

PUPILS NOT IN FULL TIME EDUCATION

Guidance for Schools

Updated July 2015

Introduction

The following paper describes the guidelines that schools should use considering placing a pupil on a part time timetable. The paper outlines the statutory obligations on education authorities and refers to the Scottish Government guidance on the use of part time hours. Whilst recognising that part time timetables may be used to support a pupil's return to school in some cases, such arrangements should be time limited, accurately recorded, well documented and clearly justified.

Guiding Principles

These guidelines are based on a framework which recognises that:-

- The Highland Council has a legal duty to provide 'adequate and efficient' school education to all pupils within its area (Education (ASL) Act 2004 and 2009) and to enable every child to 'reach their maximum potential' (UNCRC 1989).
- Pupils have a right to be provided with a school education and this right is enshrined in the Standards in Scotland's Schools Act, 2000.
- The overarching aim is to support whole school communities, learning establishments and their partners to keep **all** learners fully included, engaged and involved in their education, wherever this takes place.
- A shared approach from agencies working together, and responding to the needs of learners early and effectively, in line with the principles within the Children and Young People's Act (2014), provides a model for best practice.
- Learning and teaching is most effective in environments where the ethos is one of mutual respect and where positive relationships are encouraged.
- Where a pupil finds it difficult to access a traditional curriculum, differentiating the content or providing an alternative curriculum which meets the needs of the pupil, can help re-engage them in education.
- Pupils, parents & staff all have a share in the responsibility to promote and maintain acceptable levels of attendance and access to education.

BACKGROUND

A part time timetable is defined as an agreed part time programme which includes a session which does not involve attendance at any provision. A part time timetable therefore represents a form of exclusion for a young person.

While some part time timetables are appropriately used for children and young people with health, medical, or school phobic issues, many are used to restrict the young person's attendance at school on account of behaviour that is challenging to the system and difficult to manage.

Part time timetables differ significantly from a situation where a young person is truanting or absenting him/herself from school without permission. With a part time timetable the school is taking a decision to restrict the child or young person's time in school. This can compromise the education authority's legal duty to provide 'adequate and efficient' school education to all pupils within its area (Education (ASL) Act 2004 and 2009) and to enable every child to 'reach their maximum potential' (UNCRC 1989).

Reduced time in school is primarily suggested on the grounds that the pupil cannot cope with being in school for the full day. Many of the pupils on part time timetables have been previously excluded from school, and it is recognised that schools will have tried a variety of alternative strategies before considering a part time arrangement. It may also be the case that a part time table reduces the likelihood of further exclusions.

There are however related issues that can arise as a result of a young person being placed on a part time timetable. It can place an additional burden on the young person's family or carers to make special arrangements to supervise the young person. This can often lead to increased stress on an already fragile family situation, or, where children are accommodated in foster placements, can jeopardise the viability of the foster placement. In extreme cases, children may be left to fend for themselves during school hours, and can become involved in risky and anti-social behaviour. Young people who are referred to the Children's Panel are more likely to be placed in residential school if they are receiving a very limited education, diverting valuable resources from the authority. Similarly, the authority is more likely to receive placing requests for specialist provision outwith the authority, for young people who are attending school on a part time basis.

GUIDELINES FOR SCHOOLS

In order to clarify practice in this area, schools should adopt the following guidelines on part time timetables. The guidelines do not apply to those pupils where alternative curriculum provision has been put in place. Provided that the school has a mechanism in place for ensuring that the pupil is attending the alternative curriculum provision and the pupil's total time allocation is full time, such arrangements would not be considered as part time education. Equally, these guidelines would not apply where there is a medical or health related reason, or a school phobic problem, that prevents a pupil attending full time education provision. For these pupils, part time attendance may be the only way a pupil can benefit from education. Such pupils must still be recorded on e1 as attending on a part time basis and will be included in any audits on part time school attendance. Their attendance should also be regularly monitored and reviewed with the relevant partners to the plan, through the child's planning process.

The following guidance does apply however to those situations where the school wishes to reduce the pupil's time in school because of their behaviour.

