

Where can I get support with my SEND Tribunal appeal?

1. Videos with Guidance

- [Click here to watch a video about what to Expect at a SEND Tribunal - Special Educational Needs Advice Centre](#)
- [Click here to watch a short video by the HM Courts and Tribunal Service, providing guidance on what happens in remote Tribunal hearings in the SEND Tribunal](#)

2. Legal Aid

If you are a parent/carer on a low income or receiving certain benefits, you may be eligible for legal aid. A young person (aged 16-25) may also qualify for legal aid in their own right.

The [legal aid eligibility keycard](#) sets out details of who qualifies. In summary, you are likely to qualify if:

- your monthly gross income is not more than £2,657 (some sources of income don't count towards this and the figure is higher for families with more than four children) and your disposable monthly income is not more than £733 (the keycard explains what can be taken off to work out disposable income)
- or**
- you are in receipt of Income Support, Income-Based Job Seeker's Allowance, Income-Related Employment and Support Allowance, Guarantee Credit or Universal Credit
- and**
- your disposable capital (savings and property) is less than £8,000. If you own your house, the value of the house counts as "capital". But, the value of a mortgage can be taken off when working out your "disposable capital" so you may still qualify for legal aid. If you have capital which you can't access, you should highlight this to the Civil Legal Aid Agency (CLAA) too.

The type of legal aid available in the SEND Tribunal is known as 'legal help'. A parent or young person eligible for this will receive support from a legal professional to prepare the case, and may also be able to obtain funding to provide for additional evidence needed, such as reports from independent experts.

Legal help does not cover having a representative to attend the hearing. However, in exceptional cases, a legal aid provider may be able to secure funding to represent you at a hearing.

If you think you might qualify for legal aid and want to apply, you can do this either via the Civil Legal Aid Agency (CLAA) or by contacting a legal aid provider directly. It's really important that you do this as soon as possible:

- To apply via the CLAA fill in [this online form](#) with details of your income. If you do qualify, you will then be put in touch with a legal aid advisor/solicitor.
- If you are unable to fill in the form online, you can call Civil Legal Advice on 0345 345 4345 or book a call-back [here](#).
- If you have difficulty speaking English, they will provide a telephone interpreter or allow a friend or family member to assist you on the call.
- To apply through a legal aid provider directly you can search for the contact details of [education providers](#) (and for judicial review, [public law providers](#)) online.

We are aware that it is difficult for some eligible parents and young people to find an available legal aid provider. If this happens to you, you can:

- Use the Law Society's [Find a Solicitor](#) search tool (using the practice area "education" or "judicial review - legal aid").
- Contact the Civil Legal Advice helpline for guidance on whether an adviser out of your area is available. You can book a call-back at a time that suits you or call it directly (details are above).

If you would like to participate in the Law Society's campaign on ending legal aid 'deserts', you could also email campaigns@lawsociety.org.uk to let it know about any difficulties you have experienced in finding an available legal aid provider. It is gathering data about which areas of the country are facing shortfalls in available providers and the areas of law which are affected. You could also write to your MP to highlight the issue.

3. SIAS (Southwark Information Advice Support) Team

SIAS Advisors can provide impartial individual advice and support for families who live in Southwark and are appealing to the SEND Tribunal. Our team will assess the level of advice and support you may require. If we have availability within our team, we will be able to advise you through each stage of the Tribunal process – this may include representation at the Tribunal hearing.

Please note:

With or without the advice of the SIAS Team, the Tribunal process remains the

responsibility of the parent/carer at all times. Tribunal deadlines and instructions must be adhered to by the parent/carer. SIAS Advisors are not able to lead the Tribunal process on your behalf, but they are able to advise you on the process and support you where required to adhere to your responsibilities with the appeal.

For more information on the appeals process, please visit:

[EHC Plans and Appealing to the SEND Tribunal - Southwark Local Offer](#)

[For details of how to access the SIAS Team, please click this page – SIAS Team](#)

4. Organisations who provide support with SEN legal matters*

**The Local Authority is not affiliated with the below organisations and does not make specific recommendations on independent services.*

You do not need a legal representative or an advocate to present your case in the SEND Tribunal and most parents do not have a legal representative. Success in appeals does not depend on whether or not you (or the LA) has a representative. This is because the SEND Tribunal makes decisions based on evidence and the law, not the strength of a party's legal support.

However, some parents who are not eligible for legal aid sometimes choose to pay a solicitor, or an advocate to represent them.

Advocates are not solicitors or lawyers and are unregulated. If you are thinking about finding an advocate, the [Council for Disabled Children guidelines](#) may help.

- **[IPSEA](#)**

IPSEA provide information on the [SEND Tribunal](#) including [SEND Tribunal Resources](#). You can get advice from [IPSEA's free helpline lines](#). This service isn't available if you are being supported already by a solicitor or other advocate.

If you have a right to appeal to the SEND Tribunal, when you call we will also assess whether you need casework support from our [Tribunal Support Service](#). This service does depend on the availability of our volunteers at the time your appeal is taking place, and a caseworker cannot be guaranteed.

- **[SOS!SEN](#)**

The Independent helpline for special educational needs and disabilities. Provide free information, advice and support with legal issues and procedures. These include; A free telephone helpline, drop in services, information sheets.

Our helpline is open during term time: [020 8538 3731](tel:02085383731)

- **[Child Law Advice](#)**

This charity provides 'legal advice and information on family, child and education law affecting children and families.'

Child Law advice provides information on [legal aid for educational law](#). This may be useful in learning more about who qualifies for legal aid and how does an application for legal aid work.

- **[LawWorks](#)**

This charity provides free legal advice to individuals or not-for-profit organisations that are not eligible for legal aid, and are on a low income. [LawWorks](#) provide 'pro bono' legal advice to all those that qualify. Please visit the [legal advice for individuals section](#) on the LawWorks website to learn about various services available. To search for legal advice clinics near you please click [here](#).

- **[SEN4you](#)**

This law firm specialises in SEN legal advice and representations. For more information please visit the [SEN4you website](#). For information on costs please click [here](#).

- **[Equality Advisory Support Service \(EASS\)](#)**

Equality Advisory Support Service (EASS) is a national helpline providing information, advice and support relating to issues on equality and human rights.

For advice and information on discrimination and human rights contact EASS:

Telephone: 0808 800 0082

[Equality Advisory Support Service website](#)

- **[Coram Voice](#)**

This charity supports children and young people in having a voice in children's services by ensuring that the care system provides them with a positive experience.

The charity upholds the children and young people's rights through an advocacy service which caters to their needs and ensures that their voice is heard. For further information please click [here](#).

Advocacy Helpline: [0808 800 5792](tel:08088005792)

- **[National Deaf Children Society](#)**

The NDCS Education Appeals Specialists give independent advice and

support to young people and parents of deaf children on special educational needs across the UK. Together with the [Helpline](#) and [Advice and Guidance Officers](#), we provide specialist advice if you disagree with a decision and want to challenge it.

Contact the Helpline

0808 800 8880

Monday to Thursday 9am – 5pm and Friday 9am - 12:30pm