

THE VALE OF GLAMORGAN COUNCIL

LEARNING AND CULTURE SCRUTINY COMMITTEE: 4TH NOVEMBER, 2024

REFERENCE FROM CABINET: 19TH SEPTEMBER, 2024

C120 CONSULTATION ON THE DRAFT SCHOOL ACCESSIBILITY STRATEGY 2025-2027 (EAWL) (SCRUTINY – LEARNING AND CULTURE) –

The Leader presented the report on behalf of the Cabinet Member for Education, Arts and the Welsh Language to seek Cabinet approval to consult with stakeholders on the draft three year School Accessibility Strategy 2025-27.

Any person could respond to the consultation during the consultation period, either in writing or through completion of an online form hosted on the Council's website and the report would be referred to the Learning and Culture Scrutiny Committee for consideration as part of the proposed consultation exercise.

There were already specialist centres present in some schools in the Vale of Glamorgan and the preferred way forward was to be able to continue to support learners to remain in their own school and peer group.

This was a matter for Executive decision.

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

(1) T H A T the Director of Learning and Skills be authorised to undertake a consultation on the draft School Accessibility Strategy 2025-2027 found at Appendix A to the report.

(2) T H A T the report be referred to the Learning and Culture Scrutiny Committee for consideration as part of the proposed consultation exercise.

Reasons for decisions

(1) To seek Cabinet authority to carry out a statutory consultation on the proposed School Accessibility Strategy 2025-2027.

(2) To ensure that the Learning and Culture Scrutiny Committee was consulted on the proposals.

Attached as Appendix: Report to Cabinet: 19th September, 2024

Meeting of:	Cabinet
Date of Meeting:	Thursday, 19 September 2024
Relevant Scrutiny Committee:	Learning and Culture
Report Title:	Consultation on the Draft School Accessibility Strategy 2025-2027
Purpose of Report:	To seek Cabinet approval to consult with stakeholders on the draft three year School Accessibility Strategy 2025-27
Report Owner:	Cabinet Member for Education, Arts and the Welsh Language
Responsible Officer:	Elizabeth Jones, Director of Learning and Skills
Elected Member and Officer Consultation:	<p>Head of Strategy, Community Learning and Resources Operational Manager, Strategy and Resources Project Manager, Sustainable Communities for Learning Operational Manager, Property</p> <p>Local Ward Members would be consulted as part of the consultation process in accordance with the School Organisation Code 2018</p>
Policy Framework:	This is a matter for Executive decision by Cabinet
<p>Executive Summary:</p> <ul style="list-style-type: none"> • This report seeks Cabinet approval to consult on the draft School Accessibility Strategy 2025-2027. This is a statutory document required under paragraph 2(4) of schedule 10 of The Equality Act 2010. • The Consultation would run from 7th October to 18th November 2024. • The School Accessibility Strategy has been produced with reference to the Welsh Government document Planning to increase access to schools for disabled pupils which outlines the Councils requirement to prepare, implement, review and update written accessibility strategies for schools. The purpose of the strategy is to support the development of fully inclusive learning environments where all learners are given the opportunity to succeed and have access to an education that meets their needs. 	

The consultation process:

- Consultation will be undertaken with prescribed consultees in accordance with the School Standards and Organisation (Wales) Code 2018. The Council would publish a Consultation Document, which would outline the strategy. Any person could respond to the consultation during the consultation period, either in writing or through completion of an online form hosted on the Council's website. Following the consultation, the Council would publish a consultation report, which would provide an overview of the feedback received, as well as outlining the Council's response to any issues raised. This would be presented to Cabinet for consideration and would inform future action plans and decisions with relation to the Capital Programme.

Recommendations

1. That Cabinet authorises the Director of Learning and Skills to undertake a consultation on the draft School Accessibility Strategy 2025-2027 found at Appendix A.
2. That Cabinet refers this report to the Learning and Culture Scrutiny Committee for consideration as part of the proposed consultation exercise.

Reasons for Recommendations

1. To seek Cabinet authority to carry out a statutory consultation on the proposed School Accessibility Strategy 2025-2027.
2. To ensure that the Learning and Culture Scrutiny Committee is consulted on the proposals.

1. Background

- 1.1 This Strategy is produced in line with Welsh Government guidance in order to identify and address the barriers which can prevent disabled learners having equal access to education, and ensure they have the same opportunities as their peers to develop and achieve their potential.
- 1.2 Improving access to education for disabled learners means considering:
 - the curriculum and how it is taught;
 - the accessibility of school buildings and their surroundings, school activities including school trips and transport; and
 - information and activities provided by schools and how easy it is for disabled learners and/or their disabled parents to understand.
- 1.3 These are known as the 'three planning duties' and are a statutory requirement of Schedule 10 to the Equality Act 2010.
- 1.4 At least every three years, each Local Authority must prepare, implement, review and update a written accessibility strategy which identifies how strategic actions will improve accessibility to education for disabled pupils against each of the three planning duties.
- 1.5 In preparing accessibility strategies and plans, full and effective consultation must be undertaken to identify appropriate improvements. The consultation must ensure that the views of disabled learners and their parents/carers and appropriate professionals are taken into account. Reasonable adjustments to cater for future disabled learners must be embedded in accessibility strategies and plans – there is a need to plan ahead and continuously improve irrespective of whether or not disabled learners currently attend the schools concerned.

2. Key Issues for Consideration

- 2.1** The Council acknowledges that ensuring accessibility is an ongoing focus; staff change, and schools/settings will at times encounter new additional learning needs and disabilities for the first time. There will always be a need for further action and development. We therefore aim to foster a 'learning culture' that promotes continual improvement in all that we do. This will be achieved by:
- Providing on-going guidance and training to staff to support them in the effective implementation of relevant legislation.
 - Collecting and disseminating examples of good practice across the Council and the wider educational community.
 - Providing information to encourage continued professional development in the area of additional learning needs, disability and inclusion.
 - Ensuring continued access to advice and support through centrally maintained specialist services and partner organisations.
 - Further developing schools as centres of excellence.
 - Working with schools to ensure that relevant information is readily available to support access on entry to/transfer between schools.
 - Creating a climate in which schools always consider disabled learners when any change to curriculum and other policies are proposed.
 - Ensuring schools regularly review their accessibility plans.
- 2.2** The Council will aim to ensure that improvements to the physical environment of schools are made to increase access to education. This will be achieved by:
- Supporting schools in reviewing the physical access of their premises.
 - Ensuring that the Property Department monitors all building projects carried out centrally or by schools to address accessibility issues.
 - Providing schools with advice on disability and accessibility issues.
- 2.3** The Council will also aim to ensure that improvements to the provision of information for disabled learners is prioritised. This will be achieved by providing support and advice on the provision of information and continuing to maintain specialist support services.
- 2.4** This strategy will link into:
- Learning and Skills Investment Strategy
 - Asset renewal plan
 - Capital programme
 - School Accessibility Plans
 - Council Strategic Plans
 - ALN Principles Document

- Vale of Glamorgan Toolkit: Meeting the Healthcare Needs of Children and Young People

Statutory Process:

