

EAST AYRSHIRE COUNCIL

EDUCATION COMMITTEE : 5 FEBRUARY 2002

EDUCATION OF CHILDREN ABSENT FROM SCHOOL THROUGH ILL HEALTH

Report by Director of Educational and Social Services

1. PURPOSE OF REPORT

- 1.1** To inform the Committee of the guidance on Education of Children absent from school through ill-health issued by the Scottish Executive in December 2001.

2. BACKGROUND

- 2.1** The circular offers guidance to education authorities to draw up policies in the light of their statutory duty to make special arrangements for children who, for health reasons, are unable to attend school.
- 2.2** The legislation relating to the education of pupils outwith an educational establishment is contained in Section 14 of the Education (Scotland) Act 1980. Under this Act Education Authorities had a power to make special arrangements for a pupil, who was unable to attend a suitable educational establishment.
- 2.3** Section 40 of the Standards in Scotland's Schools etc. Act 2000 (Appendix 1) amends section 14 of the Education (Scotland) Act 1980 so that Education Authorities are under a duty in relation to pupils unable to attend a suitable educational establishment as a result of their prolonged ill-health. In such circumstances, an education authority must make special arrangements for the pupil to receive education elsewhere than at an educational establishment.
- 2.4** The intention behind the new duty is to ensure that children, so far as possible, within the constraints of their medical condition and the context in which they find themselves, receive education which is "directed to the development of the personality, talents and mental and physical abilities of the child or young person to their fullest potential." (Section 2(l) of the 2000 Act).

3. CHILDREN AFFECTED BY THE LEGISLATION

- 3.1** Young people of school age may be unable to attend school for a wide range of reasons including illness, accidents or long term medical conditions. This population of children who are absent from school will include those who have a single prolonged block of absence and those who have several or many periods of absence of varying lengths.

3.1.1 Referrals

In practice, referrals for, and management of, special arrangements outwith school will lie with children's own schools, although all such referrals and management should be undertaken in close co-operation with the Education Authority specialist services or a combination of both. In general, therefore the guidance recommends that there should be an automatic referral by schools for education outwith school after 15 working days of continuous or 20 working days of intermittent closure for verifiable medical reasons.

3.1.2 Local Context

In East Ayrshire there is a comprehensive Hospital and Home Tuition Service which exists to offer education to young people and has the following aims:

- to provide a regular and consistent teaching service, reflecting national guidelines, to meet the educational needs of children in hospital or recovering at home.
- to ensure that continuity is maintained with a young persons previous and future educational experiences by liaising with his/her own school so that the maximum possible educational progress is achieved.
- to organise a service which is sufficiently flexible to meet the specific needs of each child and which can be offered in the context of multi-disciplinary teamwork.
- to be sensitive to parents wishes and to assist parents in minimising the negative effects of loss of education.

3.2 Hospitalised Children

Effective teaching in hospitals requires teamwork, trust and considerable understanding of the roles of medical and para-medical professionals, the demands of their work and the needs of patients and their families. It is recommended by the guidance that teaching in hospital of children should normally begin after five working days following admission provided the child's state of health makes this desirable.

3.2.1 In East Ayrshire the present service is provided by a full-time teacher based in Crosshouse Hospital. The hospital has an excellent class base where young people can be supported if not confined to bed.

3.2.2 In Session 2000/2001, 99 children received hospital tuition.

3.2.3 Role of the Hospital Education Service Teacher is:

- to teach in individual and small group sessions
- to liaise with base schools to ensure continuity and progression of education and also consistency of approach and materials at various stages during the pupils' time in hospital and at the point of discharge.
- to respect confidentiality at all points.
- in conjunction with the school, to prepare individual programmes of work to take account of the educational, medical, social and emotional needs of pupils,
- to establish and maintain communication with parents regarding the progress of children.

- to collaborate with colleagues from other disciplines and agencies.
- to work as part of a multi-disciplinary team

3.2.4 The role of the base school with hospital tuition is:

- to liaise co-operatively with the hospital teacher and parents.
- to provide appropriate materials and a range of suitable supports as agreed with parents.
- to provide suitable support for individual pupils.
- involvement of the base school teacher is encouraged. Normally though, involvement should be after prior negotiation and agreement with the hospital's own teaching service to ensure that children's paramount needs in hospital, for medical treatment and care are safeguarded.

3.2.5 Some East Ayrshire children are also treated within Ayr Hospital, the Royal Hospital for Sick Children, Yorkhill, Glasgow and within Gartnavel Royal Adolescent Psychiatric Unit. The education department is charged a fee for the provision of education by other authorities in these establishments.

3.3 Children at Home for Medical reasons

3.3.1 When a child is absent from school for medical reasons and at home for an extended period, education is continued there. The responsibility for applying for such service for children rests with the headteacher of the child's base school.

3.3.2 The school will:

- monitor all absence of pupils from school through ill-health.
- take responsibility for the automatic consideration of educational support after 15 working days continually or 20 working days of intermittent absence for verifiable medical reasons.
- contact parents to discuss and identify needs for individual pupils.
- inform the authority representative of pupils' home sited educational needs.
- the headteacher in consultation with the parents, will consider applying for tuition on behalf of the absent pupil.

3.3.3 Home tuition is considered when:

- The anticipated absence of a child is for 15 working days or 20 intermittent.
- There is written medical confirmation of the anticipated duration, the medical condition and the child's ability to sustain some limited involvement in the teaching and learning.
- It is expected that the young person deemed fit to receive home tuition should be expected to carry out independent work to complement the teaching input.

