

**GLOBAL
MEDIATION**

Replacing conflict with harmony

Annual Quality Report

**South East Disagreement Resolution Group
Independent SEN Mediation Service**

**Seventh Report
1 September 2007 to 31 August 2008**

December 2008

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- These covered the following areas: -
 - administrative processes
 - facilities and resources
 - quality of the mediator
 - overall
- Types of cases
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Abbreviations

SEDR	=	South East Disagreement Resolution Group
SEN	=	Special Educational Needs
SERSEN	=	South East Regional SEN Partnership
SCRIP	=	South Central Regional Inclusion Partnership
DfES	=	Department for Education & Skills
LA	=	Local Authority (previously Local Education Authority)

Foreword

I am pleased to report on a successful year of mediation in SCRIP/SERSEN Regions. The SEN mediation service is independent but is tailored to the needs of the local authorities it serves.

In April 2008 the DCSF ended funding for Regional Partnerships effectively disbanding SCRIP/SERSEN. In a forward-thinking move the management of the service has continued through the collaboration of key members of each local authority led by Marlene Morrissey in Kent and the hard work of Lindsey Rousseau. The newly formed SEDR (South East Disagreement Resolution steering group) is currently chaired jointly by Kent and Milton Keynes and makes a highly valued contribution to the development of the SEN mediation service. We thank all those who have enabled such a valuable service to continue despite the radical changes in funding arrangements.

Our Service Co-ordinator Linda Laurance works hard to ensure smooth delivery of the service and Professor Irvine Gersch plays an important role in monitoring quality and ensuring consistency. We are pleased to have maintained our ISO 9001 quality mark accreditation and constantly strive for improvement and excellence. In addition to the regular evaluation and appraisal systems any of our team would be pleased to receive comments on the service and we carefully consider all such feedback.

We are delighted to welcome Zoey Bird who has been assisting our Office Manager Karen Heckman on the administrative side. Our financial director Jeff Lermer ensures that the service stays within budget and we thank the team for their hard work on this scheme.

Debbie Marcovitch deserves a special mention for her sensitive Case Management of the service and for her work on this report which speaks for itself. She has provided a detailed analysis of all the facts, figures and representative comments over the last academic year providing a helpful overview of the achievements of the independent mediation service.

Our dedicated team of talented mediators should be commended for their continued commitment and enthusiasm working tirelessly to facilitate resolutions wherever possible whilst maintaining the highest standards of professionalism and integrity.

When local authorities, schools and parents or carers require a solution following disagreement over special needs provision for children and young people, we are here to encourage a positive way forward. It is heartening to be able to continue to provide such an important service promoting resolutions of great benefit to the children and young people concerned. We are totally committed to this cause and continue to do all we can to ensure the service is of the highest quality possible.

Adam Gersch
Service Co-ordinator

Declaration

It should be noted that this Annual Quality Report has been compiled internally by Debbie Marcovitch and Irvine Gersch, one who is employed by the Company and one who is a Director of the Company.

For that reason the evaluation data has been collated independently and remains on record for perusal if required. The objective data, such as whether cases are resolved or otherwise, is determined by Mediators at the end of each mediation, based on the parties' perceptions of the outcome of each individual case.

Additionally, each participant is invited to provide their own independent evaluation report direct to Global Mediation's Office Manager following each mediation.

It should also be noted that Adam Gersch and Irvine Gersch are related.

Executive Summary

The SEN Code of Practice (2001) requires LAs to make arrangements to provide independent mediation in cases of disagreements between parents and LAs in respect of children with SEN. In April 2008, DCSF funding for the Regional Partnerships ended which meant that the former SCRIP/SERSEN regional partnerships were closed. Joint regional activity across the 19 LAs of the South East does continue however and Kent LA has agreed to act as a lead authority in coordinating the SE regional disagreement resolution service (SEDR), and as such manages the contract with Global Mediation, collecting contributions from each participating LA. The newly formed steering group for the SE regional disagreement processes is chaired jointly by representatives from Kent and Milton Keynes and contributes to the development of services in the region, including the Global Service. The mediation service has been provided by Global Mediation ("The Service"), an independent company, in accordance with DfES standards of operation, since December 2001.

An initial evaluation took place from the inception of the service in December 2001 until October 2002. Additional reports took place annually in the following years and reports of those findings are available from The Service.

This seventh report represents an evaluation of that service from 1st September 2007 until 31st August 2008, being the seventh year of its operation. Triangulation of methodology, data collection and sampling was utilized to arrive at the results. Methods include questionnaires to LAs, parents and carers, school representatives, parent representatives and mediators, communications with The Service Co-ordinators and analysis of case tracking records.

During the first six years of operation, 576 cases were referred to the service, of which 195 were the subject of mediation (34%). Of the 195 cases mediated in the first six years, 83% were either fully or partially resolved. A breakdown for each year is shown in tables one and two. This seventh report details the findings from 1st September 2007 until 31st August 2008. During this period, 65 cases were referred to the service of which 24 were the subject of formal mediation (37%). Of those actually mediated, 92% of cases were either fully or partially resolved. A breakdown of these cases reveals that

10 cases had been fully resolved at the mediation meeting (42%). 12 cases were partially resolved (50%) and two cases reached an impasse (8%).

We are again able to include the percentage of cases resolved involving contact with The Service, both prior to and post formal mediation. This total figure emerged as 95% for which credit needs to be given to the internal procedures within each LA, working in partnership with The Service. In the previous period, this figure was 98%.

The final sample of respondents consisted of 16 from parents or carers, 17 from LA representatives, 23 from mediators, 4 from school representatives and 5 from parent representatives (a total of 65 respondents). At least one response was received for each of the 24 mediations. The quality of the service administration, resources and facilities and quality of the mediators themselves were all highly rated by those who responded to the questionnaires sent out following each mediation. Overall the service was rated very positively by all groups. When the scores were combined a *very good* rating resulted.

In the first six years, the majority of cases concerned children with learning and behavioural difficulties, autism and literacy difficulties, Specific Learning Difficulties (including dyslexia, dyspraxia, ADD and AD/HD) and Autistic Spectrum Disorders (in periods four and five) and Specific Learning Difficulties (including dyslexia, dyspraxia, ADD and AD/HD) respectively. In the seventh period, the majority of cases concerned children with Autistic Spectrum Disorders (including Asperger's Syndrome) (34% of all referrals). The SENDIST Annual Report (2007) notes that the majority of cases lodged for appeal in this period also concerned children with Autistic Spectrum Disorders.

In the first six years, the major areas of disagreement were in respect of provision and/or the school named in the Statement of SEN, the school named in the Statement of SEN (Placement), School Action provision, Refusal to Assess and Placement (part 4 of the Statement) (in the last two periods) respectively. In the seventh period the major area of disagreement was once again in respect of Placement (part 4 of the Statement). The SENDIST Annual Report (2007) notes that the majority of cases lodged for appeal in this period concerned Refusal to Assess, the second highest reason for referral in the region.

Key Findings

- Overall, the Service that has been provided over the past seven years has been found to be useful, efficiently delivered and was generally thought of as a positive experience.
- On the whole, parental comments were favourable and indicated that mediation allowed them to progress, was non-confrontational, encouraged open discussions and allowed an equal voice between the two sides.
- Parents scored all aspects of the Service as *very good* apart from the Mediators who they rated as *excellent*.
- The scores given by Local Authority Representatives all fell within the *very good* range, with them also rating the general usefulness of the Service as *very good*.
- School Representatives also scored all aspects of the Service as *very good*.
- Parent Representatives scored the administration, the resources and facilities and the Mediators as *excellent*, and rated the overall service as *very good*.
- The mediators rated the administration as *excellent* and the resources and facilities as *very good*.
- The mean rating score for the total sample for administration emerged as *excellent*.
- The mean rating score for the total sample for resources and facilities emerged as *very good*.
- The mean rating score for Parents and their Representatives, LA Representatives and School Representatives for the Mediators emerged as *very good*.

- Overall, the service was rated very positively by all groups. When their scores were combined, a *very good* rating score resulted.
- 65 cases were referred to the Service in the seventh period.
- 24 of these 65 referrals were the subject of formal mediation.
- 92% of the 24 mediations were fully or partially resolved. The remaining 8% reached an impasse.
- Almost a quarter of all cases referred to The Service in this period were resolved before formal mediation proceedings began (15 cases out of 65 referrals).
- In the seventh period, the majority of cases concerned children with Autistic Spectrum Disorders (including Asperger's Syndrome). This accounted for 34% of all referrals.
- In the seventh period the major area of disagreement was in respect of Placement (part 4 of the Statement). This accounted for 26% of all referrals.

For the source of evidence, please see Appendix 1.

1. Introduction

- 1.1 This seventh report has again been entitled Annual Quality Report and incorporates all the evaluation and statistical information gathered to evaluate the operation of the independent SEN mediation service provided to 18 of the 19 LAs in the Southern part of the UK who have elected to join the scheme, for the period 1st September 2007 – 31st August 2008.
- 1.2 The 18 LAs originally formed part of two regional SEN groups that combined to tender for the original setup of The Service. The former SCRIP/SERSEN regional partnerships were closed in April 2008 when DCSF funding for the Regional Partnerships ended. Joint regional activity across the 19 LAs of the South East does continue however with Kent LA acting as a lead authority in coordinating the SE regional disagreement resolution service, and as such manages the contract with Global Mediation.
- 1.3 Funding for The Service was initially made available from the DfES and subsequently collected from contributions from each participating LA.
- 1.4 Since 2002, it is a legal requirement for all LAs to make arrangements to offer **independent** disagreement resolution services, and the provision reviewed in this research report was set up in line with DfES requirements and the LAs' statutory obligations.
- 1.5 In July 2003, Global Mediation was awarded the ISO 9001 Quality Assurance mark. The company passed an external audit in September 2007, with no recommendations for improvement, and therefore retains the accreditation.
- 1.6 The aim of this research was to evaluate the disagreement resolution service provided by The Service; that is from 1st September 2007 – 31st August 2008.

- 1.7** The research methodology utilises a triangulation of data collection and involved triangulation of data analysis, involving case tracking, questionnaires and communications with Service Co-Ordinators.
- 1.8** Debbie Marcovitch has compiled the data for this research using case tracking data and questionnaires and responses submitted by users of The Service which have been retained and are available for independent scrutiny.
- 1.9** The Service is led by two Service Co-ordinators, Adam Gersch and Linda Laurance, who are both Directors of Global Mediation. Professor Irvine Gersch is responsible for Quality Assurance, Systems, Evaluation and Educational and Psychological consultancy. The mediator panel consists of 17 mediator associates, recruited especially for this purpose. All Service panel mediators are qualified, experienced and fully insured and have received specific training in SEN mediation. The Service is also supported by a dedicated Case Manager and benefits from part-time backup from the existing Global Mediation office team.
- 1.10** The aims of the quality review were to examine and report on:
- the outcomes of the mediations
 - service quality
 - views from LAs
 - to determine any preliminary and emerging patterns of cases, which could be useful in respect of LA policy planning and company developments
 - to compare results with the five previous reports and analyse any emerging patterns
 - to make recommendations for continuous improvement

2. Research Questions

- 2.1** This report is directed at several research questions pertaining to
- (a) the outcomes of mediation cases, in respect of resolution, partial resolution, or cases leading to an impasse;
 - (b) perceptions about the quality of the Service provided (including administration processes, facilities and resources and quality of the mediator);
 - (c) numbers and types of cases referred, with a view to providing information to LAs about patterns and in line with Code of Practice (2001) standards.

3. Research Methodology

- 3.1** The research is based upon a triangulation of methodology, that is data collection from different sources and utilising a variety of modes. Use was made of information from groups of mediators, communications with Service Co-Ordinators and detailed analysis of the case tracking records kept by The Service.
- 3.2** The research took place during the period 1st September 2007 – 31st August 2008.
- 3.3** The sample comprised:
- 16 parents
 - 17 LA Representatives
 - 23 Mediators
 - 4 School representatives
 - 5 Parent representatives
- A total of 65 replies were included.
- 3.4** In some cases, there was more than one mediator and/or LA Representative at a mediation. Responses from every attendee have been included.

