

SEND35

Partner Training Pack

HMCTS Digital Support Service

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Key partner role (1 of 3)

As a partner, your role is to support users through the procedural journey of the appeal.

Some appointments may be with users aged **16** or **17**. This will be identified during triage. Partners with enhanced DBS will be able to conduct digital support sessions without the user being accompanied.

Appointments with partners **who don't hold enhanced DBS** will require the user (those aged 16 or 17) **to be accompanied** by a parent, guardian, carer or friend (aged 18 or over)



Key partner role (2 of 3)

You can help by:

- Explaining the steps of the form
- Supporting users to gather documentation
- Supporting the user to explain their reasons for the appeal (i.e. why they believe the decision is wrong and what they want the local authority to do) and to understand what their appeal argument will need to show
- Legal aid will be discussed with users during triage calls; if users are eligible and feel they now need advice Signpost to legal support or advice (but explain that advice may be hard to find – they should not miss the deadline to appeal because they are looking for legal advice)
- Making sure users understand what happens next

Only qualified professionals (e.g. solicitors or registered advocates) can offer legal advice or represent at hearings.



Key partner role (3 of 3)

More information:

- [HMCTS SEND Tribunal Guidance](#)
- [Find your local Information and Advice Support Service](#) – they are funded by the council but provide independent support
- IPSEA (SEND charity) have [lots of helpful information](#) for people living in England and provide free independent legal advice.
- If the user is eligible for legal aid (they can [check if they can get legal aid](#)) they can then try to find a legal aid adviser - [Find legal advice and information: Overview - GOV.UK](#)



Input methods found in this form

Section 3 - Appeal reasons

What do you want the tribunal to make recommendations about?

Select all that apply

☐

Health

If you have an EHC plan, health details are in Section C and G

☐

Social care

If you have an EHC plan, social care details are in Section D and H

Section 1 - Being ready to appeal

Why do you not have a mediation certificate?

Make sure to explain in full why you think you do not need a mediation certificate or it may cause a delay in your appeal. The tribunal will decide if they can accept your reason.

Continue

Save for later

< Back

Which language do you need interpretation for?

Think about all communication with the tribunal, as well as what you might need at a hearing in person or by video.

Continue

Save for later

Upload the full decision letter

It could be a posted letter or a letter attached to an email. It will be addressed from the local authority and will talk about the child or young person's assessment outcome. You can upload a photo of the letter.

Upload a file

Choose File

No file chosen

You can add up to 10 files (maximum 7MB per file)

Continue

Save for later

Multiple choice (radio buttons / checkboxes)

What it is: User selects one or more answers from a list.

Partner tip: Read all options aloud for accessibility. Clarify where multiple selections are allowed.

Free text boxes

What it is: Open fields where users can type explanations, names, or additional information.

Partner tip: Users should explain things in plain language. Offer to type if they dictate and consent.

Drop-down menus

What it is: Click-to-expand menus with a list of predefined options.

Partner tip: Make sure users scroll fully through the list. Explain unfamiliar terms as needed.

File upload

What it is: Users can attach supporting documents such as their reasons for appeal, EHC plans, letters, or assessments.

Partner tip: Check files are in supported formats (PDF, Word, JPEG, etc.). Ensure filenames are clear and professional.

Input methods found in this form continued

Date of birth

For example, 27 3 2007

Day Month Year

Date Selectors

What it is: Date-picking tools (e.g. calendar pop-ups) used for deadlines or decision dates.

Partner tip: Confirm correct format (day/month/year). Cross-check dates in documents to avoid errors.

Section 1 - Being ready to appeal

Local authority decision letter

The local authority should have sent you a decision letter by post or email. You need this to appeal.

The letter should:

- confirm your right of appeal and what to do next
- be addressed from the local authority
- include information about mediation
- refer to an assessment or review

Do you have a decision letter from the local authority?

☐ Yes
☐ No

[Continue](#) [Save for later](#)

Yes/No Toggle Questions

What it is: Simple binary questions throughout the form.
Partner tip: Ensure users have read the page fully before they make a decision.

Save for later

We will send you a one-off link that you can use to resume this form within 28 days.

Email address

We will only use this to send you a link to your form

Email Verification Fields

What it is: Email entry followed by a confirmation code or verification link.

Partner tip: Ensure users have live access to their email during the session. Offer help navigating between browser tabs if needed.

Now submit your appeal

By submitting this appeal you confirm that, to the best of your knowledge, the details you are providing are correct.

We will send a confirmation email with a copy of these answers to:
Appeal@example.wearegroup.com

[Submit](#) [Save for later](#)

Buttons

What it is: Clickable elements used to take action in the form — e.g. to continue, go back, upload files, save progress, or submit the appeal.

Partner tip: Explain what each button does before clicking. Make sure required fields are completed to avoid errors when clicking “Continue” or “Submit.”

What is a SEND35 appeal? (1 of 2)

A SEND35 appeal is a formal challenge to decisions made by a local authority about a child or young person's Education, Health and Care (EHC) plan.

