

E6 a summary of the key laws and codes essay

[Education](#), [Special Education](#)



E6 A summary of the key laws and codes of practice affecting schools and how these may affect how a school works. The data protection act 1998 is an act that was passed by UK parliament that defines ways in which information may be legally used and handled that is about living people.

The main aim of the act is to protect individuals against misuse or abuse of information about them. Because it is the law to protect information about people records that contain information about staff pupils and their families have to be kept confidential. Information with regards to living people have to be kept confidential unless there is a safeguarding issue. In this case an exception may have to be made in order to protect children. The UN convention of the rights of a child 1989 says that every child has: The right to be heard(this includes considering children's views) The right to be treated fairlyThe right to be healthy(this includes having clean water nutritious food and medical care) The right to be educatedThe right to a childhood(which includes being protected from harm) The school must therefore ensure that their pupils have a voice which they do through having school councils. This ensures that the children's views are being considered. Also making sure that the school meal is healthy is a requirement of this convention.

School must also consider if their pupils are being treated fairly as well as their general safety and their education. The education act 2004 aims to improve and integrate children's services. It promotes early intervention, and brings together different professionals in multi- disciplinary teams.

Part one of the document gives guidance on the effects of the duty to have arrangements about safeguarding and promoting the welfare of children.

Part two gives guidance in working together by setting out infrastructure and arrangement that need to be in place to ensure that people in the education services have the skills, means and training necessary to ensure children and young people are protected from harm. In order to comply with this act schools must have an adequate safeguarding policy and ensure that all staff have proper training on what action to take to safeguard children. The children act 2006 regulates child care in England. The act formalises the important strategic role local authorities play, through a set of duties. These duties require authorities to provide information, advice and training for child care providers. Provides a parental info service. Secures sufficient child care for working parents.

Work with the NHS and job centre plus partners to improve the outcomes of all children up to the page of five to reduce inequalities between them. The act also lays out registration and inspection arrangements. The early years registration and the general child care register provides a regulatory framework for childcare under this act. Ofsted regulates the two registers. Schools who provides childcare or after school clubs and breakfast clubs would need to register on the compulsory parts of the registers and also ensure their facilities comply with the stipulations of the act. Freedom of information act 2000 provides public access to information held by public authorities. Public authorities are obliged to publish certain information about their activities and members of the public are entitled to request

information from public authorities. The act covers information held by public authority in England Wales and Northern Ireland.

This act covers information held by schools about staff, pupils and their families. People should therefore be able to request to see information that the school hold on them if they wish and the school should accommodate this. The human rights act 1998 is composed of many sections that codify the protections in the European convention on human human rights into UK law. All public bodies such as courts, local government and schools have to comply with the conventions rights.

The act means individuals can take human rights cases to UK courts. The act sets out rights and freedoms that individuals in the UK have access to which includes :

- The right to life
- Freedom from torture
- The right to liberty and security
- Freedom from slavery and forced labour
- The right to a fair trial
- No punishment without law
- Respect for private and family life.
- Freedom of thought belief and religion
- Freedom of expression
- Freedom of assembly and association
- The right to marry and start a family
- Protection from discrimination in respect of these rights and freedoms
- Right to peaceful enjoyment of your property.

School's must take these rights(which would apply to everyone to come into contact with the school) into consideration when writing school policies. The special education needs code of practice 2001 was formed following consultation with LEAs, schools, health and social services, SEN voluntary bodies and others. The code should help schools and LEAs obtain the best value from the vast resource and expertise they invest in to help children

with special educational needs. Schools, LEAs, early education settings and those who help them such as health and social services are all obliged to have regard to this code. This document is designed to help these bodies to make effective decisions regarding children with SEN. The code includes:

Principles and policies
Working in partnership with parents
Pupil participation
Working in partnership with other agencies
Statements of SEN
Statutory assessment of SEN
Identification, assessment and provision in the early education, primary and the secondary sector
The SEN regulations 1999/2001
Annual review
The education (SEN) (Provision of information by local education authorities) regulations 2001. The disability discrimination act (DDA) 1995 and The disability discrimination order (DDO) 2006 aims to end discrimination that people with disabilities faced. These give people with disabilities rights in the areas of: Education
Employment
Buying or renting land or property
Access to goods, facilities and services, including larger private clubs and transport services.

In order to comply with this legislation public bodies must promote equality of opportunity for people with disabilities. Schools would need to ensure that they have adequate wheelchair access so that disabled people are able to access most areas of the school. Also further consideration of equal opportunities would need to be incorporated in the school policies.