



# **Policy for Supporting the Education of Children with Medical Needs**

**October 2023**

**The named local authority officer responsible for this policy is Sophie Maltby,  
Principal Education Officer – Education**

## **Key points and summary**

Every year, for some children and young people, their educational progress is at risk by significant ill health/medical issues. Leicester City Council believes that all children and young people should be supported, through such illness, and that any risk of a negative impact on their education should be minimised through high quality alternative education provision. We believe that equality of education involves all pupils engaged in a full range of learning experiences and opportunities that appropriately challenge them. All pupils, regardless of their physical and mental state of health, are entitled to access a broad and balanced curriculum. Our aim is to ensure continuity in the child's or young person's education by establishing close and effective liaison with the home, the school and all other parties involved in the pupil's education and care.

This policy aims to:

- Give guidance around responsibilities
- Ensure learners are valued and taught appropriately
- Ensure minimal disruption to learning for pupils involved
- Ensure the delivery of an effective education
- Support the successful reintegration of pupils into mainstream provision at the earliest opportunity

There is a shared responsibility between the local authority, schools and partner agencies to successfully implement this policy. It is centred on high quality integrated service provision in order to promote better outcomes for potentially vulnerable children and young people.

## **The statutory framework - Schools**

On 1 September 2014 a duty came into force for governing bodies to make arrangements to support pupils at school with medical conditions. The aim is to ensure that all children with medical conditions, in terms of both physical and mental health, are properly supported in school so that they can play a full and active role in school life, remain healthy and achieve their academic potential. Statutory guidance for schools in relation to these issues is contained within 'Supporting pupils at school with medical conditions: Statutory guidance for governing bodies of maintained schools and proprietors of academies in England' (December 2015). The guidance includes the following:

- Some children with medical conditions may be considered to be disabled under the definition set out in the Equality Act 2010. Some may also have special educational needs (SEN) and may have a statement, or Education, Health and Care (EHC) plan which brings together health and social care needs, as well as their special educational provision.
- Governing bodies should ensure that schools develop a policy for supporting pupils with medical conditions that is reviewed regularly and is readily accessible to parents and school staff.
- Governing bodies should ensure that the school's policy sets out the procedures to be followed whenever a school is notified that a pupil has a medical condition.

- Governing bodies should ensure that the school's policy covers the role of individual healthcare plans, and who is responsible for their development, in supporting pupils at school with medical conditions.
- Governing bodies should ensure that the school's policy sets out clearly how staff will be supported in carrying out their role to support pupils with medical conditions, and how this will be reviewed.

This policy sets out the expectation that all schools will usually be responsible for providing tuition to children on roll who are too ill to attend school where it is appropriate for them to do so; exceptions are:

- children referred to the Children's Hospital School who meet their criteria,
- children for whom there is a significant reason why the school cannot provide tuition, or where it would not be appropriate for them to do so (for example, where contact with the school is exacerbating a significant condition).

### **The statutory framework – local authorities**

Where a child cannot attend school because of health problems, and would not otherwise receive a suitable full-time education, the local authority where the child resides is responsible for arranging provision. Local authorities are required to provide such education as soon as it is clear that the child will be away from school for *15 days or more*, consecutive or cumulative.

Leicester City Council believes that all children and young people are entitled to a high quality education and is committed to ensuring that the needs of the most vulnerable groups of learners are met. Current statutory guidance for local authorities on supporting pupils with medical needs is provided in '*Ensuring a good education for children who cannot attend school because of health needs*' (January 2013). This guidance includes detailed advice to local authorities and related services and sets out 'minimum national standards for the education of pupils unable to attend school because of medical needs'. The roles of all parties, including those of the local authority and school, are outlined and require local authorities to publish a policy detailing standards, procedures and responsibilities for those pupils unable to attend school due to medical needs.

Local authorities have a duty to 'make arrangements for the provision of suitable full-time education for children of compulsory school age who, because of illness, would not receive suitable education without such provision'. Suitable education is defined as 'efficient education suitable to the age, ability, aptitude and to any special needs the child (or young person) may have'. Full-time education is defined as, 'the 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 provision is more concentrated. Where full-time education would not be appropriate due to issues around a child's health, local authorities should provide part-time education where professionals agree it would be in the child's best interests.

## Leicester City Provision for pupils with medical needs

It is expected that schools will be able to make arrangements for the majority of Leicester city children who are not well enough to attend school full-time by making individualised arrangements in line with the statutory guidance for schools. This could include, for example, online provision, tuition in the home (from school staff or suitable agency staff), support to attend school part-time in line with their health needs. All schools should have details of support in their policies on children with medical needs including arrangements for loan of IT devices.

