



ORKNEY
ISLANDS COUNCIL

Orkney Islands Council Education Authority

Disability Equality Scheme

2006 – 2009

FOREWORD

The first principle of Orkney Islands Council's Education Authority's statement of Vision, Values and Aims is 'Education is for all'. The first two stated aims are;

1. To raise achievement in all learners.
2. To support all learners and promote access and inclusion.

In pursuit of these aims the Authority has, through successive Accessibility Strategies, sought to improve access to buildings and the curriculum, and to improve communication with disabled pupils.

The Disability Discrimination Act 2005 introduced a Disability Equality Duty which helps strengthen, extend and build on the stated values and aims. The authority will promote equality for disabled people by ensuring that as a value it is woven into the culture of our schools and associated services. This Disability Equality Scheme shows the steps proposed in order to build this culture of equality in practical and demonstrable ways.

In doing so it is another major step towards achieving the vision of 'education is for all' and meeting the aims:

1. to raise achievement in all learners
2. to support all learners and promote inclusion and access.

Janice Annal, Chairman of Education Committee
Leslie Manson, Director of Education

1. INTRODUCTION

The Disability Discrimination Act 2005 has placed a general duty on all public authorities to promote disability equality. In addition to the general duty there are specific duties which can vary from body to body. The specific duties include the duty to publish a Disability Equality Scheme, a duty incumbent on Orkney Islands Council both in its role as a local authority and in its role as an Education Authority. The two schemes are, therefore, closely linked and can be read as one document. However, at the same time the Education Authority's scheme is a distinct scheme in its own right. It shows how each of the six strands of the general duty is addressed specifically for education and includes a specific action plan for the education sector.

There is statistical evidence that shows that, nationally, more disabled people than non-disabled people have no educational qualifications. This gap in educational qualifications is a key factor bearing on inequality for disabled people. Education is, therefore, particularly important for the promotion of equality. The ultimate aim of narrowing the attainment gap must underpin all of the actions we propose to take.

The general duty requires that when a public authority carries out its functions it should have due regard to the need to:

- § Promote equality of opportunity between disabled persons and other persons
- § Eliminate discrimination that is unlawful under the Act
- § Eliminate harassment of disabled persons that is related to their disabilities
- § Promote positive attitudes towards disabled persons
- § Encourage participation by disabled persons in public life; and
- § Take steps to take account of disabilities, even where that involves treating disabled persons more favourably than other persons.

The specific duties as they affect Education Authorities are as follows;

- To publish a Disability Equality Scheme which demonstrates how we intend to fulfil the general and specific duties.
- To involve disabled people in the development of the Disability Equality Scheme

- The Disability Equality Scheme should include a statement of:
 - The way in which disabled people have been involved in its development.
 - The methods used for assessing both the impact and the likely impact of existing and new policies and practices on equality for disabled people.
 - The steps we will take to fulfil the general duty (which must be detailed in an action plan that is part of the scheme).
 - The arrangements we have made for gathering information on the effect of policies and practices on the educational opportunities available to, and on the achievements of, disabled pupils.
 - The arrangements for putting information gathered to use, in particular in reviewing the effectiveness of the Action Plan.

- To take the steps set out in the Action Plan and put the arrangements for information gathering into effect within three years of the Scheme being published.
- To publish an annual report containing a summary of the steps taken under our Action Plan, as well as the results of our information gathering and how we have made use of the information.
- To make arrangements for schools under the management of the Authority to:
 - Assess the impact of their policies and practices, or the likely impact of proposed policies and practices, on equality for disabled pupils.
 - Gather information on the effects of their policies and practices, the educational opportunities available to and the achievements of disabled pupils.
 - Provide the Authority with an annual report in respect of the two above matters.
 - Carry out those steps which the Authority proposed to take towards the fulfilment of the general duty that need to be taken at school level.
 - Maintain a copy of the Disability Equality Scheme.

The Disability Equality Scheme will become a key document in the Department's cycle of planning. In particular, certain of the targets in the Action Plan are closely linked to existing targets in the Accessibility

Strategy 2005 – 2008. Future Accessibility Strategies will be informed and influenced by the arrangements detailed in the Scheme.

