

# Section 19 Policy: Supporting Children and Young People Who Are Unable to Attend Their Educational Setting



Version	Version 1.1 Published February 2026 Author: Katie Twigg (Head of Access)
Related legislation	<a href="#">Education Act 1996</a> ; Section 19 <a href="#">Equality Act 2010</a> <a href="#">Children and Families Act 2014</a>
Related policies and guidance	<a href="#">Arranging Alternative Provision</a> : Statutory guidance for local authorities, as well as headteachers and governing bodies. February 2025 <a href="#">Ensuring a good education for children who cannot attend school because of health needs</a> . Statutory guidance for local authorities; January 2013 <a href="#">Supporting pupils at school with medical conditions</a> . Statutory guidance for governing bodies of maintained schools and proprietors of academies in England; December 2015 <a href="#">Summary of responsibilities where a mental health issue is affecting attendance Feb 2023</a> <a href="#">SEND Code of Practice: 0 - 25 years</a> . Statutory guidance for organisations which work with and support children and young people with special educational needs or disabilities; January 2015 <a href="#">Tameside Children and Young People's Privacy Notice</a>



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## Introduction

Tameside Council is committed to ensuring that all children and young people, regardless of their circumstances, have access to a suitable, high-quality education that meets their individual needs. This includes working collaboratively with schools, health professionals, families, and other agencies to identify appropriate educational provision and support.

This policy sets out Tameside Council's statutory responsibilities under Section 19 of the Education Act 1996, which requires local authorities to make arrangements for the provision of suitable education for children of compulsory school age who, due to illness, exclusion, or other circumstances, are unable to attend school and would not otherwise receive a suitable education.

In addition to fulfilling its legal duties for children of compulsory school age, this policy outlines the Council's approach to supporting children and young people (CYP) outside of compulsory school age, where appropriate, to ensure continuity of education and promote positive outcomes.

This policy has been developed with due regard to the legislation and statutory guidance outlined in the table at the beginning of the document.

## Arranging Education following a Permanent Exclusion

For pupils in Key Stages 2 to 4, education will be arranged through the Tameside Alternative Provision Academy (TAPA). TAPA offers personalised educational programmes, access to a broad and balanced curriculum, smaller learning environments, specialist assessments, and reintegration support. The aim is to ensure that pupils are supported to return to mainstream education wherever possible or to transition successfully to post-16 pathways.

For Key Stage 1 pupils, the Council will consider:

- Placement in another mainstream school with appropriate intervention and support, or
- Access to a suitable alternative provision, where this is deemed more appropriate based on the child's individual needs.

Education at TAPA may be arranged for a short-term intervention or as a longer-term placement, depending on the pupil's circumstances and progress. All pupils attending TAPA in Key Stage 4 will have access to nationally recognised qualifications, including GCSEs and vocational awards.

The Council's Admissions Team will coordinate placements at TAPA following notification of a permanent exclusion or other qualifying circumstances. Where a pupil has an Education, Health and Care Plan (EHCP), the team will work closely with the SEND team to ensure the proposed provision is appropriate and meets the child's needs.



If TAPA is not deemed suitable for a particular pupil, the Council will make alternative arrangements, which may include:

- Commissioning places with other alternative providers within or outside the borough
- Arranging home tuition through approved providers
- Providing access to online learning platforms where appropriate

Every effort is made to support pupils return to mainstream education or progression to further learning.

## Medical Conditions & Illness

Tameside Council recognises its statutory duty under Section 19 of the Education Act 1996 to arrange suitable full-time education for children of compulsory school age who, due to illness or medical conditions, are unable to attend school and would not otherwise receive a suitable education.

Where a pupil is unable to attend school for 15 days or more (consecutively or cumulatively) due to a medical condition, the Council will work collaboratively with schools, health professionals, and families to ensure appropriate educational provision is in place. This may include support within the school, alternative provision, or a combination of both, depending on the pupil's individual needs.

### Types of Medical Needs

Medical needs may be broadly categorised as:

- Short-term: Affecting participation in school activities due to temporary illness or treatment.
- Long-term: Significantly limiting access to education and requiring additional care and support.

