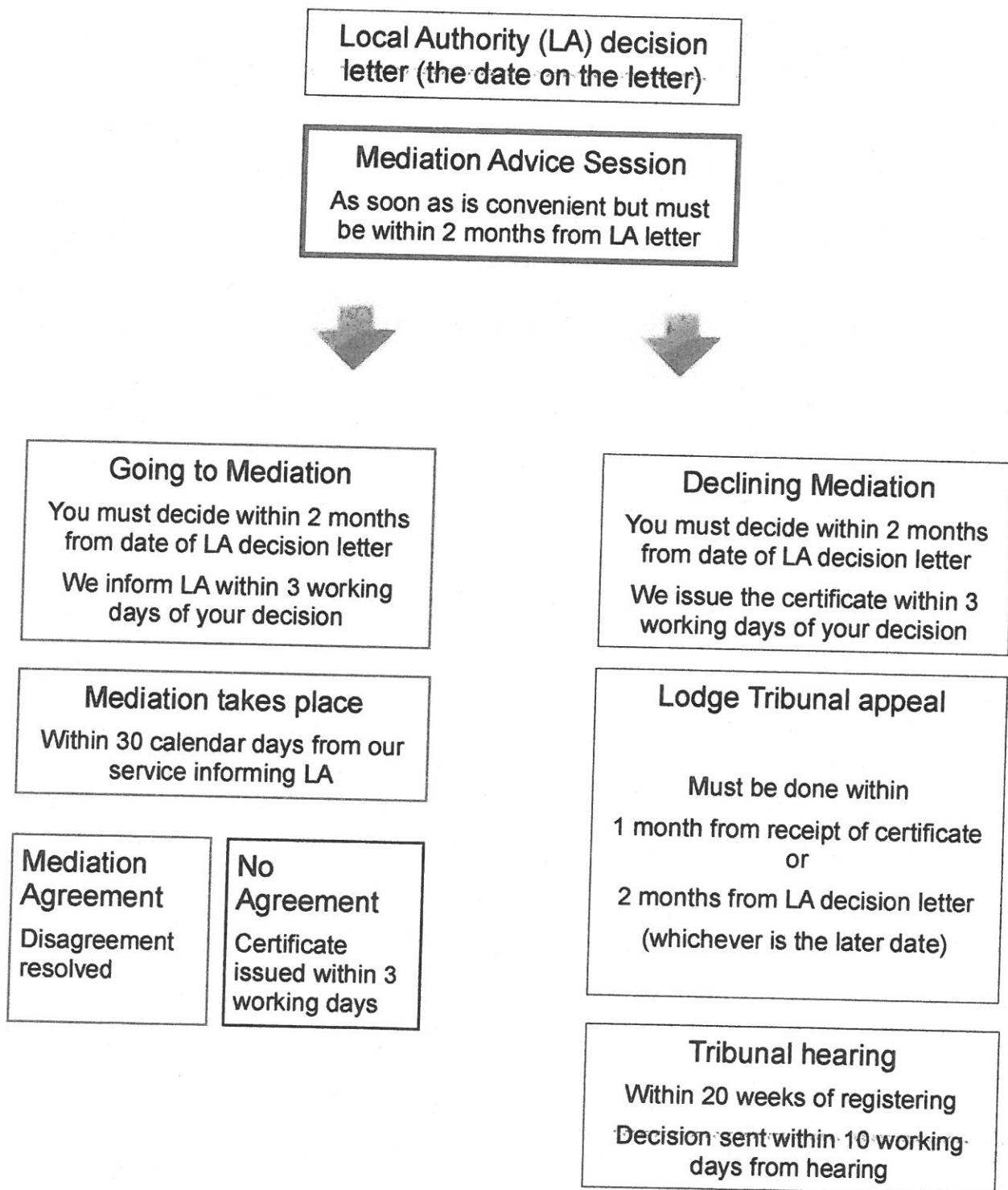


KIDS - Mediation Information and Awareness Session (MIAS)



We are pleased that you have booked a Mediation Advice meeting. The information that we will give you is quite detailed. This leaflet can help you prepare any questions you may wish to ask the adviser.

Below is a chart showing you the Mediation Advice and Mediation process together with the time it may take. There are more explanations in the "Questions and Answers" section.



The role of the Mediation Adviser and the Certificate

Under the new law anyone appealing to the SEND Tribunal has to have a certificate to show that they have received information about Mediation. You do not have to go to Mediation, just receive the information. Better understanding about the differences between Mediation and Tribunal will help you choose which is right for you.

Key facts about Mediation

An independent trained SEN Mediator manages the Mediation meeting, which usually lasts between 2 to 4 hours. The Mediator makes sure everyone at the meeting can have their say, are listened to and that everybody around the table works together to find solutions. Mediators are impartial and they do not take sides or make the decisions.

Mediation is about solving problems and not about giving evidence. It is not about "who is right and who is wrong". It mainly looks at the present and the future, rather than the past. It is different to the Tribunal legal process, where a panel hear the evidence from the parents, the local authority and others involved and then make a ruling.

Mediation is free of charge and it is a quick and simple process. We also make sure that the Mediation meeting takes place near where you live.

Mediation is voluntary for parents / carers and young people. That means that you can stop at any time and you can still go to Tribunal. It is not voluntary for the Local Authority.

What happens and is said in a Mediation meeting is confidential and that includes your phone calls with KIDS staff and the Mediator.

Usually people reach an agreement, which is recorded with the help of the Mediator. The agreement is not confidential as it often needs to be shared with others.

Questions and Answers

Q: How long is the mediation information session (MIAS) and how is it done?

A: Around half an hour. The Advice session provides general information and is an opportunity for you to ask questions. It is usually done on the telephone.

Q: Who is the adviser, what do they know about mediation?

A: All the advisers at KIDS are experienced SEN Mediators. They will make sure that you have all the information you need to make a choice.

Q: If I am not sure what decision to make, can I think about it and ring back?

A: Yes, you can ring us as often as is necessary but you must make your decision within 2 months from the date of the Local Authority decision letter.

Q: What happens to the tribunal appeal deadline if my Mediation Advice meeting is delayed?

A: That is fine as long as you have the session within 2 months from the LA decision letter. Once you have had your MIAS and we have given you the certificate, you have a new deadline for lodging a Tribunal appeal: 1 month from the date of your certificate certificate.

Q: If I want to try mediation, do I lose my right to appeal to the tribunal?

A: No. And you can withdraw from mediation at any time and still make a Tribunal appeal.

Q: If I want my certificate right away to make a tribunal appeal, when will I get it?

A: Within three working days of your MIAS and your decision not to go to Mediation.

Q: What happens if I say 'no' to mediation and change my mind later on?

A: You can contact us and ask that we contact the Local Authority about your decision or you can contact them yourself. We expect that the Local Authority and / or CCG will usually agree to mediation provided that it can take place before a Tribunal hearing.

If your questions and concerns have not been answered in this leaflet, please make a note below and ask your adviser when you have your MIAS session.

Other questions to ask the adviser:

