



Supporting your young person to give their views

Helping your young person to express themselves and tell you how they feel about life, school and college is an important part of making sure they get support that works. There are lots of ways you can support your young person to talk about their thoughts, feelings and experiences. This factsheet can help you to understand how best to give support.

DIAS is a free, confidential and impartial service providing information and support to parents, carers and young people about special educational needs and disability.

Why are my young person's views important?

The law about special educational needs and disability is clear that local authorities must consider young people's views, wishes and feelings. The law also stresses how important it is that young people take part as fully as possible in the decisions made about them.

It's important to encourage young people to be ambitious, whatever their situation. It's also important to support them with the choices they make – first by sharing the decision making with you and then, if possible, starting to take the lead. Making decisions, and sometimes making mistakes and learning from them, is vital life skill. So, the more practice they get with your support the better. Giving their views is also a great way to help young people learn to speak up for themselves as adults.

Young people with special educational needs or a disability (SEND) may need more support than others to develop these skills, but their views are just as important.

Your young person's views, wishes and goals are the foundations of good planning and support. If the support isn't what's important to them, then it's unlikely to work. So, good planning and support starts with helping them to understand and share what they're good at, what they need more help with, and what their goals are for adult life.

If your young person has an EHC plan, or is being assessed for one, you might hear about something called the 'Golden Thread'. Anyone reading their EHC plan should be able to see a clear link between their goals and needs, the support they

From Year 9 onwards, especially if your young person has an Education, Health and Care plan, the local authority, school, college and others will start talking about adult life and what that will look like.

So, it's a good idea for them to be involved in planning for the future and how to prepare for it, including your young person's

- health
- where they will live
- their relationships
- money
- how they will take part in the community and be as independent as possible.

get and the difference that will make. That's what the golden thread is. It should be in any plan they have, including those that their school or college writes. The starting point should be their goals or aspirations, and everything else should follow on from that.

Who will see these views and how will they be used?

There are lots of opportunities for young people to get their views into the decisions made about their education and support, such as:

- Making or reviewing school and college support plans.
- When they're having a specialist assessment, such as an educational psychology assessment.
- Before planned changes, such as the move (transition) from secondary school to post-16 education or training.
- Helping other services such as social and health services, understand their needs and plan support.
- During the assessment for an Education, Health and Care (EHC) plan.
- At an annual review or reassessment of an EHC plan.
- At a disagreement resolution or mediation meeting or during an appeal tribunal (see more about this below).

Your young person's views should be listened to alongside yours and those of any professionals. They're equally important.

How can I support a young person to share their thoughts and views?

Whatever your young person's age or ability, they may need help to 'talk' and you'll need to work out the best way to do that which meets them on their level. Home is often the best place to do this, though anywhere they feel comfortable or safe will work just as well.

You know your young person best, so you'll know the best way to have these conversations, and how much support they're likely to need (if any at all). As they get older, they're more likely to want to take part under their own steam, and of course they may have quite different views from you. Things change when your young person reaches 16 too (see more about this below).

If they need your help to give their views, or if they ask for it, here are a few other tips to help you:

- Make sure they know there are no right or wrong answers. This isn't about judging them – this is about giving them a voice.
- Explain why people are asking for their views. You could say something like "this helps the staff in college understand you better."
- Tell them they won't get into trouble for anything they say. It's okay if they aren't saying what you expected or if they're saying something different from what you or other people think.
- Doing something active together while you talk can help, such as drawing, walking the dog or making something together. This makes it more than just a conversation and if talking becomes hard, you've got something else to do instead. The focus can

Top tip

Some young people use view gathering apps such as Mind Of My Own (MOMO) which help them organise their thoughts and make it easier to tell other people what they think. You could suggest they use something like that.

be the activity and the conversation is taking place alongside. Lots of parents find that talking in the car works well too, or doing something together where you don't need to look at each other!

- Talk about the idea that 'you can't always get what you want.' You haven't got a magic wand that will make everything better. But hearing what they have to say is the first step in helping them feel supported and understood in school or college.
- Collect views over a few days or weeks. Sometimes it helps to keep things short and talk about it a few times. They might tell you what they think you want to hear, or say the first thing that comes to mind, so it's worth having more than one go.