You can appeal when:

- There is disagreement with what is written in Sections **B** (special educational needs), **F** (how those needs will be met – what the law calls 'provision'), or **I** (which school or type of setting is named in the plan – placement)
- The local authority (LA) has refused to make an EHC plan, secure a reassessment of EHC needs or continue with an EHC plan.
- There are disputes about health or social care needs or provision (only if you are also appealing section B, F or I)

Appeal a decision about an education, health and care (EHC) plan (SEND35)

Use this form to appeal a local authority's decision about a child or young person's education, health and care (EHC) plan.

What you need to complete this form

We will ask you to give:

- contact details of everyone involved in the appeal
- reason for appealing
- final EHC plan if you have one
- full local authority decision letter
- mediation certificate if you have one

You do not need to include anything else at this stage - just complete the questions in this appeal form.

We include guidance in the appeal form to help you. The tribunal is independent and is separate to the local authorities.

Start now >

What is a SEND35 appeal? (2 of 2)

Appeals are made to the **First-tier Tribunal (Special Educational Needs and Disability)** – an independent body that hears these cases.

More information: • gov.uk/appeal-ehc-plan-decision

They do not need an advocate to appeal. An advocate can be anyone who can support a parent, child or young person.

They can support them to communicate on their behalf during their appeal process but cannot represent them at the hearing.

You need their permission to add them to your appeal.

Appeal a decision about an education, health and care (EHC) plan (SEND35)

Use this form to appeal a local authority's decision about a child or young person's education, health and care (EHC) plan.

What you need to complete this form

We will ask you to give:

- contact details of everyone involved in the appeal
- reason for appealing
- final EHC plan if you have one
- full local authority decision letter
- mediation certificate if you have one

You do not need to include anything else at this stage - just complete the questions in this appeal form.

We include guidance in the appeal form to help you. The tribunal is independent and is separate to the local authorities.

Start now >

SEND35 – The form journey

The form uses sections to track where the user is in the process. This page will update as the user progresses through the SEND35 form.

Trainer tip: This is the 2nd page of the form journey.

How to use this form

This form is in 5 sections and you do not need to complete your appeal in one session. You will be able to save your progress and return at any time within 28 days.

Section 1 - Being ready to appeal

UP NEXT

We will make sure you're filling out the right appeal form and that you have what you need to appeal.

Section 2 - People in the appeal

CANNOT START YET

We will ask for details of the child or young person and any other individuals including representatives and any other support you might have.

Section 3 - Appeal reasons

CANNOT START YET

You will need to give your reasons for appealing and what you want to request for you or the child or young person you are appealing for.

Section 4 - Appeal preferences

CANNOT START YET

Tell us how you would like your appeal to be decided, and if there are any mental, physical or communication support needs during your case.

Section 5 - Submit your appeal

CANNOT START YET

Check your answers and sign your appeal form before submitting.

Who can appeal?

The SEND35 form begins by asking **who is making the appeal**:

- Are you appealing on your own behalf?
- Are you appealing on behalf of a child or young person?

It also asks if the appeal follows an **annual review**, and whether the child or young person currently has an Education, Health and Care (EHC) plan or has ever been assessed.

Only certain people can appeal:

- A parent or guardian of a child under 16
- A young person aged 16 or over who has mental capacity.
- Someone acting on behalf of the child or young person, such as an advocate or legal representative

More information:

<https://www.gov.uk/children-with-special-educational-needs/extra-SEN-help>

Disagreeing with a decision

You can challenge your local authority about:

- their decision to not carry out an assessment
- their decision to not create an EHC plan
- the special educational support in the EHC plan
- the school named in the EHC plan

If you cannot resolve the problem with your local authority, you can [appeal to the Special Educational Needs and Disability \(SEND\) Tribunal](#).

If the user is under 18, they'll need a parent, guardian or carer to support them at the appointment unless the appointment is conducted by a partner with enhanced DBS

The save for later feature

The SEND35 appeal form includes a '**Save for later**' option that allows users to pause and return to the form at another time. This is essential for users who may need more time to gather evidence, explain their reasons for appealing, or complete the form with support.

How to save progress:

- Click '**Save for later**' on any page of the form.
- The system will prompt the user to enter some identifying details before leaving.
- An email will be sent to the user with a **link back to their form**.
- The user must use the link **within 28 days**. The link is valid for one-time use only.

The screenshot shows a 'Save for later' modal form overlaid on a background form. The modal has a title 'Save for later' and a message: 'We will send you a one-off link that you can use to resume this form within 28 days.' It contains three sections: 'Email address' with a text input field and a note 'We will only use this to send you a link to your form'; 'Pick a security question' with three radio button options: 'What is your mother's maiden name?', 'What is the last name of your favourite teacher?', and 'What is the name of the hospital where you were born?'; and 'The answer to your security question' with a text input field. At the bottom, there are two buttons: 'Continue with saving' (green) and 'Cancel saving and resume form' (grey). The background form is partially visible, showing a 'Save and...' button and a 'Continue' button.