- 3.5** Each participant is invited to complete an evaluation form, in confidence, which is later submitted to the Office Manager.
- 3.6** Of the 24 mediated cases in this seventh period, replies were received for every case (100%), although not from every participant.
- 3.7** It should be noted that the findings from the current study are in respect of 24 mediated cases whereas the findings of the previous report reflect 22 mediated cases. The first period reflected 35 mediated cases, the second period 41, the third period reflected 38, the fourth reflected 29 and the fifth reflected 30 cases
- 3.8** The number of referrals to The Service has risen negligibly from 64 in the sixth period to 65 cases in this seventh period. There were 80 referrals in the first period, 115 in the second period, 124 in the third period, 92 in the fourth period and 101 in the fifth period.

4. Results

4.1 Outcomes of the case tracking for the period 1st September 2007 – 31st August 2008

Global Mediation has kept specific case tracking records since the inception of The Service. The latest results collected for the research report, taken as at 31st August 2008, reveals the following for the period 1st September 2007 – 31st August 2008:

	Number	%
Mediated	24	37%
Mediation refused by one or other party	16	25%
Resolved prior to mediation	15	23%
Enquiry only or not suitable for mediation	0	0%
On hold or being processed	10	15%
TOTAL	65	100%

Table 1: Case Tracking Results – cases referred

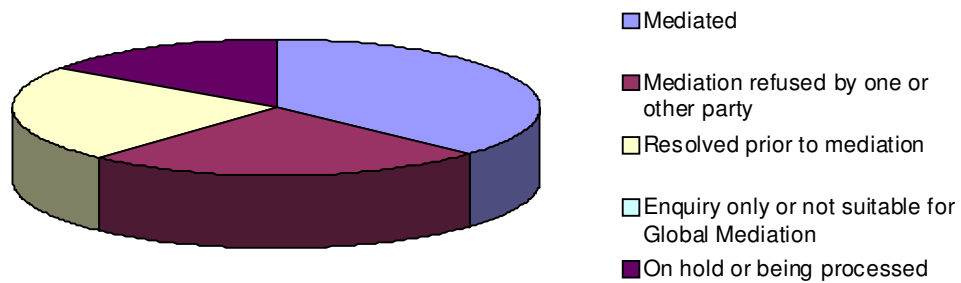


Figure 1 : Case Tracking results - cases referred

	Number	%
Resolved	10	42%
Partially resolved	12	50%
Total cases resolved	22	92%
Impasse	2	8%
Other	0	-
Total number of cases mediated	24	100%

Table 2: Case Tracking Results – outcomes of cases which were mediated

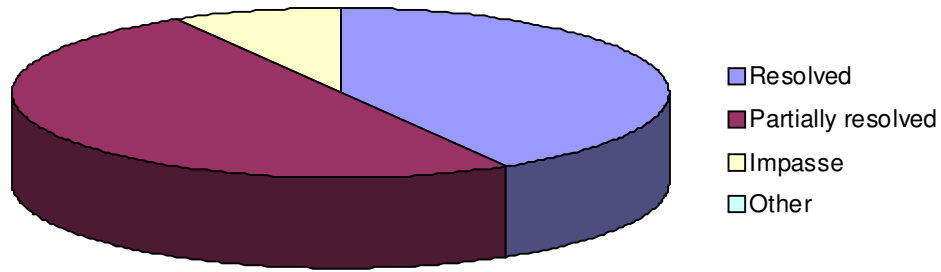


Figure 2: Case tracking results

In previous reports it was suggested that further analysis should be carried out into the growth of cases that are referred to The Service but are resolved prior to mediation. A breakdown of the 15 cases that were resolved prior to mediation can be seen below.

	Number	%
Internal investigations already underway and issue resolved after contact with The Service	2	14%
Internal meeting arranged after contact with The Service and issues resolved after contact with The Service	5	33%
No internal meeting but issue resolved after contact with The Service	5	33%
Mediation process stopped because LA/School agree to resolve the issue after contact with The Service	3	20%
Status unknown prior to contact with The Service	-	-
Total number of cases resolved prior to mediation	15	100%

Table 3: Cases resolved prior to mediation

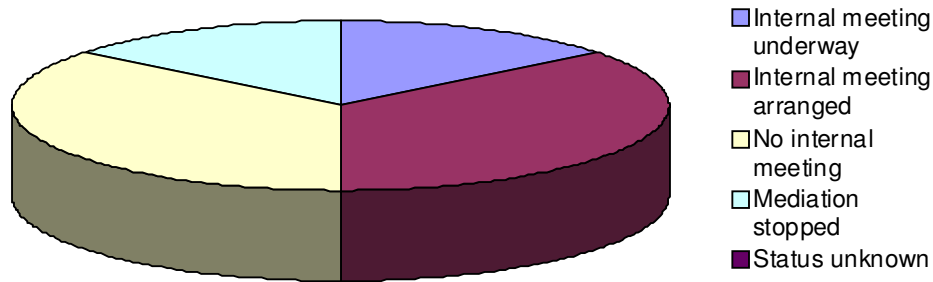


Figure 3: Cases resolved prior to mediation

	Number	%
Cases resolved as a result of formal mediation	22 (out of 24)	92%
Cases resolved prior to mediation	15 (out of 15)	100%
Total cases resolved	37 (out of 39)	95%

Table 4: Total cases resolved

Of the 15 referrals that were resolved prior to mediation, a third were resolved after an internal meeting was arranged after contact with The Service (33%). This includes cases where the initial decision made by the LA, ie the issue to be resolved, was reversed before a formal mediation was booked. A further third of the 15 referrals involved the issue being resolved without an internal meeting but after contact with The Service was made. 20% of referrals began formal mediation procedures but the issue was resolved before the formal meeting took place and the mediation was cancelled.

This means that of those resolved without formal mediation (15 cases in total), 80% had significant contact with The Service varying from telephone contact, telephone discussions, telephone meetings and other consultations. In some

cases the mediation was arranged, the venue was booked and the issue was then resolved resulting in a cancellation (20%).

If these figures were included in the total number of cases mediated in this period, the figure would be 60% instead of 37%. Table 7 above shows the percentage of cases resolved taking this into account and it can be seen that the total number of cases resolved, including those resolved as a result of formal mediation and prior to mediation, is 95%.

It should be pointed out that the positive success rate of effective resolution at an early stage reflects good practice by the LAs in partnership with The Service.

Overall the results indicate that in the seventh period, of the 65 cases referred to mediation, 24 resulted in an actual mediation meeting or contact. Of these, 42% were fully resolved, 50% partially resolved and 8% reached an impasse. 15 referrals were resolved prior to mediation, which is approximately a quarter of all referrals. A quarter of all referrals (25%) were refused by either the LA or parents and 15% were recorded as active cases as at 31st August 2008. Half of these active cases (5) have a date set for formal mediation after 31st August 2008.

4.2 Outcomes of the case tracking year-on-year

Results collected for the research report, taken as at 31st August 2008, reveal the following year-on-year case tracking data.

	Total referrals	Total Mediations	%
Period 1 : December 01 – October 02 *	80	35	44%
Period 2 : September 02 – October 03	115	41	36%
Period 3 : October 03 – September 04	124	38	31%
Period 4 : September 04 – August 05	92	29	32%
Period 5 : September 05 – August 06	101	30	30%
Period 6 : September 06 – August 07	64	22	34%
Period 7 : September 07 – August 08	65	24	37%

* NB Period 1 was 10 months

Table 5 : Total referrals and mediations

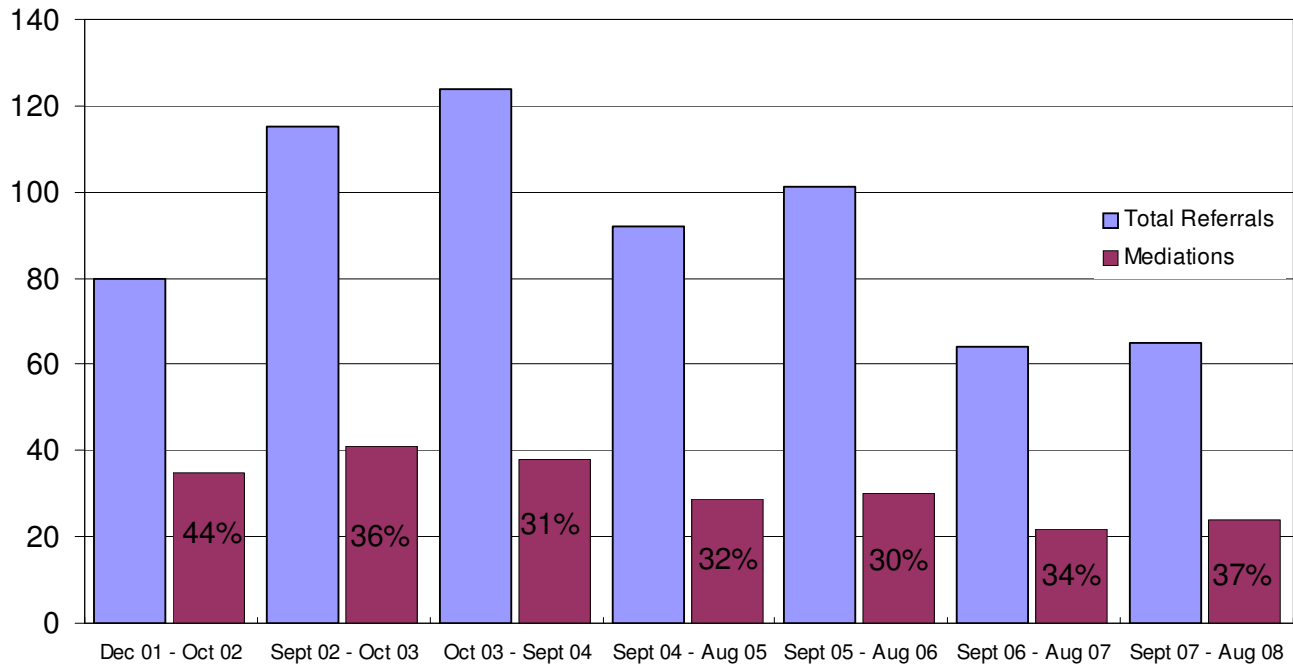


Figure 4 : Total referrals and mediations

Taking the past seven years a whole, on average 35% of referrals have led to a formal mediation.

	Total Mediations	% Resolved
Period 1 : December 01 – October 02 *	35	73%
Period 2 : September 02 – October 03	41	68%
Period 3 : October 03 – September 04	38	77%
Period 4 : September 04 – August 05	29	86%
Period 5 : September 05 – August 06	30	97%
Period 6 : September 06 – August 07	22	96%
Period 7 : September 07 – August 08	24	92%

* NB Period 1 was 10 months

Table 6 : Percentage of mediations fully or partially resolved

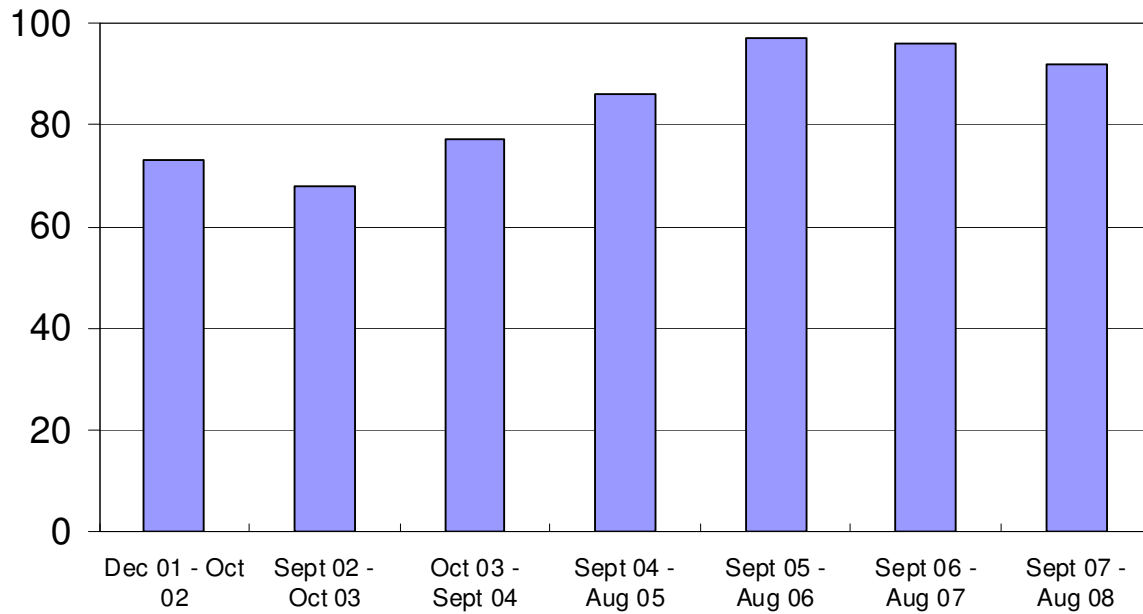


Figure 5 : Percentage of mediations fully or partially resolved

Over the past three years, the number of cases fully or partially resolved has been between 92% - 97% which exceeded those in the earlier years.

