

MORE INFORMATION ON MEDIATION

For additional information, including a video and other training materials, please view our website:
www.londonsenmediation.org.uk

Copies of this leaflet are also available on audio tape, in Braille or in larger font from the service.

TRAINING

KIDS London SEN Mediation Service also provides training. Topics covered include: conciliation skills, managing successful meetings and effective email and telephone communication skills. To discuss training options, please contact us.

HOW TO CONTACT US

Please choose one of the following options:

Phone: 020 7837 2900

Fax: 020 7520 0406

Email: enquiries.london@kids.org.uk

**Post: KIDS London, 49 Mecklenburgh Square,
London WC1N 2NY**

Web: www.londonsenmediation.org.uk



KIDS LONDON SEN

MEDIATION SERVICE

WHO ARE WE?

KIDS London SEN Mediation Service aims to settle disputes that arise between local authority / schools and parents about special educational needs of children and how best to meet these needs. Mediation is provided free to parents. The service is managed by KIDS, an independent charity with over thirty years experience working with children who have special needs and their families.

WHAT DO WE OFFER?

The service is based on the principles of mediation. Mediation is an informal, voluntary process which involves an independent third party (the mediator) helping those in dispute improve communication and negotiate solutions that are acceptable to all parties.

The mediator is impartial, does not take sides, nor put forward suggestions or possible solutions to the dispute. The mediator is in control of the process but not the outcome of the mediation. It is the parties themselves who find solutions/decide the outcome, whilst willingly participating in the mediation process.

WHO ARE THE MEDIATORS?

They are independent, highly skilled, experienced, professionals. All have an accredited qualification in mediation and have received additional training in SEN legislation and practice.

WHERE DO MEDIATIONS TAKE PLACE?

The local authority or school involved in the disagreement will be asked by the Mediation Service to arrange a suitable (i.e. quiet, safe, neutral) venue for the mediation session. Two rooms are needed so that the mediator can speak privately with each of the parties as necessary during the course of the mediation. The local authority or school involved is also asked to arrange light refreshments on the day.

WHAT HAPPENS IF THERE IS AN AGREEMENT?

If the mediation results in an agreement on all or some of the issues in dispute, the mediator prepares the agreement document before the close of the session. The wording is checked with the parties. If everyone is satisfied with the agreement, each party is asked to sign it, and a copy is given to all parties present. The mediator sends one copy of the agreement to the mediation service for quality control purposes.

QUALITY CONTROL

Participants in the mediation are asked to complete evaluation forms and return them in a sealed envelope to the mediation service. Service user evaluations are the principal form of quality control.

WHO ATTENDS THE MEDIATION?

Parent(s)/Carer(s) must attend the mediation and have the authority to settle the dispute. Parent(s)/Carer(s) are encouraged to bring a supporter to the mediation session. This person might be a Parent Partnership Officer, a friend, or a relative.

Local Authority Representative It is essential that the local authority representative attending the mediation has the authority to settle. This means that the officer representing the local authorities has the authority to make agreements on the issues brought to the session without reference to a senior colleague or panel.

School Representatives Many of the issues involving SEN are ones in which the school has an important role. It is therefore essential that schools, in particular Headteachers and SENCos, are invited to participate in mediation where appropriate.

Schools representatives take on a variety of roles in mediation sessions as they can be invited by either the parent or the local authority. The role of the school representative will be clarified before the mediation, and the school representative will be able to talk through with the mediation service what to expect at the mediation and how best to prepare.

WHEN DOES MEDIATION WORK BEST?

It works best when people are genuinely willing to listen to each other (irrespective of their positions) and have a real desire to work with each other to find ways forward.

HOW IS A REFERRAL MADE?

By simply calling 020 7837 2900 or emailing enquiries.london@kids.org.uk

WHO CAN MAKE A REFERRAL?

Parents of children with special educational needs and their advocates or representatives. Referrals may also be made by Parent Partnership, SEN staff, Headteachers and SENCos.

It is important that parents have had access to advice and support before making a referral - this is usually provided by local parent partnership services.

ARE MEDIATION SESSIONS CONFIDENTIAL?

Yes, unless the parties agree otherwise, the content of the mediation session is confidential and is conducted without prejudice to any proceedings of the SEN Tribunal.

The only public documents arising from a mediation session are those agreed by the parties at the meeting. The one exception to the above rule of confidentiality is where an issue relating to child protection emerges.

THE REFERRAL PROCESS

REFERRALS CAN BE MADE BY PHONE, E-MAIL OR LETTER

Once a referral is received, confirmation will be sought by KIDS London SEN Mediation service to ensure that all parties agree to participate in mediation.

If the referral is made by a parent, a standard letter is sent to the local authority inviting participation in mediation.

Should the local authority decline participation the service will inform the parent mediation cannot take place.

If all parties are willing to take part in mediation

KIDS London SEN Mediation Service checks that those attending have the authority to settle the dispute and details of the disagreement from each party's perspective are taken down. If either party does not have sufficient authority to settle, the Mediation Service may not offer a meeting.

The Mediation Service prepares documentation for each party setting out what they have described as the main areas of disagreement.

These documents are sent to each party separately to confirm accuracy. Parties are asked to sign a copy and return it in the envelope provided. Once confirmation is received, copies of the documentation are sent to all participants.

The local authority is asked to arrange a suitable (quiet, neutral) venue and inform the Mediation Service of its location and travel directions. This information is sent to all parties, together with the name and brief details about the mediator.

Mediation takes place

If agreement is reached, this is written up and a copy given to each of the parties. The mediator sends a further copy to the Mediation Service.

As part of quality control, participants are also asked to complete evaluation forms and return them in a sealed envelope to the Mediation Service.