

# FAST-track to Attendance

An Early Help procedure for improving pupil attendance  
(includes the process for taking legal action for ongoing unauthorised absence)

## Step by Step Guide

September 2022

Education Legal Intervention Team (ELIT)

Birmingham City Council



**Making a positive difference** every day to people's lives



## CONTENTS

	Page numbers
<b>Introduction</b>	<b>2</b>
<b>Legal Definitions</b>	<b>5</b>
<b>When should schools be concerned about a child's attendance?</b>	<b>7</b>
<b>Before you use FAST-track</b>	<b>8</b>
<b>Step by Step Guide</b>	
• <b>Step One – Early Help</b>	<b>9</b>
○ <b>Early help outcomes</b>	<b>11</b>
○ <b>Illness absence</b>	<b>13</b>
○ <b>Covid - 19 concerns</b>	<b>14</b>
○ <b>Emotionally based school avoidance</b>	<b>14</b>
○ <b>Children with Education, Health and Care Plans (EHCPs)/SEND concerns</b>	<b>16</b>
○ <b>Children in temporary accommodation</b>	<b>17</b>
○ <b>Step One - School absence escalation procedures flowchart</b>	<b>18</b>
• <b>Step Two – The school attendance review meeting &amp; parent/school contract</b>	<b>19</b>
• <b>Step Three – The Formal Warning Notice</b>	<b>21</b>
• <b>Step Four – Referral to ELIT</b>	<b>22</b>
<b>Parents with previous penalty notices/convictions in relation to pupil attendance</b>	<b>24</b>
<b>Quick FAST-track procedure guide</b>	<b>25</b>
<b>Referral checklist</b>	<b>26</b>

