Implementing the DDA: improving access: early years

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Implementing the DDA: improving access: early years

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1: Introduction

The Accessibility Planning Project: Early Years (APPEY) is a project commissioned by the Sure Start Unit at the Department for Education and Skills. It was designed to both recognise and promote the benefits of a strategic approach to increasing access to early years settings for young disabled children. APPEY was undertaken by the Council for Disabled Children (CDC) and the Special Educational Needs Joint Initiative on Training (SENJIT) at the Institute of Education, University of London.

The disability discrimination duties

The provision of care and education in the early years is covered by the Disability Discrimination Act 1995 (DDA). All settings and all local authorities are covered by the DDA.

Children protected by the disability discrimination duties are those who meet the definition of disability in Section 1 of the DDA. This includes people who have:

> *a physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to perform normal day-to-day activities.*

The definition includes a wide range of impairments, including hidden impairments. If, for example, a child has an impairment affecting their mobility, sight or hearing, or has learning difficulties, a mental health condition, epilepsy, autism, a speech, language or communication impairment, asthma or diabetes then he or she may have a disability if the effect of the impairment on the child's ability to carry out normal day-to-day activities is 'substantial' and 'long-term'. 'Substantial' in the DDA means 'more than minor or trivial.' Long-term means that the impairment has lasted at least a year, or is likely to last for at least a year.

The different elements in the definition mean that, in practice, a larger group of children meet the definition of disability than most people realise. Many disabled children also have special educational needs as defined in Section 312 of the Education Act 1996.

All settings and all local education authorities (LEAs) also have duties under the SEN legislation. The SEN duties focus on making provision to meet special educational needs. The SEN duties dovetail with the DDA duties which focus on protection from discrimination, the removal of barriers and increased access.

Early years settings that are not constituted as schools are covered by Part 3 of the DDA. This requires settings:

- not to treat disabled children 'less favourably'; and
- to make 'reasonable adjustments' for disabled children.

Similar duties apply to schools under Part 4 of the DDA. Part 4 applies to all schools, including non-maintained, independent and private schools. More detail is available on the DDA duties in the PowerPoint presentation accompanying these materials, *Section 3: Training materials,* and in a booklet: *Early years and the Disability Discrimination Act 1995: What service providers need to know.*[1]

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[1] Available from the Council for Disabled Children, 8 Wakley Street, London EC1V 7QE

In addition, Part 4 of the DDA requires schools and LEAs to plan to increase access to education for disabled children. Schools are required to draw up accessibility plans and LEAs are required to draw up accessibility strategies in respect of schools maintained by them. The first accessibility plans and strategies were required to be published by April 2003 and have a three-year life in the first instance, with review and revision as necessary.

The plans and strategies have to cover three aspects of access for disabled pupils:

- increased access to the curriculum for disabled pupils;
- improvements to the physical environment of the school to increase access to education and associated services at schools;
- improvements in the provision to disabled pupils of information that is provided in writing to pupils who are not disabled.

There is no requirement on LEAs to have an accessibility strategy for early years settings, other than in relation to the schools maintained by them. Equally, there is no requirement on early years settings, other than those constituted as schools, to have a published plan to increase access for young disabled children.

The development of a planned approach to the removal of barriers in all early years settings, and the extension of local authority strategies to include early years provision, lies at the heart of this project. The benefits of such an approach are considered next.

Extending accessibility planning for young disabled children

The extension of accessibility strategies to include all early years settings enables the local authority to draw on early years settings as a valuable source of information and data that can inform access planning for schools. A strategic approach to improving access will help the local authority to ensure the availability of provision where it is required: this is crucial to ensuring that disabled children benefit from early intervention.

Early information

Information on young disabled children coming through the system can enhance planning for children in early years settings and at subsequent stages. The quality of the information can be further enhanced if the approach draws together information from health, social care and the voluntary sector. The development of the Every Child Matters: Change for Children agenda means that increasingly there will be a shared approach to information. For young disabled children it is important that this shared approach goes beyond information about individual children and looks at patterns, in particular:

- the identification of numbers of children, seen in relation to sufficiency of provision; and
- what is working well and of what is not working so well for young disabled children and their families: the quality of provision.

Earlier support

The extension of accessibility planning to include all early years provision can help to ensure that access for young disabled children is planned from the earliest possible stage. Parents who were interviewed as part of the project spoke about the benefits they had perceived at the time of the introduction of the early years Area SENCOs. They identified improved acceptance of young disabled children into a wider range of early years settings.

The benefits of early intervention are widely recognised. Promoting the fullest possible access from the earliest stage gives young disabled children a positive start to their education.

Improving continuity

The extension of accessibility planning to include early years settings provides local authorities with an opportunity to improve continuity in the system and to reduce discontinuities. APPEY identified transition from early years settings into school as presenting particular difficulties for young disabled children and their parents. Work in two partner authorities sought to address this. Transition, in particular, needs to be addressed from both the schools perspective and the early years perspective.

For settings

The reasonable adjustments duty already requires settings to look ahead and anticipate the barriers that young disabled children may face. For settings, addressing these barriers in a planned way is enabling. It makes the setting of priorities more organised and priorities become more achievable. The setting of a logical sequence: from raising staff awareness, the review of policies, to a consideration of future developments makes the process more manageable.

The project

The overall aim of the project was to promote a strategic approach to increasing access to early years settings for young disabled children. The term access is not limited to getting into a setting; rather it refers to joining in and gaining the full benefit of all the activities of a setting, the whole life of the setting.

The objectives of the project were:

- to support a small number of local authorities in developing a planned approach to the removal of barriers for young disabled children in early years settings;
- through the work with partner authorities, and their early years settings, to draw out any approaches, tools and materials that might be helpful to others in adopting a more strategic approach;
- to draw these materials into a form that would be appropriate for dissemination to other authorities and settings.

APPEY worked with three partner authorities: Lambeth, Blackburn with Darwen and Norfolk. The work with the partner authorities was focused on the development of materials that would support them and their early years settings in developing a more strategic approach. More detailed information about how the work was carried out in the partner authorities is in the section on *The work with partner authorities.*

The project was linked to two other projects:

- the Accessibility Planning Project (APP), supporting schools and local authorities in developing accessibility planning for disabled pupils; and
- the Reasonable Adjustments Project (RAP), supporting schools in developing reasonable adjustments for disabled pupils.

More information can be found on APP and RAP on the teachernet website: **www.teachernet.gov.uk**

Principles of APPEY

Throughout the project APPEY worked to a Steering Group convened by the Sure Start Unit. The work was also supported and informed by a wider Reference Group that reflected Early Years, SEN and disability expertise, including representatives of the partner authorities, professional organisations, the voluntary sector and parent organisations.

In the early stages of the work the Steering and Reference Groups developed a set of principles to inform the project:

A planned approach to increasing access to early years settings for young disabled children and children with SEN involves identifying, understanding and breaking down barriers to participation and belonging.

Good early years planning for young disabled children:

- *builds continuity with other provision and other phases;*
- *builds partnership with parents and carers;*
- *takes account of the views of stakeholders;*
- *builds staff skills and confidence in working with disabled children;*
- *builds an understanding of the role and responsibilities of different adults in relation to disabled children;*
- *is underpinned by a clear vision of how all settings meet their responsibilities to disabled children and children with SEN;*
- *builds relationships with other services;*
- *is integrated with strategic planning for children's services.*

Good early years planning seeks to build access to education for disabled children through:

- *increased access to the curriculum;*
- *improvements to the physical environment to increase access to the whole life of the setting;*
- *improvements in the range of ways in which communication with disabled children is promoted.*

The development of a planned approach to increasing access for disabled children to early years education supports local authorities and early years providers in meeting their statutory duties.

Issues to be addressed in a planned approach

Through the APPEY work with the three local authorities a number of issues were identified that have relevance to taking forward a more strategic approach to the disability discrimination duties. The issues are set out below, with an indication of whether they arose in connection with one or more of the partner authorities.

General awareness of the DDA

In early years settings in all three authorities there was a low level of understanding of the disability discrimination duties. At the start of the project, those who came forward for training were aware of and were working with the duties in the SEN framework. They were aware of the national policy on increasingly including children with SEN in mainstream settings. Many also had a broad understanding of the social model of disability. However, there was little understanding of what the requirements are under the DDA and some confusion about how the duties sit alongside the SEN duties.

There is no reason to believe that the situation in the three partner authorities is radically different from that in other authorities. Training in other areas has revealed a similar picture.

Definition of disability

It became apparent through the training provided for different groups in all three LEAs that there was a widespread misunderstanding about the nature of the definition of disability. Most trainees started out assuming that a very small number of children were disabled, but, by the end of the training, were aware that the definition applied to a much wider group. The training for childminders in Lambeth highlighted this: at the beginning of the training session all of the childminders were clear that none of them knew a disabled child and had certainly never looked after one. At the end all of them said that they knew a number of disabled children and most of them had looked after at least one.

The low level of understanding of the definition is a cause for concern. Without information and training most notions of disability include physical and sensory impairments but little more. The consequence of this is that any duties towards disabled children are assumed to be those relating to the physical environment, and, in their narrowest interpretation, are assumed to be high cost building works to enable wheelchair access. The extension of this is that if provision is based in an old building with limited access the provider may think that the duties do not apply to their setting.

Awareness of parents' views

In two local authorities APPEY heard the views of parents first hand. Their views were important in informing the way that the work was focused in these two authorities. In one authority there are formal structures for hearing the views of parents regularly, but these are often in response to proposals from the local authority, that is the authority's agenda. There is not often an opportunity to have an open-ended agenda for parents to say what is going well and what is not going so well. In one authority the impact on senior officers of seeing raw notes of the discussions with parents was such that the authority has now committed to hearing parents' views on a regular basis. The insights provided can help set priorities for action by the authority.

Variability in provision for disabled children

One aspect of provision highlighted by parents' views is the variability of the response to young disabled children. One setting will welcome a young disabled child, another may not. Once in a setting, some will ensure that a disabled child joins in all the activities available, another may not. One will seek out support to solve a problem, another will not. Some will listen to parents' views, others will not. Settings vary significantly in the way they deal with some of the common 'tricky issues': nappies, medication, challenging behaviour, communication difficulties.

Transition into school

There is much that early years settings can do to support young disabled children at transition into school or through a move to another setting. The tools in use in Lambeth, *Hello, my name is*... and Norfolk, *The learning story,* can support this process. The commitment of schools is the other side of the equation. Some schools have demonstrated excellent practice in the welcome they provide for young disabled children. However, the picture painted by parents is of a step that is significantly more difficult for them to make. A good start in school for a young disabled child is crucial to their subsequent progress. It is important that transition into school is addressed as a school improvement issue.

Children's Information Services

In Lambeth, where part of the development work was with childminders, concerns arose over the way in which information is stored by the Children's Information Service about childminders in the borough. The service asks each childminder whether or not they take children with SEN and disabilities. The implication is that it might be a matter of choice. As a policy this is potentially discriminatory. There are two issues to be considered:

- how the information is presented by the Children's Information Service;
- how parents choose their childminder.

Both considerations may be met by indicating whether a particular childminder has experience of caring for disabled children and whether their home is likely to present any barriers in terms of access. Reasonable adjustments need to be made on top of this, see adjustments in the Lambeth materials in *Section 2: the materials from the partner authorities* and it may be helpful if there is a reminder of this in the information provided by the Children's Information Services.

Childminder ratios

It should not be assumed that a disabled child is going to need one-to-one care or 'be more work' than a young children who is not disabled. Disabled children need the same loving care and opportunities to learn, and the company of other children to grow up in. However, occasionally a young child may have such complex needs as to require that they are the sole charge of a childminder.

How then should this be funded? If a childminder normally cares for three children, he/she cannot be expected to forfeit two-thirds of his/her income. This would not be a reasonable adjustment. In this situation in one authority social services had funded the difference, in another a charitable trust had funded part of the difference and the parents had funded the other part of the difference. It might be a call on the *SEN and disability development component of the Early Years and childcare grant* but in general this is used, and used up, to meet wider Area SENCO and other staffing requirements. A child with such complex needs is almost certainly going to need a statement, even at a time of reducing numbers of statements, so it might be reasonable to expect the local authority to issue a statement at an early stage and work out the appropriate support from different partners. With the increasing expectation of the availability of child care for all children and parents not necessarily seeking group settings, it is important to discuss and resolve how this should be funded.

Strategy

In essence a strategic approach to improving access for young disabled children needs to:

- take account of the range of issues raised in the APPEY work;
- devise a planned approach to removing barriers that young disabled children face;
- gain the best possible advantage for young disabled children from the action taken, whether in settings or at the level of the local authority;
- ensure that action taken in the early years is effectively coordinated with action taken by schools and local authorities to increase access to education in schools.

2. The materials from the partner authorities

2.1: Lambeth childminders & Disability Discrimination Act

Background to the childminder guidance

Initial planning meetings held with Lambeth Early Years Development and Childcare Partnership identified training for childminders on the implications of the DDA as one of the priorities for APPEY involvement.

2 training sessions were planned, with a creche available and choice of timing for childminders. Prior to the training, discussions were held with the Lambeth Childminders Association to ensure training would be targeted appropriately. The meeting and the two training sessions involved a total of 18/20 childminders, one of whom had considerable experience of caring for disabled children.

Emerging from the discussions and the training sessions were a number of issues:

- at the outset childminders were not aware of the breadth of the definition of disability in the DDA;
- recognising the breadth of the definition, many childminders went on to describe 'reasonable adjustments' that were already part of their practice;
- one childminder described physical adaptations to her home by the occupational therapy team;
- childminders described the links through which they had accessed specialist support and loan equipment;
- childminders expressed concerns about the effect on their income should a child need one-to-one care, at the same time recognising that a disabled child does not necessarily need one-to-one, that disabled children need the same loving care, opportunities to learn and the company of other children.

Following the discussions and training, and aware that only a small number of childminders had been involved, it was agreed that the issues arising from the discussions and training should be turned into guidance for childminders in Lambeth:

- to explain and illustrate how the DDA works for childminders;
- to share good practice; and
- to address gaps in understanding.

The guidance that follows on the next page has been revised in the light of comments from the Steering and Reference Groups and from staff in Lambeth. Lambeth is building the guidance into the induction training for new childminders and is including it in a series of workshops for existing childminders.

It was also agreed that two issues needed to be raised in other ways:

- the information held by the Children's Information Service currently indicates whether or not a childminder 'takes disabled children or children with special educational needs.' The implication is that others might not. The database used by the CIS is agreed nationally. Lambeth has requested that this field on the database be blocked until appropriate information is agreed;
- the issue of funding for a child placed with a childminder who might take fewer children in order to accommodate a disabled child. The Sure Start Unit guidance on funding indicates that any supplement could come from the SEN/inclusion allocation. This is already allocated in other ways in Lambeth.

Lambeth childminders & the Disability Discrimination Act

Introduction

The Council for Disabled Children (CDC) and the Special Educational Needs Joint Initiative for Training (SENJIT at the London Institute of Education) worked with the London Borough of Lambeth on a project funded by the Sure Start Unit at the DfES, to support the implementation of the requirements of the Disability Discrimination Act (DDA) in early years settings.

This advice draws on discussions and training sessions with childminders in Lambeth, with the Childminding Development Officer and the EYDCP inclusion team. These discussions are summarised in the Appendix.

Note: for ease of usage, 'parents' is used throughout the document to refer to parents, carers and those with parental responsibility.

The Disability Discrimination Act 1995

The DDA applies to everyone providing early years care and education: schools, pre-schools, family centres, day nurseries, children's centres and childminders. It applies to individual childminders and to networks of accredited childminders. The part of the law that applies to childminders is Part 3 of the DDA.

Which children count as disabled in the DDA

Most of us understand that a child with a physical impairment or a hearing or visual impairment has a disability, but the definition in the DDA is much broader than this. It includes children with a wide range of impairments, where their impairment has an effect on their ability to do all the normal things that children do: run around, play, communicate, remember things, learn, concentrate, see things, hear things.

