

Additional Support Needs Mediation in Education

The Mediation Partnership

The Education (Additional Support for Learning) (Scotland) Act 2004 places a duty on local authorities to provide access to independent mediation for resolving disputes with parents and carers of children and young people with additional support needs. We call this Additional Support Needs (ASN) Mediation.

What is Mediation?

“Mediation is a process for handling disputes that assists the people involved to reach an agreement, working with an impartial and independent mediator. The parties who are in dispute, rather than the mediator, decide the terms of any settlement.”

www.scottishmediationnetwork.org.uk

Mediation offers a safe and neutral environment to discuss difficulties and explore possible solutions. ASN Mediation puts the needs and views of the child or young person at the centre of the discussion. Although they may not be involved in the actual mediation process, their views can be included in whichever way is most appropriate for the case. Mediation may not feel like the easiest option, if you are prepared to communicate and are looking for solutions, it can often be the most effective way forward.

Making an Appointment

You can contact The Mediation Partnership directly by phone or email to make an initial appointment or to discuss whether mediation may be an appropriate route for you. You can also be referred by someone else.

Referrals

Anyone can make a referral to The Mediation Partnership - ASN Mediation; child, young person, parent, carer, the Education Authority or any organisation involved in supporting a child or young person and their family. Referrals can only be made with the permission of the family involved as mediation is a voluntary process.

Initial Appointment & Mediation Meetings

This meeting gives you the opportunity to meet the mediator, find out more about mediation and to discuss the issues relevant to the child or young person's education. A similar appointment will be offered to all parties involved.

If everyone agrees to proceed, a joint mediation meeting will be arranged involving all relevant parties where possible. While there is no guarantee of a successful outcome from mediation, it has a proven track record of enhancing understanding between those involved and of improving relationships. Where appropriate a written agreement will be put in place, detailing agreed action points and who is responsible for delivering them, along with timescales. A review period to check how things are working is usually included. The mediator is responsible for facilitating the discussion and keeping people focused on the relevant issues. Although the mediator aims to support and encourage all parties involved in a mediation, the content and any agreement reached comes from the participants.

The Mediators

The mediators are fully trained and experienced, with additional knowledge and training in ASN Mediation, and are members of the Scottish Mediation Network Register.

How Long Does Mediation Take?

A mediation usually consists of one individual meeting for each party, and one joint mediation meeting, with a follow up review (usually a phone call or email) as agreed. However, mediation is a flexible process, and if more meetings are required in order to achieve a thorough and satisfactory outcome, this will be discussed and agreed with those involved.

What if Mediation is Not Successful?

Although mediation has a high success rate, in some cases it is not possible to reach a resolution. In these situations, parents and guardians can make a referral to Dispute Resolution and the appointment of an independent adjudicator can be requested via the Local Authority to the Scottish Government. The process of mediation may, at the very least, have helped clarify your case.

Costs

There will be no costs to parents, guardians or young people. The local authority fund and provide access to independent mediation.

Confidentiality

All our services are confidential. Exceptions to this are, when a child is believed to be at risk of harm and if evidence of criminal activity is revealed. Domestic violence and child abuse issues are very serious, and we may decide that mediation is not appropriate in certain cases.

Contact Details

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