

Leicestershire County Council Inclusion Service Children with Medical Needs Policy

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1. Introduction

- 1.1 Many children have medical conditions that significantly affect their school life. Some children and young people miss a lot of school through illness, others might require medication or personal care during school time, or emergency procedures need to be put in place for them
- 1.2 The law does not specify the point during a child's illness when it becomes the LA's responsibility to secure for the child suitable full-time education. Schools would usually provide support to children who are absent from school because of illness for a shorter period,
- 1.3 Some children with medical conditions may be considered to have a disability as defined in the Equality Act 2010¹. Where this is the case appropriate bodies must comply with their duties under that Act
- 1.4 Leicestershire County Council's Children & Family Services are committed to ensuring that all children and young people in Leicestershire receive a good education, maximising the learning potential of every young person. A fundamental part of our local offer aims to ensure all children and young people are given the opportunity of an inclusive education which meets their specific needs
- 1.5 Children and young people who have additional health needs are, by the nature of their difficulties, at risk of failing to reach their full potential within an educational context. This is particularly true for those children and young people whose health needs prevent them from attending school for an extended period, or are restricted by their health needs to attending school on a part-time or sporadic basis
- 1.6 Leicestershire County Council's Inclusion Service supports those children and young people with health or medical needs to access appropriate educational provision, this can include alternative provision (refer to Leicestershire County Council EOTAS Policy)
- 1.7 This policy is developed to outline how support is arranged, how this is delivered and the respective roles and responsibilities of the local authority, the parent or carer, schools, providers and other agencies

¹ A person (P) has a **disability** if P has a physical or mental impairment, and the impairment has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities

2. Who Does This Policy Refer To

- 2.1 Children and young people who are resident in Leicestershire, who are of compulsory school age and have health or medical needs which may negatively impact on their ability to access their statutory right to a full-time education
- 2.2 Children and young people who have missed or are likely to miss 15 days or more as a result of their medical needs
- 2.3 Parents and carers of children and young people who are resident in Leicestershire for whom health or medical needs may impede their ability to access their statutory right to a full-time education
- 2.4 Schools, settings and providers supporting the children and young people of Leicestershire with health or medical needs to access their statutory right to a full-time education

3. Legal Requirements

- 3.1 [Supporting pupils at school with medical conditions \(2015\)](#) sets out the duties for local authorities, schools and providers
- 3.2 [Ensuring a good education for children who cannot attend school because of health needs \(2013\)](#) outlines the statutory duties of the local authority in regard to the provision of education for children who, because of illness, would not receive suitable provision
- 3.3 [SEND Code of Practice: 0 – 25 years \(2015\)](#) outlines the application for and of an EHCP
- 3.4 [Section 13A \(1\)](#) states that “*A local education authority in England must ensure that their relevant education functions are (so far as they are capable of being so exercised) exercised by the authority with a view to – (a) promoting high standards, (b) ensuring fair access to opportunity and training and (c) promoting fulfilment of learning potential ...*”
- 3.5 [The Equality Act 2010](#) states in Section 85(2) that “*The responsible body of a school must not discriminate against a pupil (c) by not providing education for the pupil*” and Section 85 (6) that there is “*A duty to make reasonable adjustments ...*”

4. The Role of the Local Authority

- 4.01 There are a wide range of circumstances whereby a young person has known health or medical needs which can be suitably met without the intervention of the local authority. Often it is appropriate for the school to support the child or young person using their best endeavours or making reasonable adjustments, or for the school to arrange for suitable education to take place outside of the setting
- 4.02 Leicestershire County Council has responsibility for ensuring suitable and full-time education, (or part-time when appropriate for the child's needs) for children and young people living in Leicestershire who, because of illness or poor health, would not otherwise receive suitable education. This duty applies regardless of the location of the school or setting which they would normally attend, and whether or not they are on the roll of a school. Where pupils would not receive a suitable education in a mainstream school because of their health needs, the council has a duty to make other arrangements, when it is clear that a child will be away from school for 15 days or more because of health needs (whether consecutive or cumulative across the school year).
- 4.03 Full-time education is not defined in law, but the local authority would expect that it should equate to what would be provided by a school. Children with medical needs should expect provision equivalent to that which they would be able access from a school
- *Key Stage 1 – 21 hours*
 - *Key Stage 2 – 23.5 hours*
 - *Key Stage 3 – 24 hours*
 - *Key Stage 4 – 25 hours*
- 4.04 Leicestershire County Council Inclusion Service will consider the needs of individual children in arranging provision and may commission short-term one to one tuition, in this case it may be for less than a full-time equivalent number of hours due to the delivery being more concentrated.
- 4.05 Where, due to physical or mental health of the pupil, it might not be in the best interest of the child or young person to access full-time education, provision on a part-time basis might be delivered (or as much education as the child's health condition allows).
- 4.06 Decisions on the appropriate provision would be considered on an individual basis and with reference to advice from relevant medical and educational professionals The views of the parent or carer as well as those of the child or young person are considered in the planning of the provision
- 4.07 The nominated officer with responsibility for the education of children with additional medical or health needs in Leicestershire County Council Inclusion Service is;

