



SNAP Cymru

Disability Discrimination



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Disability Discrimination

If someone is treated unfairly because of their disability, or because of something arising from their disability, this may be disability discrimination. The Equality Act 2010 says that you must not be discriminated against because:

- You have a disability
- Someone thinks you have a particular disability
- You are connected to someone with a disability

"a disability means a physical or a mental condition which has a substantial and long-term impact on your ability to do normal day to day activities."

Who is the 'responsible body'?

A 'responsible body' is a Local Authority, School or College Governing Body and is legally responsible for any discrimination, harassment or victimisation carried out by its employees.

Early years settings, schools, colleges and Local Authorities have clear legal duties to act to prevent unlawful discrimination, whether directly or indirectly. They must ensure that they do not treat children and young people with disabilities less favourably than others.



A responsible bodies duty to its pupils goes beyond just their formal education, and covers all activities such as extra-curricular and leisure. The pupils covered by the schools provisions are:

- Pupils at the school
- Former pupils
- Prospective pupils

What do schools and colleges have to do for disabled pupils?

The law says that schools and colleges must make

“reasonable adjustments” so that disabled children are not treated less favourably than others.

This includes the provision of aids and services to support a child or young person.



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What if my child's needs are not being met?

It's best to act as early as possible if you feel your child is being discriminated against. Talk directly to the Head Teacher and ask for a meeting to discuss your concerns. SNAP Cymru can help you with this.

Before asking for a meeting it's useful to think about 'what's going wrong' and 'what you want the setting to do about it'



You can contact us at SNAP Cymru for free, independent and impartial information, advice and support:



Helpline: 0808 801 0608



Discrimination helpline: 0300 222 5711



Discrimination@snapcymru.org



www.snapcymru.org



@snapcymru



SNAP Cymru

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Contact the Head Teacher and act as early as possible

When meeting try to:

- Say exactly what you disagree with – list your concerns or issues
- Describe what has happened and how you or your child is at a substantial disadvantage because of their disability.
- Give the facts as you see them, be specific and clear
- Share information that may not have been considered
- Highlight any errors or assumptions that have been used to make the decision
- Explain what reasonable adjustment you think could have been made and how it would help your child with their disability

By talking to your setting and acting quickly to identify and put in place 'reasonable adjustments', discrimination can often be avoided.

What if this doesn't work?

You should explain to the school that you feel your child is being discriminated against, what you believe has taken place, and what action you think the school should take to remedy it.

You can also do the following things:

- Make a formal complaint
- Try SNAP Cymru dispute resolution
- Bring a claim of discrimination to the Education Tribunal Wales.

How SNAP Cymru can Help

We can help you with the following:

- Supporting you to request 'reasonable adjustments' for your child
- Helping you to write letters and complete forms & explaining processes or legislation
- Providing dispute resolution
- Supporting Claims of Discrimination to the Tribunal

For more information on resolving discrimination see our website

www.snapcymru.org

