

Mediation

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Mediation was introduced in September 2014 as part of the Children and Families Act 2014. You do not need to attend Mediation. If you want to appeal a decision to the SEND Tribunal, you need to go to mediation and get a Mediation Certificate. In West Northants, the local mediation service is Global Mediation. They are linked here: [Special Educational Needs and Disability - Global Mediation](#).

The only type of appeal that does not need mediation is a Section I only (the setting) appeal, of the EHC (Education, Health, and Care) plan. This type of appeal can go straight to the tribunal. Before submitting your appeal to the tribunal, you do not have to take part in mediation, but you need to consider it.

Once you have notified the Local Authority (LA) that you wish to enter mediation, the LA has 30 calendar days to arrange this. If the LA is not able to arrange this within the 30 days, the mediator will issue a Mediation Certificate to you. This allows you to register the appeal.

Preparing for a Mediation Meeting

Before you go to a mediation meeting, you should prepare all the information and evidence that you feel supports your request. This can include school reports/IEPs/home-school diaries/examples of your child's work. Reports from an Educational Psychologist, Speech and Language Therapist or other professionals. Take this information along with you and make a list/note of the points that you want to discuss and back these requests up with the evidence.

When your mediation is planned, the Mediator will arrange to meet separately with you and the LA. They will gather information and views. Everything discussed during these meetings are confidential. The Mediator will not refer to anything they have been told during the formal mediation meeting. It is not the role of the Mediator to make any decisions during the meeting. Their role is to aid decisions between you and the LA. Any agreements made during the mediation must be made by those present / involved.

What happens after Mediation

At the end of the session the Mediator will write a summary of the conversation and ask that both parties sign this. If an agreement or partial agreement has been reached, the results will usually be added into a mediation agreement. This will be legally binding on the parties.

If an agreement is not reached you will be issued a Mediation Certificate. You will send this off with the appeal form to register an appeal with SENDIST Tribunal Service. You will have either 1 month from the date of the Mediation Certificate or 2 months from the original LA letter. Whichever date is later. Anything that was

