

Emotionally Based School Absence (EBSA)

Information Summary Sheet

What is Emotionally Based School Absence (EBSA)?

"Truancy" refers to pupils who deliberately avoid attending school, without their carer's knowledge.

"EBSA" is when a child experiences extreme anxiety and distress in relation to attending school and as a result, remains absent or unfocused. Other phrases used have included: School phobia, School avoidant, School refusal, School anxiety.

What are the signs/symptoms?



What are the causes?

Potential reasons for EBSA could include:

Academic pressures

Home related worries

Emotional developmental delay

Testing and assessments

Sensorial difficulties

Undiagnosed SEN or illness

Bullying or abuse

Classroom disruption

Separation anxiety

Not feeling difficulties are understood or believed Physical difficulties

Concerns around Coronavirus/ diseases

Friendship issues or social anxiety

Learning difficulties

Ineffective SEND support

Adolescent hormone and brain development

Unstructured break times

Navigating around school or travel to and from school

Changes to routines and staff

and more!

These signs and symptoms can be very distressing physically and mentally and can feel like something is seriously wrong. In relation to EBSA, children can also display a reluctance and/or avoidance against school related demands, such as getting dressed for school and/or leaving home. They may also repeatedly check things, seek reassurance, and struggle to make decisions.



How does EBSA affect a child's learning?

An anxious child who is forced into school can be traumatised and can often experience a 'fight, flight or freeze' response when there, alongside all the other anxiety symptoms they experience.

The fight-flight-freeze response is your body's natural reaction to danger. It's a type of stress response that helps you react to perceived threats, like an oncoming car or growling dog. The response instantly causes hormonal and physiological changes. These changes allow you to act quickly so you can protect yourself. It's a survival instinct that our ancient ancestors developed many years ago. Fight-flight-freeze isn't a conscious decision. It's an automatic reaction, so you can't control it.



Now imagine you're a child. You have no idea why you're experiencing these symptoms, you have no idea how to cope with them. In this state, a child is unlikely to be able to take in information or process it effectively. It's likely that they won't be able to gain the educational benefit from being in school that their peers may have.

Masking and camouflaging are terms used to describe neurodiverse individuals who seek to hide or minimize their natural personality, anxieties, or autism traits to fit in with the world around them. You may have a child who comes home from school feeling distressed and overwhelmed, however school are not seeing the same behaviours and report that your child is doing "fine", and they have no concerns. If this sounds familiar to your situation, your child may be masking their needs in school. If their needs are left unsupported at school, this could lead to EBSA. You can find out more about Masking and what you can do to help in our Masking in School factsheet.

How does this relate to Special Educational Needs and Disabilities (SEND)?

Special Educational Needs (SEN) is defined as a learning difficulty and/or disability which requires Special Educational Provision (SEP). Section 20 Children and Families Act 2014

A learning difficulty is a significantly greater difficulty learning than the majority of others the same age.

A disability is a physical or mental condition that has a substantial long-term adverse effect on carrying out normal day-to-day activities. <u>Section 6 Equality Act 2010</u>

In this type of case, the child is disabled because of a mental condition (Anxiety) preventing them from making use of general facilities provided in mainstream schools. Therefore, a child experiencing EBSA requires SEP in order to successfully access their education.

The SEND Code of Practice identifies four broad areas of need. These give an overview of the range of needs that should be planned for. It is likely that a child experiencing EBSA will have needs that fall under the category of Social, Emotional and Mental Health (SEMH), possibly other areas as well.

A detailed assessment of need should ensure that the full range of an individual's needs is identified, not simply the primary need. The support provided to an individual should always be based on a full understanding of their particular strengths and needs and seek to address them all using well evidenced interventions targeted at their areas of difficulty and where necessary specialist equipment or software. 6.27 SEND Code of Practice 2015

How should school help a child experiencing EBSA?

