

# 'First Signs to Legal Intervention'

Attendance Team  
Education Inclusion Service



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## Steps to take before initiating legal proceedings

Support for the child

Anxiety

- ☐ Has the child suggested that they have feelings of anxiety?
- ☐ Have steps been taken to alleviate these feelings?
- ☐ Is there evidence of child-on-child abuse or bullying?
- ☐ Are home life or parenting styles causing concern for the child?
- ☐ Has a part-time timetable been considered to support return to full-time learning?
- ☐ Have the parents applied to their GP, TIC+ or CAHMS for a referral?

SEN

- ☐ Has specialist advice been sought?
- ☐ Has the feedback been implemented?

Patterns

- ☐ Have patterns in attendance been identified and addressed?

Section 19

- ☐ Has a referral been considered?

Support for the parents

Communication

- ☐ Are communication lines with the parents open?
- ☐ Are both parents contacted with information from school?
- ☐ Is communication delivered in an alternative language or format?
- ☐ Are parents aware that legal proceedings are being considered and what that means for them?

Support for the family

Collaboration

- ☐ Are the parents in need of support for the whole family?
- ☐ Has transport assistance been investigated?
- ☐ Have schools where siblings attend been contacted and consolidated plans been arranged?
- ☐ Have parenting courses and family support been considered?

Support for the school

Intervention

- ☐ Have all absences been recorded as unauthorised?
- ☐ Has evidence been collated for absences from the initial period of unauthorised absences?
- ☐ Has all communication with parents been recorded with names, dates and details of information?
- ☐ Have the Inclusion Officer been made aware?

LOCAL AUTHORITY AGREEMENT  
From First Signs to Legal Intervention

Super Support

Therapy dog  
Praise postcards  
Golden Tickets  
Extra football  
Scooter slots  
Extra playtime  
Weekly breakfasts  
Y&YB Greeter buddies  
Weekend teddy and journal  
Art and Wellbeing clubs  
Fairground  
Art and Wellbeing clubs  
Fairground  
School Council  
Active and engaging play time  
Rosettes  
Termly Bingo  
Points/Credits/Merits  
Choice Lotto  
Reward charts  
Raffle

Incentives

**What can you do to support your pupils and their families?**

Support for the child	Support for the family	Support for the school
Record missed work and offer support to catch them up on their return	Regular newsletters with a focus on attendance at the beginning of each term, and within the term as necessary	Current attendance policy following DfE and GCC guidelines and available on school website
Show them that you are happy they have returned to school without drawing unnecessary attention to their absence	Regular reminders to check that parents/carers details are accurate	Investigation into the reason for the absence
Speak to them about their absence showing warmth and understanding, and curiosity about the absence	Documents available in different formats and suitable for all parents/carers' needs, including home languages	Record of investigation with times, full names, and complete notes, avoiding acronyms
Make their presence in school appear valued by all staff	Clearly direct parents/carers to available support in the school and wider community	
Discuss the importance of attendance in school and towards them		

**ATTENDANCE**  
100%-96%

## Notice to Improve (NTI)

A notice to improve is a final opportunity for a parent to engage in support and improve attendance before a penalty notice is issued.

# We are a Support First Team

## Steps to take before initiating legal proceedings

### Support for the child

#### Anxiety

- ☐ Has the child suggested that they have feelings of anxiety?
- ☐ Have steps been taken to alleviate these feelings?
- ☐ Is there evidence of child-on-child abuse or bullying?
- ☐ Are home life or parenting styles causing concern for the child?
- ☐ Has a part-time timetable been considered to support return to full-time learning?
- ☐ Have the parents applied to their GP, TIC+ or CAHMS for a referral?

#### SEN

- ☐ Has specialist advice been sought?
- ☐ Has the feedback been implemented?

#### Patterns

- ☐ Have patterns in attendance been identified and addressed?

#### Section 19

- ☐ Has a referral been considered?

### Support for the parents

#### Communication

- ☐ Are communication lines with the parents open?
- ☐ Are both parents contacted with information from school?
- ☐ Is communication delivered in an alternative language or format?
- ☐ Are parents aware that legal proceedings are being considered and what that means for them?
- ☐ How often does the school send out leaflets about attendance? (Available on Schoolsnet)

#### Meetings

- ☐ Have meetings with the parents been arranged, either on- or off-site as necessary?
- ☐ Have AIM (Attendance Improvement Meetings) been arranged and held?
- ☐ Has the attendance of parents and outcome been recorded?

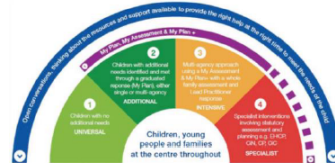
#### Improvement

- ☐ Has a Parenting Contract been considered?

### Support for the family

#### Collaboration

- ☐ Are the parents in need of support for the whole family?
- ☐ Has transport assistance been investigated?
- ☐ Have schools where siblings attend been contacted and consolidated plans been arranged?
- ☐ Have parenting courses and family support been considered?
- ☐ Has Early Help been considered?



Has the graduated pathway been followed to identify barriers to regular attendance?

