

# What to do if you did not get your preference school



## 1. Don't let your child see your stress.

You only want the very best for your child, which is why you're stressed, but don't let them know you are. If you worry, so will your child. Try not to talk the school down in front of your child and instead encourage them to be excited about it.

## 2. Research the school you've been offered.

Schools are rated through Ofsted reports, which are not necessarily the best indicator of the best place to send your child. Reports can range from being a couple of years out of date to over a decade out of date, depending on their last rating. For example, any school that was rated Outstanding from 2011 became exempt from inspections unless a concern was raised to Ofsted. That means any school with the higher rating where no issues have been flagged won't have been inspected for eight years and a lot can change in eight years. Also, Ofsted inspectors may only spend two days in a school and sometimes only one. Clearly it's very difficult to properly inspect a school in a couple of days.

If you have not yet visited the school, ask for a tour and a meeting with the SENCo to discuss any concerns you may have. You could discuss what your child's SEN support will look like and what a suitable transition plan could look like.

The school's SEN policy will be on their website and can give you more clarity of the resources the school is able to offer.

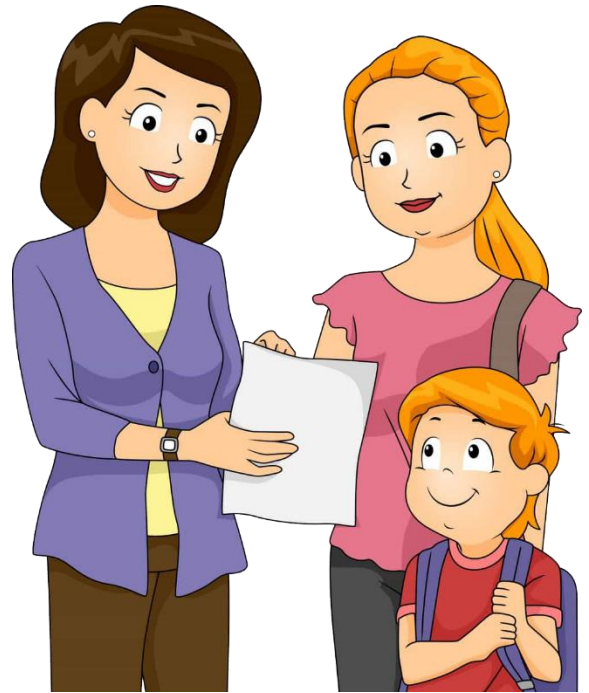


### 3. Handover between schools.

Feeder and receiving settings need to work closely together with the child and their families to ensure a positive transition. It is a good idea to have identified transition leads in both settings who will be responsible for coordinating the process. This may be the special educational needs and disabilities coordinator (SENDCo), year leader or another senior leader.

SEND files, risk managements plans, learning support plans, one-page profiles and other professional reports should also be transferred securely to the new setting.

The SENDCo from the receiving school should contact professionals (e.g. speech and language therapist, occupational therapist etc) to begin to plan provision and organise any specialist staff training required to meet specific needs (e.g. cerebral palsy, ASC, moving and handling training, British Sign Language)



### 4. Transition.

You could request additional visits to the new school with family or with staff from the current setting. Some children will need lots of visits and some will be very unsettled by additional visits - knowing the child and getting the balance right is key. Some children may benefit from having some visits when the school is empty. You could also request that your child spend some additional time with their new class teacher and/or key support staff before term started.

A social story (with photos of key people and places – classrooms, toilets, social spaces, eating areas etc) can help with this process too. You could **ask for a map of the school early on and spend time with your child learning where everything is.** Colour-coding can be helpful: you might highlight each subject's classrooms in a different colour, and use clear symbols to mark important facilities like toilets and the cafeteria.

Ask the school for a checklist of all the equipment your child will need. You can laminate this and stick it on your child's wall, so they can tick off what they need each day and make sure they know how to use their homework planner to record what they have to do at home.