"Schools have an important role to play in supporting the mental health and wellbeing of their pupils, by developing approaches tailored to the particular needs of their pupils. All schools are under a statutory duty to promote the welfare of their pupils, which includes: preventing impairment of children's health or development, and taking action to enable all children to have the best outcomes." <a href="https://doi.org/10.1006/journal.org/

"Schools should take seriously any concerns raised by a parent. These should be recorded and compared to the setting's own assessment and information on how the pupil is developing."

6.45 SEND Code of Practice

Assess the child for SEND & offer support in accordance with the SEND Code of Practice

Schools must use their "best endeavours" (Section 66 CAFA 2014) to ensure any child with SEN gets the support they need and must make "reasonable adjustments" (Section 20 EqA 2010) to support a disabled child in accessing education. There is no legal requirement to meet a specific number of criteria to access support. School's SEN support should take the form of a "Four-Part Cycle": Assess, Plan, Do, Review

Details for what is available at each school is in their SEN Information Report, which must be published on their website. If the school is unable to offer suitable provision to meet the child's needs, school should apply to the LA for an EHC needs assessment. (The first step towards an Education, Health and Care Plan)

To find out more about the broad areas of SEN and the form that SEN Support must take, please see our

SEN Support information and resources

Reintegrating the child back into school

- Alert the Local Authority (LA)
 If the child is absent for more than 15 days, whether consecutive or cumulative, the school is required to inform the LA medical needs officer who should arrange alternative full-time educational provision and should do so at the latest by the sixth day of the absence.
- Provide schoolwork to do at home
 Provide homework whilst the student is unable
 to attend their duty to educate does not stop
 because a student does not attend due to
 showing traits of SEN (diagnosed or not).
- Tailored support plan
 Put in place a support plan which has been shared with parents to identify a structured way forward including the strategies in place to phase back in full attendance when appropriate and a backup plan if this fails.
- Keeping the family informed
 Making sure the child and family are kept informed about school events and clubs and encourage contact with other pupils

Make a referral to outside services for assessment and support

Education Welfare Service/Officer (EWO)

The service tries to find out what is causing a pupil not to attend school, and offer advice and guidance to school and strategies to support.

Educational Psychologist (EP)

Helps children achieve their full potential and improve their experiences of learning. They assess difficulties children may be having with their learning.

Mental Health in Schools Team (MHST)

Provides short term low intensity CBT for pupils with anxiety, low mood and OCD. Gives training to school to support the mental health of individual students.

Child Adolescent Mental Health Service (CAMHS)

NHS service that assesses and treats young people with emotional, behavioural or mental health difficulties. They also provide diagnostic assessments.

Specialist Teacher (Outreach)

Teachers from special schools who provide an outreach service to mainstream schools to support areas of inclusion for pupils with SEND.

Multi Agency Support Team (MAST)

A variety of professionals form a team around the child to offer all the necessary support for them and their family. Can include strategies for attendance difficulties.

How should school record EBSA absences?

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.

Children suffering from EBSA should have their absences authorised due to illness: The child is ill because the physical and mental symptoms of Anxiety are making them unwell, preventing them from attending school. Therefore, a child experiencing EBSA requires this to be reflected accurately in their attendance records as it is not a deliberate absence/truancy.

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 must record absences as authorised where pupils cannot attend due to illness (both physical and mental health related). In the majority of cases a parent's notification that their child is ill can be accepted without question or concern. Schools should not routinely request that parents provide medical evidence to support illness. Schools are advised not to request medical evidence unnecessarily as it places additional pressure on health professionals, their staff and their appointments system particularly if the illness is one that does not require treatment by a health professional. Only where the school has a genuine and reasonable doubt about the authenticity of the illness should medical evidence be requested to support the absence."

219-220. Working Together to Improve School Attendance guidance 2022

How do I ask the school to record EBSA absences correctly?

