

# Disability Rights

## A guide to disability and educational rights

### Expert advice

People with disabilities and those who care for them can sometimes face difficulties getting the best available care and support. Slater and Gordon has a team of experts with years of experience in disability rights who are dedicated to ensuring those with needs receive all the health and community care services they need to live an independent life in the community.

Whether dealing with community care issues, looking after human rights or ensuring the best education is received, our disability rights team always tackle the important issues with dedication and efficiency.

### What are disability rights?

There are a vast array of laws, policies and guidance designed to ensure people with disabilities and those who care for them have access to the best possible care, support and public services. Helping them receive this is a key part of our work; we think of it as disability rights.

### How can Slater and Gordon help?

#### Community care

We can ensure that care and support needs are properly assessed under the Care Act and the Children & Families Act, an appropriate care plan put in place, and full funding provided to enable access to the right care and support.

#### Continuing healthcare

When deteriorating health gives rise to greater care needs, we can ensure that continuing health/nursing care needs are properly assessed, appropriate continuing healthcare provided and any refusal of care challenged.

#### Mental capacity and best interests

We can assist those who lack capacity with complex mental capacity law issues, including best interests disputes, access to care and accommodation, family contact and all aspects of welfare proceedings.

#### Mental health aftercare

When people with mental health problems are returning to the community, we can ensure that their needs are fully assessed and appropriate care and support provided.

#### Deprivation of liberty and best interests

We can assist people who lack capacity and are being deprived of their liberty in any environment and challenge unnecessary restrictions upon their freedom.



### Special educational needs

Too many children miss out on the vital support and guidance they need to learn. We can ensure that their educational needs are properly assessed and addressed and the right support is provided for them to thrive in an appropriate learning environment. We tackle all aspects of special educational needs, including appeals to, and representation at, special educational needs tribunals.

### How we work

Our approach is flexible as ultimately we're here to help you. We're easy to talk to and have the expertise and experience to ensure that we can deliver solutions that work for you.

We understand the confusion, prejudice and difficulties too often faced by people with disabilities when seeking care, support or public services. This means that we can address concerns you have and deal with any problems you face.

We can assist you without fuss or fanfare and in a calm, practical and professional way which ensures you feel comfortable and confident in our ability.

We'll let you know from the moment we advise you how we can help and the steps we will take.

## Advice on bringing a case

For those who don't have experience of the legal process, contacting a lawyer can be a daunting prospect. However, we're with our clients every step of the way, ensuring they understand the process, and relieving the burden of having to deal with a variety of practical issues, at what can be a difficult time.



### What should you do if you think you have a case?

Contact us. Our team of specialists have a vast amount of experience of dealing with disability rights issues. Once we have taken details, we can provide you with the best possible advice and begin to assist you.

### What is the cost of legal advice and assistance?

We understand that the cost of legal advice can be a worry. However there are options available for funding a case.

Legal aid can cover the legal costs of community care, public law and human rights disputes, subject to financial eligibility.

Some people have legal expenses insurance under an existing insurance policy which can often entitle them to free advice and representation. Insurance policies should be checked to see if legal expenses insurance is in place and which may cover the areas of law we deal with.

If legal aid and legal expenses insurance are not available, costs would have to be paid for privately. However, we'll always advise on the basis of fixed fee arrangements or by way of agreed and convenient monthly payment arrangements. All our anticipated work and costs will always be clearly set out from the moment we begin to help, so it's clear to understand and manage the cost of your legal advice.

As soon as we've reviewed and discussed the case we'll explain in detail all the funding options available to you.

### How long is the case likely to take?

Every case is different so it's difficult to estimate how long a case is likely to take without first reviewing the circumstances. However, the case will be dealt with by an expert from our disability rights team who will deal with the case as quickly and efficiently as possible.

### What other assistance is available?

When someone has a disability, there may be additional worrying issues which they or their family face. We have a wide range of expertise across the firm with dedicated teams who specialise in many areas of law.

Our disability rights team work closely with them to provide the help and guidance needed on a range of practical issues which may be faced, at what could be, quite a difficult time.

### Personal injury and medical negligence specialists

If a disability has been caused as a result of medical negligence or a personal injury (i.e. a road traffic collision, an accident at work, etc), then it is likely that a claim for compensation can be made.

We have extremely specialised teams of personal injury and medical negligence experts who our disability rights team work closely with. Many of our personal injury and medical negligence lawyers are classed as leaders in their field and have many years' experience.

### Court of Protection specialists

We have a large and specialist Court of Protection team with many years' experience of helping those who lack mental capacity, their families and those who care for them, with financial affairs, accessing appropriate medical care and their best interests in terms of care and support.

Whether acting as a Professional Deputy for their property and affairs, assisting Deputies or providing legal representation in the Court of Protection, our specialist lawyers can always assist and are often essential.

Our Court of Protection team also specialise in dealing with statutory wills and gifts, for those who lack mental capacity and are unable to make a will on their own.

### Other department specialists

We have experts in many areas of law such as personal injury, medical negligence, employment, family, welfare benefits, trusts and Court of Protection. We work closely with those departments to ensure that you get the best possible outcome to any legal enquiry.