

Part-time or Reduced Timetables

BCC Guidance for Schools

Education Legal Intervention Team

Birmingham City Council

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Introduction

This guidance sets out the statutory position and expectations in relation to part-time/reduced timetables and identifies the exceptional circumstances in which it may be appropriate to do so. It sets out the procedures that must be followed to ensure the school's safeguarding responsibilities are met, children obtain their legal right to a full-time education and both attendance and absence is recorded correctly on school registers. The guidance also explains what schools must adhere to, if a part-time timetable is to be agreed.

All schools are expected to have regard to this guidance in order to ensure statutory compliance and the safeguarding of children across the city.

What is a part time/ reduced timetable?

All children of compulsory school age are legally entitled to receive a suitable full-time education and local authorities have a statutory duty to ensure that all children in their area receive such an education. Generally, anything less than 25 hours a week is considered part-time.

A timetable is considered reduced, when it consists of something less than that which is provided to the majority of the pupil's peers in that setting. As a rule schools are only permitted to provide less than full-time education, including placing a pupil on a reduced timetable, in very exceptional circumstances.

In cases where children are missing less than 20 minutes of a school day, this is not considered to be part-time/reduced timetable and there is no need to notify the local authority of these children in this circumstance.

What the law says

It is important to highlight that there is no statutory basis upon which to establish a reduced timetable. Ofsted have made it clear that this has to be in the interests of the child and not the school.

The Department for Education guidance, 'Working together to improve school attendance' states:

'A part-time timetable must only be in place for the shortest time necessary and not be treated as a long-term solution. Any pastoral support programme or other agreement should have a time limit by which point the pupil is expected to attend full-time, either at school or alternative provision. There should also be formal arrangements in place for regularly reviewing it with the pupil and their parents. 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 treat absence as authorised.'

[Working together to improve school attendance \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/261247/Working_together_to_improve_school_attendance.pdf)

Ofsted, in their report published in November 2013 entitled '**Pupils Missing out on Education**', defined Pupils Missing out on Education as pupils of compulsory school

age who are not accessing full-time education (either in school or in alternative provision) and in its guidance to schools and local authorities, Ofsted advises that all schools, including academies, free, independent, private and non-maintained schools, must monitor pupils' attendance through their daily register. The report also established the principle that all local authorities should hold a register of children in receipt of part-time/reduced provision.

Finally, the local authority also has a statutory responsibility to identify and track any pupil missing education. Any pupil on a reduced timetable is deemed to be at risk of missing education and therefore needs to be identified and their entitlement to provision tracked.

When might a part-time/reduced timetable be appropriate?

- For medical reasons – if a pupil has a serious medical condition, where recovery is the priority outcome. These arrangements would be part of a “medical plan” agreed between the school and health professionals. Please see the DfE statutory guidance “Ensuring a good education for children who cannot attend school because of health needs” 2013 before offering a reduced timetable for this reason.
- Reintegration - as part of a short term, planned reintegration programme into school following for example, an extended period out of school, non-attendance, emotionally based school avoidance etc.

When is a part-time/reduced timetable *not* appropriate or lawful?

- As a strategy to deal with behaviour difficulties
- Whilst awaiting a start date for a child's new school
- To avoid a suspension or permanent exclusion
- Because the child has a disability or special needs
- When requested by a parent once the child becomes of compulsory school age
- To assist with staffing difficulties in school

Key points to consider

- Prior to placing a child on a part-time/reduced timetable, schools should carry out an assessment using Early Help to establish whether there are wider needs and identify the support needed from external agencies.
- A risk assessment should be also carried out addressing any actual or potential safeguarding, welfare, offending or harmful behaviour concerns that may result from a change in the pattern of school provision is essential.

- A part-time/reduced timetable must not be treated as a long-term plan and should be time limited. The maximum length of a part-time timetable is usually half a term. The arrangement should always specify an end-date by when it is expected that the child will return to full-time education (or when an alternative will be provided).
- Any part-time/reduced timetable arrangements must be regularly reviewed, in light of any changes to the child's circumstances and the initial review date to take place within the 2 weeks of the start date of the reduced timetable. If this time needs to be exceeded schools are strongly advised to discuss the situation with the nominated local authority officer.
- A part-time/reduced timetable should provide a means of achieving re-integration to full-time education swiftly. It should never be used as a form of inadvertently excluding a pupil from school for part of the school day or as permanent provision.
- A child on a part-time/reduced timetable could be a 'persistent absentee' in law should the number of sessions the child is not expected to attend constitute more than 10% of all available sessions.
- The objectives of any part-time/reduced timetable should be clearly recorded in writing and understood
- Any proposal to use a part-time/reduced timetable arrangement must be discussed with the parent/carer before the arrangements start. There should also be a step-up plan, where the child hours are increasing each week until they are full time and support put in place for a successful reintegration.
- A parent/carer must consent (and not be 'coerced') to a part-time/reduced timetable by signing an agreement form (please see example in Appendix 1). The agreement form must make explicit that they are consenting to the arrangements; that they are taking responsibility for the pupil when they are not in school; and that they are guaranteeing that the pupil will be supervised off site.

Vulnerable Groups - additional considerations

Pupils with an Education, Health & Care Plan

- It is unlawful for schools to discriminate against pupils on the basis of their special educational needs and/or disability
- A staged part-time/reduced timetable should only be used for a pupil with an Education, Health & Care Plan in very limited circumstances and when agreed with relevant agencies such as SENAR and the Education Psychology Service.

