

## **Section 19 A Guide for Parents**

### **I've heard about Section 19 of the Education Act. Is my child entitled to alternative provision if they are not at school?**

Section 19 of the 1996 Education Act places a duty on Local Authorities to arrange suitable education for children who are unable to attend school. As a guide, absence of fifteen days or more may trigger this duty. There are various reasons why a child (or young person) may be unable to attend school, such as permanent exclusion or illness. However, an illness that prevents school attendance for this length of time is rare. Children who are in this situation are usually very unwell. The Section 19 duty does not cover absence from school due to normal worries or anxiety, concerns about bullying or dissatisfaction with school policy or process. In these situations, parents have a responsibility to work with the school to overcome these barriers. If you feel that the school is not responding to your concerns, you should follow the school's complaints procedure.

If it is likely that your child will be unable to attend school for more than fifteen days, despite the best efforts of school and parents, the school will contact the Local Authority for guidance. Under Section 19, the Local Authority will support the school to provide a suitable education while your child is unable to attend. The Local Authority will decide if the Section 19 duty has been triggered. Through joint working with parents and school, the Local Authority will take the lead in ensuring that a suitable action plan is put in place which meets the needs of the child and is both a suitable and efficient use of resource. The nature of this education provision will vary depending on the circumstances of the absence.

Below are some further questions and answers that cover some of these circumstances.

### **What should I do if my child doesn't want to attend school?**

It is perfectly normal for children to experience difficult emotions about attending school. This might be caused by worries about friendships, schoolwork, exams or variable moods. This can be stressful for parents, but it is important to encourage your child to attend school regularly. If children get into a habit of missing school, they get behind with their learning and miss out on friendships and social connections. This makes them even more anxious about returning. Getting into the habit of going to school even if they feel a bit unwell or anxious is a good life lesson for children that builds resilience.

## **What can I do if my child is anxious and avoiding school?**

If your child is regularly trying to avoid going to school or is refusing to attend, it is important to talk with your child about it. Children often struggle to explain their feelings, so they might not be able to answer a direct question like 'what's going on?'. There are some useful website links included below.

Once you understand the problem better, speak with the school and talk about your concerns. Even though you may be worried about the situation, it is important to maintain positive contact with your child's school. Schools want to help and can often reduce your child's worries. Anxiety and worry about school usually have a specific cause which can be resolved. However, if you feel that your child might have an underlying difficulty you should discuss this with the school. You may need to speak with the school SENCO. If you don't keep in contact with school, absences are likely to be treated as unauthorised and may well be referred for legal action.

## **What happens if my child is too anxious to attend school?**

In very rare cases, some children are unable to attend school due to a mental health illness. If your child is experiencing significant anxiety and is distressed, you should make an appointment with your family GP for advice and inform your child's school. The school will work with you to create an attendance plan to help your child to get back to full time attendance. To do this, the school will take any medical evidence into account and will seek advice from the Local Authority. If your child has an education, health and care plan (EHCP), a significant change like this may result in a review of the EHCP.

For most children in this situation, getting back into full time attendance at their school is best for their mental health and academic outcomes. The attendance plan will set out how this is going to be achieved. Each attendance plan is specific to individual children, but most will aim to gradually build up attendance at school. It is important that your child does not drop behind academically during this time, so the attendance plan will set out how learning will be maintained, with as much face-to-face learning as possible. If further advice comes to light, such as advice following work with mental health specialists, this will be incorporated into the attendance plan.

Supporting a child in this situation is very challenging for parents. You will need to encourage your child to progress through the attendance plan. You will also need to be prepared for setbacks, especially when building up attendance at school. It is essential to keep in regular contact with the school, especially about what is and is not working. The attendance plan will be monitored regularly, and the school should involve you in this.

## **My child is likely to be unable to attend school because of a serious illness. What should I do?**

If you know that your child is likely to be absent from school for a while, perhaps due to a major operation or significant ongoing treatment, you should inform your child's school. The school will get in touch with the Local Authority for advice. In cases of treatment for serious illness that might involve extended hospital stays, or where attending school would be impossible due to risk of infection, the Local Authority will work with the school to provide a suitable education. In such cases, the Local Authority might convene a multi-agency panel, comprising school, parents and medical professionals where available, to develop a plan for ongoing education.

## **Where can I find more advice?**

[School Anxiety and Refusal | Parent Guide to Support | YoungMinds](#) has lots of useful tips and advice for parents about children's mental health from the national charity Young Minds.

[Further information for parents | Educational psychology | Hampshire County Council](#) includes the booklet 'Emotionally Based School Avoidance, Information for parents and carers' is a resource for parents from the Education Psychology Service in Hampshire.

[attendance.queries@hants.gov.uk](mailto:attendance.queries@hants.gov.uk) is the email address for the Inclusion Support Service. They can help if you have questions about school attendance, including provision under Section 19.

[Hampshire SENDIASS - Special Educational Needs Support](#) is Hampshire County Council's independent advice service about SEND.

[DfE summary of responsibilities when mental health is affecting attendance](#) is a summary document for parents, schools and local authorities explaining their role with mental health related absences.

[About Us – CAMHS](#) resources from Hampshire Child & Adolescent Mental Health Service to support young people, parents, carers and professionals on a variety of needs.