

Attendance Network Meeting

Welcome and Updates
July 2024

Andrea Jordan
Education Inclusion Lead GCC

Living our values every day



Accountable



Integrity



Empower



Respect



Excellence



Housekeeping



Monday, 08 July 2024 9:30-13:00		
Name: _____	Job Role: _____	
Email: _____		
School: _____		
Time	Focus	Feedback
9.30	Welcome and Introduction Andrea Jordan – Inclusion Lead, Education Inclusion Service, GCC	Excellent Poor
9.40	'Working Together to Improve School Attendance' Updates Andrea Jordan – Inclusion Lead, Education Inclusion Service, GCC	<input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/>
10.20	Attendance Data and Updates Laura Berry – Senior Data Analyst, Education Data Hub, GCC	<input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/>
10.45	Break (20 minutes)	
11.05	Coding and Coding Workshop Andrea Jordan – Inclusion Lead, Education Inclusion Service, GCC	<input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/>
11.40	Penalty Notices Code of Conduct Floss Falconer, Legal Attendance Officer	<input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/>
12.15	Attendance and Section 19 Policy and Process James Saunders, Strategy and Relationship Manager, GCC	<input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/>
12.45	Close and Evaluation	

Evaluation

What aspect of the meeting did you find most useful?

What would be helpful in the future?

What changes did you make after attending the previous meeting?

What changes will you be making following this meeting?

Any additional notes/comments?



The Education Inclusion Service (EIS) sits within the Education Hub in GCC's Children's Services.

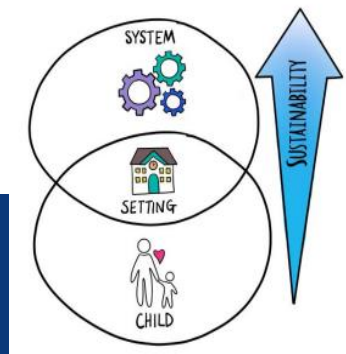
Our focus is on ensuring children with additional needs are supported to remain in school and achieve, through:

- supporting families and education settings in the development of inclusive practice and environments, ensuring children and young people have access to an education appropriate to meet their needs
- supporting families and education settings to take early holistic action to address emerging issues, and prevent escalation for children with no SEN and at SEN Support
- meeting statutory duties for attendance, exclusion, home education (EHE), and children in employment & entertainment (CIEE)

We are a multifaceted inclusion service that strengthens the LA's approach to inclusive practice. Alongside our significant statutory responsibilities, our aim is to play a lead role in the County's shared journey towards 'System Cohesion': everyone working together to ensure those working with children, young people, and their families have the skills, knowledge, and support systems around them to create a fully inclusive system that meets needs and puts in the right support at the right time.

To achieve this, EIS supports at all 3 aspects of the inclusion sustainability model:

- **System:** Local and countywide, evidence-informed approaches to support inclusion, and our contribution to systemic changes across the county
- **Setting:** Helping to support and build capacity & expertise within schools
- **Child / family:** Advice, guidance, and support for schools in relation to children and young people with no SEN and at SEN Support



Education Inclusion Service Current Team Structure

Service Lead – Lisa Meggs

<u>Chelt / Tewks</u> Lead - Vikki Burt Exclusions and CIEE	<u>Stroud / Cotswolds</u> Lead - Andrea Jordan Attendance	<u>Glos / Forest</u> Lead - Cilla James Elective Home Education	<u>APS</u> Lead - Sian Edwards
Outcome Coordinators Brian McGuire Paul Waite Darren Peters Inclusion Officers Laura Nutland Tracey Knight Cath Jones Darren Peters	Outcome Coordinators Steve Witt Claire Bailey Inclusion Officers Helen Kay Lauren Deponeo Susan Janneh Dave Walton	Outcome Coordinators Gill Rennie Thalia Guerra Anita King Inclusion Officers Brian Gazzard Stacey Baylis Amy Read	Outcome Coordinators Bev Wall Alice Hibberd Fair Access Outcome Coordinator Toby McGregor
Lead Officer for Legal Intervention in Education (Attendance) Fliss Falconer			

Roles and responsibilities

Inclusion Officer

Each school has an Inclusion Officer who...

