

Legal frameworks for child with disabilities



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

Every child has the right to be treated fairly no matter what their disabilities/circumstances are. It is against the law for Schools to treat a child discouragingly because of discrimination. Direct discrimination is when you actively discriminate against a child ie refusing a child into the setting because of a disability/condition. Indirect discrimination occurs when practises are in place but they don't take into account the needs of the child ie signs/labels in a different language so the child can read them. There is also discrimination due to disabilities ie a Teacher may stop a child from doing an activity because of time (it will take the child too long to complete the task). This results in fewer opportunities being offered to them to experience and very unfair. There are legal and regulatory requirements that the School must adhere to protect disability and SEN children from discrimination and promote their inclusion:

- The Equality Act 2010

Provides addition protection from discrimination for children with disabilities. The Act requires children with disabilities receive the same access to public/private services as any other child and for these facilities to make changes to ensure access for all. It promotes equal opportunities/inclusion for all children.

- The Special Educational Needs (SEN) Code of Practice 2001

Developed to promote practices that value individual needs of children with disabilities and to offer guidance to Schools regarding equality and inclusion.

Main purpose is to provide early intervention support for children with SEN, to identify their individual needs and provide appropriate support. Main principles of the code are:

*Children with SEN should have needs met and normally in mainstream Schools.

*Views of the child must be taken into account and Parents must be involved.

*SEN children should be offered full access to a broad, balanced and relevant education.

- The United Nations Convention on the Rights of the Child

" to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity." Article 1

" Respect for the evolving capacities of children with disabilities and respect for the rights of children with disabilities to preserve their identities." Article 3

Details rights/entitlements to all children regardless of their individual needs/circumstances.

- The United Nations Convention on the Rights of Persons with Disabilities

Human rights treaty that confirms the rights of disabled people. Stresses the importance of disabled people being able to enjoy their human rights equally

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with non-disabled people. It recognises that people with disabilities do face barriers and outlines strategies to reduce barriers and promote their rights.

- Warnock Report (1978)

Introduces term SEN into UK legislation and emphasises the 2 categories of children with SEN - 1) children who experience difficulties at School but needs can be met at mainstream level 2) children whose needs are more complex and need specialised educational environments.

- The Special Educational Needs and Disability Act 2001

Makes further provisions against the discrimination of disabilities in Schools. Strengthens the rights of SEN children to be educated in mainstream Schools.

Importance of working inclusively with children with disabilities or specific requirements.

It is essential that people working with children promote equal opportunities by providing an environment free from discrimination. Inclusion is focusing on the needs of every child and ensuring the right conditions are in place for all to achieve their full potential. Children with SEN should be given the same opportunities as children without SEN/disabilities and feel valued, respected and supported. Our School has created a child focused approach where we focus on and build on their support using each child's strengths, needs and interests. Each child is an individual and must be listened to. This shows respect and they will feel safe and secure in the setting. This ensures that every child is valued as an individual. When planning activities we take into consideration their interests and abilities. We empathy to SEN children by

the way we try and understand their feelings and point of view. We try and adapt the activity according to their needs and abilities so they are able to take part with everyone and not be singled out. We involve the children in decision making and actively encourage them in planning their IEP's. We listen to what they need and want so then this helps us provide opportunities for them to be more independent - this helps their confidence and self esteem.

" We believe children who grow up in Schools where all students are valued and seen as equal members will learn to respect and advocate for diversity in the larger community." Disability, Literacy and Inclusive Education for Young Children.

Personally I think it is so important for all children to learn and play together and to be treated the same. It builds an understanding and acceptance for all and highlights the fact that children develop skills which enable them to teach one another. Children with disabilities will often make huge improvements in their communication, socialising and functioning skills while developing children will have better attitudes towards others, greater patience, tolerance and self esteem.

One of our school mottos is *" We all belong"* where we expect all children to work together, making everyone feel welcome and involved and have a positive attitude. This really helps the SEN children feel a sense of belonging and a reduces feeling of isolation. We constantly run weekly sessions reminding the children to look at their attitudes and beliefs and if necessary help them make changes. It does help that all staff members are very

positive about inclusion and diversity and are visually pro active in the activities we undertake, displays that we use and resources/materials we offer in the classroom.

Benefits of working in partnership with Parents and other professionals.

The Children's Plan published by DCSF in 2007 highlighted the importance of the partnership between Parents and Schools to support children in their learning. It has been proven that Parental involvement has a positive effect on children's achievement at School. They are able to reinforce learning from School by using play and extra curriculum activities ie practising times tables, listening to their child read, drawing, painting and visiting libraries and places of interest. They also help improve the child's gross/fine motor skills, communication/listening and social skills.