### Support for the school

#### Intervention

- ☐ Have all absences been recorded as unauthorised?
- ☐ Has evidence been collated for absences from the initial period of unauthorised absences?
- ☐ Has all communication with parents been recorded with names, dates and details of information?
- ☐ Has the Inclusion Officer been made aware of the attendance issues?

#### Policies

- ☐ Has the Attendance Policy been available to all parents?
- ☐ Does it have a clear definition of what the school regards as 'regular attendance'? For example: We regard regular attendance for all children to be in school, on time. This is for every session of every day that the school is open to them.
- ☐ Has it clear information regarding the school's expectation of good attendance and consequences of poor attendance?
- ☐ Has it guidance on how to approach the school regarding attendance concerns?
- ☐ Has it been updated in the last 12 months?



# An attendance guide to support schools, their pupils and families

## GCC ATTENDANCE GUIDANCE

'From First Signs to Legal Intervention'

To provide guidance on supporting attendance from early signs to legal intervention

Education Inclusion Team  
October 2024




# GCC ATTENDANCE GUIDANCE

'From First Signs to Legal Intervention'

To provide guidance on supporting attendance from early signs to legal intervention



# Notice to Improve (NTI)



A notice to improve is an opportunity for a parent to engage in the support offered by the school and improve attendance before a penalty notice is issued.

# What are your initial thoughts looking at this register?

Sarah Young

Y2

DOB 14/07/2018

	Mon	Tue	Wed	Thu	Fri
02/09	# #	# #	/ \	/ \	/ \
09/09	O O	O O	/ \	/ \	/ \
16/09	/ \	/ \	G G	G G	G G
23/09	/ -	- -	- -	- -	- -



	Mon	Tue	Wed	Thu	Fri
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Sarah started in Year 2 this term.

She was absent on 09/09 and 10/09 – there was no contact from home, despite calls made to mum, Jenny and dad, Steve.

She talked to her teacher on Wednesday, 11/09 and said that she had not felt well.

This was reported on the school's communication log.

On 18/09, she was absent for a long weekend and returned to school on 23/09.



# What was done to support Sarah?

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09/09	O O	O O	/ \	/ \	/ \
16/09	/ \	/ \	G G	G G	G G
23/09	/ -	- -	- -	- -	- -

Sarah's absences have met the threshold for requesting a Notice to Improve and the school can show what interventions they put in place to support Sarah and her family when they request an NTI through the Capita Module

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**This was reported on the school's communication log.**

On 18/09, she was absent for a long weekend and returned to school on 23/09.

A Notice to Improve should be sent to give parents a final chance to engage in support



GCC will issue the Notice to Improve on behalf of the school



An email will be sent to each parent through the CAPITA One FPN application



Recommended length of improvement should be between 3 and 6 weeks



Sufficient improvement shall be no more unauthorised absences (unless an alternative, tailored to the family, has been previously agreed with GCC officers)



Schools will monitor the improvement period and request a penalty notice through Capita if the criteria are met

# When may a penalty notice for absence be appropriate?

**10 unauthorised sessions in 10 weeks**

**G, N, O, U, and a combination of these codes**

When a pupil has been recorded as absent for 10 sessions (usually equivalent to 5 school days) within 10 school weeks, with one of, or a combination of the following codes:

- (a) code G (the pupil is absent without leave for the purpose of a holiday)
- (b) code N (the circumstances of the pupil's absence have not yet been established),
- (c) code O (none of the other rows of Table 3 in regulation 10(3) of the School Attendance (Pupil Registration) (England) Regulations 2024 applies)
- (d) code U (the pupil attended after the taking of the register ended but before the end of the session, where no other code applies)

If in an individual case the local authority believes a penalty notice would be appropriate, they retain the discretion to issue one before the threshold is met.

**A school week means any week (Monday to Sunday) in which there is at least one school session.**

**The 10 school-week period when the national threshold applies may span different terms or school years (e.g. 2 sessions of unauthorised absence in the Summer Term and a further 8 within the Autumn Term).**

# Is it the best tool for the job?

If repeated penalty notices are being issued – and they are not working to change behaviour – **they are unlikely to be most appropriate tool.**

The national framework for penalty notices sets out that a maximum of 2 penalty notices per child, per parent can be issued within a rolling 3-year period.





## Similarly to 444(1a) cases, you can show what you have done to support the pupil

121 talks /capturing the child's voice
Mentoring/Buddying
Change in tutor group / seating arrangements
Support with catching up on missed work
Counselling
Behaviour support
Part-time timetable including date EIS notified
Alternative Provision including date EIS notified
Patterns in attendance certificate identified/addressed

Graduated Pathway / My Plan / My Plan +
GP, TIC+ and/or CAHMS referral
TALC/IC referral
Referral to any other multi-agency
Attendance Contract
Early Help
Parenting Courses and Family Support Workers
Attendance Improvement Meetings
Contact with siblings' schools
Identification of transport needs
Other



We have launched the new Capita Module and soon will be receiving requests for Notice to Improve email notifications and Penalty Notices

[Video](#) and [‘How to’](#) document



# Thank you

Attendance Team  
Education Inclusion Service