- Are the first port of call for the Education Inclusion Service
- Offer advice and guidance on our 4 statutory areas to school's parents and other agencies
- May have an EHE case load
- Have areas of oversight and specialisms
- Signpost schools, families and other agencies

Outcome Coordinators

Each dual locality has 2 OCs who...

- Case hold children
- Ensure that children are able to access an education
- Take a child centered approach
- Support schools and families to meet individual needs
- Work with families, schools and other partner agencies
- Signpost schools, families and other agencies



- **Revised, statutory version of *Working together to improve school attendance guidance*:** Ensuring clearer roles for schools and local authorities & reflecting changes detailed below.

New guidance
effective from 19
August 2024



- **Regulations to mandate attendance data-sharing by all state-funded schools:** Giving schools, LAs and DfE access to near-live high-quality data, allowing better, more targeted support to be put in place as early as possible.

90% of schools
already signed-up to
share data



- **Regulations to modernise school attendance and admission registers:** Designed with schools & LAs, to improve consistency & accuracy of recording. Registers to be kept electronically. Schools must inform LA when pupil has/will miss 15 days due to illness.

New code will track
use of part-time
timetables



- **New National Framework for Penalty Notices:** Single national threshold will improve consistency and embed 'support first' approach by ensuring penalty notices are only considered where support is not engaged with, not working or not appropriate.

Fine considered w. 5
days unauthorised
absence



- **New National Attendance Ambassador:** Key roles include acting as sector-facing lead for attendance hubs; disseminating effective practice to schools and trusts; and working with DfE's regional teams to support strong attendance

Rob Tarn, founder of
1st attendance hub



Working Together to Improve School Attendance

Overview

What is it?

- Introduced in 2022, following Schools White Paper.
- Based on existing best practice
- Non-statutory, but most schools & LAs are already implementing key elements
- Support First approach

EXPECT

MONITOR

LISTEN & UNDERSTAND

FACILITATE SUPPORT

FORMALISE SUPPORT

ENFORCE

What's new?

- Statutory guidance from 19th August
- Increased clarity on link between attendance and wider school culture, including importance of working with families.
- Reflect changes to the law on keeping school attendance and admission registers
- Set out the new National Framework for penalty notices.
- Change 'parenting contracts' to 'attendance contracts' to better reflect agreement between parents, schools and/or LAs.



Working Together to Improve School Attendance

What does it mean for schools?

Existing expectations of schools

- Develop and maintain a school culture that promotes benefits of attendance
- Have a clear attendance policy
- Accurately complete admission & attendance registers
- Monitor & analyse data to identify pupils/cohorts requiring support
- Build relationships with families, & work with them to remove barriers
- Share & collaborate with other schools/LAs/partners on persistent & severe absence

What's new for schools?

- Updated section on physical & mental ill health to be clear on schools' role, & provide further clarification around medical evidence, additional support for pupils with SEND and part-time timetables.
- Explain the new requirements on data sharing
- Clarification of expectations of senior attendance champions.
- Expectation to inform a pupil's youth offending team worker of any unexplained absences.



Updated section on physical & mental ill health to be clear on schools' role, & provide further clarification around medical evidence, additional support for pupils with SEND and part-time timetables.

Chapter 2: Expectations of schools

Share information and work collaboratively with other schools in the area, local authorities and other partners when absence is at risk of becoming persistent or severe

50.....Schools of all types, local authorities and other local partners should work jointly and share data on individual cases where it is of benefit to the pupil (e.g. health services where there are medical conditions.....

.....Sickness returns: providing the local authority with the full name and address of all pupils of compulsory school age who have been recorded with code I (illness) and who the school has reasonable grounds to believe will miss 15 days consecutively or cumulatively because of sickness. Only one sickness return is required for a continuous period of sickness in a school year. This is to help the school and local authority to agree any provision needed to ensure continuity of education for pupils who cannot attend because of health needs, in line with the statutory guidance on education for [children with health needs who cannot attend school](#). *(In Glos this is met through schools following the Attendance and Section 19 Policy which will be covered later in the session).*

Be particularly mindful of pupils absent from school due to mental or physical ill health or their special educational needs and/or disabilities, and provide them with additional support.

