

# Educational Neglect Practitioners Briefing



**What is Educational Neglect?** The Department for Education (DfE) has stated, ‘**persistent failure to send children to school is a clear sign of neglect**’. The [NSPCC](#) has cited, ‘**failure to ensure regular school attendance which prevents the child reaching their full potential academically**’ as one of their six forms of neglect. ‘[Working together to safeguard children](#)’ provides a neglect description, ‘**The persistent failure to meet a child’s basic physical and/or psychological needs, likely to result in the serious impairment of the child’s health or development**’. ‘**Once a child is born, neglect may involve a parent or carer failing to provide suitable education**’.

[Professor Jan Howarth \(2007\) defined educational neglect](#) – as a carer failing to provide a stimulating environment, show an interest in the child’s education at school, support their learning, or respond to any special needs, as well as failing to comply with state requirements regarding school attendance. **It is the cumulative effect of neglect which has the most impact on children, young people and adults.**

**Severe absence** (absence of 50% or more) Long term, severe absence can have a detrimental impact on a child’s development and future life chances. It is a Level 4 indicator within Liverpool’s continuum of need. The LSCP has determined Educational Neglect as severe long-term absence which is significantly impacting on educational outcomes and is likely to result in the serious impairment of the child’s health, well-being, and development. This may be exacerbated by poor parental engagement.

**Serious Impairment.** Primary aged children where school attendance is 75% or less over an academic year (three terms). This is higher than the defined severe absence at 50% because the impact on outcomes is exponential. Secondary aged young people where school attendance is 75% or less over an academic year (three terms), for the same reason as above.

**All practitioners.**

Improving school attendance involves the support of all practitioners working with children, young people and families. The barriers to attending school can be complex. There is an expectation for agencies to work together to support children/young people in overcoming any barriers to accessing education. Practitioners with responsibility for safeguarding children should make themselves familiar with the [different classifications of neglect](#) and how children and young people experience neglect differently at different ages. All practitioners should also refer to the relevant [Safeguarding Partnerships Thresholds of Need](#) to assist their professional judgement in assessing the level of neglect and the actions required to meet the identified needs.

Educational Neglect should be considered by practitioners when deciding whether to step down a case. It should be fully understood by the Virtual School when working with supporting agencies, and it should be considered as neglect when all other support and challenge has proved ineffective. The decision to step down a case in which a child/young person’s attendance is less than 75% must only be made if there is an agreed attendance lead who is able to maintain support and challenge any ongoing absence.

Practitioners can seek advice and guidance from the child/young person’s school, relevant Education Welfare Service/Attendance Services – [Bedford Borough Central Bedfordshire](#) and [Luton](#) or early help services [Bedford Borough, Central Bedfordshire](#) or [Luton](#).

- Find out more about child neglect.**
- [Pan Bedfordshire Child Protection Procedures.](#)
  - [Safeguarding Bedfordshire website](#)

- Indicators:**
- Absence rate of 50% or below
  - Lack of parental engagement to support their child’s additional needs
  - Poor educational attainment due to severe absence
  - Parent(s) unable to provide substantiated reasons for absences from school.
  - Parent(s) failure to engage in statutory or non-statutory interventions to improve attendance
  - Parental alcohol/substance misuse

**Why is it important to highlight Educational Neglect?**

Regular school attendance is important in providing children/young people with the best possible start in life. It is also recognised that attending school regularly can be a protective factor for children and young people. Absence from school is a recurring theme in Child Safeguarding Practice Reviews. In defining educational neglect, the purpose is to create a descriptor that allows a greater sense of shared responsibility for responding to the concern. Research has evidenced the association between regular absence from school and 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 a least 1 of the 5 years of study). There is a demonstrable link between absence and attainment at the end of KS2 and KS4. Pupils with higher attainment at KS2 and KS4 had lower levels of absence over the key stage compared with those with lower attainment. Pupils who did not achieve the expected standard in reading, writing and maths in 2019 had an overall absence rate of 4.7%, compared with 3.5% among pupils who achieved the expected standard and 2.7% among those who achieved the higher standard. Pupils who did not achieve grade 9 to 4 in English and Maths GCSEs in 2019 had an overall absence rate of 8.8% over the key stage, compared with 5.2% among pupils who achieved a grade 4 and 3.7% among pupils who achieved grade 9 to 5 in both English and maths.

**Support and statutory pathways.** If a child’s absence is becoming a cause of concern, schools can refer to the Education Welfare/Attendance Service and or initiate an Early Help Assessment at level 2 to support families to improve their child’s school attendance. The [neglect screening tool](#), [Day in my life tools](#) and/or [compiling chronologies](#) can also be used to assess the need for further intervention with a family:

**Education Penalty Notices** (Administered by Local Authority) These are used as an early intervention where there is irregular attendance, unauthorised absence and a reasonable expectation that this may change. A penalty notice discharges the parent’s liability for conviction of an offence by paying under the [Education \(Penalty Notices\) \(England\) Regulation 2007](#).

**Prosecution** – Absolute Offence (Magistrates Court) Prosecution of a parent, under [Section 444\(1\) of the Education Act 1996](#), for irregular attendance of a child with unauthorised absence; this is a strict liability offence with limited defences.

**Prosecution** – Aggravated Offence (Magistrates Court) Prosecution of a parent, under Section 444(1A) of the Education Act 1996, for irregular attendance of a child with unauthorised absence; parent knows about the irregular attendance and fails without reasonable justification to change this; potential of custodial sentence.

**School Attendance Order** (Magistrates Court if not resolved) Requires parent(s), under [Education Act 1997](#) to register a child of compulsory school age at a named school when not receiving a suitable education.

**Education Supervision Order** (Family Court) 12-month Order under [Section 36 of the Children Act 1989](#) on the grounds that the child is not being suitably educated; Supervising Officer to, ‘assist, advise and befriend’.

This provides a strong foundation for supporting families and schools to address barriers for attendance, and challenge when support is not effective. However, for a small group of families, support followed by legal sanctions is ineffective. In ‘[Working together to improve school attendance](#)’, the DfE states that, ‘**If all avenues of support have been facilitated by schools, local authorities, and other partners, and the appropriate educational support or placements have been provided but severe absence for unauthorised reasons continues, it is likely to constitute neglect.**’

Where irregular school attendance is the only presenting or significant issue, evidence must be collated over an academic year (three terms). There must be a chronology of all support offered, interventions, evidenced observations and actions.