3.3.4 Thereafter the headteacher should complete an application form for home tuition (Appendix 2) or a form for medical transport (Appendix 3) supported by

a recommendation from the Community Medical Officer based at Ayrshire Central Hospital. A letter from the general practitioner is not sufficient in these cases.

- 3.3.5** It is anticipated that staff from the school will act as tutors to achieve maximum continuity for the child. The headteacher will consult with parents and draw up a home tuition plan identifying:
- a support plan in line with the staged school system.
 - a plan specific to the individual pupils needs.
 - who will provide the teaching input.
 - the anticipated starting date and teaching times.
 - the role of the parents in supporting the educational process.

- 3.3.6** Where the school finds it impossible to identify a teacher from its own staff the headteacher should inform the educational personnel section for recruitment as soon as possible.

- 3.4** In order to support schools the Authority will:
- create a data-base of identified staff willing to do and be trained for home tuition.
 - extend the use of volunteer full-time supply staff in designated areas,
 - explore the use of volunteer network support team staff in the hospital volunteer and home tuition role.

- 3.5** Headteachers will monitor the progress of children educated under this scheme.

- 3.6** Headteachers would also note:
- Home tuition will be provided up to a maximum of 7 hours per week
 - Tuition can take place in a variety of locations such as
 - In the pupil's home
 - Community wing/local hall
 - library
 - It must be emphasised that tuition can only take place when there is another responsible adult in the building due to Child Protection issues.
 - In some cases the provision of transport to the school on medical grounds, full-time or part-time, may be a more effective option.

- 3.7** The detailed implications of this report will be discussed with the teachers unions through established consultation mechanisms.

4. POLICY IMPLICATIONS

There is now a duty on schools to co-ordinate and ensure there are no gaps/deprivation of entitled education to pupils. Therefore the school will ensure that the new timescales and referral options are adhered to and the authority named co-ordinator is kept informed. The school handbook should be upgraded in order to provide these new guides to parents and other

professional colleagues and all reasonable steps taken to ensure consistency when using teaching personnel for home tuition.

5. FINANCIAL/LEGAL IMPLICATIONS

The costs associated with this scheme will be met within existing resources.

6. RECOMMENDATIONS

It is recommended that Members:

- i) Agree these updated procedures on hospital education and home tuition; and
- ii) Otherwise note the contents of this report

John Mulgrew
Director of Educational and Social Services

JMcC/MR
15 January 2002

LIST OF BACKGROUND PAPERS

- 1980 (Scotland) Education Act
- Standard in Scotland's Schools etc (2000) Act
- Guidance on Education of Children Absent from School through ill-health

Members wishing further information should contact Graham Short, Head of Schools, Tel: (01563) 576192

IMPLEMENTATION OFFICER : GRAHAM SHORT

ANNEX A

Section 40 of Standards in Scotland's Schools Etc Act 2000 Education outwith school

For section 14 of the 1980 Act there shall be substituted-

“14 Education for children unable to attend school etc.

- If an education authority are satisfied that, by reason of-
 - (a) any extraordinary circumstances (not being circumstances mentioned in paragraph (b), or subsection (2) or (3), below)-
 - iii) a pupil is unable; or
 - iv) it would be unreasonable to expect a pupil,

to attend a suitable educational establishment for the purpose of receiving education, they may;
 - (b) a pupil's prolonged ill-health-
- the pupil is unable; or
- it would be unreasonable to expect the pupil,

to attend such an establishment for that purpose, they shall, without undue delay after those circumstances become apparent to them,

make special arrangements for the pupil to receive education elsewhere than at an educational establishment.
- If an education authority have, under section 34(1) of this Act, granted a pupil exemption from the obligation to attend school, the exemption being to enable the pupil to give assistance at home in circumstances arising out of the illness or infirmity of a member of the pupil's family, they shall in so far as is practicable and without undue delay make such special arrangements as are mentioned in subsection (1) above.
- If a pupil withdraws, excluded by the education authority (or with the consent of the authority in circumstances where he would have been so excluded but for his withdrawal), from a public school in their area they shall, without undue delay-
 - 2 provide school education for him in a school managed by them;
 - 3 make arrangements for him to receive such education in any other school the managers of which are willing to receive him; or
 - 4 make special arrangements as are mentioned in subsection (1) above.”



East Ayrshire COUNCIL

DEPARTMENT OF EDUCATIONAL AND SOCIAL SERVICES

- **REQUEST FOR MEDICAL TRANSPORT**

- **School:** _____

- **Child's Name:** _____

Home Address: _____ **Date of Birth:** _____

Telephone No: _____

- **Medical Reason**

(Please attach medical confirmation from Community Medical Officer)

- **Anticipated Duration/Proposed Date of Review:**

- **Proposed start date:** _____

- **Special arrangements, e.g. part-time:**

Signed: _____

Date: _____

- **Please return to:** **Graham Short**
Head of Schools
East Ayrshire Council
Council Headquarters
London Road
KILMARNOCK KA3 7BU



East Ayrshire COUNCIL

DEPARTMENT OF EDUCATIONAL AND SOCIAL SERVICES

• **REQUEST FOR HOME TUITION**

• School: _____

• Child's Name: _____

Home Address: _____ Date of Birth: _____

Telephone No: _____

• **Medical Reason**

(Please attach medical confirmation from Community Medical Officer)

• **School contact responsible for Home Tuition Plan:**

• **School staff willing to provide tuition:** _____

• **Proposed start date:** _____

• **Anticipated duration:** _____

Signed: _____

Date: _____

• **Please return to:** **Graham Short**
Head of Schools
East Ayrshire Council
Council Headquarters
London Road
KILMARNOCK KA3 7BU

AGENDA