

**DERBYSHIRE COUNTY COUNCIL
CABINET MEMBER FOR YOUNG PEOPLE**

1 August 2017

Report of the Strategic Director for Children’s Services

**CHILDREN’S SERVICES CAPITAL PROGRAMME 2017-18 – SCHOOLS
ACCESS INITIATIVE**

1. Purpose of Report

To seek approval to the inclusion of 2 projects in the Children’s Services Capital Programme Schools Access Initiative 2017-18.

2. Information and Analysis

In October 2014, the Schools’ Forum agreed to the allocation of £1.5 million from the Dedicated Schools Grant to fund School Access Initiative projects. This is intended to support two years of School Access Initiative projects in Children’s Services Capital Programmes: £800,000 in 2015-16 and £700,000 in 2016-17. Cabinet approved a further allocation from Council borrowing on 24 January 2017, of £800,000 for 2017-18.

The Equality Act 2010 places a duty on Local Authorities to prepare and implement an accessibility strategy in relation to the schools they maintain and it is pursuant to this duty that the Schools Access Initiative is implemented by the County Council. In addition, schools themselves (specifically, governing bodies of maintained schools and Academy Trusts for Academies) are under a separate duty to prepare and implement an accessibility plan for the school or Academy for which they are the

responsible body [see paragraph 4 of this report ('Legal Considerations'), below].

Guidance issued to Local Authorities by the then Department for Education and Skills (now the Department for Education) on selecting schools to receive funding under the Schools Access Initiative, is included in Appendix 1.

As part of their accessibility strategy and planning duties, Local Authorities, maintained school governing bodies and Academy Trusts must increase access to the curriculum for disabled pupils and improve the physical environments in schools in ways that assist disabled pupils. School Access Initiative projects seek to make improvements to schools that meet the requirements of the Equality Act.

Normally, School Access Initiative projects within the Children's Services Capital Programmes are only undertaken in community, foundation and voluntary controlled schools where the Authority is responsible for capital funding. However, as the funding for 2015/16 is secured from the Dedicated Schools Grant, accessibility works in Academies, Free Schools and VA schools may also need to be considered during these two years (2015/16 and 2016/17).

All proposals to make adaptations to schools are considered by an inter-disciplinary officer group, with the highest priority being to meet the current identified educational needs of disabled pupils. These individual needs are normally identified via the appropriate County Specialist Support Teams or via the County Education Psychology Service.

Approval is, therefore, sought to carry out accessibility improvements at 2 schools as shown in Appendix 2.

3. Financial Considerations

A Cabinet Paper from 21 February 2017 on the Ashbourne Primary Reorganisation agreed that the SAI works at St Oswald's of £40,000 could be funded from an underspend in the 2014/15 SAI allocation. This effectively reimburses the allocation made in the 9 June paper and results in an additional £40,000 being available for allocation.

Cabinet approved an allocation of £360,100 to 7 projects on 9 June and the Cabinet Member approved £157,000 to 3 more projects on 4 July 2017

from the £800,000 allocation leaving a total for further allocation of £322,900.

The schemes listed in Appendix 2 have a total cost of £71,563 including the design fees. These schemes include one scheme at an academy (St John Houghton) totalling £21,563. It is noted above, that funding for 2015/16 and 2016/17 could also be used at academies. The total carry forward from 2016/17 was £25,925. The paper of 9 June included one allocation to a VA school (Scargill Primary) for a total of £12,600. This reduces the unallocated 2016/17 funds to £13,325. There is however, an underspend in the 2015/16 SAI of £41,311. Added to the £13,325 from 2016/17, this totals £54,636 which can be allocated to Academy, Free or VA schools. An allocation of £15,000 was approved by the Cabinet Member at a meeting on 4 July. If the allocation to St John Houghton is approved, the unallocated amount will reduce to £18,073 which could be allocated on future projects at Academy, Free and VA Schools.

The allocations against the 2017/18 allocation of £800,000 are set out below.

- 9 June Cabinet project allocations (excluding St Oswald's and Scargill) as above. £207,500
- 9 June Cabinet minor works allocation £100,000
- 4 July Cabinet Member allocations to community foundation or VC schools £142,000
- Total allocated to date from 2017/18 SAI £449,500
- Remaining balance of 2017/18 SAI £350,500

If the allocation to Newhall Infant is approved against that remaining in 2017/18, there will be a further £300,500 to allocate at a later date.

