



ERASMUS DARWIN ACADEMY

Policy Title:	Children With Health Needs who Cannot Attend School
Policy Reference:	
Version:	1.0
Member of Staff Responsible:	Headteacher / Attendance Lead
Status:	Non-Statutory
Date adopted by Governing Body	October 2026
Date for review:	October 2027
Date reviewed:	

Change Record

Version:	Date	Description
1.0	9/10/2026	Initial version (New Policy)

The School promotes the safeguarding and welfare of children in its care; all policies support the School's Safeguarding and Child Protection Policy.

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/carers understand what our school is responsible for when education is being provided by the local authority (LA)

2. Legislation and guidance

This policy is based on the following legislation:

- The Education Act 1996
- The Education (Pupil Registration) (England) Regulations 2006
- The Children and Families Act 2014 (including the duty relating to pupils with medical conditions)
- The Equality Act 2010

It is also based on the following statutory guidance from the Department for Education (DfE):

- Alternative provision
- Education for children with health needs who cannot attend school

3. Responsibilities of the school

Where possible, the School will manage a pupil's health-related attendance difficulties so that the pupil continues to receive suitable education and remains connected to school. The School will consider reasonable adjustments, the pupil's health and capacity to learn, the views of the pupil and parents/carers, and advice from relevant professionals. The School will not remove a pupil from its roll because the pupil is unable to attend school for health reasons. Attendance will be recorded in accordance with the statutory attendance framework and the School's Attendance Policy.

3.1 If our school makes the arrangements

The Headteacher, or a delegated Senior Leader/Attendance Lead, will coordinate the School's response. The SENCO will be involved where the pupil has or may have special educational needs, an EHCP, or requires support through the SEND graduated approach.

The School will work with the pupil, parents/carers and relevant professionals to determine what suitable education and support can reasonably be provided. Depending on the pupil's circumstances, this may include:

- Reasonable adjustments to the school day, timetable, environment, curriculum or assessment
- Adapted work and resources, including use of the School's usual learning platforms where appropriate
- Learning matched to the pupil's health and capacity during periods of acute illness
- Regular contact with the pupil and family, including safe-and-well contact where appropriate

- Liaison with health professionals, the school nurse, SEND services, social care and other relevant agencies
- Support for examinations and assessment arrangements, including reasonable adjustments where appropriate; and arrangements to maintain the pupil's connection with school and peers.
- Where appropriate, pupils may access support through the Academy's Engagement Hub as part of an agreed reintegration plan to support a successful return to full-time education.

The School will listen to the pupil's views and take account of age, maturity, wishes and health needs. Parents/carers will be kept informed and involved in planning and reviewing support. The School will review its arrangements regularly.

Where it becomes clear that the School cannot provide suitable education because of the pupil's health needs, the School will make a Section 19 referral to Staffordshire County Council in accordance with the current local process. The School will not delay a referral solely to reach a particular absence threshold where it is already clear that suitable education cannot be provided by the School.

3.2 If the local authority makes the arrangements

If a pupil's health needs mean that the School is unable to provide suitable education, the School will, where appropriate, submit a Section 19 referral. Staffordshire Local Authority Education Welfare Services will determine whether its Section 19 duty applies and whether alternative provision should be arranged.

Where the Local Authority determines that Section 19 applies, education should be arranged as soon as possible in line with current statutory guidance. Where full-time education is not in the child's best interest for reasons relating to their physical or mental health, the Local Authority must arrange part-time education on whatever basis it considers to be in the child's best interests.

Section 19 of the Education Act 1996 places a duty on Local Authorities to arrange suitable education for children of compulsory school age who, by reason of illness, exclusion or otherwise, would not otherwise receive suitable education. For Staffordshire pupils, the Council's current local guidance states that a school can refer a pupil for Section 19 consideration where the pupil has 15 or more I-coded absences in the current school year; the absences do not have to be consecutive. This is a local referral criterion and does not itself create an automatic entitlement to alternative provision. Staffordshire County Council assesses the individual circumstances and decides whether the Section 19 criteria are met.

In making its assessment, Staffordshire County Council may consider the reason for absence and attendance codes; medical evidence and health-care information; information from parents/carers, the pupil, the School and relevant professionals; reasonable adjustments already made; the School's existing educational offer; arrangements for maintaining contact and the pupil's connection with school; and arrangements for reintegration. Where Section 19 is agreed and the School cannot provide suitable education, Staffordshire County Council may refer the case to its Alternative Provision Panel (APP) to consider appropriate short-term provision. The level and nature of provision are determined by the local authority following assessment and review. Staffordshire guidance states that provision is intended to be short-

term, normally no longer than a term, and should have an expected return date. Section 19 provision does not include support within the School classroom. Support that can appropriately be provided in School remains the School's responsibility.

Where the local authority arranges education because the Section 19 duty applies, education should be arranged as soon as possible. The School will cooperate with the local authority to avoid unnecessary delay and will have regard to the applicable DfE statutory guidance on when provision should begin. Where full-time education is not in the pupil's best interests because of their physical or mental health, the local authority may arrange part-time education on the basis it considers to be in the pupil's best interests.

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

- Maintain the pupil's place on the School roll while the pupil remains registered at the school
- Provide to the local authority, at agreed intervals, the full name and address of any pupils of compulsory school age who are not attending school regularly due to their health needs
- Work constructively with the local authority, providers, relevant agencies and parents/carers to ensure the best outcomes for the child
- Collaborate with the local authority to ensure continuity of provision and consistency of curriculum, including making information available about the curriculum
- Along with the local authority, regularly review the provision offered to ensure it continues to be appropriate for the child and that it is providing suitable education
- Share information with the local authority and relevant health services as required
- When a child has complex or long-term health issues, work with the local authority, parents/carers and the relevant health services to decide how best to meet the child's needs (e.g. through individual support, arranging alternative provision or by them remaining at school, being supported at home and back into school after each absence)
- Where possible, allow the child to take examinations at the same time as their peers, and work with the local authority to support this
- Where the pupil has an EHCP, work with the relevant SEND professionals so that statutory SEND provision and Section 19 arrangements are appropriately coordinated;
- maintain appropriate contact with the pupil and family without placing unnecessary pressure on a pupil who is unwell
- Help make sure 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 child to access the same curriculum and materials that they would have used in school as far as possible, including through digital resources
- Enable the child to stay in touch with school life (e.g. through newsletters, emails, digital learning platforms, social media platforms, invitations to school events or internet links to lessons from their school), and, where appropriate, through educational visits
- Create individually tailored reintegration plans for each child returning to school, which includes extra support to fill any gaps arising from the absence
- Consider whether any reasonable adjustments need to be made

4. Monitoring arrangements

This policy will be reviewed annually by a relevant member of the Senior Leadership Team. 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
- SEND / Special Educational Needs Policy
- Supporting Pupils with Medical Conditions Policy
- Attendance Policy
- Equality Information and Objectives / Equality Policy
- Safeguarding Policy

Staffordshire County Council reference

The School will refer to Staffordshire County Council's Education Welfare Policies page for the latest local version of the Section 19 and Reintegration Guidance for Schools and Academies. The Council's page currently lists the September 2026 version.
<https://www.staffordshire.gov.uk/schools-and-learning/education-welfare/education-welfare-policies>