



Walsall Council

PROUD OF OUR PAST OUR PRESENT AND FOR OUR FUTURE

Walsall Accessibility Strategy

Walsall Council

2020-2023

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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.

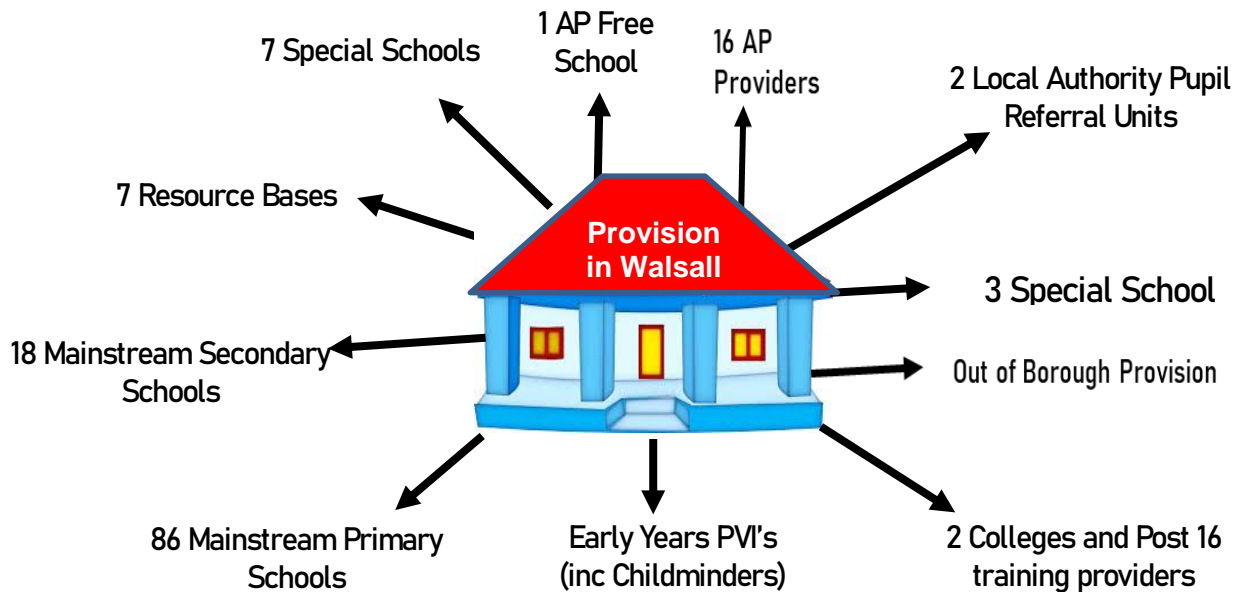
In line with the 2014 Children and Families Act, Walsall are committed to ensuring:

- 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 and Inclusion Strategies, helping 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.

Background

Local context



The Walsall Right for Children Inclusion Strategy sets out the determination to make Walsall a great place to be a child and to maximise learning for all children and young people. We want the best start in life for all and believe that this will be achieved through inspirational leadership and high quality school places.

We want children to be proud to succeed and to experience an education that meets their individual needs. We know that this will ensure that children thrive in their learning and no-one is left behind. Taking into account significant changes in the national policy, there is now a focus on collaborative working between schools, partner agencies and the LA through such developments as the Children and Family Act 2014.

Identification and removing barriers to access and participation must take into account new ways of working and new approaches to curriculum delivery in an around partnerships of schools, both mainstream and special. Early identification and response to issues arising is paramount, and it is the function of this document to provide an overview of the provision that will ensure our inclusive strategy is championed throughout our services for children and young people.

Over time, we have comprehensively addressed our statutory duties through our Accessibility Strategy: within services and within our schools/settings/Academies. However, we acknowledge that 'ensuring accessibility' is an ongoing focus; staff change and schools/settings will at times encounter special educational needs and disabilities for the first time. There will always be a need for further action and development. We are not complacent and aim to foster a 'learning culture' that promotes continual improvement in all that we do.

Introduction

This accessibility strategy sets out the approach that Walsall Council is taking to increase access to education for disabled children and young people, allowing them to benefit from the same educational provision of children and young people without disabilities.

All local authorities must have an accessibility strategy for the schools it is responsible for, for example, Local Authority maintained schools. This is a requirement of law, the Equality Act 2010.

Accessibility strategies do not apply to academies or free schools. However, all schools, including academies or free schools, must have a must have an accessibility plan, which is based on the same principles as an accessibility strategy.

An accessibility strategy explains how over time, the local authority will support the schools it is 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

Disability in its broadest sense covers:

- physical impairments
- learning difficulties
- sensory impairments
- mental impairments

Definition of Disability

Under the Equality Act 2010, disability is a protected characteristic. 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'.

