

What to do if you don't agree with decisions about SEN provision

First Steps

If you are not happy with the help that your child is receiving your first step should be to speak with their teacher / their Special Educational Needs Coordinator (SENCO) / head teacher. You may feel that it would be beneficial to request a meeting to discuss your concerns.

Remember...

- People working with your child want the best for them too
- Communication is key in working towards the best outcomes for your child
- It can take some time for support to be implemented, allow enough time for provision to prove effective or not.
- Regular reviews are important.

If your child has an Education, Health and Care Plan you can also contact the local authority.

Who can help me?

Shropshire Information, Advice and Support Service (IASS) can help you by listening to your concerns, making suggestions around how to address the issues, put you in contact with other people who may be able to support you, help you decide what to do next and explain the relevant laws and your rights to you.

Shropshire IASS team can also help you to prepare for any meetings with professionals.

If you are still not happy then you have a few options to consider:

- Check the school's SEN policy and other relevant policies e.g. behaviour policy
- Make a complaint – see school's Complaints Policy on website
- Seek some help to put your concerns forward
- Ask for an Independent Disagreement Resolution
- Request a meeting with the Local Authority
- Appeal against a decision regarding an EHC Plan

How do I make a complaint?

Usually to do this you have to have already tried to resolve your complaint by speaking to the right people.

All schools, colleges and Local Authorities (Shropshire Council) have their own complaints procedures which should be available on their websites.

When you make a complaint:

- Put your complaint in writing & use the word “complaint”
- Be clear about all the issues you wish to be resolved
- State what it is that you want to happen
- Give a reasonable time that you wish to have a response by

* You can find out more about the complaints procedures in the SEND code of Practice (Sections 11.2 and 11.67-11.111)

[https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND Code of Practice January 2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf)

Disagreement Resolution

Sometimes it can be difficult to reach an agreement—The Disagreement Resolution Service is there to help resolve three different kinds of disagreement between parents or young people and the organisations which are responsible for making provision for children and young people with special educational needs. These are:

1. How early years providers, schools and further education institutions carry out their duties for children and young people with SEN. How local authorities keep education and care provision under review, assessing needs and drawing up Education, Health Care Plans. How governing bodies and proprietors of schools use their “best endeavours” to meet the needs of children and young people’s SEN.
2. The special educational provision made for a child or young person by early years providers, schools or further education institutions. This includes those receiving SEN Support OR who have an Education, Health and Care Plan (EHCP).
3. Health and social care provision when this is part of an EHC Plan needs assessment, while EHC plans are being drawn up, reviewed or when children or young people are being reassessed.

What kind of issues can the disagreement resolution service help with?

- How schools/colleges/early years providers/ LA deliver provision and carry out their duties.
- Education, Health & Care plans—section E and section C (Health and Social Care)

The disagreement resolution service must be independent of the local authority. The use of the service is voluntary and has to be used with the agreement of all parties involved. Disagreement resolution is free for parent carers and young people.

Mediation is a type of disagreement resolution used when you disagree with a decision that the Local Authority has made regarding an Education Health and Care Plan. Please see our factsheet, 'Appealing a decision about an EHCP.'

Where can I get further information, advice or support?

Contact the IASS team on:

Phone: 01743 280019 (Open 10am-4pm Monday—Friday)

Web: www.cabshropshire.org.uk

www.facebook.com/IASSShropshire

Email: iass@cabshropshire.org.uk

Address: Fletcher House, 15 College Hill, Shrewsbury, SY1 1LY