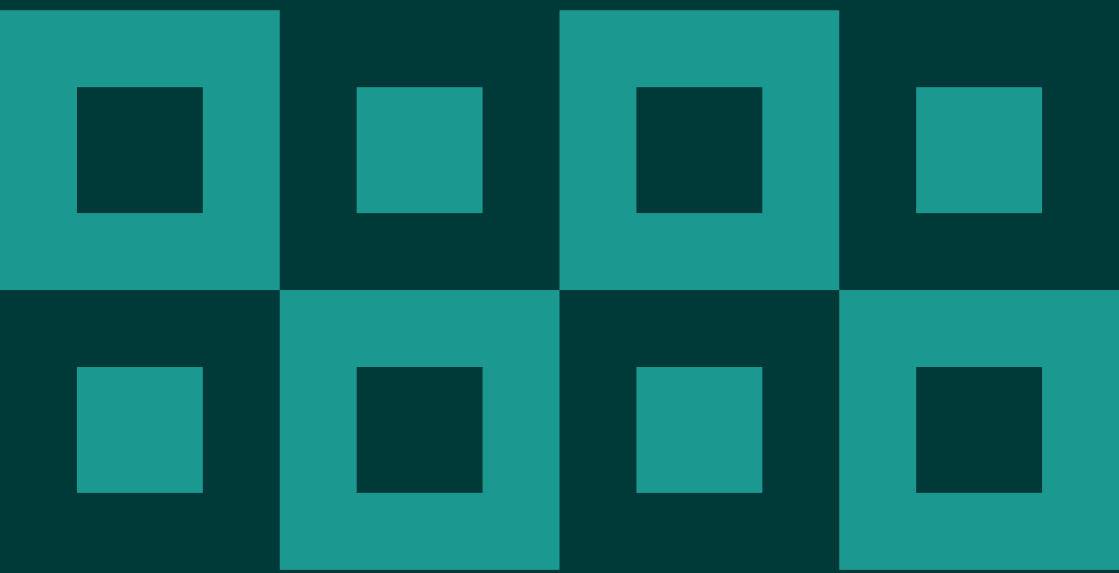


Our Guide to

Education Law



WIDDOWS MASON



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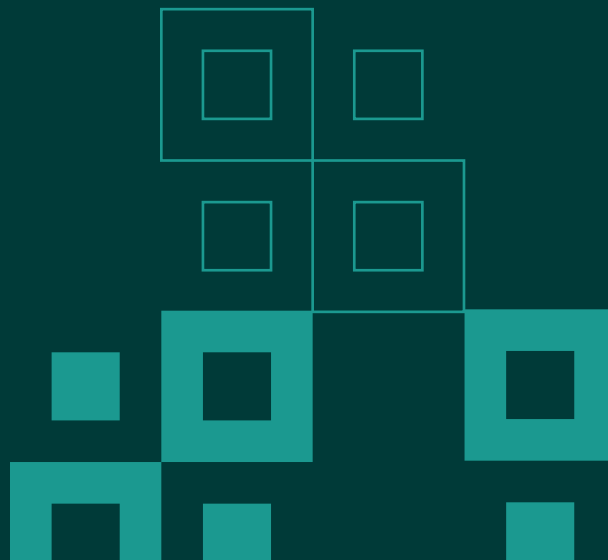
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What Makes Us Different?



Introduction

At HCB, our specialist education team are recognised as leaders in the field of education law, with an established reputation for providing high-quality legal services to clients. Our reputation is acknowledged nationally by a range of experts and organisations, as well as LexisNexis, where our department has provided the Education Law update for the whole legal database for a number of years. Our lawyers have brought precedent-setting cases over years of work which has developed the national understanding and framework of education law.

We offer expert services across the full range of education law, dedicated to helping our clients navigate the complex legal landscape to achieve their goals.

Our experts advise on:

- SEN/ALN
- Disability Discrimination
- Out of Education Support
- Home Tuition
- School Admission
- School Exclusions
- Bullying
- College and University Disputes including Fitness to Practice
- School Disputes/Complaints
- Private School Disputes
- Judicial Review
- School Transport

Our dedicated education law solicitors provide help to clients throughout England & Wales, whether you have concerns about your local authority, child's school, or have a dispute with your college or university.

Our education team are specialists in special educational needs (SEN) / additional learning needs (ALN) cases which are often complex and long cases, representing children and young people, and their families. Our specialist team are often assisting clients who are fighting their Local Authority for failures to put in place suitable education provision and / or a suitable school placement.

With increasing pressures on budgets and a lack of professional time, decision-making can suffer. This leads to a rise in a lack of adequate support for special educational needs, incidents of disability discrimination, unlawful exclusions and school admissions not being handled properly, especially as that process is increasingly handed over to schools and academy trusts. It can also mean local authorities and schools are fiercely defending cases, when challenged.

How We Help Parents

Parents deserve to get the best advice and support. However, the area of education law is complex given not just the law, but the behaviour of local authorities, school and/or universities as budgets and time continue to be stretched. This situation is made worse by the growth of unregulated education law advice.