Aim 1 of the current Service Improvement Plan 2005 – 2008 is; ‘to raise attainment and achievement in all learners’. Aim 2 is; ‘to support all learners and promote inclusion and access.’ Priorities within these overall aims include:

- 1.3 Targeting specific areas of under-attainment.
- 2.1 Improving support for learners.
- 2.2 Making services more inclusive and accessible.

Therefore, it is clear that the stated aims and priorities of the current Service Improvement Plan already fit well with the actions detailed in this scheme. The Disability Equality Scheme will be a direct influence on both the content of future departmental planning documents (including future Service Improvement Plans) and the way in which plans are developed.

2. CONTEXT

Section Two of the local authority Disability Equality Scheme details the wider economic and social context for Orkney. Within the Education sector there are specific factors which bear upon the Education scheme.

Legislative context

In recent years a body of legislation has come into force, the intention of which has been to promote the rights of all pupils to full access to education and associated services.

The **Education (Scotland) Act 1980**, the **Standards in Scotland’s Schools etc. Act 2000** and the **Education (Additional Support for Learning) (Scotland) Act 2004** provide a legal framework for the education of pupils with additional support needs, many of whom will also be disabled.

The **Standards in Scotland’s Schools etc. Act 2000** states the right to an education which is ‘*directed to the development of the personality, talents and mental and physical abilities of the child or young person to their fullest potential*’. The Act also includes a presumption in favour of

providing mainstream education for all children. This is subject to the following exceptions:

- it would not be suited to the child's ability or aptitude;
- it would not be compatible with the provision of efficient education for other children with whom the child would be educated;
- it would result in unreasonable public expenditure that would not ordinarily be incurred.

The **Special Educational Needs and Disability Act** amended Part 4 of the Disability Discrimination Act 1995 to cover education and associated services.

The **Education (Disability Strategies and Pupil's Educational Records) (Scotland) Act 2002** requires each Education Authority to prepare and implement an **Accessibility Strategy** setting out how it will improve access to education and associated services over a period of time. Orkney Islands Council is in the process of implementing its second **Accessibility Strategy** which covers the period 2005 – 2008.

The **Education (Additional Support for Learning) (Scotland) Act 2004** requires Education Authorities to (among other duties):

- Make adequate and sufficient provision for the additional support required for each child and young person with additional support needs for whose school education they are responsible.
- Keep under consideration additional support needs identified and the adequacy of support provided to meet the needs of each child or young person.
- Provide appropriate additional support for disabled pre-school children (generally children under 3) belonging to their area who have been referred to the education authority by an NHS Board and have additional support needs arising from their disability.

This Scheme takes account of the Authority's education policies; in particular, policies concerned with supporting pupils. It will be a major influence on all future planning documents and policies prepared by the Education Department. This will include future Accessibility Strategies and the Service Improvement Plan.

Local educational context

The Department of Education and Recreation Services delivers education to approximately 3,400 pupils in 23¹ schools (2 partner provider pre-school centres) across 11 islands. In addition the Department is responsible for Grainshore Training Centre and Orkney College. Papdale Halls of Residence provides weekday accommodation for secondary pupils from the isles who attend Kirkwall Grammar School.

The Education Service Pupil Support Team, based at Papdale House, is made up of a range of advisory, teaching and non-teaching staff, who provide a range of services to schools, children, young people and their families. The services provided include; support for pupils with visual or hearing impairments, support for pupils with autistic spectrum difficulties support for pupils with motivational learning difficulties, support for pre-school children through working with their families and advice on access to education and associated services for disabled children and young people. The Psychological Service is also part of the Pupil Support Team.

With the merging of Glaitness Aurrida School and Glaitness Primary School in August 2004, Orkney no longer has any separate special schools.

Glaitness School has specialist provision for pupils with moderate and severe learning difficulties of primary age and for pupils with profound and multiple difficulties of all ages. Kirkwall Grammar School has specialist provision for pupils with learning difficulties of secondary age. It provides services for young people across the authority who have moderate learning difficulties, and sometimes more severe learning difficulties. The Language Unit, located at Papdale Primary School, caters for young children with expressive and receptive language disorders.

The department employs approximately 272 full-time equivalent teachers and 144 full-time equivalent non-teaching staff in schools.

¹ 2 Secondary, 4 Junior High, 17 Primary.

3. INVOLVEMENT

The Education Authority has a Communication and Consultation Policy which recognises the need to consult with disabled people in all areas of policy and practice that are relevant to them.