The save for later feature

Important:

- This process can be repeated by the user as many times as they'd like; they'll receive a new one-time use link on each occasion.
- If the user is **inactive for more than 30 minutes**, their progress will be lost unless they have clicked 'Save for later'.

The image shows a 'Save for later' modal form overlaid on a blurred background of a form titled 'Save and...'. The modal has a title 'Save for later' and a message: 'We will send you a one-off link that you can use to resume this form within 28 days.' It contains an 'Email address' field with a label 'Email address' and a sub-label 'We will only use this to send you a link to your form'. Below this is a 'Pick a security question' section with three radio button options: 'What is your mother's maiden name?', 'What is the last name of your favourite teacher?', and 'What is the name of the hospital where you were born?'. At the bottom, there is a 'The answer to your security question' text input field. Two buttons are at the bottom: 'Continue with saving' (green) and 'Cancel saving and resume form' (grey). In the background, a 'Continue' button is visible on the main form.

Save for later

We will send you a one-off link that you can use to resume this form within 28 days.

Email address

We will only use this to send you a link to your form

Pick a security question

We will use this to verify your identity when you return

☐ What is your mother's maiden name?

☐ What is the last name of your favourite teacher?

☐ What is the name of the hospital where you were born?

The answer to your security question



Section 1

Being ready to
appeal

Mediation certificate

If the user is only appealing the placement section of the plan (section I) they do not need a mediation certificate. However, most people appealing the placement also need to appeal other sections of the EHC plan (i.e. section B the special educational needs, and section F, provision)

All other appeal types require a [mediation certificate](#).

This section checks:

- Has the user contacted a mediation adviser?
- Did they receive a certificate?
- What is the certificate date?
- Can they upload the certificate?

If the user does not have a mediation certificate they will be asked to provide a reason why.

More info: [here](#)

Section 1 - Being ready to appeal

Mediation certificate

A mediation certificate is the document given to you after you contact a mediation organisation. In most cases, the tribunal requires that you have a mediation certificate to appeal.

You do not need to go to a mediation meeting but you need to contact a mediation organisation to get a certificate saying you've considered mediation.

The certificate will:

- say if a mediation meeting was attended or not
- be signed by a mediation advisor

If you do not have a mediation certificate you'll need to tell the tribunal why.

Do you have a mediation certificate?

☐ Yes

☐ No

Continue

Save for later



Section 2

People in the appeal

Legal representation and advocacy (1 of 2)

The form will ask if the appellant has:

- An advocate
- A legal representative
- Both
- Neither

If the user has an advocate or legal rep, they will need to provide:

- name and organization (if applicable)
- contact details
- confirmation that this person has authority to act on their behalf

Section 2 - People in the appeal

Advocates and legal representatives

Tell us if there is an advocate or legal representative for this appeal. You do not need an advocate or legal representative to appeal.

An advocate can be anyone that knows the child or young person. They can support you during the appeal process but cannot represent you at the hearing. You need their permission to add them to your appeal.

A representative is a legal professional who represents you during your appeal process and at the hearing.

Is there an advocate for this appeal?

- ☐ Yes
including if you're the advocate completing this appeal
- ☐ No

Is there a legal representative for this appeal?

- ☐ Yes
including if you're the representative completing this appeal
- ☐ No

Continue

Save for later

Legal representation and advocacy (2 of 2)

Lots of people are entitled to legal aid to help them gather evidence and set out their case. We Are Group contact centre will signpost users who feel they want advice and want to check their eligibility for legal aid during triage calls. Users may already have made enquiries; if users are eligible for legal aid and feel they now need advice signpost to legal support or advice (but explain that advice may be hard to find – they should not miss the deadline to appeal because they are looking for legal advice)

If they can get legal aid, they will still need to find a legal aid provider- which is not easy in many parts of the country. **Users who are eligible for legal aid can look for a legal aid provider here:**

<https://find-legal-advice.justice.gov.uk/> If users feel they want legal advice they can re-book the digital support appointment after that has taken place.

Section 2 - People in the appeal

Advocates and legal representatives

Tell us if there is an advocate or legal representative for this appeal. You do not need an advocate or legal representative to appeal.

An advocate can be anyone that knows the child or young person. They can support you during the appeal process but cannot represent you at the hearing. You need their permission to add them to your appeal.

A representative is a legal professional who represents you during your appeal process and at the hearing.

Is there an advocate for this appeal?

- ☐ Yes
including if you're the advocate completing this appeal
- ☐ No

Is there a legal representative for this appeal?

- ☐ Yes
including if you're the representative completing this appeal
- ☐ No

Continue

Save for later



Legal representation and advocacy

If the user is unable to get free legal aid, reassure users that many people manage the tribunal alone. Users can find lots of information to support them online – for example, from [IPSEA](#) or [SOS!SEN](#).

