

Children with health needs who cannot attend school

RIDGEWAY EDUCATION TRUST

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Background

Under the provisions of the Education Act 1996 (section 19) and the Equality Act 2010, local authorities (LAs) were given the duty to find suitable full-time education (or as much education as a child's condition allows) for children of compulsory school age who because of illness or injury would not otherwise receive 'suitable' education, that is, an education appropriate for the child's age, aptitude, ability and any special educational needs that s/he might have. Although there was no legal time span set after which the LA had to provide education for sick children, the expectation was that provision should be in place within 15 days of the child being unable to attend school. Due regard should also be given to the Data Protection Act 2018 where applicable.

In 2013, the DfE produced two pieces of statutory guidance. One, for LAs was entitled 'Ensuring a good education for children who cannot attend school because of health needs' and a second later in the year entitled 'Alternative provision' both of which insisted that the education children receive outside mainstream schooling would be of a good quality. LAs were charged with ensuring that such children were educated to a standard which allowed them to take appropriate qualifications and not fall behind their peers in school. Provision should also be made for these children to reintegrate successfully back into school wherever possible.

The Children and Families Act 2014 brought with it a change in the law which now requires schools to make arrangements for children with medical conditions. This applies to pupils who can attend school and who have an identified medical condition.

It is also the responsibility of the school in partnership with the LA, hospital education or home education providers to provide educational support and resources to ensure the pupil with health needs who cannot attend school is able to access full-time education (or as much as the condition of the child allows) equivalent to that which would be provided to other pupils in the school.

The DfE published statutory guidance to accompany this change in 2015 entitled 'Supporting pupils at school with medical conditions'.

Definitions

Children who are unable to attend school as a result of their medical needs may include those with:

- Physical health issues or physical injuries.
- Mental health problems including anxiety issues.
- Emotional difficulties or school refusal.
- Progressive conditions.
- Terminal illnesses.
- Chronic illnesses.

CHILDREN WITH HEALTH NEEDS WHO CANNOT ATTEND SCHOOL

Ridgeway Education Trust is aware of its responsibility for children and young people who have health needs which prevent them coming into school for a period of time. We have the following arrangements in place to minimise as far as is possible, the disruption to their schooling by continuing to provide education as normally as the incapacity allows.

Implementing the policy

- The governing board is legally responsible under section 100 of the Children and Families Act 2014 to make arrangements to support pupils with medical conditions.
- They ensure that policies, plans and procedures to support children with medical conditions are properly and effectively implemented.
- This includes children who, by reason of illness may not for any period be in school to receive suitable education.
- Governors ensure the policy identifies the roles and responsibilities of all those involved in supporting medical conditions.
- The policy is reviewed regularly and is accessible to parents and school staff.
- The Designated Safeguarding Lead has overall responsibility for effective policy implementation. They is responsible for staff training so that sufficient staff are competent to take on responsibility to support pupils in school who have medical conditions. S/he ensures that robust systems are in place for dealing with health emergencies and critical incidents, both on and off site. They also liaises with the local authority (LA) and other partners to ensure that pupils who are unable to come to school because of illness or injury receive suitable education.
- There is no statutory requirement to draw up an individual healthcare plan for every child on roll that has a medical condition. There can be circumstances, usually in the case of a temporary or mild condition, where a plan would be inappropriate or disproportionate. But at this school we nevertheless regard it as good practice that any child on the roll who has a medical condition is given an individual healthcare plan (IHP), which is drawn up in partnership with parents, healthcare professionals and, whenever appropriate, the child. If, in the unlikely case that a consensus on the advisability of an IHP cannot be reached, the headteacher will take the final view.
- Where a child has a special educational need identified in an EHC plan, the IHP should be linked to or become part of that plan. If a child has SEN but does not have an EHC plan, that need is mentioned in their IHP.
- We also draw up short or longer term IHPs for our pupils who are unable to come into school because of their medical needs, in liaison with other agencies involved.

Provision for children who cannot attend school because of illness

In line with section 19 of the Education Act 1996, an LA has a duty to ensure that arrangements are in place for the provision of suitable education for those children of compulsory school age who by reason of illness may not for any period receive suitable education, unless such arrangements are made for them

This applies to children and young people:

- Who are of statutory school age.
- Who are not in school for 15 days or more, whether consecutive or cumulative, due to ill health.
- Where the health need and necessity for absence have been validated as necessary by a medical doctor or other appropriately qualified consultant.
- Who will not receive a suitable full-time education unless alternative arrangements are made for this by the school and the LA, working with other agencies such as the health professionals, social services, hospital school service etc.

It is the responsibility of the school to work with partners to ensure that the provision for a child unable to attend school because of illness or injury will start as quickly as possible. Once assured that provision is in place, the LA will only intervene if it has reason to think that the educational provision being made is unsuitable or insufficient.

The education may be provided in a variety of ways, including:

- Through part-time education at the school the child normally attends and supplemented by additional work to be done at home.
- School to home liaison, using digital media, virtual classrooms or homework.
- A hospital school if the child has to spend periods of time in hospital.
- Attendance at an AP centre or medical PRU.
- Home tuition.

Transport

The provision of temporary transport for a pupil on medical grounds to and from school can sometimes enable a pupil to attend school who would not otherwise be able to do so, even if this can only be part-time. The school will process requests for transport on medical grounds through the LA. Transport for pupils in wheelchairs can usually be arranged.

Reintegration into school

We are aware that returning to school after a period of illness or injury can be an emotional hurdle for our pupils.

- While the pupil is away from school, we do encourage their peers to keep in touch via social media, through cards and letters and to visit where appropriate.
- The form tutor will also keep in touch with the pupil and their parents and keep them informed of school events.
- We also invite the child or young person to attend special school events wherever possible and make great efforts to ensure that they feel welcome if they are able to come.
- When a return to school is likely, we consult with the child and parents and key staff about concerns, medical issues and the timing of return.

- We will have in place a named member of staff who has responsibility for the pupil's reintegration plan.
- Where possible, we encourage the child to come into school part-time during the period of ill health, as a useful half-way house to full re-integration.
- When the child is back in school, we will try if necessary provide a personalised timetable
- Also if necessary we can move lessons to more accessible rooms.
- We will also provide places in school where the child can rest if needed.
- Young people with medical conditions are generally entitled to variations with regard to the sitting of public examinations. We want our pupils' academic prospects to be kept as open as possible, so the school will discuss this with others involved and see what can be arranged in the best interests of the pupil.

The child's case is reviewed every four to six weeks to see whether the situation has altered in any way, whether a continuation of the current arrangements is necessary or whether a process of re-integration can be started.

This policy is reviewed annually by the governing board.

The policy should be read in conjunction with:

- Accessibility plan.
- Supporting children with medical conditions/needs policy.
- Pupil attendance policy.
- Child protection and safeguarding policy.
- SEND policy.
- Remote education policy.