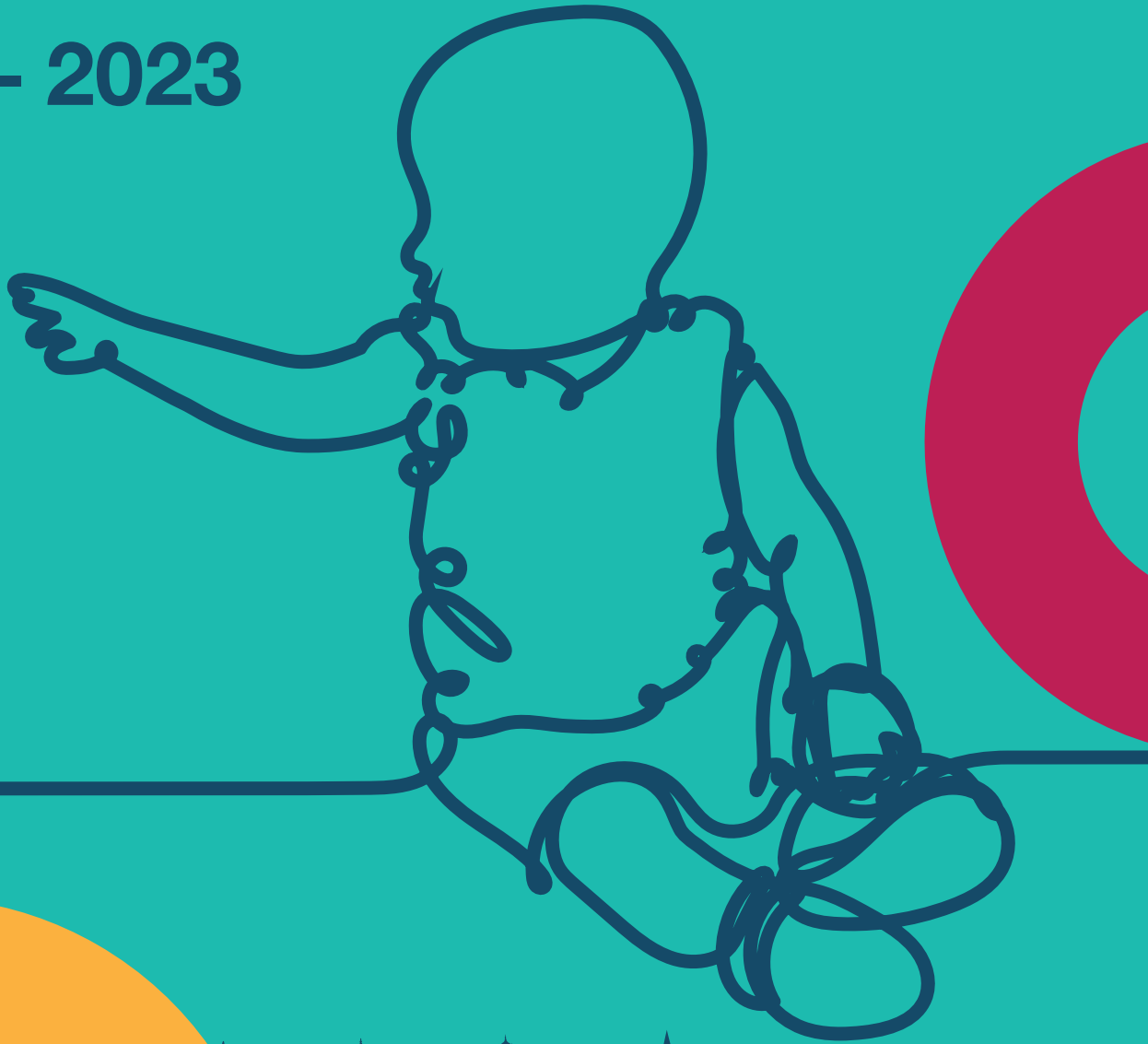


# LISTENing

## Tameside SEND Accessibility Strategy

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2020 – 2023



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# INTRODUCTION

Improving access to education and educational achievement by disabled pupils is essential to ensuring equality of opportunity and securing their full participation in society.

This Accessibility Strategy explains how the Local Authority (LA) has adopted a strategic approach to planning for increased access to its schools, to the curriculum and to information.

