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Children's
Legal
Centre
Wales

Your Rights and the Law in Wales

**A Guide for Disabled
Children & Young People
(and parents and carers)**

How to Get What You Need

Disabled children and their families have the same rights as everyone else in Wales.

The law says that you should not be treated differently ('discriminated against') because of a disability. You have the right to enjoy the same quality of life as people who do not live with a disability.

The organisations and public bodies that provide you services should ensure that your rights, and the law are respected.

This guide has been put together to explain what your rights are.

You have the right to:

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When we use the word 'children' in this guide, we mean anyone under the age of 18.

But first where do the rights of children and disabled people come from?

Your rights, and what you should get to help and support you to live a full life come from



International Laws

The United Nations Convention on the Rights of the Child (UNCRC)

The UNCRC describes the rights that all children and young people under the age of 18 should have.

The UNCRC is part of Welsh law thanks to the Children and Young Persons (Wales) Measure 2011 (the Measure). This means when the Welsh Government makes a decision, it must always consider the rights of children. This is called the 'due regard' duty.

The UNCRC includes 2 rights that are especially important for disabled children:

- Article 2 UNCRC says that **all** children should have the rights included in the UNCRC and there should be no difference in the rights a child has because of his or her 'status'. This includes disability.
- Article 23 UNCRC says that disabled children should receive special care and support to be able to live a full and independent life.

The United Nations Convention on the Rights of Disabled People (UNCRDP)

The UNCRDP describes the rights that all disabled people (not just children) should have.

The UNCRDP is **not** part of Welsh law in the same way as the UNCRC, but it is included in some important Welsh laws that are designed to help disabled children and young people.

The UNCRDP is all about the rights of disabled people. It explains what countries should do to protect disabled people.

- Article 7 UNCRDP says that countries must make sure that disabled children can fully enjoy all human rights and freedoms equally with non-disabled children.

UK Law and Welsh Law

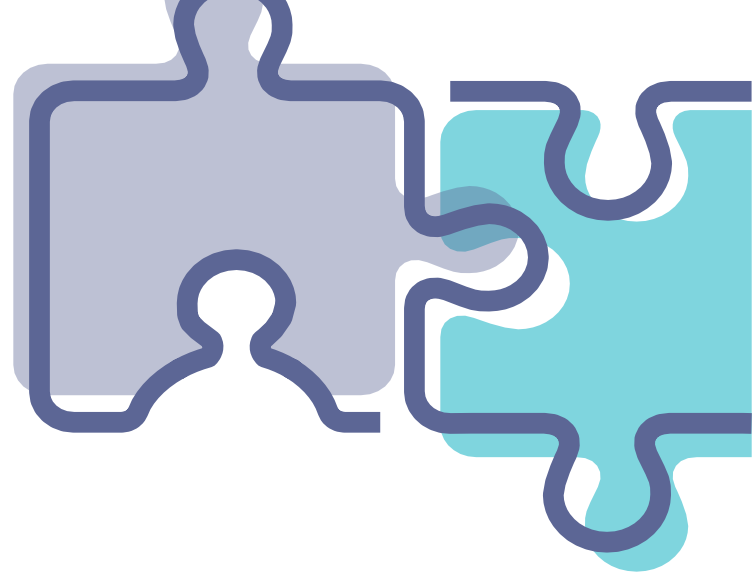
The law in the UK, and in Wales is different to international conventions because either the UK Parliament (in Westminster) or the Welsh Parliament – the Senedd - (in Cardiff) has made it.

Wales has the power to make its own laws in some areas that may be important to you: for example, education, health and social care. It can be complicated to work out which UK laws apply in Wales, and when Welsh laws apply.

It is important to make sure you are looking at the right information about what you are entitled to, and the help you can get. If you are looking for information online, always check whether the website you are looking at covers Wales or not.

As well as laws, you will find that there are 'policies', 'guidance' and 'codes of practice' about things like social care and education. These explain what will happen in practice and make it easier to understand how the laws work to give you what you need.

******Remember that the law of the UK and Wales may not always fully reflect your rights under the international conventions that give you rights.******



Care and Support

The UNCRC says that disabled children should receive special care and support to be able to live a full and independent life.¹

The UNCRDP goes into more detail about different areas of life, and includes responsibilities on governments to make sure disabled people have access to support services²; to make it possible for disabled people to get around as independently as possible³

What does **Welsh law** say about care and support?

The Welsh Parliament can make its own laws about social care, so the care and support you can get in Wales is sometimes different to the rest of the UK.

Your Local Authority should work out

1. whether you need care and support,
2. what your needs are,
3. whether you should get care and support and
4. what kind of care and support will meet your needs.

If you are a 'looked after child', the Local Authority has to look at whether you need care and support as part of a bigger responsibility to safeguard and promote your wellbeing⁴.

¹ UNCRC Article 23

² UNCRPD Article 19(b)

³ UNCRPD Article 20

⁴ Social Services and Wellbeing (Wales) Act 2014 s.78(1)(a)

1. Working out whether you need care and support

In Wales, the **Social Services and Wellbeing (Wales) Act 2014** sets out how the Local Authority where you live should work this out. It doesn't matter if you are already getting some help from your family⁵. It doesn't matter what your needs might be or how much money you, your parents, or anyone with parental responsibility for you, has⁶.

2. Working out what your needs are

If you are a disabled child, the Local Authority has to assume that you need care and support⁷, and should make sure you have a **'needs assessment'** to work out what your needs are.

- You and the people with parental responsibility for you have to be involved in the needs assessment⁸. The Local Authority has to take account of what you want to achieve and what your parents (or others with parental responsibility for you) would like to achieve for you⁹.
- You and your parents should get a copy of your needs assessment¹⁰.
- You don't have to have a needs assessment if you don't want one. If you are under 16, your parents might make this decision for you. You can always change your mind later and ask for a needs assessment.¹¹
- If things change for you, the Local Authority must review your needs assessment¹². You and your parents can also ask for a review¹³

3. Working out whether you should get care and support

If the needs assessment identifies that you have needs for care and support, the Local Authority should look at whether it should provide you with care and support. It must look at 'eligibility criteria'¹⁴.

⁵ Social Services and Wellbeing (Wales) Act 2014 s.21(1)

⁶ Social Services and Wellbeing (Wales) Act 2014 s.21(4)

⁷ Social Services and Wellbeing (Wales) Act 2014 s.21(7)

⁸ Social Services and Wellbeing (Wales) Act 2014 s.21(5)

⁹ Social Services and Wellbeing (Wales) Act 2014 s.21(4)(b)(i) and (ii)

¹⁰ Care and Support (Assessment)(Wales) Regulations 2015 Reg. 6(2)

¹¹ Social Services and Wellbeing (Wales) Act 2014 s.22 & s. 23

¹² Care and Support (Assessment)(Wales) Regulations 2015 Reg. 7(1)

¹³ Care and Support (Assessment)(Wales) Regulations 2015 Reg. 7(2)(b)

¹⁴ Social Services and Wellbeing (Wales) Act 2014 s. 32

The eligibility criteria¹⁵ cover

- The reason you have the need and the effect it will have on your development if the need isn't met
- What impact the need has on things you can or can't do
- How well your parents or people with responsibility for you can meet your needs, with or without help from others in the community
- Whether you will be able to meet your development objectives if the Local Authority doesn't provide care and support so that you can meet your needs, or doesn't provide you with the money to buy what you need yourself ('direct payments').

