



Walsall Council

PROUD OF OUR PAST OUR PRESENT AND FOR OUR FUTURE

Walsall Accessibility Strategy

Walsall Council

2020-2023

Accessibility Strategy (2020 - 2023)

Our Vision

Walsall Council's corporate vision is that 'Inequalities are reduced, and all potential is maximised'. This strategy sets out the vision that Walsall Council have to increase access to education for children and young people with special educational needs and/or disabilities, so that they can benefit from educational provision to the same extent that children without special educational needs and/or disabilities can.

This means that schools, academies and other education settings in Walsall will:

- Have a welcoming and inclusive culture, because all staff will be committed to an inclusive agenda
- Have the infrastructure required to achieve this inclusion agenda, because of the strategic planning of both the LA and the school will support the continuing improvement of access to the curriculum, facilities and information
- Identify needs at the earliest opportunity; assess and meet needs effectively in a timely way; improve outcomes and life chances for all children and young people.

In line with the 2014 Children and Families Act, Walsall are committed to ensuring:

- a person-centred, collaborative approach to identifying and meeting the needs of children, young people and their families;
- an increased engagement and participation of young people and families, allowing them to have greater choice and control, are listened to and their concerns are resolved swiftly;
- a published local offer of support, services and provision, how to access it and how to raise concerns or seek redress
- the use of effective practice, data and wider intelligence and independent assessment to drive improvement;
- clearly defined and understood roles and responsibilities;
- an increased integration of services and joint commissioning across the Local Authority and Health

The Accessibility Strategy complements the SEND Strategy and helps to turn the vision for the education of children and young people with SEND into reality. This policy focuses on improving access to education for pupils with SEND, and is essential to ensure equality of opportunity, participation in society, access to employment opportunities and inclusion within mainstream and specialist education settings.

Scope and key aims of the Strategy

Audience

The Accessibility Strategy sets out the local authority plan to increase access to education for pupils with disabilities in the schools for which it is responsible. Schools should take account of the local authority strategy when drawing up their own school accessibility plans. The strategy is also relevant to academies, free schools and other education settings not maintained by the local authority as they also have a statutory duty to draw up and publish a school accessibility plan.

Definition of Disability

Under the Equality Act 2010, a person is disabled if they have a *'physical or mental impairment that has a substantial and long term adverse effect on their ability to do normal day to day activities'*.

This definition provides a relatively low threshold. The clear starting point in the statutory guidance is that disability means 'limitations going beyond the normal differences in ability which may exist among people'.

'Substantial' means 'more than minor or trivial', Substantial adverse effects can be determined by looking at the effects on a person with the impairment, comparing those to a person without the impairment, to judge if the difference between the two is more than minor or trivial. Guidance from the 'Office for Disability Issues' illustrates the factors which might reasonably be regarded as having a substantial adverse effect on normal day to day activities.

'Long term' means the impairment has existed for at least 12 months, or is likely to do so.

The definition includes sensory impairments such as those affecting sight or hearing, physical disabilities including mobility impairments, dyslexia, mental health difficulties, and long-term health conditions such as asthma, diabetes, epilepsy and cancer. It is not just restricted to those children with an Education, Health and Care Plan.

Children and young people with long-term health conditions do not necessarily have SEN, but there is a significant overlap between disabled children and young people and those with SEN. Where a disabled child or young person requires special educational provision, they will also be covered by the SEN definition.



Key Aims of the Accessibility Strategy

The key aims of the Accessibility strategy are:

1. To enable all pupils, whatever their needs, to have access to the full range of curricular and extra-curricular activities.
2. To improve the physical environment of schools to ensure, wherever possible, that accessibility is not a barrier to preventing pupils from attending their local schools.
3. To ensure that information provided by a school is made available to pupils and parents with disabilities, using alternative formats where required.
4. To ensure that admissions processes to schools and other education providers are fair and enable pupils with SEND to access high quality provision that meets their needs.

Our Duties

The Council takes its duty with regard to equality and diversity very seriously and we believe that we should:

- Treat people fairly, justly and with respect in both service provision and employment;
- Find ways to support those who are disadvantaged or excluded;
- Promote inclusion and celebrate diversity.

We are supported in our commitment to equality through the Public Sector Equality Duty (PSED) of the Equality Act 2010. The Act brings together all the legal requirements on equality that the private, public and voluntary sectors need to follow and places the following duties on Local Authorities:

- Eliminate unlawful discrimination and harassment;
- Promote equality of opportunity;
- Promote good relations between persons of different backgrounds;
- Encourage participation in public life for people of different backgrounds.

