



The Shared Learning Trust

THE LINDEN
ACADEMY

The Linden Academy

Accessibility Plan

2023/24

Effective Date: 1st September 2023

Last Reviewed: June 2023

Reviewed By: Trustees

Next Review Date: July 2024

Version: 3

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1. Aims

Schools are required under the Equality Act 2010 to have an Accessibility Plan. The purpose of the plan is to:

- increase the extent to which disabled pupils can participate in the curriculum
- improve the physical environment of the school to enable disabled pupils to take better advantage of education, benefits, facilities and services provided
- improve the availability of accessible information to disabled pupils

At the Linden Academy we aim to treat all our pupils fairly and with respect. This involves providing access and opportunities for all pupils without discrimination of any kind. We harness the individual talents of every person and celebrate the uniqueness of each child and aim to provide all children with access to a broad and balanced education. Our key school values 'Ready, Respectful, Safe' are at the very heart of everything we do and how we expect all members of our school community to be.

This plan is available on our school website, and paper copies are available upon request.

Our school is also committed to ensuring staff are trained in equality issues with reference to the Equality Act 2010, including understanding disability issues.

The school supports any available partnerships to develop and implement the plan. The Luton Borough Council Local Offer helps you find information about local services, support and events for children and young people aged 0 - 25 years who have special educational needs or disabilities (SEND).

Our school's complaints procedure covers the accessibility plan. If you have any concerns relating to accessibility in school, this procedure sets out the process for raising these concerns.

2. Legislation and guidance

This document meets the requirements of schedule 10 of the Equality Act 2010 and the Department for Education (DfE) guidance for schools on the Equality Act 2010.

The Equality Act 2010 defines an individual as disabled if he or she has a physical or mental impairment that has a 'substantial' and 'long-term' adverse effect on his or her ability to undertake normal day to day activities. Under the Special Educational Needs and Disability (SEND) Code of Practice, 'long-term' is defined as 'a year or more' and 'substantial' is defined as 'more than minor or trivial'. The definition includes sensory impairments such as those affecting sight or hearing, and long-term health conditions such as asthma, diabetes, epilepsy and cancer.

Schools are required to make 'reasonable adjustments' for pupils with disabilities under the Equality Act 2010, to alleviate any substantial disadvantage that a disabled pupil faces in comparison with non-disabled pupils. This can include, for example, the provision of an auxiliary aid or adjustments to premises.

This policy complies with our funding agreement and articles of association.

The Equality Act 2010 replaced all previous equality legislation such as the Race Relations Act, Disability Discrimination Act (DDA) and Sex Discrimination Act.

The Equality Act 2010 provides a single, consolidated source of discrimination law, covering all the types of discrimination that are unlawful. It simplifies the law by removing anomalies and inconsistencies that had

developed over time in the existing legislation, and it extends the protection from discrimination in certain areas.

The law on disability discrimination is different from the rest of the Act in a number of ways. The overriding principle of equalities legislation is generally one of equal treatment. However, the provisions in relation to disability are different in that you may, and often must, treat a disabled person more favourably than a non-disabled person.

There are some minor differences around disability in the new Act when compared with the previous legislation.

- Failure to make a reasonable adjustment can no longer be justified. The fact that it must be 'reasonable' provides the necessary test.
- Direct discrimination against a disabled person can no longer be justified (bringing it into line with the definition of direct discrimination generally).
- From September 2012 schools and local authorities are under a duty to supply auxiliary aids and services as reasonable adjustments where these are not being supplied through a statement of SEND.

As in previous legislation, a school must not discriminate against a student because of something that is a consequence of their disability. It is unlawful for a school to treat a disabled student unfavourably. Such treatment could amount to:

- **direct discrimination**, for example refusing admission to a student or excluding them because of disability
- **indirect discrimination**, for example only providing application forms in one format that may not be accessible
- **discrimination arising from a disability**, for example a disabled pupil is prevented from going outside at break time because it takes too long to get there
- **harassment**, for example a teacher shouts at a disabled student for not paying attention when the student's disability stops them from easily concentrating
- **victimisation**, for example suspending a disabled student because they've complained about harassment

3. Legal Framework

This policy complies with the statutory requirement laid out in the SEND Code of Practice 0 – 25 (10 June 2014) **3.65** and has been written with reference to the following guidance and documents:

- Special Educational Needs and Disabilities Act (SENDA) 2001
- SEND Code of Practice (2014)
- Disability Discrimination
- 1996 Education Act
- Education Act 2001
- Section 52 Children Act 2004 Looked after Children
- Equality Act 2010
- The Mental Capacity Act Code of Practice: Protecting the vulnerable (2005)
- Equality Act 2010: advice for schools DfE Feb 2013
- SEND Code of Practice 0 – 25 (June 2014)
- Statutory Guidance on Supporting pupils at school with medical conditions  April 2014
- Safeguarding Policy
- *SEND and Alternative Provision (AP) Improvement Plan: Right support, right place, right time.* (2023)

4. Definition of Disability

Equality Act 2010: a person has a disability if:

- they have a physical or mental impairment;
- the impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities.