## Education Legal Intervention Team

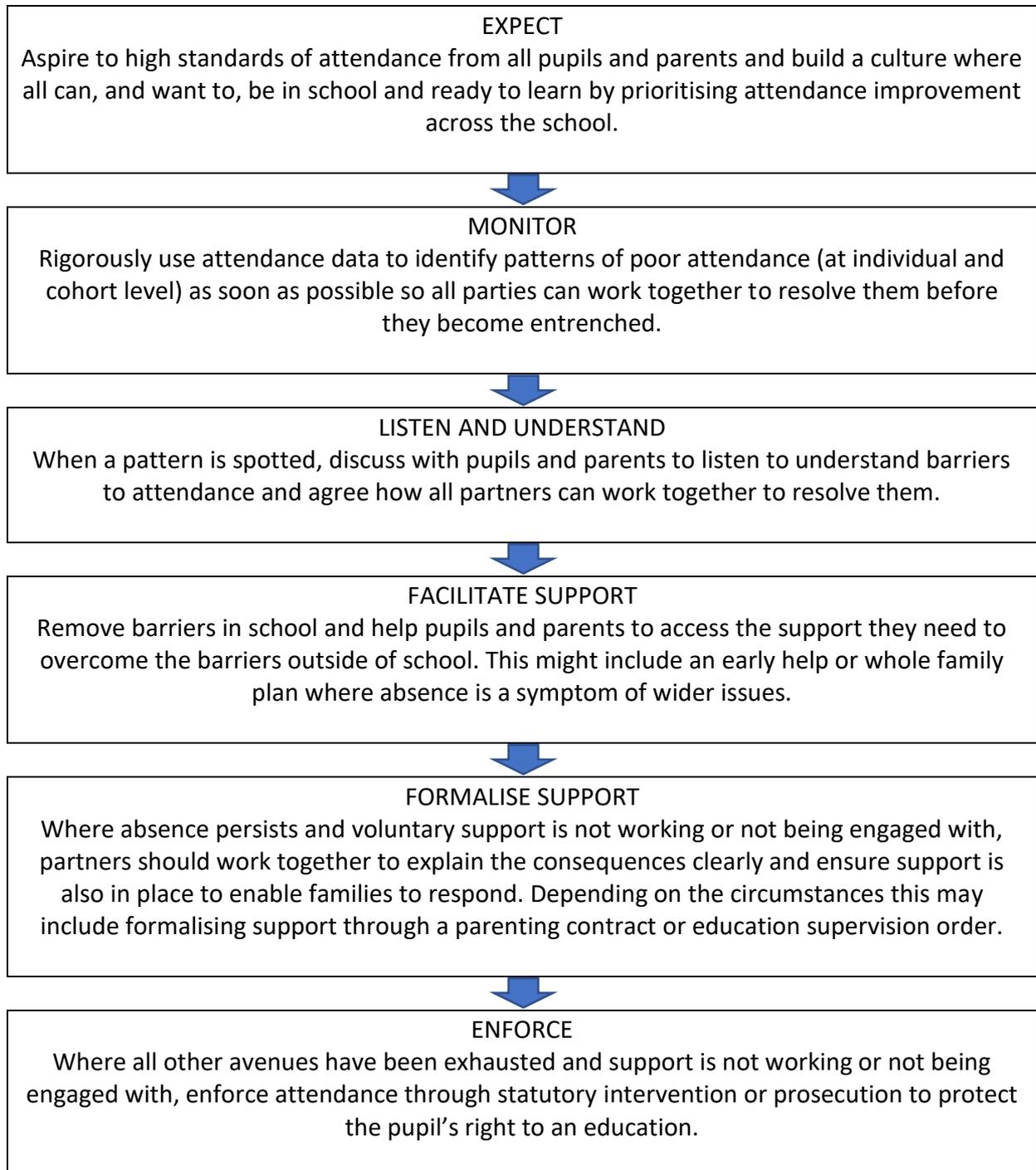
### Step by Step Guide

## 'FAST-track to Attendance' – The four step 'Early Help' attendance procedure

### Introduction

- '*FAST-track to Attendance*' is the procedure that all schools, academies and alternative providers and independent schools in Birmingham should follow where there are concerns about unacceptable levels of individual pupil absence. It seeks to improve pupil attendance and act quickly where there is unauthorised absence.
- We know from the Department for Education guidance 'Working together to improve school attendance' May 2022, that good attendance is '*essential for pupils to get the most out of their school experience, including their attainment, wellbeing, and wider life chances. The pupils with the highest attainment at the end of key stage 2 and key stage 4 have higher rates of attendance over the key stage compared to those with the lowest attainment. At KS2, pupils not meeting the expected standard in reading, writing and maths had an overall absence rate of 4.7%, compared to 3.5% among those meeting the expected standard. Moreover, the overall absence rate of pupils not meeting the expected standard was higher than among those meeting the higher standard (4.7% compared to 2.7%). At KS4, pupils not achieving grade 9 to 4 in English and maths had an overall absence rate of 8.8%, compared to 5.2% among those achieving grade 41. The overall absence rate of pupils not achieving grade 9 to 4 was over twice as high as those achieving grade 9 to 5 (8.8% compared to 3.7%).* [Working together to improve school attendance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/107122/Working_together_to_improve_school_attendance.pdf)
- For the most vulnerable pupils, regular attendance is also an important protective factor and the best opportunity for needs to be identified and support provided. Research has shown associations between regular absence from school and a number of extra-familial harms. This includes crime (90% of young offenders had been persistently absent) and serious violence (83% of knife possession offenders had been persistently absent in at least 1 of the 5 years of study).
- Where schools are concerned about a child/young person's absence levels, whether absence is authorised or unauthorised, it is important that the school act to improve attendance levels at the earliest opportunity.

FAST-track to Attendance is designed to reflect the model of support outlined in 'Working together to improve school attendance'



Schools do not have to attend training to use this procedure, but training is recommended via the free webinars now available to schools. Details of the training available can be obtained via the Birmingham School Noticeboard from the Education Legal Intervention Team by emailing [Attendance@birmingham.gov.uk](mailto:Attendance@birmingham.gov.uk)

***IMPORTANT INFORMATION: This procedure is designed to be used for children of compulsory school age. Schools should use Step One only for children who are not yet of compulsory school age in Reception. For further information as to when education becomes compulsory for children in that year group, please see page 5.***

## **Legal definitions**

### **'Parent' - Education Act 1996**

A 'parent' in relation to any child or young person, includes any person:-

- who is not a parent but who has parental responsibility for the child, or
- who has care of the child

This also includes absent parents who must have regular contact and an ability to influence the child including his/her attendance. Parental partners can be included (whether or not they are married or the natural parent of the child) as they have 'care of' the child. If a pupil lives with a grandparent or older sibling as their main carer they can also be included.

### **Compulsory (statutory) school age**

- If a child becomes 5 years old between 1<sup>st</sup> September and 31<sup>st</sup> December, they are of compulsory school age on 1<sup>st</sup> January
- If a child becomes 5 years old between 1<sup>st</sup> January and 31<sup>st</sup> March, they are of compulsory school age on 1<sup>st</sup> April
- If a child becomes 5 years old between 1<sup>st</sup> April and 31<sup>st</sup> August, they are of compulsory school age on 1<sup>st</sup> September

A child ceases to be of compulsory school age on the last Friday in June in the academic year in which the child turns 16.

### **The 'Six Month Rule'**

Schools are advised to ensure that any legal intervention relating to pupil attendance is not allowed to drift, and that referrals are timely. The Local Authority is limited by the 'six month rule' and Crown Prosecution rules, *'(1)... a magistrates' court shall not try an information or hear a complaint unless the information was laid, or the complaint made, within 6 months from the time when the offence was committed, or the matter of complaint arose.'* **General rule s.127 Magistrates' Court 1980**

### **Unauthorised absence**

Unauthorised absence occurs when schools either disagree with the reasons given by the parent for an absence or no reason has been provided. Only unauthorised absences can be used for the purposes of legal intervention.

### **The Code for Crown Prosecutors (the 'evidential test')**

Where school have referred to ELIT for consideration of a penalty notice/legal action, the local authority must check that the case complies with the Code for Crown Prosecutors in order for it to progress. The two main elements of the Code are the evidential stage (i) and the public interest stage (ii).

- (i) For the evidential stage, the local authority must be satisfied that there is sufficient evidence to provide a realistic prospect of conviction against each suspect on each charge. They must consider what the defence case may be, and how it is likely to affect the prospects of conviction. A case which does not pass the evidential stage must not proceed, no matter how serious or sensitive it may be. The evidence itself must be credible and reliable in court.
- (ii) For the public interest test, in every case where there is sufficient evidence to justify a prosecution or to offer an out-of-court disposal, the local authority must go on to consider whether a prosecution is required in the public interest. It has never been the rule that a prosecution will automatically take place once the evidential stage is met.

All cases must meet these tests to progress. Where the public interest test indicates that an out of court disposal should be offered, parents may be issued with penalty notices in order to discharge the offence. Where the penalty notice is not paid, parent may be prosecuted in court for the original evidence.

