



West Newcastle Academy
Disability Discrimination Act Action Plan 2020 – 2023

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Action Plan 2020-2023

Section 1: Introduction

Disability Discrimination Act

The SEN and Disability Act 2001 extended the Disability Discrimination Act 1995 (DDA) to cover education. Since September 2002, the Governing Body has had three key duties towards disabled pupils, under Part 4 of the DDA:

- not to treat disabled pupils less favourably for a reason related to their disability;
- to make reasonable adjustments for disabled pupils, so that they are not at a substantial disadvantage;
- to plan to increase access to education for disabled pupils.
- to welcome the views of disabled stakeholders to help improve the provision in our school

This plan sets out the proposals of the Governing Body of West Newcastle Academy to increase access to education for disabled pupils in the three areas required by the planning duties in the DDA:

1. Increasing the extent to which disabled pupils can participate in the school curriculum;
2. Improving the environment of the school to increase the extent to which disabled pupils can take advantage of education and associated services;
3. Improving the delivery to disabled pupils of information which is provided in writing for pupils who are not disabled.
4. to ensure all school policies, plans and procedures are reviewed as part of a 3 year programme and amended if necessary with regard to general duty under the Disability Discrimination Act 2005

It is a requirement that the school's accessibility plan is resourced, implemented, reviewed and revised as necessary and reported on annually. Attached is a set of action plans showing how the school will address the priorities identified in the plan.

The plan must be renewed every three years. The current time frame is 2013-2017. This plan will be reviewed once the school has moved into the new build.

Disability Equality Duty

The Disability Discrimination Act 1995 has been amended by the Disability Discrimination Act 2005 so that it now places a duty on all public authorities, including schools, when carrying out their functions, to have due regard to the need to:

- Promote equality of opportunity between disabled persons and other persons
- Eliminate discrimination that is unlawful under the Act
- Eliminate harassment of disabled persons that is related to their disabilities
- Promote positive attitudes towards disabled persons
- Encourage participation by disabled persons in public life
- Take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons.

The duty does not create new individual rights for disabled people. The duty provides a framework for schools to carry out their functions more effectively and to tackle discrimination and its causes in a proactive way. The duty thus reinforces the pre-existing duties under the Act. There are both general and specific duties. These duties are described in more detail in the next section.

The most important specific requirement is for public authorities, including schools, to have a Disability Equality Scheme. This requirement for schools comes into force in December 2006 (for secondary schools) and December 2007 (for other schools). This plan covers the requirements of the Scheme.

Section 2: Definitions and Duties

Disability Discrimination Act

The Disability Discrimination Act 1995 (DDA) defines a disabled person as someone who has:

'a physical or mental impairment which has a substantial and long-term adverse effect on his or her ability to carry out normal day- to-day activities'.

The definition can include a wide range of impairments, including hidden impairments such as dyslexia, autism, speech and language impairments, Attention Deficit Hyperactivity Disorder (ADHD). Impairment does not of itself mean that a pupil is disabled. It is the effect on the pupil's ability to carry out normal day-to-day activities that has to be considered.

The test of whether impairment affects normal day-to-day activity is whether it affects one or more of the following:

- Mobility
- Manual dexterity
- Physical co-ordination
- Continence
- Ability to lift, carry or otherwise move everyday objects
- Speech, hearing or eyesight
- Memory or ability to concentrate, learn or understand
- Perception of risk of physical danger

A child's ability to memorise, concentrate, learn, speak, move is central to their education. An impairment that has a long-term and substantial effect on a child's ability to do these things may therefore amount to a disability.

Long-term and substantial

The expressions 'long-term' and 'substantial' are somewhat misleading. 'Long-term' is defined in the DDA as 12 months or more. Clearly this rules out conditions such as a broken limb which is likely to mend within that time. 'Substantial' means 'more than minor or trivial' but it may helpfully be thought of as meaning 'having some substance.' The combined effect of these two terms is to include more people in the definition of disability than is commonly anticipated.

