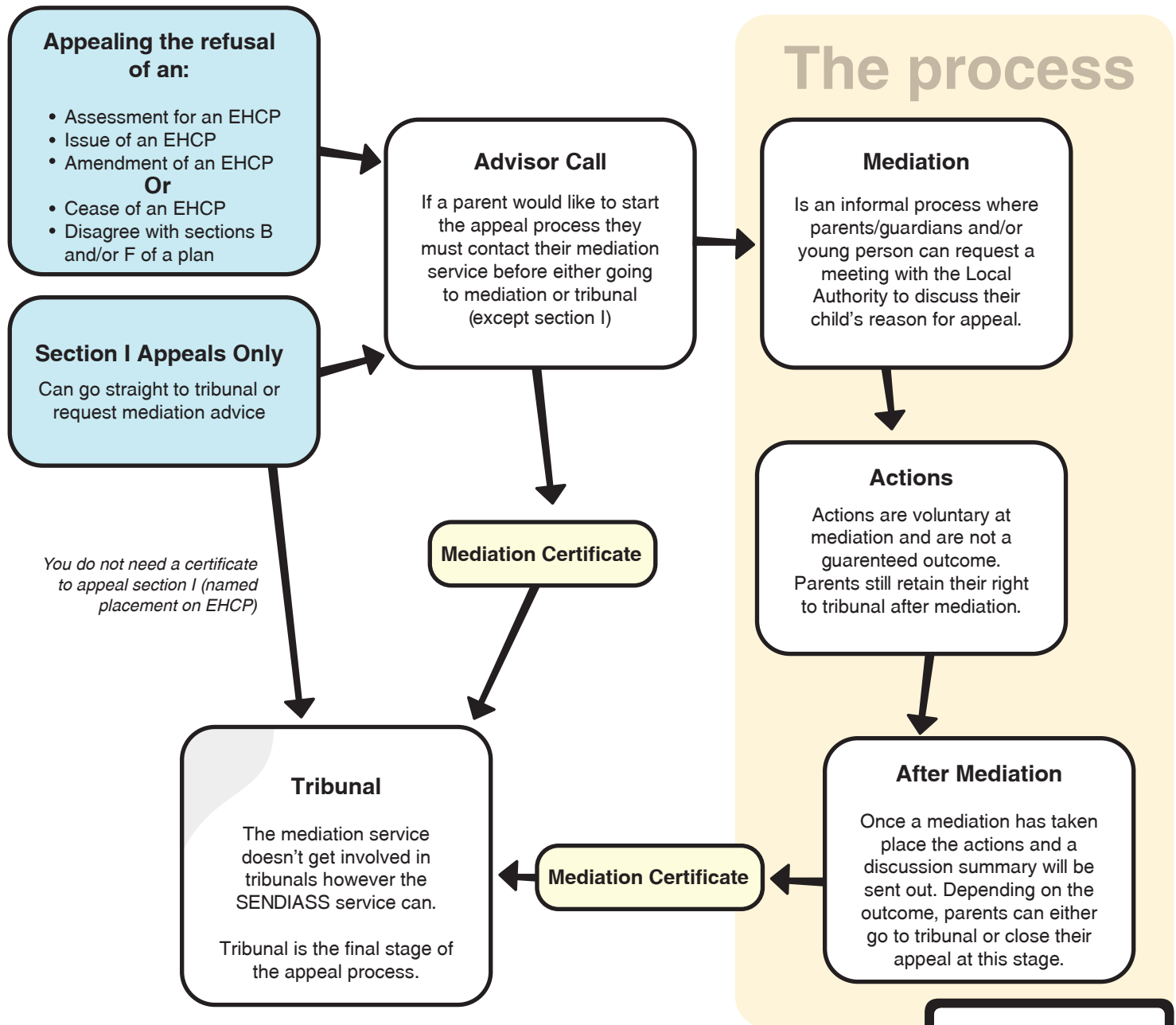


Mediation

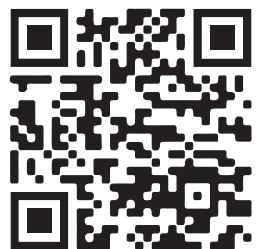
The process of Education, Health and Care Plan (EHCP) appeals

Embrace Mediation and Disagreement Resolution is a free-of-charge service for parents/carers of children/young people (who may have or have Special Educational Needs or Disabilities) from ages 0 to 25 years. We arrange mediation with families who intend to challenge the Local Authority's decision about an Education, Health and Care Plan.



How to access the service:

The Local Authority need to issue you with a decision letter before accessing mediation. Once you have this letter please complete the mediation advisor call request form on our website or scan the QR code on this page.



COMPLETE
THIS FORM

For more details contact us on: **01942 233323** or send us a message via:
f /embracewiganandleigh

Who can attend mediation?

There are key people that need to attend mediation:

- Parent/Guardian and/or Young Person
- Local Authority
- Independent Mediator

Other people can also attend however and this may include an advocate for parent, education representative and professionals from social care or health.

How long does it take?

We try and arrange mediation within 30 days of informing the Local Authority of your request. If this doesn't happen you will be issued with a deemed mediation certificate which allows you to start the appeal process whilst also waiting for mediation.

The timescales for a tribunal date is on average between 8 and 12 months.

What to do if you are not happy with the outcome of mediation?

If you are unhappy with the outcome of mediation you can appeal the original decision made by the Local Authority to the First-Tier Tribunal Service (SEND). You will need to complete a form via the government website and send a mediation certificate (not required for section I appeals only).

Should the education setting attend?

The education setting should know your child/young person well and will have information that the Local Authority may need when making their decision at mediation.

While mediation can go ahead without them, the information from education is usually an important part of the discussion and if they cannot/will not attend then it falls on parents to present this information.

The mediation service is **free** for parents/guardians and is a statutory obligation for Local Authorities to fund this independent service.

Wigan 
Council



Voice of the young person

A key part of mediation is gathering the views, wishes and aspirations of the young people who are at the heart of the EHCP process.

The mediation advisor will ask parents/guardians to consider how best to gather this which can be:

- Video of the young person expressing their views, wishes and aspirations
- Written letter that can be read out during the mediation
- A drawing of how they feel or think about their education, health and care
- In person - they can be an active member of the mediation and come to the meeting by themselves or alongside their parent/guardian