At HCB we can help guide you through these difficult procedures that exist in the education system. Our focus is to resolve your dispute so that your child or young person receives the education and support they are entitled to, in an environment they feel comfortable in and that can meet their needs.

Our commitment is to provide you with nationally recognised specialist advice, on budget and following a strategy to secure the outcome you want as quickly as possible.

How We Help University Students

Universities are gradually becoming more over-subscribed, and as a result they seem to have less time to consider individual circumstances.

Students are not numbers – they are individuals who sometimes need more support to achieve the grade they deserve.

Our expert higher education lawyers are specialists in University disputes regarding:

- Complaints
- Breach of contract
- Academic Appeals
- Disciplinary issues
- Fitness to practice
- Exam and coursework plagiarism
- Wrongly classed degrees
- Disability discrimination
- Home or overseas fee status

Our expert higher education lawyers can help you by corresponding with your university, preparing appeals, attending university hearings or pursuing court proceedings if that becomes necessary. You are paying for a service with your student fees, so don't allow your university to let you down.



How We Help Young People

Our education law team has significant experience in providing direct assistance to young people.

Young people who are in dispute with their parents, or are looked after by local authorities will need impartial advice. It is imperative that they are provided with clear, straightforward guidance, without the use of legal jargon, adapted to any SEN / ALN they may have, to ensure they have the chance to make an informed decision regarding their education. It is important to remember that all young people benefit from being able to access and engage in suitable education, and it should be a priority to do all to enable that.

If you have been discriminated against, mistreated, or excluded from school / college, refused school / college transport and you require additional support, please get in touch and one of our education team will be able to offer the help you need.



How We Help Case Managers

In many instances, funding and time is very limited for case managers. Sometimes you need additional support if you can't resolve the matter yourself, in which case you may need to employ the help of a specialist education lawyer.

Case managers play a critical role in making sure their clients are fully catered for. You will likely be acting for disabled children and young people who often require considerable additional support. We can help in securing this extra support / school placements, in addition to helping make claims for disability discrimination, exclusion appeals, admission appeals, securing education for children out of school, and transport appeals for children and young people with special educational needs.

We initiate our cases by weighing the costs and benefits for your client, including an assessment of what savings can be made by guaranteeing their legal entitlements are secured, rather than privately appointing outside support. We focus on getting the best deal; ensuring there is a cost-benefit. We will always tell you if our assessment reveals that instructing us will not result in a financial saving for your client.

It can be tempting to use funding from a negligence or personal injury claim, rather than resolving the dispute. This is not a long term solution, particularly when a claim has not secured 100% liability. We look to help your client face these difficulties, and can offer a more stable outcome, often enforcing legal duties against local authorities. If you are not sure what they may be entitled to, our education team will be happy to help.

How We Help Solicitors and Deputies

We can provide education law advice to claimant solicitors, including personal injury and negligence cases, in addition to supporting deputies, both professional and lay deputies, understanding the responsibilities you have to make sure funding is used appropriately. We even work with the Court of Protection, so we fully appreciate the restrictions you might be facing. We know that many lay deputies will be parents to severely disabled children and young people, meaning there are also personal reasons in wanting the best outcome.

For claimant solicitors, we can help with valuing a claim and focus on securing extra support for your client – without their compensation being required to fund it.

In our experience, young people and children who have suffered from negligence or personal injury struggle with their acquired disabilities, which exposes them to social complications and difficulties with remaining in education. It is important that adequate support is available to make sure schools, colleges and local authorities act accordingly and comply with their legal duties.

In all the work we do, we strive to ensure our clients' best interests are upheld. Our goal is to make sure the child or young person in question is able to access education and get the support they require, in a supportive and suitable environment.

How We Help Advocates

We support advocates throughout England and Wales.

Advocacy groups that provide support for parents and guardians of disabled children and young people are invaluable. These groups can offer help with most areas of special educational needs, admissions, disability discrimination, transport and exclusion appeals.

As local authorities attempt to employ more solicitors and barristers to provide legal advice to defend cases against them, the more complex and adversarial appeals and discrimination claims can be. In addition, it means a legally qualified representative will be available to the local authority or school should they need them – giving them an unfair advantage.

This means that the need for advocacy groups and their excellent work to support the rights of individuals is more important than ever. We can help by offering the legal guidance and assistance to support advocacy groups with the necessary legal training and experience for cases that have become more complicated



Special Educational Needs & Disabilities / Additional Learning Needs

Our specialist solicitors support parents, young people and professionals who support them, as they face a host of challenges.

Our large team of specialist lawyers have between them amassed decades of experience supporting children and young people with special educational needs. We have aided young people with a vast array of special educational needs and disabilities and fought on their behalf to secure the additional care they are entitled to.

Our department works across all of England, practicing in SEND law, and Wales, practicing in ALN law

SEN / ALN Advice for Parents

If you are caring for a child or young person with special educational needs, we understand the difficulties and challenges you may face in securing vital support tailored to their special educational needs during and throughout their education.

While the highest level of education and opportunities to learn should be available to all children, this is not always as straightforward where special educational needs are involved. Cuts to funding, longwinded local authority procedures and outright failures in the system all contribute to a downfall in receiving the vital support your child needs to develop to their full potential.