- 2.5** Welsh Government’s revised School Organisation Code 2018 came into effect on the 1 November 2018. The Council must “act in accordance with the Code” as determined by the School Standards and Organisation (Wales) Act 2013.
- 2.6** Section 48 of the School Standards and Organisation (Wales) Act 2013 Act requires that before school organisation proposals are published, they must first be subject to consultation. A consultation document must be published and provided to prescribed consultees and Welsh Ministers.
- 2.7** Consultees must be advised by letter or email of the availability of the consultation document and that a hard copy can be obtained on request. Consultees must be given at least 42 days to respond to the document, with at least 20 of these being school days.
- 2.8** A consultation report must be published including a summary of comments received and the Council's response to these comments, at least two weeks prior to the publication of any statutory notice.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1** The Well-being of Future Generations Act 2015 (“the 2015 Act”) requires the Council to think about the long-term impact of their decisions, to work better with people, communities and each other and to prevent persistent problems such as poverty, health inequalities and climate change.
- 3.2** The Council has committed as part of the Corporate Plan 2020-2025 to achieving a vision of ‘Working Together for a Brighter Future’. This plan is reflective of the Welsh Government’s Well-being of Future Generations Act and is comprised of four Well-being objectives to deliver this vision:
- Objective 1 - To work with and for our communities
 - Objective 2 - To support learning, employment and sustainable economic growth
 - Objective 3 - To support people at home and in their community
 - Objective 4 - To respect, enhance and enjoy our environment
- 3.3** To make sure we are all working towards the same purpose, the 2015 Act puts in place seven well-being goals on the Council. The 2015 Act makes it clear the listed public bodies must work to achieve all of the goals, not just one or two, these being:
- A prosperous Wales
 - A resilient Wales
 - A healthier Wales

- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and Welsh Language
- A globally responsible Wales
- This proposal contributes to achieving the wellbeing goals by ensuring that a strategic approach to school organisation and capital expenditure pays due regard to the needs of all learners, including those with a disability. Vale.
- The 2015 Act sets out five ways of working needed for the Council to achieve the seven well-being goals, these being:
- The importance of balancing short-term needs with the needs to safeguard the ability to also meet long-term needs.
- Considering how the Council's objectives impact upon each of the wellbeing goals listed above.
- The importance of involving people with an interest in achieving the well-being goals and ensuring that those people reflect the diversity of the area which the Council services.
- Acting in collaboration with other persons and organisations that could help the Council meet its wellbeing objectives.
- Acting to prevent problems occurring or getting worse.

3.4 This draft strategy meets the five ways of working by:

- identifying and addressing the barriers which can prevent disabled learners having equal access to education, and ensure they have the same opportunities as their peers to develop and achieve their potential.
- Making best use of schools that have an environment reflective of the national mission for education in Wales and future curriculum.
- Delivering rigorous consultation with open communication channels and numerous opportunities for stakeholders to engage throughout the process.

3.5 The proposal has been appraised in terms of how they contribute to delivering upon the aspirations of the Act, the well-being goals, and the ways-of-working. This does not form part of the statutory consultation process but was considered beneficial to meeting the spirit of the Act.

4. Climate Change and Nature Implications

4.1 There are no direct climate change or nature implications as a result of this proposed strategy.

5. Resources and Legal Considerations

Financial

- 5.1** No capital or revenue funding is required to consult on the School Accessibility Strategy. This will be managed within existing resources. Any action plan produced as a result of this consultation will be used to inform decisions with regard to the Council's asset renewal programme.

Employment

- 5.2** No employment related issues have been identified as part of the proposed School Accessibility Strategy 2025-27.

Legal (Including Equalities)

(4) Equalities Act 2010 ("the Act") and Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011

- 5.3** The Council has to satisfy its public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties Council's must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics.
- 5.4** A full Equality Impact Assessment will be developed as part of the consultation exercise and will be included within the consultation report.
- 5.5** The Council in its preparation of its accessibility strategies and accessibility plans must ensure full inclusion of disabled children in a school environment under Schedule 10 of the Act which provides that i) a Local Authority must, in relation to a school for which it is a responsible Authority, prepare, implement, review and update written accessibility strategies ii) the responsible body for a school must prepare, implement, review and update written accessibility plans.
- 5.6** The Disability Discrimination Act 1995 ("the DDA") was repealed and replaced by the Act. This legislation harmonises discrimination law and provides a simplified, strengthened, updated legislative framework to protect the rights of individuals and advance equality of opportunity for all. In addition to Welsh Government Guidance, the Equality and Human Rights Commission have prepared a guide, Reasonable Adjustments for Disabled Pupils, in ensuring compliance with the reasonable adjustment's duty. The Council and responsible bodies are required by legislation to prepare and implement strategies and plans which ensure that school and school activities are accessible for disabled pupils. Schools must also consider how to ensure equality for people with the protected characteristics under the Act.
- 5.7** The Public Sector Equality Duty applies to all aspects of the running of a school including the employment of teachers. The protected characteristics of both age

and marriage/civil partnership do not apply to the operation of a school as far as they directly relate to pupils.

- 5.8** The term ‘pupil’ means a child or young person of any age for whom education is, or is required to be, provided. In accordance with section 6 of the Act, a person (P) is disabled if: (a) P has a physical or mental impairment, and (b) the impairment has a substantial and long-term adverse effect on P’s ability to carry out normal day-to-day activities. The definition of disability covers physical impairments, which includes mobility and sensory impairments. It also covers mental impairments which include learning difficulties and any impairment resulting from a mental illness. In the latter case, the mental illness need not be ‘clinically well-recognised’ but it must still have a substantial and long-term adverse effect on a person’s ability to carry out normal day-to-day activities. Each of cancer, human immunodeficiency virus (HIV) infection and multiple sclerosis is deemed to be a disability, as is severe disfigurement (Equality Act, Schedule 1, paragraphs 3 and 6).
- 5.9** Disability also covers those with a progressive condition, such as muscular dystrophy, which leads to a person having an impairment which will in the future have a substantial adverse effect on the person’s ability to carry out normal day-to-day activities (Equality Act, Schedule 1, paragraph 8). The effect of the impairment must be substantial, and it must have an adverse effect which is greater than having a minor impact. This is because having an impairment does not in itself mean that a person is disabled by it.
- 5.10** An impairment is to be treated as having a substantial adverse effect on the ability of the person concerned if it would be likely to have a substantial adverse impact without measures being taken to overcome it.
- 5.11** The meaning of ‘long term effects’ is covered in Schedule 1 of the Act. The effect of an impairment is long-term if it: (a) has lasted for at least 12 months, or (b) is likely to last for at least 12 months, or (c) is likely to last for the rest of the life of the person affected.
- 5.12** Schools and Local Authorities have a duty to provide reasonable adjustments for disabled pupils. This duty requires a school to take positive steps to ensure that disabled pupils can fully participate in the education provided by the school and enjoy the other benefits, facilities and services which the school provides.
- 5.13** The meaning of ‘long term effects’ is covered in Schedule 1 of the Act. The effect of an impairment is long-term if it: (a) has lasted for at least 12 months, or (b) is likely to last for at least 12 months, or (c) is likely to last for the rest of the life of the person affected.
- 5.14** It is not discrimination to treat a disabled pupil more favourably than one who is not disabled.
- 5.15** Disabled pupils may experience indirect discrimination where a particular policy, as applied, disadvantages them (or would, if it was applied, disadvantage them).

5.16 Discrimination arises when a disabled pupil is treated less favourably not because of the disability itself, but for a reason related to his/her disability and that treatment cannot be justified

5.17 Accessibility strategies and accessibility plans must both identify:

- How schools and Local Authorities will increase the quality and extent to which disabled pupils can fully participate in the curriculum, including after and out-of-school activities? (Articles 23 and 29 of the UNCRC)
- What physical environmental improvements will schools and Local Authorities need to secure in order to maximise access to education, benefits facilities and services for disabled pupils? (Articles 6 and 28 of the UNCRC) 9
- How will schools and Local Authorities improve the delivery of accessible information to disabled pupils? (Articles 2, 4 and 13 of the UNCRC).
- How are children and young people involved in decision-making (Article 12 of the UNCRC). These are known as the three planning duties. Accessibility strategies and plans must be:
 - in writing;
 - for an identified prescribed period;
 - implemented;
 - reviewed and if necessary, revised;
 - clear with regard to the allocation of resources to implement it; and
 - be given to the Welsh Ministers if there is a request to do so.

