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**ACCESSIBILITY STRATEGY - CHILDREN'S SERVICES  
(SPECIAL EDUCATION NEEDS AND DISABILITY)**

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**SUMMARY REPORT**

**Purpose of the Report**

1. To inform the Children's and Young People Scrutiny about the current status of the development of the Children's Services Accessibility Strategy ([the Strategy attached as **Appendix 1**) and the actions required to comply with legislation including the Equality Impact Assessment (attached as **Appendix 2**).

**Summary**

2. All local authorities are required by Schedule 10 of the Equality Act 2010 [the Act] to prepare an accessibility strategy [the Strategy] in relation to schools for which it is the responsible body<sup>1</sup> [the Duty]. The summary of local government statutory duties, DFE\_166, explains that the Duty came into force on 1 October 2010 replicating duties under the Disability Discrimination Act 1995. Under this same legislation all schools must have accessibility plans which should be reviewed every three years.
3. The Strategy should set out how the Local Authority will, over a prescribed period will:
  - (a) increase the extent to which disabled pupils can participate in the school's curriculum
  - (b) improve 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
  - (c) improve the delivery to disabled pupils of information which is readily accessible to pupils who are not disabled

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<sup>1</sup> Described in the Act as "Responsible body" means—

(a) in relation to a maintained school or a maintained nursery school, the Local Authority or governing body;

(b) in relation to a pupil referral unit, the Local Authority;

(c) in relation to an independent educational institution [F2 or an alternative provision Academy that is not an independent educational institution], the proprietor;

(d) in relation to a special school not maintained by a Local Authority, the proprietor.

4. The SEND Code of Practice 2014 states that '*The Local Authority has made regard to the Public Sector Equality Duty (Equality Act 2010), to eliminate discrimination, promote equality of opportunity and foster good relations between disabled and non-disabled children and young people when carrying out their functions*', and, '*The Local Authority has published information to demonstrate their compliance with this general duty and published objectives which are Specific, Measurable, Achievable, Realistic and Time bound to achieve the core aims of the general duty*'.
5. In researching and developing the Strategy, Darlington Borough Council has met its statutory duties under:
  - Equality Act 2010
  - Reasonable Adjustments duty
  - Children and Families Act 2014
  - SEN and Disability (SEND) Code of Practice 2014
  - Supporting children and young people at school with medical conditions (DFE September 2014)
  - Special educational needs and disability regulations 2014
6. Darlington Borough Council wants to support all its maintained schools and to provide guidance, where practicable, to all educational establishments in the area (for example, Academies), to meet the legal requirements of the Children and Families Act and Section 10 of the Equality Act 2010 together with the related legislation.
7. The Council has developed a new draft Strategy which links to the Local Offer and explains the legal requirements and the Council's actions to meet them. The Strategy sets out the three main areas of the duty with some examples of how schools can meet their duties and includes a template Accessibility Plan for schools to use.
8. The legislation also requires schools to develop Accessibility Plans, which should link to their SEND Information, or to include the Plan within the SEND Information report. The Council as good practice recommends that the Plan is a separate document which is therefore more readily accessed and understood.

## **Recommendation**

9. It is recommended that :-
  - (a) CYP Scrutiny note the development of the draft Accessibility Strategy and provide any comments
  - (b) CYP Scrutiny note initial consultation findings
  - (c) CYP Scrutiny note approval timescales (at para 5 of main report)

**Suzanne Joyner**  
**Director of Children and Adults Services**

**Background Papers**  
 Strategy  
 Equality Impact Assessment

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S17 Crime and Disorder	No recommendations from this report
Health and Well Being	Support schools to provide accessible facilities, environment, curriculum and information to enhance children's life chances and opportunities to thrive. This includes prevention and early intervention.
Carbon Impact	Schools are both encouraged, and where works are undertaken by the Local Authority in support of accessible environments, that these are done with the highest regard to sustainability and aim to reduce the carbon footprint and environmental resources.
Diversity	The principles of inclusion, (equality and diversity) are set out in the Strategy. Schools should work with parents, carers and the wider community to create greater understanding of differences and to remove barriers and potential barriers to participation and achievement.
Wards Affected	The maintained schools and settings to which this Strategy applies are:  Redhall and Lingfield (Redhall Primary School), Whinfield (Whinfield Primary School), Pierremont (George Dent Nursery School), North Road (Rise Carr Pupil Referral Unit and Harrowgate Hill Primary School) , Park East (Borough Road Nursery School) Eastbourne (St Teresa's RC VA Primary School)
Groups Affected	Children and Young People at maintained schools and settings.
Budget and Policy Framework	This report does not recommend a change to the budget and policy framework.
Key Decision	Yes - This Strategy affects more than one ward.
Urgent Decision	For the purpose of the 'call in' procedure this does not represent an urgent matter.
One Darlington: Perfectly Placed	Children with the best start in life  Enough support for people when needed
Efficiency	The outcome of this report will enable the Council to support maintained schools in the most efficient manner to improve their Accessibility plans.

## MAIN REPORT

### Information and Analysis

10. The previous Strategy was reviewed by the (as was) SEN Inclusion team and the team worked with schools to promote and reward good practice in schools through an Inclusion Award. Schools were required to take account of the Local Authority's Inclusion Policy and Access Strategy, and training and support was available for schools by the SEN Inclusion Service.
11. With academisation, the role of the Local Authority in supporting schools changed significantly and the team was removed from schools support services.
12. Resource was identified in 2016 in order to appoint an equalities consultant to support Children's Services to develop a new Strategy, to support consultation, and to deliver training to maintained schools.
13. A task and finish group was set up to steer the development of the Strategy, reporting to the Children's Services Directorate Management Team (DMT). The Strategy will be presented to Cabinet on 4 April 2017 for approval.
14. The draft strategy was approved for consultation by the DMT in December 2016 and consultation concluded on 3 February 2017.
15. Schools Governing Bodies were alerted to the piece of work to review the Strategy and also their own responsibilities by means of a briefing paper in the Autumn Term 2016. This was followed up by an audit of Accessibility Plans on school websites and some schools have been followed up with a letter reminding them of the statutory duty. School Forum in November 2016 and January 2017 also considered the draft Strategy in a report from the Lead Officer.
16. All Darlington schools, Darlington Association on Disability, young persons and parent/carer forums have been asked to comment on the Strategy. Meetings were held where requested, and all stakeholders have had access to the Strategy, and an on-line questionnaire.
17. An equality impact assessment has been undertaken, and alongside the consultation, findings will inform the final Strategy. The EIA is a dynamic document and should continue to be so throughout delivery of support and monitoring of the Strategy.
18. A training package has been scoped which will support the development of maintained school's Accessibility Plan's. It is anticipated that the outcomes of the Accessibility Strategy consultation process will further inform the final training plan.
19. In the case of Academies the consultation will inform their requirements for support or other training may be considered, subject to need.

## **Outcome of Consultation**

20. Consultation concludes on 3 February and at the time of writing initial feedback can be given. A verbal report will update Scrutiny on the final Consultation key findings.
21. Consultation so far indicates that where schools have considered the Strategy, they have used the best practice to benchmark their own policies and plan. The consultation has made schools aware of the need to prioritise a review of their plans which they are acting on. Meetings with approximately a third of schools have been undertaken and feedback has suggested some specific areas in which Darlington's needs could be better reflected in the Strategy, hence supporting schools to support children/young people with specific special educational need.