# Shropshire Council
# Section 19 Policy



**2026-27**

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## Introduction

Shropshire's Section 19 Policy has been developed in response to Department of Education (DFE) Guidance. Shropshire Council has statutory duties under section 19 of the Education Act 1996 to provide education for children and young people needing alternative education. This includes ensuring there is suitable provision, sufficient numbers and types of specialist placements to meet the needs of Shropshire children and young people.

This policy outlines how Shropshire Council meets statutory guidance and undertakes best practice when delivering its Section 19 responsibilities and includes:

- Who the Section 19 duty applies to and what Shropshire Council will do to meet it
- How decisions are made and how education is arranged
- Practice and process, outlining roles and responsibilities across schools, partners and the LA
- How children, young people and families can access support and what to expect

The Local Authority (LA) must follow Guidance - see the Key Information section for links to the relevant documents.

This policy links with other Shropshire strategic plans, including

- Shropshire's SEND & AP (Alternative Provision) Strategy, including the SEND Outcomes Framework
- The Corporate Plan and Improvement Plan
- The Children's Services Reform and Transformation Delivery Plan

## Ambition and Vision

The ambition of Shropshire Council is:



- to achieve improving outcomes for children and young people who are in need of support to achieve successful access, attendance, achievement and inclusion.

- for every child to have the best start in life - and accessing a high quality and suitable education is key to this.

- for all children and young people to receive a suitable full-time education which enables them to thrive and to achieve their potential.

This policy supports that vision by ensuring that practitioners take an early intervention approach and focusing on providing preventative support within mainstream schools so that pupils can benefit from a strong sense of belonging and are making progress towards their desired outcomes. It is key that our children and young people have high quality support and intervention through Section 19 when appropriate – that this has their best interests at the heart of practice and provision – and that the right support is available at the right time in the right place.

## The Law and its Context

This policy outlines the roles and responsibilities for Shropshire Local Authority (LA) when considering Section 19 of the Education Act 1996, this requires LAs to arrange suitable education for children of compulsory school age who due to exclusion, illness, or other reasons may not, for any period, receive a suitable education unless arrangements are made for them.

Suitable education is defined as efficient education suitable to the age, ability and aptitude and to any special educational needs the young person may have.




This policy applies to young people who are resident in Shropshire and who are of compulsory school age. It does not apply in the case of a child
a) who will cease to be of compulsory school age within the next six weeks and
b) does not have to sit any public examinations or other assessments they have been entered for

Shropshire LA has a named officer who is responsible for Section 19 and this information is on the Education Access Service (EAS) website - **Inclusion Pathway | Shropshire Council**
Every Local Authority must consider their wider duties, for example in relation to the Equality Act and the SEND Code of Practice. The Section 19 duty applies whether a child is currently on a school roll.

Education must be full-time (the definition of which has no statutory definition in law) – unless it is determined by the LA that this is not in the best interests of the young person due to their physical or mental health, in which case education can be part time. Education must be "suitable to the age, ability and aptitude and to any special educational needs of the child".

Where young people have a long-term medical condition and it is considered they are able to access their learning through reasonable adjustments and arrangements made by their school then the School must consider the guidance Supporting pupils at school with medical conditions

Where a reduced or temporary part-time timetable is used as part of a reintegration or health plan, it should be time-limited, reviewed regularly, and aligned to improving access to education.

## Roles and responsibilities

Shropshire's graduated approach for supporting inclusion in relation to Section 19 is outlined in the **Shropshire Inclusion Pathway** Inclusion Pathway | Shropshire Council. This document sets out the pathway for how children and young people needing help through Section 19 are supported and how a referral can be made.

Our Shropshire Inclusion Pathway document helps schools, parents/carers and partners to understand how this works and how to access the help they need. This includes access to:

- early advice and signposting, including multi-agency advice, working closely with Family Help partners.
- Panel comprising of EAS and partners to access Section 19 support in line with statutory duties, including for health and 6th day provision for exclusion
- Early support for children at risk of suspension/exclusion

The Shropshire **EBSA pathway** (emotional based school avoidance) is also included in this document. It spans support across early advice and signposting, including multi-agency advice and partnership with Family Help, Inclusion Pathway Meetings, as well as an attendance pathway via the Education Access Service (EAS), which includes legal approaches.

