

Sand Hutton and Warthill Federated Schools

# Children with health needs who cannot attend school policy

<b>Approved by:</b>	B Pawson and Governors	<b>Date:</b> December 2022
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## 1. Aims

This policy aims to ensure that:

- › Suitable education is arranged for pupils on roll who cannot attend school due to health needs
- › Pupils, staff and parents understand what the school is responsible for when this education is being provided by the local authority

## 2. Legislation and guidance

This policy reflects the requirements of the [Education Act 1996](#).

It is also based on guidance provided by our local authority.

LAs are responsible for arranging suitable full-time education for children of compulsory school age who, because of illness, would not receive suitable education without such provision. This applies whether or not the child is on the roll of a school and whatever the type of school they attend. It applies to children who are pupils in Academies, Free Schools, special schools and independent schools as well as those in maintained schools.

The law does not define full-time education but children with health needs should have provision which is equivalent to the education they would receive in school. If they receive one-to-one tuition, for example, the hours of face-to-face provision could be fewer as the provision is more concentrated.

Where full-time education would not be in the best interests of a particular child because of reasons relating to their physical or mental health, LAs should provide part-time education on a basis they consider to be in the child's best interests. Full and part-time education should still aim to achieve good academic attainment particularly in English, Maths and Science.

## 3. Responsibilities of the school

The LA and/or the provider delivering the education should consult parents before teaching begins. Parents have an important role to play, whether their child is at home or in hospital. Parents and carers can provide useful information that can inform the teaching approach. In the case of a looked after child, the LA is responsible for safeguarding the child's welfare and education. Both the LA and primary carers (foster carers or residential social workers) would fulfil the parental role here and should be engaged. Children should also be involved in decisions from the start, with the ways in which they are engaged reflecting their age and maturity. This will help ensure that the right provision is offered and encourage the child's commitment to it

In all cases, effective collaboration between all relevant services (LAs, CAMHS, NHS, schools and, where relevant, school nurses) is essential to delivering effective education for children with additional health needs. Service level agreements and/or multi-agency forums may aid this process. This applies whether the child is in hospital or at home. When a child is in hospital, liaison between hospital teaching staff, the LA's alternative provision/home tuition service and the child's school can ensure continuity of provision and consistency of curriculum. It can ensure that the school can make information available about the curriculum and work the child may miss, helping the child to keep up, rather than having to catch up.

Local authorities should be aware that under the Education (Pupil Registration) England Regulations 20068 , a school can only remove a pupil who is unable to attend school because of additional health needs where: 8

Regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 sets out the circumstances in 10 a) the pupil has been certified by the school medical officer as unlikely to be in a fit state of health to attend school, before ceasing to be of compulsory school age, and; b) neither the pupil nor their parent has indicated to the school the intention to continue to attend the school, after ceasing to be of compulsory school age. 23. A child unable to attend school because of health needs must not, therefore, be removed from the school register without parental consent and certification from the school medical officer, even if the LA has become responsible for the child's education. Continuity is important for children and knowing that they can return to their familiar surroundings and school friends can help their recovery and their educational progress.

### 3.1 If the school makes arrangements

Initially, the school will attempt to make arrangements to deliver suitable education for children with health needs who cannot attend school.

The Headteacher and SENco will make arrangements as appropriate with parents. This will be a bespoke plan according to need. Reintegration will also be made according to the needs of the pupil. This may include home learning and a part time timetable as well as visits to the home from teaching staff. Online communication with school can be facilitated throughout and during reintegration .

### 3.2 If the local authority makes arrangements

If the school can't make suitable arrangements, NYCC will become responsible for arranging suitable education for these pupils.

In cases where the local authority makes arrangements, the school will:

- › Work constructively with the local authority, providers, relevant agencies and parents to ensure the best outcomes for the pupil
- › Share information with the local authority and relevant health services as required
- › Help make sure that the provision offered to the pupil is as effective as possible and that the child can be reintegrated back into school successfully
- › When reintegration is anticipated, work with the local authority to:
  - Plan for consistent provision during and after the period of education outside the school, allowing the pupil to access the same curriculum and materials that they would have used in school as far as possible
  - Enable the pupil to stay in touch with school life (e.g. through newsletters, emails, invitations to school events or internet links to lessons from their school)
  - Create individually tailored reintegration plans for each child returning to school
  - Consider whether any reasonable adjustments need to be made

## 4. Monitoring arrangements

This policy will be reviewed annually by the Headteacher. At every review, it will be approved by the full governing board.

## 5. Links to other policies

This policy links to the following policies:

- › Accessibility plan
- › Supporting pupils with medical conditions