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**Authorising Absences - Template Letter**

[V.7 August 2024]

**Please copy and paste the content below then, edit and amend as necessary:**

* WORDING IN RED – choose the most appropriate option
* WORDING IN [BLUE] – add the appropriate details
* **WORDING IN GREEN - This is our guidance for you which needs to be deleted before the letter is sent**



Your address

Your email

Date

Re: [child’s name] [child’s form/class]

Dear [Headteacher’s name],

I am/ we are writing to request your support in relation to the current difficulties and barriers to attendance my/our son/daughter [child’s name] is experiencing. These difficulties relate to school-based anxiety which we believe has been triggered by ……………………………………………………… and impacted by [list any other issues or conditions].

As I am/we are sure you are aware, anxiety is a common emotion. However, when a child is experiencing severe anxiety, that experience of anxiety is far more intense and long-lasting. A mental health difficulty of this sort can have an adverse effect on a child’s wellbeing, and if not assessed, supported, and managed appropriately, it can affect academic progress and engagement with learning, and result in a complete inability to enter the school environment.

**[Authorising absence due to illness]**

I/We understand that [child’s name] current absences / absence on/between the dates …………… have not been authorised. I/We ask that you reconsider this decision and amend the attendance record to authorise [child’s name]’s absences. This will comply with the Department for Education's 'Support first' ethos and follow the expectations set out in statutory guidance for the following reasons.

Within the Department for Education’s statutory guidance on school attendance **Working together to improve school attendance (2024**), it states that Code I for Illness should be used when:

362. The pupil is unable to attend due to illness (both physical and mental health related).

**The School Attendance (Pupil Registration) (England) Regulations (2024)** and the **Education Act (1996) s444 2a** are clear that where a pupil is prevented from attending school by reason of sickness or any unavoidable cause, their absence must be treated as authorised.

I/We believe this guidance and legislation is applicable because [child’s name] was prevented from attending due to their mental ill health / [and the associated] physical ill health.

**[Providing medical evidence]**

I/we have been informed that our child’s absence has not been authorised because your policy is [to insist upon medical evidence for every absence]. However, this rigid requirement for medical evidence is contrary to the Department for Education's statutory guidance, **Working together to improve school attendance (2024**) which states:

363. Schools are not expected to routinely request that parents provide medical evidence to support illness absences. Schools should only request reasonable medical evidence in cases where they need clarification to accurately record absence in the attendance register – i.e. making a decision that code I is the absence code that accurately describes the reason the pupil is not in school for the session in question. In the majority of cases a parent’s notification that their child is too ill to attend school will be that evidence and can be accepted without question or concern. Only where the school has genuine and reasonable doubt about the authenticity of the illness should medical evidence be requested to support the absence.

If you have doubts about the authenticity of [child’s name]’s illness please inform me/us in writing of the reasons for your doubts.

I/we have been informed that [the medical evidence we have provided to you is not acceptable because …………………] However, in the **Working together to improve school attendance (2024)** statutory guidance the Department for Education state their expectation is:

364. Where medical evidence is deemed necessary, school should not be rigid about the form of evidence requested and should speak to the family about what evidence is available. Schools should be mindful that requesting additional medical evidence unnecessarily places pressure on health professionals, their staff and their appointment system, particularly if the illness is one that does not require treatment by a health professional. Where a parent cannot provide evidence in the form requested but can provide other evidence, schools should take this into account. Where a parent cannot provide any written evidence, the school should have a conversation with the parent and pupil, if appropriate, which may in itself serve as the necessary evidence to record the absence.