The strategy links with other planning processes in the LA and supports the LA's priorities and principles within safeguarding strategies and particularly addresses aspects of the guidance document 'Safeguarding Disabled Children' 2009.

This policy takes into account the 2014 Special educational needs and disability Code of Practice: 0 to 25 years statutory guidance for organisations who work with and support children and young people with special educational needs and disabilities.

## SEND ACCESSIBILITY STRATEGY



# THE LEGISLATIVE BACKGROUND

The SEN and Disability Act 2001 amended the Disability Discrimination Act 1995 by introducing new duties on local authorities (LA) and schools in relation to pupils with disabilities and prospective pupils. From 1 October 2010, the Equality Act replaced most of the Disability Discrimination Act (DDA). However, the Disability Equality Duty in the DDA continues to apply. The LA is required to have an accessibility strategy under the planning duty in the Equality Act 2010, Part 6, Section 88 (Schedule 10)

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

## The Equality Act supports the principle that

‘All children and young people who live in a school’s locality, no matter what their background, circumstances or perceived ability, belong in the local community and share the same rights to quality education in their local neighbourhood school.’

The Act has a Single Equality Duty and covers: disability, race, sex, age, sexual identity, religion and pregnancy, gender reassignment.

The Special Educational Needs and Disability Act (SENDA) 2001 amended the Disability Discrimination Act (DDA) 1995 to prevent discrimination against disabled people in their access to education. It is unlawful for LAs or schools to discriminate, without justification, against disabled pupils (and prospective pupils) in all aspects of school life.

### There are two key duties:

1. not to treat disabled pupils (and prospective pupils) less favourably; and
2. to take reasonable steps to avoid putting disabled pupils at a substantial disadvantage.

The passing of the Disability Discrimination Act 2005 (which amended the 1995 Act of the same name) introduced a new duty on public authorities to eliminate unlawful discrimination against disabled people and to actively promote their equality and positive attitudes towards them.

The principle behind the 2001 legislation is that wherever possible disabled pupils should have the same opportunities as non-disabled pupils in their access to all aspects of education. The 2005 Act extends the definition of disability and also defines the pre-emptive approach which is required from public authorities towards disability equality.

Duties on schools and LAs and guidance on how to avoid discrimination against pupils are set out in the Code of Practice for Schools published by the Disability Rights Commission (July 2002).



# CONTEXT & BACKGROUND

## The General Duty

The Equality Act 2010 sets out 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** make reasonable adjustments, including the provision of auxiliary aids and services, to ensure that disabled children and young people are not at a substantial disadvantage compared with their peers. This duty is anticipatory – it requires thought to be given in advance to what disabled children and young people might require and what adjustments might need to be made to prevent that disadvantage.

Public bodies, including further education institutions, local authorities, maintained schools, maintained nursery schools, academies and free schools are covered by the public sector equality duty and when carrying out their functions must have regard to the requirement to:-

- Eliminate discrimination that is unlawful under the Equality Act 2010;
- Eliminate harassment of pupils with disabilities that is related to their disability;
- Promote equality of opportunity between disabled people and other people;
- Promote positive attitudes towards disabled people;
- Encourage participation by disabled people in public life;
- Take steps to take account of disabled people's disabilities even where that involves treating people more favourably than other people.

The General Duty applies to pupils with disabilities, staff and parents or carers, along with other users of the school.

Whilst there is a general duty that applies to all public bodies, specifically in relation to schools they must publish information to demonstrate their compliance with this general duty and must prepare and publish objectives to achieve the core aims of the general duty. Objectives must be specific and measurable. The main requirement is for schools to prepare and publish a disability equality scheme. They should involve people with disabilities in the development of this scheme, and to implement the scheme and report on it.



The duties cover discrimination in the provision of services and the provision of education, including admissions and exclusions. All providers must make reasonable adjustments to procedures, criteria and practices and by the provision of auxiliary aids and services.

Schools and local authority education functions must publish accessibility plans (and local authorities, accessibility strategies) setting out how they plan to increase access for disabled pupils to the curriculum, the physical environment and to information.

School governing bodies must also publish information about the arrangements for the admission of disabled children, the steps taken to prevent disabled children being treated less favourably than others, the facilities provided to assist access of disabled children, and their accessibility plans.

Where a child or young person is covered by SEN and disability legislation, reasonable adjustments and access arrangements should be considered as part of SEN planning and review. Where school governors publish information about their arrangements for disabled children and young people, this should be brought together with the information required under the Children and Families Act 2014.



