

Reasonable Adjustments for Disabled Pupils:

The information in this guide is taken from the technical guidance for schools from the Equality and Rights Commission – the full document can be found [here](#).

What is a 'reasonable adjustment?'

A reasonable adjustment is a change, or set of steps, taken by a school for the benefit of a pupil who is at a 'substantial disadvantage'.

Schools and education authorities have a **duty** to provide reasonable adjustments for disabled pupils under the following Acts:

- [Disability Discrimination Act 1995](#)
- [The Equality Act 2010](#)

The Equality Act states that a pupil has a disability if he or she has a physical or mental impairment that has a **long-term** and **substantial** adverse effect on his or her ability to carry out normal day-to-day activities. This can include students who have special educational needs but *does not* mean that a pupil with special educational needs is classed as disabled.



Some disabled pupils will also have special educational needs (SEN) and may be receiving support via school-based SEN provision or have a statement of SEN or an education, health and care plan (EHC plan). The fact that a disabled pupil has SEN, or an EHC plan does not take away a school's duty to make reasonable adjustments for that pupil.

What is a 'substantial disadvantage?'

The definition of this term depends comparison to a child's peers.

Example — A disabled pupil with severe manual dexterity difficulties finds it difficult to write large amounts of text by hand and so this takes him considerably longer than other pupils. In a lesson in which large amounts of text are being copied from the board, he would be at a substantial disadvantage. However, in a lesson in which there is no handwriting required, he would not be at a substantial disadvantage in relation to his difficulties with handwriting.

Example — A visually impaired pupil who can see material only in 16pt font or larger will be at a substantial disadvantage compared to non-disabled pupils if materials are provided in smaller print.

Sometimes the disadvantage will be obvious; sometimes it will be less obvious.

Example — A pupil with chronic fatigue syndrome finds it harder to concentrate in lessons in the afternoon as a result of an increase in her tiredness.

A school's duty to make reasonable adjustments is an **anticipatory** one owed to disabled pupils generally, and therefore schools need to think in advance about what disabled pupils might require and what adjustments might need to be made for them.





Many reasonable adjustments are **inexpensive** and will often involve a change in practice rather than the provision of expensive pieces of equipment and additional staff.

What does the duty cover?

The duty outlined in the Equality Act has three elements:

- Provision, criteria and practices (how a school operates)
- Auxiliary aids and services (what it provides)
- Physical features (the physical environment of the school)

The school must take positive steps to ensure that disabled pupils can fully participate in the education provided by the school, and they can enjoy other benefits, facilities and services that the school provides for pupils.

Examples of reasonable adjustments:

Example — An infant school disabled pupil with attention deficit hyperactivity disorder (ADHD) receives some individual teaching assistant support through the SEN framework. He is diagnosed with severe asthma and needs assistance with his nebuliser. Although this is not a special educational need, his asthma is likely to be a disability for the purpose of the Act and so a failure to provide a reasonable adjustment will place him at a substantial disadvantage. The school trains his teaching assistant and she provides him with the assistance that he needs. This would be a reasonable adjustment for the school to make.



Example — A disabled pupil at an infant school has diabetes, and requires daily support with reading blood sugar levels and insulin injections. He is not classified as having SEN and therefore receives no support through the SEN framework. He is, however, disabled and therefore, if the lack of daily support places him at a substantial disadvantage, the school would be under a duty to make the adjustment of providing the support, if it would be reasonable to do so.

The **resources** available to a school should be taken into account (this includes staffing levels).

Example — A disabled pupil with cerebral palsy uses a manual wheelchair occasionally, but not every day. The wheelchair that he normally uses is being repaired and so he is having difficulties moving around the school. The school has a wheelchair that it allows him to use in school until his is repaired. This is a reasonable adjustment for the school to make because the school already has this resource available to it. However, if the school did not have a wheelchair, it would not be expected to purchase one for the pupil as a reasonable adjustment.

Schools should consider the **effectiveness** of reasonable adjustments, and they **should not** make assumptions.

Example — A school admits a disabled pupil who is deaf and decides, without consulting the pupil, to install an induction loop in all teaching rooms – but the pupil does not use a hearing aid and so is unable to benefit from the induction loop. The pupil reads lips and so a reasonable adjustment would have been to tell all staff to ensure that they face the pupil when speaking to him.



Example — A disabled pupil with chronic fatigue syndrome finds moving around a large three-floor secondary school very tiring and, despite the school adjusting the timetable and location of classes to minimise the amount that she has to move around the school, she is still too exhausted to complete the school day. The school then makes further adjustments, giving her a ‘buddy’ to carry her books for her, using a dictaphone to record those lessons that she misses and establishing a policy that she will not be penalised for arriving at lessons late. These adjustments enable her to attend more lessons and to be less disadvantaged when she does miss lessons.

