

Annex B: Accessibility Strategy

Local Authority Accessibility Strategy 2022 to 2025

Oct 2022

1. Introduction

- 1.1. All local authorities must have an accessibility strategy for the schools that it retains responsibility for, i.e., maintained schools. This is a statutory requirement included in the Equality Act 2010 and explicitly relates to children and young people who have a disability.
- 1.2. An accessibility strategy explains how over time, the local authority will support maintained schools to:
 - 1.2.1. Increase access to the curriculum for disabled children and young people.
 - 1.2.2. Improve the physical environment of schools to increase access for disabled children and young people.
 - 1.2.3. Make written information more accessible to disabled children and young people by providing it in a range of different ways.
- 1.3. The need for an accessibility strategy does not apply to academies or free schools. However, whilst the accessibility strategy requirement only relates to maintained schools, through local authority responsibilities, many of the supporting arrangements made by the local authority will also benefit disabled children and young people attending academies and free schools within the local area.
- 1.4. In addition, all schools, including academies and free schools, must have an accessibility plan in place and this should be based on the same principles as a local authority accessibility strategy.
- 1.5. As a rule, it is the responsible body for the school that has responsibility for the duties in Equality Act.

2. Context

- 2.1. The barriers that people with a disability can experience in everyday life can create significant difficulties for them. We want to remove such barriers by improving outcomes for disabled children and young people. The council's vision is set out in the Special Educational Needs & Disability (SEND) Strategy 2022 – 2025 and this strategy should be read in conjunction with that.
- 2.2. To achieve this, we will:
- 2.3. work with the schools for which we are responsible to ensure they do not disadvantage or discriminate against a disabled pupil; we will also offer advice to other schools, such as academies and free schools, on meeting this legal duty.
- 2.4. Work closely with schools and school governors to agree reasonable adjustments which will allow disabled children and young people full access to school facilities and activities.

- 2.5. Work together with all settings and other services, e.g. social care and health, to identify and plan for the needs of disabled children and young people more generally.
- 2.6. All local authority-maintained schools have been supported through previous building projects to prepare for basic accessibility needs. School governing bodies, in liaison with the relevant local authority officers, have been delegated the responsibility of ensuring school sites are accessible as specified in Schedule 10 of the Equality Act 2010.
- 2.7. Where possible, children and young people with physical and sensory difficulties are educated at their local school, with local authority-maintained schools adapted as necessary.
- 2.8. The local authority commissions several specialist provisions for children and young people with SEND, catering for a variety of needs. Local specialist provision continues to develop through the SEND Sufficiency Strategy, which specifically addresses the needs of children and young people within the local area.
- 2.9. Personal travel budgets (PTBs) have been explored to address mobility for children and young people with SEND. These consist of an agreed sum of money, paid to parents/carers of children or young people with SEND who qualify for free school transport. PTBs let families decide how their child or young person will travel to and from school and they are free to decide which suit their needs. For those cases where a PTB is not suitable, the SEND Transport Policy and our commissioning arrangements set an expectation that local transport providers source a range of accessible vehicles and that, subject to risk assessment, passenger assistants may be made available.

3. Legislation

- 3.1. Under the Equality Act, a person has a disability 'if they have a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day to day activities.' In its widest sense, disability includes:
 - 3.1.1. Physical impairments
 - 3.1.2. Learning difficulties
 - 3.1.3. Sensory impairments
 - 3.1.4. Mental impairments
- 3.2. The requirement to write an accessibility strategy is set out in Schedule ten of the Equality Act 2010 and, unlike the rest of the Equality Act, which has a focus on equal treatment, the sections relating to disability are different and acknowledge that a person with a disability may have to be treated more favourably than someone who does not, to avoid considerable disadvantage.

4. Reasonable adjustments

- 4.1. Where a school does something that might put a disabled child or young person at a substantial disadvantage, compared with those who are not disabled, they must take reasonable steps to avoid that disadvantage. The reasonable adjustments duty requires schools to think ahead and adjust so that individual

children and young people who have disabilities can participate in the whole life of the school.