4.3 Quality of the service

The results can be classified under five distinct categories: -

- Views of Parents/carers
- Views of LA Representatives
- Views of School Representatives
- Views of Parent Representatives
- Views of Mediators

The rating scale was as follows:

- | |
|-------------------------|
| 1. Poor |
| 2. Below average |
| 3. Average |
| 4. Good |
| 5. Very good |
| 6. Excellent |

When assessing the mean scores, the following scale was used:

0.5 – 1.4	Poor
1.5 – 2.4	Below average
2.5 – 3.4	Average
3.5 – 4.4	Good
4.5 – 5.4	Very good
5.5 +	Excellent

4.3.1 The questionnaire data recorded for parents

Administration

N=16 parents

Item	Mean score
Telephone speed of response	5.3
Response to written communication	5.4
Clarity of explanations and advice	5.4
Helpfulness of staff	5.6
Adequate time to plan meeting	4.9
Overall efficiency of administration	5.2
OVERALL	5.3

Table 7: Mean score (6-point rating scale) for administration

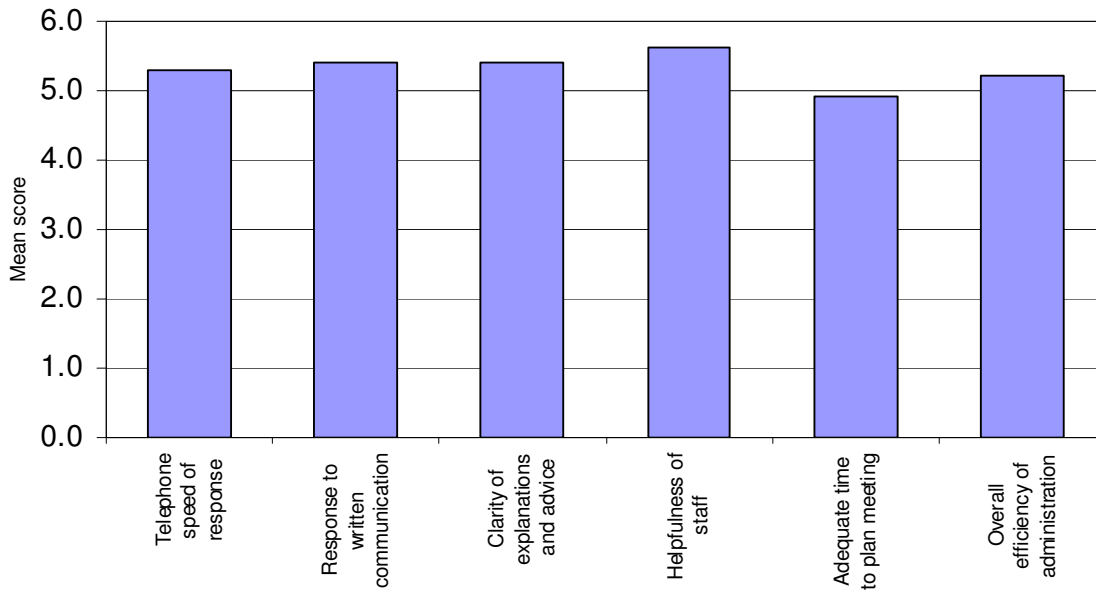


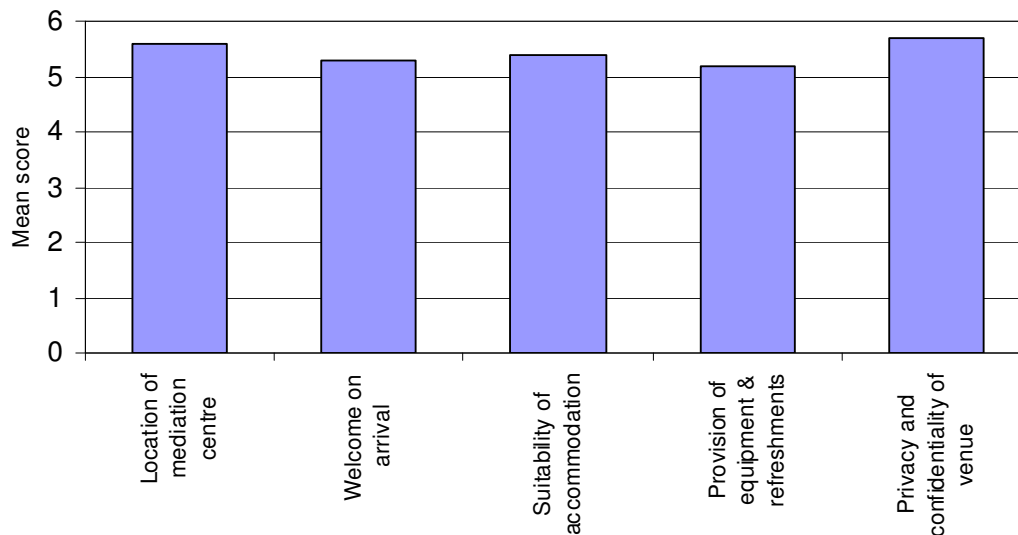
Figure 6: Mean ratings scores for administration

The overall ratings given by parents for administration fell within the *very good* band.

Resources and facilities

N=16 parents

Item	Mean score
Location of mediation centre	5.6
Welcome on arrival	5.3
Suitability of accommodation	5.4
Provision of equipment & refreshments	5.2
Privacy and confidentiality of venue	5.7
OVERALL	5.4

Table 8: Mean score (6-point rating scale) for resources & facilities**Figure 7: Mean rating scores for resources and facilities**

The scores given by parents for resources and facilities fell within the *very good* range. They rated both the location and the privacy and confidentiality of the venues as *excellent*.

Mediators

N=16 parents

Item	Mean score
Ability to manage and control process	5.8
Establishing confidence / trust of parties	5.7
Knowledge / understanding of client's case	5.0
Equal treatment for all parties	5.7
Neutrality	5.8
Listened well to your views	5.8
Professionalism of approach	5.7
Contribution to achieving settlement	5.5
OVERALL	5.6

Table 9: Mean score (6-point rating scale) for mediators

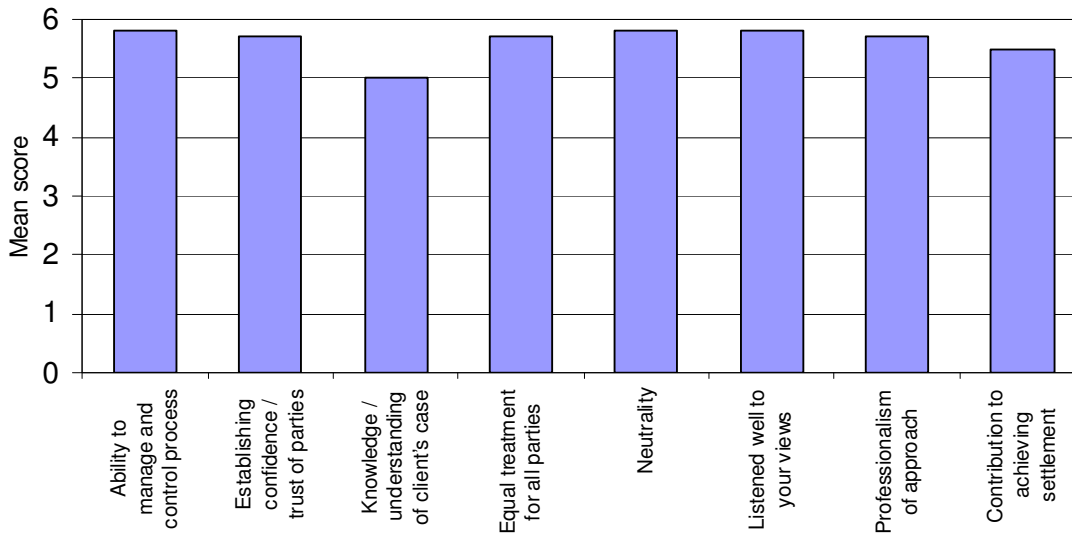


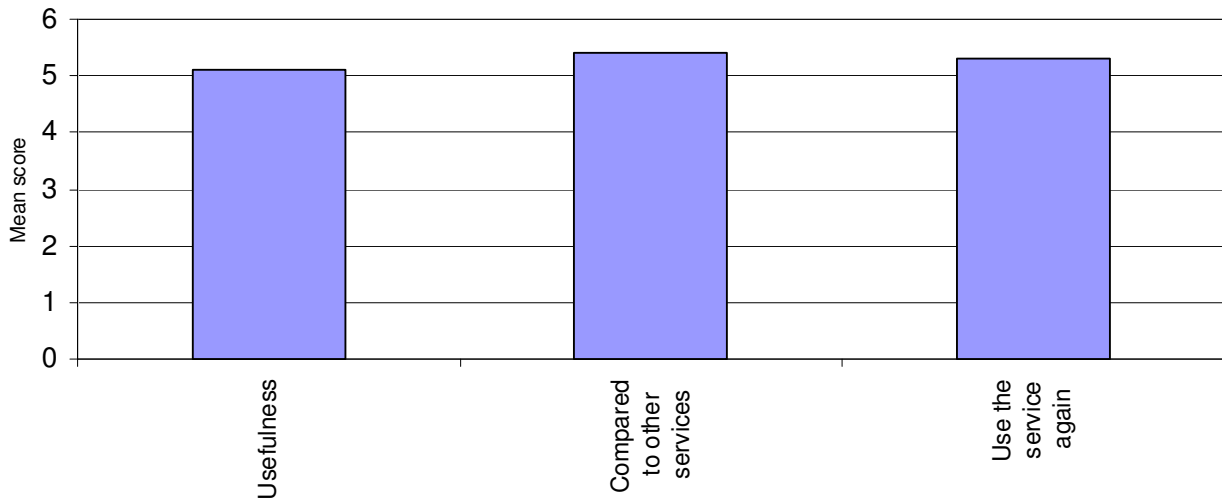
Figure 8: Mean rating scores for mediators

The ratings given by parents for mediators overall fell within the *excellent* range. The perceived skills of the mediators were viewed very positively by parents, as reflected in the comments overleaf.

Overall Quality of Service

N=16 parents

Item	Mean score
How useful was the mediation process?	5.1
How did our service compare to others?	5.4
Likelihood of using The Service again	5.3
Would you recommend our service to others? (yes)	81.3%

Table 10: Mean score (6-point rating scale) for overall service**Figure 9: Mean rating scores for overall service**

Parents rated the service as *very good* overall.

Some detailed parental comments were as follows: -

- It is amazing how far mediation moved things along for us all

- Mediation allows the opportunity for everyone to get round the table with an independent person mediating, where all relevant points can be made within a respectful and non confrontational atmosphere
- Mediation does offer a level of equality between the two sides - for us it was the first time we could engage in discussion with the LA..... where both sides were given equal access and time to make our points
- We were delighted with the positive outcome of mediation - so much better than having to go through the ordeal and formality of a tribunal
- I wish the mediator could come to all our meetings!

