



Full Lives: Equal Access

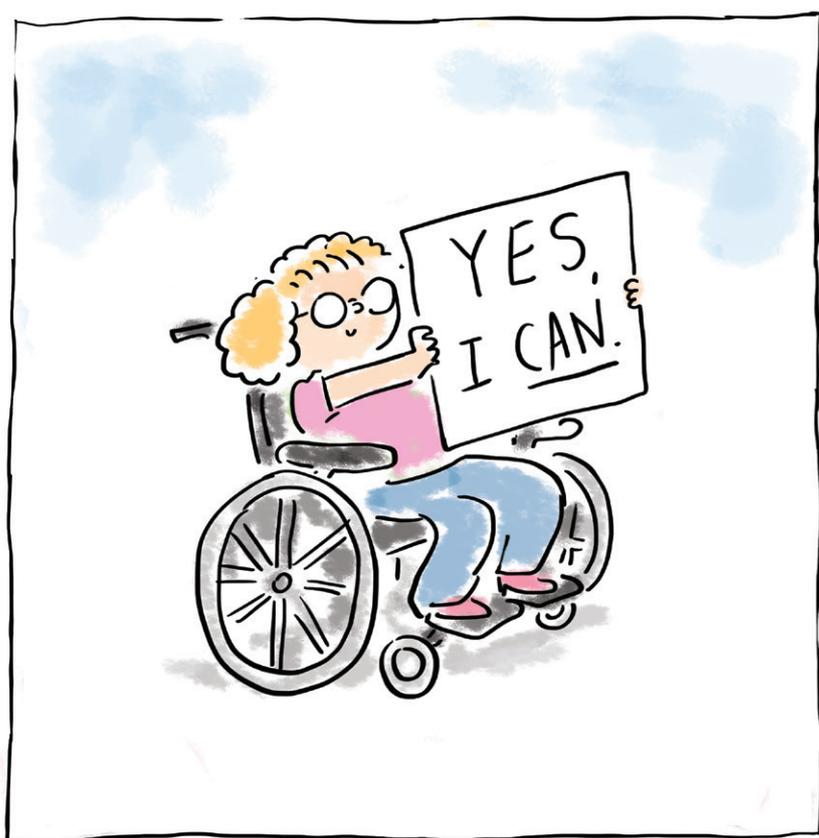
A follow up report
on **wheelchair accessibility**
in schools in Wales



Full Lives: Equal Access

Contents

A Children's Rights Approach to Accessible Schools	3
Malin's story	4
Full Lives	6
The Right Way	11
Immy's story	17
Conclusion	18



A CHILDREN'S RIGHTS APPROACH TO ACCESSIBLE SCHOOLS

Foreword by Sally Holland, the Children's Commissioner for Wales

In 2014 when my predecessor published a spotlight report on wheelchair accessibility in secondary schools, he heard from a 9 year old girl who said: "I am sad that I might not go to the same high school as my friend." This was all due to the fact that this 9 year old girl was a wheelchair user.

Four years on, the situation facing pupils in a similar position to this 9 year old girl has not changed to the extent I would like to have seen. Within this report I highlight some real progress and some pockets of good practice from many different areas of Wales, especially from some schools who are working hard to ensure the needs of their pupils are met.

But during this follow-up work I was struck by the real lack of progress by some local authorities to implement their duties under the Equality Act. I was also frustrated by the lack of progress made on this issue by the Welsh Government. They promised four years ago to issue new statutory guidance. To date, this fourteen year old guidance remains unchanged. This means that children with physical disabilities have to rely on their school and local authority to implement best practice, making them vulnerable to a postcode lottery in the absence of up-to-date national requirements. It means in reality, that nine year old girl could still be facing the same issues she and her family did four years go.

It is when we see an authority or a school taking a **Children's Rights Approach** to planning, strategy drafting and decision making, we can see a real step change in experiences of children and their families.

As well as highlighting remaining areas of weakness within the system and priorities for improvement, this report also provides our advice, based on the real experiences of children and their families, on how to take a Children's Rights Approach to accessibility. Every child in Wales has a right to education and every child in Wales must be supported to reach their full potential, no matter what their physical abilities or disabilities.

My sincere gratitude is extended to Immy, Sue, Malin, Josh and Becca for their expert advice on this report, drawn from their hard-won experiences of navigating accessible education in north, south west and south east Wales.

I'll leave Malin, a year 9 pupil from north Wales, to describe the tangible benefits of taking a Children's Rights Approach within his school has had on him and his family. It can be seen that involvement of him and his family in decision-making, and the message that he has a right to have his education made accessible, and not regarded as a 'burden', have been vital elements in helping him thrive and achieve his potential.

