

Job Profile comprising Job Description and Person Specification

Job Description

Job Title: Disagreement Resolution and Tribunal Manager	Grade: P06
Section: Special Needs Assessment Service	Directorate: Children's Services
Responsible to following manager: Head of Special Needs Assessment Service	Responsible for following staff: None
Post Number/s: EF111	Last review date: June 2020

Working for the Richmond/Wandsworth Shared Staffing Arrangement

This role is employed under the Shared Staffing Arrangement between Richmond and Wandsworth Councils. The overall purpose of the Shared Staffing Arrangement is to provide the highest quality of service at the lowest attainable cost.

Staff are expected to deliver high quality and responsive services wherever they are based, as well as having the ability to adapt to sometimes differing processes and expectations.

The Shared Staffing Arrangement aims to be at the forefront of innovation in local government and the organisation will invest in the development of its staff and ensure the opportunities for progression that only a large organisation can provide.

Job Purpose

To work with parents and carers to try and resolve disagreements with the Local Authority; participate in formal mediation where parents intend to appeal to the SEND Tribunal; lead on SEND tribunal appeal responses where appeals proceed and act as LA representative at hearings, where relevant.

Specific Duties and Responsibilities

The postholder is responsible for:

- the effective implementation of disagreement resolution procedures
- the effective implementation of arrangements for independent mediation

- preparation of the LA's response to appeals to the SEN & Disability Tribunal including national trial cases
- representing the LA at the SEN and Disability Tribunal
- attendance at complex annual review or other meetings related to the above
- management of other complex cases as required

Main Duties:

1. To provide advice and training for SNAS staff on their roles and responsibilities in relation to disagreement resolution and tribunals.
2. To attend annual reviews (and some TAC meetings where required) where complex legal or funding issues may arise and, in particular, in cases where Tribunal hearings are pending or have already been held. This will include relevant preparatory and follow up work such as liaison with / providing advice to parents, schools, other professionals and case managers.
3. To provide written feedback from complex annual reviews to Case Managers, and the Head of SNAS, Head of SEND and Inclusion and SEN Panel or Complex Needs Panel as necessary.
4. To amend Education, Health and Care Plans (EHCPs) arising from complex annual reviews attended/disagreement resolution work as necessary.
5. To implement disagreement resolution procedures within SNAS to ensure that attempts are made to resolve as many disagreements with parents as possible with a view to reducing the number of appeals to the SEN and Disability Tribunal.
6. To support case managers to ensure that they manage the early stages of disagreement resolution, where appropriate, to maintain consistency of contact with the service for parents and minimise the need for transfer of cases between officers.
7. To provide support to case managers where disagreement resolution is likely to take place over a long period of time.
8. To deal with particularly complex and intractable cases, as requested by the Head of SNAS, that may require significant levels of input and oversight which it may not be feasible for case managers to manage alongside other work.
9. To work with case managers to identify complex cases where parental preference for/transition to secondary school may be contentious; where proactive intervention may reduce the likelihood of appeals to the tribunal and to take relevant follow up action.

10. To monitor the amount and impact of all disagreement resolution activity within the service through close liaison with case managers and other staff within the service.
11. To arrange and chair meetings with parents, schools, Educational Psychologists, the Wandsworth Information, Advice and Support Service and other professionals as necessary in order to attempt to resolve disagreements that may lead to Tribunal appeals.
12. To refer cases to Independent Mediation where internal disagreement resolution has not led to a resolution, leading in mediation discussions and making recommendations regarding provision as appropriate in each case. This includes cases where parents / carers are accessing mediation prior to a Tribunal appeal/hearing.
13. To lead on any developments in disagreement resolution / mediation / tribunal practice related to the SEND Reforms and the national trial.
14. To attend the Panel meetings as required when cases where parents are likely to or have appealed against a refusal to assess decision are being discussed.
15. To prepare requests to the Children's Services Management Team for agreement where part-funding arrangements or the conceding of a tribunal is being recommended.
16. To represent the LA at particular Tribunal hearings as determined by the Head of SNAS and to prepare for such hearings including liaison with the Head of SNAS, schools, other professionals and witnesses, researching and presenting legal issues and liaising with the Borough Solicitor/South London Legal Partnership and Counsel as appropriate.
17. To produce termly statistical information about Tribunal appeals and outcomes of hearings, including costs information.
18. To ensure that the service's overview of all SENDIST appeals is up to date and accurate so that all deadlines are met, particularly the LA's reply and responses to directions.
19. To monitor the factors which have the most significant influence on Tribunal outcomes in order to inform learning within the section and with colleagues in schools and other agencies.
20. To ensure that relevant staff are briefed on the outcome of Tribunals attended and appropriate actions are taken forward within required timescales.
21. To deliver training on disagreement resolution and tribunals for Independent Parental Supporters, Educational Psychologists in Training, NHS therapy staff and other professionals as required.

