



# Children with Health Needs who Cannot Attend School Policy

ALLEN EDWARDS PRIMARY SCHOOL

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# Children with Health Needs Who Cannot Attend School

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At Allen Edwards Primary School, we are committed to the United Nations Convention on the Rights of the Child (UNCRC) and have achieved our Gold accreditation through the dedicated work that our community has committed to and will continue to do. We strive to ensure that we are fulfilling the rights of all children by providing them with an inclusive environment where they feel safe and confident enabling them to reach their full potential and prepare them for an ever-changing world.

The Articles that link to this policy are:

|                   |                                |                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Article 2</b>  | Non-Discrimination             | At Allen Edwards, children, staff, parents and governors guarantee that children are not discriminated against because of their abilities. All staff work closely together to ensure that strategies and interventions are in place to support children so that they can achieve their full potential and can access a curriculum that allows them to flourish. |
| <b>Article 6</b>  | Life, Survival and Development | At Allen Edwards, children, staff, parents and governors ensure that we provide a tailored curriculum that meets the needs of all children so that all children develop to their full potential.                                                                                                                                                                |
| <b>Article 23</b> | Children with a Disability     | At Allen Edwards, children, staff, parents and governors work tirelessly to increase our children's independence, promote skills that will allow all of our children to develop to their full potential and treat every child with the dignity that they deserve.                                                                                               |
| <b>Article 28</b> | Right to Education             | Every child has the right to an education. Primary education must be free and different forms of secondary education must be available to every child. Discipline in schools must respect children's dignity and their rights. Richer countries must help poorer countries achieve this.                                                                        |
| <b>Article 29</b> | Goals of Education             | At Allen Edwards, children, staff, parents and governors recognise that every child has talents and abilities that need to be encouraged and developed.                                                                                                                                                                                                         |

## 1. Aims

This policy aims to ensure that:

- Pupils who cannot attend school because of physical or mental health needs continue to receive suitable education with as little disruption as possible
- The school, parents and carers, pupils, health professionals and Lambeth Council work together so that support is timely, appropriate and regularly reviewed
- The school understands its responsibilities and the point at which Lambeth Council may need to arrange alternative provision under section 19 of the Education Act 1996
- Pupils are supported to remain connected with school and to reintegrate successfully when their health allows

## 2. Legislation and Guidance

This policy has been reviewed against current national statutory guidance and Lambeth Council guidance. It applies to pupils of compulsory school age who cannot attend school, or can attend only intermittently, because of physical or mental health needs.

The main legal and statutory framework includes:

- Section 19 of the Education Act 1996
- The Equality Act 2010
- Section 100 of the Children and Families Act 2014
- The School Attendance (Pupil Registration) (England) Regulations 2024
- Department for Education statutory guidance, Arranging education for children who cannot attend school because of health needs, updated December 2023
- Department for Education statutory guidance, Working together to improve school attendance, current statutory guidance
- Department for Education statutory guidance, Supporting pupils at school with medical conditions
- The SEND Code of Practice: 0 to 25 years, where applicable

Under section 19 of the Education Act 1996, the local authority is responsible for arranging suitable and normally full-time education for a child of compulsory school age who, because of illness or other reasons, would not otherwise receive suitable education. Suitable education must be appropriate to the child's age, ability and aptitude and to any special educational needs they may have.

The Department for Education states that, as soon as it is clear that a child will be away from school for 15 school days or more because of health needs, whether the days are consecutive or cumulative across the school year, the local authority should arrange suitable alternative provision. Once the local authority is arranging provision, it should begin as soon as possible and normally no later than the sixth day of absence. For planned absences, suitable arrangements should be made in advance where possible.

Full-time education is the expectation. If full-time education would not be in the child's best interests because of their physical or mental health, part-time education may be arranged. Any part-time arrangement should be based on the child's needs, reviewed regularly and increased towards full-time education as soon as the child's health allows.

Medical evidence should be used to understand the child's needs and identify suitable provision. A child should not be left without education simply because specific medical evidence is not immediately available. Schools and local authorities should consider other available evidence and liaise with relevant health professionals where appropriate.

Lambeth Council states that schools should support pupils during shorter periods of illness. Where an illness is likely to result in 15 school days of absence or more, or where suitable education is not

otherwise being received, the school should approach Lambeth for consideration of support. Lambeth may arrange home tuition, hospital education, virtual learning or a combination according to the pupil's needs.

National guidance: <https://www.gov.uk/government/publications/education-for-children-with-health-needs-who-cannot-attend-school>

Lambeth guidance: <https://www.lambeth.gov.uk/schools-and-education/school-attendance-and-exclusions/education-support-pupils-who-are-too-ill-attend-policy>

### **3. The responsibilities of the school and Local Authority**

#### **3.1 If the school makes arrangements**

Where a pupil is absent because of health needs, the school will take reasonable steps to maintain access to education and to remove barriers to attendance wherever this can be done safely and appropriately.

