

Committee: **Education and Learning Scrutiny Committee**

Date of meeting: **Tuesday 14<sup>th</sup> September 2021**

Report Subject: **Education Accessibility Strategy and Action Plan Review**

Portfolio Holder: **Education and Learning Portfolio – Cllr Joanne Collins**

Report Submitted by: **Corporate Director of Education – Lynn Phillips  
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Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
23.8.21	26.8.21	01.09.21			7.9.21	22.9.21		

1. **Purpose of the Report**  
The purpose of the report is to provide Education and Learning Scrutiny Committee with an overview Education Accessibility Strategy Review process and associated timeline. The revised Strategy will be implemented from September 2022.
2. **Scope and Background**
  - 2.1 **Background and Context**  
The Blaenau Education Accessibility Strategy aims to ensure that appropriate educational provision and support services are available to meet the diverse needs of children, young people, parents and carers.
  - 2.2 Welsh Government issued the following updated Guidance in March 2018 'Planning to Increase Access to Schools for Disabled Pupils'. The purpose of the updated guidance being to support local authorities to meet their statutory duties under Schedule 10 of the Equality Act 2010, which provides that: *'A local authority must, in relation to a school for which it is a responsible authority, prepare, implement, review and update written accessibility strategies'*.
  - 2.3 The Blaenau Gwent Education Accessibility Strategy (please refer to **Appendix 1**), was last published in 2017, for the period 2017-20. Local authorities are required to prepare, implement review and update their Accessibility Strategy documents every three years.
  - 2.4 In 2017 upon publication of the updated Strategy, the Education Transformation team established an Accessibility Forum. The purpose of the Forum was to monitor implementation of and work towards a detailed Strategy review plan, whilst overseeing delivery of the action plan and ensuring effective education accessibility issue identification/management processes are in place.

2.5 Strong progress was made against the Strategy and associated action between 2017 and 2021, as follows:

- Blaenau Gwent Council was recognised by the Children's Commissioner for Wales in 2018, as being one of the only Councils in Wales to have a published Accessibility Strategy and action plan.
- The Forum was established to oversee implementation of key strategic priorities, along with delivery and monitoring of the action plan, whilst also ensuring due regard was given to related policy and legislative developments.
- A facilities review process has been established and completed with all Blaenau Gwent schools, in order to facilitate development, publication and action planning processes on a school-by-school basis. This is also being rolled out to wider education, alternative and informal learning settings/facilities. The facilities management aspect of the Education Transformation team work closely with Technical Services, who have and continue to embed accessibility into the facilities review, maintenance, condition and suitability processes.
- All Blaenau Gwent School have Accessibility Plans in place, which were last reviewed during the 2019/20 academic session.
- Pupil accessibility needs are identified pre-admission, monitored, managed and resourced as required. There have been three cases over the course of the 2020/21 academic year, whereby physical works have been undertaken and schools supported to meet the needs of the pupils in question.
- The Blaenau Gwent school maintenance strategy and 21<sup>st</sup> Century Schools programme have and continue to address accessibility issues to the greatest degree possible throughout the school estate. There are two school settings within Blaenau Gwent which are not fully accessible. However, depending on the needs of the child or young person additional adaptations, work and provision may be required within those setting that are considered to be accessible.
- Staff training programmes have been developed and delivered, with learning incorporated into future programmes to increase awareness, knowledge, experience, understanding and management of accessibility issues.
- A Complex and Medical Needs group has been established with representation from Health, Education, Community Services, Health and Safety and Social Services (along with other relevant partners as determined in line with each case), to address individual cases whereby complex needs prevent pupils from attending their chosen/preferred school. Thus far five cases have been resolved, one of which was subject to an independent equality impact assessment.
- An early identification process is in development, to ensure that the Council is able to manage accessibility issues technically, financially and educationally, prior to pupils reaching statutory school age.

**Current Context**

2.6 The Forum was active between 2017 and early 2020, when the frequency of meetings declined, due to resource-based pressures associated with the

COVID-19 pandemic. However, the action plan (please refer to **Appendix 2** for further information), has been continually monitored by Education throughout the course of the pandemic. In addition, accessibility issues have and continue to be identified, managed and monitored on a case by case basis.