4.3.2 The questionnaire data recorded for LA Representatives

Administration

N=17 LA Representatives

Item	Mean score
Telephone speed of response	5.1
Response to written communication	5.1
Clarity of explanations and advice	5.3
Helpfulness of staff	5.4
Adequate time to plan meeting	5.2
Overall efficiency of administration	5.4
OVERALL	5.2

Table 11: Mean score (6-point rating scale) for administration

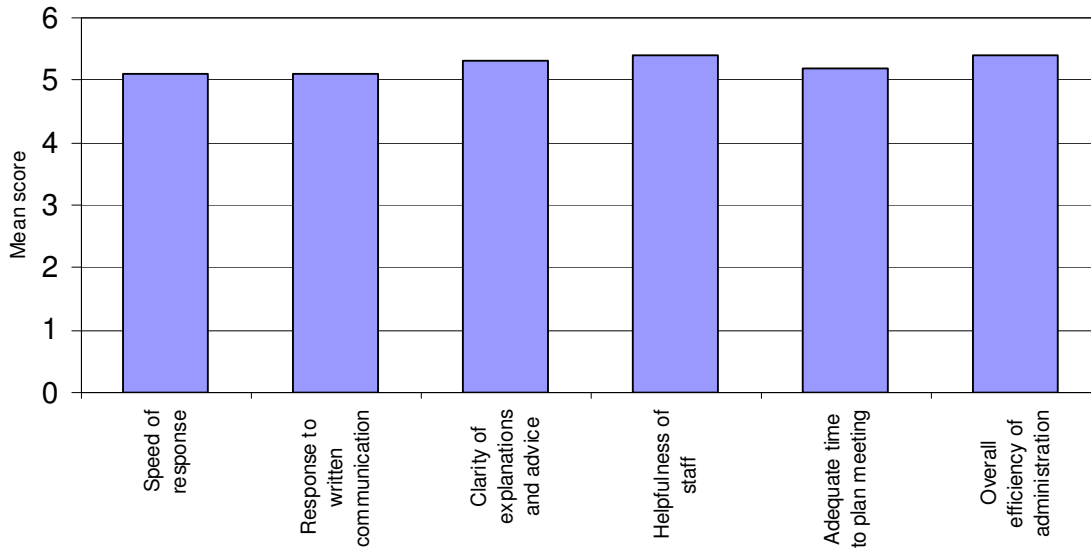


Figure 10: Mean rating scores for administration

The administration of the service was rated as *very good* by LA representatives.

Resources and Facilities

N=17 LA Representatives

Item	Mean score
Location of mediation centre	5.4
Welcome on arrival	5.3
Suitability of accommodation	4.8
Provision of equipment & refreshments	5.0
Privacy and confidentiality of venue	5.3
OVERALL	5.2

Table 12: Mean score (6-point rating scale) for resources & facilities

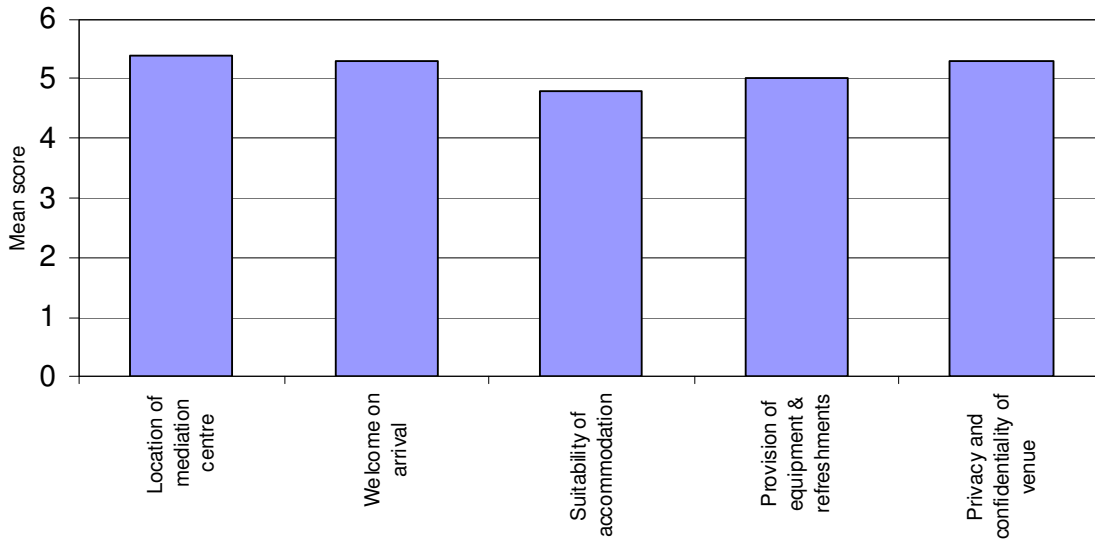


Figure 11: Mean rating scores for resources and facilities

The standard of resources and facilities was rated as *very good* by LA representatives. LA representatives rated the privacy and confidentiality of the venues as *very good*.

Mediators

N=17 LA Representatives

Item	Mean score
Ability to manage and control process	5.4
Establishing confidence / trust of parties	5.5
Knowledge / understanding of client's case	5.2
Equal treatment for all parties	5.4
Neutrality	5.4
Listened well to your views	5.4
Professionalism of approach	5.5
Contribution to achieving settlement	5.3
OVERALL	5.4

Table 13: Mean score (6-point rating scale) for mediators

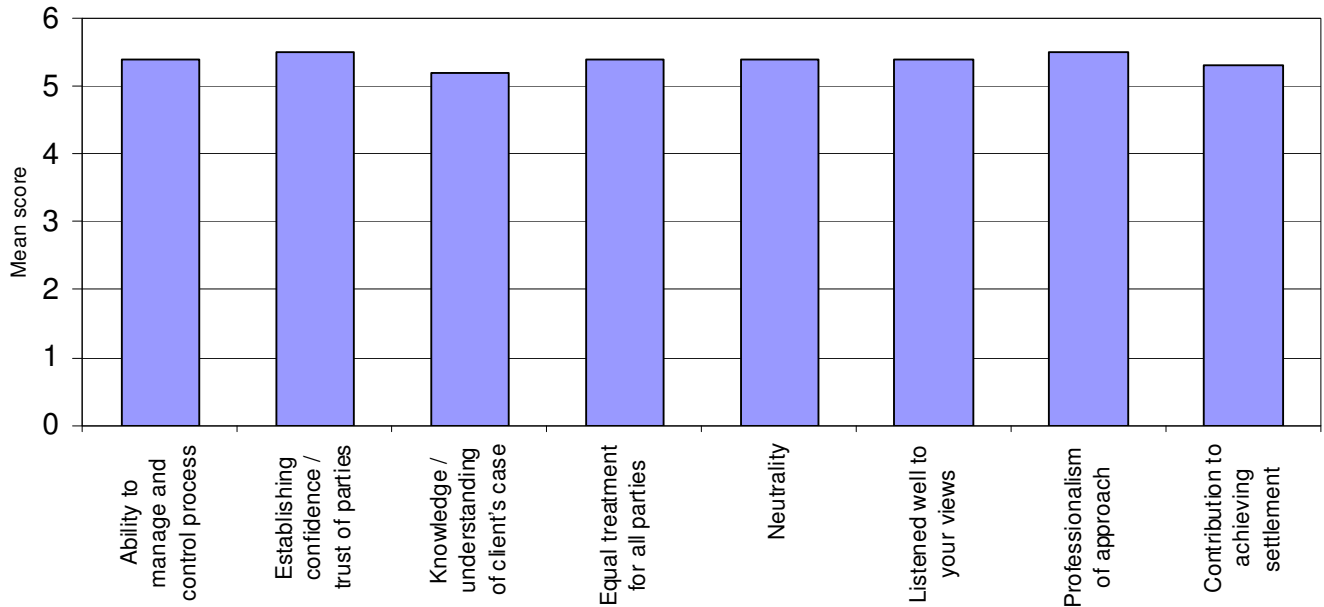


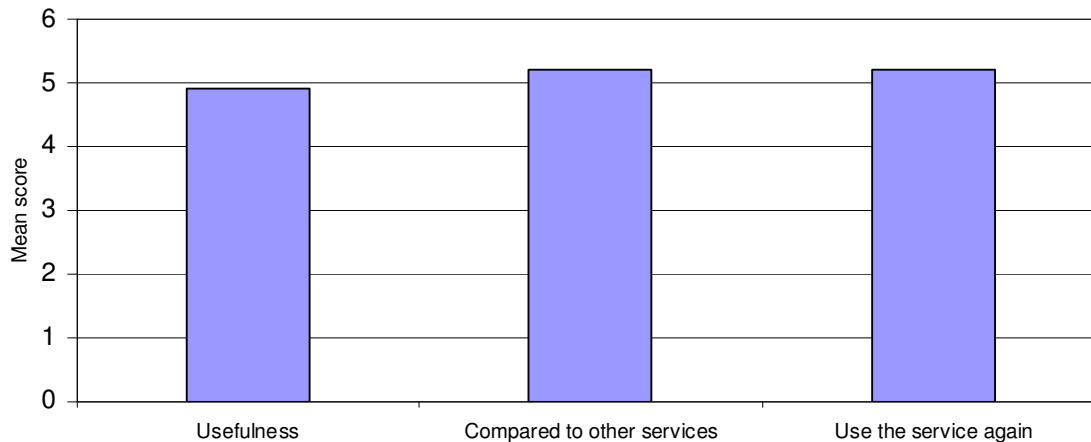
Figure 12: Mean score ratings for mediators

The LA representatives rated the skills of the mediators as *very good*.

Overall Service Quality

N=17 LA Representatives

Item	Mean score
How useful was the mediation process?	4.9
How did our service compare to others?	5.2
Likelihood of using The Service again	5.2
Would you recommend our service to others? (yes)	88%

Table 14: Mean score (6-point rating scale) for overall service**Figure 13: Mean score ratings of overall service**

The LA Representatives rated the general usefulness of the service as *very good*.

Some comments made by LA representatives were: -

- The Mediator had a clear grasp of all the issues
- The Mediator was a real help in guiding the parties whilst remaining totally impartial

In response to the question 'how can the mediation service be improved?'; some LA representatives comments were as follows:-

- More preparation beforehand to find the areas to focus on during the meeting
- Ensure ground rules are set and adhered to, to avoid 'ranting'

4.3.3 Views of school representatives

Administration

N=4 School Representatives

Item	Mean score
Telephone speed of response	5.5
Response to written communication	6.0
Clarity of explanations and advice	5.5
Helpfulness of staff	5.5
Adequate time to plan meeting	4.3
Overall efficiency of administration	5.5
OVERALL	5.4

Table 15: Mean score (6-point rating scale) for administration

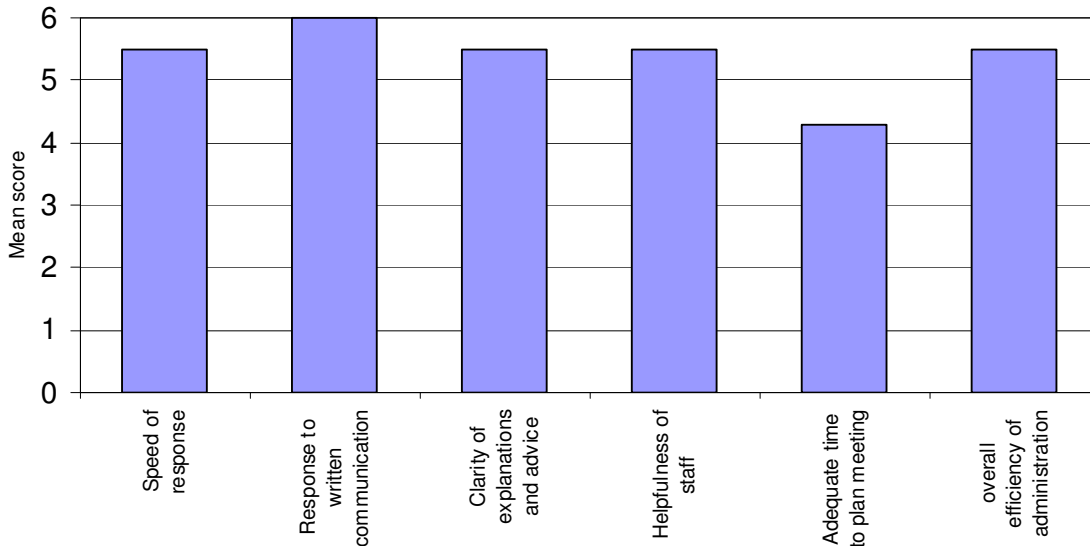


Figure 14: Mean rating scores for administration

The administration of the service was rated as *very good* by school representatives.

