

# DISABILITY POLICY

(non discriminatory policy)

**(Approved by Governors September 2008)**

*Torquay Boys' Grammar School is committed to treating all persons equitably and without prejudice. All at the school acknowledge that it is unacceptable to discriminate against those with a disability*

## **Definition of Disability**

A disabled person (child or adult) is someone who 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.

- A physical or mental impairment includes sensory impairments; impairments relating to mental functioning, including learning disabilities; and long term health conditions such as diabetes, epilepsy, HIV infection, cancer or multiple sclerosis.
- Substantial means more than minor or trivial.
- Long-term means an impairment that has lasted at least 12 months, or is likely to last 12 months or for the rest of the person's life.
- Normal day-to-day activities cover the following categories: 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 the risk of physical danger.

Someone with an impairment may be receiving medical or other treatment which alleviates or removes the effects of that impairment (but not the impairment itself). In such cases the treatment should be disregarded and the impairment is taken to have the effect it would have had without the treatment. Some people are automatically deemed to have a disability covered by the Act – those with HIV, cancer, MS, and severe disfigurements. There are special provisions for people with progressive or recurring conditions.

Torquay Boys' Grammar School is committed to developing strategies to improve accessibility for the disabled over time and is engaged in long-term assessment and planning, to make reasonable adjustments to buildings and the physical environment under the Disability Discrimination Act of 2005.

Specific areas where commitment is in place for non-discrimination are:

- Admissions
- Education (Curriculum, the Physical Environment and the Delivery of Information)
- Exclusion

A Disability Equality Scheme Steering Group has been set up to deal particularly with this commitment.

The group will consist of staff, a governor, a parent and students.

### **Admissions**

*The Governing Body will not discriminate against a disabled person by refusing or deliberately not accepting an application from a disabled person for admission to the school – this includes any criteria when the school is oversubscribed, and the way it operates those criteria.*

### **Education**

*The Act covers all education and associated services for pupils and prospective pupils – in essence, all aspects of school life including extra-curricular activities and school trips.*

### **Exclusions**

It is against the law to discriminate against a disabled pupil by excluding him from the school because of his disability.

The Governing Body accepts responsibility for these duties and under the legal definition will ensure that no person receives less favourable treatment because of his/her disability, without justification.

In some cases a disabled person can be treated “less favourably” if justification can be provided which is both material and substantial to the case.

Torquay Boys’ Grammar School will take all reasonable steps to ensure that no disabled pupil or prospective disabled pupil is placed at a “substantial disadvantage” compared to a non-disabled student.

Schools have a duty to all disabled pupils, potential pupils and staff, not just individuals. Schools cannot wait until a disabled pupil has arrived before making judgements as they may find themselves already in breach of the law. Therefore the Governing Body will make reasonable enquiries at the time of application by candidates to find out whether those seeking admission to the school have a disability. The Complaints Procedure is identified in the specific Complaints policy.

**‘TBGS’s commitment to equality and diversity means that this policy has been screened in relation to the use of gender-neutral language, jargon-free plain English, recognition of the needs of disabled people, promotion of the positive duty in relation to race and disability and avoidance of stereotypes. This document is available in alternative formats on request.’**