**Essex Key Information on Attendance Contracts for schools and other professionals**

**This information is intended to support schools only. These notes do NOT form part of the meeting notes given to parents**

[Working together to improve school attendance, DfE Statutory Guidance - applicable from 19 August 2024](https://eur02.safelinks.protection.outlook.com/?url=https://assets.publishing.service.gov.uk/media/65df4a76f1cab36b60fc4726/Working_together_to_improve_school_attendance__applies_from_19_August_2024__29.02.24.pdf&data=05%7c02%7cEducationWebTeam%40essex.gov.uk%7cdf220a8958694a1ee99008dc3c669884%7ca8b4324f155c4215a0f17ed8cc9a992f%7c0%7c0%7c638451658536017332%7cUnknown%7cTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7c0%7c%7c%7c&sdata=AYi4hm1szyNURB7qQbWtsMkSvDGOu5vO3GE10P6Dc8M%3D&reserved=0)

* The support first model should always be followed
* This guide to Attendance Contracts in Essex should be read in conjunction with the Essex Attendance Contract Template
* An Attendance Contract should be considered where voluntary support and early help has not worked, or is not deemed appropriate
* An Attendance Contract is still meant to be a supportive, preventative measure, seeking to avoid the need for formal legal intervention, providing a more formal route to securing engagement with support
* Please note, if a referral is made to the Attendance Compliance Team (ACT) for legal intervention, schools will be expected to share copies of their Attendance Contract/s **or** provide a clear rationale as to why one has not been developed
* An Attendance Contract must be regularly reviewed to ensure that it remains fit for purpose. ACT will require copies of review meeting notes

**Developing an Attendance Contract**

* An Attendance Contact is an agreement entered into under section 19(2) of the Anti-social Behaviour Act 2003
* It is a formal written agreement between a parent and the school (with exception of independent schools or, non-maintained special schools) and may include other relevant partners
* It should seek to address irregular school attendance and patterns of unauthorised absence
* An Attendance Contract should include offers of support which aim to achieve regular school attendance and seek to avoid penalty notices or prosecution
* **Parent(s) must** be involved in the agreement of an Attendance Contract
* The school and/or other partners will need to decide which adult is the most appropriate to work with. Generally, parents include:

1. All natural parents, whether they are married or not;
2. All those who have parental responsibility for a child or young person;
3. Those who have day to day responsibility for the child (i.e. lives with and looks after the child).

* Attendance Contracts **cannot be agreed in parent(s) absence**
* One Attendance Contract may be arranged with all parents, or in circumstances where it is desirable to have different requirements for each parent then separate Attendance Contracts for each parent should be arranged
* Actions agreed within any Attendance Contract can only be assigned to the parties/parent present at the Attendance Contract meeting
* However, schools should ensure that all those parental responsibility are aware of all the support provisions put in place, this may mean sharing copies of Attendance Contract/s with parents who choose not to attend Attendance Contract meetings
* All parties, including other partners working with the family, should be given a copy
* The Attendance Contract should name a school-based lead practitioner who will oversee the Attendance Contract, this may be the named Senior Attendance Champion at the school
* Attendance Contracts should always be explored before moving forward to a referral for formal legal intervention
* An Attendance Contract may not be appropriate in every instance. Schools need to usetheir specific knowledge of the pupil, family and circumstances surrounding the pupil’s irregular school attendance when making this decision. Should a school decide not to make use of an Attendance Contract, they will need to provide a clear rationale as to why one has not been developed
* Attendance Contracts do not have a minimum or maximum duration. Each individual Attendance Contract should set out the duration it will be in place, most are for between 3 and 12 months, but they can be longer if needed
* Once the requirements and support elements of the Attendance Contract have been agreed, the school and/or other partners (where applicable) and the parent(s) should write up the contract together and sign it
* The Attendance Contract should be written in language that is accessible to the parent. Schools need to ensure and evidence that the parent/s understand the Attendance Contract and the expectations placed upon them. Therefore, schools should be prepared to include a translation, where necessary
* The aim of an Attendance Contract should be made clear from the outset to the parent(s), and pupil (where old enough), the aim being to secure better outcomes for the pupil, including improved wellbeing through regular school attendance
* It should be made clear that it is an opportunity to work in partnership with the school and where applicable other partners to put support in place
* Failure by the parent, school, or local authority to keep to the terms of the Attendance Contract cannot lead to action for breach of contract or for civil damages
* There is no criminal sanction for a parent’s failure to comply with, or refusal to sign an Attendance Contract