The definition includes a wide range of impairments, including hidden impairments. If, for example, a child has problems with mobility, seeing or hearing, or has learning difficulties, mental health problems, epilepsy, autism, a speech and language impairment, asthma, diabetes, cancer, HIV infection, then he or she may have a disability.

To count as a disability, the effect of the impairment has to last for a year or more and has to be 'substantial'. 'Substantial' in the DDA means 'more than minor or trivial.'

Most childminders know a disabled child. Many childminders have looked after a disabled child.

What does the DDA say?

The DDA says that:

- no one is allowed to treat a disabled child 'less favourably';
- everyone has to make 'reasonable adjustments' for disabled children.

No one is allowed to treat a disabled child 'less favourably'

No one is allowed to treat a disabled child less favourably than another child 'for a reason related to their disability'.

How might a childminder treat a disabled child 'less favourably'?

> *A child minder is asked to take a disabled child. Without finding out what she might need to differently for this child, she turns the child away. She says that she can't take a disabled child.*

The only reason that the childminder turns away the child is because he is disabled. The DDA says that this may be discrimination.

Everyone has to make 'reasonable adjustments'

Making 'reasonable adjustments' means changing things round for a disabled child, to make it as easy as possible for them to learn, develop and be cared for properly. The DDA says everyone has to think ahead and make 'reasonable adjustments' before a child experiences any difficulty. Childminders in Lambeth already make 'reasonable adjustments' for disabled children:

> *Amrit has a physical impairment. Just getting up, getting dressed and getting to the childminder in the morning leaves Amrit exhausted. The childminder puts Amrit in the buggy to go to school with the two older children she looks after before and after school. She then goes straight back home to let Amrit have a sleep. Later there is playtime, lunch and shopping on the way back to school to collect the other two children. The childminder changes her routine to accommodate Amrit;*
>
> *George's childminder liaises closely with his family doctor and the local health visitor over his medication and the monitoring of his condition;*
>
> *One childminder worked with the occupational therapist to identify physical adaptations to the childminder's home to accommodate a child with a physical impairment;*

These are all reasonable adjustments. There are some things that a childminder would not be expected to do by way of making a reasonable adjustment:

> *A childminder normally takes three children. She is asked to take a child whose needs are such that he needs one-to-one care. Taking this child and not taking another two would mean the loss of two-thirds of the childminder's income. This would not be an adjustment the childminder could reasonably be expected to make.*

However, it should not be assumed that a disabled child is going to need one-to-one care or 'be more work' than young children who are not disabled.

Links and support

A key contact for childminders in Lambeth is the Childminding Development Officer. She is able to put childminders in touch with a network of support.

Many childminders make close links with physiotherapists, doctors, health visitors, disability managers over children placed with them. Childminders value these links:

> *'I could just pick up the phone and get help.'*

Childminders are also aware of the special equipment that is available through the toy library. One childminder had experience of being provided with the appropriate type of chair for a child in her care, through the occupational therapist.

Health and social services support

Childminders may have their own contacts with a range of agencies. In some areas link health clinics have been identified for providers to contact directly. In some areas a Child Development Centre may provide a contact point for consulting a range of different services: community nurses, clinical psychologists, occupational therapy services. Many social services departments have specialist Children with Disabilities Teams, who can offer advice and family support, for example: transport, an occupational therapy service, or the loan of equipment.

Voluntary organisations and parent partnership services

Voluntary organisations may be able to provide information and advice on a range of issues. Local parent partnership services may be a useful point of contact, many of them keep directories of voluntary organisations in the local area. As well as being able to provide pointers to voluntary organisations parent partnership services themselves provide information and support directly to parents.

Training

It is important that all childminders are aware of and understand their duties towards disabled children and understand disability as an equality issue. Training will be an important element in raising awareness of the duties and of the disability equality issues on which they are based. The local EYDCP will be able to tell childminders what training is being provided locally.

Finding out more

A booklet, *Early years and the Disability Discrimination Act: what providers need to know* gives more information on the law. This booklet is available from the EYDCP.

The Early Years Development and Childcare Partnership can help with more information.

Key contacts in Lambeth:

Childminding Development Officer

The Early Years Development and Childcare Partnership

Children with Disabilities Team

2.2: Lambeth advice on transition to mainstream settings

Background to the transition guidance

Initial planning meetings held with Lambeth Early Years Development and Childcare Partnership (EYDCP) identified the development of good practice in the transition of young disabled children from early years settings into school as one of the priorities for APPEY involvement.

While there are many schools that have good practice, the EYDCP was aware that some parents have found difficulties in getting a place in a mainstream school, or have not had sufficient opportunity to work with the school in planning transition. A meeting was held with a small group of parents to discuss their experiences of the transition process and to set an agenda for the work. A further meeting was held with the inclusion workers from the EYDCP, who shared their experiences of supporting children through transition.

The discussions with parents had identified a number of difficulties:

- parents had difficulties in getting information from schools;
- some parents were given misleading information about statements and funding;
- not all schools welcomed disabled children;
- parents had many concerns about the practicalities of support for their child at as they moved into primary school. There was little opportunity to discuss these and of the opportunities that did exist, parents experienced many as negative and rejecting;
- the stressful nature of the process of statutory assessment.

Parents, schools, childminders and outreach workers form the EYDCP also identified features of positive transitions into school:

- good information for parents;
- a listening ear for parents;
- careful planning, sometimes involving a third party, for example: a childminder, an educational psychologist, staff from the EYDCP, facilitated positive communication;
- mutual visiting between school and pre-school;
- the use of a passport: Hello, my name is;
- continuity of support, for example: a teaching assistant from a nursery accompanying the child to the new school a day or so a week to start with;
- the identification of appropriate communications systems, and support for these, for the child;
- experienced SENCOs;
- specific training for staff;
- good follow up with a home-school diary and a built-in review.

A parent and a childminder also provided detailed individual accounts of what had worked well at transition.

The local authority was fully involved with the project, meetings were held with the assistant directors for SEN and school improvement, and for early years. The focus on transition into school fitted well with the priorities in the Education Development Plan. With the support of the local authority, letters were sent to all primary schools in Lambeth, asking for examples of good practice. Four schools, identified by the EYDCP and the local authority as having good practice, were approached directly and visited.

On the basis of the information gained from all these different sources, an initial draft of the advice was drawn up. This advice has been redrafted in the light of comments from the local authority, EYDCP and the steering and reference groups for APPEY. The draft was also shared with the schools who had contributed to the advice. The advice as it is published is a version at a particular moment in time. It will develop in Lambeth, as it will in any other local authority where it is adopted and adapted for local use. Lambeth has recognised the guidance as contributing to the school improvement agenda.

Following the advice is the Lambeth passport, *Hello my name is.* Attached to the passport is a completed exemplar.

Lambeth advice on transition to mainstream settings

Introduction

This advice stems from a project which has involved the Council for Disabled Children (CDC) and the Special Educational Needs Joint Initiative for Training (SENJIT at the London Institute of Education) working with the London Borough of Lambeth. The work was part of a wider project, funded by the Sure Start Unit at the DfES, to support the implementation of the requirements of the Disability Discrimination Act (DDA) in early years settings. The advice draws on discussions with parents and carers, the Early Years Development and Childcare Partnership (EYDCP) inclusion team and school staff and the good practice that already exists in Lambeth schools. These discussions suggest that there is a number of ways in which young disabled children and children with special educational needs can be supported in their transition to a mainstream setting.

Note - for ease of usage, 'parents' is used throughout the document to refer to parents, carers and those with parental responsibility.

Choosing a school

Many parents find the choice of a school difficult, especially if they have limited knowledge of their local area. They often visit and ask for information from local schools in order to assist them in making this choice.

School staff should make parents welcome and ensure that information about their school is readily available to them. Many parents feel that this is not the case, but that they are discouraged from visiting or accessing information until their child has been given a place at a school. As a result some are making uninformed choices about schools.

Welcome

Parents have found that in the most welcoming schools staff:

- Show parents round the school so that they can get a feel for the ethos. The most welcoming schools have an inclusive ethos, working to ensure that all those involved in the school, including the parents of non-disabled children, have a positive attitude to the inclusion of disabled children and children with special educational needs. Schools check on parents' views through such means as a parental questionnaire.
- Give parents time to talk to the headteacher or special educational needs coordinator about the ways in which the school works with disabled pupils and pupils with special educational needs.
- Explain policy, and show parents relevant facilities and resources, for example, by holding an open day especially for parents of disabled children and children with special educational needs.
- Build links with the community, giving parents access to activities such as coffee mornings and toddler groups. This enables parents to feel confident about the school.

Information about the school

Parents have found information most helpful where school staff:

- Make sure that information is accurate and avoids negative messages about issues such as admissions and funding.
- Offer parents copies of the prospectus, [annual report], school accessibility plan, SEN or inclusion policies.
- Make literature on SEN/disability arrangements clear and accessible, for example, by putting information on the school's website or having an information pack to send to interested parents. Provide information in accessible formats such as large print, Braille or audio tape where necessary.
- Ensure that they provide information in community languages.
- Provide information and practical examples of how the school makes reasonable adjustments to school policies, practices and procedures for disabled pupils.

Allocation of a school place

Once a child has been allocated a place at a school there are many ways in which the transition from a pre school setting can be supported. There are two key elements to be considered in this: working with parents and supporting the child in making the transition.

Working with parents

Parental involvement is one of the most important elements in ensuring that a child's placement in a school is successful. Transition is best supported where school staff:

- Work to build good relationships with parents.
- Have an open door policy and listen to parents' concerns.
- Use parents' knowledge of their child and acknowledge the importance of their role. Some parents feel overwhelmed by schools telling them what is to happen, rather than discussing issues with them and reaching joint decisions.
- Make use of multi-agency links already used by parents, so that the latter feel there is information available from someone who already knows the child.
- Visit the home when this is acceptable to parents. In some schools this is done by teachers and nursery nurses. Other schools are now employing family liaison staff (outreach workers) whose job is to develop these links. Some schools have already established key worker posts, so that there is one adult in the school who is the main link for each family.
- Ensure that parents understand the ways in which disabled pupils and pupils with special educational needs are supported. This includes making sure that parents are clear about the Code of Practice and the statementing process.

- Parents of children who have not been in the country for long may need additional support in understanding all the systems and terminology. For example, one school, with local authority support, runs language classes for parents who have English as an additional language, and uses these classes to help the parents to understand the school system.

Supporting the child at transition

Support for young disabled children and children with special educational needs works best where school staff:

- Liaise closely with staff at any pre-school setting, Portage workers, health visitors, childminders and any other agencies involved in order to build up a clear picture of a child's needs and how they can be met.
- Arrange visits from the school to the pre-school setting and vice versa for the staff involved. In some schools staff from the pre-school setting take the child to the school and remain with them during visits and for their first days in the school, then gradually hand over to school support staff.
- Plan the transition/induction carefully with the parents and the pre-school staff. This should include visits to the school and gradual integration where this is appropriate. This gives the child an opportunity to get to know the new school and to get used to the new environment. It also allows staff to identify barriers and consider what reasonable adjustments to make.
- Ask the pre-school staff and/or parents to provide some form of communication passport to give basic information about the child which is easily accessible to any adults with whom he/she comes into contact. This is particularly important where a child may have difficulties in communication. (See appendix - 'Hello My name is')
- Try to arrange for any necessary support to start with the child so that there is a key person with whom he/she becomes familiar.
- Where appropriate, make use of methods such as Buddying or Circle of Friends to involve the child socially. Inclusion means being involved in learning and social activities - not just being in school.
- Include disabled pupils and pupils with special educational needs in all activities, such as after school clubs and school trips.
- If necessary, prepare other pupils in the school for the arrival of pupils with more significant needs. Use activities in personal, social and health education to help with this.
- Use school accessibility plans to develop access to all aspects of the life of the school for disabled pupils.
- Use continuing professional development to build staff skills and understanding of the disability equality issues that support an inclusive ethos.
- Build strong links with external services. Use these to gather information about particular impairments, and to provide training.
- Make use of links with any special schools and resourced provision in the area and with voluntary agencies, to access advice and training.

The Local Authority

There are many ways in which the local authority can help to ease the process for parents, pupils and schools. It can:

- Ensure that there is clear, easily accessible information about school provision for disabled children and children with SEN.
- Ensure it publishes information about the respective responsibilities of schools and the LA for provision for children with SEN. Ensure that this information is readily accessible to parents to enable them to be clear about what to expect by way of support, and from whom.
- Ensure that all school admissions procedures are clear and comply with the DDA. Some parents are concerned about a school's reaction to a disabled child and are not mentioning their child's impairment on an application form for fear of being refused a place.
- Ensure that requirements relating to naming a school on a statement are understood and complied with so that parents do not face rejection at a school they have requested without good reason for such a rejection.
- Make sure that parents have clear information about the criteria for statutory assessment and a statement so that they know whether they can expect their child to receive a statement, or whether his/her needs will be met without a statement.
- Ensure that information is available in community languages.
- Make information available in accessible formats such as large print, Braille or audio tape.
- Ensure that parents are aware of the support available from the parent partnership service.
- Make available information about parent support groups in the area.
- Develop systems for monitoring inclusion and checking that schools understand the importance of making reasonable adjustments in their admissions procedures.
- Encourage links with special schools, resourced provision and other sources of expertise to help schools to meet the needs of all pupils.

Supporting Inclusive Communities

This is a personal profile booklet for supporting the transition of all children or young persons from home to a childcare, play or leisure setting and then for each transition that follows. It is intended to support parents/carers and providers in feeling confident that every child will be welcomed, valued, well supported and included by planning in advance and working in partnership with each other and any other relevant services or organisations.

The path of transition may look like this: -

Home - 10'clock club - pre-school - nursery - swimming club - primary school - after school club - adventure playground - secondary school - youth club

A new booklet can be used for each transition and the front page changed as a child/young person grows.

Starting at an early years provision or transferring to school or attending an after-school club can often be an anxious time for parents and carers and the child.

Parents and carers know their child better than anyone. For example, they know what their likes or dislikes are, the things they do or how they communicate.

This knowledge of their child can be a great support to the staff at any provision that their child may be attending. It will give the staff an idea of how they can best support a child in order for her/him to develop their skills, have fun and make friends at a provision.

This booklet has been designed for parents and carers to share the knowledge they have of their child and for the child to contribute in a way that is meaningful to him or her.

This is not an assessment booklet, nor is it for making judgements of the parent or carer. It is designed for parents, carers and providers to be able to work together in partnership, keeping the child central to all issues and planning in advance to include every child.

Having an open, honest and respectful relationship will enable all involved to share views, concerns or ideas. It will also enable the provider to give a child the welcome, value and opportunities that they deserve and have a right to.

HOW TO FILL IN THE BOOKLET

- Each page has a heading and space for you to write your comments.
- You may prefer and also wish to use photographs & pictures.
- A child may want to mark the page, draw a picture or write her or his own comments.

The EYDCP Inclusion Team are available to help you fill this booklet in and provide support for translations if required.

Please read the guidelines before filling in the booklet.

GUIDELINES

Please put a photograph of your child in the centre of the star on the front page.

Fill in your child's name and the date you started the booklet.

On each page of the booklet there is a heading.

- It is up to you how much and what information you put on each page.
- You may have one or many things you wish to share.
- Please date each new entry.
- You and the staff can add additional information as your child develops.
- This will help every one involved to be aware of your child's developing and new skills, new likes/dislikes etc.

Here are some examples of what information you may wish to share under each heading. The examples given describe different skills and abilities from a diversity of children.

THINGS I LIKE

I like visiting my nan and grandad

I like throwing things in the air

I like looking at and touching shoes

I like puzzles

I like drawing and painting

MY FAVOURITE THINGS

I love singing and dancing.

I love pushing my fingers into dry sand.

I like to shout when I am excited.

I like to be alone.

I like to read books with another child.

