# Herefordshire Council

## Part-time Timetable Guidance for Schools, Parents and Governors

## Purpose of the Guidance

This guidance is intended to protect children and schools should a part-time timetable be used, and ensure that no child is excluded unlawfully through the imposition of a part-time timetable. All children are entitled to a full-time education and there is no statutory basis upon which to establish a part-time timetable. In exceptional circumstances, there may be a need for a temporary part-time timetable to meet a child's needs.

Herefordshire Council is committed to every child's right to a full-time education offer, and makes clear the requirement that a part-time timetable cannot be implemented without consent from a parent/carer (or the Virtual School for Children Looked After). Schools are expected to inform Herefordshire Council of the use of part-time timetables within their school or education provision, submitting the appropriate form to the local authority as soon as practicably possible. This guidance should be shared with parents and governors.

#### Legitimate and Lawful Reduced Timetables

Reduced timetables should only be used in very limited circumstances and for a defined period of time. Some examples include:-

- When a child has a short-term medical condition that prevents full-time attendance for a time limited period
- As part of a staged re-integration following an extended period of absence
- On transfer to another school or educational setting where a short phased entry will facilitate a positive transition

Part-time timetables should be in response to an assessment of need which has identified it as a suitable and appropriate response in the interest of the child. Any child on a part-time timetable should have regular reviews with a plan to return to a full-time education within clear and reasonable time frames. Parents and Carers or the Virtual School for Children Looked After should be fully involved and contribute to this process.

Children should be provided with sufficient and appropriate work to do for the hours they are not in school so as not to disadvantage the child. Arrangements should be made to ensure that the work is marked, assessed and constructive feedback is given to the child. Consideration must be given to the impact of a part-time timetable on travelling and transport arrangements, or a child's access to Free School Meals.

Any child requiring a part-time timetable may warrant further assessment to understand needs and appropriate levels of support. This includes engaging with wider assessment processes for further information, advice and support for the child, such as an Early Help Assessment and Team around the Family Support, SEMH Inclusion Service, SEND, Virtual School and Social Inclusion Officer.

Schools could be vulnerable to accusations of off-rolling when:-

- A part-time timetable is imposed without parental consent
- Where no reviews have taken place or they have ceased to take place
- Where a timetable has been used for a significant period of time with no attempts to increase the hours
- Other avenues to support the child have not been explored
- Where the pupil has SEND or other needs that have not been met

#### **Safeguarding Considerations**

Schools have a safeguarding responsibility for all children on roll, and therefore, if evidence suggests that the child will be at significant risk if not in school, then a reduced timetable should not be considered an option. A risk assessment should be carried out before the implementation of a part-time timetable, if possible in consultation with parents.

#### Children with a Medical Need

Children should not be put on a modified timetable because of their medical or mental health need as this may constitute discrimination unless advised by a health or medical practitioner. Where a child has a serious medical condition, arrangements would be part of an Individual Healthcare Plan agreed between the school, parents and health professionals.

#### Children with an Educational, Health & Care Plan

A reduced timetable should only be used for a pupil with an Education, Health & Care Plan (EHCP) in very limited circumstances. A pupil should not be put on a part time timetable because of their special educational need as this may constitute discrimination. In some cases, a special education need may also be a disability and therefore constitute a protected characteristic under the Equality Act 2010. A part-time timetable should not be used when a child has an EHCP and a part time timetable would mean that the provision set out in the plan cannot be delivered.

#### Children subject to a Child Protection or Child in Need Plan

If a part time timetable is being considered for a child who is subject to a Child Protection Plan (CP) or Child in Need (CIN) plan, the school must consult the child's social worker and should only be implemented with their agreement following a multi-agency review e.g. TAF and CIN meeting.

#### Children Looked After

Children Looked After are some of our most vulnerable children. Therefore, in line with best practice, a reduced timetable should only be implemented in very limited circumstances when all other interventions have been tried and in partnership with the Head of Virtual School, Joanna Chick: <u>Joanna.Chick2@herefordshire.gov.uk</u>

#### Herefordshire Council Responsibilities

Herefordshire Council has a legal duty to ensure that children have access to an efficient and fulltime education, appropriate to their age, ability and aptitude and any special educational needs that he or she may have. Herefordshire Council therefore has an important role to play in monitoring this provision and particularly where any young person is not receiving their full legal entitlement to an education. Establishing the identities of children who are not in receipt of their full-time educational entitlement is an important step in ensuring they are kept safe from harm. Herefordshire Council will:-

- Keep records and report the known numbers of pupils on reduced timetables in education strategy meetings
- Raise with the school's governing body where a child has been on a reduced timetable for a significant period of time when attempts have not been made to increase hours and reviews have ceased when based on the child's individual needs and challenges, or where a child is identified as being on a reduced timetable that has not been reported to Herefordshire Council
- To collate information on pupils on part time timetables for reporting and monitoring purposes
- Visit schools where they need to understand individual cases

#### Herefordshire Schools' Responsibilities

All Herefordshire schools and academies must ensure that robust processes and procedures are in place where a child is not in receipt of their legal entitlement and must inform Herefordshire Council of the name of the child, together with details of the part-time timetable, for monitoring and tracking purposes. Schools should:-

- Complete the online notification form Part time timetable notification
- Where a part-time timetable is used for a child with an EHCP, the Case Officer is also notified
- Where a part-time timetable is used for a child with a child protection plan, Herefordshire Children's Services is informed with a copy sent securely to the relevant social worker
- Gaining written agreement from the Head of Virtual School for a Child Looked After where a reduced timetable is being considered by contacting Joanna Chick: <u>Joanna.Chick2@herefordshire.gov.uk</u>
- Gain parental permission, without which it could be construed and challenged as an unofficial exclusion, which is unlawful
- Ensure that safeguarding risks have been considered and where appropriate complete a risk assessment
- Ensure there are formal arrangements in place for regular reviews with the pupil and their parents

#### Attendance Register

Part time timetables can be used for children once they reach compulsory school age. This is on 31 December, 31 March or 31 August following their fifth birthday - whichever comes first.

