

***Does the Education Authority have to accept the Independent Adjudicators recommendations?***

In all but exceptional circumstances the decision of the Adjudicator will be accepted by the Authority.

***Who makes that decision?***

The decision will be made by the Head of Services, Additional Support Service, the Area ASN Manager and the Principal Educational Psychologist in consultation with relevant colleagues. They will send their decision to the Adjudicator and to the parents together with a copy of the Adjudicator's report within 10 working days. This letter will also outline how the authority intends to carry out the recommendations.

***How long does this take?***

Dispute Resolution must not take more than 60 working days from start to finish.

***How do I request Dispute Resolution?***

Requests for Dispute Resolution must be made in writing to:-

The Support for Learning Division,  
Scottish Education Department,  
Area 2C South, Victoria Quay,

For more help or  
information contact

**chip+**

Children in the Highlands Information Point

**Helpline:** 01463 711189

**9.30 am - 4 pm: Monday - Thursday &  
9.30 am -12.30pm Friday**  
*(answer phone at all other times)*

**e-mail:** [info@chipplus.org.uk](mailto:info@chipplus.org.uk)

Or contact us in our main office

Birnie Centre  
Raigmore Hospital  
Inverness  
IV2 3UJ

or contact

Bernadette Cairns  
Head of Service,  
Additional Support Needs Team  
Highland Council Headquarters  
Health & Social Care Service  
Glenurquhart Road  
Inverness IV2 5NX

Tel 01463 702876

**e-mail:** [bernadette.cairns@highland.gov.uk](mailto:bernadette.cairns@highland.gov.uk)

**chip+**

Children in the Highlands Information Point

**ADDITIONAL SUPPORT  
FOR LEARNING (SCOTLAND)  
ACT 2004  
and as amended 2009**

**DISPUTE  
RESOLUTION**

Jan 2017

## ***Introduction***

If a parent or young person is concerned about the additional support being provided by the school it is usually quickest and most effective to talk to the Head Teacher or Area Education Manager. Talking through issues as early as possible often makes them easier to resolve. Sometimes, however, it's not possible to reach agreement and other methods must be tried to find a way forward.

Mediation can be requested as a next step and one further method is Dispute Resolution.

All parents of children with Additional Support Needs can request Mediation and/or Dispute Resolution.

## ***What is Dispute Resolution?***

Dispute Resolution is a voluntary, confidential service. It is provided by individuals recruited and trained by The Scottish Government.

## ***Who can use Dispute Resolution?***

Parents/carers or young people can request access to Dispute Resolution.

## ***When is Dispute Resolution Used?***

Dispute Resolution is normally used when a child or young person has Additional Support Needs but does not have a Co-ordinated Support Plan. It can be used when there are disagreements about:

- the assessment of additional support needs
- the level of additional support required or being provided

Check with CHIP+ for the complete list.

## ***What will happen?***

Parents should make their request, in writing, giving details and reasons, to The Support for Learning Division (address overleaf). CHIP+ can help you.

The Support for Learning Division will acknowledge your request. Within 5 working days they will contact the authority and monitor the process.

Once alerted, the Highland Council must notify you within 10 days whether or not they accept the application. The service must be provided unless it is not legally competent.

The Additional Support for Learning Co-

ordinator is responsible for taking this process forward for the Highland Council.

If it is decided to accept the application a request will be sent to the Scottish Government at the same time, to nominate an Independent Adjudicator.

## ***What happens next?***

Both the Highland Council and the parents submit reports to each other. They have 10 days in which to consider these reports and exchange further observations.

## ***What does the Independent Adjudicator do?***

The Independent Adjudicator will look at the information provided by both the parents and the Highland Council in order to get a clear understanding of both sides of the disagreement. They may request further information.

Having reviewed all the information they make recommendations to the Education Authority.

They must do this within 15 working days of receiving the reports.