If you don't meet the eligibility criteria, the Local Authority can decide that there is another reason why you should be provided with the care and support that you need.

4. What kind of care and support will meet your needs

Once the Local Authority has decided it should meet your needs, there are lots of different things it can do¹⁶. These includes things like

- looking at if your needs could be met better in a children's home or in your own home;
- thinking about services, goods and facilities that could meet your needs;
- whether there is any information and advice you need;
- whether advocacy and social work could help;
- any payments or direct payments that would help you;
- whether you need any aids and adaptations;
- whether there is any occupational therapy that would help;
- signposting and referring you to other services that can help you

There may be a wide range of services that can help you in your local area. These can include anything and everything from sleep clinics to youth clubs or summer camps or the opportunity to access additional emergency support during times of crisis.

Local Authorities should provide you with the information you need to access the right support for you and your family. This includes providing you with information about what your rights are and the help you can get.

¹⁵Care and Support (Eligibility)(Wales) Regulations 2015 Reg. 4

¹⁶ Social Services and Wellbeing (Wales) Act 2014 s. 34

Care and Support Plan

Your Local Authority must meet any care and support needs¹⁷ that have been identified through this process. You will be given a copy of your care and support plan¹⁸. It is a document which should be kept under review¹⁹.

Your care and support plan should talk about²⁰

- your needs;
- your personal outcomes;
- the actions that the Local Authority and other people should take so that you achieve your personal outcomes and they meet your needs;
- how you will know that your personal outcomes have been achieved and your needs met;
- how the plan will be reviewed.

If your care and support plan includes an education plan, in future, this should refer to your Independent Development Plan. Independent Development Plans are looked at in more detail in the section on **Education**.

Direct payments

Sometimes, your needs will be met by the Local Authority providing what you need directly to you. The Local Authority can also meet your needs by making direct payments which mean you (or your parents/carers) can buy the support you need yourself²¹.

You can use direct payments to pay people – Personal Assistants - to come in and help you to meet the needs that the Local Authority have identified in your Needs Assessment.

A Personal Assistant can be employed directly by your family, or he or she can be self-employed. There are different things you need to be aware of before you or your family choose to employ a Personal Assistant directly or work with someone who is self-employed. You can find out more in our separate factsheet here. Your Local Authority may also be able to help you decide whether to employ a Personal Assistant directly, or to use a self-employed Personal Assistant. The Local Authority may also be able to help with resources, for example contracts, that you can use.

¹⁷ Social Services and Wellbeing (Wales) Act 2014 s. 37

¹⁸ Care and Support (Care Planning)(Wales) Regulations 2015 Reg 7(b)

¹⁹ Social Services and Wellbeing (Wales) Act 2014 s. 54

²⁰ Care and Support (Care Planning)(Wales) Regulations 2015 Reg 3

²¹ Social Services and Wellbeing (Wales) Act 2014 s. 51

What action can I take if I think my care and support needs aren't being met?

You might need to take action:

- If you think you should have a needs assessment but the Local Authority won't carry one out, or
- If you think the Local Authority has made the wrong decision, or
- The Local Authority isn't meeting your needs properly even though it has carried out an assessment.

There are different things you can do to try and change the decision or to get the Local Authority to take action.

Complain to your Local Authority

Your Local Authority should have a complaints procedure²². You can find out your Local Authority here: <https://gov.wales/find-your-local-authority>

Your parents or someone else with an interest in your welfare, can make a complaint if you can't or don't feel confident about it²³. If you want to make the complaint yourself, you can have someone to help you²⁴ – called an advocate. There is more information about advocacy later in in this guide.



You must usually make your complaint within **12 months**²⁵.

You will be able to try to sort things out either with someone who was involved in the process or decision you are complaining about, or with a Complaints Officer. This is called '**local resolution**'.

If local resolution doesn't solve your problem, you can make a formal complaint. Someone independent will investigate your formal complaint²⁶. If you need to make a complaint or want to ask why you are not being treated according to your rights, it is always much easier if you have **evidence** to support your complaint and show what you think has gone wrong.

²² Social Services and Wellbeing (Wales) Act 2014 s.174; Social Services Complaints Procedure (Wales) Regulations 2014

²³ Social Services Complaints Procedure (Wales) Regulations 2014 Reg. 9(2)

²⁵ Social Services Complaints Procedure (Wales) Regulations 2014 Reg. 13

²⁶ Social Services Complaints Procedure (Wales) Regulations 2014 Reg. 17

What is 'Evidence'

Evidence can include:

- notes of appointments,
- letters you have received,
- notes you or your parents/carers made of what has been said in meetings, conversations and in telephone calls,
- emails,
- and reports about you.

Anything that includes information about you and your situation!

Some 'top tips':

- Make notes in meetings and of phone conversations during or as soon as you can afterwards,
- Keep a list of all the people you deal with, which organisation and department they are in, and their contact details.
- Make any request in writing, and respond to any requests in writing.
- Add dates and times to any notes you make and to anything that doesn't have a date added automatically
- Keep a file with everything in it. That could be a paper file for hard copy documents, and/ or an electronic file on your computer, your tablet or on your phone.

If you have evidence to back up your complaint, it is easier to explain what you think has gone wrong and what you are asking for.

Complain to the Public Services Ombudsman

If you have complained to your Local Authority and you still aren't happy with the outcome, you can contact the Public Services Ombudsman.

You can find out more about the Public Services Ombudsman in Wales, and how to make a complaint, on their website: <https://www.ombudsman.wales/>

Make a 'Subject Access Request' under data protection rules

You (or your parent/carer) can ask the Local Authority to send you copies of the information it keeps about you. You might need to do this before you make a complaint to the Local Authority. This is called a **Subject Access Request (SAR)**.

You **don't have to pay** to find out the information and documents the Local Authority holds about you. The Local Authority usually has to give you a copy of the information it holds about you for free.

You don't have to use a special form to make a SAR, but you do need to ask in writing for the information. It is a good idea to get proof of posting if you send a letter.

The Local Authority has to reply to you 'without delay' – and at the latest **within a month** of receiving your SAR. If it needs more than a month to get together all the information, the Local Authority can have up to 2 more months (so three months in total) – but it has to tell you within the first month that it needs this extra time.

There is more information about making a SAR, and what you should include in your SAR, on the Information Commissioner's Website <https://ico.org.uk/your-data-matters/your-right-to-get-copies-of-your-data/preparing-and-submitting-your-subject-access-request/>

Make a 'Freedom of Information' Request (FOI)

You can ask any public body, including the Local Authority, for information that it holds. You can do this by asking a question.

Making a FOI might be helpful to understand things like

- how many decisions on care and support needs the Local Authority has made, or
- the kinds of care and support the Local Authority has provided in other cases.

This kind of information can be useful background when you make a complaint, particularly if you think you have been treated differently for some reason.

You won't be able to find out specific information about other individuals, or about information the Local Authority keeps about you. If you want to find out information the Local Authority keeps about you, you need to make a **Subject Access Request**.

