

INFORMATION SHEET

ADHD and School

“It shall be the right of every child of school age to be provided with school education by, or by virtue of arrangements made, or entered into, by, an education authority.” (Section 1, Standards in Scotland's Schools etc. Act 2000)

Your child has a legal right to education. While children and young people with ADHD may experience more problems in school than children and young people who do not, they still have this right. This sheet deals with problems you may encounter during your child's education, mainly those of behaviour and exclusion which are the commonest problems experienced by children and young people with ADHD. To cover these issues this sheet will take a very negative view: remember that you may never encounter these problems. For a more general overview of additional support needs, please see the enclosed leaflet on Additional Support for Learning.

No information on this sheet should be taken as a substitute for legal advice. If you want advice on your child's situation you can contact the Education Law Unit at the Govan Law Centre on 0141 445 1955, or advice@edlaw.org.uk. If you are a young person reading this, then the Scottish Child Law Centre has a free phone law advice line for people under 18 years old: 0800 328 8970. You can also text 'SCLC' and your question to 80800 - it's free and confidential.

General Behaviour Problems in School

Every child is different, and so strategies that work well with one child with ADHD may not work well with another. There are some general points to begin with:

- Establish good communication between you and the school, especially learning support staff, since strategies that work at home may be able to be adapted for use in school.
- There should be appropriate positive and negative reinforcements in place for good and bad behaviour.
- The three 'R's: Routine, Regularity and Repetition often help children with ADHD in school.

CHIP+ holds some resources for teachers who have pupils with ADHD.

Exclusion and ADHD

In guidance to schools from the Scottish Executive exclusion is a last resort. If your child is judged to be under the age of legal capacity (generally under twelve, but this depends on their maturity and understanding) then you should be informed of the decision to exclude; if your child is older, then they will be informed (though the school may also choose to inform you as well). There should be an opportunity to meet with someone to discuss the decision to exclude. If your child is excluded for more than seven days then there should also be a letter sent showing the reasons the child was excluded, which may be sent to you or your child, depending on their age.

You have a right to appeal against an exclusion, and details of how to do so should be in the letter detailing the reasons your child was excluded. If your child is excluded for ten days or more the Education Authority must make alternative arrangements to continue their education. Arrangements for this should be made at the time the child is excluded. However there is no guidance as to “how much” education (how many hours per week) is provided.

If your child has a diagnosis of ADHD this may be classed as a disability under the Disability Discrimination Act, depending on how substantial an impact it has on their day to day activities. This piece of legislation makes it illegal for schools to discriminate against someone because of their disability. This does not mean that a school cannot exclude a child with ADHD, but the school must be able to justify its decision, and should be able to show that it has endeavoured to put the best possible policies in place to deal with children with ADHD.

If you believe that there is an issue with Disability Discrimination and your child (or if you are not sure whether your child is covered by this legislation) you can contact the Commission for Equality and Human Rights (CEHR) helpline for advice on 08457 622 633 (it may take some time to get through to an operator).

‘Informal’ Exclusion

Sometimes a school will ‘informally’ temporarily exclude a child. This can take many forms; for example, phoning a child’s parents and asking them to collect their child at lunchtime, or being told that their child can only attend school for part of the week. These arrangements do not have a legal basis: if a school wants to remove your child from their school they must follow the procedures for a formal exclusion. However, you can agree for your child to attend school part time, for example as part of a reintegration scheme, without this being an exclusion.

Hopefully you will never encounter these problems, but if you do support is available. Advocacy contacts are found on the “ADHD, Services You May Encounter” information sheet, and are a free service. CHIP+ can also offer free support in education matters.