

Educational charter: for young people with a brain tumour

This charter is based on relevant laws and statutory guidance in **Scotland**, which protect the rights of young people with health needs or disability to:

- a good quality education
- access to the same opportunities at school/college as any other young person
- the provision of the individual support they need to achieve this

This charter will guide you on the support that young people have a right to receive and the timescales in which they should receive it. It can also be used by schools/colleges to help receive extra funding for support for the young person.

Young people have a right to full-time education (or as much as their condition allows) despite disability or other health needs, regardless of where they are educated including school trips and physical education.

It is the duty of the local education authority to ensure that the education is directed to the development of the personality, talents and mental and physical abilities of the young person to their fullest potential.

(This duty includes the provision of additional support to meet the needs and circumstances of the individual young person).

Education authorities should have a written, publicly accessible policy statement about their arrangements to comply with their legal duty to young people with additional learning support needs.

(This should apply to all young people regardless of their health condition and regardless of how much time the young person is able to attend school/college. It should be regularly reviewed).

Education authorities should have a named officer responsible for the education of young people with additional educational support needs.

Every young person in Scotland, up to the age of 18, should have a Named Person, who can work with the young person/parents to help decide on the support the young person might need and to access a service (At school, the Named Person will usually be the young person's head teacher).

Parents and, where appropriate, the young person should be told who these people are and be able to contact them for advice and further information.

Local authorities schools/colleges/the Named Person should work closely with medical professionals and the young person's family and consider medical evidence, to set up an Individualised Educational Programme, a co-ordinated support plan, or a Child's Plan.

(The plan should include the educational objectives, the additional support required and the people who will provide the support. It must be reviewed at least every 12 months, or earlier if the young person's needs have changed).

Young people should be involved in decisions from the start, in ways reflecting their age and maturity.

Education and support should be supplied as soon as it is clear the young person's illness will last for 5 days or more.

If a young person is unable, or it is unreasonable for them, to attend school, education authorities/independent school proprietors should make special arrangements for the young person to receive education elsewhere.

(This should be done without undue delay).

Education can be provided in hospital, at another school or, more usually, at home, but responsibility for the young person's education remains with the young person's home authority. In practice, this is usually their school.

Education outside school should start as soon as possible and certainly no later than 15 working days of continuous, or 20 working days of intermittent, absence.

Education authorities/the named person should ensure that the young person's links to peers, teachers and the wider school community are maintained.

(This will help with the young person's wellbeing and facilitate the return to school).

All schools must provide reasonable adjustments for disabled pupils, including auxiliary aids and services, to ensure full participation in the education, facilities, services and other benefits that the school provides for pupils.

Staff working with the young person should have suitable training and be given suitable information about the young person's health condition and its possible effects.

(This includes cover arrangements for staff absences and supply teachers).

The school/college's policy should be clear about the procedures for managing medicines, including written records of all medicines given.

The school/college's policy should be clear about what to do in an emergency.

Applications for suitable arrangements should be made to awarding bodies of public exams as early as possible.

It is absolutely essential that there is clear communication between the different agencies, services, professionals and the parent/carer and pupil concerned.

Free, independent mediation/adjudication services should be available to resolve disputes between the parents/young person and the education authority about the provision of education where the school/college cannot resolve them.

Young person Any young person in nursery, school or college up to the age of 18 years.

Disability A physical or mental impairment which has substantial and long-term adverse effect on that person's ability to carry out normal day to day activities. Some specified medical conditions, including cancer (high grade tumours), are considered as disabilities, regardless of their effect.

Substantial adverse effect A limitation that is more than the normal differences in ability that might exist among people. It makes it more difficult and time consuming for the person to carry out an activity.

Long-term Lasting, or likely to last, for at least 12 months.

For details about the legislation, see thebraintumourcharity.org/legal-framework-scotland

