

TO: EXECUTIVE MEMBER

DATE: 12 APRIL 2016

**ACCESSIBILITY STRATEGY 2016-19
Director Children, Young People and Learning**

1 PURPOSE OF DECISION

- 1.1 To approve the Accessibility Strategy, describing how the Council will work with schools and early years settings that provide government funded early education places to increase the extent to which pupils with disabilities can participate in the schools' and early years' curriculums; improve the physical environment of schools and early years settings; and improve the delivery of information to pupils with disabilities and their families.

2 RECOMMENDATION

- 2.1 **To approve the Accessibility Strategy attached as Annex 1.**

3 REASONS FOR RECOMMENDATION

- 3.1 There is a duty on the Council under equalities legislation to prepare a strategy.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 None.

5 SUPPORTING INFORMATION

Background

- 5.1 This document addresses the parts of the Equality Act 2010 relating to children and young people with disabilities and their access to schools maintained by Bracknell Forest Council, and has been widened to include early years settings that receive funding via the Council.
- 5.2 This document has been written in accordance with the Council's duty under equality legislation to prepare an accessibility strategy, describing how the Council will work with schools and early years settings that provide government funded early education places to:
- Increase the extent to which pupils with disabilities can participate in the schools' and early years' curriculums;
 - Improve the physical environment of schools and early years settings;
 - Improve the delivery of information to pupils with disabilities and their families.
- 5.3 The Accessibility Strategy complements existing Council plans and strategies, including 'All of Us', the Council's Equality Scheme, equality objectives, the Children

and Families Act/SEND Code of Practice (2014) and information published by schools to demonstrate compliance with the Public Sector Equality Duty.

- 5.4 Existing funding streams will be directed towards delivery of this Strategy. The Council will continue to look at ways to improve its efficiency and effectiveness to deliver the same quality and range of services for less money, or to deliver more for the same level of expenditure. Wherever possible, the Council will seek to develop services and projects in conjunction with key partners such as those in health and the voluntary sector to deliver services for children and young people.
- 5.5 This Strategy will be kept under review and amended as necessary to reflect new legislation and statutory guidance, and developments in local resources and service delivery.

6 CONSULTATION

Principal Groups Consulted

- 6.1 Professional partners.

Method of Consultation

- 6.2 Through discussion at meetings and comments on draft papers.

Representations Received

- 6.3 Comments have been incorporated into the strategy.

7 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 7.1 The relevant legal issues are addressed within the main body of the report.

Borough Treasurer

- 7.2 The Borough Treasurer is satisfied that existing resources can be used to support the implementation of the strategy.

Equalities Impact Assessment (EIA)

- 7.3 EIAs are in place for the services impacted by this strategy.

Strategic Risk Management Issues

- 7.4 No strategic issues are impacted by this strategy.

Background Papers

None.

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Annex 1



Accessibility Strategy: Education, Schools and Early Years Settings

2016-19

Contents

1. Introduction	3
1.1 Key Principles	3
1.2 Remit and Scope of the Accessibility Strategy	3
1.3 Resourcing the Strategy	4
1.4 Monitoring and Review Arrangements	4
2. The Legal Framework	5
2.1 The Equality Act 2010	5
2.2 Accessibility Planning	5
2.3 Further Guidance	6
2.4 Definition	6
2.5 Bracknell Forest's Strategic Priorities	6
2.6 Vision	7
3. Increasing Participation in the School Curriculum	8
3.1 EYFS Statutory Framework (2014)	8
3.2 External Resources Available to Schools	9
4. Improving the Physical Environment of Schools	10
4.1 External Resources Available to Schools	10
5. Improving the Delivery of Information	12
5.1 Early Intervention Team	12
5.2 The 'Local Offer'	13
5.3 Family Information Service	13
5.4 Disability Register	13
5.5 Adviza	14

1. Introduction

Bracknell Forest Council strives to provide all children and young people with the opportunity to maximise their potential and be included in their community. The local authority (LA) recognises the need to provide a wide range of individual and often complex services to meet the needs of individual children and young people. Eliminating discrimination, advancing equality and celebrating difference supports three of our Council Plan's six strategic themes:

- People have the life skills and education opportunities they need to thrive
- People live active and happy lifestyles
- Strong, safe, supportive and self-reliant communities.