This table helps to outline the roles and responsibilities around Section 19 as taken from Guidance documents.

| School Responsibilities | Local Authority Responsibilities |
|---|---|
| School must be aware of their responsibilities when excluding a pupil, for safeguarding and for when health needs impact on attendance | Shropshire LA will fulfil its safeguarding responsibilities for children and young people – and ensure that positive health is promoted and supported |
| Schools should use the **graduated response** approach to meet the needs of pupils, make **timely** interventions and referrals with an emphasis on **early intervention** | Shropshire LA does not need to become involved unless they believe the education provided by the school is unsuitable. |
| Schools should provide support for their pupils with medical needs under their statutory duties as set out in 'Arranging Education for children who cannot attend schools because of health needs '(DFE 2023) and 'Supporting pupils with medical conditions at school' (DFE 2014) | Shropshire LA will arrange suitable full-time education (or as much education as the child's health condition allows) for children of compulsory school age who, because of illness, would otherwise not receive suitable education. The LA has to consider the roles and responsibilities of schools, parents/carers, service providers & other agencies in funding these arrangements and may seek to recoup funds from schools/settings as a contribution towards costs of S19 provision. (Arranging education for children who cannot attend school because of health needs) |
| Shorter term illness or chronic conditions are best met by school resources and support/intervention – for example post operative support. Where possible schools should continue to provide education to pupils with health needs who can attend school | Shropshire LA ensures there is a commissioned continuum of provision for children with health and medical needs. What provision is required for a pupil who is too ill to attend school under reasons relating to Section 19 is ultimately for the LA to decide after considering where appropriate the medical advice and information provided in line with DFE Guidance. |
| If a school suspends a pupil, they must provide accessible and achievable work for the first 5 days. For suspensions of over 5 consecutive days, the Governing Body must arrange suitable full-time education for any pupil of compulsory school age | Shropshire LA will provide suitable full-time education from the 6th day of an exclusion, this is from the 1st day for a looked after child in line with their personalised needs and PEP. If the pupil has an EHCP there may need to review the plan or undertake a reassessment of need to support with identifying a new provision. |
| A school must consider safeguarding separation as outlined in the Suspensions and Exclusions | The LA must work collaboratively with the school to trigger the S19 duty under the reason of "Other" |

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|---|---|
| Guidance 2026. If a child is temporarily not able to attend the school site due to a significant safeguarding situation and investigation, they remain on the school roll and the school must promptly inform the LA (via a S19 notification). The school undertakes a Risk Assessment which will inform planning and arrangements for education. The school must keep the arrangement under frequent review, complete an individual risk assessment, safeguard all affected children and make suitable educational arrangements. | as a temporary measure. Use of AP must consider risk assessments. Recoupment of funds is part of the discussion with a school when planning alternative arrangements for education. The Council will consider whether its section 19 duty arises by assessing whether the child would otherwise receive suitable education. Section 19 will not be treated as automatically engaged solely because a safeguarding separation has occurred. |
| Schools must notify the LA of any use of Non-School Alternative Provision for any child/young person on their roll - Alternative Provision (AP) Notification Form \| Shropshire Learning Gateway | The LA provides a platform for schools to alert re use of Non-School Alternative Provision, as well as monitor and report on this. |

Commissioners (which includes schools) of any AP must ensure provision is good quality, safe, and delivered by staff with appropriate safeguarding checks, and registered where appropriate. This link helps with further information about roles and responsibilities in relation to this: Non-School Alternative Provision Directory | Shropshire Learning Gateway

### What are the responsibilities for parents?

Under Section 7 of the Education Act 1996, parents and carers must make sure their child (aged 5–16) attends their school/setting regularly. Shropshire LA encourages parents and schools to work together to create an attendance plan that meets the child's needs under a Support First approach where any barriers to attending can be understood and reasonable adjustments made so the child spends as much time in their school as possible

Parents:

- Should engage with support offered by the school
- Need to make sure their child attends School or their Alternative Provision setting on the agreed days and times.
- Understand the benefits of regular attendance for learning and wellbeing

Education Welfare Officers (EWOs) promote good attendance and can advise on overcoming barriers to attendance. Their role is also to assist a school with formalising a support plan or enforcing attendance through legal action when appropriate.