If you haven't already, you should request a copy of your child's attendance record so that you can see what codes have been used. You can write to the Head Teacher requesting that they authorise use of the correct attendance code for absences due to EBSA. Not Fine in School (NFIS) has a template letter you can use for this here. Make sure you date it and keep a copy of your letter as evidence. You can request a response in writing.

What are my options if I don't have any medical evidence and/or the school doubts the authenticity of my child's illness?

1. Compile and submit copies of your own evidence records to the school

According to case law, it is not necessary for parents to provide medical evidence for every absence a child has from school, if there is other relevant evidence which demonstrates that the child has a long-term health condition likely to result in regular absences. (*East Sussex County Council v Sussex Central Area Justices* [2019] EWHC 164 (Admin)) Make sure you describe symptoms, the impact, what you did to try and resolve etc. (see more details on the page "How can parents help their child experiencing EBSA?")

2. Making a formal complaint to the school

If school continues to doubt your evidence and efforts, and continues to pursue unhelpful or inappropriate strategies, such as physically forcing attendance, refusing to send work home, or lack of consistent adjustments, you could consider making a formal complaint to the school via their formal complaints procedure. This can be found under the policies on their website.

3. Requesting an EHC needs assessment

You could also consider making a parental request for an Education, Health, and Social Care Needs Assessment. Find out more about what this is and how to apply via our <u>EHCP requests page</u> and the <u>resources</u> on our website.

What if I am being threatened with an Attendance Order/prosecution?

If you are being threatened with an Attendance Order because of your child's absences from school, you should write to the relevant person or department (which is likely to be the Educational Welfare Service) to explain that your child has special educational needs and is experiencing mental health difficulties. Suggest to them that serving an Attendance Order in these circumstances would be premature and inappropriate as it is not useful to the child. What is needed is co-ordinated action by support agencies to identify and make provision for all your child's needs. Not Fine in School (NFIS) has a template letter for this here (Section 4) Hopefully, once everyone involved realises that your child's non-attendance is to do with their anxiety and SEN rather than deliberate truancy, the threat will be withdrawn. If not, consider making a formal complaint against the LA.

How can parents help their child experiencing EBSA?

Listen to your child

Communication with your child key. Supporting them and letting them know you take their concerns seriously and believe them is important to be able to keep trust and try and move the situation forward. Ask what's worrying them and what it is about school that makes them not want to go. Stay as calm as you can, focusing on listening and providing emotional support. Reassure them that you can work together to make things better.

Be consistent

Be consistent with the strategies you try to help them get back to school. Think with them about changes that could be made at school, at home or in their daily routine to help them feel less worried. Remember that it might take a while for something to work. Changing between lots of strategies quickly can be confusing, so only move on when you've tried something for a while without it helping. Praise them for each step they take.

Managing the Anxiety

Talk with your child about strategies that help them to express and manage their anxiety. This could be spending time with particular friends, listening to music, reading, playing sport, drawing, cooking, watching a favourite film, to give a few examples. They might find it helpful to make a <u>worry box</u> and/or a <u>self soothe box</u>. There are also more ideas in this **Autism anxiety resource pack**

Document Everything

Create a paper trail of evidence documenting everything relevant to your child's struggles and your efforts to resolve things and find help - you may need this if absence leads to threats of prosecution. Keep a diary and file in date order. For example:

- Describe what happens daily with your child what they say or do, if you are able
- Make a log of the days when your child doesn't want to go to school. This will give you a better sense of when and how often they feel like this, and can also help you raise it with the school
- Record evidence of the action you and the school are taking in writing. Keep notes and records of all conversations with school or medical staff. Follow up conversations with written summaries, and ask for written confirmation of any verbal agreements
- Keep records of all medical appointments and any assessments or meetings
- Keep all relevant letters and print outs of emails
- For every absence send an email to school detailing why, each time

Further practical advice

Work together with the school, see more on the next pages of our EBSA factsheet

Not Fine in School Resources Page

Our **EBSA** webinar on Youtube

Go and see a GP

Explain the difficulties your child is experiencing and ask for the GP's help, which could include:

