### ****Appealing a Decision About an EHCP****

If you disagree with a decision made by the Local Authority regarding an **Education, Health and Care Plan (EHCP)**, it’s important to know your options. Here’s a step-by-step guide to help you understand the process:

### ****First Steps****

1. **Contact the SEN Team:** Arrange a meeting with your Case Manager to discuss their decision and share why you disagree.
2. **Resolution at This Stage:** Many issues can be resolved through open communication, avoiding the need for formal appeals.

### ****What If You’re Still Unhappy?****

If the issue cannot be resolved, you can appeal to the **First Tier Tribunal (SEN and Disability)**. Before doing so, you must consider mediation, referred to as **mediation advice**.

### ****Mediation****

* Mediation is a **free** and **confidential** service aimed at resolving disagreements.
* An independent mediator will facilitate a meeting between you and the Local Authority.
* You will receive a **mediation certificate** within 3 working days of the meeting. This certificate is required to appeal to the tribunal unless your appeal is only about the school or institution named in the EHCP.

**Important:** You can still proceed to tribunal after mediation if you’re unhappy with the outcome.

### ****What Can You Appeal?****

You can appeal decisions such as:

* Refusal to carry out an EHC needs assessment or reassessment.
* Decision not to issue an EHCP following an assessment.
* The content of Sections B (SEN), F (Provision), or I (Placement) of an EHCP.
* Decision not to amend an EHCP following a review or reassessment.
* Decision to cease maintaining an EHCP.

### ****Time Limits for Appeals****

* You must register your appeal within **two months** of the Local Authority’s decision letter or **one month** from the date of the mediation certificate—whichever is later.
* Disability discrimination claims must be made within **six months** of the incident.

### ****The Role of the Tribunal****

The **First Tier Tribunal** considers appeals related to EHCP decisions and disability discrimination claims against schools.

* The process is designed to be **accessible and user-friendly**, without requiring legal representation.
* You can bring a friend, supporter, or representative from a voluntary organisation. **Shropshire IASS** can support you at hearings.

### ****Tribunal Decisions****

The Tribunal can:

* Dismiss the appeal.
* Order the Local Authority to carry out an EHC needs assessment.
* Order the Local Authority to issue or amend an EHCP.
* Correct weaknesses in the EHCP (e.g., missing information).

**Tribunal decisions are legally binding**, and the Local Authority must comply within a set timeframe.

### ****Where Can I Get Support?****

For impartial advice and guidance, contact **Shropshire SENDIASS**:

* **Phone**: 01743 280019 (Open 10am–4pm, Monday to Friday)
* **Email**: iass@cabshropshire.org.uk

Shropshire IASS can help you navigate the appeals process, prepare for mediation or tribunal, and ensure your rights and your child’s needs are understood.