

The role of the child/student in ASN mediation

Scotland Case Study 4: Placing request for a child with complex needs 'Our child needs specialist provision'

This dispute is about the most appropriate school placement for a 6 year old boy, Mikey, with profound and complex needs. Mikey has significant brain damage caused at birth, resulting in severe cerebral palsy and intellectual impairment. He has no speech, and is also functionally blind. Mikey has a number of associated health issues including intractable epilepsy. The education authorities believe that Mikey's needs can be met within one of their specialist provisions; however the parents disagree; they would like him placed at the Royal Blind School (RBS), a national centre of excellence for visually impaired children. RBS is an independent school and if the education authorities agree to place Mikey there, they will be liable for the fees and associated travel costs. RBS is located about 1 hour's drive away from Mikey's home.

Mikey's parents are requesting a day placement at RBS; the school also offers residential placements.

The appeal against the placing request refusal will shortly be formally considered by the Additional Support Needs Tribunal, but they have directed the parties involved to try mediation before the tribunal hearing date.

Questions:

- 1. is this situation mediatable?**
- 2. what are the potential benefits of including the child/student in the mediation meeting?**
- 3. what are the potential challenges of including the child/student in the mediation meeting?**
- 4. what support may the child/student need to be able to fully participate?**