

DECISION REPORT TO CABINET MEMBER TEMPLATE

From: Sarah Hammond, Corporate Director of Children, Young People and Education

To: Rory Love, Cabinet Member for Education and Skills

Subject: Proposal to implement the Education Accessibility Strategy 2025-28

Decision no: 24/00072

Key Decision : Yes

- It affects more than 2 Electoral Divisions- All Divisions are impacted.

Classification: *Unrestricted*

Past Pathway of report: *Children's, Young People and Education Cabinet Committee 16 January 2025*

Future Pathway of report: *Cabinet Member Decision*

Electoral Division: *All Divisions*

Is the decision eligible for call-in? Yes

Summary: *Provide an overview of the report, clearly setting out the scope of the report and the required outcomes*

Recommendation(s):

That the Cabinet Member for Education and Skills consider the following proposal:

- (a) Approve the adoption and implementation of the Education Accessibility Strategy 2025-28
 - (b) Delegate authority to the Corporate Director of Children's, Young People and Education, in consultation with the Cabinet Member for Education and Skills, to refresh and/or make revisions to the strategy where changes do not require additional governance.
 - (c) Delegate authority to the Corporate Director of Children's, Young People and Education to take relevant actions, including but not limited to, entering into and finalising the terms of relevant contracts or other legal agreements, as necessary, to implement the above decision.
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1. Introduction

- 1.1 The Authority is undertaking a wide range of activities to improve the support for and outcomes achieved by children and young people who have special educational needs, and/or a disability. This includes activity and support to improve their opportunities to successfully access local mainstream education and to flourish in this environment.

- 1.2 To support this work the Authority has drafted an Education Accessibility Strategy. This discharges the Authority's duty under Schedule 10 of the Equality Act 2010 to prepare a written accessibility strategy, which must include how it plans to increase the accessibility of its schools in the areas of curriculum, physical environment and information.
- 1.3 The Education Accessibility Strategy 2024-27 relates to Kent maintained schools (community, voluntary controlled and foundation schools).
- 1.4 The responsible bodies of schools (i.e. governing bodies and trusts) are also under a duty to prepare written accessibility plans.
- 1.5 The Strategy was subject to public consultation between 23 September and 11 November 2024. The responses received are summarised in this report. These have been considered. The draft Strategy has not been change following consultation.
- 1.6 We are seeking the views of the Children's, Young People and Education Cabinet Committee on this draft Strategy prior to the Cabinet Member for Education and Skills being asked to adopt it.
- 1.7 Related to this Strategy is the Schools Access Initiative Policy and Procedure. This too has been subject to public consultation the outcome of which is contained in a separate report on the agenda for this Cabinet Committee.

2. Key Considerations

- 2.1 We want all children and young people to be engaged with and 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.
- 2.2 Improving access to inclusive local mainstream provision is a key aspect of the Authority's work as we strive to address the weaknesses identified in the area inspection.
- 2.3 The Authority is under a duty to prepare a written education accessibility strategy and consider the need to allocate adequate resources for its implementation. The draft Strategy sets out the current support the Authority provides, and what steps it plans to take to improve. The Strategy, therefore, reflects the existing resources allocated to enable its implementation.
- 2.4 The Strategy sits underneath Kent's SEND Strategy, and alongside is its Countywide Approach to Inclusive Education (CATIE), to help deliver these.

3. Consultation

- 3.1 The draft Strategy was developed following wide ranging input from across the education service. It was subject to public consultation, together with the School Access Initiative Policy and Procedure documents, as the latter supports

delivery of the Strategy. At the same time the Authority's draft SEND Strategy 2024-27 was consulted on, in order that respondents were able to see the linkages.

- 3.2 There were 746 visits to the consultation pages, 216 document downloads and 15 responses to the consultation. -Eight responses were from parents/carers or family members, the remainder were professionals. Eight respondents had children with SEN, of which five had an Education, Health and Care Plan.
- 3.3 Very few respondents indicated whether they agreed, partly agreed, or disagreed that the actions proposed in the Strategy would be effective in improving access to the curriculum, physical environment or to information. Therefore, below are the comments received under each three of the areas of the Strategy:

Curriculum

- Training in physical disability to show how lessons can be adapted to allow for physical management (stretches, etc) as mainstream v special school can be a choice of education v physical management. There is no physio in mainstream and for example schools are not only concerned about meeting needs for those with complex physical disability so likely to turn them away, but 1 in 400 children have cerebral palsy so it is not uncommon. Teaching assistants are key for children with SEND. It isn't all about 'neurodivergent' children; those with neurodisability are on the surface harder to include unless buildings are designed well as they need space for wheelchairs / walkers / stretches / specialist toilet facilities. Smaller class sizes and adaptations to teaching are easier so 'neurodivergent' children are easier to include.
- Our child had HNF in primary school which was later not applied for. No consultation with us. Was told that the eligibility criteria had changed but later found out that this was untrue. It is very difficult to access wider services which access to is controlled by the school and in particular the SENCO.
- Some students with SEND have spiky profiles, either from brain damage or from dual and multiple exceptionality (having high potential in some areas but special needs in others). Not assuming a pupil will attain similar grades in all subjects is important as there may be streaming for ability in English or maths but other subjects lumped together, when there is a huge variety of other subjects. Not just assuming handwriting will improve but supporting with laptops as some students needs to type, etc. Or teaching in a different way as different students respond to different teaching styles.
- There is little or no funding to make reasonable adjustments at mainstream level. Our child used to come out of school crying due to the excessive noise and behaviour experienced in a class of 32 children. Teachers seems overwhelmed at dealing with this, therefore too much of the lesson was devoted to behaviour management. This is aspiration at present.
- I think much of this is rhetoric and does not really address the root causes. These things should all be in place however without more resources, both in terms of staffing and money, they will never be achieved. Our child had access to additional support at school in terms of interventions mandated by EHCP, however whenever the school was low on resources or needed

invigilation for exams this resource was removed, and our child went without.

