



**CHILDREN WITH HEALTH NEEDS WHO  
CANNOT ATTEND SCHOOL  
NOVEMBER 2025**

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## Contents

|                                                   |   |
|---------------------------------------------------|---|
| Contents.....                                     | 2 |
| Legislation & Statutory Framework .....           | 3 |
| Purpose .....                                     | 3 |
| Roles and Responsibilities .....                  | 3 |
| Identification, Evidence & Assessment .....       | 4 |
| Education Provision .....                         | 5 |
| Safeguarding.....                                 | 5 |
| Reintegration into School .....                   | 5 |
| Monitoring, Review and Governance Oversight ..... | 6 |
| Data Protection .....                             | 6 |
| Complaints .....                                  | 6 |

## Legislation & Statutory Framework

This policy reflects Spark Education Trust's statutory duties under:

- Education Act 1996, Section 19: duty to ensure pupils out of school because of illness receive suitable full-time education as soon as it is clear they will be absent for 15 school days or more (consecutive or cumulative).
- Equality Act 2010: requirement to prevent discrimination, remove barriers, and make reasonable adjustments for pupils with disabilities and long-term health needs.
- Children and Families Act 2014: duties relating to Special Educational Needs (SEN) and health care needs, including coordination with Health and Local Authority services.
- Statutory Guidance (DfE): Education for Children with Health Needs Who Cannot Attend School.
- Statutory Safeguarding Guidance:
  - Keeping Children Safe in Education (2025)
  - Working Together to Safeguard Children
- Data Protection Act 2018 and UK GDPR: regarding secure handling, storage, and sharing of medical information.

This policy is also aligned to the Ofsted Education Inspection Framework 2025, particularly relating to quality of education, inclusion, attendance, leadership & management, and safeguarding.

## Purpose

Spark Education Trust is committed to ensuring that every pupil who cannot attend school due to verified physical or mental health needs receives:

- Timely, suitable, and full-time education, unless medically inadvisable.
- Safe and appropriate provision, whether delivered by school, Local Authority, or hospital teaching services.
- Inclusive, high-quality curriculum access comparable to what they would receive in school.
- Effective safeguarding oversight, including welfare checks and contact arrangements.
- A planned, supported reintegration when the pupil is able to return.

## Roles and Responsibilities

### Trust Board

- Ensures this policy is compliant with statutory duties.
- Receives annual reports summarising numbers of medically absent pupils, provision, outcomes, timeliness, and compliance.

## Local Governance Committees

- Monitor implementation of this policy in their schools.
- Scrutinise attendance, reintegration, safeguarding, and provision data.

## Headteacher/Head of School

- Ensures that pupils with health needs are identified early.
- Ensures appropriate work, support, and safeguarding oversight from the first day of absence.
- Notifies the Local Authority as soon as it becomes clear that a pupil:
  - has been, or
  - is expected to be absent for 15 school days (consecutive or cumulative) due to health needs.
- Works with parents, health professionals, and the Local Authority to secure suitable provision without delay.
- Appoints a Named Lead for Pupils with Medical Needs (e.g. SENCo or Attendance Lead).
- Ensures reintegration plans are agreed, implemented, and reviewed.

## Local Authority

- Arranges suitable full-time education when a pupil is unable to attend school for 15+ days due to health needs, unless medical evidence states otherwise.
- Ensures provision is appropriate to the pupil's age, ability, SEN, and health condition.
- Works collaboratively with the school and parents.

## Parents/Carers

- Provide relevant medical evidence as requested.
- Engage with the school and LA regarding provision and reintegration.
- Support attendance for remote tuition, medical tuition, or reintegration programmes.

## Identification, Evidence & Assessment

Spark Education Trust will:

- Seek proportionate, appropriate medical evidence from qualified medical professionals (such as GP, consultant, CAMHS, paediatrician).
- Not delay provision unnecessarily if evidence is awaited but prolonged absence is likely.
- Accept a range of evidence (appointment letters, GP fit notes, medical summaries) where specialist reports are delayed.
- Review evidence regularly for long-term or fluctuating conditions.
- Use DfE-compliant attendance codes for medical absence.

## Education Provision

### Requirements

Provision arranged by the Trust school and or the Local Authority will be:

- Full-time (defined as equivalent to a child's usual school hours), unless a medical professional confirms that full-time education would be detrimental.
- Suitable for the pupil's age, ability, SEN, and curriculum needs.
- Flexible, especially for fluctuating or complex illnesses.
- Delivered promptly—normally beginning within 10 school days of the school identifying that the 15-day threshold will be met.

### Types of Provision

Depending on the pupil's needs, provision may include:

- School-led remote learning with teacher oversight.
- Local Authority medical tuition services.
- Hospital education services.
- Blended models combining the above.

### Curriculum Expectations

Provision should:

- Enable continued progress in core curriculum subjects.
- Align with the school's schemes of learning wherever possible.
- Include feedback, assessment, and access to online platforms used by the school.

## Safeguarding

All provision—remote, off-site, in-person, or hospital-based must follow Trust and school safeguarding policies, including:

- Named DSL oversight.
- Welfare checks at least weekly (or more frequently based on assessed need).
- Documentation of contact attempts and outcomes.
- Escalation procedures for non-engagement or concerns.
- Clear risk assessments for off-site tuition providers.

## Reintegration into School

When a pupil is ready to return:

- A multi-agency reintegration meeting will be held with parents, relevant medical professionals, school staff, and the Local Authority where involved.
- A personalised reintegration plan will outline:
  - Gradual increases in time (if medically required).
  - Reasonable adjustments under the Equality Act 2010.
  - Additional SEN support where appropriate.
  - Pastoral and wellbeing support.
- Part-time timetables may only be used where:
  - A medical professional confirms they are necessary, and
  - They are time-limited, reviewed at least every 2 weeks, and never used as a long-term solution.

## Monitoring, Review and Governance Oversight

Trust Schools will:

- Maintain an internal register of pupils unable to attend due to health needs.
- Track provision hours, engagement, outcomes, and safeguarding activity.
- Report termly to the Local Governance Committee and Trust Board on:
  - Number of pupils affected
  - Duration of absence
  - Type of provision
  - Timeliness of referrals
  - Safeguarding activity
  - Reintegration outcomes

The Trust will use this data to evaluate consistency and compliance across Spark Education Trust.

## Data Protection

- All medical information is confidential and handled according to UK GDPR, the Data Protection Act 2018, and Spark Education Trust's Data Protection Policy.
- Information is shared only when legally permitted and strictly on a need-to-know basis.

## Complaints

Complaints about provision for pupils with health needs will be handled under Spark Education Trust's Complaints Policy.

If concerns remain unresolved, parents may escalate to:

- The Local Authority, or
- The Department for Education (DfE).