They may also be able to get one off advice and practical help from their local [Information and Advice Support Service](#) (often called an IAS) or charities like IPSEA .

If they do not have representation, the form continues with the assumption that the user is managing the appeal independently.

Advocates can assist with communication and understanding the process, but only legal professionals can provide legal advice or represent the case formally.



Section 3

Appeal reasons

What are they appealing? (1 of 2)

Next, users need to say what their appeal is about.

The user's answers here will ensure that the appeal is dealt with correctly.

The appeal may be about one or more of the following:

- The local authority has refused to make an EHC plan
- The local authority has refused to reassess the child or young person's needs
- The user disagrees with the content of the EHC plan, including the school or education provider named (sections B, F or I)
- The local authority has stopped an existing plan as they have decided it is no longer necessary.

Additional Information can be found in [Appeal reasons](#).

Section 3 - Appeal reasons

What are you appealing about?

Check what is written in the decision letter from the local authority if you're not sure.

- ☐ The local authority refused to make an EHC plan
- ☐ The local authority refused to secure a reassessment of EHC needs
- ☐ I disagree with something written in Section B, F or I of the EHC plan
- ☐ The local authority decided a plan is no longer necessary

Continue

Save for later

What are they appealing? (2 of 2)

If the user disagrees with something in the EHC plan they will be asked which sections they disagree with – section B, F or I.

Support the user to understand that what is written in one section can influence what goes in another. For example, if section B does not identify each of the child's special educational needs, then section F may not reflect the child's real needs. And section I (the school or educational setting needed) may therefore be inappropriate.

Support the user to check all three sections for accuracy and completeness before they select the answer.

Link to definitions of sections: [Here](#)

Section 3 - Appeal reasons

What are you appealing about?

Check what is written in the decision letter from the local authority if you're not sure.

- ☐ The local authority refused to make an EHC plan
- ☐ The local authority refused to secure a reassessment of EHC needs
- ☐ I disagree with something written in Section B, F or I of the EHC plan
- ☐ The local authority decided a plan is no longer necessary

Continue

Save for later



Reasons for appeal

It is easiest to write this on a separate Word document and upload it. If you choose to use the text box on the online form, do make sure you save frequently or you may lose your work. If you choose to write this on a separate document, **make sure you save your progress regularly.**

- Support the user to explain why they believe the decision is wrong and what specific parts of the plan (if they have one) they think are inadequate or incorrect and what they want the local authority to do about it.
- Support the user to include everything, point by point, as briefly as they can.
- Support the user not to focus on things that have happened in the past. What happened in the past is only relevant if it is evidence of why the current support is inadequate.
- If the EHC plan doesn't reflect the child's needs as outlined in other reports or assessments, support the user to point this out clearly.

Uploading evidence (1 of 2)

Upload key documents that the user believes supports their appeal.
These will include:

- A copy of the EHC plan (if one exists)
- The decision letter from the local authority

Potentially include:

- Any medical evidence, educational assessments, or reports that support the user's appeal
- Any correspondence that supports their appeal

If the appeal is being made late, supporting evidence for the delay should also be uploaded here.

Ensure that file names are clear and that documents are legible.

If the user doesn't have all the evidence they want to send with them, they can upload it later(though within the next few weeks), but you should say now that there is more evidence that they wish to send.



The screenshot shows a web interface for uploading evidence. At the top, it says 'Section 3 - Appeal reasons'. Below this is a large heading: 'Upload your reasons or any evidence that supports your appeal'. Underneath is a section titled 'Upload a file' which contains a 'Choose File' button and the text 'No file chosen'. Below that, it states 'You can add up to 10 files (maximum 7MB per file)'. At the bottom of this section are two buttons: a green 'Continue' button and a grey 'Save for later' button.

Users may need to have
documents scanned

Uploading evidence (2 of 2)

More on evidence:

<https://www.sen-help.org.uk/how-to-appeal/evidence/>

<https://www.gov.uk/appeal-ehc-plan-decision>



Section 4

Appeal preferences

Late appeals

SEND35 appeals must be submitted within:

- Two months from the date of the local authority decision letter
or
- One month from the date on the mediation certificate (whichever is later)

If a user is submitting a **late appeal**, the form will require:

- an explanation of the delay
- any available supporting documents (e.g. medical letters, missed correspondence)

The user must explain why they're appealing after the time limit and explain why it would be fair for the tribunal to accept a late appeal and provide evidence if they can.

Do not delay submitting the appeal to gather additional evidence.

More on deadlines: <https://www.gov.uk/appeal-ehc-plan-decision>

Section 4 - Appeal preferences

Appealing after the time limit

Tell us why you are appealing after the time limits. A tribunal judge will review this.

You must explain why:

- the appeal is late giving full reasons for the delay
- you think the appeal will be successful and should go ahead even if late
- you should not have to wait for an annual review or ask for another assessment

Why are you appealing after the time limit?

