

NORTH LINCOLNSHIRE COUNCIL

SCHOOLS FORUM

UPDATED GUIDANCE FOR ARRANGING EDUCATION FOR CHILDREN WHO CANNOT ATTEND SCHOOL BECAUSE OF HEALTH NEEDS

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To provide Schools Forum with an update on the work of the Tuition and Medical Needs Education Team, (TAMNET) its charging process and the updated guidance (December 2023) for arranging education for children who cannot attend school because of health needs.

2. BACKGROUND INFORMATION

- 2.1 This guidance relates to local authorities' statutory duties under section 19 of the Education Act 1996. The s.19(1) duty states that local authorities are responsible for arranging suitable and (normally) full-time education for children of compulsory school age who, because of exclusion, illness or other reasons, would not receive suitable education without such provision.

This means that where a child cannot attend school because of a physical or mental health need, and cannot access suitable full-time education, the local authority is responsible for arranging suitable alternative provision.

The legal duty applies to children of compulsory school age who would normally attend maintained schools, including:

- academies
- free schools
- special schools
- alternative provision
- independent schools

This guidance applies whether the child or young person is on a school roll or not.

All children, regardless of circumstance or setting, should expect to receive the same high standard of education.

- 2.2 The TAMNET service undertake the duties on behalf of the local authority for s.19(1) through a referral based approached from schools.

Children accessing TAMNET do so for a variety of reasons:

- Medical Health
- Mental Health
- Physical Health

Interventions can range from a short term arrangement to a long term arrangement which can be a year or more out of school and where there is evidence that the child is not able to access or transition back to school full time. Timetables for children under TAMNET support can also range from an hours session per week up to 15 hours. TAMNET is not Ofsted registered. TAMNET provides significant support children accessing exam timetables in order that they have the same opportunities to those children in full time school.

All children under TAMNET are subject to regular reviews.

At least half of the children currently accessing TAMNET have their education delivered in the family home due to their current health needs. Others have their resilience built up to access a classroom tuition. Most children access their own school curriculum.

- 2.3 Historically there has always been a longstanding funding transfer for this service and schools have always paid this charge at a significantly lower rate than if alternative provision through external providers had been agreed.

Where possible, schools should continue to provide education to children with health needs who can attend school without the need for external support.

- 2.4 The revised December 2023 guidance states:

“Alternative provision for children with medical needs is funded from local authorities’ high needs budgets. However, where a child remains on the roll of their home school but requires a period of time in alternative provision due to their health needs, the local authority and home school may wish to consider the transfer of a portion of the school’s funding associated with that child to the alternative provision. This would ensure that the funding follows the child. This arrangement would cease when the child is reintegrated back to their home school or are no longer on the roll of the home school.”

- 2.5 The high needs budget funds salaries for a small dedicated team of qualified teaching and non-teaching staff within the TAMNET service.

Additionally, whilst the TAMNET charge to schools remains at a low cost, the income generated from such charges supports for example:

- funds a full-time qualified Counsellor/Wellbeing Officer through income generation. This post is needed to ensure that all children under TAMNET access the required support for their emotional health. Without this income generated post, many children would not transition back to school.
- supports the upkeep of the building and classroom environment
- provides additional resources for the classroom and individual children as needed, including laptops, ipads and stationery.
- additional resources to support PE and other activities
- pays for external educational visits to ensure children have the same opportunities as those in full time education
- funds additional TA/teacher support from agencies when numbers are high or for those who may need 1:1 or more
- funds daily lunches that the children help to prepare themselves for everyone in the classroom
- funds a weekly shop for both day to day food and daily opportunities for children to access baking and cooking as part of therapy
- buys in external support such as Drum Therapy, Creative Therapies when needed as part of support packages
- holiday clubs staffing and resources to ensure children have access to ongoing emotional support throughout holiday periods
- coffee afternoons for parents/carers to ensure holistic needs of the families are met

2.6 Unspent income at the end of a financial year supports the high needs budget.

3. OPTIONS FOR CONSIDERATION

3.1 For Schools Forum to continue to support the transfer of a portion of the schools funding associated with that child from schools.

The local authority will seek Schools Forum support prior to any future request for an increase into the transfer of funding.

4. ANALYSIS OF OPTIONS

4.1 **Costings:**

Type of Provision	Costings	Hours
Classroom – small group tuition at the Tuition Centre classroom	£55 per session and additional PP and SEN pro rata per day	Up to 15 Hours or 5 sessions
1:1 home tuition, 1:1 virtual tuition or 1:1 support for pupils in school	KS1/2 - £27.50 per hour KS3/4 - £33 per hour and additional PP and SEN pro rata per day	There will be a minimum of 3 home tuitions per week unless there is a medical reason that the pupil can't access this or other education is in place. Pupils can have up to 1 home tuition per day.

*One session = 3 hours (Either 09:00-12:00 or 12:30-15:30)

To decline the funding transfer in line with the table above will significantly impact on the additionality offered within 2.5 of the report and will mean that the income generated counsellor and wellbeing post would cease.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

5.1 Income generated post within the team to support wellbeing of children.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 N/A

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 N/A

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 There has been a recent enquiry from an academy trust who believe that the local authority should fully pay for education for those children out of school for medical needs. Schools Forum decision will impact on the response to the Trust.

9. RECOMMENDATIONS

9.1 For Schools Forum to continue to support the funding policy for children who are unable to attend school due to medical needs.

ASSISTANT DIRECTOR EDUCATION

Church Square House
SCUNTHORPE
North Lincolnshire
DN15 6NL

Author: Wendy Holmes – Head of Virtual School and Inclusion

Date: 8th April 2024

Background Papers used in the preparation of this report –

- Arranging education for children who cannot attend school because of health needs – December 2023
- Working Together to Improve School Attendance – May 2022
- Supporting Children with medical conditions at school – December 2015
- Summary of responsibilities where mental health is affecting attendance – February 2023

Legislative framework:

- Section 19 of the Education Act 1996
- Education (Pupil Registration) (England) Regulations 2006
- Equality Act 2010
- Section 100 of the Children and Families Act 2014