

Easy V

# SEND Mediation and Appeal Information

Booklet



**Collis Mediation Ltd**



## **Contents:**

Intro - 2

Reasons for Appeal - 3

First Tier Tribunal - 6

Mediation - 9

After Mediation - 12

Other Things to Know - 13

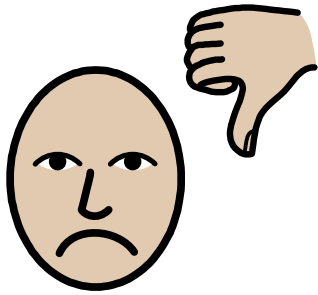
More Information - 14

Sharing Your Decision - 15

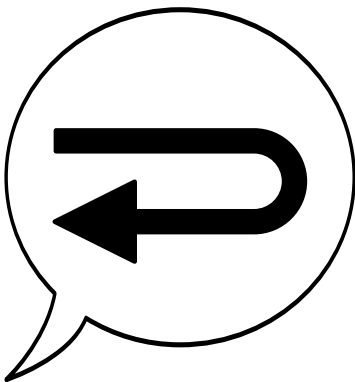
Problem with Placement only - 22

Dictionary - 23

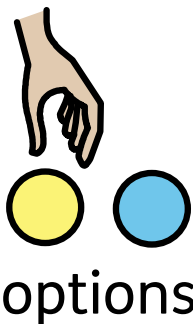
Contact Us - 24



When the Local Authority makes a decision you don't like, you can **appeal** it.



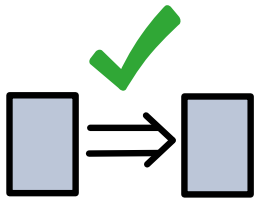
To appeal is to ask that a decision is changed.



We will help you know your options for appeal.  
Your main choice is between mediation and first-tier tribunal.

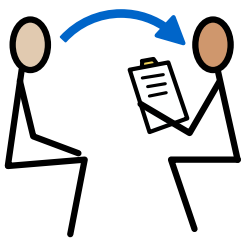


Before you can appeal to a tribunal you must consider mediation or get a 'Mediation Awareness Certificate' unless it is about Placement only.



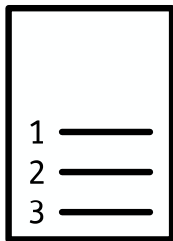
reason

Reasons to Appeal:



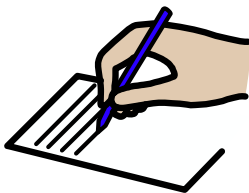
assessment

- You have not had an assessment



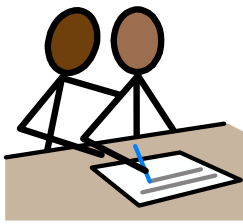
plan

- You have not been given a plan after an assessment



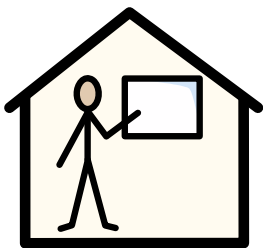
described

- You think the person's needs are described wrong in the plan (section B)



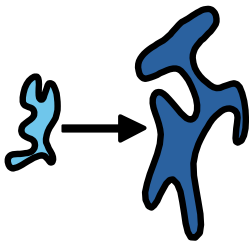
help

- You do not agree with the support suggested for their needs in the plan (section F)



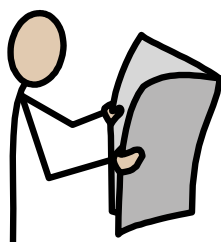
school

- You do not agree with the name or type of school, college or learning centre named in the plan (section I). See page 22



change

- You do not agree with any changes to an already created plan.



checked

- The plan was not changed after it was checked.



ended

- The plan is going to be ended



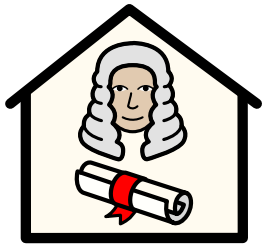
fix

- Health and Social Care parts in the plan need fixing



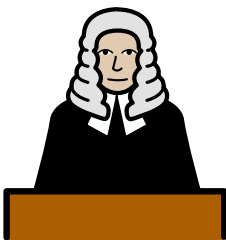
down

Continued on next page



tribunal

You can appeal to the SEND First tier Tribunal:



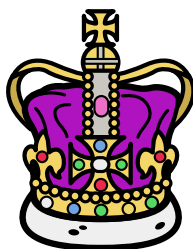
judge

First tier tribunal is when a judge hears both sides and decides if the Local Authority's decision will change or stay.



