

# ELLS(2) 05-06(p1) ANNEX E

## Education for Young Parents

### 1. Introduction

1.1 Wales has the highest rate of teenage pregnancy in Western Europe. The latest available figures (2001) show that the pregnancy rate for girls aged 15-17 is 45.5 girls in every 1000. This reduced from a figure of 48.4 in 2000, but despite an encouraging decrease, births of around 1,000 per year to girls aged under 18 represent a major challenge to the Welsh education system. Research evidence indicates clear links between poor educational attainment and school-age parenthood. Studies have shown that most school-age mothers and fathers leave school at 16 with few or no qualifications.

1.2 There is considerable evidence that school-age parents are more likely in adult life to have lower incomes, to be on income support and to be disadvantaged in the labour market. Poor educational attainment and lack of qualifications are major contributory factors. The importance of pregnant pupils and young mothers receiving support to continue their education cannot be over-estimated.

1.3 The Welsh Assembly Government aims to:

Reduce the rate of school-age pregnancy in Wales

Ensure that young parents have access to education, training and employment, to reduce their risks of long term social exclusion.

1.4 This guidance is part of the drive to achieve the second of these aims. It provides information for schools and local education authorities (LEAs) in supporting girls of compulsory school age who become pregnant, and advice on supporting young fathers and young fathers-to-be. It does not deal with reducing conception rates or sex education, which is covered in the Sex and Relationships Education in Schools guidance.

1.5 The guidance has been brought together through close consultation between health and education practitioners. As the guidance is largely new, comments on the entirety of the annex would therefore be particularly welcome.

**Q What are your thoughts on the contents of the ‘new’ guidance on education for young parents ?**

### 2. LEAs’ duties

2.1 The Education Act 1996 places a duty on LEAs to "make arrangements for the provision of suitable education at school or otherwise than at school for those children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them". In fulfilling their statutory obligations under section 13 and 19, LEAs have powers which can be used to provide support to young mothers and mothers-to-be. LEAs should work together with social services, schools and wider partnerships to provide support for the mother, both during pregnancy and after the baby is born.

2.2 LEAs have a general duty to contribute towards the spiritual, moral, mental social and physical development of the community by ensuring that efficient education is available to meet the needs of the population in their area. In exercising their various powers and duties under the Education Acts they are to have regard for the general principle that, if to do so is compatible with efficient instruction and training, and not unreasonably expensive, pupils are to be educated in accordance with their parents' wishes (see section 6). This means that LEAs should not impose one policy for all but should consult the pupil, their parents or carers and their school to secure a package which is suitable to their age, ability, aptitude and individual needs, including any special educational needs they may have.

2.3 Section 14 of the Act requires LEAs to secure that sufficient schools providing appropriate primary and secondary education are available for all pupils in their area.

2.4 "Suitable education" is defined by section 19(6) as efficient education suitable to the age, ability, aptitude and to any special educational needs the child or young person may have. It is for LEAs to decide what is suitable, after consultation with a particular child's parents, in accordance with their own policies and having regard to this guidance. However, what constitutes "suitable education" in each case is to be determined purely by educational considerations and not by reference to the resources available to the LEA (see *R v East Sussex County Council, ex p Tandy* [1998 EL R 251]). LEAs cannot decide not to arrange any education, or make arrangements which do not provide suitable education for that child.

2.5 When a pupil is dually registered in a PRU and a school, the school cannot take her off the school roll without the permission of the LEA (Education (Pupil Registration) Regulations, 1995).

2.6 Under section 19(4) LEAs have powers to arrange provision otherwise than at school for "young persons", defined in section 579(1) as a person over compulsory school age but under 18. This can be used in support of the education of young mothers and mothers-to-be between the ages of 16 and 18.

## **Pupils with statements of special educational needs (SEN)**

2.7 Pupils with statements who become pregnant should be treated in the same way as other pupils under the LEA's pregnancy policy. However, the LEA may need to review the statement under section 328 of the Education Act 1996 and the Education (Special Educational Needs) (Wales) Regulations 2002 in

order to ensure, for example, that the placement named and the non-educational provision set out in the statement remain appropriate. Guidance is given on reviewing statements in the SEN Code of Practice for Wales.

### **Nominated official for young parents**

2.8 An LEA officer should be nominated to be responsible for young parents in school. This will be the specialist reintegration officer in areas that have them.