If you have been treated differently for some reason, you may have been discriminated against. There is more about discrimination later in this document.

Take Legal Action

In some cases, you may be able to take legal action – known as a **judicial review** - to challenge the decision-making by the Local Authority.

The court will look at **how the Local Authority made its decision**, and **what things it thought about when it took its decision**. The court won't make its own decision about your care and support needs and how they should be met.



You usually have to take legal action for judicial review within **3 months** of the decision you are complaining about.

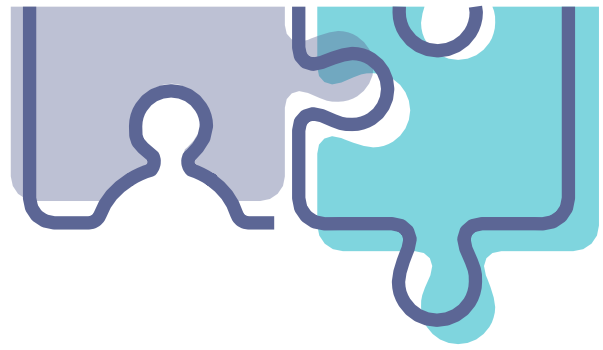
The court could decide that the Local Authority

- followed the wrong process, or
- thought about the wrong things, or
- didn't think about some important things, when it made its decision.

If you win your judicial review case, the Local Authority will have to take its decision again, and this might lead to a different result for you.

You will usually need to take legal advice to take this kind of legal action and this can be expensive. However,

- Legal aid may be available to help you
- In some cases, you may be able to find a charity that will help you with legal costs
- You might be able to use a crowdfunding platform to raise money from other people to help you.



Education

The UNCRC says that all children have the right to education, which is directed to the development of your personality, talents, and mental and physical abilities to their fullest potential.

The UNCRPD says that disabled people have a right to education. There should be an inclusive education system, without discrimination.

What does **Welsh law** say about getting an education?

Under Welsh (and UK) law, every child must be educated. Your parents must make sure that you get a suitable, full time education if you are between 5 and 16²⁷.

In Wales, you don't have to stay in any kind of education or training beyond compulsory school age (this is 16 for most people).

You don't have to go to school for your education. If you don't go to school, you must still get an education. Your parents will choose where you are educated, although as you get older they should talk to you about what you want when they decide things like this.

Your education must be suitable for "*...your age, ability and aptitude, and for any special educational needs you may have...*"²⁸.

Everyone learns differently. Just because you learn in a different way to others, or because you make slower progress than other children who are the same age as you do, does not automatically mean you have special educational needs, or additional learning needs, but it might.

²⁷ Education Act 1996 s. 8

²⁸ Education Act 1996 s. 7

Education in School

Within any classroom, teachers are expected to be able to teach children who are at different stages. They can do this by providing different resources and activities, and teaching at different levels, to make sure everyone gets the right education. Some children need extra support in school, which can't be met by a teacher differentiating in this way.

The law in Wales recognises that you may need extra support and help to ensure you can access education. The current system talks about '**Special Educational Needs**' (SEN). A new system is being introduced in Wales which talks about '**Additional Learning Needs**' (ALN). The new system came into effect in September 2020 and will be phased in over 3 years. At the time of writing it is not clear if this will be affected by the COVID-19 pandemic. We look at the new ALN system later in this section.

Special Educational Needs

You have 'special educational needs' if

- you find learning much more difficult than other children your age, or
- you have a disability which makes it more difficult for you to use, or stops you from using facilities at school²⁹, and
- you need extra or different help and support to learn compared to other children your age³⁰.

In Wales, you should be able to go to school with non-disabled children unless your parents don't want this to happen, or it would have an impact on other children receiving their education³¹. This is called '**inclusion**'. If you can't go to school with non-disabled children for one of these reasons, the Local Authority can make other arrangements for you to go to school.³²

²⁹ Education Act 1996 s. 312(2)

³⁰ Education Act 1996 s. 312(4)

³¹ Education Act 1996 s. 316

³² Education Act 1996 s. 316A

In 2016, the Welsh government explained 'inclusion' as follows:

'Inclusion is a process through which all pupils access common opportunities in ways relevant to their needs, and which ensures that they fully belong to the school community. Inclusion requires the active involvement of all concerned. It places the onus on schools to adapt their organisation and their ways of responding to both meet the needs and value the development of all children and young people in all areas of school life. In particular, inclusion of pupils involves much more than the placement of a child or young person in a mainstream or a special school. It requires an inclusive curriculum and measures to improve teaching and other staff's awareness of inclusive learning and equality issues' ¹

In order to meet their obligations, schools and local education authorities are expected to do a lot more than simply place a child in a mainstream education environment. Depending on the level of need some disabled children will have a more 'inclusive' experience in a specialist provision setting where they will have more support to access opportunities than they would in mainstream settings.

The Local Authority has to identify children who have SEN/ALN and work out what they need to support them.³³

People involved in the running of most schools, including the governors and the head teacher, as well as the Local Authority, have to do their best to make sure you get the help and support you need in school. This includes making sure everyone who teaches you knows what and how important your needs are³⁴.

There should be a **Special Educational Needs Co-ordinator (SENCo)** in your school³⁵.

If you are in a mainstream school, you should be able to take part in the activities of the school as far as possible, along with everyone else³⁶

The change in the law means that in future, SENCos will be called **Additional Learning Needs Co-ordinators (ALNCos)**. In many schools, SENCos are already called ALNCos in anticipation of this change.

³³ Education Act 1996 s. 321

³⁴ Education Act 1996 s. 317

³⁵

³⁶ Education Act 1996 s. 317(4)

There are different ways your SEN/ALN can be met by a school – and if necessary, other organisations, to ensure that you can achieve your potential at school. These include;

School Action

This is where your teachers will give you extra support or put in additional or different strategies to those they normally use in the classroom.

School Action Plus

This is School Action with additional input from outside agencies and services, for example speech and language. The SENCo/ALNCo at your school should help with co-ordinating this with you, your parents/carers and your teachers.


If you do not have a statement but your school is giving you extra help because it thinks you have SEN, the school must tell your parents about this³⁷.

Any action that is taken as School Action or School Action Plus should be recorded in an **Independent Education Plan (IEP)**

Statutory Assessment of Special Educational Needs (A 'Statement')

If the work your school does to help you through School Action or School Action Plus isn't enough, or if your parents think you need more support, your parents can ask for a 'statutory assessment' of your needs³⁸. Your school³⁹, or Health or Social Services can also ask for this to happen. This is sometimes called a 'Statement'.

If the Local Authority decides that you do not need a statutory assessment, it should let you know you or your parents can appeal against this decision⁴⁰.



It can take the Local Authority **6 weeks**¹ to decide whether it will carry out an assessment of SEN.

³⁷ Education Act 1996 s. 317A

³⁸ Education Act 1996 Section 329

³⁹ Education Act 1996 Section 329A

⁴⁰ Education Act 1996 Section 325 & Section 332ZA

If the Local Authority decides that you do need a statutory assessment, it will begin the process of collecting advice from lots of different people⁴¹, including you and your parents, so that it can make its decision.

A Statement is a legal document. If you have a Statement, the Local Authority and the school you go to has to provide the support the Statement says.



