

All children of compulsory school age (5-16 years), regardless of their circumstances, are entitled to a full-time education which is suitable to their age, ability, aptitude, and any special educational needs they may have. It is unlawful for a school to impose a reduced or part-time timetable. Schools have a statutory duty to provide full time education for all school age pupils (section 19, The Education Act 1996).

What is the duty on the Local Authority (LA)?

The LA has a duty of care towards their pupils. It is widely recognised that school is a protective factor for many vulnerable children. If children are in school and engaged in education, they are not exposed to other risk factors and unless they attend school regularly, they cannot benefit from their education.

It is therefore important that the use of reduced timetables is kept to a minimum and that they are **only used as an exceptional measure**, when appropriate, when all other measures to support the pupil have failed and that they are kept under regular review. There should be a consistent, inclusive approach to their use, focusing instead on preventative **early intervention**.

What is a reduced timetable?

A timetable is considered reduced when the total hours provided are less than those provided to the majority of the pupil's peers in that setting.

Education should be **suitable to a child's age, ability, and aptitude** – taking into account any special educational needs. All pupils should receive full time education consistent with their key stage:

- 21 hours at Key Stage 1
- 23.5 hours at Key Stage 2
- 24 hours at Key Stage 3 & Year 10
- 25 hours at Year 11

When can a reduced timetable be implemented?

It is important that the use of reduced timetables is kept to a minimum and that they are only used as an exceptional measure, when appropriate, when all other measures to support the pupil have failed and that they are kept under regular review. We should have a consistent, inclusive approach to their use, focusing instead on preventative early intervention.

A part-time timetable must not be treated as a long-term solution. Any agreement must have a time limit by which point the pupil is expected to attend full-time or be provided with alternative provision. A maximum of 6 weeks of reduced timetable is advised. The threat of exclusion must not be used to influence parents to engage with a part-time timetable.

A reduced timetable cannot be implemented without:

1. An assessment of need having taken place to ensure that it will benefit the pupil.
2. Written agreement from a parent/carer.
3. An interim or early annual review having been called, inviting the LA SEND team, for pupils with an EHCP.
4. The presence of the Virtual School at any meeting where the intervention will be discussed for a child looked after by the LA and their full agreement.
5. A supporting Individual Healthcare Plan for pupils with medical needs.
6. Schools being able to still evidence educational progress for the pupil.

What happens once a parent has agreed to a reduced timetable?

Once a parent has agreed a reduced timetable for a period of 6 weeks, if the intervention at the end of this time has not delivered improvement in the child's access to education, other strategies should be considered. If a parent were to agree to a further 6-week reduced timetable they would be in breach of their duty under the Education Act to ensure their child was in receipt of full-time education. Section 7 of the Act states:

“The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable—

- (a) to his age, ability and aptitude, and*
- (b) to any special educational needs he may have, either by regular attendance at school or otherwise.”*

It is not appropriate for schools to agree a reduced timetable that straddles both sessions in a school day, for less than 3 hours, recording a present mark for both the morning and afternoon session.

Coding an absence whilst on a reduced timetable

Schools must take an attendance register at the start of the first session and again after lunch. A legal duty is placed upon schools to ensure that registers are accurately completed. They form part of the witness statement presented to the court in the case of a prosecution.

The School Attendance Guidance August 2020 (Department for Education) 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.”

Code C: Leave of absence authorised by the school

“Only exceptional circumstances warrant an authorised leave of absence. Schools should consider each application individually taking into account the specific facts and circumstances and relevant background context behind the request.”

Code I: Illness (not medical or dental appointments)

“Schools should advise parents to notify them on the first day the child is unable to attend due to illness. Schools should authorise absences due to illness unless they have genuine cause for concern about the veracity of an illness. If the authenticity of illness is in doubt, schools can request parents to provide medical evidence to support illness. Schools can record the absence as unauthorised if not satisfied of the authenticity of the illness but should advise parents of their intention. Schools are advised not to request medical evidence unnecessarily. Medical evidence can take the form of prescriptions, appointment cards, etc. rather than doctors’ notes.”

Child Protection Planning

When children are made subject to Child Protection Planning, a multi-disciplinary meeting has deemed that there is reasonable cause to suspect that the child is suffering, or likely to suffer, significant harm. It is not, therefore, considered to be an appropriate safeguarding response for such children to be placed on reduced timetables.

If exceptional circumstances exist, they should be raised at conference, or core group meetings, and a time-limited reduced timetable should only be implemented if agreement is reached that this strategy is in the best interests of the child. It should then be reflected in the Child Protection Plan and discussed at core group meetings, which focus on achieving the outcomes of the plan.

Children in Need (CIN)

Under Section 17 of the Children Act 1989, a child is considered to be “in need” if:

- They are unlikely to achieve or maintain, or have the opportunity to achieve or maintain, a reasonable standard of health or development, without provision of services from the local authority.
- Their health or development is likely to be significantly impaired, or further impaired, without the provision of services from the local authority.
- They have a disability.

Children who are CIN should not be placed on a reduced timetable without prior consultation with the Social Worker.

Relevant Case law

- ***F-T v The Governors of Hampton Dene Primary School (SEN) [2016] UKUT 0468 (AAC):***
A school was found to have discriminated against a disabled child by putting her on a part-time timetable without providing any other support for the time she was out of school.
<https://www.ipsea.org.uk/f-t-v-the-governors-of-hampton-dene-primary-school-sen-2016-ukut-0468-aac>

Local reduced timetable guidance

Each LA has their own guidance document for schools on the subject of reduced timetables. This sets out what the LA expects their schools to put in place. Check your LA’s Local Offer to find a copy of this. Alternatively, we can locate and send the latest version to you.

Useful links

IPSEA’s support section on exclusion from school & full-time education
<https://www.ipsea.org.uk/pages/category/exclusion-from-school>

Department for Education’s guidance on Children missing education
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/550416/Children_Missing_Education_-_statutory_guidance.pdf