

RIGHTS FOR PARENTS, CHILDREN AND YOUNG PEOPLE

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.

Parents have rights (and young people 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 carersadvocacy@hccf.org.uk

Advocacy Highland can provide advocacy for young people:

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

Children 1st Independent Mediation is a way of resolving disputes using a trained mediator: Tel: 01381 620757 killen@children1st.org.uk

Additional Support Needs Tribunals for Scotland:

Helpline: 0845 120 2906 (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](mailto:email.letstalkasn@edlaw.org.uk)

ASN Team, The Highland Council, Glenurquhart Road, Inverness, IV2 5NX Tel: 01463 702875

ASL Co-ordinator: Barrie Forbes **Email:** Barrie.Forbes@highland.gov.uk

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 702074

NORTH (CAITHNESS, SUTHERLAND):

Area Education Manager,
Council Offices,
Government Buildings
Giringoe Street,
Wick,
KW10 6TA
Tel: 01995 609610

MID, EASTER ROSS & BLACK ISLE:

Area Education Manager,
Council Buildings,
Strathpeffer Road,
Dingwall, IV15 9QN.
Tel: 01349 868603

WEST, WESTER ROSS, SKYE, LOCHALSH & LOCHABER:

Area ASN Manager,
Fingal Centre
Dunvegan Road
Portree
IV15 9EE
Tel: 01478 613697

Tel: 01463 711189

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