



## **Access and Inclusion**

### **Introduction**

The vision of Children Services is that all children and young people do well at all levels of learning and have the skills for life. They enjoy learning in environments that give them confidence, knowledge, understanding and skills to thrive and achieve their potential. We believe through focussing on personalised approaches and removing barriers to achievement all children regardless of their learning difficulty or disability will be able to achieve high quality inclusive learning outcomes through our universal learning offer or, where appropriate, our specialist provision.

### **Legal Context**

The Equality Act 2010 and related equality duties state that local authorities provide guidance and templates in order that schools can produce accessibility plans. The need for accessibility plans therefore applies to local authority maintained schools, nurseries, children's centres and early year settings.

Schools must implement accessibility plans, which are aimed at:

- Increasing the extent to which disabled pupils can participate in the curriculum.
- Improving the physical environment of schools to enable disabled pupils to take better advantage of education, benefits, facilities and services provided.
- Improving the availability of accessible information to disabled pupils.

### **Access Issues**

All children with special education needs and disabilities (SEND) and their families are entitled to equal access to services which do not discriminate on the grounds of religion, ethnic origin, linguistic background, culture, gender, disability or sexual orientation.

Where services are offered, it is recognised that in terms of access to these services, inclusion may be an issue. Therefore, where appropriate, the following priorities should be given consideration:

- A workforce who is representative of the community it serves.
- Targeting community groups to increase the pool of carers providing short breaks.



- Avoiding physical features that make access difficult for people with a disability and making reasonable adjustments to improve the environment.
- Improving access to information, premises, a safe environment, transport and communication.
- A focus on inclusive practice and removing barriers to learning.

### **Physical Access to Buildings**

The Complex Needs Service of the Children Services Directorate employs an Access and Inclusion Officer who works closely with the Health and Safety Team and other professionals including the Built Environment team in order to advise and support schools and other children's settings to identify ways in which they can improve access. A site visit can be arranged in order that advice can be given to the child's setting. Information is also available regarding Access Audits and Action Plans.

The Access and Inclusion officer is also responsible for assisting Children services where reasonable adjustments are deemed necessary in applying for capital funding for the work. This can be done in the form of a business case which is then submitted to the Access Working Group for approval. It should be noted that the setting will be eligible for a minimum of 10% of the total cost of the work. This process applies to maintained schools, nurseries, children's centres and early year settings.

### **Consultation**

In developing the strategy, children, young people and parent carers have told us that they want the following:

- Information that is easy to access and understand.
- Services that are responsive and pro-active, not reactive, waiting for a crisis to happen.
- Professionals that talk to one another so that they do not have to tell their story over again.
- Active involvement in the assessment process and the implementation of any single multi-agency plan.
- Active involvement in the development and evaluation of the services that they receive.
- A workforce that is representative and trained to meet their needs.
- Services that work together to promote independence and access to leisure, training and employment



- Greater focus on the needs of children, young people and their families.
- Children and young people's outcomes are at the heart of the system.
- To be protected from bullying and abuse and have somewhere safe to go to ask for help and advice.
- To be treated with respect and valued as individuals who have a valuable contribution to make.

Delivery of the key strands of the Leeds Special Educational Needs and Disability (SEND) strategy will enable the local authority to ensure that all children have access to high quality inclusive learning in the following ways:

- Improving the physical environment of schools and other education settings
- Improving Access to the Curriculum
- Improving the delivery of information

## Equality and Inclusion

The Equality and Human Rights Commission (EHRC) states the definition of Equality as:

“An equal society protects and promotes equal, real freedom and substantive opportunity to live in the ways people value and would choose, so that everyone can flourish.

An equal society recognises people's different needs, situations and goals and removes the barriers that limit what people can do and can be.”

Schools support pupils with a wide range of SEND. They regularly review and evaluate the breadth and impact of the support they offer or can access. Schools cooperate with the local authority in reviewing the provision that is available locally and in developing the Local Offer. Schools also collaborate with other local education providers to explore how different needs can be met most effectively. They **must** have due regard to general duties to promote disability equality under the Equality Act 2010.

