

MODULE 1

What Is A Legal Intervention Case?

Attendance training for schools · Education Inclusion Service

Living our values every day



Accountable



Integrity



Empower



Respect



Excellence



The shift that changes everything

You are supporting your students every day.

For legal intervention, you must **prove** it to a stranger responsible for sentencing the defendant.



“A group of documents is not a case.”

A case is a clear, chronological account of what happened, what the school did to support the family, and why legal action is now the last remaining step.



Every case must do three things

1

Prove the offence

The threshold is met, with signed, dated attendance evidence.

2

Show the chronology

A dated account of absence, support, and the parent's response.

3

Justify escalation

Support was tried; legal action is now the last step.



1

Prove the offence

The threshold for a Notice to Improve (NTI) or Penalty Notice (PN) is met and evidenced: 10 sessions of unauthorised absence within 10 school weeks, with signed, dated attendance certificate behind it.

A percentage alone is not enough — and this is the test for legal intervention, not the only sign of an attendance problem.



2

Show the chronology

A dated account that links the absence to the support you offered and to how the parent responded. The certificate shows when; the chronology shows what you did about it.



3

Justify escalation

Support first. Show that support was tried, dated and specific, with the parent's response, and that legal action is genuinely the last step, not the first reach.



Two automatic 'no's

If any one applies, the case cannot proceed, however good the paperwork.

Looked After Child (legal intervention not available)

Child not yet of compulsory school age

Independent schools: your route is a s444(1A) request, not an NTI or PN — everything else here applies the same.

Your takeaway

The 'Is this a case?' one-page filter

Run it before every escalation. Ask: can I prove the offence, show the chronology and justify escalation? If you can't tick all three, it isn't a case yet.



Module 1 · Takeaway

“Is this a case?”

Printable. Use this before doing anything else with a potential escalation. If you cannot tick all of Section 1, it is not yet a case.

Section 1 – The three non-negotiables

☐	Offence proven and threshold met (10 unauthorised sessions in 10 weeks), with signed, dated attendance evidence.
☐	Correspondence to prove chronology: request from the parent(s) (or a letter from the school giving your reasons for believing the family to be on holiday); cover letter and form to state the absence is unauthorised, including legal information for first, second or third offence; support offered where applicable; further correspondence where applicable
☐	Escalation justified: it is clear why legal action is now the last step, and that support was tried first.

Section 2 – The basics that get cases declined

☐	Full names, addresses, email addresses and dates are present and correct.
☐	Every parent responsible for the mischief of removing the child from school or being responsible for the child's absence is named correctly. N.B. review the alterations when parents are separated.
☐	It reads as fact, not hearsay: who recorded what, and when.
☐	It would make sense to someone who has never met this family (the court, and the parent).
☐	Redaction removes only confidential or surplus detail, not the evidence the case relies on.

Section 3 – Red lines (any one = STOP)

☐	Below threshold → not yet a case.
☐	Child not of compulsory school age → stop.
☐	PN requested before an appropriate NTI → stop.
☐	Looked After Child → legal intervention not available.