Type your answer, or if you prefer to upload your reasons as a document, enter anything in the text box (such as 'See document') and select 'Yes' to the next question.



Do you want to upload your reasons as a document?

You can upload up to 10 documents.

☐ Yes

☐ No

[Continue](#)

[Save for later](#)

Hearing preferences

The form asks the user their hearing preferences, users will be able to choose between a paper hearing or a video/in person hearing on this screen.

More information:

<https://www.gov.uk/appeal-ehc-plan-decision/what-happens-at-the-tribunal>

Your hearing preferences

You can tell the tribunal how you'd like to have your appeal decided. It could be decided:

- as a 'paper hearing' - this type of hearing can be quicker as the tribunal looks at the documents and evidence and makes a decision without you attending a hearing in person or by video
- as a hearing you can attend - most hearings are held remotely by video but in a small number of cases they can be in person at a tribunal building

You will only have a paper hearing if you and the local authority agree to one.

The tribunal will review your preference and decide on the hearing format.

This appeal form is not the last opportunity to submit documents. The tribunal will tell you how long you have to give further evidence before the hearing.

What type of hearing would you prefer?

- ☐ I prefer a paper hearing, just with documents and evidence provided
- ☐ I prefer a hearing I can attend by video or in person

Continue

Save for later

Accessibility support

The form asks whether the user requires any support to access the appeal process or hearing. These may include:

- An interpreter
- Step-free access
- A hearing loop
- [Intermediary services](#)
- Adjustments due to mental or physical health conditions

Ask the user to consider any accessibility needs or anxieties they may have and help them include these clearly on the form. These requests will be reviewed by a tribunal caseworker.

More information:

<https://www.gov.uk/appeal-ehc-plan-decision/what-happens-at-the-tribunal>

Section 4 - Appeal preferences

Support during your case

Some people need support to access information and use our services. You can ask for a spoken language interpreter and any reasonable adjustments for people with a health condition or disability. Some reasonable adjustments need to be agreed by the tribunal. You can discuss with the tribunal if your needs change.

Reasonable adjustments can include:

- documents in alternative formats, colours and fonts
- help with communication, sight, hearing, speaking
- access and mobility support if a hearing takes place in person

Think about all communication with the tribunal, as well as what you might need at a video or in-person hearing.

Do you, or anyone else supporting you, need a spoken language interpreter?

You can tell us more later.

- ☐ Yes
- ☐ No

Do you, or anyone else supporting you, need any reasonable adjustments or support?

Including sign language interpretation. You can tell us more later.

- ☐ Yes
- ☐ No

Continue

Save for later



Section 5

Submit your appeal

Final checks and declaration

Before the form process is completed and submitted, the user will be shown a summary of:

- Their personal details
- The reason(s) for appeal
- Uploaded evidence
- Any declared accessibility needs
- Legal or advocacy representation

At this stage, the user must read and confirm their declaration that the information is accurate to the best of their knowledge.

Partners can support users to double-check the information but must not submit the form on their behalf (unless explicitly authorised, such as when acting as an advocate or legal representative).

The screenshot shows a web form with several sections. Each section has a title, a question, a text input field, and a 'Change' link. The sections are: 1. 'Do you, or anyone else supporting you, need a spoken language interpreter?' with 'No' entered. 2. 'Do you, or anyone else supporting you, need any reasonable adjustments or support?' with 'No' entered. 3. 'Remote hearings' with the question 'Are you able to take part in hearings by video?' and 'Yes' entered. 4. 'Declaration' with the question 'Confirm your declaration' and a confirmation statement entered. 5. 'What email address do you want a copy of your answers sent to?' with 'Appeal@example.wearegroup.com' entered. At the bottom, there are two buttons: 'Submit' (green) and 'Save for later' (grey). The form is titled 'Final checks and declaration' at the top.

Do you, or anyone else supporting you, need a spoken language interpreter? No [Change](#)

Do you, or anyone else supporting you, need any reasonable adjustments or support? No [Change](#)

Remote hearings

Are you able to take part in hearings by video? Yes [Change](#)

If you selected 'No', tell us why (optional) ada [Change](#)

Declaration

Confirm your declaration I confirm as the person completing this form on behalf of the child or young person that the facts stated in this appeal form are true [Change](#)

What email address do you want a copy of your answers sent to? Appeal@example.wearegroup.com [Change](#)

Now submit your appeal

By submitting this appeal you confirm that, to the best of your knowledge, the details you are providing are correct.