The Law

Equality Act 2010

The Local Authority's accessibility strategies and school accessibility plans are a requirement of Schedule 10 of the Equality Act 2010. As well as general duties for public bodies, the Equality Act states the legal obligations that schools, early years providers, post-16 institutions, Local Authorities and others have towards disabled children and young people:

- They **must not** directly or indirectly discriminate against, harass or victimise disabled children and young people;

- They **must** protect disabled pupils from discrimination and harassment and foster good relations between disabled and non-disabled peers;
- They **must** make reasonable adjustments, including the provision of auxiliary aids and services, to ensure that pupils with disabilities are not put at a substantial disadvantage.

The Specific Duty

In addition to the General Duty, there is a Specific Duty for schools to demonstrate how they are meeting the General Duty. The main requirement is for schools to prepare public information and from that information publish equality objectives.

The Reasonable Adjustments Duty (schedule 13 of the Equality Act 2010)

The duty to make reasonable adjustments requires schools and other education providers to take positive steps to ensure that students with disabilities can enjoy the benefits, facilities and services provided for all students. Reasonable adjustments meet the statutory duty when they act to prevent students with disabilities being placed at a substantial disadvantage. 'Guidance for Education' (2002) providers on making reasonable adjustments is available from the Equality and Human Rights Commission.

Anticipating reasonable adjustments

The duty to make reasonable adjustments is an anticipatory one and therefore the setting needs to make plans in advance about what students with disabilities might require and what adjustments need to be made. They should not wait until the students are on roll.

Auxiliary aids and services

In September 2012, the duty to provide auxiliary aids and services (including specialist equipment, which could include laptops and tablets) was extended to include schools. This places schools and other education providers under a duty to provide aids and services where it is reasonable and where it would prevent a disabled pupil being put at a substantial disadvantage when compared to his or her non-disabled peers. Examples of auxiliary aids include coloured overlays, pen grips, adapted physical education equipment, adapted keyboards and computer software.

SEN Information Report

The SEND Code of Practice: 0-25 (2015) states that a school's reasonable adjustments along with other provisions must be described in their 'SEN Information Report'. The detail of which is outlined in the Special Educational Needs and Disability Regulations (2014), Regulation 51 (Schedule 1).

School Accessibility Plans

Schools must publish their Accessibility Plans. The Accessibility Plan should be appended to or be part of the SEN Information Report. Ofsted may request a school's accessibility plan as part of inspection evidence.

Our Priorities

Priority 1: Improving access to the curriculum

Ensuring children and young people with SEND can access the curriculum is an essential element of high quality provision. It enables children and young people to make good progress and achieve outcomes that prepare them for adulthood. The curriculum covers not only all classroom teaching and learning but wider aspects such as participation in after school and extended school activities or trips and visits. It also includes formal and informal tests, assessments and examinations.

Schools and educational settings are responsible for providing a broad, balanced and inclusive curriculum for all students. They must:

- Publish information on their websites about arrangements for adapting the curriculum and the learning environment for pupils with SEND.
- Demonstrate in their Accessibility Plans what actions they are taking to ensure pupils with SEND are able to access the curriculum.

Schools should provide details of how the curriculum is adapted or made accessible for pupils with SEND.

In line with the Walsall Inclusion Strategy and the Sen Code of Practice (2015), special educational provision is underpinned by Quality first Teaching. The following is considered good practice in schools:

- understanding the needs of the learners
- high expectations are set for every pupil utilising effective assessments to agree outcomes to be achieved;
- all lessons are differentiated and are personalised to ensure that there are no barriers to achievement for any pupil;
- effective classroom practices promotes and encourages independence
- staff receive the support, advice, information and training they require to meet the individual needs of all pupils;
- a member of the governing body with specific responsibility for and oversight of arrangements for SEND, meets regularly with the Head teacher and SENCO to review the allocation of resources, the impact they are making and to ensure that SEND is considered as a whole school responsibility.

The local authority will, wherever possible, support schools and other education settings to establish good practice through provision of advice, information, training and specialist support to ensure all students are able to access the curriculum. The support available is set out in the Local Offer on [\(web link here\)](#).

Schools have a duty to provide auxiliary aids under the reasonable adjustments duty, however, where highly specialised equipment is required for students with sensory or physical impairments, who will already be known to the Physical and Sensory Impairment team, schools should always consult with the specialist teacher who will carry out an assessment in order to identify the required specialist equipment which will be allocated on a loan basis and remains the property of the local authority.