**Failure to attend Attendance Contract Meeting**

**If parent/s do not attend**:

* An attendance contract cannot be devised
* You will need to document that parents have failed to engage, and if the national threshold has been met, schools can now consider issuing a **Notice to Improve**

**Where an Attendance Contract is used, the following should be adhered to:**

1. A meeting should be arranged with the parent(s), an invite to meeting communication is required. It should state a date and time for the meeting, giving parent(s) an opportunity to contact the school should the date and time not be suitable, and allow another mutually convenient date and time to be arranged.

* A template can be found on Essex Schools Infolink (ESI) under the Attendance Specialist Team Section - ‘Essex Support First Toolkit – Essex Template Documents’
* Should parent/s contact to re-arrange, a confirmation of the re-arranged date and time should be communicated to parent(s), a template can also be found on ESI in the same location

1. The invite to meeting must be communicated to parent(s), separate copies per parent per child (where applicable), and the communication must be addressed using parent(s) title and full legal name (templates are set up to support schools)
2. The communication should state the pupils full legal name, date of birth and year group
   * A template invite to Attendance Contract meeting can be found on Essex Schools Infolink (ESI), under the Attendance Specialist Team and the ‘Support First Toolkit – Essex Template Documents’ section
3. The pupil should attend (where old enough to understand)
4. All parties must be provided with the pupil’s attendance certificate that is up to date and accurate at the start of the meeting and the provision of this should be recorded
5. School should ensure all parties are provided with a hard copy of the school’s specific attendance policy
6. School should ensure all parties are provided with: [DFE parental guide to attendance and parental responsibilities](https://assets.childrenscommissioner.gov.uk/wpuploads/2022/12/aaa-guide-for-parents-on-school-attendance.pdf)
7. The meeting should:
   * Make clear why it is felt it would be beneficial to the family and the family circumstances
   * Parent(s) should be asked to:
     1. Outline their views on the pupil’s attendance at school
     2. Outline any concerns they have, and any underlying issues they feel may be impacting on the pupil’s attendance
     3. Outline how they feel the concerns highlighted should be addressed
     4. Allow them to share their views on having an Attendance Contract
     5. Outline what support they think would be helpful to secure pupils’ regular attendance

**An Attendance Contract should:**

* Detail the period of time in which all parties must comply to the details outlined in the contract
* Detail the requirements parent(s) are expected to comply with
* Include a statement from the school and/or other partners agreeing to provide support to the parent(s) to meet the requirements and setting out details of the support from the school and/or other relevant parties
* Include a signed statement by the parent/s that they agree to comply with requirements for the period of time specified by the contract
* Detail the support provided. The requirements specified, and the support provided will depend on the individual case and should be tailored to the needs of the individual parent and family. There is not, therefore a prescribed list, but requirements may include:
  + Measures to ensure the pupil attends school or alternative provision punctually and regularly
  + Requiring the parent to attend meetings with the school and/or other partners, meetings to discuss Special Educational Needs or Team Around the Family Meetings etc.
  + Compliance with processes and procedures outlined in the school’s attendance policy
  + Accessing and engaging in the support programmes offered or signposted to
  + Working with or accessing separate support provided to the pupil at school level (e.g., being on report)
  + Provision of a lead practitioner/key person to support the family and pupil
  + Signposting or referral to wider local authority or health services that might support the family (e.g., housing needs, drug, and alcohol support, CAMHS etc.)
  + Signposting or referral to voluntary and community sector programmes or support e.g., foodbanks or community support groups
  + Formal interventions such as family group conferencing, peer mentoring or literacy classes
  + Support and advisory services (e.g., benefit support)
  + Formal parenting programmes (e.g., a course with a specified number of sessions)

**A template meeting form is available on ESI under the Attendance Specialist Team and ‘Support First Toolkit – Essex Template Documents’ section**