Schools can approve educational activities that take place away from the school providing they meet the requirements set out in regulations and guidance.

According to the Department for Education's School Attendance Guidance:

'An approved educational activity is where a pupil is taking part in supervised educational activity such as field trips, educational visits, work experience or alternative provision. Pupils can only be recorded as receiving off-site educational activity if the activity meets the requirements prescribed in regulation 6 (4) of the Education (Pupil Registration) (England) Regulations 2006. The activity must be of an educational nature approved by the school and supervised by someone authorised by the school. The activity must take place during the session for which the mark is recorded.' (p.8, Advice on School Attendance (Department for Education, 2013))

The same DfE guidance also provides specific guidance about the use of the B code. It states:

'This code should be used when pupils are present at an off-site educational activity that has been approved by the school. Ultimately schools are responsible for the safeguarding and welfare of pupils educated off-site. Therefore, by using code B, schools are certifying that the education is supervised, and measures have been taken to safeguard pupils. This code should not be used for any unsupervised educational activity or where a pupil is at home doing schoolwork. Schools should ensure that they have in place arrangements whereby the provider of the alternative activity notifies the school of any absences by individual pupils. The school should record the pupil's absence using the relevant absence code.'

(p.8, Advice on School Attendance (Department for Education))

In respect of part-time timetables, it states:

'In agreeing to a part-time timetable a school has agreed to a pupil being absent from school for part of the week or day and therefore must record it as authorised absence.' (p.15, Advice on School Attendance (Department for Education))

Where a child is attending alternative provision as part of their part-time timetable it may be appropriate to use the B code for that aspect of their timetable. However, it remains the school's responsibility to monitor attendance whilst they attend alternative provision.

## Appendix 1

## **Questions for Governors**

- How many pupils does the school currently have on modified timetables?
- Are any of these children subject to CP or CIN Planning?
- How long has each pupil been on a modified timetable?
- What are the reasons for this intervention being implemented?
- Does the school have parental agreement to every modified timetable?
- Does the school have a parentally signed risk assessment in place for each case?
- Do the school believe it is an effective strategy and if so why?
- Does the school have a clear understanding of the individual needs and challenges of each pupil and have they tried to meet them?
- Can the school evidence educational progress for pupils on modified timetables?
- Do any of the cases involve pupils with EHCPs and have the LA SEND Team been involved and an interim annual review called?
- What impact do modified timetables have on whole school attendance figures?
- Is the modified timetable cohort over-represented in any area and has this been explored further e.g. SEND, exclusions, particular year groups?
- Does the school have an effective behaviour policy and is it consistently applied?
- Are Individual Health Plans in place for every child on a modified timetable for medical reasons?
- How can the school demonstrate the positive impact of the use of a modified timetable for pupils?
- How is the pupil supported to catch up on missed learning?

## For further advice/guidance, please contact:-

Nicole Gardner or Clare Lally (Social Inclusion Officers) <u>social-inclusion@herefordshire.gov.uk</u> 01432 261584

## Appendix 2

## **Considerations for Parents/Carers**

- Have you considered how your child will be supervised when they are not at school and that you have full responsibility for them when they are not attending school?
- School should provide you with work to complete and returned for marking and feedback so your child does not fall behind with their learning.
- You have full responsibility for the health and safety of your child when they are not at school.
- Who will be responsible for setting them work, how will they get work?
- What lessons will they miss and how will they catch up on learning they miss by not attending those lessons?
- Have the school agreed with you when you the review the part time timetable?
- Is the part time table in the best interests of your child?
- Have you any concerns about your child when they are not accessing school? Have you raised these concerns with the school?
- Has work completed when on a part time timetable been returned marked, with feedback?
- If your child has a Free School Meal, what arrangements have been put in place?
- Is the part time timetable for a maximum of 6 weeks?
- What support will your child receive to increase their hours when they attend school?
- A part-time table should be temporary and time-limited, children have a statutory right to a full time education.
- If your child has an EHCP how will the school ensure it meets the provision in the plan during the period of the part time timetable?
- What plan is in place to increase to a full time provision?
- If you have any concerns about the provision in the EHCP, you can contact your SEND Case Officer.
- Are you in full agreement with the part time timetable? If you do not agree with a part-time table it cannot be implemented.

## For further advice/guidance, please contact:-

Nicole Gardner or Clare Lally (Social Inclusion Officers) social-inclusion@herefordshire.gov.uk 01432 261584

## Appendix 3

### This document is written in line with recommendations from:-

School Attendance, DfE Guidance - August 2020

Keeping Children Safe in Education, DfE Guidance - September 2022

Children Missing Education, DfE Guidance for Local Authorities - September 2016 (due for review)

The Education (Pupil Registration) (England) (Amendment) Regulations - 2016

Parental Responsibility Measures for School Attendance and Behaviour, DfE Guidance - January 2015

Supporting Pupils at School with Medical Conditions, DfE Guidance - December 2015

Section 436A of the Education Act 1996

Securing Good Attendance and Tackling Persistent Absence, DfE Guidance February 2022

Working together to improve school attendance- Guidance for maintained schools, academies, independent schools and local authorities - September 2022