



Working document guidance

What is a 'working document'?

A working document is a copy of the final statement, on which both parties have worked to show the changes to the wording that they want or can agree, as well as those issues which the Tribunal must decide on the day of the final hearing.

Who does what?

Usually, because the LA has prepared the final statement electronically, they prepare the first draft, after they have seen the Notice of Appeal. They then send it to the parents who can consider it and decide whether they agree with it. The parents can amend it to show the changes they are prepared to agree and to highlight those which are still not agreed before sending it back to the LA for further consideration.

What happens next?

No time is set aside for the parties to negotiate on the day of the hearing so the working document must be considered, prepared and distributed before the day of the hearing. The sooner the process starts the better. If at all possible, the LA should start the process when it submits its response to the appeal, and send to the parents a copy of the first working document with its response.

The working document is sent to the Tribunal in advance of the hearing so that they are aware of the detailed wording in dispute. Sometimes the options preferred by the two parties are brief and immediately clear to the reader. On other occasions the issues are more complex and/or lengthy and the working document may be confusing unless the document is carefully drafted.

The Tribunal recommends a standard key to the document which will show each party's position:

Make sure the key is included in the working document.

Normal type	Original statement
<u>Underlined type</u> / strikethrough	Amendments/deletions agreed by both parties
Bold type	Parents' proposed amendments
Bold strikethrough	Parents' proposed deletions
Italic type	LA's proposed amendments
<i>italic</i> strikethrough	LA's proposed deletions

If specific wording is derived from written evidence contained in the tribunal bundle, include a reference to the page or pages but avoid footnotes.

Do not send every copy prepared during the course of negotiations. The Tribunal only needs the last copy of the working document.

The Tribunal will require **an electronic** and hard copy of the working document. These should arrive **at least ten working days** before the final hearing date.