At HCB Solicitors, our team of nationally regarded special educational needs solicitors understands your child's right to a quality education. We will work alongside you to tackle each and every challenge throughout the process to ensure your child receives the help they need to make progress with their education.

We provide specialist legal advice and expert, practical guidance throughout the process to ensure you have a solid foundation after our involvement. We understand the need for positive working relationships with other professionals and, unlike other solicitors, we make sure this is put into practice.

We routinely assist parents with the following areas to name a few:

- Education Health and Care Plans (EHCPs)
- Statements of SEN
- Individual Development Plans (IDPs)
- Appeals & Tribunal hearings

SEN / ALN Advice for Young People

If a young person with special educational needs in England is aged 16 or older, they are expected to bring special educational needs appeals in their own name. However, this does not apply if they lack the mental capacity to do so.

Our special educational needs solicitors have supported and continue to support many young people, often with complex learning difficulties, to successfully navigate the process of appealing.

We provide clear-cut, uncomplicated advice and our expert knowledge of special educational needs law is what allows us to be able to provide such a high level of support when exploring options available to our young people.

At HCB Solicitors, our special educational needs team has created leading case law which allows parents to support a young person when bringing about an appeal. Although parents must understand the extent and limitations of being a supporter, for many young people with special educational needs or learning disabilities this role is extremely important. We can also step in and get involved directly when a young person may have disagreements.



What Makes Us Different?

A team of specialists

Having an extensive range of specialists available for comprehensive advice in various aspects of education law is a vital part of our service.

Our team work with the shared purpose of offering the best value service for you, so there is always expert help on hand every step of the way.

A wealth of knowledge

Our team of exceptional people, who all benefit from a high level of experience and training, will always deliver tailored advice that stands apart from other law firms. Ordinarily our lawyers do not instruct barristers at tribunal because they are all advocates – which means lower overall costs for you.

Solicitors in England and Wales

As a result of the Children and Families Act becoming law in 2014, special education law in England and special education law in Wales are now split, but our solicitors benefit from expert training, and are thus prepared to advise on any SEN matter in England or Wales.

Location

We have branches nationwide and are still growing so no matter where you are, our team can meet with you to discuss your case. Can't get to us? No problem; we'll come and see you at home or at work to discuss your matter.

Sensitivity and tact

We understand that our clients will need a working relationship with the other party. Unlike a lot of other SEN and Education practitioners, we make sure that the relationship is fostered rather than destroyed as a result of legal action.

Capped fees

For initial work, we work on a capped fee basis, so you can be certain we are efficient and effective. We will always provide an estimate of overall costs, which is informed from years of practical experience and highly accurate. Work can be tailored to whatever your personal circumstances are.

Building on-going relationships

Building a lasting relationship can often be overlooked by law firms, but we make it a priority at HCB to make sure you feel at ease during the legal process. We believe the better we know you, the better we'll be able to help you in your case.

Our Locations

Aberdare

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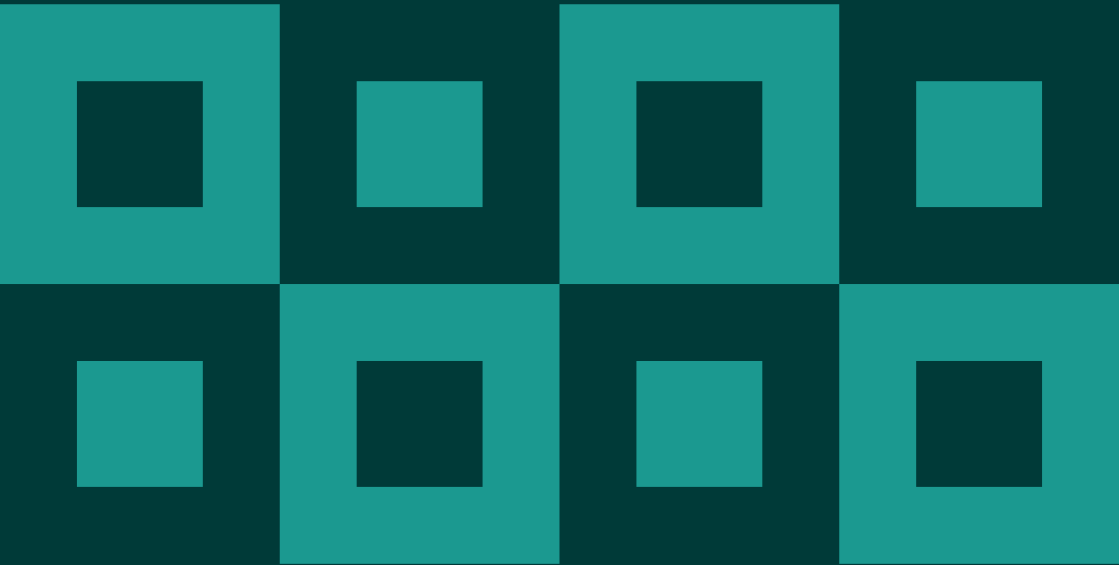
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