Legal Intervention

Avoiding returned legal attendance paperwork

Early Intervention and Support • Notice to Improve • Penalty Notice • Court

A supportive reset on ownership, preparation and using the resources already available

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Living our values every day

Accountable Integrity Empower Respect Excellence

GCC

The whole journey starts before a legal request

If legal intervention may be considered, preparation must begin at the support and parental-contract stage.



Clear offers of help	Chronology and response	NTI / PN evidence	Legal-ready paperwork	Case may return again

The commitment is not simply to request a notice.
It is to maintain the evidence, staff time and consistency needed if the matter progresses to court, and if further intervention is later required.

What GCC provides

- ELITE on-demand training
- Schoolsnet guidance
- Current templates and examples
- Paperwork checklists
- Attendance Connections
- General Line Support

The school's responsibility

- Investigating and recording the facts
- Accurate chronology and parent-specific evidence
- Complete documents and exhibits
- Internal proofreading and final self-check
- Sufficient staff time for the legal route

The shared investigative process

- School establishes and evidences what happened
- GCC examines and tests the facts submitted
- Both clarify factual or evidential gaps
- GCC considers whether legal progression is supported
- GCC does not prepare, proofread or quality-assure the school's case

The hidden workload: checking becomes marking

When submissions are not self-checked, investigation time is displaced by preventable correction work.



The service cannot sustainably "mark" every submission.
The school's quality assurance must happen before submission, not after return.

Three gates: avoid a return at every stage

NOTICE TO IMPROVE	PENALTY NOTICE	COURT PAPERWORK
Support recorded Threshold evidenced Dates and period accurate Parent details correct Request matches process	Unauthorised sessions evidenced Correct parent(s) identified Exceptional circumstances considered Statements match the records Declarations are true	Parent-specific statement Children grouped correctly Chronology complete Exhibits labelled and ordered Signed, dated and redacted

Who should receive the Penalty Notice?

Start with responsibility for the absence, not simply who completed the form.

Key exception: if a parent clearly did not agree to the holiday, is not travelling and could not reasonably prevent it, record that evidence before deciding whom to include.

Who caused or allowed the child's removal from school?

1 Parents live together

Married or cohabiting

- Establish whether both caused or allowed the holiday
- One form does not mean one responsible parent
- Tell each parent the absence is unauthorised

Request a PN for EACH responsible parent, per child

2 Parents are separated

Identify who was responsible

- Resident parent completes the absence paperwork
- Establish who is travelling or agreed the absence
- Include a step-parent with day-to-day care if responsible

Request a PN for the responsible parent/carer(s)

3 Resident parent not travelling

Form completed for the travelling parent

- Do not assume the form-filler caused the absence
- Record who took the child and who allowed it
- Consider safeguarding before contacting another parent

Do not request a PN for a parent not responsible

Witness Statements:
Parents are separate. Children appear together.

The statement is built around the parent case, with all relevant children included together.

Example: two parents + two children

PARENT A

CHILD 1

CHILD 2

One parent-specific witness statement

PARENT B

CHILD 1

CHILD 2

One parent-specific witness statement

A witness statement per parent • both children in each • facts tailored to the parent concerned

Say what happened. Do not rewrite history.

Holiday request example where one parent completed the request.

PARENT A statement

"On DATE, PARENT A requested leave of absence for CHILD 1 and CHILD 2. On DATE, PARENT A was informed that the request was not authorised."

PARENT B statement

"On DATE, PARENT A (mother) requested leave of absence for CHILD 1 and CHILD 2. On DATE, PARENT B was informed that the absence was not authorised."

Only include what the school's records and correspondence can evidence.

Exhibits: separate, traceable and in order

G-coded absences

01	02	03	04	05
Attendance policy	**Holiday request**	**Decision letter**	**CHILD 1 attendance certificate**	**CHILD 2 attendance certificate**
signed • dated • labelled	signed • dated • labelled	signed • dated • labelled	signed • dated • labelled	signed • dated • labelled

Each child's document is its own exhibit.
The sequence in the bundle must match the sequence in the statement.

Exhibits: separate, traceable and in order

O-coded/Combination absences

The number of exhibits will vary and should show a chronology of events

01	02	03	04	05	06
Attendance policy	**CHILD 1 attendance certificate**	**CHILD 2 attendance certificate**	**School's internal chronology**	**Correspondence to and from parent**	**Evidence of referrals and support**
signed • dated • labelled	signed • dated • labelled	signed • dated • labelled	signed • dated • labelled	signed • dated • labelled	signed • dated • labelled

Each child's document is its own exhibit. The sequence in the bundle must match the sequence in the statement.

A declaration is not a shortcut

☑ **“I confirm…”**

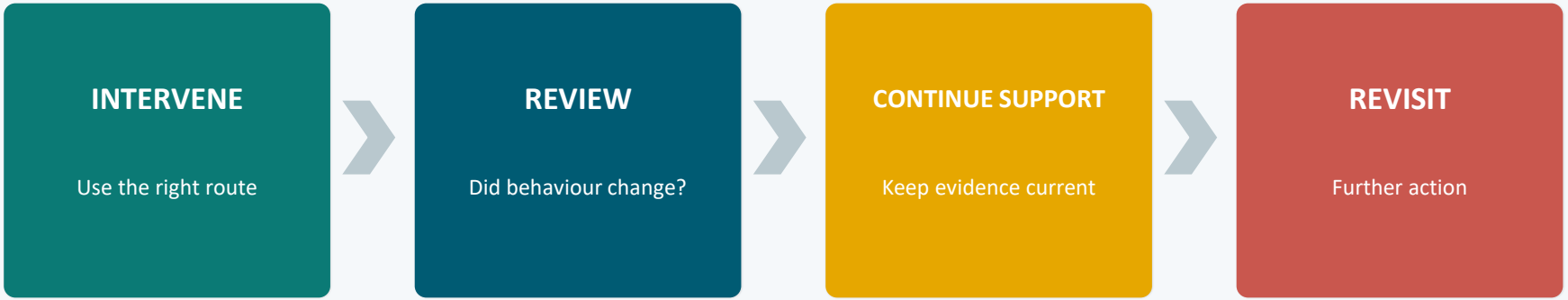
The declaration means the check has happened. It does not replace the check.

Before ticking

Open the current resource
Use the correct template
Check every criterion
Correct errors internally
Then submit

Sadly, even a successful prosecution does not guarantee change

Legal intervention may be necessary more than once, and a previous notice or prosecution may not change attendance.



Consistency in support, recording and evidence is needed throughout.
A school cannot step away from the paperwork once a notice has been requested.

Your five-minute pre-submission pause

1. Have we used the current training and guidance?
2. Does the request identify every relevant parent?
3. Do the facts, dates and chronology agree?
4. Are statements, exhibits and certificates complete?
5. Has someone other than the author proofread it?

If any answer is “no”, pause before submission.

The resources are there as the route to a legal-ready submission.

ELITE

Modules 1–9

SCHOOLSNET

Guidance + current forms

RESOURCES, MODELS AND CHECKLISTS

Every criterion

ATTENDANCE CONNECTIONS

Bring specific queries

THE ASK

Prepare it.
Check it.
Own it.
Then submit it.

Help us help you avoid returned paperwork.