The definition in the Disability Discrimination Act (DDA) is broad. It includes more pupils than many people think. There is a significant overlap with pupils with special educational needs, though the definition of special educational needs does not cover all disabled children, for example: pupils with medical conditions, disfigurements and other impairments may count as disabled but may not have special educational needs.

The existence of an impairment or condition does not depend on an official diagnosis. If the impairment is long-term and has a substantial adverse effect, it falls within the terms of the Act whether there has been an official diagnosis or not.

The Duties in Part 4

It is unlawful for schools to discriminate against disabled pupils. A school discriminates if:

- It treats a disabled pupil or prospective pupil less favourably than another for a reason related to their disability and without justification
- It fails, without justification, to take reasonable steps to avoid placing disabled pupils at a substantial disadvantage. This duty is often known as the 'reasonable adjustments' duty

The reasonable adjustments duty requires schools to think ahead, anticipate the barriers that disabled pupils may face and remove or minimise them before a disabled pupil is placed at a substantial disadvantage. Reasonable adjustments may need to be made in admissions, exclusions and 'education and associated services,' a term that covers every aspect of the life of the school. A Code of Practice, published by the Disability Rights Commission (DRC) provides guidance on the way that the duties operate.

In general it is the governing body of the school that is the 'responsible body' for the DDA duties and needs to ensure that everyone in the school, staff or volunteer, is aware of the duties owed to disabled pupils. To avoid discrimination against any disabled pupil, all staff need to implement the duties in relation to their area of responsibility.

If parents think that their child has been discriminated against, they have a right of redress by making a claim of disability discrimination to the SEN and Disability Tribunal. If the Tribunal finds that a school has discriminated unlawfully against a disabled pupil it can order any remedy that it sees fit, except financial compensation.

Disability Equality Duty

The changes to the DDA 1995 brought about by the DDA 2005 have brought about a change in focus from a reactive to a proactive attitude to disability. The Disability

Equality Duty includes both general and specific duties. The DRC again provides Codes of Practice for public authorities and schools must have 'due regard' to the Codes.

Due Regard

"Due regard" comprises two linked elements: proportionality and relevance. In all their decisions and functions schools should give due weight to the need to promote disability equality in proportion to its relevance. This requires more than simply giving consideration to disability equality.

Disability equality will be more relevant to some functions than others. Schools will need to take care when assessing relevance, as many areas of their functioning are likely to be of relevance to disabled people.

Proportionality requires greater consideration to be given to disability equality in relation to functions or policies that have the most effect on disabled people. Where changing a function or proposed policy would lead to significant benefits to disabled people, the need for such a change will carry added weight when balanced against other considerations.

It will not always be possible for authorities to adopt the course of action which will best promote disability equality but schools must ensure that they have due regard to the requirement to promote disability equality alongside other competing requirements.

The General Duty

The general duty requires schools to consider the six issues listed in the Introduction in all actions which they take. The key task is to consider the promotion of disability equality and making sure it is, over time, mainstreamed into all school functions. This includes activities inside and out of the classroom as well as all other aspects of school life eg extended schools, school lettings, employment etc.

The general duty requires schools not only to have due regard to disability equality when making decisions about the future. They will also need to take action to tackle the consequences of decisions in the past which failed to give due regard to disability equality. This is best approached by working towards closing the gaps in outcomes.

The general duty will build on existing responsibilities under disability legislation in relation to schools, including the duties to make reasonable adjustments, and to plan strategically to increase access to schools over time. Schools can implement the general duty by actively reviewing all their policies, procedures and planned access improvements to remove barriers with a view to greater recruitment and retention of disabled staff; and greater participation of disabled pupils, disabled parents and disabled people in all aspects of school life, in the wider community and in the non-educational services they might provide.

Schools will use the framework of the specific duties to structure their information gathering and action planning in relation to the duty. Involving disabled people and where appropriate both disabled parents and parents of disabled children in setting the school development plans and conducting the daily running of the school is likely to be necessary for the general duty to be effectively met.

