

School Accessibility Plans and the Statutory Requirements for Governors

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Legislation



The requirement for a Local Authority to write an Accessibility Strategy and for Schools to produce an Accessibility Plan, based in-part on that Strategy, is set out in Schedule 10 of the Equality Act 2010 and specifically relates to pupils with a disability (sections 4.29-31)

Unlike the rest of the Equality Act which has a focus on equal treatment, the sections relating to disability are different and recognise that a person with a disability may have to be treated more favourably than someone who does not, in order to avoid substantial disadvantage

Where a school does something that might put a disabled child at a substantial disadvantage compared with those who are not disabled, they must take reasonable steps to avoid that disadvantage. Failure to make a reasonable adjustment is a form of discrimination under the Equality Act



Reasonable Adjustments



The Duty to make reasonable adjustments applies only to disabled people and requires a **school to take positive steps** to ensure that disabled pupils can fully participate in the education provided by the school, and that they can enjoy the other benefits, facilities and services that the school provides for pupils

For schools the duty is summarised as follows:

- Where something a school does places a disabled pupil at a disadvantage compared to other pupils then the school must take reasonable steps to try and avoid that disadvantage
- Schools will be expected to provide an auxiliary aid or service for a disabled pupil when it would be reasonable to do so and if such an aid would alleviate any substantial disadvantage that the pupil faces in comparison to non-disabled pupils

Schools are not subject to the requirement of reasonable adjustment duty concerned with making alterations to physical features because this is already considered as part of their planning duties

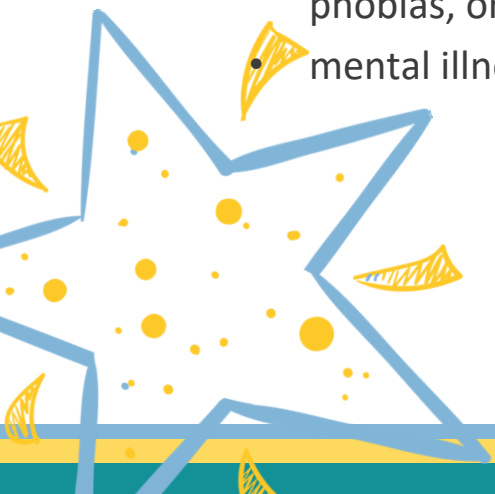
Who the Legislation Covers?



Under the Equality Act (2010), 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'.

A disability can arise from a wide range of impairments including:

- physical impairments;
- learning disabilities;
- sensory impairments, such as those affecting sight or hearing;
- impairments with fluctuating or recurring effects such as rheumatoid arthritis, myalgic encephalitis (ME), chronic fatigue syndrome (CFS), fibromyalgia, and epilepsy;
- developmental, such as autistic spectrum disorders (ASD), dyslexia and dyspraxia;
- mental health conditions with symptoms such as anxiety, low mood, panic attacks, phobias, or unshared perceptions; eating disorders; and some self-harming behaviour;
- mental illnesses, such as depression and schizophrenia.



Meeting the Duties – The Local Authority and Schools




Schools and LAs need to carry out accessibility planning for disabled pupils:

Local Authorities: All Local Authorities must have an Accessibility Strategy for the schools it's responsible for. In Reading this includes maintained nursery schools and early years settings that receive funding via Brighter Futures for Children. The Local Authorities Accessibility Strategy explains how over time, it will support the schools it's responsible for in order to:

- increase access to the **curriculum** for disabled pupils
- improve the **physical environment** of schools to increase access for disabled pupils
- make written **information more accessible** to disabled pupils by providing information in a range of different ways

Schools: Local Authority Accessibility Strategies don't apply to academies or free schools (mainstream or special). However, all schools, including academies and free schools, must have an Accessibility Plan which is based upon the same principles as an Accessibility Strategy; a key principle of which is to make reasonable adjustments in the context of the 3 areas above

