



# Shetland Islands Council

## INFORMATION FOR PARENTS/CARERS ON THE ASL (SCOTLAND) ACT

### Parents/ Carers rights contained in the ASL (Scotland) Act 2004

The ASL Act gives you as a parent or carer certain rights under the law.

These include:

- the right to ask Shetland Schools Service to find out if your child has additional support needs
- the right to request an assessment to see if your child needs a co-ordinated support plan (CSP), or to request one if a CSP is under review. Please ask your child's school in the first instance
- the right to information and advice about your child's additional support needs. Please ask your child's school in the first instance. For further information, please contact the Education Support Officer for Additional Support Needs at Hayfield House (Tel: 01595 744024)
- the right to have a supporter or representative with you at any meeting with the school or Schools Service
- responsibilities on our Schools Service to make sure your child's needs are met
- The right to receive information when a Co-ordinated Support Plan is requested, and the plan itself, within legislative timescales. Please use the link below to find more information:  
<http://enquire.org.uk/publications/parents-guide>  
More information is also available through the ASN link on our Education website at [www.shetland.gov.uk](http://www.shetland.gov.uk)
- the right of parents/carers to refer to a Tribunal if the additional support listed in a Co-ordinated Support Plan is not provided. If you have any concerns, please contact your child's school in the first instance. For further information, please contact the Education Support Officer for Additional Support Needs at Hayfield House (Tel: 01595 744024)

If your child is 16 years old or over, and has capacity, they have the same rights as you. In line with good practice, schools will involve parents/carers in the planning of a child's additional learning support. Support will be designed to meet your child's individual needs.

### Examples of how support might be given:

- individual planning within the classroom
- time with learning support staff
- assistance from a therapist e.g. a speech and language therapist
- equipment, such as a laptop
- strategies, such as time out
- more time to complete school work and exams
- different types of support in exams
- buddy' support from an older pupil
- meetings to discuss learning plans
- referrals to sources of help outside of school, such as NHS Shetland.

## Parents/ Carers rights contained in the amended ASL (Scotland) Act 2009

The Education (Additional Support for Learning)(Scotland) Act 2009 came into force in November 2010.

It includes amendments to the 2009 Act that increase your rights as parents/carers: the term additional support is not limited to extra help provided within classrooms or schools but is broadened to include any provision outwith school that allows your child to benefit from school education:

- the Schools Service has a duty to assess young disabled children (aged 0-5) and provide appropriate support (unless you as their parents/carers refuse)
- new data will be collected and reported by the Schools Service at the request of the government, so that more is known about who is receiving additional support for learning services across Scotland
- you and young people over 16 years, who have capacity, are able to make a placing request to any local authority school in Scotland, and to appeal to a Tribunal if this is refused, or to make use of an independent mediation service. For further information, please contact the Education Support Officer for Additional Support Needs at Hayfield House (Tel: 01595 744024)
- you, or a young person over 16 years of age, are able to request a specific assessment at any time to establish whether your child has additional support needs. The education authority must comply with the request for assessment unless the request is unreasonable. If the request has to be passed to another agency, e.g. NHS, the other agency have to make a response to this request within 10 weeks
- the right for you to refer to a tribunal concerning a decision to set up or not to set up a co-ordinated support plan. For further information, please contact the Education Support Officer for Additional Support Needs at Hayfield House (Tel: 01595 744024)
- the Schools Service must take account of young people's views in relation to any information regarding their transition out of schooling that is to be provided to other agencies
- the right to refer to a Tribunal if you feel the Schools Service have failed in their duties to provide a post-school transition under the ASL Act
- the right to access Dispute Resolution if your child is being educated in Shetland as a result of a successful out of area placing request. For further information, please contact the Education Support Officer for Additional Support Needs at Hayfield House (Tel: 01595 744024)
- wherever a child of school age is educated, the authority where the child lives remains responsible for their education
- a requirement to publish information about the Schools Service arrangements for meeting the needs of children and young people who require additional support, and other sources of information, advice and assistance (such as Enquire). Please see the links at [www.shetland.gov.uk/education/AdditionalSupportNeeds.asp](http://www.shetland.gov.uk/education/AdditionalSupportNeeds.asp)
- The Code of Practice published by the Scottish Government that contains information about all the above can be accessed at: <http://www.scotland.gov.uk/Resource/Doc/348208/0116022.pdf>
- Useful leaflets on all aspects of additional support needs are available at: <http://enquire.org.uk/publications/leaflet>

If you need help to access this material or require further information, please ask your child's school, or contact the Education Support Officer for Additional Support Needs at Hayfield House (Tel: 01595 744024).