THINGS I DO NOT LIKE

I am afraid of sudden noises.

I do not like touching play dough

I find it difficult to sit down for a long time.

I do not like people I don't know holding my hand.

I do not like reading books.

WHEN I AM HAPPY

I get excited and scream.

I like to dance.

I flap my arms in the air.

I laugh and play with my friends.

I can concentrate for 10 minutes and do puzzles.

WHEN I AM UNHAPPY OR FRUSTRATED

I sit on my own.

I get tearful and quiet.

I tell you by pinching you.

I run about and sometimes hit out at things or people.

It is difficult for me to concentrate or sit down quietly.

THE CULTURAL AND RELIGIOUS EVENTS I TAKE PART IN ARE

Christmas

Diwali

Chinese New Year

Notting Hill Carnival

I COMMUNICATE BY

Using my Picture Exchange Communication System.

Using Makaton

Using British Sign Language

Looking at what I point to /pull you to what I need.

AND YOU CAN HELP ME COMMUNICATE BY

Talking slowly and looking directly at my face.

Understanding that when I bite my hand I am frustrated and don't understand things.

I MOVE AROUND BY

Using my rolator/wheelchair/buggy.

Shuffling on my bottom.

Using the furniture for support.

I need you to guide me.

MY FAMILY AND FRIENDS HELP ME BY

Counting to 10 as we climb the stairs

Giving me time to understand what they are asking/saying (e.g. count to 20 in your head before repeating your question if necessary).

Singing the ABC song with me

To interact and make friends.

Giving me my medication at midday.

Tapping my hand and saying hello to let me know they are there.

Using computers to write stories with me.

Making sure they tell me when there is going to be loud times, like music or party's.

Using Makaton/Picture Exchange Communication System.

Always looking into my eyes when speaking to me.

Letting me sit at the front of a group at story time.

Having lines marked on the floor to follow.

MY FAMILY AND FRIENDS ARE (It is great to have photos next to each name on this page)

Mummy -

Daddy -

Brother -

Nanna -

Grandad -

My best friend -

etc

WHAT TO DO NEXT

Once entries have been written down, pictures drawn, photographs stuck in and all the information you wish to share is recorded, please return the booklet to the person in charge of the provision.

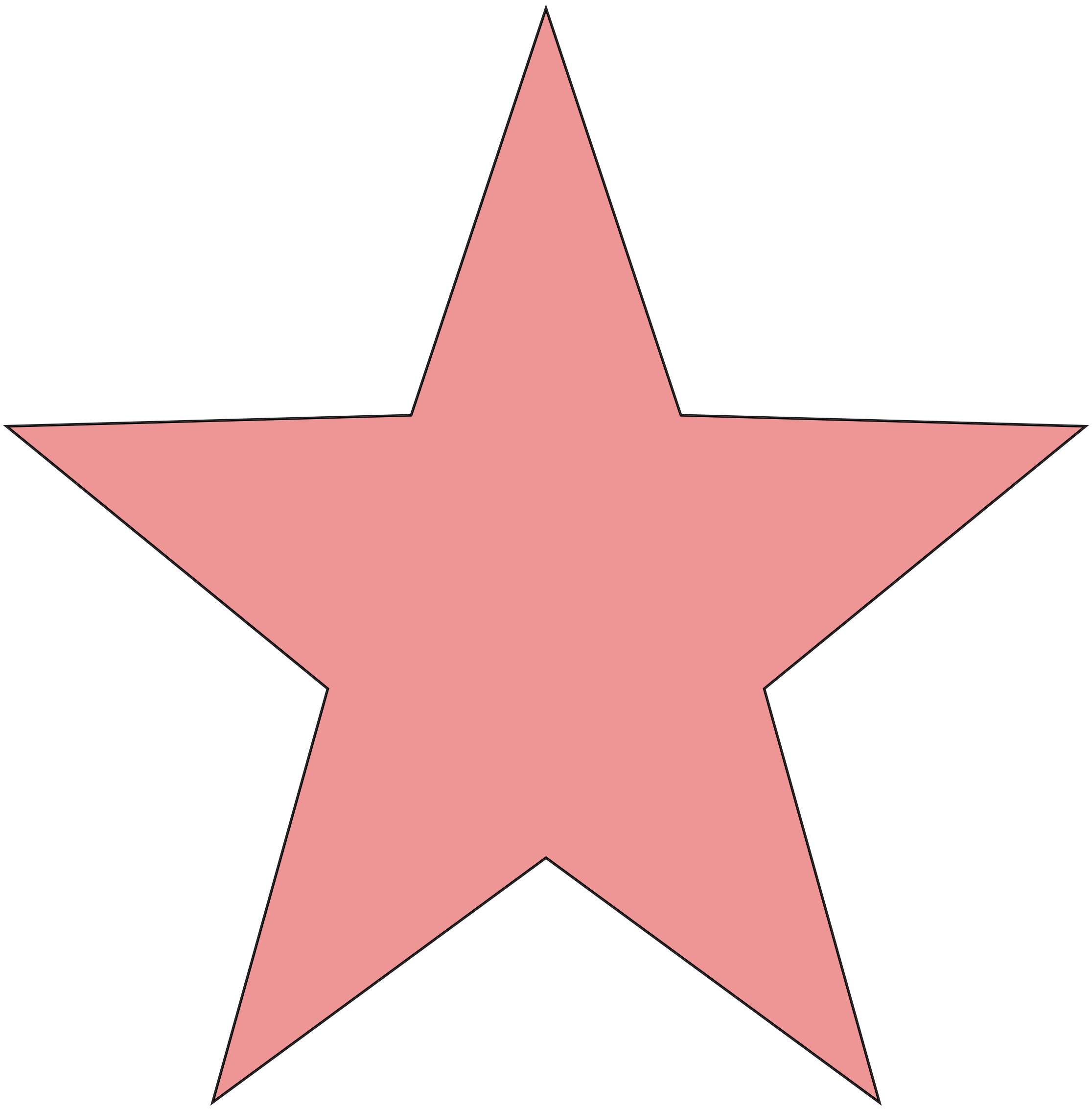
The staff will read through the information to begin to get to know your child. They will then chat with you about any ideas they or you may have to plan a smooth transition, making any necessary adaptations to ensure your child has equality of access and opportunity.

The booklet will remain at the provision and will be available for you to add comments and information to while your child is there. The staff will also add comments and information as they get to know your child and see their developments.

If you need any help or have any questions or concerns now or while your child is at a provision, or you would like support to compile the booklet please contact the Inclusion Team on 020 7926 8607/8/9/10/21.

Hello, my name is

Jane



Find out all about me...

Things I like to do

I like sitting with my friends and reading/colouring

I like swimming

I like going shopping

I like going on journey's in our bus

I like sitting in mummy's seat on our bus

I like going on holiday

I like being with people

I like going to school

I like people coming to our house

I like bath time

I like reading books

I like listening to stories

I like riding by bike

I like riding my scooter

I like climbing

My favourite things

I love trying on shoes

I love listening to music

I love dancing

I love playing my guitar

I love being with my friends

I love hanging out with my brother and his friends

I love going out on adventures

I love seeing my Nan and granddad

I love playing in the swimming pool

I love rumbling

I love toast and pasta and cake

I love using my mobile phone

Things I do not like

I do not like being led

I do not like my hand being held all the time

I do not like being left out and working separately from my class

I do not like being asked to do things that are not interesting to me

I do not like being talked over

I do not like leaving places

I do not like my friends leaving

I do not like being left out

A completed exemplar

When I am happy

I will concentrate and focus on activities

I will talk a lot

I will laugh and make jokes with people

I will dance and sing

I will initiate games

I will join in with activities and games

I will play by myself

I will hug you

When I am unhappy or frustrated

I will lie on the floor

I will make my arms, neck and face go stiff

I will cry

I will shout

I will say “Get off” or “stop it”

I will turn my head from you

I will pull away from you, please let go of my hand

I will not engage in an activity

I will say “I need toilet now” to get away from what I am doing

I communicate by

Chatting about what I have done

Using lots of words you will understand

Using short sentences

"Actually I bonkers!" - I find this funny and laugh

"I need toilet now"

"I am excited"

"Jane sit mummy's seat"

"Pop toast"

"Bernie's house, posh car"

"Rumble mummy, rumble"

"Jessica arrive soon, half past five"

Sitting or lying on the floor when I am frustrated or angry

Clapping my hands when I am excited

Breathing out hard when I am excited -don't worry about this, I'm in control!

Play role using my mobile phone to have conversations

Listening and responding to puppets talking to me

My family and friends help me by

Listening to me

Giving me time to work out how I need to respond

Repeating what I say

Repeating what they say

Letting me have a go

Praising me
"Jane, that was good talking"
Jane said "I need toilet now, well done Jane"
"Good listening Jane"
"What a wonderful drawing Jane"

Letting me take risks

Using puppets to help me communicate

Using songs in activities e.g.
(To the tune of Twinkle Twinkle)
We are walking up the stairs
1 - 2 - 3 - 4 - 5
Count all the stairs with me
1 - 2 - 3 - 4 - 5

Using my 'switch' to record sentences, especially about things that are due to happen or I have enjoyed doing

A completed exemplar

Allowing me to take the lead

Helping me to follow instructions by being clear and making things fun and interesting

Valuing my achievements

Including me in their conversations

Giving me choices that are meaningful to me

Noticing what I find interesting

e.g. When I went to the Victoria and Albert Museum, (because dad thought I would like the shoes) I was more interested in the air vents in the floor, so dad talked to me about them and we experimented with them - putting our hands over it, standing on it, listening to the noise it made. Dad described these things to me as we did them.

Using photograph books to talk about what I have done

e.g. My holiday books

My friends and family are

Mummy - I call her mum, mummy, mamma and Andre

Daddy - I call him dad, daddy and Ralph

John - is my brother - I call him John, Johnny and brother

Dylan - is our cat - I call him Dylan

Nana Jan and Granddad Rob from Ipswich

Nanna Debbie and Granddad Stan from Cardiff

Beatrice is my best friend

Sally and Jake are Beatrice's brother and sister and my good friends

Some of my other good friends are:
Lorna - I call her Lorna Doon. Jessica - I call her Jess
Lucy - is my brothers girlfriend - "Oooh"
Milly and Justine (her mum)
All my friends at school, I mention
Louise - Lindy- Steph - Charlotte - Zoe - Jemma and David "oooh"
Greg and Sarah

2.3: Blackburn with Darwen: development and piloting of an early years audit

Context

In summer 2004 Blackburn with Darwen was proposing significant changes to the organisation of its early years services. Blackburn with Darwen already had 7 children's centres, of a planned 13, and was moving to organise services in 5 geographical areas. Pilot work was being carried out around three of the existing Children's Centres to examine levels of need. This would inform the future service redesign and put children and families at the centre of planning considerations.

The changes would also involve an existing special nursery school and a child development centre. The school would become a virtual school working across the Authority. The child development centre was reviewing existing arrangements to inform the re-organisation of support services from all agencies to the new children's centres.

Depending on the pilot work, the plan was that one children's centre in each of the five geographical areas would have 'enhanced provision.' Support for children with complex needs would be provided from these 5 children's centres to all early years settings. Education services which had previously been organised to support different types of early years settings would be re-organised to work in a multi-agency context across all settings.

The redesign of more specialist support would need to be matched by the development of all early years settings to provide for a wider range of young children. Through a series of meetings with local managers and senior officers it was agreed that the priorities for the APPEY work in Blackburn with Darwen were:

- building the capacity of early years settings to welcome and provide for young disabled children and children with special educational needs;
- supporting the development of the new service arrangements.

Building the capacity of early years settings

There were three main elements in the approach to building the capacity of early years settings:

- training through APPEY;
- a conference focused on inclusion, to take place in November 2004;
- the development of an audit tool for use in early years settings.

Training

The training was designed to:

- raise awareness of the DDA;
- ensure a shared understanding of the core concepts in the DDA: the definition of disability, less favourable treatment and reasonable adjustments;

- enable providers to understand which duties apply to their setting;
- provide an opportunity to apply their understanding to practical examples from early years settings;
- increase understanding of how to avoid discrimination;
- provide an opportunity for providers to consider the benefits of a planned approach to increasing access for young disabled children;
- enable providers to plan the next steps to developing access in their own setting.

The training included a presentation on the DDA duties, including how they apply in different settings, along with two workshop sessions: one looking at different scenarios and one looking at ways of planning to increase access in participants' own settings.

Five training sessions were provided over two days: two morning, two afternoon and one evening session. These were arranged at different locations around Blackburn and Darwen, including three different children's centres. The training was attended by private and voluntary providers. A total of 60 people attended.

Early years and Inclusion Conference November 2004

Blackburn with Darwen planned a conference, to take place in November 2004, for managers, owners and services. The conference was designed to raise the profile of work on inclusion and the approach being taken in Blackburn with Darwen.

The day included external speakers with expertise in disability and inclusion issues. There was a series of workshops on play, resources and the development of inclusive attitudes. The day included an introduction to the audit tool that was being developed.

The event was attended by approximately 100 practitioners from across the Authority. The feedback was positive and as a result 6 settings agreed to work with the officers to develop the audit tool.

Development of an audit tool: Towards Inclusion

The audit for early years settings was developed within the context of Blackburn's commitment to inclusion. In developing the audit, Blackburn with Darwen wanted to achieve a number of objectives. It wanted to:

- raise the level of commitment to the inclusion of young disabled children and children with special educational needs in all settings;
- agree a baseline of provision that all settings would be able to provide;
- provide a framework for the development of provision for young disabled children and children with special educational needs;
- provide opportunities for settings to share creative solutions to practical problems.

There were some practical considerations as well:

- the audit would be used in all settings, so officers were clear that the audit had to be simple and straight forward to use;
- many of the published audits were seen as being too long;
- the audit needed to be developed collaboratively with settings if it was to be welcomed, adopted and 'owned' by settings;
- officers wanted to ensure that the development and introduction of the audit would link all settings into the new pattern of support services; and
- would provide a practical focus for the work of the re-organised services.

The Birmingham materials, the Scottish materials, 'Equal start,' and the Index for Inclusion were all considered and all informed the development of Blackburn's audit. Officers liked the developmental structure of the Birmingham standards, but wanted something that would be simple to use and would be owned locally.

The audit was developed in five units:

1: Leadership;

2: Management;

3: Play and learning;

4: Involving parents;

5: Involving the community.

Each unit consists of a number of statements. Each statement is supported by a number of questions. In answering the questions, settings are encouraged to identify the evidence that can support their response and looking at their answers, across that statement, identify what level they are at:

- emerging;
- established;
- enhanced.

Piloting the audit

At the November conference settings had volunteered to pilot the audit. A number of these were eventually able to participate: a nursery school, a nursery class in an infant school, a social services day nursery and a Children's Centre.

The settings started by piloting *Unit 1: Leadership* and *Unit 2: Management.*

Time needed

The head teacher of the nursery school and the head teacher of the infant school with the nursery class both saw the use of the audit as part of professional development. Because of pressure on staff development time, the two head teachers had both gone through the audit themselves first, one with a colleague, one on her own. Both had then taken it to a wider group of staff.

Time needed: one school took 1.5hrs, head and colleague, then 1 hr with staff, for the two units. The other head had gone through the two units on her own first and had then spent 2 hours on it with her senior management team.

Benefits

All the settings all spoke positively about using the audit and the fact that it had encouraged them to reflect on their practice:

> *It helped to think things through. It made you think of things.*
>
> *We have taken stock of the staff development time that we have given to SEN and disability issues.*

They had found the language and the layout easy to use:

> *The language is easy and accessible.*

The use of the audit gave some reassurance and confirmation to staff on some of the things they were already doing. It also enabled them to plan the development of provision into the future:

> *Policy development is normally in reaction to things, this is thinking ahead.*
>
> *We liked the staged approach. This will help with development planning.*

Evidence

Through the feedback there was some discussion of what constituted evidence. In particular settings were looking for evidence of the progress of disabled children and children with SEN. In general settings had drawn on:

- observations;
- staff interviews;
- P-scales and PIVATS (Performance Indicators for Value Added Target Setting[1]).