- 4.2. Substantial is used to describe anything more than 'minor' or 'trivial'. Taking reasonable steps to avoid substantial disadvantage is often known as the 'reasonable adjustments' duty. Both local authorities and schools must adhere to this duty. It means taking positive steps to ensure that children and young people who have disabilities can fully participate in the education provided by a school and that they can enjoy the other benefits, facilities and services that the school provides for all its children and/or young people.
- 4.3. The reasonable adjustments duty contains three elements that apply to most:
 - 4.3.1. To adjust any provision, criterion or practice, e.g. day to day operations, including rules and policies, decisions and actions.
 - 4.3.2. To make alterations to physical features, e.g. adaptations to buildings.
 - 4.3.3. To provide auxiliary aids and services, e.g. additional support or assistance from a piece of equipment or a member of staff.
- 4.4. Schools don't have to consider physical features as part of their reasonable adjustments' duty. However, they have a duty to plan better access for disabled children and young people who have disabilities more generally through their accessibility plan.
- 4.5. The law on reasonable adjustments is anticipatory; it requires local authorities and schools to consider the needs of potential children and young people who have disabilities, in addition to those already attending the school.
- 4.6. Failure to make a reasonable adjustment is a form of discrimination under the Equality Act.

5. Public Sector Equality Duty

- 5.1. In addition to meeting the specific requirement set out in Schedule ten of the Equality Act, this accessibility strategy also supports the Council to meet the Public Sector Equality Duty (PSED) regarding disabled children and young people.
- 5.2. The PSED applies to all protected characteristics:
 - 5.2.1. Race
 - 5.2.2. Disability
 - 5.2.3. Sex
 - 5.2.4. Age
 - 5.2.5. Religion or belief
 - 5.2.6. Sexual orientation
 - 5.2.7. Pregnancy and maternity
 - 5.2.8. Marriage and civil partnership
 - 5.2.9. Gender reassignment
- 5.3. The PSED requires public bodies to understand the need to:
 - 5.3.1. Eliminate discrimination and other conduct that is prohibited by the Act.
 - 5.3.2. Advance equality of opportunity between people who share a protected characteristic and people who do not share it.

- 5.3.3. Foster good relations across all characteristics between people who share a protected characteristic and people who do not share it.

6. Implementing the strategy

6.1. Through application of this strategy, the local authority will work with its maintained schools to:

6.2. Increase access to the curriculum for children and young people who have disabilities.

6.3. Improve the physical environment of schools to increase access for children and young people who have disabilities.

6.4. Make written information more accessible to children and young people who have disabilities by providing information in a range of different ways.

6.5. This will be done through:

6.5.1. Increasing access to the curriculum.

6.5.2. Supporting school leaders, including SENCOs, in relation to policies, strategies and systems available through the LA.

6.5.3. Providing a local offer of services, support and provision that is available to children and young people with SEND.

6.5.4. Offering CPD opportunities for school staff to support and enhance the understanding of accessibility in the curriculum.

6.5.5. Providing opportunities for governor training in relation to increasing access to the curriculum.

6.5.6. Jointly with health partners, develop a policy and associated guidance for all schools about supporting children and young people with medical conditions.

6.5.7. Providing opportunities for SENCOs to regularly meet, share good practice, access up to date information through the SEND Space and keep up to date with new developments.

6.5.8. Allocating funding for ICT and specialist equipment for individual children in line with current policy.

6.5.9. Making sure that education, health and care plans (EHCP) are specific about the provision required to make the school curriculum more accessible for individual children and young people with a disability.

6.5.10. Encouraging liaison between early years settings and schools to ensure good transition into school.

6.5.11. Providing opportunities for capacity building in schools through advice and support available via specialist teaching and advisory services.