The Local Authority has **10 weeks** to make its assessment and issue you with a statement.

The Local Authority may decide to provide a 'Note in Lieu' instead of a Statement. A 'Note in Lieu' has no legal status but will contain useful guidance about what can be done to support you.

You can appeal against the decision not to issue a Statement following a statutory assessment.

If the Local Authority decides to issue a Statement, it will first prepare a **draft Statement** for your parents to look at and comment on.



The Local Authority has **15 days** to create your draft statement.

Moving Schools

If you are moving schools or the place you receive education you need to pay particular notice to when a Statement is sent out with a new school placement (Part 4 of the Statement) – for example when you need to transition to a new school.

The decision must be made by the **15th of February** in the year of transition or else the local authority is in breach of the SEN Code for Wales.

⁴¹ Education (Special Educational Needs) (Wales) Regulations 2002 Regulation 7



You only have **2 weeks** to appeal this decision.

You can try and discuss this and come to an agreement with the Local Authority over the placement. If you can't agree with the Local Authority, it is a good idea to have researched possible school placements that you and your parents want, so that you can evidence why you do not agree with the school that has been named in Part 4.

The **Local Education Authority (LEA) must agree** with you and your parents' preference, as long as:

- the school you choose is suitable for your child's age, ability, skills and SEN
- your child's presence will not affect the education of other children already at the school
- placing your child in the school will be an efficient use of the LEA's resources⁴².

You must be able to show that the placement the LEA has chosen is not able to effectively meet your needs and why your preferred choice can meet your needs.

It is not enough to say that you would prefer a different placement.

The Local Authority will have to consider the **economic efficiency** of the placement and things like the cost of transporting you there.

You have to have **good evidence** as to your needs and how they should be met as well as explaining why the Local Authority's choice is not suitable for you. It is a lot of information to gather in a short space of time, so the more prepared you are, the better. The section on evidence included earlier in this document applies here to your educational needs, in the same way as it does to your care needs.

⁴² <https://gov.wales/sites/default/files/publications/2018-03/information-for-parents-and-carers-of-children-and-young-people-who-may-have-special-educational-needs.pdf>

'Additional Learning Needs'

New rules will start applying in Wales from 2020

The Welsh Government decided that there needed to be a better system in Wales to help everyone access education. The Welsh Assembly created new laws that will start applying in Wales in 2020. The new rules will be phased in over 3 years.

There will be an Additional Learning Needs Code⁴³ which will contain lots of detail about how the law is supposed to work. This has not yet been finalised⁴⁴. The Code must include requirements on the Local Authority and school governing bodies in relation to some of the things these organisations have to do to support children with ALN⁴⁵.

Although we don't know what the Code will finally look like, the Additional Learning Needs and Education Tribunal (Wales) Act 2018 gives us an idea of what we can expect. The Welsh Government has also produced a Factsheet that explains how it intends the new system to work⁴⁶.

'Additional Learning Needs' (ALN) is the new way of talking about Special Educational Needs in Wales.

Highlights

- You and your parents should be involved in decision making about ALN, and you (and your parents or carers) should be provided with information and support to allow you to do this⁴⁷.
- The organisations making decisions about you or doing things to help you must have 'due regard' to the UNCRC and the UNCRPD⁴⁸
- It is your school's responsibility to decide if you do have ALN and create an **Individual Development Plan (IDP)** for you, and 'maintain' it. You can say that you don't want an IDP.

⁴³ Additional Learning Needs and Education Tribunal (Wales) Act 2018 Section 4

⁴⁴ As at January 2020

⁴⁵ Additional Learning Needs and Education Tribunal (Wales) Act 2018 Section 4(5) and (6)

⁴⁶ <https://gov.wales/sites/default/files/publications/2018-06/aln-factsheet-how-will-the-act-affect-children-young-people-and-parents-carers.pdf>

⁴⁷ Additional Learning Needs and Education Tribunal (Wales) Act 2018 Section 6

⁴⁸ Additional Learning Needs and Education Tribunal (Wales) Act 2018 Sections 7 & 8

- If the school decides that you don't have ALN, it must tell you this, and let you know the reasons why⁴⁹.
- The school has to think about whether you need support in Welsh and make this clear in the IDP⁵⁰.
- Once the IDP is prepared, the school has to provide the things it says you need⁵¹.
- If the Local Authority looks after you, then it has the responsibility for deciding, preparing and maintaining your ALN⁵² If you are at school, it can ask the school⁵³.
- The Local Authority can involve doctors or other health professionals to see whether you have any ALN that can be met through health services⁵⁴. Anything they recommend should be included in your IDP⁵⁵.
- You should have a copy of your IDP⁵⁶.
- Your IDP should be reviewed every 12 months⁵⁷.
- You and/or you parents can ask for your IDP to be revised ⁵⁸
- If you change schools, your IDP should go with you to the new school⁵⁹
- Your IDP will last until the end of the academic year (when you are 25 if you are still in education or training).

The IDP should be a 'working document' – this means that it should reflect your needs and it should change as your needs change.

It is important that you are persistent about having up-to-date needs assessments from all agencies involved in your care – e.g. Social Services should update your needs assessment annually and this information should be included in your current statement and your IEP in the future.

If you have a social worker, you can ask them to attend the annual review of your IDP which can be helpful to ensure continuity between home and school and to evidence challenges that you are having outside of the school environment.

This also ensures that duties under the Social Services and Well-being Act for safeguarding can be met – social workers must work together with other agencies to ensure this.

⁴⁹ Additional Learning Needs and Education Tribunal (Wales) Act 2018 Section 11(4)

⁵⁰ Additional Learning Needs and Education Tribunal (Wales) Act 2018 Section 12(6)

⁵¹ Additional Learning Needs and Education Tribunal (Wales) Act 2018 Section 12(7)

⁵² Additional Learning Needs and Education Tribunal (Wales) Act 2018 Section 13

⁵³ Additional Learning Needs and Education Tribunal (Wales) Act 2018 Section 14

⁵⁴ Additional Learning Needs and Education Tribunal (Wales) Act 2018 Section 20

⁵⁵ Additional Learning Needs and Education Tribunal (Wales) Act 2018 Section 21

⁵⁶ Additional Learning Needs and Education Tribunal (Wales) Act 2018 Section 22

⁵⁷ Additional Learning Needs and Education Tribunal (Wales) Act 2018 Section 23 & Section 24 (for looked after children)

⁵⁸ Additional Learning Needs and Education Tribunal (Wales) Act 2018 Section 27

⁵⁹ Additional Learning Needs and Education Tribunal (Wales) Act 2018 Section 35

The new laws on ALN contain new provisions about how to solve problems relating to your ALN – there will be a dispute resolution process in place as there is for SEN, and the Special Educational Needs Tribunal Wales will continue in place.

What action can I take if I'm not getting the help I need to access education?

You may need to take action

- If your school isn't giving you extra support, or trying to engage with outside agencies to get you the support you need, through School Action or School Action Plus; or
- If the Local Authority decides you do not need a statutory assessment; or
- If, after a statutory assessment, the Local Authority decides to issue a Note in Lieu rather than a Statement; or
- If you are issued a Statement that you don't agree with; or
- If your school isn't providing the support your statement says you need.

