

Defining Educational Neglect

Our shared response across Surrey



Children and
Family Health
Surrey



SURREY
HEARTLANDS
Health and Care Partnership



NHS
Surrey and Borders
Partnership
NHS Foundation Trust



Surrey
Safeguarding
Children
Partnership



NHS
Frimley
Integrated Care Board



List of definitions

Word	Meaning
Educational Neglect	The persistent failure of a parent or carer to ensure a child receives a suitable education, either through school attendance or alternative provision.
Persistent Absence	When a child's attendance falls to 90% or below across the school year.
Severe Absence	When a child's attendance falls to 50% or below across the school year.
Elective Home Education (EHE)	A choice by parents to provide education for their children at home or in some other way they desire, instead of sending them to school full-time.
Children Missing Education (CME)	Children of compulsory school age who are not registered at a school and are not receiving suitable education otherwise.
Safeguarding Practice Review	A review conducted when a child dies or is seriously harmed, and abuse or neglect is suspected, to identify learning and improve safeguarding practice.
Child in Need Plan	A statutory plan for children who require additional support to achieve or maintain a reasonable standard of health or development.
Child Protection Plan	A plan developed when a child is considered at risk of significant harm, outlining actions to ensure their safety and wellbeing.
Continuum of Need	A framework used to assess the level of support a child and family may require, ranging from universal to specialist services.

What is Educational Neglect?

Working Together to Safeguard Children (2023) describes **Neglect** as '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'

Since December 2023, this definition explicitly includes a parent or carer failing to provide suitable education.

The NSPCC highlights 'failure to ensure regular school attendance which prevents the child reaching their full potential academically' as one of the six forms of neglect.

Working Together to Safeguard Children (2023) and case law both state that 'a failure to provide suitable education is capable of satisfying the significant harm test', regardless of whether the child is enrolled in school.

Although education isn't mandatory for children under five, early years practitioners and teachers play a vital role in identifying the needs of children and their families.

Early education provides essential foundations for future learning. Children who are repeatedly absent for prolonged periods, or without notification, may signal broader safeguarding concerns.

'persistent failure to send children to school is a clear indicator of neglect'

The Department for Education (DfE)



Why it matters?

Educational neglect, persistent and severe absence are recurring themes highlighted in Safeguarding Practice Reviews.

Regular school attendance is a protective factor for the most vulnerable children and young people, offering them support and the best possible start in life.

“School attendance is everyone’s business”

Department for Education, Working Together to Improve School Attendance (2023)

The Local Authority aims not to increase social care referrals, but to establish a pathway that creates a shared responsibility for responding to educational neglect.



Poor attendance increases the risks of children

not meeting their academic potential and underachieving

becoming not in employment, education or training (NEET)

becoming involved in criminal or gang-related activity

being victims of harm, abuse or exploitation

Exploring the Why: Professional Curiosity in Practice

We recognise that persistent absence from school does not always indicate educational neglect by parents or carers. Some children and young people face significant barriers to attendance due to complex needs, disabilities, or challenges within the school or wider system.

It is essential that practitioners consider the full context of each child's situation, including the role of schools and local authorities in providing appropriate support and provision. Our collective response must be rooted in professional curiosity, empathy, and a commitment to working collaboratively with families to understand and address the underlying causes of absence, always in the best interests of the child.

School Attendance: Legal Duties and Enforcement

Section 7 of the Education Act 1996 places a duty on parents to ensure that their child of compulsory school age receives a suitable education for their age, ability and aptitude and any special educational needs, either by regular attendance at school or otherwise.

Providing suitable education is a legal requirement and parents may be prosecuted if they fail to meet their responsibilities.

This table outlines the statutory pathways available for Local Authorities to consider.

