

ACCESSIBILTY STRATEGY

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INTRODUCTION

The overall aim of this strategy is to ensure that Denbighshire Council supports the schools it is responsible for, in meeting the needs of disabled pupils and raising their attainments. The purpose of the strategy is to ensure that accessibility of the curriculum, the physical environment and information for disabled pupils is central to the delivery of services and supports schools with their accessibility plans.

LEGISLATIVE FRAMEWORK The Equality

Act 2010

The Equality Act 2010 protects people from discrimination, victimisation and harassment on the basis of the following characteristics:

- Age;
- Disability
- Gender Reassignment;
- Pregnancy and Maternity;
- Race;
- Religion or (non-belief);
- Sex;
- Sexual Orientation.

The Act was developed to strengthen, harmonise and streamline 40 years and 116 pieces of equalities legislation, improving its effectiveness and providing the same level of protection from discrimination for all protected characteristics. The Act replaces all the existing equality law, including:

- The Equal Pay Act 1970
- The Sex Discrimination Act 1975
- The Race Relations Act 1976
- The Disability Discrimination Act 1995

Under the new legislation the protection against discrimination, victimisation and harassment already in place continues, with the new Act ensuring that certain protected characteristics now have equal protection to those already in place.

The new Public Sector Equality Duty requires all public authorities to have regard to the need to:

- Eliminate discrimination and other conduct prohibited by the Act;
- Advance equality of opportunity;
- Foster good relations.

The County of Denbighshire has in place a Strategic Equality Plan (2012 – 2016) which has been produced as a requirement of the Welsh Public Sector Equality Duty.

Prior to the introduction of the Equality Act 2010, there were three main strands of legislation which supported disabled children and young people in school:

- The Special Educational Needs (ALN) Framework (Part IV of the Education Act 1996);
- Disability Discrimination Duties (Sections 28A – 28C, 28F, 28G, 28K, 28L of the Disability Discrimination Act (DDA) 1995); and
- Planning Duties (Sections 28D – 28E of the DDA 1995).

The purpose of the ALN Framework is to identify and provide for the special educational needs of individual children, some of whom may be disabled, who need provision that is additional to, or different

from, provision normally available in schools maintained by the Local Authority (LA). The SEN Code of Practice for Wales (2002) provides guidance to schools and LAs on the SEN Framework.

Children with Statements of Special Educational Needs are expected to be educated in a mainstream school unless this is against their parents' wishes or incompatible with the efficient education of other children. It is reasonable to expect that planning to increase access for disabled pupils will support the inclusion of children and young people with Statements of Special Educational Needs.

From 1996, schools and LAs had already held statutory responsibilities under the DDA and, since September 2002, it had been unlawful for schools and LAs to discriminate against disabled pupils in their arrangements for admissions and exclusions and for the provision for education and associated services.

Under these duties, schools and LAs had to:

- Ensure that disabled pupils were not treated less favourably than other pupils; and
- Take reasonable steps to avoid putting disabled pupils at a substantial disadvantage (The 'Reasonable Adjustment' Duty).

Schedule 10 of the Equality Act 2010 places a duty on the Local Authority/bodies responsible for schools to plan to increase the accessibility of their schools.

In fulfilling these duties LAs and schools are under a duty to prepare Accessibility Strategies and Plans respectively. The strategies and plans should focus on:

- Increasing the extent to which disabled pupils can participate in the school curriculum;
- Improving the physical environment of schools to increase the extent to which disabled pupils can take advantage of education and associated services in schools; and
- Improving the delivery to disabled pupils of written information provided to pupils who are not disabled.

Strategies and plans should cover a three year period and be reviewed and revised as necessary, with new plans and strategies produced at three-yearly intervals.

Definitions

The Equality Act 2010 defines a disabled pupil as ‘a person who 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’.

Physical or mental impairment includes sensory impairments and learning difficulties. The definition also covers certain medical conditions when they have a long term and substantial effect on a person’s everyday life. Mental health conditions are also covered when they are clinically well-recognised illnesses.

The definition only includes ‘Those whose impairments are more than minor or trivial, and extend beyond the normal range of differences and ability that exist’.

Denbighshire County Council recognises that people with impairments are more disabled by the barriers of society (e.g. physical, environmental, organisational, and attitudinal, etc) than by their impairments. The Council is committed to the removal of all such barriers to its services.

Children and young people with a disability should not automatically be considered to have a special educational need. The Education Act (1996) states that ‘children have a special educational need if they have a learning difficulty which calls for special educational provision to be made for them’. Children and young people have a learning difficulty if they:

- Have a significantly greater difficulty in learning than the majority of children or young people the same age;
- Have a disability which prevents or hinders them from making use of educational facilities of the kind generally provided for children and young people of the same age in schools within the area of the Local Authority; and Are under compulsory school age and fall within the above definitions, or would do so if special educational provision was not made for them.