In assessing a child or young person's education needs in relation to their ill-health, a range of professionals may be involved including SEND Support professionals Education Welfare Officers, Education Psychologists, Early Help family support professionals, School Nurses, colleagues from the voluntary sector (e.g., SENDIASS), GPs, CAMHS, hospital Consultants or other Senior Medical Professionals.

Whilst it will be usual for each child's school to provide access to education, there will also be children for whom individualised arrangements are required (i.e., where the school is unable to provide access to education) and these may include provision delivered by the Children's Hospital School (CHS) or, other arrangements made by the LA.

There will be a need for expectations to be proportionate in relation to engagement in education:

- there will be cases where children are not well enough to engage in any education due to their ill health and authorised absence (I code) will be appropriate.
- In some cases, children will be well enough to attend school part-time in line with medical advice and in these cases, this will be how they receive their education (i.e., without the need for additional education to be provided outside of school)

Where children are well enough to engage in some education otherwise than the above scenarios, the number of hours provided will usually be **five per week**. (In some cases, in line with the health of the child, less than five hours per week would be provided.)

Where the school is providing part-time and/or alternative provision, the school will submit details of the timetable via the city council's online form process. In all cases, the school remains responsible for safeguarding and quality assurance of education provided.

Children who meet the local authority's duty to provide education will usually fall within one of the following categories:

- those with an illness/diagnosis which indicates a minimum 15 day period at home because of illness
- those whose illness necessitates recurrent hospital admissions and subsequent home stays (for a minimum of 15 days)
- those who are unable to attend mainstream school (for a minimum of 15 days) due to mental health reasons, where early interventions and support have been provided by the school and where the referral is supported by lead medical professionals.
- those for whom therapeutic support or medical treatment will be needed in school but where this is not yet arranged e.g. where staff are waiting for specialised training which is mandatory before the child can safely attend school.

## Decision making process

1. Children's Hospital School - referrals that are made and accepted under the Children's Hospital School protocol
2. Home tuition provided by the local authority – referrals that are made and accepted under the Medical Education Panel process.

### 1. Children's Hospital School

Where there is a recommendation for provision to be made by the CHS, the referral process is set out on the CHS's website. NB For a referral to be made to the CHS, a recommendation from one of the following will apply:

- CAMHS Lead Professional (mental health cases)
- Consultant or
- Senior Medical Professional

Leicester City Council commissions the CHS to deliver a medical needs tuition service for the purpose of meeting part of its statutory responsibilities i.e., to provide education to a child or young person whose medical needs warrant their involvement.

Where the medical evidence demonstrates that a child meets the criteria, The CHS is commissioned to employ a small team of teachers/support staff for the purpose of educating pupils who are unable to attend school due to on-going medical issues.

The service will be provided for pupils as appropriate from one or more of the following:

- on site in the Willow Bank Day School, or
- by the Outreach team in the child's home, or
- in Leicester Royal Infirmary, or
- at The Beacon, Glenfield Hospital (inpatients in the CAMHS adolescent psychiatric unit) or
- Online learning

Pupils who meet the criteria for, and who are registered on the roll of the CHS remain on the roll of their referring home/host school (i.e., under a dual registration arrangement). The coding arrangements are as per the [DfE School Attendance Guidance](#). Any concerns regarding irregular attendance should be reported to the home school who remain responsible for monitoring the child's attendance with the CHS. Agreement should be made regarding who should request medical evidence (where appropriate). The aim will be for the child to return to their main school when it is appropriate for them to do so.

**In all cases**, where evidence confirms that a child's medical needs warrant education provision out of school, provision will continue until the child has recovered sufficiently to return to his/her home school. At this point, procedures to ensure smooth reintegration are implemented. NB if the LA deems the child's needs can be met in mainstream school (following EHCP application or not) then CHS will move to discharge a child back to their school.

## **2. Home Tuition by the LA - referrals that are made and accepted under the Medical Education Panel process.**

Requests for support will normally be made via the Medical Education Panel (MEP) referral form and will be submitted by a **suitably qualified professional**. This category includes children who have been referred to the CHS but for whom the referral has been declined due to capacity or, due to the threshold for CHS not being met.

Medical evidence will be available for referrals that are accepted under this category. An **MEP** will be held to determine the appropriate course of action in respect of tuition and also, the wider support needs of each child. The purpose of this will be to ensure that each child is receiving the support they need to support their recovery and to enable them to return to school as soon as possible.

Parents may make requests for provision directly to the Council. In all cases, for children on a school roll, where the request comes from someone other than a member of staff at the child's school, the case will be discussed with the school. The case may be resolved at this point with arrangements for the child's education being clarified and confirmed.