### **Data collection**

2.9 LEAs have a responsibility to collect data on participation and achievement of all pupils out of school (see Section 4), including any young parents. It is also good practice for LEAs to collect separate data on the attainment and attendance of young parents in mainstream schools in order to ascertain the effectiveness of their provision. Their transition to further education or employment should also be monitored and recorded. For monitoring purposes, this data should be broken down by ethnic background. For ease of communication between agencies the format in which this data is collected should complement as far as possible any other data sets in use. All data must be collected and stored in accordance with the Data Protection Act 1998.

## **3. Responsibilities of schools**

3.1 Circular 1/2004 makes clear that pregnancy is not a reason for exclusion from school. Health and safety should not be used as a reason to prevent a pregnant pupil from attending school and schools should ensure that the health and safety of a pregnant pupil is not compromised. Under no circumstances should a school invite a pupil to take a leave of absence in order for them to be sheltered from gossip or bullying.

3.2 Any problems of bullying should be addressed in the normal manner in line with the school's discipline policy (see the Welsh Assembly Government guidelines on anti-bullying, "Respecting Others" for more information).

3.3 There is no evidence that keeping a pregnant pupil or school age mother in school will encourage others to become pregnant. Effective personal and social education (PSE) can alert teenagers to the risks and realities of early parenthood and can be used to encourage understanding of young parents' situation amongst the other pupils, taking care not to reinforce negative stereotypes. Further information on Sex and Relationship Education in Schools is available in Welsh Assembly Government Circular 11/2002.

3.4 The school's aim should be to keep a pregnant pupil or young mother of compulsory school age in learning. This means keeping the pupil on the school roll, even if they may not be able to attend for a period of time, and keeping up to date with their progress. Schools should also work with the LEA in identifying a suitable time to re-integrate her into full-time education, FE college, or suitable unit.

3.5 If a head teacher has good reason to consider that the school is no longer a suitable environment for the education of a pregnant pupil or young mother of compulsory school age, the head teacher should discuss this with the pupil, her parents or carers, the LEA and the pupil's adviser (if she has one). All of these parties should be involved in deciding the most suitable provision for that young person. If the health of the young mother is the reason for the school no longer being a suitable environment to continue their education then health professionals should be consulted.

3.6 It is not unusual for a young woman to become more motivated about her education as a result of pregnancy and a desire to plan for the future. As set out in paragraph 2.9 of this guidance it is good practice for schools to share data with their LEAs on the achievement of pregnant pupils and school-age mothers.

### **If the school becomes aware that a pupil is pregnant**

3.7 The Welsh Assembly's guidance on Sex and Relationship Education in Schools (Section 6) states that schools should be clear about the boundaries of their legal and professional roles and responsibilities. The guidance highlights the need for a clear and explicit confidentiality policy, contained within the sex education policy, to ensure good practice throughout the school which both pupils and parents understand. This policy should deal with the processes for dealing with disclosure of pregnancy.

3.8 The policy should be drawn up in consultation and should reflect the views of all school staff, pupils, parents and the needs of the school community. It must be kept up to date and be available for inspection including by parents. All school staff and visiting speakers should be trained in the contents of the policy and in particular newly qualified teachers should be made aware as soon as possible after joining a school.

3.9 All school staff and visiting speakers should ensure that they act consistently with the school confidentiality policy. Teachers are not legally bound to inform parents or the head teacher of any disclosure by pupils unless the school's confidentiality policy requires them to do so. Where a member of school staff is informed by a pupil that they are, or may be pregnant, they should encourage pupils to inform their parents or carer. Where it is clear that a pupil is unwilling to do so they should seek consent from the pupil for any disclosure to an appropriate individual and should make clear that they cannot offer or guarantee pupils unconditional confidentiality.

3.10 A member of staff who finds out that a pupil is pregnant should refer the pupil to a designated teacher within the school, who should ensure that the pupil receives full information about services in their local area, knows how to access them and has the opportunity to talk through the options available to her. Services provided through the Young People's Partnerships should allow young people to gain provision from medical through to advice and counselling support. In the case of young women under 16, the designated child protection teacher will need to consider whether there is a child protection issue

to be addressed. In such cases, designated child protection teachers should liaise with their nominated LEA officer to consider contacting the appropriate external agencies with responsibility for safeguarding and promoting the welfare of children, such as social services. This should be consistent with policies and procedures of the local Area Child Protection Committee (ACPC) and the LEA. Welsh Office Circular 52/95: Protecting Children from Abuse: the Role of the Education Service contains further guidance. In particular, if the designated teacher has a concern about a pupil's health or development, they can seek advice from the nominated LEA officer, the local social services department or the NSPCC.