## **When should schools be concerned about a child's attendance?**

Many schools use persistent absence (10% or more absence) as an indicator of concern but percentages are often skewed by the time of year. 90% attendance by October half term is only 3 ½ days of absence which could be due to a one-off, minor illness or leave in term time. However, waiting until a child is a persistent absentee at other times of the year before taking action can be too late.

Schools are advised to take a whole school approach to attendance and ensure there are clear roles and responsibilities for all school staff, including school leaders; class teachers/form tutors/teaching staff; attendance officers, pastoral staff etc. Allocating responsibility for monitoring pupils and action planning within attendance bands across the school will help with the early identification of children with deteriorating attendance before they become persistent absentees, allowing for more targeted intervention to be focussed on the most vulnerable children.

An example of this kind of intervention, which has been used very successfully in schools nationally, looks like this (different schools use different levels of staff for the bands but the principle of allocating staff to be responsible for monitoring the attendance bands is the same):

<b>Attendance percentage</b>	<b>Responsible staff member</b>
97 – 100%	Class Teacher/Form Tutor
95 – 97%	Learning mentor
92 – 95%	Assistant Head of Year
90 – 92% (pre-persistent absence level)	Pastoral staff
Below 90% (persistent absence level)	Attendance Officer

Once a concern has been identified, the individual child's attendance must be scrutinised for patterns of concern. A child with 90% attendance by the October half term will be much less of a concern if attendance has been previously good, and the cause was a one-off period of illness than a child with three separate instances of illness absence over the same period. You would want to monitor the first child to ensure attendance doesn't deteriorate further, but you will want to speak to the second child, contact the parents and invite them into school for an informal meeting to see if early help support or a referral to a school nurse is needed

For more information about whole school approaches to attendance, national best practice and interventions which have been found to reduce persistent absence and improve attendance please click on this link: [Improving school attendance: support for schools and local authorities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/improving-school-attendance-support-for-schools-and-local-authorities)

Poor attendance can be an indicator of neglect or other safeguarding concerns. In all cases, please ensure that due regard is made to the thresholds outlined in Right Help, Right Time, Birmingham's threshold guidance for safeguarding. [Right Help, Right Time](#)

### **Before you use FAST-track:**

- ✓ Ensure your registers are being completed accurately
- ✓ Inform all parents/carers of their legal responsibilities regarding school attendance by using the whole school 'School Attendance' letter and leaflet – this will boost your attendance. The letter only needs to be sent once per academic year and the leaflet should be made available in school for parents to pick up as required. It is good practice to have the letter and leaflet as part of your prospectus and induction packs, on your website and school notice board.
- ✓ Ensure the children whose attendance you are concerned about are placed on the "Children with a Safeguarding vulnerability list" held by the Designated Safeguarding Lead (DSL)
- ✓ Ensure there is a staff member trained in 'Early Help' processes – this is generally the DSL
- ✓ Appoint a member of staff in the school to complete the process from Step Two onwards. In most schools this person would usually be an Attendance Officer, Learning Mentor, Assistant Head teacher etc. For the purposes of this guidance the staff member will be known as the School Attendance Liaison Person (SALP).

**For further clarification you may find the case examples section of the FAST-track online pack useful.**

**The FAST-track online pack can be downloaded via this link:**

[FAST-track to Attendance online pack](#) Click on Option 2 for 'Attendance Procedures'

## Step One – Early Help

### **Action the school must take when attendance is of concern and before a referral to ELIT can be accepted**

Concerning levels of absence either authorised or unauthorised – (once a year schools should send the ‘School Attendance’ whole school letter to parents/carers by pupil post, email, or by placing it on their website/in their prospectus).

***IMPORTANT INFORMATION:*** *This is the early help stage of the procedure and the most important stage. It should be used for all pupils with concerning levels of absence. It does not mean that a formal early help assessment form must be completed at this stage. The staff member with operational responsibility for attendance (who we call the ‘School Attendance Liaison Person’ or SALP) should work together with the DSP/DSL in determining the correct Early Help response.*

*For assistance with any early help cases, schools can contact their community locality lead and ‘team around the school’. For more details please click on the link: [Local Offer and Team around the school](#)*

*Alternatively, school colleagues can book an Early Help conversation with their local Early Help hub. To book an EH conversation please complete the relevant sections in the family connect form and the locality will be in touch with a time to meet to discuss the family or concern:*

*[Birmingham Children's Partnership Resources](#)*

***IMPORTANT INFORMATION:*** *Where there is evidence of ‘emotionally based school avoidance’ (school refusal) please go to the relevant section on page 12 and consult [#you'vebeenmissed](#)*

In ‘Working together to improve school attendance’ May 2022, the Department for Education states: ‘Schools should treat all pupils and parents with dignity and staff should model respectful relationships to build a positive relationship between home and school that can be the foundation of good attendance. In communicating with parents, schools should discuss the link between attendance and attainment and wider wellbeing, and challenge parents’ views where they have misconceptions about what ‘good’ attendance looks like. Where a pupil or family needs support with attendance, it is important that the best placed person in the school works with and supports the family and wherever possible the person should be kept consistent.

*Where a pattern of absence is at risk of becoming, or becomes, problematic schools should draw on these relationships and listen to and understand the barriers to attendance the pupil or family is experiencing. In doing so, schools should take into consideration the sensitivity of some of the reasons for absence and understand the importance of school as a place of safety and support rather than reaching immediately for punitive approaches.'*

The guidance also states that where barriers are outside of the school's control, all partners should work together to support pupils and parents to access any support they may need voluntarily. As a minimum, this should include meeting with pupils and parents at risk of persistent or severe absence to understand barriers to being in school and agreeing actions or interventions to address them. This may include referrals to services and organisations that can provide support. These actions should be regularly discussed and reviewed together with pupils and families.