The school will:

- Identify a named member of staff, normally through the Inclusion Team, to coordinate support and act as a point of contact for the pupil, family, Lambeth Council and relevant professionals
- Maintain regular contact with the pupil and parents or carers and involve the pupil in decisions in a way that reflects their age and maturity
- Work with relevant health professionals to understand the pupil's needs and the impact of those needs on attendance and learning
- Consider reasonable adjustments, an Individual Healthcare Plan where appropriate, SEND support and whether an Education, Health and Care needs assessment may be required
- Provide suitable education during shorter periods of absence, taking account of the pupil's health, stamina, curriculum needs and any advice from professionals
- Ensure that remote education, where used, supports and complements suitable education rather than becoming the default or sole long-term offer where face-to-face education is appropriate
- Keep the pupil connected with school life, classmates and the curriculum as far as their health allows
- Keep accurate attendance and absence records in line with current attendance regulations and statutory guidance
- Keep the pupil on the school roll while they remain registered at the school and follow the statutory rules before any deletion from the admission register
- Contact Lambeth promptly when it becomes clear that the pupil is likely to be absent for 15 school days or more, whether consecutive or cumulative, or earlier if the school cannot provide suitable education
- Share relevant information lawfully with Lambeth and other professionals so that there is continuity of education and support
- Continue to meet safeguarding responsibilities and respond to any welfare concerns in line with the school's safeguarding procedures
- Plan for examinations and assessments, including access arrangements or special consideration where appropriate

The amount and form of education provided by the school will be adapted to the pupil's health needs. One-to-one tuition may require fewer direct teaching hours because it can be more intensive than classroom teaching. The focus will remain on suitable, high-quality education and the pupil's wider wellbeing.

The school will review arrangements regularly with the pupil, parents or carers and relevant professionals. Reviews will consider progress, engagement, changing health needs, attendance, safeguarding, reasonable adjustments and readiness for increased attendance.

When the pupil is ready to return, the school will prepare an individual reintegration plan. This may include a phased return, reasonable adjustments, changes to the school day, additional pastoral or SEND support and a clear review date. Any reduced timetable used for reintegration will be temporary, agreed with parents or carers, in the pupil's best interests and reviewed frequently with the aim of returning to full-time attendance as soon as appropriate.

### 3.2 If the local authority makes arrangements

If the school cannot provide suitable education or where the section 19 duty is engaged, Lambeth Council is responsible for arranging suitable alternative provision. The school will work constructively with Lambeth, the pupil, parents or carers, health professionals and any provider commissioned by the local authority.

Lambeth's current referral process is supported and assessed through its Inclusion Team. Initial enquiries should be made through:

Email: [inclusion@lambeth.gov.uk](mailto:inclusion@lambeth.gov.uk)

Telephone: 020 7926 6928

Lambeth advises that a Too Ill submission form will be provided for completion. The referral should normally include:

- Medical professional evidence of the attendance barrier, where available, including the reason for non-attendance and likely or known absence periods
- An attendance summary
- An attendance and illness history up to the point of referral
- Details of the educational, pastoral, attendance, medical and SEND support already provided by the school
- Contact details for the pupil, parents or carers and relevant professionals involved in the case
- Any known safeguarding, access or risk information that may affect the safe delivery of tuition or other provision

Lambeth states that referrals are assessed by the Inclusion Team and may be considered through a monthly panel. Where tutor support is agreed, Lambeth may arrange a tutor through an external provider. The tutor will liaise with the family and report on progress and any concerns. Provision remains subject to review and is intended to support the pupil while they are unable to access suitable education at school.

Where Lambeth makes arrangements, the school will:

- Provide curriculum information, appropriate work and relevant assessment information so that education remains as continuous as possible
- Share relevant information with Lambeth, the alternative provider and health professionals in accordance with data protection and safeguarding requirements
- Maintain contact with the pupil and help them remain part of the school community
- Attend review meetings and provide timely updates on attendance, progress, health information shared with the school and readiness for reintegration
- Work with Lambeth to ensure provision remains suitable to the pupil's age, ability, aptitude, special educational needs and changing health needs
- Support any necessary SEND processes and involve the SEND team where the pupil has an Education, Health and Care Plan
- Plan reintegration from an early stage and avoid unnecessary delay when the pupil's health allows a return
- Ensure that reasonable adjustments and additional support are in place when the pupil returns

For looked-after children, the school's Designated Teacher will work with the Virtual School Head, the social worker and other relevant professionals when alternative provision is being considered or arranged.

## 4. Complaints

Parents and carers who have concerns about the school's arrangements should raise them with the Headteacher in the first instance. If the matter cannot be resolved, the school's Complaints Policy should be followed.

Concerns about education arranged by Lambeth Council should be raised with the Lambeth Inclusion Team in the first instance. Parents and carers may also use Lambeth Council's complaints procedure where concerns about the local authority's provision remain unresolved.

A complaint will not prevent the school from continuing to work with the pupil, family, local authority and professionals to secure suitable education and support.

## 5. Links To Other Policies

This policy links to the following school policies and documents:

- Accessibility Plan
- Attendance Policy
- Complaints Policy
- Equality Information and Objectives
- First Aid Policy
- Health and Safety Policy
- Safeguarding and Child Protection Policy
- Special Educational Needs Information Report and Policy
- Supporting Pupils with Medical Conditions Policy
- Remote Education information or policy where applicable