If your young person has been assessed by an educational psychologist, they may have spent time finding out what they think about school too. You can look at this information as well and ask your young person if they want to share it as part of their views.

What kind of information is it important to get?

If your young person finds focusing or communicating hard, you may need to use the time you have to look at just a few things. To begin with, focus on the most important things you need to know.

Some young people create a one-page profile of themselves, which includes a photograph. It has the most important information about them on a single sheet of paper. It can help to think about and answer three main questions:

1. What do people like and admire about me?
2. What makes me happy?
3. How I want to be supported?

If your young person can and wants to do more, here are some of the other things they might want to think about (they don't need to do them all):

- What do I want to do as an adult? Work or volunteer, do an apprenticeship, live on my own or move away?
- What do I need to be happy, feel safe and learn well?
- What does a good day look like to me, and what's not a good day?
- What do I enjoy and what motivates me?
- What am I good at and what am I most proud of?
- What are the things I find hard, or what would I like to change?
- How do I feel about any condition I have, such as autism or ADHD?

How do I record what they tell me?

There are several ways to record views, such as This is Me which she can fill out on her own or with your help. For other ideas have a look at our top tips.

Whatever way they choose, the important thing is to make sure their views are shared. They don't have to share them with everyone and if there is someone they don't want to see them, ask them to make that clear. Otherwise, your young person should send a copy to:

- school or college
- any relevant professionals or
- the local authority Special Education 0-25 team staff, if it's for an EHC plan assessment or review.

It's a good idea for them to give their views at least once a year. But they can do it more often if they want to – if there's a lot of change or if they're finding life especially difficult.

What happens when a young person reaches 16?

When a young person reaches 16 and the end of compulsory school age (the end of the school year in which they turn 16) the legal rights around making decisions pass to them and away from parents and carers. So, as your young person gets older, it becomes even more important that they're able to express and share their views confidently.

Staff from the local authority and other professionals will talk directly to a young person age 16 or over, as well as or instead of you. In reality, most young people will want or need their parents or carers to stay involved and help with decisions. As a parent or carer, you can act on their behalf if they're happy for you to do that.

The right of a young person to make a decision is subject to their capacity to do so. That means that to have the right to decide, they must be capable of making the decision. This is called mental capacity. If a young person can't make decisions then someone else can do it on their behalf, as long as it's in their best interest. Sometimes a young person can lack capacity to make some decisions, such as to deciding which college to go to, but still have the capacity to make other decisions, such as decide what to have for dinner.

Deciding whether a young person has the mental capacity to decide about their education, needs or support is something that's looked at individually. You can find out more about mental capacity at Independent Parental Special Education Advice (IPSEA).

Young people have the right to contact and use any Information Advice and Support Service, such as DIAS, for help and support.

How do I make sure it's my young person's voice that is heard?

Talking about what they think and feel, and then seeing things happen as a result, is an important thing for young people to learn. It helps them feel listened to and valued, and feel they have some control over what happens to them.

Sometimes it's easy for their voice to get lost in the discussions. If there are lots of professionals involved, if they have complex needs or if their behaviour is challenging it's all too easy to lose sight of what they want and need.

Young people can sometimes echo the views of their parents or carers too, for all sorts of reasons. So, it's important to make sure that it's the young person's voice that everyone is hearing and that it stays at the heart of any discussions. Here are a few tips to help that happen:

- If you think your young person will say what you would say, ask someone they trust to talk to them, without you in the room. That may help to take the pressure off and free up the conversation.

- Try not to ask leading questions – leave your questions open and give plenty of time. Open questions are those that have to be answered with more than just a yes or a no. They often start with a ‘wh’ – why, what, where etc. Sometimes ‘wondering’ about something they have said helps too – so you could say, “You seem to really enjoy spending time at computing club, I wonder if that’s because....”
- In a meeting, the young person can ask to give their views first.

Young people can also talk to someone at DIAS and we can support them to give their views too.

What about meetings and mediation?

Everyone is different so you’ll need to decide whether your young person is likely to want to go to a meeting, and how well they would cope.

School, college and other meetings

Young people can and do go to meetings and as they get older, this is a helpful way for them to get involved in making decisions. Some people also like to know what everyone is talking about! But not everyone will want to, or will be able to manage it. Meetings can feel overwhelming and sometimes be boring too.

