

School Attendance Orders

1. School Attendance Orders

The Education Act 1996 provides for Local Authorities (LA) to apply for School Attendance Orders (SAO) in specific circumstances. The team within the LA who is responsible for the oversight of SAO applications is the ACE team.

2. When are they used?

School Attendance Order proceedings are used in cases where the LA has identified, or been notified, that a child is without any education provision or if a parent/carer has declined to give the LA sufficient evidence of the education they are providing. This will include cases where parents/carers are unwilling to accept a school place offered but have failed to secure an alternative, those who refuse to provide the name of a school they report their child is attending and those who confirm they are home educating but are declining to comply with the LA procedures for the oversight and monitoring of the home education provision.

3. What happens next?

In these cases, the LA is required by law to consider initiating SAO proceedings. These involve a formal notice, asking the parent/carer to provide evidence (over and above a description of the provision) that they are educating their child; if they fail to do so within a prescribed time frame, the expectation is that the child will attend a school named by the LA in the SAO. To support the SAO process, the ACE Team, in liaison with the School Admissions Team, will name the closest appropriate school to the home address in the SAO. The named school will be informed by the ACE team and receive a copy of the SAO notice.

4. How frequently are full SAO proceedings needed?

The process is used comparatively rarely. There are normally only a couple of cases a year where SAOs are initiated, and most are resolved before a school needs to be named. In the majority of cases provision is secured or verified without the need for proceeding with the SAO, meaning the child does *not* in fact attend the school named in the order.

5. What happens next?

Naming a school in an SAO does not require the child to be placed on the school roll unless the parent/carer decides to consider the school named; in these cases a placement meeting will be arranged at the school in the normal way and if the child were to be placed, it would be recorded as a Fair Access Panel placement. SAO cases will therefore be reported as part of the annual FAP data report, alongside routine summary fair access placement information, to ensure transparency and equity.