

What is a Reasonable Adjustment

The SEND Code of Practice says that early year's settings, which includes schools, nurseries, playgroups and childminders, must make reasonable adjustment to meet the needs of children with Special Educational Needs and/or Disabilities (SEND).

The Equality Act 2010 says that children with a disability may require settings to do more for that child, than for a child without a disability, to ensure that the child can access the same opportunities.

This has always been a difficult area as what a reasonable adjustment is, is not clearly defined and so can be open to interpretation. **The Equality Act 2010 definition of disability** says, *"You're disabled under the Equality Act 2010 if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities"*.

Let's start with what it is not. Settings do not have to provide support just because by doing so they believe or can evidence a child will 'do better' or achieve more. Most children would achieve more if they had one-to-one teaching with the highest qualified professionals and latest technology. If settings must provide more so a child could 'do better' they would need to do this for **all** children.

Reasonable adjustments are the positive steps educational settings must take to enable a disabled child to participate in school life, ensuring that disabled children are not at a substantial disadvantage when compared with their peers. Settings must take steps to ensure that disabled pupils receive the **same** quality of education as their peers.

The question most often asked is, what is reasonable? The term 'reasonable' is also not explicitly defined in the Act, which leaves it up to the discretion of the setting or local authority to determine this. Some (but not all) of the factors that may influence a decision are:

- Financial resources of the school/setting
- Cost of the aid or service
- Effectiveness of the aid
- Effect on other pupils
- Health and safety requirements

■ Provisions already made by the SEND Framework

So reasonable can mean different things to different settings; sometimes this is based on the child's needs, for example, so what one child absolutely cannot manage without may only be a small help for another child. Similarly, the design of one setting's building may only require providing a small ramp up two steps, whereas the cost to another setting of installing a lift to the third floor of their building would be quite substantial.

Early years settings cannot say that a child with SEND cannot attend their setting; the setting must seek all the advice and support that they can on what reasonable adjustments they will need to put in place to best support the child. **A setting is breaking the law under the Equality Act to refuse a child a place because of their disability.** Our document [The Graduated Approach](#) has lots of examples of reasonable adjustments.

Solihull SENDIAS (Special Educational Needs and Disability Information Advice and Support) Service aim to enable children and their parents/carers to make informed decisions about their child's education. Information, advice and support for children and young people with SEND and their parents/carers will be impartial. The service is free to access, confidential and provides accurate, comprehensive, understandable information. This organisation will help you discuss if what you want is a reasonable adjustment.