Sally Holland

Children's Commissioner for Wales
March 2018

MALIN'S STORY

Wheelchair access in secondary school. This was an issue that made me feel very nervous about starting secondary school. To be honest it added to the stress that I was already feeling of starting a new school where not everyone would know me, it scared me a bit. I was also aware that I would be one of the only wheelchair users in the school. The summer holidays were a bit difficult for me before I started as I worried about what would happen in September.

I could not consider going to my brother's secondary school as it had older buildings, built on a slope and lots of stairs so it was not suitable for my wheelchair. There was a lot for my parents to research regarding my disability, using my wheelchair, and the school's ethos on its students with different abilities. You spend a long time at secondary school and we wanted to make sure it was the right school for me to go to. I know they spent well over a year researching before I was due to go! We decided based on our research and speaking with other students/parents that I would go to Aberconwy School. My parents and I had initial meetings with the school before I started, to advise what my needs would be to attend school independently, along with information on my condition, Ehlers Danlos Type 6b.

I have to be honest, my experience at primary school with my wheelchair had not been great. Due to my condition I cannot self-propel due to my muscles and fatigue, I need to be pushed in my manual. I could not use an electric wheelchair there so I used to be wheeled out and left in the middle of the playground at play time where other children were expected to come to me to play with me. It was quite a lonely time and made me feel more isolated. I saw a counsellor during this time to help me with how I was feeling about my disability. This did change with a new Headteacher and life got better with me being able to use my electric wheelchair, I could join in more!

From starting Aberconwy I was really pleased that from my first day they assigned a support teacher to assist with the lift, doors, at lunchtime, and getting around to lessons. Once I proved I was sensible and trustworthy I was issued with my own set of lift keys which was great as it made me feel more independent and trusted! I did not need the support teacher to help me get around after my first year as I proved that I could do everything that was needed of me in my wheelchair independently. I also have a great year mentor who I can go to with any issues, problems or difficulties that I have within school. Being able to access all areas of the school makes me feel independent, I do not like to feel different from the other children. Nothing has ever been made to make me feel an inconvenience.

I can get around to most places in school – the only place which was difficult for me to access initially was the music block. The music area has now been moved so I can access all areas of my school. If we have school trips we talk about how I can manage it the best way which means I do not have to miss out which would make me feel sad and left out and different!

My electric wheelchair is stored in the medical room by the main reception each night where it is charged ready for the next day. My teachers all check with me that my desk is the right height, that I am comfortable and whether everything is ok and if I have any concerns.

I do feel very supported and know I can go to Mrs Royale (my year mentor) who in the past has even had to help rescue me from the middle of the playground when my wheelchair battery has failed! If I feel fatigued (which I do with my condition) I know that I can go to rest and then go back to lessons. I know I can go to the toilet during a lesson and that an issue is not made for me to wait until the lesson is finished.

A nice surprise for me also is how the other children in the school have responded to my wheelchair and my disability. They always give me space when I am moving around school and open doors for me which is really helpful to me. The one thing when you are in a wheelchair is that you want people to see you, your personality, not just your disability! You do not want to be made to feel different on top of your disability!

My worries before starting Aberconwy School eased as everything that could be done was talked through before I started there and I think that is really important to give the school time to adjust if they need to organise anything they need to do different. For example, a specialist toilet was put in for me in advance of me going there. Things do come up from time to time but the difference is I am never made to feel a pain or an inconvenience which is really important to me. I know that I can approach Mrs Royale or any of my teachers and they will sort the problem out for me. I really feel

that with me, the school and my parents we are a team and that is also important! I think that if you give as much helpful information as you can it gives school the time to organise things and keep them updated on your condition and then this way they can help you. The result is that I can move easily around my school and I really feel I am seen as Malin, not just Malin who is in the wheelchair! I am treated as a normal teenager but supported with my disability. I can just get on with the job of throwing myself in to school life!

FULL LIVES

Background

During 2017 we have been following up our 'Full Lives: Equal Access?' report from November 2014, which highlighted concerns about wheelchair access for secondary school pupils in Wales.

The report made recommendations to the Welsh Government, asking them to update their guidance on access for disabled pupils, and to ensure that those building new schools under the 21st Century Schools programme demonstrate their intentions to increase accessibility. We also asked the Welsh Government to make sure that all Local Authorities and schools were complying with their duties under the Equality Act 2010.

We have been in contact with all 22 Local Authorities in Wales and have spoken to representatives from the Welsh Government, Welsh Local Government Association (WLGA), Estyn and the Wales Audit Office (WAO).