The Denbighshire Context

Denbighshire’s Wellbeing Plan states it’s priorities as

- Young peoples’ participation
- Keeping young people safe
- Non-Formal Learning
- Formal learning
- Reading, writing and numeracy
- Welsh language and culture
- Equality, diversity and inclusion (EDI)
- Information and Communication Technology
- Review and evaluation

We will work with children and young people so that they not just know their rights but respect the rights of others. To help achieve this we will involve children and young people in decisions that affect them and use an approach called Restorative Practice which helps pupils discuss and directly deal with problems in a non-threatening way.

The Wellbeing Plan sets out clear priorities with the following being most relevant to Denbighshire's Accessibility Strategy



DUTIES OF THE LOCAL AUTHORITY AND SCHOOLS

The following sections outline and distinguish the LAs and schools' responsibilities in relation to:

- increasing the extent to which disabled pupils can participate in the school curriculum;
- improving the physical environment of schools; and
- improving the delivery to disabled pupils of written information.

IMPROVING PARTICIPATION IN THE CURRICULUM Introduction

In the terms of the Guidance in the Welsh Assembly Government Circular No.15/2004, the curriculum covers teaching and learning and wider provision embracing after school clubs, leisure, sporting and cultural activities and school trips. Planning for improved access to the curriculum should include consideration of school and classroom organisation and support, time-tabling, curriculum options, deployment of staff and staff information and training.

The Local Authority will:

- Monitor schools to ensure that staff are trained on issues related to improving access to the curriculum, including the development of enhanced approaches to teaching and learning.
- Include accessibility issues within the scope of the developing School Profile. Ensure that schools, and school staff, are aware of the range of specialist support services that can provide advice and consultation.
- Continue to provide specialist advice and consultation from its support services including the Educational Psychology Team, the Behaviour Support Team, the Additional Learning Team
- Encourage schools to work together and collect and collate examples of good practice.
- Provide specific support for curriculum audits and curriculum development initiatives through Education and Children's Services and GwE.

Schools will:

- Continue to provide a broad and balanced curriculum for all pupils.
- Continue to develop approaches to the differentiation of the curriculum to enable increased access for pupils with disabilities.
- Ensure that staff are trained on issues related to improving access to the curriculum, including the development of enhanced approaches to teaching and learning.
- Identify all pupils and known prospective pupils who face barriers to learning and full participation.
- Consider pupils', and prospective pupils', assessed needs and consider any reasonable adjustments which may be necessary to enable them to participate.
- Develop curriculum audits which review patterns of achievement and participation by disabled pupils in different areas of the curriculum.
- Audit the approaches used when planning and delivering the curriculum.
- Audit staff training needs in relation to increasing participation in the curriculum.
- Consider developing resource banks detailing ideas and approaches which support increased participation in the curriculum.
- Audit pupil, and prospective pupil, needs in relation to the wider provision of school, including after school clubs; leisure, sporting and cultural activities; and school trips.
- Seek to develop and share good practice in this area and access the opportunities provided by the Local Authority and other schools to facilitate this process.

IMPROVING THE PHYSICAL ENVIRONMENT OF SCHOOLS FOR DISABLED PUPILS

Introduction

Schools in Denbighshire are increasingly aware that reasonable adjustments may be required to meet the needs of disabled pupils.

Improving the physical environment of schools includes improving physical access to schools as well. All new school buildings have to comply with current building regulations and should be physically accessible to disabled pupils. However, much of the work in this area will involve improving access to existing buildings. Improved access to the physical environment can be achieved through reasonable adjustments and schools do need to consider potential adjustments which may be needed for disabled pupils generally, as it is likely that any school will have a disabled pupil at some point. However, schools are not obliged to anticipate and make adjustments for every imaginable disability and need only consider general reasonable adjustments. The authority and schools will consult with the pupil and parents and involve them where appropriate.

Denbighshire County Council is committed to developing the range of provision available across the authority and recognises that investment in buildings supports improved access to a full curriculum for children and young people with special educational needs and disabilities.

The planning duty includes improvements to the physical environment of the school and the provision of physical aids to access education.

The physical environment includes steps, stairway, kerbs, exterior surfaces and paving, parking areas, building entrances and exits (including emergency escape routes), internal and external doors, gates, toilets and washing facilities, lighting, heating, ventilation, lifts, floor coverings, signs, interior surfaces, room décor and furniture. Improvements to physical access include ramps, handrails, lifts, widened doorways, electromagnetic doors, adapted toilets and washing facilities, adjustable lighting, blinds, induction loops, communication aids, well designed (passive) room acoustics and way-finding systems. Improvements can also be made through re-arranging room space, removing obstructions from walkways, changing the layout of classrooms, providing designated storage space or re-allocating rooms to particular subject specialisms.