**Non-compliance with an Attendance Contract**

* The school and/or other partners should work in partnership with the parent/s to gain their cooperation and compliance throughout the Attendance Contract process
* Where a parent does not comply with the requirements set out in the Attendance Contract, the lead practitioner should contact the parent and seek an explanation and decide whether it is reasonable, and whether the Attendance Contract remains useful
* If the explanation shows that the Attendance Contract is difficult to comply with through no fault of the parent, then a review meeting should be arranged with the parent(s) to make any necessary adjustments
* Where no explanation is given, or the lead practitioner is not satisfied with the explanation, they should serve the parent with a warning (see ‘Failed Attendance Contract’ letter template, available on the Attendance Specialist Team section of ESI, under ‘Essex Support First Toolkit – Essex Template Documents’) to explain that the Attendance Contract is not working, may be terminated, and another course of action pursued, if the parent does not engage. A record of this should be kept
* If it is not terminated, and there are further instances of non-compliance, school should arrange a meeting with the parent/s to review the Attendance Contract and discuss how it could be made to work.
* As part of this meeting, it may be that a decision to terminate the contract is reached. This may be necessary if there is an apparent lack of parental commitment which undermines the contract to the extent that it is no longer useful, and an alternative course of action may need to be considered. All decisions and reasons should be recorded
* If the pupil’s irregular attendance continues or escalates to the point where legal intervention is deemed appropriate, then any failure or refusal to comply may be presented as evidence in the case
* It is therefore essential all attempts to engage and any non-compliance with the contract is formally and clearly recorded/documented so that it can be presented in court if necessary

**Enquiries in relation to Attendance Contracts please contact your Attendance Specialist Team (please refer to Essex Schools Infolink and the Attendance Specialist Team Contact us page)**

