



Inclusion

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The aim is to offer all young people a wide range of experiences outside the classroom. Providing these experiences for the majority of young people is achievable but the real challenge is providing them for all. Young people who will reap the greatest benefits from participating are often the same young people who are not offered these opportunities.

Every effort should be made to ensure that learning outside the classroom activities and visits are available and accessible to all, irrespective of special educational or medical needs, ethnic origin, gender or religion. Not doing so could breach discrimination law. If a visit needs to cater for young people with special educational needs (SEN) or disabilities, every reasonable effort should be made to find a venue that is both suitable and accessible and that enables the whole group to participate fully and be actively involved.

Employer guidance should promote the principles of inclusion as an issue to be addressed for all learning outside the classroom. Your policy should ensure:

- an entitlement to participate
- accessibility through direct or realistic adaptation or modification
- integration through participation with peers.

This section of the guidance explains how to:

- overcome barriers to participation arising from a young person's cultural, religious or ethnic background
- make adjustments to include young people with SEN or disabilities
- include young people whose behaviour is potentially disruptive or prejudicial to safety
- ensure that the inclusion of some young people does not unreasonably compromise opportunities for others
- encourage staff to welcome the inclusion of challenging young people
- not include a young person in an activity, within the law, if all other options are exhausted.

Overcoming cultural, religious or ethnic barriers

Some young people experience barriers to full participation in out-of-classroom activities arising from their cultural, ethnic or religious backgrounds. The experience of working with different communities shows that these can usually be overcome.

The needs of young people from different communities may be easier to overlook where there are only one or two young people from a minority group in the school. Depending on the particular cultural, ethnic or religious group to which young people belong, the following considerations should be addressed:

- For some young people a daily schedule of prayer is important.
- There may be dietary restrictions. Some young people may be fasting (e.g. during Ramadan) which will affect what they may eat, and may also reduce energy levels. It is probably best to avoid residential activities at these times if possible.
- Young people may not have appropriate clothing at home, and may need to be helped with this. The wearing of helmets, for example for cycling, climbing or caving, may have a potential to conflict with religious dress.
- There may be additional concerns around sleeping arrangements, with extra assurances required that boys' and girls' accommodation will be strictly separate.



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- Information for parents may need to be provided in a language other than English.

Liaison with parents and the community is the key to resolving these issues. It can be particularly helpful to recruit staff, paid or voluntary, from the community concerned, who can act as a bridge, build trust in the community, and encourage participation by example.

Looked-after children

It is important to make sure that all young people have equality of access to learning outside the classroom. There are some practical considerations for looked-after children¹, for example:

- where a child goes home from school by taxi at a set time each day. This may mean that he or she cannot take part in an activity that starts after this time, or they will miss out on any visits that return to school after this time – so alternative arrangements will be needed.
- For residential and other visits needing parental consent, you need to build in time to get permission. In most cases it should be the foster carer who will be authorised to give permission but in other cases it may be a social worker.
- Children in care should not miss out on school visits simply because they do not have a passport. The website of the Identity and Passport Service includes information about passport applications for children in care:
www.ips.gov.uk/passport/apply-child-care.asp.

Effective joint working between local authorities and schools, and in particular designated teachers, is central to improving the education of children in care. All children in care should have a high-quality personal education plan (PEP), which sets out their achievements, barriers to further progress, a series of short- and long-term goals and the support that will be put in place to ensure the child or young person meets these goals. A child's social worker is responsible for initiating and maintaining the PEP, as part of the care plan. However, the educational content of the PEP should be developed in conjunction with the school's designated teacher and other education professionals. The ongoing input of the designated teacher is central to identification of the child or young person's learning needs and the effective implementation of the PEP.

You will find more helpful information at: www.continyou.org.uk/files/taking-part.pdf a DfES-funded publication produced in 2005 by ContinYou about good practice in involving looked-after children in out-of-school-hours learning.

Inclusion of young people with SEN and disabilities

Guidance for schools on the Disability Discrimination Act can be found at:

www.teachernet.gov.uk/wholeschool/sen/disabilityandthedda/

Under the Disability Discrimination Act 1995 (as amended by subsequent legislation) it is unlawful to:

- treat a disabled young person less favourably than you would treat others, for a reason that relates to their disability without justification
- fail to take reasonable steps to ensure that a disabled young person is not placed at a substantial disadvantage without justification.

