

SCHOOL ATTENDANCE ORDER (SAO) PROCESS

Contact made with parent requesting evidence of a suitable, appropriate and full-time education for a child annually.

(Local Authority) makes contact with home educated parents **at least annually** so the Authority may reasonably inform itself of the current suitability of the education provided, in cases where there were no previous concerns about the education provided and no reason to believe the situation to have changed.

Source: Elective Home Education DfE Guidance for Local Authorities; Education act 1996 Section 436 a.

EDUCATION ACT 1996 Section 437, 438, 439 443 and 444

Section 437 allows the LA to serve an SAO

1. Initial letter sent to parent requesting report or annual monitoring which could be a visit, phone call or virtual visit as agreed with the family. A four-week deadline is given to provide a report or contact the Local Authority to arrange a visit.
2. Reminder email sent to the parent or carer five days before the deadline ends.
3. If a visit, phone call or virtual visit has taken place and there is insufficient evidence of a suitable, appropriate, and full-time education, a report or follow-up correspondence will be sent to the parent or carer stating clearly, why there is insufficient evidence of a suitable education. A further visit may be arranged to gather evidence of a suitable education.
4. If no report is received following the request, a further letter will be sent requesting a report. This will advise that if there is no report/contact, a School Attendance Order process will be initiated.
5. If there is insufficient evidence of an education, the Notice of Evidence letter will be sent with 15 days response from the date of letter. This will be sent via Royal Mail Recorded Delivery.
6. Remind the parent five days before the notice date elapses via post, telephone, or email.

7. Notice of Intention to Serve School Attendance Order: If no report is provided or there is insufficient evidence to deem education suitable, allow 15 days from date of letter for response. If the child is not enrolled at a school specified by Local Authority or preferred school by the parent, the School Attendance Order will be issued naming a school.
8. School Attendance Order: If a parent does not provide suitable evidence or enrol the child at the specified school, then a breach of the School Attendance Order will have been committed and the case will be referred to the Herefordshire County Council legal team.

SAFEGUARDING

In certain cases, there may also be concerns around safeguarding because of the lack of engagement by the parent with the Home Education Team and in conjunction with the Guidance for Local Authorities 2019 on safeguarding and significant harm; it may be prudent to make a referral to Social Care.

THERE MAYBE A LACK OF CONSENT AS PART OF PARENTAL NON-COMPLIANCE

Initially an offer of Early Help will be made by the EHE Officer and case referred to Early Help Team.

Refusal of support may result in a MARF being made to Social Care.

MARF submitted highlighting relevant section of the Right Help, Right Time document (see below).

Learning/education

Level 3

- Children who are electively home educated where there are concerns that their educational needs are not being consistently met.

Level 4

- Chronic non-attendance, children persistently missing from education, truanting, permanent exclusions, consistently poor educational attainment/progress, which are attributable to the parenting that the child is receiving and the parent has consistently failed to engage with services at the early help level to address this.
- Children where there are significant concerns that the child's educational needs are not being met.
- Inadequate stimulation leading to significant developmental delay.