For the purposes of the Act, these words have the following meanings:

- 'substantial' means more than minor or trivial;

'long-term' means that the effect of the impairment has lasted or is likely to last for at least twelve months (there are special rules covering recurring or fluctuating conditions);

- 'normal day-to-day activities' include everyday things like eating, washing, walking and going shopping.
- People with some visual impairment are automatically deemed to be disabled. It should be noted that this definition is not just regarding physical difficulties but also covers a wide range of:
 - Sensory difficulties
 - Learning difficulties
 - Impairment resulting from, or consisting of, a mental illness In addition there is a range of 'hidden impairments' such as
 - Dyslexia
 - Speech and Language Impairments
 - Autism
 - Attention Deficit Hyperactivity Disorder (ADHD)

Impairment does not itself mean that a student is disabled but rather it is the effect on the student's ability to carry out normal day-to-day activities in one or more of the following areas that has to be considered:

- Mobility
- Manual dexterity
- Physical coordination
- 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

5. Reasonable Adjustments

As an education provider we have a duty to make 'reasonable adjustments' to make sure disabled students are not discriminated against. Reasonable adjustments for disabled students are:

- When something we do places a disabled student at a substantial disadvantage to other students, we must take reasonable steps to avoid that disadvantage;
- We will be expected to provide an auxiliary aid or service for a disabled student when it would be reasonable to do so, and where such an aid would alleviate any substantial disadvantage the student faces in comparison to his non-disabled peers.

A failure to make a reasonable adjustment can no longer be justified. The test is whether the adjustment is reasonable, and if it is then there can be no justification for why it is not made. We will not be expected to make adjustments that are not reasonable. There is as yet no clarity on what may be 'reasonable' although the Code of Practice will include factors that should be taken into account. It will be for us to decide the reasonableness of adjustments based on the individual circumstances of each case. Factors to consider may include the financial or other resources available, the effectiveness of the adjustment, its effect on other students, health and safety requirements, and whether aids have been made available through the SEND route.

The reasonable adjustments duty is intended to complement the accessibility planning duties, and the existing SEND EHCP provisions, under which Local Authorities have to provide auxiliary aids and services where an EHCP details that provision. When a disabled student does not have an EHCP

As in the previous legislation, we are not under a duty to make alterations to the physical environment though we should be planning to do so as part of our Accessibility planning.

6. Key Objectives

The key objectives of our Accessibility Plan are as follows:

- To reduce and eliminate barriers to access to the curriculum and to full participation in the school community for students, and prospective students, with a disability.
- We are committed to providing a fully accessible environment which values and includes all students, staff, parents and visitors regardless of their education, physical, sensory, social, spiritual, emotional and cultural needs. We are committed to challenging negative attitudes about disability and accessibility and to developing a culture of awareness, tolerance and inclusion.
- We are committed to providing all students with a broad and balanced curriculum, differentiated and adjusted to meet the needs of individual students and their preferred learning styles; and we endorse the key principles in the National Curriculum Framework which underpin the development of a more inclusive curriculum: - setting suitable learning challenges; - responding to a student's diverse learning needs; - overcoming potential barriers to learning and assessment for individuals and groups of students.

7. Action plan

This action plan sets out the aims of our accessibility plan in accordance with the Equality Act 2010.

Feature	Description	Person responsible
Specific Resources to promote the inclusion of those with disabilities	PE equipment Teaching resources Equipment to support accessibility	Shared Learning Trust Principal Site Manager Health and Safety Lead
Corridor access	Wide corridors throughout the school.	
Lifts	one	
Parking bays	five disabled parking bays	
Entrances	Entrance to building via double doors at Reception.	
Ramps	A ramp is in use to exit and enter the school	
Toilets	Two disabled toilets	
Reception area	Entrance via double sliding doors to a spacious reception area. Split high- and low-level desk accessible to all.	
Internal signage	Appropriate signage	
Emergency escape routes	PEEPs are in place for all individuals that need support to exit the building safely.	

8. Monitoring arrangements

This document will be reviewed every year but may be reviewed and updated more frequently if necessary.

It will be approved by the Principal and Trustees.

9. Links with other policies

This accessibility plan is linked to the following policies and documents:

- Health and Safety Policy
- Keeping Children Safe in Education
- SEND Policy
- SEND Local Offer
- SEND Information Report
- Safeguarding Policy
- Supporting pupils with medical conditions policy

10. Author

David Washington, Assistant Principal, TSLT Director of Inclusion & Trust SENCO

Email: d.washington@thesharedlearningtrust.org.uk