



**SHEFFIELDS**SENDIAS

Sheffield Special Educational Needs & Disability Information Advice & Support

## **Tribunal & Mediation Support Policy**

Sheffield SENDIAS aims to support parents/carers & children/ young people in expressing their views throughout the SEND process.

Parents/ Carer & Child/Young Person can request support from SSENDIAS to prepare for appeal related meetings. This may be through dispute resolution, mediation or appeal.

### **The support offered may include:**

- Ensure that the disagreement is one for which you have the right of appeal.
- Advise of the requirement to consider mediation before registering appeals, except if the issue is only about the placement named.
- Advise how and when to contact the mediation service provider, what information and documents will be needed. Explain the process including timescales, what happens in the meeting and the possible outcomes.
- Advise how and when to register an appeal, what information and documents to include with the initial registration, the use of witnesses, timescales, case management and what happens at the hearing.
- Urge the service user to maintain a dialogue with the LA before and after mediation or appeal has been registered.
- Ensure the parent/ carer &/ child/ young person is able to express their views in the meeting/ tribunal hearing. This may include their evidence, questions for the meeting/ tribunal hearing and their summary.
- SSENDIAS will remain in contact with the parents throughout the process if parents/carers &/or child/ young person request this.

### **Support to express parent/ carers &/or child's views**

If requested support to record views in readiness for the meeting/ tribunal hearing this will be done in line with our impartiality policy. SSENDIAS staff are representing the parent/carers &/or child/ young person not their own perspective.

Staff will help draft out the views and make suggestions regarding wording to improve clarity, accuracy and to reduce potential conflict if requested. All documents



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will be checked and agreed by service user to ensure they represent their views and not SENDIAS staff.

### **At the hearing**

SENDIAS staff will attend the meeting/ tribunal hearing in line with our '*Support in Meetings Policy*.' If SENDIAS is supporting in the meeting/ tribunal hearing, then parents/ carer or young person must inform the tribunal ensuring SENDIAS is put on the attendance form as a helper/ supporter or representative.

If we are a supporter, SENDIAS staff will ensure you have all the information needed and fully understand the process. They will check you have any supporting documentation to ensure they get their views and points across in the meeting/ tribunal hearing. We will ensure that you feel fully supported.

Emotional support will be offered should this be needed. It may be appropriate for SENDIAS staff to speak on behalf of the parent/ carer &/or child/ young person should emotions impact on their ability to continue. Should this be needed then SENDIAS staff with permission from the mediator/ judge will only read from the pre-prepared information. We will also try to encourage full involvement in the meeting/ tribunal hearing.

In exceptional circumstances SENDIAS may need to be a representative at a tribunal hearing, on the attendance form you would state 'yes' to representative (listing SENDIAS), 'no' to legally qualified – but to then add a clarifying note to the form stating... '*SENDIAS are attending in primarily a supporting capacity but would request the ability to speak in place of the parents if required. They are not legally qualified*'.

### **After the meeting**

SENDIAS will explain the options available to you after the meeting/ tribunal hearing. We will also help to fully understand the outcome.

If requested support will be offered through their next steps. This will be led by your wishes and feelings.