¹ 'children in care', or 'looked-after children' includes all children being looked after by a local authority, including those subject to a care order under section 31 of the Children Act 1989 and those looked after on a voluntary basis through an agreement with their parents under section 20 of that Act.



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The Disability Discrimination Act defines a disabled person as someone who has '*a physical or mental impairment which has a substantial and long-term adverse effect on his or her ability to carry out normal day to day activities.*'

The Education Act 1996 defines a child as having a special educational need if they have a *learning difficulty* which calls for *special educational provision* to be made for them.

Children have a *learning difficulty* if they:

- a) have a significantly greater difficulty in learning than the majority of children of the same age; or
- (b) have a disability which prevents or hinders them from making use of educational facilities of a kind generally provided for children of the same age in schools within the area of the local education authority
- (c) are under compulsory school age and fall within the definition at (a) or (b) above or would so do if special educational provision was not made for them.

Children must not be regarded as having a learning difficulty solely because the language or form of language of their home is different from the language in which they will be taught.

Special educational provision means:

- (a) for children of two or over, educational provision which is additional to, or otherwise different from, the educational provision made generally for children of their age in schools maintained by the local authority, other than special schools, in the area
- (b) for children under two, educational provision of any kind.

The key to including young people with SEN and disabilities is to anticipate, at all stages of planning, the barriers they, and you, will encounter.

Those planning the visit will need to be familiar with the individual risk assessments for young people with SEN and disabilities, and ensure that the risk management process for the visit takes this into account. Remember that some young people may react adversely to changes in their normal routine or environment.

The choice of venue should be made with young people's SEN and disabilities in mind. A reconnaissance visit will be necessary where a destination is not known to staff.

Accommodation for residential visits must be accessible and evacuation possible for participants with SEN and disabilities.

Accessible transport may need to be booked well in advance.

In some cases, additional staffing may be required which goes beyond the additional support that may be provided in a classroom context. Staff should have the experience and/or training required to support the particular needs of the young person (or young people) with SEN and disabilities. If a young person requires individual staffing support in school, this cover will need to be extended for the duration of the out-of-classroom activity and should not be considered to form part of the overall staffing ratio. For a residential visit this is likely to mean assigning more than one member of staff in this capacity – as one person would not, for example, be able to provide support round the clock.

Parents and carers must be informed well in advance to explore and address together any concerns and to consider how any additional needs might be most effectively addressed. They may wish, or be encouraged, to accompany their child and assist with their care. If the parent/carers does accompany, schools should try to ensure that this does not overly detract from the young person's experience, particularly if promoting independence is one of the learning outcomes. Equally, the parent/carers will need support and rest themselves during a residential visit.



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Support staff, or parents/carers who are assigned to support individual young people should be given clearly defined roles and responsibilities.

Individual risk assessments, behaviour plans and care plans should be reviewed in the light of a particular activity and followed.

Check that insurance includes cover for pre-existing medical conditions.

All of the above costs time and money, which schools should include in their calculations when budgeting for particular activities.

Balancing individual needs and group opportunities

Legislation does not require that all young people have access to exactly the same activities as their peers. It is not therefore necessary to restrict the opportunities available to a whole group, just because the group includes a young person with SEN or disabilities.

Schools are allowed to differentiate, in permitted circumstances, on the basis of ability. On many educational visits, a choice of activities can be provided in each activity session. It is permitted to offer some activities that are not accessible to young participants with SEN and disabilities, provided others of comparable educational value are offered in which they can participate. Ideally these should be attractive options to other young people as well, so there is no tendency to isolate those who have SEN and disabilities.

Under what circumstances can you decide not to take a young person on a proposed visit?

Schools should take every reasonable measure to include all young people. A decision not to include a young person should only be taken after extensive consultation with all those who have responsibility for the young person, including a parent or carer, any support staff and, possibly, their GP. A school taking such a decision should record their reasons for doing so, and be convinced that those reasons provide objective justification for the decision, should it be challenged. In particular, the school should be certain that it has considered all possible reasonable adjustments, but has concluded that these are either not practicable or would not adequately address particular concerns.