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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 – Developing and Implementing Accessibility Plans



Our Graduated Response Guidance provides guidance to schools and settings on inclusive practice against the 4 areas of need set out in the SEND Code of Practice (2015). This aims to support consistent practice across schools and settings.

https://servicesguide.reading.gov.uk/kb5/reading/directory/advice.page?id=YU16_nsBQ

School Accessibility Plans must deliver on:

1. Increasing the extent to which disabled pupils can participate in the schools and early years **curriculum**
2. Improving the **physical environment** of the schools for the purpose of increasing the extent to which disabled pupils are able to take advantage of education and benefits, facilities or services provided or offered by the schools
3. Improving the delivery and **access to disabled pupils of information** which is readily available to pupils who are not disabled

Additional guidance for schools and examples of what to include in a Schools Accessibility plan can be found in the Reading Accessibility Strategy at this link

<https://brighterfuturesforchildren.org/about/policiespublications-and-reports/>



Funding to Deliver on the Key Requirements of the Duty



Schools are expected to fund reasonable adjustments in line with the Equality Act from within their budget. This Duty applies to all pupils with a disability, whether or not they have an EHCP

Schools receive funding through a delegated budget for all pupils 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 SEN budget which enables them to provide additional support for those pupils that need it, of up to £6,000 per pupil, per year

*Schools should use these monies to support implementation of the requirements of the Accessibility Strategy / Plan, particularly in terms of **increasing access to the curriculum** and when **making written information more accessible***



There is a third element of funding available to schools for pupils who have additional needs costing over £6,000 per year; this is known as top-up funding. The EHCP will include equipment and communication aids that have been assessed as a need and is beyond which the school can provide

Brighter Futures for Children provides a range of services to work with schools to support pupils with SEN and disabilities. Some of these are funded through a centrally retained budget funded via High Needs Block Funding and aspects are therefore available to schools free of charge

Some are available on a traded basis and schools should use their existing funding mechanisms to access these, in order to meet the requirements of Accessibility Strategies and Plans, particularly in terms of increasing access to the curriculum and when making written information more accessible. For example, Educational Psychologists may work with schools to support understanding and meeting needs of pupils with specific disabilities

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Responsibility for Funding Physical Adaptations

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Accessibility to school buildings is a partnership between Reading Borough Council (RBC), Brighter Futures for Children (BFfC) and schools to ensure that the needs of individual learners with disabilities are met

Councils receive no dedicated access funding for adaptation, improvement or alteration at any schools. Therefore, funding from RBC or BFfC for accessibility improvements related to pupils joining or transferring to an individual school will need to be considered by the Council and BFfC as these priorities arise (on a case-by-case basis)

Where physical alterations are required to a school building, the responsibility for implementing and funding the work will rest with Reading Borough Council (RBC) or the school/responsible body or both, depending on the nature of the work required

Revenue and capital funding to support adaptations in schools comes from a variety of sources including:

- *Funding made available to schools by Reading Borough Council*
 - *Funding made available to schools by BFfC*
 - *Other responsible bodies such as Multi Academy Trusts and individual school budgets.*

Responsibility for Funding Physical Adaptations

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Adaptations in Voluntary Aided Schools: Most, but not all adaptations in Voluntary Aided Schools are funded from the Locally Co-ordinated Voluntary Aided Programme (LCVAP) which provides funding at 90% of the cost; the final 10% falls to the Governing Body of the school, trustees or to the relevant Church Authority

Adaptations in Academies: Academy Schools are independent of the Council and are funded directly by Central Government. Advice from DFE is that Councils (inc Brighter Futures for Children) should discuss the placement of a pupil with additional needs with an Academy prior to the issue of an Education Health and Care Plan and that the issue of costs and funding should form part of that discussion

Schools and responsible bodies are expected to continue to improve access through repair and maintenance as part of school conditions work; in-line with the Equality Act 2010.

