HEADINGTON
SCHOOL · OXFORD

Whole School SENDA Policy
Senior and Prep School (including EYFS)

Approved by Risk and Compliance Committee:	30th April 2026
Reviewed by:	Head of Learning Development Prep & Senior
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HEADINGTON SCHOOL OXFORD

Special Educational Needs and Disability and Access (SENDA) Policy

1 Introduction

1.1 Headington School Oxford's Special Educational Needs and Disability and Access Policy has been revised in response to The Equality Act 2010, part 6 of which covers education. Headington School Oxford seeks to avoid discrimination and to promote equality in order to support and improve attainment and progression for all pupils.

The Equality Act was intended to harmonise - and in some cases extend - existing discrimination law covering the 'protected characteristics' of age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex, and sexual orientation .' Two of the 'protected characteristics' – age and marital status - are NOT protected characteristics for schools.

The Equality Act largely incorporates the framework of the Disability and Discrimination Act (1995). Initially, the DDA did not apply to educational settings, but the Special Education Needs and Disability Act 2001 applies the DDA to all educational settings, irrespective of whether they are in receipt of government funding. Headington School Oxford's Special Educational Needs and Disability and Access Policy abides by the Equality Act and is consonant with the non-statutory guidance contained in The Code of Practice (2014), which reflects the changes introduced by the Children and Families Act (2014).

This policy – Special Educational Needs and Disability and Access (SENDA) Policy - relates only to the 'protected characteristic' of disability.

In practice, the Senior School uses the phrase 'Learning Difficulties and Disabilities (LDD)' rather than 'Special Education Needs (SEN)'. The Prep School uses the phrase 'Learning support needs and SEND'.

1.2 **What is a 'disability'?**

'… A person has a disability … if [he] has a physical or mental impairment and the impairment has a substantial and long-term adverse effect on [his] ability to carry out normal day-to-day activities.'

Note: to be disabled, the adverse effect of an individual's impairment on their ability to carry our normal day-to-day activities must fulfil both the criterion of 'substantial' and 'long-term'. It is also worth noting that the starting point and first issue to be considered by a tribunal is whether or not a pupil is disabled. If there is no disability, there can be no claim. Just because a pupil has SEN/LDD, it does not follow that the pupil is disabled. Moreover, the question of whether the claimant has a disability has to be determined at the date of the alleged discriminatory act, not at the date of the Tribunal hearing (Cruickshank v VAW Motorcast Ltd [2002] ICR 729).

1.3 Duties required by schools under the Equality Act towards pupils with 'protected characteristics'

This policy is concerned with the 'protected characteristic' of disability. Headington School Oxford seeks to avoid: Discrimination; Harassment; Victimization for all pupils, including those with a disability.

1.3.1 Discrimination

Discrimination means treating one person less favourably than another because of a protected characteristic (known as 'direct discrimination'), or putting in place a rule or policy or way of doing things that puts someone with a protected characteristic at an unfair, when this cannot be objectively justified (known as 'indirect discrimination'). See Section 3 below: 'What is discrimination?'

1.3.2 Harassment

Harassment includes unwanted conduct related to a protected characteristic, which has the purpose or effect of violating someone's dignity or which creates a hostile, degrading, humiliating or offensive environment for someone with a protected characteristic.

1.3.3 Victimization

Victimization is defined in the Act as: 'Treating someone badly because they have done a 'protected act' (or because the school believes that a person has done, or is going to do, a protected act).' A 'protected act' is defined as making a claim or complaint of discrimination (under the Act); helping someone else to make a claim by giving evidence or information; making an allegation that the school or someone else has breached the Act; doing anything else in connection with the Act. There is also protection for pupils who are victimized because their parent or sibling has carried out a protected act.

2 Who is covered by the Act?

The duties stipulated in the Equality Act protect:

- **Prospective pupils** (in relation to admissions arrangements). See below on 'Admissions'.
- **Pupils at the school** (including those absent or temporarily excluded).
- **Former pupils** (if there is a continuing relationship based on them having been a pupil at the school).

3 What is discrimination?

Unlawful discrimination is defined in the Equality Act as:

- **Direct discrimination** (including discrimination based on perception or association). The school has a duty not to treat disabled pupils less favourably.
- **Indirect discrimination** – a person (A) discriminates against another (B) if A applies to B a provision, criterion or practice which is discriminatory in relation to a relevant protected characteristic of B's. Note: this can be justified as a 'proportionate means of achieving a legitimate aim'.
- **Failure to make reasonable adjustments (for disabled pupils).**

4 Admissions

Section 85 of the Equality Act sets out the ways in which a school must not discriminate against a pupil.

