

Herne Hill School

for love, care and an excellent education

Independent Co-ed Pre-Prep & Nursery,
Founded 1978, Member ISA

www.hernehill-school.co.uk



SEN AND DISABILITY DISCRIMINATION POLICY

At Herne Hill School, we recognise and take seriously our duty under the Disability Act 1995 as amended by the SEN (Special Educational Needs) and Disability Act 2001 (SENDA) to not discriminate against disabled pupils in their admissions, exclusions, education and associated services. This covers two key duties:

- not to treat disabled pupils less favourably; and
- to take reasonable steps to avoid putting disabled pupils at a substantial disadvantage (the 'reasonable adjustments duty').

The DDA defines disability as *a physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to perform normal day-to-day activities.*

The definition is broad and may include children with a wide range of impairments including those affecting their mobility, sight or hearing; learning difficulties; mental health problems; dyslexia; autism; speech or language impairments; ADHS; diabetes; HIV; or epilepsy. The DDA 1995 Part 4 'Code of Practice for Schools' contains more detailed definitions of disability, SEN and their overlap.

Supporting children with learning difficulties/disabilities at Herne Hill School

Herne Hill School has a highly inclusive ethos and has over the years successfully accommodated children with various disabilities and learning needs including autism, dyslexia, hearing impaired, asthma, behaviour disorders, etc. We aim to provide all pupils with a broad and balanced curriculum, differentiated and adjusted to meet the needs of individual pupils and their preferred learning styles.

Although we are not a Special Educational Needs school and will invariably not have the required expertise to deal with all disabilities, we are committed to making reasonable adjustments so that current or prospective disabled pupils would not be placed at a substantial disadvantage compared to non-disabled pupils. Furthermore, in considering whether or not an adjustment would be reasonable, we may take into account certain factors provided for by SENDA.

'Reasonable adjustments' may not be made in a particular case if there is a reason which is both material and substantial to that case. These include:

- The need to maintain academic and other standards

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- Money available
- Practicalities of making the particular adjustment
- Health and safety of the disabled pupil and others
- Interest of other pupils.

The reasonable adjustments duty does not require the school to make alterations to the physical features of the school nor does it require the school to provide auxiliary aids and services (e.g., a personal FM radio aid for a child with hearing difficulties or additional one-on-one support for a dyslexic child). At independent schools, auxiliary aids and services are normally made available by the school but parents are usually charged for them. Auxiliary aids and services can also be paid for by the appropriate LA through the SEN framework, particularly for the Early Years. When necessary we liaise with the relevant agencies to facilitate the statementing of a child.

The reasonable adjustments duty is anticipatory, i.e. we should not wait until a disabled pupil has arrived before making reasonable adjustments. The school needs to know that a child is disabled and must have some knowledge of the nature of the disability to ensure that the pupil will not be treated less favourably and that the appropriate reasonable adjustments can be made. Discussions with parents about the disability and potential adjustments will be important in this regard, and we aim to encourage these through an open and welcoming atmosphere and culture at the school so that parents feel comfortable disclosing information about their child's disability.

Under the DDA, we also have a planning duty to draw up strategies and plans to increase over time access for disabled pupils to our curriculum and education, including improvements to the physical environment. The school's Accessibility Plan is available separately from the Headteacher.

Additional Responsibilities for the Early Years

As a provider in receipt of Government funding (Free Early Education Entitlement for the 3 and 4 years old), we also have regard to the SEN Code of Practice. The main additional duties are that we have an SEN Policy for this year group (available separately from the Headteacher) and a trained SEN Coordinator (SENCO), who is responsible for the day-to-day operation of the SEN policy. Overall responsibility for the management of SEN in the Early Years, as for the rest of the school, lies with the Headteacher.

If members of staff are uncertain about whether some of the procedures and practices they follow lead directly to less favourable treatment or substantial disadvantage for disabled pupils, they should consult with the Head on the appropriateness of these procedures and practices.