



Refusal to Assess

Do you wish to appeal the decision made by the Local Authority not to carry out an EHC Needs Assessment?

We require the following from you:

- LA letter refusing the assessment
- Mediation certificate
- Documents that were sent to the LA for the EHC request and any other evidence you have received since.
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We complete the forms and a Grounds of Appeal document, which states why your child should have an assessment. We also keep track of the key dates that we have to adhere to as ordered by the tribunal. The time frame is approximately 4 months for a hearing date.

You do not need to attend the hearing, the tribunal make a decision on the paperwork that we submit. Because the legal threshold at assessment stage is low, the probability of getting the assessment is high.

You will need to get a mediation certificate from a mediation company. These are listed on the letter that the LA sent to you. Inform them that you wish to go straight to tribunal and do not want to consider mediation first. Our experience is that LA's do not overturn their decision at mediation unless there is any new evidence.

You have 2 months from the date of the LA letter to get a mediation certificate, you will lose the right to appeal after this date. You then have a month from the date on the mediation certificate (or whichever date is latest).

Once we have received payment from yourselves, we can start the paperwork, even if you haven't received the certificate. We can then lodge the appeal once you receive the certificate.