When any improvements are made it is anticipated that care will be taken to ensure a careful match between the function/purpose of the area and its physical design.

Denbighshire County Council maintains a corporate approach to all buildings and, as such, planning, maintenance and development of school buildings are all managed by Property Services Department.

Denbighshire County Council accepts and promotes the concept of Inclusive Design and it is expected that planning will have regard to Inclusive Design principles.

The Local Authority does:

As part of the Council's ongoing work, undertake condition, suitability and sufficiency assessments of all school buildings as part of the preparation of Asset Management Plans (AMPs). These Plans are reviewed and updated on a regular basis

The Authority hold Accessibility Audits for all schools and where appropriate Equality Impact Assessments.

These are reviewed regularly and none are more than 2 years old

Undertake, as necessary, additional access audits with schools to identify all hazards and barriers to access; and to contribute to the provision of comprehensive information about school building stock.

Through the Service Asset Management Plan, prioritise investment in school building improvements according to need and in conjunction with the requirements of the School Organisation Plan and planned development of ALN provision. Consider, routinely, improvements to physical accessibility when refurbishment of school buildings is being undertaken.

Provide training and advice to governors, head teachers, teaching and non-teaching staff as appropriate in relation to improvements to the physical environment of schools.

Provide direct advice and consultation to schools in relation to planning for improvements to the physical environment.

Work, on a planned, prioritised basis to progressively increase the number of accessible mainstream schools both at primary and secondary level with the aim of maintaining children and young people, where possible and appropriate, within their local schools.

Continue to maintain up-to-date information about the number and age distribution of children and young people with disabilities of different types in the authority or expected to commence education within the authority.

Maintain a School Organisation Plan Inclusion Sub-Group to fulfil a planning and development role in relation to new and existing ALN provision e.g. Building Access Group bi monthly and Cross county (Conwy) Equipment panel monthly.

Schools will:

Ensure an internal access audit has been completed and incorporate the outcome into school planning.

Seek to include minor building works or developments to improve accessibility, identified by the school, or through the access audit, into the school development plan.

Continue to provide specialist aids/equipment to individual pupils within the terms of the agreement described above.

Ensure training is made available to the Governors and school staff as necessary to raise awareness of school responsibilities and opportunities for improvement.

Continue to maintain up-to-date information about the number of children and young people with disabilities in the school, or anticipated to be attending in the future.

Consider, on a planned basis, how to improve accessibility through reorganising or rearranging aspects of the school environment without physical adaptation or building works.

IMPROVING THE DELIVERY OF INFORMATION TO DISABLED PUPILS

Introduction

This section covers planning to make written information normally provided by the school to its pupils available to disabled pupils. Information might include items such as handouts, timetables, textbooks or information about school events. Alternative formats for the provision of information might include: large print, audio tape, Braille, a recognised symbol system, the use of ICT and the provision of information orally, through lip speaking or in sign language. Information must be provided within a reasonable time, i.e. to be of proper use for the pupil. For example, a reasonable time frame for the provision of a handout needed during a lesson would be the start of the lesson.

In practice, it is anticipated that the majority of pupils requiring information to be provided in a different format will already have had their needs identified through the school's ALN identification processes.

The Local Authority will:

- Ensure schools are aware of the full range of support services available to provide advice, guidance and directly assist in the conversion of information into alternative formats.
- Review regularly its arrangements for providing information in alternative formats to ensure it has access to adequate capacity in this case.
- Continue to provide specialist advice to schools in respect of pupils with sensory needs.
- Encourage schools, including special schools, to share ideas and collect and collate examples of good practice for dissemination.

Schools will:

- Raise awareness amongst staff about the requirement to provide information in alternative formats if required.
- Maintain up-to-date information on pupils' needs for the provision of information in alternative formats and ensure it is shared amongst staff.
- Collect and share examples of good practice amongst staff.
- Review and audit regularly the school's approach to the provision of written information in general to establish if the format could be improved routinely and in general to improve accessibility.
- Seek specialist advice and support in those cases which lie beyond the school's immediate expertise.

MONITORING, REVIEW AND EVALUATION ARRANGEMENTS

Monitoring of the progress of the Accessibility Strategy will be undertaken through regular meetings of the Building Access Group and by obtaining the views of

- children and young people
- parents/carers
- maintained schools
- other stakeholders

This document will be shared with schools and be made available to parents/pupils.

Local Authority services, in partnership with schools will implement this strategy to ensure that disabled children enjoy a fully inclusive school experience.