Penalty Notices (administered by the 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 if paid under the Education (Penalty Notices) (England) Regulations 2007.
Prosecution - Absolute Offence (Magistrates Court)	A parent can be prosecuted under Section 444(1) of the Education Act 1996, for a child's irregular attendance due to unauthorised absence. This is a strict liability offence with limited defences available.
Prosecution - Aggravated Offence (Magistrates Court)	A parent can be prosecuted under Section 444(1A) of the Education Act 1996, for a child's irregular attendance due to unauthorised absence, where the parent is aware of the absence and fails to act without reasonable justification. This offence carries the potential for a custodial sentence.
School Attendance Order (Magistrates Court if unresolved)	Requires parent(s), under Section 437 of the Education Act 1996, to register a child of compulsory school age at a named school when not receiving a suitable education.
Education Supervision Order (Family Court)	A 12-month order under Section 36 of the Children Act 1989 on the grounds that a child is not receiving a suitable education. A Supervising Officer is appointed to, 'assist, advise and befriend' the child and family, supporting them to improve educational outcomes.
Parenting Order (Magistrates Court)	A Parenting Order may be issued under the Anti-social Behaviour Act 2003. This requires the parent to attend parenting classes and comply with court-directed actions to improve the child's school attendance.

What is Persistent and Severe Absence?

Persistent absence is when a child's school attendance is at 90% or below (4 weeks missed in an academic year/3 terms)

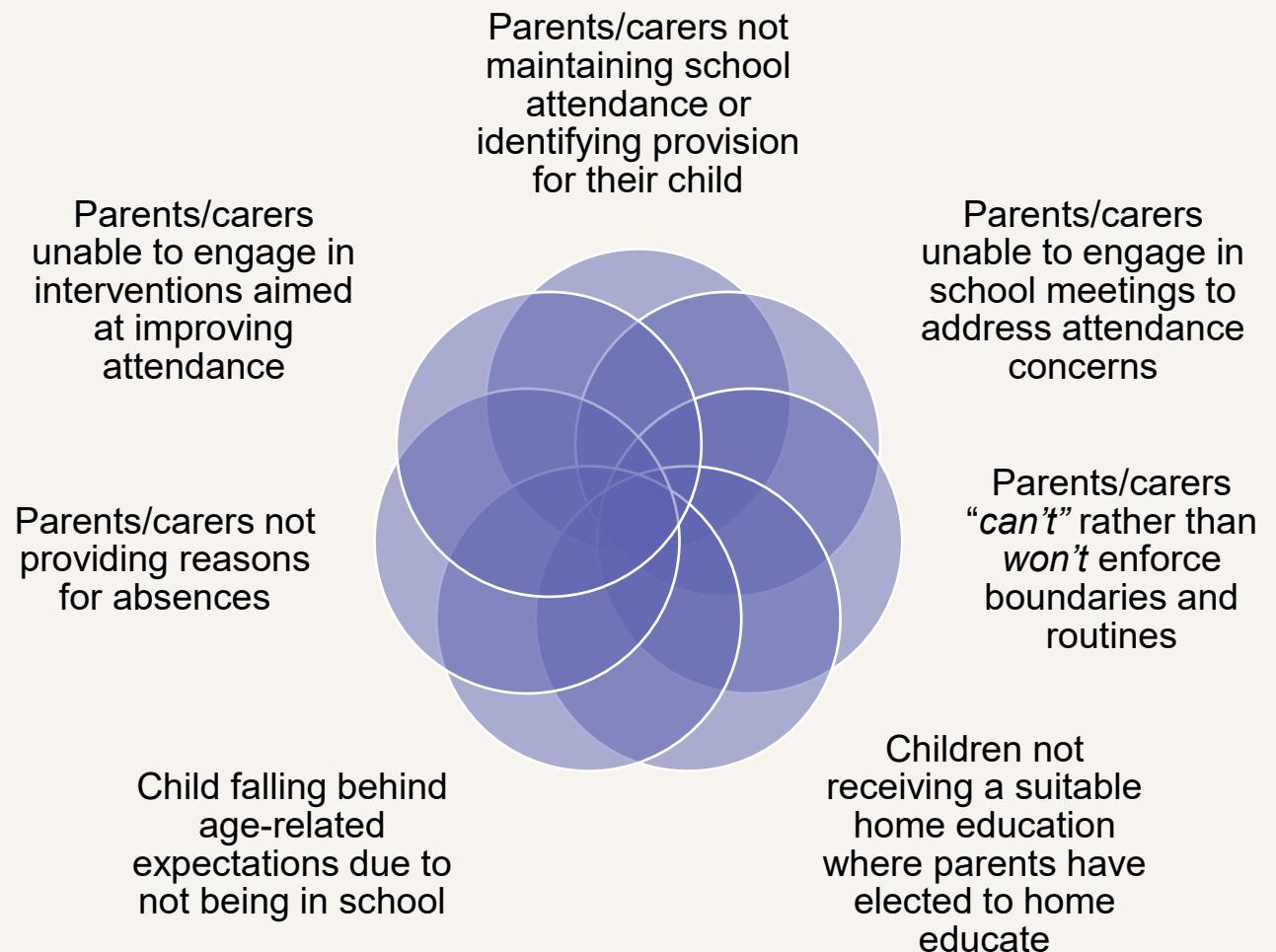
Severe absence is when a child's school attendance is at 50% or below (19 weeks missed in an academic year/3 terms)

