



Access and Inclusion Service Accessibility Strategy

2019-22

Mae'r ddogfen yma ar gael yn y Gymraeg / This document is available in Welsh

Foreword

Rhondda Cynon Taf County Borough Council values all pupils equally and aims to ensure that appropriate provision is made to meet the diverse needs of all its children and young people.

The Council is committed to meeting the requirements of the Equality Act 2010 as articulated in its Education and Corporate policies.

This accessibility strategy and subsequent guidance will assist schools and the Council to fulfil their legal duties and enhance inclusive practices.

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SECTION 1: The Strategy and Context

Introduction

Rhondda Cynon Taf County Borough Council values all pupils equally and aims to ensure that appropriate provision is made to meet the diverse needs of all its children and young people.

Under the Equality Act 2010, Rhondda Cynon Taf must have reference to the Public Sector Equality duty this legislation places on public bodies.

The Public Sector Equality duty requires all public authorities to have regard to the need to:

- Eliminate discrimination and other conduct prohibited by the Act;
- Advance equality of opportunity;
- Foster good relations.

The Equality Act 2010 enhances the protection against discrimination, victimisation and harassment that was in place under previous legislation by ensuring that certain protected characteristics now have equal protection to those already in place.

Schedule 10 of the Equality Act 2010 places a duty on the local authority/bodies responsible for schools/educational settings to plan to increase the accessibility of their schools.

In fulfilling these duties, local authorities and schools/educational settings are under a duty to prepare Accessibility Strategies and Plans respectively.

Rhondda Cynon Taf's strategy and plan will focus on:

- Enabling access to the curriculum;
- Enabling access to the physical environment;
- Enabling access to information;
- Monitoring, review and evaluation arrangements.

Vision

Working together with parents, carers and schools Rhondda Cynon Taf will have the highest aspirations for all children and young people aged 0-25 attending a school or educational setting and the wider school community.

In order to support young people to achieve the best learning outcomes the Local Authority endeavours to remove any barriers to learning that may hinder or exclude a young person from meeting their full potential.

The Council, in partnership with schools, will implement this strategy to ensure that children and young people with additional learning need (ALN) and/or a physical disability and the wider school community enjoy a fully inclusive school experience. This strategy covers the period September 2019–2022.

Aims of the Strategy

This Accessibility Strategy sets out the Council's aim to continue to improve the accessibility of all its schools, including pupil referral units and nurseries, for disabled learners and adults by:

- Enabling access to the curriculum;
- Enabling access to the physical environment;
- Enabling access to information;
- Robust monitoring, reviewing and evaluation arrangements.

The Rhondda Cynon Taf Context

In striving for all young people in Rhondda Cynon Taf to meet their full academic potential Rhondda Cynon Taf provides support and guidance to schools in meeting the ALN/disabilities of its young people. This support and guidance is available from the Learner Support Service and the Educational Psychology Service.

In addition to services provided directly to schools, Rhondda Cynon Taf has developed a range of specialist provision. The Council's strategy is to support the majority of young people in their local mainstream schools and educational settings; however, we recognise that some young people require more specialist provision and therefore a key part of our strategy is to develop and keep under review a range of specialist provision. This includes mainstream schools with Learning Support Classes for:

- Autistic Spectrum Disorders;
- Complex Learning Difficulties;
- Hearing Impairment;
- Social, Emotional and Behavioural Difficulties;
- Early years assessment and intervention.

This would also apply to our two Pupil Referral Units and four special schools.

Key priorities for the Education Directorate Strategic Business Plan 2019-2022 are aligned to the Council's vision for the future that sees schools as vibrant communities meeting the needs and aspirations of individual pupils through high quality teaching and learning, sound governance and effective leadership.

Equality of Opportunity

- Rhondda Cynon Taf is committed to the promotion and development of equal opportunity in all aspects of the work of the Council, as laid out in The Equality Act 2010, which incorporates the provisions of the previous Disability Discrimination Act.
- Equal opportunity principles apply to everything the Council does – from recruitment and selection to service delivery. To this end, we promote best practice and have specific policies that apply across the board to all services. Our objective is to ensure that everyone, regardless of age, disability, ethnic origin, gender, marriage and civil partnership, pregnancy and maternity, religion or belief, gender reassignment and sexual orientation is treated equally.
- Equality of opportunity, including access and inclusion for all, will continue to underpin our policy development and service delivery. We will continue to work in partnership with the local community in order to respond positively to their specific requirements. This strategy reflects and supports the Council's Accessibility Guidance (Revised 2012) and its Equality and Diversity Policy (Revised 2011).

Definitions and Principles

Disability

The Equality Act 2010 states that a person has a disability if he or she has a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities. Physical or mental impairments can include sensory impairments (such as those affecting sight and hearing), learning difficulties and medical conditions where they have a long-term and substantial effect on pupils' everyday lives.

