

Why not contact us...

it's free, independent & safe!



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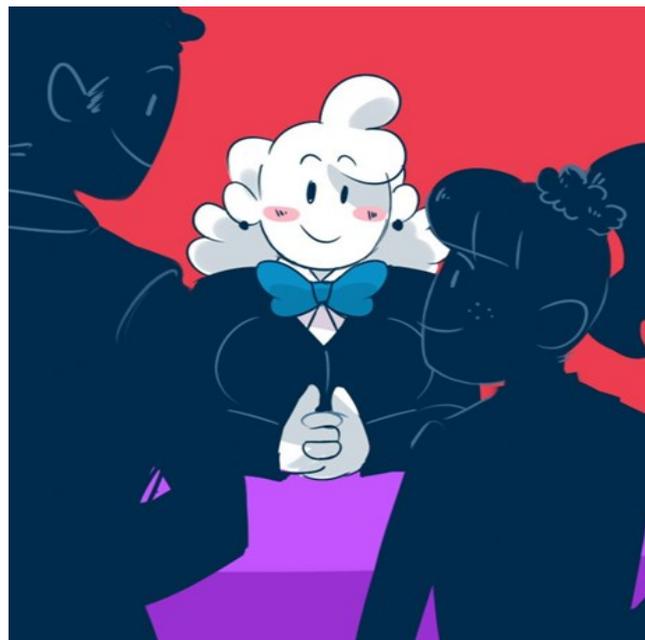
Registered Charity No 1027599 / Limited Company No 2832114

Who can help?

If you decide to **make a claim**, you can ask for a '**Case Friend**' to support you. A SNAP Cymru Family and Young Persons Officer can be your Case Friend. They really understand Special Educational Needs and how the system works!

They can help you:

- ✓ Sort disagreements informally
- ✓ Find out if you have a right to make a claim
- ✓ Understand information and ensure your wishes and views are heard at SENTW
- ✓ Help you with your Claim Application and support you at the Tribunal



Glossary

Responsible Body

Is the organisation that is responsible for the school. They are responsible for making sure that disability discrimination doesn't happen at their school.

Disability Discrimination

Disability Discrimination is when a person receives less favourable or unfavourable treatment (worse or unfair treatment) than another person and it is because of a disability.

Disability discrimination is also where a rule or way of doing things has been put in place and which disadvantages (is unfair to) disabled pupils when compared with pupils who are not disabled.

Equality

This means everyone having the same chances to do what they can. Some people may need extra help to get the same chances.

Reasonable Adjustments

These are changes a school has to make so that disabled pupils can learn and take part in all school activities. Examples of these might be extra help; large print or easy to read words; arranging trips and activities.



Helping you find your voice!!!



Making a Claim

To The Special Educational Needs Tribunal Wales

Information for Children & Young People



Do I have a Disability?

The law says that you are disabled if:

- ✓ it is very hard for you to do normal every day things because of your disability; and
- ✓ you have found these things hard for a long time, at least one year

There are lots of disabled people in this country and they have lots of different disabilities. Disabled people are not the same they are all different. It is very important to remember that not everyone has a disability you can see. Sometimes we can't tell if someone has a disability just by looking at them.

What is Discrimination?

The Equality Act is a law which says everyone should have the same chances to do what they can. Some people may need extra help to get the same chances. The Equality Act says disabled people must be treated fairly and must not be discriminated against. The law wants disabled people to have the same chances to learn new things and to get qualifications as anyone else.

The law says that disabled people should be treated fairly at school, college or university. This protects pupils at the school, pupils who may come to the school and sometimes pupils who used to go to the school.

Schools must:

- ✓ give extra help or special equipment so that you can learn and take part in class
- ✓ change the way they do things like the way they teach you or test you

They must not:

- ✓ stop a child or young person coming to their school because of their disability
- ✓ exclude a the person from the school because of their disability

What is a Claim?

A claim is when you can ask a special court, called a Tribunal, to **look at the way you have been treated to see if its unfair and to see whether you have been put at a 'substantial disadvantage'**. You or your family will get the chance to talk to the tribunal and give your views and opinions

What you can Claim about?

A claim of disability discrimination is when you think you have been treated unfairly in school and you think this unfair treatment is because of your disability or for another reason to do with disability

You can also make a claim if you think a school rule or policy is unfair to pupils with a disability.

Important time limits

You have **6 months** to make a claim.

The **6 months** start from the date when you say the disability discrimination took place.

What is a Tribunal?

People can go to a tribunal if they are unhappy about certain official decisions that affect them. They will not take sides but **they will check that important rules and laws have been followed correctly when decisions were made**. If the tribunal find that the law was not followed correctly then the tribunal can make **an order** to make changes or put things right.

For example, a tribunal order can be about:

- ✓ Putting things right if they discover that you have been treated unfairly due to a disability
- ✓ They are not able to order compensation

The tribunal will tell you if they do not agree with your claim. The claim *will be dismissed* and no tribunal order will be made.

To find out more about how to make a claim and to see a video clip of what happens at a tribunal see:

www.sentw.gov.wales