5.18 In preparing or carrying out a review or revision of an accessibility strategy or plan, regard must be given to any guidance, issued by the Welsh Ministers. Accessibility strategies and plans must be prepared, implemented, evaluated, revised and re-issued on a rolling three-year basis and must consider all aspects of education and associated services provided by schools. These include not only the curriculum but also break, lunch times, schools' sports, extended-curriculum activities and all aspects of attending school. This requirement includes pre-school nurseries and pupil referral units maintained by the Local Authority.

5.19 Where there has been inadequate or no satisfactory discharge of such duty, The Education (Wales) Measure 2009 gives children and young persons the right to initiate legal proceedings in the Additional Learning Needs Education Tribunal Wales (ALNETW) themselves. Pupils and parents are entitled to bring a claim to the ALNETW about disability discrimination in schools. The Welsh Ministers may direct the Local Authority or responsible body to comply with the requirements of the Act or to comply with any order issued by the ALNETW following a successful claim.

Additional Learning Needs and Education Tribunal Act 2018 (ALNET Act 2018)

5.20 The Council is committed to meeting the requirements of the Additional Learning Needs and Education Tribunal Act 2018 (ALNET Act 2018) in transforming

expectations and outcomes for children and young people with additional learning needs (ALN). This provides a new statutory framework for supporting children with additional learning needs (ALN) and is accompanied by a mandatory Code which makes sure that the new system has a set of clear, legally enforceable parameters within which Local Authorities, schools, further education colleges and health services responsible for the delivery of services to children and young people with ALN must act. The aim of the new approach, as stated in the Code is as follows: To support the creation of a fully inclusive education system where all learners are given the opportunity to succeed and have access to an education that meets their needs and enables them to participate in, benefit from, and enjoy learning.

- 5.21** Part 1 of the Education Act 1996 (“the 1996 Act”) imposes a number of general duties on all Local Authorities in Wales. The general duty in section 13 of the 1996 Act is to contribute (so far as the Council’s powers enable them to do so) towards the spiritual, moral, mental and physical development of the community by securing that efficient primary education and secondary education are available to meet the needs of the population of their area.
- 5.22** Section 13A(3) of the 1996 Act states that a Local Authority in Wales must ensure that their relevant education functions and their relevant training functions are exercised by the Authority with a view to promoting high standards and the fulfilment of learning potential by every person to whom the subsection applies, including those who are of compulsory school age or are below school age and are registered as pupils at schools maintained by the Authority.
- 5.23** Section 14 of the 1996 Act then provides that the Council shall secure that sufficient schools for providing primary education and secondary education are available in the Council’s area. Schools available for an area shall not be regarded as sufficient unless they are sufficient in number, character and equipment to provide for all pupils the opportunity for appropriate education. Appropriate education means education which offers such variety of instruction and training as may be desirable in view of (a) the pupils’ different ages, abilities and aptitudes; and (b) the different periods for which they may be expected to remain at school, including practical instruction and training appropriate to their different needs.
- 5.24** Powers for Councils to develop school organisation proposals are governed by the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code 2018. The Council is to comply with the relevant provisions in connection with the proposal.

(1) School Standards and Organisation (Wales) Act 2013

- 5.25** Part 3 of the School Standards and Organisation (Wales) Act 2013 (“the 2013 Act”) is concerned with school organisation. The Welsh Ministers have issued the School Organisation Code (“the Code”). Local Authorities must, when exercising functions under Part 3 of the 2013 Act, act in accordance with any relevant requirements contained in the Code and must have regard to any relevant guidelines contained in it. A copy of the Code is found here:

<https://gov.wales/sites/default/files/publications/2018-10/school-organisation-code-second-edition.pdf>

- 5.26** Chapter 2 of Part 3 of the 2013 Act deals with school organisation proposals.
- 5.27** Section 48(2) of the 2013 Act provides that before publishing such proposals, a proposer (in this case, the Council) must consult on its proposals in accordance with the Code. The consultation document must be issued during the term time of the schools affected and consultees must be given at least 42 days to respond to the document, with at least 20 of these being school days.
- 5.28** The proposer must publish a report on the consultation it has carried out in accordance with the Code. The consultation report must summarise each of the issues raised by consultees, responding to these by means of clarification, amendment to the proposal or rejection of the concerns, with supporting reasons; and setting out Estyn's view (as provided in its consultation response) of the overall merits of the proposal.

(2) The Code

- 5.29** The Code contains the following elements:
- It imposes requirements in accordance with which relevant bodies (including all Local Authorities in Wales) must act. Where mandatory requirements are imposed by the Code or by the 2013 Act or another statute or statutory instrument, it is stated that the relevant bodies must comply with the particular provision. Where practices are prohibited, it is stated that the relevant bodies must not use this practice.
 - It includes statutory guidance to which the Council must have due regard and sets out the policy context, general principles and factors that should be taken into account by those bringing forward proposals to reconfigure school provision and by those responsible for determining proposals. Where guidance is given by the Code, it is stated that relevant bodies should follow this guidance unless they can demonstrate that they are justified in not doing so.
- 5.30** Paragraph 1.1 of the Code sets out the key background principles and policies, which should be taken into account by the Council in developing school organisation proposals. These include:
- United Nations Convention on the Rights of the Child
 - The Well-being of Future Generations (Wales) Act 2015 (see below)
 - Cymraeg 2050, A Million Welsh Speakers
 - Action Plan, Cymraeg 2050
 - One Wales: One planet, a new sustainable development scheme for Wales May 2009 or any successor strategy
 - Child Poverty Strategy for Wales (issued February 2011 Information document number 95/2011), or any successor strategy
 - Faith in Education

- Local plans for economic or housing development
- Welsh in Education Strategic Plans (made under part 4 of the School Standards and Organisation (Wales) Act 2013)
- Children and Young People’s Plans (or successor plans)
- 21st Century Schools – Capital Investment Programme and the relevant wave of investment
- Learner Travel Statutory Provision and Operational Guidance 2014: <https://beta.gov.wales/learner-travel-statutory-provision-and-operational-guidance>
- Measuring the capacity of schools in Wales, Circular No: 021/2011: <https://beta.gov.wales/measuring-capacity-schools-guidance>
- Children and Young People’s National Participation Standards
- Section 1.4 of the School Organisation Code 2018 outlines that Councils should consider the extent to which the proposal would support the targets in the approved [Welsh in Education Strategic Plan](#) (WESP) .

(3) The Well-being of Future Generations (Wales) Act 2015

5.31 The Well-being of Future Generations (Wales) Act 2015 (‘the 2015 Act’) sets out new ways of working – of planning and making decisions – for Local Authorities and other public bodies it lists. The aim is that, by improving these things, the overall well-being of Wales will be better improved by the things public bodies collectively do. The Act and the statutory guidance make it clear that Local Authorities must, in the course of their corporate planning and their delivery against those plans:

- balance short term needs against the ability to meet long term needs;
- think about the impact their objectives have on other organisations’ objectives, and on the well-being of Wales, in an integrated way;
- involve in those processes people who reflect the diversity of the population they serve;
- work together collaboratively with other organisations to better meet each other’s objectives; and
- deploy their resources to prevent problems from getting worse or from occurring in the first place.