- Referring your child to the Children and Adolescent Mental Health Service (CAMHS). This is the NHS service that assesses and treats young people with emotional, behavioural or mental health difficulties.
- Writing to the school to confirm that they suspect your child has an anxiety disorder and is currently medically unfit to attend school.
 Please note that GP's do not have a statutory duty to provide informal sick notes for children.
- Documenting anxiety symptoms and any other difficulties in your child's medical records (for evidence if needed)

Look after yourself

- School attendance difficulties can be very stressful for parents and can affect the whole family. Consider seeking medical advice & support for your own health.
- Employment commitments can be problematic. Consider seeking advice regarding Work and Benefits. <u>Citizens advice</u>
- Remember that you are not alone. There are other parents experiencing the same issues.
 Consider linking up with local <u>Parent support</u> <u>groups</u>

How can parents and school work together to help an EBSA child?

Keeping the school informed & Maintain positive contact

It is important to keep closely in touch with the school about your child's health. You should inform them in advance of any medical appointments or planned treatment. If your child is unable to go to school because of a mental health condition, such as severe anxiety, let the school know in writing, rather than just keeping them at home. A GP's note may help in such cases. Keep in regular contact with key staff as the situation progresses. Try to maintain a positive relationship, including by recognising the things that are being done to help your child. Ultimately, this will help you get more of the support you need.

Bullying, Assault or other Safeguarding Concerns

If you are concerned about bullying, read through the school's anti-bullying policy. This should set out how the school needs to respond and support your child. If you are unhappy with the way a member of staff is responding to your concerns, escalate them to a more senior person.

Sharing information

Some school staff may not have relevant training and/or experience with EBSA children. This topic has become more prevalent in recent years. *Not Fine in School* (NFIS) has created a school's guide to anxiety related non-attendance which you could share with the school to aid their understanding on the subject.

Potential Strategies to discuss

- A flexible, reduced and bespoke timetable with the aim of building back up when it feels manageable for your child
- Changing forms, sets or tutors if your child thinks this would help
- A home visit from the school, where a staff member can check-in to show your child the school cares about them
- Small, achievable targets your child can work towards
- Linking them with a member of staff as a named trusted adult, for example from the pastoral team, who they can chat to
- Finding a way for them to feel more part of the school community, for example by joining a club, or linking with a peer buddy or mentor
- Thinking of ways they can structure break-times if they are finding them difficult
- Offering them a new role or responsibility, such as library or bookcorner monitor, or learning mentor
- Exit pass, visual supports, designated safe space, reduced demands, and more.
- Referring the child for additional support. This support could include ELSA, Pastoral, counselling, specialist referrals
- Home-School Communication Book. This could help maintain regular communication – giving you a better sense of what things are like at school, and the school a better sense of what it's like for your child at home.
- This is not an exhaustive list. Remember that support should be tailor made to your child, you can think outside the box and use their interests and aspirations to help find strategies that work.

Ask for a meeting

Ask the class teacher, SENCO and or senior management team for a meeting to discuss what might be behind the school refusal, and to work together moving forward. It might help to write down a list of concerns beforehand, and to bring along a family member or friend to support you. The key aim is to agree with the school which strategies will be tried, and arrange a time to check-in on how it's going e.g. after one week or two and work from there.

Meeting advice

See our **Top Tips for Meetings**

It would be worth confirming the actions agreed with school/ professionals in writing including what, when, how often, by whom, and date for review of the support plan. This affirms your expectations and gives something you can refer to and hold those involved accountable.