With that in mind, before the next step is considered the school will have applied all school and Early Help responses without significant attendance improvement. Schools will be asked for evidence of the support offered at the point of referral.

Support **must** include:

- Completing Section 6 of the Early Help Assessment form (Signs of Safety and Wellbeing) with the child/young person – *"I have not had any dinner, I sometimes have breakfast, sometimes lunch, but not during Saturdays and Sundays."* *"My mum sleeps all day, and no one takes me to school", "I take care of myself whilst mum is asleep."* These are the words of Hakeem, recorded by his school when he was 6. Hakeem died in 2017 age 7 as a result of an asthma attack and chronic neglect. The serious case review (BSCB 2017-18/03), published on 1<sup>st</sup> September 2022 states:

*'Hakeem was a bright child who had been identified early on by school as being potentially gifted and talented. He became increasingly affected by his non-school attendance (NSA) and upset at getting behind in his studies, which resulted in some more difficult and challenging behaviour when he was in school. By 2016-2017 Hakeem's overall attendance was only 58% with authorised absences of 7.5% and unauthorised 34.4%.*

[Birmingham Local Safeguarding Children's Partnership](#)

Capturing the voice of the child is critical and must be actioned at the beginning of any intervention to ensure that the child/young person is heard. Section 6 of the Early Help Assessment form (Signs of Safety and Wellbeing) should be used and completed by someone trained in Early Help. School must ensure they act on any concerns raised under Right Help Right Time and ensure the outcome informs any

interventions to improve school attendance. It must also be revisited if the referral to ELIT is made more than 6 months after the conversation with the child/young person took place.

***IMPORTANT INFORMATION: If the child/young person hasn't attended for several weeks and you cannot complete this stage please indicate on the referral form. However, if the child/young person is attending sporadically all attempts must be made to complete this at the earliest opportunity***

- Where the child has an EHCP, ensuring the plan has been reviewed because of the attendance concerns within a six-month period prior to starting FAST-track to ensure that the provision is suitable to meet their needs (unless the initial EHCP has been issued within the last year)
- Placing the child/young person on the '**Children with a safeguarding vulnerability**' list
- Completing Section 7 of the Early Help Assessment form during an informal meeting with the parent/carer where your concerns about the child's attendance and the barriers to attendance can be discussed. If the parents do not attend the meeting or do not respond to phone calls/letters schools **must** undertake a home visit.
- Where parents have not responded to phone calls, informal meeting invitations and home visits and where there is no allocated early help worker/family support worker/social worker, booking an Early Help conversation with the schools local Early Help hub and sending the Early Help letter in the FAST-track online pack together with the 'Good Attendance Matters' leaflet.

To book an early help conversation, please complete the relevant sections in the family connect form and the locality will be in touch with a time to meet to discuss the family or concern: [Birmingham Children's Partnership Resources](#)

- Using the information from Sections 6 and 7 of the Early Help Assessment form to initiate one of the Early Help outcomes (please see # on page 10)
- Advising parents/carers that they can apply for travel assistance if the home to school distance is more than 2 miles for children up to 8 years, 3 miles for children aged 8 and over (though they are unlikely to receive assistance if they chose the school despite nearer school places)

- Seeking consent from the parents/carers for a school nurse referral if the reasons given for frequent instances of illness absence are illness related and sending the medical absence letter where consent is not given but absence persists.

***IMPORTANT INFORMATION: Where there is already an allocated social worker/family support worker, there is no need to complete Sections 7 of the Early Help Assessment but it is important that an informal meeting with the parents/carers is held to discuss any obstacles to improving attendance. The social worker/family support worker should be invited to any meeting but if they can't attend, don't let this stop your meeting from taking place.***

### **# Early Help Outcomes**

Where there is no allocated social worker or family support worker, once Sections 6 and 7 have been completed, upload these onto the school's safeguarding recording system (for example, 'cpoms', 'MyConcern' etc.) and ask the DSL to review if the DSL was not involved at this stage. In terms of Early Help, there should be one of the following outcomes:

1. initiate simple reasonable adjustments to address the child/young person's unmet safeguarding needs
2. develop a school focused action plan with child/young person, parent/carer as appropriate
3. initiate a multiagency Early Help Assessment (EHA) & Our Family Plan (OFP)

If the conversation with the child or parent/carer indicates a serious safeguarding concern under 'Right Help, Right Time', schools must follow their child protection procedures.

***IMPORTANT INFORMATION. If the family do require Early Help either from the school or via support services such as Think Family or Social Care and consent to support, you need to give that support time to make a difference - a minimum of six weeks from the start of the intervention at least.***

***If Birmingham Children's Trust (BCT) is already involved with the family; after six weeks it has not resulted in attendance improvement; and there is unauthorised absence, you can move straight to Step Two after informing the allocated worker of the intention. If you are not sure, or the allocated BCT officer disagrees, please contact the ELIT/Court team for advice (464 8979 or [Attendance@birmingham.gov.uk](mailto:Attendance@birmingham.gov.uk)). If the family fail to engage, respond to letters, phone calls, home visits and then do not attend an informal meeting, move to Step 2.***

## **Illness Absence**

In general terms schools should work in partnership with parents and should authorise absences due to illness unless they have genuine cause for concern about the veracity of an illness. This should not be just because a child becomes a persistent absentee or goes below a particular level of attendance.

