

Independent Adjudication



Independent adjudication is where a person - not from your school or local council - will look at a problem you are having with your learning. They will make suggestions about how the problems could be solved. This person is called an **“Independent Adjudicator.”**



Why use Independent Adjudication?

You can use it if you disagree with your school about:



Whether you have additional support needs or what type of needs you have



Asking for an assessment of your needs or the way an assessment was done



The support you need in school



The help you need from an organisation other than your school - like the NHS or social work.

How does it work?



To ask for independent adjudication, you have to write a letter to Scottish Ministers, which includes:



Your name



Your address



A bit of background about the disagreement

You have to include some information about the law but your advocacy worker will help you with this



How you think the problem could be sorted.



What happens next?

You will find out if your local authority agrees to independent adjudication. If the local authority says:

Yes

No

1

Your local authority will send you a letter giving their views.

2

Once you have seen this you have the chance to give more information.

3

The independent adjudicator will look at all the information about your situation.

4

Within 8 weeks they should send you their report that includes their suggestions.

5

Shortly after receiving your report, your local authority will tell you what they intend to do.

Your local authority must tell you why they have said no.

The Code of Practice says “Exceptionally, a few complaints may go to: - Scottish Ministers (Section 70 of the Education (Scotland) Act 1980) - Civil Courts (Judicial Review)”.



And remember ...

Don't worry!
Your **My Rights, My Say** advocacy worker will help you with every step.

Make your voice heard

