



Accessibility Plan

September 2015

KEY FACTS:

- ✦ **This plan enables schools to ensure compliance with laws regarding opportunity for pupils/potential pupils.**
- ✦ **It is reviewed every three years.**
- ✦ **Cognita will comply with statutory requirements and guidance.**
- ✦ **Individuals are responsible for their discriminatory actions.**
- ✦ **The school's liability extends beyond the life of the pupil at the school.**
- ✦ **The spirit of the law is to make/consider reasonable adjustments.**
- ✦ **The plan outlines Cognita Schools' duties around accessibility and how to deal with claims.**
- ✦ **Guidance for creating each school's unique plan is given in the Appendix.**

1 Background

- 1.1. On 1 October 2012, The Equality Act replaced all existing equality legislation such as the Race Relations Act, Disability Discrimination Act and Sex Discrimination Act. It extends protection from discrimination in some areas and has placed new duties on schools. (For further information see the Equality and Diversity Policy).
- 1.2. The Act makes it unlawful for **Cognita and the school's governance committee**, which is the responsible body of a school, to discriminate against, harass, or victimise a pupil or potential pupil in relation to:-
 - 1.2.1. Admissions;
 - 1.2.2. The way we provide education for pupils;
 - 1.2.3. The way we provide pupils access to any benefit, facility or service;
 - 1.2.4. By excluding any pupil or subjecting them to any other detriment.
- 1.3. The protected characteristics are:
 - 1.3.1. **sex;**
 - 1.3.2. **race;**
 - 1.3.3. **disability;**
 - 1.3.4. **religion or belief;**
 - 1.3.5. **sexual orientation;**
 - 1.3.6. **gender reassignment;**
 - 1.3.7. **pregnancy or maternity;**
- 1.4. There is a still a requirement to have an accessibility plan outlining how we intend to improve access for disabled pupils to the physical environment, the curriculum and written information.
- 1.5. The Equality Act applies to all independent schools in England and Wales. (Equality Act 2010: Schedule 10, Paragraph 3 and Disability Discrimination regulations 2005). Furthermore, as proprietors Cognita are required to draw up equality objectives under the Specific Duties

Regulations 2011 so that we meet the general aims of the Public Sector Equality Duty. This Accessibility Plan is reviewed every three years.

- 1.6. Any person such as staff in schools who act on behalf of the proprietor, Cognita and any governance committee, are responsible for their own discriminatory actions and the Proprietor (Cognita Schools and the governance committee) is also liable unless it can prove that it has taken all reasonable steps to stop the staff member from doing the discriminatory action, or from doing anything of that kind.
- 1.7. The school's liability not to discriminate, harass or victimise does not end when a pupil has left the school, but relates also to events afterwards such as the provision of references, or old pupil networks.

2 Disability Discrimination Act

- 2.1. The disability provisions in the Equality Act mainly replicate those in the former Disability Discrimination Act (DDA). There are some minor differences as follows:-
 - 2.1.1. the definition of disability is less restrictive;
 - 2.1.2. direct discrimination can no longer be defended as justified;
 - 2.1.3. failure to make a reasonable adjustment can no longer be defended as justified;
 - 2.1.4. from September 2012, we are under a duty to make available auxiliary aids and services as reasonable adjustments, where these are not being supplied through a Statement of Special Educational Needs or from other sources.

3 Definition of Disability

- 3.1. The Act defines disability as *when a person has a physical or mental impairment which has a substantial and long term adverse effect on that person's ability to carry out normal day to day activities.*
- 3.2. Some specific conditions such as multiple sclerosis, cancer or HIV are considered as disabilities regardless of their effect.
- 3.3. Long term is defined as lasting, or likely to last, for at least twelve months.-

4 Reasonable Adjustments

- 4.1. We aim to ensure that nothing we do as a school places a disabled pupil at a disadvantage compared to other pupils. However, where we have to do so, we make sure that we take reasonable steps to try and avoid that disadvantage.
- 4.2. When it is reasonable to do so, we provide auxiliary aids or services for a disabled pupil, when such an aid would alleviate any substantial disadvantage that the pupil faces compared to other non-disabled pupils.
- 4.3. Where an auxiliary aid is not provided under the SEN system (ie via a Statement/EHC Plan) there should be no assumption that it must be provided as a reasonable adjustment. Any decision would be taken on the basis of the facts of an individual case, including cost implications.
- 4.4. There is no legal definition of auxiliary aids. We interpret this to mean any or all of the following: helpful; providing support or assistance; and that these can be things or persons which help. We include hearing loops, adaptive keyboards, and special software.