Deepa Patel
CMN (Children With Medical Needs) Co-ordinator
Inclusion Service
Email: inclusionpupilsupport@leics.gov.uk
Telephone: 0116 305 2071

- 4.08 Local authorities are the commissioners for school nursing for maintained schools and academies. Under Section 10 of the Children Act (2004), they have a duty to promote co-operation between relevant partners such as the governing bodies of maintained

schools, proprietors of academies, clinical commissioning groups and NHS England, with a view to improving the wellbeing of children with regard to their physical and mental health, their education, training and recreation

4.09 Local authorities should co-ordinate support, advice and guidance including suitable training for school staff, to ensure that the support within individual healthcare plans can be effectively delivered. This may be delivered by partners such as School Nurses, Diana Nurses or OT's

4.10 The local authority has a duty to make arrangements for pupils who cannot attend full-time because of their health needs when it is clear that the child or young person will be away for 15 days or more across an academic year, whether consecutive or cumulative. In Leicestershire this is through the Inclusion Service

5. The Role of the School

5.01 Section 100 of the Children and Families Act 2014 places a statutory duty on governing bodies of maintained schools, academies and pupil referral units to make arrangements at school to support pupils with medical conditions. A child's mental and physical health should be properly supported in school, so that the pupil can play a full and active role in school life, remain healthy and achieve their academic potential

Governing bodies should ensure that all schools develop a policy for supporting pupils with medical conditions that is reviewed regularly and is readily accessible to parents and school staff.

5.02 Pupils at school with medical conditions should be properly supported so that they have full access to education, including school trips and physical education

5.03 Governing bodies must ensure that arrangements are in place in schools to support pupils at school with medical conditions. In doing so it should ensure that such children can access and enjoy the same opportunities at school as any other child.

5.04 Governing bodies should ensure that school leaders consult health and social care professionals, pupils and parents/ carers to ensure that the needs of children with medical needs are effectively supported

Individual healthcare plans can help to ensure that schools effectively support pupils with medical conditions. They provide clarity about what needs to be done, when and by whom. The school, healthcare professional and parent should agree, based on evidence, when a healthcare plan would be inappropriate or disproportionate. Where the child has a special educational need identified in a statement or EHC plan, the individual healthcare plan should be linked to or become part of that statement or EHC plan.

5.05 Continuity is important for children and young people and knowing that they are able to return to familiar surroundings and peers can help both their recovery and their educational progress. Therefore, a child unable to attend school because of health or medical needs must not be removed from the school register without the consent of the parent/ carer and certification from the school medical officer, even if the local authority has become responsible for the child's education²

5.06 Consideration should be given to how children will reintegrate back into school following periods of absence

5.07 The governing body should ensure that arrangements give parents/ carers and pupils confidence in the ability of the school to provide effective support for medical conditions in school, arrangements should show an understanding of how medical needs impact on the child's ability to learn as well as to increase confidence and promote self-care. Staff should be properly trained to support the pupils needs.

5.08 Schools do not have to wait for a formal diagnosis before providing support to pupils

² Regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 sets out the circumstances in which a pupil can be deleted from a school's admission register

- 5.09 Supporting a child with a medical condition during school hours is not the sole responsibility of one person and governing bodies should ensure that sufficient staff have received suitable training and are competent before they take on the responsibility to support a child or young person with medical needs
- 5.10 Schools must consider whether they need to provide any reasonable adjustments to ensure suitable access for the child or young person.
- 5.11 For pupils who have medical conditions that require EHC plans, compliance with the SEND Code of Practice will ensure compliance with this guidance with respect to those children.

