Children and Families Service

# Education Welfare Service

Cheshire East Council

Published 2011
(amended 2012)







## TAKING ACTION TO IMPROVE ATTENDANCE

## Explaining legal action which may be taken - A guide for parents and carers

### Frequently asked questions

### What does the law say about attendance at school?

**The law requires all children between the ages of 5 and 16 to be in full time education.**

- As the parent/carer of a child of compulsory school age it is your duty under Section 7 of the Education Act 1996 to ensure that your child attends school regularly.
- **An Education Supervision Order** *Children's Act 1989:* The local authority can apply to the courts where attendance remains poor. A named education supervisor would be appointed to work with the family for up to 12 months to ensure that the young person receives full time education.
- **School Attendance Order** *Education Act 1996:* If this is issued; parents would be directed to register their child at a school named by the local authority.

*The definition of "parent", in relation to a child or young person, includes any person who is not a parent of the child but who has parental responsibility for him/her, or who has care of the child.*

### We have received a Fixed Penalty Notice warning letter; what is this?

- A Fixed Penalty Notice warning letter can be issued when a pupil has had 10 or more unauthorised absences from school.
- The warning letter gives you a period of 15 school days of monitoring. If at the end of this period there has not been an improvement or an improvement has been made but not sustained, a Fixed Penalty Notice will be issued.

### How much would we have to pay for a "Fixed Penalty Fine"?

- **Each** parent/carer will have to pay £60.00 **per child**.
- If this is not paid within 28 days, the payment increases to £120.00 **per child per parent**.
- Payments will not be accepted after 42 days.
- Payments cannot be paid in part or by instalments.

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## What will happen if we do not pay?

- The Local Authority will prosecute you in the Magistrates' Court.
- If you are prosecuted in the Magistrates' Court and convicted you will have a criminal record and you may receive a fine of up to £1000.

## Sometimes parents/carers do not co-operate with the Education Welfare Service. What happens then?

**If you don't co-operate with the school and the Education Welfare Service, then prosecution will be considered.**

- The case would be heard in the Magistrates' Court and a fine of up to £2,500 and/or 3 months' imprisonment could be issued.
- It will result in a criminal record

## Remember

Education Welfare Officers are there to help you and your child because they know how important attendance at school is to children's attainment, friendships, confidence and achievement. Their main aim is to support you and to work with you.

**Other leaflets are available to support you:**

- The Education Welfare Service in Cheshire East - an overview of our services to schools, parents and others
- Taking children on holiday during term time - frequently asked questions - a guide for parents and carers
- Helping your child to attend school - the role of an Education Welfare Officer (EWO) - a guide for parents and carers

**Each school has a link Education Welfare Officer who can be contacted through school. You can also telephone their main office number:**

**For Crewe, Sandbach, Nantwich, Middlewich, Alsager**
**Tel: 01270 375277**

**For Macclesfield, Wilmslow, Knutsford, Congleton, Poynton, Holmes Chapel**
**Tel: 01625 374782**

**Website: www.cheshireeast.gov.uk/ews**