We've already mentioned some of these points above.

Complain to your School

If you aren't getting the help and support at school that you need, you (or your parents/carers) can try first to discuss the situation with the school.

SNAP Cymru have some helpful advice on their website about how to do this. They advise:

- Work out in your own mind what is going wrong – or what needs to be put in place
- Make an appointment
- Bring evidence with you
- Show that you are prepared to work in partnership with the school
- Involve the SENCo/ALNCo if you think this will help.

If you or your parents/carers can't sort things out through meetings with the school you can use the school complaints policy. You should be able to find this on your school's website, but if not, you can ask the school for a copy.

Complain using SEN dispute resolution

If you have SEN but don't have a Statement of SEN and you can't resolve things through the school's complaint process, your next step is to use the **SEN dispute resolution process**.

Some of the things you might need to sort out using this process include:

- The way your school is meeting your needs under School Action or School Action +
- How the school named in the statement is delivering the help you need
- The length of time the Local Authority took to carry out the statutory assessment
- How the Local Authority is delivering help set out in the statement
- If the Local Authority decides not to maintain the statement after an annual review
- The descriptions in Parts 5 and 6 of your statement about your non-educational needs and how the Local Authority plans to meet those needs

If you use dispute resolution to try and resolve something that could also be appealed to the Special Educational Needs Tribunal Wales, you need to remember that there are time limits for making your appeal.

If you are trying to sort something out through dispute resolution, you may still need to submit your appeal to the Special Educational Needs Tribunal Wales (SENTW) so that you can keep your options open



You have to make your appeal to the SENTW no later than **2 months** from the date the Local Authority decision letter which contains the decision.

If you don't submit an appeal and dispute resolution goes on longer than 2 months, you may miss your chance to appeal to the SENTW if you haven't already submitted an appeal.

Complain to the Public Services Ombudsman

If you can't sort things out through dispute resolution, and your complaint is about something that can't go to the Special Educational Needs Tribunal Wales, you may consider complaining to the Public Services Ombudsman. We've looked at this in more detail in the section on social care.

The Local Authority has to have arrangements in place that can help sort out disagreements about SEN¹ – or if you can't then you can complain to the Special Educational Needs Tribunal Wales.

Appeal to the Special Educational Needs Tribunal Wales

Some decisions about SEN can be looked at by the **Special Educational Needs Tribunal Wales (SENTW)**.

You can appeal to the SENTW yourself, or your parents/carers can do this on your behalf.

The decisions of the Local Authority that can be appealed to the SENTW are:

- A decision not to carry out a statutory assessment
- A decision not to issue a Statement after a statutory assessment
- A decision not to reassess your SEN
- A decision not to amend your statement after a reassessment
- A decision to cancel your statement
- A decision not to change the name of the school in the statement

You can also go to the SENTW if you disagree with what the Local Authority has written in Part 2 (describing your SEN); Part 3 (setting out the SEN provision the Local Authority will put in place); and/or Part 4 (the school placement) of the statement.

The SENTW website has lots of useful information about appealing Local Authority decisions. There is a guide for children and young people and a guide for parents.

You (or your parents) can also bring a claim to the SENTW if you think you have been discriminated against. We look at this later in this guide.

Take Legal Action

There may come a point where it might be open to you or your parents/carers to take legal action for judicial review about the decisions that have been made about you – or decisions that haven't been made about you but should have.

We talk more about judicial review in the section on social care.

Subject Access Requests and Freedom of Information Requests

You may find the information about Subject Access Requests and Freedom of Information Requests included in the section on Social Care helpful in connection with Education too.

REMEMBER



You have **2 months from the date when the Local Authority told you in a letter** the decision that you want to appeal.

Education Otherwise Than At School (EOTAS)

As well as education in mainstream school or at a special school, Local Authorities also make provision for **Education Otherwise Than At School** (EOTAS).

EOTAS is not just used for disabled children who cannot go to a mainstream or special school for some reason. It is also used for children and young people who have been excluded from school for reasons unrelated to a disability. EOTAS can provide an alternative for children and young people for other reasons too – for example it can be a more effective way to ensure that teenagers who become pregnant can continue their education once their baby is born.

In Wales, the majority of EOTAS is provided through **Pupil Referral Units** (PRUs)⁶⁰. Each Local Authority is responsible for the EOTAS provision in its area so you and your family may wish to explore those alternatives to see if something is right for you.

EOTAS is sometimes referred to as **'alternative provision'**, but this term is not defined in law, and can cause confusion¹

Education out of school - Elective Home Education

Your parents can decide to educate you at home at any time. The Education Act 1996 explains that it is the parent's duty to make sure only that while his/her child is of compulsory school age, the child receives an education that is suitable

"(a) to his age, ability and aptitude, and

*(b) to any special educational needs he may have"*⁶¹

You don't have to be educated at school. You can be educated from home right from the start, or, at a later stage, if you have started education in school, but your parents decide that they can meet your educational and other needs better at home, and take you out of school. This is called **'Elective Home Education'**

⁶⁰ <https://gov.wales/sites/default/files/statistics-and-research/2018-12/180725-pupils-educated-other-than-at-school-2017-18-en.pdf>

⁶¹ Education Act 1996 section 7

De-registering from school

If you have never been to school, your parents don't need to tell anybody that you are being home-educated.

If you have been at school, you must be 'de-registered' from school. If you are at a mainstream school, your parents need to write to your school to tell them that you will not be attending and that you will be educated at home. If your parents do this, your name will be taken off the school register⁶².

If you are at a special school, the Local Authority has to agree that your name can be taken off the register⁶³ or, if the Local Authority doesn't agree, there has to be agreement from the Welsh Ministers.

Although your parents have a duty to make sure you receive a suitable education, the Local Authority has a responsibility to find out if there are any children who are not at school and who are not receiving a suitable education⁶⁴. The Welsh Government is currently consulting on how to set up a database that makes sure it can fulfil this obligation to make sure all children are receiving a suitable education⁶⁵.

If your parents decide to educate you at home, they are agreeing to take on **full financial and legal responsibility** for your full-time education. There is no obligation on Local Authorities to fund or support Elective Home Education, not even in respect of exams.

Your Local Authority may have an officer or even a team available to provide advice and support for your parents, and may be able to signpost them to other families who have chosen Elective Home Education, and useful resources, but they do not have to do this.

If your parents do choose Elective Home Education, they do not have to follow the **National Curriculum**. Your parents can devise their own curriculum and timetable which works for you, as long as they are providing you with a suitable education.

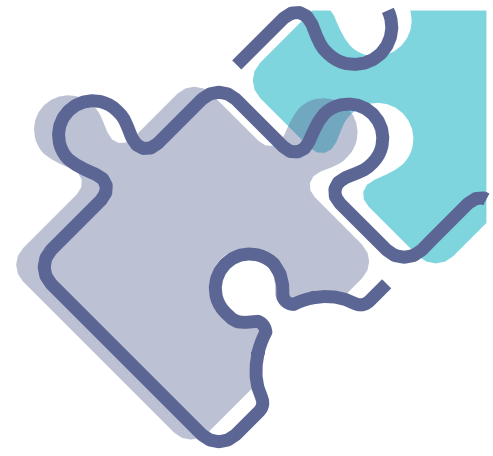
As a child (under 18) you have the right to be involved in decisions about you, and you should be given information you understand about your education, and be asked what you think and what you want.

