



EFFECTIVE LOCAL AUTHORITY STRATEGIES FOR MANAGING CONFLICT

**Brief report prepared by the London SEN Mediation Service (LMS) for
SENDIST User Group Meeting on 3 November 2006**

Background

The LMS is contracted to provide local Authorities with mediation services and conflict resolution training for SEN staff.

Following meetings with SENDIST Secretariat it was agreed that LMS would attend the SENDIST User Group meeting on 3 November 2006 to present a brief digest of effective LA strategies for managing conflict.

This document summarises views expressed by various London LAs. It is a snapshot of good practice examples in the London region. It is hoped that in depth research in this area will follow with a view to development of good practice guidance.

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Effective LA Strategies for Managing Conflict to avoid or reduce SENDIST Appeals



The following suggestions are examples of good practice used by various London Local Authorities

Case Management Strategies

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| <ol style="list-style-type: none"> 1. Communication-LAs felt strongly that maintaining a positive line of communication is the key to effective conflict management. 2. Early intervention by the LA as soon as potential conflict arises can diffuse a situation before concerns become serious. In one example given regarding Year 6 transfers, parents were contacted very early on if it looked unlikely that they would get their first choice of school. 3. Face to face meetings-In several examples given, LAs said that before a letter is sent to parents with disappointing news, parents are telephoned by the case worker so that the decision can be talked through. Some LAs try to have this discussion with parents at a face to face meeting. In one example given, the LA said that although face to face meetings could be time consuming, a 1-2 hour meeting could resolve matters thereby saving 1-2 days in Tribunal preparation. 4. Well trained Staff-LAs felt that it helped to have staff that had been well trained in communication skills, e.g. Conciliation skills training delivered by London SEN Mediation Service. One LA reported that it helped that cases were managed by former teachers and SENCo's who had a deep understanding of the issues involved. 5. Having a named Mediation and Tribunal Officer has helped some LAs resolve conflict before a full SENDIST hearing takes place. This dedicated problem solving role was felt to be very useful. One Disagreement Resolution and SENDIST Officer said that she did not find her dual roles inconsistent. To the contrary, she felt her remit worked perfectly to help conflict prevention as she was usually able to build a good relationship with parents. | <ol style="list-style-type: none"> 6. Flexibility-One LA felt that being available and willing to meet with parents at short notice and willingness to make home visits helped to maintain good communication. 7. Involvement of SEN Head-One LA reported that their most effective strategy is to offer all parents a meeting with the Head of SEN. This LA's experience is that most disagreements can be resolved at that point with the intervention of the manager who has the authority to 'make things happen' or even agree to personally monitor the situation. The approach for this LA is one of joint creative problem solving with the parents as partners in that process. 8. Narrowing the issues-In an example given, the LA said that once a disagreement had arisen, they worked hard to establish with absolute clarity what the parents' precise concerns were. This enabled the LA to address those concerns with the parents and suggest possible resolutions. 9. Working through the detail-In another example given, the LA said that in refusal to assess cases they found it useful to invite the parents to a meeting to work through the paperwork in detail so the parents could understand why decisions had been made and next steps. 10. Liaison with SEN Panel-One Disagreement Resolution and SENDIST Officer explained that she also sat on the SEN Assessment Service (the decision making Panel). This Officer felt that her direct line of communication with parents meant that she could re assure them that their views would be genuinely considered by the Panel. Again, keeping lines of communication open helped to manage conflict effectively. |
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Working with Schools	Information/Support for Parents
<ol style="list-style-type: none"> Supporting role-The LA has a key role in facilitating discussions between schools and parents. One LA reported that its SEN Officers are often out and about liaising with parents and schools where relationships are difficult. This LA has recently introduced parent /school contracts to help diffuse conflict and encourage parties to work more positively together. For example, the contract could deal with how the school will communicate with the parent. Better information for schools-One LA (that delegates the vast majority of funding to schools for investment in School Action/School Action Plus) reported that they do a lot of work with schools to better inform them about available resources. Schools that are better informed and confident about their ability to meet children's needs are more likely to be able to reassure parents that appropriate provision is being made for their child. Attending Annual Reviews-A number of LA's felt that an SEN Officer's attendance at difficult annual reviews was an effective strategy for managing potential conflict. One LA officer, formerly a teacher, felt that her teaching background helped her understand schools' perspective and work more effectively as a liaison between parents and schools. 	<ol style="list-style-type: none"> Parent Partnership Service (PPS) - Several LA's felt that an effective and pro active PPS was a very important part of their conflict management strategy. PPS's independent and impartial advice to parents can often allay their fears and diffuse conflict at an early stage before the conflict becomes entrenched. <p>In one example given, the LA said they met regularly with their 'excellent' PPS to discuss cases. This LA found the PPS exceptionally effective at getting things across to parents whilst not acting as parent advocates.</p> <p>Another LA reported that they have recently introduced a new strategy involving PPS. Every statutory letter sent by this LA now includes a letter from PPS to the parent explaining the support and advice they can offer. The LA reported that this more personal touch has been especially effective in resolving 'refusal to assess' cases.</p> Parent Advocates- One LA felt that it was important to establish positive dialogue with parent advocates, wherever possible. In their experience the involvement of an objective parent advocate/solicitor who knew the Code of Practice and the workings of the LA could often be effective in explaining matters to parents to allay their fears/concerns. Conversely, a highly litigious advocate could escalate conflict. Mediation Services-tend to be used by the LAs when conflict has become entrenched. The majority of LAs were very pleased with the outcomes of mediation and the way in which it enabled LAs to work through serious concerns with parents and improve otherwise difficult lines of communication.

