



the **ST LAWRENCE** academy

Disability Statement

Within the academy we strive to create a learning environment, curriculum, experiences and relationships in which all individuals can find expression, be nourished and developed.

The academy commits itself to creating an environment for everyone that is characterised by our core values of Truth, Justice, Forgiveness, Generosity and Respect. These values have been used to determine this policy.

Under the **Disability Discrimination Act 1995** (DDA) employers, including LAs and governing bodies, must not discriminate against disabled people applying for jobs, or against existing disabled staff.

A person has a disability if he or she 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. People who have had disabilities are also protected. The definition is wide and can cover people with hidden impairments or even conditions where the effects are significantly reduced by medication or other treatments, e.g. diabetes. It is unlawful discrimination for an employer to treat a person less favourably than others for a reason to do with disability unless the treatment can be justified by the employer.

The Act also imposes a duty on employers to make reasonable adjustments if the premises or employment arrangements substantially disadvantage a disabled person compared with a non-disabled person. Examples of adjustments might be the installation of a ramp for an employee who uses a wheelchair. Holding meetings on the ground floor rather than on the first floor. Displaying staff notices in large print, Braille or on audiotape for someone with a visual impairment.

Complaints about disability discrimination can be heard by an employment tribunal (if they relate to an employment matter) or a County Court (if they concern the supply of goods, facilities or services). The **Disability Rights Commission** has power to provide financial and other assistance with claims.

The employment provisions of the DDA do not apply in relation to an employer who has fewer than 15 employees. It follows that the requirements of the DDA referred to above do not apply in the case of a voluntary aided, foundation or foundation special school which has fewer than 15 members of staff.

It is also illegal for anyone providing goods, facilities or services unjustifiably to discriminate against a disabled person. This also applies to the provision of education. From September 2002, LAs and school governing bodies have been under a duty not to treat disabled students less favourably, without justification, than their non-disabled peers and to make reasonable adjustments to ensure that disabled students are not put at a substantial disadvantage compared to non-disabled students. The new duties cover:

- Admissions
- Exclusions
- Education and associated services

Under the reasonable adjustments duty LEAs and schools will not be required to provide auxiliary aids and services, since these will be covered by the provisions in the **Education Act 1996** for identifying, assessing and making provision for individual students' special educational needs. Nor will they be required to alter physical features of a school / academy; instead they will

be required to plan strategically to increase access to education at the school / academy for disabled students. This planning duty applies to access to premises, the curriculum and to written information in alternative formats. LAs were required to produce their first Accessibility Strategies and schools /academies were required to produce their first Accessibility Plans by April 2003.

Complaints about disability discrimination in education may be heard by the **Special Educational Needs and Disability Tribunal**, except those related to permanent exclusions at LA maintained schools / academies and admissions to maintained schools / academies, where existing appeal panels will hear cases. The SEN and Disability Tribunal will be able to order such remedy as it sees fit except financial compensation.

It is unlawful for LAs and governing bodies to discriminate unfairly against disabled people in the provision of non-educational services on school / academy premises. Non-educational activities might include leisure time activities for children and adults without any element of educational development, school / academy fundraising events or community use of school / academy facilities.

Review of Disability Statement

In order to ensure that it reflects current best practice, this policy will be reviewed every 3 years.