“Substantial” means more than trivial

“Adverse” means unfavourable or injurious

“Long term” means if it lasts, or is likely to last 12 months or more

The definition includes sensory impairments such as those affecting sight or hearing; physical disabilities including mobility impairments, dyslexia, autism, 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.

Medical needs

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. The Children and Families Act 2014 places a duty on maintained schools and academies to support pupils with medical conditions. Individual healthcare plans (IHCP) will normally specify the type and level of support required to meet the medical needs of such pupils. Where children and young people also have SEN, their provision should be planned and delivered in a co-ordinated way with the healthcare plan. Schools are required to have regard to statutory guidance '[Supporting pupils at school with medical conditions](#)'.

Legislation

The Council's requirement to write an accessibility strategy is outlined in Schedule 10 of the Equality Act 2010 (Part 6, Section 88) and specifically relates to pupils with a disability.

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

Overall, the Equality Act has a clear focus on equal treatment, however within Schedule 10 of the Act, 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; this will 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. Substantial meaning, anything that is more than minor or trivial.

Reasonable adjustments

Reasonable adjustments, often termed as the 'reasonable adjustments duty' are the reasonable steps taken to avoid substantial disadvantage. Local Authorities and schools/settings must adhere to this duty. This means taking positive steps to ensure that disabled pupils 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 its pupils. When deciding if a reasonable adjustment is necessary, schools need to consider potential impact on disabled pupils in terms of time and effort, inconvenience, indignity and discomfort, loss of opportunity and diminished progress.

The reasonable adjustments duty contains the following elements:

- Provisions
- Criteria
- Practices, for example day to day operations, including rules and policies, decisions and actions
- Auxiliary aids and services, for example additional support or assistance from a piece of equipment or a member of staff
- Physical features, for example adaptations to buildings

Schools do not have to consider physical features as part of their reasonable adjustments duty. Instead they have a duty to plan better access for disabled pupils generally through their accessibility plan. The law on reasonable adjustments is anticipatory; it requires local authorities and schools to consider the needs of potential disabled pupils in addition to those already attending the setting.

Failure to make a reasonable adjustment is a form of discrimination under the Equality Act.

Public Sector Equality Duty

In addition to meeting the specific requirement set out in Schedule 10 of the Equality Act, this accessibility strategy will also help Walsall Council meet the Public Sector Equality Duty (PSED) with regard to disabled pupils. More information can be found here:

[https://go.walsall.gov.uk/equality and the law](https://go.walsall.gov.uk/equality_and_the_law)

The PSED applies to all protected characteristics:

- Disability
- Race
- Sex
- Age
- Religion or belief
- Sexual orientation
- Pregnancy and maternity
- Marriage and civil partnership
- Gender reassignment

The PSED requires public bodies to understand the need to:

- Eliminate discrimination and other conduct that is 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

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.

The General Equality Duty

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 General Duty outlines **what** settings do, with the Specific Duty outlining **how** settings have implemented it, and what they need to record as evidence of what they have done.

- 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.

- 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).

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.

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.

Whilst the accessibility strategy relates to maintained schools, many of the support arrangements made by the Local Authority will also benefit pupils with a disability who are attending academies and free schools within the area.

Our Priorities

Priority 1: Improving access to the school 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.

The Local Authority (LA) will:

- Provide a Local Offer of services and provision that is available to children and young people with SEND
- Have high aspirations for the most vulnerable learners
- Support school leaders, SENDOs and staff members, with regards to strategies, policies and systems available through the LA
- Ensure that Education, Health and Care (EHC) plans are specific about the provision required to make the school curriculum more accessible for pupils with a disability
- Promote and encourage liaison between early years settings and schools to ensure transition
- Have an LA policy and associated guidance for all schools about supporting pupils with medical conditions
- Provide opportunities for capacity building in school, through advice and support available via advisory services and Educational Psychologists
- Communicate effectively with parents and carers, keeping them informed of progress and/or developments
- Apply the appropriate funding to make sure children and young people with SEND are not disadvantaged

Schools will:

- Have regard to SEND duties as outlined in both national and local guidance on meeting duties set out in the Equality Act 2010 and the Children and Families Act 2014
- 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.
- Use a range of high quality inclusive teaching strategies
- Use a graduated response (assess, plan, do, review) cycle when meeting the needs of SEND pupils
- Have high standards for SEND pupils, recognising their potential whilst building a culture of success.
- Communicate effectively with parents and carers, keeping them informed of progress and/or developments
- Ensure all lessons are differentiated and are personalised to ensure that there are no barriers to achievement for any pupil
- Use auxiliary aids to ensure children can be included effectively within the curriculum
- Ensure children with SEND are included socially i.e. activities and school trips
- Provide staff with the opportunity for regular SEND related training
- Ensure effective transition support for pupils with SEND
- Ensure medical and physical needs' support for pupils

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. Improvements to physical access may 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.