External partner

There was further benefit for leaders and managers from reflecting on the outcomes of the audit with an external partner. All settings felt a staged approach to using the tool was required with support being accessible when needed. This element would need to be built in to the wider dissemination of the audit.

Access to support

The settings felt that the tool provided an opportunity for clear signposting to resources, expertise and information within the Authority.

Repetition of evidence under different sections

Settings found that there was some overlap between the different questions and a significant amount of repetition in terms of the evidence that could be adduced in support of the schools' answers to the questions.

Wider benefits

Emerging from the responses of the settings were some wider benefits:

- some consistency of approach, and of the language for discussing it, was already emerging from the use of the audit in the pilot;
- this was making it easier to share information between settings;
- it was already highlighting where there was particular expertise and the potential for sharing skills;
- this in turn would increase confidence in sharing staff.

Support to the development of the new service arrangements

Progress with the audit tool was kept under review by a small group with representatives from the educational Psychology Service and early years support services. The shared language and the shared understanding of provision would be helpful to the services as they came together. This would be helpful as the audit was introduced more widely.

Follow up

To address some of the points about repetition, the audit tool is being re-ordered. The sections on play and learning have been moved to the front of the audit. This has the benefit of starting with children and staff rather than management. Leadership and management have been merged and placed later.

Next steps

Over the two months following the piloting and revision of the audit, the nursery school involved in the piloting has agreed to lead on the introduction of the revised audit in a cluster of settings in the area. In effect the nursery school would act as a training centre and external partner.

Originally a childminder had volunteered to pilot the audit, but in the event was unable to do so at the particular time. Officers would seek out another childminder to try the materials.

At the same time, officers would look through the evidence that had been used in completing the audit. This would be listed, so that settings would have a clear picture of what evidence they would need to have to hand when working on the audit. This would need to be part of the guidance on how to use the audit. The guidance would be revised in the light of the pilot.

[1] PIVATS is an assessment programme developed by Lancashire County Council and used nationally to measure pupil progress theough the 'P' Scales and up to Naional Curriculum Level 4. Moe information about PIVATS can be found on Lancashire County Council's website: **www.lancashire.gov.uk/education/pivats**

The training needs involved in the introduction of the audit were recognised. When the audit tool is fully implemented, settings will use the audit as part of the conversation with the Area SENCOs to identify what stage of development they are at, what is working well and what is not going so well. For schools, this conversation may need to be part of the school improvement conversation.

As a first step the nursery school involved in the pilot was taking on a role in training other settings in the use of the audit. This approach would be carefully monitored. It had the potential for being adopted in other parts of the Authority.

Potential for supporting a strategic approach

There are several ways in which the introduction of the audit tool would help Blackburn with Darwen to develop a more strategic approach to the development of provision for young disabled children and children with SEN:

- it will help to identify development needs within settings and provide a good basis for development planning. This will enable settings to be more strategic in their work with young disabled children and children with special educational needs;
- it will help to identify development needs across settings and enable services to respond with appropriate opportunities for training and development;
- it will enable Blackburn with Darwen to identify where particular expertise lies, and to use that expertise in a targeted way to improve provision;
- it will support service development planning to meet the needs of the local community.

2.4: Norfolk guidance

Background to the guidance

Initial planning meetings were held with officers with SEN and disability responsibilities in the early years. Norfolk is a large county with 485 early years settings. Fairly quickly it was decided that, whatever the focus for the APPEY work, it would be based in one or two smaller areas. Wider dissemination would then take place beyond the scope of the APPEY work.

To help inform the work, meetings were arranged with parents. Two meetings were arranged in different parts of the County. Many positive things were said about early years provision:

- Portage; pre-school music group; 'bookstart'; early statutory assessment;
- more early years settings accepting children since the Area SENCOs were in place;
- parents found devices such as the home-school diary brilliant, especially for a child with communication difficulties.

Parents identified other factors that worked against a positive experience for their children and themselves. In particular they identified:

- negative attitudes towards disability: one parent felt that her child was seen as a trouble-maker; another as 'a problem to be solved'; another felt her child was seen as a 'naughty' child, not a child with a disability whose needs were not being met;
- nappies: one parent said her son was 'evicted' from nursery because of toileting issues;
- difficulties in transition into school: 'my daughter went to a normal nursery but then they wouldn't accept her in the main school'; 'some schools are not happy to include children with Downs Syndrome';
- information for parents: 'there should be better information for parents'; 'parents are not included in planning or reviewing IEPs, and not given a copy of the IEP'; 'children sometimes keep things to themselves, with bullying, parents need to know.'

The issues raised by parents suggested that guidance for settings on these, and other issues that regularly frustrate access for young disabled children, might strengthen the ability of settings to welcome young disabled children. Guidance would need to be short, simple, and offer positive advice illustrated with examples of how early years settings in Norfolk are already managing these 'tricky issues.'

Training was arranged for early years settings in the Hethersett and East Dereham areas of the County with a choice of morning, afternoon and evening sessions. The training was used as an opportunity to discuss tricky issues that arise in early years settings and the positive solutions and the interesting and innovative practice that settings had already developed.

Building on the parents' meetings and the training sessions, a first draft of guidance was developed. This built in some key elements in considering each issue:

- an initial outline of what the issue is;
- quotes or examples from settings that would illustrate positive solutions and how settings had *'gone the extra mile.'*
- guidance on what is required, key actions that need to be taken by settings or established good practice. This would provide a baseline of what might be expected in settings;
- reference to local contacts and other sources of information.

Over a series of meetings a draft was developed and refined, with input from Area SENCOs, Link Teachers and the County's Disability Coordinator. Drafts were circulated for colleagues to illustrate with examples. The drafts came back again for further refining. The version of the guidance included here is agreed with Norfolk. However, that does not preclude the materials from being developed further by Norfolk or from being adapted for local use by other local authorities. It is the latest draft. The purpose of sharing the materials here is to make them available for wider use in appropriate local forms.

Norfolk is using the guidance to raise awareness of the disability discrimination duties across the Foundation Stage: in early years settings and in schools. It is using the guidance in training. Norfolk is putting the guidance on their website: **www.norfolkesinet.org.uk** and disseminating it through the Area SENCOs, link teachers and services working with early years settings.

Norfolk guidance

Contents:

Introduction

The Accessibility Planning Project: Early Years (APPEY) is a project commissioned by the Sure Start Unit at the Department for Education and Skills. It was undertaken by the Council for Disabled Children (CDC) and the Special Educational Needs Joint Initiative on Training (SENJIT) at the Institute of Education, University of London. The overall aim of the project is to promote a strategic approach to the development of access to early years settings for young disabled children.

How the guidance was devised

APPEY worked with early years, SEN and disability colleagues in Norfolk to develop this guidance to support the implementation of the requirements of the Disability Discrimination Act (DDA) in early years settings in Norfolk. It developed from meetings with parents and training sessions with early years settings in the Hethersett and East Dereham areas. During these sessions tricky issues that arise in early years settings were explored and positive solutions were identified by settings. This guidance was developed by trawling more widely through the Area SENCO networks to gather further examples of what had worked. The guidance is intended to provide short, simple, positive advice, illustrated with examples of how early years settings in Norfolk are already managing these 'tricky issues.'

Over a series of meetings a draft was developed and refined. Drafts with big gaps were circulated for colleagues to illustrate with examples. The drafts came back again for further refining.

More than you think

When reading this guidance, it is important to remember that the definition of disability in the DDA is very broad and includes more people than is usually assumed. Most of us understand that a child with a physical impairment or a hearing or visual impairment has a disability, but the definition in the DDA is much broader than this. It includes children with a wide range of impairments, where their impairment has an effect on their ability to do all the normal things that children do: run around, play, communicate, remember things, learn, concentrate, see things, hear things.

The definition includes a wide range of impairments, including hidden impairments. If, for example, a child has problems with mobility, seeing or hearing, or has learning difficulties, mental health problems, epilepsy, autism, a speech and language impairment, asthma, diabetes, cancer, HIV infection, then he or she may have a disability.

To count as a disability, the effect of the impairment has to last for a year or more and has to be 'substantial'. 'Substantial' in the DDA means 'more than minor or trivial.'

Notes:

- children's names have been changed;
- settings are named where permission has been given;
- the Area SENCO is best first contact for most things;
- for ease of usage, the word 'parents' is used throughout the document to refer to parents, carers and those with parental responsibility.

Joining in everything

Including a disabled child is a first step, but the challenge lies in ensuring that the child is able to join in all the activities that the setting offers. High expectations of young disabled children and collaborative problem solving will enable inclusion to succeed and secure positive outcomes for all children.

> *'Jack's Mum thought we'd ask her to keep him at home on our sports day. We came up with some brilliant ideas for adapting activities so that he could join in. We planned every detail. It went so well. We were absolutely exhausted, but it was so rewarding.' (Firststeps and Footsteps Pre-school)*
>
> *We are admitting a child who is allergic to just about everything. We've started with the ingredients of the play dough, but his parents are helping us to go through everything. We were determined that he'll be able to join in all the activities. (Hinks Meadow Pre-school)*

Disabled children will be able to join in everything where settings:

- have positive expectations;
- involve the parents in identifying solutions - they may have found a way round it at home;
- think outside the box;
- work as a team to identify creative adjustments;
- plan ahead;
- use additional or specially adapted resources;
- use additional support where it doesn't compromise the development of independence.

Local support

Area SENCO will be able to advise on training and general issues

Local voluntary organisations may offer a toy library service or advice on equipment and activities

Resources

Index for inclusion: developing learning, participation and play in early years and childcare available from the Centre for Studies on Inclusive Education, £26 including UK p&p, website: **http://inclusion.uwe.ac.uk/csie/**

Tower Hamlets Foundation Stage Curriculum document: *Planning for Progress 2,* edited by Margaret Lally, £20 + £7 p&p available from: Early Years - Learning Design Ltd. Tel: 020 7093 4051 or email: order@learningdesign.biz

Images of disability

It is important that all young children, disabled and non-disabled, see positive images of disabled people around them.

> *'When I was a child I had no adult role models at all ...the future had a blurred dark quality to it, formless, like walking into an unlit tunnel.' (Young disabled woman reflecting on her childhood)*
>
> *Within the Playgroup we label different activity areas using photos of children enjoying that area. The photos include young disabled children: a child in a wheelchair, a child with a splint on his arm and a visually impaired child. (Hethersett)*

Young disabled children can better imagine what they might become where:

- there are disabled people in the setting, as staff or visitors, as role models for young disabled children;
- images on the walls, in books and other materials reflect the presence of disabled people.

Local support

Do you know any disabled people who might visit the setting? Perhaps someone who lives or works locally?

Resources

All equal, all different (2004) Disability Equality in Education. This pack contains a set of posters showing disabled young children playing and learning in inclusive settings. Website: **www.diseed.org.uk**

Real people, Real lives: a pack exploring disability equality (2004) Disability Equality in Education. Website: **www.diseed.org.uk**

Tamarind Books: many of the books from this publisher include people with a disability. Website: **www.tamarindbooks.co.uk**

Children's TV programmes:

- Tracey Beaker - girl with cerebral palsy
- CBBC programme using Makaton

Staff awareness of disability issues

It is important that all staff in settings understand their responsibilities under the Disability Discrimination Act, and are aware of the definition of disability in the DDA. The definition is broad and may mean that there are more disabled children in a setting than at first presumed.

The duties in the legislation focus on making adjustments to ensure that disabled children can join in the life of the setting with their peers. Most of the barriers for disabled children are barriers in attitudes, so a 'can do' attitude is a crucial starting point in making settings accessible.

All children are unique. Having an impairment in common with another child does not necessarily mean that they have other things in common. It is important that staff do not assume that a child fits some sort of general pattern for that particular impairment.

> *'My child is not a problem to be solved.' Norfolk parent.*

Settings with high level of awareness of disability issues:

- see the child not the disability;
- adopt the social model of disability which focuses on the adjustments that need to be made in the environment;
- offer training for colleagues on disability issues;
- are careful to use positive language and avoid demeaning language.

Local support

Area SENCOs can advise on training opportunities

Resources

Early Years and the Disability Discrimination Act 1995: What service providers need to know is a booklet summarising the responsibilities of early years providers under the DDA. It was written by the Council for Disabled Children for the Sure Start Unit and is published by the National Children's Bureau. Website: **www.ncb.org.uk**

Real people, Real lives: a pack exploring disability equality (2004) Disability Equality in Education. Website: **www.diseed.org.uk**

National Childminding Association training materials: *Inclusive Childminding: Working with disabled children.* NCMA website: **www.ncma.org.uk**

See also: Images of Disability, page 46

Staff confidence

When staff feel informed and supported, both from within the setting and by agencies outside it, they are better placed to develop trusting relationships with young children, their parents and with other staff.

> *Working collaboratively as a team promotes staff confidence at Sprowston Nursery Playgroup. Keyworkers are supported by colleagues through a collaborative and creative problem-solving approach.*
>
> *'We are all confident that the agreed procedures mean that anyone can deal with the situation when it arises.' (Norwich Montessori School)*
>
> *When Alice arrived at playgroup, she would run from activity to activity and issue a high-pitched scream when approached. Staff were anxious to do the right thing but baffled as to what that could be. When Alice was diagnosed with Autistic Spectrum Disorder (ASD) staff felt out of their depth. Gradually, through their own willingness to learn (they sought training from the Specialist ASD team) and desire to see Alice happy, they gained confidence in themselves. This enabled Alice to enjoy playgroup, learn a lot and make a successful transition to mainstream school. 'I can't describe the feeling when Alice with good eye contact and a huge smile asked to have another turn on the slide.' (Member of staff at Alice's Playgroup)*
>
> *We had a lot of help from the Advisory teacher. She worked with child for 1 hour a week. She also gave us lots of information on what to do in the pre-school. This ranged from showing us how to fit hearing aids, as she did not keep these in initially, books on simple sign language to use, strategies for including her in the pre-school activities. (Toftwood Nursery Pre-school)*

Staff are more confident when:

- they know that the setting has policies, practices and procedures in place that are agreed with parents and shared with all staff;
- they know that information that they may need about individual children has been shared with them;
- they know when and where to go for support;
- they know how to access training;
- they work as a team, problem-solving together and drawing on each others strengths;
- they have access to supportive networks.

Local support

Area SENCOs will be able to put settings in touch with others dealing with similar issues, with networks for information exchange and sharing good practice, and with support services that can provide specific advice on individual children.

Resources

A selection of websites is listed in Appendix 2

Staff and parents working in partnership

A ready welcome for parents and children is the most likely way of starting a constructive working relationship with parents of a disabled child. The experience of some parents is that their disabled child may not receive a ready welcome. This may make parents less than willing to share information about their child.

> *'With each disabled child we make it clear to parents that this is a learning opportunity for us and we value their experience. This helps them to feel they are in control.' (Hethersett)*
>
> *'Parents of a disabled child are the greatest expert on their particular child and how their impairment affects their daily life.' (NCMA Training materials)*
>
> *Angus's Mum was ill and his Grandma brought him to playgroup. He was anxious to stay close to Grandma and would only access a small number of activities. Staff joined in with him and Grandma, building on his interests and gently encouraging him to relate to the other children. By keeping to a familiar routine, staff gradually built up his confidence. Grandma began to sit at the side for more and more of the session, then take short walks outside when he was engaged. Finally Angus was happy to be left at the door.*

Partnership with parents works best where settings:

- provide an unconditional welcome for all children;
- recognise and respect parents' unique knowledge of their child;
- engage parents in planning for their child from the earliest possible moment and provide regular and continuing opportunities to exchange information;
- build trusting relationships with parents so that parents can have confidence that information they give about their child will be handled sensitively and not be used to exclude their child;
- promote mutual support between parents and put parents in touch with local support groups;
- have a dedicated place - a noticeboard, a room - where parents of disabled children can find up-to-date information on a range of topics, for example: local services, benefits, local voluntary organisations, the parent partnership service.

