

# Mediation

- If you want to appeal to the Special Educational Needs and Disability Tribunal about your EHC needs assessment or plan, you must contact a mediation advisor first - your LA or IASS can give you information on how to do this.
- A mediation can help you reach an agreement with your LA or CCG if you disagree with part of your plan.
- The session will take place somewhere that you are comfortable in.
- The mediator should speak to you and the LA or CCG individually before the session, to understand your concerns.
- You can bring a friend, family member, adviser or advocate (someone who can help you and your family say what you want if you find it difficult).
- When the session has finished, or if you decide not to use it, you will get a certificate from the mediator.

# Tribunal

- If you are still unhappy and want to send your problem to the Tribunal, you need to send your mediation certificate too.
- A judge and panel of Tribunal members will be at a Tribunal hearing - they will listen to you and your LA/CCG before they make any decisions.
- The LA/CCG will also be at the Tribunal, depending on your complaint.

# Further information

- Your LA's local offer contains more information about what support and help is available to you.
- You can contact your local IASS for information, advice and support on school, healthcare and other issues related to special education needs and disabilities.
- You can contact your local Healthwatch for advice on making a complaint about health, resolving an issue about health, or complaining/resolving an issue about a CCG.
- If you need support in making a complaint about health services, NHS Complaints Advocacy Services can provide this. You can get more details from your LA.



# Making a complaint about your support



There might be times when you don't agree with the decisions that are made about your needs or support. This leaflet can help you if:

- The help your school is giving you is not enough or right for you.
- The local authority (LA) has made a decision about the help they think you need and you don't agree.
- You have complained about your school's decisions before and are still unhappy.
- You have complained about your health or social care's decisions before and are still unhappy.
- Your LA is taking too long to help you.
- You are not getting the help set out in your education, health and care (EHC) plan.

## I need more help from my school

- If you are unhappy with the help and support your school is giving you, you can talk to a family member for advice, or contact your local information, advice and support service (IASS).
- You can also speak to your teacher or the special educational needs coordinator (SENCO) - they can tell you if your school is able to give you the help you need.



- If you are still unhappy, have a look at your school's website and follow the complaints process explained there.
- You can also ask your teacher or SENCO to help you contact your LA to get more advice. Your LA can:
  - Carry out an EHC plan needs assessment.
  - Review your current EHC plan if you have one.
  - Provide advice about the current support you get from your school.

## I'm not happy with the support from my LA, health service or CCG

- If you are unhappy with the help you get from your LA, health service or clinical commissioning group (CCG), you should contact your local IASS - they can help you find out if your LA is able to give you the help you need.
- You can also visit your LA's website and follow their complaints process.
- You can complain to the local government and social care ombudsmen (LGSCO) if you are not happy with the way your LA or CCG has carried out your EHC plan needs assessment or the way the care in your EHC plan has been delivered.

**You must have told your school or LA before telling the ombudsmen about your complaint.**

## What will my ombudsmen do

- They will consider your complaint and tell you what will happen next.
- If they agree with you, they can ask the LA or CCG to do things differently.
- If they do not agree with you, they will explain why - if this happens, you should contact your local IASS for advice.

## Disagreement resolution

- If you don't have an EHC plan, but you are unhappy with the support you are currently getting, disagreement resolution services are available to all young people with SEND. Your local IASS can help you get in touch with the disagreement resolution services.
- They can help you with disagreements over the support you receive, whether this relates to your EHC plan or assessment, or education or health provision.
- A meeting or discussion will take place to help people who disagree to find a way of agreeing about the problem.



- This service is free and voluntary - you don't have to use it if you don't want to.
- In the meeting, a mediator will listen to you and what you disagree with.
- They will also listen to the school, LA or CCG and help you both come to a decision you are happy with.
- They will not tell anyone else about what you have spoken about.
- If they cannot help you solve your problem, you should speak to your IASS about what to do next.