## Arrangements for Section 19 support

### How is S19 support considered?

- The referral form for Section 19 can be accessed by schools here Login | Shropshire Learning Gateway. The LA may also use this referral form for when a potential need is identified.
- If **parents** are seeking advice and help they are requested to contact EAS directly – see **Contacts** section in this policy.
- Note - the Health section in this policy includes details on the LA's duties around 15 days of absence reporting

This document includes all the information in full, including processes and how to ask for help - **shropshires-inclusion-pathway-2026.pdf**

Referrals for Section 19 support from Schools must include/be accompanied by:

- Inclusion Pathway documentation
- Evidence of school attempts to provide reasonable and accessible education (Assess Plan Do Review) including details of interventions and support offered
- Safeguarding information
- School attendance and engagement information, including what support has already been tried (graduated response)
- Relevant professional evidence (e.g., medical letters or health professional advice where appropriate) - these must be uploaded to the LA's secure system ensuring a clear audit trail.
- Information about SEND needs where relevant, including any current SEN Support arrangements or SEND processes (e.g. EHCNA). The appropriate SEND pathway should be used where applicable in line with the Code of Practice.

The LA will review all evidence provided and assess the suitability and accessibility of alternative provision. The LA must balance whether the school's provision is reasonable and accessible against the need for alternative arrangements under Section 19. A S19 decision should not be delayed because of incomplete paperwork. In order to make a decision in a child's best interests it is requested that documents are completed as fully as possible by schools.

### How will I know the outcome of a Section 19 referral?

Following decision-making on Section 19, Shropshire LA holds the responsibility of communicating its findings to the requester, offering transparency and opportunity for further input.

- For a child **on roll at a school**: EAS will communicate the outcome to the school and the family. The LA advises **School** to also communicate with the parent/carer on the outcome. This needs to include implications of any continued non-attendance in line with Section 7 of the Education Act 1996.

- For a child **not** on roll at a school: **EAS** will communicate the outcome directly to the parent/carer This needs to include implications of any continued non-attendance in line with Section 7 of the Education Act 1996.

Decision outcomes will be recorded on LA internal systems. Where appropriate, further referrals may be made to support best practice and identify any additional needs. Advice and support will be evidence-based and include follow-up and safeguarding considerations. Guidance will be used to inform advice, reduce potential risk and ensure the right support is provided at the right time.

Where the LA considers that Section19 does not apply, the decision makers will provide a detailed rationale, referencing supporting documentation – and aim to advise on potential next steps to support the child/young person.

### How is Section 19 education delivered?

Section 19 education may be delivered through a range of settings and approaches, depending on assessed need. This may include AP taking place in PRUs, hospital schools, colleges, independent or vocational settings, tuition, and other arrangements - provided it is suitable, safe and good quality. Provision may include:

- commissioned places with Shropshire's PRU/AP services where appropriate
- medical tuition or outreach provision where health needs prevent attendance
- other alternative provision arrangements where suitable and appropriately quality assured.

Where a reduced or temporary part-time timetable is used as part of a reintegration or health plan, it should be time-limited, reviewed regularly, and aligned to improving access to education. The school must alert the LA using the required form.

Shropshire LA will arrange and fund provision where the Section 19 duty applies in situations such as permanent exclusion, where a child is not on roll and cannot access suitable education - or if the child has an EHCP then Element 3 top up funding will be used to provide section 19 provision (either by the school or by the EHCP Team if a child is not on the roll of a school.)

What provision is required for a pupil who is too ill to attend school under reasons relating to Section 19 is ultimately for the LA to decide after considering medical advice and information provided where this is appropriate and in line with the DFE Guidance

The LA also has to consider the roles and responsibilities of schools, parents/carers, service providers and other agencies in **funding** these arrangements as outlined in the guidance 'Arranging education for children who cannot attend school because of health needs.' It may be deemed appropriate for the LA to

seek recoupment, such as the element 3 top up funding for an EHCP or a contribution to costs from schools/settings. See the Health section in this Policy for more details.