We wanted to find out whether Welsh Government, local authorities and schools are effectively planning for increased access to education for pupils in Wales. We also wanted to know whether children and their families are able to access clear information about accessibility in schools in their area, in order to make informed choices and to make sure that children can attend the school of their choice, along with their friends.

Below are some of the key points that have emerged from our follow up research.

Legal Duties

The Equality Act 2010 requires each Local Authority to have an Accessibility Strategy and to make sure that it is being implemented, which means that staff across the local authority departments need to know that it exists and what the actions within it are for them.

Some local authorities have included their Accessibility Strategies within their wider Strategic Equality Plans; public bodies in Wales are required to have strategic equality plans which set out their equality objectives and how they will be achieved. Local authorities are allowed to combine the two documents provided that they include all of the requirements within them.

The Act requires each school to have their own Accessibility Plan. Schools must also make sure that they deliver against what they say they will do in their plans, they have to review their plan to make sure they are still meeting pupils' needs, and they have to speak to children and their families as part of that.

In addition to their rights under the Equality Act 2010, all children and young people have rights under the United Nations Convention on the Rights of the Child (UNCRC) – an international agreement that lists the rights all children and young people under the age of 18 have. In particular, the UNCRC states that every child has a right to information (article 13), an education (articles 28 and 29) and to express their views (article 12). If they are disabled, they have rights to special care and education (article 23). These rights have been incorporated into Welsh Law through the Rights of Children and Young Persons (Wales) Measure 2011. In addition, local authorities will have a duty to pay due regard to the UNCRC and the UN Convention

on the Rights of Persons with Disabilities when provisions under the Additional Learning Needs and Education Tribunal (Wales) Act 2018 come into force.

We have set out below what the particular requirements are on local authorities and schools, and what we have found out about progress against these requirements.

Local Authority Accessibility Strategies

Having an Accessibility Strategy shows what the local authority's plans are to increase access for disabled pupils to its school buildings and the full curriculum of activities provided within them. This is important information for disabled children and their families, particularly when they are planning for their child's future education.

In response to a survey we sent to every local authority in Wales, 18 local authorities told us that they had published their accessibility strategy.

We looked on each local authority's website in September 2017 and undertook searches on those websites and via search engines, but we were only able to find two current strategies (Blaenau Gwent and Rhondda Cynon Taf). These documents were difficult to find however; there were no dedicated pages on councils' websites related to accessibility in schools, and a number of links had to be followed in order to find the strategies themselves.

By telephoning each local authority we were able to get access to a further five strategies (Bridgend, Caerphilly, Wrexham, Merthyr Tydfil and Newport). We have not been able to obtain copies of the strategies for the remaining 11 local authorities who stated that theirs had been published, either by telephone or online. Local Authority staff were not always aware of the statutory duty to have and maintain an accessibility strategy when we contacted them.

Consultation with children, young people and their families

We asked local authorities whether they had consulted widely on the development of their accessibility strategy, and whether or not they had made a specific effort to seek the views of disabled children and young people and their families as part of this.

One local authority stated that they had consulted widely, but on further enquiry they were not able to provide any further information as to what they had done, how they had done it and who/how many people they had reached. A further six local authorities told us that they had consulted with specific forums or groups of disabled people, but it was not always clear whether or not these groups included young people themselves.

Whilst the strategies don't directly set out the facilities available in each individual school, it is hard to see how local authorities can assess the suitability of provision across their area without hearing from pupils about whether or not their needs are being met and what their experiences have been of looking for suitable accessible schools to attend.

Audit of secondary school stock

In our original report, we recommended that all local authorities should audit their secondary school stock, to ensure that they had clear information on accessibility for pupils in their area.

Fourteen local authorities have done so, and two more are in the process of doing their audit. One local authority had not updated their audit from 2008, and one had delegated this for schools to complete. Only one local authority said they had not done this at all and the remaining three authorities did not provide information for this question.

It is difficult to understand how a local authority can be confident in its accessibility strategy when they have not undertaken an up to date audit of their school stock.

Accessible Schools

We asked local authorities to specifically tell us how many of their primary schools, secondary schools, post 16 provision, special schools and pupil referral units (PRUs) were accessible to wheelchair users. We also asked what percentage of their total number of schools this was.

We received a wide range of answers from local authorities, ranging from 13% of primary schools in one local authority being accessible, to 100% accessibility in some local authority areas for secondary schools, PRUs and/or special schools.

The responses we received did not make any reference to the needs of the population in their particular area, so it is not possible to determine what the 'right' figure is. Local authorities and health boards should now be completing Population Needs Assessments under the Social Services and Well-being (Wales) Act 2014. This Act was not in force when our original report was published, but this information would clearly be of benefit to local authorities when reviewing their accessibility strategies to make sure that the right level of provision is available to meet needs.

