

Tribiwnlys
Addysg Cymru



Education Tribunal
for Wales

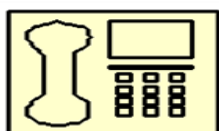
What is an Appeal?

A booklet and form for children



Contact us at **ETW** if you have any questions after you have read this booklet:

This document is also available in Welsh. Please contact the Tribunal for a Welsh version of this document.



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0300 025 9800



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This booklet tells you about:

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Language Preference

ETW welcomes receiving correspondence in Welsh or English. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding. The Tribunal also welcomes phone calls in Welsh or English.

You may submit forms, documents, and make written representations to ETW in Welsh or English.

What is an appeal?

Sometimes children need more help in school or with their education so that they can learn.

An **appeal** is when you tell us that you disagree with certain decisions that are to do with your education.

For example, in an **appeal**, you can tell us about:

- **why** you feel you need more help to learn;
- **what** sort of help would make things better for you;
- an appeal may even be about what **school** you go to.

Your parent can also make an appeal. So an appeal can also be when your parent tells us that he or she disagrees with a decision to do with your education.



Ask us at **ETW**, if after reading this booklet you are still unsure **what** an appeal is, **how** to make an appeal and the **time-limit**.

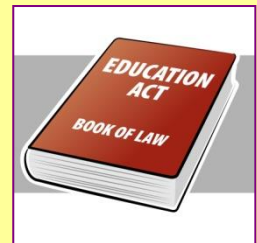
ETW is a tribunal. People can go to a tribunal if they are unhappy about certain decisions that affect them.



A tribunal is a bit like a **referee**. We do not take sides but check that important rules, called laws, have been followed correctly when decisions were made.

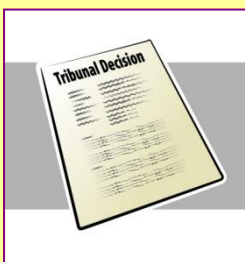
Laws tell us things like a child must go to school or if they do not go to school then they must have some other form of education.

If we find that the law was not followed correctly then the tribunal can make an order to make changes or put things right.



For example, a **tribunal order** can be about:

- What help you need to learn; and
- What school you go to.



We will tell you if we do not agree with your appeal. The appeal will be dismissed and no tribunal order will be made.



Words that may help

Local authority

The **local authority** is part of government. The people who work for the local authority look after lots of local services, like your school.

Additional learning needs

A child may have **additional learning needs** if he/she needs more help in school or with their education so that they can learn.

Assessment and Re-assessment

An **assessment** and **re-assessment** means finding out if a child has additional learning needs and if they do, how these can be met in school.

Individual development plan

An **individual development plan** is a bit like a report. It is written by a school, college, or local authority. It is about a person's additional learning needs. The local authority may decide that someone needs an individual development plan after carrying out an assessment. It will say if that person needs extra help in school and why.

What you can appeal about

You can only appeal about certain decisions to do with your education. Circle Yes or No to see if you can appeal:

**Has the local authority decided that you do not have additional learning needs?
Or has the local authority decided you do not need an individual development plan?**

Yes

No

Has the local authority made an individual development plan for you, or made changes to your plan, that you are unhappy with?

Yes

No

Has the local authority decided you no longer need an individual development plan or, after re-assessing your needs, decided not to change your plan?

Yes

No

Has the local authority decided not to take responsibility for your individual development plan after someone asked them to?

Yes

No

Has the local authority decided not to make a decision about something because they don't think anything has changed?

Yes

No

Has the local authority named a school or a place to live in your individual development plan that you're not happy with?

Yes

No

If you said Yes to any of the above, you can probably make an appeal.

Important time limits!

The local authority must write to you to tell you its decision about your education. It must also tell you in the letter that if you do not agree with its decision you can appeal to us at ETW.

The letter will say something like:

To: Dear (Your **name** would go here)



We have decided **not** to make you an individual development plan. If you **do not agree** with this decision you can appeal to the SENTW.

You now have **8 weeks** to make your appeal to SENTW.

From: Your local authority

Or it may say..

To: Dear (your **name** would go here)



We have made changes in your individual development plan about your additional learning needs. If you **do not** agree with what we have said about your additional learning needs, the help you will get in school or the school you will go to, you can appeal to the ETW.

You now have **8 weeks** to make your appeal to ETW

From: Your local authority



You have 8 weeks to make an appeal. The 8 weeks start from the date when the local authority told you about its final decision in a letter.



Who can help?

People who may be able to help you with your appeal:



Case Friend

A **Case friend** is a person who knows you well. It can be someone in your family or someone like a teacher or social worker. You will only have a case friend if the Tribunal decides that you need more help to understand.