6.5.12. Encouraging high aspirations for the most vulnerable learners.

6.6. Schools will:

- 6.6.1. Have regard to national and local guidance on meeting the duties set out in the equality act 2010 and the children and families act 2014 regarding SEND.
 - 6.6.2. Include improvements that increase access to the curriculum in their accessibility plan and ensure this is published on their school website.
 - 6.6.3. Plan for and teach children and young people with SEND through a range of evidenced based interventions and teaching strategies.
 - 6.6.4. Have regard to delivering the curriculum that includes quality first teaching and where appropriate, catch-up programmes and appropriate support for vulnerable children and young people.
 - 6.6.5. Establish effective ways of assessing and monitoring the progress of vulnerable groups.
 - 6.6.6. Evaluate outcomes of provision and adapt this accordingly.
 - 6.6.7. Make sure there's effective support for vulnerable children and young people in transition.
 - 6.6.8. Apply funding appropriately to make sure vulnerable groups are not disadvantaged in comparison to non-vulnerable groups.
 - 6.6.9. Provide effective professional development for staff and governors.
 - 6.6.10. Involve parents and carers in decision making and keep them informed of progress.
- 6.7. By increasing access to the physical environment
- 6.8. The LA will:
- 6.8.1. Plan new buildings and significant extensions or adaptations that comply with accessibility requirement.
 - 6.8.2. Facilitate the access of individual children and young people with physical or sensory impairments, or complex medical conditions, where required.
 - 6.8.3. Ensure that LA staff work with the School Admissions and/or EHC Team to assist with issues regarding individual placements.
 - 6.8.4. Commission audits to advise on the required adaptations and additional resources needed to accommodate children and young people with physical or sensory impairments or complex medical conditions.
 - 6.8.5. Make sure education, health and care (EHC) plans are specific about the adaptations required to make the school environment more accessible for individual children and young people with a disability.
 - 6.8.6. Continue to review existing provision of buildings other than schools that the local authority is responsible for, for example Children's Centres so that they comply with the latest accessibility legislation and requirements.
 - 6.8.7. Set expected levels of funding that local authority-maintained schools will be expected to contribute towards schemes that improve the physical environment.
 - 6.8.8. Monitor transition arrangements for children coming into schools for the first time and those moving across school phases.

6.8.9. Liaise with schools that have buildings under local authority control to support and fund adaptations that go beyond the threshold funding arrangements.

6.9. Schools will:

6.9.1. Keep the physical accessibility of the school building and site under review and make timely arrangements to accommodate access.

6.9.2. Include improvements that increase access to the physical environment in an accessibility plan that is published on the school website.

6.9.3. Comply with the anticipatory duties as set by the equality act 2010.

6.9.4. Respond to the expectations set out in local and national guidance on meeting the equality act 2010 and children and families act 2014 about SEND.

6.9.5. Fund projects that increase access to the physical environment from their own resources and, where appropriate, to liaise with the local authority.

6.9.6. Adhere to the specific guidance contained within this accessibility strategy.

6.9.7. Undertake any improvement projects in liaison with their property surveyors and adhere to building regulations and health and safety requirements.

6.9.8. Apply advice provided through environmental audits conducted by occupational and physiotherapists, hearing or vision support officers, and other relevant services or professionals.

6.9.9. Make sure curriculum needs are met by providing access to appropriate classroom facilities.

6.9.10. Carry out risk assessments for school trips to make sure they're accessible for children and young people with mobility, sensory or medical difficulties.

6.9.11. Provide effective professional development for staff and governors.

6.9.12. Involve parents and carers in decision making and keep them informed of progress.

6.10. Increasing access to information

6.11. The LA will:

6.11.1. Offer governor training that covers the requirements of an accessibility plan and the specific need to increase access to information.

6.11.2. Provide information to schools electronically and via a training website (nexus) regarding accessibility for disabled children and young people.

6.11.3. Provide information to children and young people and their families in accessible formats whenever needed.

6.11.4. Provide advice to schools and maintained settings from its specialist teaching and advice services about how best to support children and young people with accessing information, for example, the hearing and vision support services offer a range of support from signing to braille.

- 6.11.5. Make sure education, health and care (ehc) plans are specific about the provision required to make information to all children and young people more accessible for individual children and young people with a disability
- 6.11.6. Make sure any new buildings or extensions to building are appropriately signed in line with accessibility and health and safety requirements.
- 6.12. Schools will:
 - 6.12.1. Include improvements that increase access to information for disabled children and young people in their accessibility plan that's published on the school website.
 - 6.12.2. Make sure they're proactive in researching and using a range of communication techniques and technologies, seeking the advice of relevant professionals where necessary.
 - 6.12.3. Monitor and review the skills and expertise of staff to support children and young people with disabilities.
 - 6.12.4. Involve children and young people and their families in decision processes regarding the accessibility of information.