Typical Adaptations Required for Individual Disabled Pupils and Responsibilities (page 1 of 2)



- Ramps RBC
- Installation of lifts including building work (RBC)
- Create accessible toilets/changing areas - RBC
- Install/replace doors to meet requirements for non-ambulant users - RBC
- Automated door openers and electronic hold open devices - RBC
- Installation of grab rails and handrails over and above the needs of other building users - RBC
- Drop kerbs OCC Acoustic improvement works such as false ceilings and wall boards - RBC
- Installation of fixed equipment e.g. track hoist, height adjustable bed, washer-dryer toilet to include survey and liaison with supplier – Brighter Futures for Children
- Provision of secure fencing to create a safe environment to prevent escape, on an exceptional basis only where there is a specific need over and above what would ordinarily be required for the school to comply with its safeguarding duties - RBC
- Repairs and maintenance (e.g. doors, floor surfaces etc) - School/Responsible Body
- Install viewing panels at various heights to doors for increased visibility - School/Responsible Body

Typical Adaptations Required for Individual Disabled Pupils and Responsibilities (page 2 of 2)



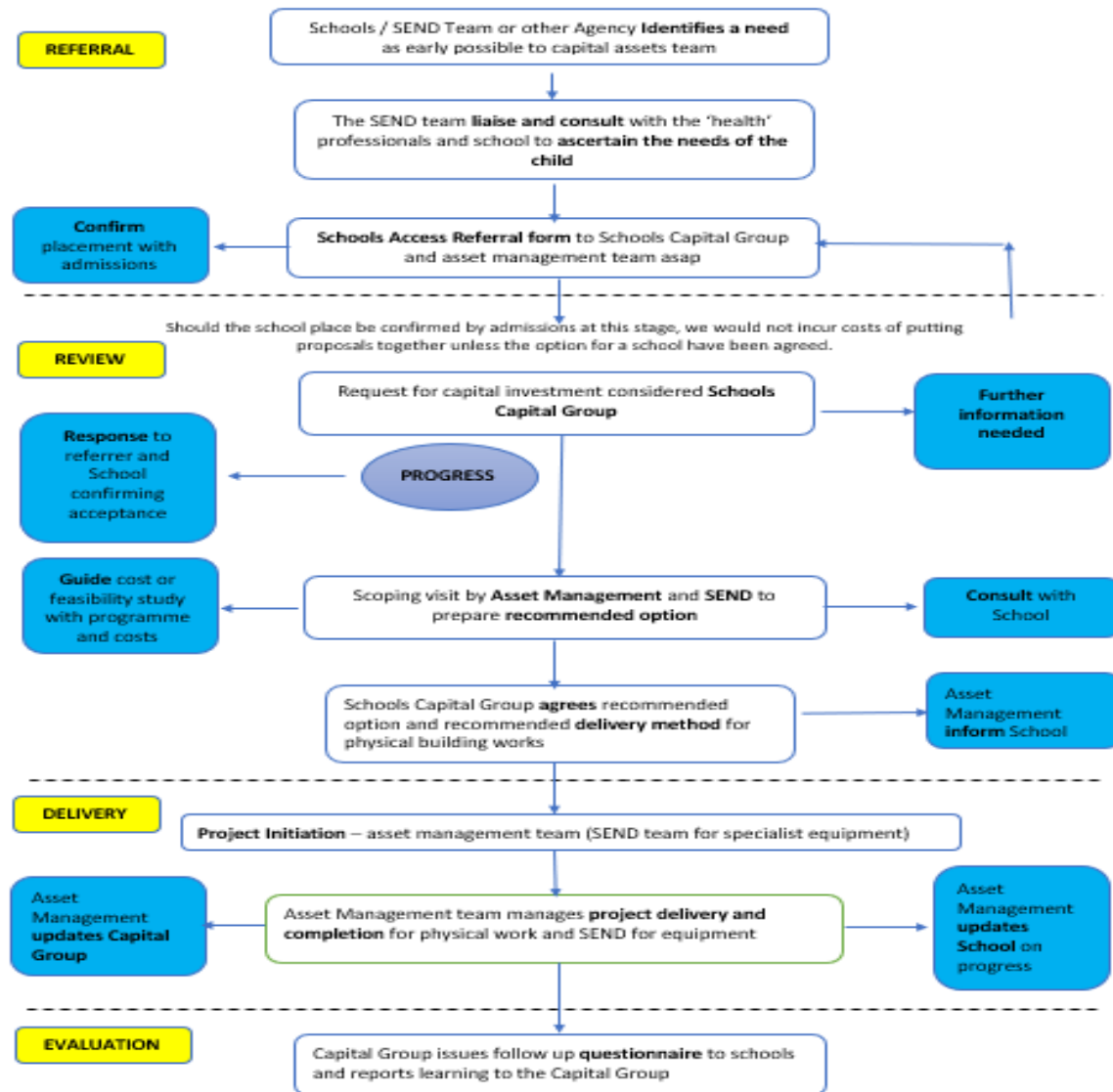
- Replace door furniture or addition of high handles - School/Responsible Body
- Adaptations to entrance matting/trip hazards/flush door detail - School/Responsible Body
- Remove trip hazards on external circulation routes, such as uneven paving, pot holes and tree roots - School/Responsible Body
- Replace car park line markings for disabled car park spaces - School/Responsible Body
- Basic induction loop for a reception area - School/Responsible Body
- Install audio link/call bell from main entrance door to reception area - School/Responsible Body
- Visual and tactile warning signs for various requirements – To include Braille signs where required, position of visual indicators - School/Responsible Body
- Redecorate wall/ceiling finishes with colour differentiated Schemes - School/Responsible Body
- Improved signage throughout the site and buildings - School/Responsible Body
- Use of appropriate lighting, blinds, whiteboards with matt finish - School/Responsible Body