6. The Role of Healthcare

- 6.1 Each school has a designated school nurse/ nursing team. There is also a designated health visitor for each nursery
- 6.2 The school nurse should be accessible as the school's first point of call for information about medical needs
- 6.3 The school nurse should liaise with other involved healthcare professionals, if necessary, to gather information about the child or young person's medical needs
- 6.4 The school nurse should complete an Individual Healthcare Plan (IHP) for pupils with medical needs in collaboration with the parent/ carer, the young person (if appropriate) the school and other healthcare professionals
- 6.5 The school nurse should advise on training and support for school staff
- 6.6 The school nurse should be available to offer advice to parents/ carers
- 6.7 An involved paediatrician should work closely with the school nurse and notify them when a child is identified as having a medical condition that will require support in the school
- 6.8 Speech and Language Therapists (SALT) provide an assessment of swallowing for children who may have physical difficulty swallowing (dysphagia) and will put together recommendations with the school nurse
- 6.9 Occupation Therapists (OT's) should offer advice and support around best endeavours and reasonable adjustments for access to the school or setting for a pupil with medical needs
- 6.10 Further information about continuing care for children in the Department for Education's National Framework for Children and Young People's Continuing Care (2016), can be found [here](#)

7. Early Years and Post 16

- 7.1 Leicestershire County Council will normally provide support for children and young people between the ages of 5 and 16 years (Reception Year to Year 11). However, where pupils who would normally be in Year 12 and are repeating Year 11 due to medical reasons, requests for support will be considered on their merit on an individual basis
- 7.2 For post-16 students attending mainstream provision, Leicestershire County Council would look to the host school, college or training provider to make any necessary reasonable adjustments for students who are unwell over a prolonged period
- 7.3 Schools, colleges and training providers may contact the [CMN Co-ordinator](#) for further advice if required
- 7.4 If the child or young person is in Years 12 – 13 and has an EHC Plan, the provider should contact [SENA](#) in the first instance for advice
- 7.5 Children of pre-school age needing additional support and advice regarding medical needs can access further advice and information from the [Early Years Service](#) at Leicestershire County Council

8. Hospital Inpatients

- 8.1 Pupils who are inpatients in hospitals or other Tier 4 settings (e.g. mental health facility, an eating disorder facility etc.) are usually educated within schools on the hospital site
- 8.2 In certain instances, particularly in the case of severe mental health needs, children and young people may be placed in specialist residential hospitals outside of Leicestershire by the NHS, many of these facilities have access to on-site educational provision or Ofsted-registered schooling that can offer education as part of the package of care
- 8.3 Leicestershire County Council retains responsibility for the education of these children and young people whilst they remain in hospital, and upon their return to Leicestershire following discharge
- 8.4 The CMN Co-ordinator requires evidence of a hospital admission, timetable and attendance records to ensure that all invoices for education are paid. It is the responsibility of the Hospital School to provide this, not the parent/ carer or home school
- 8.5 Upon admission to the Children's Hospital School (CAMHS inpatient unit), the Hospital School will inform Leicestershire County Council Inclusion Service via inclusionpupilsupport@leics.gov.uk using the templated referral form, which can be found [here](#), this information should include the name of the school, the pupil's key stage, the current educational provision, attendance levels and challenges particular to the pupil
- 8.6 The Inclusion Service will be invited to the Care Programme Approach (CPA) Meetings. As the discharge date approaches the educational provision and support needs for the pupil can be discussed and planned for
- 8.7 Upon discharge from the Children's Hospital School, or other medical facilities, a written Discharge Summary will be provided to the Inclusion Service and to the child's school

9. School age pupils who are pregnant

- 9.1 It is an expectation that pupils who are pregnant, and school age mothers, will continue to be educated at school whilst it is reasonably practical to do so
- 9.2 CMN referrals for students who are pregnant will be considered on a case by case basis and additional educational support will generally be provided for six weeks prior to the birth and the six weeks following the birth
- 9.3 Pregnant teenagers are less likely to access maternity services and ante-natal care in early pregnancy. This can result in raised levels of medical complications and premature births therefore pupils should be encouraged to attend ante-natal appointments. It would be expected that these would be supported by the school as with any other medical appointment
- 9.3 The student will remain on the roll of the school and is expected to reintegrate back into the school in a planned way with appropriate additional support as required
- 9.4 The school will require evidence of the pregnancy, and the expected due date, in order to submit a CMN referral to the Inclusion Service
- 9.5 [The Equality Act 2010](#) extends to protection against discrimination on grounds of pregnancy or maternity to pupils, so it will be unlawful, as well as against education policy for a school to treat a pupil unfavourably because she is pregnant or a new mother

10. Children and young people with life-limiting and terminal illness

10.1 Leicestershire County Council will continue to provide education for as long as the parent/ carer and healthcare professionals deem it appropriate to do so

10.2 If the pupil, or the parent/ carer wish to withdraw from education their wishes will be respected if the decision is supported by medical advice