### Cross Border working

The provisions and processes described within this document apply to all young people for whom alternative provision is appropriate and are formally resident in Shropshire with the person who has parental responsibility. Where those young people attend school outside of the borough, it is recognised that the funding for that young person is allocated to the school and LA where they are on roll. Shropshire LA therefore reserves the right to charge any school located externally to Shropshire for provision for a Shropshire resident young person. This is based on the principle that the funding follows the student and will therefore be proportionate to the funding received by those schools for the young person rather than the true cost of the provision.

For young people normally resident outside of Shropshire who attend a Shropshire School, any requests for support through Alternative Provision should be made to their home Local Authority. It might be that provision normally only commissioned by Shropshire is most appropriate for that young person - and where this is the case, Shropshire Council reserves the right to recoup any funding from the LA where that child is normally resident.

## Suspensions and Permanent Exclusions

### A focus on inclusion

Shropshire LA aims for all children to be successfully included in a suitable education setting so that they can thrive and achieve. Our ambition is to keep exclusions and suspensions to a minimum in children's best interests, ensuring we support and challenge in line with DFE guidance on behaviour, suspensions and exclusions, whilst also acknowledging that sometimes exclusions/suspensions are necessary as a last resort when all other strategies and resources have been exhausted.

Early intervention is key so that young people have access to high quality services when they need them and to prevent escalation into exclusion/suspension or specialist services where possible and appropriate. Shropshire LA has systems of early support including for example Family Help, Education Access Service (attendance and inclusion functions as well as Outshine), Neurodiversity practitioners, Educational Psychology, Virtual School, Education Quality Advisors and Safeguarding training/advice.

Schools/settings are expected to

- contact Shropshire's Education Access Service (EAS) for advice and guidance at the earliest opportunity if a child is at risk of suspension/exclusion
- to use to their best endeavours with practice and resources outlined in the Ordinarily Available Provision

- identify any special educational needs in line with the SEND Code of Practice
- make effective use of resources such as Graduated Support Pathway funding and Inclusion Development Grants.
- Comply with the DFE Guidance Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement which outlines approaches such as managed moves or off site directions that would be considered reasonable to use to help prevent exclusions.

**Schools/settings are expected to contact the Virtual School Head if they are considering suspending or excluding a Looked After or Previously Looked After Child Shropshire Virtual School | Shropshire Council**

The Outshine service is a central feature of support for children and young people in relation to exclusion and suspension prevention.

The Outshine offer incorporates advice, support and direct intervention from a team of mentors, an AP Directory and support for re-integration. Schools can access the service through a referral with parental consent. Referrals are triaged with a swift turnaround and with the aim for support/advice to be in place within 5 working days.. Outshine also incorporates the **REACH hotline,** this supports immediate advice and triage e.g. exclusion prevention. The contact number is 01743 254397

Outshine sits in the Education Access Service, this supports synergy across attendance, engagement and statutory inclusion services (Elective Home Education, Children Missing Education, Section 19, Fair Access Panel and 6th day provision).

**What happens if a child is permanently excluded?**
Sixth day provision following a permanent exclusion is a legal requirement for the LA to fulfil. Schools have a duty to inform the LA by completing the Notification form. This comes through to the Education Access Service for action. Permanent Exclusions | Shropshire Learning Gateway. If a pupil lives outside of Shropshire LA the school must also notify the LA in which the pupil resides as it is their responsibility to ensure Section 19 duties are applied with regards to full time education

The LA will arrange education for a child/young person who has been permanently excluded from school. The approach to education will take into account the child's views and wishes, hear the parent's voice and professional advice including health and social care where relevant. 'Suitable' education could be arranged at an alternative provider, TMBSS (the commissioned pupil referral unit), online, at home, or by other suitable means – for example there may be a health condition which also needs to be considered.

Parents must support attendance at the suitable S19 provision provided by the LA.

Shropshire's **Fair Access Protocol (FAP)** ensures that children and young people who have been excluded are supported with integration into a mainstream school if this is appropriate to their needs. Information for schools can be found here: Fair Access Panel | Shropshire Learning Gateway
Information on our protocol can be found here: shropshire-fair-access-protocol-2025-26.pdf

The Outshine team in the Education Access Service can also look to offer direct support to schools where students are integrating through FAP.