⁶² The Education (Pupil Registration) (Wales) Regulations 2010 Regulation 8(1)(d)

⁶³ The Education (Pupil Registration) (Wales) Regulations 2010 Regulation 8(2)

⁶⁴ Education Act 1996 section 436A

⁶⁵ <https://gov.wales/local-authority-education-databases>



Financial Support

There are a number of benefits provided for by law that may be available to support you and your family.

Disability Living Allowance (DLA)

DLA is only available if you are under 16. It is a benefit paid to help with the additional costs you and your family may face.

You must also meet certain eligibility conditions in order to receive DLA.

DLA covers **care** and **mobility**.

There are 3 rates available under the 'care' heading – low, middle and higher rate, depending on how much care and support you need, and whether you need help occasionally through the day, or through the day and night.

There are low and high rates available under the 'mobility' heading, depending on how much help you need getting around.

There is a form to complete if you want to claim DLA – available here:

<https://www.gov.uk/government/publications/disability-living-allowance-for-children-claim-form>

If you disagree with the decision that is made about your claim for DLA you can ask for what is called a 'mandatory reconsideration'⁶⁶.



Once you have received the decision; you have **1 month** to ask for the mandatory reconsideration.

⁶⁶ <https://www.gov.uk/mandatory-reconsideration>

Personal Independence Payment (PIP)

If you are 16 or older, DLA is no longer available and you must apply for PIP. If you have been receiving DLA up to your 16th birthday, your DLA will continue until your claim for PIP is resolved.

You must have a health condition or disability that means you have difficulties with daily living or need help getting around. You will be assessed to establish whether you can receive a PIP.

There is a 'daily living' element to PIP and a 'mobility' element.

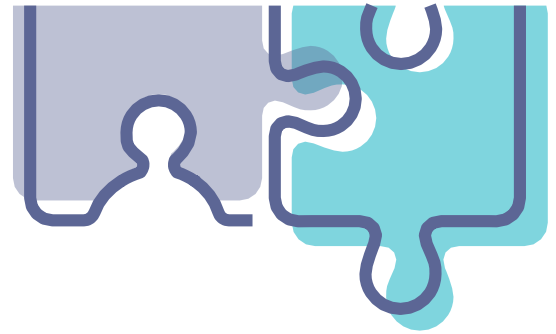
You can apply for PIP by telephone/textphone or by post. More information is here: <https://www.gov.uk/pip/how-to-claim>

Carer's Allowance

Carer's Allowance is a benefit paid to people who care for someone for at least 35 hours a week.

If you receive the middle or higher care rate of DLA or the Daily Living Component of PIP, then a person caring for you for at least 35 hours a week may be eligible for Carer's Allowance.

Carer's Allowance takes into account any other earnings (income less tax, national insurance and 'expenses') the carer receives. Depending on how much the carer's earnings are, they may not be able to claim Carer's Allowance.



Get Your Voice Heard

Advocacy

Advocacy is a service where another person can help you to express yourself, your views and opinions and access your rights. It can help you to explain your views and feelings when a decision is being made about you.

Advocacy can help when you are trying to explain to a public organisation – like the Local Authority, or the Benefits Office (DWP) – why you think you haven't received something you should have, or that you are being treated badly.

Disabled children in Wales are entitled to independent professional advocacy⁶⁷.

The Local Authority has to tell you about the advocacy services that are available for you in your area, and give you information in a format that you can understand.

You can find out more about advocacy in the **Code of Practice** linked to the **Social Services and Well-being (Wales) Act 2014**.

⁶⁷ Social Services and Well-being (Wales) Act 2014

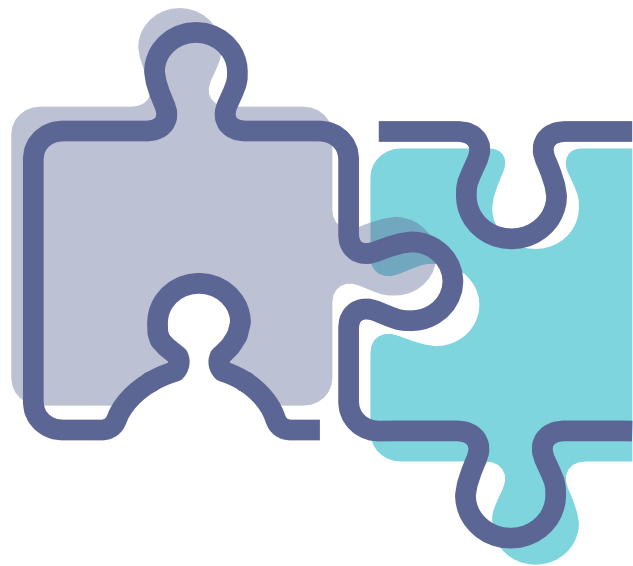
Sorting things out without taking legal action

If you feel that you are getting the help and support you need, that's brilliant. But unfortunately, that not always the case. We have spoken to many people and their parents and carers, who have struggled to get the help and support the law says they should receive.

This guide, produced by the University of Leeds and Cerebra (the brain injury charity), is an excellent, practical guide to helping you tackle issues with public services and organisations. <https://cerebra.org.uk/wp-content/uploads/2020/01/accessing-public-services-toolkit-june19-low-res.pdf>.

Although this is written by people in England, most of the advice is practical advice rather than advice about the law that applies, so you can use this in Wales.

The Cerebra website also has a number of 'template letters' you can use to write to public bodies about certain common issues. The library of template letters includes letters designed for people in Wales. <https://cerebra.org.uk/get-advice-support/legal-and-financial/template-letters-wales/>



Be treated fairly

You may find that you are treated differently to others for reason related to disability. This can happen even in areas where there are specific laws giving you specific rights and entitlement. In other areas of the law, where you don't have so many specific rights, discrimination law may be the only way you can challenge how you are being treated.

Both the UNCRC and the UNCRPD say that you **should not be treated differently to others**.

The **UNCRC** says that, as a child, you should be protected against all kinds of discrimination including discrimination because of disability, and that you should be able to have all the rights included in the UNCRC equally with other children⁶⁸.

Under the **UNCRDP**, 'non-discrimination' is a general principle of the Convention⁶⁹. There is also a general obligation on governments to make sure disabled people do not face discrimination⁷⁰.

What does **Welsh law** say about discrimination?

Alongside the right in Article 2 UNCRC, which says you should be able to have all your rights as a child without discrimination, you also have a right not to be treated differently under the **Equality Act (2010)**.

⁶⁸ Article 2 UNCRC

⁶⁹ Article 3 UNCRPD

⁷⁰ Article 4 UNCRPD

The Equality Act is a law passed by the UK parliament and applies in Wales. It says that you should not be treated differently to anyone else because of a '**protected characteristic**⁷¹'. These are:

Age	Disability	Sex
Race	Religion of Belief	Sexual Orientation
Gender reassignment	Marriage and civil partnership	Pregnancy and Maternity

You might be treated differently not just because of disability, but because of your age, or because of your sex or race too. The Equality Act says that discrimination for any of these reasons is wrong and 'unlawful'.