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London SEN Mediation Service observations re: effective management of relationships between LAs and parents

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| <ol style="list-style-type: none"> 1. Effective use of mediation-Nearly all London LAs have subscribed to the London SEN Mediation Service (LMS) and most use the service effectively to complement their own local provision. Many LAs have found independent mediation very effective in avoiding appeals to SENDIST by resolving disputes before they go to appeal. 2. Earlier use of mediation- is recommended. Often, LMS becomes involved after conflict has become entrenched and lines of communication have broken down. Earlier involvement of mediation could help to diffuse conflict before it escalates. 3. Parents value meetings with senior SEN staff/decision makers. Many senior officers who make time to meet parents to discuss concerns find they have less SENDIST Appeals than other colleagues. 4. Genuine engagement-Parents value genuine care and empathy despite differences of opinion with LAs. They particularly value direct telephone access to a 'named person' whom they know and have trust/confidence in. Relationships are enhanced if the emphasis is on genuine engagement with the parent and the child as opposed to purely paper driven case management. 5. Good Case Management -Anecdotal evidence suggests that good management of relationships between LAs and parents starts at a very basic level. It includes returning telephone calls, attending meetings, following through on agreed action, acknowledging parents' letters and responding to them, keeping parents informed, minimising delays and maintaining positive and open lines of communication. | <ol style="list-style-type: none"> 6. DfES Activity- the DfES held a seminar in June 2006 to discuss (amongst other issues) the rising scale of tribunal Appeals in South London. Those present felt they needed to concentrate their efforts on preventing conflict in the first place. It was felt that the scale of the problem facing some of the LAs raised more fundamental questions about information, case management, relationships with schools, policy and activities of certain law firms and parent groups. 7. Preventative Strategies- LMS recognises the importance of developing techniques and strategies for effective management of relationships between LAs, parents and schools. As part of the portfolio of services offered to LAs, LSMS provides a range of communication skills training designed to support front line staff develop and maintain positive and open communication with parents/schools. This training has been delivered to over 300 people and has been very well received. <p>Training Courses offered include:</p> <ul style="list-style-type: none"> • Conciliation Skills training • Managing Successful Meetings • Excellence in communication • Effective email and telephone communications <ol style="list-style-type: none"> 8. Access to information and advice-Steps should be taken to improve parents' access to independent information and advice. For example, some parents who contact LMS said they were not aware of their local PPS. Better informed parents may feel more empowered to enter into positive dialogue with LAs. |
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