



**DRAFT Policy**  
**Coventry City Council**

**Supporting Children who are unable to attend their education setting (Section 19 of the Education Act 1996) Policy.**

**1. Introduction**

- 1.1. Coventry City Council (the Council) is committed to ensuring that every child in Coventry has the opportunity to benefit from high quality, inclusive, accessible education, to enable them to thrive and fulfil their individual potential.
- 1.2. The Council is committed to working with schools, children and young people, health and social care partners, to ensure all children are able to regularly attend an appropriate education setting. All children and young people in Coventry deserve an education that enables them to flourish, now and into the future, reach their full potential and maximise their life chances as they move into adulthood.
- 1.3. The Council recognises that it has a shared responsibility with schools and partner agencies to successfully implement this policy and promote high quality integrated service provision to support positive outcomes for this cohort of children and young people (CYP).
- 1.4. This policy outlines the Council's legal duties under [Section 19 of the Education Act 1996](#), to make arrangements for the provision of suitable education at school or otherwise than at school for those children of compulsory school age who, by reason of illness, exclusion from school or otherwise may not for any period receive suitable education.
- 1.5. The term 'suitable education' is defined<sup>1</sup> as efficient education suitable to the child's age, ability, and aptitude, and to any special educational needs he or she may have.

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<sup>1</sup> Section 19(6) Education Act 1996

- 1.6. The policy applies only for children who are ordinarily resident in Coventry and who are of compulsory school age whether on a school roll or not. It does not apply in the case of a child (a) who will cease to be of compulsory school age within the next six weeks, and (b) does not have any relevant public examinations to complete.
- 1.7. When it has been established that Section 19 provision is required, the Council will be responsible for providing this to children and young people who are ordinarily resident in Coventry.
- 1.8. This policy and process sets out the Council's approach to meeting the needs of children for whom it has a legal responsibility to provide education but who for reasons relating to illness, exclusion or otherwise experience barriers to accessing a full and suitable education offer within a school. The Council expects schools to have fulfilled their legal obligations and followed statutory guidance such as the graduated response, as outlined in the SEND Code of Practice, and have made reasonable adjustments required under the Equality Act 2010.

## **2. Legislation and Guidance**

- 2.1. This policy has been written with due regard to the following legislation and statutory guidance:
  - The Education Act 1996
  - The Equality Act 2010
  - 'Alternative Provision' Statutory Guidance (2013)
  - The Children and Families Act 2014
  - 'Supporting pupils at school with medical conditions' Statutory Guidance (2015)
  - SEND code of Practice (2015)
  - 'Arranging education for children who cannot attend school because of health needs' Statutory Guidance (2023)
  - Summary of responsibilities where a mental health issue is affecting attendance' Guidance (2023)
  - Out of School. Out of Sight LGSCO Focus Report (2023)
  - 'Suspension and Permanent Exclusion Guidance' (2024)
  - 'Working together to improve school attendance' Guidance (2024)
  - 'Providing remote education' Guidance (2024)
  - 'Arranging Alternative Provision' (2025)

### 3. Aims of the policy

- 3.1 To provide clarity regarding roles and responsibilities of schools, the Council and other agencies.
- 3.2 To ensure that all CYP have access to a suitable<sup>2</sup>, full-time education which meets their individual needs to enable them to thrive and fulfil their ambitions and aspirations.
- 3.3 To ensure, when a CYP of compulsory school age is unable to access their educational setting due to illness, exclusion or otherwise, the Council complies with its duty under section 19 of the Education Act 1996 to ensure suitable provision for them.

### 4. Defined Categories and Process

- 4.1 This section provides an overview of the Council's processes and offer for CYP who require a Section 19 response under the three identified categories:
  - Permanent exclusion
  - Ill Health
  - Otherwise
- 4.2 A decision will be communicated to the school and parents no more than five working days after a decision has been made by the Extended School Non-Attendance (ESNAP) panel (refer to Appendix 1 for further information on the process and panel). If the CYP has an Education & Healthcare Plan, then an annual review may be required.

#### Permanent Exclusion

- 4.1 If a CYP has been permanently excluded from school, the Council must arrange suitable education from the sixth day following the exclusion.