Where a request comes from the parent, where it is considered to be appropriate to discuss the child's case at an MEP, the parent's consent will be requested. Without this, the case will not be included on an MEP agenda, and it is unlikely that the request will be agreed. Where the parent does consent, discussion will include consideration of any medical evidence including information that the parent has shared.

Coordination of the MEP is undertaken by SEND Early Help and Education. The MEPs are typically held on a Wednesday afternoon every 4 weeks during term time and the meetings are online.

NB There may be cases where the evidence presented at referral stage is deemed to be sufficient for tuition to start prior to the MEP, with the multi-agency discussion and any further support required being considered at a subsequent MEP. Information from the parent/s and child (where available) will be a key consideration for the panel and will be shared by the service who are best placed to do so.

The MEP will be chaired by a manager from the Education Welfare Service or other core panel member. The MEP will include:

- School (if child is on a school roll)
- Education Psychologist (City Early Intervention Psychology Support)
- Health – CAMHS
- SEND Support Services
- Special Education Service

Where already involved:

- Education Welfare Officer
- Family Support Officer
- Targeted Youth Support
- Other key professionals who are involved in supporting the child

Where there is no need to hold a MEP i.e., where the circumstances, evidence, therapeutic support and plans to return to school are clear, and provision can be arranged without a MEP, a MEP does not need to consider the child's case.

## **The responsibility of the child's main school**

Pupils remain on roll at their school with overall responsibility for their education retained by the school. Schools must not remove a pupil from the school roll, even during a long period of ill health, **unless** an appropriately qualified medical professional certifies that s/he will be unlikely to be well enough to attend their mainstream school before ceasing to be of compulsory school age; pupils remain on roll unless another permanent arrangement is agreed and put in place through an Education Health Care Plan or otherwise.

This policy should be read in conjunction with Leicester City schools' individual policies. All schools should have a written policy and procedures for meeting the educational needs of pupils with medical needs, reviewed annually and used as a tool for improving provision. This should include information on:

- Management structures and staff responsibilities.
- How attendance will be monitored and recorded – leading to the identification of pupils in need of potential local authority intervention.
- How they will make provision to support pupils with medical needs.
- How issues related to pupils with special educational needs will be taken into account.
- How the needs of each pupil will be kept under review and the appropriateness of provision monitored.
- Procedures to reintegrate pupils smoothly after a period of illness.
- How the school's procedures will take account of pupils' view.
- Ensuring a child is accessing the education made available by the local authority and actions to be taken if they are not

Schools must also take account of the latest Ofsted School Inspection Handbook for inspecting schools in England under section 5 of the Education Act 2005, particularly with regards to:

- Children who are offsite on the day of an inspection
- The expectations of School Leadership relating to children who receive relevant offsite provision i.e., who fall under this Policy

For the duration of the arrangement, it may be necessary for the school to loan the child a suitable device and the means with which to access the internet if the family does not have access.

## **School Medical Policy**

Schools are advised to have a short section in their medical policy that refers to this policy. A standard paragraph is available to schools from the local authority.

## **Children not on a school roll**

Children who are not on a school roll are subject to the policy. Where their circumstances mean that there is a delay in the usual admissions process, their cases should be referred to the MEP for consideration and agreement reached about any arrangements that will be made for them to receive education. (Funding for children not on school rolls comes from the high needs block.)

Children resident outside of Leicester City fall under the relevant local authority's policy. for children resident in Leicestershire contact [inclusionpupilsupport@leics.gov.uk](mailto:inclusionpupilsupport@leics.gov.uk) or 0116 305 2071.

## **Children who may fall under the S19 duty for non-medical reasons**

The local authority is under a duty to make arrangements for the provision of suitable education for those children of compulsory school who by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them. The above policy is only intended to cover those children who may not receive a suitable education by reason of illness. If a parent or professional feels a child may not receive suitable education in any other circumstances, you are advised to contact the Education Welfare Service to discuss the case.

## **Contacting the Education Welfare Service**

If you have any questions about this policy, you can contact the Education Welfare Service by emailing [education-welfare@leicester.gov.uk](mailto:education-welfare@leicester.gov.uk).

## **Acronyms**

<b>Acronym</b>	<b>Meaning</b>
CAMHS	Child and Adult Mental Health Service
CCG	Clinical Commissioning Group
CHS	Children's Hospital School
EHCP	Education Health and Care Plan
GP	General Practitioner
LA	Local Authority
MEP	Medical Education Panel
SEN	Special Educational Needs
SENCO	Special Educational Needs Coordinator
SENDIASS	Special Educational Needs and Disabilities Information Advice and Support Services
UPN	Unique Pupil Number