



Disability Discrimination Policy

School Division: Whole School

Policy Division: General

Policy Owner: Heads of SS & PS

Date: April 2022

1. Introduction

- 1.1. This policy is a statement of the aims and principles of Claremont School to ensure that people with a disability flourish at school. This policy is a 'Whole School Policy' and informs practice in the Senior School, Boarding House, Preparatory School and Nursery.
- 1.2. One of the main principles behind the Government's policy for disabilities is that they should attend mainstream schools where appropriate. The Education Act (1996) sets the framework and it is further strengthened by the Special Educational Needs and Disability Act 2001 (SENDA).
- 1.3. The 1995 Disability Discrimination Act as amended by the SENDA (2001) places a legal requirement for schools and the school aims also to adhere to the Equality Act 2010.
 - Not to treat disabled pupils less favourably.
 - To make reasonable adjustments to ensure that disabled pupils are not at a substantial disadvantage.
 - To draw up plans to show how over time they will increase access to education for disabled pupils.
 - To comply with Disability Equality duty.
 - To prepare, publish, implement and report on a Disability Equality scheme.

2. Definition of Disability

- 2.1. Reference to "disabled people" includes disabled children, young people and adults, as pupils, employees, parents and carers and other members of the wider public who might use the facilities for leisure or other activities. The definition covers a broad spectrum of disability including:
 - Cancer
 - Diabetes
 - Epilepsy
 - HIV
 - Multiple sclerosis
 - Hearing and sight impairments
 - Mobility difficulties
 - People with health conditions or learning difficulties/disabilities
- 2.2. The Disability Discrimination Act, passed in July 1995, was amended in September 2002 to incorporate schools. The Act states a person with a disability is:
 - "One who has a physical or mental impairment which has a substantial and long term adverse effect on his/her ability to carry out normal day-to-day activities."

- An “impairment” has a long term effect if it has lasted or is expected to last for at least 12 months or for the rest of the life of the person concerned.
- “Substantial” is neither minor nor trivial.

2.3. It will be unlawful for a Responsible Body to discriminate against pupils with a disability. Discrimination can take place in two ways:

- Treating a pupil “less favourably” than others for a reason relating directly to their disability.
- Failing to make a “reasonable adjustment” to ensure they are not placed at a “substantial disadvantage” for a reason relating to their disability.

3. Aims of the School

3.1. Claremont School seeks to encourage a diverse community to which individuals may contribute as fully as possible. It aims to create conditions whereby staff and pupils or prospective pupils are treated solely on the basis of their merits, abilities and potential by ensuring that no member of the School is unfairly discriminated against as a result of gender, colour, ethnic or national origin, age, social background, disability, religious or political beliefs, pregnancy or maternity, family circumstances or sexual orientation including gender reassignment.

3.2. Claremont School recognises that any of these attributes should be known as “protected characteristics” in compliance with the Equality Act. To this end, Claremont School will:

- Fulfil its legal obligations under the Disability Discrimination Act 1995, the Equality Act 2010 and any related or subsequent legislation.
- Seek to identify and remove all unjustified direct and indirect discrimination against people with a disability/learning difficulty.
- Aim to develop and improve facilities, processes and the skills, knowledge and understanding of staff to meet the needs of people with a disability/learning difficulty, in the light of the needs of specific individuals.
- 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, as appropriate.

3.3. 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 school.
- 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 school will take steps to enable staff and pupils who become disabled during their time at the School to continue in their chosen career or school career, wherever possible.
- The school will endeavour to accommodate disabled visitors, wherever possible, to enable them to participate in events held on school premises.
- The school will recognise that challenging behaviour which stems directly from a disability (for example a pupil with Autism) must be managed differently, making reasonable adjustment wherever possible.

4. Implementation

- 4.1. The school expects all staff to be aware of this policy and its related Code of Practice to treat disabled people, whether pupils, staff or visitors, fairly with respect and in accordance with this policy.
- 4.2. See also the “Accessibility Plan Policy” and “Accessibility Action Plan” for future development.

5. Disability Code of Practice

Admissions

- 5.1. All parents of pupils who are being called for interview 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 interview and assessment, for instance the provision of information or tests in an alternative format.
- 5.2. 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.
- 5.3. The school will make available clear information about access to buildings and support facilities to enable the parents of disabled pupils to make an informed choice of school.
- 5.4. The schools will identify a designated member of staff with whom the parents of disabled pupils may discuss the curriculum, the teaching and the learning activities entailed, to ensure that any learning support and other needs are clearly identified. Designated members of staff will receive appropriate training.
- 5.5. No pupil will be refused a place at the schools 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 Head, the Special Educational Needs Teacher and others whose expertise may be required for the specific situation.
- 5.6. 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 school will give feedback to the pupil’s parents.

Curriculum and Assessment

- 5.7. The school will take appropriate steps to ensure that lessons are organised in ways which offer the best possible opportunities for full participation by disabled pupils.
- 5.8. The Schools 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.
- 5.9. Appropriate modes of examination and assessment will be determined after consultation with the pupil and their parents, relevant academic staff, the Special Educational Needs Teacher 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.

- 5.10. 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 school.
- 5.11. The School will take all appropriate steps to ensure that a pupil who becomes disabled during their career at the school has every opportunity to remain at the school through the provision of the same level of adaptation and support as a comparable pupil who is disabled at the start of their school career.
- 5.12. The School 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 schools will ensure that wherever practicable, the facility can be provided in such a way that the needs of the disabled pupil are met.

Health and Safety

- 5.13. The School 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 schools that affect them.

Confidentiality

- 5.14. The School must consider where the action to be taken in complying with its duty to take reasonable steps, is compatible with its compliance with a request for confidentiality. A confidential request means that the nature or the existence of a disability is treated as confidential and has been:
- Made by the pupil's parents
 - Made by the pupil and the school and the school reasonably believes that the pupil understands the nature of the request and its consequences.

6. Visitors

- 6.1. The Schools are used for School events, by visitors and members of the public. The Schools will aim to ensure that all buildings intended for use by these groups are accessible. Provision of information will also be required for emergency and evacuation procedures.

7. Responsibilities

- 7.1. All School staff are expected to be aware of this policy and treat disabled people, whether pupils, staff, visitors or members of the public in accordance with these provisions. In particular, Heads of Department will be responsible for ensuring that the policy is communicated effectively and is being implemented in their areas of control.

8. Policy Owner

- 8.1. The policy owners are the Head of Senior and Prep Schools.

9. Issue Date

- 9.1. Issue date: April 2022.

10. Review Date

- 10.1. This policy will be reviewed biennially. The next review is due in April 2024.