Ten local authorities told us that some of their schools were "partially accessible". Some of them expanded on this to state the percentage that have ramp access, accessible toilets and internal steps but we were also told that there may be other factors that impact on wheelchair users, which were not explicitly set out. We have not interpreted these results further as the responses did not all tell us what they meant by "partially accessible".

We have heard some examples of schools that have moved all lessons to ground floor classrooms so that pupils using wheelchairs can attend all of their chosen subjects together with their peers. This is a positive solution particularly for older buildings that cannot be physically adapted to allow totally free access. The school's accessibility plan can be used to plan this, in consultation with children and their families.

Active planning for the move to a new secondary school or for the start of primary school with the full involvement of individual children and their families will also be really important in order to truly assess whether or not a school premises is really suitable for a specific child or young person.

School Accessibility Plans

We asked local authorities whether all of their schools have Accessibility Plans. Eighteen local authorities told us that all of their schools had published accessibility plans. However once we analysed the full responses, only 11 local authorities were able to say that all schools in their area had their plans in place.

It was positive to note that one local authority was in the process of issuing guidance to schools around their responsibilities for accessibility plans, as a result of our follow up work.

It was also positive to hear that some of the schools with plans in place were consulting with their general pupil populations, as well as consulting with individual pupils to assess and provide for their particular needs.

Role of the Welsh Government

Our original report contained some recommendations for the Welsh Government, to refresh their "*Planning to Increase Access to Schools for Disabled Pupils*" guidance and for increased accessibility to be referred to by anyone applying for funding under the 21st Century Schools programme.

This guidance is important to ensure that all local authorities understand their duties under the Equality Act 2010 and that there is consistency in applying the Act across Wales. The guidance should also highlight the importance of ensuring that the rights of disabled pupils are being upheld when accessibility strategies and plans are being created and implemented.

In a formal response from the Welsh Government, we were told that the guidance has been refreshed and would be publicised at an event in May 2017, and published on the refreshed 21st Century Schools and Education programme website. However, as at February 2018, the revised guidance has not been published yet, and the version on the Welsh Government's website was still the 2004 version. The website for 21st Century Schools has not been re-launched either.

We understand from Welsh Government officials that the accessibility guidance has been subject to extensive consultation. However in the time since our original report was published in 2014, many children and young people will have commenced their school journey or undergone transition periods to new schools without the revised guidance for schools and local authorities being available.

Our Analysis

Whilst we have seen some improvement in the overall level of accessibility strategies and plans in place, and work is ongoing in many areas to improve upon this, we remain in a position where we cannot be confident that all local authorities and schools are complying with their duties under the Equality Act 2010. It was concerning to find out that local authorities are not routinely consulting with children and their families when drawing together their strategies despite a statutory duty to do so.

We also note that there is no requirement for the active monitoring of strategies and plans by the Welsh Government. Welsh Ministers can request copies of the plans and strategies at any time, but it is unclear whether or not this is done systematically or regularly. While we have seen evidence that some local authorities have included their Accessibility Strategies in their wider Strategic Equality Plans, it remains unclear whether these links are routinely being made by every authority and whether or not accessibility planning systematically takes account of the Population Needs Assessments.

In November 2017, the Welsh Government's Education Secretary committed in a written statement an additional investment with a capital value of around £500m for its 21st Century Schools and Education Programme. The investment is welcome but if guidance in relation to increased accessibility is fourteen years old we cannot ensure that all children are able to access their basic rights to education. Clear leadership from the Welsh Government is needed to ensure that this significant investment in educational infrastructure maximises opportunities for disabled learners.

What needs to happen next

The majority of Local Authorities have reported some progress since our original 2014 report was published. However, there is room for further development. In particular, we would like to see the following changes to take place to move away from the current over-reliance on individual schools to plan for the needs of pupils with physical disabilities:

- 1. All local authorities** should publish on their websites their accessibility strategies, and school accessibility plans should also be made available online.
- 2. Staff within local authorities** need to know that these documents exist and be able to provide up to date versions to families who ask about them. Awareness raising and training would assist with this, and we would also recommend that local authorities' buildings and education departments jointly own these documents in order to share clear and up to date information with families.
- 3. Consultation with children and young people** and their families is a duty under the Equality Act 2010 and has to form part of the strategies and plans in order to make these meaningful and uphold the rights of children across Wales. All local authorities and schools should therefore be consulting with children, young people and their families in preparing their strategy or plan.
- 4. The Welsh Government** should publish its revised guidance on accessibility under the 21st Century Schools programme ahead of the start of the academic year 2018-19.
- 5. The Welsh Government and Local Authorities** should use a Children's Rights Approach in all of their work around accessibility for children and young people, to enable pupils and their families to make informed choices and to assist more pupils with disabilities to attend the school of their choice, along with their friends.