Schools can record the absence as unauthorised if not satisfied of the authenticity of the illness but should advise parents of their intention. Schools are advised not to request medical evidence unnecessarily.

If you have concerns about a child/young person's excessive illness absence discuss this with the parents during the informal meeting (if you are already aware that the child/young person has a serious underlying medical condition which explains the absence, the family should be offered Early Help as a matter of course). During the meeting, the following should be explored using Section 7 of the Early Help Assessment form or with the parent/carer and allocated social worker/family support/early help worker:

- Is there an underlying medical condition; are there any health practitioners involved; has the child/young person been taken to see the GP?
- If there is evidence of a known medical condition – have you asked for consent to write to the child's Consultant to establish their fitness to attend school?
- If there is a known health condition and attendance has been a problem, does the child have an up to date health care plan completed with the parents and school nurse?

If there is no evidence of a medical condition, but there is significant illness absence, the school should ask for medical evidence in order to authorise further illness absence. ***Before taking this step make sure you seek consent for a referral to the school nurse.***

If the parents refuse consent or choose not to engage with you, meet with you or discuss their children's illness absence you must send the medical absence letter (on the link below), and give them a few days to respond. If you decide not to send this letter, consider how the school has informed the parent of the requirement to provide medical evidence as this may need to be evidenced in court: [Medical evidence and no authorisation letter](#)

Schools should also consider the wider context of the child's illness absence in relation to safeguarding. Please ensure that any action taken references the threshold document 'Right Help, Right Time'. [Right Help, Right Time](#)

*'Medical neglect, missed appointments and the correlation between non-school attendance and his mother's drug use and the fact that Hakeem himself was telling school how unhappy and scared he was, should in the author's view have triggered an earlier and more robust response.'* Serious case review - (BSCB 2017-18/03) - Hakeem

**IMPORTANT INFORMATION. Where a child has an ongoing medical condition and there is medical evidence from a Consultant or Forward Thinking Birmingham mental health practitioner that the child has not been fit enough to attend school for at least 15 school days or more (these do not have to be continuous days), FAST-track should not be used. The school should support the child with education provided at home and a referral to James Brindley Academy should be made.**

## **Covid-19 Concerns**

Pupils who have symptoms of COVID-19 should follow the latest government guidance (if any) about when they should stay at home. Pupils with symptoms of COVID-19 are no longer advised to get a test, however, where attendance is already of concern and Covid is presented as the reason for absence, schools can ask for evidence of a positive lateral flow test if necessary. PCR tests must not be requested and are no longer required.

## **Emotionally Based School Avoidance (school 'refusal')**

Where parents are engaging with the school, but the child appears reluctant to attend, FAST-track to Attendance is *not* the appropriate process to use. The threat of legal action can cause further distress and anxiety for both parent and child. It should only be used in this scenario where the parent fails to engage appropriately with efforts to improve the child's attendance

In order to prevent the child being completely out of education, the school should use the resources provided as part of *#you'vebeenmissed* and must ensure that a consultation with the STICK team is sought if indicated.

### [\*#you'vebeenmissed\*](#)

The *#youvebeenmissed* campaign is led by Forward Thinking Birmingham, Birmingham City Council and Birmingham Education Partnership supporting pupils, parents, carers and professionals to aid our children and young people manage their mental wellbeing in school.

As part of the project, clear guidance for schools and primary care professionals have been developed to support children and young people to remain in school. A range of resources,

videos and webinars have also been created for children, young people, parents/carers and professionals to support the mental wellbeing of children and young people in Birmingham. You can find themed resources and videos to support children and young people return to school on the following:

Anxiety and worry  
Challenging thoughts  
Emotions  
Self-care

For young people aged 11 to 25 there are also forums, guides and counselling available free of charge at Kooth: [Home - Kooth](#)

Parents can also find help and support with their child's mental health and other issues affecting the family through 'From Birmingham With Love': [From Birmingham With Love](#)

## **Children with Education, Health and Care Plans (EHCPs)/SEND concerns**

Parents, and sometimes schools, may have concerns about the suitability of the educational provision being offered to a child as to whether it meets their needs. This can affect their attendance in school. This can occur in the following circumstances:

- a child who already has an EHCP but the parents are concerned that the plan no longer meets the needs of the child
- a child who already has an EHCP is attending a school that education professionals have agreed no longer meets the child's needs
- a child who doesn't have an EHCP and is being assessed
- a child who has been assessed but the request for an EHCP has been denied.

If the school has concerns that their provision cannot meet the child's needs, full time education must continue to be offered. Part-time timetables can only be offered in order to integrate or reintegrate children back into full time provision and should be limited to a maximum of six weeks.

On occasion parent will refuse to send children into school stating that the provision doesn't meet their child's needs - but that is not a defence in law. The law related to parents' legal responsibilities to ensure children attend school regularly still applies. Unless there is medical evidence that the child is too unwell to attend school, or there is agreement between the educational professionals that the child shouldn't attend as it would be contrary to the safety or wellbeing of the child, children must continue to attend school until they start a new school placement, or the parents elect to educate 'otherwise' (in the case of children with EHCPs attending special schools, SENAR must agree that the provision offered by a parent who has written to the school stating they are home educating is suitable before the child can be removed from roll).

FAST-track to Attendance is the procedure that should be used in all cases of absence, including those in the circumstances described above.