In preparing the current Accessibility Strategy the Education Authority consulted with parents of disabled pupils in Orkney Schools, disabled members of Orkney Disability Forum's Access Panel and, in cooperation with Dialogue Youth, disabled pupils in Orkney Schools. The results of this consultation were used to inform the Accessibility Strategy. Some of the concerns raised during this process have in turn fed into this Disability Equality Scheme and have influenced some items in the Action Plan.

The current Accessibility Strategy includes the following target;

‘A mechanism for ongoing consultation with disabled pupils will be put into place’.

Discussions have taken place over a period of time with Dialogue Youth with a view to their taking a lead role in putting this into operation.

As a first step in putting these plans into place Dialogue Youth facilitated focus groups at Kirkwall Grammar School and Stromness Academy to involve young disabled people in putting together this Disability Equality Scheme. One of the main wishes expressed by those who participated in these groups was that there should be an ongoing method for such involvement. It is intended that Dialogue Youth will conduct further such sessions on a regular basis.

In order to involve disabled people we sent a letter to all parents of pupils in Orkney inviting them to express an interest in becoming involved in a group set up to consider the development of the Disability Equality Scheme. We sought representation both from parents of disabled pupils and from parents who are themselves disabled. In addition representatives from the Special Needs Children and Parents Support Group (SNAP) and from Orkney Disability Forum were sought by letter.

A number of parents responded to this request and as a result a small focus group was set up. Those parents who expressed an interest in becoming involved but who were unable to attend meetings were invited to participate through the use of a written questionnaire. The discussions

that took place at the meetings of the focus group have been a major influence on the Scheme that has been put together.

The names of those parents who took part in the focus group or who responded in other ways are listed in Appendix 1. The range of disabilities represented by participants in this process included physical disability (including mobility difficulties and diabetes), sensory disability, learning difficulties, and autistic spectrum difficulties.

One of the main conclusions from the groups' discussions was that we should set up a mechanism for ongoing involvement. Accordingly we decided that this group will become a permanent group and will meet once per school term. The group shall be known as the Disability Equality Monitoring Group. In addition we will seek to ensure that other vehicles for involvement are developed. For example, we will look at ways of allowing disabled people to contribute their views on issues using email and/ or the internet.

The Education Authority is a participant in the involvement strategy developed for the Local Authority Disability Equality Scheme (see OIC Disability Equality Scheme section on involving disabled people). For example, on behalf of the Community Planning Partnership, Voluntary Action Orkney organised and led a 'community of interest' meeting focussing on the disability community of interest. This meeting identified a need for more opportunities for leisure activities for disabled young people. This concern is reflected in the current Action Plan.

4. IMPACT ASSESSMENT

The Education Authority has been involved in assessing the impact of its functions and policies on Race Equality for some time now. We carried out assessments of relevance and initial impact assessments of the Authority's functions and policies in line with guidance issued by Orkney Islands Council as a whole.

Recognising the need to extend impact assessment to other areas we issued internal departmental guidance impact assessment, particularly with regard to new policies and practices. This guidance advised Department personnel to extend the process to the areas of disability and gender. Recent policy developments have included an assessment of their potential impact on these areas.

Guidance was issued to schools in May 2005 on impact assessment. This guidance focussed mainly on race equality but, as with the Departmental guidance, the advice was to assess for impact in the areas of disability and gender as well.

The intention is to embed the practice of impact assessment in the way decisions are approached concerning policy and practice, both at school and departmental level. This implies that the potential impact of new written policies is assessed. However the duty does not apply to written policies alone but also to the full range of decisions which may potentially have a disproportionate impact on disabled people; for example, staffing, resource allocation, arrangements for school trips and so on.

With the coming of the Disability Equality Duty it will be necessary to ensure that current practice is in line with the requirements of the Act. In particular the way in which we involve disabled people must be part of future considerations in this area.

The Department of Education and Recreation Services will carry out impact assessments in accordance with the guidance issued as a result of Orkney Islands Council's corporate Disability Equality Scheme.

In addition we will review and revise existing guidance on impact assessment, both our internal departmental guidance and our guidance to schools, in the light of new corporate guidance, to make sure that it fully meets the requirements of the Disability Equality Duty.