3.11 Where a member of staff is made aware that a pupil may be pregnant they should make clear that they cannot guarantee unconditional confidentiality and that if confidentiality has to be broken, the pupil will be informed first. School staff should make a note of the discussion recording the time, date, place and individuals present as well as what is said and pass this to the designated child protection teacher. A young woman who is considering adoption or has decided not to continue with the pregnancy or who has already had a termination should also be offered access to relevant support services.

3.12 Schools should promote the services of the school nurse, health visitors, local clinics and other medical facilities as far as possible as the first port of call for all advice on medical matters, including pregnancy.

3.13 In providing support for pregnant pupils, the pupil should be advised that the head teacher and nominated LEA officer will need to be informed so that arrangements can be made for her continuing education. The head teacher should respect the young woman's wishes on confidentiality, in line with the school policy. A member of school staff should assist the young woman and take responsibility for her continuing education. The head teacher should make sure that the pregnancy is dealt with sensitively by teachers and pupils within the school.

3.14 The school should ensure, where possible, that the young woman continues to benefit from learning as long as possible during pregnancy and beyond by exploring all opportunities for curriculum support available within the LEA's arrangements including education out of school. There may be times when the pregnant pupil is unable to attend school or other educational establishment for health reasons, but would still be able to study. In these circumstances the school should provide work for the pupil to do at home. The school should try to maintain continuity of learning when the young woman is absent for the birth, especially for those studying for academic awards. It may be appropriate for the head teacher to use their discretion to disapply the National Curriculum in order for the young woman to maintain progress in her core subjects (See Section 2).

3.15 A pupil who becomes pregnant is entitled to no more than 18 calendar weeks' authorised absence to cover time immediately before and after the birth of the child. Should the pupil fail to return within this period she should continue to have access to support from the school, LEA and a personal adviser to help and encourage her return to education when ready. If health allows, schools should encourage pupils to return to education with the minimum of interruption within the best interest of the parents and

the new-born child. If the pupil is able to return to education before 18 weeks then LEAs should provide a suitable form of education, whether this is in mainstream school or otherwise.

3.16 After the maximum length of authorised absence, the school should follow the guidance on absence set out in Section 3. It must be made clear to both pupil and her parents/carers, that parenthood, by itself, is not a reason to be excused from education. Provided that appropriate education and free childcare facilities are available, any pupil who still fails unable to attend education will be liable to the same legal action as any other pupil. Absence for antenatal and parenting skills classes, and if the baby is ill, should be classified as "authorised", both for the mother and father.

3.17 If the school finds out, from the Education Welfare Service or other agency, that a pupil who is not attending school is pregnant, the school should arrange a meeting with the pupil, her parents or carers, personal adviser if she has one and the LEA (reintegration officer) to discuss how her educational needs are to be met.

3.18 If a young woman looked after by an authority (Looked After Child) becomes pregnant, the designated teacher for looked after children should be involved in discussions and review of the care plan for the young person to ensure that her educational needs are considered alongside her other needs. This is particularly important in avoiding disruptions when studying for academic and vocational awards.

3.19 As with any pupil who has spent time out of school, a school age mother who has done so should have an individual reintegration plan and panel. (See Part 6 of Circular 1/2004 for more details on reintegration.)

3.20 Schools should be supportive of both parents in their responsibilities for caring for their child.

### **Requests for emergency contraception**

3.21 As far as possible schools should promote the services of the school nurse, health visitors, clinics and other health facilities as the means of accessing all health services, including requests for emergency contraception. These issues should be addressed within sex and relationships education (SRE)

3.22 Any teacher who receives a request from a pupil for emergency contraception should follow the school's confidentiality policy on this aspect, which should be specifically covered. If permissible under the policy, the teacher should refer the pupil to a designated teacher, who will ensure that she is put in contact with the appropriate medical facility. As contact will need to be made within the space of a few hours, if the designated teacher is not available then the head teacher will need to be contacted to perform the same function.

3.23 Pupils should be encouraged as far as possible to inform their parents of their situation but if the pupil specifically requests that his / her parents are not informed and this is consistent with the school's confidentiality policy, the decision to inform parents will be left to the medical practitioner to decide.