53. Many children will experience normal but difficult emotions that make them nervous about attending school, such as worries about friendships, schoolwork, examinations or variable moods. It is important to note that these pupils are still expected to attend school regularly - in many instances, attendance at school may serve to help with the underlying issue as being away from school might exacerbate it, and a prolonged period of absence may heighten anxious feelings about attending in future.

54. School staff play a critical role in communicating this expectation to parents. They should also work alongside families to ensure that such circumstances do not act as a barrier to regular attendance by mitigating anxious feelings in school as much as possible. Schools may also find it helpful to refer to DfE's [non-statutory guidance on mental health issues affecting a pupil's attendance](#) for case study examples.

55. Some pupils face more complex barriers to attendance. This can include pupils who have long term physical or mental health conditions or who have special educational needs and disabilities (SEND). Their right to an education is the same as any other pupil and therefore the attendance ambition for these pupils should be the same as it is for any other pupil but additional support may need to be provided.

Be particularly mindful of pupils absent from school due to mental or physical ill health or their special educational needs and/or disabilities, and provide them with additional support (cont).

56. In developing this support, the usual processes relevant to any attendance case apply:

- Understanding the individual needs of the pupil and family
- Working in partnership with the pupil and family to put in-school support in place and working with the local authority and other agencies where external support is needed (and available)
- Regularly reviewing and updating the support approach to make sure it continues to meet individual needs.

57. In cases of both long term physical or mental ill health, school staff are not expected to diagnose or treat physical or mental health conditions, but they are expected to work together with families and other agencies with the aim of ensuring regular attendance for every pupil. They should:

- Facilitate any relevant pastoral support with the clear aim of improving attendance as much as possible whilst supporting the underlying health issue.
- Consider adjustments to practice and policies to help meet the needs of pupils who are struggling to attend school, as well as making formal reasonable adjustments under section 20 of the Equality Act 2010 where a pupil has a disability. Any adjustments should be agreed by, and regularly reviewed with the pupil and their parents.

Be particularly mindful of pupils absent from school due to mental or physical ill health or their special educational needs and/or disabilities, and provide them with additional support (cont).

- Ensure joined up pastoral care is in place where needed and consider whether a time-limited phased return to school would be appropriate, for example for those affected by anxious feelings about school attendance.
- Make a sickness return to the local authority if a pupil is recorded in the attendance register as absent using code I (unable to attend because of sickness) and there are reasonable grounds to believe the pupil will have to miss 15 consecutive school days or more for illness or the pupil's total number of school days missed during the current school year because of illness (whether consecutive or cumulative) will reach or exceed 15 school days. (See paragraph 52)



Be particularly mindful of pupils absent from school due to mental or physical ill health or their special educational needs and/or disabilities, and provide them with additional support (cont).

58. For pupils with special educational needs and disabilities, schools are expected to:

- Work in partnership with parents to develop specific support approaches for attendance for pupils with special educational needs and disabilities, including, where applicable, ensuring the provision outlined in the pupil's education, health and care plan is accessed.
- Work in partnership with families to help support routines where school transport is regularly being missed and work with other partners to encourage the scheduling of additional support interventions or medical appointments outside of the main school day. Please see further details on [SEN support](#).
- Establish strategies for removing the in-school barriers these pupils face, including considering support or reasonable adjustments for uniform, transport, routines, access to support in school and lunchtime arrangements.
- Consider adjustments to practice and policies to help meet the needs of pupils who are struggling to attend school, as well as making formal reasonable adjustments under section 20 of the Equality Act 2010 where a pupil has a disability. Any adjustments should be agreed by, and regularly reviewed with the pupil and their parents.
- Ensure joined up pastoral care is in place where needed and consider whether a time-limited phased return to school would be appropriate.

Be particularly mindful of pupils absent from school due to mental or physical ill health or their special educational needs and/or disabilities, and provide them with additional support (cont).

59. Attendance is everyone's business so in many of these cases school will not be able to fully support a pupil without the assistance of a range of other agencies. School should:

- Make use of school nursing services and mental health support teams where they are available.
- Consider whether additional support from other external partners (including the local authority, children and young people's mental health services, GPs or other health services) would be appropriate and make referrals.
- Where external support is provided work together with those services to deliver any subsequent support.