We will send a confirmation email with a copy of these answers to **Appeal@example.wearegroup.com**

[Submit](#) [Save for later](#)

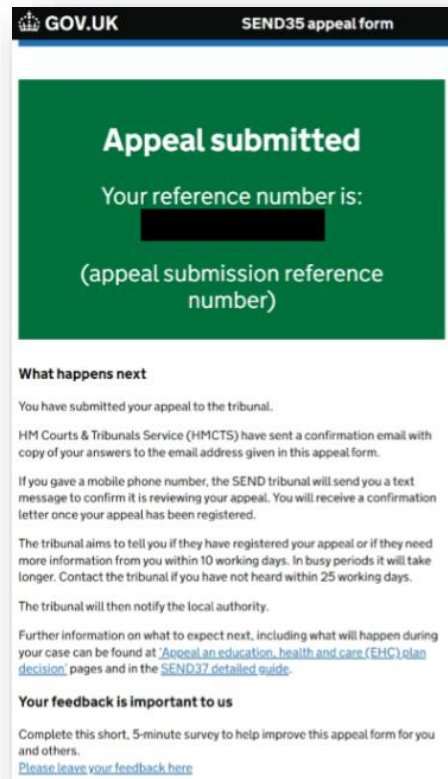
Submitting the appeal (1 of 2)

Once the user clicks **Submit**, a confirmation screen will appear. It is important to:

- Note down the appeal reference number
- Download or print the submission confirmation
- Save a copy of any uploaded documents

What happens next:

- If the appeal was submitted on time, the tribunal will begin the review process
- If it was late, a caseworker will first decide whether the tribunal can accept the delay
- The user will be notified of next steps by email or post
- Encourage the user to regularly check the contact method they specified (email or postal address) and to keep records safe.



The screenshot shows the 'SEND35 appeal form' confirmation page on the GOV.UK website. The page has a green header with the GOV.UK logo and the title 'SEND35 appeal form'. The main content area has a green background with white text that reads: 'Appeal submitted', 'Your reference number is:', followed by a blacked-out reference number, and '(appeal submission reference number)'. Below this, the section 'What happens next' explains the next steps: the user has submitted their appeal, HM Courts & Tribunals Service (HMCTS) will send a confirmation email, and if a mobile number was provided, a text message will be sent. It also states that the tribunal aims to provide more information within 10 working days and will notify the local authority. At the bottom, there is a section titled 'Your feedback is important to us' with a link to a 5-minute survey.

GOV.UK SEND35 appeal form

Appeal submitted

Your reference number is:
[REDACTED]

(appeal submission reference number)

What happens next

You have submitted your appeal to the tribunal.

HM Courts & Tribunals Service (HMCTS) have sent a confirmation email with copy of your answers to the email address given in this appeal form.

If you gave a mobile phone number, the SEND tribunal will send you a text message to confirm it is reviewing your appeal. You will receive a confirmation letter once your appeal has been registered.

The tribunal aims to tell you if they have registered your appeal or if they need more information from you within 10 working days. In busy periods it will take longer. Contact the tribunal if you have not heard within 25 working days.

The tribunal will then notify the local authority.

Further information on what to expect next, including what will happen during your case can be found at ['Appeal an education, health and care \(EHC\) plan decision'](#) pages and in the [SEND37 detailed guide](#).

Your feedback is important to us

Complete this short, 5-minute survey to help improve this appeal form for you and others.
[Please leave your feedback here](#)

Submitting the appeal (2 of 2)

Official guidance:

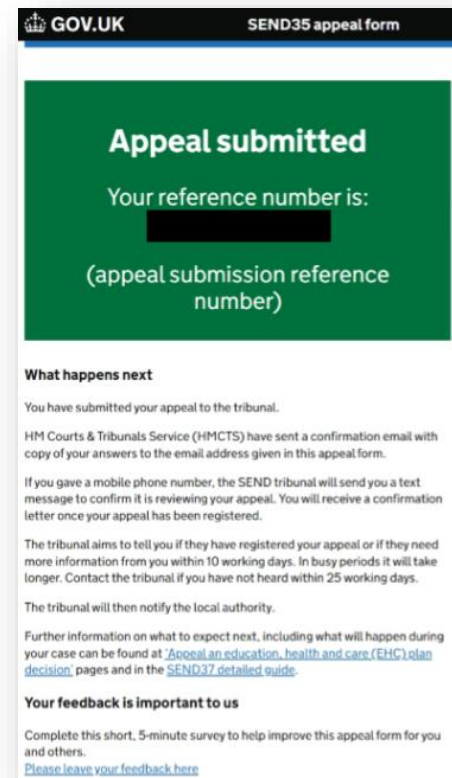
<https://www.gov.uk/appeal-ehc-plan-decision>

More information on what happens after the appeal is submitted

<https://www.ipsea.org.uk/what-happens-after-i-submit-my-appeal-evidence-and-the-bundle>

Send37

[SEND37 - How to appeal an SEN decision](#)