The headteacher/school is required to report permanent exclusions to the Council without delay, in-line with the Suspension and Permanent Exclusion [Statutory Guidance](#) and Coventry City Council (CCC) Exclusion Guidance. Schools are requested to notify the Council via [exclusions@coventry.gov.uk](mailto:exclusions@coventry.gov.uk)

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<sup>2</sup> "suitable education", in relation to a child or young person, means efficient education suitable to his age, ability and aptitude and to any special educational needs he may have.

and their MIS system. If schools have any queries these should be sent to [exclusions@coventry.gov.uk](mailto:exclusions@coventry.gov.uk)

- 4.2 If a CYP is unable to attend school due to a permanent exclusion, suitable education will be arranged by the Council within the statutory timescales. It is critical that the excluding school provides all relevant and appropriate information via the Pupil Passport to support the best possible placement and desired outcomes.
- 4.3 Following a permanent exclusion, the Council, working together with relevant education settings, the CYP's family, and wider agencies are responsible for enabling the child or young person to reintegrate back into a sustainable education place.
- 4.4 If the Council has offered a package of alternative education that it deems to be suitable for the CYP, it is not under a duty to provide a different package of education if the CYP or their family elects not to take up the provision.

### **III Health (physical and mental health)**

- 4.5 The Children and Families Act 2014, the SEND Code of Practice 2015, and Supporting Pupils at Schools with Medical Conditions 2015 highlights schools' legal duty to support pupils with medical conditions through the delivery of reasonable adjustments and otherwise.
- 4.6 The Council undertakes Targeting Support Meetings (TSMs) as part of its Attendance Duties. These meetings:
  - help identify, discuss, agree and monitor action plans and joint approaches for severely absent pupils; and
  - discuss and agree approaches for persistently absent pupils where they have barriers to attendance that require a multi-agency response to overcome.
- 4.7 In most cases, schools will effectively support CYP using their own resources. However, in some situations, the Council may need to coordinate the support that a CYP requires. To help the Council determine when this is the case, schools should notify the Council using the Council's Online Sickness Absence Form (hyperlink to be added on publication of policy) when:

- A CYP is not accessing education, and
  - they have been absent for 15 days or more over the course of the same academic year, and
  - the reason for their absence is a single or series of linked medical conditions.
- 4.8 On receiving a notification, the Council will assess what support is required and reach a decision based on the DfE guidance (as outlined in section 2.1). The notification process is summarised in Appendix 1.
- 4.9 The Council will consider the individual circumstances of each CYP and take into account any evidence or advice when deciding whether separate arrangements should be made.
- 4.10 Where a CYP is attending school (albeit with periods of absence) the Council recognise that schools know children, families and their individual circumstances well, and will therefore use the information provided by the school as a basis for decision making.
- 4.11 Where a CYP has not attended school for an extended period, the Council will have regard to evidence available but may also seek information for example via assessments from professionals (such as Health and Social Care professionals, Early Help workers and Educational Psychologists) to inform decision making.
- 4.12 In all cases, it is important that the Council, school and family work together in the best interests of the child.
- 4.13 To ensure that children who are absent are supported effectively, the Council coordinates decision making and support through the Extended School Non-Attendance Panel (ESNAP). Terms of reference for the panel is included at Appendix 2. Outcomes from the ESNAP panel may include, but are not limited to:
- The Council advising and supporting schools to make reasonable adjustments if it considers that the CYP could be appropriately supported to attend school or an Alternative Provision.
  - The Council directly commissioning support through CAP Graduated Model of Support and/or securing other suitable education via the Council's education provision framework.

- 4.14 The Council also monitors attendance information provided electronically by schools and may use this as a basis for seeking further information from schools, to ensure that statutory duties are met.
- 4.15 Where a child is in hospital for an extended stay of more than five school days, or who have recurrent hospital admissions, the Council will ensure suitable education is in place to meet the education needs of the child through InspirEd Pathways (Hospital Education Provider).
- 4.16 Any Alternative Education Provision arranged should be considered as a time-limited intervention, with the expectation that it will support the CYP to reintegrate with education on the site of their host school at the earliest opportunity.