Definitions taken from the Department for Education's guidance: [Working Together to Improve School Attendance \(2024\)](#)



Common Indicators of Educational Neglect

There are a range of circumstances that may lead to a child being absent from school, and this isn't always due to educational neglect. It's important to consider each family's situation carefully and ensure the right support is in place before drawing conclusions. There can be various signs that may indicate a child is experiencing educational neglect.



Professional Responsibilities

All practitioners will be curious about school attendance and will explore with the child, parent/carer and school the factors that are impacting school attendance. They will work collaboratively with the child, parents/carers and school to agree on a plan to improve attendance.

If a child is electively home educated, all partner agencies are expected to make a referral to the Surrey Attendance Service (formerly the Inclusion Service).



All practitioners will:

Consider the significance of educational neglect if they become aware of persistent and/or severe absence from school.

Demonstrate professional curiosity regarding children not in school, including those who are electively home educated / not on roll.

Explore with parents and carers the reasons why children are not in / attending school and identify what support services may be needed.

Consider how they and others might help resolve the absence from school, including identifying any underlying issues such as domestic abuse, parental substance misuse or parental mental health concerns.

Seek advice from the child's school if they are concerned about a child's attendance.

Use the Continuum of Need to assess the child and family's wider circumstances and determine whether a referral is required.

Ensure that where a child is supported by a Child in Need plan or Child Protection Plan, any concerns around attendance are reflected in the plan, with clear actions to support and address them.

Health response

Health practitioners will be curious about a child's school attendance. When a child or family is open that their child is not attending school, they will discuss and explore this with them and seek consent for further support and intervention. We will speak to the school where we are worried and ensure that support is being offered to the family.

Staff working across all Health providers recognise the importance of regular school attendance and participation.

Where concerns are raised, Health professionals will consider the following:

Are health issues impacting the child's school attendance and/or participation? If so, is the right support being offered in relation to these needs, and are offers being taken up by the child and/or their parents/carers?

What are the barriers to the child's attendance and participation? What support can Health offer to help address these?

Do parents/carers understand the level of concern regarding their child's attendance/participation? What is their response to concerns being raised, and are they supportive of professional attempts to address the concerns in the best interests of their child?

Health practitioners will listen to the voice of the child, acknowledge their lived experience and ensure this is shared with appropriate professionals and addressed accordingly.

Where concerns are raised regarding educational neglect, Health colleagues will actively participate in multi-agency discussions. Relevant information will be shared in line with agreed safeguarding information sharing protocols.



Police response



Police will be professionally curious when attending family homes about children's school attendance, particularly during the school day when it would be reasonable to expect a child to be in school.

Where concerns arise regarding a child's attendance, officers will submit a safeguarding referral.



Social Care response

Practitioners will be curious about school attendance and will explore with the child, parent/carer and school the factors impacting school attendance.

They will then work together with the child, parents/carers and school to agree an intervention plan to improve attendance. School attendance percentages should be clearly recorded for every school-aged child in all Early Help Assessments, Child & Family Assessments and relevant plan review meetings.

Practitioners are expected to discuss attendance/education provision at each child's meeting and include any support within the child's plan. This should be reviewed at subsequent meetings.