# THE PLANNING DUTY

The 2001 Act also introduced a planning duty under which all LAs must produce an Accessibility Strategy for the schools for which they are responsible, and all schools must produce their own Accessibility Plans. The aims of both the LA Strategy and individual School Accessibility Plans are to improve the physical environment and increase access to the curriculum. Relevant proposals will be incorporated within the LA's capital plans to ensure delivery of these aims.

This strategy sets out how the Council intends to fulfil its duties under the 2001 Act, and the requirements of the Disability Discrimination Act (DDA) 1995; it took account too of the guidance provided by the Department for Education & Skills (DfES) in "Accessible Schools: Planning to increase access to schools for disabled pupils".

In 2005 The Disability Equality Duty was introduced into the Disability Discrimination Act (DDA) 1995 and set out:

- **A general duty** - The Disability Equality Duty (DED) - take proactive steps to ensure their disabled pupils, staff and governors, parents/carers and other people using the school are treated equally.
- **A specific duty** - requires a disability equality scheme to show how it will meet the general duty.

The Equality Act 2010 supports a single equality plan which covers all of the protected characteristics including disability. Schools may have produced a single plan or continued a focus on their Disability Equality Scheme and action plan.



# THE SPECIAL EDUCATIONAL NEEDS CONTEXT

## Principles

Support for many children with disabilities is provided by schools and the LA through the Special Educational Needs (SEN) framework, guidance for which is set out in the SEN Code of Practice. The principles of the Code are that:

- a child with special educational needs should have their needs met
- the special educational needs of children will normally be met in mainstream schools or settings
- the views of the child should be sought and taken into account
- parents have a vital role to play in supporting their child's education
- children with special educational needs should be offered full access to a broad, balanced and relevant education, including an appropriate curriculum for the foundation stage and the National Curriculum.

**These principles apply equally to children with disabilities.**

Tameside recognises the knowledge which parents have of their child's abilities and disabilities and seeks to work collaboratively with them in overcoming the barriers to education and life chances which each child may experience as a result of their disability or special educational needs.

Tameside works in partnership with parents & children and other agencies both voluntary and statutory to understand children's disabilities and providing effective support.





The SEND Improvement Board supports the strategic development of policy and provision in areas of SEN to ensure the delivery of the 4 SEND Headline Strategic Priorities of:

- 1. INCREASING & IMPROVING INCLUSION** of children and young people in mainstream settings ensuring appropriate preparation for adulthood.
- 2. INCREASING CONFIDENCE** of parents and carers in services and systems across all of the partners in Tameside ensuring appropriate preparation for adulthood.
- 3. INVOLVING CHILDREN & YOUNG PEOPLE** who have SEND and their families, in decisions about their future and in the shaping, accountability, quality and delivery of services ensuring appropriate preparation for adulthood.
- 4. IMPROVING ACCURACY & TIMELINESS** with which we identify and assess children's and young people's needs including ensuring appropriate preparation for adulthood.

Each Headline priority is supported by an Improvement & Development Action Plan which set out key actions to be achieved within specified timescales for each of the priorities. Many of the actions contained within the IDPAS have direct relevance and applicability to the Accessibility Strategy.

The following sets out Tameside's strategy in relation to increase access for disabled pupils to the curriculum, the physical environment and to information.



# 1. Improving Provision and Access to the Curriculum

## Aim

To provide ongoing support and advice to schools in order to:

- raise awareness of disability equality and access issues
- encourage schools to develop curriculum policies which reflect inclusive practice
- enable all pupils - whatever their needs - to have access to the full range of curricular and extra-curricular activities as appropriate, with a consequent effect on their achievements and progress.
- Improve the quality of teaching for pupils with special educational needs and disability (SEND)

## Context

### Responding to pupils' needs and overcoming potential barriers for individuals and groups of pupils

Teachers should take account of their duties under equal opportunities legislation that covers race, disability, sex, religion or belief, sexual orientation, pregnancy and maternity, and gender reassignment.

A wide range of pupils have special educational needs, many of whom also have disabilities. Lessons should be planned to ensure that there are no barriers to every pupil achieving. In many cases, such planning will mean that these pupils will be able to study the full national curriculum. The SEN Code of Practice includes advice on approaches to identification of need which can support this. A minority of pupils will need access to specialist equipment and different approaches. The SEN Code of Practice outlines what needs to be done for them.

