

SEND Mediation

Information for parents and carers

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What is mediation?

Mediation is a **free and informal meeting** to help you and the Local Authority (LA) or health service (CCG) resolve disagreements about your child's **Education, Health and Care Plan (EHCP)**.

It gives everyone a chance to talk, ask questions, and try to agree before going to a SEND Tribunal.

When can you use mediation?

You can use mediation if the LA:

- Refuses to do an EHC needs assessment
- Refuses to issue an EHCP
- Plans to stop (cease) an EHCP
- Makes changes to the EHCP you don't agree with
- You disagree with:
 - **Section B** – your child's needs
 - **Section F** – the support your child should get
 - **Section I** – the school or setting named

You can also mediate about **health or social care parts** of the EHCP.

Is it free?

Yes – mediation is completely **free** and provided by an **independent service**.

How long does it take?

- Mediation should happen within **30 days** of you asking for it.
- The meeting usually lasts **2–3 hours**.

Who can be there?

You can bring someone to support you like:

- A friend
- A family member
- A support worker

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Also attending may be:

- LA and/or health service staff
- An independent mediator (they run the meeting)
- School, college, or social care staff (if needed)

Before the meeting

- Think about your main concerns and what outcome you want
- Gather your child's views and any supporting evidence
- Make sure someone from the LA has **authority to make decisions**

During the meeting

- Everyone can share their views
- The mediator ensures the meeting is fair and calm
- The goal is to agree on clear next steps

After the meeting

If an agreement is made, it will be **written down and shared**.

The LA must follow strict deadlines if they agree to something. Regulations 42 and 44 of The SEND Regulations 2014 say that the LA must:

- Start an EHC assessment – within 2 weeks
- Issue a draft EHCP – within 5 weeks
- Issue a final EHCP – within 11 weeks
- Amend a plan – within 2 to 5 weeks

If no agreement is reached, you'll still get a **mediation certificate** so you can appeal.

Do I have to mediate?

No, mediation is **voluntary**.

But **you must contact a mediation advisor** to:

- learn about your rights
- get a **certificate** if you choose not to mediate (you'll need it to appeal)

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Appeal time limits

You must appeal to the SEND Tribunal within:

- **2 months** of the LA decision letter, OR
- **1 month** after getting your mediation certificate – whichever is later.

How to access mediation

Step 1 – Call a Mediation Adviser

- Contact details are in the LA's decision letter or EHC plan letter.
- Call them to get advice and help deciding whether to try mediation.
- You still have the right to mediation even if your issue is only about placement.

Step 2 – Decide what you want to do

If you don't want mediation:

- Tell the adviser. They will send a mediation certificate (unless it's only about placement).
- Keep this certificate – you need it to appeal.
- They must send the certificate within 3 working days.
- No certificate is sent if your issue is only about placement.

If you do want mediation:

- Tell the adviser and your local authority (LA).
- Explain what you want to discuss in mediation.
- If it includes health care issues, be clear about what provision you want in the EHC plan – these are called your mediation issues.

Need more help?

[Find your local IAS service](#)

[Mediation](#)