Priority 2: Improving environmental access

The local authority and schools are committed to improving the physical environment of schools to increase the extent to which pupils with SEND can take advantage of education. This may involve, for example, the creation of safe spaces, calming areas, and individual workstations, as well as providing a suitable physical environment for children and young people with disabilities. Improvements to physical access might include the following:

- Students with physical disabilities: ramps, handrails, widened doorways, electromagnetic doors, adapted toilets and washing facilities, emergency evacuation routes, physical access to outside areas and specialist curriculum areas.
- Students with visual impairment and hearing impairment: adjustable lighting, blinds interior and exterior surfaces, induction loops, well designed room acoustics, signage and way finding systems.

All new school buildings have a duty to comply with current building regulations in relation to accessibility, although further adaptations may be necessary to meet the needs of specific students.

Schools are required to undertake an accessibility audit of their site in order to identify key constraints and how they might be reasonably addressed. An accessibility audit will assess the site, offer suggestions of what is required in order to comply with accessibility requirements and how these might be prioritised. An accessibility audit is a live document, which will inform schools of all areas of their site, which do not meet the requirements of the Equality Act 2010. It will help the school to identify a programme of work that it could reasonably be expected to progress. As a Local Authority, we are committed to ensuring children have access to enhanced accessible mainstream schools within their home locality area.

All schools needs to consider the reasonable adjustments, which may be needed for students with disabilities generally and for specific students including those expected to transfer into the school.

For children and young people with visual impairments (VI) and/or hearing impairments (HI), the Local Authority specialist VI and HI advisory teams can carry out an environmental audits. Furthermore, support can also be sought from our health partners such as the Occupational Therapy (OT) and Physiotherapy teams. Additionally, the Local authority commissions Lindens Primary Schools Outreach Service, who provide access visits, training and support for children with physical disabilities.

Priority 3: Improving access to information

The requirement in the Children and Families Act 2014 to develop a Local Offer has the express purpose of making information more accessible. The Walsall Local Offer is an online resource for children and young people with SEND and their families available at <https://www.wald.co.uk/kb5/walsall/asch/localoffer.page?localofferchannel=0>.

Any member of the public who is unable to access the internet, or requires assistance to do so, can utilise a number of local services to help them. These services are as follows:

- Schools in Walsall are engaged with supporting children, young people and families in the use of the Local Offer if necessary.
- A variety of professionals from the local authority, and outside the local authority, such as NHS Clinical Commissioning Groups, are encouraged to work with families, supporting them in the use of the Local Offer.

The local authority is committed to reviewing and updating the Local Offer on a regular basis, taking into account feedback received from children and young people and their parents and carers.

Schools and other education providers have a responsibility to provide accessible information to parents and pupils to ensure that students with SEND are not disadvantaged. Information provided should be clear and free of jargon. Where appropriate, particularly for students or parents with sensory impairments, information may need to be made available through alternative methods and formats.

Priority 4: Ensuring fair school admissions processes

Walsall Council is the admissions authority for all local authority maintained schools, including nursery classes in maintained schools. Academies are their own admission authorities.

There are two school admission pathways for children with SEND, as follows:

- For children with an Education, Health and Care plan, and the Local Authority EHC Assessment Team handles applications.
- For children with SEN but without an Education, Health and Care Plan, families apply for admission to a school through the normal application process.

Both processes must comply with the School Admissions Code, the Equality Act 2010, the Children and Families Act 2014 and other relevant legislation.

Placement in specialist provision

Where placement at a specialist educational provision is being considered, the local authority will make a decision through the Walsall SEND Panel with reference to the Walsall admissions guidance for specialist settings. Information on the facilities provided at each school can be found on each school's website.

The School Admissions Code

The School Admissions Code produced by the Department for Education sets out the law in relation to school admissions. The Code requires that the process must be reasonable, clear, objective and procedurally fair and comply with all relevant legislation,

including equality legislation. The admissions process must ensure that arrangements will not disadvantage unfairly, either directly or indirectly, a child with a disability or special educational needs.

The local authority has an important role in monitoring compliance with the Admissions Code and is required to report annually to the Schools Adjudicator on the fairness and legality of the admission arrangements for all schools in their area. Although academies are their own admissions authorities, the School Admissions Code still applies and the responsible body or Academy Trust has the responsibility to ensure that admission arrangements are compliant with the Code.