7. Funding

- 7.1. Funding to support this accessibility strategy is available through a variety of means.
- 7.2. Schools receive funding through a delegated budget for all children and young people in the school according to their characteristics, based on the number at the October School Census. This provides funding for general costs within the school but also provides a notional SEND budget which enables them to provide additional support for the children and young people that need it, of up to £6,000 per pupil, per year. These are known as Element 1 and Element 2 funding.
- 7.3. Schools should use these monies to implement the requirements of this Accessibility Strategy, particularly in terms of increasing access to the curriculum and when making written information more accessible.
- 7.4. There is a third element of funding available to schools for children and young people who have additional needs costing over £6,000 per year; this is often referred to as top-up funding. In most cases, schools receive this funding through the organisation and resources group panel and this element is usually only provided for children and young people who have an EHCP.
- 7.5. Barnsley MBC provides a range of services to work with schools to support children and young people with SEND. These are funded through a centrally retained budget funded via top-up funding and are therefore available to schools free of charge.
- 7.6. In terms of improving the physical environment of schools for which the local authority is responsible, funding is available from the high needs block capital funding allocations, from the DfE. This is for significant adaptations for children and young people with SEND, regardless of whether they have an EHCP or are at the SEN support level. The funding covers buildings and fixed items.

- 7.7. Where a major project is identified, the premises officer will engage the services of an architect or project surveyor to draw up options that will meet the needs of the child or young person. The premises officer and architect then discuss the options with the school and the relevant health or other practitioner to ensure the most suitable solution is provided before a contractor is engaged to carry out the works.
- 7.8. Where the local authority approves a package of works, it will commission and pay for the work directly, unless otherwise agreed with the school.
- 7.9. Barnsley MBC 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.
- 7.10. We expect that, where a school has been partially adapted to accommodate children and young people with a disability, it is reasonable for the school to carefully timetable the curriculum to ensure adapted rooms are utilised. There should be no expectation that additional rooms will be adapted for this purpose. If works are undertaken by the local authority to meet the needs of a child or young person in a particular year group, this will be reviewed as they move through the school, and further works will be carried out if appropriate and reasonable.

8. Monitoring and review

- 8.1. It is the duty of all those working within local authority-maintained schools on areas associated with accessibility to ensure that this strategy is implemented and adhered to in full.
- 8.2. Early notification of potential access issues by schools is important to ensure that the local authority can provide a timely response that meets the needs of both the school and the child or young person in question.
- 8.3. All schools and academies must publish an accessibility plan on their website which must comply with the statutory duties as detailed in Schedule 10 of the Equality Act 2010 (appendix I).
- 8.4. The Head of SEND & Inclusion will keep this accessibility strategy under review; updating as required.

Appendix I: Equality Act 2010

- 1
 - (1) A local authority in England and Wales must, in relation to schools for which it is the responsible body, prepare:
 - (a) an accessibility strategy
 - (b) further such strategies at such times as may be prescribed
 - (2) An accessibility strategy is a strategy for, over a prescribed period:
 - (a) increasing the extent to which disabled children and young people can participate in the schools' curriculums
 - (b) improving the physical environment of the schools for the purpose of increasing the extent to which disabled children and young people are able to take advantage of education and benefits, facilities or services provided or offered by the schools
 - (c) improving the delivery to disabled children and young people of information which is readily accessible to children and young people who are not disabled
 - (3) The delivery in sub-paragraph (2)(c) must be:
 - (a) within a reasonable time
 - (b) in ways which are determined after taking account of the children and young people' disabilities and any preferences expressed by them or their parents
 - (4) An accessibility strategy must be in writing.
 - (5) A local authority must keep its accessibility strategy under review during the period to which it relates and, if necessary, revise it.
 - (6) A local authority must implement its accessibility strategy.
- 2
 - (1) In preparing its accessibility strategy, a local authority must have regard to—
 - (a) the need to allocate adequate resources for implementing the strategy;
 - (b) guidance as to the matters mentioned in sub-paragraph (3).
 - (2) The authority must also have regard to guidance as to compliance with paragraph 1(5).
 - (3) The matters are:
 - (a) the content of an accessibility strategy
 - (b) the form in which it is to be produced
 - (c) persons to be consulted in its preparation
 - (4) Guidance may be issued:
 - (a) for England, by a Minister of the Crown
 - (b) for Wales, by the Welsh Ministers
 - (5) A local authority must, if asked, make a copy of its accessibility strategy available for inspection at such reasonable times as it decides.
 - (6) A local authority in England must, if asked by a Minister of the Crown, give the Minister a copy of its accessibility strategy.
 - (7) A local authority in Wales must, if asked by the Welsh Ministers, give them a copy of its accessibility strategy.