5.32 The statutory guidance, for organisations subject to the Act, sets out the expectations for how the duties should be met: <https://gov.wales/well-being-of-future-generations-wales>

5.33 The Act itself is available to view online: <https://www.legislation.gov.uk/anaw/2015/2/contents/enacted>

(5) The Equality Act (Authorities subject to a duty regarding Socio economic Inequalities) (Wales) Regulations 2021

- 5.34** On the 10 and 11 March 2021 respectively, the Equality Act (Authorities subject to a duty regarding Socio-economic Inequalities) (Wales) Regulations 2021 (SI 2021/295) and the Equality Act 2010 (Commencement No 15) (Wales) Order 2021 (SI 2021/298) were made, and the ‘socio-economic’ inequality duty under the Equality Act 2010 and make public bodies subject to the duty.
- 5.35** A commencement order and regulations were made concerning the coming into force of the public sector duty regarding socio-economic inequalities, as follows:
- *The Equality Act 2010 (Commencement No 15) (Wales) Order 2021 (SI 2021/298)* was made on 11 March 2021 brought section 1 (that is, the socio-economic inequality duty) and section 3 (enforcement for the purposes of section 1) of the Equality Act 2010 into force on 31 March 2021
 - *The Equality Act (Authorities subject to a duty regarding Socio-economic Inequalities) (Wales) Regulations 2021 (SI 2021/295)* were made on 10 March 2021 and came into force on 30 March 2021. The Regulations make specific Welsh public bodies subject to the socio-economic inequality duty when the duty is brought into force under the above Order.
- 5.36** The Socio-economic duty places a duty on the Council, as a public sector organisation in Wales, to consider how it might help reduce the inequalities associated with socio-economic disadvantage when strategic decisions are made, including decision which would include deciding priorities and setting objectives, such as:
- Strategic directive and intent.
 - Strategies developed at Regional Partnership Boards and Public Service Boards which impact on a public body’s functions.
 - Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans).
 - Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy).
 - Changes to and development of public services.
 - Strategic financial planning.
 - Major procurement and commissioning decisions.
 - Strategic policy development.
- 5.37** When making decisions, and reviewing previous strategic decisions, the Council needs to do the following:
- Take account of evidence and potential impact.
 - Through consultation and engagement, understand the views and needs of those impacted by the decision, particularly those who suffer socio-economic disadvantage.

- Welcome challenge and scrutiny.
- Drive a change in the way that decisions are made and the way that decision makers operate.

5.38 When making a decision or reviewing a previously made strategic decision made after 31st March about how to exercise their functions, the Council must show that it has had 'due regard' (giving weight to a particular issue in proportion to its relevance) to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage. Those subject to the duty includes government ministers and departments, Local Authorities and NHS bodies.

5.39 This would form part of the full Equality Impact Assessment which would be developed as part of the consultation process

6. Background Papers

None.



VALE of GLAMORGAN COUNCIL
Draft Accessibility Strategy
2025-27

Directorate of Learning and Skills



This document can be made available in Braille.

Information can also be made available in other community languages if needed.

Please contact us on 01446 709727 to arrange this.

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Vale of Glamorgan Accessibility Strategy 2025-27 (Accessibility for pupils with who have an impairment and who are disabled by it.)

1. Introduction

As per the Equality Act 2010 definition included in Section 1, the term 'disabled learner' will be used throughout this document to refer to children and young people in Vale of Glamorgan schools who have an impairment and who are disabled by it.

This document sets out the Vale of Glamorgan Council's strategy for progressively increasing the accessibility of its schools to disabled learners. It will be reviewed annually and updated every three years. It is important to note that this strategy is specifically about improving access for disabled learners as defined under the Equality Act 2010. As such, a distinction needs to be made between disability and additional learning needs (ALN).

The Vale of Glamorgan Council is committed to ensuring that all pupils within its maintained schools and educational settings have every opportunity to attain the best possible outcomes. The Council recognises:

- that disabled learners face particular challenges which risk their marginalisation from education and their local community, from future employment opportunities and from enjoying a social life;
- that disparities remain between the attainment of disabled people and non-disabled people;
- the impact of intersectionality where people who share more than one protected characteristic are at risk of multiple disadvantages, inequity, discrimination, harassment and victimisation;
- entrenched, systemic, discriminatory attitudes and behaviours can present the greatest challenge;
- the need for an assets-based approach that values the knowledge and lived experience of the child and family alongside the expertise of the school, where together positive change can be achieved;
- the connection between disability and poverty;
- that disabled children are more likely to be victims of crime.

In preparing this accessibility strategy, full and effective consultation will be undertaken to identify appropriate improvements. This will ensure that the views of disabled learners, their parents/carers and appropriate professionals have been considered. It is important that this Strategy is meaningful, relevant and appropriate for the communities that are impacted, and the Council has a duty of care to ensure that proposals are clear, transparent, and reflective of those affected. This is a vision that can only be realised by working in partnership with schools, settings governors, parents and the wider communities we serve.

Accessibility strategies and accessibility plans must both identify:

- How schools and the Council will increase the quality and extent to which disabled learners can fully participate in the curriculum, including after and out-of-school activities? (Articles 23 and 29 of the UNCRC).

- What physical environmental improvements will schools and the Council need to secure in order to maximise access to education, benefits facilities and services for disabled learners? (Articles 6 and 28 of the UNCRC).
- How will schools and the Council improve the delivery of accessible information to disabled learners? (Articles 2, 4 and 13 of the UNCRC).
- How are children and young people involved in decision-making (Article 12 of the UNCRC).

This strategy makes clear the Council's position on improving accessibility for disabled learners and outlines schools' responsibilities in meeting their requirements around accessibility including accessibility of the curriculum, the physical environment and information for disabled learners. The Council is committed to ensuring that all children and young people are as fully engaged in their learning and development as is possible and this strategy will help ensure full inclusion of disabled learners in a school environment.

Under the Equality Act (2010) the Vale of Glamorgan Council must, for the schools for which it is responsible, prepare an accessibility strategy. This applies to council-maintained schools. The accessibility strategy sets out the Council's plan to increase access to education for disabled learners in all schools. Schools should take account of the Council's strategy when drawing up their own school accessibility plans.

All schools have a statutory duty to draw up and publish a school accessibility plan. As well as general duties for public bodies, the Equality Act states the legal obligations that schools, early year's providers, post-16 institutions, and others have towards disabled children and young people. Disability is a protected characteristic within the terms of this Act. This strategy makes clear the Council's priorities in improving accessibility disabled learners and to outline maintained schools' and settings responsibilities in meeting these requirements. This is a requirement of law. [Schedule 10 of the Equality Act](#) clearly sets out what every Council in England and Wales must do as part of their accessibility strategy. The Equality Act 2010 provides the legal framework for this strategy which has been prepared with due consideration to the requirements of the [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018](#).

2. The Strategy

The overall aim of this strategy is to ensure that the Vale of Glamorgan Council supports schools in meeting the needs of all learners, including those with additional learning needs or disabilities and enables them to achieve aspirational outcomes. With the right level of help and support, all learners should be equipped to achieve happy, healthy and fulfilling adult lives. The Council aims to equip them as far as possible to live independently, find a job and have an active social life – with support when they need it.

We will work to ensure that our maintained schools:

- have a welcoming and inclusive culture because all staff will be committed to an inclusive agenda;

- have the infrastructure required to achieve this inclusive agenda, because the strategic planning of both the Council and the school/ setting will support the continuing improvement of access to the curriculum, facilities and information;
- enable success for all, because both the Council and the school/ setting will rigorously monitor and challenge progress and achievement; and
- identify needs at the earliest opportunity; assess and meet needs effectively and in a timely way; improve outcomes and life chances for all children and young people.

The Vale of Glamorgan Corporate Plan outlines the Council’s strong vision for the future of the Vale of Glamorgan. This vision guides us in how we plan, deliver and review our services. Our vision for the Vale of Glamorgan is “**Strong communities with a bright future.**”

Our four new well-being objectives are:

- To work with and for our communities
- To support learning, employment and sustainable economic growth
- To support people at home and in their community
- To respect, enhance and enjoy our environment

Improving access to education for disabled learners means considering:

- the curriculum and how it is taught;
- the accessibility of school buildings and their surroundings, school activities including school trips and transport; and
- information and activities provided by schools and how easy it is for disabled learners and/or their disabled parents to understand.

