

Royal Borough of Windsor & Maidenhead Children with Medical Needs Protocol Inclusion Service

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Aims of Policy

This document outlines the policy and procedures for schools and RBWM designed to meet the educational needs of children and young people of statutory school age who are absent from school through medical needs.

The statutory guidance sets out arrangements under this duty when it is clear that a child will be away from school for **15 days** or more because of ongoing health needs whether consecutive or cumulative across the school year.

<https://www.gov.uk/government/publications/supporting-pupils-at-school-with-medical-conditions--3>

The DfE departmental advice, 'Mental health and behaviour in schools', March 2016 clarifies the responsibilities of the school, outlining what they can do and how to support a child or young person whose behaviour may relate to an unmet mental health need.

<https://www.gov.uk/government/publications/mental-health-and-behaviour-in-schools--2>

TECHNICAL GUIDANCE - Reasonable Adjustments for Disabled Pupils: Guidance for Schools in England

The reasonable adjustments duty is owed to disabled pupils, as defined in the Equality Act 2010.

The Act says that a pupil has a disability if he or she has a physical or mental impairment that has a long-term and substantial adverse effect on his or her ability to carry out normal day-to-day activities. Physical or mental impairment includes sensory impairments such as those affecting sight or hearing.

The guidance states: *The duty to make reasonable adjustments requires a school to take positive steps to ensure that disabled pupils can fully participate in the education provided by the school, and that they can enjoy the other benefits, facilities and services that the school provides for pupils.*

Many reasonable adjustments are inexpensive and will often involve a change in practice rather than the provision of expensive pieces of equipment or additional staff.

The Statutory Framework

The Children and Families Act 2014 places a duty on the governing bodies of all Maintained schools, Academies, Alternative Provision Academy and Pupil referral Units to make arrangements to support pupils with medical conditions. Section 19 of the Education Act 1996 and section 3 of the Children, Schools and Families Act 2010, place local authorities under a duty to arrange full-

time education for all children who, for reasons which relate to illness, exclusion or otherwise, would not receive suitable education unless arrangements are made for them.

The Local Authority is clear that;

- Continuing quality assurance is a vital part of the Authority's role and position as advocate of the vulnerable child.
- The quality of the educational offer in terms of curriculum, hours, context and aspiration will all be part of the assessment made by the Authority in judging whether an appropriate offer is being made.

Principles

- Young people should attend school wherever possible – school attendance can significantly improve the wellbeing of a young person
- Good planning between professionals enables young people to participate in education, and return to school wherever possible
- Schools should make every reasonable adjustment to enable a young person to be in school
- Pupil at school with medical conditions should be properly supported so that they have full access to education, including school trips and physical education.
- Governing bodies and academy trusts must ensure that arrangements are in place in schools to support pupils at school with medical conditions.
- Governing bodies and academy trusts should ensure that school leaders consult health and social care professionals, pupils and parents to ensure that the needs of children with medical conditions are properly understood and effectively supported

Education provision for pupils who are physically ill, injured or who have clinically defined mental health problems is the responsibility of all schools and education services. Where the student presents with a complex pattern of need it is important that a coordinated multi agency approach is taken.

Schools should:

- Have a medical needs policy. An example can be found at:
<file:///U:/%23Pupils%20with%20Medical%20conditions%202020/Medical-Conditions-Policy.pdf>

Local authorities must:

- **Arrange** suitable full-time education (or as much education as the child's health condition allows) for children of compulsory school age who, because of illness, would otherwise not receive suitable education.

Local authorities should:

- Provide such education as soon as it is clear that the child will be away from school for 15 days or more, whether consecutive or cumulative through illness. They should liaise with

appropriate medical professionals to ensure minimal delay in arranging appropriate provision for the child.

- Ensure that the education children receive is of good quality, as defined in the statutory guidance *Alternative Provision (2013)*, allows them to take appropriate qualifications, prevents them from slipping behind their peers in school and enables them to reintegrate successfully back into school as soon as possible.
- Address the needs of individual children, in arranging provision.

In RBWM, specific provision over and above that expected to be provided from schools is provided by our Specialist Teacher, or RISE Alternative Provision if the pupil is not on a school roll.

The following conditions must be met:

1. Pupils with illness that results in 15 days or more of absence, whether consecutive or cumulative, but are still well enough to access education.
2. Medical evidence signed by a recognised medical consultant or CAMHS professional.

Process

Step 1

Parent informs school of the diagnosis or awaiting following 15 days of school absence. Senior member of school staff coordinates meeting in school to discuss potential support required. This should include key school staff, child/parents, relevant healthcare professionals, medical clinicians.

If a reduced timetable or additional support outside of school is required go to Step 2, otherwise complete an **Individual Health & Education Plan**.

Step 2

If the needs are significant and enduring and support outside of the school's remit is requested, a referral is made using the Early Help Assessment Form and sent to the Early Help Hub, and a letter from the hospital or CAMHS consultant **MUST** be included.

Step 3

The Early Help Hub* will agree the service(s) that are best able to support the young person and information will be passed to the appropriate services. If appropriate, the Specialist Teacher will visit the home to assess the need for more specialist education input.

Step 4

The school will be informed of the outcomes of the Early Help Assessment and will be invited to arrange a meeting in order to agree an Early Help Plan and/or a **joint Individual Health & Education Plan** to support the young person and ensure there is a coordinated multi agency approach, in liaison with the Specialist Teacher.