5. GATHERING INFORMATION

In order to meet the Disability Equality Duty we will expand our routine information gathering processes to include key indicators on equality for our disabled pupils. The school performance profile, which acts as a focus for discussion between schools and the Authority's quality assurance team, already contains data on equality and fairness. We will expand the Inclusion and Equality section to include key information on disability equality. We plan to include comparison data on attainment and exclusions as well as on participation levels and incidents of harassment. The cycle of quality assurance visits by Education Department staff to schools will include a visit focussing on equality, including disability equality. We will use information gathered in this way to promote disability equality and rectify imbalances. Schools will address

inequalities identified in the information gathering process by including relevant actions in their school development plans.

Over time information gathered will form a more complete picture of the situation in the Authority as a whole and will inform future Disability Equality Schemes. Information gathered should also inform other planning documents, including the Accessibility Strategy and the Service Improvement Plan.

6. ACTION PLAN

Aim	Objective	Action	Target date	Responsible	Measurable indicators	Outcomes
1. Promoting Equality of Opportunity	1.1 Pupils in Orkney Schools will have equal access to after school clubs/ school trips	(i) To carry out an audit of the level of disabled pupils' participation in after school activities and school trips (ii) To consult with disabled pupils to identify any barriers to full participation. (iii) To ensure ongoing monitoring of disabled pupils' access to the above. (iv) To take all steps which emerge from the above measures to ensure full access.	July 2007 and subsequently for ongoing arrangements	Education Support Officer (Accessibility).	Monitoring shows a high level of uptake of opportunities.	Participation in after school clubs and school trips improves.

Aim	Objective	Action	Target date	Responsible	Measurable indicators	Outcomes
1. Promoting Equality of Opportunity	1.2 Leisure opportunities for disabled young people	<p>(i) To consult with disabled young people on access to leisure opportunities.</p> <p>(ii) To identify barriers to participation at the swimming pools, the Dounby Centre, the Pickaquoy Centre and in other services provided by Community and Recreation Services.</p> <p>(iii) To devise an action plan to improve participation in services by disabled young people.</p> <p>(iv) To ensure ongoing monitoring of the levels of participation in services.</p>	Dec 2007	Community Education Team Leader, Recreation Services Manager.	Monitoring shows a high level of uptake of opportunities.	Participation levels are improved.

Aim	Objective	Action	Target date	Responsible	Measurable indicators	Outcomes
2. Eliminating Discrimination	2.1 Review guidance on impact assessment in light of the legislation and amend as necessary.	(i) Review and amend current guidance as necessary. (ii) Any new procedures will be adopted by schools and by department staff.	By Dec. 2007	Education Support Officer, department staff, Head Teachers and other relevant school staff.	New guidance is in place and being used by schools and department officers.	Impact assessment for disability is firmly established and routinely undertaken by schools and the Department
	2.2 Review the way in which schools and the Education Authority communicate with the parents of disabled pupils	(i) Consult with parents on communication at all levels. (ii) Identify possible improvements.	By March 2009	Education Support Officer.	i). Report of results of consultation is produced. ii). Plan for any improvements identified through the consultation is produced.	Any future review identifies that any difficulties are identified have been overcome.

Aim	Objective	Action	Target date	Responsible	Measurable indicators	Outcomes
Eliminating Discrimination (continued).	2.3 Review and improve (if necessary) assistance given to disabled pupils at tests and examinations.	(i) Carry out an audit of assistance we currently provide for identified disabled pupils at tests and examinations. (ii) Where difficulties are identified devise an action plan to overcome these difficulties.	By April 2009	Education Support Officer, department officers, Head Teachers and other relevant school staff.	Audit completed and new action plan addresses the needs as identified in the audit.	The level and type of assistance given to disabled pupils meets the needs of these pupils.
	2.4 Gathering information	(i) The school performance profile will include an expanded equality section under NP 3 INCLUSION AND EQUALITY. This will include data on attainment, exclusions, participation and harassment with reference to disabled pupils.	We will include this section for the first time in session 2007 – 2008	Head of Quality Assurance	Link Officers can report use of data gathered to influence school development plans	Schools and Authority Officers use data gathered to promote equality for disabled pupils