Ensuring young people are not left out involves working with a variety of stakeholders including parents/carers, providers of activities and venues, and with the young people themselves. Leaders and managers also need to understand the legal provision on inclusion, as set out in the Disability Rights Commission Statutory Code of Practice – this can be viewed at www.equalityhumanrights.com.

It may be reasonable to exclude a young person from a visit where, despite reasonable adjustments being made, their behaviour presents a significant, unmanageable and unacceptable risk to the health and safety of either themselves, or other members of the group, or the leaders. When a young person is not taken on the visit on these grounds, there should be consideration of providing alternative ways of achieving the same learning outcomes.

The Disability Code of Practice for schools states '*where a child has a behaviour difficulty for a reason other than a disability, for example arising from social or domestic circumstances, it is likely that such a difficulty is not covered by the Disability Discrimination Act legislation.*'

Where there is some doubt about including a young person on the grounds of behaviour, then it is important to:

- identify the issue at the earliest stage of planning
- involve all interested parties
- record this process



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- establish a behaviour management plan with agreed action points that may enable inclusion on the visit
- establish behaviour targets and timescales to be met to allow inclusion, or trigger a decision to exclude
- provide an additional adult, such as a parent or support worker, with a specific brief to manage behaviour issues
- ensure that expectations of staff are reasonable, be within their competence and be inkeeping with their normal work practices.

As part of a school's behaviour management policy, a young person may be reminded that inappropriate behaviour might lead to their exclusion from a particular learning outside the classroom activity, provided the behaviour concerned is not related to a disability. Young people with SEN and disabilities who misbehave in ways that have no connection to their disability should be treated in this respect no differently from others.

Addressing challenging behaviour

Including young people whose behaviour is potentially disruptive, or poses significant risks to themselves or others, needs careful planning. The risk management process will need to take account of the needs of, and additional risks posed by, these participants.

If using an external provider, consult the manager on whether they can address the needs of young people with challenging behaviour – and consider whether a different provider may be able to do so more effectively, if there are concerns. This is especially important if challenging behaviour is associated with a disability, because this would mean that reasonable adjustments must be considered (see previous section).

Choose venues that reduce both the temptation to misbehave and the riskiest consequences of misbehaviour. For example, avoid residential accommodation which enables easy access to the purchase of alcohol, and choose activity sites where young people can 'let off steam' without straying into hazardous environments, such as busy roads or open water.

Establish a 'code of conduct' setting out the standards of behaviour and boundaries that participants must observe. Where possible, establish ownership of this code by involving the young people in its development. See [Who can help?](#). Identify the risks that might arise from particular behaviours, ensuring that these risks are recognised as real and that each participant understands he or she shares responsibility with the organiser to managing these risks, by complying with the code of conduct at all times. It is particularly important that participants understand that breaches of the code of conduct can put others at risk, not only the person who chooses to break the rules.

Ensure that sanctions for overstepping boundaries are clear, understood by all, and enforced. This means being clear what, if any, reasonable adjustments would be made.

Include the code of conduct with the information that parents and carers receive about the activity; ask them to reinforce it beforehand.

Take advantage of the opportunities that learning outside the classroom offers for young people to try new activities in which everyone starts from a fresh beginning with the chance to succeed.

Reward achievement, and encourage young people to recognise and praise the achievements of others in their group.

Where a member of staff is known to have particular rapport with a young person who has a record of challenging behaviour, consider the feasibility of that member of staff being part of the supervising team, and for him/her to be a mentor for the young person causing concern.

Try to distribute potentially disruptive young people among smaller activity groups where they have more chance to participate actively and show what they can do.



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Limit the amount of 'down-time'. Structured activity, including games and fun activities, is more conducive to good behaviour than unstructured free time.

If the sanction of 'sending home' from a residential visit is anticipated, choose a venue from which this is a practical option, and ensure parents/carers know and accept it. If parents/carers will be expected to collect their child or pay the cost of the journey home, make sure they receive this information and acknowledge this when they give consent. If the school will be unable to refund the cost of the remainder of the visit, this should also be made clear in the information parents/carers receive before they make any financial commitment.

Young people may be sent home from a residential visit for disciplinary reasons. But if the visit is taking place when the school is in session that must be treated as an exclusion, which means that the headteacher must confirm the decision and all other exclusion procedures must be followed – see the DCSF guidance on exclusions:

www.teachernet.gov.uk/wholeschool/behaviour/exclusion.