**Useful links for support within Essex**

* [Early help support for families: including Team around the Family and Early Help Plans](https://schools.essex.gov.uk/pupil-support-and-wellbeing/early-help-support-families)
* [Let's Talk… We Miss You: Best practice and guidance for maximising](https://secureschools.essex.gov.uk/DisplayDocument.aspx?DocID=691)
* [school attendance (PDF, 2.09MB)](https://secureschools.essex.gov.uk/DisplayDocument.aspx?DocID=691)
* [**Early Help Drop-In Sessions and Consultations**](https://www.essex.gov.uk/children-young-people-and-families/report-concern-about-child/im-professional-or-volunteer/level-2)
* [Essex Support Directory](https://www.essexsupportdirectory.org/)
* [Education Access Team - ESI information for schools including part-time timetables and medical referrals](https://schools.essex.gov.uk/admissions-and-attendance/education-access)
* [SEMH Support Portal](https://schools.essex.gov.uk/pupil-support-and-wellbeing/social-emotional-and-mental-health-semh)
* [Essex Directory of Support](https://www.essex.gov.uk/sites/default/files/2024-04/Directory%20of%20services%20-%20children%20and%20families%20hub%20-%2030.04.24.pdf)
* [Essex Frontline](https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwiFwb-o6JSGAxVGhf0HHTXGBr0QFnoECA0QAQ&url=https%3A%2F%2Fessexfrontline.org.uk%2F&usg=AOvVaw2GLP14U7iHFDjrNQ6AmDtn&opi=89978449)
* [Essex SENDIASS - free, confidential, and impartial advice and support about SEND for children and young people - 0-25 and parents and carers](https://www.essexsendiass.co.uk/)
* [Essex Directory (essexmap.co.uk)](https://www.essexmap.co.uk/)
* [Essex County Council: Special Educational Needs and Disabilities (SEND) | Essex Local Offer](https://send.essex.gov.uk/)
* [Essex Wellbeing Service](https://www.essexwellbeingservice.co.uk/services/child-lifestyle-service)
* [Essex Child and Family Wellbeing Service](https://essexfamilywellbeing.co.uk/)
* [Emotional Wellbeing and Mental Health Service](https://www.nelft.nhs.uk/set-camhs)
* [Essex Youth Service](https://youth.essex.gov.uk/)
* [Autism Support | PACT For Autism | England](https://www.pactforautism.org.uk/)
* [Families in focus](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fshoutout.wix.com%2Fso%2F88Oyg3cUc%2Fc%3Fw%3Dw640295e-DngcTCrYcp0FDWDWxmijCV4Q6MMxfoSgjg.eyJ1IjoiaHR0cHM6Ly93d3cuZmFtaWxpZXNpbmZvY3VzZXNzZXgub3JnLnVrLyIsInIiOiJmNTQ3ZjIwMy0wNGJmLTQwNGMtODhiZi1kMmU1NDFlYjc1ZGEiLCJtIjoibWFpbCIsImMiOiI1NjliY2Q2Yy1iYzQ1LTQ4NzQtYTk0ZS0yMjViZjViNmFjODIifQ&data=05%7C02%7CFiona.Cuthbertson%40essex.gov.uk%7C27f179585c824342d85a08dc72728cce%7Ca8b4324f155c4215a0f17ed8cc9a992f%7C0%7C0%7C638511085190642899%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C40000%7C%7C%7C&sdata=ppJDJtqWkpY3BEP1XvR6nb6tYsjRqkxzJJQgjqHnHf4%3D&reserved=0)
* [Essex Supporting Improved attendance campaign materials – available for download on Essex Schools Infolink](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fshoutout.wix.com%2Fso%2F88Oyg3cUc%2Fc%3Fw%3DmS_twsK-7KVFYTLiMYTfDa_VIfs47hvU5kQH-CkaccY.eyJ1IjoiaHR0cHM6Ly9lc3NleGZhbWlseWZvcnVtLm9yZy9yZXNvdXJjZXMvbmQtcGFjayIsInIiOiJmNTQ3ZjIwMy0wNGJmLTQwNGMtODhiZi1kMmU1NDFlYjc1ZGEiLCJtIjoibWFpbCIsImMiOiI1NjliY2Q2Yy1iYzQ1LTQ4NzQtYTk0ZS0yMjViZjViNmFjODIifQ&data=05%7C02%7CFiona.Cuthbertson%40essex.gov.uk%7C27f179585c824342d85a08dc72728cce%7Ca8b4324f155c4215a0f17ed8cc9a992f%7C0%7C0%7C638511085190665811%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C40000%7C%7C%7C&sdata=2Tl2gFqDn94VoaOLyMr0nROUOPpN%2FlXqTK1jb5%2FWn5k%3D&reserved=0)
* [AST SEMH Checklist (XLS, 122KB)​](https://secureschools.essex.gov.uk/DisplayDocument.aspx?DocID=709) – Supporting schools to support their pupils
* [Supporting your Neurodiverse children – booklet](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fshoutout.wix.com%2Fso%2F88Oyg3cUc%2Fc%3Fw%3DmS_twsK-7KVFYTLiMYTfDa_VIfs47hvU5kQH-CkaccY.eyJ1IjoiaHR0cHM6Ly9lc3NleGZhbWlseWZvcnVtLm9yZy9yZXNvdXJjZXMvbmQtcGFjayIsInIiOiJmNTQ3ZjIwMy0wNGJmLTQwNGMtODhiZi1kMmU1NDFlYjc1ZGEiLCJtIjoibWFpbCIsImMiOiI1NjliY2Q2Yy1iYzQ1LTQ4NzQtYTk0ZS0yMjViZjViNmFjODIifQ&data=05%7C02%7CFiona.Cuthbertson%40essex.gov.uk%7C27f179585c824342d85a08dc72728cce%7Ca8b4324f155c4215a0f17ed8cc9a992f%7C0%7C0%7C638511085190665811%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C40000%7C%7C%7C&sdata=2Tl2gFqDn94VoaOLyMr0nROUOPpN%2FlXqTK1jb5%2FWn5k%3D&reserved=0)
* [The Power Project | Child First Trust](https://childfirsttrust.com/programmes/the-power-project/)
* [ESCB - Harmful Sexual Behaviour](https://www.escb.co.uk/learning-and-development/harmful-sexual-behaviour/)
* Reducing Parental Conflict [training dates](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fecvys.us21.list-manage.com%2Ftrack%2Fclick%3Fu%3D599302060916e37ab887ee6cf%26id%3Dd7cd034ee3%26e%3D605f754933&data=05%7C02%7Cfiona.cuthbertson%40essex.gov.uk%7C5000989fc02b4765dced08dc6f7db3ef%7Ca8b4324f155c4215a0f17ed8cc9a992f%7C0%7C0%7C638507833480578150%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C60000%7C%7C%7C&sdata=YcLukWg2CRrObB3kFnlefrwAJ9YO0JoLVDAZNQDJcws%3D&reserved=0) – for more information, contact [healthyrelationshipsteam@barnardos.org.uk](mailto:healthyrelationshipsteam@barnardos.org.uk)
* [Essex Let's talk resources - including self-harm, suicide, disordered eating and more](https://schools.essex.gov.uk/pupil-support-and-wellbeing/social-emotional-and-mental-health-semh/essex-lets-talk-resources)