



# Children with health needs who cannot attend school

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## EBN Trust

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## **Statement of intent**

EBN Academy Trust aims to support the LA and ensure that all children who are unable to attend the academy due to medical needs, and who would not receive suitable education without such provision, continue to have access to as much education as their medical condition allows, to enable them to reach their full potential.

Due to the nature of their health needs, some children may be admitted to hospital or placed in alternative forms of education provision. We recognise that, whenever possible, pupils should receive their education within their school and the aim of the provision will be to reintegrate pupils back into the school as soon as they are well enough.

We understand that we have a continuing role in a pupil's education whilst they are not attending the academy and will work with the LA, healthcare partners and families to ensure that all children with medical needs receive the right level of support to enable them to maintain links with their education.

## **1. Legal framework**

- 1.1. This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

Education Act 1996

Equality Act 2010

Data Protection Act 2018

DfE (2013) 'Ensuring a good education for children who cannot attend school because of health needs'

DfE (2015) 'Supporting pupils at school with medical conditions'

- 1.2. This policy operates in conjunction with the following academy policies:

Alternative Provision Policy

Attendance and Punctuality Policy

Child Protection and Safeguarding Policy

Children Missing Education Policy

Confidentiality Policy

Data Protection Policy

Records Management Policy

Special Educational Needs and Disabilities (SEND) Policy

Supporting Pupils with Medical Conditions Policy

## **2. Context:**

It is important to note that the EBN Academy Trust has pupils commissioned to it from mainstream secondary schools. As the students remain dual-registered with the secondary school and EBN Academy is the subsidiary registered school, any decisions with respect to provision for students who have health needs which mean they cannot attend the academy must be made in consultation with the commissioning school and where required the Local Authority. The EBN Academy Trust will not make any decisions around this in isolation.

## **3. LA duties**

- 3.1. The LA must arrange suitable full-time education for children of compulsory school age who, because of illness, would not receive suitable education without such provision. The academy has a duty to support the LA in doing so.
- 3.2. The LA should:
- Provide such education as soon as it is clear that a pupil will be away from the academy for 15 days or more, whether consecutive or cumulative. They should liaise with the appropriate medical professionals to ensure minimal delay in arranging appropriate provision for the pupil.
  - Ensure the education pupils receive is of good quality, allows them to take appropriate qualifications, prevents them from falling behind their peers in the academy, and allows them to reintegrate successfully back into the academy as soon as possible.
  - Address the needs of individual pupils in arranging provision.

- Have a named officer responsible for the education of children with additional health needs and ensure parents know who this is.
- Have a written, publicly accessible policy statement on their arrangements to comply with their legal duty towards children with additional health needs.
- Review the provision offered regularly to ensure that it continues to be appropriate for the child and that it is providing suitable education.
- Give clear policies on the provision of education for children and young people under and over compulsory school age.

3.3. The LA should not:

- Have processes or policies in place which prevent a child from getting the right type of provision and a good education.
  - Withhold or reduce the provision, or type of provision, for a child because of how much it will cost.
  - Have policies based upon the percentage of time a child is able to attend the academy rather than whether the child is receiving a suitable education during that attendance.
  - Have lists of health conditions which dictate whether or not they will arrange education for children or inflexible policies which result in children going without suitable full-time education (or as much education as their health condition allows them to participate in).

#### 4. Definitions

4.1. Children who are unable to attend the academy as a result of their medical needs may include those with:

- Physical health issues.
- Physical injuries.
- Mental health problems, including anxiety issues.
- Emotional difficulties or the academy refusal.
- Progressive conditions.
- Terminal illnesses.
- Chronic illnesses.

4.2. Children who are unable to attend mainstream education for health reasons may attend any of the following:

- **Hospital school:** a special school within a hospital setting where education is provided to give continuity whilst the child is receiving treatment.
- **Home tuition:** many LAs have home tuition services that act as a communication channel between schools and pupils on occasions where pupils are too ill to attend school and are receiving specialist medical treatment.
- **Medical PRUs:** these are LA establishments that provide education for children unable to attend their registered school due to their medical needs.