Local contacts

Norfolk Parent Partnership Service provides a range of support for parents.

Tel: 01603 301901

Email: parent.partnership@norfolk.gov.uk

Resources

Most voluntary organisations have a website. The website may provide information about local groups.

Equipment and the physical environment

Making the physical environment accessible for disabled children is not just about ramps and handrails. Children with mobility impairments and children who are wheelchair users have specific needs but so, for example, do children with a sensory impairment, behavioural difficulties, learning difficulties and autistic spectrum disorders. Making improvements to the physical environment will often benefit many users.

Specialist equipment for disabled children needs dedicated storage space and may necessitate staff training. By thinking ahead, staff will be able to get maximum benefit from it for young disabled children.

> *'The wooden ramp was vital for Charlotte's wheelchair but the Mums with pushchairs were pleased too! We had to think about where we put activities and equipment so that Charlotte could move around easily, and the hall seems much bigger and better organised now.'*
>
> *At Ducklings pre-school the children register by choosing their name card at the start of each session. Sam is visually impaired. Before he joined the group, staff made a card with his name embossed in string. This meant Sam could easily find his own card on arrival and feel part of the group.*
>
> *We borrowed the Sensory Suitcase from the Area SENCO to use with Amy. We use it as part of our "Senses" week. Amy loved seeing the other children interested in and enjoying her familiar toys and sensory equipment. It was a joy to see Amy interacting so well with the others. Amy has moved on but our Senses week with the Sensory Suitcase is an established part of the curriculum and benefits all our children. (Sprowston Nursery Playgroup)*

When considering improvements to the physical environment think about:

- the duty to make 'reasonable' adjustments - no-one expects the impossible!
- access for children with a mobility impairment and for wheelchair users;
- lighting and décor for children with a visual impairment;
- acoustic considerations for children with a hearing impairment - including noisy equipment, background noise, creating a 'quiet' area;
- a quiet/time out space for children with challenging behaviour, social or emotional difficulties;
- safe storage and maintenance of equipment - large items such as hoists and standing frames, but small things too like radio aids and support cushions;
- changing and toilet facilities;
- working with the landlord of rented premises to raise awareness of the needs of disabled children.

Local support

Parents have expert knowledge about their child's access needs and the correct use of equipment. Information about equipment and training is available via your Area SENCO. The child's occupational therapist and physiotherapist will be happy to work with you and give advice.

Managing medicines

There are increasing numbers of children in our early years settings with a range of medical conditions. With good liaison between parents and medical staff, and the development of sound policies within the setting, children with medical needs can be safely and confidently included.

> *All the staff at Noah's Ark Pre-school have trained to use an epipen, in an emergency, for Darren who has a nut allergy. 'We all decided to do the training because if the manager was out and someone else was off sick, none of us wanted to be in the position of not knowing what to do.'*
>
> *Nila has diabetes. Her mum bought her a watch with a timer so that she could manage snacks etc. independently. The other children were good at listening for the timer and reminding her if she had taken the watch off, for example, to play with water.*
>
> *'It was a total partnership between parents, the doctors and the epilepsy nurse who did the care plan. There was training for all the staff involved so that people in each setting were able to administer rectal diazepam.' (Coltishall and Milestones Sure Start)*

The DDA cannot require staff to administer medicines. This is either undertaken on a voluntary basis or is written into a contract of employment. Where senior staff lead by example, most staff feel safe to volunteer. Where staff agree to administer medicines, whether on a voluntary or a contractual basis, the setting should:

- have a policy on the administration of medicines:
- ensure staff receive the appropriate training;
- agree a healthcare plan for each child who may need medication;
- document parental permissions including agreement on seeking emergency medical attention;
- check that the settings insurance policy indemnifies staff against risk.

The policy works best where there is:

- good liaison with parents;
- good links with nursing and medical staff;
- sensitive sharing of information so that staff know the individual signs to watch for with individual children;
- a sound understanding of the pattern of a child's condition and the patterns in their treatment;
- a sound health and safety policy that includes barrier nursing.

Local support

Parents and their own medical support staff will be the first source of information. Area SENCOs can help with advice and training on broader policy issues and may be able to arrange contact with other settings with similar experiences.

Resources

Department for Education and Skills, Sure Start and the Department of Health have issued new guidance (2005) *Managing medicines in schools and early years settings*. The guidance includes model letters, forms and recording sheets and contact information for relevant organisations. The guidance is available from DfES Publications, tel: 0845-6022260 or on the Teachernet website: **www.teachernet.gov.uk**

UNISON, the public sector union, provides advice on policies on the administration of medicine. A leaflet *Administration of Medicine* can be obtained from: UNISON, 1 Mabledon Place, London WC1H 9AJ

Information on specific medical conditions is widely available on the internet. The Contact a Family Directory of *specific conditions and rare disorders* is available in hard copy (new version each January) on CD-ROM (updated quarterly) and most of the information is available on their website: **www.contactafamily.org.uk**

Challenging behaviour

Children with behavioural difficulties present a challenge for many staff in pre-school settings. Staff often experience difficult behaviour as being directed towards them personally. This can cause stress and undermine confidence in managing behaviour safely and effectively. Pressure from parents of other children can reinforce these feelings. It is important to remember that parents of children with challenging behaviour may themselves need support. Support may need to be offered sensitively, as a key element in success will be co-operative working with parents.

> *'We were finding Michael's behaviour difficult, though Mum had not mentioned anything when he transferred to us. We didn't want to challenge her, but asked how she felt he was settling in. To begin with she said nothing, but after a while she admitted she was worried and she was having difficulties at home. We were able to work together on a behaviour strategy for Michael.' (Hethersett)*
>
> *When he first came to the Playgroup, Bob would start screaming and running to the door to get away, when he was asked to do anything. Staff worked patiently with indirect approaches. They were low key about a refusal and made a game of the required behaviour, for example: to ensure his hands were clean ready for snack, staff would wipe their own hands first, make a show of wiping each other's hands then would "wash the (toy) pig all clean ready for snack". This attracted Bob to copy them and eventually to clean his own hands.*

Challenging behaviour is best managed where:

- there is an ethos that promotes positive relationships and mutual respect;
- there is a behaviour policy that is based on praise, encouragement and adult attention given for good behaviour;
- the setting engages positively with parents to establish a joint problem solving approach;
- consistency is promoted within the setting and between the setting and the home;
- the communication needs of young disabled children are addressed;
- staff undertake detailed observation and analysis of challenging behaviour;
- staff recognise and minimise the triggers for challenging behaviour;
- staff use distraction techniques where appropriate.

Local support

Area SENCOs will be able to advise on training in managing challenging behaviour. Area SENCOs and the educational psychology service provide advice on setting up individual programmes.

Speech, language and communication

Communication is fundamental to children's learning. Particularly where a child is not speaking, it is crucial to promote a range of ways of communicating. For an individual child it is important to identify their preferred means of communication and develop the child's skill and confidence in that as a starting point.

> *'It was lovely that the other children started to be involved in using PECS[2] with him. He often took the pictures and gave them to other children so that they shared their food at snack time.' (Poppies, North Walsham)*
>
> *We feel that it is important to give children time, without putting them "on the spot". We give them the opportunity to be part of the group without putting pressure on them to speak.*
>
> *'We worked with the advisory teacher for the deaf. She gave us lots of information. This ranged from showing us how to fit Amy's hearing aids, as she didn't keep these in initially, books on simple sign language to use and strategies for including her in all the activities. Children picked up the sign language and started to use it with Amy. Staff were very willing to learn signing too. When she moved to the Infant School, the whole of the Christmas play was signed.'(Toftwood Nursery Pre-school)*

Young disabled children develop their communication skills more confidently where settings:

- recognise the importance of communications skills to children's learning;
- discuss the child's preferred method of communication with parents before admission;
- support the development of the child's preferred method of communication;
- support staff and children in developing skills in alternative forms of communication so that disabled children are not isolated;
- recognise the frustration children may experience in connection with speech, language and communication impairments and the time and patience staff need in supporting the development of communication;
- access support for staff and parents;
- liaise with speech and language therapists.

Local support in addition to your Area SENCO

The local health visitor can arrange hearing tests or contact a speech therapist.

Resources

Afasic - helping children with speech and language impairments and their families
Helpline - 0845 355 5577 (Mon-Fri 10.30am to 2.30pm)
Website: **www.afasic.org.uk**

ICAN - the charity that helps children communicate
Tel: 0845 225 4071
Website: **www.ican.org.uk**

Toilet training

Some young disabled children may not be toilet trained by the time they are ready to attend an early years setting. In the majority of cases this should not be a problem and it may be discrimination to turn the child away. Blanket policies on toilet training are potentially discriminatory.

It is important that the setting positively supports the development of independence in toileting, alongside the development of other independence skills.

> *'We made sure that Jamie knew his bag (with spare nappies) was there and we made a large and a small toilet available to him. We gave him the opportunity to go in his own time but gave him reminders as well. We made sure that familiar members of staff were available to help him so that he felt comfortable.' (Poppies, North Walsham)*
>
> *Adam attended a large playgroup in a village hall. He has ASD and showed great distress when going near the toilets. Gradually, and over a period of time, his keyworker enabled him to reach the stage of actually sitting on the toilet. 'I was so pleased when he finally sat without me being there! Mum would have found it hard to believe if she hadn't crept in and seen for herself.' (Spixworth Pre-School)*

Young children develop independence in toileting more readily where:

- toilet training is viewed positively as part of the more general growth of independence;
- settings work with parents to promote toilet training;
- settings work with health visitors to promote toilet training;
- appropriate specific programmes are implemented for individual children;
- staff are confident of the health and safety arrangements for handling and disposing of wet or soiled nappies or clothing.

Local support

Parents and local health visitors are the first port of call.
Area SENCOs can advise in relation to policy development.

Resources

Article by Nicky Young, Pre-School Learning Alliance, see *Resources* section of these materials.
Leicester's continence policy, see *Resources* section of these materials.

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[2] Picture Exchange Communication System. Website: **www.pecs.com**

Transition

Transition into and out of early years settings can be eased by careful planning, sharing of information and mutual visiting. Norfolk's Learning Story provides a useful vehicle for planning transitions in the Foundation Stage.

> *Where the child's Learning story goes with them into a receiving school there is a lot of shared information that can help a child off to a flying start.*
>
> *We had a meeting with the receiving school to outline what had happened so far. The speech and language therapist (SaLT) was aware that Julie had made a lot of progress but that one of her major achievements was her confidence in approaching other people to speak to them. The SaLT wanted Julie's new teacher and those in her new school environment to be informed so that this progress could be maintained. Julie visited the school to meet the teacher and small groups of children. The SaLT also outlined a timetable for his work to continue with Julie in school. (Sutton Pre-school)*
>
> *'When Sean joined our Playgroup we arranged to spend time visiting him at the Child Development Centre to learn about his condition and talk to his carers. We enrolled in the Toy Library at the Centre, and his carer was able to advise us on the most appropriate toys to borrow.' (Hethersett)*

Transition works best for young disabled children where:

- there is good information available for parents about the process, the procedures and about the receiving school;
- the child is able to visit and become familiar with the school before transition;
- the setting and the school promote mutual visiting;
- there is continuity of support at transition;
- parents are involved in process;
- transition into the setting involves parents, but also those supporting the child and family before child comes into the setting, for example: the Portage service, physiotherapists, speech and language therapists, occupational therapists, health visitors, specialist nurses.

Local support

Schools and other early years settings
Area SENCOs will be able to advise on the use of the *Learning Story*

Resources

The *Learning Story,* Norfolk's transition planning document for the Foundation Stage.

Appendix: Contact information for voluntary organisations

Afasic

For children with speech and language impairments and their families

Helpline - 0845 355 5577 (Mon-Fri 10.30am to 2.30pm)

Website: **www.afasic.org.uk**

Allergy UK

Allergy Help Line: (01322) 619864

Website: **www.allergyfoundation.com**

The Anaphylaxis Campaign

Helpline: (01252) 542029

Website: **www.anaphylaxis.org.uk** and **www.allergyinschools.co.uk**

Association for Spina Bifida and Hydrocephalus

Tel: (01733) 555988 (9am to 5pm)

Website: **www.asbah.org**

Asthma UK (formerly the National Asthma Campaign)

Adviceline: 08457 01 02 03 (Mon-Fri 9am to 5pm)

Website: **www.asthma.org.uk**

Council for Disabled Children

Tel: (020) 7843 1900

Website: **www.ncb.org.uk/cdc/**

Contact a Family

Helpline: 0808 808 3555

Website: **www.cafamily.org.uk**

Website includes Contact a Family Directory and information about support groups

Cystic Fibrosis Trust

Tel: (020) 8464 7211 (Out of hours: (020) 8464 0623)

Website: **www.cftrust.org.uk**

Diabetes UK

Careline: 0845 1202960 (Weekdays 9am to 5pm)

Website: **www.diabetes.org.uk**

Disability Equality in Education

Tel: 020 7359 2855

Website: **www.diseed.org.uk**

Epilepsy Action

Freephone Helpline: 0808 800 5050 (Mon- Thurs 9am to 4.30pm, Fri 9am to 4pm)

Website: **www.epilepsy.org.uk**

Health Education Trust

Tel: (01789) 773915

Website: **www.healthedtrust.com**

Hyperactive Children's Support Group

Tel: (01243) 551313

Website: **www.hacsg.org.uk**

ICAN

The charity that helps children communicate

Tel: 0845 225 4071

Website: **www.ican.org.uk**

MENCAP

Tel: (020) 7454 0454

Website: **www.mencap.org.uk**

Muscular Dystrophy Campaign

Has links to other disability organisations and support groups

Helpline: (020) 7720 8055 (answer machine out of office hours)

Website: **www.muscular-dystrophy.org**

National Autistic Society

Helpline: 0845 070 4004 (Mon - Fri 10am to 4pm)

Website: **www.nas.org.uk**

National Deaf Children's Society

Freephone helpline: 0808 800 8880 (voice and text, Mon-Fri 10am to 5pm)

Website: **www.ndcs.org.uk**

National Eczema Society

Helpline: 0870 241 3604 (Mon-Fri 8am to 8pm)

Website: **www.eczema.org**

National Society for Epilepsy

Helpline: (01494) 601400 (Mon-Fri 10am to 4pm)

Website: **www.epilepsynse.org.uk**

Psoriasis Association

Tel: 0845 676 0076 (Mon-Thurs 9.15am to 4.45pm Fri 9.15am to 16.15pm)

Website: **www.psoriasis-association.org.uk**

Royal National Institute of the Blind

Helpline: 0845 766 9999

Website: **www.rnib.org.uk**

Royal National Institute for Deaf and hard of hearing people

Helpline: 0808 808 0123

Website: **www.rnid.org.uk**

Scope

Cerebral Palsy Helpline: 0808 800 3333

Website: **www.scope.org.uk**

2.5: Norfolk 'post card' guidance

During the development of the Norfolk guidance in Section 2.4, a number of issues kept recurring. In particular:

- the general underestimation of the number of children covered by the definition of disability in the DDA;
- the expectation that changes for disabled children meant physical changes to buildings;
- concern that the DDA might require something 'unreasonable' in particular that it would require something costly.

The Area SENCOs felt that a small card with half a dozen short messages about the DDA would be helpful in raising awareness of the DDA. The Norfolk 'post card' guidance is a draft of such a document.

MESSAGES FOR THE NORFOLK 'POST CARD' GUIDANCE

The Disability Discrimination Act:

There are more disabled children than you think. The definition is broad: there are 772,000 disabled children under the age of 16.

Disabled children do not come through the education system well. Ofsted identifies one of the biggest problems as low expectations.

The DDA applies to everyone: high street banks, schools, shops, businesses, early years settings.

