

CHILDREN AND YOUNG PEOPLE SCRUTINY 21 FEBRUARY 2022

REVIEW OF THE SPECIAL EDUCATIONAL NEEDS (SEND) ACCESSIBILITY STRATEGY 2017-2020

SUMMARY REPORT

Purpose of the Report

1. This report provides an update to the Children and Young People Scrutiny on the progress to date in respect to the review of the Special Educational Needs (SEND) Accessibility Strategy 2017-2020 [the Strategy] as required to comply with legislation.
2. This Strategy will be presented to Cabinet for approval on 3rd May 2022.

Summary

3. Whilst the Strategy does not form a part of the Council's Policy Framework, it is a statutory requirement as required by Schedule 10 of the Equality Act 2010 [the Act] for the Local Authority to prepare an Accessibility Strategy [the Strategy] in relation to schools for which it is the responsible body, the maintained settings as listed below¹. The Council undertakes an annual review of maintained settings' Accessibility Plans.
4. To comply with legislation a review of the Strategy is required every three years, however due to COVID, the review has taken place in Autumn 2021 and concluding in early 2022.
5. The current Strategy (2017-2020) is available on the Local Offer:
<https://livingwell.darlington.gov.uk/Services/649>
6. The Strategy sets out how the Local Authority will work with maintained settings to:
 - increase the extent to which disabled children and young people can participate in the school curriculum;
 - improve the physical environment of schools;
 - improve delivery of information to pupils with disabilities and/or learning difficulties.

Recommendation

7. It is recommended that :-

¹ 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;
Darlington maintained settings are: Borough Road Nursery School, George Dent Nursery School, Harrowgate Hill Primary School, Red Hall Primary School, Whinfield Primary School and Rise Carr College (the Pupil Referral Unit).

- (a) Scrutiny note the process undertaken to review the Strategy.
- (b) Scrutiny note that ongoing consultation with children and young people will inform any further amendments to the Strategy and/or the action plan that will accompany this. The final Strategy will be presented to Cabinet on 3rd May 2022.

JAMES STROYAN, DIRECTOR OF PEOPLE

Background Papers

Equality Impact Screening
 Special Educational Needs Accessibility Strategy 2021-2024

Eleanor Marshall : Extension 6134

S17 Crime and Disorder	No recommendations from this report.
Health and Well Being	Support schools to undertake Accessibility Planning. This is in order for children and young people to access the curriculum, ensure the environment is accessible and there is sufficient quality of information for parents and carers to make choices in order to best enhance children’s life chances and opportunities to thrive. This includes prevention and early intervention.
Carbon Impact and Climate Change	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 in the following wards: Red Hall and Lingfield (Red Hall 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)
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.
Impact on Looked After Children and Care Leavers	This report presents a Strategy that will benefit all children regardless of being Looked After or Care Leavers.

MAIN REPORT

Information and Analysis

8. Attached as **Appendix 1** is the final draft of the revised SEND Accessibility Strategy (2021 – 2024).
9. The review has taken into consideration research into other Local Authority (LA) strategies which has informed its presentation and level of detail. The key change is the inclusion of a key priorities section, pages 12 to 21.
10. The LA is required to monitor the Strategy which is undertaken by the Education Partnerships team through an annual monitoring cycle of settings' Accessibility Plans.
11. The Strategy sits alongside the suite of relevant Strategies, including Darlington's Sustainable Community Strategy '**One Darlington: Perfectly Placed**', **Darlington's SEND Strategy 2019-2022, and the Children and Young Peoples Plan** reflecting our collective vision and objectives.
12. An Equality Impact Assessment screening (**see Appendix 2**) has not identified any significant impacts to people with a protected characteristic. The Strategy will have a positive impact on all children with disabilities as it sets out schools' duty not to treat pupils less favourably and to take reasonable steps to avoid putting disabled pupils at a substantial disadvantage.