Resources and Facilities

N=4 School Representatives

Item	Mean score
Location of mediation centre	5.5
Welcome on arrival	5.0
Suitability of accommodation	4.5
Provision of equipment & refreshments	4.8
Privacy and confidentiality of venue	5.3
OVERALL	5.0

Table 16: Mean score (6-point rating scale) for resources

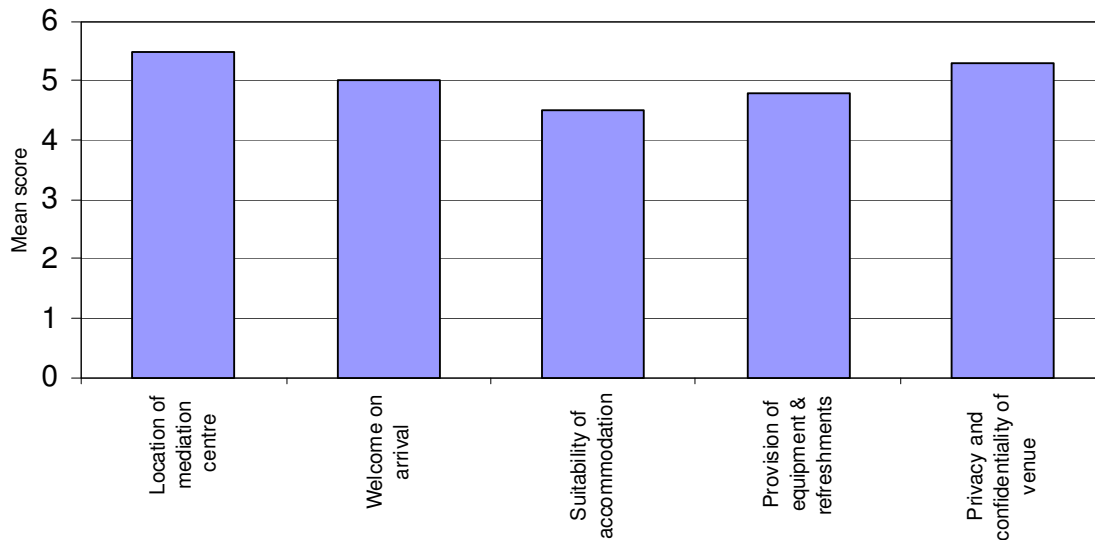


Figure 15: Mean score ratings for resources and facilities

School representatives rated the location and the privacy and confidentiality of the venue as *very good*.

Mediators

N=4 School Representatives

Item	Mean score
Ability to manage and control process	4.8
Establishing confidence / trust of parties	5.3
Knowledge / understanding of client's case	4.8
Equal treatment for all parties	5.5
Neutrality	5.5
Listened well to your views	5.3
Professionalism of approach	5.3
Contribution to achieving settlement	5.3
OVERALL	5.2

Table 17: Mean score (6-point rating scale) for mediators

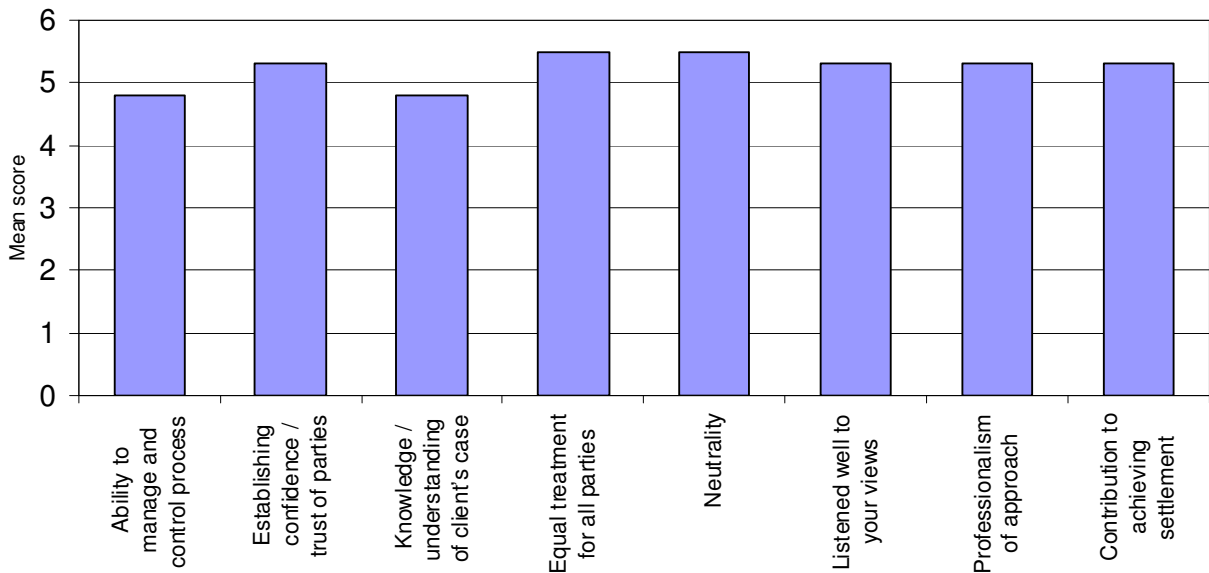


Figure 16: Mean score ratings for mediators

The scores given by school representatives for Mediators all fell within the very good range.

Overall Service Quality

N=4 School Representatives

Item	Mean score
How useful was the mediation process?	4.8
How did our service compare to others?	5.3
Likelihood of using The Service again	6.0
Would you recommend our service to others? (yes)	75.0%

Table 18: Mean score (6-point rating scale) for overall service

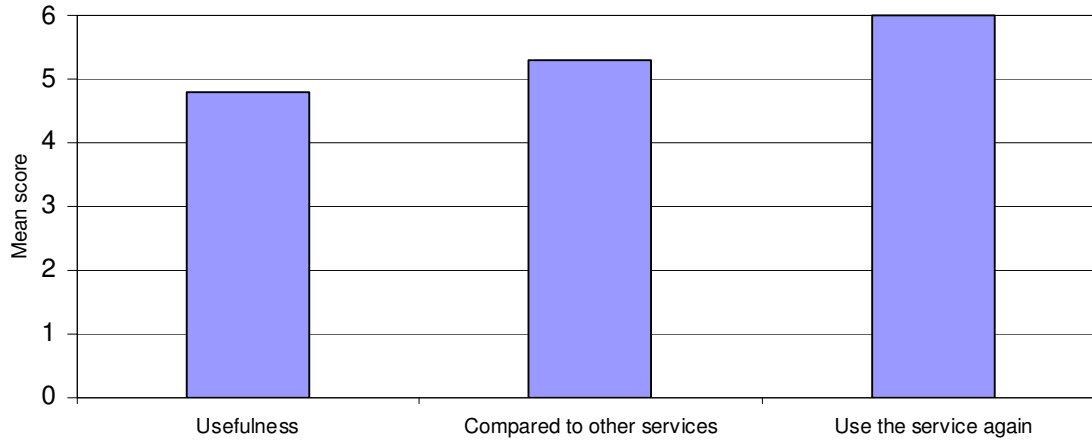


Figure 17: Mean score ratings of overall service

The overall rating by school representatives for the service was *very good*.

4.3.4 Views of parent representatives

Administration

N=5 Parent Representatives

Item	Mean score
Telephone speed of response	5.0
Response to written communication	5.5
Clarity of explanations and advice	5.7
Helpfulness of staff	5.8
Adequate time to plan meeting	5.7
Overall efficiency of administration	5.7
OVERALL	5.5

Table 19: Mean score (6-point rating scale) for administration

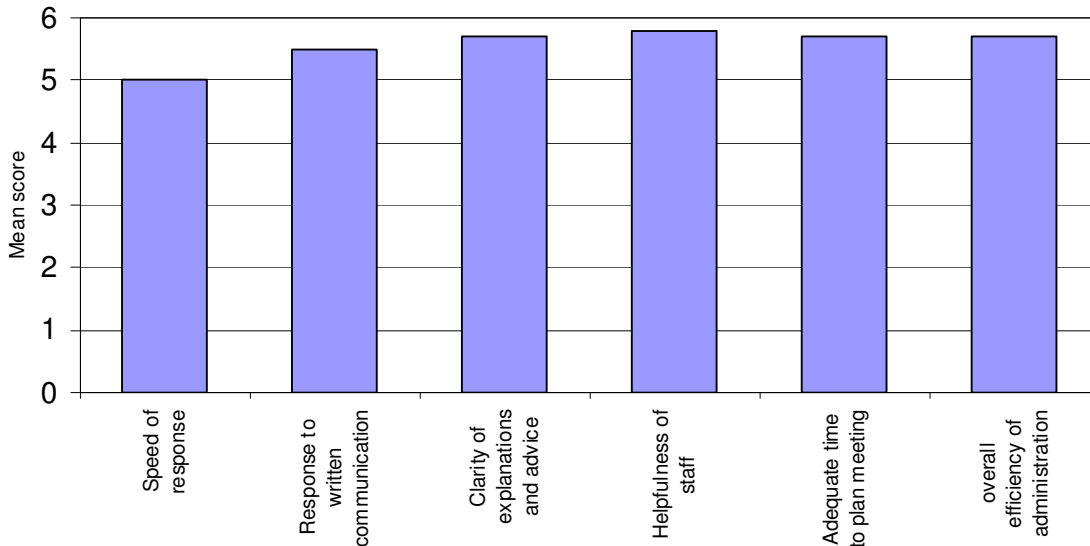


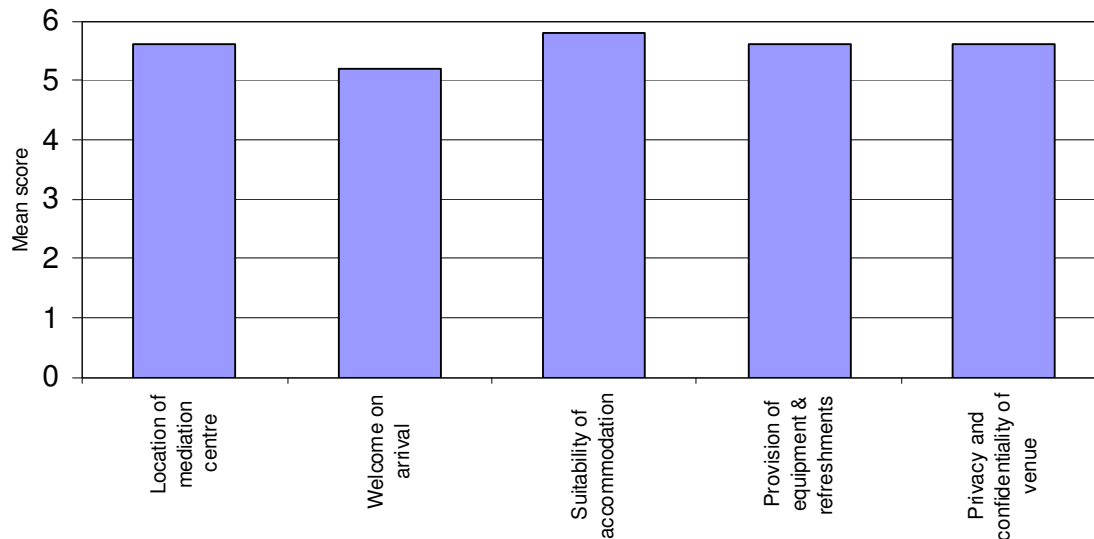
Figure 18: Mean rating scores for administration

The administration of the service was rated as *excellent* by parent representatives.

Resources and Facilities

N=5 Parent Representatives

Item	Mean score
Location of mediation centre	5.6
Welcome on arrival	5.2
Suitability of accommodation	5.8
Provision of equipment & refreshments	5.6
Privacy and confidentiality of venue	5.6
OVERALL	5.6

Table 20: Mean score (6-point rating scale) for resources**Figure 19: Mean score ratings for resources and facilities**

Facilities were rated as *excellent* by parent representatives.