The Specific Duty

The specific duty regulations require authorities, including schools, to produce and publish a Disability Equality Scheme, to implement certain aspects of the Scheme and to report on it. In West Newcastle Academy it makes sense to combine the Disability Equality Scheme with the Accessibility Plan.

- A school should publish a Disability Equality Scheme demonstrating how it intends to fulfil its general and specific duties
- A school should involve disabled people in the development of the Scheme
- The Scheme should include a statement of:
 - the way in which disabled people have been involved in the development of the Scheme
 - the authority's methods for impact assessment
 - steps which the authority will take towards fulfilling its general duty (the "action plan")
 - the authority's arrangements for gathering information in relation to employment, and, where appropriate, its delivery of education and its functions
 - the authority's arrangements for putting the information gathered to use, in particular in reviewing the effectiveness of its action plan and in preparing subsequent Disability Equality Schemes
- A school must, within three years of the Scheme being published, take the steps set out in its action plan (unless it is unreasonable or impracticable for it to do so) and put into effect the arrangements for gathering and making use of information
- A school must publish a report containing a summary of the steps taken under the action plan, the results of its information gathering and the use to which it has put the information.

Section 3: Vision and Values

Introduction

This is a new school and a new way of learning for the families in the socially deprived area of west Newcastle. The educational model provides sufficient space and time for children to develop a behaviour of learning, and for parents to be engaged in personal development, so that we can be sure that every child has a supportive learning environment at home, and a willingness to learn at school, before embarking on more structured class based work at age 8. Through these solid foundations children will be encouraged and expected to outperform their peers educationally, socially and artistically and make a positive contribution to their community.

The School's Mission

To enhance the social mobility of disadvantaged families in west central Newcastle.

The School's Vision

All children will achieve their full potential, with holistic support, whilst they enjoy, own and drive their learning, gaining self-respect, self-esteem and self-belief.

The School's Ethos

The school's ethos is based on respect for the intrinsic capabilities of children and the recognition that all children are unique individuals with a wide range of abilities and potentials. Children will be valued as strong, sociable and capable individuals, constantly learning and enquiring about the world around them. The school will be a place where children will be encouraged to be curious, to ask questions, to learn from one another and to create their own theories and solutions.

We believe that, for children to flourish, the educational opportunities provided at school must be supported by caring, knowledgeable adults in the home. Parents and carers will therefore be encouraged, welcomed and respected for the knowledge and experience that they bring to a child's education. Moreover, they will be invited to partake in the ongoing program of training to further enhance their nurturing skills and improve basic skills in literacy and numeracy so that they are better able to support their child's learning.

Dialogue with, and democratic decision-making between, children, staff, parents and the wider community will be central to the running of the school, with parents actively involved in school activities.

Moreover, as much learning as possible will be experiential, open-ended and enquiry-based and undertaken in rich and exciting learning environments, including the outdoors. As often as possible, the arts will be utilised to encourage free expression, imagination and creativity. We recognise, acknowledge and celebrate the uniqueness and individuality of every child, not least by cultivating and celebrating the various talents and interests every child possesses.

Section 4: Involvement

Care plans are drawn up for children identified as having disabilities in consultation with specialist support services and parents. They are reviewed regularly and are made available to and discussed with all relevant members of staff, both teaching and non-teaching. IEPS,

A member of the Governing body liaises regularly with the school's SENCo who is the headteacher to monitor and evaluate provision for children with disabilities.

Meetings between the two are held termly.

The views of the children and their parents are taken into account when drawing up and evaluating the effectiveness of care plans. Liaison with the specialist support and medical care services involved with individual children is a fundamental aspect of our provision. We include the recommendations of these services/agencies in all care plans for all children.