These are known as the ‘three planning duties’ and are a statutory requirement of Schedule 10 to ‘the Act.

The Council acknowledges that ensuring accessibility is an ongoing focus; staff change, and schools/settings will at times encounter new additional learning needs and disabilities for the first time. There will always be a need for further action and development. We therefore aim to foster a ‘learning culture’ that promotes continual improvement in all that we do. This will be achieved by:

- Providing on-going guidance and training to staff to support them in the effective implementation of relevant legislation.
- Collecting and disseminating examples of good practice across the Council and the wider educational community.
- Providing information to encourage continued professional development in the area of additional learning needs, disability and inclusion.
- Ensuring continued access to advice and support through centrally maintained specialist services and partner organisations.
- Further developing schools as centres of excellence.
- Working with schools to ensure that relevant information is readily available to support access on entry to/transfer between schools.

- Creating a climate in which schools always consider disabled learners when any change to curriculum and other policies are proposed.
- Ensuring schools regularly review their accessibility plans.

The Council will aim to ensure that improvements to the physical environment of schools are made to increase access to education. This will be achieved by:

- Supporting schools in reviewing the physical access of their premises.
- Ensuring that the Property Department monitors all building projects carried out centrally or by schools to address accessibility issues.
- Providing schools with advice on disability and accessibility issues.

The Council will also aim to ensure that improvements to the provision of information for disabled learners is prioritised. This will be achieved by providing support and advice on the provision of information and continuing to maintain specialist support services.

This strategy will link into:

- [Learning and Skills Investment Strategy](#)
- Asset renewal plan
- Capital programme
- School Accessibility Plans
- Council Strategic Plans
- ALN Principles Document
- Vale of Glamorgan Toolkit: Meeting the Healthcare Needs of Children and Young People

The strategy is available to all schools and other interested groups and to the public in as accessible form as possible.

What we will do next:

Consultation

The Council takes its responsibilities for all pupils very seriously and will follow [Welsh Government Guidance](#) in preparing and reviewing this accessibility strategy. We will consult from 7 October to 18th November 2024 with a broad cross-section of service providers, users and third sector organisations. Children, young people, schools, early years settings and Council services working with schools to identify strengths of current provision and to identify key areas for improvement. This information, in conjunction with other qualitative and quantitative data held will be used to identify and set targets and priorities for the Council's Accessibility Strategy Action plan.

The Council will also review the outcomes of existing strategies/plans to identify what worked and why it worked; what was less successful and why that was the case; and whether the identified needs remain. We will identify remaining barriers to accessibility. We will undertake research to identify any previous accessibility barriers and to identify best practice in schools.

The Council will focus on desired outcomes and suggested improvement priorities to achieve those outcomes ranked as:

- short - addressed within 1st year
- medium -started or addressed during the current accessibility strategy
- long term - started but seen as an ongoing process

Outcomes should also be ranked according to both cost and impact.

We will set targets (specific, measurable, achievable, realistic, time-related, evaluated and reviewed) which will specify what outcomes will be achieved, and by when.

Where necessary we will further consult ensuring that information is provided on why subsequent decisions in drafting have been taken.

Both the accessibility strategy and individual school accessibility plans will be available to anyone on request, in any alternative format required. We have published the [accessibility strategy \(2021-2024\)](#) on the Council's web site and schools will be required to publish their individual accessibility plans on their websites.

Implementation of both the accessibility strategy and individual school accessibility plans will be evidenced and subject to review to identify progress made and barriers remaining, together with their solutions.

3. Definitions

Disability - A person is disabled if they have a physical or mental impairment that has a substantial and long term adverse effect on their ability to carry out normal day to day activities. A physical or mental impairment can include learning difficulties, mental health conditions, medical conditions or hidden impairments such as dyslexia, autism and speech, language and communication impairments (Equality Act, 2010)

Reasonable Adjustments - The Equality Act 2010 states that bodies responsible for schools have a duty to make "reasonable adjustments" for disabled people. This includes providing auxiliary aids or a service. It does not include the reasonable adjustment duty to make alterations to physical features. There is a duty to try to avoid disadvantage.

4. Local Context

The Vale of Glamorgan Council provides a wide range of provision for children and young people with additional learning needs and disabilities:

- Council services work with schools to ensure that education meets the diverse needs of children and enables access, e.g. SEMHP, ALP panel etc...
- All schools have an additional learning needs coordinator (ALNCo).
- All schools have strong links with Ysgol Y Deri Special School.
- Council Outreach services support and advise schools on strategies to ensure that pupils with ALN / disability are able to access the curriculum and school

environment. The specialist teachers and outreach services are flexible in how they meet the needs of pupils.

- Council services work with schools and specialist agencies to ensure that pupils can participate as fully as possible in line with their disability.
- Pupils can be placed in specialist centres of excellence if their disability /additional needs, require intensive input or specialist support. These include:
 - Hafan
 - Horizon
 - Gladstone Primary School
 - Jenner Park Primary Complex Needs Centre of Excellence
 - Palmerston Primary Physical Centre of Excellence in Barry
 - Ysgol Y Ddraig Speech and Language Centre of Excellence
 - Cogan Primary Hearing Impairment Centre of Excellence
 - St Cyres Comprehensive Hearing Impairment and Physical Centres of Excellence
 - Ysgol Gwaun Y Nant Specialist Resource Base
 - Derw Newydd

Corporate Plan- Vale of Glamorgan Council

The Corporate Plan sets out how the Council will achieve its vision for the Vale of Glamorgan 'strong communities with a bright future'. Our vision will help guide us in how we plan, deliver and review services. The corporate plan also shows how we contribute to the Well-being Goals for Wales, introduced by the [Well-Being of Future Generations Act \(2015\)](#). The Plan describes the four well-being outcomes we want to deliver for our citizens. The well-being outcomes we want to deliver are:

To work with and for our communities	To support learning, employment and sustainable economic growth	To support people at home and in their community	To respect, enhance and enjoy our environment
<ul style="list-style-type: none"> • Resilient, innovative & responsive to the needs of our customers. • Involvement, communication & engagement. • Our resources. 	<ul style="list-style-type: none"> • A well-educated and skilled population • Encouraging people's ambitions. • Ensuring that individuals and communities are able to prosper and achieve their best. 	<ul style="list-style-type: none"> • Working in partnership to maximise people's physical and mental well-being. • Ensure people are safe at home and in the community. • Ensures people have the necessary advice, care and support. 	<ul style="list-style-type: none"> • Ambitious standards. • Understanding how our environment contributes to individual, community and global well-being. • Committed to protecting and enhancing our environment.

The plan details the activities the Council will undertake to ensure the best possible outlook for our citizens and communities and how we will work with partners and the local community to deliver these outcomes. Delivering the plan is underpinned by our

Council's values which are ambitious, open, together and proud. These values describe our professional behaviours in how we approach our work, deal with each other and our service users.

5. Legal Context

The Equality Act 2010

Schedule 10 of the Act specifies the requirement of a Council's accessibility strategy which must demonstrate:

1. Increasing the extent to which disabled pupils can participate in the schools' curriculums.
2. Improving the physical environment of the schools for the purpose of increasing the extent to which disabled pupils are able to take advantage of education and benefits, facilities or services provided or offered by the schools.
3. Improving the delivery to disabled pupils of information which is readily accessible to pupils who are not disabled.

The Equality Act created the Public Sector Equality Duty in Wales. It comprises two separate duties which apply to both councils and schools. This includes maintained, foundation and aided schools. Disability is a protected characteristic within the terms of this Act.