Special Educational Needs

- The Act sets out details of matters that may be relevant when determining whether a person meets the definition of disability. **Long term** is defined as lasting, or likely to last, for at least 12 months.
- **Discrimination:** A public body must not disadvantage a disabled pupil because of something that is a consequence of or arising from their disability. The interpretation of "discrimination" in relation to disability in this accessibility strategy reflects changes specified in the Equality Act 2010. There can no longer be justification for **direct discrimination** in any circumstances (under the previous Disability Discrimination Act, schools could justify some direct discrimination – if this was a proportionate means of meeting a legitimate aim).

This accessibility strategy also seeks to safeguard pupils against **indirect discrimination** – a school must not do something which applies to all pupils but which is more likely to have an adverse effect on disabled pupils only.

The Additional Learning Needs (ALN) and Educational Tribunal Act was passed in January 2018 and will begin to be rolled out from the start of the new school year in September 2021.

There will be some significant changes. The term ‘special educational needs’ (SEN) will be replaced by ‘additional learning needs’ (ALN). This means the SENCOs will be known as ALNCOs. School/Early Years Action, School/Early Years Action Plus and Statements will be phased out over a three-year period and every child with recognised ALN will eventually be issued with a new statutory document called an Individual Development Plan (IDP). IDPs will continue up to 25 years of age if the young person goes onto further education.

The Council will work closely with schools and governors to agree reasonable adjustments, which will allow disabled pupils full access to school facilities and activities.

- **Reasonable adjustments:** In the Equality Duty 2011, the duty to make reasonable adjustments applies only to disabled people. For schools, this duty is summarised as follows and this accessibility strategy recognises and promotes these principles.
- 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 to avoid that disadvantage.
- Schools are not subject to other reasonable adjustment duties to make alterations to physical features because this is already considered as part of their planning duties.
- In addition to having a duty to consider reasonable adjustments for particular individual disabled pupils, schools will also have to consider potential adjustments which may be needed for disabled pupils generally as it is likely that any school will have a disabled pupil at some point. It is important to note that the duty on schools to make reasonable adjustments is anticipatory. Schools should not wait until a disabled pupil arrives before making or planning to make adjustments. This may be too late and could lead to a pupil being substantially disadvantaged, it is important therefore for schools to plan a broad range of accessibility improvements over time.
- However, schools are not obliged to anticipate and make adjustments for every imaginable disability and need only consider general reasonable adjustments, 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. Such a strategic and wider view of the school’s approach to planning for disabled pupils will also link closely with its planning duties.

It will be for schools consider the reasonableness of adjustments based on the circumstances of each case.

- Cost can play a major part in determining what is reasonable.
- What would be a reasonable “adjustment” is often a matter of judgement and, wherever possible, should be decided by agreement between the Council, the school and parents/carers, e.g. the right of a pupil to attend a school of their choice should be balanced with the responsibility of the Council to make the most efficient use of its resources.

Inclusion

1. Children and young people with a disability should not automatically be considered to have a special educational need. The Education Act (1996) states that ‘children have a special educational need if they have a learning difficulty which calls for special educational provision to be made for them’. Children and young people have a learning difficulty if they:
 - Have a significantly greater difficulty in learning than the majority of children or young people the same age;
 - Have a disability which prevents or hinders them from making use of educational facilities of the kind generally provided for children and young people of the same age in schools within the area of the county borough; and
 - Are under compulsory school age and fall within the above definitions, or would do so if special educational provision was not made for them.
2. The SEN Code of Practice for Wales (2002) provides guidance to schools, maintained settings, early years settings and Councils on carrying out their statutory duties to identify, assess and make provision for children's **special educational needs**. Fundamental to the implementation of the Code are the core principles that the SEN of learners should normally be met within a mainstream school or educational setting and that learners with SEN should have access to a broad, balanced and relevant curriculum.

Supporting learners to access a fully inclusive education system where children and young people are supported to participate fully in mainstream education is one of the key principles that underpins the ALNET Act (Wales) 2018 and the ALN code (Currently draft ALN Code 2018 at time of writing).

In delivering the National Curriculum, teachers are required to have due regard to the following principles of inclusion:

- Setting suitable learning challenges;
- Responding to pupils’ diverse learning needs;

- Overcoming potential barriers to learning and assessment for individuals and groups of pupils.

From 1996, schools and councils have held statutory responsibilities under the Disability Discrimination Act, incorporated into the Equality Act 2010, and, since September 2002, it has been unlawful for schools and councils to discriminate against disabled pupils in their arrangements for admissions and exclusions and for the provision for education and associated services.

Human Rights Act 1998

This strategy seeks to ensure that the rights of disabled pupils are further protected, in line with the provisions of the Human Rights Act 1998.

