

Why are these services offered?

The Government requires all local authorities to provide independent mediation and disagreement resolution services to help when parents/carers, young people, schools and the local authority cannot agree on how to meet a child's special educational needs.

Under new legislation parents/carers and young people who wish to make an SEN appeal to the First-Tier Tribunal (SEND) may only do so after they have sought advice from an independent mediator. The only exception to this requirement is if the appeal is solely about the name of the school or other institution, the type of school or institution or the fact that no school or institution has been named. Your right to an appeal hearing by the First-Tier Tribunal Service is not affected whether you agree to mediation or not.

In addition local authorities have to provide a disagreement resolution service to help resolve disputes outside of the appeals process. The aim is to prevent the escalation of disagreements through early intervention so that you do not endure any unnecessary stress and expense.



How do I get in touch?

Any enquiries or requests for mediation and/or disagreement resolution services can be made directly to Essential Mediation by parents/carers (who have received notification that their local authority subscribes to these services), schools or local authorities to:

t: 01908 889 080

e: admin@essentialmediation.co.uk

w: www.essentialmediation.co.uk

If you would like this information in a different language or format then please let us know.

Disagreement Resolution and Mediation Services:

Information for Parents/Carers of Subscribing Local Authorities

independent
impartial
confidential

www.essentialmediation.co.uk

About us

Essential Mediation provides independent, impartial and confidential pre tribunal mediation and general disagreement resolution services for young people, parents, schools, post 16 providers and local authorities.

Essential Mediation has fully trained accredited mediators with a wealth of knowledge and expertise in particular fields. Our mediators are independent, highly skilled, experienced professionals who have worked directly within the SEN legal framework and understand the complexity of the issues from the perspective of parents, young people, the local authority and the school.

Our mediators also have direct experience of working with parents, young people, schools, and professionals, as well as direct experience of appearing before the Special Educational Needs and Disability Tribunal. Therefore our mediators have the required knowledge and expertise to be able to effectively mediate disputes.

What is mediation?

Mediation is a form of disagreement resolution and is a way to solve disagreements without the need to go to a Court or a Tribunal hearing, however it can only take place if everyone agrees to it.

Mediation is a voluntary, confidential process where people involved in a disagreement are helped by an independent specialist mediator to resolve their problems together. The goal of mediation is for the parties to speak with each other in an open and honest manner to try and reach a resolution that is acceptable to all parties in dispute.

What is a mediator?

The role of the mediator is to act as a facilitator, to help people to identify and acknowledge the core issues that are in dispute so that they can take ownership and resolve them. The mediator never takes sides or tells the parties what to do, but helps the participants reach a solution that they are happy with which is then drawn up into a written agreement. A mediator is in control of the process but not the outcome.

When is mediation appropriate?

Ideally mediation should be used during the early stages of a dispute, before parties become entrenched in their views and costs are incurred. Mediation works best when people are able to listen to each other, irrespective of their positions, and are willing to work with each other to find a solution to move forward.

It is most likely that you would access the service after having tried to resolve any disagreement through the arrangements available locally, such as: meeting with the special needs co-ordinator of the school, talking to your named SEN Officer or accessing your local Parent Partnership Service.



How can mediation help?

Mediation can help:

- Improve communication between parents, young people, schools, post 16 providers and local authorities;
- Bring the right people and information together;
- Provide a safe, secure environment to allow communication to take place freely;
- Focus people on the issues and needs of the young person and the dispute;
- Rebuild and safeguard relationships.

How does mediation work?

Once you or your local authority have made contact with Essential Mediation a mediator will contact you by telephone to:

- Introduce him / herself;
- Listen to your concerns and understand the outcomes you are looking for;
- Explain how mediation works;
- Answer any queries.

If you decide to take part in mediation:

- A date and time will be set for the mediation day in agreement with the key people;
- We will recommend that you allow at least four hours for the meeting;
- A proposed mediation agreement form will be sent to you, the local authority and any other professionals involved;
- Each party will be asked if they would like to provide the mediator with a summary of the disagreement(s) along with any other relevant documents so that the mediator can have some background information prior to the meeting.