

Guidance on making an effective referral to Education Welfare Service for legal action.

Bromley has a staged approach for legal disposals for poor attendance. There is a named single point of contact for all who can be called prior to making a referral if school is uncertain.

Prior to making a referral for legal disposal there is an expectation that school would have undertaken work around the following:

- Made parent's aware of their concern in writing at the earliest opportunity
- Held meeting (s) with parent
- Undertaken /Considered a Common Assessment Framework(CAF)
- Considered whether the young person is at risk of Child Sexual Exploitation.
- Considered and or implemented parenting contracts to address concerns
- Explored whether SEND support is required
- Ensured a review has been held for student's with an EHC Plan
- Where allegations of bullying have been made , that there is clear evidence that this has been investigated and addressed
- Where additional needs have been identified and a CAF has not been undertaken – demonstrate that an action plan has been developed to meet those needs . (A child's non-attendance needs to be balanced against a parent(s)/ engagement with school and any support services offered)
- Where a Home /School disagreement is cited for non-attendance, that school have offered a meeting to resolve any disagreement. Recording outcomes and actions.
- Considered If the child is a young carer, and if identified that support has been offered
- When referring that parent(s)/ carer(s) given name and all contact details are correct

Many of the above expectations are best recorded and addressed via the use of a CAF.

Penalty Notices for unauthorised leave of absence also known as holiday leave during term time. Bromley Code of Conduct for Penalty Notices state that there should be a minimum of 5 school days unauthorised leave. Referral is available on line.

Prior to completion please ensure the following:

1. Use of Penalty Notices has been included in the School's attendance policy and has been communicated to all parents.
2. Parents have been advised in writing that their request has been refused and a penalty notice will be requested of the LA if leave is taken
3. The address details of both parents has been verified as correct
4. The given name of parents have been included
5. The attendance certificate covers the period of absence and also shows the child has returned following leave

Penalty Notices for poor attendance

This normally encompasses students who have erratic attendance of 12 sessions within a 6 week period. It should not be considered for entrenched cases of non attendance and should act as a "warning for parents"

There is an expectation that school would have undertaken the following:

1. Made parent's aware of their concern in writing
2. If there has been no improvement following notification, ensured a meeting with parent has been attempted
3. Considered a Common Assessment Framework to rule out/identify any unmet needs
4. Advised parent in writing of referral to LA
5. The attendance certificate will evidence that during this period absences have been recorded as unauthorised.

Please note that the LA will issue a PNWL prior to any PN being issued.

Court Action

Referral available on line

This normally encompasses students who have in excess of 12 sessions of unauthorised absence within a six week period or have amassed 15% unauthorised absence over a prolonged period of time.

It is crucial in terms of evidence for court, that school record, date and retain all communications between themselves and parents on actions taken.