

DFE Guidance to legal intervention

As absence is so often a symptom of wider issues a family is facing, schools, trusts and local authorities should always work together with other local partners to understand the barriers to attendance and provide support.

Where that is not successful, or is not engaged with, the law protects pupils' right to an education and provides a range of legal interventions to formalise attendance improvement efforts, and where all other avenues have been exhausted, enforce it through prosecuting parents.

Attendance legal intervention can only be used for pupils of compulsory school age and decisions should be made on an individual case by case basis.

Referral Guidance

When making a referral to Walsall Local Authority, please be advised that referrals will not be accepted unless the following school-based actions have been clearly evidenced within the referral documentation:

Within the 12 school weeks prior to referral, schools/academies MUST be able to evidence that the following pre-referral work has been undertaken:

- 1** Letters sent with regards to attendance concerns, punctuality and support.
- 2** Parent(s)/Carer(s) have been offered/invited for a meeting regarding attendance, in writing (via email/letter), stating a specific time and date for the meeting AND providing parents with at least 7 days' notice in advance of the scheduled meeting.
- 3** Following the scheduled meeting (whether attended by parent/s or not), a letter has been sent to parent(s)/carer(s) advising that attendance remains an ongoing concern and advising of current attendance %.
- 4** Communication has been undertaken with and between all external parties i.e Social Workers, Early Help, CAMHs.
- 5** That known medical issues or illnesses have been investigated by the school and/or relevant agency, e.g. School Nursing Service.
- 6** Letters sent with regards to continued attendance concerns, punctuality and details of support in place/offered/agreed.
- 7** Referrals must also include evidence of referrals for support, including internal school support, which have been made on behalf of the pupil/family.
- 8** School Warning Letter/s issued to each parent/carer to advise of referral to Local Authority due to persistant absence, attaching attendance certificate.
- 9** Detailed chronology/communication log, to include dates and what action was taken; details of telephone calls/emails/texts made to and received from parent(s)/carer(s) etc.
- 10** Current Attendance Certificate



Before proceeding, please tick the box to confirm that you have read and understand the above evidence requirements which relate to this online referral