This strategy sets out how the Council will support schools and settings, including those for Early Years and Post-16, for which it is the responsible body, to comply with these duties, specifically to:

- increase the extent to which pupils with a disability can participate in the curriculum;
- improve the physical environment of schools and settings to increase the extent to which pupils with a disability can take advantage of education and associated services; and
- improve the availability of accessible information to pupils with a disability and their parents.

The General Duty

This duty requires schools, when carrying out their functions, to have due regard to the need to:

- Eliminate discrimination that is unlawful under the Equality Act 2010.
- Eliminate harassment of disabled pupils 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 disabled people more favourably than other people.

The General Duty applies across schools' duties, and applies to disabled pupils, staff and parents/ carers, along with other users of the school.

The Specific Duty

In addition to the General Duty, there is a Specific Duty for schools to demonstrate how they are meeting the General Duty. The main requirement is for schools to prepare and publish a School Accessibility Policy and Plan, involving disabled people in the development of this, and to implement the plan and report on it. In effect, the General Duty sets out what schools do, with the Specific Duty setting out how schools have to do it, and what they need to record as evidence of what they have done.

Schools and the Council must be aware of the wider Equality Act 2010 requirements in Part 3 of the Act relating to the provision of services, goods and facilities. This may affect a range of activities whether they involve the use of school premises by community groups or the Council when delivering its education service and support to schools.

Importantly, the Act encourages the use of reasonable adjustments in order to achieve equality of access for disabled people where no such duty applies to an able person. This applies to both schools and councils in exercising their duty to advance equality.

Additional Learning Needs and Education Tribunal (Wales) Act 2018

The new Act affects nearly all education settings in Wales and focusses on the needs of children and young people aged 0 to 25. It requires:

- The replacement of the terms 'special educational needs' and 'learning difficulties / disabilities' with the new term, 'additional learning needs'.
- The creation of a single statutory plan, the Individual Development Plan (IDP) for learners.
- Increased participation of children and young people, ensuring they are at the centre of the planning and decision-making process.
- Prioritising high aspirations and improving outcomes, focusing on the child or young person's achievement of their full potential.
- Providing a simpler and less adversarial process, ensuring learners' needs are at the centre and are continually met.
- Creating new statutory roles within health and education to ensure collaboration and integration so that learners' needs are met.
- Focussing on earlier disagreement resolution, with disagreements resolved at the most local level possible.
- The introduction of clear and consistent rights of appeal where disagreements cannot be resolved at a local level.
- The introduction of a strengthened Code, which will sit alongside the Act, with mandatory requirements and statutory guidance to support the primary legislation.
- The Act also supports the Welsh Government's wider vision of achieving one million Welsh speakers by 2050 by including a series of strategic duties aimed at driving progress towards a truly bilingual additional learning needs system.
- Supports students from birth to 25.

Well-Being of Future Generations Act (2015)

This strategy will also support and inform the council in contributing to our responsibilities for the Well-being Goals for Wales, introduced by the [Well-Being of Future Generations Act \(2015\)](#)

The Act requires public bodies such as the Council to think more about the long term implications of decisions and actions, work better with people and communities and each other, look to prevent problems and take a more joined-up approach. Public bodies must do what they do in a sustainable way and make sure that when making their decisions they take into account the impact they could have on people living their lives in Wales in the future.

The Act requires us to:

- work together better
- involve people reflecting the diversity of our communities
- look to the long term as well as focusing on now
- take action to stop problems getting worse

The Act establishes a statutory Future Generations Commissioner for Wales whose role is to act as a guardian for the interests of future generations in Wales, and to support the public bodies listed in the Act to work towards achieving the well-being goals. The Act also established Public Services Boards (PSBs) for each local authority area in Wales. Each PSB must improve the economic, social, environmental and cultural well-being of its area by working to achieve the well-being goals.

6. Access to the Curriculum

Ensuring access to the curriculum is crucial in developing life opportunities, preparing for adulthood and enabling contribution to the community. All children and young people should have access to high quality teaching that focuses on inclusive practice and breaks down barriers to learning.

All schools are responsible for providing a broad, balanced and inclusive curriculum for all pupils, including those with ALN. Parents and carers are key partners in developing support for children and young people with disabilities. Schools must work with both parents and carers and pupils to develop aspirational and appropriate outcomes for their personalised plans.

The Council supports schools through its Additional Learning Needs and Wellbeing service and the Standards and Provision service. The services are available to all phases and maintained and special school settings. This includes:

- delivering up to date information to school staff through professional development events for Additional Learning Needs Co-ordinators each term;
- offering training in all aspects of additional learning needs and safeguarding;
- supporting through a Whole School Approach to Mental Health and Wellbeing that includes on-line assessments, safeguarding policies and anti-bullying strategies; and
- providing support in preparation for Estyn, the independent body that inspects quality and standards in education and training in Wales.

The service enables pupils with a range of needs to access the curriculum with specialist advisory teacher support and Learning Support Assistants. The team also delivers training to schools to ensure there is a whole school approach to improving participation for pupils.

7. Council Services

The Educational Psychology Service is a service that aims to promote the inclusion, wellbeing, attendance and attainment of children and young people. The Educational Psychology Service offers consultation and assessment around a wide range of areas affecting children and young people's development. This includes those with ALN.

The Sensory Support Service involves a team of specialist teachers and support staff that provide support to children and young people from birth. The aim of the service is to ensure that children and young people with a visual impairment or hearing need in mainstream or special schools, enjoy the same opportunities as their peers. It also aims to overcome barriers to maximising potential. The service is also placed in the Hearing Centre of Excellence, at Cogan Primary School. Specialist teachers work with mainstream schools in order to ensure children and young people have access to high quality teaching strategies and targeted support to allow access to a broad, balanced and inclusive curriculum.

The Council provides a range of specialist services aimed at supporting schools with pupils at risk of disengagement or exclusion, and those who are permanently excluded. The Council is working with schools to adopt a trauma based approach for children with social and emotional needs and recognises the importance of Adverse Childhood Experiences on development and learning.

The Speech and Language Service is a specialist service that supports children with the most severe and specific speech, language and communication needs in mainstream schools and resource bases. The service is managed in the Speech and Language Centre in order to ensure children and young people have access to high quality teaching strategies and targeted support to allow access to a broad, balanced and inclusive curriculum.

The Cognitive Outreach Service is a specialist service that supports children with moderate to severe learning needs in mainstream schools. The service is placed in the Cognitive Centre of Excellence at Jenner Park Primary. They work with mainstream schools in order to ensure children and young people have access to high quality teaching strategies and targeted support to allow access to a broad, balanced and inclusive curriculum.

The Physical Outreach Service is a specialist service that supports children with moderate to severe physical needs in mainstream schools. The service is placed in the Physical Centre of Excellence at Palmerston Primary, and work with mainstream schools in order to ensure children and young people have access to high quality teaching strategies and targeted support to allow access to a broad, balanced and inclusive curriculum.

The Specific Learning Difficulties Outreach Service is a specialist service that supports children with Specific Learning Difficulties in mainstream schools. The service is placed centrally and works with mainstream schools in order to ensure children and young people have access to high quality teaching strategies and targeted support to allow access to a broad, balanced and inclusive curriculum.

Guidance on supporting pupils with medical needs is available in the Healthcare Needs Toolkit which includes sample policy for schools.

A range of health professionals support schools to include disabled pupils. Occupational therapists advise schools about the suitability of the environment and use of activity based therapies that encourage them to be as independent as possible thus helping to raise an individual's self-esteem. They advise on appropriate specialist equipment or adaptations to the school environment required. Physiotherapists can advise a school about an individual's mobility and physical development. This might include things like co-ordination and ability to sit, stand and walk. They can advise a school on how best to help keep the child as mobile as possible and on any appropriate specialist equipment or adaptations to the environment. They:

- provide support and training to all schools to ensure they can offer pupils and parents/ carers fully accessible information;
- advise schools on the most appropriate methods of conveying information to pupils with additional learning needs;
- provide guidance on teaching and supporting pupils who are sensory impaired;
- provide guidance and support on accessible information formats and methods for communication with parents and carers with disabilities;
- make written guidance materials available to staff, parents and carers; and
- offer expert guidance either by external sources or directly using council resources.

