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APPENDIX 1 Improving the Curriculum Access, Improving Physical Access and Improving the Delivery of Written Information

1. INTRODUCTION

The Equality & Diversity Act 2012 replaced all previous equality legislation such as the Race Relations Act, Disability Discrimination Act (DDA) and Sex Discrimination Act.

The Equality & Diversity Act 2012 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.

The Equality & Diversity Act does not list the types of day to day activities which a disabled person must be unable to carry out to meet the definition.

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).

Diversity is not limited to race and ethnicity.

Schools and local authorities have a duty to supply auxiliary aids and services as reasonable adjustments where these are not being supplied through an Education, Health and Care Plan (EHCP)

As in previous legislation, a school must not discriminate against a pupil because of something that is a consequence of their disability.

It is unlawful for a school to treat a disabled pupil unfavourably. Such treatment could amount to:

- Direct discrimination
- Indirect discrimination
- Discrimination arising from a disability • Harassment.

Direct discrimination can never be justified but a school could justify indirect discrimination against a disabled pupil, and discrimination arising from a disability if the discrimination is the result of action that is a 'proportionate means of achieving a legitimate aim'.

2. DEFINITION OF DISABILITY

Equality & Diversity Act 2012: 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 who have had a disability in the past that meets this definition are also protected by the Act.

Progressive conditions considered to be a disability

There are additional provisions relating to people with progressive conditions. People with HIV, cancer or multiple sclerosis are protected by the Act from the point of diagnosis. People with some visual impairment are automatically deemed to be disabled.

Conditions that are specifically excluded

Some conditions are specifically excluded from being covered by the disability definition, such as a tendency to set fires or addictions to non-prescribed substances.

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 pupil is disabled but rather it is the effect on the pupil'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 co-ordination
- 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.

3. REASONABLE ADJUSTMENTS

We have a duty to make reasonable adjustments for disabled pupils:

When something we do places a disabled pupil at a substantial disadvantage to other pupils, we must take reasonable steps to avoid that disadvantage;

We will be expected to provide an auxiliary aid or service for a disabled pupil when it would be reasonable to do so, and where such an aid would alleviate any substantial disadvantage the pupil 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 pupils, 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 special educational needs statement provisions, under which Local Authorities have to provide auxiliary aids and services where a statement details that provision. When a disabled pupil does not have an Education, Health and Care Plan (EHCP) for SEND (or the plan does not provide the necessary aid) then the duty to consider reasonable adjustments and provide such auxiliary aids will fall to the school.

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.

4. AIMS OF THE ACCESSIBILITY PLAN

The planning duties on schools and Local Authorities are the same as the duties in the previous DDA. Schools are required to have an Accessibility Plan detailing how they will improve access to the physical environment, increase access to the curriculum for disabled pupils, and how they will improve the availability of accessible information to disabled pupils.

In Newtown Primary School, we have a commitment to equal opportunities for all members of the school community and our Accessibility Plan outlines our intention to remove barriers wherever practicable for disabled pupils and to:

Increase the extent to which disabled pupils can participate in the different areas of the curriculum,
increase access to extra-curricular activities and the wider school curriculum; improve and maintain
the physical environment to enable disabled pupils to take better advantage of education, opportunities, facilities and services provided; and improve the availability of accessible information for disabled pupils.

Under our equality duties, we intend to improve and maintain the physical environment of the school to enable any disabled person (pupil, parent/carer, employee or visitor) to access facilities and services and improve the availability of accessible information to any disabled person.

This Accessibility Plan will, continue to address the needs of disabled people through specific targets.

It is a requirement that the school's accessibility plan is resourced, implemented and reviewed and revised as necessary. Attached is a set of actions showing how the school will continue to address the priorities identified in the plan

Compliance with the disability duty under the Equality Act is consistent with the school's aims and Single Equality Scheme, and the operation of the school's Special Educational Needs (SEND) policy.

This plan will be reviewed annually with all stakeholders involved.

