Special Educational Needs and Disability

**Attendance form – local authority**

|  |  |
| --- | --- |
| Child’s name |  |
|  |  |  |  |
| Appeal/Claim no. |  |  |
|  |  |  |  |
| Name of local authority representative |  |
| Profession |  |
|  |  |  |  |
| In special educational needs appeals you should name a **maximum of three witnesses.** |
|  |  |  |  |
| Name of **1st witness** |  |
| Occupation |  |
|  |  |  |  |
| Name of **2nd witness** |  |
| Occupation |  |
|  |  |  |  |
| Name of **3rd witness** |  |
| Occupation |  |
|  |  |  |  |
| Name of **4th witness** |  |  |  |
| Occupation |  |  |  |
|  |  |  |  |
| Name of **5th witness** |  |  |  |
| Occupation |  |  |  |
|  |  |  |  |
| For any additional witnesses please complete request for changes form SEND7 |
|  |  |  |  |
| **Special requirements** – please let us know of any special requirements you or your witnesses may have. |
|  |
|  |  |  |  |
| If this completed form is not received by 5pm [insert week 9] your witnesses may not be able to attend. |
|  |  |  |  |
| Signed |  | Date |  |
|  |  |  |
|  |  |  |  |
| Print Name |  |

**Explanatory notes**

This attendance form is designed to let the parties and the tribunal know who is going to attend the hearing. The form is sent both to parents and local authorities asking them to provide the same information. A timetable has been set out in the case directions attached. This gives deadlines by which reports and written information have to be sent to the tribunal and the other party. Section 8 of the directions sets out what you need to do if you do not agree with the directions that have been made.

**Witnesses**

We need to know who you want to come to the hearing to give evidence on your behalf. We think that it is important that we have evidence from those who know the child and are able to give information that is relevant to the areas of dispute. Whilst there is no limit on the number of witnesses you can bring along, from experience we think that three is probably the maximum number that we would need to hear from in a special educational needs appeal and five in a disability discrimination case.

In some cases there are no witnesses needed other than the parents and the local authority officer. We do have power to limit the number of witnesses who attend so there is no assumption that if you want a witness that person will be allowed to come. We believe that a case should not take more than a day except in exceptional circumstances. If there are too many witnesses that could prolong a case unnecessarily.

**The child**

The child who is the subject of the appeal may come to the hearing and can stay to give evidence. It is not always appropriate for a child to remain for the whole hearing so they may be asked to leave the room either after they have met the panel members or after they have given evidence to the tribunal. If parents do bring a child to give evidence they should arrange for someone to look after them whilst they are not in the hearing. **The clerk or other tribunal staff will not be able to look after the child and there may not be a suitable person in the building for them to be looked after by the person caring for them.**

**Representative or helper**

We think that it is only fair that both sides know if the other party is to be represented. In the vast majority of cases neither parents nor local authorities are legally represented. It is a matter for each party if they want to be represented by a lawyer or, in the case of parents, if they want someone from a voluntary organisation or anyone else to represent them.

It may be that you have already told us that you are to be represented, if so, we apologise for asking you the question again. It may also be possible that you do not yet know whether or not you are going to be represented, but you will need to tell us the name of any representative before the hearing.

The Ministry of Justice and HM Courts and Tribunals Service processes personal information about you in the context of tribunal proceedings.

For details of the standards we follow when processing your data, please visit the following address https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter

To receive a paper copy of this privacy notice, please call 0300 123 1024 Textphone 18001 0300 123 1024. If calling from Scotland, please call 0300 790 6234 Textphone 18001 0300 790 6234.