If your child will be getting to and from school independently, rehearse the route a few times, together at first, and then following them at a safe distance.

To help with settling in, you could suggest a buddy system so that child has a friendly face who they can go to for help, request that there is an identified keyworker or adult that child can go to for help, plan support for those children who will need more structured support or a quiet place at break or lunch times.

## If you want to appeal your placement decision

The first thing you should do now is mark any deadlines on your calendar and in your diary. You must send a completed appeal form (SEND 35) and all necessary attachments to the SEND Tribunal within **two months** of the Local Authority's decision letter, or **one month** from the date you obtain a mediation certificate, whichever is the later. (If the two months/one month ends in August, then you have until the first working day in September to submit the form).



In most cases it will be important to appeal against sections B (your/child's difficulties) and F (the provision he or she needs) in your child's amended EHC plan as well as section I. This is because the school named in section I of a plan should be a logical conclusion to what sections B and F say. If sections B and F do not accurately set out your/child's needs and the provision required to meet those needs, the Tribunal may conclude that the LA's choice of school is suitable. Therefore, it is important to ensure that section B and F are specific and quantifiable (<https://www.southamptonsendiass.info/content-of-an-ehc-plan/>).

## Mediation

Mediation is less formal way of trying to settle the dispute between you and the Local Authority. It involves a meeting between you, the LA and an independent mediator, who will try to help you reach agreement on the points of dispute. The mediation may also be attended by other relevant parties such as representatives from the child or young person's school or college. It is free of charge. You can contact Global Mediation by calling: 020 8441 1355 or by visiting their website: [www.globalmediation.co.uk](http://www.globalmediation.co.uk). SENDIASS will be able to help prepare you for your mediation and if necessary attend the session if we are given notice and have availability.

- Short 10-minute mediation explanation video: <https://www.youtube.com/watch?v=2AL29Y7PwYU>
- How to prepare for mediation: [How to Prepare and Present your Case at a Mediation Session](#)
- Help sheet summary: [PLS-AP41-CFAct\\_23\\_Mediation.pdf](#)



## Lodging an appeal

It is free to lodge a contents and placement EHCP appeal. Usually, families attend a physical day long online hearing and can bring witnesses with them to help support their views (usually up to 3).

### Legal aid

If you are on a low income or receiving certain types of benefits, you may be eligible for legal aid. The “[legal aid eligibility keycard](#)” sets out details of who qualifies. The type of legal aid available in the SEND Tribunal is known as ‘legal help’. A parent or young person eligible for this will receive support from a legal professional to prepare the case, and may also be able to obtain funding for any additional evidence needed such as reports from independent experts. Legal help does not cover having a representative to attend the hearing. However, in exceptional cases, a legal aid provider may be able to secure funding to represent you at a hearing. You can apply for Legal aid here: <https://www.gov.uk/check-legal-aid> or call Civil Legal Advice on 0345 345 4 345.

### How to lodge an appeal

- Here is our help guide on how to lodge a placement appeal:

[Appealing the School Named in your EHC Plan](#)











This includes an **Appeal Checklist** at the end (pictured right)

- Here is the link for the SEND35 appeal form walkthrough videos (for an EHCP contents appeal):

[EHCP contents appeal walk through](#)

The help sheet and videos will take you through each section of the appeal form, explain what is expected and what to include. Please use these in the first instance and if you get stuck then feel free to contact us.

**EHCP Appeal Checklist (Tick as you complete them)**

-  Make a note of your appeal deadline. Add to calendars, diaries, and set reminders
-  Received signed LA decision letter
-  Signed mediation certificate/confirm not necessary
-  Complete SEND35 appeal form with your reasons
-  Add the EHCP and all documents listed in Part K
-  Add the evidence documents that support your appeal
-  Add a chronological list of all the documents enclosed
-  Make scans/photocopies of your appeal bundle, keep the originals for your records
-  Register your appeal: submit a COPY of your bundle to the SEND Tribunal
-  Submit any further evidence that is relevant up until the evidence deadline