The Equality Act gives you a way to challenge different treatment, whether you are being treated differently because of disability or because of another protected characteristics.

The Equality Act talks about the ways that you might be treated differently:

- '**Direct Discrimination**' – perhaps you are told that you can't go somewhere or do something because of a protected characteristic.
 - o If a school said you couldn't go somewhere or do something because you are a disabled child, that would be direct discrimination.

- '**Indirect Discrimination**' – this is when it seems like everyone is treated the same for something, but it's harder for those with a protected characteristic to take part.
 - o A rule you have to be able to swim a certain distance to go on a school trip might make it harder for a disabled child to go on the trip.
 It is possible to justify indirect discrimination in some cases.

⁷¹ Equality Act 2010 Section 4

- **'Discrimination arising from a disability'** – This is when someone is treated worse because of the way they look, sound or act because of their impairment or condition.
 - If you have an impairment or condition which means you stutter or gesture a lot and you aren't given a part in a school play – because of the stuttering or gesturing, this would be unlawful discrimination. If someone can show that they have to discriminate so that they can deliver a service, it won't be unlawful.
- **'Discrimination by Perception'** is when someone treats another person differently because he or she thinks that the other person is a disabled person, even if the other person is not.
- **'Discrimination by Association'** is when someone treats another person differently because they are connected with someone else with a protected characteristic.
 - If one of your parents asks for time off to look after you and this is refused, but the parent of a non-disabled child is given time off in similar circumstances, this could be discrimination by association.
- **Third party harassment** is when you are treated badly by someone who uses your employer's services.
 - If you work in a café and a customer is rude to you because of a protected characteristic. Your employer is supposed to protect you from this.
- **Victimisation** is discrimination that happens because you have taken action to stop the discrimination. A person can also be victimised if he or she helps someone with a protected characteristic take action about discrimination.

Duty to make reasonable adjustments

This means that public organisations and service providers – including schools, hospitals and public transport companies – have to think about **reasonable changes** that they could make so that disabled people can access services and make those changes.

These could include:

- creating an access ramp or widening doorways so that wheelchair users can access a building,
- providing an induction loop in a classroom for hearing impaired children,
- providing a low arousal environments for autistic children.

An organisation can argue that an adjustment is not reasonable – for example because it would cost too much money – but they have to be able to show that this is true. Some bigger organisations will be able to do more and make more reasonable adjustments than smaller organisations.

Organisations have to think about reasonable adjustments even if there is no one with a particular need using their services at a particular time.

Using the Laws about Discrimination to Help

The Equality Act is there to make sure people are treated equally, but there is still a lot of discrimination in all areas of life. In Wales, the combination of the UNCRC and the Equality Act mean that if you are treated differently to another child, you have the law on your side to argue that the discrimination should not be happening.

You are not ‘making a fuss’ – you are accessing your rights.

If you think you have been treated differently because of disability (or because of another protected characteristic or a combination) you can use the Equality Act to stop the different treatment.

It’s always a good idea to try and sort things out directly with the organisation that has treated you differently. Different organisations have different complaints processes, but you can usually start this off by sending a letter or email to the organisation.

If they don’t deal with your complaint, you can think about taking legal action under the Equality Act.



There are **time limits** that apply for bringing complaints. You usually have **6 months from the date of the discrimination**, but it's worth checking, and making your claim as soon as possible.

If you don't put your complaint in in time, you may not be able to get a resolution. If you are not sure, a solicitor can help you submit your complaint to the right Tribunal or court, and make sure you get it in on time.

Discrimination in Education

Although you have specific rights and entitlements to ensure you receive a good education, the discrimination rules may also be important to help you. The **Equality Act** says you **should not be discriminated against in any aspect of school life because of disability**. This includes;

- school trips,
- clubs and activities that happen after school or at weekends,
- sports,
- learning and teaching,
- during the 'admissions' process⁷² (when a school is deciding whether you can go there).

Schools in Wales also have to have an '**accessibility strategy**'⁷³ which looks at improving access for disabled children to the curriculum, improving the physical environment of the school for disabled children and access to information.

In practice, there are several areas where you may find you are more affected as a disabled child than others in school. These areas include;

- exclusion and seclusion practices (where children are kept within school but separated from others in class)
- the use of restraint techniques
- accessible and private toilets

There are Regulations which set out the minimum number of toilets that a school must have, but the Regulations also say that the 'facilities' – including washrooms and sanitary facilities (toilets) must be 'adequate' taking into account any special requirements of pupils at the school.

The Welsh Government has published some 'Good Practice Guidance' about the provision of toilets in school.

⁷² Equality Act 2010 Section 85(1)

⁷³ Equality Act 2010 Section 88 and Schedule 10

The **Equality and Human Rights Commission** has also issued technical guidance for schools in Wales about what the Equality Act 2010 means for schools. This includes lots of other examples of disability discrimination in schools.

In some situations, staff at the school may not understand your needs and may think they are helping you, but if the result is that you are treated differently and not given the same opportunities as other children, it is discrimination. And whatever the reason for the discrimination, it shouldn't happen.

If you think you have been discriminated against by a school because of a disability, you can complain to **the Special Educational Needs Tribunal Wales** (SENTW)⁷⁴

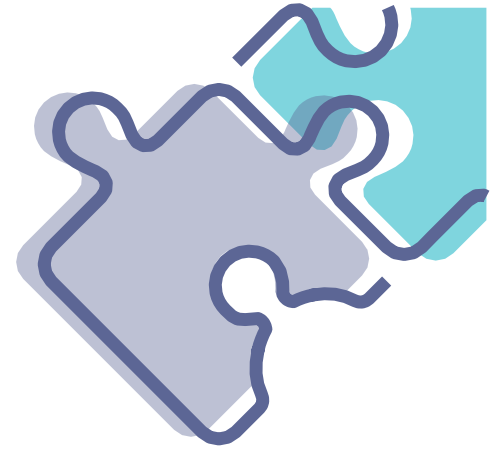
You or your parents/carers can complain to the SENTW.



You have **6 months from the date that the discrimination took place** to make your claim to the SENTW.

You can find out more information, including guidance on making a claim on the SENTW website.

⁷⁴ Equality Act 2010 Section 116



Play

The **UNCRC** says that all children have the right to play and relax⁷⁵.

'Play' means many different things to different people and it includes all kinds of recreational activities – things you do for fun, and to relax.

All children have this right.

Local Authorities in Wales have to think about whether there are enough places for children to play⁷⁶ in their area in Wales. They also have to provide enough places for children to play⁷⁷. These include:

- Parks, recreation grounds and other outdoor spaces (for example skate parks)
- Indoor play provision, play activities and clubs
- Sports and arts/cultural activities
- Holiday play schemes
- Events for children and families and the wider community

Local Authorities have to publish details of play in their area and make sure they keep the information up to date⁷⁸.

When they assess play opportunities in their area, the Local Authority has to look at different things including the recorded number of disabled children in the area. The **Statutory Guidance** about play, which Local Authorities have to follow, says that play opportunities should be "inclusive, and accessible to and inclusive of disabled children"⁷⁹. The Statutory Guidance also says that there should be specialised play provision for disabled children if there is a clearly identified need for this.