What is a Children's Rights Approach?

We are particularly pleased to have seen through our follow up work some encouraging case examples of where schools have worked closely with children and their families to assess and meet their individual needs. We have set out in the following section some of these examples to illustrate the benefits of working in this way, for schools, local authorities and families.

There is no set format or template for Accessibility Strategies and Plans therefore we are encouraging all local authorities to look at their accessible provision through a Children's Rights Approach, to make sure that every child has full access to education provision and facilities. We go on in the next section to set out examples of how this can be done.

THE RIGHT WAY

A Children's Rights Approach to Accessibility in Wales

'The Right Way' is our principled and practical framework for working with children, grounded in the UNCRC. In this section we pick out some key tips and interesting case studies related to the five principles of a Children's Rights Approach and how they apply to ensuring that children and young people who have physical access requirements receive their rights to an education. The five principles are: Embedding children's rights, Equality and non-discrimination, Empowerment, Participation and Accountability. They are the means by which public bodies can apply the 42 rights under the UNCRC. A full explanation of these principles and how they apply to the education system as a whole can be found in our guide: *The Right Way: A Children's Rights Approach to Education in Wales*.



Embedding

Children's rights provide the 3 Ps: protection, participation and provision.

Children's rights should be at the core of planning and service delivery. In this context that can mean ensuring that accessibility strategies and plans are framed as rights documents, emphasising all children's rights to an education, to play and leisure, to socialise freely and to fulfil their potential. Leaders and staff should be trained in children's rights, including that children with disabilities have a right to special care and support so that they can lead a full and independent life (Article 23, United Nations Convention on the Rights of the Child). Training of this kind should prevent the use of inadvertent language that implies that someone's disability is a deficit, problem or burden, which

THE RIGHT WAY

is a concern that has been raised with us. A child should not be made to feel that provision they have a right to receive is being done as a special favour or that they should feel more grateful than any other child in the school for measures put in place.

Embedding children's rights, including Article 23, in planning and delivery needs to be an ongoing and dynamic activity, including reviewing how successful the embedding has been (see Accountability section below).

Case study from Merthyr Tydfil County Borough Council

Cyfarthfa High School has had extensive works completed and part of their Disability Equality Scheme/ Accessibility Plan states that they recognise the importance of ensuring that the United Nations Convention on the Rights of the Child is fully taken into account in the policy and planning of school provision.

A good example of this is that the school purchased four wheelchairs, fully adapted for use in sporting activities in-house, for ongoing lessons involving disabled and able-bodied pupils to increase the regularity of health and fitness sessions. A series of accessible sports activities were planned for and completed on sports day to ensure full inclusivity of pupils and the school has also attended the Disability Sport Wales In-Sport Series.

A review of sports accessibility and activities has been undertaken and all PE lessons are now accessible or activities have been appropriately adapted to meet the needs of all learners.

Non-discrimination

All children have these rights

Non-discrimination is a right under the UNCRC (Article 2). Discrimination can be multi-layered, and include physical barriers, attitudes, policies



and practices. At a basic level, all staff need to understand their non-discrimination duties under the UNCRC and the Equality Act. It is also important that local authorities regularly audit accessibility in their schools and colleges and have mechanisms to seek feedback from pupils who are wheelchair users and the adults who support them about any social or physical barriers they may be facing.

The best way to discover more about how discrimination may be affecting children who use wheelchairs in schools or local authorities is to enable them to share their experiences and expertise.

Schools and other authorities must be aware of the additional impact when a child may face discrimination on more than one ground (e.g. a young person who uses a wheelchair and also identifies as LGBT).

Case Study: Ysgol Aberconwy

At the beginning of this report, Malin, a year 9 student who is chairperson of the Children's Commissioner's North Wales young people's panel, gave his account of his experiences as a pupil in primary and secondary school. Here his school presents its account of how they worked to ensure Malin had his rights to a full education.

"As a school, our main priority is for all pupils to access a full education and to ensure no child is excluded from any activity we undertake. With this in mind, we have worked closely with Malin's parents to ensure his individual needs are met. As such, before Malin started at Ysgol Aberconwy we had initial meetings with his parents to discuss in detail his needs and requirements, but most importantly to make sure the transition process was smooth for everyone.

On his first day at the school, we assigned Malin a dedicated Support Teacher to assist him with lifts, doors, and getting around the school. However, once Malin became more confident in the use of his electric wheelchair, he was able to move around the school independently. Amongst other things, we also moved the music classrooms to ensure

Malin was able to access all the facilities within the school.