1.1 Key principles

- Inclusion is a process by which schools, early years settings, post 16 establishments, local authorities and others develop their cultures, policies and practices to include all pupils;
- An inclusive education service offers excellence and choice and incorporates the views of parents/carers and children;
- The interests of all pupils must be safeguarded; schools, early years settings, post 16 establishments, Local Authorities and others should actively seek to remove barriers to learning, inclusion and participation.

Bracknell Forest Council believes that educational inclusion is about equal opportunities for all children, whatever their age, disability, gender, ethnicity, religion or belief, sexual orientation, attainment or background.

1.2 Remit and scope of the Accessibility Strategy

This document has been written in accordance with the Council's duty under equality legislation to prepare an accessibility strategy, describing how the Council will work with schools and early years settings that provide government funded early education places to:

- Increase the extent to which pupils with disabilities can participate in the schools' and early years' curriculums;
- Improve the physical environment of schools and early years settings;
- Improve the delivery of information to pupils with disabilities and their families.

This document addresses the parts of the Equality Act 2010 relating to children and young people with disabilities and their access to schools maintained by Bracknell Forest Council and has been widened to include early years settings that receive funding via the Council.

The Accessibility Strategy complements existing Council plans and strategies, including 'All of Us', the Council's Equality Scheme, equality objectives, the Children and Families Act/SEND Code of Practice (2014) and information published by schools to demonstrate compliance with the Public Sector Equality Duty.

1.3 Resourcing the Strategy

To deliver the outcomes identified in this Strategy, existing funding streams will be directed toward the priorities identified. The Council will continue to look at ways to improve its efficiency and effectiveness to deliver the same quality and range of services for less money, or to deliver more for the same level of expenditure. Wherever possible, the Council will seek to develop services and projects in conjunction with key partners such as those in health and the voluntary sector to deliver services for children and young people.

1.4 Monitoring and review arrangements

This Strategy will be kept under review and amended as necessary to reflect new legislation and statutory guidance, and developments in local resources and service delivery.

2. The Legal and Strategic Framework

2.1 The Equality Act 2010

The Equality Act 2010 brought together a range of equality duties and requirements within one piece of legislation. The Act introduced a single Public Sector Equality Duty or 'general duty' that applies to public bodies, including maintained schools, academies and Free Schools and which extends to all protected characteristics – race, disability, sex, age, religion or belief, sexual orientation, pregnancy and maternity, marriage and civil partnership, and gender re-assignment. The combined equality duty came into effect in April 2011.

The Duty has three main elements. In carrying out their functions, public bodies are required to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it.
- Foster good relations across all characteristics – between people who share a protected characteristic and people who do not share it.

Requirements for local authorities to put in place an accessibility strategy are specified in Schedule 10 of the Act: 'Accessibility for disabled pupils'.

Early Years Providers, including private day nurseries, childminders, childminder agencies, pre-schools and playgroups, and Sure Start Children's Centres, which provide early education to pre-school children, have the same duties under the Equality Act 2010 as other service providers. Although not considered to be education institutions, they are required to follow the Early Years Foundation Stage and the Special Educational Needs Code of Practice if they are in receipt of the Free Entitlement funding, and are inspected by OFSTED.

2.2 Accessibility planning

With regard to the planning duty for pupils with disabilities, Schedule 10 of the Act identifies three strands which schools and local authorities must address in their accessibility plans/ strategies:

- 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; and
- improving the availability of accessible information to disabled pupils which is readily accessible to pupils who are not disabled. Any delivery of information must be within a reasonable time and in ways which are determined after taking account of the pupils' disabilities and any preferences expressed by them or their parents.