## Health

Where a child cannot attend school for medical reasons, Shropshire Council will consider medical evidence and information as appropriate in line with DFE Guidance to help determine what provision is required and how any provision will be arranged. A lack of formal diagnosis (e.g. from CAMHS) will not be used to delay consideration of S19 support.

The Guidance cites that a school must accept a parent's notification of illness as standard and should not request a doctor's note or medical evidence for routine, occasional absences. The exceptions are that medical evidence can be requested if a pupil's attendance hits a critical trigger point, such as falling into a chronic/persistent absence pattern or if the school has authentic, documented safeguarding/validity concerns.

To verify that a pupil is functionally unable to access their school place due to mental health or EBSA, the LA will flexibly accept a broad range of evidence, including but not. limited to:

- Written assessments from the school's Designated Safeguarding Lead (DSL) or Special Educational Needs Coordinator (SENCo) documenting school anxiety behaviours.
- Early Help assessments, Team Around the Family (TAF) notes, or EBSA risk-screening profiles.
- Evidence of an active referral to, or ongoing support from, primary care health professionals, counsellors, school nurses, or Mental Health Support Teams
- Proof of appointment bookings or triage confirmations from CAMHS or community mental health providers.

Schools should contact the Council as soon as it becomes clear that a child is likely to be unable to attend school for 15 school days or more because of physical or mental health needs. The days may be consecutive or cumulative across the school year. Where a child/young person is absent for a period of 15 days due to a medical condition schools are required to notify their LA. Shropshire LA tracks absence within the 10-19 days range to support early identification of pupils and reduce risk of persistent absence. The LA will work alongside schools, health and other professionals (where appropriate) to ensure that suitable education is available. This is in line with Guidance - Arranging education for children who cannot attend school because of health needs and Working together to improve school

attendance: July 2026 Where absence is planned, arrangements should be considered in advance so that education can begin as soon as the child is well enough to participate.

- Schools and Parents/carers can make a request for support under Section 19 for Health reasons by using the Shropshire Inclusion Pathway
- The referral form can be accessed by schools here Login | Shropshire Learning Gateway
- Parents are requested to contact EAS directly – see contacts section in this policy.
- Shropshire LA may also refer children to the Pathway for Section 19.

If parents/carers or professionals have concerns about section 19 arrangements, they should first raise these with the named contact in the Education Access Service.
This document includes all the information in full, including processes and how to ask for help - **shropshires-inclusion-pathway-2026.pdf**



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 AP or by them remaining at school, being supported at home and back into school after each absence. The LA does not need to become involved in such arrangements unless it has reason to believe that the education being provided by the school is unsuitable.

DFE Guidance issued in December 2023 'Arranging Education for Children who cannot attend school because of health needs' says "where possible the child's health needs should be managed by the home school…and when arranging provision, local authorities should avoid 'hard and fast' rules about what and how they arrange education to meet a child's needs as they may be inappropriate as they could limit the offer and prevent their access to the right level of educational support which they are well enough to receive" ; also that "Local authorities, the home school, the relevant medical practitioners and the parents/carers should discuss how to best meet a child's needs. This could be through individual support, arranging AP or by them remaining at school, being supported at home and back into school after each absence"

Where an absence is planned (e.g., hospital admission) educational provision should begin as soon as the child is well enough.

Section 19 education may be delivered through a range of settings and approaches, depending on assessed need. This may include AP taking place in PRUs, hospital schools, colleges, independent or vocational settings, tuition, and other arrangements, provided it is suitable, safe and good quality. Provision may include:

- commissioned places with Shropshire's PRU/AP services where appropriate
- medical tuition or outreach provision where health needs prevent attendance
- other alternative provision arrangements where suitable and appropriately quality assured.

What provision is required for a pupil who is too ill to attend school under reasons relating to Section 19 is ultimately for the LA to decide after considering relevant advice and information provided by parents/carers and schools.

The LA also has to consider the roles and responsibilities of schools, parents/carers, service providers and other agencies in **funding** these arrangements as outlined in the guidance Arranging education for children who cannot attend school because of health needs – and as a result may recoup funds from schools/settings where the child is on roll and this course is deemed appropriate. Where there is need to consider S19 provision the LA will discuss an attendance plan with a school and shared funding which may lead to proportional recoupment. Funding arrangements will be determined separately in accordance with the applicable high-needs funding regulations, conditions of grant, local funding arrangements and the child's circumstances.

