



**ESRC Funded Knowledge Exchange Programme
Dispute resolution in additional support needs:
Working together to improve children's and families' experiences**

**Think Tank 2
How to use the tribunal constructively**

Venue: Room G.21 Paterson's Land, Moray House School of Education,
University of Edinburgh

Date: Thursday 25th August 2011, 9.30am – 3.15pm

Ensuring that children with additional support needs receive the help they need is clearly of critical importance, but disagreements may sometimes arise between parents and the school or local authority in deciding on the nature and extent of additional provision. The Government is keen to ensure that any issues are speedily resolved, using informal negotiation or mediation rather than court or tribunal wherever possible. However, recent research conducted by the Universities of Edinburgh and Manchester found that parents were often dissatisfied with the outcome of informal negotiation and mediation has, to date, not been extensively used. In our research, parents expressed a preference for the tribunal over mediation or adjudication on the grounds that it clarified the issues and produced enforceable recommendations. This knowledge exchange project aims to:

- consider what can be done to improve communication between parents of children with additional support needs and professionals;
- enhance understanding of different types of dispute resolution;
- identify how each dispute resolution process may be used more effectively.

This is the second think tank in a series of three. It focuses on how to use the tribunal constructively, ensuring that decisions are made swiftly and that the process is as user friendly as possible. It also considers how advocacy can be used to support parents in accessing the tribunal.



PROGRAMME

Chairs: Sandra Mitchell, Resolve, Children in Scotland and Morag Steven, Common Ground Mediation.

9.30 – 10.00	Arrival and coffee
10.00 – 10.20	<i>The Additional Support Needs Tribunals for Scotland: Challenges, Achievements and Future Prospects</i> Jessica Burns, President of the Additional Support Needs Tribunals for Scotland.
10.20 – 10.30	Questions
10.30 – 10.45	<i>The contribution of adjudication to dispute resolution in Scotland</i> Margery Browning, Senior Adjudicator
10.45 – 10.55	Questions
10.55 – 11.10	Coffee
11.10 – 12.00	Question and answer session on the tribunal and adjudication in Scotland with: Karen Robertson, Cyrese Ross and Stewart Maclachlan, Take Note, Barnardos; Jill Gorzkowska, tribunal member and occupational therapist; Iain Nisbet, Govan Law Centre; Win Wood, Service Manager, Support for Young People, Perth and Kinross; Margery Browning, Senior Adjudicator Jessica Burns, President of the Additional Support Needs Tribunals for Scotland
12.00 – 12.15	<i>The Special Educational Needs and Disability Tribunal in England: Recent Changes and Future Directions</i> Professor Neville Harris, School of Law, University of Manchester.
12.15 – 12.30	Questions
12.30 – 1.15	Lunch
1.15 – 1.45	<i>Parents' experiences of the tribunal</i> Iain Nisbet, Govan Law Centre; and a parent (name to be confirmed)
1.45 – 2.45	<i>Discussion of case studies: how can we make the tribunal work better?</i>
2.45 – 3.15	Plenary session and reflections on the day