#### 5. Roles and responsibilities

5.1. The EBN Academy Board of Directors is responsible for:

- Ensuring arrangements for pupils who cannot attend the academy as a result of their medical needs are in place and are effectively implemented.
- Ensuring the termly review of the arrangements made for pupils who cannot attend the academy due to their medical needs.
- Ensuring the roles and responsibilities of those involved in the arrangements to support the needs of pupils are clear and understood by all.
- Ensuring robust systems are in place for dealing with health emergencies and critical incidents, for both on- and off-site activities.
- Ensuring staff with responsibility for supporting pupils with health needs are appropriately trained.
- Approving and reviewing this policy on an annual basis.

5.2. The Executive Head Teacher and Head Teacher of EBN 1 are responsible for:

- Working with the Board of Directors to ensure compliance with the relevant statutory duties when supporting pupils with health needs.
- Working collaboratively with commissioning schools, parents and other professionals to develop arrangements to meet the best interests of children.
- Ensuring the arrangements put in place to meet pupils' health needs are fully understood by all those involved and acted upon.
- Appointing a named member of staff who is responsible for pupils with healthcare needs and liaises with parents, pupils, the LA, key workers and others involved in the pupil's care.
- Ensuring the support put in place focusses on and meets the needs of individual pupils.
- Arranging appropriate training for staff with responsibility for supporting pupils with health needs.
- Providing teachers who support pupils with health needs with suitable information relating to a pupil's health condition and the possible effect the condition and/or medication taken has on the pupil.
- Providing annual reports to the Local Governing Board on the effectiveness of the arrangements in place to meet the health needs of pupils.
- Notifying the LA when a pupil is likely to be away from the academy for a significant period of time due to their health needs.

5.3. The named member of staff is the DEPUTY HEAD. They are responsible for:

- Dealing with pupils who are unable to attend the academy because of medical needs.
- Actively monitoring pupil progress and reintegration into the academy.
- Supplying pupils' education providers with information about the child's capabilities, progress and outcomes.
- Liaising with the Executive Head Teacher/ Head Teacher EBN1, education providers and parents to determine pupils' programmes of study whilst they are absent from the academy.

- Keeping pupils informed about the academy events and encouraging communication with their peers.
- Providing a link between pupils and their parents, and the LA.

5.4. Teachers and support staff are responsible for:

- Understanding confidentiality in respect of pupils' health needs.
- Designing lessons and activities in a way that allows those with health needs to participate fully and ensuring pupils are not excluded from activities that they wish to take part in without a clear evidence-based reason.
- Understanding their role in supporting pupils with health needs and ensuring they attend the required training.
- Ensuring they are aware of the needs of their pupils through the appropriate and lawful sharing of the individual pupil's health needs.
- Ensuring they are aware of the signs, symptoms and triggers of common life-threatening medical conditions and know what to do in an emergency.
- Keeping parents informed of how their child's health needs are affecting them whilst in the academy.

5.5. Parents are expected to:

- Ensure the regular and punctual attendance of their child at the academy where possible.
- Work in partnership with the academy to ensure the best possible outcomes for their child.
- Notify the academy of the reason for any of their child's absences without delay.
- Provide the academy with sufficient and up-to-date information about their child's medical needs.
- Attend meetings to discuss how support for their child should be planned.

## **6. Managing absences**

- 6.1. Parents are advised to contact the academy on the first day their child is unable to attend due to illness.
- 6.2. Absences due to illness will be authorised unless the academy has genuine cause for concern about the authenticity of the illness.
- 6.3. The Academy will provide support to pupils who are absent from the academy because of illness for a period of less than 15 school days by liaising with the pupil's parents to arrange schoolwork as soon as the pupil is able to cope with it or part-time education at the academy. The Academy will give due consideration to which aspects of the curriculum are prioritised in consultation with the pupil, their family and relevant members of staff. The Academy will update the commissioning school accordingly.
- 6.4. For periods of absence that are expected to last for 15 or more academy days, either in one absence or over the course of an academy year, the named person with responsibility for pupils with health needs will notify the commissioning school and

LA, who will take responsibility for the pupil and their education.

