

## **Educational Visits and Journeys - Guidance for Schools on Enabling Participation for all Pupils**

Since the introduction of the Local Authority's guidance and procedures for educational visits in July 2004 the vast majority of schools have planned a whole range of excellent visits for Norfolk's children and young people.

An aspect of visits planning frequently raised by schools relates to issues around inclusion. Therefore I am pleased to introduce this resource to you to enable further inclusive development within schools specifically with regards to educational visits.

The document seeks to support schools in making appropriate and legal decisions for all pupils when planning such activities. It has been written with the legal requirements of the Disability Discrimination Act and good practice in mind. This guidance is designed to be placed inside the 'Educational Visits and Journeys Procedures and Guidance' folder you received in July 2004.

If you would like any further information or advice then please do not hesitate to contact in the first instance J'anne Robertson, Senior Adviser for Inclusion on 01603 433276 or Fred Corbett, Deputy Director on 01603 223492.

Please note you will soon receive a hard copy which you should place inside the Educational visits and journeys procedures and guidance folder you received in July 2004.

# Educational Visits and Journeys

Guidance for schools on  
enabling participation for  
all pupils



every **child** matters  
a brighter future for Norfolk's young people



This booklet offers guidance to schools on including pupils with a disability in educational visits, residential courses and field trips.

We would like to acknowledge Cambridgeshire's kind permission to base our guidance on their equivalent document.

The booklet is a supplement to the 'Educational Visits and Journeys - Procedures and Guidance 2004', available to all establishments organising educational visits, via [www.schools.norfolk.gov.uk/go/envedu](http://www.schools.norfolk.gov.uk/go/envedu)

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### Educational Visits and Journeys: Guidance for schools on enabling participation for all

Since the introduction of the Local Authority's (LA) guidance and procedures for educational visits (Educational Visits and Journeys - Procedures and Guidance July 2004) the vast majority of schools have planned a wide range of excellent visits for Norfolk's children and young people. In the last couple of years schools and the LA have approved visits for thousands of students. The quality of planning and of risk management has rapidly improved and most schools plan all aspects of the visits in good time and in appropriate detail.

An aspect of visits planning frequently raised by schools relates to issues around inclusion. Therefore, I am pleased to introduce this resource to you to enable further inclusive development within schools specifically with regards to educational visits. The document seeks to support schools in making appropriate and legal decisions for all pupils when planning such activities. It has been written with the legal requirements of the Disability Discrimination Act and good practice in mind. It offers an overview of issues to be considered when arranging visits and helpful contact details for further enquiries with regards to individual cases.

Children's Services promotes the importance of all Every Child Matters outcomes for all children. We would like all our schools to use our working definition of inclusion:

*'Inclusion is the process of taking necessary steps to ensure that every young person is given an equal opportunity to develop socially, to learn and to enjoy community life'*

This guidance is designed to help you use this definition in practice when planning important enrichment opportunities for all pupils and continue to offer the richness of educational visits to all children and young people.

Yours sincerely

A handwritten signature in black ink that reads "Fred Corbett". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Fred Corbett  
Deputy Director, Children's Services

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# Special Educational Needs and Disability Act and the Disability Discrimination Act

The Special Educational Needs and Disability Act (SENDA) 2001 sets out clearly the duty to ensure that the curriculum and associated activities in schools are accessible for all pupils. The Disability Discrimination Act 1995 states that it is unlawful to:

- a. treat a disabled pupil less favourably for a reason related to her or his disability than someone to whom that reason does not apply without justification
- b. fail to make reasonable adjustments in relation to education and associated services to ensure that disabled pupils or prospective pupils are not placed at substantial disadvantage in comparison with non-disabled pupils without justification for doing so. (see Code of Practice for Schools-Disability Discrimination Act 1995 [www.drc.org.uk](http://www.drc.org.uk))

## What is a disability?

A person has a disability if he or she has a physical or mental 'impairment' that has a 'substantial' and 'long-term' effect on his or her ability to carry out 'normal day-to-day activities'. Students who have had, but no longer have, a disability are also protected from discrimination.

## What does this mean?

**'Impairment'** - includes sensory difficulties, for example, sight or hearing difficulties. Other categories that can be included are epilepsy, diabetes and eating disorders.

**'Mental impairment'** - covers a range of impairments relating to mental functioning, including 'learning difficulties' and conditions such as Autistic Spectrum Disorder, Attention Deficit Hyperactivity Disorder (ADHD), and dyslexia.

**'Substantial effect'** - an effect that is more than minor or trivial.

**'Long-term'** - has lasted 12 months or more, is likely to last 12 months or is likely to last the rest of the person's life.