Section 5: Management, Coordination and Implementation

- Our SENCO works with the Head teacher and the governors' representatives to monitor and implement this policy.
 - Our Special Needs Governor works in conjunction with the Governors' Curriculum, Finance Personnel and Premises Committees to oversee this policy's formation and implementation.
 - A register of all children with identified disabilities is kept confidentially and updated regularly.
 - The academic progress of children on this register is tracked using the established school systems and any outcome gaps identified.
 - The participation of all children at after school clubs is monitored closely and particular consideration is taken of the uptake of places in these clubs by disabled children.
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- We endeavour to ensure that disabled children participate in all educational and non-educational visits and make provision accordingly.
 - The monitoring and assessment of the impact of this plan and curricular provision / standards achieved by children under its remit are integrated into review meetings on an annual basis. Trends in data will need to be analysed as the latter is collated following the implementation of this plan.

- Parents are fully informed of all provision made for their children and are involved in formal meetings. Teachers are always accessible for informal meetings to discuss progress.
- This plan is referenced in the School Prospectus.

Building
Forest School

Useful Resources and Websites

DfES (2006)

Disability Rights Commission (2002)

Disability Rights Commission (2005)

Implementing the DDA in schools and early years settings

Disability Discrimination Act 1995: Part 4: Code of Practice for Schools

The Duty to Promote Disability Equality: Statutory Code of Practice (England & Wales)

[often referred to as the *Code of Practice on the Disability Equality Duty*]

<http://www.everychildmatters.gov.uk/>

<http://www.teachernet.gov.uk/wholeschool/sen/senstrategy/>

<http://www.drc-gb.org/> <http://www.ofsted.gov.uk/publications/>

<http://www.teachernet.gov.uk/wholeschool/sen/schools/accessibility>

Task	Actions	Team(s) Responsible	Timescale	Monitoring	Outcomes
1. Maintain provision for children with autistic spectrum disorders and specific learning difficulties	establish effective liaison with support agencies to ensure skills update as & when required	SENCO, Head and SEN Governor	Ongoing	Through IEP review procedures, data analysis of in-house / statutory testing (pupil impact), Performance Management.	Full participation by children in question in school life and learning.
2. Regularly review this and other related policies, to include H&S policy, SEN policy, Teaching & Learning, Educational Visits Policy, Accessibility Plan, and curriculum policies in the light of the DDA	<input type="checkbox"/> Ensure that written instructions / materials are provided appropriate to visual need in lessons	Head responsible with SLT and SENCo	Annual review for listed policies.	H&S Inspection OfSTED visit	Updated and current policies compliant with all statutory requirements, enabling all to learn in a safe and stimulating environment.
3. All out-of school activities planned to ensure the participation of the full range of pupils	<input type="checkbox"/> Assess the target group – i.e ensure knowledge of current provision by target group an inclusion of same. <input type="checkbox"/> Ensure activity programmes are inclusive / responsive to individual needs.	Educational Visits co-ordinator, class teachers, Extra-curricular co-ordinator, and SENCO	As arise; planned activities identified in Annual Educational Visits list assessed for needs when booking.	Annual review	All pupils able to access educational visits and benefit from the experience across the ECM agenda.

WNA Action Plan 2013-2017 Strand 1: Increasing the extent to which disabled pupils can participate in the school curriculum

Task	Actions	Team(s) Responsible	Timescale	Monitoring	Outcomes
1. Improve access for wheelchair users	<p>Ensure all areas of new building and main site are accessible to wheelchair users.</p> <p>Ensure school transport system is accessible and inclusive, before it is required by particular pupils.</p> <p>Select offsite locations that encourage maximum inclusivity.</p>	Senco, Head and SBM	<p>September 2013</p> <p>September 2013</p> <p>September 2013 and ongoing</p>	Head / Gov. Finance/Building subgroup	Wheelchair users have full access to all educational opportunities alongside their peers.

