HM Courts & Tribunals Service

SEND Appeal Resolution Meeting (SARM)

What is a SEND Appeal Resolution Meeting

A SEND Appeal Resolution Meeting (SARM) is an early, facilitated discussion that takes place after a Special Educational Needs and Disability (SEND) appeal has been lodged with the Tribunal and the local authority has submitted its response. The meeting provides an opportunity for parents, carers and local authorities to discuss the issues in dispute, share information and explore whether any or all aspects of the appeal can be resolved before a hearing is required.

SARMs are conducted by trained HMCTS mediators who act as neutral facilitators. The mediator does not make decisions, provide legal advice or impose outcomes. The mediator will also speak to each party separately during the meeting to explore issues, discuss possible options and support productive discussions.

Any agreement reached remains entirely voluntary and must be agreed by both parties. Where agreement is reached, the outcome is recorded in a consent order signed by both parties. Any proposed consent order will be considered by the Judge, who will decide whether it is appropriate to make the order. If agreement is not reached, the appeal simply continues to a hearing as planned.

Why are we introducing SARMS

The Tribunal is introducing SARMs to encourage earlier resolution of disputes, improve the experience of families and local authorities, and help ensure that appeals are focused on achieving the best outcomes for children and young people. Experience across a range of jurisdictions demonstrates that structured early discussions can help narrow the issues in dispute, improve understanding between parties and resolve some appeals without the need for a full hearing.

SARMs form part of the Tribunal's active case management approach and do not replace the right to an independent Tribunal hearing. Instead, they provide an additional opportunity to resolve disputes earlier, reduce unnecessary delay, and help focus hearing time on those cases that genuinely require judicial determination. Where a case cannot be resolved, participation in a SARM will not disadvantage either party and the appeal will proceed in the usual way.

Key principles of SARM

- ❑ Free to participate in as part of the Tribunal process
- ❑ Facilitated by an impartial, trained HMCTS mediator
- ❑ Focused on constructive discussion and information sharing
- ❑ Aims to resolve or narrow issues earlier in the appeal journey
- ❑ Does not replace the Tribunal hearing process
- ❑ Any outcome must be agreed by both parties
- ❑ If no agreement is reached, the appeal continues as scheduled

What SARM Covers

A SEND Appeal Resolution Meeting (SARM) is a voluntary meeting held following the registration of an appeal to the SEND Tribunal. The purpose of the meeting is to explore whether the issues in dispute can be resolved without the need for a full Tribunal hearing.

The initial pilot will focus on appeals relating to ***Refusal to carry out an Education, Health and Care (EHC) Needs Assessment*** **and** ***Refusal to issue an Education, Health and Care Plan***

The pilot currently applies only to these categories of appeal. The scope of the pilot will be reviewed as part of the evaluation process and may be expanded to include other types of SEND appeals in the future.

When is SARM Triggered

A SARM is arranged when a SEND appeal has been lodged with the SEND Tribunal and the Local authority has submitted its response. SARM would not be conducted prior to this, but both parties are offered the opportunity to participate in a resolution-focused discussion.

How will parties be notified of an appointment?

Once a SARM appointment has been scheduled, all parties will be notified using their preferred contact method, typically by email.

The notification will include:

- ❑ The date and time of the meeting.
- ❑ The format of the meeting (telephone)
- ❑ Details of how to attend, including any joining instructions
- ❑ Information about who will be attending the meeting
- ❑ Contact details for rearranging the appointment if necessary
- ❑ Parties will be notified as soon as reasonably practicable once the appointment has been confirmed and will be informed promptly of any subsequent changes to the arrangements