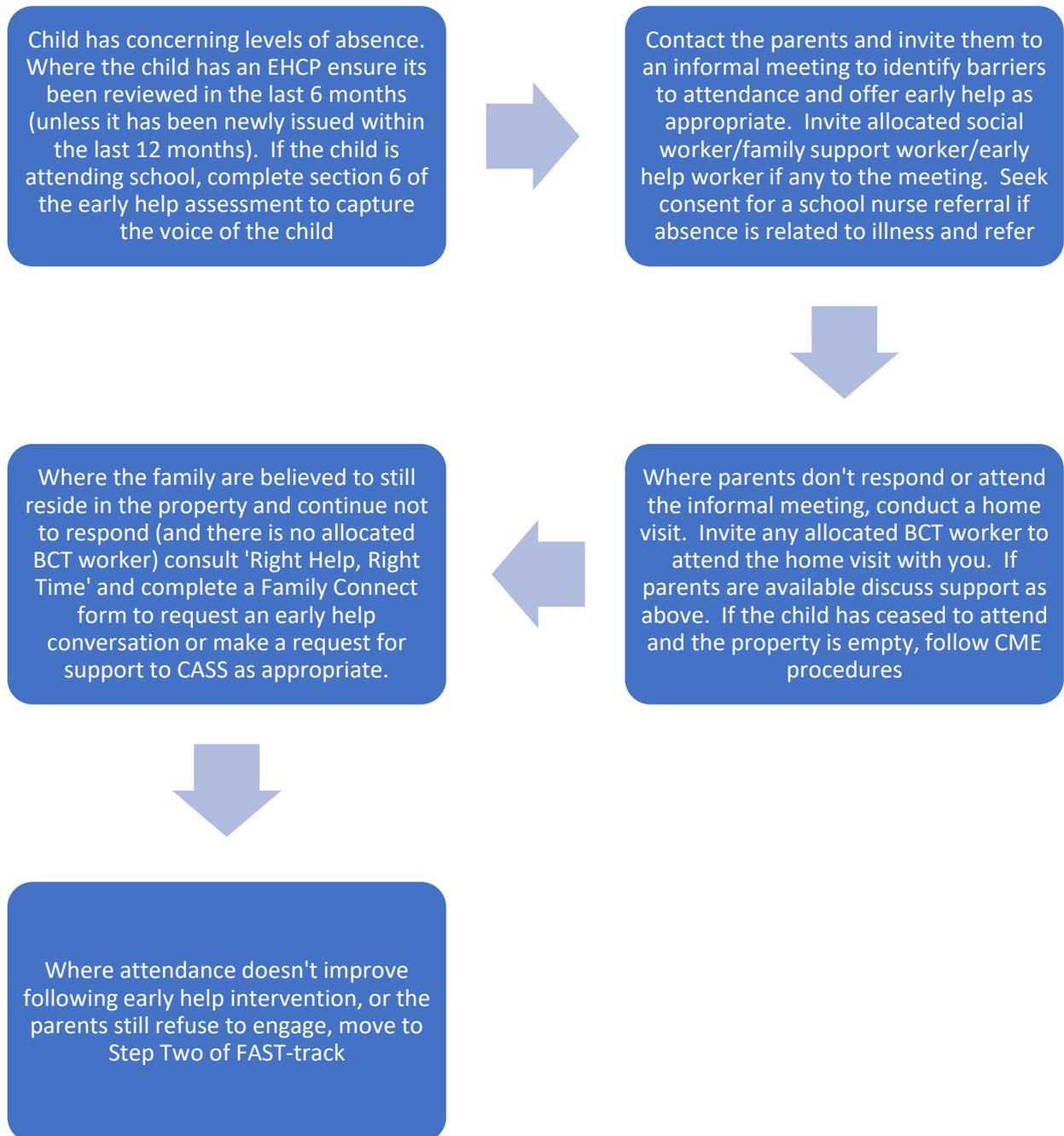
## **Children in temporary accommodation**

Where families become homeless and are placed in hotels/hostels which are more than statutory walking distance from the school (beyond 2 miles if the child is below the age of 8, or beyond 3 miles if aged between 8 and 16), children can be unable to attend school. The family could be moved to other hotels/hostels regularly meaning that admission to closer schools can be impossible. In these circumstances, schools are advised to:

- keep the child on roll even if the hotel/hostel the family have been placed in temporarily is in another local authority;
- offer an early help assessment or notify the social worker/family support worker/early help worker if allocated;
- if the school is in receipt of pupil premium for the child, assess whether it can be used to support short term transport costs to enable the child to attend school;
- code the children as C on the register;
- provide online learning or work packs if possible;
- remain in contact with the parents and housing as appropriate and ensure the school's safeguarding responsibilities are still met.

If the accommodation is within statutory walking distance, the child should be expected attend but may need considerable support which should be considered as above.

## Step One - School Absence Escalation Procedures - flowchart



## Step Two – The School Attendance Review Meeting

The pupil has at least one session of unauthorised absence - Early Help has been refused (this includes 'no response' to attempts by the school to engage the family); Early Help/Social Care strategies have not resulted in sustained attendance improvement.