- Article 2 of the first protocol provides the right for ***all*** children not to be denied a suitable and effective education. Further, the Council must respect the rights of the parents to ensure that such education conforms with their own religious and philosophical convictions, provided this does not incur unreasonable public expenditure.
- Article 14 provides a right for all children not to have their education denied as a result of discrimination.

SECTION 2: Duties of Schools and the Council

All maintained schools and pupil referral units must produce their own accessibility plans.

The accessibility plan must identify:

- How schools will increase the quality and extent to which disabled pupils can fully participate in the curriculum, including after and out of school activities (Articles 23 and 29 of the UNCRC).
- What physical environmental improvements will schools need to secure in order to maximise access to education for disabled pupils (Articles 6 and 28 of the UNCRC).
- How schools will improve the delivery of accessible information to disabled pupils (Articles 2, 4 and 13 of the UNCRC).
- How children and young people are involved in decision-making (Article 12 of the UNCRC).

These plans should be approved and adjusted by the governing body or management committee in the case of pupil referral units.

Schools should dovetail their accessibility plans with other plans, e.g. the Asset Management Plan, the School Development Plan and the Strategic Equality Plan.

Over time, the plan should become a component of the general approach to forward planning. It will be less an independent strategy and more a thread running through all the school's plans and policies, including plans related to capital works and premises management, learner transport, the curriculum, information technology support services, staff training and other associated services.

Maintained schools have a duty to publish information about their accessibility plans in their governors' report to parents.

Schools are required to keep the accessibility plan under review and revise it as necessary. Evaluation is also needed to determine whether goals are being achieved within the timescale. The success of an effective accessibility plan might be measured by a number of improvements. Schools might adopt some of the following measures:

- Greater satisfaction of disabled pupils and their parents/carers/wider school community with the provision made for them and their participation in the life of the school.
- Evidence of the greater involvement of disabled pupils in the full life of the school (e.g. participation in after schools clubs, leisure, sporting and cultural activities and on school trips).

- Observable changes in staff confidence in teaching and supporting disabled pupils with a range of needs.
- Audits carried out on the main curriculum areas.
- Progressive planned improvements to the physical environment of the school.
- Information for pupils/parents/carers/wider school community available in a range of formats.
- The extent to which the school meets the requirements of staff, parents and visitors.

The Council's Education Directorate works closely with the Corporate Estates Department of the Council to identify potential accessibility difficulties advising and supporting schools and parents on reasonable adjustments.

- Small items and minor works should be funded from within schools delegated budgets for example signage, line painting, appropriate redecoration and minor level change.
- Larger items of work should be prioritised along with other major capital projects.

Enabling Access to the Curriculum

The Council will:

- Provide access to support and advice for ALNCoS to enhance inclusive approaches and share good practice.
- Provide access to support and advice for schools to enable them to build capacity to support young people with ALN/disabilities.
- Promote person-centred practice in schools.
- Include accessibility issues when developing the school profile.
- Provide advice, support and consultation around the graduated response to meeting need via the Learner Support Service and Educational Psychology Service.
- Review the use of delegated Additional Needs Funding (ANF) to schools in providing enhanced support for curriculum access for learners with ALN and/or disabilities.
- Provide technological support to enable access to the curriculum where the cost is greater than £500.

- For children with access needs known to the Access and Inclusion Service who are transferring schools, ensure Council officers will begin to support the school in preparing for their admission in the Spring Term, prior to admission. A similar approach will be taken to provide for pupils starting school for the first time.
- Provide specialist provision for young people whose complexity of need is unable to be met in mainstream provision.

Schools will:

- Provide a broad balanced curriculum for all pupils, ensuring that it is appropriately differentiated to ensure that all young people with ALN and/or disabilities can take part in learning activities fully and effectively alongside their peers.
- Identify young people who face barriers to learning and respond to individual learners' requirements for curriculum access in order to remove these barriers to learning through appropriate planning.
- Complete and review a provision map for all young people with ALN, which includes a variety of strategies, interventions and approaches appropriate to a range of learning styles to ensure that they respond to the diverse range of individual needs within the school community, and review this regularly.
- Ensure that staff are aware of the needs of young people with ALN/disabilities by means of a one page profile.
- Provide technological support to enable access to the curriculum where the cost is less than £500.
- Consider the needs of individual pupils prior to admission and, where necessary, plan in partnership with other agencies to meet these needs.

Cultural, Off-site and Extra Curricular Activities

Access to the curriculum covers not only teaching and learning but also the wider curriculum of the school, such as after school activities, leisure, sporting and cultural activities or school visits. All pupils are entitled to participate in offsite activities and schools are expected to take reasonable steps to make this possible. Schools should consider these activities in the light of any future pupils who may have significant disabilities.

Services within Access and Inclusion can provide advice and assist schools with concerns about a pupil's disability affecting their ability to participate.