- 6.5. Where absences are anticipated or known in advance, the academy will liaise with the LA and commissioning school to enable education provision to be provided from the start of the pupil's absence.
- 6.6. For hospital admissions, the appointed named member of staff will liaise with the LA and commissioning school regarding the programme that should be followed while the pupil is in hospital.
- 6.7. The LA will set up a personal education plan (PEP) for the pupil which will allow the academy, the LA, the commissioning school and the provider of the pupil's education to work together.
- 6.8. The Academy will monitor pupil attendance and mark registers to ensure it is clear whether a pupil is, or should be, receiving education otherwise than at the academy.
- 6.9. The academy will only close the place of a pupil who is unable to attend the academy because of additional health needs where:
  - The pupil has been certified by an appropriately qualified health professional as unlikely to be in a fit state of health to attend the academy, before ceasing to be of compulsory school age.
  - Neither the pupil nor their parent has indicated to the academy the intention to continue to attend the academy, after ceasing to be of compulsory school age.
  - There is agreement between the EBN Academy and the commissioning school to close the place
- 6.10. A pupil unable to attend the academy because of their health needs will not have their place closed without agreement from the commissioning school, parental consent and certification from an appropriately qualified medical professional, even if the LA has become responsible for the pupil's education.

## **7. Support for pupils**

- 7.1. Where a pupil has a complex or long-term health issue, the academy will discuss the pupil's needs and how these may be best met with the commissioning school, LA, relevant medical professionals, parents and, where appropriate, the pupil.
- 7.2. The LA expects the academy to support pupils with health needs to attend full-time education wherever possible, or for the academy to make reasonable adjustments to pupils' programmes of study where medical evidence supports the need for those adjustments.
- 7.3. The academy will make reasonable adjustments under pupils' individual healthcare plans (IHCPs), in accordance with the Supporting Pupils with Medical Conditions Policy.
- 7.4. Pupils admitted to hospital will receive education as determined appropriate by the



medical professionals and hospital tuition team at the hospital concerned.

7.5. During a period of absence, the academy will work with the provider of the pupil's education to establish and maintain regular communication and effective outcomes.

7.6. Whilst a pupil is away from the academy, the academy will work with the LA to ensure the pupil can successfully remain in touch with the academy using the following methods:

Academy newsletters

Emails

Invitations to academy events

Cards or letters from peers and staff

7.7. Where appropriate, the academy will provide the pupil's education provider with relevant information, curriculum materials and resources.

7.8. To help ensure a pupil with additional health needs is able to attend the academy following an extended period of absence, the following adaptations will be considered:

A personalised or part-time timetable, drafted in consultation with the named staff member

Access to additional support in the academy

Online access to the curriculum from home

Movement of lessons to more accessible rooms

Places to rest at the academy

Special exam arrangements to manage anxiety or fatigue

## **8. Reintegration**

8.1. When a pupil is considered well enough to return to the academy, the Academy will develop a tailored reintegration plan in collaboration with the commissioning school and LA.

8.2. The Academy will work with the commissioning school and LA when reintegration into the academy is anticipated to plan for consistent provision during and after the period of education outside the academy.

8.3. As far as possible, the child will be able to access the curriculum and materials that they would have used in the academy.

8.4. If appropriate, the academy nurse will be involved in the development of the pupil's reintegration plan and informed of the timeline of the plan by the appointed named member of staff, to ensure they can prepare to offer any appropriate support to the pupil.