QA1 Should there be a requirement within school's confidentiality policies to include a statement of policy on dealing with requests for emergency contraception.

QA2. Is this guidance helpful and practicable ?

## **4. Parental duties**

4.1 Section 7 of the Education Act 1996 requires parents to secure education of their children of compulsory school age either by regular attendance at school or otherwise. Parents of school-age children are obliged therefore to ensure that their child attends the provision arranged by the LEA. LEAs will need to work closely with the pupil and their wider family to ensure that they benefit from the continued learning opportunities available.

## **5. Working with other agencies**

5.1 All LEAs should maintain links with other organisations who may be involved in supporting young parents or mothers-to-be, particularly social services departments and those providing health services under the Young People's Partnerships. Many LEAs employ reintegration officers to help pupils to get back to education. It is particularly important that these officers link effectively to local strategies and with the designated member of school staff.

5.2 Cymorth, the Children and Youth Fund is administered through the Children and Young People's Framework Partnerships within each Local Authority. Cymorth aims to provide a network of targeted support for children and young people within a framework of universal provision, in order to improve the life chances of children and young people from disadvantaged families. Starting in April 2003, it has subsumed the previous Sure Start, Childcare Strategy and Children and Youth Partnership Fund grants. According to local partnership priorities, Cymorth can fund work with young people to help avoid pregnancy, and work with those who are pregnant or who have young children to ensure the best possible outcomes for the child. More information can be obtained through the local Children and Young People's Framework Co-ordinator.

## **Advice and guidance**

5.3 The developing work on Learning Pathways for 14-19 year olds ('Learning Country: Learning Pathways 14-19') will be an important aspect of how advice, support and guidance is provided to young parents. Guidance was released in July 2004.

5.4 A great deal of support and information is already available to young people through a variety of sources, including form and subject teachers, learning coaches, careers advisers, mentors, youth workers, families, friends and the media. Every effort should be made to ensure that young parents are provided with this form of support.

5.5 In areas with high rates of teenage pregnancy there may be a number of other agencies working with young parents, and where appropriate, other workers may take on the lead personal advisor role.

5.6 High quality, impartial information, advice and guidance services for young parents and parents-to-be will be an important element in enabling young people to take advantage of any developments and to make informed and realistic choices. The Assembly currently supports a number of web-based information services including CLiC, National Grid for Learning Wales (NGfL Cymru), ELWa-NC, LearnDirect and the planned Careers Wales Online that will be vehicles for taking forward the provision of information, advice and guidance to young people about the opportunities available to them. Young people also have a right to impartial, high quality advice on career choices from Careers Wales advisers.

## **Local strategies and consultation with young people**

5.7 Local Young People's Partnerships (YPPs) are required to establish a variety of sustainable mechanisms to enable them to access as wide and diverse a range as possible of young people in the area and engage them effectively in developing appropriate provision. This will include ethnic minority young people, young people who are marginalised, disaffected, excluded from school or in hard-to-reach groups such as young care leavers, young people with special needs, young parents, young homeless people, young asylum seekers, young travellers, young carers, gay and lesbian young people and other similar groups. Young people who do not currently use the available services need to be given opportunities to give their views, as well as those who do. Innovative methods of consultation and participation need to be considered. Where practicable, YPPs should build upon existing consultation and participation arrangements in partner organisations.

5.8 Schools are required to have school councils in place by September 2004 and these will represent another forum for developing schools policies on all aspects of inclusion, including the provision for young parents.

## **6. Education out of school**

6.1 LEAs have a duty to provide "suitable" education to pupils who are unable to attend school. "Suitable" education is described in law as suitable to the age and ability, aptitude and any SEN the child may have. For young mothers or mothers-to-be, the young woman's school would normally be expected to oversee her education, including setting and marking work while she is away. The aim, where possible, should be a return as soon as possible to full-time education, a FE college or a suitable unit. In some cases providing tuition at home may be the most appropriate approach.

6.2 Where the pupil has become pregnant in Year 11, time may not allow for reintegration into mainstream. In that case the aim should be to encourage the young woman to consider further education or other suitable post-16 provision. In some cases it may be appropriate to consider redoing the school year. The availability of childcare facilities should be taken into account in considering the options (see

Section 7 of this guidance). Decisions should be taken in the light of individual needs and the appropriateness of the environment. If the young woman is absent from school with a pregnancy-related illness, Welsh Assembly Government Circular 57/94 on the Education of Sick Children applies. Reintegration officers and personal advisers will provide a route for re-engaging young mothers who have dropped out of the system altogether.