#### **‘Otherwise’**

- 4.17 Apart from illness and exclusion, there may be other reasons why a child cannot reasonably access their education provision. Consideration needs to be given to each case to determine if the Council’s duty under Section 19 of the Education Act 1996 to arrange suitable alternative education arises.
- 4.18 ‘Otherwise’ (as opposed to illness or exclusion) is intended to cover any other situation in which it is not reasonably possible or reasonably practical for a child to access and take advantage of any existing suitable schooling.
- 4.19 The Council will assess what support is required and reach a decision based on the DfE and associated guidance, set out at paragraph 2.1.

## **5 Roles and Responsibilities**

### **The Council’s Responsibilities**

- 5.1 The Council is responsible for ensuring that there is a named senior officer with responsibility for the provision of education for children and young people who are unable to attend school because of health needs. In Coventry, the named officer is the Lead for Children Absent from Education, and they can be contacted at [attendance@Coventry.gov.uk](mailto:attendance@Coventry.gov.uk).
- 5.2 The law does not define “full-time education” but where a CYP is under Section 19 provision, the education arranged by the Council should be equivalent to the education they would receive in a school. This may not mean

the same number of hours. If, for example, a child receives one-to-one tuition, the hours of face-to-face provision could be fewer as the education may be more intensive. Where full-time education would not be in a child's best interests for reasons relating to their physical or mental health, in line with s3AA Education Act 1996 and Arranging Alternative Provision Guidance 2025, local authorities must arrange part-time education on whatever basis they consider to be in the child's best interests.

- 5.3 Where a CYP receives provision under Section 19, this will be subject to regular meetings to review progress and need, with the intention for the CYP to reintegrate back into school or another suitable education provision.
- 5.4 The Council will facilitate effective liaison with all appropriate agencies and will ensure that there is minimum delay in starting appropriate support.

**The school's responsibilities - In All Situations where the child remains on the school's roll**

- 5.5 The school will retain safeguarding and school census responsibilities for all CYP for whom the Council arranges education provision as the sole or (main) dual registered provision. This includes exam entry responsibilities that fall under the remit of its Examinations Officer.
- 5.6 Where a CYP is eligible for free school meals the home school is responsible for ensuring that the entitlement is made available to that child, regardless of where learning is taking place. This is to be funded from the Free School Meal funding received from the Department for Education through a school's budget share.
- 5.7 If a school is not authorising an absence and/or believes that the attendance pathway might be needed, the school should approach their named Local Authority Attendance Officer for advice. These pupils should be discussed as part of the Targeting Support Meetings and schools should be following the School Attendance Matters process. <https://www.coventry.gov.uk/attendance-inclusion/attendance>.

**The school's responsibilities – In the Case of Permanent Exclusion Only**

- 5.8 The headteacher is required to report permanent exclusions to the Council without delay, in-line with the Suspension and Permanent Exclusion Statutory

Guidance and CCC exclusion guidance. Schools are requested to notify the Council via [exclusions@coventry.gov.uk](mailto:exclusions@coventry.gov.uk) and their MIS system. If schools have any queries these should be sent to [exclusions@coventry.gov.uk](mailto:exclusions@coventry.gov.uk).

### **The school's responsibilities - In the Case of Ill Health Only**

- 5.9 In some circumstances schools may not be able to fully support a CYP without the assistance of other agencies. Schools must therefore ensure arrangements are in place to support pupils as set out in 'Supporting pupils at school with medical conditions' Statutory Guidance 2015, and the schools own Medical Needs policy.
- 5.10 Schools should:
- Make use of internal services and resources, for example pastoral support, SEND resources and School Counselling.
  - Consider whether additional support from other external partners would be appropriate and make referrals e.g.: Early Help, Child & Adolescent Mental Health Service (RISE), health partners, Educational Psychology, Social Emotional & Mental Health Service (SEMHL) and Alternative Provision.
  - Where external support is provided schools should work with these services to deliver any subsequent support and keep a record of all support provided on school systems.
- 5.11 Where possible, CYP's health needs should be managed by the home school so that they can continue to be educated there with support, and without the need for Council intervention. Home schools are well-placed and experienced in providing support to children who are absent from school for shorter periods because of illness. Where it becomes clear that the absence is likely to be longer, or the home school can no longer support the child's health needs and/or provide suitable education, the school should notify the Council for support with next steps.
- 5.12 Schools should publish a policy for supporting children with medical conditions. This should set out how they will support children with health needs and provide details of a named person who can be contacted by the Council and by parents/carers.
- 5.13 Schools should maintain regular communication with the CYP and their parents/carers to promote engagement and welfare, monitor progress and any



safeguarding concerns. Schools should also ensure that children and young people and their parents/carers successfully remain in touch through school newsletters, emails, and invitations to school events.

