

South Bank Academies

Policy for students who cannot attend school because of their health needs

Education for Children who cannot attend school because of their health needs. Every Local Authority has a duty set out in Section 19 of the Education Act 1996 and in the statutory guidance 'Ensuring a good education for Children who cannot attend school because of health needs' (DfE, 2013). <https://www.gov.uk/government/publications/education-for-studentren-with-health-needs-who-cannot-attend-school>

The Equality Act 2010 (<http://www.legislation.gov.uk/ukpga/2010/15/contents>) is also an important part of the legal framework around children and young people with significant medical needs. Local Authorities must arrange suitable full-time education (or part-time when appropriate for the student's needs) for children of compulsory school age who, because of illness, would not receive suitable education without such provision.

This duty applies to all children and young people who would normally attend mainstream schools, including Academies, Free Schools, independent schools and special schools, or where a child is not on the roll of a school. It applies equally whether a child cannot attend school at all or can only attend intermittently. 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 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 student because of reasons relating to their physical or mental health, LA's should provide part-time education on a basis they consider to be in the student's best interests. Full and part-time education should still aim to achieve good academic attainment particularly in English, Maths and Science. The LA must not withhold or reduce the provision, or type of provision, for a student because of how much it will cost. South Bank Academies Trust ('the trust') is responsible for the safeguarding, attendance and outcomes of students South Bank University Academy and, if they are of compulsory school age, at South Bank University Sixth Form. The trust will work with the LA to secure appropriate provision in such cases, in dialogue with parents and carers. For South Bank University Academy, the relevant local authority is Southwark.

There will be a wide range of circumstances where a student has a health need but will receive suitable education that meets their needs without the intervention of the LA – for example where the student can still attend school with some support or where the school has made arrangements to deliver suitable education outside of school for the student. (See 'Supporting pupils at school with medical conditions', Statutory Guidance, (DfE; 2014)).

The local authority must provide a good quality of education. They will also ensure that schools are aware of their key role in supporting their pupils with additional health needs, so the student can be reintegrated back to school when appropriate. Schools will be encouraged to maintain their links

with parents/carers who also have a vital role to play e.g. keeping in touch through school newsletters, emails, invites to school events etc.

Arrangements will be made for students to sit public examinations, at an appropriate level, if the LA feels this is in the student's best interest. Appropriate access arrangements will be organised in agreement with the host school. The education of children with life limiting and terminal illness must be provided for. The LA will continue to provide education for as long as the pupil's parents and the medical staff wish it. If the pupil and parents wish to withdraw from education their wishes will be respected if the decision is supported by medical advice.

Any educational provision for a student with additional health needs will be discussed with parents/carers first. Parents/carers have a key role to play in their child's education and can provide helpful information to ensure that the teaching approach is successful. In the case of a looked after child, local authority representatives and primary carers would fulfil this role. Children will also be involved in decisions, their engagement dependent on their age and maturity. This supports the LA service and the school in providing the right educational provision with which the student is able to engage.

Policy approved by: South Bank Academies trust board

Date of last review: January 2025

Date of next review: January 2026