***IMPORTANT INFORMATION: If it has been at least six months since Section 6 of the Early Help Assessment (signs of safety and wellbeing) was completed or the early help was offered to the parents via an informal meeting, you will need to revisit these before arranging a SARM.***

- The School Attendance Liaison Person (SALP) should call a formal 'School Attendance Review Meeting' (SARM) at the school. If concerns are expressed either by the school or parents about meeting in person, you can conduct the meeting online or by phone if needed. There is a helpful SARM invitation letter in the online pack you can use or the school can use their own letter if they wish - though previous convictions or penalty notices **MUST NOT** be mentioned or the letter cannot be used in evidence. The letter shouldn't make reference to the meeting being informal as the SARM is a serious/formal meeting designed to add gravitas to the situation).  
[Invitation to SARM letter](#)
- The SALP involved should be the member of staff to conduct the meeting, agree a Parent/School Contract and send the 'Formal Warning Notice' (Step Four) if needed.
- Preferably, the parents/carers should be invited to the meeting by the SALP separately, in writing, and with at least 7 days' notice, using the same process as indicated in Step Four for the Formal Warning Notice, with the letters signed then copied, then the copies retained as evidence. Include the names of all the children in the family attending your school on each letter (no need to send separate letters for each child) but only those who meet the absence threshold (**make sure the children included are of compulsory school age**).
- If the parents/carers live apart from each other and there are concerns about domestic abuse or animosity between them, invite them to separate meetings.
- If the parents/carers are unable to attend a meeting at the school, due, for example, to disability, the meeting can be held at the parents' home address.
- Complete the templated SARM form with the parents/carers. This is the only form which can be used [FAST-track School attendance review form](#)

- Complete the parents/carers' details on the form with them, in case any of the details you have in school are incorrect or out of date. Follow the form through and give them a photocopy of the completed SARM form including the Parent/School Contract agreed at the end or as soon as possible after the meeting.
- If the parents/carers do not attend but request a new date, please rearrange the meeting. However, don't rearrange more than twice. If they still don't attend, complete the sheet at the end of the SARM form and keep for future reference.
- If the parents/carers do not attend, and do not contact you to say they cannot attend, you do not have to rearrange or complete the whole form – just complete the sheet at the end of the SARM form and keep for evidence.
- The SARM includes an offer of an Early Help Assessment. If the offer is accepted, please stop the process at this stage, and arrange for the assessment to be completed. If the parents/carers then refuse to attend the assessment continue with FAST-track. If they work with the school to complete the assessment give the family plan at least 6 weeks to enable the family to make the relevant changes and for attendance to significantly improve. **Do not move onto Step Three of FAST-track until the assessment is completed and parents have had the chance to improve their child's attendance as a result of the intervention.**

**IMPORTANT INFORMATION:** *You will need to demonstrate that you have given reasonable notice for the SARM, preferably at least 7 days' written notice. If the school uses its own invitation letter it **MUST NOT** refer to any previous convictions or penalty notices the parents may have received for similar offences. The letter may be used in evidence.*

**IMPORTANT INFORMATION:** *The school should now monitor the child's attendance. Move to Step Three as soon as there is further unauthorised absence after the SARM. Do not wait for 10 weeks! Send the formal warning notice as soon as there is further unauthorised absence. However, **DO NOT** move to Step Three unless there has been at least one session of unauthorised absence within the maximum 10 school week period. If, after the monitoring period, the pupil has further unauthorised absence, the parents should be invited back into school for an informal meeting under Step One unless the absence is due to at least 5 days of unauthorised leave in term time. In that instance, please use the Leave in Term Time (legal) process.*

## Step Three – The Formal Warning Notice

The pupil has further unauthorised absence after the SARM within a maximum 10 school week period. Do not wait for 10 weeks! Send the formal warning notice as soon as there is further unauthorised absence.

The school should send out a ‘**Formal Warning Notice**’ [FAST-track formal warning notice](#)  
The school **must** use this letter and the wording must not be changed under any circumstances. There should be a separate letter sent to each parent in a separate envelope.

- Address letters using parents’/carers’ full names only, not to the ‘parent/carer of’ or Mr and Mrs. The names of all the children of **compulsory school age** in the family attending your school (whose level of attendance hits the threshold) and included during the process can go on each letter (i.e. do not send separate letters re. each individual child). The letter must be signed by the DLP – you can **use electronic signatures but letters must not be signed by others on behalf of the SALP (p.p.)**.
- Enclose an up to date attendance printout and a copy of the ‘School Attendance (Legal Action) - Information for Parents’ leaflet.
- The SALP should copy the signed letters and any enclosures such as the attendance printout before placing in the envelope and retain the copies - this will be their evidence.
- A record of the date the letters were posted, and the precise details of names and address the letters were posted to should also be kept.
- Letters must be sent by first class post. DO NOT SEND LETTERS VIA RECORDED DELIVERY – parents/carers can refuse to accept them!

***IMPORTANT INFORMATION: The school should now monitor the child’s attendance. DO NOT move to Step Four unless, following the Formal Warning Notice, there are at least further 10 sessions of unauthorised absence (see criteria for Step Four for details).***

## Step Four – Refer to ELIT

The pupil has a minimum of 10 further sessions of unauthorised absence (not including N codes) since the Formal Warning Notice was issued (in terms of being ‘reasonable’ include at least two days for postage). This could be after a 12 day period but no longer than 10 school weeks. Please note: referrals will not be accepted if this criteria has not been met. Referrals where the cases were concluded but not submitted to ELIT in a timely manner may also not be accepted.

Schools should complete an ELIT FAST-track referral form online via the link:

[Leave in term time/FAST-track referral form](#)

The referral form asks for information as to:

- The date the informal meeting was offered and the outcome of that meeting
- The date page 6 of the early help assessment form (signs of safety and well being) was completed with the child. Please ensure that you provide the date that it took place. If the page has not been completed please ensure that an explanation is given as to why.
- Early Help interventions the school have tried and key dates such as when interventions were offered and took place.
- Referrals/requests for support to other agencies made and if accepted or not
- Any bullying allegations, however old and whether they were upheld or not.