Outreach services from schools and our specialist central services will support and advise schools on a range of environmental strategies that enhance the inclusion of disabled pupils.

For example, Palmerston and St. Cyres Outreach Services can facilitate the access of a pupil with a physical difficulty. The specific learning difficulties (SpLD) outreach team can provide advice to schools on how to support pupils with fine and gross motor difficulties. This can include advice on rearranging room space, removing obstructions from walkways, and changing the layout of classrooms.

The Engagement Service at Ysgol Y Deri can support schools to create safe spaces for pupils with ASD needs and advise on arranging physical space in order to avoid sensory overload.

The Engagement Service works with schools to identify a quiet space or time out area to enable pupils to manage their emotions.

The Standards and Provision service supports transition from school to school. They support pupils to respond to new situations using a variety of supportive techniques

and strategies. This may include direct work with various teams from within the service area, as appropriate.

School Transport

The Council has a statutory duty to provide free school transport for pupils of statutory school age who reside beyond walking distance to the nearest appropriate school. If your child qualifies for free school transport, permission will normally be given to travel on a contract vehicle if there is one serving your area. In other cases, a bus pass will be provided to travel on the service network. The Vale of Glamorgan Council provides free school transport for:

- primary age pupils residing two miles or over from their nearest designated catchment area school of type; and
- secondary age pupils residing three miles or over from their nearest designated catchment area school of type.

Distances are measured by the shortest available walking route. Pupils will need to be accompanied by a responsible adult if necessary. Further information on school transport, included information on support for pupils with additional learning needs can be found in the [Policy for the Provision of Home to School/College Transport](#).

8. Access to the Physical Environment

Discrimination can be direct or indirect. Direct discrimination of a disabled pupil is where that disabled pupil is treated less favourably than another because of his or her impairment or disability. However, it is not discrimination to treat a disabled pupil more favourably than one who is not disabled. Schools and local authorities have a duty to provide reasonable adjustments for disabled pupils. This duty requires a school to take positive steps to ensure that disabled pupils can fully participate in the education provided by the school and enjoy the other benefits, facilities and services which the school provides.

Reasonable adjustments to cater for current and future disabled pupils must be embedded in accessibility strategies and plans – there is a need to plan ahead and continuously improve irrespective of whether or not disabled pupils currently attend the schools concerned. The Council will seek to improve the physical environment of schools and access to information, for the purpose of increasing the extent to which disabled pupils are able to take advantage of education and benefits, facilities or services provided or offered by schools. The council will take all reasonable action, where possible due to funding constraints, to ensure parity of access to all its buildings, however, it may be restricted in the measures it can take by listed building constraints and other conservation regulations. This may also be impacted by existing site practicalities and constraints which would mean modifications are cost prohibitive.

A number of local challenges exist within the Vale of Glamorgan with regard to schools. Increases in migration to the Vale of Glamorgan have led to a number of areas requiring new schools or expansion/refurbishments, to accommodate the increases in pupil numbers. Suitability of buildings is also a concern, with a number of sites not currently meeting 21st century standards. Appropriate learning environments for disabled learners and employees is a key consideration, ensuring that wherever

possible they have the same opportunities for modern learning environments, specifically tailored to their needs, and ensuring a safe learning environment to both pupils and staff.

The Council takes its responsibilities with regard to maintenance of buildings very seriously and has a rigorous maintenance and capital projects programme in place within the limit of the resources available. However there remains within the Councils assets, some schools that are not suitable to meet the requirements of education in the 21st Century. These schools, categorised as C or C-, have been identified for development in Sustainable Communities for Learning Rolling Programme in order to ensure that building condition issues are addressed. This also offers an opportunity to reduce back-log maintenance and create significant efficiency savings that will be generated from shared community facilities and sustainable buildings. There are schools which have blocks that were identified in condition C in the recent surveys which are not due for redevelopment. Whilst we have spent monies over the past few years addressing most of these some do remain.

Assessments by schools of physical access to the curriculum and facilities will be encouraged and supported by the Council. The Council will aim to ensure physical support is in place to enable the plans for all pupils with statements and/or Education Health and Care Plans to be implemented in the relevant timescales. An annual budget from the Learning and Skills Asset Renewal programme is allocated to carrying out physical alterations to school buildings meet the needs identified for specific pupils however this budget is limited due to current funding constraints.

Previously completed improvements have included widening doorways and installing automatic doors and ramps to provide wheelchair access and modifications to accessible toilets. Where remodelling works are undertaken to, for example, increase capacity, disabled access is improved wherever feasible to meet current standards.

Building Accessibility

The Council has developed a Maintenance Management Accessibility Guide to assist property managers, including head teachers, to meet their legal responsibilities with regards to disabled access when undertaking building works at their school. This is available to all schools alongside the offer of further advice, support and assistance if required.

There is an annual rolling programme of accessibility improvement works within the capital programme to carry out physical alterations to school buildings and targets to improve the current position will form part of the Councils 2025-2027 Accessibility Strategy Action plan which will be formalised alongside the School Investment Strategy as a result of this consultation. Due to the limited funding available to maintain existing schools an incremental approach has been taken to improving accessibility to meet pupil needs. The adverse topography in Barry and the fact that many schools in Barry and Penarth are over 100 years old result in a significant number of schools where it is not possible to make the required adaptations to the building to allow full access. The Council has therefore taken the approach of enhancing single storey schools on level sites, for example, to improve accessibility. This has included widening doorways and installing automatic doors and ramps to provide wheelchair access and modifications to accessible toilets to meet pupils' needs. Schools are advised to contact the Property Department as soon as possible once a child's

requirements are identified via the Occupational Therapist or other assessment to ensure that adaptations are completed early in order to allow full access to the curriculum.

On large scale projects where remodelling works are undertaken or extensions added to increase capacity disabled access is improved to meet current standards. The types of improvements undertaken have previously included installing internal or external lifts to provide wheelchair access between different levels of the school, providing disabled and accessible toilets, ensuring that colour schemes are suitable for the visually impaired and installing flashing beacons within fire alarm systems for those with hearing needs.

Capital Programme

The Council completed condition surveys in 2022 for all schools built prior to 2010 in order to prioritise investment and improve access to all schools. We continue to carry out a rolling programme of physical access improvements in schools to meet identified pupil needs. We fund these improvements from either the capital programme or the centrally managed Education revenue budgets, depending on the scale of the adaptations.

Sustainable Communities for Learning Programme

The Sustainable Communities for Learning Programme is a long-term strategic investment in educational estate throughout Wales. It is a unique collaboration between Welsh Government, the Welsh Local Government Association (WLGA), councils, colleges and diocesan authorities. Full details of this significant and ambitious investment can be found on the Councils webpage:

[Sustainable Communities for Learning \(valeofglamorgan.gov.uk\)](http://valeofglamorgan.gov.uk)

All new school buildings proposed as part of the Sustainable Communities for Learning Rolling Programme will be designed in such a way as to equip staff to meet the needs of learners with a disability and/ or additional learning needs.

New school buildings are designed in full compliance with disability-related legislation. Any special circumstances regarding current need or for those environments that host additional provision (i.e. resources bases) are given consideration.

