SEND Disagreement Resolution and Mediation
Disagreement Resolution (DRS) and Mediation are positive ways of resolving disagreements. They follow a similar informal process that brings parties with a disagreement together to discuss their issues.

DRS and Mediation are integral elements to the Children and Families Act 2014 and the SEND 0-25 Code of Practice 2014. Whilst the terms are sometimes used interchangeably, they have different meanings under the terms of the Act and Code:

Mediation is a statutory service commissioned by the Local Authority and is specifically linked to decisions relating to an EHC Needs Assessment and/or Plan.

Mediation must be considered by parents, carers or young people before an appeal can be submitted to the First Tier Tribunal but families can choose whether or not to take part in a meeting.

Whilst mediation must be considered parents, carers and young people will not be disadvantaged at a Tribunal should they choose not to mediate. The Tribunal will not take account of whether or not mediation has taken place or the outcome of any mediation.

Disagreement Resolution applies to any aspect of SEN regardless of whether or not the child or young person is being assessed for or has an EHC plan.

Disagreement Resolution covers a range of disagreements including:

- The performance of duties
- Any aspect of SEN provision
- Health and social care disagreements during the processes related to an EHC needs assessment

The use of either service will not affect the right to appeal or to follow other complaints procedures.

The Together Trust’s SEND Disagreement Resolution (DRS) and Mediation service works with parents and carers of children with Special Educational Needs (SEN), local authorities, schools and other agencies to help resolve disagreements about how best to meet a child’s needs.

Parents and carers are involved throughout the process to ensure that key people are involved and the relevant issue(s) are addressed. Where possible, the views of the child or young person will be obtained prior to the meeting and young people (aged over 16) can attend where appropriate to ensure they are involved in decisions affecting their future.

A DRS or Mediation meeting will usually last about 2 hours. The parties themselves are in control of the outcome, so the outcome of each meeting will vary depending on the original circumstances, the discussion and what agreement could be reached. It is therefore not possible for anyone to predict the outcome of a meeting before it happens.

The only output from the meeting is an ‘Outcome Statement’. This document briefly summarises what the discussion covered and lists the agreed actions.

The Service can only provide impartial and unbiased information and guidance on DRS and Mediation – the Service strongly recommends that parents and carers engage with their local SENDIAS Teams, particularly where specific advice and/or direct support is required.

Contact: 0161 283 4848 or drs@togethertrust.org.uk

FAQs are available on our website: http://www.togethertrust.org.uk/disagreement-resolution/faqs
For further information about our range of services please contact:

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