The screenshot shows the 'SEND35 appeal form' confirmation page from GOV.UK. It features a green header with the GOV.UK logo and the title 'SEND35 appeal form'. Below the header is a large green box with the text 'Appeal submitted' in white, followed by 'Your reference number is:' and a blacked-out reference number, and '(appeal submission reference number)' in parentheses. Below this green box, the section 'What happens next' is titled in bold. It contains several paragraphs of text explaining the next steps: 'You have submitted your appeal to the tribunal.', 'HM Courts & Tribunals Service (HMCTS) have sent a confirmation email with copy of your answers to the email address given in this appeal form.', 'If you gave a mobile phone number, the SEND tribunal will send you a text message to confirm it is reviewing your appeal. You will receive a confirmation letter once your appeal has been registered.', 'The tribunal aims to tell you if they have registered your appeal or if they need more information from you within 10 working days. In busy periods it will take longer. Contact the tribunal if you have not heard within 25 working days.', 'The tribunal will then notify the local authority.', 'Further information on what to expect next, including what will happen during your case can be found at: [Appeal an education, health and care \(EHC\) plan decision](#), pages and in the [SEND37 detailed guide](#).' Below this, the section 'Your feedback is important to us' is titled in bold, followed by the text 'Complete this short, 5-minute survey to help improve this appeal form for you and others.' and a link 'Please leave your feedback here'.

After submission – what to expect

Once the appeal has been accepted, the case enters the review stage.

The First-tier Tribunal will:

- Allocate a caseworker to review the submission
- Notify the local authority and request a response
- Assess whether further information is needed from the user

The user will receive updates and requests via the method they selected (usually email). It is important to read all communication carefully and act within the specified timeframes.

If no further information is needed, the tribunal will issue directions for preparing for the hearing.

Tribunal overview:

<https://www.gov.uk/appeal-ehc-plan-decision/what-happens-at-the-tribunal>

The screenshot shows the 'SEND35 appeal form' on the GOV.UK website. A large green box in the center contains the text: 'Appeal submitted', 'Your reference number is:' followed by a blacked-out reference number, and '(appeal submission reference number)'. Below this, the section 'What happens next' explains the process: the user has submitted their appeal, HM Courts & Tribunals Service (HMCTS) has sent a confirmation email, and the tribunal will review the appeal and send a confirmation letter. It also mentions that the tribunal aims to tell the user if they have registered their appeal or if they need more information within 10 working days, and that the tribunal will notify the local authority. At the bottom, there is a section 'Your feedback is important to us' with a link to 'Please leave your feedback here'.