Due to our close working relationship with Malin and his parents, we have been able to implement changes and adjustments to make his school life accessible and inclusive. We are fortunate as a school to have modern facilities and we have purchased our own motorised wheelchair for any student who may require assistance. We have also introduced a specialist toilet facility in partnership with Sodexo, we have adjustable desks in all Malin's classrooms, will allow time between lessons for Malin to move around the buildings freely and we store and charge his wheelchair overnight for him at the school.

In year 7 Malin was one of our Sports Ambassadors and this year he will again be taking part in our school's musical production. We also discuss external school trips with Malin and his parents, to look at ways Malin can take part in these important extensions to our curriculum.

We believe if you give all students access to a full education, the progress they can make is limitless.

Case study: Carmarthenshire County Council:

Canolfan Elfed (CE) is a fully integrated inclusion centre within Queen Elizabeth High School which meets the needs of a broad range of pupils who would typically be educated within a specialist provision outside of a mainstream school. Pupils placed in CE receive specialist support according to their individual needs whilst also gaining from being able to access the benefits of a mainstream school setting.

CE occupies its own purpose built wing of the school and boasts outstanding state of the art facilities. These include dedicated classrooms, a specialist Profound and Multiple Learning Difficulties (PMLD) base with a hoist system that runs throughout the department, a hydrotherapy pool and splash pool, sensory room, soft play room, physiotherapy room and life skills flat which has

a bedroom and kitchen. Outside the centre there is an enclosed play area which has an adventure park that has soft safety matting where pupils can socialise and play in a safe secure setting whilst also having access to the mainstream areas of the school which means that this vital work is incorporated and reinforced into their daily routine.

One of the Children's Commissioner's advisory panel members, who is a wheelchair user and recently graduated from the 6th form of Queen Elizabeth school commented: "Canolfan Elfed works to make mainstream provision more of a reality". He found that the hydrotherapy pool allowed him to access the therapy he needed without having to go to hospital, causing less disruption to his education.

Case study from Rhondda Cynon Taff:

We have several examples of newly constructed schools that offer full accessibility not only to school children and staff but to the wider community also. For example, the new Aberdare Community School, which offers first class, state of the art facilities both inside the building and outside, with extensive sports pitches, a 3G pitch and a multi-use games area, all of which are fully accessible to wheelchair users. An athletics stadium will be erected on the site by the end of next year. The building has been assessed by a consultant in disability access and has been commended by him for its accessibility to all. Another development involves Abercynon Community Primary, which in addition to offering school provision in a brand new, fully accessible building, has community education facilities and a public library on its site as well. The school also accommodates a local authority dedicated unit for pupils with Additional Learning Needs (ALN).



Empowerment

When children know about their rights they are in a better place to take them up

Empowerment means increasing children's capacity to take advantage of their rights, and to engage with, influence and hold accountable those individuals and institutions that affect their lives. At a basic level it means that children are given the opportunity to learn about their rights, and given positive experiences of taking them up. For example, children may be doubtful about taking part in decision-making if they have not previously had positive experiences of being listened to or their views taken seriously. Positive experiences of empowerment must start early – from nursery onwards – so that children can develop confidence and experiences of making choices and taking part throughout their education.

Empowerment also comes from access to clear and accessible information. Children and their families have a right to receive information when they need it and in a format that is suitable for them. This is the basis of making decisions about which school they will attend and being able to take some control and ownership of the planning and decision making around this.

Case Study: Disability Sport Wales – National Youth Board

The National Youth Board was formed by Disability Sport Wales (DSW) in 2017 with members from across Wales. The aim of the board is to “enhance the voice of young people within the realms of disability sport in Wales” from delivery on the ground to “contributing to the Disability Sport Wales Executive board, ensuring that young people remain a core factor in the key decisions that are made.” The first meeting provided members with the opportunity to get together for the first time to discuss their visions and aspirations for the board, as the expert voice of young people in Wales. To help empower youth board members to undertake their new role Pippa Britton came to a December Board meeting to share her experience as a DSW Board member and chair. Youth Board members have also received training to enable them to support with the delivery of the DSW Mini Disability Inclusion Training to primary school children. The Mini Disability Inclusion Training aims to raise the awareness of disability sport, and to demonstrate how disabled friends can be included in the activities pupils take part in during and outside of school.

This approach could be used at a local government level to ensure that disabled young people are empowered to contribute to planning and reviewing services for disabled children and young people in their area.