60. If the child has an education health and care plan, school staff should:

- Communicate with the local authority where a pupil's attendance falls or they become aware of barriers to attendance that relate to the pupil's needs.
- Where possible agree adjustments to its policies and practices that are consistent with the special educational provision set out in the education health and care plan in collaboration with parents.
- Where needed work with the local authority to review and amend the education health and care plan to incorporate the additional or different attendance support identified.

Be particularly mindful of pupils absent from school due to mental or physical ill health or their special educational needs and/or disabilities, and provide them with additional support (cont).

61. Medical evidence for recording absences should only be needed in a minority of cases (see code I). Where a pupil's health need means they need reasonable adjustments or support because it is complex or long term, schools can seek medical evidence to better understand the needs of the pupil and identify the most suitable provision in line with the statutory guidance in supporting pupils at school with medical conditions or arranging education for children who cannot attend school because of health needs

62. Where parents do not engage in support, schools should work with the local authority or other local partners to formalise that support and as a last resort, enforce attendance through legal intervention.

63. Schools should ensure data is regularly monitored for pupils with long term illnesses and or special educational needs or disabilities including at board and governing body meetings and in Targeting Support Meetings with the local authority so that additional support from other partners is accessed where necessary.

Part-time timetables

64. All pupils of compulsory school age are entitled to a full-time education suitable to their age, aptitude and any special educational needs they may have. In some circumstances their education may be provided partially at school and partially at another educational setting or through education otherwise than at a school in line with section 19 of the Education Act 1996 or section 42 or 61 of the Children and Families Act 2014. Time away from school to receive education in other ways must be recorded in the attendance register using the appropriate codes (see chapter 8).

65. In very exceptional circumstances, where it is in a pupil's best interests, there may be a need for a school to provide a pupil of compulsory school age with less than full-time education through a temporary part-time timetable to meet their individual needs. For example, where a medical condition prevents a pupil from attending school or another setting full-time and a part-time timetable is used to help the pupil access as much education as possible. A part-time timetable should not be used to manage a pupil's behaviour.

Part-time timetables

66. A part-time timetable should:

- Have the agreement of both the school and the parent the pupil normally lives with.
- Have a clear ambition and be part of the pupil's wider support, health care or reintegration plan.
- Have regular review dates which include the pupil and their parents to ensure it is only in place for the shortest time necessary.
- Have a proposed end date that takes into account the circumstances of the pupil, after which the pupil is expected to attend full-time, either at school or alternative provision. It can, however, be extended as part of the regular review process. In some limited cases, a pupil with a long-term health condition may require a part-time timetable for a prolonged period.

67. Where the pupil has a social worker, the school is expected to keep them informed and involved in the process.

68. If the pupil has an education health and care plan, the school should discuss the part-time timetable with the local authority so that any support package that is in place can be reviewed as swiftly as possible.

69. In agreeing to a part-time timetable, a school has agreed to a pupil being absent from school for part of the week or day and therefore must record the absence accordingly (normally using code X or C2).

Data sharing

Share information and work collaboratively with other schools in the area, local authorities and other partners when absence is at risk of becoming persistent or severe

50. Schools of all types, local authorities and other local partners should work jointly and share data on individual cases where it is of benefit to the pupil (e.g. health services where there are medical conditions or the police where there are extra-familial harms). Local authorities and schools (of all types) are expected to have regular Targeting Support Meetings. Further, to facilitate timely collaborative working across partners, all schools are also legally required to share information from their registers with the local authority. As a minimum this includes:

- **New Pupil and Deletion returns:** notifying the local authority when a pupil's name is added to or deleted from the school admission register outside of standard transition times. For full details see paragraphs 199 and 205.
- **Attendance returns:** providing the local authority with the names and addresses of all pupils of compulsory school age who fail to attend school regularly or have been absent for a continuous period of ten school days where their absence has been recorded with one or more of the codes statistically classified as unauthorised (G, N, O, and/or U). Local authorities must agree the frequency that attendance returns are to be provided with all schools in their area. This should be no less frequently than once per calendar month (*GCC have processes regarding this information which can be found on our [Schoolsnet page](#)*)

