



RMS FOR GIRLS

DISABILITY INCLUSION POLICY (incorporating the provisions of the Equality Act 2010)

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1. DEFINITIONS

1.1 Disability

The Equality and Human Rights Commission (ERC) guidance (reference F), produced after the 2010 Equality Act came into operation, states that: "A person has the protected characteristic of disability if they have a physical and/or mental impairment which has what the law calls 'a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities'.

1.1.1 In relation to **physical impairment**, this includes:

- Conditions that affect the body such as arthritis, hearing or sight impairment (unless this is correctable by glasses or contact lenses), diabetes, asthma, epilepsy, conditions such as HIV infection, cancer and multiple sclerosis, as well as loss of limbs or the use of limbs
- HIV infection, cancer and multiple sclerosis are covered from the point of diagnosis.
- Severe disfigurement (such as scarring) is covered even if it has no physical impact on the person with the disfigurement, provided the long-term requirement is met.
- People who are registered as blind or partially sighted, or who are certified as being blind or partially sighted by a consultant ophthalmologist, are automatically treated as disabled under the Act.

1.1.2 **Mental impairment** includes conditions such as dyslexia and autism as well as learning disabilities such as Down's syndrome and mental health conditions such as depression and schizophrenia.

1.1.3 The other tests to apply to decide if someone has the protected characteristic of disability are:

- **The length the effect of the condition has lasted or will continue:** it must be long term. 'Long term' means that an impairment is likely to last for the rest of the person's life, or has lasted at least 12 months or where the total period for which it lasts is likely to be at least 12 months. If the person no longer has the condition but it is likely to recur, they will be considered to be a disabled person.
- **Whether the effect of the impairment is to make it more difficult and/or time-consuming for a person to carry out 'normal day-to-day activities'** at work or at home compared to someone who does not have the impairment, and this causes more than minor or trivial inconvenience.

2. OUR OBLIGATIONS TOWARDS OUR DISABLED APPLICANTS AND PUPILS

2.1 The School is committed to treating its pupils and applicants fairly. According to the Equality Act 2010, we must take reasonable steps to ensure that disabled pupils and applicants are not put at a substantial disadvantage by comparison with pupils and applicants who are not disabled.

2.2 The School recognises that every child is unique. This policy does not therefore seek to cater for every situation. It is intended as a general statement of our policy which sets out the principles underlying our approach to making adjustments for disabled pupils and the factors the School will take into account when considering requests for adjustments.

3. ON APPLICATION TO THE ROYAL MASONIC SCHOOL FOR GIRLS

3.1 Admissions and Disabled Pupils

From Reception RMS is academically selective and we welcome all children who can make the most of the opportunities that we offer and can flourish in the caring environment of the School. Treating every child as an individual is important to us, and we welcome applications from pupils with physical disabilities provided that they can cope with our site.

The School recognises that social, emotional and behavioural barriers to learning can be associated with some disabilities. Mental illness or learning difficulties can cause behavioural issues. The School aims to work together with families to overcome or minimise the impact of these as far as is possible.

3.2 Access to entrance examinations

The School operates a system of selection, which applies to all prospective pupils, apart from RMTGB girls, and parents are invited to request reasonable adjustments with regard to the entry tests.

The School advises parents of a child with disabilities to discuss their child's requirements with the School before she sits the entrance assessment so that we can make adequate provision for her. Parents should provide a copy of a medical, assessment or professional report to support their request, for example, for large print material, the use of a laptop or other "reasonable adjustments" (see below). Refer to our **Examination Access Policy**, which can be downloaded from our website, for further detail.

4. ON ENTRY TO THE ROYAL MASONIC SCHOOL FOR GIRLS

4.1 Each pupil with a disability requires special consideration and treatment. If appropriate, adjustments will need to be put in place. We will discuss thoroughly with parents and their consultants (with parents' permission) the adjustments that can reasonably be made for their child once they have accepted the offer of a place and before she becomes a pupil at the School. We recognise that some disabled pupils may also require specialist support from our Learning Support Department, and we would normally discuss this issue with parents before their child enters the School. Copies of the School's **Learning Support Policy** may be downloaded from our website.

NB some disabilities are not medical eg dyslexia

4.2 Physical Accessibility

4.2.1 Parents and prospective parents of disabled children may wish to obtain copies of the School's **Accessibility Plan**. This shows the ways in which we plan to make our buildings progressively more accessible to disabled pupils, parents and visitors.

4.2.2 The School has an active monitoring policy and will do its best to make adjustments to take account of an individual pupil's needs, within the constraints imposed by its historic buildings, scattered site and resources. We are progressively introducing facilities for wheelchair users and hearing loops as our buildings are upgraded.

4.3 Reasonable adjustments for disabled pupils – auxiliary aids and services

4.3.1 We have a duty to make reasonable adjustments for pupils and applicants who are disabled under the Equality Act 2010 when they are put at a substantial disadvantage compared with pupils and applicants who do not have disabilities.

4.3.2 Such adjustments may be made

1. to our policies, criteria and practices (ie the way we do things); and
2. by providing auxiliary aids and services (ie additional support or assistance).

4.3.3 There is no standard definition of an auxiliary aid or service. Examples include:

- pieces of equipment;
- large print documents;
- extra staff assistance;
- note-taking;
- induction loops;
- audio-visual fire alarms;
- readers; and

4.3.4 We are not required to remove or alter physical features to comply with the duty to make reasonable adjustments for disabled pupils. Similarly, we do not need to provide auxiliary aids for personal purposes unconnected with the education and services provided by the School.

