

**SaPTS** Sensory and Physical  
Teaching Service

# Reasonable Adjustments



## The Equality Act 2010



Schools and education authorities, like many organisations, have a duty to provide reasonable adjustments under the Equality Act 2010. For schools, this covers disabled pupils, staff and visitors. Here we answer some common questions in relation to reasonable adjustments and pupils.

### **Q. What is the reasonable adjustments duty?**

Answer - The duty is 'to take reasonable steps to avoid the substantial disadvantage' to a disabled person caused by a provision, criterion or practice applied by or on behalf of a school, or by the absence of an auxiliary aid or service.

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

### **Q. What is meant by 'substantial disadvantage'?**

Answer - 'Substantial' is defined as being anything more than minor or trivial. Whether a disabled pupil is at a substantial disadvantage or not will depend on the individual situation.

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.

### **Q. What does the duty cover?**

Answer - The duty, in relation to provisions, criteria and practices, covers the way in which a school operates on a daily basis, including its decisions and actions. In relation to the provision of auxiliary aids and services, this means anything that constitutes additional support or assistance for a disabled pupil, such as a piece of equipment or support from a member of staff.

### **Q. What is meant by 'reasonable' steps?**

Answer - The duty to make reasonable adjustments requires schools to take what are referred to in the Act as 'reasonable steps', to ensure the school provide the best possible education for disabled pupils.

The Act does not say what is 'reasonable' and therefore, what is considered reasonable in one set of circumstances may not be in another.

Some of the factors that are likely to be taken into account are set out below. These factors are not exhaustive and are based on those that tribunals and courts have already taken into account when considering reasonable adjustments:

- The extent to which special educational provision will be provided to the disabled pupil under Part 3 of the Children and Families Act 2014
- The resources of the school and the availability of financial or other assistance
- The financial and other costs of making the adjustment
- The extent to which taking any particular step would be effective in overcoming the substantial disadvantage suffered by a disabled pupil
- The practicability of the adjustment
- The effect of the disability on the individual
- Health and safety requirements
- The need to maintain academic, musical, sporting and other standards
- The interests of other pupils and prospective pupils

#### **Q. What about reasonable adjustments for SEN children?**

Answer - There is a significant overlap between those pupils who are disabled and those who have SEN. Many disabled pupils may receive support in school through the SEN framework. In some cases, the substantial disadvantage that they experience may be overcome by support received under this framework and so there will be no obligation under the Act for the school or local authority to make reasonable adjustments.

In other cases, a disabled pupil may need reasonable adjustments to be made in addition to the special educational provision that he or she is receiving.

Some disabled pupils are not classified as having SEN, but if they are disabled and are suffering a substantial disadvantage, they may still need reasonable adjustments to be made.

#### **Q. What happens if a school doesn't make a reasonable adjustment?**

Answer - If, having considered the issue thoroughly, there are genuinely no steps that would be reasonable for a school to take to make its education, benefits, facilities or services more accessible, the school is unlikely to be in breach of the law if it makes no changes. It is unlikely, though, that there will be nothing that a school will be able to do for a pupil in such a situation.

Where a school or local authority decides that there are no reasonable steps that it can take, it is important that it sets out its reasons for this decision so that, if it is challenged by the child's parents, it can explain to them and, if necessary, a tribunal, as to why it has acted in the way that it has.

## Q. What adjustments may be necessary for pupils with hearing vision or physical disability?

Recommended reasonable adjustments can be found on SaPTS reports, It is essential to make appropriate access examinations for all assessments including formal and school based assessments.

School should do a risk assessment for pupils to identify any adjustments needed, as the result of their disability, whilst the pupil is in their care to ensure that they are safe both on and off the school site.

**SaPTS teachers can provide further clarification. Some example adjustments are:**

### **Hearing Impaired Pupils**

Provision of specialist equipment (in East Riding of Yorkshire Council this can be provided by entering into agreement to loan from SaPTS) Please note we only provide specialist equipment related to hearing impairment. It is the responsibility of the school to provide all other equipment.

Specialist equipment to be used appropriately, kept securely, charged and maintained for daily use.

Key vocabulary or subject specific vocabulary to be provided before a lesson.

A live speaker to be provided for all listening activities, rather than the use of recorded audio so that the pupil has access to lip pattern.

Notes or Powerpoints of lessons to be provided.

Transcripts, subtitles and summaries to be provided in advance of watching media such as DVDs, film clips etc.

Subtitles to be used when watching the TV.

### **Vision Impaired pupils**

Provision of specialist equipment (in East Riding of Yorkshire Council this can be provided by entering into agreement to loan from SaPTS).

Please note we only provide specialist equipment related to vision impairment. It is the responsibility of the school to provide all other equipment.

Specialist equipment to be used appropriately, kept securely, charged and maintained for daily use.

Provision of low cost equipment such as needle threaders, talking scales.

Consumables for specialist equipment eg Braille paper, ink for printers.

A large print allowance on the school photocopier.

Provision of an iTunes account to enable books to be downloaded free of cost to the pupil.

### **Pupils with a Physical Disability**

Provision of specialist equipment and building adaptations (In East Riding of Yorkshire Council schools can apply to the Resource Panel for assistance with funding).

Specialist equipment to be used appropriately.

Provision of writing aids such as pencil grips.