4. Legal Considerations

Local Authorities are required by Section 88 of and paragraphs 1(1) of Schedule 10 to the Equality Act 2010 ("the 2010 Act") and the Disability Discrimination (Prescribed Times and Periods for Accessibility Strategies and Plans for Schools) (England) Regulations 2005 ("the 2005 Regulations") to prepare, at three-yearly intervals, a written accessibility strategy in relation to the schools it maintains (i.e. community, voluntary controlled, voluntary aided and foundation schools, and community special and foundation special schools).

The purpose of an accessibility strategy so prepared is to:

- (a) increase the extent to which disabled pupils can participate in the schools' curriculums;
- (b) improve 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;
- (c) improve the delivery to disabled pupils which is readily accessible to pupils who are not disabled.

Once prepared, the Local Authority is under a duty to implement its accessibility strategy (paragraph 1(6) of Schedule 10 to the 2010 Act).

Although the Local Authority's duties around accessibility strategies do not extend to Academies and Free Schools in the Authority's area, it has previously been decided by the Authority that Derbyshire Academies will be eligible to receive funding under the Schools Access Initiative for the years when the funding is provided from the Dedicated Schools Grant as discussed above.

Alongside the Local Authority's duty to prepare and implement an accessibility *strategy* in relation to the schools which it maintains, the responsible body of a school (i.e. the governing body of a maintained school or the Academy Trust for an Academy) is required by paragraph 3(1) of Schedule 10 to the 2010 Act and the 2005 Regulations to prepare, at three-yearly intervals, an accessibility *plan*.

The purpose of an accessibility plan so prepared is to:

- (a) increase the extent to which disabled pupils can participate in the school's curriculum;
- (b) improve the physical environment of the school 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 school;
- (c) improve the delivery to disabled pupils which is readily accessible to pupils who are not disabled.

Once prepared, the responsible body of a school is under a duty to implement its accessibility plan (paragraph 3(6) of Schedule 10 to the 2010 Act).

5. Social Value Considerations

The School Access Initiative adds social value by improving access to schools for individual pupils with specific needs. The schools receiving these allocations will be given the option of procuring the works under their own financial regulations. If the works revert to the Authority to deliver, established procedures to secure social value will be followed in any commissioning or procurement.

6. Equality of Opportunity Considerations

The proposed adaptations will considerably improve accessibility and specialist toilet facilities at the school.

7. Other Considerations

In preparing this report the relevance of the following factors has been considered: - prevention of crime & disorder; environmental, health; human resources; legal & human rights; and transport considerations.

8. Key Decision

No

9. Call-in

Is it required that the call-in period be waived in respect of the decisions being proposed within the report? No.

10. Officer Recommendation

That the projects listed in Appendix 2 at a total cost of £71,563 be approved from the Schools Access Initiative 2017-18 allocation.

Jane Parfremment, Strategic Director for Children's Services

Appendix 1 (Accessible Schools DfES/0020/2002)

Criteria for support – Guidance to Local Authorities

When considering which school or schools to select for the Schools Access Initiative, the Local Authority should look at the capacity of each school to take advantage of the access improvements and the availability of accessible provision across the Authority, the school's Special Educational Needs policies and their teaching practices and ethos. It may also wish to consider the degree to which facilities may be used by a wider community. Projects should seek to improve mainstream education in one or more of the following ways:

- a) Enhanced continuation of access across nursery, primary and secondary phases in the local area.
- b) Reduced home to school travel time for pupils by making a local school accessible.
- c) Improved physical access to the school. This may include setting down and picking up points, ramps, handrails and lifts and improvements to escape provisions.
- d) Improved physical movement around the building, including adaptations for sensory disability, such as improved colour schemes and access to social areas, dining rooms etc.
- e) Improved access to the national curriculum, including specialist furniture such as desks, rise and fall tables, sinks and ovens; and information and IT equipment - both hardware and software.

- f) Improved accommodation within the building, including toilets for disabled pupils, medical rooms and sound proofing for pupils with hearing disabilities.
- g) Projects should contribute to the Local Authority's overall strategy for increasing access and inclusion for pupils with special educational needs.

Appendix 2

School	Adaptations	Estimate
Newhall Infant School	Adaptation to provide an accessible toilet	£50,000
Total		£50,000

Academy allocations		Estimate
St John Houghton Catholic Voluntary Academy	Access improvements	£21,563
Total		£21,563