
Overview

This standard is about the provision of legal advice in a broad range of education contexts. You will work directly with clients to establish their needs and expectations of services, research information which is relevant to their situation and provide them with appropriate and accurate legal advice. This includes advising clients on complex areas of law relating to education. You will also know how to prepare and present cases in formal or informal hearings.

**Performance
criteria****You must be able to:**

- P1 explain to clients the services that you can offer in line with their requirements
- P2 check that clients' understanding of legal advice services is consistent with information you have provided
- P3 agree with clients where situations require immediate action in line with their requirements, and:
 - P3.1 take steps to implement this
- P4 agree next steps with clients in line with their requirements
- P5 agree further actions with clients in line with their requirements, including:
 - P5.1 procedures
 - P5.2 responsibilities
 - P5.3 time limits
- P6 analyse available client information to assign relevance to their case in line with your professional judgement
- P7 review sources of information to assess applicability to clients situations
- P8 check that information obtained enables you to advise clients
- P9 analyse information received from clients and the research process to formulate options in line with clients' needs
- P10 present clients with information and possible options for action in line with organisational requirements
- P11 advise clients on the implications of possible options in line with organisational requirements
- P12 check clients' understanding of the advice offered in line with organisational requirements
- P13 open client case files in line with organisational procedures
- P14 design an action plan with clients in line with organisational processes, and:
 - P14.1 agree roles and responsibilities for progressing actions
- P15 progress actions on behalf of clients in line with agreed timescales
- P16 evaluate case progress against milestones and outcomes in line with organisational procedures

- P17 progress case outcomes to conclusion in line with organisational requirements
- P18 record client details and agreed actions in line with organisational requirements

Knowledge and understanding

You need to know and understand:

- K1 the key legislation, regulations, guidance and case law in your jurisdiction relating to education
- K2 the key legislation, regulations and case law relating to human rights, including:
 - K2.1 precedents relevant to the field of education
- K3 the legislation, regulations, guidance and case law relating to discrimination in education on grounds of:
 - K3.1 sex
 - K3.2 race
 - K3.3 disability
 - K3.4 sexual orientation
 - K3.5 religion
- K4 immigration and asylum legislation, regulations, guidance and relevant case law relating to the provision of education
- K5 current national and local policy, regulations and guidance for schools relating to:
 - K5.1 admissions
 - K5.2 exclusions
 - K5.3 special educational needs provision
 - K5.4 school transport
 - K5.5 school uniform
 - K5.6 school meals
 - K5.7 bullying
 - K5.8 complaints
 - K5.9 alternative forms of education provision
 - K5.10 education of children unable to attend school on medical grounds
- K6 the advisory bodies who set policy and guidelines relating to education
- K7 the concept of parental choice of school
- K8 the range of statutory responsibilities of national and local authorities
- K9 the background to the development of provision for those with special educational needs and additional support needs

- K10 the stages of statutory assessment for special educational needs and additional support needs
- K11 the code of practice for the identification and assessment of special educational needs and additional support needs, and:
 - K11.1 the advice to schools and parents on issues that impact on learning
- K12 the national and local policy and procedure for special educational needs and additional support needs provision in schools for:
 - K12.1 2 years old and above
 - K12.2 14 years and above
 - K12.3 post 16
- K13 the policy and procedure relating to transitional planning for special educational needs and additional support needs
- K14 the process and procedures for complaints relating to education
- K15 the policy and procedures for disagreement resolution for Special Educational Needs and Additional Support Needs
- K16 the rights of appeal to special educational needs and additional support needs tribunals and other relevant courts
- K17 the procedures for representation in relevant courts and tribunals in your jurisdiction
- K18 how to prepare and present cases for formal and informal hearings
- K19 the legislation, regulations, guidance and case law in your jurisdiction for cases of educational negligence

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Provide specialist education legal advice

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Relevant occupations	Legal Advisers; Legal Associate Professionals
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Suite	Legal Advice
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