Newtown Primary School strives to ensure that the culture and ethos of the school are such that, whatever the abilities, skills and needs of members of the school community, everyone is equally valued and treats one another with respect. Pupils should be provided with the opportunity to experience, understand and value diversity. *Please also see Cumbria Education Trust's SEND Policy*

5. KEY OBJECTIVES

The key objectives of our Accessibility Plan are:

To reduce and eliminate barriers to access to the curriculum and to full participation in the school community for pupils, and prospective pupils, with a disability.

We are committed to providing a fully accessible environment which values and includes all pupils, 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 pupils with a broad and balanced curriculum, differentiated and adjusted to meet the needs of individual pupils 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 pupil's diverse learning needs;
- overcoming potential barriers to learning and assessment for individuals and groups of Pupils.

6. CONTEXTUAL INFORMATION

Newtown Primary School is an improving academy within the community of Carlisle and surrounding area. Restorative practice is at the heart of the ethos of the school alongside the key values of respect, responsibility and resilience. The proportion of pupils eligible for the pupil premium is above the national average and the school has a higher than average cohort of SEND pupils.

The LA deals with admissions to the school. When we are made aware of pupils who are joining the school with disabilities, we make arrangements to meet both the pupil and the parents and when appropriate we will involve professionals from the Local Authority and the Health Authority in order to ensure that any reasonable adjustments required to the school building are made in readiness for the pupil starting school. The school's reception area is accessible to wheelchair users through the majority of the building. Our reception area is accessible to disabled people. We have two disabled toilets within the school.

The recruitment procedures used in school follow Cumbria Education Trust's safer recruitment and selection policy and procedures to ensure that all potential candidates are given equal access to the process from application through to appointment.

7. DEVELOPMENT

7.1 The purpose and direction of the school's plan: Vision and Values

Newtown Primary School is committed to ensuring that the individual long term hopes and aspirations of the pupils and their families form the basis of a personalised next step approach to their educational experience.

Newtown Primary School:

- has high ambitions for its disabled pupils and expects them to participate and achieve in every aspect of school life;
- is committed to identifying and then removing barriers to disabled pupils in all aspects of school life;
- values the individual and the contribution they make to all aspects of school life;
- will strive to ensure that its disabled pupils have access to all areas of the curriculum and teaching resources so as to develop fully in their education;

- acknowledges a commitment to embrace the key requirements set out in the National Curriculum Inclusion Statement;
- will continue to focus on removing barriers in every area of the life of the school;
- is committed to embracing equal opportunities for all members of the school community;
- has a designated triage area;
- has ramp access with disabled doors at our main entrance.

7.2 Information from Pupil Data and School Audit

The current school building has two toilets with disabled access.

The school keeps an up to date medical, disability and code of practice register which identifies the needs of the current cohort.

Our transition programmes takes into account and plans for the ever changing needs of our diverse pupil population as well as the needs of its wider community.

In order to ensure that our data is up to date and accurate we will:

- liaise with the local Authority so as to identify and therefore plan a response to pupils with a disability well before they arrive;
- continue to strive to improve the information dissemination from our pastoral and support team;
- continue to implement a system that allows parents to inform us if they themselves have a disability;
- identify early on in their school career any obstacles to the effective learning of disabled pupils;
- use all available data to inform the planning of individual pupil learning patterns;
- use information supplied via previous LA Asset Management/Accessibility Audits to assist us to develop an action plan to reduce obstacles for the school community.
- Co-operate with external agencies and professionals to investigate suitable and reasonable adjustments.

7.3 Views of those consulted during the development of the plan

During due diligence and the transition to become an Academy within Cumbria Education Trust, an accessibility audit was undertaken. This has been used to inform the plan.

Newtown Primary School will:

- consult the Local Advisory Board when adjustments and improvements are deemed to be necessary;
- consult all staff including specifically the Director of Learning Provision, CET, SENCO and school leaders;

- develop consultation with staff, parents, pupils and the school community where it is felt necessary to allow the views of stakeholders, both able and disabled to be taken into account;
- involve outside agencies to assist disabled pupils in their education and future careers; ensure the views of ALL those consulted are taken into consideration and the plan modified where reasonable to meet the needs of stakeholders.

