



LONDON BOROUGH OF MERTON
CHILDREN, SCHOOLS AND FAMILIES DEPARTMENT
JOB DESCRIPTION

POST TITLE: SEND Tribunals Manager

Grade: ME15

DIVISION/SECTION: Children, Schools and Families – Special Educational Needs and Disabilities Integrated Service (SENDIS)

Location: Civic Centre

Responsible to: Head of SENDIS

Responsible for: Assessment, Planning and Resource Officer x 1

Post number:

Date: August 2020

1. MAIN PURPOSE

- Leading, supervising and managing the end-to-end Special Educational Needs and Disability Tribunal (SENDIST) process. Including all case management, ensuring that all Tribunal casework is conducted in a timely and efficient manner and in line with Tribunal set deadlines.
- Drafting legal submissions to the Tribunal, arranging for any necessary expert assessment to take place,
- Acting as the single point of contact for parents and their legal representatives,
- Leading and undertaking Telephone Case Management Hearings to ensure the London Borough of Merton provides a high quality service in relation to the appeals process. This would be in accordance with Audit Commission and Best Value Indicators.

- Leading a Tribunal Team that is solution focused, client orientated developing and maintaining a service delivery model with the aim to reduce parental recourse to SENDIST.
- Providing advocacy and representation for the London Borough of Merton at appeal hearings, including managing and supporting expert witnesses and co-ordinating the Council's response during appeal hearings.
- Ensuring that the Council complies with Tribunal Appeal orders.
- Maintaining records of Tribunal casework and providing regular data reports, setting out quarterly Tribunals lodged, contested, conceded and hearing outcomes with analysis, which highlights issues, lessons learned and any financial or practice implications.
- Liaising with a range of external stakeholders, including schools, expert witnesses, for example Educational Psychologists, Occupational Therapists, and Speech and Language Therapists, to ensure that any and all relevant evidence regarding Tribunal appeals is obtained and quality assured before submission to the Tribunal.
- Managing and leading on the LA's response to Tribunals registered under the SEND Single Route of Redress National Trial. Including detailed and close liaison with colleagues and management in social care and the CCG, including relevant practitioners and commissioners. To present Merton's position in such matters to the Tribunal as a whole following that work with social care and the CCG.
- The SEND Tribunals Manager is responsible for providing expert advice to colleagues and the wider Council in regard to SEND legislation, in regard to the Children and Families Act 2014, Education Act 1996, Equality Act 2010, SEND Regulations 2014, Care Act 2014, Children Act 1989, Chronically Sick and Disabled Persons Act 1970, and Tribunal Procedure Rules – in order to support legislatively compliant practice.
- The SEND Tribunals Manager is responsible for effective problem-solving, assimilating information and making informed decisions often under short time constraints. A high proportion of the SEND Tribunals Manager's role is working directly with parental appointed legal representatives, schools and link agencies within the statutory and legal framework related to the Special Educational Needs and Disability Tribunal process.
- Supervision of the wider Tribunals team and all work conducted by it in relation to Tribunal proceedings, as well as mediations and dispute resolutions. To lead on ensuring managers are appropriately briefed in detail on any statutory or legal issues relating to complex mediations and dispute resolutions.
- Leading and developing practice which limits the Authority's exposure to the risk of appeals to Tribunals, litigation and judicial review/complaints to the Local Government Ombudsman. This would include providing all information relating to Ombudsman and Judicial

Review complaints, or where appropriate, responding directly if and when appropriate.

2. MAIN DUTIES AND RESPONSIBILITIES

- To lead, supervise and manage the end-to-end Special Educational Needs and Disability Tribunal (SENDIST) process. Including all case management, ensuring that all Tribunal casework is conducted in a timely and efficient manner and in line with Tribunal set deadlines.
- To draft legal submissions to the Tribunal, arranging for any necessary expert assessment to take place.
- To Chair multi-agency Appeals panels and reviews as appropriate; to attend resource allocation meetings, tripartite and vulnerable pupils and other meetings as appropriate, attend case discussions and support staff with-court appearances, tribunals and preparation and ensure that processes for decision-making and representation at SENDIST based hearings are robust and that the interests of the SEND Integrated Service are appropriately protected
- To act as the single point of contact for parents and their legal representatives,
- To lead and undertake Telephone Case Management Hearings to ensure the London Borough of Merton provides a high quality service in relation to the appeals process. This would be in accordance with Audit Commission and Best Value Indicators.
- To lead a Tribunal Team that is solution focused, client orientated developing and maintaining a service delivery model with the aim to reduce parental recourse to SENDIST.
- To provide advocacy and representation for the London Borough of Merton at appeal hearings, including managing and supporting expert witnesses and co-ordinating the Council's response during appeal hearings.
- To ensure that the Council complies with Tribunal Appeal orders.
- To maintain records of Tribunal casework and provide regular data reports setting out quarterly Tribunals lodged, contested, conceded and hearing outcomes with analysis, which highlights issues, lessons learned and any financial or practice implications.
- To liaise with a range of external stakeholders, including schools, expert witnesses, for example Educational Psychologists, Occupational Therapists, and Speech and Language Therapists, to ensure that any and all relevant evidence regarding Tribunal appeals is obtained and quality assured before submission to the Tribunal.
- To extensively brief and prepare the same range of stakeholders whenever they attend a Tribunal as a witness, including detailed

bespoke briefing/training on Tribunal procedures in relation to each case.

