


Review of arrangements for disagreement resolution (SEND)

Researcher name and institution:	<p>Mairi Ann Cullen</p> <p>Senior Research Fellow Centre for Educational Development, Appraisal and Research (CEDAR) University of Warwick</p> 
Funding mode/funder:	Contract research, Department of Education
Start and End date:	1 April 2015 – 31 March 2017
1. Brief summary of what the research is about.	<p>The system of support for children and young people with special educational needs and/or disabilities (SEND) has recently been the subject of major reforms (Children and Families Act, 2014). Part of the changes relate to a requirement for local authorities (LAs) to make disagreement resolution services available to parents and young people for disagreements about any aspect of SEN provision; and the introduction of a system of mediation for disagreements between parents or young people and the LA about education, health and care (EHC) needs assessments or plans.</p> <p>The purpose of this research is to support Ministerial commitments to conduct a review of the disagreement resolution arrangements and to conduct a pilot to test the expansion of the powers of the First-Tier Tribunal (SEND) to make non-binding recommendation on health and social care aspects of EHC plans. The Tribunal's powers are currently limited to the educational context.</p>

2. What are the research questions?	<p>The six research objectives cover:</p> <ol style="list-style-type: none"> 1. Mediation – extent of success in resolving issues without recourse to Tribunal 2. Process of Education Health and Care (EHC) needs assessment and plan development – extent of success in preventing disagreements and resolving any at early stage 3. Disagreement Resolution Services and Information, Advice and Support Services – how far these new services help to resolve issues early and so contributing to a reduction in appeals to Tribunal 4. Health and Social Care complaints arrangements – how far these are perceived as working for parents and young people 5. Pilot of extended Tribunal powers – collating learning from this through collecting perspectives of appellants, and those involved in the Tribunal, LAs, Health, and complaints procedures) 6. Cost implications - costs savings of early (pre-Tribunal) disagreement resolution and cost implications of pilot of extended powers of Tribunal
3. What, if any, outputs so far?	<p>None</p>
4. What outputs are planned?	<p>Interim Report in 2016; Final Report in 2017</p>
5. What is the anticipated impact?	<p>Informing the Ministerial Review of the disagreement resolution arrangements (SEND) in the Children and Families Act 2014.</p>
6. Comments / additional information / requests for data or input from the broader administrative justice community	