Data sharing

Share information and work collaboratively with other schools in the area, local authorities and other partners when absence is at risk of becoming persistent or severe (cont)

- **Sickness returns:** providing the local authority with the full name and address of all pupils of compulsory school age who have been recorded with code I (illness) and who the school has reasonable grounds to believe will miss 15 days consecutively or cumulatively because of sickness. Only one sickness return is required for a continuous period of sickness in a school year. This is to help the school and local authority to agree any provision needed to ensure continuity of education for pupils who cannot attend because of health needs, in line with the statutory guidance on education for children with health needs who cannot attend school

49. Local authorities may seek, and schools are expected to provide, more frequent or comprehensive sharing of data than the statutory minimum where it is essential to fulfilling their obligations under the Education Acts and the expectations set out in Chapter 4 of this guidance. To avoid any unnecessary burdens for schools this should always be automatic from school registers and not require additional manual data collection/ returns (e.g. through a data aggregator directly from management information systems). This collaboration allows local authorities to facilitate quicker, more efficient joint working and better target their area wide attendance strategy.

Data sharing

Share information and work collaboratively with other schools in the area, local authorities and other partners when absence is at risk of becoming persistent or severe (cont)

50. The law also allows local authority officers access to the attendance and admission registers of all types of schools to carry out their functions under the Education Acts to support joint working between schools, trusts and local authorities. These officers are also permitted to take digital or physical extracts.

51. Schools must provide specific pupil information on request to the Secretary of State, for full details see: [Share your daily attendance data](#). The easiest way to meet this requirement is having an electronic management information system containing the required information that can be accessed by DfE. Once a school has granted permission the flow of data is completely automated and does not place any further burden on schools or local authorities. Schools that meet their requirement by sharing their school attendance data directly from their management information system receive access to the secure View Your Education Data tool. This tool allows schools to monitor pupil level attendance and have access to near real time data to understand trends in attendance patterns.

The role of the Senior Attendance Champion

Build strong relationships and work jointly with families, listening to and understanding barriers to attendance and working in partnership with families to remove them

20.....Where engagement in support is proving challenging, schools should hold more formal conversations with the parents (and pupil where they are old enough to understand). This is likely to be led by the school's **senior attendance champion** and may include the school's point of contact in the local authority School Attendance Support Team. These meetings should clearly explain the consequences of persistent and severe absence to the pupil and family and the potential need for legal intervention in future, but should also be an opportunity to continue to listen to and understand the barriers to attendance and explain the help that is available to avoid those consequences.

The role of the Senior Attendance Champion

Develop and maintain a whole school culture that promotes the benefits of high attendance

25.....

- Recognise improving attendance is a school leadership issue and have a designated senior leader with overall responsibility for championing and improving attendance in school and liaising with pupils, parents and external agencies where needed. The Senior Attendance Champion is expected to set a clear vision for improving and maintaining good attendance, establish and maintain effective systems for tackling absence and make sure they are followed by all staff and have a strong grasp of absence data to focus the collective efforts of the school. It is an ongoing responsibility, and the Senior Attendance Champion is also expected to regularly monitor and evaluate progress, including the efficacy of the school's strategies and processes.



The role of the Senior Attendance Champion

Have a clear school attendance policy which all leaders, staff, pupils, and parents understand

26. An effective whole school culture of high attendance is underpinned by clear expectations, procedures, and responsibilities. To ensure all leaders, staff, pupils, and parents understand these expectations, all schools are expected to have a clear, written school attendance policy based on the expectations set out this guidance. As a minimum it should detail:

.....

- The name and contact details of the school's **Senior Attendance Champion**.

DfE webinar

[The Senior Attendance Champion role: school senior lead for attendance \(youtube.com\)](https://www.youtube.com/watch?v=...)

Pupils with a social worker and/or youth offending team worker

52. To facilitate effective working across the local authority area, schools are expected to inform a pupil's social worker and/or youth offending team worker if there are unexplained absences from school. Children missing education officers or a school's point of contact in the School Attendance Support Team should also inform a pupil's social worker and/or youth offending team worker if their name is to be deleted from the school register.