- Students with social communication difficulties such as Autism: the creation of safe spaces, low stimuli calming areas, individual workstations, as well as providing a suitable physical environment for children and young people with disabilities

The LA will:

- Make sure new school buildings have a duty to comply with current building regulations in relation to accessibility and make further adaptations when necessary to meet the needs of specific students.
- Monitor transition arrangements for children and/or young people coming into schools for the first time and those moving across school phases
- Where required, facilitate the access of individual pupils with physical or sensory impairments, or complex medical conditions,
- Commission advisory services and provisions such as the Lindens Primary Outreach Service, who provide support for children with physical disabilities.
- Ensure that LA staff work with the School Admissions and/or SEND Team to assist with issues regarding individual placements
- Set expected levels of funding that local authority-maintained schools will be expected to contribute towards schemes that improve the physical environment
- Ensure that Education, Health and Care (EHC) plans are specific about the provision required to make the school curriculum more accessible for pupils with a disability
- Where appropriate, liaise with schools that have buildings under local authority control to support and fund adaptations that go beyond the threshold funding arrangements

Schools will:

- Comply with the anticipatory duties as set by the Equality Act 2010
- Adhere to the specific guidance contained within this accessibility strategy
- respond to the expectations set out in local and national guidance on meeting the Equality Act 2010 and Children and Families Act 2014 with regard to SEND
- keep the physical accessibility of the school building and site under review and make timely arrangements to accommodate access
- include improvements that increase access to the physical environment in an accessibility plan that is published on the school website
- Fund projects that increase access to the physical environment from their own resources and, where appropriate, to liaise with the LA
- Undertake any improvement projects in liaison with their property surveyors and adhere to building regulations and health and safety requirements

- Apply advice provided through environmental audits with the support from SENDIA, Autism professionals i.e. Autism Education Trust, Occupational Therapists, Physiotherapists, Hearing Impairment professionals, Visual Impairment professionals and other relevant services or professionals
- Ensure curriculum needs are met by providing access to appropriate classroom facilities
- Carry out risk assessments for school trips to make sure they're accessible for pupils with autism, mobility, sensory or medical difficulties
- Provide effective professional development for staff and governors
- Communicate effectively with parents and carers, keeping them informed of progress and/or developments

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

[\[Local offer page link\]](#)

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 LA will:

- Ensure new buildings and/or extensions are appropriately signed in line with accessibility and health and safety requirement
- provide information to pupils and their families in accessible formats whenever needed
- Be proactive in research developments with regards to supporting accessibility difficulties
- provide advice to schools and maintained settings from its advisory service on how best to support children and young people with accessing information
- Provide guidance for schools in meeting the needs of children with SEND through the SEND Quality First Teaching Toolkit and SEND Banding Guidance document

- Ensure that Education, Health and Care (EHC) plans are specific about the provision required to make the school curriculum more accessible for pupils with a disability
- Provide advice and support to parents/carers, children and young people through the [SEND Information Advice and Support Service](#)
- Consult with children, young people and parents/carers in the development and review of local strategies
- Provide accessible information for pupils with disabilities and their parents/carer; where necessary providing interpreters, including sign language interpreters.

Schools will:

- Formulate an Accessibility Plan and publish it on their website.
- Have a SEND Information Report, published on their school website
- Make sure they are proactive in seeking advice from professionals regarding accessibility
- Work collaboratively with children, young people and their families regarding processes relating to the accessibility of information
- Monitor and review the skills and expertise of staff to support pupils with disabilities
- Have a link to the SEND Local Offer on their school website
- Use the Graduated Response when meeting the needs of children and young people with SEND,
- Provide accessible information for disabled pupils and their parents/carers
- Use alternative forms of communication with individual pupils where required
- Provide interpreters, including sign language interpreters, where required

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 SEND 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, Monitoring 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 as required, in order to identify further actions required to meet the key aims of this strategy and address the requirements of the Equality Act 2010.

It is the duty of all those working in the Local Authority's maintained schools, and those working for Walsall Council on areas associated with accessibility, make sure this strategy is applied and adhered to. Walsall Council will support schools to implement the strategy, providing information, advice and support to schools as described in the Local Offer.

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

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.

APPENDIX 1: Key Legislation and Guidance

Autism Act. 2009

https://www.legislation.gov.uk/ukpga/2009/15/pdfs/ukpga_20090015_en.pdf

Children and Families Act 2014

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

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>

SEND Code of Practice 2014 revised 2015 <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

SENDIAS – Family Action

<https://www.family-action.org.uk/what-we-do/children-families/walsall-sendias/>

Special Educational Needs and Disability Regulations 2014

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

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

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

The Mental Capacity Act Code of Practice: Protecting the vulnerable (2005)

<https://www.gov.uk/government/publications/mental-capacity-act-code-of-practice>