

# SEND Tribunal:

## An overview of when and how to appeal



Please note: 'child' = 'child or young person'

A factsheet to help with deciding if, when and how to appeal to the SEND Tribunal. Any forms are directly linked to for ease, however please go to the relevant [government site](#) for more information.

### Before appealing to the SEND Tribunal:

- Consider other options, such as asking for an informal meeting with your SENAT SEND Officer.
- If you are appealing on behalf of a young person (aged 16-25) make sure they know about and are happy with this, as the appeal will be in their name.

### Know the time frame

- You have two months from the date of the LA decision letter to appeal. Or one month from the date of your mediation certificate, whichever is the later date.

### Consider Mediation

- Except for 'Placement Only / Section I' appeals (see below), you must [consider mediation](#) and obtain a mediation certificate from Global Mediation before you can lodge your appeal.

### Refusal to Assess

- Our [online guide](#) explains what to do if your request for an Education, Health and Care Needs Assessment has been refused, including detailed information on how to complete [SEND35A](#) (this is an editable pdf form).

### EHCP contents

- See our [online guide](#) on how to appeal EHCP Sections B & F (also C&G, D&H and I) and how to complete [SEND35](#) (form available as a downloadable, editable file or can be completed electronically online).

### Placement Only

- Whilst it is possible to appeal only Section I/Placement, we recommend considering carefully whether you would like the Tribunal to review the whole EHCP - in which case, you can opt for a Contents appeal and not Placement Only. This is explained further in our [online guide](#).

### Cease to Maintain

The grounds under which the LA can Cease to Maintain an EHCP are explained on our website. To appeal, complete [SEND35](#) (form available a downloadable editable file or can be completed electronically online).

### What to send with an appeal

- Sign and date the [SEND35](#) form (with the child's name if 16+) and send with a copy of the LA decision letter, your mediation certificate and all evidence that you have mentioned in your appeal form. See our [online guide](#) for more information.

At [SENDIAS](#) we've been offering information and advice about SEND Tribunal Appeals for many years. Take a moment to read our [FAQs](#) page to read answers to popular questions.

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## Service Statement

The role of the SENDIAS service is to ensure all parents, children and young people have access to impartial information, advice and support so they can make informed decisions related to their situation. Any information that is shared with the service is in confidence unless permission has been obtained to share this with any individuals, services and agencies that may be able to help in the circumstances. For more detail, view our [policies and privacy notice](#) on our website.

**How to contact us:** Tel: 0330 222 8555 / Email: [send.ias@westsussex.gov.uk](mailto:send.ias@westsussex.gov.uk) or [cyp.sendias@westsussex.gov.uk](mailto:cyp.sendias@westsussex.gov.uk) (up to age 25) / Website: [www.westsussexsendias.org](http://www.westsussexsendias.org)

To view factsheet online and access all links: <https://tinyurl.com/btwbxzep> or scan QR code:

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