## **Pupil referral units**

6.3 Links with mainstream school should be maintained for pupils in PRUs. Young mothers or mother-to-be will remain on the roll of their mainstream school, unless they have been excluded for other reasons (Circular x/2003). As with all pupils, the aim, where possible, should be a return as soon as possible to full-time education, a FE college or a suitable unit. It is important that standards are maintained at PRUs and that young mothers have tailor-made provision which will enable them to catch up. Some PRUs specialise in the education of young mothers and these units usually have childcare facilities on-site. The teaching at units should be as broad as possible and in order to achieve this consideration should be given to drawing teaching staff from a consortium based in schools, other units and FE colleges

## **Parenting skills**

6.4 Where possible the opportunity to provide young parents, including fathers, with parenting skills should be taken in order to equip them for life beyond the education environment.

## **Continuing education**

6.5 An LEA should normally arrange continuing education for a young person over compulsory school age, but under 18 where:

a young person is a "year behind" in their schooling, so that when they are over compulsory school age they need to study a further year to complete examination courses; and

a student has shown a high-level commitment prior to the point when they could no longer attend school.

## **7. Childcare**

7.1 Lack of appropriate or affordable childcare provision can prove to be a significant barrier to participation in education. The reintegration officer, or personal advisor can provide advice to the young woman, young father or young father-to-be about accessing childcare. Funding available through the Cymorth scheme (which has subsumed the previous National Childcare Strategy grants) will be an important source. Families where both grandparents are working, or where a lone grandparent works,

may be eligible for the childcare element of the Working Tax Credit for the childcare of their grandchild whilst they are claiming child benefit for that child. Further information about Working Tax Credit is available by calling 0845 609 5000.

7.2 Additional childcare help may be available from the local authority. This will be determined by the policy and priorities of the local authority, particularly in respect of children in need (section 17, Children Act, 1989).

7.3 The fact that a young woman under 16 is pregnant or has a baby does not automatically mean that she or her baby is a "child in need". This will need to be assessed individually by social services departments. Services can be provided if they are essential to safeguard and promote the welfare of mother and baby or if one of them is disabled. Local authorities are required to provide appropriate day care for "children in need" in their area (section 18, Children Act, 1989).

7.4 Local authorities may help to arrange or to fund such provision, or both. The Cymorth grant supports a Children's Information Service in every local authority area, that should be the main source of information about local childcare provision. For more information about local childcare provision please get in touch with the local Children's Information Service or the local Early Years Development and Childcare Partnership. (In some areas the functions of this Partnership are taken by the Children's Partnership.)

## **8. Home-school transport**

8.1 Transport for this group will have a positive impact on attendance. LEAs must provide free transport if they consider it necessary to enable a pupil to attend school, and they may help other pupils with fares. LEAs must also publish annually their policy on free and assisted transport. LEAs have considerable scope to decide when transport is necessary. Free transport is always necessary for a pupil of compulsory school age who attends the nearest suitable school if it is beyond walking distance. Where no statutory provision applies, it would be good practice for authorities to provide assistance with transport in circumstances where, for example, a General Practitioner certifies that the pupils stage of pregnancy is such that they are no longer able to walk to school.

## **9. School-age fathers**

9.1 School should acknowledge the additional needs that school-age fathers and fathers-to-be may have. If a member of staff finds out that a pupil is a father or a father-to-be they should follow the same procedure as when they find out a pupil is pregnant. If the school thinks it appropriate, they should consider what flexibility they can offer to the timetable and curriculum. Schools may consider it necessary to help a boy to have access to a counsellor in some circumstances or help from other agencies. Project and organisations operating under the banner of Young People's Partnerships should also support young fathers.

National Assembly for Wales, Circular 37/2004: Learning Pathways 14-19 Guidance

National Assembly for Wales, Circular 1/2004 and 1(a)/2004, Exclusion from Schools and Pupil Referral Units

National Assembly for Wales, Circular 23/2003, Respecting Others: Anti-bullying Guidance

National Assembly for Wales, Circular 11/2002, Sex and Relationships Education in Schools

National Assembly for Wales, 2000, Strategic Framework for Promoting Sexual Health in Wales

National Assembly for Wales, 2000, Working Together to Safeguard Children

Welsh Office Circular 52/95, Protecting Children from Abuse: The Role of the Education Service