The guidance also states:

61. Medical evidence for recording absences should only be needed in a minority of cases (see code I). Where a pupil’s health need means they need reasonable adjustments or support because it is complex or long term, schools can seek medical evidence to better understand the needs of the pupil and identify the most suitable provision in line with the statutory guidance in supporting pupils at school with medical conditions or arranging education for children who cannot attend school because of health needs

and in further DfE guidance they explain: ' If you are asked to provide evidence this does not need to be a letter from your doctor or consultant, and doctors will not usually provide such letters. It can, instead, be appointment cards, prescriptions, or notes of previous consultations (including from the NHS App).' (page 2) <https://assets.childrenscommissioner.gov.uk/wpuploads/2022/12/aaa-guide-for-parents-on-school-attendance.pdf>

The evidence I/we have already provided to you consists of [list or describe the evidence you have provided]. Please inform me/us in writing of the reasons why this evidence is not acceptable and what alternative form of evidence you are willing to accept.

**[If you want to query the basis for a policy that the school is following]**

We were informed by […………………….] that your policy is […………………………] Please provide me/us in writing a reference to the guidance or legislation you are following so that I/we can understand the legal basis and the context of this policy and practice.

**[obtaining appropriate advice from professionals]**

I/ we do understand the importance of taking advice from professionals with appropriate training, to prevent an escalation of the difficulties and further harm to my/our child’s wellbeing. To do this I/we have taken the following steps:

[list details of referrals or appointments with GP/ CAMHS / Paediatrician / Consultant / therapist / service / other professional involvement……………]

Unfortunately, we are being hindered by the existing long waiting times to access this support and I/we ask that you show some understanding of the difficult situation we are currently facing due to the underfunding and high demand for CAMHS and NHS / private services at this time. Please note that the Department for Education advises that in these circumstances it expects schools to make ‘tweaks’ to their expectations and/or provision.

**[If you are asked for medical evidence for every day of absence]**

Furthermore, regarding your requirement for medical evidence to cover every day of absence. This issue was considered in the case of ***East Sussex County Council v Sussex Central Area Justices [2019] EWHC 164 (Admin), 2019 WL 00237607****.*

This case was an appeal brought by a local authority against a decision of a magistrates court that parents had a defence to the claim that they had failed to ensure the regular attendance at the school of their son – that defence being reasons of ill-health.

The local authority appealed the magistrates decision on the basis that parents did not have written medical evidence of ill-health for all the absences. The administrative court dismissed their appeal on the basis that written medical evidence wasn’t necessary and the oral evidence of parents and other documentary evidence was sufficient to demonstrate ill-health on the balance of probabilities.

**[If you require more support from the school]**

In regard to the support that can be provided within school, I/we have been advised that the following actions reflect current guidance for schools within **The Equality Act (2010)**; **The Children & Families Act (2014)**; **The SEND Code of Practice (2015)**; DfE statutory guidance: **Supporting pupils at school with medical conditions (2015)**, **Arranging education for children who cannot attend school because of health needs (2023)** and **Working together to support school attendance (2024)**; and DfE advice concerning **Promoting and supporting mental health and wellbeing in schools and colleges (2022)**,when deciding upon the best ways for a school to help any child with SEND and/or health related needs:

**[If your child has SEND]**

* The school should make a referral to an Educational Psychologist for an assessment.
* The school is expected to use their best endeavours and should assess the child for SEND and offer support in accordance with the **SEND Code of Practice (2015)** as anxiety disorders are a diagnosable disability, particularly when a parent has reported this as the reason for absence.
* The school should explore the ‘Local Offer’ and make a referral to appropriate services including the School Nursing team, MAST (Multi Agency Support Team) or the Attendance Support Team, who can provide strategies for attendance difficulties.
* The school can make a referral to CAMHS for an assessment if this has not already been done.
* The school should establish strategies for removing the in-school barriers that children face, including considering support or reasonable adjustments for uniform, transport, routines, access to support in school and lunchtime arrangements.
* The school should ensure joined up pastoral care is in place where needed and consider whether a time-limited phased return to school would be appropriate.
* If the school is unable to provide suitable educational provision that the child can access, they should apply to the local authority for an EHCP needs assessment.
* The school should provide work at home whilst the child is unable to attend. It is recognised that providing work at home supports a quicker return to school, as it prevents anxiety about catching up with missed work becoming an additional barrier to attendance. To encourage attendance, it is important for children to have a sense of belonging in their school and to feel valued as members of the school community. Schools can help to reduce this anxiety and foster a sense of belonging by sending work and other communication home. This will ensure compliance with statutory guidance which states: ‘Reintegration back into school should be properly supported so that children with medical conditions fully engage with learning and do not fall behind when they are unable to attend’ (Paragraph 3, **Supporting pupils at school with medical conditions, 2015**)