The Equality Act 2010

The Equality Act 2010 requires that the responsible body of all types of schools must not discriminate in the arrangements it makes for deciding who is admitted, in the terms it offers for admitting a pupil or by not admitting a pupil.

The Children and Families Act 2014

The school admission process should:

- Reflect the importance of the child or young person with SEND and the child's parents participating as fully as possible in decisions.
- Provide children and young people with SEND and their parents with the information and support necessary to enable participation in those decisions.

Detailed information about schools admissions can be found on:

https://go.walsall.gov.uk/school_admissions

Funding

Funding to support this accessibility strategy is available through a variety of means.

Schools receive funding through a delegated budget for all pupils in the school according to their characteristics, based on the number of students on the census collection period. This funding provides support for general costs within the school but also provides a notional SEN budget, enabling them to provide additional support for those pupils that need it, of up to £6,000 per pupil, per year. These are known as Element one and Element two funding.

Schools should use these monies to implement the requirements of this Accessibility Strategy, particularly in terms of increasing access to the curriculum and making written information more accessible i.e. auxiliary aids and services.

Furthermore, a third element of funding is available to schools for pupils who have additional needs costing over £6,000 per year; known as top-up funding. In most cases, schools receive this funding through the Walsall SEN Banding Funding framework and

this element is usually only provided for pupils with education, health and care (EHC) plans, although there are exceptional circumstances.

Walsall Council provides a range of services to work with schools to support pupils with SEN and disabilities. Some of these services are available on a traded basis and schools should use their existing funding mechanisms to access these, in order to meet the requirements of this accessibility strategy, particularly in terms of increasing access to the curriculum and when making written information more accessible.

Walsall Council is committed to ensuring equal access to education for all. However, it also has a duty to utilise its resources in the most effective manner. This means that adjustments cannot automatically be authorised, especially if they entail significant expenditure.

Implementation and Review

This strategy covers the period 2020 – 2023 and will be reviewed at least annually or when required by legislation, and revised and updated as required. An associated action plan will be drawn up to identify further actions required to meet the key aims of this strategy and address the requirements of the Equality Act 2010.

This document sets out the responsibilities on schools for implementing the Accessibility Strategy, in line with the requirements of the Equality Act 2010. The local authority will provide information, advice and support to schools as described in the Local Offer. For pupils with physical and sensory impairments, or communication disorders such as autism, advice is available from the relevant local authority specialist advisory teams. The local authority's Access and Inclusion team can signpost schools to services which carry out accessibility audits. Advice on adjustments required is also available from the Occupational Therapy Team.

Feedback and Comments

We would be pleased to receive your comments on this strategy document. If you have any feedback, please email SEN@walsall.gov.uk. We would welcome suggestions about ways of improving this document and examples of good practice.

In the case of a complaint about the implementation of the strategy, you can contact the local authority Complaints Team at <https://go.walsall.gov.uk/tellus>. If there is a concern about a school's accessibility arrangements, parents should consult directly with the school. Every school has their own complaints procedure.

APPENDIX 1: Key Legislation and Guidance

Equality Act 2010:

http://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga_20100015_en.pdf

Equality Act: Schedule 10

<http://www.legislation.gov.uk/ukpga/2010/15/schedule/10>

Equality Act 2010: Guidance on matters to be taken into account in determining questions relating to the definition of disability (specifically schedule 10).

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/85010/disability-definition.pdf

The Equality Act 2010 and schools: Departmental advice for school leaders, school staff, governing bodies and local authorities

<https://www.gov.uk/government/publications/equality-act-2010-advice-for-schools>

Reasonable adjustments for disabled pupils (2012): Technical guidance from the Equality and Human Rights Commission <http://www.equalityhumanrights.com/private-and-public-sector-guidance/educationproviders/schools-guidance/key-concepts/reasonable-adjustments>

Supporting pupils at school with medical conditions (2014) (DFE)

<https://www.gov.uk/government/publications/supporting-pupils-at-school-with-medical-conditions>

Children and Families Act 2014

<http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted>

The Special Educational needs and Disability Regulations 2014

http://www.legislation.gov.uk/uksi/2014/1530/pdfs/uksi_20141530_en.pdf

SEND Code of Practice 2014 revised 2015

<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

Special Educational Needs and Disability Regulations 2014

http://www.legislation.gov.uk/uksi/2014/1530/pdfs/uksi_20141530_en.pdf

The Mental Capacity Act Code of Practice: Protecting the vulnerable (2005)
<https://www.gov.uk/government/publications/mental-capacity-act-code-of-practice>