With the right teaching, that recognises their individual needs, many disabled pupils may have little need for additional resources beyond the aids which they use as part of their daily life. Teachers must plan lessons so that these pupils can study every national curriculum subject. Potential areas of difficulty should be identified and addressed at the outset of work.

The LA ensures that all advice, monitoring and support offered to schools supports these areas of focus for pupils with special educational needs and disabilities.

Tameside Local Authority and its partners provide a range of services to support schools in making inclusive and accessible provision. Details are available in the Local Offer at: <https://www.tameside.gov.uk/localoffer>



The Pupil Support Service offers specialist support and advice across all age ranges and encompassing all area of special educational need and/or disability. The Pupil Support Service offers advice/consultation, support, training and assessment both to educational settings and to children/ young people and their families. In addition, some specialist personnel work on universal and strategic issues.

## **Focusses of intervention include:**

### **Communication, Interaction and Autistic Spectrum Disorder.**

The Pupil Support Service works with educational settings to enable pupils with Social Communication an Interaction Difficulties including Autistic Spectrum Disorders (ASD) or with Specific Language Impairments (SLI) to reach their maximum academic and social potential in an inclusive educational environment

### **Behaviour for Learning.**

The Pupil Support Service works in partnership with schools, within a framework of inclusion, to help them promote positive behaviour, and to provide effective support to pupils, parents and schools where behaviour is preventing learning and this may have an effect on achievement.

The service plays an important supporting role, providing schools with support which is both preventative and also directly supporting children with social, emotional, and mental health difficulties.



The Hearing Impaired Team provide direct teaching, advice, support and training to all key stages and early year's settings in Tameside. In addition, the team support families and babies in the home and work in mainstream and special schools on an outreach basis.

Teachers of the Deaf and Special Support Assistants support language acquisition and promote curriculum access for hearing impaired children through direct teaching and assessment. In addition, the team monitor the use of amplification within education settings and provide staff with training in order to ensure equality of opportunity for the hearing impaired. The team check and maintain a variety of hearing technology such as, hearing aids, cochlear implants and BAHAs (Bone Anchored Hearing Aids). The team also provide advice and support on acoustic measures as well as identify the need for additional audiological equipment such as, radio aids and soundfield systems.

The Hearing Impaired Team works in close partnership with other professionals such as, Audiologists and Speech and Language Therapists in order to provide quality support for hearing impaired children.

The VI team works closely with a number of agencies including Tameside and Glossop CCG Ophthalmology department, Manchester Royal Eye Hospital, neighbouring authorities, other professionals such as ISCAN, and relevant charity organisations in order to ensure that the correct information, advice, support, direct teaching and training is provided for Children and Young People and across the borough with a vision impairment that cannot be corrected by glasses.

Based on the individual needs of the vision impaired child the service provides;

Information, advice, support, direct teaching, and training to children with vision impairment and their parents/carers in homes, early years settings, mainstream and special schools to access all aspects of the curriculum including examinations/assessment arrangements. The team also provides teaching and support for appropriate elements of the specialist VI curriculum.

Recommendations of the most suitable resources including modified print or braille materials, specialist software and equipment where appropriate are given based on the needs of the individual student.

### **Education Psychology** (including non-statutory work available for purchase by schools)

Educational Psychologists are involved in promoting the development and learning of all children and young people aged 0-19 years. They work with teachers, parents and carers to help bring about positive change. The service has developed its offer based on the following core principles which guide all their work:

- The service has the skills, knowledge and experience to contribute towards meeting the needs of vulnerable children.
- The service believes in working collaboratively and in partnership with colleagues and professionals.
- The service believes that an individual's needs are best understood by considering their family, educational settings and community contexts.



as height adjustable furniture, toilet seats and supportive seating. Such equipment will usually be provided by schools as part of the reasonable adjustments duty (auxiliary aids). NHS services also support access to the curriculum for individual pupils, including: (e.g. specialist seating assessment), Physiotherapy and the Child and Adolescent Mental Health Service (CAMHS)

Services are also available which are not directly council managed and schools are able to use their SEN budget to purchase as required. Advice on sources of learning support is available on the [Local Offer](#)

The Local Authority expects schools to draw upon the knowledge and guidance of the Educational Psychology Service and other targeted and specialist services to advise on meeting the needs of pupils with learning, social, emotional and communication difficulties.