This is known as 'The Planning Duty'. Schools must also have regard to the need to provide adequate resources for implementing plans and must regularly review them. An accessibility plan may be a freestanding document or may be published as part of another document such as the school development plan. Schools also have additional duties under the Equality

Act to publish information e.g. to demonstrate compliance with the Public Sector Equality Duty.

Local authorities must prepare accessibility strategies based on the same principles as the accessibility plans for schools.

2.3 Further guidance

Guidance on the planning duties and wider compliance with the Equality Act as applicable to both schools and local authorities can be found in “Equality Act 2010: advice for schools” which was published in February 2013. This can be downloaded at <https://www.gov.uk/government/publications/equality-act-2010-advice-for-schools>

2.4 Definition

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 carry out normal day-to-day activities. A physical or mental impairment includes learning difficulties, mental health conditions, medical conditions and hidden impairments such as dyslexia, autism and speech, language and communication impairments (Equality Act 2010).

2.5 Bracknell Forest’s Strategic Priorities

Bracknell Forest’s Council Plan¹ sets out a vision of what the Council wants the Borough to be like. The Plan includes:

- a narrative for the Council to address the challenges currently faced;
- six strategic themes, with key measures of success and performance indicators.

The Bracknell Forest Children and Young People’s (CYP) Partnership represents the range of partners who deliver support and services to children, young people and their families in the Borough. The CYP Partnership has a key role to identify and address issues that have an impact on the wellbeing of our children and young people. The main vehicle for this has been through the development and delivery of ‘Creating Opportunities’ the Joint Strategic Plan for Children, Young People and Families in Bracknell Forest 2014 – 17.

The strategy is overseen by the Bracknell Forest Children and Young People’s Partnership Board, a small multi-agency group, responsible for ensuring the Plan is developed and that actions and working groups are progressed and monitored on a regular basis. A number of working groups support the delivery of the priorities, and report progress directly to the Board.

¹ <http://boris.bracknell-forest.gov.uk/council-plan-2015-2019.pdf>

² <http://www.bracknell-forest.gov.uk/cypp-plan-creating-opportunities-2014-to-2017.pdf>

The current outcome priorities for children and young people are:

- OP 1 Raise levels of attainment and pupil progress across all phases of learning for all pupils
- OP 2 Improve physical and emotional health and wellbeing from conception to birth and throughout life
- OP 3 Safeguard and protect children and young people
- OP 4 Improve outcomes for the most vulnerable children and young people in the borough
- OP 5 Strengthen families through effective multi-agency coordination and support
- OP 6 Reduce the impact of poverty on children and young people

2.6 Vision

Bracknell Forest Council promotes a positive attitude towards diversity. The Council is committed to providing a service that is responsive to the needs and aspirations of the diverse community it serves. This commitment is therefore reflected in its Accessibility Strategy. The strategy encourages a pro-active approach to improving access for pupils with disabilities. The strategy has regard to the duties as outlined in the SEN and Disability Act 2001 amended Part 4 of the Disability Discrimination Act 1995 and in particular the main duties:

- Not to treat disabled pupils less favourably for a reason related to their disability;
- To make reasonable adjustments for disabled pupils so that they are not at a substantial disadvantage.

The Accessibility Strategy outlines the steps the Council is taking to improve access for pupils with a disability. The strategy aims to promote a proactive approach to improving access by:

- Ensuring that the rights of pupils with disabilities are upheld;
- Supporting the aims and aspirations of pupils with a disability;
- Improving access to information, curriculum and the environment;
- Creating a positive attitude towards disability and challenge negative perceptions;
- Developing a culture of awareness, acceptance and inclusion.

It is recognised that many of these steps will benefit all school users.

3. Increasing participation in the school curriculum

Schools are responsible for providing a broad and balanced curriculum for all pupils and have a key role in planning to increase access to the curriculum for pupils with disabilities and those with Special Educational Needs (SEN). The curriculum covers not only teaching and learning but the wider curriculum of the school such as participation in after school clubs, leisure, sporting and cultural activities or school visits. The curriculum should provide relevant and challenging learning to all children. It should follow the principles set out in the National Curriculum inclusion statement:

- setting suitable learning challenges;
- responding to pupils' needs and overcoming potential barriers for individuals and groups of pupils.