2. Ensure contrast of redecoration for visually impaired pupils	Consult with contractor's DDA advisor regarding new build. Future decoration as per Maintenance Schedule.	SBM and Contractor. SBM	September 2013 and Ongoing maintenance / redecoration.	Head / Gov. Finance/Building subgroup	Visually impaired pupils benefit from clear visual discriminated markings – no accidents with this a contributory factor
3. Ensure future alterations comply with DDA requirements	Consult DDA requirements when in planning phase for structural alterations to the building.	Head / SBM	As per Asset Management Plan	Head / Gov. Finance/Building subgroup	Building meets needs of all pupils and parents /adults wishing access
4. Review Accessibility Plan	Access plan reviewed and amendments made if needed	Headteacher and Governing Body	Annual review	Head / Gov. Finance/Building subgroup	Building meets the needs of all stakeholders

WNA Action Plan 2013 – 2017 Strand 2: Improving the Physical Environment

WNA Action plan 2013-2017 Strand 3: Information for disabled pupils which is provided in writing for pupils who are not disabled

Task	Actions	Team(s) Responsible	Timescale	Monitoring	Outcomes
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<p>1. to ensure that all pupils and their families receive accessible information.</p>	<p>Ensure query on disability is added to invitation letters for performances etc. and on annual pupil data update</p> <p>Seek sources of advice to enable school to react quickly when a need arises</p>	<p>Head / SBM</p> <p>SENCO</p>	<p>September 2013 and Ongoing</p> <p>September 2014</p>	<p>Head / Gov. Finance/Building subgroup through review of parent contact forms</p>	<p>Safer / improved access to performances for disabled</p> <p>Children able to access all range of services required for successful educational experience as reflected in positive assessments against ECM agenda.</p>
<p>2. Ensure Website allows for electronic communication with parents / pupils, Learning platform</p>	<p>Investigate and purchase MIS and learning platform that are compatible with needs</p>	<p>Head / SBM in liaison with IT consultant.</p>	<p>September 2013</p> <p>Maintain up to date through annual review with consultants</p>	<p>SBM</p>	<p>Better interface for auditory / visually impaired pupils via use of technology.</p> <p>Improved communication as to provision.</p>

WNA Action Plan 2013-2017 Strand 4: Disability Equality Duty - Whole school actions

Task	Actions	Team(s) Responsible	Timescale	Monitoring	Outcomes
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1. Staff and governor training	Presentation to Governor sub-committee meetings of access training	Chair to identify needs and opportunities	ongoing	Head to review training schedule	Staff and Governors fully informed as to latest statutory requirements and good practice. Governors can successfully assess school provision as part of SEF.
2. Review of whole school policies	Policy review timetable contains prioritised policy review according to statutory regulation and school priorities.	Head liaising with Leadership Team and sub committees.	Annual.	Chair, through the process and through SEF of all internal review processes.	Policies address needs and effect successful provision for all.
3. Data collection, monitoring, evaluation, implementation	<p>Collation of records of progress specifically referencing pupils catered for under this plan.</p> <p>Care plan reviews integrated into Provision map.</p>	<p>SENCO, Head</p> <p>SENCO</p>	Ongoing and annual review.	Head / SEN Governor.	Data is used to track pupil progress in order that planning for pupil needs is based on prior attainment and clear understanding of the next steps needed in learning. Children experience a personalised curriculum and make good progress relative to prior attainment and against objective standards.
4. To ensure Home/School correspondence is appropriate to identified need	<p>Use text 2 parents for hearing impaired</p> <p>Large newsletters/letters for visually impaired</p> <p>Loop system installed for hearing impaired</p>	Head Teacher, Governing Body	As needed	Review annually according to need	Home/school correspondence is appropriate and individuals' needs are met

