

From: Rory Love, Cabinet Member for Education and Skills
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To: Scrutiny Committee, 29th January 2025

Subject: Update on the approach to improving the accessibility of schools in Kent

Classification: Unrestricted

Summary: This report provides a range of examples of how the LA has worked with schools to meet the requirements of the Equalities Act 2010 to make reasonable adjustment including through the capital programme to support the education of pupils with physical disabilities and complex medical needs in mainstream schools.

Recommendation(s):

The Scrutiny Committee is asked to note the report.

1. Background

1.1 KCC has been working on developing a more strategic and consistent approach to SEND in Kent and this has included putting a range of strategies in place including an Education Health Needs Policy (September 2024), a SEND strategy 2025-28 and Education Accessibility Strategy 2025-28 with a supporting Schools Access Initiative Policy and Procedure. These strategies contribute to ensuring all parts of the SEND system are meeting their statutory duties, the implementation of the Countywide Approach to Inclusive Education, as well as the development of a continuum of education provision where there is greater clarity over the expectations of mainstream, Specialist Resource Provision, Special School Satellites, Pupil Referral Units and Special Schools.

1.2 Whilst the strategies and policies may be new, the statutory responsibilities and work is not. This report includes a number of case studies to exemplify some of the projects that been undertaken over the last five years to improve the accessibility of schools.

2. Implementation of the requirements of the Equalities Act 2010 by the Local Authority and schools

2.1 KCC are committed to supporting all children and young people to be included in the provision of high-quality inclusive education in their local community, ensuring that, whatever their circumstance or ability, they have a sense of belonging, feel respected, are valued for who they are and develop the knowledge and skills required for adult life. The Equalities Act 2010 defines a disabled pupil as a person who has a physical or mental impairment that has a substantial and long-term adverse effect on his/her ability to carry out normal day to day activities. A physical or mental impairment includes learning difficulties, mental health conditions, medical conditions, and hidden impairments such as dyslexia, autism and speech, language, and communication impairments.

2.2 The Act places a duty on the local authority to prepare a written accessibility strategy relating to the schools it is responsible for and a duty on responsible bodies of schools (i.e. governing bodies and trusts) to prepare a written accessibility plan to:

- Increase the extent to which disabled pupils can participate in the schools' curriculums.
- Improve the physical environment of the schools to increase the extent to which disabled pupils can make best use of the opportunities available at the schools; and
- Improve delivery of accessible information to disabled pupils of information which is readily accessible to pupils who are not disabled.

The local authority or school must consider the need to allocate adequate resources for their implementation.

2.3 KCC's commitment to improving accessibility has been supported by prioritising the use of capital funding and over the 5-year period 2019-24, £3,152,274 was spent on 83 school accessibility projects. This investment (together with other support outlined below) has enabled children and young people with physical disabilities and or complex medical needs to access education at a local school in their community

2.4 These projects have been delivered through cross- council teams including officers from Education and SEN, Infrastructure, Planning and Finance working closely with individual schools.

2.5 This is a summary of a range of projects to illustrate the breadth of inclusion work going on in mainstream schools to improve accessibility of pupils with physical disability and medical needs.

School	Summary of SAI Benefit/Impact	
Primary school A	<p>The playground area for Reception has been resurfaced, this was funded by SAI. This is to support a pupil who has Vascular Ehler's Danlos Syndrome (VEDS). The risk is that even minor falls to hard surfaces could result in organ damage. The soft surfaces allow the pupil to access play with peers and feel included.</p> <p>This school is also having a care suite built for another Reception pupil. This pupil has a wheelchair and mobility needs caused by stroke and a heart condition. The care suite will allow for personal care at school. This is also being funded by SAI.</p>	<p>£17,525.00 actual costs to complete Reception area works to make safe.</p> <p>Care suite feasibility cost- £164,872.50</p>
Primary school B	<p>Approximately five years ago SAI funded a ceiling tracked hoist in a care suite and widening of doorways. These adjustments are now enabling a year 3 wheelchair user who has Spinal Muscular Atrophy (SMA) to be successfully educated in a local mainstream school close to their home. As with many of these projects, without this work this pupil would have needed to go to an SRP or specialist placement.</p>	<p>£24,569.28 actual costs to complete care suite adaptations</p>
Primary School C	<p>SAI funded ramps to give better access to a wheelchair user.</p>	
Primary School D	<p>There was a large SAI funded project three years ago to support two pupils who are now in year 2, one has spinal deformities and part-time need for a wheelchair</p>	<p>£125,364.19 actual costs to complete the external access works.</p>