When planning a new school or school building project, many design elements are incorporated to support disabled pupils. These include, for example a small room between a pair of classrooms which could be used for individual / small group learning or could be used as a breakout space should a pupil need to retreat from the classroom. Creative use of acoustic materials and bespoke calming colour schemes etc. are also be considered by part of the design team in full consultation with staff pupils and governors. New school buildings are designed to have flexible spaces which can be adapted using furniture for specific activities, such as quiet areas for individual learning. New buildings are designed to current acoustic standards (BB93). This will define the acoustic performance standard that schools will be designed to. All new school buildings will be designed to comply with current building regulations for disabled access, with parking and access into the school building as well as assess throughout the school. Natural daylighting and ventilation will be a key feature of the new learning environments.

The Sustainable Communities for Learning Programme will therefore provide a positive impact for pupils, staff, governors and the wider community visiting the school who have been identified within this protected group as they will have access to fully accessible school buildings which has been designed to consider individual needs.

9. School Trips Accessibility

Discrimination can be direct or indirect. [Welsh Government guidance](#) advises that direct discrimination of a disabled pupil is where that disabled pupil is treated less favourably than another because of his or her impairment or disability. Direct discrimination, for example would be where a pupil with a particular medical condition was refused admission to a school on the basis of that characteristic. However, it is not discrimination to treat a disabled pupil more favourably than one who is not disabled. For example, a pupil with dyslexia may be given additional time to complete a written examination and that may not be considered discrimination. Disabled learners may experience indirect discrimination where a particular policy, as applied, disadvantages them (or would disadvantage them). An example of this would be if a school providing for learning disabled pupils has a policy which requires that pupils attending residential trips are fully continent. The policy has the effect of discriminating against those who are not fully continent and excluding them from residential trips. If the reason for not being fully continent was due to a disability this would be indirect discrimination based on disability. It is permissible to indirectly discriminate where such discrimination is objectively justifiable but it is unlikely that the school would be able to justify the action. Discrimination arises when a disabled pupil is treated less favourably not because of the disability itself, but for a reason related to his/her disability and that treatment cannot be justified. A pupil with cerebral palsy who is a wheelchair user is told that she will be unable to attend a school trip to a local theatre putting on a play she is currently studying in English, because the building is not wheelchair accessible. The pupil and her parents are aware that the play is also on at a theatre, which is accessible, in a neighbouring city. However, the school does not investigate this option. This is likely to be discrimination arising from a disability.

10. School Accessibility Policy & Plans

All schools must have an Accessibility Policy and Plan that shows what actions a school is taking to increase access to the curriculum, particularly for those pupils with additional learning needs. Schools should include broader aspects and not just individual subjects. Planning ways to increase access to the curriculum should include activities to:

- overcome any barriers which prevent or make it difficult for disabled children and young people to participate fully in school trips and activities such as school plays, after-school clubs and study support clubs; and
- ensure that the ethos of the school is one which celebrates diversity and encourages inclusion.

There is an example of a School Accessibility Policy and Plan attached to this document (Appendix 1)

Access to Information

The Council will ensure information is available describing the provision available for children with disabilities and fulfils the two key requirements to:

- provide clear, comprehensive, accessible and up-to-date information about the available provision and how to access it; and
- make provision more responsive to local needs and aspirations by directly involving disabled children and those with additional learning needs and their parents and service providers in its development and review.

The Council continues to engage with children, young people and their parents and carers as required in the Additional Learning Needs and Education Tribunal (Wales) Act 2018.

11. Evaluation and Review

This Strategy covers the period 2025-2027 and will be reviewed and updated as required. In order to assist with the implementation of the strategy and the duty, the Council may request that all schools provide the Council with copies of their accessibility plans.

Appendix

School Accessibility Plan

The School's governing body holds responsibility for publishing the Accessibility Plan and as part of the regular review process, schools will need to have regard to the need of providing adequate resources for implementing and reviewing this plan.

An Accessibility Plan will be deemed satisfactory when:

- It is in writing.
- It covers the following three strands of increasing access over time:
 1. Increased access to the curriculum for disabled pupils.
 2. Improvements to the physical environment to increase access to education and associated services at the school.
 3. Improvements in the provision of information for disabled pupils where it is provided in writing for pupils who are not disabled.

In addition, an Accessibility Plan should be:

- Adequately resourced;
- Implemented;
- Reviewed regularly;
- Revised as necessary (e.g.: when accommodation improvements or repair and maintenance work are being planned);
- Revised, if necessary, during a three-year period and ensure information is reported to parents/carers annually;
- A free-standing document or part of the school development plan; and
- Published in the context of the Equality Act 2010, which can be interpreted as making the school's plan widely and easily available

An example template is included for school's to use as a starting point for developing their own accessibility plan.

Accessibility Policy and Plan

WRITTEN BY:

RATIFICATION DATE:

FUTURE REVIEW/RENEWAL DATE:

***This policy should be read in conjunction with the School's ALN Policy
Statutory Requirement***

This Accessibility Plan is drawn up in compliance with current legislation and requirements, as specified in Schedule 10, relating to Disability, of the Equality Act 2010. School Governors are accountable for ensuring the implementation, review and reporting of progress of the Accessibility Plan over a prescribed period.

The Equality Act 2010 replaced all existing equality legislation, including the Disability Discrimination Act. The effect of the law is the same as in the past, meaning that

“schools cannot unlawfully discriminate against pupils because of sex, race, disability, religion or belief and sexual orientation.”

Purpose of Plan

[insert name of school] School’s Accessibility Plan shows how access is to be improved for disabled pupils, staff and visitors to the school, anticipating the need to make reasonable adjustments to accommodate their needs where practicable.

Focus of Plan

The Accessibility Plan contains relevant and timely actions to:

- Increase access to the curriculum for pupils with a physical disability and/or sensory impairments, expanding the curriculum as necessary to ensure that pupils with a disability are as equally prepared for life as the able-bodied pupils; (If a school fails to do this they are in breach of their duties under the Equalities Act 2010); this covers teaching and learning and the wider curriculum of the school such as participation in after-school clubs, leisure and cultural activities or schools visits. It also covers the provision of specialist or auxiliary aids and equipment, which may assist these pupils in accessing the curriculum within a reasonable time frame; Improve and maintain access to the physical environment of the school, adding specialist facilities as necessary – these covers improvements to the physical environment of the school and physical aids to access education within a reasonable time frame. Reduced timetables can be relevant here as they support the school facilitate long term improved engagement.
- Improve the delivery of written information to pupils, staff, parents and visitors with disabilities; examples might include hand-outs, timetables, textbooks and information about the school and school events; the information should be made available in various preferred formats within a reasonable period.

[name of school] School’s Accessibility Plan relates to the key aspects of physical environment, curriculum and written information.

Definition of Disability

According to the Equality Act 2010 a person has a disability if:

- a) He or she has a physical or mental impairment; and
- b) The impairment has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.

School Values

[insert information relating to schools’ motto, ethos, values driven curriculum as appropriate / relevant]

Links to other documentations and policies

This document should be read in conjunction with the following:

[insert list of relevant documentations and policies for example school development plan, ALN policy, health and safety policy, curriculum policies]

Training and Resources

Training needs for all school staff can be identified in the following ways:

- Audit of staff expertise and training needs
- Recognising specific needs for individual pupils and how staff can be trained to support that child/group of children
- Elements of the school improvement/development plan to be addressed through training

Resources are purchased as and when they are required and/or recommended from professionals working with pupils.

Supporting Partnerships

We will work closely with parents to ensure that the plan is implemented effectively.

The following agencies will be used to support the plan, amongst others:

[insert list of agencies for example educational psychologists, health care professions, advisory teachers]

Complaints Procedures

Positive home school relationships often mean that concerns and complaints can usually be dealt with between parents, carers and school staff. However, when a more formal complaint is made this needs to be in accordance with our school's Complaints Policy.

Monitoring procedures

This Accessibility Policy and Plan will be reviewed every three years by the senior leadership team, including the school's Inclusion Leader, alongside the governing body and ratified accordingly.