5. Ensure all visitors are aware of school policies/protocols	Display Equality Statement	Headteacher, Governing Body	January 2010	Review annually	Visitors aware of school regulations
6. Raising equality Awareness for all members of the community	Through minute taking at all meetings Providing information about this plan in accessible places, such as website, community library etc	Headteacher, Governing Body	January 2010	Review annually	Minutes regularly reflect school policies on equality and disability, i.e governors, staff meeting, SLT, School Council, Green Team, Enterprise Team, Amnesty Team minutes
7. Provide opportunities for pupils, staff and parents to comment on the five outcomes of the ECM agenda	Through consultation, newsletters, pupil voice, ethos, VLE	Headteacher, Governing Body, School	January 2010	Review annually	Through annual monitoring school will ensure that all elements and stakeholders are kept informed
8. Record incidents where appropriate to eliminate harassment related to disability	Records kept as evidence in locked cabinet in HT office	Headteacher, Governing Body, School staff	January 2010	January 2013	Records will be used when needed to identify issues and clarify situations
9. School newsletter on telephone/audible website if requested	As stated	Headteacher, school	January 2010	January 2013	Changed and adapted as needed

10. Display inclusive posters of disabled people, i.e SEAL	Posters available and visible around school	Headteacher	January 2010	January 2013	Promotion of respect and moral values
11. Inviting disabled people and charities into school, i.e class assemblies etc	Consider the impact of this on children's awareness, use as a positive element for visits, visitors, trips, etc.	Headteacher, all staff	January 2010	January 2013	Due consideration given and records maintained for reference
12. Identify a range of communication strategies, written audio, Braille, translation, Makaton	<input type="checkbox"/> Staff INSET provided if and when appropriate	Headteacher and all staff	January 2010	January 2013	Needs are met through appropriate CPD

Key messages for schools

The Accessibility Planning Project worked with six partner local authorities and their schools to develop the accessibility planning materials. On the basis of that work, some key issues emerged. They are provided here to inform the further development of schools' plans.

The best plan for your school starts with your school and your pupils

Plans need to start with the school's own information and data about their disabled pupils, the school's vision for their disabled pupils, and the views of disabled pupils and their parents. Every school is different. Another school's plan is unlikely to be relevant to your disabled pupils at your school.

There are more disabled pupils than you think

Crucial to effective planning is a clear understanding of which pupils count as disabled; and which pupils who might be coming to the school count as disabled. Most people are surprised to find out how many are included in the DDA definition.

Consultation is crucial

Consult and schools will get help in identifying their priorities. Consult pupils and parents and schools will get good practical solutions to increasing access for them. Consult early and schools are more likely to get help in identifying low cost or no cost solutions.

Knowing where to go for support

All schools may need to supplement and complement their own expertise. A range of different forms of support is available to most schools: supportive colleague networks, specialist advisory support, different sections of the local authority, other agencies, local and national voluntary organisations.

Nobody can do this on their own: these duties need a school wide response

It needs everyone to take the lead in respect of accessibility within their area of responsibility: access to the curriculum in the hands of those with curriculum responsibilities; access to the pastoral life of the school in the hands of those with pastoral responsibilities; all overseen by the senior management team reporting to the governing body.

Differentiation takes time

If differentiation is to include those pupils who are working at significantly lower levels of the National Curriculum than their peers, a significant investment of time is needed to adapt schemes of work. This work needs to be built into the school's curriculum development and its accessibility plan over time.

'Invest to save'

There is a strong case for investing in curriculum and professional development. This can improve access for disabled pupils and may make more effective use of learning support.

The physical environment is not just about ramps and doorways

Improvements to the physical environment are about getting into and around the school, but they are about more than that: they are about all disabled pupils being able to use all the facilities of the school. It is as much about pupils with autistic spectrum disorders being able to use recreational spaces, or improvements to the acoustic environment, as it is about getting wheelchairs up a step and through the door.

Share where possible

Sharing good practice through clusters and networks can spread creative solutions. Sharing development work through clustering and networks can reduce the workload.

Piggy-back where possible

Where curriculum development is planned, include access considerations; where building works are planned, include access considerations; when ordering books, equipment and materials, include access considerations; when increasing access for disabled staff or members of the public under other parts of the DDA, include access considerations for pupils.

School improvement

Improved access should lead directly to improved outcomes for disabled pupils. The school's accessibility plan should therefore not just be linked to the school improvement process, it should be located firmly within it.