If your young person wants to be involved, you could ask them to come to the start of the meeting for a few minutes. It’s a good way to take part, see what the meeting is like and have a say with the least amount of stress. They can talk about what’s working at school or college and what they need help with. If they want to stay for the whole meeting, they can always ask to take a break.

Disagreement resolution and mediation meetings

Disagreement resolution is just what it sounds like – a meeting to resolve a disagreement. The discussion is helped by someone independent. It can be used by parents, carers and young people to try and resolve disagreements with:

- the local authority
- the governing bodies of schools and colleges
- health or social care services

The discussions focus on whether the organisations above have carried out their duty for a young person with SEN, regardless of whether they have an EHC plan or not.

Mediation is an informal, confidential and voluntary process. An independent person (a mediator) helps people who disagree about something to reach an agreement that both sides are happy with. It can be used when the parents of a young person under 16 disagree with a decision the local authority has made about their Education Health and Care (EHC) plan or an assessment for one. If the young person is over 16, then they decide whether to go to mediation or not, as long as they have mental capacity (see section above ‘What

What if my young person can’t talk or has communication difficulties?

There’s a wide range of tools to use, from watching your young person’s face and gestures, through to pictures and cards and high-tech devices.

You know what will work best, so use the communication methods they prefer. You can ask the staff at their school or college for their advice and support too.

happens when my young person reaches 16?). If they don't have mental capacity, they can ask you or another advocate to act as their representative.

Young people can, and do, go to disagreement resolution and mediation meetings. Although the mediator will try and make things as relaxed and easy as possible, this type of meeting can feel more stressful and intimidating than a school or college meeting.

If your young person wants to take part, or they've asked for the meeting, it's a good idea to make sure they're well prepared. Ask them to decide what they want to say, what's important to tell everyone at the meeting and what questions they have.

Sometimes it can help to think about what the other side might be saying and plan what they could say in reply. Sometimes things don't go as planned, so work out beforehand how you'll deal with that. During these meetings you can ask for a break to go away and talk about something between you, or simply to stop the discussions for a short while.

If your young person is past compulsory school age, they have the right to ask for disagreement resolution or mediation and make decisions about it themselves. It's always a good idea to have support though, whether that's from you, someone who already knows and supports them or someone independent.

What about having a say at a tribunal/appeal hearing?

When a local authority makes certain decisions about the education and/or training of a young person with SEND, there is a right of appeal to an independent tribunal. That means if you and/or your young person disagree with some of the decisions made about an EHC plan or assessment, you can appeal those decisions.

If the decision is about a child up to compulsory school age, parents and carers have the right of appeal. If the decision is about a young person over compulsory school age and under 25, then it's the young person who has the right of appeal as long as they have mental capacity (see section above What happens when my young person reaches 16?).

Children and young people can and do go to tribunal and give evidence, if the tribunal panel agrees. It's helpful for young people to be there to explain their case and the appeals panel will want to hear anything they have to say. Your young person may also want to ask questions of the local authority and any witnesses they have. If they are the person appealing, you can go with them to give support.

The appeal panel is made up of a judge and two other members with SEND expertise, and although they'll do their best to make everyone feel comfortable it can be a difficult experience. It's good to bear in mind that tribunal hearings can sometimes last for several hours and can be tiring and unsettling for older children and young people. If your young person has asked you to be their representative they may want to come but may not want to stay for the full hearing.

How will my young person get to know what's been decided?

Tell your young person what difference sharing their views will make. This helps to give them confidence in their ability to understand and influence what happens around them.

You can explain how their views are discussed and taken into account, and what decisions are made as a result. If they've asked for something that can't be done, then it's important to explain why.

Other helpful resources

SEND Code of Practice – version for parents and carers

Guidance on the special educational needs and disability (SEND) system for children and young people aged 0 to 25.

www.gov.uk/government/publications/send-guide-for-parents-and-carers

Helping your young person give their views

Practical tips about working with your young person to get their views.

Available on the DIAS website and by contacting the enquiry line.

www.devonias.org.uk

All About Me and This is Me

Editable forms for parents and children to use to record their views.

Available on the DIAS website and by contacting the enquiry line.

www.devonias.org.uk

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