Education for Children with Health Needs who Cannot Attend School Policy

The Lodestar Academy

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This policy will be reviewed annually. The academy reserves the right to amend this policy, following consultation, where appropriate.

Policy Owner:	Beth Woodward (Headteacher)
Queries to:	Beth Woodward (Headteacher)

Date created:	September 2023
Date of last review:	September 2026
Date of next review:	September 2027

1. What is this Policy About?

This policy is to ensure that suitable education is arranged for pupils on roll who cannot attend the academy due to health needs, and that pupils, staff and parents understand what the academy is responsible for when this education is being provided by the local authority.

2. Who Does this Policy Apply to?

This policy applies to all staff, including: the governing body, teachers, support staff, external contractors, visitors, volunteers and other individuals who work for or provide services on behalf of the academy (collectively referred to as 'staff' in this policy) as well as young people and parents/carers.

3. Policy Requirements

All children are entitled to full and broad education. There will be a wide range of circumstances where a child has a health need but will continue to receive suitable education that meets their needs; the LA will not assume responsibility for the child's education unless the education being provided to the child is not suitable or, while otherwise suitable, was not full-time or for the number of hours the child could benefit from without adversely affecting their health.

3.1 Legislation and Guidance

- Education Act 1996.
- Equality Act 2010

- Statutory guidance for local authorities January 2013
- http://sendiasstorbay.org.uk/2018/10/23/children-with-health-needs-whocannot-attend-school/
- The policy complies with our funding agreement and articles of association.

3.2 If the Academy Makes Arrangements

Initially, the academy will attempt to make arrangements to deliver suitable education for children with health needs who cannot attend the academy; for example where:

- the child can still attend the academy with some support;
- the academy has made arrangements to deliver suitable education outside of the academy for the child;
- the child can attend the academy but only intermittently; or,
- arrangements have been made for the child to be educated in a hospital by an on-site hospital school.

For further guidance see Supporting Pupils with Medical Conditions policy

3.3 If the Local Authority Makes Arrangements

Torbay LA will be responsible for arranging provision where a child cannot attend the academy because of health problems, the academy can't make suitable arrangements and they would not otherwise receive a suitable full-time education:

http://fis.torbay.gov.uk/kb5/torbay/fsd/service.page?id=8e0rXUcPHyM&localofferchannel=%202-5

In cases where the local authority makes arrangements, the academy will:

- Work constructively with the local authority, providers, relevant agencies and parents to ensure the best outcomes for the pupil
- Share information with the local authority and relevant health services as required

- Help make sure that the provision offered to the pupil is as effective as possible and that the child can be reintegrated back into the academy successfully when they are medically able to do so
- When reintegration is anticipated, work with the local authority to:
    - Plan for consistent provision during and after the period of education outside the academy, allowing the pupil to access the same curriculum and materials that they would have used in the academy as far as possible
    - Enable the pupil to stay in touch with academy life (e.g. through newsletters, emails, invitations to academy events or internet links to lessons from their academy.
    - Create individually tailored reintegration plans for each child returning to the academy.
    - Consider whether any reasonable adjustments need to be made.

4. Related policies

- Accessibility
- Supporting Pupils with Medical Conditions
- Safeguarding Policy

Equality Impact Assessment

1. Summary

This EIA is for:	Education for Children with Health Needs who Cannot Attend School Policy
EIA completed by:	Steven Hulme (former Headteacher)
Date of assessment:	September 2023
Assessment approved by:	LGB

The academy is committed to always: avoiding the potential for unlawful discrimination, harassment and victimisation; advancing equality of opportunity between people who share a protected characteristic and those who do not; and, foster good relations between people who share a protected characteristic and those who do not.

An Equality Impact Assessment (EIA) is a tool for identifying whether or not strategies, projects, services, guidance, practices or policies have an adverse or positive impact on a particular group of people or equality group. Whilst currently only public bodies are legally required to complete EIA's under the Equality Act 2010, The academy has adopted the process in line with its commitment to continually improve our equality performance.

Policy owners are required to complete or review the assessment indicating whether the policy has a positive, neutral or negative impact for people who it applies to and who share one or more of the 9 protected characteristics under the Equality Act 2010.
Definitions are based on the Equality & Human Rights (EHRC) guidance.

Objectives and intended outcomes

This EIA has been completed in order to ensure that the implications and potential impact, positive and negative, of this policy have been fully considered and addressed, whether or not people share a protected characteristic.

2. Potential Impacts, positive and negative

Equality Area	Positive	Neutral	Negative	Please give details including any mitigation for negative impacts
Age Does this policy impact on any particular age groups or people of a certain age?	☐	☒	☐	The policy applies equally to all members of staff and pupils regardless of age. It is not considered that the policy includes any guidance or rules that may impact either positively or negatively on members of staff or pupils because of their age.
Disability Does this policy impact on people who have a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day to day activities?	☐	☒	☐	The policy applies equally to all members of staff and pupils regardless of any disability. It is not considered that the policy includes any guidance or rules that may impact either positively or negatively on members of staff or pupils because of any disability.
Gender reassignment (transsexual, transgender, trans) Does this policy impact on people who are transitioning from one gender to another (at any stage)	☐	☒	☐	The policy applies equally to all members of staff and pupils regardless of their gender at any given time. It is not considered that the policy includes any guidance or rules that may impact either positively or negatively on members of staff or pupils because of their gender.
Pregnancy and maternity (in work this is linked to maternity leave, non-work this is for 26 weeks after giving birth) Does this policy impact on people who are pregnant or in their maternity period following the birth of their child?	☐	☒	☐	It is not considered that the policy positive or negatively impacts on pregnant women or on staff on maternity or paternity leave.
Race Does this policy impact on people as defined by their race, colour and nationality (including	☐	☒	☐	The policy applies equally to all members of staff and pupils regardless of their race, origin, colour or nationality. It is not considered that the policy includes any guidance

citizenship) ethnic or national origins				or rules that may impact either positively or negatively in these respects.
Sexual orientation Does this policy impact on people who are sexually attracted towards their own sex, the opposite sex or to both sexes?	☐	☒	☐	The policy applies equally to all staff and pupils regardless of their sexual orientation. It is not considered that the policy includes any guidance or rules that may impact either positively or negatively on members of staff or pupils because of their sexual orientation.