⁷⁵ UNCRC Article 31

⁷⁶ Children and Families (Wales) Measure 2010 Section 11 and Play Sufficiency Assessment (Wales) Regulations 2012

⁷⁷ Children and Families (Wales) Measure 2010 Section 11

⁷⁸ Children and Families (Wales) Measure 2010 Section 11(4)

⁷⁹ Wales: A Play-Friendly Country July 2014

The Local Authority also has to think about things like:

- whether the outdoor play places like parks, are suitable for children with different abilities
- If there is a charge for play, how does that impact on disabled children
- How easy it is to get to places to play
- How people can find out about opportunities for play

What if I'm not receiving my right to play?

If you think there are not enough places and opportunities for you to play, the Local Authority may not be doing everything it should under these laws. If there are not enough places and opportunities for you, as a disabled child, to play, compared with a non-disabled children, you may want to complain to the Local Authority that you are being treated differently (discriminated against).

If you want to bring a complaint of discrimination about something relating to your access to play, you would do this in a County Court.



Transport and access

Organisations that provide transport services in Wales – for example train companies and bus companies – have to make sure that their services don't discriminate against disabled people.

They need to make '**reasonable adjustments**' – so for example, introducing buses that are easy to board if you use a wheelchair. The courts have said that bus drivers should prioritise wheelchair users over someone with a child in a pushchair for the designated area on a bus.

If you want to bring a complaint of discrimination about something relating to your access to public transport, you would do this in a County Court.

Public Toilets – Changing Places Toilets

If there aren't enough suitable public toilets, it can mean that you feel less confident about going out and enjoying opportunities that are available. It impacts on quality of life, and can be discrimination, because the Local Authority is not complying with its equality duty.

Local Authorities in Wales must have a strategy to make sure that they consider the toileting needs of different groups of people across communities⁸⁰. As part of the strategy, the Local Authority must think about its community's need for toilets, including changing places toilets for disabled people. Changing places toilets are specifically included in the definition of toilets in the **Public Health (Wales) Act 2017**.

In July 2018, the Welsh Government published **Statutory Guidance about the provision of public toilets in Wales**⁸¹. The guidance recognises that disabled people can be disproportionately affected by poor provision of public toilets. The Local Authority doesn't have to provide the toilets itself but if a need is identified, for

⁸⁰ The Public Health (Wales) Act 2017 Part 8

⁸¹ <https://gov.wales/sites/default/files/publications/2019-05/the-provision-of-toilets-in-wales-local-toilets-strategies.pdf>

example for a changing places toilet, it must think about different ways that need can be met.

Local Authorities had to publish their strategies by 31 May 2019, and must review their strategies at least every 2 years.

The Local Authorities must consult with anyone who might be interested in the toileting strategy when it reviews its strategy as well as when it prepared its first strategy⁸².

The guidance also says that Local Authorities have to consider the principles set out in the **Wellbeing of Future Generations Act 2015** in their toileting strategies.

There are a lot of laws designed to ensure that you get the help and support you need – but in practice it doesn't always happen.

This guide is intended to help you understand what you should be able to ask for, and to understand also that if you feel that your needs are not being met, or like you are being treated badly, or that you are being ignored, you are not 'making a fuss'.

Every child in Wales has the same rights, and the law should protect you and enable you to live a life that is full of opportunity – we hope that this guide will help you to do that.

⁸² Paragraph 1.16 of the Statutory Guidance

Useful Resources

Social Care:

Social Services and Wellbeing (Wales) Act 2014 Overview

<https://socialcare.wales/hub/sswbact>

Social Services and Wellbeing (Wales) Act 2014

<http://www.legislation.gov.uk/anaw/2014/4/contents>

Social Services and Wellbeing (Wales) Act 2014 Regulations

<https://socialcare.wales/hub/sswbact-regulations>

Social Services and Wellbeing (Wales) Act 2014 Codes of Practice

<https://socialcare.wales/hub/codes-of-practice>

Education:

SNAP Cymru <http://www.snapcymru.org/>

Education Act 1996 <http://www.legislation.gov.uk/ukpga/1996/56/contents>

Additional Learning Needs and Education Tribunal (Wales) Act 2018

<http://www.legislation.gov.uk/anaw/2018/2/contents>

Additional Learning Needs and Education Tribunal (Wales) Act 2018 Code of Practice:

<https://gov.wales/draft-additional-learning-needs-code>

Contact a Family Factsheet on Special Educational Needs in Wales (2012)

<https://contact.org.uk/media/380068/senwales.pdf>

Special Educational Needs Tribunal Wales

<https://specialeducationalneedstribunal.gov.wales/>

Children's Rights to appeal and make a claim to the Special Educational Needs Tribunal for Wales Statutory Guidance

<https://gov.wales/sites/default/files/publications/2018-02/childrens-rights-to-appeal-and-make-a-claim-to-the-special-educational-needs-tribunal-for-wales-statutory-guidance-for-local-authorities.pdf>

Home Education

Education Otherwise <https://www.educationotherwise.org/>

Home Education Advisory Service <https://www.heas.org.uk/>

Mountain Movers Education <http://mountainmoverseducation.uk/>

Elective Home Education Wales <http://www.waleshomeeducation.co.uk/>

Benefits:

Kin Cymru <https://kincymru.org.uk/> - provide social welfare legal advice and advice on Disability Living Allowance and other benefits advice.

Play:

Play Wales <https://www.playwales.org.uk/eng/>

Wales: A Play Friendly Country – Statutory Guidance

<https://gov.wales/sites/default/files/publications/2019-07/wales-a-play-friendly-country.pdf>

Play Sufficiency Assessment (Wales) Regulations 2012

<http://www.legislation.gov.uk/wsi/2012/2555/made>

Advocacy:

National Youth Advocacy Service: <https://www.nyas.net/nyas-cymru/>

TGP Cymru: <https://www.tgpcymru.org.uk/> 12 North Road, Cardiff, CF10 3DY T: 029 2039 6974

E: admin@tgpcymru.org.uk

General:

Cerebra Template letters: <https://cerebra.org.uk/get-advice-support/legal-and-financial/template-letters/>

Disability Wales

SNAP Cymru

WhizzKids

Cerebra
National Advocacy Service
Equality and Human Rights Commission (Wales)

This factsheet was prepared in May 2020 to give you an understanding of your rights and the law in Wales, what you are entitled to as a disabled child or young person in Wales, and how you can challenge a decision or a situation which you think is wrong or unfair. While every effort has been made to ensure the accuracy of the information, it is possible that the law, and practice may change. The contents of this document should not be taken as a substitute for legal advice as every situation is different. If you feel you are being treated unfairly or not being provided the support and services you are entitled to in law, you should seek legal advice from your own legal representative.

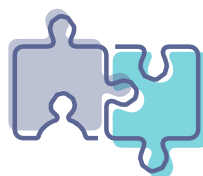
Children’s Legal Centre, Wales

Hillary Rodham Clinton School of Law,
Swansea University,
Singleton Park, Swansea,
Wales, SA2 8PP

Canolfan Gyfreithiol y Plant, Cymru

Ysgol y Gyfraith Hillary Rodham Clinton
Prifysgol Abertawe,
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Canolfan
Gyfreithiol
y Plant
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Children’s
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Centre
Wales