

RIGHTS FOR PARENTS, CHILDREN AND YOUNG PEOPLE

INFORMATION SHEET 3

The 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 2009 amendments have strengthened and widened these rights.

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.

Young People 12+ have rights to:

- Ask their school or local authority to find out if they need extra support.
- have a say in plans and decisions made about the support they get.
- Advocacy at meetings about their support needs to help them share their views, question some plans or make an appeal about certain issues if they are unhappy with the support provided.
- Be more involved in resolving disagreements about their support.

Parents have rights (and young people, 16+, have these rights on their own behalf) to:

- request an assessment of the child or young person's additional support needs
- request, through the Area Additional Support Needs 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 and also under the Education (Additional Support for Learning)(Scotland) Acts 2004 and 2009
- request the use of independent third party services to help if there is a disagreement
 1. Mediation
 2. Dispute Resolution
 3. Additional Support Needs Tribunal
 4. Section 70 Reference(see Information 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 or Additional Support Needs Tribunal when appropriate, where it concerns a placing request
- 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 information and support:

Tel: 01463 711189 info@chipplus.org.uk

Highland Carers Advocacy can provide advocates for parents:

Tel: 01463 723569 advocacy@connectingcarers.org.uk

Advocacy Highland can provide advocacy for young people:

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

My Rights, My Say can provide advocacy for young people aged 12-15:

Tel: 0345 123 2303 help@myrightsmysay.scot

Health & Education Chamber of the first tier Tribunal for Scotland:

Helpline: 0141 302 5860 (Monday - Friday; between 9.00 am - 4.00 pm)

Let's Talk ASN Service for parents and young people making a referral:

Advice line: 0141 445 1955 (09.30 - 4.00pm Mon - Fri) or **email**

letstalkasn@edlaw.org.uk

ASN Team, The Highland Council, Glenurquhart Road, Inverness, IV2 5NX

Tel: 01463 702876

AREA ADDITIONAL SUPPORTS NEEDS MANAGERS IN HIGHLAND

SOUTH (INVERNESS, NAIRN, BADENOCH & STRATHSPEY):

Area ASN Manager,
The Highland Council Headquarters,
Glenurquhart Road,
Inverness,
IV3 5NX
Tel: 01463 702045

NORTH (CAITHNESS, SUTHERLAND):

Area ASN Manager,
Caithness House,
Market Place
Wick
KW1 4AB
01955 608172

MID, EASTER ROSS & BLACK ISLE:

Area ASN Manager,
Council Buildings,
Strathpeffer Road,
Dingwall,
IV15 9QN
Tel: 01349 868478

WEST, WESTER ROSS, SKYE, LOCHALSH & LOCHABER:

Area ASN Manager,
Camaghael Hostel Offices
Fort William
PH33 7NE
Tel: 01349 781410