Schools should consider the needs of a range of pupils with disabilities and prospective pupils, but they are not obliged to anticipate every imaginable disability and need only consider general reasonable adjustments for pupils that might attend in the future - e.g. being prepared to produce large font papers for pupils with a visual impairment even though there are no such pupils currently admitted to the school.

Additional provision to enable pupils with learning difficulties to access the curriculum is already delivered through the SEN framework, which is supported in the main by delegated funding to mainstream schools, and this will cover the needs of many pupils with disabilities. The Council recognises that schools are likely to require external support to maximise their ability to respond to diverse needs, and for the more complex needs, the pupil may require the support of an Education, Health and Care Plan in order to secure specialist external support. Information provided by a school such as *Provision Maps* for individual pupils should provide clear information about what provision is in place to meet identified needs and progress and help children and young people and their parents understand what is happening in school.

3.1 Early Years Foundation Stage (EYFS) Statutory Framework (2014)

This framework is mandatory for all early years providers (from 1 September 2014), maintained schools; non-maintained schools; independent schools; all providers on the Early Years Register; and all providers registered with an early years' childminder agency. The EYFS statutory framework and learning and development requirements form the curriculum for all children from birth to 5 years.

- The learning and development requirements are given legal force by an Order made under section 39(1)(a) of the Childcare Act 2006.
- The safeguarding and welfare requirements are given legal force by Regulations made under section 39(1)(b) of the Childcare Act 2006.

3.2 External resources available to schools

Through various specialist teams and services, the Council promotes the inclusion and attainment of children and young people with special educational needs and disabilities (SEND), building capacity within schools and settings, supporting staff development and the implementation of effective policies and practices, so that children and young people with additional needs are included in all aspects of school/setting life and make good progress.

Specialist practitioners, such as advisory teachers, behaviour support mentors and Educational Psychologists, provide support to all schools and early years settings across the borough, sharing their expertise and their links to other agencies and advising on strategies and resources to meet the needs of pupils, improve outcomes and increase inclusion in school life and the wider community.

More specialist provision for children with high needs is in place within Early Help to support settings with early identification and provision for pre-school children with SEN and disability. These posts work closely with the Council's SEN Service to ensure effective transitions between early education settings and schools for children with SEND.

More specialist provision for pre-school children with high needs SEND is currently provided through resourced nursery places and this provision and associated referral processes and funding is being further reviewed to ensure it meets the specific needs of children identified from 0-4 years.

The Council has a statutory obligation to identify, assess and make provision for those children and young people with the most complex and long-term SEND. This is achieved through an Education, Health and Care Needs Assessment. If, following this assessment, the local authority issue an Education, Health and Care Plan (EHCP), this document will be maintained, monitored and reviewed in line with SEN legislation. The local authority's range of specialist provision is reviewed and developed to correspond with increasing or changing patterns of demand for services for children and young people with additional needs using information provided by such documents as the Joint Strategic Needs Analysis.

Additional funding is available to mainstream settings across the Council to improve access to the curriculum. Funding mechanisms for SEN, and various specialist high cost equipment budgets assist schools in providing targeted support, resources and equipment for children and young people with the most complex needs.

4. Improving the physical environment of schools

This strand of the planning duty includes improvements to the physical environment of the school and physical aids to access education. The physical environment includes steps, stairways, 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, signs, interior surfaces, floor coverings, room décor and furniture. Improvements to physical access might include - ramps, handrails, lifts, widened doorways, electromagnetic doors, adapted toilets and washing facilities, adjustable lighting, blinds, induction loops, well designed room acoustics and way-finding systems.

All new school buildings have to comply with the Building Regulations and The Education (School Premises) Regulations 1999 and should be physically accessible to pupils with disabilities. However, much of the work in this area will involve improving access to existing buildings.

