

To Independent assessor



Accessibility Assessment Report

Stockton Heath Primary School

Egerton Street
Warrington

Prepared for Warrington Borough Council

May 2003

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Signed:

Date: 27th May 2003

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1.0 Introduction

The report comments upon the accessibility of the Stockton Heath Primary School for Warrington Borough Council.

The report is based on our site visit and information which was presented to us by the staff. The report assesses the usability of the building for all people including those with mobility, sensory and cognitive impairments in relation to the Disability Discrimination Act 1995 and the SEN and Disability Act 2001.

The assessment includes approach; parking, entrances, reception, horizontal and vertical circulations and facilities within the school.

It should be noted that following good practice guidance for accessibility will benefit all users of the environment including older people and carers of young children, not only those with recognised disabilities. The scope of the report is limited to the information provided.

It is strongly recommended that further advice be sought for any work that may be commissioned based on recommendations contained within this report to ensure that an adequate standard of accessibility is achieved.

2.0 Legislations

2.1 The Disability Discrimination Act

The Disability Discrimination Act 1995 (DDA) gives disabled people rights in the areas of recruitment, employment and in the provision of goods and services. It requires all providers of goods, facilities and services to take reasonable measures to ensure that they are not discriminating against disabled people.

Service providers and employers must ensure that they are not discriminating against disabled people in the way they provide services or employment, which includes the building from which the service is provided.

When providing non-educational services, for example when letting rooms in the school for community use, governing bodies and local education authorities must not unjustifiably discriminate against disabled people. They must also take reasonable steps to change policies, practices and procedures which make it impossible or unreasonably difficult for a disabled person to use a service, provide auxiliary aids or services to enable them to use a service and overcome physical barriers by providing a service by a reasonable alternative method.

In respect of service provision, a successful action taken through the courts might result in the requirement to carry out adjustments to remove the barrier to accessing the service and might entitle the individual to seek compensation for personal distress.

2.2 SEN and Disability Act 2001

New duties, which came into effect in September 2002, extend the Disability Discrimination Act 1995 to cover every aspect of education. The Special Educational Needs and Disability Act 2001 amends the Disability Discrimination Act 1995 and inserts a new Part IV to prevent discrimination against disabled people in their access to education. Chapter 1 of the new Part IV of the Act sets out the requirements on those providing school educations. The duties make it unlawful to discriminate, without justification, against disabled pupils in all aspects of school life.

There are two main parts to the Act.

Part 1

Much of this part of the Act relates to the Local education Authorities role in relation to the enactment and monitoring of local children with special needs educational requirements. There is

however, a presumption that children with SEN will be educated within mainstream schools where parents wish it and where the interests of other children can be protected.

Part 2

This amends the DDA by placing new duties on providers of schools and post 16 education. This requires that disabled pupils should not be treated less favourably, without justification, for a reason, which relates to their disability. It also requires that reasonable adjustments are made so that disabled pupils are not put at a substantial disadvantage to pupils who are not disabled.

Every aspect of school life is covered by the duties. Responsible bodies must not discriminate in:

- admissions,
- education and associated services, or
- exclusions

Admissions

Three distinct aspects of admission are covered by the duties. Responsible bodies must not discriminate against a disabled person:

- In the arrangements that they make for determining admission of pupils to the school. This includes any criteria for deciding who will be admitted to the school when it is over-subscribed, and it includes the operation of those criteria;
- In the terms on which the responsible body offers pupils admission to the school;
- By refusing or deliberately omitting to accept an application for admission to the school from someone who is disabled.

Education and associated services

'Education and associated services' is a broad term that covers all aspects of school life. This list exemplifies the range of activities that may be covered by the term 'education and associated services':

- preparation for entry to the school;
- the curriculum;
- teaching and learning;
- classroom organisation;
- timetabling;
- grouping of pupils;
- homework;
- access to school facilities;
- activities to supplement the curriculum, for example a drama group visiting the school;
- school sports;
- school policies;
- breaks and lunchtimes;
- the serving of school meals;
- interaction with peers;
- assessment and exam arrangements;
- school discipline and sanctions;
- school clubs and activities;
- school trips;
- the school's arrangements for working with other agencies;
- preparation of pupils for the next phase of education.

This list is not exhaustive, nor is it intended to be. The Secretary of State has powers under the Act [S.28A (3)] to issue regulations about what is and is not education or an associated service. The Secretary of State would issue regulations if it were considered necessary to clarify the position of any service, to make it clear whether it was covered by Part III or Part IV of the Act.

In some areas of school life the duties on responsible bodies will overlap with other duties on other bodies: for example providers of health services, who have duties under Part III of the Act.

Responsible bodies have to make sure that they fulfil their responsibilities, regardless of duties on other bodies.

Exclusions

The duties also make it unlawful for a responsible body to discriminate against a disabled pupil by excluding him or her from the school for a reason related to the pupil's disability.

Governing bodies, in their annual report to parents, must explain their admission arrangements for disabled pupils, how they help disabled pupils gain access and what they will do to make sure they are treated fairly. The new Part IV of the Act, as amended by the SEN and Disability Act 2001, extends these duties. From September 2002, governing bodies must include in their annual report the accessibility plan, which they are required to draw up, to show how they will increase access for disabled pupils to education at the school.

