

Children with Health Needs who cannot attend School Policy

Summary

This policy sets out how Eastern Multi-Academy Trust academies will support pupils on roll who cannot attend school because of physical or mental health needs. It clarifies the academy role, the local authority section 19 duty, attendance coding, referral triggers, reintegration expectations, and the relevant Norfolk and Suffolk procedures.



If you are unsure about the validity of the content of this policy please refer to the Policy Owner.

Please Note: This policy is applicable to All Employees / Teachers / Support Staff / Volunteers including Trustees and Governors within the Group.

Policy owner	Board of Trustees
Policy holder	Director of Education
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Approved by

Consultation Group	ELT, Education Team, Board
Approval Committee	Board
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Version Control

Control No	Change summary	Consultation Group	Effective date
01	No changes. Annual review, now extended to biennial review	Board	July 2024
02	Updated to reflect DfE December 2023 health-needs guidance, 2024 attendance regulations and DfE attendance guidance; Norfolk Medical Needs Service and Joint Medical Protocol; Suffolk Alternative Tuition Service and Suffolk Medical Needs policy.	Board	July 2026

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1. Aims

This policy aims to ensure that:

- pupils who cannot attend school because of physical or mental health needs continue to receive a suitable education, as far as their health needs allow;
- academies understand their continuing role in supporting the pupil, maintaining school links and planning reintegration;
- staff, pupils and parents/carers understand the distinction between academy responsibilities and the local authority duty to arrange suitable alternative education under section 19 of the Education Act 1996;
- attendance coding, sickness returns and local authority notifications are completed accurately and promptly;
- Norfolk and Suffolk local authority procedures are followed according to the pupil's home local authority and academy location.

2. Scope and definitions

This policy applies to all pupils on roll at an EMAT academy who are unable to attend school because of health needs and who may require education outside normal attendance arrangements. Health needs include physical health needs and mental health needs.

A pupil may require support under this policy where they are temporarily or longer-term unable to attend school because of illness, injury, medical treatment, hospital admission, a diagnosed or emerging physical or mental health condition, or other health-related barriers to attendance. The absence may be continuous or intermittent.

This policy does not replace the Trust's attendance, safeguarding, SEND, accessibility, alternative provision or supporting pupils with medical conditions policies. These policies should be read together.

Important distinction

Not every health-related absence will require local authority alternative provision. Many pupils can continue to attend school with reasonable adjustments, an individual healthcare plan, pastoral support, SEND support or a short-term work plan. The local authority section 19 duty becomes relevant where, because of health needs, the pupil cannot attend school and would not otherwise receive suitable education.

3. Legislation and guidance

This policy has been checked against the following legislation and guidance:

- Education Act 1996, including section 19 local authority duties.
- Children and Families Act 2014, including section 100 duty to support pupils with medical conditions.
- Equality Act 2010, including duties relating to disability and reasonable adjustments.
- Data Protection Act 2018 and UK GDPR.
- School Attendance (Pupil Registration) (England) Regulations 2024.

- DfE: Arranging education for children who cannot attend school because of health needs, December 2023.
- DfE: Supporting pupils at school with medical conditions, statutory guidance.
- DfE: Working together to improve school attendance, statutory guidance.
- DfE: Mental health issues affecting a pupil's attendance: guidance for schools.
- DfE: Providing remote education: guidance for schools.
- Norfolk County Council Medical Needs Service procedures and Joint Medical Protocol.
- Suffolk County Council Alternative Tuition Service and Suffolk Medical Needs policy.

4. Core principles

Wherever possible, pupils should receive their education in school, with support and reasonable adjustments where required.

- Where a pupil cannot attend school because of health needs, education should be suitable to the pupil's age, ability, aptitude, SEND and health needs.
- Provision should be equivalent to the education the pupil would normally receive in school, as far as the pupil's health allows. Where full-time education would not be in the pupil's best interests for health reasons, part-time provision may be appropriate and should be reviewed.
- The academy remains responsible for maintaining a relationship with the pupil, sharing curriculum information, supporting pastoral connection, safeguarding oversight and planning reintegration.
- The local authority is responsible for arranging suitable alternative education where the section 19 duty applies.
- Parents/carers, pupils, health professionals, the academy and the local authority should work together. Pupil voice should be included wherever appropriate.

