

Guidance for Haringey educational settings on the provision of adaptations and equipment for children and young people with special educational needs and disabilities (SEND)

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Introduction, purpose and background of document

The purpose of this document is to provide guidance to educational settings in Haringey, on the assessment and provision of adaptations and equipment for children and young people with SEND. Educational settings including private and school based early year's settings (0-5), mainstream schools (5 – 19) and special schools. The provisions of this policy would not normally apply to pupils in private or independent schools, whereby the provision of such aids would be a matter between the setting and the parent. Nor does it apply to sixth form colleges / FE and HE institutions. This guidance aligns Local Authority (LA) guidance with NHS policy and the SEND Code of Practice (2014), providing clarity about funding responsibilities.

Haringey has high aspirations for the achievement of all our children and young people and is committed to ensuring all children and young people thrive, access their full educational entitlement and have the right support, at the right time, to meet their potential.

Some learners will require a range of specialist equipment to facilitate their access and participation in learning activities. Under the Equality Act (2010), all education providers must make reasonable adjustments, including the provision of auxiliary aids and services, to avoid students with disabilities being placed at a 'substantial disadvantage'.

It is recognised that the provision of equipment crosses over different sectors; education (schools and LA), health and social care.

The purpose of providing equipment is to

- increase or maintain functional independence of children and young people with SEND
- allow for their safe care within an educational setting - for some children equipment is an essential
- element of postural care, which can become life threatening if children are not positioned correctly
- enable access and participation in learning activities
- support the dignity, communication skills and well-being of the individual

Principles of equipment provision in educational settings

Statutory responsibilities

As part of their Accessibility Strategy, local authorities are required to set out what equipment or auxiliary aids schools and early years settings can be reasonably expected to provide from their own budget, and what is provided by the local authority.

Technical guidance for schools entitled 'Reasonable Adjustments for Disabled Pupils' (EHRC, 2015) specifies the duties of schools from the Equality Act (2010):

From 1 September 2012 the reasonable adjustments duty for schools and education authorities includes a duty to provide auxiliary aids and services for disabled pupils.'

The duty is 'to take such steps as it is reasonable to have to take to avoid the substantial disadvantage to a disabled person caused by a provision, criterion or practice applied by or on behalf of a school, or by the absence of an auxiliary aid or service.

A school's duty to make reasonable adjustments is an anticipatory one owed to disabled pupils generally, and therefore schools need to think in advance about what disabled pupils might require and what adjustments might need to be made for them.

This statutory duty applies to all children and young people with a disability, regardless of whether they have an Education Health and Care Plan.

Under the statutory duties described in the Equality Act (2010) it is likely to be unlawful for a school to charge a pupil (or his parents) for making a reasonable adjustment in any circumstances, whatever the financial cost to the school and however the school is funded.

The Equality Act duty applies to all schools in England and Wales irrespective of how they are funded. This includes Independent Schools and academies.

Assessment, advice and adaptations of equipment

Children and young people are assessed by NHS Therapy Teams and specialists from other disciplines such as specialist teachers and manual handling advisors. Individual needs are identified through assessment, and it is recognised that needs may be met through advice, strategies and provision of equipment.

Some learners may require low level adaptations and reasonable adjustments, whilst others will require specialist equipment. The equipment needs of children and young people at school are not necessarily the same as in their own homes, although care is taken to maintain a consistent approach.

Consideration must be given to the most cost-effective method of addressing the assessed need. Assessing staff will include in their assessment the need for adaptations/ specialist equipment and will liaise with the Educational Setting as appropriate.

Equipment provision

Educational settings classified as Special School status, are expected to have additional equipment to that of a mainstream school, including basic equipment to assist with toileting, mobile hoist and slings, grab rails etc.

It is expected that schools will undertake reasonable adjustments, including the provision of a range of equipment to meet a variety of education needs.

Reasonable adjustments

An education provider has a duty to make 'reasonable adjustments' to make sure disabled students are not discriminated against. These changes could include:

- changes to physical features, e.g. creating a ramp so that wheelchair users can enter a classroom
- provision of tables and chairs with variations in height, and size and support
- providing extra support and aids

It is expected that small aids to support learning or personal care in school are purchased by the educational setting e.g. reaching aid, long handled shoehorn, pencil grips and cutlery.

Information can be provided by Children's NHS Therapy staff or specialist teachers about where the recommended items can be purchased/ obtained.

Safe and efficient use of equipment

The NHS therapist, manual handling advisor, equipment company representative and in some cases commissioned specialist teachers will provide training or demonstrate the safe and effective use of the equipment. The educational setting will need to disseminate training as appropriate. More information about safe use of medical device equipment is set out in the instruction manuals of the equipment provider.