Where practitioners have concerns about a child's attendance, they will liaise with the relevant Attendance Advice & Intervention Officer (formally Inclusion Officer) to explore additional support or intervention that could be offered to the child and their family.



Questions for Supervision

These questions are for all professionals working with children and families to consider during supervision, particularly where there are concerns around attendance and potential educational neglect.

Questions exploring Absence %

What are the barriers to attendance?

Are there any patterns to the absences?

What interventions could be offered to the family to address the barriers?

On the days that the child has attended, what has allowed that to happen?

What is the carer's attitude / perception of education? What was the carer's educational experiences?

What is the education experience of other children in the family?



Questions for Supervision

Questions exploring Elective Home Education (EHE)

Is the child known to the EHE Team?

What is the reason the child is EHE?

Are there any safeguarding concerns in relation to the child's home environment?

Do the concerns increase with the child being EHE?

Does the child have any contact with professionals outside of the home?

Does the child have opportunities for social interaction with peers?

Is the child engaged with any activities outside of the home?

Have there been any recent discussions with the parent/carer about the education they are providing to the child?

Has the parent/carer been asked whether they believe EHE is still in the child's best interest?

What is the parent's/carer's attitude and perception of education?

What was the parent's/carer's educational experiences?

Questions for Supervision

Questions exploring Children Missing from Education

Why is the child not on roll at school?

When was the last time they attended school?

Is the child involved in any type of educational programme / form of alternative education?

What interventions or additional resources may help the child return to education?

Are there barriers in returning to education?

What is the parent's/carer's attitude/perception of education?

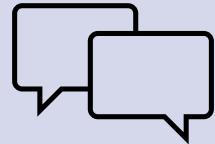
What was the parent's/carer's educational experiences?

Is the child registered as CME on Surrey systems?

You can find a list of suggested supervision questions for practitioners [here](#)

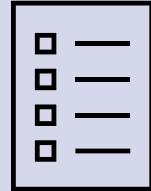
Education response

Working Together to Improve School Attendance (August 2024) places statutory responsibilities on all schools to promote and improve attendance through a strategic, inclusive, and proactive approach by:



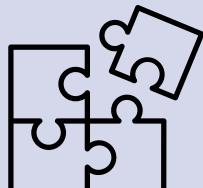
Family Engagement and Support

Schools must build strong, trusting relationships with families, listening carefully to understand the specific barriers to attendance and working in partnership to remove them.



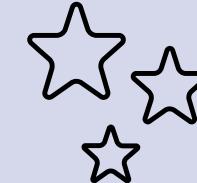
Attendance Policies and Procedures

Each school must develop a clear and accessible attendance policy. Accurate completion of admission and attendance registers is essential, alongside consistent, robust daily processes for identifying and addressing absence and poor punctuality.



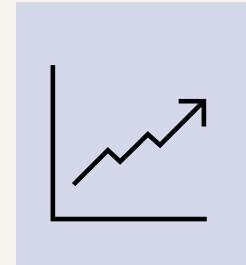
Collaboration and Information Sharing

Schools are expected to work collaboratively with local authorities, other schools, and external partners. When absence reaches persistent (10%+) or severe (50%+) levels, relevant information should be shared to support coordinated responses.



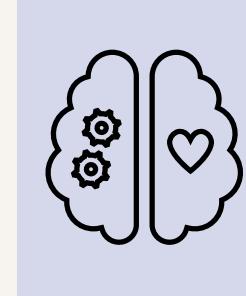
School Culture

A whole-school culture that promotes the value of regular attendance should be embedded. All staff, pupils, and parents must clearly understand the importance of attending school regularly and punctually.



Data and Monitoring

Attendance data should be regularly analysed to identify patterns and pupils at risk. This information must be used to implement timely and effective interventions to support improvement.



Support for Vulnerable Pupils

Schools must provide tailored support for pupils with health conditions or additional needs (SEND). This includes Individual Healthcare Plans, reintegration strategies after absences, and regular, meaningful communication with families. Early identification of wider needs should lead to timely referrals and coordinated support.