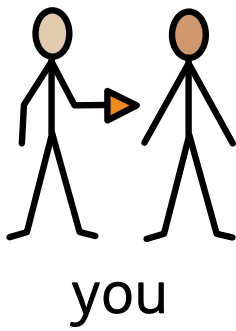
free

- This is free

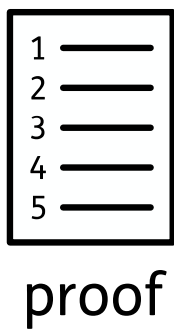


HMCTS

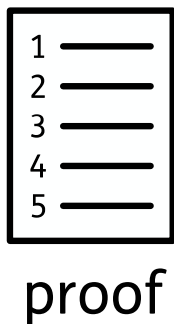
- It is run by His Majesty's Courts and Tribunals Service (**HMCTS**)



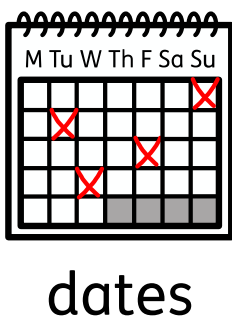
- You manage the First-tier Tribunal appeal process. That means you will be in control.



- You apply to appeal to them, then show proof of why you do not like the EHC decision.

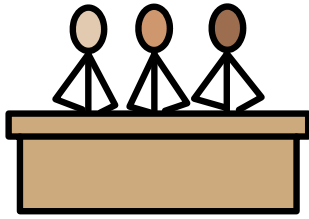


- The Local Authority will give their proof that they made a good EHC decision.



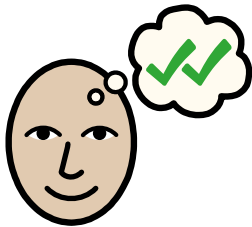
- HMCTS has a plan of Important Dates that you must follow.





hearing

- You might need to go to a one-day hearing.



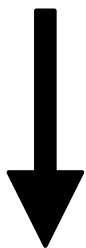
decide

At a hearing, a judge and experts in their field hear the case. Then they will make a decision (not always at the hearing) based on what they have heard and read.



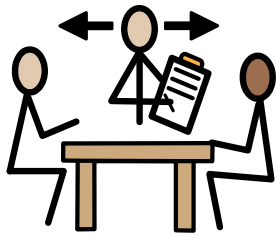
contact

- Please contact the First-tier Tribunal (SEND) for possible timings.



down

Continued on next page.



mediation

You can use the SEND Mediation process:



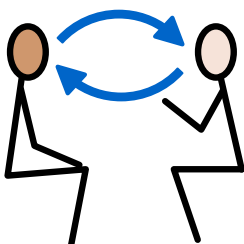
free

- This is a free and private service which is respectful of everyone



relaxed

- It is relaxed.



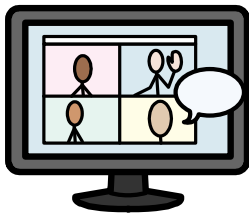
talk

- You talk about what you do not like about the EHC decision with a senior member of the Local Authority's Children's Services.



Collis

- Collis Mediation Ltd organise the Mediation Session.



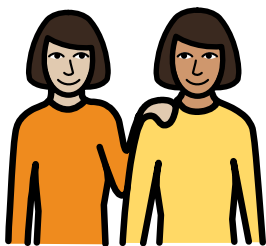
video call

- The process is a 'Connect Mediation' process (video or telephone / conference call)



mediator

- A Mediation Session is run by a trained mediator. They are not from the Local Authority. They do SEND mediation. They make sure both participants can speak and listen.



support

- You can invite anyone you feel can support you in the mediation.

For example: school, family, professionals



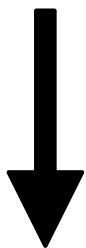
money

- The Local Authority may pay towards the cost of your attendance



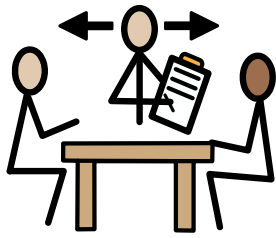
30 days

- You get a mediation session within 30 days.



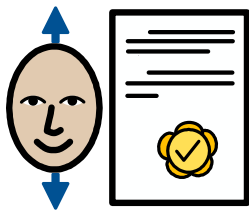
down

Continued on next page.



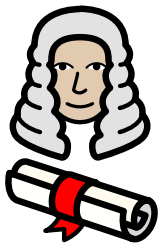
mediation

After your Mediation Session:



agreement

Any decisions made at mediation are typed up into a formal Outcome Document and sent to you with 24 hours.



legal

This Outcome Document is legally binding. Legally binding means that it must happen according to law.



certificate

You will get a mediation session certificate. If you are not happy with the end result, you can appeal to SEND First-tier Tribunal up to a month after the date on the certificate.