10.3 Further information can be found in the DfE guidance for [Children and Young People's Continuing Care](#)

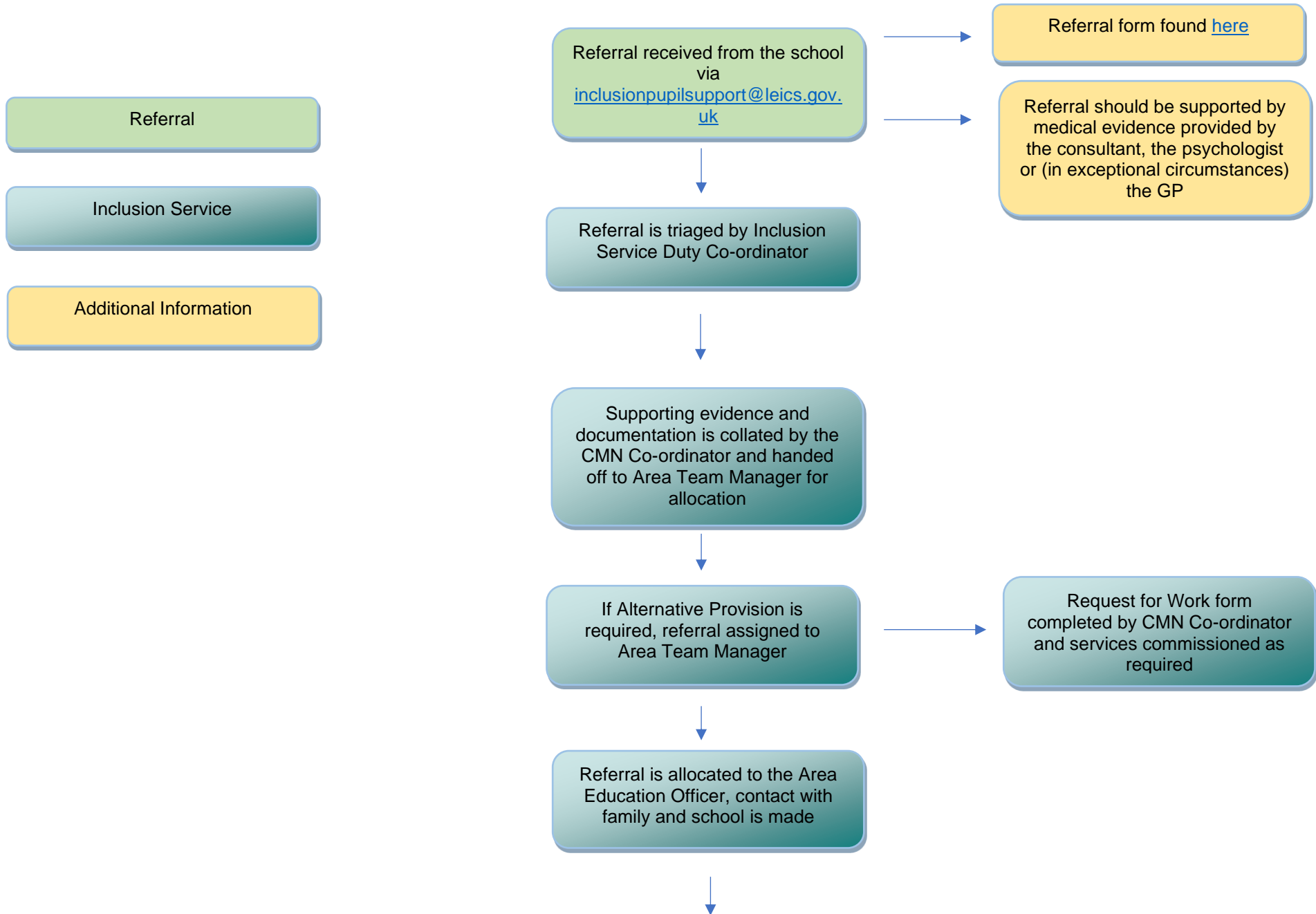
11. Children With Medical Needs (CMN) referral and process