Working Together to Improve School Attendance

What does it mean for local authorities?

Existing expectations of LAs

- Rigorously track LA data to devise strategic approach
- School Attendance Support Team
 - Comms/advice
 - Targeting Support Meetings
 - Multi-disciplinary support for families (access to early help)
 - Legal intervention where support has not been successful or engaged with
- Monitor & improve attendance of children with a social worker (via Virtual School)

What's new for LAs?

- Increased clarity on additional attendance services that may be traded; LA responsibilities for cross-border pupils; and how to hold effective Targeting Support Meetings.
- Flexibility in how LAs work with independent schools, to better suit local needs.
- Further detail on cross partnership ownership of attendance improvement.

Trading additional services to schools

107. Whilst the core functions set out in paragraph 89 should not be traded or require service level agreements from schools, local authorities may trade other elements of attendance management and improvement to schools and trusts where there is demand. These include:

- School processes, where the local authority is acting on behalf of the school to fulfil the expectations set out in chapter 2. For example, first day calling, home visits, calls or sending out letters from the school, late gates, parent drop ins, attendance advice at parents' evenings, assemblies and analysing schools' data.
- Casework on behalf of the school to deliver attendance work with individual pupils and families that is expected of the school. For example: contacting families and understanding what the barriers to attendance are, setting up and leading meetings with families, developing in school reasonable adjustments and initial attendance action plans and completion of referrals to other services.
- Training school staff on attendance, either through one off or ongoing delivery. For example training on the law, casework or application of guidance, training for governors, training on how to analyse data or professional supervision of attendance staff employed by the school or trust.
- Audits and attendance management support on an ad hoc basis. For example, intensive work with a school to develop a whole school strategy, day to day processes or an attendance policy. This may also include register audits.

Working with cross-border pupils

108. In cases where a pupil lives in one local authority area and attends school in another, the overarching principle is that both the local authority in whose area the pupil attends school (the '*School LA*') and the local authority in whose area the pupil lives (the '*Home LA*') work together to support the pupil and family. This feeds into each local authority's responsibility for safeguarding and promoting the welfare of pupils. Each local authority also has specific expectations for delivering certain actions. In general:

- Identification: The *School LA* is responsible for identifying an emerging attendance issue through its work with schools in its area, including Targeting Support Meetings or through a referral. That does not, however, mean that the *School LA* is automatically responsible for delivering all necessary local authority actions where a pupil lives in another local authority's area.
- Working together to agree a pupil- and family-centred approach: Instead, both local authorities are expected to discuss cases where local authority action is needed and agree a way forward. Where pupils are temporarily housed in an additional local authority's area, or local authorities' areas, those local authorities should also be included in any discussion.
- Agreeing which local authority will lead on specific actions: As well as agreeing the overall approach, agreement needs to be reached over which local authority will lead or delivery and necessary action(s). This should be in line with the summary table of responsibilities below.

Working with cross-border pupils

- Funding: The local authority responsible for providing the action (in line with the summary table) is generally responsible for funding it.
- Resolving disagreements: Where there is disagreement, the *School LA* should continue to convene discussion on the case to find a way forward and, in the rare cases where that is not possible, escalate so that the pupil of family is not left without the necessary support.
- Monitoring: Where the *Home LA* is taking ownership of delivering certain actions, the *School LA* should continue to check progress and if those actions are not working discuss with the *Home LA* to find a different way forward.
- Data sharing: As the *School LA* act as the data controller for the attendance data they receive about pupils attending school in their area, arrangements should be put in place locally to allow *Home LAs* the data they need to monitor the attendance of their cross-border pupils. Where attendance problems emerge in individual cases, the *School LA* will also need to share data with other local authorities involved in a case in line with local arrangements.

Working with cross-border pupils – which local authority is responsible for different types of support

Early help of supporting families' plan

109. Assessing and putting in place any early help or multi-agency family support plan in cases where local authority action is needed sits with the *Home LA*. Where schools are completing the single assessment or acting as the lead practitioner (but with local authority involvement) the school will need to work together with the *Home LA*.

Children's Social Care

110. In line with usual processes, any assessment or plan under sections 17 or 47 of the Children Act 1989 sits with the *Home LA*.

