

Appealing to SEND Tribunal



CHECKLIST

Lodging your appeal:

A service for Special Educational Needs and Disabilities
Helping you to make informed choices

		Done	Date
1.	A copy of the signed and dated letter from the local authority giving you the right of appeal to HM Courts & Tribunals Service. (This letter will have been sent with the final EHC plan or notification of refusal to assess/issue)		
2.	A copy of your Mediation Certificate (sent to you after your contact with the mediation service). (A mediation certificate is not required if you are only appealing section I).		
3.	Completed the appeal form fully and that you are happy with the contents.		
4.	Contacted the school/college to let them know that you are appealing for a school place. (if you know at this stage which school you would like to be named)		
5.	Included the school's prospectus and latest Ofsted report.		
5.	If appealing for an independent school/College , you will need to send a letter from the school stating that the school can meet the child's/young person's needs and that they have a place available. You will also need to send the school's prospectus, latest Ofsted reports, SEN policy and costs of placement.		
6.	Signed the appeal form		
7.	Photocopy the appeal form for your records		
8.	Copies of all your relevant evidence and reports which you are relying on for your appeal (please use SEND TRIBUNAL FACTSHEET 1 for further information regarding suggestions on what evidence to send).		
9.	Appeal form sent. The preferred method to submit your appeal is by emailing your form along with copies of all relevant documents to the email address shown on the appeal form. If sending by post it is recommended to send it recorded delivery. Please do not send original documents other than the appeal form. (Make sure you keep a copy of the appeal form with your copies of all the other paperwork you are submitting).		
10.	Think about any possible witnesses as you will need to state if you are having witnesses in the next stage of the process. (please see our SEND TRIBUNAL FACTSHEET 2 for further information).		

After lodging your appeal:

		Done	Date
1.	Within ten to twenty working days of submitting your appeal you will receive confirmation from the Tribunal Service that your appeal has been successfully lodged.		
2.	Received hearing date		
3.	Received timetable of notable dates (you will find this near the back of the letter)		
4.	Please read the letter carefully to check for any court orders/directions that need addressing.		

5.	If further support needed through the appeals process it is recommended that you call IASK at this point and discuss timetable of dates so that appointments can be made around important dates (if appropriate and subject to availability)		
6.	Receive LA's response (date will be on timetable from Tribunal Service)		
7.	Look at timetable (on letter received after 10 – 20 working days) to see how long you have to respond and send in your attendance form.		
8.	Complete attendance form including any known witnesses. (please see our factsheet 2 for further information).		
9.	Write any views/comments (if you have any) responding to the LA's response. (with IASK support if you have arranged this)		
10.	Send a copy of your written response, attendance form and any new reports that you wish to rely on as part of your evidence to BOTH the Tribunal service and the LA.		
11.	If you have also been sent a working document from the LA. Read the working document and make changes if you want to. Use the key that is on the front page of the working document to record your changes. Please note: if you are not appealing sections B and F you may not be sent a working document, please contact IASK if you need to discuss.		
12.	Send a copy of the working document to the LA for them to comment on your changes. Please note: the LA will either accept your changes or work with you to try and come to an agreement. It is also advisable to send a copy to the Tribunal Service clearly marking what version of the working document it is.		

Preparation for hearing:

		Done	Date
1.	Received bundle. The bundle is everything that has been submitted to the tribunal from you and the LA since lodging the appeal and should include the final working document. If you are still working on this document, it might not form part of the bundle.		
2.	Read the bundle to check that all information has been included.		
3.	Preparation meeting from IASK (if organised and subject to availability)		
4.	Prepare opening statement		
5.	Prepare closing statement		
6.	Prepare 1-page profile of the child including a picture if you wish		
7.	Prepare pens and note pads		
8.	Prepare questions that you might have for either the tribunal panel or the LA		
9.	Watch you tube videos regarding the hearing itself https://youtu.be/SPEMtWWYAZ8 https://youtu.be/PNrquwNen64		
10.	Received time of hearing and meeting video link or confirmed venue (if face to face. Please share the link with IASK if supporting		
11.	Arrange childcare (if needed). It is recommended to arrange childcare for the whole day to allow for the hearing and travelling times (if face to face).		
12.	If your child is attending the hearing, it is recommended that you arrange for another adult to be present to care for the child during the hearing if needed.		
13.	FOR FACE TO FACE HEARINGS ONLY: Transport – research travelling times, walking times and ensure you have made time to check in and go through security. Please note: you can claim travel expenses see guidance SEND15 and use the claim form SEND15a. Witnesses need to read guidance SEND16.		