



Information Sheets

The Special Educational Needs Appeal Process

See also NDA FAQs and Fact Files on assessments by clicking on these links: <http://www.northantsdyslexia.co.uk/factfiles.htm>
<http://www.northantsdyslexia.co.uk/faq.htm>

A brief step-by-step guide to the process and the timescales required by English law.

Step One

Parent/adult writes to LEA requesting a Statutory Assessment or a Reassessment of their child's special educational needs.

Timeline: LEA has six weeks to respond to your request for an assessment/reassessment.

Step Two

The LEA may (a) agree or (b) disagree to assess the child:

(a) LEA **agrees** to assess the child.

Timeline: LEA has ten weeks to complete the assessment.

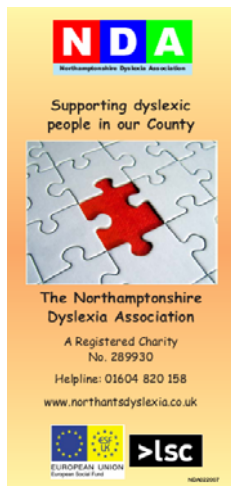
(b) LEA **refuses** to assess the child. In this case the parent/adult may appeal to SENDIST (Special educational needs tribunal panel - contact your local Parent Partnership for SENDIST contact details). SENDIST can either order the LEA: to make a Statement, to reconsider its position, dismiss the appeal. Many LEAs do not contest SENDIST.

Timeline: The parent/adult wanting to lodge an appeal has two months from the date the LEA refusal letter is received to formally lodge their appeal. SENDIST could take up to three months to 'hear' the appeal.

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Step Three

If LEA has assessed the child they then have to produce a 'proposed' Statement of Special Educational Need within two weeks of the assessment.

The LEA then has a further eight weeks to produce the final Statement. The parent/adult can also challenge the content of the final Statement and can request a change of school if they feel this will be in the child's best interest.

There could be three appeals in the process, one against the refusal to assess, one against the refusal to make a Statement, one against the content of the Statement. The whole process can take up to 26 weeks.

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