

What do all of these pupils have in common?



All 24 of these pupils are among **1.9 million** young people in the UK who are labelled disabled, under the Disability Discrimination Act, and are entitled to inclusive education, under Article 24 of the United Nations Convention on the Rights of Persons with Disabilities.

What is the UN Convention on the Rights of Persons with Disabilities?

It is an international agreement between governments; a new (December 2006) Human Rights Treaty giving rights to disabled people around the world in all areas of life. Article 24 covers Education.

On 30 March 2007, 81 Member States and the European Community signed the convention, the highest number of signatures of any human rights convention on its opening day.

The Convention was negotiated during 8 sessions of an Ad Hoc Committee of the General Assembly from 2002 to 2006, making it the fastest negotiated human rights treaty.

As of 1st November 2007, 118 countries have adopted the Convention, and 7 have ratified-begun implementation.

“Educational systems should stop seeing children with disabilities as problems, but rather as an opportunity to enrich schools.”

“If we want to include all children, the whole school must change. We cannot just change the physical setup to eliminate the physical barriers, but also change the mentality of children and teachers.”

Vernor Muñoz Villalobos UN Special Rapporteur on the Right to Education

What does Article 24 (Education) of the UN Convention say?

It requires all state signatories to ensure, among other things, that:

- All disabled children and young people can fully participate in the state education system and that this should be an ‘inclusive education system at all levels’.
- ‘The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential.
- This right is to be delivered within an inclusive primary and secondary education system, from which disabled people should not be excluded.
- Reasonable accommodations should be provided for individual requirements and support provided in individualised programmes to facilitate their effective social and academic education.



Useful Resources

Implementing the Disability Discrimination Act in schools and Early Years settings

- One free copy per school in England
- Available from www.teachernet.gov.uk/publications or 084560 2222 quoting ref 0160-2006DOC-EN
- Short version (CD and DVDs only) available from: Stationary Office (£15 +VAT) customer.service@tfo.co.uk Disability Equality Education (£20) info@disseed.org.uk



- Set of materials to support Inclusive school development through a self-review of the school's cultures, policies and practices.
- Available from www.csie.org.uk or fax 0117 3284005
- Price: £24.50 each (reductions available for multiple purchases)

Disabling Imagery: A teaching guide to disability and moving image media

- Packed with useful ideas for lessons and information to help promote disability equality in schools. 234 page book & DVD of good portrayal
- Available from info@disseed.org.uk £25 + £5 postage.
- DEE also can provide training for staff on all aspects of disability. Tel 0207 359 2855 Fax 0207 354 3372



All Our Children Belong: exploring the experiences of Black and Minority ethnic parents of disabled children

- This report describes the uniquely challenging experience faced by Black and minority ethnic families with disabled children in Britain. It contains

Snapshots of Possibility

Inclusive Education is based on a dream in which all children are given the safety to develop into whole human beings, able to think and learn, love and understand each other, be creative, feel empathy and compassion, work and play co-operatively and to act powerfully within their communities and as world citizens. This book shows that many mainstream nurseries, schools and colleges are changing and developing their practice to begin to make this dream a reality. They are inspiring stories, full of hope for the future. Published by The Alliance for Inclusive Education.



- Cost: £8.50 plus £1 postage
- Audio tape, text only on disc or email versions are available at the same cost.

The Inclusion Assistant (Report and Video)

- A consultation with young disabled people and their parents to think about the role of non-teaching assistants in mainstream education, particularly with regard to young people with high-level support needs. This report captures the best thinking of a group of young people and their allies who have pioneered in inclusion and who really know what needs to happen.
- Price: £10 plus £1.50 p&p
- Report without video: £6 plus £1 p&p



This booklet was produced in November 2007 by Inclusion UK, a consortium of four organisations supporting inclusion. For more information please see inclusion.org.uk



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What does current UK law require schools to do?

The Special Educational Needs and Disability Act (SENDA) 2001 specifies that Local Authorities have a “duty to educate children with special educational needs in mainstream schools” and further states that if a statement is maintained then the child “must be educated in a mainstream school unless that is incompatible with (a) the wishes of the parent or (b) the provision of efficient education for other children.”

The Disability Discrimination Act 2005 places a duty on all public bodies, including schools, to promote disability equality. It renders it unlawful for schools to treat a disabled pupil, actual or potential, less favourably than another for a reason related to their disability, without attempting to make “reasonable adjustments” to avoid placing disabled pupils at a disadvantage.

What guidance has been issued for schools?

“Schools, local education authorities and others should actively seek to remove barriers to learning and participation.”
Inclusive Schooling: Children with Special Educational Needs (2001)

“All teachers should expect to teach children with special educational needs (SEN) and all schools should play their part in educating children from their local community, whatever their background or ability.”
Removing Barriers to Achievement: The Government's Strategy for SEN (2004)

What is the national picture?

In 2004 0.82% of 0-19 year olds in England (101,612 pupils) attended a special school or other segregated setting.
Source: Segregation trends – LEAs in England 2002-2004. CSIE, 2005

“Effective provision was distributed equally in the mainstream and special schools visited, but there was more good and outstanding provision in resourced mainstream schools than elsewhere.”
Inclusion: does it matter where pupils are taught? Ofsted, 2006

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Source: www.un.org/disabilities

Who is labelled disabled?

The Disability Discrimination Act 2005 defines a disabled person as one who has "a physical or mental impairment which has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities." The Act also states that all schools must publish a Disability Equality Scheme and must make reasonable adjustments to avoid placing disabled pupils, actual or potential, at a disadvantage.

Why is this relevant to our school?

The UK government signed this Convention on 30th March 2007, indicating a commitment to abide by the rules set down in it. Legislation and policy guidelines, therefore, must support the human rights of disabled people. All service providers must ensure that disabled people are equally valued and respected.

It has often been assumed that non-disabled adults can make policy decisions affecting the lives of disabled children, without reference to the voice of special school survivors and other disabled adults and children. The message from disabled members of the education community is clear: Nothing about us without us.

"Appropriate resources are vital for the learning and development of disabled children. The most essential resource is free and abundant in mainstream schools: non-disabled children." Micheline Mason



What should our school do?

Establish and regularly review a Disability Equality Scheme.

Work with others to develop an inclusive learning environment that benefits all children. This will be easier if facilitated by:

- a 'can do' attitude
- a welcoming and supportive ethos
- forward planning
- strong leadership
- ongoing consultation with pupils and parents
- effective staff training
- good working relationship with outside agencies
- regular review and evaluation of reasonable adjustments

Text adapted from "Implementing the Disability Discrimination Act in schools and Early Years settings" DFES & DRC (2006)

Above all, keep asking: What are we doing to remove the barriers that disabled pupils face in our school?

Where can I find more information?

For more information on the UN Convention on the Rights of Persons with Disabilities see www.un.org/disabilities/
For more information on UK legislation see http://83.137.212.42/SiteArchive/drc_gb/employers_and_service_provider/education/schools.aspx.html
For useful resources for schools please see overleaf.

