

Resolving Disagreements

The Education (Additional Support for Learning)
(Scotland) Act 2004 & 2009



Co-ordinated Support Plans

Your Rights

You have the right to:

Ask Aberdeenshire Council Education Authority to establish whether your child has additional support needs and/or to find out whether your child requires a Co-ordinated Support Plan, or to review an existing plan.

- Request a specific type of assessment and/or examination for your child to find out whether they require a Co-ordinated Support Plan (but not the professional who carries out the assessment) at any time.
- Be asked for your views (and the views of your child, as appropriate) and have them taken into account and noted in your child's Co-ordinated Support Plan.
- Receive a copy of your child's Co-ordinated Support Plan (signed and dated).
- Have your case heard by an Additional Support Needs Tribunal; if you are involved in a dispute relating to a Co-ordinated Support Plan.
- Make a placing request to any independent special school in Scotland

Your Child's Rights

- If your child is aged 16 or over, they have the same rights as you, listed above.

For Further information access Enquire at;
email: info@enquire.org.uk
www.enquire.co.uk



Supporters and Advocacy

- Parents/young people should be informed of their right to bring a supporter to any meetings regarding their children/young people.
- Supporters can listen, take notes suggest points for clarification, give advice to the parents during the meeting.
- Advocates provide relevant information, can speak on behalf of the parent/young person, support people to access their rights, help to improve communication, provide a completely independent service and confidential services.
- Parents (young people) can approach the National Advocacy Service for advice and support.

Details of the role of supporters and advocates can be found at:

Enquire, Princess House
5 Shandwick Place
Edinburgh EH2 4RG
Helpline: 0845 123 23 03
email: info@enquire.org.uk
www.enquire.org.uk

Mediation

Mediation is a means of conflict resolution where an independent mediator assists in identifying points of agreement and possible solutions.

Mediation in Aberdeenshire is provided by Children 1st operating as ASL Mediators, which operates to recognised standards.

Parents/carers/young people must contact the Quality Improvement Officer if they require mediation.

- The Quality Improvement Officer will respond as soon as possible to the request. Information regarding mediation services will be sent out with the letter.
- The Quality Improvement Officer will contact the mediation service, who will contact the parents/careers/young person to make arrangements.

Contact details for ASL Mediation:

Children 1st
15 Frithside Street
Fraserburgh
Aberdeenshire
AB43 9AR

Tel no 01346 512733

Fax no 01346 512810

Email fraserburgh@children1st.org.uk

Support for Learning) (Scotland) Act 2004

Dispute Resolution

- The service is for disagreements about the way the authority are exercising their functions under the Act, as these relate to the education of individual children or young people, and where such functions are not covered by formal review routes.
- Disagreements may therefore be about
- The assessment of additional support needs
- The level of provision required or being provided to meet additional support needs, such as auxiliary/pupil support
- The support from another agency required to enable the authority to discharge their functions under the Act
- It can also include cases where the authority fails to implement the requirements of a co-ordinated support plan

Contact:
ASN Manager
Education Learning and Leisure Service
Woodhill House
Westburn Road
Aberdeen
AB16 5GB
Tel no 01224 664886
Fax no 01224 664615
ELL.Enquiries@aberdeenshire.gov.uk

Additional Support Needs Tribunals

A referral to an ASL Tribunal can be made by parents/young people about their child/young person/s co-ordinated support plan (CSP) if:

- The authority has prepared one
- They think there should be a CSP but the authority has not prepared one
- A placing request has been declined

The issues parents/young people can make a reference about are:

- The authority's refusal to assess a child for a CSP
- The authority's decision on whether or not a child should have or continue to have a CSP
- The time taken to prepare a CSP
- The information in a CSP
- The authority's failure to not respond to a parent's request within a given time
- The authority's failure to review a CSP
- The authority's refusal of a placing request in some Circumstances
- Any appeals about placing requests to special schools

There is a two-month time limit for making a reference, starting from when the authority gives its final written decision.

The 2009 Act gives Tribunals extra powers to force education authorities to provide, or make arrangements providing additional support that is set out in a Coordinated Support Plan if they have not done so.

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