

From: [FOI](#)
To:
Subject: Freedom of Information Request NCC-050323-21
Date: 01 June 2021 12:08:00
Attachments: [NCC-050323-21 Copy of 20210527 Tribunals 2013-2021 v2.xlsx](#)
[NCC-050323-21 20210524 FOI Request - Info Table.docx](#)

Dear

Thank you for your request for information about SEN tribunals and judicial reviews in each year since 2013/14. You specifically asked:

This is a request under the Freedom of Information Act. Please can you tell me how much the council has spent on instructing solicitors/barristers for Special Educational Needs first tier tribunals, upper tribunals and judicial reviews in each year since 2013/14.

Please break down the total by cost per case and please provide a summary of the reason for each case e.g. parent seeking council funds to cover the cost of their child's education. If possible, please provide the outcome of each case i.e. the panel/judge upheld the council's decision, the panel/judge overturned the council's decision and for each hearing please include whether the parent had legal representation or if they were a litigant in person.

Please also include how many cases were settled before they went to hearing, or where one party cancelled the hearing please state whether this was the local authority or the parent.

Please find attached a spreadsheet which provides details of each case which has gone to tribunal.

We do not have recorded whether the parent had legal representation for tribunal cases.

Unfortunately we are unable to provide any information in relation to the legal costs of cases which have gone to tribunal. We can advise that the only costs which would have been incurred would have been for cases where external solicitors/barristers had been instructed and these invoiced would have been paid from the ICDS budget. There is no cost to the ICDS team for services provided by our in-house legal department. We have do not have any external legal costs recorded as allocated against individual cases, nor do we have a tribunal case identifier recorded against legal costs. To identify these would require a manual interrogation of all legal costs expenditure, which would take one officer in excess of 18 hours to complete and is therefore above the appropriate limit and so exempt under S 12 of the FOI Act

In relation to SEN related judicial reviews, we can find reference to only two cases that have involved external expenditure on barristers (both in 2020/21), Please see attached table. In only one of these two cases has a judicial review claim actually been issued (BA), the other one is a proposed claim and has not issued so you may wish to disregard this.

I hope that you find this information to be helpful, however if you are unhappy with the way in which your request has been handled, then please email us at foi@nottsc.gov.uk quoting the reference NCC-050323-21 and we will be happy to review your request

With kind regards

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