Step 5

Where the student presents with a complex pattern of need and the medical diagnosis, treatment and period of absence may be unclear, and where there is medical evidence provided by CAMHS or a hospital consultant, alternative provision may be considered at the Resource Panel.

Any education provision coordinated by the Specialist Teacher or RISE, can only be agreed when there is:

- A clear and agreed time limit for support.
- Continued and regular input from health care provision.

Funding is shared between the home school and the funds available for Alternative Education Provision and pupils will remain on roll of their school during any period of alternative provision being offered.

*Requests will be discussed at the weekly Early Help Hub and the outcome will be shared with the family and school within a week.

RBWM recognises that, whenever possible, pupils will receive their education within their own school and the aim of the provision will be to reintegrate pupils back into their school at the earliest opportunity and as soon as they are well enough. Arrangements for reintegration will form an essential part of an Individual Placement Agreement and Early Help Plan (EHP).

For children who are residents of RBWM or in the care of RBWM and not in hospital, referrals must be made using the Early Help Assessment Form and sent to the Early Help Hub. If the needs are significant and enduring and support outside of the school's remit is requested, a letter from the hospital or CAMHS consultant **MUST** be included to enable a joint Individual Health & Education Plan to be put in place.

Commencement of provision

For non-hospitalised students who are resident of RBWM and are of statutory school age, provision and tuition for any Alternative Provision (AP) can only commence when an Early Help Plan, stating that AP is the appropriate form of education, is agreed and completed.

In accordance with statutory guidance January 2013¹, it is recognised that the home school/college has a central role in ensuring continuity in a student's education.

The home school/college remain responsible for:

- Providing a key worker who will coordinate the Early Help Plan and monitor the student's progress.
- Convening any subsequent planning and review meetings.
- Convening and planning any annual review meetings for students with statements of special educational needs/ EHCPs.
- Requesting statutory assessment for students should that be an appropriate course of action.
- Communicating Information to all agencies involved.
- Ensuring termly work plans and schemes of work are available in all subjects which the student would normally be studying.
- The loan of any appropriate resources relating to the student's education.
- Examination entry fees and arrangements, including the application for any exam concessions and commissioning any required testing.
- Making arrangements for any national assessment procedures.
- Assessment of coursework for accreditation.
- Provision of Information, Advice and Guidance as appropriate for the student.
- Communicating any changes or alterations of the appropriate support plan to all agencies.
- Implementation of the reintegration plan.

Tuition provided or organised by the Specialist Teacher or Alternative Provision should never be viewed as a long term alternative to mainstream educational provision

Nature of Provision

The precise nature of provision will be determined at the initial multi agency meeting and in subsequent assessment(s)/work carried out by the Specialist Teacher who works for RBWM Achieving for Children. This will be recorded in the Early Help Plan and/or joint Individual Health & Education Plan Provision. It will be reviewed at all subsequent review meetings and should include:

- Education support based on the student's health needs which will be reviewed regularly and adjusted as the student's health situation changes.

¹ Ensuring a good education for children who cannot attend because of health needs. Statutory guidance for local authorities January 2013

- An appropriate person to act as the Key Worker who will be aware of and sensitive to the medical needs of the student.

Case Reviews

Regularity of case reviews will be specified in the EH Plan, the minimum review period being six weekly. Reviews must include the lead professionals from all services providing support to the student.

Cessation of Provision

Alternative Provision will cease when:

- The student is well enough to attend school.
- The outcome of a review is that the student is returning to school and their educational needs are being met.
- The student is too ill to access the provision set up by the Specialist Teacher or RISE Alternative Provision, in which case the final review meeting will agree an appropriate course of action.
- The young person fails to engage with or access the provision in which case the final review meeting will agree an appropriate course of action.
- Other provision is agreed at a review meeting.
- The student leaves school.

If a student fails to attend or make themselves available for tuition for 3 consecutive sessions without an appropriate medical certificate or other valid reason, AfC will take action in line with the service Attendance Policy. Continued non-attendance may lead to withdrawal of the provision.

If a student ceases to follow a therapeutic programme recommended or provided by any other agency as part of rehabilitation or reintegration package, provision may be withdrawn following planned review meetings.

Contact details

For advice, information or to contact the named officer responsible for supporting schools with arranging the education of children with additional health please contact:

eduwelfare@achievingforchildren.org.uk

Related documents

DfE Supporting Pupils at School with Medical Conditions 2015

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/803956/supporting-pupils-at-school-with-medical-conditions.pdf

DfE statutory guidance for local authorities “Ensuring a good education for children who cannot attend because of health needs” January 2013

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/269469/health_needs_guidance_-_revised_may_2013_final.pdf

DfE statutory guidance for governing bodies of maintained schools and proprietors of academies in England “Supporting pupils at school with medical conditions” September 2014

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/803956/supporting-pupils-at-school-with-medical-conditions.pdf

DfE Ensuring a good education for children who cannot attend because of health needs May 2013

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/269469/health_needs_guidance_-_revised_may_2013_final.pdf

DfE statutory guidance for local authorities: Alternative Provision” January 2013

<https://www.gov.uk/government/publications/alternative-provision>

DfE Mental health and behaviour in schools November 2018

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/755135/Mental_health_and_behaviour_in_schools_.pdf

Nasen: Children with medical Needs mini guide

<https://nasen.org.uk/uploads/assets/f7bff687-5e79-4c89-a0e5c7b6cfa847a4/children-with-medical-needs-miniguide.pdf>

Ofsted “Pupils Missing out on Education” November 2013