- 5.14 Schools are required to make a Sickness Absence Return to the Council if a pupil is recorded in the attendance register as absent using code I (unable to attend because of sickness/ill health) and there are reasonable grounds to believe the pupil will have to miss 15 consecutive school days or more for illness, or the pupil's total number of school days missed during the current school year because of illness (whether consecutive or cumulative) will reach or exceed 15 school days (see Appendix 1).
- 5.15 All notifications should clearly show what support mechanisms the school has put in place to enable the CYP to remain in school e.g. robust universal and targeted provision evidence, Early Help, individual education plans.
- 5.16 A child unable to attend school because of health needs must not be removed from the school roll.

### **The school's Responsibilities - Otherwise**

- 5.17 The 'Otherwise' category will be used for exceptional reasons only. In most cases, a child's situation will be captured adequately through one of the above categories. Given the likely complexities of individual cases, in the first instance, a conversation should take place between the school and their named Local Authority Attendance Officer to agree appropriate next steps under the School Attendance Matters process.

### **The role of the Parent/Carer**

- 5.18 Where parents/carers decide to have their child registered at school, they have a legal duty to ensure their child attends that school regularly. This means their child must attend every day that the school is open, except in a small number of circumstances such as being too ill to attend or being given permission for an absence in advance from the school. Parents / Carers should familiarise themselves with their school's attendance policy including notification for illness.
- 5.19 If a parent/carers has any concerns about their child's attendance at school (e.g. the child's health is having an impact on their learning), in the first instance the

parent/carer should contact their child's school to discuss how they could properly support their child to enable them to have full access to education.

- 5.20 Parents/carers hold key information and knowledge and have a crucial part to play in liaising with the school and other services. Parents/carers are expected to work with their child's school to help them understand their child's barriers to attendance and proactively engage with any support offered.
- 5.21 In exceptional circumstances, if a parent/carer feels their child is unable to attend school despite the parent/carer working hard with professionals to get the child into school, and they are still not reasonably able to attend, the parent/carer should contact the Lead for Children Absent from Education at [attendance@coventry.gov.uk](mailto:attendance@coventry.gov.uk)

## **6. Identification and Referrals**

- 6.1 The school/setting is responsible for notifying the Council using the process and online form set out in Appendix 1 including the Council's Online Sickness Absence Form (hyperlink to be added on publication of policy).
- 6.2 Where a child is not on a school roll (including new to city) and not well enough to attend a school setting the parent/carer should contact the Council's Admissions Service in the first instance.  
[admissions@coventry.gov.uk](mailto:admissions@coventry.gov.uk)

## **7. Reintegration and Review**

- 7.1 All CYP where Section 19 provision is arranged by the Council will be reviewed a minimum of every six weeks.
- 7.2 At each review, the Council will consider the appropriateness of the CYP returning to their registered school. The Council will work with the relevant provider, parents/carers and registered school to ensure the best outcomes for the CYP.

## **8. How to comment or complain**

- 8.1 If parents/carers are concerned about the support being provided for their child by their school, it is important that they engage with the school / setting and discuss their concerns. If this does not resolve the issue, they should

follow their school's complaints procedure which should be available on the school website.

