



Tribunals Service

Special Educational Needs
and Disability

**Further Information Form for Local Authority or Responsible Body
(SO1)**

Childs Name:

Appeal/Claim Number:

Further Information Form

Before completing this form PLEASE READ the Explanatory notes attached.

This form is to be received by the Tribunal Service at Old Hall, Mowden Hall, Darlington, DL3 9BG by 5 pm on.....**(insert week 6)** This is the same date as date for LA/RB response i.e. Week 6.

A copy must also be sent to the parents.

1. Please identify what you think the areas of disagreement are in this case

2. Please state if there is any new written information you intend to provide to support your case and, if possible, the date by which it will be provided.

If the information you have identified includes a report from a professional who knows the child (such as a class teacher, SENCO, head teacher, speech and language therapist, educational psychologist or occupational therapist), please state the field of expertise of that person and his/her name.

Please tell us the date of any appointment the professional has made to see the child and the date you expect to get the report.

3. Please state which witnesses you wish to bring to the tribunal to give oral evidence to help it resolve the matters in dispute that you have identified at question 1 above. Please also provide their names, addresses and say what you think they may be able to say that will help.

(the tribunal can limit the number of witnesses each party is allowed)

4. Please provide details of anybody else you wish to attend the whole or any part of the final hearing (other than as a representative or witness) as a supporter or observer, explaining why you want them to attend. Note: these people cannot give evidence to the Tribunal.

(Please note: the tribunal can limit the number of supporters/observers)

5. Who will you be represented by at the final hearing? I (If that person is already named in the LA's or Responsible Body's response to the appeal/claim you do not need to complete this section.)

Are they legally qualified?

Yes/No

Please provide the name, address, telephone number, and e-mail address of the Local Authority or Responsible Body representative if not previously provided

6. Are there any special arrangements that need to be made for anyone attending the hearing? For example, will anyone require the assistance of an interpreter or sign language interpreter? If so, please give details of the language, dialect or type of signing skill required.

7. Do you, any of your witnesses or observer have any disabilities/special needs that may require adjustments to be made at the hearing? Yes/No

If yes, please state what they are and what adjustments need to be made.

I confirm that I have sent a copy of this form to the other party.

Signed

.....

Print Name

.....

LA officer/responsible body representative (delete as appropriate)

(Date).....



Tribunals Service

Special Educational Needs and Disability

Explanatory Notes

This Further Information Form is designed to let the parties and the Tribunal know what the remaining issues in the case are, and who is going to attend the hearing. The form is sent both to parents and local authorities or responsible bodies asking them to provide the same information. A timetable has been set out in the SEN Appeal Directions (SO3) attached. This gives deadlines by which reports and written information have to be sent to the Tribunal and the other party. Paragraph 7 of the Directions sets out what you need to do if you do not agree with the Directions that have been made.

Question 1: Areas of Disagreement

We hope that since the appeal was submitted you have been able to resolve some of the issues. We would like you to let us know what you believe the remaining areas of disagreement are. If the appeal is about what is in the statement, we do not expect you to give all the details here. Both parties should already be working together to provide a working document. We just need to know the general area of disagreement, rather than each and every word or phrase that is in dispute. In some appeals there may be only one or two matters in dispute so we would not expect you to include many areas of disagreement. Also, you may have found that as the case has progressed some matters have been sorted out and others have arisen. Giving us this information now will help to everyone to focus on what the Tribunal is being asked to decide.

Question 2: Further evidence

Both the parents and the local authority will have sent in some documents with the appeal/claim form or the response. However, in many cases not all the information is available at that time. Some time professionals have been contacted and an appointment is planned for a later date.

We would like to know in reply to this question what further information you will be sending us, whether you have instructed a professional and, if so both who it is and the date of the appointment. We will use this information to make sure that the case is ready for the final hearing when we review it during week 16.

We believe that it is going to be helpful for both sides if the information is available a reasonable time before the final hearing so that it can be read by everyone and if possible be used as the basis for reaching an agreement. For that reason we think that it is important that the information is available at least 4 weeks before the date set for the hearing.

Question 3: Witnesses

We need to know who you want to come to the hearing to give evidence on your behalf. We think that it is important that we have evidence from those who know the child and are able to give information that is relevant to the areas of dispute. Whilst there is no limit on the number of witnesses you can bring along, from experience we think that three is probably the maximum number that we would need to hear from in an SEN appeal, with a maximum of five people in a disability claim.

In some cases there are no witnesses needed other than the parents and the LA officer. We do have power to limit the number of witnesses who attend so there is no assumption that if you want a witness that person will be allowed to come. We believe that a case should not take more than a day except in exceptional circumstances. If there are too many witnesses that could prolong a case unnecessarily.

Question 4: supporters

We are able to allow observers to come to the hearing but they cannot talk or take any part in the hearing or take notes or give evidence. We need to know who you want to bring along because it is a private hearing and because of the size of some venues.

The child who is the subject of the appeal is able to come to the hearing and can stay to give evidence. It is not always appropriate for a child to remain for the whole hearing so they may be asked to leave the room either after they have met the panel members or after they have given evidence to the tribunal. HOWEVER the Tribunal Service cannot look after the child. If parents do bring a child to give evidence THE PARENTS are responsible for him/her and will need to make arrangements if s/he needs to be looked after.

Question 5: Representatives

We think that it is only fair that both sides know if the other party is to be represented. In the vast majority of cases neither parents nor Local Authorities are legally represented. It is entirely a matter for each party if they want to be represented by a lawyer or, in the case of parents, if they want someone from a voluntary organisation or anyone else to represent them.

The LA or Responsible Body is required to give the name of the representative in its response. Parents may have already told us that they are to be represented, if so, we apologise for asking the question again. It may also be possible that parents do not yet know whether or not they are going to be represented, but they will need to tell us the name of any representative before the hearing.

Questions 6 and 7:

We ask for this information so that we can make sure that the appeal/ claim process and the hearing is accessible to both parties, the child, the witnesses and any observers. We want to make sure that any difficulties are minimised or avoided. If you give us this information, then we can make necessary reasonable adjustments. We can also make sure that the panel know that they may need to make adjustments during the hearing.