Nothing unreasonable: the DDA requires 'reasonable adjustments.' Many reasonable adjustments are low cost or no cost.

You can do it. Young disabled children flourish in a 'can do' ethos. Three things that help:

- see the child not the disability - no two children are the same;
- have honest and open discussions with parents - they may have found a way of doing it;
- have the confidence to ask for advice.


772,000 disabled children.....more than you think
The DDA requires' reasonable adjustments' but....
.... most adjustments are low cost or no cost
See the child, not the disability.....
.....have high expectations .....
..... and a can do attitude

3. Training materials

3.1 Introduction

The materials in this section have been developed and refined with use over the life of APPEY. They draw significantly on the *purple booklet*[1] which is usefully circulated at the time of the presentation and workshops.

On the next page is an outline for a training session which is designed to develop:

- a shared understanding of the core concepts in the DDA: the definition of disability, less favourable treatment and reasonable adjustments;
- an understanding of which DDA duties apply to services and settings;
- participants' ability to apply their understanding to practical examples from early years services and settings;
- an understanding of how to avoid discrimination;
- an understanding of the benefits of a planned approach to increasing access to early years provision for young disabled children;
- participants' ability to plan the next steps in their own service or setting.

The training session includes:

- a presentation on the duties in the DDA, including how they apply in different settings, see separate Powerpoint file: *Early Years and the Disability Discrimination Act 1995*;
- two workshop sessions on:
    - different scenarios that arise in early years settings and how the DDA applies to these;
    - ways of planning to increase access in participants' own settings.

Clearly the training session, below, can be tailored to suit different circumstances. The suggested timings work well and allow participants to have time in small groups. Nonetheless the timing is quite tight and the trainer needs to be well-organised to keep to this timetable.

The training session can be run over a whole day, particularly where there may be:

- additional elements of local policy development to be included, for example: policy on the administration of medicines or transition into school; or
- specific issues to be included, for example, a focus on childminding arrangements.

---

[1] *Early Years and the Disability Discrimination Act 1995: What providers need to know* (2003) Written by the Council for Disabled Children and the Early Childhood Unit and published by the National Children's Bureau for the Sure Start Unit. Available from the National Children's Bureau, 8, Wakley St, London EC1V 7QE. Downloadable from: **www.earlychildhood.org.uk/downloads**

Outline training session (2hrs 30 minutes)

10.00 **Welcome, introductions and practicalities**

10.10 **Presentation on the duties**

45 minutes + a few questions. Most of the questions will be addressed by the workshop discussions after the break.

11.00 **Refreshment break**

11.15 **What would you do?**

Introduce activity then ask participants to discuss in 2s and 3s for 15 minutes. Listen in on some of the discussions so that it is possible to pick up points in the feedback session.

Feedback and opportunity to check understanding of what the DDA might require and what is good practice. Allow 30 minutes.

12.00 **Identifying barriers and planning to include young children in early years settings**

20 minutes, working in 2s and 3s again. Encourage participants to support each other in thinking through what is relevant to their setting.

10 minutes feedback

12.30 **Close**

3.2: What would you do?

On the following pages are some scenarios drawn from real life. The scenarios provide trainees with the opportunity:

- for discussion of current practice;
- to draw on and reflect on their own experience;
- to relate the scenarios to their own setting;
- to develop an approach to ensuring their setting does not discriminate.

In the materials are:

- trainees' pages, with the scenarios;
- trainers' pages. The trainers' pages include notes, in italics. The notes are designed to help guide the discussion.

It is important to recognise that only limited information is provided in each scenario. There is no single right way of proceeding in each scenario. It is recommended that trainees should discuss in small groups first (2s and 3s works well and doesn't usually require the re-organisation of a room). Allow time for discussion of all the scenarios, then share key points in a plenary. This provides a mix of:

- opportunity to try out ideas, get discussion started and relate the situation to trainees' own setting;
- opportunity to correct any misunderstandings publicly and ensure that trainees are clear about what the DDA requires.

In many cases good practice is well ahead of what the DDA requires. Where this is apparent in the discussion it should be highlighted.

What would you do?

Consider each of the following situations. Say what you think:

- should be done to comply with the Disability Discrimination Act (DDA)
- good practice would be.

There is space for you to make notes under each scenario.

1. A pre-school leaves a child behind when the rest of her group goes to the park to see a puppet show. The girl has learning difficulties and the staff consider that there is no point in taking her as she will not understand the show.

2. A child with an egg allergy is going to be admitted to a private nursery school. The staff are concerned about what they may have to do and ask the head teacher not to admit her.

3. A child with one arm attends a nursery class at a primary school and seems happy and well motivated. Gradually he becomes sad and listless and staff notice he seems isolated. A member of staff sees an older boy talking to him and thinks the boy may be being bullied.

4. A young boy is admitted to a playgroup. The parents confide in the manager that the child is HIV positive. They want it kept confidential for fear of him being victimised by other parents, but the child will need to take medication at lunchtime. After a few months rumours are spreading amongst the parents who are telling their children not to play with the boy.

What would you do? With guidance notes for discussion

1. A pre-school leaves a child behind when the rest of her group goes to the park to see a puppet show. The girl has learning difficulties and the staff consider that there is no point in taking her as she will not understand the show.

The decision not to take her to the show is for a reason related to her disability, 'staff consider that there is no point in taking her as she will not understand the show'. The decision is likely to be discriminatory.

In certain circumstances there may be justification for less favourable treatment but, in this example, it would appear to be unlikely.

The pre-school does not appear to have considered how the girl might be supported in watching and enjoying the puppet show if she had accompanied the other children, or how they might have prepared her for the show. A number of strategies are available to the pre-school. In the discussion, provide the opportunity for trainees to provide their own ideas for how the setting might prepare for the visit.

Their ideas might include:

- *puppets played with in advance of the visit, to familiarise the girl with puppets. In real life the staff thought the girl might be afraid of the puppets and this contributed to their decision not to take her. Playing with the puppets in the setting could help to overcome any fear;*
- *finding out in advance what story is going to be told at the puppet show;*
- *reading the story before the show, to familiarise the girl with the story;*
- *using puppets and props to act out the story before the visit;*
- *acting out the story in other ways before the visit, for example: dressing-up;*
- *visiting the park beforehand to familiarise the child with the surroundings;*
- *at the visit itself, deploying staff so that the girl is in a small group with some of the children she knows best.*

The setting would need to have taken action like this to enable the young girl to participate in the visit. Note: the type of action suggested would not be to the detriment of any of the other children, rather it would benefit all the children.

2. A child with an egg allergy is going to be admitted to a private nursery school. The staff are concerned about what they may have to do and ask the head teacher not to admit her.

It could be discriminatory if the school refused to admit the child without exploring what they might need to do for her. There might be a range of things that the school could do that it would be reasonable to do. Again, use the discussion time as an opportunity for trainees to generate their own ideas about what might be needed. The school could:

- *discuss with the parents what the school might need to do to accommodate their child;*
- *agree a health care plan for the child;*
- *discuss with health staff the management of the allergy;*
- *change some of the cooking arrangements: ingredients, methods of preparation, in respect of the food for all children, or for this child only;*
- *put in place special meal-time arrangements which could be supervised by named staff;*
- *arrange for a nurse to come in and train staff;*
- *extend their insurance to indemnify staff who volunteer to administer emergency medication.*

All of these things might be reasonable adjustments that the school should make. The DDA could not require staff to administer emergency medication, such as an epipen. That remains a voluntary undertaking. Guidance from the Department for Education and Skills and Department of Health states clearly that:

> There is no legal duty that requires school or setting staff to administer medicines. A number of schools are developing roles for support staff that build the administration of medicines into their core job description. Some support staff may have such a role in their contract of employment. Schools should ensure that they have sufficient members of support staff who are appropriately trained to manage medicines as part of their duties.
>
> Conditions of employment are individual to each non-maintained early years setting. The registered person has to arrange who should administer medicines within a setting, either on a voluntary basis or as part of a contract of employment.
>
> Staff managing the administration of medicines and those who administer medicines should receive appropriate training and support from health professionals. Where employers' policies are that schools and settings should manage medicines, there should be robust systems in place to ensure that medicines are managed safely. There must be an assessment of risks to the health and safety of staff and others and measures put in place to manage any identified risks.

DfES & DH (2005) Managing medicines in schools and early years settings

Many schools and early years settings offer training to all their staff so that any one can be called upon in an emergency. Within a clear policy on the administration of medicines, this is a matter of good practice.

3. A child with one arm attends a nursery class at a primary school and seems happy and well motivated. Gradually he becomes sad and listless and staff notice that he seems isolated. A member of staff sees an older boy talking to him and thinks the boy may be being bullied.

Small groups will use the discussion time to explore what has gone wrong in this scenario. They may speculate that the change in the child's demeanour is due to factors other than his disability. It is important to acknowledge that this is a possibility, not to assume that the difficulty is related to his disability. In practice this was not the case: the bullying was related to the nature of the boy's impairment. It emerged that he was being called a 'one-armed bandit.'

When the school realised what was happening they developed their approach in a number of ways:

- ❐ *two assemblies were held that addressed name-calling and bullying. Disability and race issues were addressed together as the children in the school come from many different cultural and ethnic groups;*
- ❐ *there was follow-up work in a number of classes, including the nursery class;*
- ❐ *volunteer 'buddies' were sought for the boy, especially to be with him in the outdoor areas where he was more likely to encounter the older children.*

Any of these adjustments might be 'reasonable adjustments'. The school might plan these arrangements into their curriculum for subsequent years. Not to address the issues might be to treat the boy 'less favourably.'

One of the lessons from this example is the need to check that anti-bullying policies address bullying related to an impairment. Changing the policy doesn't mean that the bullying won't happen, but it should ensure that it is addressed and that the school community gets and gives out the message that this form of bullying is as unacceptable as any other form of bullying.

4. A young boy is admitted to a playgroup. The parents confide in the manager that the child is HIV positive. They want it kept confidential for fear of him being victimised by other parents, but the child will need to take medication at lunchtime. After a few months rumours are spreading amongst the parents who are telling their children not to play with the boy.

This example is more challenging as it relates to parents' behaviour rather than staff and children. The setting has less control over the issues as the rumours are spreading outside the playgroup.

The playgroup needs to raise the issues with parents, but in a general way that doesn't focus unduly on the particular child and family. They also need to be able to raise issues in a way that enables them to address some of the fear and ignorance that may be fuelling the rumours. They take advice and decide to discuss their health and safety policies at an open meeting with parents, in the way that in the past they have sometimes discussed aspects of the curriculum. Discussing health and safety enables the playgroup to raise issues that need to be discussed: barrier nursing, administration of medicines, but at the same time talk about wider ways in which the playgroup looks after both children and staff, safety on visits, police checks and other issues.

A specialist health visitor joins the meeting and is able to answer questions from parents in informal groups.

The parents' meeting takes some time to plan and in the mean time the playgroup works on including all the children in activities and pays particular attention to including the boy in small group activities, so that he is rarely on his own.

Trainees may be concerned that a member of staff has breached confidence. If this were the case it would need to be pursued through the disciplinary route. However, in this instance it was not the case. Rumours had spread through discussion at drop-off and collection times and probably more widely in the community.

3.4: Identifying barriers and planning to include young children in early years settings

This workshop is designed to follow up from What would you do? to help trainees to see what they might need to do in their setting to start to address some of the issues raised in the initial presentation and in the discussion of the scenarios.

The focus is very much on identifying priorities and developing an action plan. It is as important that trainees reflect the realities of their setting as their understanding of the issues to be addressed.

Often those who take up training are those who are aware that they need to know more. When they return to their setting they have to communicate what they have learnt to those who may not be as committed to equality of opportunity as they are themselves. For many settings the starting point is likely to be ensuring that all staff are aware of the duties. It is more important to set targets in relation to this than to build plans for policy development. If the basics are not in place, policy development may founder.

The workshop includes:

- discussion of tricky issues in early years settings;
- individual settings: barriers and reasonable adjustments;
- ways to support planning to include young children in settings.

Identifying barriers and planning to include young children in early years settings

This workshop will include:

- discussion of tricky issues in early years settings
- individual settings: barriers and reasonable adjustments
- ways to support planning to include young children in settings

1. Working with colleagues in twos and threes, discuss then rate your setting on some of the tricky issues that arise in relation to including young disabled children in early years settings. Challenge each other to provide evidence to justify the ratings: well/OK/not so well.
2. On the basis of the ratings you have given your setting and taking into account your own knowledge of your setting, for example: children you know who may be coming to your setting, identify what needs to be a priority for development in your setting. Identify 3 or 4 things that may be a priority, a maximum of 5. A smaller number of priorities is more likely to be achieved.
3. Take one or two of the priorities you have identified and enter one of them in the appropriate column on the planning page. Work with colleagues to identify the necessary actions to address the priority that you have selected. It is likely that you will need to identify several actions for each priority. Plan the detail of who will need to do what, etc. including what evidence you will expect to see when you have completed the action.

Help each other to complete one priority each. Go on to a second priority each if time permits.

4. Take some time before the end of the workshop to consider how you are going to introduce your ideas to your setting.

Tricky issues: How well is my setting/service doing?

Issue	**Setting/service does**		
	Well	**OK**	**not so well**
administering medicine			
challenging behaviour			
toileting			
staff attitude to disability and awareness of disability issues			
access to the curriculum for children with learning difficulties			
speech and language issues			
managing medical conditions			
physical access issues			
working with parents			
staff confidence			

Priorities for action:

1

2

3

4

5

PLAN FOR ACTION

PRIORITY AREA	What needs to be done?	By whom?	By when?	What resources will be needed?	How will we know when we’ve done it?

4. Resources

There is a wide range of work in progress in the early years and there are a lot of materials available to support local authorities and settings in developing provision that is welcoming to young disabled children and their families and in supporting the staff working with them.

To provide a flavour of what is available to support local authorities and settings a small selection of resources is introduced here. There is a cross section of resources: from national programmes to checklists; looking at a range of issues: from medicines to images of disabled people; and from a range of different organisations: from government to voluntary organisations.

For each resource there is a brief description of what it is and how to find out more about it. Where appropriate there is also an extract from the resource, or a summary of what it does.

Some of these resources, and many more, are listed on, or linked to the Sure Start Unit's website: **www.surestart.gov.uk**

Included in the resources section are references to:

1. Early Support
2. Sure Start SEN training pack
3. Managing medicines in schools and early years settings
4. Inclusive Childminding: Working with disabled children
5. All of us checklists for settings and local authorities
6. Early Years and the Disability Discrimination Act 1995: What providers need to know
7. All equal, all different
8. The Dignity of Risk
9. Promoting personal development in foundation and key stage 1 - continence
10. To change or not to change - the nappy question!

1. Early Support

A family-focused initiative that puts the needs of families with very young disabled children first.

Early Support (previously known as the Early Support Pilot Programme or ESPP) is a UK government programme involving the Department for Education and Skills, Sure Start and the Department of Health. Its purpose is to improve the delivery of services to disabled children under three and their families. Early Support promotes service development in partnership with education, health and social services, voluntary organisations and service users themselves.

Early Support is learning from and building on existing good practice and supports the improvement of services where they are not yet well developed. The aim is to work with service providers and service users to:

- improve the quality and consistency of services available in different places;
- ensure that families get the right support at the right time;
- develop robust quality assurance mechanisms.

On the next page:

A summary of some of the outcomes of the Early Support Programme to date.

How to get hold of the Early Support materials:

DfES Publications
PO Box 5050
Sherwood Park
Annesley
Nottingham
NG15 0DJ

email: dfes@prolog.uk.com

Phone: 0845-602-2260

Textphone: 0845-605-5560

Fax: 0845-603-3360

The materials are also available on the Early Support website: **www.earlysupport.org.uk**

How to find out more:

Early Support website: **www.earlysupport.org.uk**

Early Support

What difference will Early Support make?