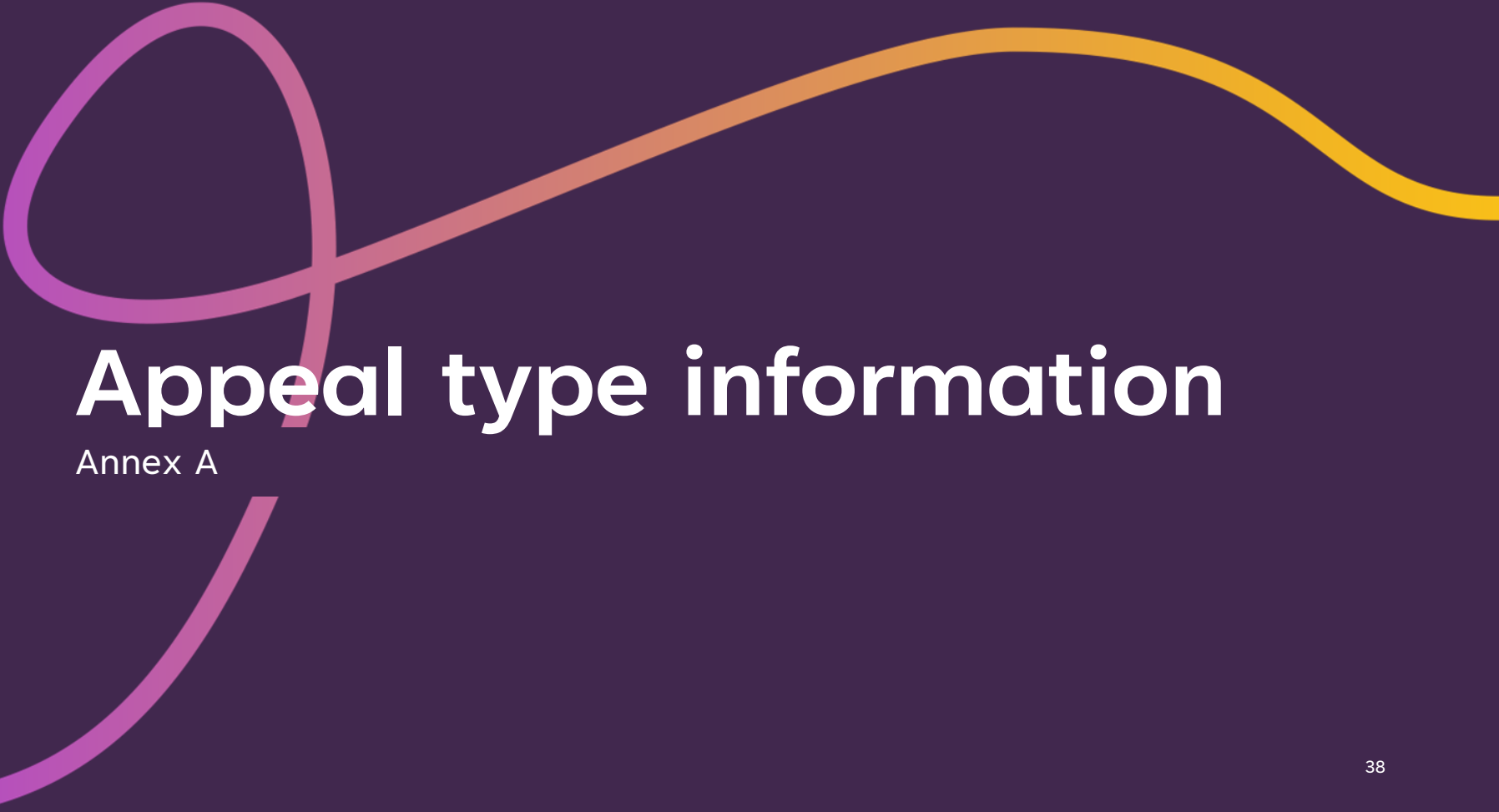


Further support and resources

To support users before, during, and after their appeal, you can direct them to the following trusted resources:

Official government resources:

- Appeal overview and form:
<https://www.gov.uk/appeal-ehc-plan-decision>
- SEND37 detailed guide (PDF):
<https://assets.publishing.service.gov.uk/media/5c5967d9ed915d04148c3101/send37-eng.pdf>
- Accessibility guidance for tribunals:
<https://www.gov.uk/government/publications/send-tribunal-how-to-make-your-claim-accessible>



Appeal type information

Annex A

Reasons for appeal (1of2)

Appeals about a decision by the local authority that an EHC plan was not needed

The user may want to consider including information about:

- Why the user believes that a plan is necessary and that the child's identified special educational needs will not be met without one
- Why the user believes that all the child's special educational needs haven't been identified appropriately
- Why the user thinks each identified special educational need isn't matched with an appropriate way of meeting that need (provision)
- Why the user feels the way of meeting that need (provision) may not be clear and specific or why it fails to address some of the special educational needs
- Why the user believes that the proposed ways of meeting the child's special educational needs reflect what is available locally, rather than what is actually needed

Appeals about a refusal to reassess the child's needs

- Why the user believes the child's needs have changed since the EHC plan was made.
- Why they feel the current provision is inadequate for the child's current needs. Reports showing a lack of recent progress, or a reduction in progress may help.
- Why they believe a reassessment is needed to identify all of the child's current needs and how to meet them.

Appeals about Sections B, F and/or I

- Why the user feels some of the child's special educational needs have not been mentioned in section B what they believe is missing and why they feel it's important.
- Why they believe not all of the child's special educational needs are mentioned in Section B? The user may explain what they believe is missing and why they feel it is important.
- The 'provisions' (ways in which the special educational needs will be met) in Section F are legally required to be *specific* and *enforceable*. Support the user to clearly explain why they disagree, and if they can, explain what provisions they do want.
- If the appeal is about Section I and the local authority has said that the school or education provider the user wants would be 'incompatible with the efficient use of resources', the user will need to explain why they believe it is valid use of money. Support the user to explain why the school or type of provision named in the report will not meet their child's needs.

Reasons for appeal (2of2)

Appeals about health
and/or social care needs

The user may want to consider including information about:

- If the user is also appealing an education section of the plan they may also want to consider including:
- Why the user believes the health and social care provision is inadequate, and the impact the user feels these will have on the child's health or education.
- Why the user feels meeting the child's health and social care needs identified in the plan enable the child to attend school more consistently, manage their health conditions, and improve their overall well-being, which in turn can positively impact their education.
- The tribunal can only make non-binding recommendations on health and social care (except to order an assessment of health and social care needs).

Appeals about a decision
that an existing EHC Plan
is no longer needed

- Why the user thinks that the plan is still needed, that the child continues to have special educational needs that need to be met (and will not be met without a plan).
- Why the user believes there will be the potential negative consequences of stopping the EHC plan, e.g. a decline in educational progress, a worsening of health conditions, or an increase in social care needs.

The user may want to consider including the following:

- If the user has evidence that they believe supports their arguments with them, support the user to include references to it as they go (i.e. 'the letter from the educational psychologist confirms that [name of child] has slow processing and dyspraxia, in addition to his physical difficulties').
- The user may feel they have evidence of the child's lack of progress – for example, school reports or test results. Support the user to explain why they believe these reports are evidence of the child's special educational needs not being adequately met and that further provisions need to be made.
- If the user feels that further assessments are needed or has previously requested them, support the user to explain this.

Summary – any questions?

Thank you for taking part in this SEND35 training.
If you have further questions about your role or need support, please contact:

We Are Group Community Partnerships Network Team
Network@wearegroup.com

You can also revisit this pack at any time or access the online resources for up-to-date guidance and support links at [HMCTS Network Training](#)