Headington School Oxford is a selective independent school for girls aged 3-18, and boys aged 3-11. Its selection procedure is in line with the duties required by the Equality Act stated below.

The responsible body of a school to which this section applies must take such steps as it is reasonable for it to have to take to ensure that, in relation to the arrangements it makes for determining the admissions of pupils to the school, disabled persons are not placed at a substantial disadvantage in comparison with persons who are not disabled:

4.1 In the arrangements it makes for deciding who is offered admission as a pupil

This covers everything done in relation to admission arrangements, including information about the school and application process. Information about Headington School Oxford and how to apply for admission does not discriminate by suggesting that applicants with certain protected characteristics would not be welcome to apply. The school seeks to provide reasonable adjustments in terms of its admissions criteria, entrance examinations and interviews.

As an independent school, we select pupils based on our own criteria. The tests, assessments, and interviews do not discriminate against applicants on grounds of any of the protected characteristics. They are accessible to pupils with disabilities, and the school seeks to comply with its duty to make reasonable adjustments to the assessment process, such as making the test material available in an adapted format, allowing extra time or providing a scribe, depending on the individual needs of the child. The school can lawfully reject the application of a pupil with learning difficulties where the admissions criteria (which may include an entrance examination, depending on the age of the applicant) are not met. Note: there may be some physical conditions for which the school may not be able to make appropriate adjustments. See below: Facilities and Services.

4.2 **The terms on which it offers to admit the person as a pupil**

Headington School Oxford seeks to ensure that it does not offer admission to a person with a protected characteristic on terms which are less favourable than those which are, or would be, offered to someone without the protected characteristic.

4.3 **By not admitting the person as a pupil**

Any refusal to admit an applicant would be for a legitimate reason set out in the admissions criteria and not for any other reason.

5 Access to the Curriculum

5.1 Duties upon the school under the Equality Act require the responsible body of Headington School Oxford to take such steps as it is reasonable for it to have to take to ensure that, in relation to education, disabled pupils are not placed at a substantial disadvantage in comparison with pupils who are not disabled.

Headington School Oxford seeks to provide education for all pupils, including those with the 'protected characteristic' of disability.

5.1.1 The school aims to ensure that pupils with a Special Educational Need/Learning Difficulty and/or Disability (SEN/LDD) - referred to as SEND at the Prep School - receive a full entitlement and access to a high-quality education within a broad, balanced and relevant curriculum. It aims to educate those pupils with SEN/LDD alongside their peers within the normal curriculum. Reasonable adjustments are made by teaching staff and can include: extra time for written work; multi-sensory teaching; an adapted approach to behaviour which is a direct consequence of a disability; making reasonable adjustments to manage such behaviour; considering alternative, more appropriate sanctions. The Senior School may also offer a reduced timetable.

5.1.2 The school does not provide full-time, one-to-one support. In the Senior School, pupils with a Diagnostic Assessment Report may be offered regular one-to-one specialist support sessions in the Learning Development Department. Any adjustments to this provision will be made according to individual need, in consultation with the Head of Learning Development.

5.1.3 The Senior School and the Prep School may approach the provision of SEN/LDD in slightly different ways, as befits the age of the pupil and the nature of need. The Senior and Prep Schools issue specific guidance on this matter in the following forms:

- Senior School – SEN Policy
- Prep School – Learning Support and SEND policy

5.2 **Positive Action**

The Act contains provisions which enable schools to take action to tackle a disadvantage arising from a protected characteristic. Such actions are known as 'positive action' provisions, and allow (but do not require) schools to take proportionate action to address any disadvantage faced by particular groups of pupils. Such actions could include targeted provision and/or resources, or putting in place additional or bespoke provision to benefit a particular disadvantaged-pupil group. Positive action is intended to be a measure that will allow schools to provide additional benefits to some pupils to address disadvantage, and is not the same as positive discrimination. Positive discrimination would be providing preferential treatment for a particular disadvantaged-pupil group that exceeded the positive action conditions.

5.2.1 **The Prep School** ensures early identification of children with SEND through assessment, consultation with parents, teachers, the Learning Development Department and, where appropriate, external professionals. Specialist Learning Support English and Maths Teachers are able to provide flexible short-term support to children at all levels of need, either 1:1 or in small groups, with a maximum of two 30-minute sessions per subject for Literacy and Numeracy. Pupils are withdrawn from regular classes but English and Maths are protected subjects where pupils with SEND are receiving support in these subjects. Pupils with an Educational Psychologist's or Specialist Teacher's Report, specifying a persistent and significant learning difficulty, may be given ongoing support. The Learning Development Department also provides support for pupils with needs in the area of Social, Emotional and Mental Health (SEMH), in close liaison with the Deputy Head Pastoral.