## Other things to know:



Health

- If you are only against the Health and / or Social Care parts of an EHC Plan, you cannot have a SEND First-tier Tribunal.



date

- If you choose mediation, check that everyone you want to come will be able to on that date before you send your mediation request, as dates cannot be changed once the LA confirm.



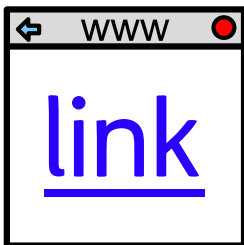
information

For more information, speak to the SEND Information Advice and Support Service (SENDIASS).



contact

SENDIASS can offer advice and help. Their contact details are in the letter you received from the Local Authority.



link

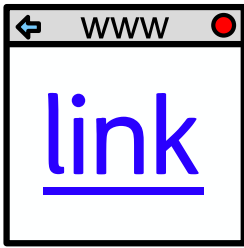
Your local service can be found by searching here:

<https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/find-your-local-ias-service>



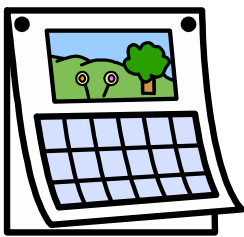
Collis

To read more about the SEND Mediation process, and your appeal options, look at the Collis Website.



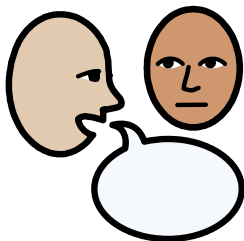
link

Collis SEND Mediation:  
<https://www.collismediationltd.com/send-mediation>



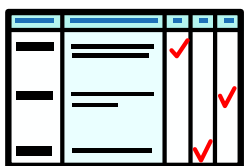
2 months

You must tell us what you decide within two-months from the date on the LA decision letter.



tell

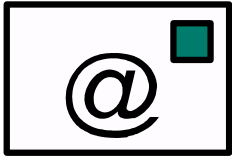
Tell us with an online form, or email us directly.  
If you email, answer every question.



form

Online form:  
<https://www.collismediationltd.com/mediation/send-mediation>

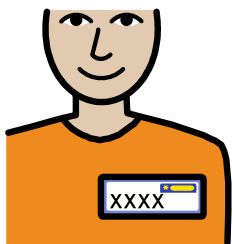




email

Email directly:

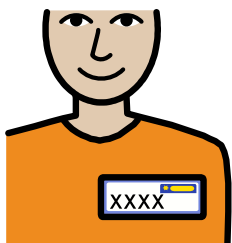
info@collismediationltd.com



name

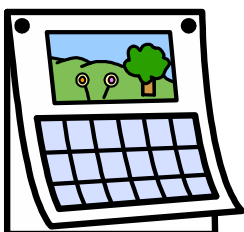
Include in your email:

1. Parent's name (or person with responsibility of parent)



name

2. Child / Young Person's Name



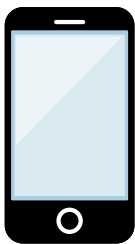
date

3. Child/ Young Person's Date of Birth.



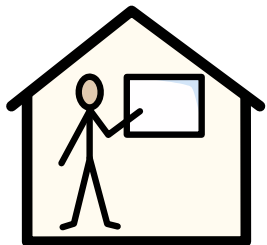
address

4. Child / Young Person's Address with Postcode



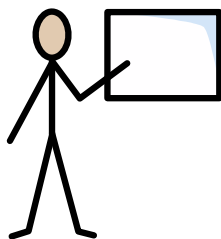
phone

5. Contact Telephone Number



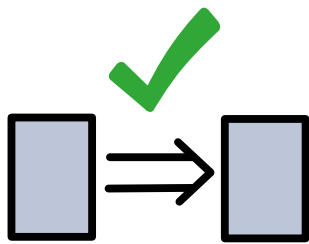
school

6. Child / Young Person's school or college



teacher

7. Name of Senior staff at school or college. Also their email and/ or telephone contact  
This could be SENDCo/ Head/ Deputy Head

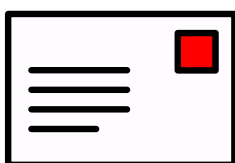


reason

## 8. Reason for Appeal.

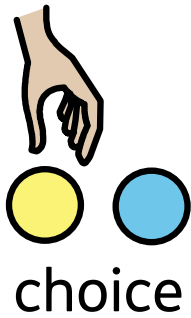
For example,

- Refusal to Assess,
- Refusal to Issue an EHC Plan after Assessment,
- Description of Needs,
- Identified Provision,
- Refusal to Amend (change) after Review,
- Amendments (changes) made after Review,
- Named Placement,
- The Local Authority have suggested to end the plan.



letter

## 9. A Photo or Scanned Copy of the Local Authority decision Letter



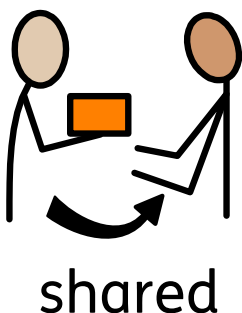
10. Say if you want to  
a. do Connect Mediation or  
b. go straight to tribunal



11. Do you want school to  
come or not?



12. The line "I agree for my  
personal data to be shared  
to facilitate the process".

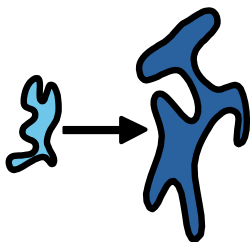


This line means that personal  
information will be shared  
with others for the process  
to work.