The DfES has provided £13 million to support the development of services in 2002 - 2006. The programme aims to secure:

❒ better co-ordination of multi-agency support for families;

❒ increased involvement of parents/carers in the development of services;

❒ better information for families;

❒ improved professional knowledge and skills;

❒ partnership across education, health and social services and across geographical areas to improve service quality;

❒ the use of service audit materials to support the process of planning service improvement for very young disabled children and their families.

How does Early Support help?

Service development: Early Support funds service development at local level and from September 2004 has been working directly with 45 partners across England to implement service change. The programme has produced a range of materials to support development activity, which are available for use everywhere.

Materials: four major sets of Early Support materials have been developed in consultation with service providers and families who use services to support the implementation of Together from the Start at local level:

❒ The Early Support Family pack supports families with a disabled child and the professionals who work with them.

❒ The Early Support Professional guidance comprises practical information and case study material for professionals.

❒ The Early Support Service audit tool enables professionals to assess the quality of the services they provide and plan for development.

❒ The Early Support Monitoring protocol for deaf babies and children enables families and the professionals supporting them to track progress in young deaf children.

Training: a training programme is being developed to help professionals across education, health and social services use the guidance and materials effectively. This is being run in the 45 pathfinder areas. The training section of the website provides information on this.

Making a difference

Early Support is already making a positive impact on the lives of families and children. The website records some of the comments from families and professionals who have been involved.

Keeping up to date

In the 'News' section of the website, there are progress reports and announcements of future plans. The news page also keeps abreast of related Government and other activity.

2. Sure Start SEN training materials

The strategic plans of the Early Years Development and Childcare Partnerships (2002-2003) included provision for the appointment of Area SENCOs and the delivery of three days training for all SENCOs.

To support the delivery of this training, the Sure Start Unit commissioned the *SEN Training Materials.* The training materials are designed to encourage 'best practice' across all settings, resulting in earlier identification of children with SEN and more effective intervention within the *SEN Code of Practice.*

This is a flexible resource designed to support Area SENCOs and others involved in SEN-related training for early years practitioners.

The SureStart SEN Training Materials contain:

- Trainers file
- Activity sheets file
- *We're a community here: The inclusion of children with special educational needs in the early years* video with accompanying booklet
- *Early years and the Disability Discrimination Act 1995: What service providers need to know* booklet
- *Special Educational Needs: A guide for parents* booklet
- *Area Special educational Needs Co-ordinators (SENCOs) - Supporting Early Identification and Intervention for Children with Special Educational Needs Guidance for Local Education Authorities and Early Years Development and Childcare Partnerships*

On the next page:

Information on the coverage of the training materials.

How to get hold of a copy:

DfES publications: quote reference: SS/SENTR/FS
PO Box 5050
Sherwood Park
Annesley
Nottingham
NG15 0DJ

email: dfes@prolog.uk.com

Phone: 0845-602-2260

Textphone: 0845-605-5560

Fax: 0845-603-3360

Sure Start SEN training materials

The training materials, the Activity sheets and the corresponding Trainer's file, are divided into two sections:

- Core materials; and
- Resource bank.

Core materials

The Core materials are divided into three main sections:

- Principles:
  - SEN in the early years;
  - Principles of inclusion;
  - Listening to the child;
- Identification and intervention:
  - Identification and intervention;
  - Setting and reviewing individual targets;
  - What if help through Action Plus is not enough?
- Role of the SENCO:
  - Role of the SENCO;
  - Working with parents;
  - Communicating with colleagues.

Each of the sections supports three training sessions, total of nine, of approximately 2.5 hours. However, the support material for the sessions is made up of individual activity sheets, which a trainer may use flexibly to support shorter sessions or to combine with other material.

Resource bank

The Resource bank is also divided into three sections:

- Working with children with SEN;
- Inclusion in practice;
- Managing behaviour.

The Resource bank consists of a wider range of materials from which the trainer can pick and choose according to the focus of the training that is needed. The learning objectives are listed for each set of materials.

The video

The video has two parts:

- the core video, 22 minutes, We're a community here: The inclusion of children with special educational needs in the early years, is designed for all practitioners in early years settings;
- five additional video clips for use in the training sessions and illustrating five different aspects of Inclusion in practice.

3. Managing medicines in schools and early years settings

This is guidance from the Department for Education and Skills and from the Department of Health. Published in 2005, this guidance replaces the DfEE/DH 1996 document Supporting Pupils with medical needs: A good practice guide and Circular 14/96 Supporting pupils with medical needs in school.

On the next page:

A summary of what the guidance covers.

How to get hold of a copy:

DfES Publications: quote DfES 1448-2005

PO Box 5050
Sherwood Park
Annesley
Nottingham
NG15 0DJ

email:	dfes@prolog.uk.com
Phone:	0845-602-2260
Textphone:	0845-605-5560
Fax:	0845-603-3360

Also available on:

Teachernet website: **www.teachernet.gov.uk**

Managing medicines in schools and early years settings

Managing medicines in schools and early years settings provides advice to help in the development of policies on the management and administration of pupils' medicines.

It is for schools and their employers to develop their policies on the management and administration of pupils' medicines and putting in place systems for supporting individual pupils with medical needs. This document sets out a clear framework within which local authorities, local health trusts, schools and early years settings can work together to develop policies to ensure that children requiring medicines receive appropriate support. It updates, and extends to early years settings, the 1996 DfEE/DH guidance on supporting pupils with medical needs in school.

It explains the roles and responsibilities of:

- employers,
- parents and carers,
- governing bodies and management groups,
- head teachers and heads of settings,
- teachers and other staff, and
- local health services.

It considers staffing issues including:

- employment of staff,
- insurance and training.

Other issues covered include:

- drawing up a health care plan for a pupil,
- confidentiality,
- record keeping,
- the storage, access and disposal of medicines,
- home to school transport, and
- on-site and off-site activities.

It also provides general information on the four most common conditions: asthma, diabetes, epilepsy and anaphylaxis.

The document also contains a set of forms which can be photocopied by users.

It takes account of the recommendations from the National Service Framework on Medicines for Children (2004), the new duties on local education authorities, schools and early years settings under the Disability Discrimination Act, and latest medical advice.

4. Early Years and the Disability Discrimination Act 1995: What providers need to know

This leaflet explains how the Disability Discrimination Act 1995 (DDA) applies to those providing care and education in early years settings. It provides examples of how the duties work and suggests some simple approaches that may help to ensure that disabled children are not discriminated against.

It explains who has responsibility under the DDA and what the core duties are:

- less favourable treatment, and
- reasonable adjustments.

It shows how the duties apply in different settings and how they fit in with other relevant duties, in particular the duties in the special educational needs framework.

It explains the meaning of key terms:

- disability,
- discrimination,
- reasonable,
- substantial, and
- long-term.

It provides guidance on how to make sure that settings don't discriminate against disabled children and provides pointers for additional help and support in meeting the duties.

This booklet was written by the Council for Disabled Children and the Early Childhood Unit and published by the National Children's Bureau for the Sure Start Unit.

How to get hold of a copy:

(Please send postage)

Council for Disabled Children
8, Wakley St
London EC1V 7QE

Tel: 020-7843-1900

Also available from:

Early Childhood Unit website: **www.earlychildhood.org.uk/downloads**

Sure Start website: **www.surestart.gov.uk** then navigate > publications > inclusion

5. All of us: checklists for settings and local authorities

The All of Us pack comprises two documents to promote inclusive policy and practice.

All of Us - An Inclusion Checklist for Settings outlines good practice in including disabled children for play workers, childminders and other childcare staff. It is particularly relevant for heads of settings and to those in development, advisory and inspection roles.

All of Us - An Inclusion Framework for Local Authorities offers ways to move policy into practice in including disabled children. It identifies the elements that local authorities need to establish to provide an infrastructure which effectively supports individual play and childcare providers. It also highlights examples of how local authorities are implementing different elements of the framework.

Both *All of Us* documents are intended to support the inclusion of disabled children aged 5-16 years, but will also be relevant to early years.

How to get hold of a copy and how to find out more:

For single copies, send sae (with £1 postage) to:

KIDSactive National Development Division
6 Aztec Row
Berners Road
London N1 0PW

Tel: 020-7359-3073

email: pip@kidsactive.org.uk

website: **www.kidsactive.org.uk**

Also available from:

Sure Start website: **www.surestart.gov.uk**

6. Inclusive Childminding: Working with disabled children

These are training materials designed to support professional development for childminders. The materials are provided on a CD-Rom and include:

- outlines for 2 workshops;
- a PowerPoint presentation;
- an 8-minute excerpt from the Altogether Better video;
- handouts;
- activities;
- pictures;
- a range of resources to stimulate discussion and support training activities.

The focus of the materials is on childminders but the materials and the activities could equally well be used with others working with young disabled children.

The materials have been designed for use by experienced tutors who have undertaken disability equality training.

Cost: £30

How to get hold of a copy and how to find out more:

National Childminding Association
8 Masons Hill
Bromley
BR2 9EY

Tel: 020-8464-6164
Website: **www.ncma.org.uk**

7. All equal, all different

This is a pack that includes a range of materials, some for children, some for practitioners:

- six illustrated story books written by disabled people;
- counting and alphabet books featuring children from an inclusive nursery;
- The Access Game, a barriers and solutions board game;
- Disabled people who have made a difference, book featuring over 40 disabled people who have made a difference;
- 16 black and white posters showing images of inclusion in the foundation stage and key stage 1;
- a video of 10 signed nursery songs;
- two practitioners' guides:
  - All equal, all different, a guide to the resource pack for practitioners and teachers;
  - Everybody in: good practice in the identification and inclusion of disabled children and those with SEN: a guide for practitioners and teachers.

Cost: £50 plus £7 postage

How to get hold of a copy and how to find out more:

Disability Equality in Education
Unit GL
436 Essex Road
London N1 3QP

Tel: 020-7359-2855
Website: **www.diseed.org.uk**

8. The Dignity of Risk

It is the job of services to manage risk. Risk cannot be removed completely, just assessed and managed. *The Dignity of Risk* is designed to help services take a proactive approach to risk management and ultimately to the inclusion of disabled children in everyday life.

The *Dignity of Risk* covers different aspects of risk management:

- the changing context in which services manage risk;
- principles that should underpin risk management;
- health and safety;
- meeting children's health care needs;
- moving and handling;
- physical interventions for challenging behaviour; and
- child-centred approaches to risk management.

This handbook is based mainly on the experiences of Shared Care services and has been written primarily with these services in mind. It is particularly useful for providers of short-break services, in-home care such as sitting services, befriending schemes, playschemes, weekend leisure services and after-school clubs. However, much of the policy and guidance is transferable to other settings.

Each chapter outlines essential elements of good practice and policy, with references and examples of forms used by different service providers. The forms have been adapted for publication in this handbook. They can be photocopied and further adapted and there are no restrictions on the use of material.

Cost: £30 including postage

How to get hold of it:

Council for Disabled Children
8 Wakley Street
London EC1V 7QE

Tel: 020 7843 1900

Email: cdc@ncb.org.uk

9. Promoting personal development in foundation and key stage 1 - continence

This is Leicester City's policy on continence in foundation and key stage 1 provision. It places the development of continence firmly in the context of:

- the DDA and the risk that blanket policies on toilet training may discriminate;
- general developmental milestones and the wider development of independence in young children.

A number of other local authorities have found this policy useful as a model in a number of ways:

- ensuring policies do not discriminate;
- addressing the practicalities; and
- endorsing and promoting the principle of partnership with parents.

On the pages that follow:

The policy is reproduced in full on the pages that follow. The policy can be copied freely and adapted by other local authorities. Leicester City would appreciate an acknowledgement of the source of the original policy.

How to find out more:

Contact Lis Warren at the Sure Start Unit:

Regional Interface and Inclusion Team

Department for Education and Skills and Department for Work and Pensions
Level 2
Caxton House
Tothill Street
London
SW1H 9NA

Tel: 020-7273-4806

Promoting personal development in foundation and key stage 1 - continence

The Disability Discrimination Act (DDA) requires all education providers to re-examine all policies, consider the implications of the Act for practice and revise their current arrangements. In the light of historical practices that no longer comply with new legislation, changes will particularly be required wherever blanket rules about continence have been a feature of a setting/school's admissions policy. Schools and settings will also need to set in motion action that ensures they provide an accessible toileting facility if this has not previously been available. The Department of Health has issued clear guidance about the facilities that should be available in each school. (Good Practice in Continence Services, 2000).

Achieving continence is one of hundreds of developmental milestones usually reached within the context of learning in the home before the child transfers to learning in a nursery/school setting. In some cases this one developmental area has assumed significance beyond all others. Parents are sometimes made to feel guilty that this aspect of learning has not been achieved, whereas other delayed learning is not so stigmatising.

Definition of Disability in DDA

The DDA provides protection for anyone who has a physical, sensory or mental impairment that has an adverse effect on his/her ability to carry out normal day-to-day activities. The effect must be substantial and long-term. It is clear therefore that anyone with a named condition that affects aspects of personal development must not be discriminated against. However, it is also unacceptable to refuse admission to other children who are delayed in achieving continence. Delayed continence is not necessarily linked with learning difficulties. However, children with global developmental delay, which may not have been identified by the time they enter nursery or school, are likely to be late coming out of nappies.

Education providers have an obligation to meet the needs of children with delayed personal development in the same way as they would meet the individual needs of children with delayed language, or any other kind of delayed development. Children should not be excluded from normal pre-school activities solely because of incontinence.

Any admission policy that sets a blanket standard of continence, or any other aspect of development, for all children is discriminatory and therefore unlawful under the Act. All such issues have to be dealt with on an individual basis, and settings/schools are expected to make reasonable adjustments to meet the needs of each child.

Schools and settings should consider the following issues:

Health and Safety

Schools and all other settings registered to provide education will already have Hygiene or Infection Control policies as part of their Health and Safety policy. This is a necessary statement of the procedures the setting/school will follow in case a child accidentally wets or soils him/herself, or is sick while on the premises. The same precautions will apply for nappy changing.

This is likely to include:

- ❐ Staff to wear disposable gloves and aprons while dealing with the incident
- ❐ Soiled nappies to be double wrapped, or placed in a hygienic disposal unit if the number produced each week exceeds that allowed by Health and Safety Executive's limit.
- ❐ Changing area to be cleaned after use
- ❐ Hot water and liquid soap available to wash hands as soon as the task is completed
- ❐ Hot air dryer or paper towels available for drying hands.

Asking parents of a child to come and change a child is likely to be a direct contravention of the DDA, and leaving a child in a soiled nappy for any length of time pending the return of the parent is a form of abuse.

Facilities

Playgroups and schools are now admitting younger children, some of whom who, by virtue of their immaturity, are likely to have occasional accidents, especially in the first few months after admission. Current DfES recommendations for purpose built foundation stage units include an area for changing and showering children in order to meet the personal development needs of young children. There is also evidence that there is a trend for the parents of children with more complex needs to request a place for their child in a mainstream school. A suitable place for changing children therefore, should have a high priority in any setting's/school's Access Plan. The Department of Health recommends that one extended cubicle with a wash basin should be provided in each school for children with disabilities. If it is not possible to provide a purpose built changing area, then it is possible to purchase a changing mat, and change the child on the floor or on another suitable surface. A 'Do not enter' sign (visually illustrated) can be placed on the toilet door to ensure that privacy and dignity are maintained during the time taken to change the child. Clean, fresh water drinking facilities should be available at all times.

Child Protection

The normal process of changing a nappy should not raise child protection concerns, and there are no regulations that indicate that a second member of staff must be available to supervise the nappy changing process to ensure that abuse does not take place. Few setting/schools will have the staffing resources to provide two members of staff for nappy changing and CRB checks are carried out to ensure the safety of children with staff employed in childcare and education settings. If there is known risk of false allegation by a child then a single practitioner should not undertake nappy changing. A student on placement should not change a nappy unsupervised.

Setting/school managers are encouraged to remain highly vigilant for any signs or symptom of improper practice, as they do for all activities carried out on site.

