

Education Welfare Officer

The Law and School Attendance

Education Welfare Officers strive to treat everyone fairly and with respect.

The Law – Education Act 1996

- The law (education act 1996) states that all children of compulsory school age (between the ages of 5 – 16) must receive a suitable full time education.
- As a parent/carer you are legally responsible for ensuring your child receives a suitable education. You are committing an offence if you fail to ensure your child attends school regularly, even if they are missing school without your knowledge.
- Only the school can give permission for your child to be absent or authorise unexpected absence such as illness.

Parent/carers Responsibilities

- To ensure pupils attend school **every day** on time and abide by the school rules.
- Contact the school when your child is absent to provide reasons for the absence, you may be required to provide medical evidence.
- Arrange all medical appointments out of school hours.
- Parents **do not** have the right to take pupils out of school for a holiday, if you need to take your child out of school for a holiday due to special circumstances you must request permission from the school.

School

- The school is responsible for monitoring school attendance and authorising any absences.
- The home school agreement outlines the responsibilities of the school and your responsibilities and what the school expects from their pupils including regular attendance, by signing this agreement you are agreeing to abide by its terms.
- Children achieve more when the school and parents/carers work together.

Education Welfare Officer

- Education Welfare Officer (EWO) are employed to ensure parents/carers meet their responsibilities with regard to school attendance.
- EWO's work closely with families, school and pupils to resolve attendance issues, arranging home and school visits where necessary.
- EWO's are required to keep records of conversations made with you and all views given by you may be used as evidence. This information may be shared with other agencies relating to the welfare and protection of children as set out in the Children Act 2004 and the Crime and Disorder Act 1998.
- The EWO is required to record, store and provide information to the courts if legal action is taken against you.

Local Authority

- If attendance remains a concern and all attempts by the Education Welfare Officer to support the parent/carer in improving their child's attendance have failed, a **penalty notice of £60** per parent/carer, per child may be issued. If this penalty notice is not paid within 28 days it will increase to £120. If the higher penalty notice is not paid and attendance has not improved the Local Authority may institute legal proceedings against you in the magistrate court under **section 444 of the Education Act 1996 for failing to ensure your child attends school regularly.**
- The Local Authority may also decide to make an application to the family court for an **Education Supervision Order**, the Education Welfare Officer, parent/carer and pupil will be required to attend court and if the order is granted by the courts an Education Welfare Officer will work with you under the order to strengthen your responsibility to ensure your child attends school regularly.
- **Prosecution against parents/carers** can be brought in a magistrate's court, this could result in the parent/carer receiving a fine of up to £2,500 for each child who is not attending school regularly or imprisonment for up to 3 months or both. The magistrates may also consider issuing a parenting order which would result in you having to attend parenting skills sessions.

Personal Information

- All personal information and data obtained by the Education Welfare Officer will be maintained in accordance with the Data Protection Act. Individuals can request to access this information.