Similarly, they are expected to draw upon the knowledge and guidance of health professionals to enhance their provision for specific needs such as diabetes, epilepsy, children requiring emergency medication or enteral feeding (gastrostomy tubes & naso-gastric tubes), tracheostomy care, use of inhalers and nebulisers, and administering and storing medication. Necessary guidance and training in relation to significant medical needs would be part of a pupil's individual care plan.

The LA works closely with partners to ensure timely identification of those children and young people with the most complex and long-term SEND. Where appropriate and necessary this includes completion of statutory assessment and subsequent appropriate review and monitoring as required by the Education Act 1996, Children and Families Act 2014 and related SEND Codes of Practice.

The LA, with partners, continues to review the range of specialist provision available to Tameside children and young people to ensure development and change that corresponds with increasing or changing patterns of demand for services.

Funding for special educational needs is available to mainstream schools through their notional SEN budget. This can be further topped up by the LA from the high needs budget via Education, Health and Care Plans where the necessary criteria are met.

The LA is committed to the inclusion of pupils with disabilities in its mainstream schools, and has established resourced provision for some areas of special educational needs.

Early Years practice also promotes the development of inclusive early year's provision. All pre-school children, including those with disabilities, have access to good quality early education, from the beginning of term following their third birthday.

Regulations and guidance on off-site activities and educational visits support schools in ensuring that pupils have equal opportunities to participate in off-site educational, residential and adventurous activities.

In acknowledging that barriers to learning can be emotional as well as intellectual and physical, the LA promotes flexibility of response and a continuum of provision within its schools.



## Training

There is a well-established continuing professional development programme with a clear SEND thread. Training to overcome barriers to curriculum access is embedded within it. Governor training has a strong focus on governors' responsibilities.

## Monitoring and support

Increasing & sustaining numbers of schools, year on year, that are judged as good or outstanding.

## Multi-agency involvement

As part of the LISTENing co-production framework, Tameside works with statutory and voluntary agencies as well as parents and carers in evaluating practice and proposing developments.

## Proposals

The LA will:

- make available advice and training on issues relating to the delivery of an accessible curriculum
- ensure training supports the development of teacher and support staff skills



## 2. Improving the Physical Environment of Schools

The LA considers inclusive design and accessibility of the physical environment of its schools through each new building development. In partnership with schools the LA will continue to promote accessibility to enable pupils to attend local mainstream schools when their needs can be met there.

### Context

The planning duty on schools and LAs includes improvements to the physical environment of schools and the provision of physical aids to education. Such improvements may include unique facilities located to be accessible to all users.

Improvements could also be achieved by the reallocation of rooms for particular specialisms, the removal of obstructions from circulation areas, improving the acoustic environment and changing classroom layouts.

Physical aids to education could include the provision of specialist seating or desks, and ICT equipment. These improvements will be accessible to all users.

The LA recognises the need to work positively with governing bodies of schools to assist them in understanding their additional responsibilities under the Equality Act, including the planning duty and, where appropriate, to plan jointly the improved accessibility of school buildings and facilities.

### Resources

It is important that the schools consider the long-term access needs of the school. Schools should use the routine refurbishment and other maintenance and equipment budgets to improve the physical environment of the school. The Equality Act requires schools to resource their Disability Equality Schemes/ Accessibility plans adequately. Schools should recognise the costs of implementing the plan as legitimate expenditure which should be incorporated into current budget commitments.

Funding sources available to schools which could assist in improving access are currently extremely limited.

Councils receive no dedicated access funding for adaptation, improvement or alteration at any schools. There is a requirement on schools to notify the council of access needs, and parents need to identify on school admission forms that their child has physical access requirements.

There will be a presumption against agreeing a school place until discussions (or formal consultation if an Education Health Care Plan is in place) have taken place with that establishment about its capacity to accommodate the needs of the relevant pupil. The school and council will use 'best endeavours' to enable placement according to parental preference.



Consideration should be given to whether adaptations at the school provide the best value for money as well as meeting the pupils' needs. There may be another school that is already accessible and can better suit the needs of the child. A cost analysis of potential transportation of the child for the duration of their term in school should be made in comparison to the cost of undertaking the required adaptations at the school.

### **Adaptations in Academies:**

Academies are independent of the council and are funded directly by Central Government. Advice from ESFA is that councils 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. The Academy may decline a placement where it cannot afford to make the necessary adaptations. It follows that the council must either:

- Co-fund the cost of adaptations
- Fund the works required
- Offer the pupil an alternative, non-Academy place.

