

Disability Equality Duty

Guidance Contents

Section 1: Outline:

- 1.2 The General duty.
- 1.3 The Specific Duty.

Section 2: Questions to consider in meeting the general duty:

- 2.1 Promoting equality of opportunity
- 2.2. Eliminating discrimination
- 2.3 Eliminating harassment
- 2.4 Promoting positive attitudes
- 2.5 Encouraging participation in public life
- 2.6 Taking steps to meet disabled people's needs, even if this requires more favourable treatment

Section 3: Making it happen

- 3.1 Implementation
- 3.2 Publication
- 3.3 Reporting
- 3.4 Reviewing and revising the scheme

Section 1: Outline:

1.1 The General duty.

The six areas of the General Duty are:

- to promote equality of opportunity between disabled people and other people;
- to eliminate discrimination that is unlawful under the Disability Discrimination Act;
- to eliminate harassment of disabled people that is related to their disability;
- to promote positive attitudes towards disabled people;
- encourage participation by disabled people in public life;
- to take steps to meet disabled people's needs, even if this requires more favourable treatment.

1.2 The Specific Duty.

Describe the actions the school is taking to meet the Specific Duty i.e. to produce a Disability Equality Scheme.

Section 2: Questions to consider in meeting the general duty:

2.1 Promoting equality of opportunity

You should consider how you will promote equality of opportunity for disabled pupils, staff and parents in every aspect of school life.

- Have you asked disabled pupils, staff and parents to identify priorities for the school's scheme?
- How might disabled staff be involved in developing the school's scheme?
- Have you asked those disabled members of staff that you know about to join a working group?
- Has the school enabled staff to feel comfortable about disclosing a disability e.g. by
 - promoting awareness of the DDA and the legal protection that it offers;
 - explaining that disclosure can enable the school to make reasonable adjustments;
 - raising awareness of the LA policy on harassment and bullying;
 - promoting awareness of the support available to disabled members of staff
 - looking at how the school encourages disabled applicants for posts?
- Have you issued a staff questionnaire?
- Have you considered the possibility of setting up a cross-cluster group of disabled staff to contribute to the development of schemes in participating schools?
- Have you met with the parents of disabled pupils?

- Do any areas of school policy need review or further investigation e.g. PE, sex education, trips?

2.2. Eliminating discrimination

- Have you identified aspects of school life where there may be discrimination?
- Have you looked at data on achievements and exclusions?
- Are you monitoring behavioural incidents for involvement of disabled pupils and if they are over-represented what action are you taking? See DFES guidance 2?
- Are your disabled parents able to attend parents' evenings, come into school easily etc? If not, what have you done to make this easier e.g. designating parking spaces, telephoning home, designating staff member as point of contact?

2.3 Eliminating harassment

- Have you raised awareness amongst staff and pupils of disability-related harassment?
- Have you involved pupils themselves in combating bullying?
- Are you monitoring bullying incidents to see if disabled pupils are over-represented? If they are, what are you doing to combat this?
- How are you identifying disability-related harassment of staff, parents, carers and other users of the school e.g. exit interviews? If there is any, what steps are you taking to combat it and support the adults involved?
- Do disabled staff find it easy to attend treatment sessions?

2.4 Promoting positive attitudes

- Are positive attitudes to disability promoted?
- Do staff model positive attitudes towards disabled people?
- Are disabled people seen in positions of authority in your school? If so which ones?
- Do school reading books/library books contain positive images of disabled people?
- Do disabled pupils participate in school discussions and how does the school support them to do so and show they value their contribution?
- Do the achievements of disabled people figure in the curriculum e.g. in history, in PE ?

2.5 Encouraging participation in public life

- Are disabled pupils, staff and parents represented in senior, responsible and representative roles?
- Does the school council have any disabled members and are they actively involved in the work of the council?
- Does the school governing body have any disabled members?
- Have the school council or governing body considered co-opting a disabled member?
- Are there posters displayed showing positive role models e.g. of disabled athletes?
- Are disabled pupils using the school's extended day provision? If not, what are the barriers to participation and how can the school encourage them to attend?

2.6 Taking steps to meet disabled people's needs, even if this requires more favourable treatment

- Are 'more favourable' considerations built into the school's policies and practices?
- Is additional coaching or training provided for disabled pupils, staff or parents e.g a training programme for disabled pupils to enable them to stand for election to the school council or as candidates for the youth parliament?
- Are there special facilities for disabled pupils at breaks and lunchtimes?
- Is there a policy of interviewing all disabled applicants who meet the minimum requirements for a job?
- Do citizenship and PSHE lessons look at disability issues?

Section 3: Making it happen

3.1 Implementation

Schools are required to implement the actions in their scheme within three years.

Schools will be able to be more certain of the implementation of their scheme where:

- the scheme is supported by detailed action plans; and
- the action plans are incorporated into a framework that has the oversight of the governing body, so that progress is checked.

- Is there a clear allocation of lead responsibility?
- Is there a clear allocation of resources?
- Is there an indication of expected outcomes or performance criteria?
- Are there clear timescales?
- Is there a specified date and process for review?
- Does the scheme dovetail with other priorities?

3.2 Publication

The school's scheme can be published as a separate document or as part of other school documents, for example an equal opportunities policy or the school improvement plan.

- Can parents or visitors get hold of a copy of the school's scheme easily?
- Do you intend to incorporate your Accessibility Plan into your DES?
 - Schools choosing to do this should focus on the elements that need to be developed to meet the requirements of a scheme.
 - Schools that develop a single document to serve as both an accessibility plan and a disability equality scheme will publish their next combined plan and scheme in April 2009.

3.3 Reporting

Schools are required to report on their schemes annually. Schools will want to make clear both:

- what progress they have made in terms of implementing their action plan;
- and what has been the effect of what they have done.
- How will you use the information you gathered at the start?
 - This information along with the views of disabled pupils, staff and parents will help the school identify the progress they have made and the actions they may still need to take.
- Is it clear who is responsible for publishing the report?
- Does your annual report summarise the views you gathered?

3.4 Reviewing and revising the scheme

Schools are required to review and revise their scheme every three years. They are required to set out in their scheme the arrangements for using information to support the review of the action plan and to inform subsequent schemes.

As part of the review of their scheme, schools will need to:

- revisit the information that was used to identify the priorities for the scheme; and
- re-examine the information to see if actions that the school has taken have affected opportunities and outcomes for disabled pupils, staff and parents.

The review of the scheme will inform its revision: how the school sets new priorities and new action plans for the next scheme. This process must again:

- involve disabled pupils, staff and parents; and
- be based on information that the school has gathered.

Schools may want to align their accessibility plan and their disability equality scheme so that they produce a new scheme and plan at the same time.