

What if there is disagreement?

Children and parent(s)/ carer(s) or young people will be involved in writing their IDP. Working in this way will provide opportunities to discuss concerns and enable issues to be addressed and settled at an early stage.

From time to time, disagreements can arise. The new ALN system and IDP process and the duty on schools and local authorities to consider the views, wishes and feelings of the child, parents or young person is intended to help overcome many disagreements. It is essential that problems are dealt with as quickly as possible and for children, young people and parent to have access to impartial information advice and support.

Where a concern regarding health or social care provision is raised, children and parent(s)/ carer(s) or young person will be able to discuss this with the health or social care professional. Where it would be beneficial for the local health board to be involved in avoiding and resolving disagreements within education, the local authority will contact the Designated Clinical Lead Officer (DECLO) for advice.

For children and parent(s)/ carer(s) or young person, there are a number of ways that can help prevent problems or misunderstandings arising as follows:

Talk to the school

Always speak to the school's Additional Learning Needs Coordinator (ALNCO) as soon as you have worries or concerns. Share all the information you have about your child with the school and other professionals involved. They will:

- listen and take your problem seriously;
- involve you and your child and consider your views;
- explore all the issues and concerns; and
- gather information and plan a way forward with you

Named officer within the local authority

If you disagree with a school or local authority decision on anything relating to your child's ALN provision or placement you should contact a named officer at the local authority inclusion service. They can help you unpick problems, gather further information, provide advice and support and reconsider school decisions. All local authorities have named officers who will provide advice and support and can help by providing some of the following:

- impartial advice on the rights of a child, child's parent or young person needing support;
- support to unpick difficulties and plan a way forward with all other people involved;
- face to face meetings to work out what to do next;

- support to attend and contribute to meetings at the school or LA; and
- ongoing support if problems are difficult to solve.

ALN Independent Information, Advice and Support - SNAP Cymru

You can also contact **SNAP Cymru** who provide impartial information, advice and support to help you:

- confidently share your views, make decisions and develop good relationships with professionals
- provide clear and straightforward information about your options
- help you make informed decisions
- help you understand ALN law, entitlements and processes

Disagreement Resolution / Mediation

Sometimes it is difficult to reach an agreement. In this area, Independent Disagreement Resolution is provided by SNAP Cymru. The service can help young people, parent(s)/ carer(s) , schools, and the local education authority when there is a dispute about ALN decisions and ALN provision.

An experienced mediator will meet with parent(s)/ carer(s) and school or local education authority staff. The mediator does not take sides but will listen and find out what has been happening. The aim is to find a workable solution that everyone can agree with.

Children and parent(s)/ carer(s) or young people who want to know more about this service can speak to SNAP Cymru on **0808 801 0608** or email:

DRS@snapcymru.org or for referral and more information on: **DRS** - <https://www.snapcymru.org/mediation/>

Disagreeing with Health provision

For disagreements related to health decisions and provision that have not been resolved through earlier discussions, you may use the “Putting things Right” process.

<https://www.wales.nhs.uk/ourservices/publicaccountability/puttingthingsright>

Education Tribunal Wales

If you have chosen to go through the mediation process and are still unhappy, you have a right to appeal to the Education Tribunal for Wales. The Tribunal is independent and will consider appeals when parents disagree with the local authority's decisions.

An appeal can be made by a child, their parent(s)/ carer(s) or young person on the following:

- a review of the decision made by a school whether a child/young person has an ALN;
- a decision by a local authority, in the case of a young person, as to whether it is necessary to prepare and maintain an IDP;
- the description of the person's ALN;
- the additional learning provision in an IDP
- the school named in the plan or if no school is named;
- a decision to revise an IDP;
- a decision not to take over responsibility for an IDP, following a request to do so;
- a decision to cease to maintain an IDP; or
- a refusal to decide a matter.

If you do decide to appeal to the Education Tribunal, you should let the named officer within the local authority know as soon as possible and continue to discuss your concerns. SNAP Cymru can also help you continue to resolve your disagreement.

Contact details

For further information you could get in touch with any of the contacts below:

- The Additional Learning Needs Coordinator (ALNCO) at your child's School/Setting. Please contact the school's office to find out who the ALNCO is at your child's school.
- SNAP Cymru Independent Information Advice and Support Service
Tel: **0808 801 0608**
- Your local authority inclusion service
- Special Educational Needs Tribunal for Wales
Telephone: **0300 025 9800** E-mail: **Tribunal.Enquiries@gov.wales**

If you are unhappy with anything, you should make your views known as soon as possible. If you are concerned about the progress your child is making at school or College, you should first talk to the class teacher. This will provide an opportunity for matters to be addressed and resolved promptly and prevent problems from escalating.