**[If your child has health related needs]**

Within the Department for Education’s statutory guidance on school attendance **Working together to improve school attendance (2024)** it states:

57. In cases of both long term physical or mental ill health, school staff are not expected to diagnose or treat physical or mental health conditions, but they are expected to work together with families and other agencies with the aim of ensuring regular attendance for every pupil. They should:

• Facilitate any relevant pastoral support with the clear aim of improving attendance as much as possible whilst supporting the underlying health issue.

• Consider adjustments to practice and policies to help meet the needs of pupils who are struggling to attend school, as well as making formal reasonable adjustments under section 20 of the Equality Act 2010 where a pupil has a disability. Any adjustments should be agreed by, and regularly reviewed with the pupil and their parents.

• Ensure joined up pastoral care is in place where needed and consider whether a time-limited phased return to school would be appropriate, for example for those affected by anxious feelings about school attendance.

• Make a sickness return to the local authority if a pupil is recorded in the attendance register as absent using code I (unable to attend because of sickness) and there are reasonable grounds to believe the pupil will have to miss 15 consecutive school days or more for illness or the pupil’s total number of school days missed during the current school year because of illness (whether consecutive or cumulative) will reach or exceed 15 school days. (See paragraph 52)

**Section 100 Children and Families Act (2014)**and the DfE guidance **Supporting pupils at school with medical conditions (2015)** also place a statutory duty on governing bodies of maintained schools, academies and pupil referral units to make arrangements at school to support pupils with medical conditions and to consider implementing an Individual Healthcare Plan to establish and detail the support to be provided

According to the DfE guidance, **Arranging education for children who cannot attend school because of health needs (2023)** children unable to attend school because of a health need should be able to access suitable and flexible education appropriate to their needs. Local authorities, the home school, the relevant medical practitioners and the parents/carers should discuss how to best meet the child’s needs. This could be through individual support, arranging alternative provision or by them remaining at school, being supported at home and back into school after each absence.

I/We would like to point out that the school/academy and local authority have not carried out [any /all /most] of these actions and therefore, could be doing more to support [child's name].

**SCHOOL POLICIES**

Parents need to read their school’s policies for ATTENDANCE, SEND, BEHAVIOUR, BULLYING, and SUPPORTING PUPILS WITH MEDICAL NEEDS (as applicable) and point out any discrepancies between the content and the support their child is receiving,

I/We also feel it is appropriate to highlight that the school’s own policy for bullying/supporting pupils with medical needs/SEND/behaviour/attendance states that you will […………..] and this has not yet been actioned.

I/We are aware that it is my/our responsibility as parents to ensure [child’s name] receives an education that is suitable for his/her needs and abilities. We also have a responsibility to protect and support their health and wellbeing. I/We ask you to note that I am/we are not preventing [child’s name] from receiving an education; it is the debilitating anxiety and/or [list other conditions] …… he/she is experiencing that currently prevents their regular attendance at school.

I/We trust that the detail of this letter [along with copies of letters/reports from...............................] offers sufficient evidence that my/our child has a genuine reason for absence and I am/we are fulfilling our legal duties by doing everything possible to resolve [child's name] difficulties. Considering all that I/we have said about my/our child’s medical reasons for absence, I/we hope you will support me/us by authorising [child's name] absence as illness, and meet with me/us to discuss the best ways to work together to support their wellbeing and learning opportunities.

Yours sincerely,