Participation

Services will be better if they have been co-designed with those who use them

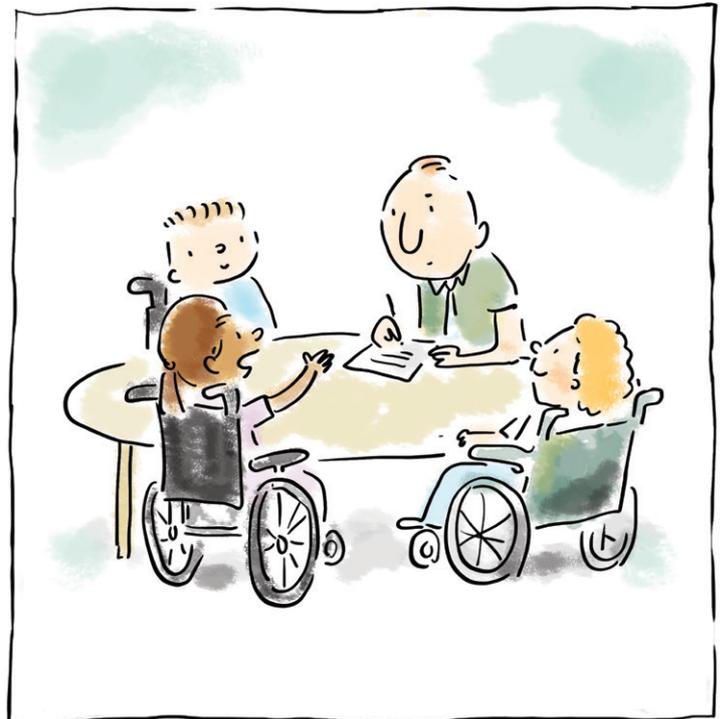
Clear spaces need to be identified for children and young people with physical disabilities to become involved in decision-making. This should include strategic planning and decision-making (local authority and school level) and for their individual support.

In terms of planning, the child's individual needs and experiences will be crucial. It should be remembered that what makes a building accessible will be different for each individual. Therefore, each prospective student with accessibility needs will need to be involved in informing and planning for their transition.

While physical accessibility is crucial, social aspects of accessibility will be best informed through the everyday experiences and wishes of the child or young person. For example, the need to always go the long way round to access a lift or ramp can lead to children and young people being left behind at break time or in the canteen, impacting on their rights to play and socialise. It must be remembered that the process of involvement takes time, so it

needs to be planned into transition timetables and reviews of support, but its benefits are well worth the time invested.

Wales has National Participation Standards which should be adopted by local authorities in all of their work.



Case study from Pembrokeshire Local Authority:

Whilst a building may be accessible, taking the child's views into account about what is important to them about their ability to play a full role in school life can enhance and transform their experience of school. The example relates to a child who transitioned from primary to secondary school in September 2017. The transition planning was formalised during her year 6 annual review in October 2016. The child had a clear idea of how she wanted the transition to be organised and co-chaired her annual review, posing questions to the Additional Learning Needs Co-ordinator (ALNCo) from the secondary school. Some of the key points of major importance to her are noted below:

- **One of her main wishes** was to travel on school transport with her friends. The Education Service and Transport Department worked together to ensure that there was a wheelchair accessible bus on her route.
- **Although** she would have been able to use a lift

to access upper floors in the secondary school building, the ALNCo organised the class timetable so that all lessons took place on the ground floor. This has meant that the child is able to move between lessons independently, in the company of her friends.

- **Minor adaptations** were made to the school's changing rooms to ensure that the child could be independent when preparing for PE lessons. These adaptations were identified by the child during her transition visits.
- **During transitions visits**, the child played a key role in planning her Personal Evacuation Plan with school staff and accessibility officers, trialling different routes and deciding which one would be most appropriate for her.

This approach to transition proved so successful that it is being replicated for another child who is due to move to secondary school in September 2018.

Accountability

We should be in a position to tell children what we plan to do, how well we did it and what we did with their feedback

This involves providing clear communication to children in a manner that is accessible to them. This can include transparency about rights, processes involved in assessments, what the school or local authority plan to do around accessibility in schools, how well they did, and what happened next. When children and young people have been consulted, either about their individual needs or as part of service development, they should have feedback about what happened as a result.



Advice on accountability

This commentary is written by Josh who is a Higher Education student in Carmarthenshire, and his mother Becca. They have years of experience of ensuring that Josh, who is a wheelchair user, has access to education and other opportunities. They also have experience of supporting other families in the same situation. Josh is a member of the Commissioner's Advisory Panel.

“Communication tends to halt when the final report is written. Co-producing services and delivery with children and young people should include co-delivery of them too, a continual flow of communication, review and reflection - treating the children/young people as equal partners. Sometimes some schools who are under pressure

with their budgets or uncertain on how to act will do the minimum required for access and participation. It would be good to see the children whose needs are being addressed have the ability to give feedback on whether they feel it's been achieved, and perhaps this could be presented to the school Governors for accountability.