## **Proposals**

The LA will:

- ensure that any new buildings planned take full account of the needs of pupils with disabilities and, where appropriate, of other members of the community
- maintain the number of existing, accessible mainstream places across the borough, both at primary and secondary levels, to ensure that pupils can access education in their local community
- support and collaborate with schools in making incremental improvements to accessibility
- where possible, and within resources, consider other improvements in line with Building Bulletin 102 when minimum accessibility criteria have been met
- seek the assistance and expertise of user groups and voluntary agencies to continually inform and develop the strategy





## 3. Improving the Delivery of Information

### Aim

To increase awareness within schools of the importance of accessible information for pupils with special educational needs, and promote the provision and publication of appropriate advice, guidance and resource materials, especially through new technologies.

### Context

The planning duty requires written information normally provided by a school to be made available to disabled pupils. Such information should take account of pupils' disabilities, as well as the preferred formats for pupils and parents; it should also be made available within a reasonable time frame.

Although the duty relates primarily to written information, schools can consider how other formats (for example, spoken information) could be made available to parents and pupils who have hearing and visual impairments. This could include a recognition of British Sign Language and similar formats, the use of signers at school functions, the availability of portable induction loops for use at parents' evenings and so on.

All Tameside residents can find general information about Council services, business support, community support, schools and childcare, Coronavirus testing, and official advice and guidance on the Local Offer - Information and advice pages.



But children and young people with Special Educational Needs and Disability (SEND), and their parents and carers continue to face specific challenges in relation to specific information in relation to Coronavirus (COVID-19).

The Local Offer is updated regularly with information, services and guidance relevant to children and young people with SEND and those who support them. It also has information in audio and other languages

The School Information (England) (Amendment) Regulations 2017 specifies the minimum requirements for information which must be provided on school websites and reproduced as a paper copy without charge for any parent who asks for it. School websites must be reviewed annually.

There is a range of support services from health, social care and education to advise educational settings about suitability and reasonable adaptations.

This advice and guidance includes the following topics:

- Issues of physical space and how to reduce distractions
- Opportunities to present information visually
- Providing organisational strategies to complete activities
- Using visual structures to help with organisation, increase clarity and provide instruction.



## Actions

The LA will:

- advise and update schools on specific special educational needs and disabilities
- update information in alternative formats relating to central processes such as assessment, reviews and admissions
- support schools in making school information and communication available in Braille and large print formats for pupils and parents with visual impairment
- provide access to sign language support for school information and communication for pupils and parents with hearing impairment
- offer support, information and training in respect of the duties under section 3 of the DDA 2005/Equality Act 2010 for schools to promote equality of opportunity for disabled people.



## **SEND Information Advice and Support Service (SENDIASS).**

This dedicated service is for children and young people with special education needs and disabilities and their families. Young people can also access the service independently from their parents. The service is impartial, confidential, and free. Tameside Parent Carer Forum and other local services for young people work closely with the service.

They can provide support around:

- Local policy and practice
- The local offer
- Personalisation and personal budgets
- Education law on SEN and related law on disability, health and social care

They also provide advice through parent carer support groups, local SEN youth forums or local groups and training events.

Find their website [here](#)

## **Parent Carer Forum (OKE Our Kids' Eyes)**

Tameside Parent Carer Forum provides a central voice for all parents and carers of children/adults with SEN/ complex learning/ medical needs and disabilities that live in Tameside. The Forum monitors and helps shape participation and awareness with parents. It works to influence and shape current and future service provision for Tameside families.

Find the website [here](#)

## **Monitoring the Strategy**

It will be the responsibility of named officers in the LA to ensure oversight and delivery of actions.

Improvement Development & Action Plans will be developed to ensure delivery of the accessibility strategy.

It will be the responsibility of the Head of SEN to monitor the overall implementation and effectiveness of this Accessibility Strategy.



## Recommendations

- Ensure that new building programmes maximise opportunities to provide environments to support the further development of the SEN Review.
- Ensure all training supports disability and safeguarding to raise expectations and meet policy guidance.
- Identify opportunities, within the resources available, to enhance some programmes linked to the statutory guidance.
- Ensure schools have a duty to comply with the Equality Act 2010, following completion of planned works, including repair and maintenance of facilities and equipment