5. Roles and responsibilities

5.1 Board of Trustees and Academy Committees

- Ensure that Trust policies support pupils with health needs and reflect statutory guidance.
- Seek assurance that academies have arrangements to support pupils with medical conditions, attendance, safeguarding, SEND and reintegration.

5.2 Principal

- Ensure that an appropriate member of staff is identified to coordinate support for each pupil requiring support under this policy. This will usually be the SENDCo, Attendance Lead, Designated Safeguarding Lead, a member of the senior leadership team, or another suitable member of staff, depending on the pupil's individual needs and circumstances.
- Ensure timely contact with parents/carers and relevant professionals where a pupil's health needs affect attendance.
- Ensure the local authority is notified where the 15-day threshold is expected to be met, or sooner where it is clear that school cannot provide suitable education without local authority involvement.
- Ensure attendance coding and sickness returns are completed accurately.

- Ensure safeguarding, SEND, equality and pastoral considerations are kept under review.

5.3 Identified academy staff member

- Coordinate the pupil's education, contact and reintegration plan while the pupil is unable to attend school.
- Liaise with parents/carers, the pupil, class teachers, SENDCo, DSL, attendance staff, health professionals and the local authority.
- Record agreed arrangements, review dates, attendance coding decisions, work set, feedback arrangements and safeguarding contact.
- Ensure curriculum information is shared with any local authority provider or alternative tuition service.
- Consider whether an individual healthcare plan, SEND review, risk assessment or reasonable adjustments are required.

5.4 Teachers and academy staff

- Provide curriculum information, work, resources and feedback where the academy is supporting education during absence.
- Support the pupil to remain connected to school life where this is appropriate and helpful.
- Share safeguarding, welfare or academic concerns with the DSL promptly.
- Support reintegration, including reasonable adjustments and catch-up where needed.

5.5 Parents/carers

- Inform the academy as soon as possible where a pupil is absent because of health needs or where health needs are affecting attendance.
- Engage with the academy, local authority and health professionals to support planning and review.
- Provide relevant information and consent for proportionate information sharing where required.
- Support agreed education and reintegration arrangements where the pupil's health allows.

5.6 Local authority

The local authority has the statutory duty to arrange suitable alternative education for children of compulsory school age who, because of illness or other reasons, would not otherwise receive suitable education. This includes children who cannot attend school because of physical or mental health needs.

6. Identification, evidence and decision-making

- The academy should act early where a pupil's health needs are affecting attendance, including where absence is intermittent and accumulating.
- The academy should not routinely request medical evidence for every illness absence. Evidence should be proportionate and requested where it is needed to make decisions about support, attendance coding, risk, reasonable adjustments or referral.

- Schools are not expected to diagnose mental health conditions. Support should be considered where social, emotional or mental health needs are affecting attendance, whether or not there is a formal diagnosis.
- Where it becomes clear that the academy cannot support the pupil's health needs and provide suitable education through school-based arrangements, the academy should contact the relevant local authority about alternative provision.
- Where a pupil is expected to miss 15 school days or more because of illness, whether consecutive or cumulative, the academy must make the required sickness return/notification to the local authority. This should happen as soon as it is clear that the threshold is likely to be met, not only after the fifteenth day.

EBSA and anxiety-related absence

Emotionally based school avoidance, anxiety-related absence or other mental health-related attendance difficulties should be approached through early support, reasonable adjustments, safeguarding consideration, pastoral planning, SEND consideration and, where appropriate, health advice. The existence of anxiety or EBSA does not automatically mean the pupil requires section 19 provision; the key question is whether the pupil cannot attend school because of health needs and would not otherwise receive suitable education.