Mediators

N=5 Parent Representatives

Item	Mean score
Ability to manage and control process	5.6
Establishing confidence / trust of parties	5.6
Knowledge / understanding of client's case	5.2
Equal treatment for all parties	5.8
Neutrality	5.8
Listened well to your views	5.6
Professionalism of approach	5.8
Contribution to achieving settlement	5.6
OVERALL	5.6

Table 21: Mean score (6-point rating scale) for mediators

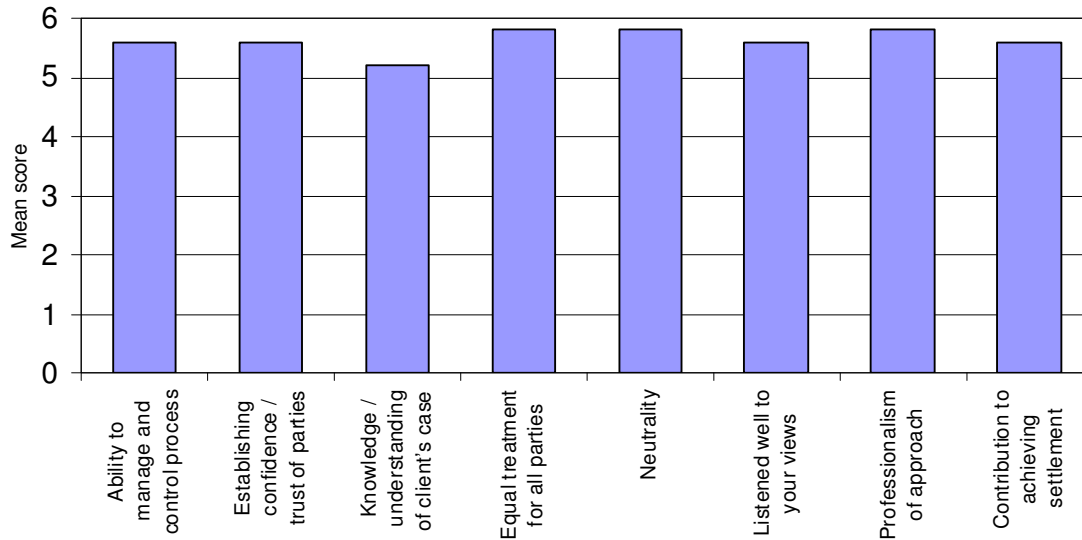


Figure 20: Mean score ratings for mediators

With one exception, the scores given by parent representatives for Mediators all fell within the *excellent* range.

Overall Service Quality

N=5 Parent Representatives

Item	Mean score
How useful was the mediation process?	5.4
How did our service compare to others?	5.4
Likelihood of using The Service again	4.8
Would you recommend our service to others? (yes)	100.0%

Table 22: Mean score (6-point rating scale) for overall service

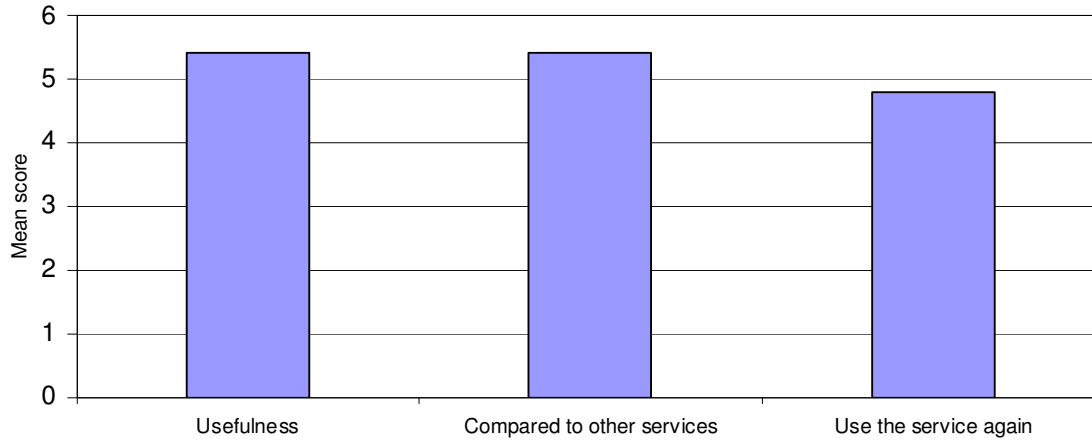


Figure 21: Mean score ratings of overall service

Parent representatives rated the overall service as *very good*.

4.3.5 Views of mediators

Administration

N=23 Mediators

Item	Mean score
Telephone speed of response	5.9
Response to written communication	6.0
Clarity of explanations and advice	6.0
Helpfulness of staff	6.0
Overall efficiency of administration	5.9
OVERALL	5.9

Table 23: Mean score (6-point rating scale) for administration

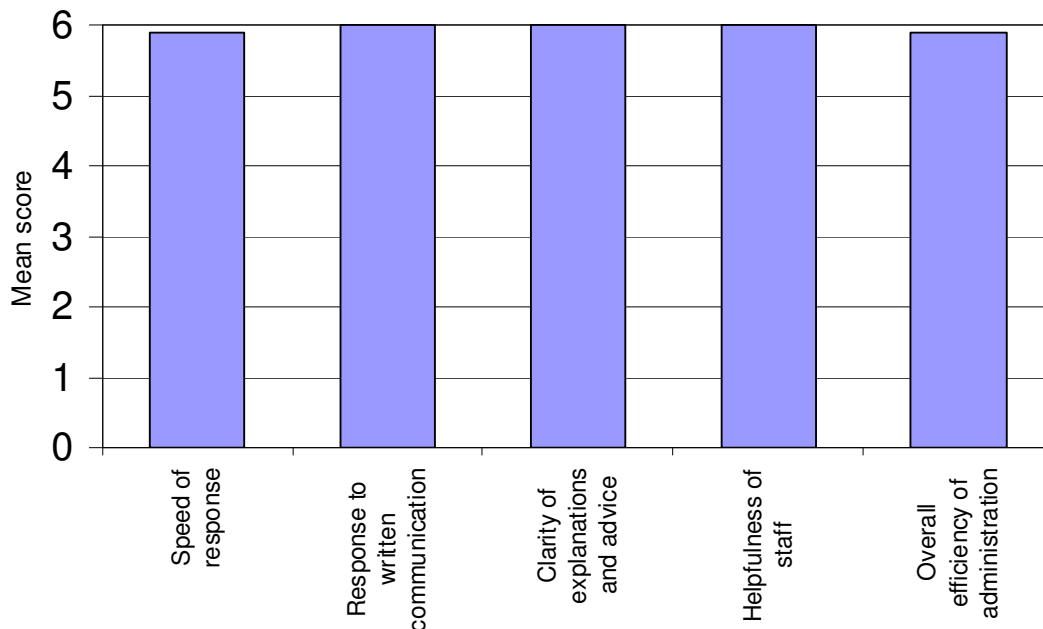


Figure 22: Mean rating scores for administration

The scores given by Mediators for the administration all fell within the *excellent* range.

Resources and Facilities

N=23 Mediators

Item	Mean score
Location of mediation centre	5.0
Welcome on arrival	4.3
Suitability of accommodation	4.1
Provision of equipment & refreshments	4.4
Privacy and confidentiality of venue	5.0
OVERALL	4.6

Table 24: Mean score (6-point rating scale) for resources & facilities

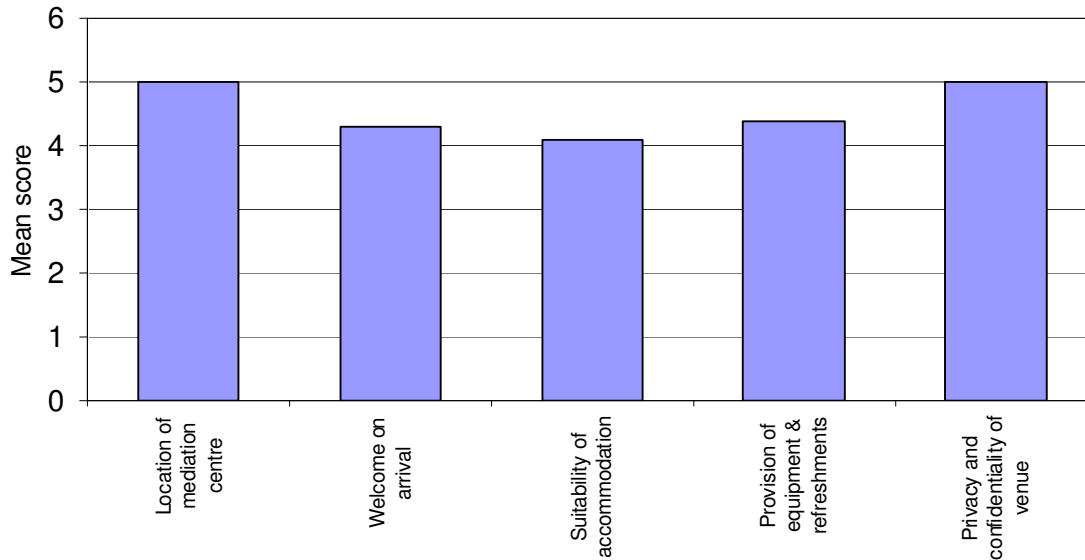


Figure 23: Mean rating scores for resources and facilities

Resources and facilities were rated as *very good* by mediators. The Mediators also rated the location and the privacy and confidentiality of venues as *very good*.

4.3.6 Amalgamation of perceptions to give an overall accumulated rating of the service quality from all respondents

Administration

N=65 All respondents

Group	Mean score
Parents / Carers	5.3
LA Representatives	5.2
School Representatives	5.4
Parent Representatives	5.5
Mediators	5.9
OVERALL	5.5

Table 25: Mean score (6-point rating scale) for administration

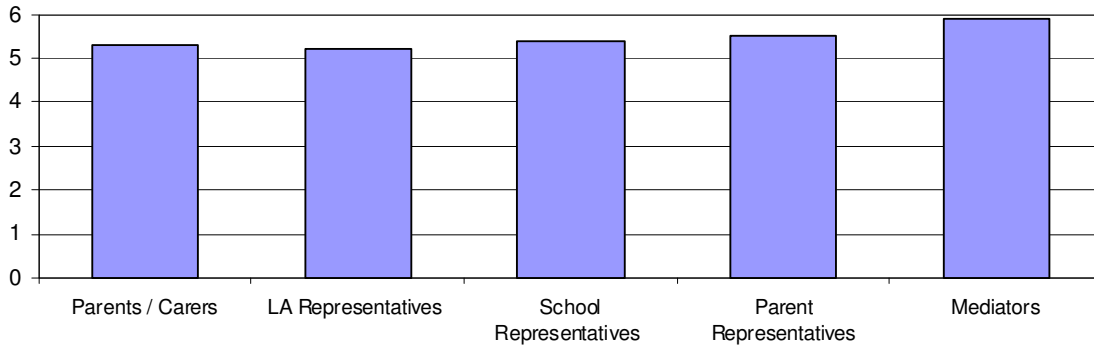


Figure 24: Mean rating scores for administration

The mean rating score for the total sample for administration emerged as *excellent*.