Agreeing a procedure for personal care in your setting/school

Settings/schools should have clear written guidelines for staff to follow when changing a child, to ensure that staff follow correct procedures and are not worried about false accusations of abuse. Parents should be aware of the procedures the school will follow should their child need changing during school time.

Your written guidelines will specify:

- Who will change the nappy
- Where nappy changing will take place
- What resources will be used (Cleansing agents used or cream to be applied?)
- How the nappy will be disposed of
- What infection control measures are in place
- What the staff member will do if the child is unduly distressed by the experience or if the staff member notices marks or injuries

Schools may also need to consider the possibility of special circumstances arising, should a child with complex continence needs be admitted. In such circumstances the child's medical practitioners will need to be closely involved in forward planning.

Resources

Depending on the accessibility and convenience of a setting/school's facilities, it could take ten minutes or more to change an individual child. This is not dissimilar to the amount of time that might be allocated to work with a child on an individual learning target, and of course, the time spent changing the child can be a positive, learning time.

However, if several children wearing nappies enter foundation stage provision of a setting/school there could be clear resource implications. Within a school, the foundation stage teacher or co-ordinator should speak to the SENCO to ensure that additional resources from the school's delegated SEN budget are allocated to the foundation stage group to ensure that the children's individual needs are met. With the enhanced staffing levels of provision within the private, voluntary or independent sector, allocating staff to change the children should not be such an issue, although there may be circumstances within an individual setting that merit an application for additional funding being made through the Early Years Support Link Teacher.

Job Descriptions

It is likely that most of the personal care will be undertaken by one of the teaching assistants on staff. There are some schools where teachers also take a turn with this task, but we recognise that this does not often happen. Occasionally a setting/school will say that offering personal care is not in the job descriptions of their teaching assistants. It is hard to believe how this could be the case for any assistant working with young children, and we would recommend that this be included at the next review. Certainly any new posts should have offering personal care to promote independent toileting and other self-care skills as one of the tasks.

Keys to Success

It is not helpful to assume that the child has failed to achieve full continence because the parent hasn't bothered to try. There are very few parents for whom this would be true. In the unlikely event this is the only reason why the child has not become continent then continence achievement should be uncomplicated if a positive and structured approach is used.

Remember that delayed continence may be linked with delays in other aspects of the child's development, and will benefit from a planned programme worked out in partnership with the child's parents.

There are other professionals who can help with advice and support. The School Nurse or Family Health Visitors have expertise in this area and can support parents to implement toilet training programmes in the home. Health care professionals can also carry out a full health assessment in order to rule out any medical cause of continence problems. The Specialist Community Child Health Services has produced a helpful publication 'Toileting Issues for Schools and Nurseries' which you may send for (See Further Information and Guidance) to get additional information on continence issues.

Parents are more likely to be open about their concerns about their child's learning and development and seek help, if they are confident that they and their child are not going to be judged for the child's delayed learning.

Partnership Working

In some circumstances it may be appropriate for the setting/school to set up a home-setting/school agreement that defines the responsibilities that each partner has, and the expectations each has for the other. This might include:

The parent:

- Agreeing to ensure that the child is changed at the latest possible time before being brought to the setting/school
- Providing the setting/school with spare nappies and a change of clothing
- Understanding and agreeing the procedures that will be followed when their child is changed at school -including the use of any cleanser or the application of any cream
- Agreeing to inform the setting/school should the child have any marks/rash
- Agreeing to a 'minimum change' policy i.e. the setting/school would not undertake to change the child more frequently than if s/he were at home.
- Agreeing to review arrangements should this be necessary

The school:

- Agreeing to change the child during a single session should the child soil themselves or become uncomfortably wet
- Agreeing how often the child would be changed should the child be staying for the full day
- Agreeing to report should the child be distressed, or if marks/rashes are seen
- Agreeing to review arrangements should this be necessary.

This kind of agreement should help to avoid misunderstandings that might otherwise arise, and help parents feel confident that the setting/school is taking a holistic view of the child's needs.

Further Information and guidance

Toileting Issues for Schools and Nurseries (Leicester, Leicestershire and Rutland Specialist Community Child Health Services) Available from Early Years Co-ordinator (SEN) , Early Years Support Team, New Parks House, Pindar Road, Leicester, LE3 9RN or e-mail early.yearssupport@leicester.gov.uk

Enureris Resource & Information Centre (ERIC), 34 Old School House, Britannia Road, Kingswood, Bristol, BS15 8BD. Telpehone: 0117 960 3060
Website **www.eric.org.uk**

Good Practice in Continence Services, 2000. Available free from Department of Health,
PO Box 777, London SE1 6XH or **www.doh.gov.uk/continenceservices.htm**

10. To change or not to change - the nappy question!

The article on the next page was written by Stephanie Mathivet, Pauline Finch and Nicky Young. It originally appeared in the June 2004 edition of Under Five Magazine, which is produced by the Pre-School Alliance.

The article does not focus specifically on disabled children and toilet training, but looks at the wider issues for all children and sets them in the context of the National Standards for Day Care.

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To change or not to change - the nappy question!

Many settings have been contacting us about whether they should be taking or refusing children who are not toilet trained by the time they come to pre-school at two and a half years. Concerns exist particularly where settings feel that they cannot provide adequately for this, but are informed that they cannot refuse a funded three-year old still in nappies or a child delayed in toilet training due to their disability, as this may be deemed discriminatory.

Under pre-Ofsted arrangements with local authorities many sessional settings based in old halls had pretty awful toilet facilities in general and were judged not suitable for changing nappies. Many things have moved on since these times. For a start, Ofsted's regulatory approach is 'outcomes' based which means that the provider makes the decision, rather than the regulator, on the basis of their own assessment of meeting the standards. Also, with so many sources of funding available, the material quality of rented premises has improved beyond recognition over the years and there is a wider range of paraphernalia that assists that adult's task such as 'wet wipes', changing mats, disposal units etc. Finally, with funded places and inclusion of children with a disability, refusal to take children in nappies seems to be no longer an excusable option. Certainly, settings should not be refusing children who are not toilet trained because staff have a personal aversion to changing nappies.

So what should settings be doing to inform their decision making on this? First of all, they must refer to the National Standards for Day Care and in particular to the guidance which refers to facilities for nappy changing other than for children under two years. Standard 4.12 Guidance asks the provider to think about the suitability of the premises for providing nappy changing including issues of accessibility, hand washing, ratios, dignity and privacy of children and local environmental health requirements. The Guidance to Standard 6 and 7 refers more specifically to heath and hygiene, such as the disposal of nappies, while the Guidance for Standard 10 refers to adaptations that may be needed to meet the needs of children with disabilities.

This Guidance can be used effectively to develop a risk assessment. This is the basis for any decision making about accepting or refusing children of any age or ability who are still in nappies.

Basic provision and adaptation of facilities can be made to meet the criteria in the Guidance at very little cost. Where the premises are such that it is really and genuinely difficult to provide hygienic and safe nappy changing facilities, and that is clearly evidenced through risk assessment, support should be sought from local EYDCP development workers to improve the premises so that no child may be refused in the future.

Many providers express to us concerns that some families are reluctant to begin toilet training at an appropriate age and are relying too much in some cases on disposable 'pullups' rather than risking wet pants and the odd puddle! This is where our principles about working in partnership with parents are really important. If settings are using a settling in plan, these issues are discussed with the parents and an agreed approach is worked out which is followed at home and in the preschool. Guidance for parents on potty training can be found on the website: **www.babycentre.co.uk/refcap/4399.html**

In conclusion, we no longer think that it is a general rule that sessional groups should not take children in nappies if the premise is seen to be unable to support that. We propose that most premises can be adapted simply and that there are solutions even for the most difficult scenarios. This fully supports principles of inclusion for all children and is underpinned by good arrangements for working in partnership with parents.

5: The work with partner authorities

The *Accessibility Planning Project: Early Years* (APPEY) is a project commissioned by the Sure Start Unit at the Department for Education and Skills. It was undertaken by the Council for Disabled Children (CDC) and the Special Educational Needs Joint Initiative on Training (SENJIT) at the Institute of Education, University of London. The overall aim of the project is to promote a strategic approach to the development of access to early years settings for young disabled children.

The *Introduction* provides more information about the objectives for and the outcomes of the project. This section provides information on the work undertaken with the partner authorities.

APPEY worked with three partner local authorities to develop materials that would support local authorities and early years settings in developing a more strategic approach to increasing access for young disabled children. The three local authorities were: Norfolk, Lambeth and Blackburn with Darwen. This provided one county council, one unitary authority and one inner London borough, with a reasonable geographical spread. Two of these authorities were already working with a partner project, the Accessibility Planning Project (APP).

The elements in the work with the partner authorities were:

- planning and identifying priorities;
- training;
- development work;
- drafting, discussion and refining of the materials.

Planning and identifying priorities

For each local authority there was an allocation of planning time that was used to explore the local situation and to identify local priorities that coincided with the objectives of APPEY. In two authorities meetings were held with parents as part of the process of identifying priorities.

Training

An element of training was built into the work in each authority. There needed to be a shared understanding of what the disability discrimination duties require of settings before development work could start. The training offered was designed to ensure that all those involved:

- shared an understanding of the core concepts in the DDA: the definition of disability, less favourable treatment and reasonable adjustments;
- understood which DDA duties apply to their service or setting;
- could apply their understanding to practical examples from early years services and settings;
- understood how to avoid discrimination;
- considered the benefits of a planned approach to increasing access to early years provision for young disabled children;
- could plan the next steps in their own service or setting.

The training included a presentation on the duties, including how they apply in different settings, along with two workshop sessions: one considering different scenarios and one considering ways of planning to increase access in participants' own settings. The materials developed for the training can be found in Section 3: Training materials on pages XX - XX.

Development work

APPEY included an allocation of development time for each partner authority:

This time was for bringing together different groups of stakeholders to inform the work and developing the tools and processes that might become the 'products' for wider circulation

Drafting, discussion and refining of the materials

Much of this element of the work ran concurrently with the development work, with successive drafts of materials going back to the partner authorities. The documents that are included with this report are those versions agreed with the partner authorities. However, that does not preclude the materials from being developed further by the partner authorities or from being adapted for local use by other local authorities. Rather that is the purpose of sharing the materials: to make them available for wider use in appropriate local forms.

The next section looks in a bit more detail at how the work developed in each of the three partner authorities:

Lambeth

Initial planning meetings were held with Lambeth Early Years Development and Childcare Partnership. At an early stage two main issues emerged as priorities for APPEY involvement:

- training for childminders on the implications of the DDA;
- developing good practice in the transition of young disabled children from early years settings into school.

Training for childminders

Much training had been arranged in Lambeth, but there was a feeling that childminders had not been offered the same opportunities as other settings.

2 training sessions were planned, with a creche available and choice of timing for childminders. Prior to the training discussions were held with Lambeth Childminders Association to discuss issues relevant to childminders in the Borough and to ensure training would be targeted appropriately.

Guidance for childminders

The points emerging from the discussions and the training sessions were subsequently developed into draft guidance for childminders in Lambeth. The guidance has been revised in the light of comments from the Steering and Reference Groups and from staff in Lambeth.

Transition into school

At the initial meeting with the EYDCP, transition to mainstream primary school from pre-school settings for pupils with special educational needs and disabilities was identified as an area of concern. While there are many schools that have good practice, the EYDCP was aware that some parents have found difficulties in getting a place in a mainstream school, or have not always had sufficient liaison with the school in planning transition.

A meeting was held with a small group of parents to discuss their experiences of the transition process. A further meeting was held with the inclusion workers from the EYDCP, who shared their experiences of supporting children through transition.

In order to ensure that the local authority was fully involved with the project, meetings were held with the assistant directors for SEN and school improvement, and for early years. The focus on transition into school fitted well with the priorities in the Education Development Plan. With the support of the local authority, letters were sent to all primary schools in Lambeth, asking for examples of good practice. In addition, four schools had been identified by the EYDCP and the local authority as having good practice. These were approached directly and visited.

On the basis of the information gained from these sources, an initial draft of the advice was drawn up. This advice has been redrafted in the light of comments from the local authority, EYDCP and the steering and reference groups. The draft was also shared with the schools who had contributed to the guidance.

Case studies, examples of documents and notes of meetings form the appendices to the guidance.

Products from the work in Lambeth

- guidance for settings and schools on the transition of young disabled children from early years settings into school;
- guidance for childminders on their duties under the DDA.

Blackburn with Darwen

Initial planning meetings were held with the head of early years, a consultant who is working with Blackburn with Darwen on a long-term basis and representatives of the educational psychology service and training and support services. The key issue to emerge from the discussion was the need to:

- build the capacity of early years settings to welcome and provide for young disabled children.

Training sessions

Five training sessions were provided over two days, with one evening session. The training was attended by a total of about 60 people from the private and voluntary sector.

Development work

The development work focused on building the capacity of early years settings to welcome and provide for young disabled children. There were two elements in this work:

- Blackburn with Darwen was developing an audit tool for early years providers;
- at the same time, service re-organisation around the new Children's Centres meant that there was a need to bring services together in new ways.

Discussions with colleagues suggested that the two issues might be addressed together through support to the implementation of the audit in one area of the Authority. This would be the most helpful focus for the APPEY input.

In November 2004 Blackburn with Darwen held an Early Years and Inclusion Conference. At this conference the audit was discussed with settings. A number of settings volunteered to pilot the materials.

There were further meetings with the volunteers to discuss successive drafts and how settings would use the audit. The audit was organised in 5 sections:

- leadership;
- management and organisation;
- parental and community involvement;
- environment;
- learning, play and participation;

and three different levels:

- emerging;
- established;
- enhanced.

Visits were made to the settings involved in the pilot to receive feedback on the process and to assess the usefulness of the audit in developing a strategic approach within settings; in developing a strategic approach across settings.

Products from the work in Blackburn with Darwen:

- an account of the process of adopting the 'mini-Index' in settings, with a consideration of its potential for supporting a strategic approach to the development of the setting;
- an account of process of adopting the 'mini-Index' in Blackburn with Darwen, with an assessment of its potential for supporting a strategic approach within the authority.

Norfolk

Initial planning meetings were held with officers with SEN and disability responsibilities in the early years. Norfolk is a large county with 485 early years settings. Fairly quickly it was decided that, whatever the focus for the APPEY work, it would be based in one or two smaller areas. Wider dissemination would then take place, but beyond the scope of the APPEY work.

To help inform the work, meetings were arranged with parents. Two meetings were arranged in different parts of the County. Many positive things were said about early years settings. The three most significant issues for early years related to: children in nappies, information for parents and transition into school.

The issues raised by parents suggested that guidance for settings on these, and other issues that regularly frustrate access for young disabled children, might strengthen the ability of settings to welcome young disabled children. Guidance would need to be short, simple, and offer positive advice illustrated with examples of how early years settings in Norfolk are already managing these 'tricky issues.'

Training was arranged for settings in the Hethersett and East Dereham areas of the County with a choice of morning, afternoon and evening sessions. The training was used as an opportunity to discuss tricky issues that arise in early years settings and the positive solutions and the interesting and innovative practice that settings had developed.

Building on the parents' meetings and the training sessions, a first draft of guidance was developed. This built in some key elements in considering each issue:

- an initial outline of what the issue is;
- quotes or examples from settings that would illustrate positive solutions and how settings had 'gone the extra mile;'
- guidance on what is required, key actions that need to be taken by settings or established good practice. This would provide a baseline of what might be expected in settings;
- reference on to local contacts and other sources of information.

Over a series of meetings a draft was developed and refined, with input from Area SENCOs, Link Teachers and the County's Disability Coordinator. Drafts were circulated for colleagues to illustrate with examples. The drafts came back again for further refining.

Products from the work in Norfolk:

- draft guidance for early years settings on promoting access for young disabled children;
- outline 'post card' guidance on key aspects of the DDA and what settings need to do about it.