Improved access to the physical environment can be achieved by rearranging room space, removing obstructions from walkways, changing the layout of classrooms and designated storage space or by reallocating rooms to particular subject specialisms.

When planning to improve the physical environment, schools should consider the needs of individual pupils or groups of pupils including:

- Pupils with complex physical impairments who may use a wheelchair to move around school.
- Pupils with less complex physical impairments, who are ambulant, but still require some adaptations, special considerations or adjustments to the school environment.
- Pupils with a sensory impairment or other difficulty requiring adaptations to the school environment or the presentation of information in appropriate formats.
- Pupils who, for a variety of reasons, require specialist toilet and changing facilities.

In addition to having a duty to consider reasonable adjustments for particular individual pupils with disabilities that may already attend the school, schools also have to consider potential adjustments which may be needed generally as it is likely that any school will have pupils with a range of disabilities at some point. However, schools are not obliged to anticipate and make adjustments for every imaginable disability and need only consider general reasonable adjustments. Bracknell Forest Council is committed to developing the range of provision available across the borough with the aim that children are able to access an adapted school within their local area, and recognises that schools are likely to require external support when looking to make improvements of this nature.

4.1 External resources available to schools

Through various specialist teams and services, the Council can provide advice to schools about, for example,

- improving the acoustic environment for pupils with hearing impairment;
- the reduction of glare and the improvement of signage for pupils with visual impairment;
- reasonable adjustments to the physical environment for pupils with mobility difficulties.

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Specialist staff can advise a school about an individual pupil's mobility and physical development. This might include things like:

- Co-ordination and ability to sit, stand and walk.
- How best to help the child develop physically, to keep the child as mobile as possible and on any appropriate specialist equipment or adaptations to the environment or equipment that might support and enhance accessibility.
- Using activity-based therapies to help raise an individual pupil's self-esteem and to encourage them to be as independent as possible.
- Any appropriate specialist equipment or adaptations to the school environment if required.

Access Audits are undertaken by the Council of all establishments by specialist consultants and these identify physical access issues that may affect individual sites and buildings.

The Council also manages a variety of capital projects across the Borough including the rebuilding, remodelling and refurbishing of primary, secondary and special schools. Under the CYPL Asset Management Plan, the highest priorities for physical access are for those works required in respect of individual pupils, service users, staff or building users who are registered disabled or with statements for special needs for physical access.

Additional funding is therefore available to establishments including schools for:

- minor adaptations to the physical environment such as ramps for wheelchair users.
- items of specialist equipment such as hoists and changing tables for pupils with toileting and other personal care needs.

The Equality and Human Rights Commission have produced technical guidance for schools on "Reasonable Adjustments for Disabled Pupils"

[http://www.equalityhumanrights.com/sites/default/files/publication_pdf/Reasonable%20adjustments%20for%20disabled%20pupils%20\(1\).pdf](http://www.equalityhumanrights.com/sites/default/files/publication_pdf/Reasonable%20adjustments%20for%20disabled%20pupils%20(1).pdf)

5. Improving the delivery of information

This part of the duty covers planning to make written information normally provided by a school to its pupils available to pupils with disabilities. The information should take account of pupils' disabilities, pupils' and parents' preferred formats and be made available within a reasonable time frame. The information might include handouts, timetables, and information about school events. Schools might consider providing the information in alternative formats (such as large print and audio tape) using ICT, or providing the information orally.