- 4.5. Our SEN policy defines what provision we make available including reasonable adjustments in our school. We will consider what is reasonable in the context of our school, given the circumstances of each individual case.
- 4.6. Where the auxiliary aid has a benefit to the rest of the child's life outside of school, it would be unreasonable for our school to make such provision; eg hearing aids.
- 4.7. We consider that effective and practicable adjustments for disabled pupils will involve little or no cost or disruption, and will therefore be considered as reasonable. Where substantial adaptations are required which are not contained within our three year accessibility plan, we reserve the right to deem these as unreasonable.
- 4.8. It is our aim to ensure that disabled pupils play as full a part as possible in school life and our accessibility plan and reasonable adjustments help support that aim. Where any adjustment would have a detrimental effect on other pupils, we would not consider it to be *reasonable*. For example, if a geography field trip were planned to involve climbing and a wheelchair user could not take part, we would carefully consider how the disabled pupil could participate viably, but we would not cancel the trip because to do so would be detrimental to other pupils.

5 Our Vision

- 5.1. We believe that every child has the right to be happy, healthy, safe and successful
- 5.2. Inclusion is the process of taking the necessary steps to ensure that every young person is given equality of opportunity to develop socially, to learn and to enjoy school life.

6 Our duty around Accessibility for Disabled Pupils

- 6.1. Our accessibility plan focuses on the following areas for implementation:--
 - 6.1.1. increasing the extent to which disabled pupils can participate in the curriculum;
 - 6.1.2. improving the physical environment to enable disabled pupils to take better advantage of education, benefits, facilities and services provided;
 - 6.1.3. improving the availability of accessible information to disabled pupils.
- 6.2. Our plan also includes the resource implications of implementing the Plan.
- 6.3. Our approach includes the following:--
 - 6.3.1. access, audit and review (**See appendix 2**) (ie the nature of the schools' population, context, future pupil numbers, staff training needs, impact of anti-bullying strategies, timetabling, trips, medicines, clubs, outcomes for SEND in external exams, views of parents, pupils, voluntary sector, symbols, signage, font size etc);
 - 6.3.2. identify actions;
 - 6.3.3. set goals and targets;
 - 6.3.4. consult on the proposed plan;
 - 6.3.5. publicize the plan;
 - 6.3.6. implementation; and
 - 6.3.7. evaluate the effectiveness of the Plan.
- 6.4. Our accessibility plan is outlined on the attached proforma at **Appendix 1**.

7 Discrimination Claims

- 7.1. Claims for discrimination on the grounds of disability against our school must be heard by the First Tier Tribunal (SENDIST) in England.

- 7.2. Such claims of discrimination or harassment which would be brought by a parent of a pupil against our school, would be brought to the Tribunal by the parent. This must be brought within six months of the act to which the claim relates. Any remedy will not include compensation.-

8 Monitoring & Evaluation

- 8.1. The named person in our school who is responsible for this plan is Mark Hinson.
- 8.2. The Headteacher is responsible for ensuring that this Plan is implemented and to ensure that it is fair and equal to all.
- 8.3. It is the responsibility of all staff to monitor the success of this Plan by ensuring that the priority areas are addressed by them in the classroom, particularly with regard to the provision of information and curriculum access.
- 8.4. Our Accessibility Plan and any updates will be shared with our Cognita Facilities colleague by Mark Hinson.
- 8.5. Progress reports are provided termly to our school's compliance committee by Mark Hinson and thereafter reported to our Senior Leadership Team.
- 8.6. Any failure to meet target deadlines are reported to the Governors Committee meeting and thereafter reported by exception to UK Compliance Committee.

9 Related Policies, Guidelines, Templates and Forms

- Special Educational Needs;
- Equality & Diversity;
- Allegations of Abuse against Teachers & Other Staff;
- Safeguarding Children including Child Protection;
- Health & Safety; and
- Premises Management.