

### 13. DISABLED ACCESS

In his first annual report as Chief Inspector of Education, Sir Michael Wilshaw wrote: “In the most effective schools, the Headteacher and Governors establish a clear vision, rooted in an unwavering commitment to ensure the success of every pupil. Equality of opportunity is at the heart of this vision, with an insistence that all pupils will do well.”

#### The Equality Act

In October 2010, the old Disability Discrimination Act was replaced by new legislation called the Equality Act. The new Act makes it easier for school leaders and governors to understand their legal responsibilities and tackle inequalities in education. In England and Wales, the Act applies to all maintained and independent schools, as well as academies and free schools.

As far as schools are concerned, for the most part, the effect of the new law is the same as it has been in the past – meaning that schools cannot unlawfully discriminate against pupils, staff or other building users because of their disability.



The new Equality Act also makes it unlawful to discriminate under sex, race, religion or belief and sexual orientation, however for the purposes of this Property Handbook, this guidance will focus on the issues that schools need to address to ensure their buildings are accessible.

The three separate duties under the old DDA (to pupils, staff or other building users) are included in the new Act which covers all aspects of school life including to do with how a school treats pupils and prospective pupils, parents and carers, employees, and members of the community.

Everything a school does must be fair, non-discriminatory and not put disabled people or groups of people at a disadvantage. In particular, a school must not discriminate, harass, victimise or disadvantage anyone in relation to their disability.

Guidance on the Equality Act 2010 can be found on:

<https://www.gov.uk/equality-act-2010-guidance>

#### Equality Duty

Since April 2011, schools have also been bound by a part of the Equality Act 2010 called the Public Sector Equality Duty (also known as the PSED, or simply the “Equality Duty”).

The Equality Duty replaces the previous three sets of duties on schools to promote disability, gender and race equality through having equality policies and action plans for these groups.

The new Equality Duty has two parts: the “general” duty and “specific” duties.

The general duty is the overarching legal requirement for schools and means they must consider how their policies, practices and day-to-day activities impact on pupils and staff. Schools are required to have “due regard” to the need to:

- Eliminate unlawful discrimination, harassment and victimisation.
- Advance equality of opportunity.
- Foster good relations.

The two specific duties for schools aim to assist them to meet the general duty. Schools should have complied with these two duties from April, 2012. They are:

- To publish information to show how they are complying with the Equality Duty. This must be updated at least annually.
- To prepare and publish one or more specific and measurable equality objectives at least every four years.



### **Measurable Equality Objectives for Disabled Access**

Schools can set equality objectives to tackle any issues of discrimination, inequality and disadvantage. Objectives might be linked to

- Challenges the school is already responding to in the school improvement plan
- Issues and concerns identified through consultation with pupils, staff and parents.
- Specific Items identified in the schools Access Audit or Accessibility Plan
- Accessibility works for specific pupils, staff and other building users

Where a school sets equality objectives, these must be “specific and measurable”. This is to make sure that objectives are not vague or flimsy statements, but reflect achievable and measurable improvements that the school wishes to make. Objectives should be clearly focused and demonstrate measurable outcomes. Including a time framework, that indicates when an objective will have been in part or wholly achieved, will also enable success to be measurable. Examples include:

- By July 2014, to ensure that induction loops are installed in the public reception area and all halls, and that a portable induction loop is available in the school to ensure full engagement and participation in school activities by deaf or hard of hearing people.

- By the start of the 2014/15 school year, to ensure that the accessible toilets in the main building and teaching block are brought into compliance with current Building Regulations and British Standard BS8300.
- Notification of a disabled pupil starting in the school to have identified, assessed and undertaken any and all alterations required to the buildings and facilities to meet their specific individual accessibility needs.

There is no requirement for schools to publish a set number of equality objectives. The approach should be proportionate, with larger schools likely to have more objectives than smaller ones. It is up to schools themselves to decide on the format they will adopt for publishing equality information and objectives. For most schools, setting up an equalities page on their website will be the best approach.