- To manage and lead on the LA's response to Tribunals registered under the SEND Single Route of Redress National Trial. Including detailed and close liaison with colleagues and management in social care and the CCG, including relevant practitioners and commissioners. To present Merton's position in such matters to the Tribunal as a whole following that work with social care and the CCG.
- The SEND Tribunals Manager is responsible for providing expert advice to colleagues and the wider Council in regard to SEND have an legislation, in regard to the Children and Families Act 2014, Education Act 1996, Equality Act 2010, SEND Regulations 2014, Care Act 2014, Children Act 1989, Chronically Sick and Disabled Persons Act 1970, and Tribunal Procedure Rules – in order to support legislatively compliant practice.
- The SEND Tribunals Manager is responsible for effective problem-solving, assimilating information and making informed decisions often under short time constraints. A high proportion of the SEND Tribunals Manager's role is working directly with parental appointed legal representatives, schools and link agencies within the statutory and legal framework related to the Special Educational Needs and Disability Tribunal process.
- To closely supervise the wider Tribunals team and all work conducted by it in relation to Tribunal proceedings, as well as mediations and dispute resolutions. To lead on ensuring managers are appropriately briefed in detail on any statutory or legal issues relating to complex mediations and dispute resolutions.
- To lead and develop practice which limits the Authority's exposure to the risk of appeals to Tribunals, litigation and judicial review/complaints to the Local Government Ombudsman. This would include providing all information relating to and directly responding to complaints, Members' Enquiries, Ombudsman and Judicial Review complaints, or where appropriate, responding directly if and when appropriate.

This will involve:

1. Leadership and management of the end-to-end Special Educational Needs and Disability Tribunal (SENDIST) process. Including all case management, with all Tribunal casework conducted in a timely and efficient manner and in line with Tribunal set deadlines.
2. Legal submissions drafted and provided to the Tribunal, with necessary expert assessment arranged to inform submissions,
3. Parents and their legal representatives have single point of contact,
4. Telephone Case Management Hearings are undertaken and managed effectively in accordance with Audit Commission and Best Value Indicators.

5. Leadership of a Tribunal Team that is solution focused, client orientated with the aim to reduce parental recourse to SENDIST and/or parental anxiety.
6. Advocacy and representation for the London Borough of Merton at appeal hearings, including managing and supporting expert witnesses and co-ordinating the Council's response during appeal hearings.
7. Compliance with Tribunal Appeal orders.
8. Records of Tribunal casework maintained and regular data reports setting out quarterly Tribunals lodged, contested, conceded and hearing outcomes with analysis, which highlights issues, lessons learned and any financial or practice implications.
9. Liaison with a range of external stakeholders, including schools, expert witnesses, for example Educational Psychologists, Occupational Therapists, and Speech and Language Therapists. Quality assurance of advice before submission to the Tribunal.
10. Management of the LA's response to Tribunals registered under the SEND Single Route of Redress National Trial.



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CHILDREN, SCHOOLS AND FAMILIES DEPARTMENT
PERSON SPECIFICATION

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Grade: ME15

Date: August 2020

1. Knowledge and Skills

- Degree level or equivalent
- Training in SEND Legislation and willingness to attend further training in special educational needs legislation (Children and Families Act, Care Act, Equalities Act).
- Post-graduate or legal training.

2. Experience/Training

- Understanding of relevant legislation - Children and Families Act 2014 / SEND Code of Practice 2015, Care Act 2014 and implications for role.
- Knowledge and understanding of government policy and initiatives - and their implication for the role.
- Evidence of continuing professional development and skill enhancement.
- High level of analytical skills problem solving abilities and decision-making skills.
- Excellent and highly developed negotiation/communication skills.
- Highly developed presentational skills, particularly in relation to legal case responses, letter writing and correspondence.
- Excellent inter-personal skills and ability to develop effective and positive collaborative working relationships with a range of colleagues, and members of the public.

- Excellent advocacy skills.
- Proven people management skills.
- Substantial legal experience or an equivalent legal qualification/relevant qualification or substantial experience in SEN.
- Proven track record of managing a range of responsibilities and co-ordinating service delivery in a multi-disciplinary environment.
- Effective use of ICT
- Proven track record of effective budgetary awareness, financial planning and systems use and systems development.
- Commitment to multi-agency integrated working, in particular with Schools, Health, Children and Adults Social Care.
- Understanding and commitment to working with children, young people and their parents/carers.
- Experience of developing and implementing policy and procedural change.
- Excellent understanding of the SEN Code of Practice 2014, Children and Families Act 2014 in relation to SEND, financial regulations affecting schools & local authorities and other relevant legislation.
- Experience of managing substantial budgets effectively.
- Understanding of and commitment to Equal Opportunities policies, social inclusion and anti-discriminatory practice.
- Excellent communication and interpersonal skills, good negotiation, persuasion and organisational skills.
- Ability to use data from multiple sources to identify needs/gaps in service development and develop and initiate new ways of working.
- Ability to negotiate credibly with a range of stakeholders to develop collective contribution to EHCP outcomes.
- Ability to understand and make connections between a number of agencies and agendas.
- Ability to develop practical, creative and innovative solutions to deliver objectives.
- Ability to keep effective records and evaluate progress.
- Effective communication skills, verbal, written and in presentations for a range of audiences and stakeholders.
- Ability to work under pressure and meet tight deadlines.
- Good level of IT skills and experience.
- Ability to deal with difficult and challenging situations with tact and sensitivity.
- Ability to travel around the borough