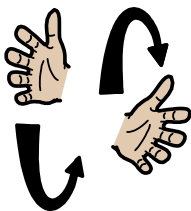
explain

13. Explain the reasons you do not agree with the decision.



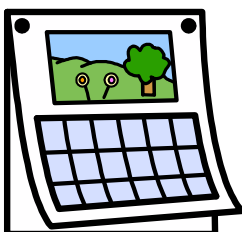
change

14. Are there any reasonable changes you need for you to participate in mediation?



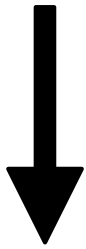
sign language

This might be a BSL interpreter, captions, or other assistance



dates

15. If you choose mediation, tell us which dates you will not be able to have the session in the next 8 weeks.



down

The next ones might not apply to you:



permission

16. Advocates should show written permission in the email.



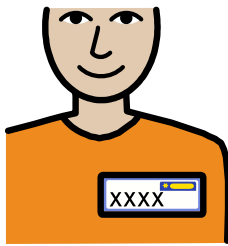
letter

17. If the young person is over compulsory school age, they must sign a consent letter saying you should manage the process.



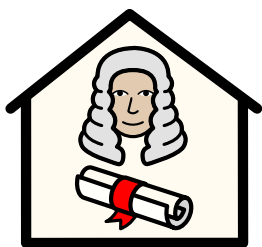
16

A young person stops being "compulsory school age" on the last Friday of June during the year they become 16.



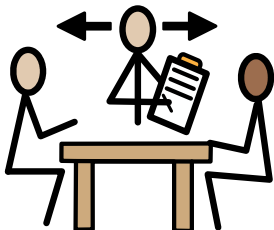
name

If the only problem is about the Placement (type or name of the school in section I of your EHC Plan):



tribunal

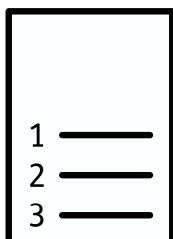
You can go to Tribunal without mediation or a mediation certificate.



mediation

You can have mediation if you want.

Or have disagreement resolution if you want to appeal to tribunal immediately.



plan

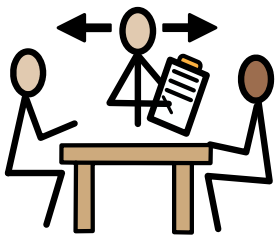
A new placement wouldn't be named 'at mediation' or 'at disagreement resolution' in an EHC plan.



EHC

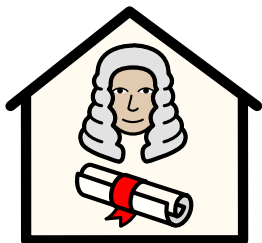
Dictionary:

**EHC** - Education, Health and Care



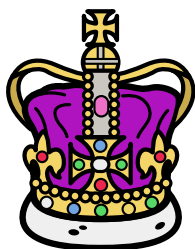
mediation

**Mediation** - When a trained mediator talks to both sides so they can agree on something that makes them both happy.



tribunal

**Tribunal** - When a judge hears both sides and decides if the Local Authority's decision will change or stay



HMCTS

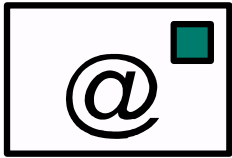
**HMCTS** - His Majesty's Courts and Tribunals Service.  
They do the Tribunal.





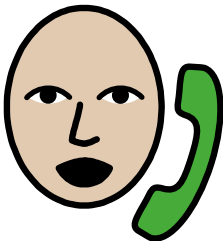
collis

Collis Mediation Ltd:  
6 Marchcote Lane Bingley  
BD16 1TA



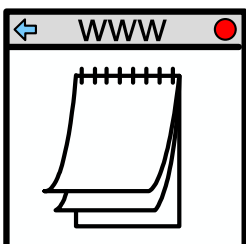
email

Email:  
[info@collismediationltd.com](mailto:info@collismediationltd.com)



phone

Phone: 07715 958 290



website

Website:  
[www.collismediationltd.com](http://www.collismediationltd.com)