Surrey Attendance Service

The Surrey Attendance Service (formerly the Inclusion Service) ensures that the Local Authority fulfils its statutory duty to ensure that children of compulsory school age receive a suitable education, and to intervene when this is not the case.

This includes identifying children who are missing education, are not receiving a suitable, efficient and full-time education otherwise than at school (Elective Home Education) or who are severely absent from school.

The Surrey Attendance Service will....



Support schools, families and other agencies to develop plans to facilitate their return to school or alternative provision



Ensure all schools have an allocated Attendance Advice & Intervention Officer who will hold regular Targeted Support Meetings with each school

Support Meetings will proactively address pupil absence by facilitating collaboration between schools and local authorities to identify, discuss, and agree on targeted actions for students with persistent or severe absence issues.

These meetings, often termly, are a key component of improving school attendance and ensuring students receive the necessary support to overcome barriers to attending school.

Where appropriate, the Surrey Attendance Service will provide advice and guidance on appropriate legal and statutory interventions.



Our Collective Response

When children become persistently absent, schools will work alongside the family and relevant professionals to consider the support needs of the family.

Where attendance concerns remain and children are at risk of becoming severely absent, multi-agency (e.g. Team Around The Family [TAF]), targeted support should be considered following the completion of an early help assessment. If consent / cooperation is withheld, a statutory/legal intervention may be appropriate.

When school attendance falls to 50% or less this should trigger all schools and partners to consider 'educational neglect'. Schools, the Local Authority (Surrey Attendance Service) and wider agencies should also consider whether legal intervention is appropriate.

If there is information to suggest the child may be at risk of, or suffering significant harm as a result of educational neglect a referral should be made to children's services into the CSPA where the most appropriate multi-agency response will be considered.

All referrals will be made in line with existing information sharing agreements and in accordance with our [Information Sharing Protocol](#).



Relevant policies and guidance

This section outlines key local and national policies that inform the identification, prevention, and response to educational neglect.

National Policies and Guidance	Surrey Specific Policies and Guidance
Keeping Children Safe in Education (2025) (DfE)	Children Missing Education (CME) Policy - February 2025
Working together to improve school attendance (2024)	Section 19 Policy Statement - July 2024
Working Together to Safeguard Children (2023)	Elective Home Education Policy and Process - April 2024
	School attendance and absence - Surrey County Council
	Improving school attendance - the role of the Inclusion Service - Surrey County Council

Expectations Grid

Expectations of schools	Expectations of academy trust boards and governing bodies of maintained schools
Build strong relationships and work jointly with families, listening to and understanding barriers to attendance and working in partnership with families to remove them.	Recognise the importance of school attendance and promote it across the school's ethos and policies.
Develop and maintain a whole school culture that promotes the benefits of high attendance.	Ensure school leaders fulfil expectations and statutory duties.
Have a clear school attendance policy which all leaders, staff, pupils, and parents understand.	Regularly reviewing attendance data, discussing, and challenging trends, and helping school leaders focus improvement efforts on the individual pupils or cohorts who need it most.
Accurately complete admission and attendance registers and have effective day to day processes in place to follow-up absence.	Ensure school staff receive adequate training on attendance.
Regularly analyse attendance and absence data to identify pupils or cohorts that require support with their attendance and put effective strategies in place.	Share effective practice on attendance management and improvement across schools.
Share information and work collaboratively with other schools in the area, local authorities, and other partners when absence is at risk of becoming persistent or severe.	Expectations of local authorities
Be particularly mindful of pupils absent from school due to mental or physical ill health or their special educational needs and/or disabilities, and provide them with additional support.	Rigorously track local attendance data to devise a strategic approach to attendance that prioritises the pupils, pupil cohorts and schools on which to provide support to and focus its efforts on to unblock area wide barriers to attendance.
	School attendance support team: communication and advice, targeting supporting meetings, multi-disciplinary support for families, legal intervention.
	Monitor and improve the attendance of children with a social worker through their Virtual School Head.
	Trading additional services to schools.

Educational neglect is everyone's business.

In Surrey, we are committed to identifying educational neglect early and ensuring children and families receive the support they need.