Aim	Objective	Action	Target date	Responsible	Measurable indicators	Outcomes
Eliminating Discrimination (continued).	2.4 Gathering information	(ii) We will include a visit focussing on equality issues, including disability equality, within the cycle of Link Officer QAI visits.	To link with above – 2007 - 2008	Head of Quality Assurance	Link Officers can report schools are meeting Disability Equality Duty	Schools and EA Officers use data to promote equality for disabled pupils.
		(iii) The Authority will issue guidance to schools on how to report on their progress in promoting Disability Equality.	By August 2007	Education Support Officer	Guidance issued and judged clear and usable by schools.	Schools report annually on promoting disability equality Information influences Authority planning.
		(iv) Schools will submit their first annual report on promoting disability to the Authority by October 1 2007 and every year by that date thereafter.	By October 1 st 2007	Head Teachers	All reports are received on time.	We receive information which can be used to inform Authority planning.

Aim	Objective	Action	Target Date	Responsible	Measurable Indicators	Outcomes
3. Eliminating harassment.	3.1 Monitoring incidents of harassment.	We will prepare and issue guidance on monitoring incidents to schools.	October 2007	Education Support Officer (Accessibility)	Schools record incidents and feed back results to the Authority	Schools use records to inform their approach to disability within the school. Incidents of harassment decrease over time.
	3.2 Guidance on dealing with harassment.	Guidance on how to deal with incidents of harassment will accompany guidance on monitoring arrangements	October 2007	Education Support Officer (Accessibility)	Recording of incidents shows good practice in dealing with incidents	As above.

Aim	Objective	Action	Target Date	Responsible	Measurable Indicators	Outcomes
4. Promoting positive attitudes towards disabled people.	4.1 Audit disability in the curriculum.	The Education Department will establish indicators to be used in auditing how schools promote disability equality in the curriculum. The information will form part of schools' reports to the Authority on promoting disability equality.	Indicators will be established and disseminated to schools by August 2007.	Education Support Officer (Accessibility)/ Head of Quality Assurance.	System of audit in place and Link Officers can report it is being used	Orkney schools use the curriculum to promote disability equality.
	4.2 Guidance on promoting disability equality in the curriculum	We will draw up guidance for schools on good practice in promoting disability equality through the curriculum	October 2008	Education Support Officer (Accessibility)	Use of guidance reflected in quality assurance links with schools by Link Officers.	Promotion of disability equality is embedded in the curriculum in place in Orkney schools.

Aim	Objective	Action	Target Date	Responsible	Measurable Indicators	Outcomes
4. Promoting positive attitudes towards disabled people. (contd.)	4.3 Disability Equality/ Disability Awareness Training	We will ensure that all staff have Disability Awareness Training	By December 2008	Head of Pupil Support	All staff trained.	Staff awareness of barriers to equality for disabled people and ways of overcoming these barriers is enhanced.
5. Encouraging participation by disabled people in public life.	5.1 Involvement (<i>pupils, parents, disabled adults</i>)	(i) We will put permanent ongoing arrangements for involving disabled people into place. (ii) We will set up procedures to involve disabled people in the planning/ liaison process over access to school buildings.	March 2007 December 2007	Education Support Officer (Accessibility)/ Head of Pupil Support. Education Support Officer (Accessibility)	Feedback from disabled people indicates satisfaction that involvement procedures are working.	Involvement improves services to disabled people.

7. REPORTING ON PROGRESS

Schools in Orkney will provide an annual report to the Authority on their progress in promoting disability equality. This will include, in addition to information on specific developments, information concerning impact assessments undertaken. The Authority will issue guidance to schools on what and how to report on disability equality in good time to ensure that the deadline of 4th December 2007 for publication of our first report is met.

The Authority will include a section on equality in its Standards and Quality Report where this accords with the statutory annual deadline for publication. This section will include information on the progress the Authority and its schools have made in promoting disability equality.

Where the deadline cannot be met in this way the Authority will publish a separate report on the implementation of the Disability Equality Duty by December 4th each year. This report will collate the information extracted from specific school reports as well as include information concerning developments across the Authority as a whole.

APPENDIX 1

Members of the Disability Equality Scheme Focus Group

Mike Bourne

Alma Fotheringham

Julie Green

Trudy Marwick

Arthur Jones (*Orkney Young Scot/ Dialogue Youth*)

Contributing by written response;

Chris Cook