

# Legal rights and requirements for children with disabilities



## **Outline the legal and regulatory requirements in place for children with disabilities or specific requirements...**

Every child regardless of age, ability and circumstance has legal rights and entitlements. A child with a disability has the right to be treated equally and fairly. Tutt R (2007) *Every Child Included*, Great Britain, Paul Chapman Publishing quotes ' Every child not only matters, but matters equally'. Acts and laws have been put into place to ensure children's disabilities are not discriminated against. Children with SEN have extra-legal stipulations that ensure their inclusion and protect them from further discrimination.

These include The Equality Act 2010, which states that provision be made for people with disabilities to be able to access public and private services the same way an able bodied person does. Adjustments to public places should be made, such as ramps for access and wider doors. Services such as toilets adapted for disabled people and braille on signs for visually impaired children, accessible seating areas at events and amenable transport . The Special Education Needs Code of Practice provides help schools to ensure inclusion and equality. One of its most important aims is to give early intervention for children with SEN, with the best suited support. A child with SEN should have their needs met, this will normally be in mainstream school being included in the National Curriculum at a relevant level with an appropriate approach. From the 1<sup>st</sup> September 2014 all schools must adhere to this practice. The United Nations Convention on the Rights of the Child is a document giving rights to children regardless of their needs and circumstance stating that children's' views should be taken into consideration when decisions are made, where possible for their education

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and care. Whilst the United Nations Convention on the Rights of Persons with Disabilities is specifically for children with disabilities. It is aware that although they have different challenges they should still equally enjoy their human rights with non -disabled children. Article 7 outlines that the child's best interests should be paramount and their right to express their opinions should be taken seriously. Article 31 says information must collected be collected with disabled people and shared so that a better understanding of the barriers can be overcome. Article 24 states a child should receive inclusive, free primary and secondary education within their community with quality teaching and individual support. Each country has to report to the United Nations committee showing how they are putting this convention into practise.

These acts and bills that have been passed to protect the children are such an important aspect of disabled children and Sen children's life. They provide good quality early intervention which will continue to help improve the long term outcome of all children.

### **Explain why it is important to work inclusively with children with disabilities or specific requirements...**

It is so important that children with disabilities are able to access main stream school education and be able to work alongside and with children without disability or additional needs. A child's needs, strengths and interests should be built upon, with other children, to develop them under your care. (This is otherwise known as a child -centred approach)

People's opinions and the way they treat disabled children fall into two categories Medical Model of Disability and Social Model. The medical model sees disability as an illness to be made better. It focuses on their condition rather than the individual as a person. This labels a child as 'sick' instead of looking at their achievements and interests. If a setting chooses this approach they are not inclusive as they've chosen to focus on the disability. A social model sees that everybody is an individual with rights and feelings and this gives value to their choices. Society is responsible for the way we treat disabilities, our attitudes and behaviour determine whether we embrace and include disability into our everyday lives or we wrongly treat it like an illness. Lindon J (2012) *Equality and Inclusion in Early Childhood*, Great Britain, Hachette UK 'Wordsmatter because they are a reflection of deeply entrenched attitudes in our society'

By incorporating a child as a person with individual needs and listening to them a child will feel respected which will increase their self-worth and well-being. A child will feel safe and secure in their environment and the other family members will equally feel that they are respected too. Planning is a very important part of inclusion, if the child has a special interest in something (i. e. animals) this can be incorporated into learning bringing in resources to count, sort, describe and write about etc. It will keep the child interested and motivated to continue learning. A practitioner needs to show an understanding towards the child's feelings and points of view and not pity as this would not be productive in any way. Thinking from the child's point of view will enable you to adapt the setting to the individual needs of the child.

Children should be encouraged to take responsibility and have independence as this gives them belief in their abilities and future skills and by watching able bodied children complete tasks they learn what can be achieved.

Gaining an understanding of how a child's disability affects them their learning would greatly help to include each different disability to ensure they aren't excluding the child even unintentionally. A child needs to feel welcomed; this could be as easy as a smile or calling their name. All pictures should display positive images of different disabilities around the classroom to provide a positive environment.