7. Academy provision and contact during absence

While arrangements are being considered or while a pupil is unable to attend because of health needs, the academy should ensure that reasonable steps are taken to maintain education, belonging and safeguarding oversight. Depending on the pupil's needs, this may include:

- a named point of contact for the family and pupil;
- an agreed frequency and method of communication;
- work set by class teachers or subject teachers, with clear expectations and feedback arrangements;
- access to curriculum materials, online platforms or adapted tasks where appropriate;
- pastoral contact and opportunities to remain connected to school life where this supports wellbeing;
- regular review of safeguarding, welfare, attendance, academic progress and reintegration planning;
- sharing curriculum information with hospital education, Norfolk Medical Needs Service, Suffolk Alternative Tuition Service or other local authority-arranged provision where applicable.

7.1 Remote education

Remote education may be used where it is appropriate to the pupil's health needs and where attendance at school is not possible. It should not normally be treated as an equal alternative to attending school. Digital provision should usually complement face-to-face education and support, unless the pupil's health needs mean remote education is the most appropriate short-term approach. Any remote education arrangement should be reviewed regularly and should not delay referral to the local authority where the section 19 duty may apply.

8. Attendance recording and local authority notifications

Attendance should be recorded in line with the School Attendance (Pupil Registration) (England) Regulations 2024 and the DfE Working together to improve school attendance guidance. The following points should guide academy practice:

- Code I should be used where the pupil is unable to attend because of illness, including physical or mental health-related illness.
- Code M should be used where a pupil is absent because of a medical or dental appointment, where appropriate.
- Code K should be used where the pupil is attending education provision arranged by the local authority under section 19 of the Education Act 1996 or other relevant statutory duties.
- Where education is arranged by the academy at an approved off-site educational activity, academies should use the appropriate attendance code in line with current DfE guidance and the specific arrangement.
- The previous wording that there is “no defined national attendance code for this exception” must not be used.
- A sickness return must be made to the local authority where a pupil recorded as Code I is expected to miss 15 school days or more, whether consecutive or cumulative.

Attendance and safeguarding

Health-related absence should be understood supportively, but long-term or repeated absence still requires robust oversight. The academy should maintain regular contact, consider safeguarding risks, review whether the pupil is receiving suitable education and escalate concerns where necessary.

9. Norfolk procedures

For pupils attending EMAT academies in Norfolk, or pupils ordinarily resident in Norfolk, academies should follow Norfolk County Council procedures alongside this Trust policy.

- Norfolk County Council’s Medical Needs Service is responsible, in liaison with schools and professionals, for ensuring that Norfolk meets its duties for children who cannot attend school for medical reasons.
- Norfolk identifies a named Medical Needs Coordinator. At the time of this policy update, Norfolk published the contact as medicalneeds@norfolk.gov.uk. Academies should check the current Norfolk Schools website before making a referral or seeking advice.
- Schools should consult Norfolk’s Joint Protocol between Health Services and Schools when medical reasons are cited for pupil absence. The protocol is intended to clarify information-sharing between health professionals and schools and to reduce unnecessary GP appointments or inappropriate requests for medical information.
- Where the pupil’s absence because of health needs is likely to reach 15 school days, consecutive or cumulative, the academy should complete the relevant Norfolk notification/referral process promptly and keep a record of actions taken.
- The academy should continue to share curriculum information, attend reviews where required, and plan reintegration with Norfolk’s Medical Needs Service or other provision.

10. Suffolk procedures

For pupils attending EMAT academies in Suffolk, or pupils ordinarily resident in Suffolk, academies should follow Suffolk County Council procedures alongside this Trust policy.

- Suffolk's Alternative Tuition Service is a statutory education service for children in Suffolk. It supports children and young people who are medically unable to attend school for a period of time, subject to criteria being met.
- Suffolk states that the Alternative Tuition Service works with the school, family and medical professionals to enable reintegration back to school at the earliest opportunity.
- Access to Suffolk Alternative Tuition Service is through professional/school referral. Academies should check Suffolk Learning and Suffolk Local Offer pages for current referral forms, criteria and contact details.
- Suffolk's Medical Needs policy applies to schools in the Suffolk County Council area and children of compulsory school age living in Suffolk. It is based on DfE attendance guidance, the December 2023 health-needs guidance and remote education guidance.
- The pupil remains on roll at the academy during local authority tuition or alternative provision. The academy retains responsibility for maintaining links, sharing curriculum information and supporting reintegration.