Resources and Facilities

N=65 All respondents

Group	Mean score
Parents / Carers	5.4
LA Representatives	5.2
School Representatives	5.0
Parent Representatives	5.6
Mediators	4.6
OVERALL	5.1

Table 26: Mean score (6-point rating scale) for resources & facilities

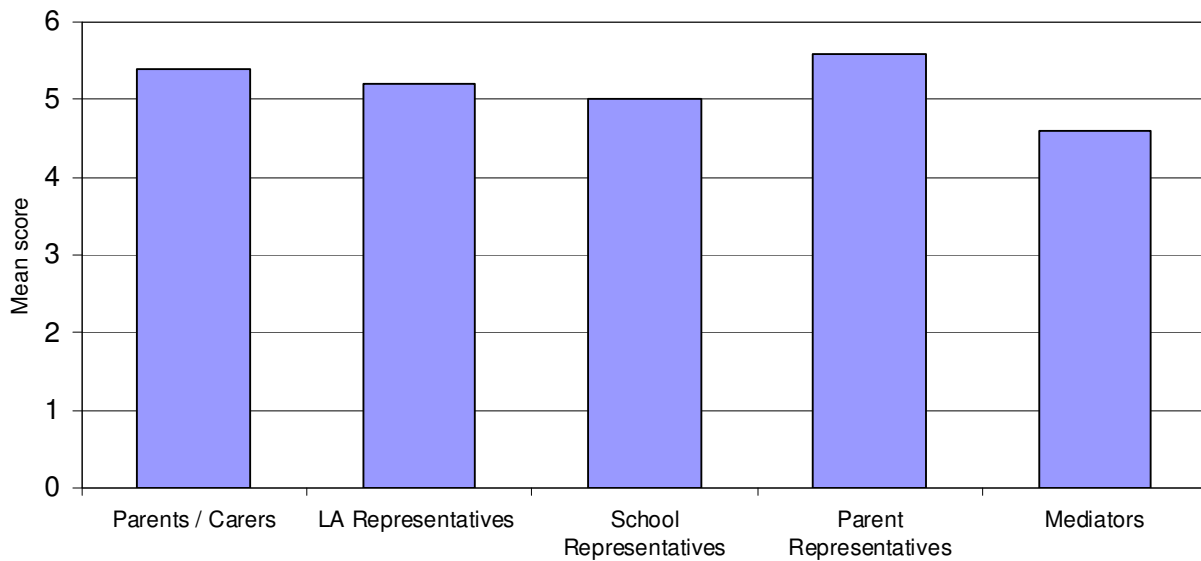


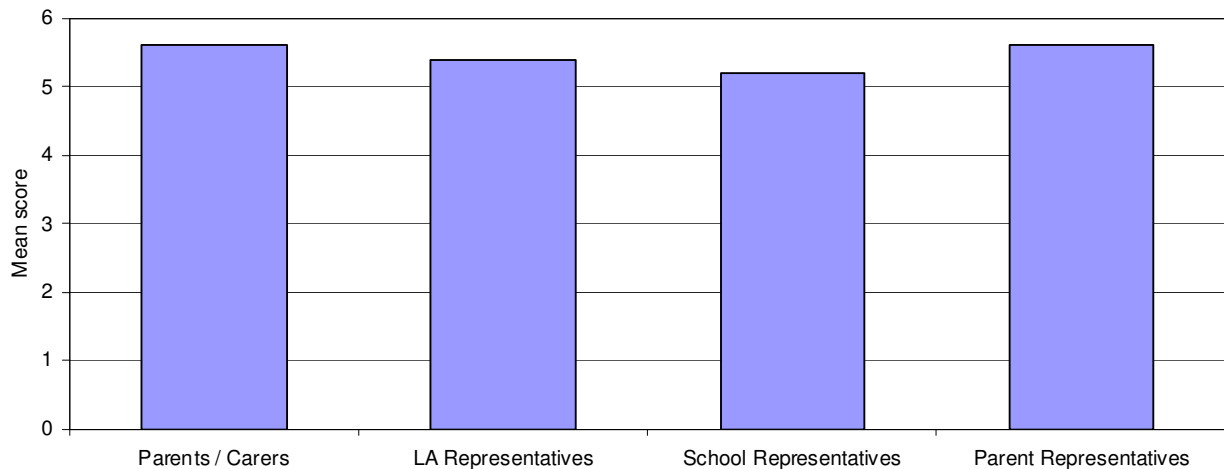
Figure 25: Mean rating scores for resources

The mean rating score for the total sample for resources and facilities emerged as *very good*.

Mediators

N=65 All respondents

Group	Mean score
Parents / Carers	5.6
LA Representatives	5.4
School Representatives	5.2
Parent Representatives	5.6
OVERALL	5.4

Table 27: Mean score (6-point rating scale) for mediators**Figure 26: Mean rating scores for mediators**

The mean rating score for all parents/carers, LA Representatives, School Representatives and Parent Representatives for Mediators was *very good* with all representatives scoring the Mediators exceptionally highly in all categories. Comments made about mediators included:

- A huge thank you to [Mediator] who is exceptional at what she does (parent)

- The Mediator made the whole process very user friendly (Parent)
- The presence of the Mediator was never intrusive but equally she represented the essence of our position to the LA officers at the most appropriate time during mediation (Parent)
- The Mediator was keen to know as much as she could about the background to our case ahead of mediation and that obviously meant she was very clued in to the pertinent issues (Parent)
- The Mediator was very assuring, thank you (Parent)
- The mediator put everyone at ease quickly and confidently (LA Representative)
- The Mediator's role in today's process was excellent. She enabled the meeting to proceed in a very professional manner and a good compromise was met (Parent Representative)

On their own evaluation forms, mediators noted that :

- Discussions leading up to mediation helped to gain trust and understanding of the process
- Parents had previously fixed on a Statement being the only solution - once this impasse was unlocked there was a full exploration of alternative 'remedies' which the parents found very satisfactory
- By letting the parents express themselves emotionally as well as being able to discuss their concerns regarding their son, it allowed them to be open-minded and receptive to the mediation process.
- The co-mediator provided valuable back-up support
- Following the mediation, both parties agreed not to go through the Tribunal process
- Importance of allowing the parents to educate the LA on the actual needs of the child

Overall Service Quality

N=65 All respondents

Group	Mean score
Parents / Carers	5.2
LA Representatives	5.1
School Representatives	5.3
Parent Representatives	5.2
Mediators	5.2
OVERALL	5.2

Table 28: Mean score (6-point rating scale) for overall service

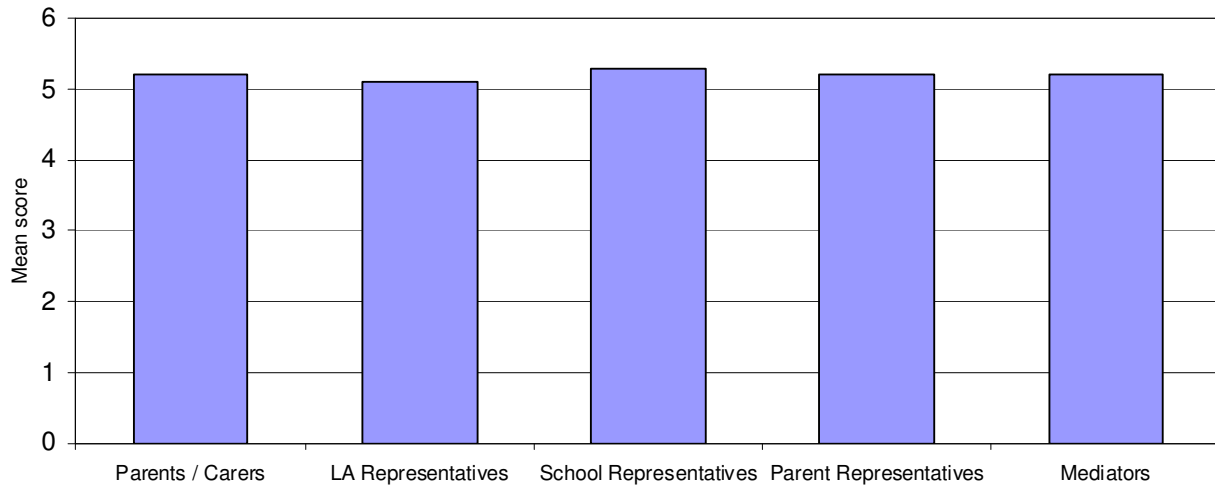


Figure 27: Mean rating scores for overall service

The mean rating score for the total sample for overall service emerged as *very good*.

4.3.7 Total perceived quality of the service (all groups)

Item	Mean score
Administration	5.5
Resources and Facilities	5.1
Mediators	5.4
Overall	5.2
OVERALL	5.3

Table 29: Mean score (6-point rating scale) for total perceived quality of service

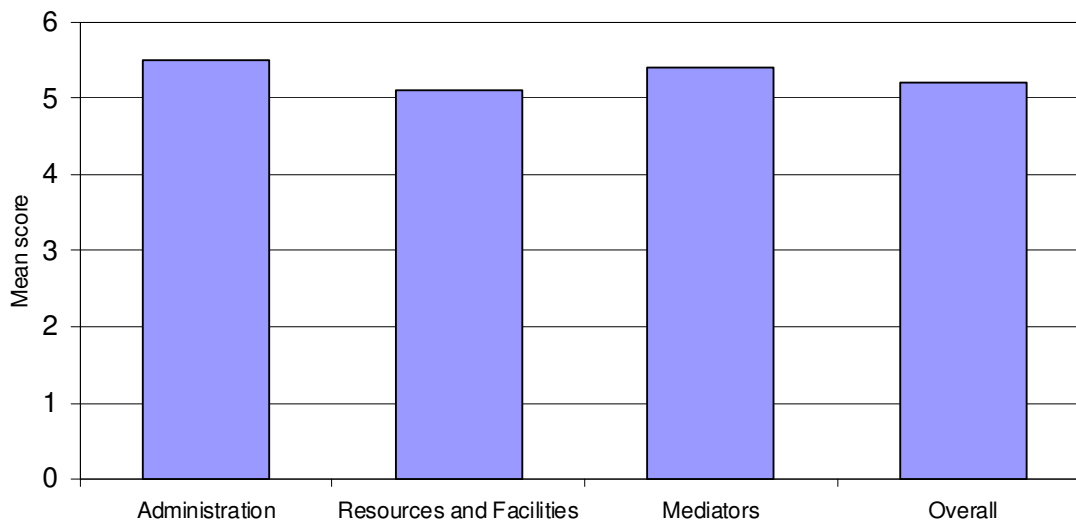


Figure 28: Mean rating scores for quality of service

Overall, the service was rated very positively by all groups. When their scores were combined, a *very good* rating score resulted.

4.4 Types of cases

SEN of child	Number	%
Autistic Spectrum Disorder (and Asperger's Syndrome)	22	34%
Specific Learning Difficulty (including dyslexia, dyspraxia, ADD and AD/HD)	15	23%
Moderate Learning Difficulty	5	7%
Other	5	7%
Physical Disability (including cerebral palsy)	4	6%
Hearing Impairment	4	6%
Behavioural, Emotional and Social Difficulties	3	5%
Speech, Language and Communication Needs (including Semantic Pragmatic Disorder)	2	3%
Profound and Multiple Learning Difficulty	2	3%
Visual Impairment	1	2%
Unknown	1	2%
Severe Learning Difficulty	1	2%
Multi-Sensory Impairment	0	-
OVERALL	65	100%

Table 30: Percentages of SEN cases referred to the service

The SEN categories used in this study were those utilised in the SENDIST annual report.

The highest incidences of cases (where the SEN of the child was known) concerned children with **Autistic Spectrum Disorders** (including Asperger's Syndrome). This accounted for just over a third of all cases (34%) in this period. The SENDIST Annual Report (2007) notes that the majority of cases lodged for appeal in this period also concerned children with Autistic Spectrum Disorders,

4.5 Types of disagreement

Nature of Disagreement	Number	%
Part 4 of Statement (Placement)	17	26%
Refusal to Assess	12	18%
Part 2 / 3 / 4 of Statement	7	11%
Statement refused / Note-in-Lieu	5	8%
Part 3 of Statement	5	8%
Communication issues	5	8%
Other	5	8%
Resource provision / Funding	4	6%
Part 2 / 3 of Statement	3	4%
Part 3 / 4 of Statement	2	3%
Transport issues	0	-
Unknown	0	-
Early years provision (non-Statement)	0	-
School Action provision	0	-
School Action Plus provision	0	-
Part 2 / 4 of Statement	0	-
Other Statement issues	0	-
Placement (non-Statement)	0	-
Refusal to maintain Statement	0	-
OVERALL	65	100%

Table 31: Percentages of the nature of disagreement

The most frequent type of disagreement, concerned issues relating to Part 4 of the Statement - **Placement**. This accounted for 26% of all cases referred. The SENDIST Annual Report (2007) notes that the majority of cases lodged for appeal in this period concerned Refusal to Assess, the second highest reason for referral in the region (18%).

4.6 Training

The Service is committed to providing clear, up-to-date, relevant training for all Mediators on the SEN panel. To conform with this, two mediator training days were held in the seventh period; one in November 2007 and one in May 2008. The main topics covered at the training sessions included:

- General updates on the current SEN scheme
- The Role of the SEN Case Manager
- Facilitation/Mediation – what’s the difference?
- What is a successful mediation?
- Discussions of cases and rôle plays
- Experiences of mediation practice in SEN and review of casework
- Open forums

In addition to the topics discussed, Mediators valued the opportunity to meet with each other. It was felt they gained clear information about the SEN Service operating procedures at Global Mediation, knowledge about SEN legislation with up-to-date information and, above all, they valued the reviews of recent cases. Discussion of cases and rôle plays are anonymised at training days for reasons of confidentiality.

