

## **Educational Neglect**

The law entitles every child of compulsory school age to an efficient, full-time education suitable to their age, aptitude, and any special educational need they may have. It is the legal responsibility of every parent/carer to make sure their child receives that education either by attendance at a school or by education otherwise than at a school. Where parents/carers decide to have their child registered at school, they have an additional legal duty to ensure their child attends that school regularly. This means their child must attend every day that the school is open, except in a small number of allowable circumstances such as being too ill to attend or being given permission for an absence in advance from the school.

This 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 4.1. 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%) [The link between absence and attainment at KS2 and KS4, Academic year 2018/19 – Explore education statistics – GOV.UK \(explore-education-statistics.service.gov.uk\)](https://www.gov.uk/explore-education-statistics).

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) [understanding-educational-background-young-offenders-amended-summary.pdf \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/614442/understanding-educational-background-young-offenders-amended-summary.pdf).

In the government guidance cited in Working Together to Improve School Attendance 2022, it stipulates that children missing education can act as a vital warning sign to a range of safeguarding issues including neglect, sexual abuse, and child sexual and criminal exploitation. The guidance provides direction to those children who have persistent and severe absence from education.

Where absence escalates and pupils miss 10% or more of school (equivalent to 1 day or more a fortnight across a full school year), schools and local authorities are expected to work together to put additional targeted support in place to remove any barriers to attendance and reengage these pupils. In doing so, schools should sensitively consider some of the reasons for absence and understand the importance of school as a place of safety and support for children who might be facing difficulties, rather than reaching immediately for punitive approaches. Particular focus should be given by all partners to pupils who are absent from school

more than they are present (those missing 50% or more of school). These severely absent pupils may find it more difficult to be in school or face bigger barriers to their regular attendance and as such are likely to need more intensive support across a range of partners. A concerted effort is therefore needed across all relevant services to prioritise them. All partners should work together to make this group the top priority for support – this may include specific support with attendance or a whole family plan, but it may also include consideration for an education, health and care plan or an alternative form of educational provision where necessary to overcome the barriers to being in school.

If all avenues of support have been facilitated by schools, local authorities, and other partners, and the appropriate educational support or placements (e.g. an education, health and care plan) have been provided but severe absence for unauthorised reasons continues, it is likely to constitute neglect. Schools and local authorities should be especially conscious of any potential safeguarding issues in these cases and where these remain, conduct a full children's social care assessment. Further information is available in the statutory guidance on Keeping Children Safe in Education.

[Working together to improve school attendance \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/107211/Working_together_to_improve_school_attendance.pdf)

[Keeping children safe in education 2022 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/107211/Keeping_children_safe_in_education_2022.pdf)