Still no improvement after a meeting with school? You could consider these options:

- EHC assessment application
- Self-referral to specialists
- Contact Education Welfare service
- Making a complaint
- Seek parent support groups

What if my child has an Education Health and Care Plan

(EHCP)? It is likely that the plan needs to be re-examined. Your child may need extra or different support, and/or a different school. You should consider asking for an early review of the EHC plan or a re-assessment of needs, especially if your child's mental health needs have arisen relatively recently and are not covered in the plan. The LA must continue to secure the special educational provision in the EHC plan while your child is out of school. Section 42, Children and Families Act 2014

What alternative education is a child experiencing EBSA entitled to?

The Local Authority (LA) has an absolute legal duty to secure suitable, full-time alternative education for those children of compulsory school age who, by reason of illness, exclusion or otherwise, may not for any period receive suitable education unless such arrangements are made for them. This applies whether or not your child has an EHC Plan. They cannot choose not to provide this support, and they cannot use arguments of lack of resources to justify a failure to do so. LAs have a power (not a duty) to arrange education provision, where not already available, for pupils aged 16-18. Section 19 Education Act 1996 & case law

What should the alternative provision look like?

- LAs should liaise with appropriate medical professionals to ensure minimal delay in arranging appropriate provision for the child.
- It must be suitable to the child's age, ability, aptitude and any special educational needs.
- "Full-time education" is not defined in law, however the guidance states that it should "equate to what the pupil would normally have in school for example, for pupils in Key Stage 4 this would usually be 25 hours a week." Unless, for reasons relating to the physical or mental health of the child, a reduced level of education would be in the child's best interests.
- It is unlawful to withhold or reduce the provision, or type of provision, for a child because of how much it will cost. Therefore, LAs must not have policies that limit a child's education to a specified number of hours per week due to cost or availability.
- LAs should have regard to the statutory guidance 'Ensuring a good education for children who cannot attend school because of health needs'. "Health needs" can include anxiety and other mental health needs. As well as the DfE guidance on Alternative provision

When should this be put in place?

Exclusions: from the sixth school day after the exclusion

Health needs/anxiety: as soon as it is clear that the child will be away from school for 15 days or more, whether consecutive or cumulative, and at the latest by the sixth day of the absence

Children with no school place: immediately

How to request alternative education

Write to the Director of Children's Services at your LA and request that they provide suitable alternative full-time education for your child whilst he or she is out of school. In your letter or email, you should include:

- your child's name, age and school
- details of the circumstances which have led to your request
- the date by which the LA will have a duty to provide full-time education for your child
- copies of any supporting evidence (e.g. an exclusion letter from the head teacher, or a letter from your GP or other medical or mental health practitioner)
- details of your child's SEN and of the provision that will be required in order for the alternative education provision to be suitable

Keep a copy of your letter so that you have a record of your contact with the LA.

What should I do if alternative arrangements

are not being made? If, despite a request to do so, the LA has not made any suitable arrangements for alternative education for a child who cannot attend school, they will be in breach of their statutory duties and you could consider making a complaint. The Local Government and Social Care Ombudsman has issued a report explaining the duty to provide alternative education.

What if my child has an Education Health and Care Plan (EHCP)?

Attach a copy of the EHCP to your letter and ask for details of how the LA will ensure that the special educational provision continues to be delivered while he or she is out of school in accordance with section 42, Children and Families Act 2014.

The Local Authority has to see if a school would "not be suitable" in order to consider whether or not education in a school is 'inappropriate'. To do that, the LA has to take into account all the circumstances. This might include consideration of the following matters:

- the child's background and medical history
- the particular educational needs of the child
- the facilities that can be provided by a school
- the facilities that could be provided other than in a school
- the comparative cost of the possible alternatives to the child's educational provisions
- the child's reaction to education provisions, either at a school or elsewhere
- the parents' wishes
- any other particular circumstances that apply to a particular child <u>Case Law</u>

Where a child or young person requires 'education otherwise than in school' (EOTAS), the special educational provision should be set out in Section F and Section I should be left blank, as there is no setting to be attended. <u>Case Law</u>

If you need further advice, please feel free to contact SENDIASS here