In principle, equipment provided by NHS Therapies or LA services, is for the named student only and must not be shared between different users. However, some items of equipment are safe to be shared. If specialist equipment funded and provided from the school, or LA, is shared between learners, it must be cleaned and/or decontaminated. It should be checked with health professionals/specialist teachers involved, that there are no clinical risks.

Ownership and maintenance of equipment

Where schools fully purchase a piece of equipment, that equipment is deemed to belong to the educational setting and therefore any future maintenance required, would be the responsibility of the educational setting although it may involve liaison with other professionals.

Schools must ensure that health and safety checks and checks specific to pieces of equipment are carried out e.g. annual servicing and that there is a recording system in place to evidence this. If the equipment was ordered from an equipment provision and recycling service commissioned by Haringey then this company will be able to provide the servicing as required.

This equipment is part of the provision for the child and may transfer with them to their next educational setting if it is still fit for purpose and meeting their needs.

General cleaning and decontamination of equipment

It is the educational setting's responsibility to ensure that all types of education owned, or loaned equipment, is always kept clean and is only cleaned with products recommended within the manufacturer's instructions.

It is good practice for educational settings to identify a named person to oversee the general maintenance and cleaning of specialist equipment.

Schools must also comply with the following legislation:

- Health and Safety at Work Act 1974
- Manual Handling Operations Regulations 1992
- Lifting Operations and Lifting Equipment Regulations 1998 (LOLER)
- Provision and Use of Work Equipment Regulations 1998

Insurance and replacement of equipment

The school is responsible for maintaining and servicing equipment purchased by them, in accordance with manufacturer's guidance. Equipment provided on loan by the LA will need to be made accessible for appropriate checks, repairs and maintenance when requested. If equipment is no longer required and is still fit for purpose, it must be returned to the LA for redistribution.

All repair and maintenance of LA loaned equipment e.g. radio aids, will be carried out by the LA provider, or authorised sub-contractor where appropriate. The LA will be responsible for maintaining a list of all loan equipment requiring on-going and regular maintenance.

The school will be responsible for providing insurance for equipment that is loaned to them e.g. radio aids. In the event that there is loss or damage to equipment, whilst it is in, or under, the care of the educational setting, a claim can be made against the LA Insurance Policy. An agreement will be signed between LA, school and parents on provision of equipment using the form provided in Appendix 1.

Processes and funding

Early Years (0 – 4 years)

It is expected that an Early Years setting will provide equipment that is considered a reasonable adjustment.

Area of need	Process	Funding
Audiology	<p>The LA is responsible for providing audiology equipment for Haringey children in an educational setting.</p> <p>Radio Aids are provided by the LA and maintained by a specialist technician from the Ewing Foundation</p> <p>Health provides hearing aids and cochlear implants including associated parts such as tubing, shoes and batteries.</p> <p>The Sensory Support Team work in partnership with audiology clinics</p>	<p>All purchases of Audiology equipment for educational purposes are advised by the Sensory Support Team and audiology.</p> <p>The LA currently provides insurance for lost or damaged equipment. An agreement is signed between LA, school and parents on provision and care of equipment.</p>

	<p>and hospitals and liaise with other services.</p> <p>Insurance to cover replacement of lost or damaged equipment is provided by the LA.</p>	
Children with Physical Disabilities (PD)	Equipment required for settings is assessed for and recommended by an NHS OT or Physiotherapist or manual handling advisor	<p>Equipment required for a child aged 2-4 years to access their statutory education entitlement and that is not considered a reasonable adjustment, can be funded through the setting making an application to the Early Years Inclusion Fund Panel</p> <p>Where health advise that equipment is required in the home e.g. standing frames, these will be funded or loaned by social care or health teams.</p> <p>AAC funding follows a tripartite agreement between health, education and charity sources.</p>
Children with Vision Impairment (VI)	The Vision Support Team will assess whether equipment is required - there is low need for such support within this age group	
Augmentative & Alternative Communication (AAC)	<p>The NHS Speech and Language Therapy Service identifies equipment needs.</p> <p>Equipment will usually be low tech AAC such symbols and communication boards</p> <p>High tech AAC needs follows the AAC pathway in Haringey led by the NHS Speech and Language Therapist. This could include referral to NHS England.</p>	

School age children and young people (5-16yrs)

It is expected that all schools will provide equipment that is considered a reasonable adjustment. Details about the type of equipment this may include, is outlined in Appendix 1.