111. For looked-after children, local authorities have a statutory duty to promote the educational attainment of all children in their care, wherever they live or are educated. When a looked-after child is placed out of area, the Virtual School Head of the *Home LA* should work with Virtual School Heads from other local authorities to support their attendance and additional educational support needs.

Working with cross-border pupils – which local authority is responsible for different types of support

Alternative Provision

112. Responsibility for arranging any alternative provision a pupil requires under section 19 of the Education Act 1996 sits with the *Home LA*.

Special Educational Needs and Disabilities (SEND)

113. **SEN support:** No specific provisions apply, so the expectations of each local authority are the same as for a pupil who is not in receipt of SEN support.

114. **Education, health and care plans (EHCP):** Where a pupil has an EHCP, the *School LA* should alert the local authority which maintains the EHCP about any significant issues emerging over attendance of which it becomes aware, so that the local authority can consider whether needs continue to be adequately supported through the existing plan

Transport

115. If the child is eligible for free home to school transport under section 508B of the Education Act 1996, responsibility for arranging that travel sits with the *Home LA*.

Working with cross-border pupils – which local authority is responsible for different types of support

Attendance legal intervention

116. **Education supervision order:** Either local authority can apply for an education supervision order, but it will usually be the *Home LA* that acts as the 'designated LA' and therefore both local authorities should discuss and agree before proceeding.

117. **Penalty notice:** A penalty notice must be issued in line with the National Framework and local code of conduct for the area in which the child goes to school, and if issued by a local authority, it must be the *School LA*.

118. **Prosecution:** Either local authority has the power to prosecute, but in general it should be the *School LA* that takes forward prosecutions under section 444(1) and (1A) of the Education Act 1996. It is, however, good practice for the *School LA* to inform the *Home LA* that legal action is being taken.

119. **Parenting orders:** Where a prosecution leads to a Parenting Order, the Court will specify a responsible officer in line with section 372(5) of the Sentencing Act 2020. Both local authorities should discuss and agree who is most appropriate to act as responsible officer in advance of seeking the Order, within the statutory requirements. The most appropriate officer will often depend on the reason for absence

Working with cross-border pupils – which local authority is responsible for different types of support

Reasonable enquires to locate a suspected child missing education

120. Where a pupil has not returned from a period of leave or has had a continuous period of absence, the school and the *School LA* may need to carry out joint reasonable enquiries under regulation 9(1)(h) or (i) of the School Attendance (Pupil Registration) (England) Regulations 2024 to try to find out where the pupil is.

121. In conducting these enquiries the school and the *School LA* are also expected to liaise with the *Home LA* and if, following those enquiries, the pupil's name is deleted from the school's register, the *Home LA* should investigate whether the child is a Child Missing Education.

School Attendance Orders (SAOs)

122. Where it appears a child of compulsory school age in their area is not receiving suitable education, either at school or otherwise than at a school (such as unsuitable home education), that local authority (*the Home LA*) is responsible for serving a notice and if necessary a SAO in line with sections 437 to 442 of the Education Act 1996. Likewise, if prosecution for breaching the SAO is deemed necessary, it should be taken forward by the *Home LA*.

Targeting Support Meetings

(The whole section of guidance paragraphs 91 – 96)

95. Where Targeting Support Meetings are held separately, it is important they occur regularly so that support can be put in place as early as possible for any cases that need discussing. The frequency of meetings should be proportionate to the level of the attendance challenges in the school:

- For schools with attendance levels below the national average for their phase, it is expected local authorities meet at least termly in all cases.
- For schools with attendance levels above the national average for their phase, the frequency may be reduced to one Targeting Support Meeting per school year where school and local authority agree. There is no expectation for a meeting for schools with the very strongest attendance (where there are no cases to be discussed requiring local authority involvement) but ongoing engagement should happen through the school's point of contact in the School Attendance Support Team.

96. Where a termly meeting is requested, this should be provided. Schools are expected to take part in the Targeting Support Meeting in accordance with their safeguarding duties, so they should not refuse to meet. If the local authority offers a Targeted Support Meeting and the school do not take up the offer the local authority should follow up and try to secure future dates. If they are not able to do so and can evidence it if required, the expectation will have been met.