

**REPORT TO: EDUCATION COMMITTEE - 28 APRIL 2008**

**REPORT ON: ATTENDANCE HEARINGS**

**REPORT BY: DIRECTOR OF EDUCATION**

**REPORT NO: 246-2008**

## **1.0 PURPOSE OF REPORT**

1.1 This Report reviews the strategy and arrangements for working with cases of sustained absence from school.

## **2.0 RECOMMENDATIONS**

2.1 The Education Committee is recommended to:

- i. note this review;
- ii. delegate to the Director of Education or her nominee the functions of the Education Authority under Section 35 – 43 of the Education (Scotland) Act 1980 (except the appointment of a person to institute proceedings in terms of Section 43 (2)), being consideration of cases of School Attendance Default including the power to impose an Attendance Order or to decide that the parent/carer be prosecuted;
- iii. approve the permanent cessation of the work of the School Attendance Sub-Committee.

## **3.0 FINANCIAL IMPLICATIONS**

3.1 None.

## **4.0 MAIN TEXT**

4.1 At its meeting on 4<sup>th</sup> March 1996, the Education Committee approved the establishment of a number of sub-committees, including a School Attendance Sub-Committee with power to impose Attendance Orders and to instruct that parents/carers be prosecuted for non-attendance.

4.2 The School Attendance Sub-Committee comprised two School Board members (one of whom chaired the Committee) and three elected members of the City Council. The Attendance Co-ordinator attended to advise the Committee. The Committee had a number of disposal options available, including decisions to take no action, warning parents/carers, imposing Attendance Orders, referral to the Reporter to the Children's Panel, and prosecution of parents/carers.

4.3 On 26 June 2006, Education Committee Report 148-2006 saw the Committee approve the replacement - as a pilot - of the functions of that School Attendance Sub-Committee by a new formal process by which means these disposals could be made.

4.4 In order to support the process of intensive working with young persons and their parents/carers, Committee established that the Director of Education or nominee would have the authority to decide to take no action, warn parents/carers, impose an Attendance Order, or make a referral to the Reporter, or to prosecute, as appropriate. The Director's nominee hears the case and considers the reasons given by the parent or carer for the child's non-attendance. A regular diet of Hearings sees a frequency of one Hearing being held approximately every six weeks. During a single sitting, a number of cases are heard.

4.5 From that date, no case has been submitted to the School Attendance Sub-Committee during the pilot period and all referrals from the Attendance Management Group (AMG) have been taken through the pilot process.

4.6 The AMG - established in January 2005 - has continued its work with young persons and their parents/carers. Cases are referred to the AMG which directs intensive work with individual

young persons and their parents/carers, and monitors progress carefully for signs of improvement or lapses. The AMG will consider in depth the reasons for continuing absence, and what further support can be given to promote and sustain attendance (for example; the dedicated support of a key professional from the Education Department or another department or agency, discussion of the appropriateness of the curriculum, consideration of a work experience or work shadowing programme, consideration of alternative education provision).

- 4.7 When the AMG considers that there has been a failure to attend school without reasonable excuse, the parents/carers are formally required to explain the reason for the absence from school to the Director of Education or her nominee. Before deciding what action to take, the Director of Education or nominee hears representations from the parents/carers. This has involved giving full consideration to the case, including taking account of the views of the parents/carers, and considering whether the parents/carers have a reasonable excuse for their child's failure to attend school.
- 4.8 Where a decision has been taken to prosecute, the process of prosecution may be halted if there is evidence of subsequent co-operation by the parents/carers.
- 4.9 Since the new process was implemented, there have been Attendance Hearings called to decide on 24 referrals from the AMG. The Director or nominee has decided in 17 of these to prosecute, in 2 to impose an Attendance Order, in 3 to continue for further monitoring and, finally, in 2 to take no further action.
- 4.10 The pilot process has ensured that prosecution has been recommended in 17 cases in which it has been determined following the Attendance Hearing that there is clear evidence to support such action and that to do so would (a) be in the best interests of the child or young person to prosecute and (b) have a high likelihood of successful prosecution. Attendance has improved in 68% of cases referred by the AMG to the Attendance Hearing (with an average attendance increase of 17.34%). It is, therefore, recommended that the process established as a pilot under Report 148-2006 be given formal approval as a permanent structure and process.

## **5.0 POLICY IMPLICATIONS**

- 5.1 This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management.
- 5.2 There are no major issues.

## **6.0 CONSULTATIONS**

- 6.1 The Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance) and Head of Finance were consulted in the preparation of this Report.

## **7.0 BACKGROUND PAPERS**

- 7.1 None

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Director of Education

DATE: 10 APRIL 2008