A needs based approach that comes from always looking at what's wrong with the situation, how the child doesn't fit and what needs to be fixed - creates a deficit based conversation. By schools taking more of an assets based approach, they'll be able to identify what's been done right so far, where the skills and knowledge sit with the child and family, valuing their lived experience alongside the expertise of the school, where together they can achieve positive change and increase the social capital within the school.

IMMY'S STORY

Immy is a student at Whitchurch High School in Cardiff.

I think Whitchurch is a lot better now than before I started there. I would tell other children looking to go there to look at how able they are and look around to see how it meets their needs before deciding where to go.

There are other wheelchair users at the school so it's more suitable for me to be in school with other wheelchair users as well.

There are disabled toilets which are accessible. It's important for me to be able to reach them and they are close to the lift which makes it easier if you're coming from another floor.

Having access to a lift at school is really important for me. It helps me to be able to get around so much more. I have to ask for a key from the secretary, so it means I need to leave time to do that, but it also means that other children can't use the lift as it's locked.

I can stand by myself, but some people who use wheelchairs can't stand at all. It doesn't feel nice to be carried or hoisted when you are older. When you're younger you might be more used to being carried but as you get older you want to be able to do more yourself with less support from other people.

We also have ramps and slopes to help you get about in your chair and there aren't any steps into the classrooms. There are rails to hold by the ramps as well, but this isn't as useful for the smaller children or children who might be in wheelchairs but have other disabilities as well, like being blind. I think the school could do more different things for people with different needs as well as being in a wheelchair, like using sounds or things to feel to help children who are blind to get about better.

There is quite often a gap in support when you go up to secondary school. The secondary school I looked at initially, I couldn't go to because it wasn't accessible or suitable for me. That meant I couldn't go to secondary school with all of my friends. My secondary school now has six wheelchair users and even though we all have different needs, it's good to see other wheelchair users in my school as well.

I think all nurseries, primary schools, secondary schools, colleges and workplaces should be completely accessible for all people in wheelchairs. I want places to be suitable for other wheelchair users, not just having adjustments made so places are suitable for me.

CONCLUSION

by the Children's Commissioner for Wales

It is positive to note that since the publication of the original report, local authorities and schools' general awareness of their duties under the Equality Act 2010 has improved, and as a result children and young people are gradually becoming more involved in their own transition arrangements. The experiences highlighted by the original report and the process of following up those recommendations has kept the issue of wheelchair access on their radar.

There are a number of areas for improvement identified through this work, not all of which would be strict duties under the Equality Act, but nevertheless make a major difference to the true accessibility of a school for a wheelchair user. These relate to access to information and social access.

My team and I have found that families may not always have easy access to clear information about schools and local authority provision within their area. I have heard about young people being part of transition planning and assessments but I have not yet seen examples of the clear feedback that should be provided to young people after consultation.

I would urge all those involved in making plans for pupils in their area to apply the five principles of a Children's Rights Approach in doing so, including the final principle of accountability.

The refresh of the Welsh Government's 21st Century schools website and the associated business case and accessibility guidance provides a clear opportunity to embed the principles of children's rights within this framework. At times it may be difficult to identify how children's rights fit within policy areas that are not immediately related to children, such as building regulations and planning. However the examples in this report highlight the need to consider the impact on children and their rights in all areas of Welsh Government work, and fulfil the commitments to children's rights within the Rights of Children and Young Persons (Wales) Measure 2011. This will also ensure that the issue of accessibility becomes about more than just ramps and rails and that there is a link between physical and social access being made whenever plans are being put forward to this programme.

I will be following up the progress of Welsh Government and local authorities in writing, in order to ensure that the expectations within this report are being actioned to improve the experiences of disabled pupils and their families in Wales.

The positive examples shared within this report remind us all of the benefits of engaging with children and families in order to plan for and meet their needs, and that person centred services will only become a reality if all people, including children, are consulted as part of service design and delivery. I'd like to see these positive examples become a reality for every child in Wales and I end this report with a challenge to all those involved in ensuring accessibility for children:

“Does every child have this experience in your school or local authority?” If not, a children's rights approach to planning and provision will help make equal access a reality.

Children's Commissioner for Wales

Oystermouth House

Phoenix Way

Llansamlet

Swansea

SA7 9FS

01792 765600

post@childcomwales.org.uk

[facebook.com/childcomwales](https://www.facebook.com/childcomwales)

[@childcomwales \(twitter\)](https://twitter.com/childcomwales)

YouTube: commissionerwales

This report is available in alternative formats by contacting us - see details above.