
WELSH STATUTORY INSTRUMENTS

2011 No. 1651

**The Right of a Child to Make a Disability
Discrimination Claim (Schools) (Wales) Order 2011**

Independent advocacy services

9. For section 15 of the Measure (role of the Welsh Ministers), substitute—

“15 Independent advocacy services

(1) Schedule 17 to the Equality Act 2010 is amended in accordance with this section.

(2) After paragraph 6C (resolution of disputes — Wales) insert—

“6D Independent advocacy services — Wales

(1) Every local authority in Wales must—

- (a) make arrangements for the provision of independent advocacy services in its area;
- (b) refer any disabled child in its area who requests independent advocacy services to a service provider;
- (c) refer any person who is a case friend for a disabled child in its area and who requests independent advocacy services to a service provider.

(2) In this paragraph “independent advocacy services” are services providing advice and assistance (by way of representation or otherwise) to a disabled child who is—

- (a) making, or intending to make a claim that a responsible body has contravened Chapter 1 of Part 6 because of the child’s disability; or
- (b) considering whether to make such a claim; or
- (c) taking part in or intending to take part in dispute resolution arrangements made under paragraph 6C.

(3) In making arrangements under this paragraph, every local authority must have regard to the principle that any services provided under the arrangements must be independent of any person who is—

- (a) the subject of a claim to the Tribunal, or
- (b) involved in investigating or adjudicating on such a claim.

(4) The arrangements must comply with any provisions made in regulations by the Welsh Ministers that relate to the arrangements.

(5) Every local authority in Wales must take such steps as it considers appropriate for making the arrangements under this paragraph known to—

- (a) disabled children in its area,
- (b) parents of disabled children in its area,
- (c) head teachers and proprietors of schools in its area, and

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (d) such other persons as it considers appropriate.
- (6) The arrangements may include provision for payments to be made to, or in relation to, any person carrying out functions in accordance with the arrangements.
- (7) A local authority must have regard to any guidance given from time to time by the Welsh Ministers.”.”.