8. SCOPE OF THE PLAN

8.1 Increasing the extent to which disabled pupils can participate in the school curriculum

- to investigate how the access to those areas of the curriculum that are normally difficult for disabled pupils to access can be improved;
- to further investigate what support or alternative approaches can be adopted to increase the choice/participation of disabled pupils;
- to investigate alternative provision/routes and collaboration that will assist disabled pupils to learn including liaison with the LA Special Educational Needs and Disabilities (SEND) Statementing and Provision Team.

The school plans to continually assess and review the curriculum for pupils with a disability, expanding the curriculum as necessary to ensure that pupils with a disability are as, equally, prepared for life as are the able-bodied pupils. This covers teaching and learning and the wider curriculum of the school such as participation in after-school clubs, leisure and cultural activities or school visits. It also covers the need to continually investigate the provision and availability of specialist aids and equipment, which may assist these pupils in accessing the curriculum. The school will continue to seek and follow the advice of LA services, such as specialist teacher advisers and SEND inspectors/advisers, and of appropriate health professionals from the local NHS Trusts.

Cumbria Education Trust and Newtown Primary School have appointed key personnel to lead on ensuring that individual needs are considered and wherever possible met to ensure equal access for those with disabilities, to the services and opportunities offered to all stakeholders.

Please consult the SEND Policy Part 1 and 2 for details of the current provision.

8.2 Improving the physical environment of the school to increase the extent to which disabled pupils can take advantage of education and associated services

The school will keep a Risk register which will record the need to investigate various improvements to the new building as and when necessary and the costs associated with this.

Improve signage as and when necessary meeting the needs of the current cohort.

The school will take account of the needs of pupils and visitors with physical difficulties and sensory impairments when planning and undertaking future improvements and refurbishments of the site and premises, access, lighting, acoustic treatment and colour schemes, facilities and fittings.

Due to the small numbers of pupils with disabilities, an individual assessment of need is the most efficient way of resourcing specialist equipment and seating, including ICT equipment. The SENCO will hold regular reviews with relevant personnel to ensure that individual needs are met where possible through the SEND provision and allocated resource, using the SEND framework where needed.

Adaptation of the school environment to provide a suitable learning for those pupils with visual impairments and Hearing impairments will be considered.

Future surveys which identify additional action will be taken into account when the plan is reviewed.

8.3 Improving the delivery to disabled pupils of information that is provided in writing for pupils who are disabled

Newtown Primary School will strive to:

- produce all school literature at the correct font size to help visually impaired pupils; investigate alternative ways of providing access to information, software and activities; investigate ways of communicating effectively with disabled parents/carers and other disabled adult users of the site.
- work in proactive ways to communicate effectively with pupils, parents and the wider school community whose first language is not English.

8.4 Financial Planning and Control

Newtown Primary School will finance the plan by identifying costs and incorporating them into their risk register for current and future budget commitments.

We may also access specialist resource through SEND delegated budget, where appropriate.

9. IMPLEMENTATION

The Leadership Team will commit to undertake a disability audit using a cross-section of staff, pupils, parent/carers and stakeholders every three years. As appropriate, and where accessible, external bodies and advisors will be engaged to support this process.

The Accessibility Action Plan will be formulated, approved, implemented and disseminated across the organisation.

This will be formally monitored on an annual basis and reported to the Local Advisory Board.

Changes may be required during the academic year in response to the changing profile of the school community.

The school's Accessibility Action Plan will be made available to all by:

- being available on the school website, open to all visitors to the site;
- referring to the availability of the plan in any relevant documentation that we use to communicate with stakeholders, e.g. newsletter;
- referring to this document at school events as appropriate.

We will ensure that the plan is available in different formats where requested.

10. RELATED POLICIES

The Accessibility Plan should be read in conjunction with the following policies, strategies and documents:

SEND Policy Part 1 and 2.