### Provision Arrangements

- Initial Support: Schools are expected to make reasonable adjustments to support pupils with medical needs, including part-time timetables, online learning, or work sent home.
- Referral Process: If a pupil is absent for 15 days or more due to medical reasons, schools must notify the Named Person at Tameside Council and submit a Medical Referral Form, supported by appropriate medical evidence and an Individual Healthcare Plan (IHP) where applicable.
- Medical Panel Review: Referrals may be escalated to the Medical Case Management Panel, which includes representatives from education, health, SEND, and outreach services. The panel will determine the most suitable educational provision, which may include:



- Face-to-face or virtual tuition
- Online learning platforms
- Placement at an alternative provision setting


## Named Contact

The designated officer for medical needs education in Tameside is:

**Tracy O’Doherty**

**Senior Education Welfare Officer**

 [medicalenquiries@tameside.gov.uk](mailto:medicalenquiries@tameside.gov.uk)

 0161 342 2112

## Monitoring and Review

- All alternative provision will be reviewed half-termly or more frequently if needed.
- The pupil will remain on the roll of their home school, which retains responsibility for safeguarding, curriculum planning, and reintegration.
- The aim is always to reintegrate pupils into mainstream education as soon as their health allows.

## Local Authority Responsibilities

Tameside Council will:

- Arrange suitable full-time education for children of compulsory school age who, due to illness, cannot attend school and would not otherwise receive a suitable education.
- Maintain a referral and tracking system for pupils absent for 15 days or more due to medical reasons.
- Convene a Medical Case Management Panel to assess referrals and determine appropriate educational provision.
- Provide alternative provision (e.g. tuition, online learning, or placement) and transport where necessary.
- Monitor and review all alternative provision on a half-termly basis, ensuring reintegration plans are in place.
- Liaise with health professionals and SEND services where pupils have additional needs or EHCPs.



## School Responsibilities

Schools in Tameside must:

- Make reasonable adjustments to support pupils with medical needs, including but not limited to:
  - Part-time timetables
  - Online learning
  - Work sent home
  - Access to a safe space or key staff member
- Develop and maintain an Individual Healthcare Plan (IHP) in consultation with health professionals, parents/carers, and the pupil.
- Notify the LA Named Person when a pupil is absent for 15 days or more due to medical reasons.
- Submit a Medical Referral Form with supporting medical evidence and attendance records.
- Remain responsible for:
  - Safeguarding the pupil
  - Curriculum planning and exam arrangements
  - Maintaining the pupil on roll
  - Convening EHCP Annual Reviews (where applicable)
- Maintain regular contact with the pupil and family during absence.
- Attend Medical Panel meetings and contribute to reintegration planning.
- Use appropriate attendance codes to reflect medical absence:
  - **Code I:** Illness (including physical and mental health)
  - **Code M:** Medical or dental appointments
  - **Code B:** Approved educational activity off-site
  - **Code K:** Education arranged by the Local Authority under Section 19

## Pupils Who Are Not on a School Roll

Tameside Council retains responsibility for supporting children who are not currently on roll at a school due to health needs that prevent them from accessing education. These pupils are



considered Children Missing Education (CME) and must be referred to the Local Authority for appropriate educational arrangements.

- Parents/carers or professionals working with such children should contact either the SEN Caseworker or the Named Person at Tameside Council to discuss future provision.
- Children who are Electively Home Educated (EHE) and whose education has been deemed suitable by the Local Authority are not classified as CME. In these cases, the responsibility for education lies with the parents/carers, and home-learning support is not provided.
- In exceptional circumstances, referrals for support may be considered. Parents/carers should contact the Named Person to discuss these cases.

## Early Years and Post-16 Pupils

Tameside Council typically provides support for pupils aged 5 to 16 (Reception to Year 11). However:

- Pupils in Year 12 who are repeating Year 11 due to medical reasons may be considered for support on an individual basis.
- For post-16 pupils attending mainstream provision, the expectation is that colleges or training providers will make reasonable adjustments to support pupils with prolonged medical needs.
- If a post-16 pupil has an Education, Health and Care Plan (EHCP), the provider should contact the SEND team for advice and support.

## Hospital In-Patients

Pupils who are receiving inpatient care in hospitals or medical settings (including mental health facilities) are usually educated on-site through hospital schools or registered educational settings.

- Tameside Council retains responsibility for the education of these pupils during admission and upon discharge.
- For pupils placed in privately funded hospitals, the Council requires:
  - Evidence of admission
  - Timetables
  - Attendance records (These must be provided by the hospital school, not the parent or home school).
- Hospital schools are expected to liaise with the pupil's home school to ensure curriculum continuity and reintegration planning.



- Prior to discharge, especially where alternative provision is being proposed, parents/carers or professionals should contact the SEN Caseworker or Named Person to discuss future education arrangements.

## Children with Life-Limiting and Terminal Illness

Tameside Council will continue to provide education for children with life-limiting or terminal illnesses as long as it is deemed appropriate by medical professionals and the family.

If the pupil and their family choose to withdraw from education, this decision will be respected if supported by medical advice.

## Pregnant Pupils

Pregnant pupils of compulsory school age are entitled to up to 18 calendar weeks of authorised absence around the time of birth.

