

Who to contact

If you have any concerns about your child's attendance it is important that you contact and work with the school to resolve any issues.

If you would like further information about the formal process and possible outcomes, please contact the Legal Intervention Team at Dryden Centre, Evistones Road, NE9 5UR on 0191 433 8758.

School Attendance



Introduction

This leaflet sets out the information you need to know about your child's attendance at school and what the legal implications are if your child does not attend on a regular basis. It also tells you about the steps that will be taken by the school and Gateshead Council and who to contact if you have any questions about this issue.

The Law

It is your responsibility under Section 444 of the Education Act 1996 to make sure your child attends school regularly and punctually. Failure to do so is an offence punishable by law.

Gateshead Council has a duty to ensure that as the parent, you fulfill this responsibility. If the school refers a child to the Legal Intervention Team, it can ultimately result in you being issued with a Penalty Notice or lead to you being prosecuted in the Magistrates Court.

Definition of parent

Under education law (section 576 of the Education Act 1996) a parent is defined as:

- all natural parents, whether they are married or not; or
- any person who, although not a natural parent, has responsibility for the care of child

This means that a person who lives with and looks after the child, whatever their relationship to the child, is considered to be a parent in Education Law.

If there is more than one parent (under this definition) each is responsible for their child's attendance and any proceedings will affect each parent individually.

What the school will do

The school regularly reviews the attendance of every pupil and if your child's attendance falls below the expected level they will contact you to inform you of the concerns. They may write to you, invite you into school for a meeting or visit you in your home.

There are a wide range of strategies schools can use to support you and your child including:

- reviewing your child's timetable/lessons;
- investigating whether extra academic support is needed;
- resolving bullying issues;

- referring to external agencies;
- completing a CAF (Common Assessment Framework) assessment;
- implementing TAF meetings (Team Around the Family); and
- arranging a Care Plan (where there are medical issues).

It is important that you work closely with the school to resolve any issues that are affecting your child's attendance.

If attendance does not improve, the school may make a referral to the council's Legal Intervention Team to request formal legal action.

What Gateshead Council will do

If a referral is made by the school, it will be allocated to an officer in the Legal Intervention Team. You will be given a six week period to improve your child's attendance and prevent further action being taken.

You will be sent a letter which includes the date and time of a home visit appointment, information about the formal process, and the start date of the six week period.

The expectation is that during the six week period, your child will achieve at least 95% attendance.

You will be given the opportunity to provide additional information under caution (PACE interview), either by completing questions in writing or attending a recorded interview with council officers.

At the end of the process a multi-agency group from the council will review your child's attendance during the six week period and agree what action will be taken against you. The possible decisions are:

- **No further action**
- **Penalty Notice:** The fixed penalty is £60 if paid within 21 days, or £120 if paid between 21 and 28 days. A Penalty Notice is issued to each parent of a child. If you fail to pay the fixed penalty the case may proceed to the Magistrates Court for the original offence of failing to ensure your child's regular school attendance.
- **Prosecution in Magistrates court:** Prosecution can result in a fine of up to £2500 and/or a Parenting Order or community sentence for each parent.
- You will be informed of the decision in writing.