11. Reintegration

The intended outcome should be that pupils return to school as soon as they are well enough and where this is in their best interests. Reintegration should be carefully planned and individually tailored.

- The academy should convene a reintegration planning meeting where appropriate, involving parents/carers, the pupil, health professionals, local authority staff, SENDCo, DSL and relevant teachers.
- The plan should identify the pupil's current health needs, strengths, worries, curriculum gaps, reasonable adjustments, pastoral support, safeguarding considerations and review points.
- Phased return arrangements may be appropriate but should be time-limited, reviewed and based on the pupil's health needs rather than becoming an unreviewed long-term reduced timetable.
- The academy should consider whether an individual healthcare plan, SEND support plan, EHCP review, risk assessment, accessibility adjustment or staff training is needed.
- The academy should plan for curriculum continuity, including access to the same curriculum and materials as far as possible, while acknowledging any health-related limits.
- The pupil should be supported to maintain or rebuild friendships and belonging. This might include newsletters, pastoral check-ins, invitations to suitable events, online links, visits or buddy arrangements where appropriate.

12. Safeguarding, SEND, equality and data protection

- Safeguarding: The DSL should be involved where a pupil's absence, health needs, family circumstances or lack of engagement raises safeguarding concerns. Absence from school can increase vulnerability and should be monitored accordingly.
- SEND: Where the pupil has SEND, or emerging needs, the SENDCo should consider whether current provision remains appropriate. Where the pupil has an EHCP, the academy and local authority should consider whether an early annual review is required.
- Equality: Some pupils with health needs may be disabled under the Equality Act 2010. The academy must consider reasonable adjustments and avoid discrimination arising from disability.
- Data protection: Health information must be handled lawfully and proportionately. Information should be shared on a need-to-know basis, with consent where required, unless safeguarding duties justify sharing without consent.

13. Monitoring and review

This policy will be reviewed annually, or sooner if DfE guidance, attendance regulations, Norfolk procedures or Suffolk procedures change. The Director of Education will oversee review of this policy. Trust assurance may include review of attendance coding, local authority referrals, long-term illness absence, alternative provision records, safeguarding oversight and reintegration plans.

14. Links to other policies

- Attendance Policy
- Supporting Pupils with Medical Conditions Policy
- Safeguarding and Child Protection Policy
- SEND Policy and SEND Information Report / Local Offer
- Accessibility Plan
- Alternative Provision Policy or procedures
- Data Protection Policy
- Remote Education arrangements
- Behaviour Policy

Appendix A: Academy checklist

Area	Check question	Complete / notes
Initial concern	Has the academy identified that health needs are affecting attendance, either continuously or intermittently?	
Appropriate person	Has an appropriate staff member been allocated to liaise with parents/carers?	
Pupil and parent voice	Has the pupil's and parents'/carers' view been gathered and recorded?	
Health evidence	Is proportionate evidence or professional advice needed to inform support, coding or referral?	
Safeguarding	Has the DSL considered any safeguarding risks arising from absence or reduced contact?	
SEND/equality	Has the SENDCo considered SEND support, EHCP review, disability and reasonable adjustments?	
Work and feedback	Is there an agreed plan for curriculum access, work set, feedback and pastoral contact?	
15-day trigger	Is the pupil likely to miss 15 school days because of illness, consecutive or cumulative? If yes, has the required LA sickness return/referral been made?	
Local procedure	Has the correct Norfolk or Suffolk procedure been followed?	
Attendance code	Is the correct attendance code being used and reviewed as provision changes?	
Review	Is there a scheduled review date with clear actions?	
Reintegration	Is there a reintegration plan, including reasonable adjustments and support for belonging?	