



School Attendance Order Procedure

If it appears to the local authority that a child of compulsory school age is not receiving a suitable education, either by regular attendance at school or otherwise, then they must begin procedures for issuing a School Attendance Order. The order will require the child's parents to register their child at a named school. If they fail to comply with the order the parent can be prosecuted. [School attendance parental responsibility measures January 2015](#)

Section 437 of the Education Act 1996 states the Admission Service is responsible for identifying the school to be named. The Admissions Service is responsible for ensuring that the naming of the school is compliant with legislation and statutory guidance i.e., it must be the school named in any Education, Health Care Plan the child holds, otherwise, the catchment, or nearest local school will be named. Particularly relevant for any previously permanently excluded children, the Local Authority, will look to name the Short Stay School. If there are known exceptional circumstances why naming the catchment school, or nearest school, would not be in the child's best interest the next nearest school will be named by the Admission Service.

Once the Admission Service has named a school, the allocated Attendance and Entitlement Officer (AEO) must hold a formal consultation with the Head Teacher and Chair of Governors/Member of the Trust as this is a statutory requirement. It is essential to ensure that those present have responsibility for the school's admission arrangements. At the formal consultation the AEO will advise the school of the information and history known for the child and the School Attendance Order process.

If the School representatives do not agree for the school to be named for the child, the AEO will inform either the Attendance and Entitlement Manager or the Senior Children Missing Education Officer. The school will be asked to provide their reasoning for not being named and why this would not be in the child's best interest. A panel will be convened with attendance by the Attendance and Entitlement Manager, Senior Children Missing Education Officer, Admissions Manager, and the Fair Access Manager. The panel will consider the case and the school's rationale for not being named in the Order. If the panel agree with the school's rationale, then an alternative school will be named for the AEO to consult with. If, however, it is not felt that the school has an accepted rationale for not being named the matter will be taken forward by the Fair Access Manager and use of the Local Authority's directional powers will be considered.