**In all cases Schools/Responsible Bodies will be expected to fund low cost individual items*

Schools Access Framework



(Appendix A) Adaptation Process – for work requiring capital funding



Supporting Schools - Examples of Recent Works Undertaken in line with Reading Borough Council's Accessibility Strategy



Increasing access to the curriculum

- Graduated Response Guidance
- Therapeutic Thinking Schools
- The Schools Link Mental Health Project
- The Mental Health Support Team trailblazer project

Improving the physical environment

- Parks and Leisure Directorate are working in liaison with RBC, BFfC and the local communities to improve accessibility for children and young people with SEND to the broader offer which schools may access
- Specialist SEN accommodation for CYP and autism is in place in Blessed Hugh Farringdon specialist resource

Making written information more accessible

- Providing information in enlarged print for a pupil with a visual impairment: The Local Offer has the function to enlarge text, this can be printed or emailed to the recipient
- Providing easy-read guidance on the Local Offer: Where possible we will provide easy read documents. There is also a guidance document to help users access the SEND Local Offer
- The SEND Local Offer has Google translate. Therefore, all information can be translated in to the users preferred language

Guidance and Useful Reading



Equality Act 2010 (sections 4.29-31)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/315587/Equality_Act_Advice_Final.pdf

SEND Code of Practice (paragraphs 20 & 21)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf

Pupils with Medical Conditions

<https://www.gov.uk/government/publications/supporting-pupils-at-school-with-medical-conditions--3>

Reading SEND Strategy 2017-22

<https://brighterfuturesforchildren.org/wp-content/uploads/2019/04/SEND-Strategy.pdf>

Reading Accessibility Strategy

[https://brighterfuturesforchildren.org/about/policies-publications-and-reports/.](https://brighterfuturesforchildren.org/about/policies-publications-and-reports/)

Special Educational Needs & Disabilities - Reading's Local Offer

<https://servicesguide.reading.gov.uk/kb5/reading/directory/family.page?familychannel=3>

For further information or questions please contact:

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