



## **Special Educational Needs and Disability Appeals**

You can appeal to the First-tier Tribunal (Special Educational Needs and Disability) if you disagree with your local authority's decisions about your child's [Special Educational Needs and/or Disability](#).

Parents and young people can appeal to the Tribunal about:

- a decision by a local authority not to carry out an EHC needs assessment or reassessment
- a decision by a local authority that it is not necessary to issue an EHC plan following an assessment
- the description of a child or young person's SEN specified in an EHC plan, the special educational provision specified, the school or setting specified in the plan or that no school or setting is specified
- an amendment to these elements of the EHC plan
- a decision by a local authority not to amend an EHC plan following a review or re-assessment
- a decision by a local authority to cease to maintain an EHC plan

For someone under 18 and in custody, you can appeal if:

- the council doesn't make an EHC needs assessment
- the council doesn't think it's an EHC plan is needed after an assessment
- the school or other institution that they'll attend once they're released isn't suitable

You can also appeal to the tribunal if a school or local authority has discriminated against your child or someone else because of your child's disability, e.g. they haven't provided support.

**You must send your appeal within 2 months of the date of the Council's decision letter or 1 month from the date of the Mediation Certificate (whichever is later).**

The tribunal is independent of government and will listen to both sides of the argument before making a decision.

### **Who can appeal?**

You can appeal as either:

- the parent
- the young person, if you're [over the school leaving age](#) and you're under 25

### **Help you can get**

Further information about the [appeals process](#)

You can also get free help and advice from [Halton SEND Partnership](#) and [IPSEA](#)