- 11.1 Referrals are made to the Inclusion Service by completing the referral form, found [here](#)
- 11.2 Supporting medical advice is required in order to process a CMN referral to the Inclusion Service. This should be provided by a consultant or psychologist
- 11.3 Leicestershire County Council acknowledges that consultant evidence is not always readily available so, in some instances, a GP letter may be accepted if accompanied by a further specialist referral and supported by the School Nurse/ Public Health Nurse
- 11.4 Referrals for CMN will be triaged by the Inclusion Service Duty Co-ordinator
- 11.5 If a referral to Willowbank Hospital School is required this will be processed, the family and school notified, whilst the Inclusion Services awaits the decision from the Hospital School Admission Panel
- 11.6 If Alternative Provision is required the Inclusion Service will assign the referral to the Area Team Manager, and an Education Officer will be allocated
- 11.7 The Education Officer will make contact with the family and the school to schedule an initial visit (either face to face, or digitally if required) and a Team Around the School (TAS) meeting to develop an Education and Reintegration Plan. There is an expectation that Health, the school and other involved professionals will have provided the appropriate reports, evidence or be in attendance to advise on the level of alternative provision which will be agreed within the TAS meeting
- 11.8 The Education and Reintegration Plan is shared with the Area Team Manager for oversight
- 11.9 The CMN Co-ordinator will complete a Request for Work application to providers on the Leicestershire County Council Commissioning Framework to procure a short-term package of educational support for the child or young person (if required)
- 11.10 Leicestershire County Council will recover the cost of any education provision arranged on behalf of school by the Local Authority whilst a child or young person is prevented from attending school due to any medical condition (regardless of whether that inability to attend school is due to a physical or mental condition). Further information can be found by referring to the Recoupment Policy, [found here](#)
- 11.11 The Education Officer may also request the allocation of an Inclusion Practitioner or Resilience Youth Worker to support additional one-to-one work with the child or young person with the reintegration plan
- 11.12 Any education provision will be reviewed after 6 weeks to ensure that it is meeting the needs of the child or young person. This is then reviewed on a half-termly basis with a meeting for the

school, the child or young person, parent/ carer and other relevant professionals to support the process of reintegration

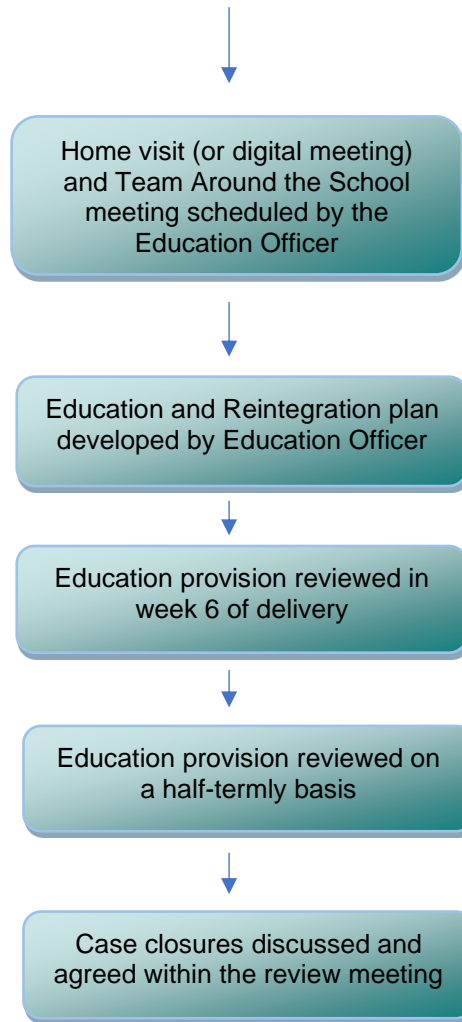
- 11.13 If, after two school terms, significant progress has not been made towards reintegration, longer-term joint planning will need to look at the child or young person's needs and any other additional assessment and support the pupil might need to access school
- 11.14 Case closures will be discussed at the review meeting once the child or young person has successfully reintegrated back into the school.
- 11.15 Transition support might be offered by the Inclusion Practitioner to enable a handover to key school staff for continuing support as is required
- 11.16 Leicestershire County Council aims to have provision planned once it is clear that a child or young person will be absent for more than 15 school days, whether consecutive or cumulative
- 11.17 Prompt referral from the school allows for provision to be planned between days 1 – 6 of a predicted absence due to the health or medical needs of the child or young person. Leicestershire County Council acknowledges that this can be particularly challenging when needs are attributable to mental poor health

Flow Chart - Referral



Inclusion Service

Additional Information



Inclusion Practitioner or Resilience Youth Worker may be allocated to offer additional direct support to the child or young person

Quality Assurance

This Policy has been reviewed and agreed by Children and Family Services Senior Management Team for Education and SEND.

This Policy will be reviewed and updated on an annual basis.

No amendments or changes will be made without the approval and agreement of the Service Manager for the Inclusion Service, Leicestershire County Council

Contact Us

To discuss Children With Medical Needs, contact:

Inclusion Service



Tel: 0116 305 2071



Email: inclusionpupilsupport@leics.gov.uk

For independent advice or support contact SENDIASS (Special Educational Needs and Disabilities Advice and Support Service):

SENDIASS



Tel: 0116 305 5614



Email: sendiass@leics.gov.uk

