

What is the relevant legislation/guidance?

Working Together To Improve School Attendance Department for Education statutory guidance 2024, sets out provisions for governing bodies and local authorities (LAs) to enter into attendance contracts in cases of absence from school.

LAs, school governing bodies and school staff, are required by law to have regard to '**School attendance parental responsibility measures: statutory guidance** - May 2020.

The following must be taken into account

- **Human Rights and Equalities legislation** place a general duty on schools to have due regard to eliminate unlawful discrimination and to promote equality of opportunity
- **Special Educational Needs** – before making an attendance contract schools should consider whether the attendance difficulties may be related to a pupil's special educational needs
- **The young person** should be involved in the preparation of the contract subject to the age, maturity and understanding of that young person.

The definition of a parent is defined in the Education Act 1996

- Child's natural parents (married or not)
- Anyone who lives with and has care of a child
- Foster parents - but not corporate parents.

What is the purpose of an attendance contract?

- To enable schools and/or LAs to engage with parents effectively in order to improve attendance
- It will be used where a child is not attending school regularly, where absence is a cause for concern.

What is an attendance contract?

- A formal written agreement between a parent and the governing bodies or Academy Trustees of a school (usually delegated to the headteacher) and/or the Local Authority (LA)
- The party entering into the contract with the parent is responsible for bearing the costs of any support provided (not every contract requires funding)

What should it contain?

- A **statement by the parent** that they agree to comply for a specified period with whatever requirements have been agreed
- A **statement by the LA and/or the school**, agreeing to provide support to the parent to enable them to comply with the contract.

Does a parent have to agree to an attendance contract?

- The contract is a **voluntary** agreement. A parent cannot be compelled to enter into an attendance contract. Equally, there is no obligation on the LA/school to offer an attendance contract where it is unlikely that support will be engaged with.

What could happen if a parent doesn't agree?

- If irregular attendance continues or increases, with or without engagement in the offer of an attendance contract, a parent may be guilty of an offence under Section 444 of the Education Act 1996 and liable to prosecution and/or the issue of a penalty notice for unauthorised absence
- **However**, consideration will be given to engagement with an attendance contract if further action is considered necessary.

Why use an attendance contract?

For pupils, parents, schools and the local authority to **work in partnership** to address concerns and barriers to attendance.

- It can help **focus on the issues** which led to poor attendance
- It can **identify any support** that the school can offer the parent to help them to make changes.

What a parent might agree to do

- Establish routines for their child. E.g. sleep hygiene and morning routines
- Sign a home/school report each night.
- Accompany the child to school every day.
- Attend a Parenting Group for an agreed period of time, to share difficulties with other parents and to learn new skills.
- Explore any medical conditions and seek appropriate medical advice
- Agree to meet with a professional on a regular basis.

What a school might agree to do in order to support the parent

- Carry out a 'Parent/Pupil View' Meeting to help identify areas needing support
- Provide a member of staff to meet with the parent on a regular basis.
- Provide regular communication with the parent
- Support access to a parenting group or signpost to other agencies
- Make reasonable adjustments to support attendance.

Who can I talk to about my child's attendance?

In the first instance talk to your child's school. They are the professionals best placed to help you and your child.

If you would like to speak to an Education Welfare Officer please email:
EWS@wiltshire.gov.uk



Attendance Contracts

Absence from school

A Guide for
Parents, Schools and
Governing Bodies

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