22. To represent the LA at Governors' Discipline Committee meetings where a pupil with an Education, Health & Care Plan has been permanently excluded and to attend any subsequent independent appeal hearings.

General Tasks

1. To contribute to departmental working groups as required, and to ensure that disagreement resolution procedures are followed, where necessary, where changes are planned to a pupil's education as a result of school reorganisations.
2. To undertake any other duties that may be required by the Head of the Special Needs Assessment Service.

Generic Duties and Responsibilities:

- To contribute to the continuous improvement of the services of the Boroughs of Wandsworth and Richmond.
- To comply with relevant Codes of Practice, including the Code of Conduct and policies concerning data protection and health and safety.
- To adhere to security controls and requirements as mandated by the SSA's policies, procedures and local risk assessments to maintain confidentiality, integrity, availability and legal compliance of information and systems
- To promote equality, diversity, and inclusion, maintaining an awareness of the equality and diversity protocol/policy and working to create and maintain a safe, supportive and welcoming environment where all people are treated with dignity and their identity and culture are valued and respected.
- To understand both Councils' duties and responsibilities for safeguarding children, young people and adults as they apply to the role within the council.
- The Shared Staffing Arrangement will keep its structures under continual review and as a result the post holder should expect to carry out any other reasonable duties within the overall function, commensurate with the level of the post.

Additional Information

Team structure

This post reports to the Head of the Special Needs Assessment Service. The overall structure of the service is currently under review.

Person Specification

Job Title: Disagreement Resolution and Tribunal Manager	Grade: P06
Section:	Directorate: Children's Services
Responsible to: Head of Special Needs Assessment Service	Responsible for: currently n/a but in future structure likely to be responsible for a Tribunals Officer
Post Number/s: EF111	Last Review Date: June 2020

Our Values and Behaviours

The values and behaviours we seek from our staff draw on the high standards of the two boroughs, and we prize these qualities in particular:

Being open. This means we share our views openly, honestly and in a thoughtful way. We encourage new ideas and ways of doing things. We appreciate and listen to feedback from each other.

Being supportive. This means we drive the success of the organisation by making sure that our colleagues are successful. We encourage others and take account of the challenges they face. We help each other to do our jobs.

Being positive. Being positive and helpful means we keep our goals in mind and look for ways to achieve them. We listen constructively and help others see opportunities and the way forward. We have a 'can do' attitude and are continuously looking for ways to help each other improve.

Person Specification Requirements	Assessed by A & I/ T/ C (see below for explanation)
Experience and Knowledge	
1. Good knowledge of the Children and Families Act 2014 in relation to SEN and associated regulations / Code of Practice 2015	A&I
2. Knowledge of other associated legislation e.g. Children's Act 2014; Disability Discrimination Act 2005; Care Act and Equality Act 2010 Disability Act 2001; the Equalities Act 2010	A&I
3. A good knowledge of education law generally	A&I
4. Experience of analysing complex written information and presenting to others	A, I & T

5. Experience of working closely with other agencies and parents / carers	A&I
6. Detailed knowledge of relevant SEND case law	A&I
7. Experience of working in a Local Authority/public or third sector or legal role with accountability for working with the public and/or schools/education settings	A&I
Skills and Abilities	
8. Highly developed analytical skills	A&I
9. Excellent written and verbal communication skills	A, I & T
10. Ability to organise a varied and complex workload to ensure deadlines are met	A&I
11. Ability to liaise successfully with a wide range of professionals at all levels in Education, health and social care and other services, particularly where disagreements have arisen	A&I
12. Ability to liaise sensitively and successfully with parents and carers and young people particularly where disagreements have arisen	A&I
13. Ability to work successfully as part of a team with common goals and deadlines but also to work on own initiative	A&I
14. Ability to use word processing and other packages to produce letters and case statements and to input and extract information from databases and Excel statements of SEN, EHC Plans, tables etc.	A,I & T
15. Excellent problem solving, organisational and time management skills	A&I
16. Ability to manage potentially stressful situations	A&I
Qualifications	
17. Degree level or equivalent; preferably a law degree	A, I & C
18. Training in SEN Legislation and a willingness to attend further training in special educational needs legislation	A, I&C
19. Post-graduate or legal training	A, I&C

Our Values and Behaviours¹

The values and behaviours we seek from our staff draw on the high standards of the two boroughs, and we prize these qualities in particular –

- taking responsibility and being accountable for achieving the best possible outcomes – a ‘can do’ attitude to work
- continuously seeking better value for money and improved outcomes at lower cost
- focussing on residents and service users, and ensuring they receive the highest standards of service provision taking a team approach that values collaboration and partnership working.

A – Application form / CV

I – Interview

T – Test

C - Certificate

¹ These values and behaviours will be developed further as the SSA becomes established.