- Cultural visits, off-site and extra-curricular activities must be made accessible to all pupils, including disabled pupils.

- All schools will have a current policy with regard to school visits and off-site activities which avoid discriminatory practices.
- A risk assessment should be undertaken for every off-site activity to show that opportunities for all pupils to be included in the activity have been considered.
- In relation to school visits for which charges can legally be made, any charges made by schools to take a disabled pupil on a school visit must be reasonable in all circumstances of the cases. The initial costings of a trip must reflect the needs of all pupils.
- Staff must ensure that an appropriate level of care and supervision is available to meet the need of all individuals within the group.

Enabling Access to the Physical Environment

The local authority will:

- Provide a self-audit tool kit for schools to use.
- Review accessibility audits undertaken by schools on an ongoing basis and provide support and challenge and appropriate advice where necessary.
- Support schools by providing access to advice on the graduated response to need.
- Signpost schools to appropriate training to enhance their inclusive practice
Assess the suitability of all schools buildings as part of ongoing strategic capital investment planning and Education Directorate Business Planning.
- Consider improvements to physical accessibility when refurbishment of school buildings is being undertaken through the Capital Programme and 21st Century Schools Programme.
- Provide direct advice and consultation to schools in relation to planning for improvements to the physical environment.
- Audit welfare facilities to ensure accessible toilets, changing and hygiene rooms are 'readily' available to be used for the purpose to support pupils, staff and visitors.

Schools will:

- Carry out the Accessibility Audit toolkit.
- Ensure that reasonable adjustments are made so that young people with ALN/disabilities are able to access the curriculum and wider school site, e.g. schools should seek to re-organise teaching spaces and timetable wherever possible if some teaching rooms are inaccessible to individual pupils, visual

and auditory requirements need to be implemented in line with specialist advice.

- Ensure that staff facilities do not substantially disadvantage a disabled employee compared to a non-disabled person. Therefore, reasonable adjustments need to be made in these situations.
- Ensure, when admitting a disabled pupil that all planning is done well in advance. Schools should consider carefully the needs of the individual pupils and the works required and communicate with the Access and Inclusion Service and Integrated Transport Unit about the changes required.
- Seek to ensure that the main entrance, administration area, hall and visitor toilet facilities are accessible to disabled visitors, e.g. for external users and parents' evenings in order to comply with the requirements of the current Disability and Equality legislation.
- Revise their emergency evacuation procedures to take into account the needs of disabled pupils or disabled visitors. Advice on procedures is available from the Access and Inclusion service.
- Ensure guidance on the graduated response to meeting need is followed, with respects to adaptations to the environment and learning resources.
- Ensure training is made available to governors and school staff to raise awareness of responsibilities.

Further advice and information on buildings works and funding sources can be obtained from the Corporate Estates Department.

Enabling Access to Information

The Council will:

- Adhere to and make available the 'see it right clear' print guidelines.
- Provide advice to schools around providing information in different formats to young people with sensory needs.

The Access and Inclusion webpage on the Rhondda Cynon Taf website provides service users with information in an accessible format. The service is currently developing a range of easy read style documents that are accessible and appropriate to children and young people and individuals with learning difficulties.

Schools will:

- Request support and advice from the Learner Support Service sensory team around alternative formats to meet the ALN of sensory learners.
- Use a one page profile to ensure staff are aware of the needs of young people in order to provide information in the correct format.
- Review and audit information provision in school to ensure that it is accessible to all.

Monitoring, Review and Evaluation

The implementation of this strategy and progress against agreed actions and planned developments will be monitored through regular meetings of the Accessibility Strategy Group within the context of the Education Directorate Strategic Business Plan. Evaluation of progress will include the following:

- Review of provision pathways for all pupils by schools.
- Impact of interventions on pupil progress.
- Take up of training to increase awareness of inclusive practices.
- Audits of expenditure of schools' ALN budgets.
- Implement 21st Century Schools' proposals – audit used to inform further decision making for prioritisation of building works in the Capital Programme.
- Audit welfare facilities.
- Review of schools completed self-audits using the accessibility tool kit, signed off by the governors.
- Records from school council meetings/consultation.
- Monitoring of the website – young people's views/comments.
- Feedback from challenge advisors regarding accessibility self-assessments/plans.

Appendix

'See it right' clear print

<http://inform/en/supportservices/humanresources/policies/seeitrightclearprintguidelines.pdf>

Equality act 2010 - advice to schools 2014

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/315587/Equality_Act_Advice_Final.pdf

Planning to increase access to schools for disabled pupils

<https://gov.wales/sites/default/files/publications/2018-04/planning-to-increase-access-to-schools-for-disabled-pupils.pdf>

Accessibility Audit Tool for school and pre-school settings – Rhondda Cynon Taf
(attached)