staff for their contribution to the school and will seek to ensure that no member of staff is disadvantaged by reason of his/her disability.

The school is committed to the implementation of equal opportunities principles and the monitoring and active promotion of equality in all aspects of staffing and employment (see Safer Recruitment policy.) We strive to ensure the elimination of discrimination and harassment in our employment practice

All staff appointments and promotions are made on the basis of merit and ability and in compliance with the law. We ensure that, wherever possible, our staff complement reflects the diversity of our school and local community. We respect the religious beliefs and practice of all staff, pupils and parents, and comply with reasonable requests relating to religious observance and practice.

The Head will consider the steps taken to ensure that members of staff who may have a disability are not treated less favourably and that reasonable adjustments are made for them.

Wherever possible:

The development needs of disabled staff will be discussed with the member of staff on a regular basis.

Support staff time will be allocated, relevant to the needs of the disabled member of staff' .

The timetable will be adjusted to reflect the needs of disabled staff members

Within the constraints of financial resources the school aims to make reasonable adjustments to the premises to enable the member of staff to teach effectively.

We expect all members of the school community and visitors to support our commitment to promoting equalities and meeting the requirements of the Equality Act.

Teaching and Support Staff will;

- promote an inclusive and collaborative ethos in their classroom
- challenge prejudice and discrimination and deal fairly and professionally with any prejudice-related incidents that may occur
- plan and deliver lessons that reflect the school's ethos
- provide materials that give positive images in terms of race, gender and disability
- expect the highest standards from all pupils
- support different groups of pupils in their class through differentiated planning and teaching, especially those who have difficulties with learning
- keep up-to-date with equalities legislation relevant to their work
- ensure that the heads policy is implemented
- identify and liaise with staff who have a disability
- identify where reasonable adjustments can be made, and report to the Governors, those that cannot be made within the allocated resources
- Implement and maintain procedures that identify and eliminate areas of possible 'less favourable treatment' for disabled staff.

## Responsibilities

The Governors are responsible for the discharge of the duties in its School, for ensuring that the school complies with legislation, and that this policy and its related procedures and action plans are implemented. The proprietors monitor the school's effectiveness in maintaining their commitment and implementing their duties under the Equality Act, in terms of standards, curriculum, admissions, exclusions, personnel issues and the school environment.

The Head is responsible for admissions to the School.

The Governors are responsible for the discharge of the duties under the DDA 1995, the Equality Act and SENDDA 2001, and the provision of education and associated services. This includes responsibility for volunteer helpers including parents, support service teachers, school meals staff, after school clubs, or any other activity included within 'provision of education and associated services'.

The Head is responsible for:

Pupils:

- identifying pupils who have disabilities
- ensuring that the policies are implemented in the School
- that non-discriminatory practices are developed
- identifying where 'reasonable adjustments' can be made
- training all staff in their responsibilities towards disabled pupils
- delegating responsibilities and tasks to other staff as appropriate
- liaison with parents and any agencies as necessary

The Head will ensure that disabled pupils are not discriminated against:

- through the criteria they determine for admission to the School, including criteria used where the school is oversubscribed.
- by refusing, or deliberately not accepting, an application from a disabled person for admission to the school

All Staff are responsible for knowing their responsibilities towards pupils with disabilities and for taking appropriate action.

- oversee the implementation of all the School's policies and practices in this area, including Disability Inclusion
- consider what reasonable adjustments are being made and could be made
- make recommendations with a view to improving access to teaching and learning
- consider the School's systems and procedures for making staff, parents and pupils aware of the policies
- consider the school's Accessibility Plan
- review the Plan annually

#### Accessibility Plan

The school has a three year plan in place, in accordance with the Equality ACT 2010, in order to ensure, where possible, 'reasonable adjustments' for current and future disabled pupils. The school currently has 1 pupil with physical disabilities.

This plan reflects the school ethos of inclusion and the desire to be prepared to admit pupils who may have disabilities. The accessibility plan should be read in conjunction with other plans and policies, especially the SEN and Disability policy. Staff at the school will work closely with colleagues from other agencies in order to identify and provide the best support possible.

The accessibility plan deals with;

- the extent to which disabled pupils (including those with special educational needs) can participate in the school's curriculum;

- how the school ensures school information is in a format that is easily understood by pupils with disabilities
- how the school improves the physical environment in order to increase the extent to which disabled pupils are able to take advantage of education and associated services offered by the school.

The governors identify the resources required to implement the plan. Implementation of the plan is overseen by the head

The plan is reviewed annually by the governing body

### Premises

The School recognises that through the provisions of SENDDA it is not required to provide ‘auxiliary aids’ (i.e. special equipment or additional personal support), nor make ‘physical alterations to the buildings (such as to provide lifts).

However, to meet its obligations, the School will ensure that the needs of disabled staff and pupils are fully considered in any strategic planning for the development of the school campus.

The school will budget annually for reasonable minor adjustments to the environment to enable a member of staff and/or a pupil with a disability to have access to the full teaching and learning of the school. The school will bear in mind health and safety requirements and the interests of other pupils in all the above considerations.

### Liaison with Parents

The School will continue to ensure close liaison with families of all students with disability through the provision of designated staff members with allocated time and effective communication skills

Whenever appropriate, information home is provided in different formats to take account of disability

Under the supervision of a senior member of staff with delegated responsibility, staff with pastoral responsibility will liaise closely with the homes of students who exhibit behavioural difficulties to determine whether they arise from disability or from domestic or social circumstances. They will report to the senior member of staff who will determine, after consultation, appropriate action.

The Head will review the effectiveness of its policies and the School’s procedures annually to ensure full compliance with the Disability Discrimination Act 1995 (as amended by the Special Educational Needs and Disability Act 2001) and the Equality Act through its annual cycle of review.

More information can be found at:

<https://www.oneeducation.co.uk/services/school-business-management/hr-services/equality-act-faqs-for-schools/>

UPDATED	BY
December 2014	Mrs J Emmett
December 2015	Mrs J Emmett
September 2017	Storm Porter/Angus McDonald

