

## Step-by-Step SEND Tribunal Appeal Process

### Quick Takeaway

You have **two months** from the date of the Local Authority's decision letter to start your appeal. Most parents must **contact a mediation adviser** first, get a **mediation certificate**, and then submit the **SEND35/35a appeal form** with your evidence. The Tribunal is independent and will look at your child's needs afresh.

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### 1 Read the Local Authority's Decision Letter

This letter tells you:

- What decision they've made (e.g., refusing to assess, refusing to issue a plan, contents of the plan, placement, ceasing a plan)
- The **date** the decision was made
- Your **deadline** to appeal (two months from the date on the letter)

**Tip:** Put the deadline in your calendar immediately. It comes around fast.

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### 2 Decide Whether You Want Mediation

Before you can appeal, you must **contact a mediation adviser**. You do *not* have to *take part* in mediation — you only need to **contact** them and obtain a **mediation certificate**.

You must register you appeal:

- **Within 2 months** from the date on the LA decision letter
- Or **30 days** from the date of the mediation certificate

Whichever date is the later.

#### **Exceptions:**

You do *not* need mediation for **disability discrimination** cases.

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### 3 Gather Your Evidence

This is the part that can feel overwhelming, but think of it as telling your child's story clearly.

IPSEA provides excellent guidance on what evidence helps for each type of appeal [Appealing to the SEND tribunal](#)

Useful evidence includes:

- School reports, behaviour logs, exclusions
  - Medical reports, diagnoses, therapist letters
  - Your own **Parent/Carer Views**
  - Examples of unmet needs or lack of progress
  - Any private assessments (optional but helpful)
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### 4 Complete the Correct Appeal Form

There are two main forms:

- **SEND35a** – for appeals about *refusal to assess*  
[Special Educational Needs and Disability Tribunal - Appeal a refusal to secure an EHC Needs Assessment: Form SEND35A - GOV.UK](#)
- **SEND35** – for all other decisions (e.g., contents of the EHCP, placement, refusal to issue, cease to maintain)  
[Special Educational Needs and Disability Tribunal appeal: Form SEND35 - GOV.UK](#)

You will need to attach:

- Your mediation certificate
  - A copy of the LA decision letter
  - Within the form you will need to write your grounds for appeal (your explanation of what's wrong and what you want changed)
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### 5 Submit Your Appeal

You can submit by email or post to the SEND Tribunal.  
The Tribunal clerks will acknowledge your appeal and give you a **case number**.

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## **6 After You Submit: The Tribunal Timeline**

Once your appeal is registered, the Tribunal will:

- Issue a **case management timetable**
- Set deadlines for you and the LA to exchange evidence
- Set a **hearing date** (this can be up to a year in the future. Phase transfer appeals are prioritised)

During this period:

- You can submit further evidence
  - The LA must respond to your appeal
  - You may be asked to attend a case management call (rare but possible)
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## **7 Prepare for the Hearing**

The hearing is informal compared to a court. Parents often say the panel is respectful and child-centred.

You can bring:

- A photo of your child
- A representative (advocate, solicitor, friend)
- Notes
- Your evidence bundle

The panel will:

- Ask questions
- Listen to both sides

- Focus on your child's needs
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## **8 The Tribunal Decision**

You will receive the decision in writing, usually within **2–3 weeks**. The decision is **legally binding** on the Local Authority.

If the LA does not comply, you can take enforcement steps — but most comply once ordered.

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## **Parent-to-Parent Reassurance**

Appealing is emotionally draining, but you're not doing anything wrong — you're advocating for your child. The Tribunal exists *because* parents often need an independent body to correct LA decisions. You're not alone, and many parents win their appeals.

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