You can make an appeal on your own or with the help of a case friend. A case friend can help and support you number of ways, by:

- avoiding or sorting out disagreements with the local authority using dispute resolution arrangements,
- discussing with you whether or not to make an appeal,
- completing the Appeal Application and sending it to ETW,
- receiving information about the appeal,
- ensuring your wishes and views are represented at hearings,
- advising you on the progress and outcome of an appeal.

Your **Case friend** will need to read our booklet *Children who lack capacity, and case friends (ETW9)*

You case friend will need to complete and return our case friend declaration form.



Advocate

An **Advocate** is someone you feel comfortable talking to, who will listen to you and tell us or help you tell us how you feel about the appeal and what changes you want to make. They may also be able to help you with your appeal.

There may be some children and young people who don't have anyone to speak up for them. They can have help from an independent professional advocate who has received training as an advocate and is not involved in your situation. They can help you tell grown ups or tell us on your behalf, what you want to happen.

Your local authority must refer you to an **advocate** if you ask them for one.



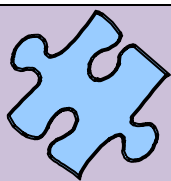
FREEPHONE
080880 23456

MEIC CYMRU You can also contact **meic**, the free 24/7 confidential advocacy and advice helpline for children and young people.

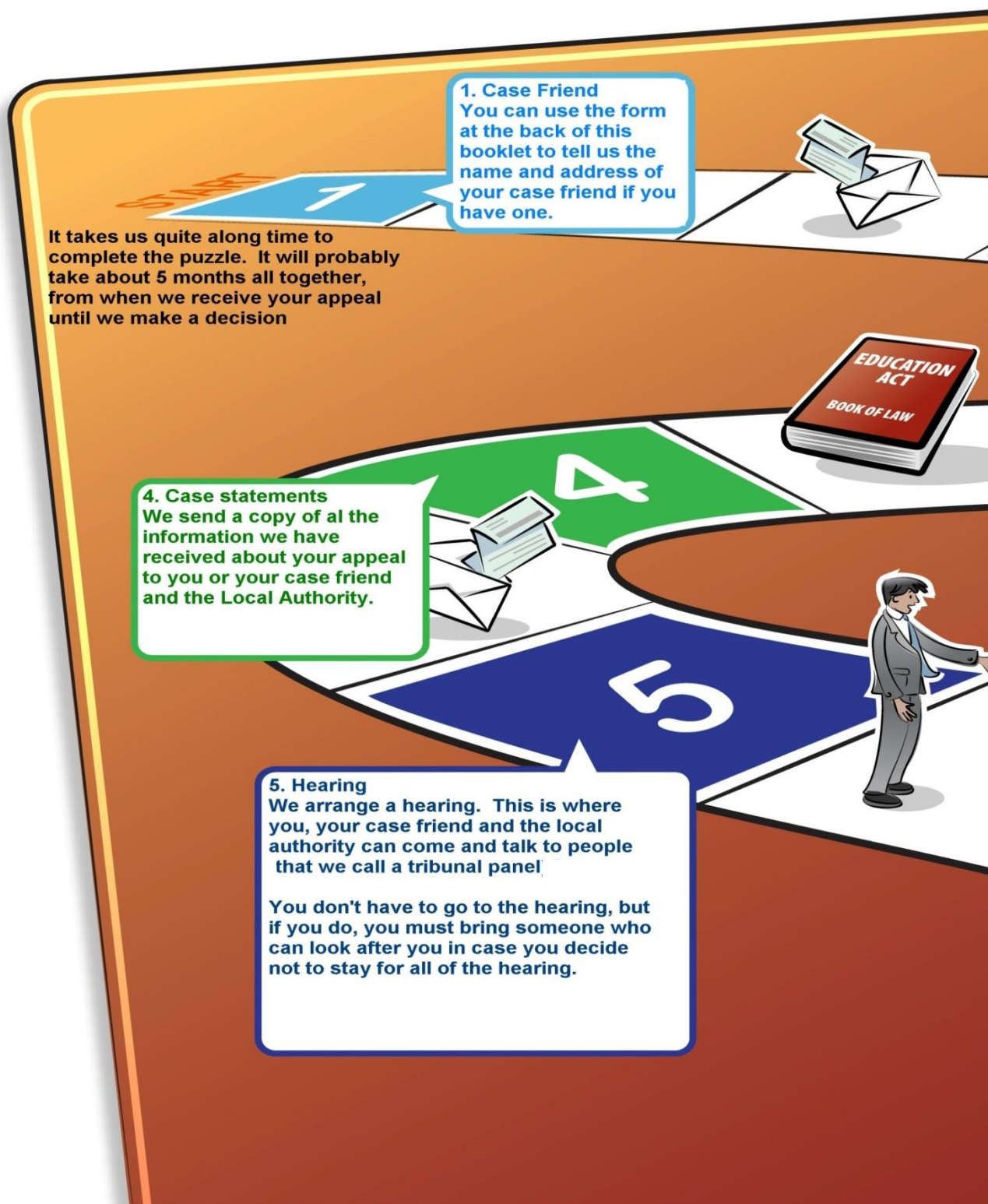
If you decide to make an appeal you are still able to talk to other people who may be able to help you:

You can talk to people at your **school** or from the **local authority**. You can tell them why you are unhappy and what changes you want to make.

