



Tribunal Service

The First-tier Tribunal (Special Educational Needs and Disability) (the “SEND Tribunal”) is an independent national tribunal which hears parents’ and young people’s appeals against LA decisions about the special educational needs of children and young people. It also hears claims of disability discrimination against schools.

You can appeal to the SEND Tribunal if you’re unhappy with a decision made in relation to an EHC needs assessment or an EHC plan. There are no fees for parents or young people to pay. The SEND Tribunal has the power to order LAs to carry out EHC needs assessments, issue EHC plans, and amend existing EHC plans. LAs must comply with orders made by the SEND Tribunal.

The SEND Tribunal is governed by the law and has to follow the interpretation of that law by higher courts in judgments about previous SEN disputes. The SEND Tribunal must have regard to the SEN and Disability Code of Practice (the “Code”) which advises schools and LAs on identifying and making provision for children with SEN. The SEND Tribunal is not bound to follow the Code to the letter but it generally accepts the Code’s guidance in coming to its decisions.

The SEND Tribunal looks at the evidence put before it and decides whether the LA decision followed the law and the Code. It will make a decision based on what is right for the child or young person at the date of the hearing.

The SEND Tribunal produces a free booklet, ‘How to Appeal’, and other guidance forms which can all be accessed on their website. The SEND Tribunal have also produced a set of videos which explain more about what appealing to the SEND Tribunal is like – these are available on YouTube, or you can request a DVD from the SEND Tribunal.

You can request copies of the booklet, any of the other forms, and the DVD via

- the SEND Tribunal helpline on 01325 289350,
- by emailing sendistquiries@tribunals.gsi.gov.uk ; or

- by writing to First-tier Tribunal (Special Educational Needs and Disability), 1st Floor, Darlington Magistrates Court, Parkgate, Darlington DL1 1RU
-

SEND Information Advice and Support Service has made all reasonable efforts to ensure that the information contained in this leaflet is up to date at the time of publication. It does not constitute legal advice and SEND Information Advice and Support Service cannot accept any responsibility for any loss or damage suffered as a consequence of any reliance placed upon it.

For further information please contact:

Leicestershire SENDIASS: www.sendiassleicestershire.org.uk

Telephone: 0116 305 5614

Email: info@sendiassleicestershire.org.uk