- 2.7 The current Blaenau Gwent strategy was due for review and consultation in 2020, however, due to the pandemic both review and consultation processes were delayed. Since the initial review in 2019/20, there have been a number of strategic and other significant developments: Additional Learning Needs Reform, the new Curriculum for Wales, changes to the operation of education and childcare settings in the wake of the COVID-19 Pandemic. Welsh Government are also currently in the process of reviewing the Learner Travel (Wales) Measure 2008, and the School Admissions Code (2013). In addition, there has been significant capital investment, and as a result, physical changes within education settings throughout Blaenau Gwent over the course of the last 4 years. These changes are a result of minor and planned work schemes, the Councils facilities review and maintenance processes/plans, the 21<sup>st</sup> Century Schools Programme, Section 106 developer contributions and other Welsh Government capital funded projects, including:
- The Childcare Grant
  - Welsh Medium Grant
  - Education Maintenance Grant
  - Rural Schools Grant
  - Class Size Capital Grant
- 2.8 Therefore, a fundamental review of the school estate and associated accessibility plans is required. In order to undertake this review, Education plan to develop a 3 to 5-year programme of detailed accessibility audits, starting with the oldest settings and those with the lowest condition and suitability ratings. In conjunction with this, Education will work with key partners and professionals including the Forum, to fundamentally review the Accessibility Strategy over the course of the 2021/22 academic session, for adoption in the summer 2022, and implementation from September 2022. For a detailed overview of the associated plans, actions and timeline, please refer to **Appendix 2**. In the interim, the action plan will be developed and monitored on a monthly basis, with continued identification and case management processes in place to address accessibility issues and needs as they arise.
- 2.9 Education also plan to work with the Forum to develop an accessibility needs identification protocol. The aim of the protocol is to ensure that children, young people and parents have the right support in place to make informed choices in relation to their education options, and that the school estate is able to cater for the accessibility needs of the pupil population. This in turn will assist more pupils with disabilities to attend the education setting or provision of their choice, and ensure equality of access to education linked to the child/ young person's social, emotional and educational development and wellbeing.

2.10 The Accessibility Strategy review will be subject to an informal consultation process, which will commence in the spring-term 2022. Via the consultation exercise, Education will seek to engage with a series of key consultees and stakeholders including but not limited to:

- Special schools
- Resource bases
- The Disability Forum
- The Schools Grand Council
- The Youth Forum
- The Youth Service
- Young people accessing alternative learning settings (EOTAS and off site activity)
- Pupils and Students
- Parents
- School Governors
- School Staff
- Council Services
- Aneurin Leisure Trust
- Blaenau Gwent Access for All Forum
- Partner Organisations i.e. Banardo's, SNAP Cymru, Disability Wales
- Transport Providers

2.11 **Alignment with the Administration of Medicines and Medical Needs**

Welsh Government produced new guidance during the 2018/19 academic session around "Supporting Learners with Healthcare Needs". This placed new expectations on all Councils, schools and pupil referral units to produce a 'Supporting Learners – Healthcare Policy'. The SEWC ALN Group took a regional approach to the writing and production of the Policy, along with a template to assist schools in developing their own individual policy. This approach was agreed by Welsh Government and work commenced with colleagues in the Health Sector in developing and producing the aforementioned documents. Subsequently, SEWC Directors approved the regional policy along with the template for schools. The policy and associated documents were shared with schools in 2019, followed by implementation of a training and engagement programme led by Inclusion.

2.12 The Education plan to develop a Healthcare Needs Sub-group of the Accessibility Forum, to work on the development of localised operational guidance in line with the aforementioned policy, including early identification and management processes. The guidance will cover both the administration of medicines and medical needs.

3. **Options for Recommendation**

3.1 **Option 1:** Education and Learning Scrutiny Committee considers and accepts the report.

3.2 **Option 2:** Education and Learning Scrutiny Committee considers the report and provides comments relating to improvements that can be made.

4. **Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

4.1 Education is a strategic priority for the Council and key to achieving the outcomes within the Council's Corporate Plan. Accessibility is an essential component of and key priority for Education and key to ensuring equality of access to education for all pupils. The Council a statutory duties and responsibilities in line with:

- Equality Act 2010
- Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011
- Part IV of the Education Act 1996 (as amended by sections 1-8 of the Education (Wales) Measure 2009)
- Education (Special Educational Needs) (Information) (Wales) Regulations 1999
- Special Educational Needs Tribunal for Wales Regulations 2012
- The Well Being of Future Generations Act 2015
- Welsh Government Planning to Increase Access to Schools for Disabled Pupils Guidance (2018)

4.2 The Accessibility Strategy seeks to respond to the Council's wellbeing goals for all learners.

5. **Implications Against Each Option**

5.1 ***Impact on Budget (short and long term impact)***

There are no direct budget implications associated with this report. However, depending on the needs of the child or young person additional adaptations, work and provision may be required within those setting that are considered to be accessible and these will be funded through existing revenue and capital resources e.g. Education Capital Maintenance Grants.