All Section 19 allocations are time-limited and designed to arrange and fund interim packages aimed at recovery and reintegration. There will be a review cycle so that education arrangements and a child's progress are reviewed, alongside the financial commitments for a Section 19 placement and updated support plans may be requested by the LA. The LA will only release Section 19 funds to alternative provision providers that are registered on the LA's Approved Provider Framework and comply with Shropshire's Quality Assurance process

Note that while the LA reserves the right to recover a portion of funding from the home school, the LA will not delay the funding or commissioning of a Section 19 package due to an unresolved financial dispute between the LA and the school.

Schools should refer to the roles and responsibilities table in this policy to support their planning, assessment, support, review and referral. Individual cases must be reviewed regularly by schools/settings to maximise engagement with the education on offer and in line with their own internal policies for reviewing alternative provision arrangements.

## Other reasons

Shropshire Council will consider Section 19 arrangements where a child cannot reasonably access suitable education for 'other' reasons (for example, complex barriers to inclusion and/or attendance). In these circumstances, decisions will be based on the child's individual situation and evidence through the same Inclusion Pathway process.

Shropshire Council would ordinarily arrange Section 19 provision under this reason if it assesses that it is not possible for the child/young person to receive education at their current school. If the LA does arrange education for this reason, the aim would be for short term provision and to support a reintegration into their home school at the earliest opportunity – or an integration and admission into a new school if appropriate.

A school must consider safeguarding separation as outlined in the Suspensions and Exclusions Guidance 2026. Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement

This is an exceptional situation where a child is temporarily not able to attend the school site due to a significant safeguarding situation (eg peer on peer harm) and there is an investigation. The child remains on the school roll and the Education Access Service must be alerted by the school. The school should undertake a Risk Assessment to inform planning and arrangements for education. They should consider the Human Rights Act, the Equality Act and their safeguarding duties outlined in KCSIE. A focus on the pupil reintegrating back into school is essential as outlined in the DFE Guidance.

The LA must work collaboratively with the school to trigger the S19 duty under the reason of "Other" as a temporary measure if the school itself or the pupil's parent does not arrange education. Any use of AP or education at another site must consider the risk assessment. The LA will discuss recoupment of funds with the school if the LA needs to plan alternative arrangements for education.

## Safeguarding

Local authorities have a duty under section 175(1) of the Education Act 2002 to safeguard and promote the welfare of children:

> "A local education shall make arrangements for ensuring that the functions conferred upon them in their capacity as a local education authority are exercised with a view to safeguarding and promoting the welfare of children."

Keeping Children Safe in Education (KCSIE September 2026) states the responsibilities for schools/settings with regards to safeguarding and this is particularly pertinent with regards to supporting children and young people under Section 19. Note also the section on Safeguarding Separation in this policy in "Other" reasons for S19.

The welfare and protection of all children, both those who attend school and those who are educated by other means, are of paramount concern and the collective responsibility of the whole community. As with school educated children, safeguarding or child protection issues may arise in relation to children attending non-school alternative provisions for example. If any child protection concerns come to light in the course of engagement with children and families, or otherwise, these concerns should immediately be referred to the appropriate authorities using established protocols in line with guidance and policy.

**The contact for advice and support from Family Help and the First Point of Contact (COMPASS) is 0345 6789021.**
**More information and access to the Portal can be found here COMPASS - Children's Social Care | Shropshire Together Community Directory**
**In case of an emergency where a child is in immediate danger call 999**
**The Shropshire Safeguarding Partnership page can be found here - Shropshire Safeguarding Community Partnership**

Shropshire's approach is for our Inclusion practitioners in the Education Access Service to have a blended role so that this supports positive and productive working with families and enables the practitioner to follow the child or young person if their situation or status changes e.g., from attendance concerns to Section 19. This aims to add an extra layer of safeguarding support.



It is essential that education provided is safe, good quality, appropriately safeguarded and that providers are registered where appropriate. Details of providers that have been Quality Assured and have been assessed as meeting the required standards on the day can be found on the Shropshire Learning Gateway's Alternative Provision (AP) Directory. If the Education Quality Advisors find that a Non School AP (NSAP) is not meeting expected standard there is a time-scaled process of support and challenge. Schools are alerted if the status of an AP changes from meeting to not meeting standard and the provider is removed from the Directory after 10 days.