NEWTOWN PRIMARY SCHOOL ACCESSIBILITY PLAN 2020 to 2021

IMPROVING CURRICULUM ACCESS

Target	Strategy	Outcome	Timeframe	Person Responsible	Review Date	Impact
All teachers and support assistants have the necessary training to teach and support pupils with a range of disabilities	<ul style="list-style-type: none"> • CPD programme to respond to current cohort • SEND Department INSET tailored to identified groups • Case conferences for individual cases • Specialist equipment and seating used as identified and available • Additional resources are sought through the SEND framework 	<p>Support and teaching staff have a better understanding of the pupils' SEN which better informs planning, assessment and progress tracking</p> <p>Future SEN cohort are identified through assessment as early as possible so that INSET needs can be addressed</p>	Ongoing throughout the year responding to identified gaps in knowledge and resource enhanced by forward planning for future cohort	HT School Leaders SENCo	Sept 2021	Yearly CPD programme.

Target	Strategy	Outcome	Timeframe	Person Responsible	Review Date	Impact
Extra-curricular activities are accessible for all	<ul style="list-style-type: none"> • Specialist advice sought where necessary • Opportunity for support staff to be present if needed 	Activities are accessible to all through reasonable adjustments and support	Bespoke packages are created on an ongoing basis responding to individual needs and interests	Individual activity leaders for extra curricular activities supported by the SEND team		Activities are accessible with the available support.

Lessons to provide opportunities for all pupils to achieve	<ul style="list-style-type: none"> • Differentiation and personalised learning INSET • Personalised intervention timetable • Differentiated homework tasks set • Curriculum area support • Lesson drop-ins • Targeted monitoring and evaluation calendar linked to action plan 	Teaching and support staff differentiate tasks and personalise learning to meet the needs of the current cohort identified through assessment	Ongoing throughout the year responding to identified gaps in knowledge or provision	Classroom teachers overseen by School Leaders and SENCo		Monitoring shows improvements.
All pupils to be taught how to keep themselves safe	<ul style="list-style-type: none"> • Personalised learning lessons where identified • PSHE throughout the IPC programme to differentiate relationship and sexual health teaching, measures and outcomes • Kids Safe programme delivered throughout the school. 	All pupils are taught accordingly to their level of understanding and individual needs. All pupils are aware as far as possible, within the limits of their identified need of how to keep themselves safe from harm	Ongoing throughout the year	PHSE leaders & Teachers supported by SENCo and other specialist teachers	Reviewed as part of ongoing AFL in the classroom	Enhanced PHSE

School services are accessible to all	<ul style="list-style-type: none"> • Trip and visits planned around the needs of the attending cohort and adapted where necessary • Disabled pupils who cannot participate in particular activities are given alternative experiences • School bus contractors are made aware of the additional support needs 	All service providers plan for and make reasonable adjustments to enable the school community to access their services as far as is reasonably possible including trips, visits and extra curricular activities.	Before a service is offered to the school community	Trip leaders supported by SEND team	As necessary	All services are accessible and supported.
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Target	Strategy	Outcome	Timeframe	Person Responsible	Review Date	Impact
To improve signage	Improve information signs supported by tactile information (such as map) for people progressing to other parts of the building including toilet facilities and use recommended size (depending on reading distance), colour contrast (light text on dark background) and sans serif typeface	<p>Movement around school is clear and changes in levels and gradients are clear</p> <p>Obstacles are clear</p> <p>Adjustments can be made or assistance given where identified</p>	When budget restraints allow or when the need for an individual to ensure access, is identified	HT		No concerns raised.

	Display notice at entrance/reception to ask visitors to inform staff of any individuals needing assistance					
Access for visitors with disabilities	Disabled bay to be clearly marked in school car park.	Disabled visitors will be able to access the school more easily.	2021	Site management team		

Additional adjustments will be made as and when necessary if and when individual concerns are raised or building regulations, standards or guidance is revised