

Witness Statement Checklist for 444(1A) Education Act 1996 Cases

1. Witness and School Details

- Full name and role of the witness (e.g., Headteacher)
- Confirmation of authority to make the statement on behalf of the school
- School name and address
- Statement of truth and legal warning (per Criminal Procedure Rules)

2. Pupil and Parent Information

- Pupil's full name and date of birth
- Pupil's address and living arrangements
- Parent/carer's name and relationship to the pupil
- Distance from home to school

3. Attendance Record

- Total number of sessions attended and unauthorised
- Attendance percentage over the relevant 10-week period
- Confirmation that attendance is below the school's policy threshold
- Signed attendance

4. School Attendance Policy

- Copy of the school's attendance policy
- Definition of "regular attendance" and "exceptional circumstances"

N.B. schools may refer to the Paperwork Checklist for All Legal Disposals available on [Schoolsnet](#)

5. Communication and Support History

- Log of all communications with the parent (calls, texts, emails, letters)
- Summary of meetings arranged and whether attended
- Details of any home visits
- Evidence of support offered (e.g., My Plan+, counselling, after-school clubs)
- Involvement of external agencies (e.g., Early Help, CAMHS, Social Services)

6. Pupil Voice

- Notes from conversations with the pupil about reasons for absence
- Emotional or psychological factors potentially affecting attendance

7. Parental Engagement

- Parent's responses (or lack thereof) to school communications
- Any explanations provided by the parent for absences
- Evidence of parent's failure to engage with support or attend meetings

8. Legal Threshold and Enforcement

- Confirmation that the threshold of 10+ unauthorised absences in 10 weeks has been met
- Notice to Improve issued
- Penalty notice request submitted
- MARF referral and safeguarding concerns (if applicable)

9. Exhibits and Supporting Documents

- Clearly labelled exhibits with:
 - Attendance policy
 - Attendance certificate
 - Communication logs
 - Meeting notes
 - Letters/emails to parents
 - Notes from staff and external agencies
- Exhibits referenced appropriately throughout the statement (initials of witness with 01, 02 etc.)

10. Finalisation

- Statement signed and dated by the witness
- Statement includes the declaration of truth

Final Checks

- Proof-read the statement for grammar and spelling errors
- Ensure clarity and conciseness in language
- Present events in chronological order
- Label exhibits in the order they appear in the statement
- Redact any information surplus to requirements or of a confidential nature e.g., names of other pupils, address of other parent(s), medical information or information protected by GDPR