- Schools must keep the pupil on roll and support their return to education within the 18-week period.
- Pregnant pupils are not automatically considered to have medical needs and should continue to be supported by their home school.
- Medical Needs referrals will only be considered in exceptional circumstances.
- Schools should include childcare arrangements in the pupil's education plan. Funding may be available through the Care to Learn scheme for learners under 20 years old. More information: <https://www.gov.uk/care-to-learn>

## Pupils with SEND

Pupils with Special Educational Needs or Disabilities (SEND), with or without an EHCP, who are absent due to health reasons may require a review of their provision.

- Schools must ensure reasonable adjustments are made to support attendance and access to education.
- If provision is “additional to” or “different from” the school's core offer, and the pupil's needs are not being met, schools should consider submitting an EHC Needs Assessment request.
- The SEND team is available to advise schools on appropriate strategies and support.



## Role of Health Professionals

- School nurses are responsible for notifying schools when a pupil has a medical condition requiring support.
- They may assist with implementing Individual Healthcare Plans (IHPs) and provide training or liaison with specialist teams.
- Community nursing teams and specialist clinicians can offer valuable support and guidance to schools.

## Individual Healthcare Plans (IHPs)

Not all pupils who are medically unfit for school require an IHP. However, where appropriate:

- Schools must develop IHPs in consultation with health professionals, parents/carers, and the pupil.
- IHPs should be reviewed at least termly and reflect the pupil's current health and educational needs.
- Templates and guidance are available via the DfE's statutory guidance on Supporting Pupils at School with Medical Conditions.

## Absence for 'otherwise' reasons

In addition to illness and exclusion, there may be other circumstances that prevent a child of compulsory school age from attending their education setting. These may include, but are not limited to:

- Mental health needs
- Complex family or social circumstances
- Awaiting placement in a specialist provision
- Medical treatment not requiring hospitalisation
- Situations involving safeguarding concerns

Each case must be considered individually, taking into account the specific factors and available evidence, to determine whether the Council's duty under Section 19 of the Education Act 1996 to arrange suitable education otherwise than at school (EOTAS) has arisen.



## Notification Process

If a pupil is unable to attend school for a period of 15 days or more, whether consecutive or cumulative, the educational setting must notify Tameside Council. The notification should be sent to the Named Person and must include:

- Pupil's full details: name, date of birth, UPN
- Parent/carer contact details
- Clear explanation of the reason for absence, including supporting evidence
- Details of any SEND, including whether the pupil has an EHCP
- Summary of educational provision and support already in place
- Whether a referral has been made to alternative provision (e.g. Tameside Alternative Provision Academy or other services)

## Decision-Making and Response

Upon receipt of the notification, Tameside Council will:

- Review the referral to ensure referral criteria has been met (i.e. there are 15 or more days of illness – consecutive or cumulative and the child is resident in Tameside)
- Assess all available information to consider whether escalation to case management panel is appropriate. Where there is some school attendance, advice will be provided on how to support the pupil in line with their health needs.
- Communicate a decision to the school and parents/carers within five working days
- In the event of referral to case management panel, in collaboration with the school and other relevant services and professionals, consider whether the Section 19 duty to secure suitable education has been triggered.

If the duty is deemed to have arisen, the Council will arrange appropriate educational provision, which may include:

- Placement at Tameside Alternative Provision Academy (TAPA)
- Virtual or face-to-face tuition
- Online learning platforms
- Other suitable arrangements based on the pupil's needs



# ANNEX A

## Pathway for supporting pupils at school with medical conditions

Schools are made aware of a pupil with a medical condition from parent or health professional.

School to ensure they meet their statutory responsibilities as set out in the [statutory guidance](#). This will involve liaising with Health professionals to develop an Individual Health Care Plan (IHP). Within the IHP school will need to establish if any absence relating to the medical condition is to be authorised or otherwise.

School must inform the Local Authority Named Person when a pupil is absent for 15 days over any academic year if the absence relates to the medical condition. This information will be recorded on the ONE system.

An Education Welfare Officer (EWO) will be made aware of the pupil within 5 days by the Named Person and will work with the school to ensure that:

- School have made reasonable adjustments to allow the pupil to access a full time education. This may include arrangements for school work being sent home for short periods of absence, part time timetable or online learning.
- That an IHP is in place (where appropriate) and has been written having taken the views of the health professionals/ parents or carers / pupils.
- There is a date scheduled so that the IHP is reviewed at least termly.
- The level of attendance is reviewed regularly.
- Regular contact is made with the parent/carers and pupil.

Where necessary, the case can be referred to the Medical Panel. The Panel will consider each case on individual basis. The school will be expected to send an appropriate member of staff to attend the panel & subsequent reviews. This may be the SENCO, Head of Year or other staff member who knows the pupil's case.