" Parental involvement in children's education from an early age has a significant effect on educational achievement and continues to do so into adolescence and adulthood." The Impact of Parental Involvement on Children's Education.

Parents must always be consulted and involved in the care and support of their child. Schools need to show respect when discussing these delicate matters and always valuing the opinion of the Parents. Schools need to be demonstrating inclusion of all children and a way they can show this is by seeking the advice and resources of external agencies when it may benefit the child.

The SEN Code of Practice recognises the value of the partnership with Parents. It is a well known fact that Parents knowledge of their child is exemplary and must be taken into account when deciding on support/education. The child and their needs must be at the centre of all discussions. Parents will have more of an idea of the child's strengths and the support can be tailored to take these into account ie if the child likes singing then perhaps learning can be adapted to singing times tables and alphabet songs. Some SEN like dyslexia may run in the family so family members may have developed specialised knowledge of the condition - this may aid in the planning of support for their child.

Some Parents find the whole process of having a SEN child very complex, difficult and emotional. Schools need to respect these feelings and emotions of the Parents and value their support. Full discussions and advice must be given to instil trust and confidence that the best is being done for their child at that School. Parents must be aware of all the policies/procedures of the School, support available for their child and any relevant documentation regarding their child. Trust will then be given as the Parents will respect the School and all involved in the care of their child.

Schools must remain professional at all times. They should provide time and opportunity to discuss the child's progress. The Parent will feel involved and empowered that their opinions are listened to. Each party should acknowledge each other's views and opinions but be able to agree amicably on a plan to support the child. Schools must be flexible when planning meetings with dates/times as they may be dealing with working families or families with siblings.

It is a requirement that all Schools have a SENCO - a designated person who is responsible for co-ordinating the care and support needed for the SEN children. This is helpful for the Parents as they only need to liaise with one member of staff.

Other professionals that the SEN children may come into contact whilst at School are:

Physiotherapists, Speech and Language, OutReach (Autistic), Hearing Impaired and Educational Psychologists.

How practitioners can adapt their existing practice to support children with disabilities or specific requirements.

Care must be taken to make the environment of the setting to be accessible for all children to use regardless of their needs. This may require ramps to be installed or disabled toilets to be fitted. The environment must be well lit, visually attractive, tactile and attractive. Space in the classrooms should be maximised to allow all children to have a sense of freedom. Grounds of the setting should be well maintained and be clear from any hazards which may endanger the children.

Resources and activities should be adapted so all children are able to access them ie sand trays at waist height instead of being situated at floor level. SEN children's needs should be thought of at the planning process with differentiation of activities - not too challenging as they will lose interest and not too easy as they will not be fully engaged. They need to be planned to meet the individual needs of the child and age/stage appropriate. All children

should have accessibility to the same resources. Some children may require specialist resources ie colour overlays for dyslexic children, flashcards, ICT programs designed to support phonics ie word shark, specialist interventions and 1-1 support.

Attitudes of the adults working with SEN children need to be of a positive and understanding nature. Full training should be offered to these members of staff in new policies and procedures. Regular training in specialised areas should take place and involvement of all staff on the needs of certain SEN children. The SENCO must keep up to date with equal opportunities and inclusion policies and hold briefing sessions.

Staff need to be available to support children who need assistance in simple personal issues ie dressing/undressing and medical conditions ie diabetics. Consideration needs to take place to help the children become more independent and to try things by themselves ie putting Velcro on dressing up costumes so all children can access the activity.

Some children find it challenging to express their feelings, needs and preferences. Our staff who work with SEN children wear feeling flashcards on our lanyards so children can point to a picture to tell us how they are feeling. In Reception we use visual aids to help children decide what activity they would like to do/ show their preferences. We try and encourage independency through the use of computers - word processing and dictaphones - record their thoughts for the 'Big Write' to help support them in their activities.

Teachers try and keep their classroom setup the same so children learn where to find things and helps the SEN children establish routine and a safe/comfortable environment. Resources are clearly labelled with words/pictures and stored in the same location.

Schools must be in regular contact with Parents at home supplying them with updates on process and new policies/procedures that affect their child. They must always liaise with outside agencies - drawing on their expertise and advise in their particular areas.

References

The Impact of Parental Involvement on Children's Education -www. education. gov. uk/publications.

Article 1 and Article 3 - Convention on the Rights of Persons with Disabilities.

Disability, Literacy and Inclusive Education for Young Children -www. uni. edu/inclusion/benefits_of_inclusion. htm.

Abbreviations

SEN Special Educational Needs

IEP Individual Education Plan