5.2.2 **The Senior School** ensures timely identification through the screening of all new pupils, liaising with a pupil's previous setting, and through teacher referral and parent consultation. One-to-one or group support lessons may be provided for pupils on the SEND register, depending on the specific need. Effective provision is ensured through 'Quality First Teaching' that supports SEND students' learning in class. Specialist English, Maths and Science Learning Development Teachers provide intervention to students who struggle with aspects of learning. Students are not withdrawn from lessons. 1 to 1 or group interventions take place during study periods, before school, after school or during lunchtime.

Note - EHRC: '*It is never unlawful to treat disabled pupils (or applicants) more favourably than non-disabled pupils (or applicants). That is, a school is permitted to positively discriminate in favour of disabled pupils (or applicants)*'.

6. Facilities and Services (including Physical Accessibility and Wider Policies)

6.1 Duties upon the school under the Equality Act require the responsible body of Headington School Oxford to take such steps as it is reasonable for it to have to take to ensure that, in relation to education and associated services provided for - or offered to - pupils at the school, disabled pupils are not placed at a substantial disadvantage in comparison with pupils who are not disabled.

Treating a pupil less favourably because of a protected characteristic, by for example restricting their access to activities which other pupils are allowed to participate in, is likely to constitute direct discrimination, which is always unlawful. Indirect discrimination can occur when policies, criteria and practices inadvertently result in pupils with a particular characteristic being treated less favourably than other pupils e.g. a school won't allow a pupil who is HIV positive to take part in physical education lessons as they fear that if s/he is injured s/he will be a risk to other pupils. This is unlawful discrimination because it is based on misconceptions and assumptions and not on any real risk. Note: indirect discrimination can only be justified if the policy, criterion or practice is a 'proportionate means of achieving a legitimate aim'.

The school recognises the need to ensure that disability-related issues are addressed in wider policies - for example: pastoral care policies, fire and emergency evacuation, health and safety.

6.2 **Physical Accessibility**

6.2.1 Both the Senior and Prep Schools operate the common system of having dedicated subject classrooms, so that specialist materials and equipment can be located in one place. This necessarily entails pupils moving between classrooms and across the school sites during the course of the school day.

6.2.2 Both schools are housed in a mixture of old (1920s) and more modern, purpose-built buildings. Due to the layout of the school's sites and the nature of its accommodation, problems of accessibility may be encountered by disabled pupils from time to time, which might place those pupils at a significant disadvantage.

6.2.3 There is an ongoing Action Plan to improve accessibility for all disabled pupils across all areas of the sites to improve accessibility to the school as a whole – i.e. to include cross-site accessibility and to implement building control regulations as appropriate.

6.2.4 The school will draw up individual accessibility plans for staff and pupils with a disability, in order to assess whether reasonable adjustments are required or feasible. For prospective pupils, this process will take place in advance of a formal offer of a place. Where necessary adjustments are not reasonable or feasible, the school will explain its position.

7 Exclusions

Headington School Oxford can exclude pupils with a protected characteristic, where the decision to exclude meets the threshold of "a proportionate means of achieving a legitimate aim" but not on the grounds of their protected characteristics. A disabled pupil will not be excluded on the grounds of behaviour which arises as a consequence of a disability, where no reasonable adjustments have been made, or processes put in place to support the pupil to manage their behavior. In addition, Headington School Oxford

recognizes its duty to disabled pupils to make reasonable adjustments to procedures and policies if needed.

8 Public Sector Duties

Headington School Oxford, as an independent school, is not subject to the Public Sector Duties in the Equality Act.

9 Equality Diversity and Inclusion Committee

9.1 The School's EDI Committee will meet annually to:

9.1.1 Review the school's existing policy and procedures to ensure continued compliance with new regulations.

9.1.2 Consider any necessary training of staff, and monitor and evaluate the existing training.

9.1.3 Develop and update an Accessibility Plan.

9.1.4 Oversee and monitor the implementation of the Accessibility Plan.

9.1.5 Report to School Council and Education Committee as required.

9.2 The EDI Committee includes:

Headmistress (Chairman)
Bursar (Secretary)
Head of Prep School
Deputy Head, Teaching and Learning – Prep School
Deputy Head Pastoral – Senior School
Deputy Head Academic – Senior School
Assistant Head - Academic
Head of Learning Development – Senior School
Head of Learning Development – Prep School
Head of Boarding
Admissions Registrar
Examinations Officer
Assistant Bursar, Operations
Director of HR

10 A copy of this Policy and the Accessibility Plan is available from the following sources:

- The school website at: www.headington.org
- The school office, in a variety of print formats on request.