- 8.2 Where Section 19 provision is arranged by the Council a parent/carer should contact the Lead for Children Absent from Education where they have concerns. If this does not resolve the issue, they may make a formal complaint via the Council's complaints procedure, which can be accessed at: <https://www.coventry.gov.uk/contact-council/comments-compliments-complaints>

## **9. Funding Arrangements**

- 9.1 When the Council has determined that Section 19 applies, alternative provision for children is funded from Coventry City Council's High Needs budget (within the Dedicated Schools Grant).
- 9.2 Where a child is on the roll of their home school but requires a period of time in alternative provision due to their health needs, the local authority will seek to recover from the home school a proportionate amount of the school's funding associated with that child to support with funding the provision. This ensures 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.
- 9.3 Where a pupil leaves the roll of their home school due to permanent exclusion, or they leave the roll of a mainstream school for reasons other than a permanent exclusion resulting in them receiving education funded by the local authority, a funding adjustment is made. The provisions act independently of whether a particular pupil has been on the census in the first place, and whether the school has received funding for them. Details of these adjustments are set out in the 'Redetermination of budgets' section within the Schools Operational Guide, a link to which can be found [here](#).

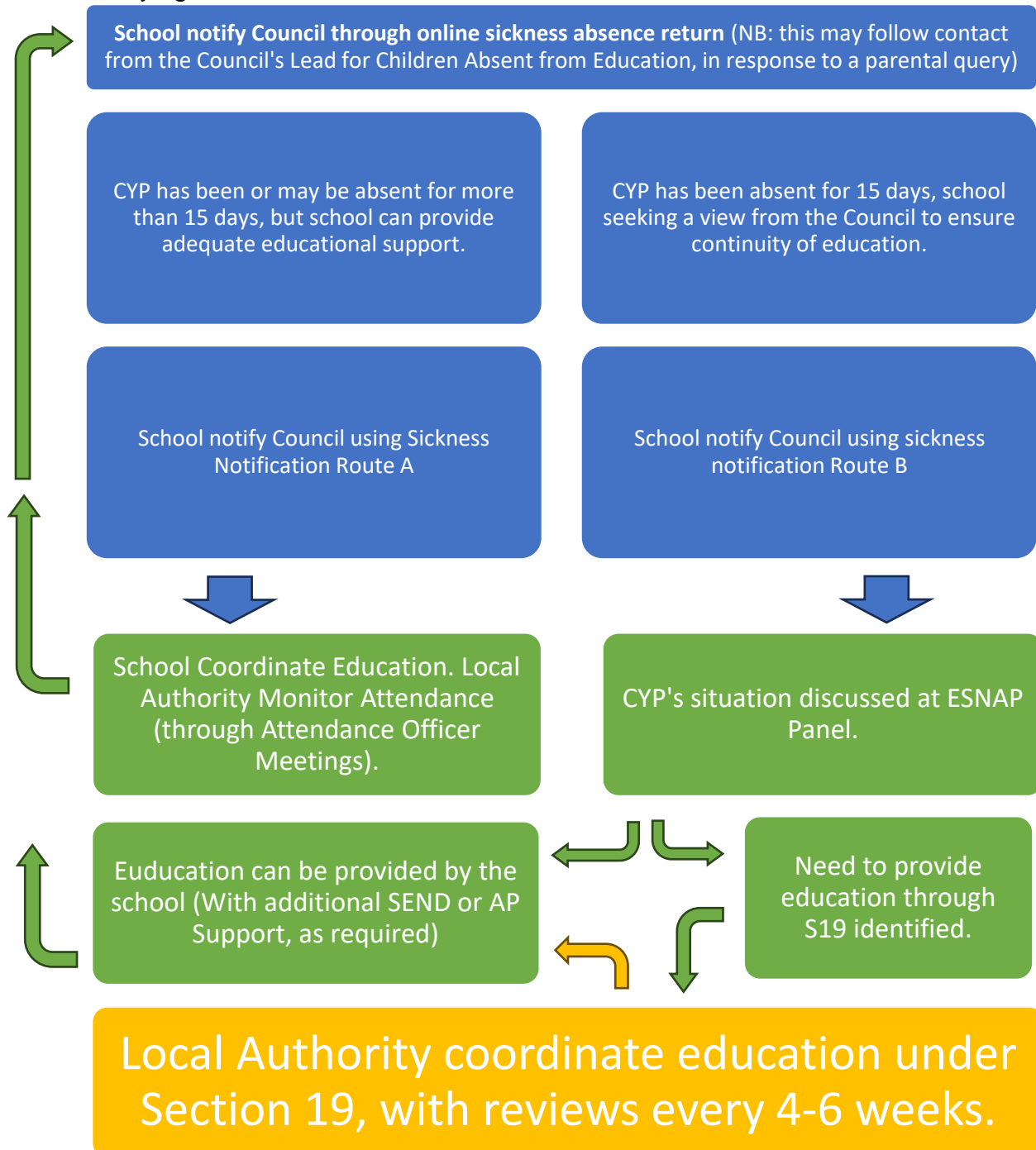
## **10. Review**

- 10.1 This policy will be reviewed every three years or where major changes in legislation or policy requires it.

