
Education (Additional Support for Learning) (Scotland) Act 2004

NEW RIGHTS FOR PARENTS, CHILDREN & YOUNG PEOPLE

The new Education (Additional Support for Learning) (Scotland) Act 2004 which came in to force on 14th November 2005 introduced new rights for parents and young people.

The term 'parent' includes "guardian and any person who is liable to maintain or has parental responsibilities or has care of a child or young person".

The term 'young person' is a person over school age (generally over 16 yrs) who is not yet 18 years old.

Children have the right to have their views listened to and recorded.

Parents have rights (and young people have these rights on their own behalf) to:

- request, through the Area Education Manager, that the Education Authority find out whether their child or they themselves (in the case of a young person) have Additional Support Needs requiring a Co-ordinated Support Plan.
- receive advice and information about their child's support needs
- request a specific type of assessment and/or examination when the education authority is proposing to establish if a child or young person has Additional Support Needs or requires a Co-ordinated Support Plan
- request the use of the new services to help if there is a disagreement
 1. Mediation
 2. Dispute Resolution
 3. Additional Support Needs Tribunal(see sheet 10 for further information on these services)
- make a placing request to an independent school if their child has Additional Support Needs
- be informed of the outcome of requests under the Act and the reasons why a request is refused
- to have a decision reviewed or referred to a Tribunal OR
- to have a decision reviewed or referred to the Appeal Committee where it concerns a placing request and there is no Co-ordinated Support Plan
- request the education authority to find out whether their child requires a Co-ordinated Support Plan
- request the education authority to review an existing plan

- to be asked for their views and have them taken into account **and** have them noted in the Co-ordinated Support Plan
- receive a copy of the Co-ordinated Support Plan
- have a supporter or advocate with them to present their case at any meeting with the school or education authority, in connection with the exercise of the education authority's functions under the Act and at tribunal hearings.

USEFUL CONTACTS:

CHIP+ can provide supporters -

Tel 01463 711189 chip.birnie@ukgateway.net

Highland Carers Advocacy Project can provide advocates for parents

Tel 01463 718817 carers@hccf.org.uk

Advocacy Highland can provide advocacy for young people

Tel 01463 233460 info@advocacy-highland.org.uk

AREA EDUCATION MANAGERS IN HIGHLAND

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