All role models need to maintain a positive attitude to make these changes and by working in an enthusiastic team inclusion can be achieved which has to be the best thing for all children. This poem written by an 8yr old girl describes how she feels about her friend in her class who cannot walk or talk and shows how beneficial inclusion is. Tutt R(2007) *Every Child Included* , Great Britain, Paul Chapman Publishing.

### **Evaluate the benefits of working in partnership with parents and professionals when working with children...**

All parents should be constantly involved and consulted when making decisions about a child with special educational needs as this enables a parent to feel they are respected and their child is valued. A parent sees their child as a whole person with interests and characteristics and not just a child with an illness or condition. They have the best source of information on the child, their personality, personal skills, social abilities and emotional state as well as their physical situation. They are also able to relay their coping techniques and what methods they use to produce results for

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development and behaviour. Parents have a right to contribute to the decision making according to the Code of Practice as does a child have the right to be involved in choices and preferences . This is a good idea as each child is a sensitive individual with individual needs.

Having this parental partnership helps outside agencies such as Social Services , Speech and Language therapists , Doctors and Paediatricians form a clearer picture and understanding of the child they are involved with and are able to build on this knowledge to know where their child is in their learning and development to give them the best help , For example a Physiotherapist will suggest exercises to do at home , a Speech and Language therapist would devise a plan that would be implemented at school and home. A Social worker will also have a vital role in supporting a family with a SEN Child giving support and guidance where necessary and also practical help. As children with SEN are seen to be potentially vulnerable they also help with their protection and safe guarding and working closely with a family is the best way to do this.

Parents will often need additional information to help support their child in the best way as this will be a new experience and learning curve for them too. Additional information would help these parents and support them in preparing them for meetings they would need to attend. A parent will also need their own personal support as this is an emotional and difficult time they are trying to cope with. They should be respected and contact should be professional but with understanding and compassion as sometimes there is unacceptance of the situation too.

Each school now has to have a designated member of staff as a SENCO who is responsible for providing provision for each child. The SEN code of practice says they must ensure each child should be valued and equality and inclusion must be provided and early intervention where required. Details of the SEN policy have to be provided for parents and carers and support when required. It is so important for parental involvement to continue with all these different parties and for strategies to be worked out together for the best interests of the child.

### **Describe how PR actioners can adapt their existing practice to support children with disabilities or specific requirements...**

It is the responsibility of the setting or employer to make sure premises are suitable to cater for the needs of all children with disabilities, so they can participate within their school and their community.

The environment is a key factor to helping support the children , access to a building is vital , this could be achieved with a ramp , possibly a lift or simply moving a classroom to a more accessible place i. e. nearer the entrance. It is important to look at the child's actual disability, to look what they are able and aren't able to do. For example if a child has limited movement and in a wheelchair, to adapt the area might include changing the table layout, a door entrance widened to accommodate a wheelchair. Resources would need to be kept at a lower level (but not on the floor) and labelled so the child can reach them, maybe choosing the activities and resources they prefer at an achievable independent level. Any floor activities could be adapted for a child to do at the table and be changed to adapt a wheelchair.

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If a child is visually impaired you would need to make sure they have a seat at the front of the class enabling them a better view of the whiteboard and teacher, maybe a magnifying glass. It might be possible to have Audio Description, as hearing is heightened when vision is impaired. Labels around the classroom and lots of sensory and tactile resources should be available. It might be that resources need to be in braille and assisted help required. A visually impaired child would benefit from a classroom not being changed around so they are familiar with the layout of the room and can avoid obstacles and move about safely. You need to look at a classroom from a child's view and adapt with this mind set, it is also important for the area to be regularly checked for safety reasons and the children should be encouraged to help to understand the importance of this .

All ages and stage appropriate activities need to readily available. SEN children may also need additional help with their personal care, fastening buttons and zips; these can be made easier with Velcro fastenings to encourage independence. Some children find it difficult to make their own choices and feelings; this can be helped with visual aids such as a choice board to enable a child to make a simpler independent choice or a feelings board to express their emotions appropriately.

For inclusion to work the adults involved have to have a positive attitude to any changes and adaptations needed. Practitioners should ensure activities and resources are ability appropriate and meet each child's individual needs. Positive beliefs and a passion to help the children will help build an environment inclusive to all.