



SENAC's Tribunal Support and Representation Service Terms of Engagement

*Thank you for your request for support from
SENAC's Tribunal Support and Representation Service.
Please read the following for your information.*

SENAC's Remit

The Special Educational Needs Advice Centre (SENAC) provides confidential, independent advice and advocacy on behalf of children and young people with disabilities and special educational needs (SEN) attending schools in Northern Ireland up to the age of 19 years.

SENAC's Tribunal Support and Representative Service offers independent advice, support and representation on SEN Appeals for families and those with parental responsibility appealing to the Special Educational Needs and Disability Tribunal (SENDIST).

SENDIST considers parents' appeals against the decisions of the Education Authority about their children's special educational needs and claims of disability discrimination in relation to children at school. SENAC **only** provides advice and representation in **SEN Appeals** against the Education Authority. We do not represent families with disability discrimination claims and will direct families to the appropriate services in the event they wish to take a disability discrimination claim to SENDIST.

SENAC's Tribunal Representative will advise on the strengths and weaknesses of your appeal and the process for appeal and support you to put forward the best appeal case possible to SENDIST. We cannot guarantee, predict or advise if your appeal will be successful as that decision is made by the SENDIST Panel.

SENAC's Tribunal Support and Representation Service

The service will endeavour to provide the nature and level of advice and representation as requested. However, to ensure quality and best use of the service and responsible case management the following will influence and determine **if and how** SENAC can respond to a request for support:

- Volume of current cases
- Strength or weakness of your case and the evidence available.
- Resources available to SENAC. Due to resources we may have to limit the number of appeal cases we have at any one time.
- Time capacity of staff

NB: Once a referral has been made to SENAC's Tribunal Representative she will consider your appeal in the context of the above and then inform you whether or not SENAC can provide you with support and/or representation.

Please note: Priority may also be given to those families SENAC's Children's Advocacy Service has been supporting who require an appeal and for young people contacting the service who require representation.

What the service can offer:

- General advice on SENDIST and its procedure.
- Help with completion of the Notice of Appeal form and Case Statement
- Assisting and setting out reasons for appeal
- Obtaining further evidence as required
- Assessing evidence to be submitted in support of appeal
- Negotiating with the Education Authority
- Representing and advocating for the child and young person's case at SENDIST

Documentation and Evidence:

All relevant papers relating to your child's educational needs must be passed to the Tribunal Representative in order to fully advise you **as soon as possible and no later than 7 working days before the relevant deadline** for lodging a notice of appeal or case statement. This is to provide the Tribunal Rep with sufficient time to consider the documentation and evidence and draft the necessary paper work for SENDIST. We cannot guarantee support and advice if the necessary documentation is not provided by you in advance of a deadline as set out above.

Please Note: When posting or forwarding documents to SENAC, SENAC cannot be responsible for documents not delivered or lost by a third party such as the post office or courier.

Working Together

We may receive communications and correspondence about your appeal which we will be obliged to consider and to respond to in your interest. We will consult and update you as and when appropriate. We would ask that you also keep us updated and informed.

You should bear in mind that as a case develops, the length of time it takes to resolve and the way in which it is progressed, is influenced not by just what we decide to do together but also how others decide to deal with your case.

We are entitled to take into account, the complexity, importance, urgency and difficulties in the matter involved, the number and importance of the documents involved, the skill and responsibility involved and the importance of the Appeal. If there is any information that may affect our support of your case it is important that you tell us as soon as possible.

Whilst we recognise the stress involved in taking an appeal to SENDIST we promote a collaborative approach and positive engagement with the Education Authority. SENDIST encourages parents/carers to continue to dialogue with the Education Authority after registering an appeal and the achievement of a legally binding agreement which satisfies the concerns and interests in both parties.

If you no longer need our support or representation, please let us know as soon as possible. If SENAC are unable to continue to support you, for example where a conflict of interest may exist where a parent/carer has already sought legal advice in the same matter or where we consider there has been a breakdown in communication we will inform you in writing.

Handling data and records

It is necessary for us to retain personal data in relation to your child and case on our files and/or computer records. SENAC holds and stores all personal data confidentially and in accordance with the relevant data protection legislation.

NB: This is a charitable, free representation service funded by the Esmée Fairbairn Foundation.