### Access Audits

The LA has commissioned Access audits on all school premises to identify and prioritise accessibility issues including specific works to buildings and external areas to make them accessible. School Access Audits can be viewed and downloaded by schools on the LA's on-line Asset Management Database which is available through the LA Asset Management Planning Service Level Agreement. The school's Site Management team and Governing Body Sites & Building Sub Committee will find this information useful in planning and prioritising the schools devolved premises budgets.

### Accessibility Planning

Accessibility Planning should focus on:

- increasing the extent to which disabled persons can participate in normal activities
- improving the physical environment to increase the extent to which disabled children and adults can take advantage of education, and associated services
- ensuring that all of the buildings and facilities are generally accessible
- providing sufficient and suitable parking for disabled people
- ensuring there are sufficient and adequate facilities for disabled persons e.g. accessible toilets, induction loops or colours/signs for way finding.



- Addressing the specific needs of individual pupils, staff or other building users are met through a process of identification, assessment, implementation and review.

Examples of action planning include:

- discuss collecting good practice on curriculum differentiation with curriculum Advisers in the authority and place it on the agenda for the next cluster meeting.
- use this self audit pack to carry out an access audit to identify potential barriers to access in all areas of school life
- aim to provide appropriate training for staff and governors
- review and improve the school's arrangements for accessible information
- use the routine refurbishment and maintenance/equipment budgets to improve the physical environment of the school

### Improving Access



Improvements to physical access might include ramps and handrails, lifts, widened doorways and electromagnetic doors, accessible toilets and washing facilities, adjustable lighting and blinds, induction loops and acoustic improvements to rooms and way-finding systems.

Much of the work in this area however, will involve improving access to existing buildings and accommodation. Improved access to the physical environment can be achieved by, for example:

- re-arranging room space,
- removing obstructions from walkways,
- changing the layout of classrooms,
- installation of wider doors, creating designated storage space,
- re-allocation of rooms to particular subject specialisms,
- installation of well-designed ramps and handrails to current access standards,
- improving the acoustics of classrooms and halls,
- using colour when repainting rooms, corridors etc. to highlight facilities.

### Publishing the Plan

Maintained schools have a duty to publish information about the accessibility plans in their governors' report to parents. The DfE recommend that schools reproduce the full accessibility plan in the governors' report to parents. Schools may be asked to provide their plans in alternative formats. Although the client group may be different, these principles are commended for all premises managers.

### Implementation and review

When the plan is produced and formally recorded, the establishment has a duty within the strategic policy of the LA to implement the plan and to allocate adequate resources (see below) to make reasonable improvements.

The Planning group should review current accessibility and identify barriers to inclusion. Reviews should cover all aspects of the Accessibility Plan and be arranged whenever there is a planned change to the environment or client group, e.g. new admissions to the school or centre.

## Resources

Community schools can use their delegated budget for disability access including the use of devolved capital funding.

## Access Works for Disabled People



The Council, subject to available funding, manages a rolling programme of physical access works to schools identified from the most recent Access Audits. The highest priority will be given to works required in respect of individual pupils, service users, staff or building users who are registered disabled or with statements for special needs for physical access. After this, priorities should be implemented in priority order commencing with priority 1 items from the surveys. Schools can refer the physical access needs of staff and pupils to Admissions and Property for consideration to be included on this programme.

Please contact Education Capital and Property for further information and guidance.

Chris Taylor – Head of Education Capital and Property  
Tel 01344 354062  
[chris.taylor@bracknell-forest.gov.uk](mailto:chris.taylor@bracknell-forest.gov.uk)

Caroline Moore – Planning and Property Officer  
Tel 01344 354055  
[caroline.moore@bracknell-forest.gov.uk](mailto:caroline.moore@bracknell-forest.gov.uk)