There is also a responsibility to improve the ways in which written information provided to pupils who are not disabled is provided to disabled pupils.

2.3 Human Rights Act

The Human Rights Act 1998 came into force in October 2000, incorporating into English Law the European Convention on human rights. The introduction of the DDA and the SEN and Disability Act has to some extent gone beyond the Human Rights Act. The Human Rights Act is more applicable to the way in which the school and local authority operate, in the provision of education for all, general house management and any appeals procedures that may result from a dispute.

2.4 Part M, Building Regulations

Where features of a building complied with guidance contained in Approved Document M at the time the building works were carried out, and have not been altered, there will be no obligation under the DDA to alter that feature. Any elements not covered by Part M however, may have to be changed.

Since 1985 Local Authority Schools have been able to self certify works for Building Regulation approval which has meant that many schools were not subject to the rigorous controls of Building Control. In real terms, this can mean that works have not been completed to the Part M standard.

New buildings will be designed to meet the requirements of Part M of the Building Regulation (Access and Facilities for Disabled People) with guidance from Approved Document M. It is noted that meeting the requirements of Part M do not wholly constitute an accessible building and may not fully meet the requirements of the DDA.

The Disability Discrimination Act and SEN and Disability Act do not override other legislation relating to buildings such as planning permission, building regulations, listed building consent and fire regulations. The Acts themselves do not include building design guidance and it is advisable to follow current good practice design guidance and advice. Therefore, advice given in this report if adopted will indicate that reasonable consideration has been given to the needs of disabled people but cannot guarantee immunity from prosecution under the Act.

2.5 Criteria for Assessment

Requirements of Building Regulations including guidance in Approved Document M
Requirements and implications of the Disability Discrimination Act 1995
Guidance on the use of Tactile Paving (DETR)
Warrington Access Standards (WAS)
BS 8300
Currently recognised good practice design guidance

3.0 Building Description and Users

Stockton Heath Primary School is a two storey building accessed from Egerton Street. We were informed that:

- School's Annexe, Dining Area and all-weather pitch are used by the Link Club.
- School's Halls are used for a variety of functions including assemblies and performances.
- Parent's evenings are held in all areas of the school.
- There are currently two pupils with mobility impairment. There is one hearing impaired pupil.

4.0 Summary of Actions / Priorities / Budget cost

4.1 Description of Priorities

Legislation	Priorities	Description	Suggested time scale
DDA, Part II & III	A	Issues relating to: <ul style="list-style-type: none"> ➤ Health and Safety ➤ Management ➤ Employees ➤ Disabled pupils ➤ Visitors (Auxiliary Aids) 	Implement Immediately or within one year
DDA Part IV (SENDA)	B	Issues relating to Educational Services	Implement within two to three years
DDA III & Part IV (SENDA)	C	Issues relating to all services	Plan to be implemented when relevant area / element of building is refurbished /upgraded / maintained.

4.2 Summary of Costs for Priority Actions

Priority Type	Budget Cost £	Suggested Timescale
Priority A Actions	3,400	Within 1 Year
Priority B Actions	87,700	Within 2 - 3 Years
Priority C Actions	0	Include within the repair and maintenance programme

6.0 Building Management

Management should ensure that the needs of disabled people are met in delivering their services. Accessibility can not be achieved only by removing barriers within the building. The way that a building is managed and operated, day-by-day, will also do much to determine how accessible it is for disabled people. The issue of accessibility should be touched upon in all parts of any 'Building Management Manual'. The reason behind requirements should be explained. The kind of information might be as follows:

Routes

Ensure that external and internal routes, ramps and steps are kept clean and unobstructed

Doors

Ensure that door closers are regularly maintained, pressure is kept to the minimum necessary, and that door furniture is clean and free-moving.

Horizontal movement

Ensure that spaces needed for wheelchair manoeuvre, or used by people with impaired vision, are not obstructed by deliveries or storage.

Induction loop system

Ensure that installations are publicised and their functioning checked regularly

Alarms and security

Ensure that alarm systems, including any assistance call provisions from WCs, are checked regularly, and that new staffs are trained in alarm response procedures, including a clear understanding of instructions for, and constraints upon, lifting and handling.

Surfaces

Ensure that cleaning and polishing procedures do not render slip-resistant surfaces ineffective. Also ensure that flooring material junctions do not become worn or mats loosened to form a tripping hazard. Also ensure that when redecoration takes place it does not compromise valuable existing provision of cues, contrast, tone and texture.

7.0 Disability Awareness Training for staffs

Many people recognise the environment causes problems for many people with mobility or sensory disabilities. Consistently, disabled people report that – whilst an accessible environment and well considered facilities are important in meeting their needs – of equal importance are the attitude, knowledge and consideration of staff.

Patronising behaviour by staff is offensive, potentially discriminatory and could lead to a claim against the Council and / or employees under the DDA 1995.

By recognising this, and by understanding the feelings of disabled people themselves, employees can do much to guard against unintentional discrimination in service delivery.

Therefore, it is strongly recommended that the management should organise a Disability Awareness Training for all staff to ensure meeting the requirements of the DDA

8.0 Accessible Information

It is a requirement under the DDA to produce information in alternative formats to benefit visually impaired and blind people. A statement relating to this service should be added to all literature and materials that are produced by the School. It is equally important that there should be procedures in place for staff to follow if this service is requested by disabled people.