Consultation

13. Consultation has taken place with parent/carers and maintained settings to whom this Strategy applies and stakeholders, the Darlington Parent/Carer Forum, and Darlington Association on Disability. The consultation has followed lines of enquiry in relation to in what ways and how well, schools and the LA meet their duty in the three statutory areas of responsibility:

Curriculum: Schools are responsible for providing a broad and well-balanced curriculum including the wider curriculum such as enrichment activities and school trips.

Physical Environment: Physical environment includes the school buildings and facilities as well as physical aids to access education.

Information: including making clear what can be reasonably expected about supporting individual access needs and what to do when support is not provided.

14. The methods for consultation included one to one meetings with settings, and through an online questionnaire with parent/carers. Maintained settings were asked to forward this questionnaire to parent/carers of children with SEND in these settings. Consultation meetings with the Parent/Carer Forum and Darlington Association on Disability (DAD) also informed the development of the questionnaire. The questionnaire was also sent to parent/carers through the Parent/Carer Forum and DAD. Feedback on the Strategy from these stakeholders has also been reflected in the updated Strategy.

15. Consultation with SENCos and Head Teachers of the LA maintained settings included the two new special units for Social Emotional and Mental Health needs (SEMH) at Red Hall Primary School and Rise Carr College. Consultation also took place with the Low Incidence Needs Service (support for Hearing, Visual and Physically impaired pupils).
16. The requirements of the general public sector equality duty are critically important in ensuring that public bodies consider the needs of people with different protected characteristics as they respond to coronavirus. Therefore, the consultation reflected on the context of schools meeting immediate needs for vulnerable children and young people during the initial lockdown and subsequent return to school during the COVID-19 pandemic.
17. Further consultation with children and young people will take place in spring 2022 through focus groups. Any relevant findings will be reflected in the final Strategy which will be submitted to Cabinet.

Outcome of Consultation To Date

18. Following the key lines of enquiry, relating to the three priorities, the Strategy has been updated to reflect more detail in respect to how the LA supports schools in the Borough. This includes more detailed information in relation to the Low Incidence Needs Service.
19. Consultation with settings included the theme of support through the COVID-19 pandemic. Examples of best practice were provided, and whilst access to the curriculum support from the LA was limited for a time to on-line, the settings felt well supported.
20. Settings agreed that where specialist equipment and Early Years SEN funding was requested it was supported by the LA, but some areas for improvement in process were suggested.
21. Feedback from stakeholders included the need to reflect the social model of disability and that the Strategy should support schools in decision making in relation to the anticipatory duty.
22. A consistent message from parent/carers was the need to ensure more staff training for equality and diversity and to ensure that information is accessible. The below are some comments from parent/carers on these points:

Comments from Parent/Carers

“The school has SEN meetings, and we have an appointed person available to speak to if problems arise. We get welfare every morning and afternoon. We have a book which is written in daily if ... tried anything new, did good at and if necessary, any problem. Normally full of positives.”

Provide ... “more talking points, all staff trained on how to manage disabilities/needs. Even pupils should be educated to help support and understand”.

“More staff training”

"The school has been nothing but accommodating, making adjustments fast when necessary".

Accessibility Plan Monitoring

23. The annual review of maintained settings' Accessibility Plans has provided evidence of good inclusive practice and settings have been encouraged to develop case studies. It was found that staff benefit from regular updated training to understand and act on the additional needs of children and young people with SEND, they receive training adapted to the needs of their cohorts, and there is good evidence of inclusivity. Accessibility Plan objectives are SMART and these can be shared to support best practice.
24. Annual monitoring will continue to raise awareness of the Equality Act 2010 (Schedule 10 specifically in relation to Accessibility Planning), and provide support in using the Accessibility Audit Tool which has been developed specifically to support educational settings in assessing their compliance with all relevant legislation adhering to the anticipatory duty

Conclusions

25. The Accessibility Strategy has been refreshed to outline what can be expected from the LA and what services are commissioned specifically for schools and provides relevant links to LA support and the Local Offer (see pages 12-21). This can support schools to develop their Accessibility Plans and respond to the anticipatory duty to meet individual needs.