

Guidance for parties and witnesses attending a SEND video hearing

You have received a letter from the Tribunal indicating that your appeal will be heard by Video hearing. This short guide explains what you should do, and how the hearing will take place.

Why video hearings?

Because of the Covid-19 pandemic, the Tribunal has changed the way it works. We are not currently holding any face-to-face hearings. Some partly face-to-face hearings (hybrid hearings) may be arranged in individual cases, but social distancing requirements are likely to mean that the Tribunal's ability to conduct face-to-face hearings will be limited for some time.

What is a video hearing?

Video hearings will use a video hearing room, which is on a software platform called Kinly Cloud Video Platform (Kinly CVP). The parties will be able to join the hearing from their own home or workplace using their own device. You do not need special equipment to join the hearing. You can use any device with camera and microphone:

- laptop/PC
- tablet
- smartphone.

You will need a good internet broadband connection.

The success of video hearings will depend on the strength of the internet connection and quality of the equipment.

How will I know that I will be able to join the hearing by video?

Anyone participating in the hearing must test their connection with the **Video Hearing Support Officer (VHSO)** before the start of the hearing by following the link in the letter. If the wifi connection is not good enough or there are problems connecting, a dedicated room telephone number is provided so that you can speak to the VHSO. For those without a video capability, it is possible to join the whole hearing using an ordinary phone.

What do I need to do to prepare for the hearing?

SEND hearings are private not public hearings, so it is important that you are in a private space where you will not be overheard or interrupted.

Make sure your device is fully charged or plugged into a charger. Video hearings drain batteries quickly.

You **must** check your connection with the VHSO before the hearing starts. If your hearing starts in the morning you should try to connect using the link supplied between 9.30am and 9.45am to make sure you can see, be seen and heard. The VHSO will help you. Do **not** use the link on other days or before this time as you will not be allowed into the room.

If your hearing starts at 2pm, try to test your link between 1.30pm and 1.45pm. Do **not** try to connect earlier than this. You will not be allowed into the room.

During the current pandemic, the Tribunal will be aware of the domestic demands on families and will be prepared to work flexibly to accommodate domestic issues. It is a formal hearing, however, and you should be appropriately dressed, ensure that you have the appeal papers available to you and a notepad or paper and pen to write notes during the hearing so that you don't forget what you want to tell the tribunal panel.

Connecting to the hearing.

Windows device use Google Chrome as your browser. Copy and paste the link into your browser. If you just 'click' on the link, your device may use another 'default' browser which may be less effective. Chrome can be downloaded free here:

[Google Chrome download](#)

Apple products use Safari unless you are on a MacBook. These will successfully use Chrome. Do not use Chrome on an ipad. Safari can be downloaded free here:

[Apple Safari download](#)

Do **not** use Firefox.

Smartphone Use the Pexip Infinity App to connect to a hearing via smartphone. This can be downloaded quickly and for free on your phone here:

[Pexip Infinity Link](#)

Testing your equipment in advance - the CVP “Test Room”

On the landing screen for the Ministry of Justice Cloudroom Manager, you’ll be presented with a box that contains the ‘Conference alias or URI’. This is just the name of the virtual room that you are trying to join and this will have a number like ‘SEND10’ or ‘SEND17’. However, it is possible to click on the dark blue box on the far right of this to produce a drop-down menu and the offer of ‘test call’. Clicking on this option gives you the chance to test your equipment, sound and link in a private room. Once you have selected your settings for microphone it will admit you to a test room where the system will guide you through a brief check of your video and audio settings. Once tested, the system will disconnect you. You can connect and test as many times as you like.

How do I join the hearing?

Each joining instruction is valid only for that hearing. The link with which you will be provided will look like this:

Video/Lync/Skype address: roomname@meet.video.justice.gov.uk

Web browser: [click here](#)

Phone number: 0203 608 8838

Voice conference ID: 123456#

Guest page: [click here](#)

To join the hearing room:

If you are reading your notice of hearing email or letter on the device you want to use to attend the hearing, you can touch the link or Ctrl and click on the web browser link and it will take you direct to the joining page. Check that your ‘default’ browser is compatible. If you are not sure, copy and paste the link into Chrome or Safari.

Alternatively, you can copy and paste the link into your browser and press return.

If you reach the Guest page, you are offered different methods of joining the hearing, Skype or browser. Click “Join by browser” and it will take you to the joining page.

The page will show the conference code and show a box “Your name”. Type into the box your name as you want it to appear on the screen to other participants. If you are a witness, briefly explain your role eg “Mrs Jones, SENCo, Oaktree School.”

Then click “Settings”: make sure that the camera and microphone are set to “default”.