Physical environment

- There is no money in the system currently to be able to implement changes required.
- If there is a clear funding stream available.
- What I'm worried about, is that you have underestimated what the cost will be to adapt buildings, and for SRPS, that you really think through everything about the space - for example how to access the SRP - will it have a separate entrance so that students don't have to mix with crowds of students/staff not in the SRP at the start and end of the day. Where will the SRP students have their lunch/breaks? I would have expected to see some "numbers", some finances of what you predict the costs will be, and when you expect all the work to be completed by etc. Parents will not feel assured until they can see that the buildings are accessible and that their child will be able to be included.
- For schools adaptations to the buildings are costly for 1 or 2 pupils where funding is limited and budgets strained. Can we justify the expense when the cost will effect the education of many more?

Information

- Unfortunately, this strategy is dependent on funding. Without this no change is possible.

3.4 It is evident that most comments had at their heart concern about funding, and without adequate resources the Strategy would not bring about the desired change. The pressures on resources are well know, however, much of the work to improve Kent's performance in the SEND space relates to improving the outcomes achieved with the resources within the system, ensuring these are co-ordinated, deliver evidence based interventions, and support children and young people attend local inclusive mainstream education. The Education Accessibility Strategy pulls these threads together.

4. Options considered and dismissed, and associated risk

- 4.1 The option of not having an Education Accessibility Strategy was dismissed, as this is a legal requirement. This carries the risk of legal challenge.
- 4.2 Similarly, incorporating this within the SEND strategy was dismissed to ensure both Strategies can remain focused and concise. Clarity of vision and how this will be achieved is fundamental to achieving the better outcomes for children and young people the Authority seeks.

5. Financial Implications

- 5.1 The Education Accessibility Strategy captures and presents existing activity and service delivery which is intended to support children and young people with SEND access local inclusive mainstream education. The proposed improvements also reflect the work in train and the next steps. These activities

and services are already funded. The Strategy does not, therefore, represent either a financial cost or saving.

6. Legal implications

- 6.1 The proposed Education Accessibility Strategy discharges the Authority's duty under the Equality Act 2010 to prepare a written accessibility strategy for the schools it maintains.
- 6.2 Legal advice was sought when drafting this strategy and incorporated into what was published.

7. Equalities implications

- 7.1 The Education Accessibility Strategy 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.
- 7.2 Three comments were received from respondents about equality issues. They can be summarised as follows:
- Parents of pupils with SEND do not have the same wide choice of schools as parents of pupils without SEND. Ensuring at least 'one pathway' per district does not offer choice.
 - Mainstream schools do not always understand a child's needs or disabilities.
 - Parents/carers of pupils with SEND face barriers when trying to access extra support to provide access to the curriculum.
 - Policy decisions in other areas such as the decision to move special school nursery provision to an outreach model and the change of designation of special schools will impact this strategy. Even with the adaptations this strategy proposed, there will be SEND pupils who will not be able to manage in a mainstream setting and have access to the curriculum.
- 7.3 The comments received focus on other policy decisions, rather than the Education Accessibility Strategy per se. The point that disabled children and young people have less choice is accepted, hence why the Education Accessibility Strategy is required. The Strategy seeks to enhance choice, rather than restrict it.

8. Data Protection Implications

- 8.1 Monitoring of the strategy do not require the collection of any personal data. The individual services and activities captured by the strategy are subject to their own data protection notices, processes and impact assessments as necessary.

9. Other corporate implications

- 9.1 Delivery of the Strategy requires Education and Infrastructure to work closely together, and for strong links to be maintained with NHS services. It is also dependant upon the work of schools and our school improvement provider, The Education People. The necessary linkage exists.

10. Governance

10.1 Christine McInnes - Director of Education and SEN will inherit the main delegations via the Officer Scheme of Delegation.

11. Conclusions

11.1 The draft Education Accessibility Strategy 2025-28 draws together a wide range of activity intended to improve the accessibility of maintained mainstream schools. It will provide a focus and reminder to all schools to revisit and maintain their own accessibility plans. It is deliverable within existing resources.

Recommendation(s):

That the Cabinet Member consider the following proposal:

- (a) Approve the adoption and implementation of the Education Accessibility Strategy 2025-28
- (b) Delegate authority to the Corporate Director of Children's, Young People and Education, in consultation with the Cabinet Member for Education and Skills, to refresh and/or make revisions to the strategy where changes do not require additional governance.
- (c) Delegate authority to the Corporate Director of Children's, Young People and Education to take relevant actions, including but not limited to, entering into and finalising the terms of relevant contracts or other legal agreements, as necessary, to implement the above decision.

12. Background Documents

12.1 EQIA: Education Accessibility Strategy 2025-28

13. Appendices

Appendix 1: The Education Accessibility Strategy 2025-28

Appendix 2: EQIA: Education Accessibility Strategy 2025-28

14. Contact details

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