	<p>and the second has cerebral palsy. The issue was that there is a hill from the classrooms up to the playground and it was not in any way wheelchair accessible. The work meant that there was a cut made into the hill to allow for a large ramp. This has been very successful providing both pupils excellent access to their playground, allowing them to be with their peers and has increased their independence.</p>	
Primary school E	<p>This school normally has at least 6 children with physical difficulties on roll. SAI has funded a second care suite in the existing SRP, a therapy room and an accessible toilet for children who can walk but have limited mobility. This has all made for better outcomes for the children. The older children and parents have noticed that for example there is no queue to access the care suite, and parents have also appreciated the benefit of having a dedicated therapy room on site.</p>	<p>£84,803,66 actual costs for the second care suite,</p>
Secondary school A	<p>SAI funded works for a wheelchair user, now successful in year 9. KCC had a care suite built at the school to enable the personal care needs of the student. This care suite has a plinth, rise and fall wash basin, wet and dry WC, and ceiling track hoist. Other access works (i.e. ramping) were completed by the school, due to the school being an academy.</p>	<p>£48,712.59 actual costs for the care suite works.</p>
Secondary school B	<p>This student has type 2 Spinal muscular atrophy (SMA) and is a full time powered-wheelchair user.</p>	

	<p>In primary the pupil attended an SRP for physical disability. On primary to secondary transition parents considered both mainstream and special provision but opted for mainstream as they believed attending the special school would have narrowed their child's social grouping.</p> <p>KCC had a care suite built at the mainstream secondary school to enable the personal care needs of the student to be met. This care suite has a plinth, rise and fall wash basin, wet and dry WC, and ceiling track hoist. Other access works (i.e. ramping) were completed by the school, due to the school being an academy.</p> <p>This pupil is now in Year 8 and is flourishing, both academically and socially.</p>	
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2.6 Projects are underway due for completion for September 2025 including those described below:

School	Summary of SAI Benefit/Impact	
Primary School F	<p>This project is to support a child with Batten's Disease who already attends the school. Initial work which has already taken place includes building of a care suite with a mobile hoist and adjustments to windows to reduce light levels. This new project work will support the child's a transition from year 2 to year 3.</p> <p>The proposal is to put in a new care suite and improve general</p>	The care suite and general, access feasibility cost - £176,960.50.

	<p>access e.g. ramping. A feasibility study has taken place, and the specification will signed off in the near future, aiming for completion by September 2025. When the work is complete it will mean that the child can continue to be successful in mainstream with their friends and peers, as well as their sibling who also attend the school.</p>	
<p>Primary school G</p>	<p>This project is to improve accessibility for a child with Spinal Muscular Atrophy (SMA) who will be joining the school in September 2025 as a Reception pupil. Parents want this school as it is local, and the child's sibling already attends.</p> <p>This pupil uses a wheelchair and has care needs. This project is also on track and will mean successful inclusion of another child in their own local school.</p> <p>The feasibility work has already taken place, we are now waiting for the specification. The proposal is for the outside early years area to be levelled off and made more wheelchair accessible, for the indoor year R and year one classes to have their floors raised to avoid use of current steps. All amenities e.g. electric and water, will be adjusted accordingly to account for the new floor height. A new care suite will also be put in as an extension to the current building; and access to the school hall will be improved, this is to include ramping.</p>	<p>The care suite and general, access feasibility cost - £167,621.25</p>

- 2.7 In addition to the important work of the four Assistant Directors for Education in supporting these projects, the statutory Specialist Teaching and Learning Service Physical Disability Team including Complex Medical Needs plays a key role.
- 2.8 The STLS PD and CMN team is complex and multi-faceted. The service advises on investment through KCC's 'school access initiative' and the projects described above will all have been supported by this service.
- 2.9 Their work also includes liaising with local health colleagues so that a package of support can be agreed, and schools feel confident in welcoming children. Their work can include developing care plans and risk assessments so that mainstream schools can effectively meet needs. Finally, the work includes a specific focus on the learning and ensuring pupils can access all subjects, including those which have a practical dimension such as science.
- 2.10 The service currently supports 466 children who attend mainstream nurseries and schools across Kent; the team does not support special schools. Their needs are being met in local mainstream schools including in SRPs..
- 2.11 There are also LA services which provides advice, strategies and specialist equipment regarding complex communication difficulties and complex access to the curriculum for children and young people across Kent and Medway via Kent and Medway Communication and Assistive Technology (KM CAT).
- 2.12 In addition to investment in individual schools, there are 6 mainstream schools (3 primary and 3 secondary) in Kent that offer specialist SRP input for learners who have Physical Disabilities and Complex Medical Needs. Teaching assistants in schools and nurseries are trained up by nurses and other health professionals to ensure pupil needs can be met. The learners access the full mainstream curriculum alongside their chronological peers but can also access additional services such as physiotherapy. Many parents/learners choose this option to be closer to their local community but also to be with other learners that may have a physical presentation e.g. a wheelchair user.
- 2.13 Some pupils require NHS funded support such as for direct nursing care. Once this has been agreed, this support is available at the school the child attends. The Special School Nursing Service supports children and young people at a number of special schools in Kent identified as having level 5 needs. Level 5 is described as Unstable/Unpredictable complex health needs: Young people require nurse led care due to their stability; young person attends school with their nurse/carer from their Continuing Care package. Training requirements:

Skills require clinical decision making and cannot be delegated to unregistered staff.