Comments taken from feedback from the training days showed that the Mediators felt the strengths of the training included:

- Helpful to get an idea of what is going on behind the scenes
- Sharing experience
- Different perspectives
- Informal discussion/debate
- Talking about mediation and its process
- An opportunity to review a case
- Good to hear an update on Global Mediation’s news

Mediators who attended the training days suggested the following ideas for future training:

- Writing up of mediation agreements
- What skills are involved in mediating?
- The use of co-mediators

4.7 Debriefing

In May 2005 a system of debriefing of mediators was introduced which is carried out either by co-mediators with each other or by a non-participating mediator identified before the mediation, to assist with maintenance of quality standards and to provide support.

Attendance at at least one of the two annual SEN Service training sessions and regular Mediator bulletins ensure that panel members are kept up-to-date and have an opportunity to network with each other.

Since August 2005, following each mediation, mediators complete debriefing forms for inclusion in their own CPD records. They may discuss any concerns they may have and reflect on their practice and on the support provided by The Service with one of The Service Co-ordinators.

5. Service Developments

- 5.1** In September 2007, Global Mediation passed an external audit and remains accredited with the ISO 9001 Quality Assurance mark. Global Mediation is dedicated to providing a total quality service and, as such, use of the Management Information Form (MIF) procedure has continued. The MIFs provide a record of where external or internal products or services fall below expectations, and are reviewed at Board Level. This process provides a method of recording details and corrective and preventative measures to ensure consistency and high quality of the service and of external suppliers.
- 5.2** A risk assessment was successfully completed in the second period and is subject to on-going review.
- 5.3** Written guidelines for LAs and parents continue to be routinely sent out prior to mediations in order to help all parties prepare for mediation.
- 5.4** A system continues to operate whereby when evaluations are received they are carefully screened by the Office Manager, and any questionable or critical comments are referred immediately to the Service Co-Ordinator with special responsibility for Quality Assurance. Following this, depending on the nature of the concern raised, more detailed reports are sought. Implications for further action can then be considered. Recommendations are made following consultation and, where required, adjustments can be made to procedures. Where necessary, advice and guidance is disseminated directly or through regular company updates and bulletins. The fundamental aim is to achieve continuous quality enhancement and improvement. As the system continues to operate, positive feedback has been received from the Mediators.
- 5.5** A regular bulletin continues to be sent to all Mediators and administrative staff by the Service Co-Ordinators. The bulletin includes news, procedures, mediators' experiences from mediations and any relevant information to keep the mediators up-to-date.

- 5.6** The company's website continues to be updated regularly. Through the use of the website and new leaflets, The Service is widening and enhancing its access to parents.
- 5.7** In the fourth period, the Service's leaflet was approved by the Campaign for Plain English, and now incorporates a Crystal Mark. The Crystal Mark has become widely recognised as a guarantee that a document has been written and designed as clearly as possible. It is firmly established in the UK as the standard that all organisations aim for when producing public information.
- 5.8** The system of de-briefing mediators following mediations is carried out either by co-mediators with each other or by a non-participating mediator identified before the mediation, to assist with maintenance of quality standards and to provide support. This system is viewed as positive by mediators and continues to be working satisfactorily.
- 5.9** Regular contact by email with LA Gatekeepers has continued into the seventh period. Information pertaining to the use of The Service and any other Service developments are provided every two months in a dedicated email alert.
- 5.10** The Service has noted the changes to the Tribunal Service, one Director having attended formal training about these changes (Tribunals Services : SEN and Disability (2008) Newsletter 1). The information has been disseminated to the Mediator panel at a training session. At this point, it is not felt that these changes will necessarily have a major impact on the provision being made by Global Mediation.
- 5.11** In October 2008, the Department for Children, Schools and Families (DCSF) commissioned a research project entitled "Special Educational Needs Disagreement Resolution Services – National Evaluation" ("The Research"). Debbie Marcovitch was a member of the Steering Group and has summarised the conclusions and recommendations in a separate document,

Appendix 2. At a recent review of these conclusions, it was felt that Global Mediation's general operations are in-line with the report and that the points made should be drawn to the attention of all Service Co-ordinators. A number of the proposals were directed at LAs rather than Service Providers. The conclusions to The Research were split into four areas, namely Promotion of DRS, Delivery of Mediation Services, Relationship between DRS and existing services and Contractual arrangements and organisation of DRS.

6. Conclusions

- 6.1** Global Mediation has operated an independent service for 19 LAs since December 2001. In the period 1st September 2007 until 31st August 2008 The Service has provided independent mediation for 18 of the 19 LAs in the Southern part of the UK who have elected to join the scheme.
- 6.2** 65 cases were referred to the service from 1st September 2007 until 31st August 2008.
- 6.3** Of the 65 cases referred, 24 have resulted in a formal mediation.
- 6.4** Of those referred to a formal mediation a total of 92% cases have been either fully or partially resolved. 42% have been fully resolved, 50% partially resolved and 8% reached an impasse.
- 6.5** Only 37% of cases referred to The Service in this period resulted in a formal mediation (24 cases out of 65 referrals). This figure was 32% in the fourth period, 31% in the third period, 36% in the second period, 44% in the first period, 30% in the fifth period and 34% in the sixth period.
- 6.6** Almost a quarter of all cases referred to The Service in this period (23%) were resolved before formal mediation proceedings began (15 cases out of 65 referrals).
- 6.7** The percentage of cases resolved involving contact with The Service both prior to and post formal mediation emerged as 95%.
- 6.8** The quality of service is rated positively by all participants with the areas of administration, facilities and mediation quality being investigated directly. When all the scores were combined, a *very good* rating score resulted.

- 6.9** Parental ratings were within the *very good* category for administration and resources and facilities, and they rated the quality of the mediators as *excellent*.
- 6.10** LAs, School and Parental Representative's ratings were very positive for the service quality, giving a *very good* rating. They generally viewed the process as useful, with both parents and their representatives rating the mediators as *excellent*.
- 6.11** Accommodation is given a *very good* rating by mediators, LAs, School and an *excellent* rating by Parent Representatives.
- 6.12** The total rating amalgamated for all groups and for all strands was 5.3 (on a 6 point scale), which falls within the *very good* band.
- 6.13** The majority of all categories scored within the *very good* range. The parent's view of the mediators, the Parent Representative's view of the administration, the resources and facilities and the mediators, and the mediator's view of the administration scored within the *excellent* range.
- 6.14** For the most part referrals to the service involved children with Autistic Spectrum Disorders. This accounted for approximately a third of all referrals (34%).
- 6.15** The main area of disagreement was in relation to Placement issues. This accounted for 26% of cases referred to the service.
- 6.16** The SENDIST Annual Report (2007) notes that the majority of cases lodged for appeal in this period concerned Refusal to Assess and that the main type of SEN for which appeals were lodged was Autistic Spectrum Disorder.

6.17 Training was regarded as efficiently delivered, supportive and relevant. Mediators value the opportunity of a formal de-briefing session following mediations.

6.18 The introduction of co-mediators (at appropriate mediations) continues to be thought of as positive by mediators and the LAs and parent/carers.

7. Recommendations

- 7.1** Given the positive feedback recorded in this report, no systemic changes are recommended in regard to the procedures for monitoring quality and continued improvement. In short, the procedures in place for monitoring quality and improvement are secure and should be continued. In the light of the data recorded, no specific changes are recommended and issues should continue to be dealt with on a case-by-case basis.
- 7.2** This report should be circulated to key staff including mediators for their views and comments.
- 7.3** This report should also be circulated to the South East Disagreement Resolution Group members for their views and comments.
- 7.4** Should the South East Disagreement Resolution Group members so wish, we recommend that they review Appendix 2 and the full research report, “Special Educational Needs Disagreement Resolution Services – National Evaluation Research Report DCSF – RR054”, and submit any comments they may have to Global Mediation with regard to future development by the end of March 2009.

8. Recommendations from previous report

	Recommendations from Sixth Report	Status
8.1	No significant operational changes were recommended	This was noted by the Service Co-ordinators
8.2	The report should be circulated to key staff including mediators for their views and comments.	Done
8.3	The report should be circulated to the SCRIP/SERSEN Co-ordinators for their views and comments	Done

9. References

Gersch I.S. and Gersch A. (2002): Resolving Disagreement in SEN: a practical guide to conciliation and mediation. RoutledgeFalmer.

DfES (2001): The SEN Code of Practice and Related Toolkit.

SENDIST Annual Report 2006 – 2007 (December 2007).

The Children Act (2004) HMSO

www.everychildmatters.co.uk

www.globalmediation.co.uk

Special Educational Needs Disagreement Resolution Services – National Evaluation
Research Report DCSF–RR054 (September 2008)

<http://publications.dcsf.gov.uk/eOrderingDownload/DCSF-RR054.pdf>

Special Educational Needs and Disability

July 2008 Newsletter 1

Important information regarding changes to SENDIST for our users

Tribunals Service : Special Educational Needs and Disability

www.sendist.gov.uk/importantInfo.htm

10. Appendix 1

Source of Evidence for Key Findings

Finding	Source of Evidence
Parents scored all aspects of the Service as <i>very good</i> apart from the Mediators who they rated as <i>excellent</i>	Tables 7, 8, 9 and 10
The scores given by Local Authority Representatives all fell within the <i>very good</i> range, with them also rating the general usefulness of the Service as <i>very good</i>	Tables 11, 12, 13 and 14
School Representatives scored all aspects of the Service as <i>very good</i>	Tables 15, 16, 17 and 18
Parent Representatives scored the administration, the resources and facilities and the Mediators as <i>excellent</i> , and rated the overall service as <i>very good</i>	Tables 19, 20, 21 and 22
The mediators rated the administration as <i>excellent</i> and the resources and facilities as <i>very good</i>	Tables 23 and 24
The mean rating score for the total sample for administration emerged as <i>excellent</i>	Table 25
The mean rating score for the total sample for resources and facilities emerged as <i>very good</i>	Table 26
The mean rating score for Parents and their Representatives, LA Representatives and School Representatives for the Mediators emerged as <i>very good</i>	Table 27
Overall, the service was rated very positively by all groups. When their scores were combined, a <i>very good</i> rating score resulted	Tables 28 and 29

65 cases were referred to the Service in the seventh period	Table 1
24 of these 65 referrals were the subject of formal mediation	Tables 1 and 2
92% of the 24 mediations were fully or partially resolved. The remaining 8% reached an impasse	Table 2
Almost a quarter of all cases referred to The Service in this period were resolved before formal mediation proceedings began (15 cases out of 65 referrals)	Table 3
In the seventh period, the majority of cases concerned children with Autistic Spectrum Disorders (including Asperger's Syndrome). This accounted for 34% of all referrals	Table 30
In the seventh period the major area of disagreement was in respect of Placement (part 4 of the Statement). This accounted for 26% of all referrals	Table 31

11. Appendix 2

Conclusions to the Special Educational Needs Disagreement Resolution Services – National Evaluation

Research Report DCSF–RR054 (September 2008)

1. Promotion of DRS

1. Ensure the level of information passed to stakeholders about DRS is more consistent nationwide and has parity with information about other ‘next steps’
2. Clearer guidance should be given to stakeholders (including LAs, schools and parents) about how mediation sits with PPS and SENDIST as part of a continuum of dispute resolution services
3. There should be greater clarity about how and when this information is passed to LAs by all stakeholders
4. Information to parents should be accessible in terms of its language, format and presentation

2. Delivery of Mediation Services

1. Mediation should be brought into the process earlier in the continuum of DRS
2. Parents should be reassured that formal mediation does not preclude or delay appeal to SENDIST
3. The profile of DRS should be raised within LAs so it is seen as useful and as an integral part of the disagreement process
4. LA participants should have the authority to settle
5. The role of DRS is conceived more broadly to include conciliation and mediation skills training for LAs and schools

3. Relationship between DRS and existing services
 1. PPS could take on the role to consistently signpost DRS to schools and parents, both as a forum for continuing communication and acting as a catalyst to bring about resolution of conflict
 2. The opportunity provided by new SENDIST arrangements is taken to clarify the role of DRS in the continuum of services offered to resolve conflicts
 3. The use of DRS by schools is developed

4. Contractual arrangements and organisation of DRS
 1. A reflection on the advantages of regional structures of provision
 2. A reflection on the impact of the removal of top-up funding for DRS . A dispute resolution service, to be viewed as independent and trusted by all stakeholders, must be independently funded
 3. A reflection on the implications of potentially a greater role for schools in using and informing parents about mediation and, in this context, it may be that schools are more likely to use DRS more frequently if centrally funded