## 11. Appendices

### Appendix 1

Notifying the Council of a sickness absence.



## Appendix 2

### Extended Non-Attendance at School Panel (ESNAP)

#### Terms of Reference

#### Purpose

The purpose of the panel is to:

- Help the Local Authority to comply with its duty to monitor the attendance of children in the local area who have missed, or are at risk of missing, fifteen days of education.
- Advise schools on how to support children who have not attended for an extended time, drawing on resources from within Coventry's Local Offer.
- Identify when the Local Authority needs to coordinate educational provision for a young person under Section 19 Education Act 1996 and, in such cases, determine what this provision should be.

#### Membership

Membership currently comprises the following roles. Membership is reviewed annually

|  |
|--|
| Lead for Children Absent from Education ( <i>Chair</i> )             |
| Principal Educational Psychologist ( <i>Deputy Chair</i> )           |
| Head Teacher, InspirEd ( <i>Deputy Chair</i> )                       |
| Representatives from the NHS and allied third sector health services |
| EHC Plan Coordinator   |
| Access to Education Officer  |
| Representative from Coventry Alternative Provision (CAP)             |
| Early Help Assessment Coordinator                                    |
| Administrative Lead  |

#### Meeting Frequency and Administration

The panel will meet once a month. Dates for meeting will be published on the Council website at the beginning of each academic year.

Referrals to ESNAP must be received one week prior to the panel meeting data, in order to allow for triage and meeting preparation. Referrals should be made via the Council's online absence return form.

An agenda for each meeting will be circulated to panel members in advance of each meeting, this will include a summary of all cases to be discussed.

A summary of key discussion points and agreed actions will be added to the proforma during each meeting.

### Meeting Structure

The ESNAP Panel is split into three parts, as summarised below.

| Stage  | Summary   | Outcomes  |
|--|---|---|
| <b>Triage</b><br><br><i>Completed by the Attendance Team, one week prior to the panel meeting.</i>           | All cases are reviewed to confirm that referral criteria have been met and evidence has been provided.  | If referral criteria are met and suitable evidence has been provided, then the case is allocated a slot for discussion at the multi-agency panel.<br><br>If evidence is missing, then this will be requested from the school.<br><br>If referral criteria are not met, the case will be returned to the school.   |
| <b>Multi-Agency Panel</b><br><br><i>With representation from Education, Health and Care (see membership)</i> | Where cases meet referral criteria they will be discussed by the multi-agency panel, to ensure that resources from within the school and from the Local Offer have been fully utilised.<br><br>This part of the meeting is also used to monitor the progress of cases currently accessing Section 19 Provision. | <b>New cases</b><br><br>Where the panel identify further resource from within the school or local offer, that could meet educational need, the school will be informed of this and responsibility for making educational provision will remain with them.<br><br>Where the multi-agency panel identify a potential need for provision to be made under Section 19, the case will be progressed to the resource allocation part of the meeting.<br><br><b>Existing Cases</b><br><br>For existing cases, where the panel determine that provision no longer needs to be made in line with Section 19, the school will be advised of the provision that they need to make. |
| <b>Resource Allocation</b>   | Where a potential need  | Where a need for Section 19 provision is confirmed, this will be coordinated by the Local   |

|  |   |  |
|--|---|--|
| <p><b><i>Lead for Attendance;<br/>Head Teacher (Inspired) and<br/>Principal Educational<br/>Psychologist</i></b></p> | <p>for Section 19 provision is identified, cases are reviewed to confirm the type of provision that is required and whether the LA has a role in securing it.</p> | <p>Authority's Lead for Attendance, who will liaise with the school following the meeting.</p> <p>The case will then be reviewed in future ESNAP panel meetings.</p> |
|--|---|--|