- 1.1 Pupils have a right to be provided with a school education and this right is enshrined in the Standards in Scotland's Schools Act, 2000. It should also be recognised that pupils are to be educated in accordance with the wishes of their parents, (Education (Scotland) Act 1980). Therefore no part time arrangement can be considered if it is against the wishes of the pupil's parents or carers. Schools cannot impose part time arrangements on pupils without parental agreement. When considering a part time timetable, it must be made clear to parents/carers that they have the right to refuse a part time timetable. Additionally, there is an obligation to consider and take account of the views of the child or young person.
- 1.2 Scottish Government guidance, (Included, Engaged and Involved, 2011), states that, *"As part of an initial support package on return to school it may be appropriate, particularly where a crisis situation has developed, for the learner to return to school on a part time basis for a short period of phased re-admission."* The guidance also states that, *"These arrangements should be considered as an interim step to expedite a prompt return to full time education and should have a clear timescale attached. The length of this arrangement should be kept to an absolute minimum."* (Included, engaged and involved, 2011).
- 1.3 Schools have a duty of care for all pupils who are on their roll. They must ensure that when pupils are not expected to attend the school full time, there is a clear agreement with parents/carers about who is carrying out that duty of safeguarding the pupil at each session.
- 1.4 Part time timetables should be recorded within the context of a Child's Plan for the pupil. This should state the intended purpose of the part time arrangement, the expected time span of the part time arrangement, and the steps which will be taken to bring about full time attendance. The Child's Plan should also include details of the arrangements for the education of the pupil beyond school provision.
- 1.5 Part time timetables should focus on what is best for the young person, not on what the school believes it can accommodate. It must be clear that part time school attendance is better for the pupil than full time attendance. In line with Scottish Government guidance, it is recognised that in certain circumstances it may be in the best interests of the young person for them to attend school on a part time basis. This may be in order to help the young person gradually integrate back into the school setting. However the aim should be to achieve a return to full time education as soon as possible, and normally within 6 weeks of the start of any part time arrangement. It is not considered appropriate for pupils to be denied their entitlement to education by placing them on a part time timetable for an extended period of time.
- 1.6 Pupils should not be expected to 'earn the right' to increase their time in school. It has sometimes been suggested that unless a pupil shows an improvement in behaviour, their time in school will not be increased. This approach makes conditional what is a statutory entitlement to education.
- 1.7 All pupils who are on part time timetables should be known to and monitored by the school's Senior Management Team. Schools should also notify the Area Additional Support Needs Manager whenever a pupil is on a part time timetable, so that this information can be monitored by the Area Management team.
- 1.8 It is recognised that in the latter stages of secondary schooling a variety of options exist that can take place outwith the school campus, such as college courses, work experience, Duke of Edinburgh, Activity Agreements and similar schemes. Any part

time arrangement at secondary school should seek to ensure that all these alternative options are fully explored so that the young person has a positive alternative to mainstream schooling rather than a straight reduction in their timetable.

- 1.9 In the primary school stages there are similar opportunities to elaborate the curriculum through outdoor learning, sports activities, creative arts etc, that may support the child's learning. To be effective however, any elaboration to the curriculum must be linked to clear learning experiences and outcomes and planned, to meet the assessed needs of the individual child.
- 1.10 In line with the principles of GIRFEC, advice from other agencies should be sought so that a holistic view of the young person's situation is obtained. Support for the young person and their family from other agencies may be required to ensure a successful return to school. The Lead Professional should always be involved in discussions regarding part time attendance for all Looked After Children.
- 1.11 Schools should record information on the attendance of pupils on part time timetables through SEEMIS under the appropriate code (PTX for part time timetables resulting from SEBN and PTH for part time timetables resulting from health/mental health). This will differentiate pupils on part time timetables from pupils who have unauthorised absences.

MONITORING OF PART TIME TIMETABLES

- 2.1 The effective monitoring of pupils on part-time educational programmes requires robust information sharing between all partner agencies in order to identify and track vulnerable pupils. Scottish Government advises that, "*Local authorities should be aware of and monitor carefully any part time provision including targets for full time provision.*" (Included, Engaged and Involved, 2011).
- 2.2 Area Management Teams and the Head of Additional Support Services will review the pupils on part time timetables on an annual basis, with more regular monitoring at an Area level. This information will be shared with Senior Managers, including the Quality Improvement Manager, for discussion with Head Teachers. It is therefore essential that the information entered in the pupil database (SEEMIS), is robust and accurate, so that it can become the source of this information rather than individual school returns.

CONCLUSION

The above guidance will ensure that the Care and Learning Service, through its schools, fulfils its statutory duty to provide 'adequate and efficient education' to all its pupils, to enable them to reach their 'maximum potential' and is in accord with the principles of social justice and equality.

It is recognised that schools can be severely challenged by the behaviour of some young people and are encouraged to make full use of the supports and guidance available to them within the context of the staged approach to intervention. Many of the guidance documents can be found on the ASN Manual on the Support for Learners Website. http://www.highland.gov.uk/downloads/file/16082/additional_support_needs_manual

There will remain some cases where all alternatives have been unsuccessful or where a pupil's behaviour has been so extreme that exclusion may be considered. The needs of the pupil have to be considered on an individual basis. It would not be advised to exclude

a pupil who is a Looked After Child if at all possible as this cuts across the Council's responsibility as Corporate Parent and also creates a greater sense of rejection for the individual pupil. Any consideration of exclusion of a LAC should first be discussed with the Lead Professional so that other supports may be considered.

For pupils with disabilities, additional support needs or other Protected Characteristics, cognisance must also be taken of the nature and root cause of the behaviour. Where the pupil is engaging in behaviour that is challenging that is recognised to be as a direct result of his/her disability or additional support need, it would be considered 'less favourable' treatment to exclude him/her as a result of this. (Education (ASL) Act 2004 and 2009, Equalities Act (2010)). In such cases, the Head Teacher should discuss the situation with the Lead Professional and/or the ASN Manager, to consider alternative supports to meet the pupil's needs.

In other situations, exclusion may be considered as a last resort and remains the Head Teacher's right. The circumstances under which a Headteacher (operating under devolved responsibility from the education authority), may exclude a pupil are outlined in the authority's guidance on School Exclusions and this guidance must be followed at all times. http://www.highland.gov.uk/downloads/file/212/exclusion_policy

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Thanks go to Perth & Kinross Council for allowing the use of their paper on part time attendance as a basis for this document.