

**TO: EXECUTIVE MEMBER FOR CHILDREN, YOUNG PEOPLE & LEARNING  
18 DECEMBER 2017**

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## **SCHOOLS ACCESSIBILITY STRATEGY: 2017 – 2020**

**Director of Children Young People & Learning**

### **1 PURPOSE OF REPORT**

- 1.1 The purpose of the report is to set out the Local Authority's duties relating to the accessibility for disabled pupils and to ensure that the Local Authority meets its statutory duty of publishing an accessibility strategy.

### **2 EXECUTIVE SUMMARY**

- 2.1 The Council is required under the Equality Act 2010 to have an accessibility strategy in which it promotes better access for disabled pupils at school.
- 2.2 The Council has consulted with key stakeholders, including schools, parents, children and young people and council services. Consultation included representation from disabled people.
- 2.3 All schools should have regard to this Accessibility Strategy and use it to inform their Disability Equality Scheme and Accessibility Plan that shows how, over time, access to education for disabled pupils will be improved.
- 2.4 Schools must publish their Disability Equality Scheme and Accessibility Plan with links to their SEN Information report that are available on the Local Offer.

### **3 RECOMMENDATION**

- 3.1 **That the Bracknell Forest Accessibility Strategy be approved.**

### **4 REASONS FOR RECOMMENDATION.**

- 4.1 There is a statutory requirement for all Local Authorities to have an Accessibility Strategy.
- 4.2 There is a necessity for the Local Authority to work closely with all providers and expect them to have an awareness of our strategy in their own accessibility strategies.

### **5 ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 None. This is a statutory requirement.

### **6 SUPPORTING INFORMATION**

- 6.1 The Equality Act 2010 replaced nine major Acts of Parliament and provides a single, consolidated source of discrimination law, covering all the types of discrimination that are unlawful. It simplifies the law by getting rid of anomalies and inconsistencies that

had developed over time and it extends protection against discrimination in certain areas.

6.2 The Act makes it unlawful for the responsible body of a school to discriminate against, harass or victimise a pupil or potential pupil:

- In relation to admissions
- In the way it provides education for pupils
- In the way it provides pupils access to any benefit, facility or service, or
- By excluding a pupil or subjecting them to any other detriment.

6.3 The law on disability discrimination is different from the rest of the Act in a number of ways. In particular, it works in only one direction; it protects disabled people but not people who are not disabled. This means that schools are allowed to treat disabled pupils more favourably than non-disabled pupils and in some cases are required to do so, by making reasonable adjustments.

6.4 Schools and Local Authorities (LAs) need to carry out accessibility planning for disabled pupils. Schools must implement accessibility plans which are aimed at:

- Increasing the extent to which disabled pupils can participate in the curriculum
- Improving the physical environment of schools to enable disabled pupils to take better advantage of education, benefits, facilities and services provided
- Improving the availability of accessible information to disabled pupils.

6.5 Schools will also need to have regard to the need to provide adequate resources for implementing plans and must regularly review them. An accessibility plan may be a free standing document but may also be published as part of another document such as the school development plan.

6.6 LAs must, for maintained schools, prepare accessibility strategies based on the same principle as the access plans for schools. Although this does not apply to academies, free schools or private nursery providers on school sites, the LA will endeavour to work closely with all providers and expect them to have an awareness of our strategy and to reflect this in their own accessibility strategies.

## **7 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

### Borough Solicitor

7.1 The relevant legal provisions are contained within the report.

### Borough Treasurer

7.2 Capital funding for the school estate is provided by the Department for Education through the LA Capital Maintenance Grant, which for 2017-18 amounts to £1.931m, and Devolved Formula Capital grant that is paid directly to schools and which amounts to £0.31m. These grants are intended to be used to finance all aspects of capital needs in school sites, including suitable access and will be prioritised accordingly.

### Equalities Impact Assessment

- 7.3 The Bracknell Forest School Accessibility Strategy promotes diversity and choice and will not have a negative impact on any of the equality groups. A full EIA was therefore not required.

### Strategic Risk Management Issues

- 7.4 The substantial risks associated with this strategy relate to:
- i. Ensuring timely action to address the issues included in the strategy and
  - ii. Maintaining the momentum.

These have been mitigated by careful planning and ensuring maximum joint accountability during the consultation stages.

### Other Officers

- 7.5 None appropriate.

## **8 CONSULTATION**

### Principal Groups Consulted

- 8.1 The main groups that we consulted were:
- Senior leaders (including governors) from schools and colleges:
  - Senior leaders from the East Berkshire Clinical Commissioning Group (CCG) and Berkshire Health Foundation Trust (BHFT).
  - The Bracknell Parent Forum:
  - LA services (both Children and Adults services)
  - The Youth Council.

### Method of Consultation

- 8.2 In the Spring term 2017 a series of SENCO/parent seminars was organised to discuss a range of issues relating to SEN and Disability. Comments were invited (written and verbal), and these have been included in this strategy.
- 8.3 Letter to all interested parties inviting comments including a structured questionnaire.

### Representations Received

- 8.3 All feedback that was received as a result of consultation was supportive and positive. No further representation was received.

## Background Papers

The Equality Act 2010 and schools (DfE advice: May 2014):

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

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

### Contact for further information

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