

SEND mediation and disagreement resolution

Information for LA Officers (EHCP B, F & I mediations)

Mediations about the contents of EHCPs can be more complicated than other types of SEND mediations, especially if parents or young people request significant changes to an EHCP.

We want to ensure these types of mediations are productive for all parties and you feel supported as an LA Officer through this process.

The mediation outcome statement is only intended to capture the reason for mediation, a brief overview of discussions, the outcome of mediation and any mutually agreed actions.

It is not intended to be minutes of the mediation.

For most types of mediation the outcome statement will capture all the information required. However, for mediations where the contents of an EHCP is being discussed and potential changes agreed, or not, it is essential to have a record of these changes for all parties. This is to avoid any dispute or misunderstanding during or following mediation.

For these mediations to be successful we need:

- To send the LA Officer all information about requested changes in advance of the mediation, ideally a week before mediation, but no less than 3 working days
- The mediator and LA Officer to prepare for mediation, be aware of any potential issues that may arise and to agree how changes to the EHCP will be recorded
- The LA officer to consider requested changes prior to the mediation so only conversations where further clarity or information is required need to take place. This is to enable the mediator to focus discussions and manage time effectively
- The LA Officer to have a copy of the EHCP/document, available for updating prior to and during mediation. This can be screen shared with all parties at points during the mediation for confirmation and agreed of wording or any changes to the EHCP
- The LA Officer to send the mediator the amended EHCP or document immediately following mediation so it can be appended to the outcome statement to form a full record of agreements made during the mediation meeting

This process does not breach GDPR, privacy or confidentiality.

We appreciate your help with this to ensure mediation is productive for all parties. Please contact the Mediation Service or the Mediator assigned to your case if you have any concerns about this. Contact details are above.

For more information call us on 0161 283 4848 or email us at drs@togethertrust.org.uk.

Visit us at <https://www.togethertrust.org.uk/mediation>