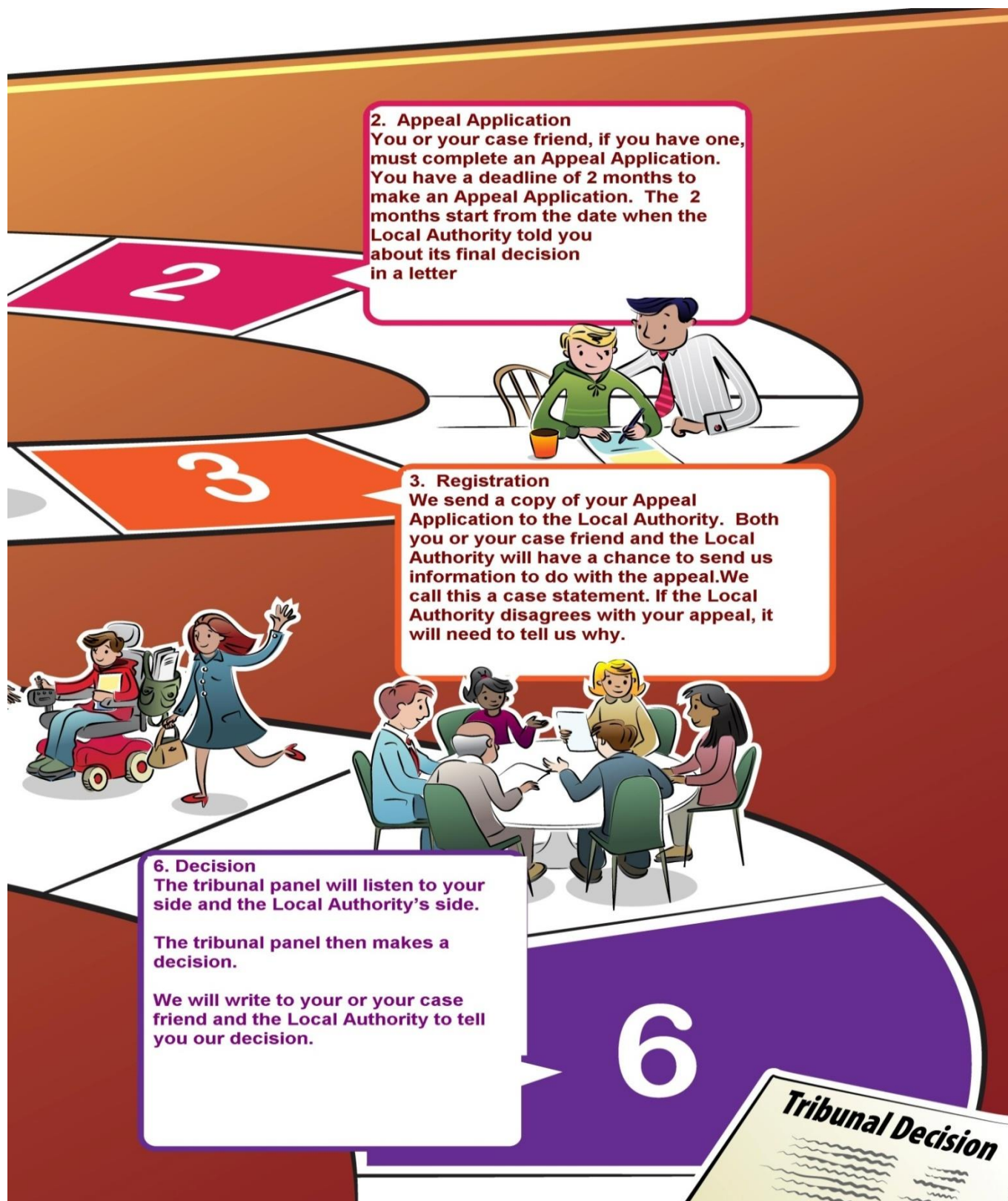
Your local authority must also put you and your case friend, if you have one, in touch with people who have been specially trained to help solve disagreements. This is called a **disagreement resolution service**



What happens next?



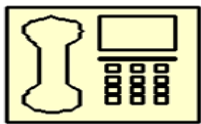
An appeal is like a big jigsaw puzzle. There are lots of different pieces that we have to put together so that we can see the whole picture.



Tell us if you have a case friend

If you decide to make an appeal you can:

- Tell us the name and address of your case friend, if you have one. We will then send an appeal application and all information about your appeal to your case friend. **OR**
- Contact us at ETW to ask us to send you an appeal application or download an appeal application from our website.



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