Click “OK”

Click “Connect”

A voice will tell you that you are waiting for the conference host to join. You are now in the lobby. You will be held in the lobby until the VHSO can let you into the room, and once your connection is established, you will be asked to disconnect and return to the hearing at a set time.

When you rejoin, you will be held in the lobby until the hearing is ready to start.

What if I don't have a video enabled device?

If you don't have internet or a video enabled device, you can use a mobile phone or landline to connect to the dedicated room telephone number which is part of the joining details. You will need the number, the passcode and when the voice directs you to use the "pound" key, it is a reference to what is sometimes called the "hash" key or #.

What if I need help myself in the hearing?

You will have been asked in the appeal forms if you need any assistance or reasonable adjustments during the hearing. The Tribunal should therefore be aware of your needs, whether that be for an interpreter, for British Sign Language, a palantypist or other adjustment. The Tribunal will be in touch to confirm how the hearing will proceed. If you are unsure about this, email the Tribunal to check.

If you are going to be assisted with sign language or translation services you will be given the details of the virtual room in which you will connect to your signer or translator.

How will my witnesses know how to join the hearing?

You MUST make sure that you have provided all your identified witnesses with the relevant joining details, video hearing guidance and time for the hearing.

Sometimes, parties or witnesses using their employers' devices will find that they cannot use the camera and microphone because of the employers' firewalls.

What if I can't connect or connect but cannot see or hear anyone?

Sometimes a firewall problem or using the wrong browser can affect your connection. Some problems can be overcome by the combined use of a laptop and smartphone. Anyone can join the hearing using more than one device but make sure the microphones and speakers are on MUTE on all except one of them. The VHS officer in the hearing will try and help you. If you cannot see or hear anyone in the room, try typing a message in the 'chat room' on the left-hand side.

What if I have a document which hasn't yet been sent to the other party and Tribunal which I think is important in the appeal?

If you have late evidence, you should send a copy of the document to the other party and to the Tribunal as soon as the document becomes available and if it is after the final evidence date, you must make a request for it to be admitted in evidence. If the

document has arrived within 5 working days of the hearing, you must send it to the other party and Tribunal with an explanation why it is late and why it should be admitted. On the day of the hearing, you must send it to the Tribunal's queries address and in the Subject line state: "URGENT: Live video hearing in SENDx[enter room number] with case reference".

What will happen at the hearing?

At the start of the hearing the Tribunal judge will make introductions. All participants will be asked to introduce themselves. This will provide an opportunity to ensure that all can hear clearly and confirm that they are in a private space. You will also be told what to do if your signal fails or you fall out of the hearing room.

The use of the buttons on the screen will be explained and everyone should MUTE MICROPHONE when they are not speaking to cut out background noise when others are talking. Remember that if you do not mute your microphone, everyone in the room will hear everything you say, even if your camera is switched off.

The Judge will then explain the procedure for the final hearing.

The Judge will:

- ✓ explain how the hearing will progress
- ✓ identify the issues outstanding between parties for decision by the Tribunal
- ✓ deal with any procedural issues such as late evidence
- ✓ confirm the names of witnesses that will participate in the hearing.

The hearing will then start to hear any oral evidence. It is for the Judge to decide how matters proceed and when breaks will be taken. Video hearings can be tiring. If you need a break, mention this to the Judge.

What happens when there is a break?

During breaks, you will be asked to disconnect and re-join at a set time. You can disconnect from the hearing by pressing the red button in the bottom centre of the screen. Please make sure that you re-join at the set time even if you require more time because there is no way to find out what is happening unless you tell the Tribunal. Make sure that you have the room telephone number and passcode handy so that you can phone into the hearing if you have a problem re-joining.

What happens at the end of the hearing?

Once all oral evidence and your views have been heard the Tribunal will usually take another short break to allow time for reflection on what has been said.

Parties may wish to make closing submissions summarising their case at the end of the evidence but should not feel obliged to do so. If the parties decide they want to make short closing submissions, the LA will go first and then parents or the young person will close.

The Judge will then conclude the hearing and check with the parties that the conduct of the hearing was satisfactory.

What happens after the hearing?

Once the Judge has made concluding remarks, you should disconnect from the conference or video hearing.

After the hearing, the judge and specialist members of the panel will spend time considering and discussing the evidence and deciding the issues in the appeal. A written decision will be sent to the parties usually within 10 working days and will explain the Tribunal's decision and the reasons for their conclusions.

You will be asked for your feedback by the Tribunal on the effectiveness of the video hearing and we would really appreciate your feedback to help us continue and resolve any issues that may have been experienced and to improve the service we offer to our users.