



1 February 2023

## **Nursery school apologises to former pupil and her parents as disability discrimination case is settled**

“We just wanted Amelie to have the same opportunities starting school as any other child”, said Amelie’s mother Michelle Cummins, following the settlement of a disability discrimination case she had brought on behalf of her daughter against Trinity Nursery School in Bangor.

The case which had been lodged with the Special Educational Needs and Disability Tribunal was supported by the Equality Commission.

Amelie Cummins was born with Downs Syndrome and she has a statement of Special Educational Needs which provided for her to attend mainstream nursery school with 22.5 hours of classroom support each week.

Amelie started Trinity Nursery School, in September 2020. But her family’s delight in reaching this big milestone in their little girl’s life was short-lived. They were told that Amelie had to start school 15 minutes later everyday than all the other children in her class, even though she had a dedicated classroom assistant.

Amelie’s parents alleged that the school also wanted Amelie to finish 15 minutes earlier too, but they refused to accept this. Amelie’s parents removed her from the nursery school three months later in December 2020.

Michelle Cummins, continued: “It was a very difficult time. I still can’t believe that the school made our daughter miss 15 minutes of her education every day because of her disability. We felt we had no option but to remove her.

“Amelie has since had a very positive experience in another nursery school and is currently thriving in primary school. We hope that by challenging this behaviour no other disabled child would face a similar situation.”

In settling the case, Trinity Nursery has accepted that they treated Amelie less favourably as a result of her disability and that they failed to make reasonable adjustments for her. The school has also apologised to Amelie and her parents for any upset caused.

Mary Kitson, Senior Legal Officer, Equality Commission for Northern Ireland said: “It is unacceptable that any pupil would be treated less favourably because of their disability. Amelie’s parents wanted her to have the same educational experience as all the other children but felt that they were met with barriers because of her disability.

“All children must be provided with opportunities to flourish at school, regardless of whether or not they have a disability. We welcome, as part of the settlement terms, Trinity Nursery School’s agreement to work with the Commission in respect of its duties under the Disability Discrimination legislation and good practice in education.”