4.4 Requesting an adjustment and the School's response

4.4.1 The School will always endeavour to anticipate whether there is any adjustment it could make to overcome any substantial disadvantage suffered by a disabled applicant or pupil. However, we do not always think of all possible adjustments and we want to work with parents to think as creatively as possible about this matter.

4.4.2 If the parents of a disabled pupil believe that she is being put at a substantial disadvantage compared with pupils without disabilities and there is an adjustment that we could make which

would overcome this, they may write to the Director of Learning Support setting out in full the adjustment and (if necessary) how the School could put this into practice.

4.4.3 In some cases, the School will be able to agree to and implement the requested adjustment as soon as possible. In particular, it is envisaged that where an adjustment satisfies the non cost-related criteria discussed below, and is within a modest cost range, it will be approved and implemented speedily.

4.4.4 In other cases, for example where the adjustment would be logistically difficult or more financially costly, we may need to consider in more detail how best to overcome the substantial disadvantage that the pupil or applicant is suffering and what measures it is reasonable for the School to take. In these cases, the School may seek input from teachers, other experts (such as doctors and/or educational psychologists), the parents and the child in question.

4.5 How will the School decide whether an adjustment is reasonable?

4.5.1 In arriving at their conclusion, the School will generally follow a decision making process outlined in the **Appendix** to this policy ***Disability/Reasonable Adjustments Decision Checklist***

4.5.2 Once the School has determined whether the relevant adjustment is reasonable, we will inform the parents in writing (which may be e-mail), setting out the decision and the reasons.

4.5.3 If they are not happy with the School's decision about the reasonableness of the adjustment, they may lodge a complaint using the School's **Complaints Procedure**.

4.6 Charging for adjustments

4.6.1 Reasonable adjustments for a disabled pupil will be made at the School's cost.

4.6.2 The School may pass on the cost of an adjustment, service or aid to parents if:

- the School has concluded that the adjustment identified for a disabled pupil is not reasonable, but agrees to go ahead and make the adjustment or provide the service/aid ; or
- A pupil has a mental or physical impairment which does not fully satisfy the disability criteria (eg it is temporary) but a reasonable adjustment has been identified (using the criteria as above) that would assist in reducing the impact of the impairment that the School is willing and able to implement.

4.7 Pupils with carers

4.7.1 If a disabled pupil requires a dedicated carer in School, for example, to assist with personal care, writing, etc this can be accommodated provided that the carer has an enhanced DBS check arranged by the School and complies with the School's Safeguarding Policy and all other School policies (so far as they are applicable and of which the carer or parents have been notified). The School would require a carer (like a new member of staff) to sign a written agreement undertaking to comply with the School's Safeguarding policies and to attend the Safeguarding induction briefing that is given to all new members of staff before working unsupervised on site.

4.7.2 A pupil's dedicated carer is not a School employee and the pupil's parents would be asked to provide the School with a written undertaking indemnifying it from any legal responsibility or cost connected with the provision of their services to their child.

APPENDIX Disability/Reasonable Adjustments Decision Checklist

A Is the pupil disabled within the guidance given by the Equality and Human Rights Commission?

If the answer to each of the following questions is "yes", a pupil has a disability for the purpose of this policy

A1 Does the pupil have a physical or mental impairment?

If this is not obvious, consideration may be made of:

- Government Equality Act (EA) 2010 Guidance
- The views of the parents and/or pupil
- Professional advice e.g. medical, Educational Psychologist, legal.

A2 Does the impairment have an adverse effect on their ability to carry out normal day-to-day activities, including accessing education?

Reference may be made to the EA Guidance for examples of "normal day-to-day activities"

A3 Is the impact substantial?

More than the normal differences between people, and more than minor or trivial. Account may be taken of, for example, the time taken to carry out an activity, the way in which it is carried out, cumulative effects of impairment, how far a person can reasonably be expected to modify his behaviour, effects of environment.

A4 Is it long-term? (Over 12 months.)

B If the pupil has a disability, has the duty to make reasonable adjustments arisen?

If the answer to each of the following questions is "yes" then the duty to make reasonable adjustments has arisen.

B1 Will the pupil be put, or is the pupil being put, at a disadvantage at school in comparison with pupils who are not disabled?

B2 Is the disadvantage substantial? (More than minor or trivial)

B3 Is the disadvantage caused by:

- (a) a provision, criterion or practice of the school? AND/OR
(b) the lack of an auxiliary aid or service?

If the answers to sections A and B above are both "yes", **consider what reasonable steps could be taken to (a) avoid putting the pupil at the substantial disadvantage(s) identified? AND/OR (b) to provide the auxiliary aid or service.**

C What is reasonable?

Note that "reasonableness" is a context specific judgement. Just because it might be reasonable for one school to have to do something, does not mean that it is reasonable for another to have to do it as the two schools might be operating in quite different circumstances.

Considerations may include

- The effect of the disability on the individual
- Effectiveness of step(s) to avoid or overcome the disadvantage
- The practicability of the adjustment(s)
- Financial or other cost of making the adjustment(s) or providing the aid or service
- Overall resources of the school and the availability of financial or other assistance
- Health and safety requirements
- The need to maintain academic, musical, sporting and other standards
- Interests of other pupils or prospective pupils
- Interests of and impact on the staff e.g. physical or mental health or working hours
- Overall charging policy of the school e.g. are charges levied on other categories of pupil for what may be seen as equivalent services
- Other regulatory or legal requirements
- If the parent or pupil has requested that the existence or nature of the disability be treated as confidential by the school