

SPECIAL EDUCATIONAL NEEDS AND DISABILITY ACT 2001: VARNDEAN COLLEGE POLICY STATEMENT

1. Background

Under the Disability Discrimination Act 1995 (DDA) the College has produced an annual Disability Statement. The DDA as amended by the Special Educational Needs and Disability Act 2001 (SENDA) sets out new duties on colleges to ensure that they do not discriminate against disabled people, whether staff or students. The principle behind the legislation is that disabled people should have the same opportunities as non-disabled people to benefit from education or other related provision as students and similarly as potential and actual employees.

It is the responsibility of the governing body to approve the College's policy statement on this issue, to ensure that appropriate steps are taken to comply with the Act and to monitor progress. The duties falling on the Corporation will be introduced in three stages:

From September 1st 2002 it will be unlawful to discriminate against disabled learners or prospective learners and employees or prospective employees by treating them less favourably than others for a reason related to their disability. There will also be a requirement to make reasonable adjustments to provision to ensure that substantial disadvantage does not occur.

From September 2003 the Corporation will also be required to make adjustments that involve the provision of auxiliary aids and services.

From September 2005 the Corporation will be required to make adjustments to its premises where these put disabled people at a substantial disadvantage.

2. Policy Statement

The College is committed to ensuring that disabled people, including those with learning difficulties, are treated fairly. The College recognizes its responsibilities under the Special Educational Needs and Disability Act 2001:

- ❑ not to discriminate against a disabled person, whether student or employee;
- ❑ to ensure that disabled people have the same opportunities as non-disabled people to benefit from the education offered by the College, to be considered as prospective employees and to be treated equally as employees;
- ❑ not, without justifiable reasons, to treat disabled people less favourably than others because of the nature of their disability;
- ❑ to make all reasonable adjustments to ensure that a disabled student or member of staff is not placed, or likely to be placed, at a substantial disadvantage in comparison with a person who is not disabled.

- ❑ to anticipate the needs of disabled people in advance of their taking a place at the College as a student or member of staff.

It will ensure that:

- ❑ Governors continue to be aware of their accountability as the 'responsible body'.
- ❑ All senior staff are familiar with the Act, the Code of Practice and the Guidance accompanying it.
- ❑ All policies, procedures and guidelines are updated to comply with the requirements of the Act.
- ❑ All student and staff applicants have the opportunity to state that they are disabled and to outline their support needs.
- ❑ All such statements are carefully scrutinized and reasonable arrangements are made to meet the need identified.
- ❑ Clear information is given to unsuccessful applicants to explain why their application has been unsuccessful.
- ❑ All staff are trained in disability awareness and in their role in not discriminating against disabled people.
- ❑ Staff are briefed and/or receiving training in meeting the support needs of students identified as disabled.
- ❑ All staff are encouraged to identify aspects of provision which can be flexible and changed to meet individual need.
- ❑ The College's accommodation strategy reflects the requirement of the Act to make all reasonable and necessary physical adjustments to the premises by September 1st 2005.
- ❑ There is an annual audit of the College's degree of compliance and an annual action plan for ensuring compliance and the development of good practice that takes into account the Act's requirements for September 1st 2002, September 1st 2003 and September 1st 2005.
- ❑ The confidentiality of disabled learners and staff is respected.

This policy sets the context for a set of procedures that will lay out in detail how the College proposes to implement its intentions.

Alan Jenkins/Jill Sawyer: June 2002