2.14 In North Kent, young people with physical disabilities and /or complex medical needs have the option of attending Valance Special school. Pupils with physical disabilities and or complex medical needs living in Thanet, Deal, Dover, Folkestone and Hythe attend local mainstream, local SRP or local special schools.

3. Next steps

3.1 The Council's Education Accessibility Strategy sets out how the local authority and its maintained schools (community, voluntary controlled, voluntary aided and foundation schools) currently ensure education is accessible for pupils with SEND. This was consulted on in the autumn of 2024 and was endorsed by CYPECC members in January 2025. We will continue to implement the strategy in the coming months.

3.2 To support the Education Accessibility Strategy, the County Council creates a capital funding stream, the Schools Access Initiative (SAI), to enable it to improve the physical accessibility of maintained mainstream schools, for which it has capital responsibility (community, foundation and voluntary controlled schools). The SAI Policy and Procedure outlines the process to be followed to access this capital funding. This was also consulted on in the autumn of 2024 and was endorsed by CYPECC members in January 2025. We will work with stakeholders to implement the SAI Policy and Procedure moving forward, including any applications for SAI capital funding that may be required to support projects identified in paragraphs 2.4 and 2.5.

3.3 Through the commissioning of accessibility audits on all community, foundation, and voluntary controlled schools, KCC is supporting governors and leaders to enable them to proactively address any accessibility issues through their own resources, and to set out further improvements in their Accessibility Plans. In addition, KCC will use this information to identify geographical gaps in the accessibility of its schools for it to address proactively.

3.4 As part of the work on the Education Accessibility Strategy a small group has been focused on improving communications with parents and carers about the accessibility facilities in different schools, so that they can make informed choices when applying to school. These documents have been developed which are now live on the website and will be updated annually. The documents are included as Appendix A Primary schools accessibility information and Appendix B Secondary-schools-accessibility-information.

3.5 Additionally, Infrastructure are just finalising an interactive (GIS map) version which will enable people to look up schools in their locality and see the facilities these offer.

4. Financial implications

4.1 Currently, £750,000 is allocated each financial year from the Annual Planned Enhancement Budget for SAI works. In 2024-25, the total budget for SAI works was £1.9m (including £1.2m of roll forward from previous years). This budget has been fully committed to projects due to be completed in either 2024-25 or 2025-26. There are no additional revenue costs expected with this proposal. Implementation of the policy will be administered through existing resources. The Policy and Procedure does not, therefore, represent either a financial cost or saving.

5. Legal implications

5.1 Schedule 10 of the Equality Act 2010 places a duty on local authorities to prepare a written accessibility strategy and for the schools it is responsible for, setting out how for disabled pupils it is increasing access to the curriculum, physical environment, and information. It also places a duty on responsible bodies of schools (i.e. governing bodies and trusts) to prepare a written accessibility plan.

5.2 The SAI Policy and Procedure enables the Local Authority to deliver its responsibilities under the Act by improving the physical accessibility of maintained mainstream schools, for which it has capital responsibility.

6. Equalities implications

6.1 The SAI Policy and Procedure is intended to increase and improve the accessibility to education provision for children and young people with a disability. No adverse impact on protected groups were identified prior to stakeholder consultation.

7. Data Protection Implications

7.1 The decision-making process involves data of children including their needs related to medical conditions or disabilities. Appropriate data protection notices are in place for this. The DPIA has highlighted the need for this data, which is used by a small number of officers across Infrastructure and Education is held in

one place, with appropriate retention protocol. Details of approximately a dozen children per year are captured by this process. The risk is assessed as low.

8. **Other corporate implications**

8.1 Delivery of the SAI Policy and Procedure requires close working between Education and Infrastructure together with schools. The policy reflects existing working arrangements but clarifies responsibilities and process for the benefit of all. It makes decision making transparent.

9. **Recommendation(s)**

Recommendation(s):

The Scrutiny Committee is asked to note the contents of the report.

10. **Background Documents**

- A. Appendix A Primary schools accessibility information.
- B. Appendix B Secondary-schools-accessibility-information.

11. **Contact Details:**

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