

Solihull Council – Education support for children who are unable to attend their education setting

Introduction

Section 19 of the Education Act (1996) says that your local council must make sure your child gets a suitable education if they cannot go to school. This applies to all children who are old enough to be in school.

Your child might not be able to attend school because they are ill, have been excluded, or for another reason that stops them from going. Where the threshold for Section 19 is met the council has a duty to make sure, they receive education that is right for their age, needs, and ability.

This education might happen somewhere other than school your child usually attends, such as in another setting, in a hospital school, or at home. It should start as soon as possible so your child does not fall behind.

The aim is to help your child keep learning and, when they are ready, return to school or move on to the next stage of their education.

What this guide is about

This guide explains how Solihull Council helps your child keep learning if they cannot attend school.

The council must make sure every child gets a suitable education, either in school or somewhere else. “Suitable education” means learning that matches your child’s age, ability, and any special needs they may have.

Who this applies to

This support is for children of statutory school age, aged 5–16, who live in Solihull.

It does *not* apply if your child will finish Year 11 within six weeks and they do not have exams left to take.

If you live outside Solihull, the local council where you live and pay your council tax to is responsible for making sure every child gets a suitable education.

When the Council Must Act

Solihull Council must step in when a child cannot get suitable education because of the following reasons.

- Illness (physical or mental health) - If your child is too unwell to attend school for 15 days or more, the school must tell the Council (these days can be spread out over an academic year). The Council will then decide if extra help or alternative education is needed.
- Exclusion from school - If your child is permanently excluded, the Council must provide education from the 6th school day after the exclusion.
- Other reasons - This includes any situation where your child cannot reasonably attend school.

What schools must do first

Before asking the Council for help, the school your child currently attends is expected to:

- Work with families to understand barriers to attendance.
- Put in place support plans (e.g. Individual Health Care Plans, Attendance Support Plans).
- Refer to external services (e.g. Child and Adolescent Mental Health Services - CAMHS, Local authority SEND team, Early Help Service).
- Continue to support the pupil's learning during absences.
- Consider a Section 19 referral if absence persists despite intervention and suitable supporting evidence is available.

What the Council will do

The Council has a team called the **Education Participation Advisory Service (EPAS)**. EPAS act as a champion for children's education and ensure that all children of statutory school age have access to and are attending suitable full-time education.

The service provides support, advice, and guidance to children, their families, schools, and other services. They also encourage service users to think differently when needed, so they can understand what is getting in the way of progress and find solutions that help your child access their education.

EPAS runs a joint panel where different professionals meet to decide what alternative support or education a child should get when the Council has a duty to provide it. The panel meets every two weeks, and schools send in the referral.

The Single Panel reviews the evidence provided for each case, including medical evidence when appropriate, and decides:

- Has the school done what they are expected to do?
- Is the education being offered right now reasonable and practical for the child to take part in? What type of support should be offered?
- How long the support should last?

If the Council decides they must act, they aim to put education in place as soon as possible.

Examples of support the Council may offer

Depending on your child's needs, the Council might recommend support based around the following:

- Online lessons.
- Home tuition.
- Learning at an alternative education setting.
- An AV1 robot so your child can join lessons from home.
- Help for the school to make better adjustments.

- Short term access to an alternative setting with a target to reintegrate to their home school.

It is important to remember that:

- This support is not a permanent solution. The goal is always to help your child return to their normal school as soon as they are able.
- Tuition support will not match the same number of hours as full-time school, because 1-to-1 learning is more focused and intensive. The Council uses a formula to work out how many hours your child can reasonably manage, based on their age, health, and ability to take part in individual lessons. This means the number of tuition hours may be lower than a normal school timetable.

If your child is permanently excluded

In Solihull, your child will usually have their education provided by Solihull Alternative Provision MAT (SAPMAT). They will:

- Organise teaching for your child.
- Help plan a move back into a suitable school or long-term placement.
- Give your child the right support to help remove the things stopping them from learning.

If your child has an Education, Health and Care Plan (EHCP), the Council, SAPMAT, and your child's previous school will work closely with you to find best possible plan for your child.

If your child is off school because of illness

In cases of where your child cannot attend school due to illness, schools should:

- Support your child with work.
- Make reasonable adjustments.
- Keep them connected with school life.

The school your child attends must tell the Council once illness related- absence reaches 15 days (consecutive or cumulative) over the course of the same academic year. Should this happen, the Council will then consider:

- Your child's medical needs using appropriate medical evidence. This must include up to date information from a health professional who has seen your child in person and assessed their health. Any GP evidence must clearly confirm that the GP has met with your child and carried out a clinical assessment.
- Professional advice from the school, health services, or other relevant specialists who know your child's needs.
- Whether the school can support them without extra help.
- Whether alternative education is needed.

If your child is not on a school roll

If your child has just moved into Solihull and is too unwell to attend school, you will need to contact the Solihull MBC School Admissions Team in the first instance. They can be contacted via email on admissions@solihull.gov.uk.

How long support lasts

Most alternative provision lasts between 12 and 20 weeks, but this can vary. When your child is placed at an alternative provision, reviews take place every 5 or 6 weeks to check:

- The progress your child is making at the provision.
- The level of attendance.
- Whether your child is ready to go back to school.

Your responsibilities as a parent

Parents must make sure their child gets a full-time education, whether at school or somewhere else.

A parent not wanting their child to attend a particular school does not mean that the Council has a duty to provide Section 19 education.

If you think the Council needs to provide education under Section 19, you should talk to your child's school first. They are best placed to start this request. If the Council provides suitable education but a child does not attend, this may be treated as a failure to ensure your child is educated, and you could be contacted by the Council's Attendance Team.

Funding

Education provided under Section 19 by the Council is paid for through government funding.

The council have an arrangement with schools to take back funding to contribute towards the alternate provision.

You can read the full policy that outlines the Council's legal duties under Section 19 of the Education Act 1996 on the [Council's website](#).

Concerns or complaints

If you are unhappy with the school's support

- Speak to the school first.
- If not resolved, use the school's complaints process (on their website).

If the issue is with an academy

- Use the academy or trust's complaints process.

If you are unhappy with the Council

- Contact the team supporting your child.
- If still unhappy, use the Council's complaints process:
<https://www.solihull.gov.uk/tell-us/complaints-and-feedback-about-council-services>

If you feel the school has not followed the law

You can contact the Department for Education. Details of how you can contact them can be found on <https://www.gov.uk/complain-about-school>