

Logbook

Name: [Redacted]

Membership no: [Redacted]

Learning Outcome: 2.4

1. Competency:

Seek appropriate information through communication

2. Evidence provided:

Instructions to expert

3. Outline how the evidence demonstrates you meet the outcome

Identify additional information required to progress the matter:

Independent expert advice was required to provide evidence in support of the client's appeal to the Special Educational Needs and Disability Tribunal. The client was being assisted by way of the Legal Help Scheme which does not cover representation at hearings so a report was vital to the case.

Communicate the request for further information:

I contacted the expert laying out the basic request so that a quote could be sent and a funding application made to the Legal Aid Agency.

Apply relevant law and procedure in the context of your communication:

The instruction letter clearly sets out the information I required and explains what the tribunal rules expect in relation to the lodging of evidence.

4. Reflection and evaluation (what you learnt from the activity you undertook to meet the outcome). Note: you may want to complete this section at a later date once you have had time to reflect on your practice and experience.

When additional information is required as evidence it is important to clearly state the information that you require and also explain relevant procedures so these are followed by all those involved in a case.

5. Completion date:

21.12.12

28.5.13

6. Signed (applicant)

[Redacted Signature]

Date:

15/11/13

7. Signed (supervisor)

[Redacted Signature]

Date:

16/11/13

XXXX

Date: 28 May 2013

Your ref

Our ref: [REDACTED]
Email: [REDACTED]

Dear Dr XXXX

XXXX DOB XXXX

As you know we are instructed by Ms XXXX in relation to her daughter XXXX statement of special educational needs. We have arranged for you to assess her at her current school and visit the school that Ms XXXX would like her to go to on 7 June 2013. I am awaiting confirmation from XXXX current school in relation to this date and hope it will not be a problem but will be in touch immediately if it is. The case is an appeal to the Special Educational Needs and Disability Tribunal against XXXX Council. The matter is funded by the Legal Services Commission under the Legal Help scheme.

Ms XXXX details are as follows:

XXXX

Telephone: XXXX

Mobile: XXXX

XXXX has a diagnosis of autistic spectrum disorder and learning difficulties. The educational history and background and the issues in the case are as follows:

1. XXXX currently attends XXXX School, a maintained special school, and has done so for some time. However, she is getting increasingly reluctant to

- school and started to refuse to go on the school transport, so Ms XXXX currently has to take her to school.
2. Ms XXXX believes that XXXX should transfer to a unit within mainstream school so that she can be with other mainstream peers, especially as she is going to be in year 11 next academic year.
 3. She would like XXXX to attend the Communication and Learning Department of XXXX High School and the school has been consulted with a number of times by the LA. They maintain that XXXX needs are too severe for her to attend the unit and so cannot offer a place. Ms XXXX believes that with the right support any potential problems could be overcome.
 4. Ms XXXX is aware that you could disagree with her view and say that XXXX should remain in special school. She has told me that she is willing to accept this should you make this decision.

The appeal has been lodged and the deadline we must currently adhere to is 16 September 2013. If we do not submit your report on time the new Rules mean that we may well not be allowed to rely on it. To allow me to liaise with the parents over your report and contact you with any queries, I would be grateful if you would let me have it as soon as possible and by 8 July at the latest, especially as XXXX is soon to go into year 11 at school.

I enclose copies of all the papers that have been sent to the tribunal,

The school details are as follows:

XXXX

Telephone: XXXX

XXXX

XXXX High School have contacted me to say that they are happy for you to visit but have asked that this is at 9am if possible. They have also informed me that there is no parking available onsite.

Instructions

You are asked to assess XXXX, and visit XXXX High School CLD to determine whether this would be a suitable placement for her. You are asked to make specific recommendations in relation to this as the tribunal will expect to see clear evidence to show why you consider that type of placement necessary. You are also asked to consider the contents of parts 2 and 3 and make specific recommendations for any amendments you think necessary so that we can ask the LA and Tribunal to agree to include these in the statement.

Your fees under public funding have been agreed at £XXXX including VAT. Should this change you need to notify me as soon as possible as I only have authority to incur the specified amount. Public funding will not cover any attendance at Tribunal and you would need to talk to the parents directly about this. In terms of payment once your final report is received, providing we receive the invoice before the 10th of each month we should be able to pay you at the end of the same month. However if we receive it after the 10th we will be unable to pay you until the end of the following month. As we have a large legal aid franchise and most of our clients are publicly funded we need to liaise with the Legal Services Commission on a regular basis to arrange payment of all disbursements.

We would need to apply to tribunal for permission for you to attend the hearing and you should let me know if you reach an agreement with the parents to do so.

If you send a draft report to the parents, please warn them not to disclose it to any professionals until it has been finalised. We have had clients undermine their own appeals in these circumstances.

The tribunal now request the following statement of truth be added to all reports:

"I understand that my overriding duty is to assist the tribunal in matters within my expertise, and that this duty overrides any obligation to those instructing me or their Clients. I confirm I have complied with that duty and will continue to do so. I confirm that I have made clear which facts and matters referred to in this report are within my own knowledge and which are not. Those that are within my own knowledge I confirm to be true. The opinions I have expressed represent my true and complete opinions on the matters to which they refer."

If you need any further information do not hesitate to get in touch.

Yours sincerely

A blacked-out rectangular area, likely redacting a signature or name.

Enc Documents as above