**'Normal day-to-day activities'** - those that people carry out often and regularly, such as:

- mobility (moving around)
- manual dexterity (using your hands)
- physical coordination
- continence
- ability to lift, carry or move everyday objects
- speech, hearing or eyesight
- memory or ability to concentrate, learn or understand
- understanding the risk of physical danger

Conditions that will not normally be treated as disabilities include being shortsighted, having broken arms or legs, hay fever, emotional and behaviour difficulties, personality disorders and addiction to alcohol, nicotine or drugs.

## What is less favourable treatment?

Disability discrimination happens when a person is treated less favourably than someone without a disability, for a reason related to the disability, and that cannot be justified.

In considering less favourable treatment, schools need to treat a child with disabilities in the same way as a child who does not have a disability.

## What is reasonable adjustment for a school visit/trip?

Schools must take reasonable steps to make sure that disabled pupils, including children who are not yet at the school but who might join the school, are not substantially disadvantaged compared with other pupils. In other words, a school should do everything it can to ensure that a disabled pupil is not placed at a disadvantage.

Therefore, consider what is required for the disabled pupils to participate and then ask, "Is that reasonable?"

You can find out more about what is reasonable from the Disability Rights Commission (DRC) who have produced a Code of Practice, which provides examples of how schools can help disabled pupils. To obtain a copy, contact the DRC's helpline on 08457 622633, or email: [enquiry@drc-gb.org](mailto:enquiry@drc-gb.org)

In general, factors to be taken into account by schools in considering reasonableness are:

- the need to maintain academic and other standards
- the financial resources available
- the cost of taking a particular step
- practicality
- aids and services provided by Statement of Special Educational Needs
- health and safety requirements
- the interests of other pupils

Remember, reasonable adjustments are anticipatory - which means that schools cannot wait until a case arises to consider reasonable adjustments. Failure to take anticipatory action could lead to unlawful discrimination, because delays that result will place a disabled pupil at substantial disadvantage. Anticipatory steps could be:

- the review of the school's policy/practice with regards to educational visits
- the training of staff to administer medicines to pupils
- an equal opportunities policy concerning disability, and its publication as part of the school's prospectus
- the inclusion of disability awareness training within the staff training programme
- work with School Nurses and your area Educational Psychologist to devise a list of common disabilities and identify the potential adjustments required to enable participation in educational visits
- to plan for the requirement to produce a Disability Equality Scheme (DES). This came into force in December 2006 for secondary schools and December 2007 for primary, special schools and PRUs

# Suggested questions to ask yourself when planning an educational visit

1. Are you clear about the purpose of the visit? Does it need to take place?
2. Are there pupils with a disability in the pupil cohort participating in the visit? If so, have you consulted with your Special Educational Needs Coordinator (SENCO) regarding the pupils' needs and their requirements in order to participate?
3. If a pupil with a disability is participating in the visit, have you taken into account staff, services and equipment available to the pupil, and required by them, to participate in the visit?
4. Are there any health and safety issues for the pupil in accessing the proposed visit? Are these included in the risk assessment of the activity/visit? Remember, an identified risk is not a reason for debarring a pupil from a visit, but rather, it raises the question of how it can be addressed so that they can participate safely.
5. Can any concerns regarding the safety and accessibility of the activity be addressed by reasonable adjustments, such as:
  - careful timetabling/modifications to the itinerary
  - preparing the pupil prior to the visit
  - specialised transport
  - additional, or targeted, adult support
  - liaison with health professionals in the locality of the trip/visit
  - limiting distances to be walked
  - liaising with establishments, i.e. museums regarding toilet facilities, ramps, quiet/withdrawal areas etc.
  - staff with necessary training in disability and/or medical needs to support the pupil during the visit
  - preparation of materials prior to the visit in appropriate formats
6. Do you need specialist advice regarding accessibility, adaptations and strategies, and/or medical requirements, you might need to contact, for example:
  - Hearing Support Service
  - Visual Impairment Service
  - Educational Psychological Service
  - County Disability Coordinator
  - Service Manager Special and Additional Needs
  - School Nurse



## What if...

...after careful and thorough consideration, participation for all pupils in the visit cannot be ensured, you will need to be able to demonstrate clearly why that is the case, or you may be acting unlawfully. Before reaching this decision you must ensure that:

- all reasonable measures have been considered/taken to support the disabled pupil's participation in the event
- there is no alternative activity that would meet the requirements of the educational visit as well as enabling all pupils to participate
- disabled pupils who are disadvantaged because their needs prevent participation in an event have been fully consulted (as well as their parents) and all reasonable steps have been explored early on in the planning process
- the visit must take place despite the disadvantage to a pupil because, for the visit not to take place, would disadvantage all pupils
- alternative activities have been discussed and offered to those pupils who are unable to participate in the visit/trip
- there are material and substantial reasons which amount to the justification of a pupil with disabilities not participating in a particular educational visit
- the school's Accessibility Plan has details of the steps being taken to prevent less equal treatment and plans for increasing accessibility
- there is no blanket ban on a pupil with behaviour difficulties participating in activities, as this may be termed a temporary exclusion

**All of the above should have been considered before any arrangements are finalised and bookings/deposits paid and letters sent to parents.**

## Partnership

It is of paramount importance that any pupil with a disability, and their parent(s), are involved in the discussions and planning of the educational visit as early as possible. Working together will lessen the opportunity for misunderstanding and concerns to arise which may result in a claim of discrimination against the school, and, more importantly, ensure that pupils with disabilities participate alongside their peers in school activities.

