

A place at the table: Children's and young people's participation in resolving disputes about special educational needs

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1. Brief summary of what the research is about.

Decisions made by local authorities on special educational needs and disabilities (SEND) provision for children and young people reflect many aspects of concern in administrative justice – the quality of initial decision-making, accountability of public bodies, and mechanisms by which people can challenge and appeal such decisions, all of which must be considered in the current context of budget pressures on schools and local government. This knowledge exchange project will contribute to

	<p>understanding of the way these aspects of administrative justice are experienced through the lenses of children's rights and participation in access to justice and will propose best practice for including children's and young people's voices in the process of mediation.</p> <p>The project is in five parts:</p> <ol style="list-style-type: none">1) A series of themed blog posts on the website of the UK Administrative Justice Institute (UKAJI) on recent research in SEN decision-making and dispute resolution.2) Empirical research (interviews, questionnaire and focus group workshop) with mediation practitioners, legal advisers, young people with SEND and local authorities.3) Preparation of briefing materials for stakeholders in advance of the roundtable meeting.4) A roundtable exchange and consultation meeting hosted jointly and involving key stakeholder organisations.5) A Conclusions report with proposed good practice guidance and next steps, and a journal article on SEND dispute resolution as a case study administrative justice in practice.
2. What are the research questions?	<p>Research questions include:</p> <ul style="list-style-type: none">• To what extent are children and young people participating in decision-making in mediation to resolve disputes about their support for special educational needs and disabilities?• What are the barriers to participation?• What lessons can be drawn from the experience of the Local Government Ombudsman in relation to complaints?• How can mediation processes and practices be adapted to enable children and young people to participate meaningfully in mediation of SEND disputes?

3. What, if any, outputs so far?	None
4. What outputs are planned?	Journal article and draft guidance
5. What is the anticipated impact?	<ul style="list-style-type: none"> • improving young people's access to justice, contributing to work on giving voice to young people in exercising their rights and greater opportunities for participation in decision-making on SEN provision and support • contributing to research knowledge, development of relationships with practitioners and non-academic organisations, and contribution to impact case study on administrative justice • practical guidance on facilitating the engagement of children and young people in mediation meetings and tribunal hearings, leading to more sustainable outcomes • better understanding by organisations involved in decisions and dispute resolution for children and young people with SEN, including local authorities • contributing to work on improving practice in first-instance decision-making, avoiding complaints and appeals, and meeting policy objective of meaningful participation by service users • help for local authorities and redress providers in putting in practice the policy commitment to engaging children and young people with SEN to participate meaningfully in key decisions
6. Comments / additional information / requests for data or input from the broader administrative justice community	