

You must appeal within 2 months of the decision letter you receive with the final Education, Health and Care Plan (EHCP), or informing you of the decision not to assess, not to issue a plan, cease to maintain a plan or after an annual review. If you choose to have a mediation meeting you will have one month to appeal from the day of that meeting. This will be added to the 2 months above.



If you need assistance with your appeal contact; AskUs Notts, Special Educational Needs and Disabilities Information Advice and Support Services (SENDIASS) or Independent Provider of Special Education Advice (IPSEA) Their advice is free. Alternatively, you can use a SEN Advocate Solicitor.



Before you can appeal you must obtain a mediation certificate unless you are appealing placement only.



Contact SENIST online or call -01325 289350 and complete SEND 35A appeal application form – for refusal to assess appeals, complete SEND 35 for all other appeals. On the form add the reasons why you are appealing. Attach any documents in support



The tribunal will inform the Local Authority (LA) of the appeal and set a timetable for the appeal which will include:

- Date of LA response to the working document and attendance.
- Date for submission of further evidence.
- Date for the LA to send to you and tribunal a copy of the hearing bundle



Bundle- You will be supplied with a copy of the Bundle (see date for submission on the timetable) The bundle will contain all the information that forms part of the appeal. Check it to make sure nothing is missing. If you wish to add any more evidence after final evidence deadline, you must submit a 'Request for change' form to do so.



Working document- if you are appealing sections of the EHCP. The plan will be converted into a 'working document'. You must follow the key on the front of the plan to make your amendments. The working document is not evidence and you can continue working on it after the final evidence deadline.



If all matters are resolved before the hearing, one party will draft a Consent Order for the other to check and sign. This document sets out what has been agreed by both parties. The tribunal will look at this and if they agree will issue an order based on that.



The Hearing: Make sure all the evidence you seek to rely on is in the bundle, if you have late evidence and it is not in the bundle make sure the Tribunal and LA have it and make an application on the day of the hearing to have it admitted into evidence. Check that the working document is accurate, and that the Tribunal has the final version to work from at the hearing.