

# London Borough of Sutton School Attendance Bite Size Briefing For Professionals



## What is the law regarding school attendance?

Parents and carers are responsible in law (Section 7 Education Act 1996) for ensuring their child/ren are in receipt of suitable full time education. In addition, Local Authorities have a legal obligation (Section 437 Education Act 1996) to ensure all children of statutory school age, who reside in the borough, are in receipt of suitable education.



## What are the implications of long term unauthorised absence for parents/carers?

As professionals, you are fully aware of how missing school causes severe disruption to a child's education, and affects their long term life chances. If a child is experiencing attendance difficulties, once school staff have exhausted internal strategies to improve the attendance, if it remains below an acceptable threshold, school staff have a duty to inform the relevant services in the local authority. The Local Authority then consider instigating parental responsibility measures and actions taken could include any of the following:

### Formal Caution

Given by the court when a parent has admitted they are guilty of the offence. If the child fails to attend school regularly following the caution then the matter will be placed before The Magistrates Court.

### Penalty Notice

An alternative to criminal prosecution and it is a fine of £120 reducing to £60 if paid within the statutory time limit.

### Magistrate Court Summons

Requires an appearance in a Magistrates Court and a conviction will result in a criminal record. The Courts have the ability to fine a parent up to £2500 and/or sentence to 3 months in prison.

### Education Supervision Order

The Local Authority makes an application for the order if they feel a child of compulsory school age is not in receipt of a full and regular education. A supervisor will be appointed for the child and will advise, assist and befriend, giving directions to the child and their parents to ensure they are properly educated.

### School Attendance Order

If the Local Authority is not satisfied that the parents are providing a suitable education to a child of compulsory school age, the order is applied for and will require parents to register the child at a named school.



## What interventions can help raise school attendance?

School attendance is best tackled **together** by parents and school staff and there are a range of options that can be explored in order to put the right support in place to increase and maintain, good attendance.

### School Attendance Policy

All schools have an Attendance Policy detailing responsibilities and response when a child is not attending school regularly. Ensure you read and familiarise yourself with your school's policy. Attendance issues should be addressed as soon as the issue arises.

### School & Parent Contact

Adhering to attendance policies and procedures, good clear communication between parents and school is crucial. This will help the school identify if there are any further measures the school can put in place to increase attendance, e.g. adjusting the school timetable, positive mentors, introducing a school attendance parent contract, as well as identify any additional support they may need outside of the school network.

### Family Group Conference (FGC) Referral

A voluntary process where a worker engages direct with the family, bringing the wider family and friend's network together to address the issues and difficulties with getting the child into school. The family network will devise an action plan of what they can do to help increase and maintain school attendance. introducing a school attendance parent contract, as well as identify any additional support they may need outside of the school network.

### Early Help Assessment Tool (EHAT)

Best practice is to complete an assessment with the family to gain a holistic view of the family as a whole and any issues they are experiencing which may be contributing to poor school attendance. Agree a clear action plan with the family addressing all issues identified during the assessment and set deadlines where appropriate. This is a useful tool to identify any professionals that may be helpful in supporting the family and can help instigate the Team around the Family process.

### Education Welfare Officer

The EWO will ask to see evidence of any intervention the school has put in place to address poor attendance. The EWO will meet with the parent/carer and agree a plan, at which point they are given a period of time, usually 4-6 weeks to improve the child's school attendance. If attendances fails to improve, the Attendance Officer will take the matter to the Non-Attendees Review Panel to consider legal intervention. This could be in the form of issuing a Penalty Notice, instigating legal proceedings etc. In all cases, the local authority has a duty to consider applying for an Education Supervision Order.



## Further Information

If you have any queries regarding School Attendance and the law please email [attendance@cognus.org.uk](mailto:attendance@cognus.org.uk)

Early Help information and supporting documents including the Early Help Assessment Tool (EHAT), Family Group Conferencing (FGC) Bite Sized Briefing and Early Help and Prevention Panel (EHPP) Bite Sized Briefing can be found on our website [www.sutton.gov.uk/earlyhelp](http://www.sutton.gov.uk/earlyhelp)