The School Information (England) (Amendment) Regulations 2012 specifies the minimum requirements for information which must be provided on school websites and reproduced as a paper copy without charge for any parent who asks for it. Schools must ensure their websites are reviewed annually and include:

- The name, postal address and telephone number of the school, and the name of a person to whom enquiries should be addressed.
- The admission arrangements for the school, including any selection or oversubscription criteria, or guidance on how to access such information on the LA's website.
- Information as to where, and by what means, parents may access the most recent report about the school published by her Majesty's Chief Inspector of Education, Children's Services and Skills.
- The school's most recent Key Stage 2 and Key Stage 4 results as published by the Secretary of State in the School Performance Tables published on the Department for Education's website.
- Information as to where, and by what means, parents may access the School Performance Tables published by the Secretary of State on the Department for Education's website.
- Information about the school curriculum including the content of the curriculum followed by the school for each subject and details as to how additional information relating to the curriculum may be obtained; the names of any phonics or reading schemes in operation; a list of the courses offered at Key Stage 4 which lead to a GCSE qualification; and a list of other courses offered at Key Stage 4 and the qualifications that may be acquired.
- The school's behaviour policy.
- The amount of the school's allocation from the Pupil Premium grant in respect of the current academic year; details of how it is intended that the allocation will be spent; details of how the previous academic year's allocation was spent, and the effect of this expenditure on the educational attainment of those pupils at the school in respect of whom grant funding was allocated.
- The school's policy for pupils with special educational needs and the school's SEN information report.

5.1 Education Welfare Service

The Education Welfare Service offers a core service, on a referral basis, to all schools, including legal action, and in addition a targeted service to schools that have signed up to a Service Level Agreement. Services offered to families are the same, regardless of a child / young person's special educational need / disability and can help to identify barriers to

attendance. School staff will provide advice and support to families to help them get their children into schools and to ensure that barriers to attendance are removed, helping the child to access education. Parents will be notified of the decision to proceed to legal action once made in all cases.

5.2 The 'Local Offer'

The SEND reforms require every authority to produce a web based 'Local Offer'. The Local Offer brings together information for children and young people with special educational needs and disabilities and their families. In Bracknell Forest, the Local Offer sits on the Council's Local Directory³ and this has been developed to ensure that the information required through the SEND reforms is part of a much bigger resource of information / advice, services and activities. Information is formatted so families can quickly filter information according to their needs.

Bracknell Forest's publication of the Local Offer is an ongoing process and will evolve and change to meet the needs of families and young people with SEND as well as serving to identify gaps in provision. The directory is being developed in consultation with, and as a result of the feedback from service providers, young people, parents and families.

5.3 Family Information Service

Bracknell Forest's Family Information Service⁴ provides universal information and advice for all families across Bracknell Forest. Additionally, the Information, Advice and Support Service provides confidential and impartial advice and information to support parents/carers and children and young people who have, or may have Special Educational Needs and Disabilities (SEND) in Bracknell Forest⁵.

The Short Break Service⁶ can signpost families of children with disabilities to information on short breaks, activities, advice and support groups.

5.4 Disability Register

All local authorities are required by the Children Act 1989 to hold a register of disabled children aged 0-18 years. This information ensures that the LA appropriately reflects the needs of children with disabilities in planning. In addition, it enables the LA to work more closely together with health and voluntary organisations to identify and plan for children and young people with disabilities and their parents/carers.

However, registration is on a voluntary basis and no child will be registered without parental consent but the more that is known about children with disabilities in Bracknell Forest, the more effectively services can be planned. Parents of children with disabilities should therefore be encouraged to register their child's details by schools and or other involved professionals.

The information provided is held confidentially and securely.

³ <http://bracknellforest.fsd.org.uk/kb5/bracknell/directory/home.page>

⁴ <http://www.bracknell-forest.gov.uk/familyinformation>

⁵ <http://www.bracknell-forest.gov.uk/informationadviceandsupportservice>

⁶ <http://www.bracknell-forest.gov.uk/shortbreaks>

5.5 Adviza

Adviza is contracted by the Council to provide impartial, advice and guidance to children and young people with statements or EHCPs (and their families) on the learning and vocational choices that are available to young people from year 11 onwards. This service commences in year 9, when preparation for adulthood is addressed, and includes one-to-one guidance, working closely with school SEN Co-ordinators (SENCOs), and attending annual and person-centred reviews. Its aim is to support children and young people and their parents/carers in exploring and making well-informed decisions about learning, training and work beyond 16.