Schools should consider how **practicable** the step is.

Examples —

- A visually impaired child requires printed handouts to be prepared in 16 pt font or larger. This can easily be accommodated by ensuring that fonts are reset to this size prior to any documentation being printed.
- A pupil who is a wheelchair user is unable to access classes on the first floor. A reasonable adjustment would be for the school to rearrange the timetabling and location of classes so that all of her classes are on the ground floor. Although this may be difficult, it does not mean it is not a reasonable adjustment for the school to make. If specialist facilities such as science labs are available only on the first floor, then it may not be possible to move classes that require the use of the specialist equipment to a different classroom; in this case, the school will need to consider what other adjustments it could make to enable the disabled pupil to access learning opportunities equivalent to those of her peers.

Schools should consider the **effect** of the disability on the pupil and how this **affects** the reasonable adjustment.

Example —

- A disabled pupil with dyslexia finds it very difficult to read text typed on white paper. The school provides handouts on yellow paper for her. This would be a reasonable adjustment for this pupil.
- Another disabled pupil with dyslexia finds it difficult to read text on **any** colour of paper without a plastic overlay sheet. The school provides the pupil with a plastic overlay sheet to use in all lessons. This would be a reasonable adjustment for this pupil.

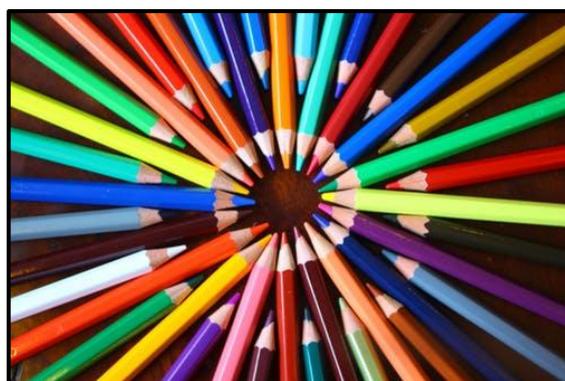


The Equality Act **does not** override health and safety legislation; schools are not required to eliminate all risk.

- A disabled pupil with a stair-climbing wheelchair applies to a large secondary school with several flights of stairs. The school prevents him from using the stair-climbing wheelchair in the school because it thinks that it will be dangerous. However, after carrying out a risk assessment and finding out more about the wheelchair, the school realises that it does not present a significant health and safety risk, and therefore that it would be reasonable for the school to allow him to use it.

Schools should consider the need to maintain academic, musical, and sporting standards.

Example — A school regularly takes part in football matches with other local schools and selects its best footballers to play in the team. A pupil who is a wheelchair user is very keen on sport, but not able to play football at the necessary standard to be chosen for the team. The school is not required, as a reasonable adjustment, to select him for the team, because it is permitted to select only the best football players.



Schools should always consider the **interests of other pupils** and how any adjustment would impact upon them.

Example — A disabled pupil has a skin condition that is aggravated by cold and his parents ask that his classroom is kept at a very hot temperature. However, this would mean that the other pupils in the class would be uncomfortably hot. The school may not be expected to keep the classroom at the requested temperature, but it could take other steps, such as raising the classroom temperature to a level that is still comfortable for other pupils, placing the pupil in the hottest part of the room, such as by a radiator, and relaxing the school uniform policy to allow him to wear warmer and more comfortable clothing.

- A primary school plans a school trip to a local history museum in its town to undertake some activities. One of the pupils in the class is deaf and, because the museum does not have a hearing loop installed, she will be unable to participate in the trip. The school decides to change the trip and attend a museum in a neighbouring town, which has a hearing loop. Although this will cause some inconvenience to the other pupils because the travel time to and from school is longer, the school decides that this is a reasonable adjustment to make given the substantial disadvantage faced by the disabled pupil if she is unable to attend the trip.



It is **unlawful** for a school to charge a pupil for making a reasonable adjustment in any circumstances, whatever the financial cost to the school and however the school is funded.

Example — An independent school provides a dyslexic disabled pupil with overlay sheets to assist him in reading text, along with weekly sessions with a specialist teacher. The school adds the cost of these adjustments to the pupil's school fees. This would be discrimination.



[How can I ask a school to make a reasonable adjustment?](#)

If you believe that your child's school could be making reasonable adjustments, then you should request a meeting with the school SENCo in which you can discuss your concerns.

It may be helpful to talk with us first so that we can advise about what may be regarded as a reasonable adjustment.

Email: sendiass@bcpcouncil.gov.uk

(01202) 451970 (Bournemouth & Christchurch)

(01202) 261933 (Poole)



<https://www.sendiass4bcp.org>