

NE Lincs SENDIASS

Offer of Support

First Tier Tribunal (Special Educational Need and Disability) SEND

As set out in the IASS National Minimal Standards (3.5)

NE Lincs SENDIASS: "... provides information, advice and support before, during and following a SEND Tribunal appeal in a range of different ways, dependent on the needs of the parent or young person. This will include representation during the hearing if the parent or young person is unable to do so".

The role of NE Lincs SENDIASS is to encourage joint working between parents, children, young people, the Local Authority, educational settings, and voluntary bodies in identifying, assessing and making provision for pupils with SEND. Working together at an early stage to explain and clarify issues can often prevent misunderstandings/disagreements and so stop matters escalating. Where such intervention does not resolve a disagreement, it may be necessary to consider a more formal route such as disagreement resolution, or Mediation, or appealing to SEND Tribunal.

Where a parent or a young person wishes to make a formal appeal to SEND Tribunal SENDIASS will make every effort to advise and support them through the process. SENDIASS understands that parents and young people need to be informed and as prepared as possible at every stage of the process.

Before lodging an appeal at SEND Tribunal parents and young people must at least consider Mediation as way to resolve issues around an Education Health Care Plan/the Assessment process. Within North East Lincolnshire it is Community Accord who provides this independent mediation service at no charge to parents. SENDIASS are able to support parents/young people through the Mediation process if needed.

SENDIASS has factsheets about how to challenge decisions/Mediation/rights of appeal.

SENDIASS will support parents and young people to be empowered to advocate for themselves during the process and at the hearing. SENDIASS can assist parents and young people to lodge their appeal, prepare their case, gather evidence and identify witnesses if unable to do so themselves. SENDIASS support can include representation during the hearing if the parent or young person is unable to do so themselves. SENDIASS may signpost parents/young people to other agencies for support if appropriate.

Once the appeal is lodged with the SEND Tribunal, a timeline is issued by the Tribunal. SENDIASS can give advice to ensure timescales are met, additional evidence is submitted, and meet with the Local Authority if required.

The SEND Tribunal has a role to be 'inquisitorial' (the Judge and the Expert Panel will ask questions to all parties). The SEND Tribunal is forward looking; it makes decisions based on the Law; and is an evidence based process.

If parents do not agree with the Tribunal's decision they can apply for the Tribunal to review the decision or in some circumstances they can appeal to the High Court. Parents cannot appeal to the High Court simply because they do not agree with the decision; they must show that there was something wrong with the legal approach to the case.

Useful addresses and contact numbers

Citizens Advice

www.citizensadvice.org.uk

Coram Children's Legal Centre

www.childrenslegalcentre.com

Community Accord

www.communityaccord.com

info@communityaccord.com

01274 223313

Legal Aid

www.gov.uk/legal-aid

Independent Panel for Special Educational Advice (IPSEA)

www.ipsea.org.uk

Advice Line:

0800 0184 016

National Autistic Society (NAS)

www.nas.org.uk

Tribunal Support Service:

0808 800 4102 (select Option 2)

Simpson Miller Solicitors

0808 129 3320

Special Educational Needs & Disability Tribunal (SEND Tribunal)

www.sendist.gov.uk

SEN Helpline:

01325 392 555

Discrimination helpline:

020 7925 5750

If you would like help or want to discuss how we can support you to resolve any problems please call;

NE Lincs SENDIASS on **01472 355365**

or email:

nelincs@barnardos.org.uk

Visit our website: www.barnardossendiass.org.uk/north-east-lincolnshire-sendiass/



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