## Case Studies - The Questions

**1. A secondary school, which a number of physically disabled pupils attend, does not allow any wheelchair users to go on the Year 9 French visit. This has been the case ever since a Learning Support Assistant (LSA) developed a permanent back injury after lifting a boy, who used a wheelchair, all the way up the front steps of Notre Dame, so he could be included in this trip.**

- a. Do you consider this Disability Discrimination?      Yes    No    Not sure
- b. What would a reasonable adjustment be?
- c. What would Good Practice look like?

**2. A primary school holds an annual trip for the Year 6 pupils to an Outdoor Pursuits Centre. They have a regular booking. Year 6 this year includes a girl who uses a wheelchair. Some months before the trip, the class teacher approaches the girl's mother and tells her the accommodation is inaccessible. The best that can be arranged is that she can visit the Centre on a daily basis.**

- a. Do you consider the Disability Discrimination?      Yes    No    Not sure
- b. What would a reasonable adjustment be?
- c. What would Good Practice look like?

See next page for answers.

# Case Studies - Suggested Answers

1.
  - a. Yes, this is Disability Discrimination
  - b. Reasonable Adjustment - It was suggested by the French Adviser that this is less favourable treatment and that they need to re-examine the policy.
  - c. Good Practice Scenario - Visit Leaders and the SENCO go on a pre-visit to France to plan an accessible trip for Year 9 that does not require lifting. The school considers it reasonable to pay the teacher's expenses. The next trip was more successful than the previous ones, as all pupils benefited from the extra planning that went into it.
2.
  - a. Yes, this is Disability Discrimination
  - b. Reasonable Adjustment - The mother contacts the LA with a complaint about less favourable treatment. She argues that the school should have anticipated the need for an accessible venue, as her daughter had been at the school for some years. The PE Adviser provides the school with a list of accessible Outdoor Pursuits Centres. The Special Educational Needs and Disability Tribunal may order the school to re-run the trip.
  - c. Good Practice Scenario - The school anticipates the issue and seeks to plan a residential to a more accessible venue. The Visit Leader carefully negotiates the itinerary, so all learning outcomes are covered by all children.

## Scenario Note

The original Outdoor Pursuits Centre wants the school to pay a large cancellation fee. Under the advice of the LA the school files a complaint under Part III of the DDA that the Centre had made no attempt to conform with legal requirements. In exchange for the school dropping the case the Centre withdrew its demand for a cancellation fee.

# Contacts and Advice

The following Services and Agencies may be able to offer advice when planning your visits.

## **Inclusion**

Terry Cook, Head of School Performance Organisation and Inclusion

Email: [terry.cook@norfolk.gov.uk](mailto:terry.cook@norfolk.gov.uk)

Tel: 01603 433276

J'Anne Robertson, Senior Adviser Inclusion

Email: [janne.robertson@norfolk.gov.uk](mailto:janne.robertson@norfolk.gov.uk)

Tel: 01603 433276

## **Educational Visits Adviser**

Children's Services, Professional Development Centre, Woodside Road,  
Norwich NR7 9QL

Tel: 01603 433276

## **Service Manager, Special and Additional Needs**

County Hall, Martineau Lane, Norwich NR1 2DL

Tel: 01362 694711

## **Visual Impairment Service, Sensory Support Team**

Children's Services

Tel: 01603 704070 / 704040

## **Hearing Support Service, Sensory Support Team**

Children's Services

Tel: 01603 704070 / 704040

## **County Disability Coordinator**

Tel: 01603 259952

## **Speech and Language Therapy Service**

Norwich Area Tel: 01603 508946 / 508949

Gt. Yarmouth Tel: 01493 337861

King's Lynn Tel: 01553 816302

## **Paediatric Occupational Therapy**

Children's Services

Tel: 01603 506535

## **Local Health Information for Norfolk/School Nurses:**

see web-site for area contacts for school nurses on - [www.heron.nhs.uk](http://www.heron.nhs.uk)

Norwich PCT 01603 430193 / 251360

Gt. Yarmouth and Waveney PCT 01502 587311

Southern - Wymondham 01953 606201

- Thetford (ans) 01842 767617

Broadland PCT 01603 307000

North Norfolk PCT 01263 408311

West Norfolk PCT 01553 816205



If you need this publication in large print or in an alternative version, please contact Margaret Coard on 01603 433276, and we will do our best to help.