**A school must alert the LA to any use of Non-School AP using the required form.**
Information for schools can be found on here regards the process Non-School Alternative Provision Directory | Shropshire Learning Gateway
Partners can find out more information here: Non-school Alternative Provision Directory | Shropshire Council

AP settings that are not maintained by local authorities may not be registered with the DfE. Unregistered settings are therefore not inspected by Ofsted in their own right. Local authorities and schools acting as the commissioner must assure themselves that the setting is registered where appropriate, and delivered by high quality staff with suitable training, experience and safeguarding checks. Schools are assessed during all section 5 Ofsted inspections to determine how effectively they ensure that the AP they use is safe for children, and that those children are making progress and behaving and attending well.

The Shropshire Learning Gateway page provides support and information for schools in relation to their duties regarding safe use of AP and are advised the ultimate responsibility for any child on their roll sits with them. Their duties in relation to substantive provision, OFSTED and illegal schools are also included

here so that there is clarity around responsibility for not contracting any provider that might be operating as an unregistered independent (potentially illegal) school.
Non-School Alternative Provision Directory | Shropshire Learning Gateway
Shropshire's Alternative Provision Strategy includes further information on this matter.

School must also consider application of correct coding, including for K code where a pupil is attending education provision arranged by the LA at a place other than their registered school. This counts as a present mark.

### Elective Home Education (EHE)

Where children are electively home educated then provision of and funding for suitable education is the responsibility of the parents/carers.
Shropshire's EHE policy and additional information including the named officer can be found here :
Elective home education (EHE) | Shropshire Council

### Children Missing Education (CME)

This relates to children of statutory school age who reside in the county and are not in receipt of education. Information and policy for Shropshire can be found here
Children missing education (CME) | Shropshire Council

## Children with Special Educational Needs and Disabilities (SEND)

Shropshire ensures there is joined up working with partner agencies, education settings, young people and parents/carers to ensure best outcomes for education. The Education Access Service (EAS) and EHCP team in Shropshire liaise closely with regards to our Section 19 duties for individual children and young people so there is clarity of roles and responsibilities depending on a child's or young person's SEND status, whether the child or young person has an Education, Health and Care Plan (EHCP), is undergoing an EHC needs assessment or does not have identified SEND.

- **Where a child/young person has no SEND or no identified SEND**
  EAS will lead on undertaking Section 19 education duties.

- **If a child/young person is in the statutory assessment process (EHCNA)**
  EAS will lead on any immediate section 19 response. EAS will liaise closely with the EHCP Caseworker to ensure that any interim arrangements are informed by emerging evidence of SEND

and that the EHC needs assessment process remains aligned with the SEND code of practice, professional advice received and is followed in the best interests of the child.

- **Where a child/young person has an EHCP**
  EAS and the Shropshire EHCP team will jointly discuss and make arrangements for Section19 Education. The EHCP team will take a lead on planning and monitoring Section 19 interim education arrangements, because the Local Authority remains responsible for securing the special educational provision set out in the EHCP - whether this is delivered by schools/settings using the element 3 top up funding or by the EHCP Team undertaking recoupment of the element 3 top up funding if necessary.

  The EHCP Team will monitor whether the education and special educational provision being delivered remains suitable and will consider whether interim arrangements, placement planning, annual review activity, or further consultation with settings is required. EAS will work alongside the EHCP Team where Section 19 considerations arise, including advising on attendance, exclusion, reintegration and wider inclusion pathways where appropriate.

- **Where there are additional and complex factors for a pupil –** the EAS and EHCP Team will work together in the best interests of the pupil and agree proportionate and lawful next steps. This includes obtaining school and professional views, considering alternative provision, reviewing the suitability of existing arrangements, and ensuring that interim education does not delay statutory EHCP decision-making or placement planning for long term suitable and full-time education

These arrangements sit alongside the Local Authority's statutory duties under the Children and Families Act 2014, the Special Educational Needs and Disability Regulations 2014 and the SEND Code of Practice. The SEND Code of Practice sets out the legal guidance which must be followed. A Local Authority must comply with the Children and Families Act 2014 to ensure that the provision outlined Specified in the EHCP is secured and is delivered, so that interim education is suitable for the child's age, ability, aptitude and any special educational needs in accordance with the SEND Code of Practice and as follows:

- A Local Authority in England may arrange for any special educational provision that it has decided is necessary for a child or young person for whom it is responsible to be made otherwise than in a school or post-16 institution or a place at which relevant early years education is provided.