5.2 ***Risk including Mitigating Actions***

The Council have a statutory duty to comply with Welsh Government legislation and policy as detailed above. The primary risk and mitigating action is ensuring compliance with statutory duties and legislative obligations aligned to education-based accessibility requirements. The risks are largely mitigated by the Accessibility Action Plan and associated monitoring, identification and management processes. The review process is key to securing compliance.

5.3 ***Legal***

The Council are legally required to prepare, implement and update accessibility strategies for all schools for which they are the responsible body.

5.4 ***Human Resources***

The strategy document and associated plan have been developed by the Education Transformation team, who oversee and monitor the progress of the actions highlighted in the action plan, along with review and publication of the Education Accessibility Strategy. The Corporate Director, supported by Wider Corporate Leadership Team, will have key roles in ensuring the effective implementation and resourcing of the strategy.

## 6. **Supporting Evidence**

### 6.1 ***Performance Information and Data***

Blaenau Gwent Council have an existing Education Accessibility Strategy and up to date action plan. All Blaenau Gwent Schools have Accessibility Plans in place, with annual monitoring activities undertaken by the Council; as a result, the Education Directorate currently has a detailed appreciation of both school and pupil accessibility needs/requirements.

### 6.2 ***Expected outcome for the public***

The Education Accessibility Strategy and associated action plan seek to secure appropriate education provision and support services to meet the diverse needs of children, young people, parents and carers.

### 6.3 ***Involvement (consultation, engagement, participation)***

Stakeholders and end-user needs and engagement are of paramount importance to the Education Accessibility Strategy and associated action plan. An Education Accessibility Forum has been developed to secure inter-departmental working across the Council, aligned to effective delivery of both the strategy and plan. In addition, all relevant stakeholders will be consulted in line with the review process.

### 6.4 ***Thinking for the Long term (forward planning)***

The Strategy is aligned to the Corporate Plan and covers the period 2017 to 2020, with a review programmed for this academic year, followed by publication of the new strategy in 2022 for a period of three years.

### 6.5 ***Preventative focus***

The strategy and action plan will support the Council to better understand, plan for, manage and monitor accessibility issues and needs for all learners throughout the school estate and other education settings.

### 6.6 ***Collaboration / partnership working***

Key management and operational staff across the Council and school estate are and will be involved in the Forum, annual reviews, production of and consultation upon the Education Accessibility Strategy. Education will consult with a cross-section of services, providers, users and partners in line with the preparation, review and production of the Blaenau Gwent Education Accessibility Strategy.

### 6.7 ***Integration (across service areas)***

The review process, strategy and action plan are cross-cutting in the sense that they impact upon Education, schools, Health and Safety, Policy and Performance, Planning and Building Control, Community Services, Social Services etc.; therefore, service area involvement is key to effective implementation.

### 6.8 ***Decarbonisation and Reducing Carbon Emissions***

Any physical works planned and undertaken within education settings are planned in order to take account of decarbonisation and reducing carbon emissions.

6.9a ***Socio Economic Duty Impact Assessment***

The existing strategy was created prior to the socio-economic duty commencing. However, it is a strategic decision, which will require the assessment during the review process.

6.9b. ***Equality Impact Assessment***

EqlA screening and impact assessments are carried out on a case by case basis, however, during the strategy review a full EqlA will be carried out and presented to consultees and stakeholders as part of the consultation process.

7. **Monitoring Arrangements**

- 7.1 Education review and monitor the Accessibility Action Plan consistently throughout the year, incorporating learning from the previous year. The Strategy will undergo review over the course of the next academic session, and once produced, will be taken via the Council's political processes for approval prior to publication.

**Background Documents /Electronic Links**

- Appendix 1 – BGCBC Education Accessibility Strategy
- Appendix 2 – Education Accessibility Action Plan