**IMPORTANT INFORMATION: Please DO NOT attach the Early Help Assessment (if applicable) or Sections 6 and 7 of the EHA to the referral. They are not required and under GDPR should not be shared without consent.**

**IMPORTANT INFORMATION: If it is clear that the school have not offered Early Help, the FAST-track referral will not be accepted.**

**IMPORTANT INFORMATION: The FAST-track referral form must be completed accurately, and all questions must be answered fully and in detail or it may not be accepted**

Attached to the referral should be a single PDF document containing:

- ✓ SARM form with the Parent/School Contract attached **OR** the back page of the form if the parents didn't attend

- ✓ a copy of the Formal Warning Notice which would have been sent to the parents and included a copy of the child's attendance printout, and the 'School Attendance (Legal Action) - Information for Parents' leaflet
- ✓ copies of attendance printouts for the current and previous academic years (with session comments if your system allows)
- ✓ copies of communication logs with parents covering the current academic year if available
- ✓ any relevant medical evidence provided by the parent to the school
- ✓ explanations for when registration codes B, C, D & E were used from the start of process (this information can be inputted directly onto the online referral form)

ELIT/Court Section will consider court proceedings under Section 444 of the 1996 Education Act. In most cases, for a first or second offence, ELIT will consider issuing a penalty notice to the parents as a way of discharging the offence. In cases where two penalty notice have already been issued to the parent for separate offences, Court proceedings will be initiated via the 'Single Justice' procedure.

***IMPORTANT INFORMATION: If there has been no further unauthorised absence within the 10 school week monitoring period, the process has been successful. If the pupil has further unauthorised absence after the 10 school week period, the parents should be invited back into school for an informal meeting and the school should follow the procedure again from there as necessary.***

## **Parents with previous penalty notices/convictions in relation to pupil attendance**

Once the ELIT has closed the period of evidence for a prior case, any further unauthorised absence could constitute a new case. This means that the process can be started again. However, schools are reminded that if it has been six months or more since Early Help was explored, this step will need to be revisited before an invitation to a SARM is sent. As Early Help is included in the SARM document, if the parents/carers attended the SARM previously there is no need to repeat Step One except to ensure the voice of the child is heard again.

If you are working with a family in this scenario, please contact the Education Legal Intervention Team/Court Section for advice via:

Email: [Attendance@birmingham.gov.uk](mailto:Attendance@birmingham.gov.uk)

Phone: 464 8979

## 'FAST-Track to Attendance' Quick Process Guide

(Please refer to the full guidance)

Concerning levels of pupil absence either authorised or unauthorised

**Step One** – Early help including completion of Section 6 of the Early Help Assessment form with the child and Section 7 with the parents/carers in an informal meeting (if there is consent and engagement). (If a social worker/family support worker is already involved there is no need to offer Early Help to parents/carers)

At least one session of unauthorised absence

**Step Two** – Invite parents/carers to a school attendance review meeting (SARM) and hold the SARM. Complete a parent/school contract if the parents attend.

The pupil has a least one further session of unauthorised absence after the SARM within a maximum 10 school week period.

**Step Three** – Send 'Formal Warning Notice' to each parent/carer individually with an up to date attendance printout and the 'School Attendance (Legal Action) - Information for Parents/Carers' leaflet. This will be your evidence

The pupil has a minimum of 10 further sessions of unauthorised absence since the Formal Warning Notice was issued (in terms of being 'reasonable' include a couple of days for postage). This could be within a 12-day period but no longer than 10 school weeks

**Step Four** – Refer to ELIT  
(do not delay - refer as soon as just after they reach 10 further sessions - allowing the two days for postage of the formal warning notice - but not before or on the day of the 10<sup>th</sup> session)

### **FAST-track referral checklist**

In order to refer to ELIT, the school will have...

Completed section 6 of the early help assessment with the child at the start of the intervention (no earlier than 6 months before the SARM)?	
Offered early help during an informal meeting with parents or conducted a home visit if there was no response to the offer (no earlier than 6 months before the SARM)?	
Included both parents if applicable?	
Used <i>#you'vebeenmissed</i> for children absent due to emotionally based school avoidance and consulted the STICK team?	
Sought consent for a referral to the school nurse (with consent) where there is frequent illness absence and referred?	
Ensured there is there at least one unauthorised absence after step one is concluded before the SARM?	
Given 7 days written notice for the SARM?	
Fully completed the SARM and asked the parents to sign the Parent/School Contract or back page completed if not attended?	
Ensured there is at least one further unauthorised absence accrued after SARM (within a 10 school week period) before sending the formal warning notice?	
Sent the formal warning notice to each parent separately to the correct address, and includes the legal information leaflet?	
Ensured there are 10 sessions of unauthorised absence within a 10 school week period (or no sooner than 7 days) after the formal warning notice was sent?	

Scanned all of the evidence onto one PDF to include:

- a copy of the SARM form with the Parent/School Contract attached **OR** the back page of the form if the parents didn't attend
- a copy of the Formal Warning Notice which would have been sent to the parents and included a copy of the child's attendance printout, and the 'School Attendance (Legal Action) - Information for Parents' leaflet
- copies of attendance printouts for the current and previous academic years (with session comments if your system allows)
- copies of communication logs with parents covering the current academic year if available
- any relevant medical evidence provided by the parent to the school