- A pupil should not be put on a part-time/reduced timetable just because of their special educational need as this may constitute discrimination. Special educational needs in some circumstances may also be a disability and therefore constitute a protected characteristic under the Equality Act 2010.
- Schools must ensure that the provision specified in the EHC plan is delivered in order to meet the child's needs and secure their statutory entitlement

Children in Care

A part-time/reduced timetable should only be implemented for children in care in very limited circumstances and only with the consent of both the child's social worker and the Virtual School.

Children subject to a child protection/child in need plan

Children on child protection/child in need plans are very vulnerable and may be at greater risk if placed on a reduced timetable. Therefore, a part-time/reduced timetable should only be implemented in the most **exceptional** circumstances; only where it has been agreed following a multi-agency meeting, such as a core group meeting for children with a child protection plan; and only with the agreement of the child's social worker.

Reception age pupils

For reception age pupils it is common practice to stagger admissions and gradually integrate the children into school. For the untimetabled sessions reception children are not expected to attend, the registration mark would be code X. This code can only be used for the first three or four weeks of the academic year. This is not considered to be part-time/reduced timetable and there is no need to notify the local authority of these children in this circumstance.

A small minority of children who are not 'school ready', may need an extended integration period to support their emotional and developmental needs. In this circumstance, the child would be regarded as being in receipt of a part-time/reduced timetable and an appropriate plan must be agreed in partnership with parents and signed consent recorded. The school must notify the local authority of these arrangements. The agreement must focus on ensuring that full-time attendance is achieved no later than the term following the child's 5th birthday. The correct code for the session the child is not expected to attend is code C regardless of whether the child is of compulsory school age or not.

Unlawful exclusions

A part-time/reduced timetable that does not have clearly defined objectives, a specified end date, a review process, and/or the consent of parents/carers may be considered an unlawful exclusion by Ofsted. In addition, using part-time/reduced

provision as a strategy to deal with behaviour concerns or to avoid a formal exclusion would also constitute an unlawful exclusion.

Safeguarding

Section 157 and 175 of the Education Act 2007 places a duty on Local Authorities and schools to exercise their functions with a view to safeguarding and promoting the welfare of children. Schools must have regard and consideration for the safeguarding issues and the impact this might have on a child when considering a reduced timetable.

Schools have a safeguarding responsibility for all pupils on their roll and therefore must be aware that even with parental agreement to any arrangement they make, they are responsible for the safeguarding and welfare of pupils off-site during school hours.

Risk Assessment

When considering a part-time timetable, schools which must consider the safety and wellbeing of the pupil in terms of whether a reduced educational offer would increase their vulnerability and place them more at risk of potential harm. A risk assessment should be conducted to address:

- the safety and wellbeing of the child as it is likely the child will be spending more time at home
- any Child in Need/Child Protection concerns
- the risk of the pupil engaging in criminal activity (the Youth Offending Team should be consulted in the case of known offenders)
- the risk of substance misuse, child sexual exploitation or other criminal exploitation, while not in receipt of education during the school day.

Where a pupil moves school and has at any point been on a part time timetable all information relating to this should be sent to the receiving school.

Registration Marks

Where a part-time/reduced timetable has been formally agreed, the sessions the child is not expected to attend must be marked with code C for 'other authorised circumstances' unless arrangements for attendance at a supervised alternative provider are made. In that instance code B can be used for session but only if they attend the alternative provision on that day. By using code B the school is stating that the education is supervised and that the child is safe. **Code B must not be used for work/online packages the child is expected to do at home without supervision.**

Even if the child does not attend the session they are expected to be in school, Code C must be still used for the sessions it was agreed they did not have to attend. No other code can be lawfully used.

What should schools/education providers do when a part-time reduced timetable is agreed?

When a part-time/reduced timetable has been agreed for an individual pupil, the school should inform the local authority by completing the online notification form which can be found here:

<https://www.birmingham.gov.uk/xfp/form/796>

Please note, this does not constitute a referral, rather, it is a notification. If you would like advice when a child is being placed on part time/reduced timetable or would like to discuss individual cases, please email attendance@birmingham.gov.uk

What should be done if a part-time/reduced table has been extended or there are further updates?

The school should complete an online update form as soon as the change commences, which can be found here:

<https://www.birmingham.gov.uk/xfp/form/796>

Nil Returns (No New Cases)

Schools are requested to provide a half termly 'nil return' (no new cases) form only when there have been no children newly placed on a part-time/reduced timetable during the half term - irrespective of whether a child was placed on a timetable in previous academic terms. This is so we can ensure we are aware of any new cases only. The form should be submitted during the last week of the half term. The form can be found here;

<https://www.birmingham.gov.uk/xfp/form/796>

School/Parent Part-time/Reduced Timetable Agreement

Parent/Carer

I understand my child has been placed on a part-time/reduced timetable for a limited period of time. I have discussed the matter fully with the school and agree, during the period of the part time timetable to:

- Take full responsibility for my child during the hours when not attending school
- Work with the school on the reintegration of my child back into school full time education
- Ensure there is supervision of school work
- Ensure there is a flow of work between school and home for marking and guidance
- Take full responsibility for the health and safety of my child when they are not in school

Parent/Carer Signature: _____ Date: _____

School

During the period of the part-time/reduced timetable the school will:

- Monitor the effectiveness of the part-time/reduced timetable
- Listen to the voice of the child
- Arrange and hold regular reviews on the agreed dates
- Provide work for the child to do whilst at home and mark all work completed
- Acknowledge that on a part-time timetable, the child is partly absent from school which must be recorded with code C on the registers even if the child completes work at home
- Work with the parent to ensure the swift reintegration of the child back into full time education
- Seek the advice of agencies as necessary with the consent of the parents

School Signature: _____ Date: _____

Child's Signature (if appropriate): _____

Date: _____