Multi-Agency Safeguarding Duties for Educational Neglect

7 POINT BRIEFING

1 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**' this definition now explicitly includes 'a parent or carer failing to provide suitable education'

'All children aged 5 to 16 are legally entitled to a full-time education, suitable to any special educational need. Education is essential for children's progress, wellbeing and wider development and being in school is a protective factor against wider harms, including exploitation. Where children are not receiving education, either because they persistently missing school, or are not registered at a school and not receiving a suitable education otherwise, this could be a possible indicator of neglect, abuse or exploitation or could in itself constitute neglect in severe and sustained cases.'

There is no statutory definition of educational neglect but every child does have the right to a good and suitable full-time education and section 7 of the Education Act 1996 places a duty on parents to secure the education of their compulsory school aged children:
'The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable—
(a)to his age, ability and aptitude, and
(b)to any special educational needs he may have,
either by regular attendance at school or otherwise.'

2 WHY IS IT IMPORTANT TO HIGHLIGHT EDUCATIONAL NEGLECT?

Educational neglect, persistent and severe absence are recurring themes in Safeguarding Practice Reviews. In contrast, regular school attendance is a protective factor for the most vulnerable children and young people, providing opportunities for support whilst giving them the best possible start in life.

In accepting that "school attendance is everyone's business" (Working Together to Improve School attendance DfE), The Local Authority intention is, not to increase social care referrals, but to agree a pathway that creates a shared responsibility for responding to "educational neglect".

Educational Neglect of a child which significantly impacts their welfare and/or educational outcomes is likely to result in the serious impairment of the child's health; well-being, development and/or life chances. This may be exacerbated by poor routines and boundaries or a lack of parental engagement.

3 PERSISTENT / SEVERE ABSENCE INCLUDING 'NOT IN EDUCATION'

Combined with safeguarding / child protection concerns is included in Wakefield's Continuum of Need.

We are required to review our shared thresholds and definitions of persistent (90% or less) and severe (50% or less) absence from school.

90% attendance at school over a year, equates to 4 weeks of education missed.

"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" Working together to improve school attendance - GOV.UK

4 WHAT THE DATA TELLS US

There is a demonstratable 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.

- Research shows associations 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 at least 1 of the 5 years of study.

5 INDICATORS

- Parent(s) consistently failing in maintaining schooling or identifying provision for their child.
- Parent(s) failing to engage in school meetings to address attendance concerns.
- 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.
- Parents fail to prevent children from becoming **persistently absent**- (below 90% attendance) and/or **severely absent** (below 50%) over a period equal to an academic year (9 months / 6 half-terms).
- Parents "can't" rather than won't enforce boundaries and routines.
- Child refusal to attend school / adhere to parental boundaries.
- Impact of adverse childhood experiences or multiple moves (school / addresses).

6 ALL PRACTITIONERS SHOULD:

- Consider the significance of educational neglect if they become aware of persistent and/or severe absence from school. Refer to the Neglect toolkit education section.
- Demonstrate Professional curiosity in relation to children not in school including those who are Electively Home Educated / not in education.
- Challenge parents and carers as to why children are not in / attending school.
- Consider how they and others might resolve the absence from school. E.g. Screen for Emotionally Based School Avoidance.
- Seek advice from the child's school, the Education welfare service If they are concerned about a child's attendance.
- Use the Continuum of Need to consider the child and family's wider circumstances to see if submitting a MARF is required.
- Ensure that where a child has a child in need plan or child protection plan, and there are concerns around their attendance, that this is reflected in the plan.

Please refer to the Working Together to Improve School Attendance document.

7 GUIDING PRINCIPLES

- Work Together across Education and other agencies such as, health social care and voluntary organisations to ensure holistic support and information sharing
- Be the advocate for the child/young person's attendance in all meetings about them – ensure regular school attendance is part of every plan
- Remind everyone that school attendance/absence should not be viewed solely as an educational issue
- Be professionally curious about the possibility of educational neglect
- Maintain a regularly updated chronology and mapping to evidence interventions taken to address educational neglect.
- Where educational neglect has been considered but not evidenced, ensure that you have clear advice and a plan agreed with the Education Welfare Officer within your setting and linked to LA Education Welfare Service
- Consider the child's lived experience holistically through the lens of the Continuum of Need
- Working Together to Improve Attendance (pg. 47) advocates a 'support first' approach.

LINKS

Working together to improve school attendance - GOV.UK

Working together to safeguard children - GOV.UK

Education welfare service - Wakefield Council – including local attendance strategy

NSPCC - Neglect: Learning from Case Reviews

Additional information and guidance that further explains the duties detailed above in the 1MG, can be found here.

"SCHOOL ATTENDANCE IS EVERYONE'S BUSINESS"



Wakefield Safeguarding Children Partnership