All schools have duties under the Equality Act 2010 towards individual disabled children and young people. They **must** make **reasonable adjustments**, including the provision of auxiliary aids and services required by disabled children and young people, to prevent them being put at a substantial disadvantage. These duties require thought to be given in advance in terms of what disabled children and young people might require and what adjustments might need to be made to prevent that



disadvantage. Schools also have wider duties to prevent discrimination, to promote equality of opportunity and to foster good relations.

### **Definition of Disability**

Many children and young people who have SEN may also have a disability. A disability is described in law (the Equality Act 2010) as 'a physical or mental impairment which has a long-term (a year or more) and substantial adverse effect on their ability to carry out normal day-to-day activities.' This includes, for example, physical disabilities, learning disabilities mental health issues regardless of their effect, sensory impairments such as those that affect sight and hearing, long-term health conditions such as asthma, cancer, diabetes or epilepsy, and also some medical conditions, HIV,

### **Hate Incident and Bullying**

The definition of hate Incident is as follows:

"Hate incident is any incident which is perceived to be a hate incident by the victim or any other person. It is motivated wholly or in part by prejudice on the grounds of 'race', colour, national or ethnic origin, religious belief or similar philosophical belief, sexual orientation, or against disabled children and young people".

Hate incidents are not tolerated, and any instance of abusive language or behaviour will be dealt with swiftly and firmly. Harassment by staff will be considered as a disciplinary matter.

Abusive language or behaviour can be viewed as another form of bullying. For further details, please see the information pack on bullying and hate incidents.

[www.leeds.gov.uk/hatecrime](http://www.leeds.gov.uk/hatecrime)

<http://www.leeds.gov.uk/docs/67%20-%20Reporting%20Hate%20Incidents.pdf>.

<http://youtu.be/yDShmUNQtf8>.

### **Equality Impact Assessments (EIA)**

For us to be fair cohesive and prosperous; inequality needs to be tackled and discrimination eliminated. Building on and simplifying the existing legal framework the Equality Act 2010 requires public bodies to have:



- due regard to eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Act;
- advance equality of opportunity, and foster good relations across all protected characteristics.

Equality, diversity, cohesion and integration needs to be considered throughout the development, implementation and review or establishment of any key decisions, strategies, policies, services and functions. In all instances these considerations should be undertaken before decisions are finalised and agreed.

This will add the most value if done during the initial stages of developing new strategies, policies, functions or services, prior to starting a procurement exercise and before decisions are made.

One way of evidencing that this process has been undertaken, the local authorities' duties under the Equality Act have been fully considered is via the production and completion of an Equality Impact Assessment.

Examples of when equality, diversity, cohesion and integration should be considered could include:

- Any proposals to introduce or add to a service
- Any proposals to remove, reduce or alter a service
- Any new policies or changes to policies
- Any proposals to adopt policy priorities, strategies and plans
- Services or practices that have not previously considered equality and diversity.
- Changes to staffing structure where groups of employees are likely to be negatively affected.
- Any proposals in relation to procured or commissioned services.

### **Implementation, Monitoring and Review**

All maintained schools will be required to have an accessibility plan which is regularly reviewed. This is the responsibility of the governing body. As part of this regular review, schools will also need to have a regard to the need to provide adequate resources for implementing plans and must regularly review them.

The following groups will also monitor and review the SEN and access strategy with regards to access and inclusion issues.

Access working Group  
PD Medical group  
Complex needs management Team  
Complex Needs Partnership Group



## **Next Steps**

The following documents will be updated for resources for Leeds's schools and other children's settings in consultation with children and young people with SEND and their parents/carers. These will be published on Leeds Education Hub and Leeds local offer website.

Equality Guidance for School Leaders, School Staff and Governing Bodies in Maintained Schools and Academies

Equality Impact Assessment (EIA) of SEN and disability strategy

Access criteria / standards

Access audit

Accessibility Action plan

## **Further Information**

If a child has Special educational needs and disabilities, parents will be able to access help – called SEN support – from their early years settings, such as nurseries or child-minders (see section in the guide on Support for the under 5s); schools (see section in the guide on Support for children of school age) and further education institutions (see section in the guide on Young people aged 16 and over in further education) such as colleges and 16-19 academies.

<https://www.gov.uk/schools.../special-educational-needs-disabilities>