- 8.5. The Academy will consider whether any reasonable adjustments need to be made to provide suitable access to the academy and the curriculum for the pupil.
- 8.6. For longer absences, the reintegration plan will be developed near to the pupil's likely date of return, to avoid putting unnecessary pressure on an ill pupil or their parents in the early stages of their absence.
- 8.7. The Academy is aware that some pupils will need gradual reintegration over a long period of time and will always consult with the pupil, their parents and key staff about concerns, medical issues, timing and the preferred pace of return.
- 8.8. The reintegration plan will include:
  - The date for planned reintegration, once known.
  - Details of regular meetings to discuss reintegration.
  - Details of the named member of staff who has responsibility for the pupil.
  - Clearly stated responsibilities and the rights of all those involved.
  - Details of social contacts, including the involvement of peers and mentors during the transition period.
  - A programme of small goals leading up to reintegration.
  - Follow up procedures.
- 8.9. The Academy will ensure a welcoming environment is developed and encourage pupils and staff to be positive and proactive during the reintegration period.
- 8.10. Following reintegration, the Academy will support the commissioning school and LA in seeking feedback from the pupil regarding the effectiveness of the process.

## **9. Information sharing**

- 9.1. It is essential that all information about pupils with health needs is kept up-to-date.
- 9.2. To protect confidentiality, all information-sharing techniques, e.g. staff noticeboards, will be agreed with the pupil and their parent in advance of being used, in accordance with the Data Protection Policy and Records Management and Data retention policy.
- 9.3. All teachers, TAs, supply and support staff will be provided with access to relevant information, including high-risk health needs, first aiders and emergency procedures, via a noticeboard in the staffroom.
- 9.4. Parents will be made aware of their own rights and responsibilities regarding confidentiality and information sharing. To help achieve this, the Academy will:
  - Ensure this policy and other relevant policies are easily available and accessible.
  - Provide the pupil and their parents with a copy of the policy on information sharing.

- Ask parents to sign a consent form which clearly details the organisations and individuals that their child's health information will be shared with and which methods of sharing will be used.
  - Consider how friendship groups and peers may be able to assist pupils with health needs.
- 9.5. When a pupil is discharged from hospital or is returning from other education provision, the Academy will ensure the appropriate information is received to allow for a smooth return to the Academy. The named member of staff will liaise with the hospital or other tuition service as appropriate.

## **10. Record keeping**

- 10.1. In accordance with the Supporting Pupils with Medical Conditions Policy, written records will be kept of all medicines administered to pupils
- 10.2. Proper record keeping protects both staff and pupils and provides evidence that agreed procedures have been followed.
- 10.3. All records will be maintained in line with the Records Management and Data retention policy.

## **11. Training**

- 11.1. Staff will be trained in a timely manner to assist with a pupil's return to the academy.
- 11.2. Once a pupil's return date has been confirmed, staff will be provided with relevant training one week before the pupil's anticipated return.
- 11.3. Healthcare professionals should be involved in identifying and agreeing with the academy the type and level of training required.
- 11.4. Training will be sufficient to ensure staff are confident in their ability to support pupils with additional health needs.
- 11.5. Parents of pupils with additional health needs may provide specific advice but will not be the sole trainer of staff.

## **12. Examinations and assessments**

- 12.1. The named member of staff will liaise with the alternative provision provider over planning and examination course requirements where appropriate.
- 12.2. Relevant assessment information will be provided to the alternative provision provider if required.
- 12.3. Awarding bodies may make special arrangements for pupils with permanent or long-term disabilities and learning difficulties, or temporary disabilities and illnesses. Applications for such arrangements will be submitted by the Academy, or LA if more appropriate, as early as possible.

## **13. Monitoring and review**

- 13.1. This policy will be reviewed by the Health and Safety Committee on an annual basis.
- 13.2. Any changes to the policy will be clearly communicated to all members of staff involved in supporting pupils with additional health needs, and to parents and pupils themselves.
- 13.3. The next scheduled review date for this policy is October 2022.