Area of need	Process	Funding
Audiology	<p>The LA is responsible for providing audiology equipment for Haringey children in an educational setting.</p> <p>Radio Aids are provided by the LA and maintained by a specialist technician from the Ewing Foundation</p> <p>Health provides hearing aids and cochlear implants including associated parts such as tubing, shoes and batteries.</p> <p>The Sensory Support Team work in partnership with audiology clinics</p>	<p>All purchases of Audiology equipment for educational purposes are advised by the Sensory Support Team and audiology.</p> <p>The LA currently provides insurance for lost or damaged equipment. An agreement is signed between LA, school and parents on provision and care of equipment.</p>

	<p>and hospitals and liaise with other services.</p> <p>Insurance to cover replacement of lost or damaged equipment is provided by the LA.</p>	
<p>Children/young people with a physical disability (PD)</p>	<p>The Community OT and/or Community Physiotherapists may make recommendations for smaller specialist equipment which is then purchased by the setting.</p> <p>Manual handling advisors would advise on any equipment required for safe handling of the child</p> <p>Children can access equipment from the company providing a purchase and recycling service for large equipment.</p> <p>Children requiring accessible toilets or access adaptations to the school building are discussed with the LA and quotes for work prepared in accordance with the accessibility plan.</p>	<p>Schools are expected to pay for reasonable adjustments, which could include equipment up to £6000.</p> <p>Children and young people with an EHCP could be provided with additional 'top up' funding for equipment, dependent upon the banding level of their EHCP.</p> <p>The LA have a budget to provide capital funding for adaptations to school buildings.</p>
<p>Children/young people with vision impairment (VI)</p>	<p>iPads and laptops should be provided by schools.</p> <p>The LA Sensory Support Team holds key specialist equipment such as magnifiers, CCTVs and Brailers that can be lent out as needed to schools and families.</p> <p>Specialist hospitals provide low vision clinics.</p> <p>The LA Sensory Support Team work in partnership with Ophthalmology Clinics and hospitals and liaise with other services.</p>	<p>VI equipment beyond that specified can be provided through the LA's Sensory Support budget following recommendation by an LA specialist QTVI teacher.</p>
<p>AAC process for school age children/young people</p>	<p>High-tech equipment is accessed according to the AAC pathway and provided through a student's EHCP, health or the voluntary sector.</p>	<p>Funding is provided from health, the local authority or charity</p>

Appendix 1:

Local Authority Equipment Loan Agreement		
Child's name:		DOB:
School:	Head Teacher/SENDCo:	Date of issue:

Arrangements have been made for the following pieces of equipment to be loaned to the school for the use of the named student.

Description of equipment	Serial number	Value
Item 1:		
Item 2		
Item 3:		

The LA is responsible for:

- Maintaining a list of all loan equipment.
- Making appropriate checks, repairs and maintenance of equipment when required, or requested.
- In the event of loss or damage to loaned equipment where reasonable care has not been taken, the LA will replace or repair the equipment at the setting or family's expense.
- Issuing guidance for the correct use of equipment and devices to all qualifying students and settings.

The school is responsible for:

- The maintenance and safe keeping of equipment. School should take reasonable care to keep loaned equipment in good working order and request repairs promptly
- Insuring the loaned equipment
- Ensuring that any Health and Safety Regulations are met
- For electrical equipment this will include regular safety checks
- Enabling equipment provided on loan by the LA to be made accessible for appropriate checks, repairs and maintenance
- Providing guidance to all staff in the setting, including staff covering lessons, on the correct use of equipment and storage processes in place, which minimise the risk of loss or damage to LA loaned equipment
- Ensuring that, should equipment be allowed to be taken home by the child and family, this is **ONLY** with the agreement of the Manager of the team who has loaned the equipment and then it would need to be covered by insurance valid for the home/out of school hours use **as requested as part of the personal budget**. The SENDCo or Specialist teacher can not advocate or endorse the use of any particular insurance provider but can support families to ensure this is in place.
- Paying the LA Insurance Policy excess, in the event of a claim being made, if equipment is stolen, lost or damaged beyond economic repair. NOTE: Insurance cover will only operate whilst the items are in a building, or are in the possession of the student, or a responsible adult. Cover will not apply if damage is caused by the use of the equipment by or over a sink, bath, toilet or other domestic liquid receptacle.

Equipment continues to be the property of the Local Authority: Haringey Education Service and should be returned to the Service. If a child is transferring school/setting, any equipment to be used should be returned to the professional advising its use, so that it can form part of the transition process and the new Headteacher/SENDCO can sign for the equipment accordingly.

I agree to accept the terms of this agreement:

Full name	Signed	Date	Role
			Head Teacher/SENDCo
			Parent/Guardian (if taken home)
			Advisory Teacher