- An authority may do so only if satisfied that it would be inappropriate for the provision to be made in a school or post-16 institution or at such a place.
- Before doing so, the authority must consult the child's parents or the young person.
- If the Local Authority agrees a child/young person requires education under Section 19 duties, Section I on the EHCP remains in place until next steps are decided. For example, where a child is waiting for a suitable and permanent place at a provision the EHCP is amended through the statutory process.

Where a child is waiting for a suitable and permanent placement, or where their current placement is not accessible for a period of time, suitable interim provision education will be considered and arranged by the EHCP team. This might include education provision at a range of providers including tuition (which may be online, face to face or blended), may be delivered by a school, alternative provision, online learning, face-to-face teaching or a blended package, all depending on the child or young person's individual needs and circumstances.

Interim section 19 provision must not be used to avoid or delay EHCP amendment, placement action or section 42 compliance.

Where Education Other Than In School /College (EOTIS/EOTIC) is agreed through the EHCP process, procurement of AP is undertaken in partnership with the child or young person and their parent/carers. This relates to Section 61 of the Children and Families Act 2014. Packages are co-produced to reflect individual strengths, needs and outcomes and may combine education, therapeutic input and family support to promote engagement, wellbeing and progress. Provision is regularly reviewed and adjusted, ensuring the package remains personalised, proportionate and responsive as needs change, with a clear plan for progression and reintegration where appropriate.

Parents/Carers of children who are receiving Section 19 support who do not have an EHCP but may have SEND are entitled to request an EHC Needs Assessment. Details of how to make a request and what to include are contained in Shropshire's Local Offer page: https://www.shropshire.gov.uk/the-send-local-offer/. The Local Authority must consider the request within the same statutory timescales and in the same way as for all other requests.

## Contacts

Responsibility for Section 19 sits within Learning and Skills within the Education Access Service – and the EHCP team if the young person has an Education Health and Care Plan.

Address: EHCP Team
The Guildhall
Shrewsbury SY3 8HQ

EHCP team email address: EHCPTeam@shropshire.gov.uk
EHCP team phone number: 01743 254267
**EHCP Team - Contact the EHCP Team | Shropshire Council**

Address: Education Access Service
The Guildhall
Shrewsbury SY3 8HQ

EAS Email address: eas@shropshire.gov.uk
EAS Phone number: 01743 254397

**Education Access Service (EAS) - Inclusion Pathway | Shropshire Council**

This website page **Inclusion Pathway | Shropshire Council** also provides information to address frequently asked questions. Families, partners or practitioners may wish to contact EAS if they have further queries or the EHCP team if the young person has an Education Health and Care Plan (EHCP)

**Shropshire Virtual School**

More information can be found here Shropshire Virtual School | Shropshire Council.
Please contact the Virtual School directly for any queries: virtualschool@shropshire.gov.uk

**TMBSS**

For more information please also see Tuition Medical Behaviour Support Service - Hospital Provision & Medical Outreach

## Key information

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|---|---|
| **Date of publication** | April 2026 |
| **Key Legislation** | Education Act 1996 |
| **Related Legislation** | Working together to improve school attendance - GOV.UK<br>Keeping children safe in education 2026 (comes into force from 1 September 2026)<br>Arranging education for children who cannot attend school because of health needs<br>Mental health issues affecting a pupil's attendance: guidance for schools - GOV.UK<br>SEND_Code_of_Practice_January_2015.pdf (publishing.service.gov.uk)<br>Working together to safeguard children 2023: statutory guidance<br>Providing remote education: guidance for schools - GOV.UK<br>Equality Act 2010: guidance - GOV.UK<br>Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement<br>Arranging Alternative Provision - guide for LAs and schools<br>Supporting pupils at school with medical conditions |
| **Applies to** | Schools and Academies |
| **Review Date** | August 2027 |

**This policy is reviewed annually.**