

Emotionally Based School Non- Attendance (EBSNA)

School attendance, the law and latest government guidance.



Introduction

This document offers an overview of key themes from latest UK Government guidance regarding school attendance and children and young people's (CYP) wellbeing. This is intended to provide schools and education settings with reassurance and guidance for supporting school attendance or access to education at a pace that feels right for the CYP.

This includes information from the Department for Education (DfE), including:

- [Working together to improve school attendance](#) (statutory from August 2024)
- [Mental health issues affecting a pupil's attendance](#) (February 2023).
- [Support for pupils where a mental health issue is affecting attendance: Effective practice examples](#) (February 2023).

Working together to improve school attendance provides a significant change in the approach to attendance for schools. Schools need to recognise attendance as the symptom of what may be happening in a CYP's life and then support those factors affecting their wellbeing.

What does the Government say about why school attendance is important?

The DfE emphasise that school attendance (or connecting with education broadly) matters because:

Feeling ready and able to attend school is linked to positive attainment – CYP with the lowest overall absence rates at Key Stage 2 (Year 6) were 1.4 times more likely to achieve the expected level, and 3.3 times more likely to exceed it. CYP with good attendance were 2.8 times more likely to achieve 5+ GCSEs including English and maths.

Reducing disadvantage – Absence rates vary significantly between disadvantaged and vulnerable groups of CYP and their more advantaged peers, across different regions. This risks contributing to further disadvantage and inequalities for future generations to come.

Preventing safeguarding and wellbeing risks – 'Children being absent from education for prolonged periods and/or on repeat occasions **can act as a vital warning sign to a range of safeguarding issues including neglect, child sexual and child criminal exploitation - particularly county lines**. It is important the school or college's response to persistently absent pupils and children missing education supports identifying such abuse, and in the case of absent pupils, helps prevent the risk of them becoming a child missing education in the future'. (DfE, **Keeping Children Safe in Education**, September 2023, section 175).



Providing support to the most vulnerable CYP and families – helping CYP to access school (and the wider support services around it) can lead to improved safety and outcomes. Earlier intervention reduces the need for more specialist support later. For example, this might include targeted help for CYP who are not currently accessing education, employment or training (NEET).

What does current government guidance say about possible difficulties with attending school?

The DfE recognise that many families are working incredibly hard to try and support school attendance for their CYP, whilst also trying to prioritise their emotional wellbeing needs too.

The DfE recognises this as: *‘Some pupils find it harder than others to attend school and therefore at all stages of improving attendance, schools and partners should work with pupils and parents to remove any barriers to attendance by building strong and trusting relationships and working together to put the right support in place. Securing good attendance cannot therefore be seen in isolation, and effective practices for improvement will involve close interaction with schools’ efforts on curriculum, behaviour, bullying, special educational needs support, pastoral and mental health and wellbeing, and effective use of resources, including pupil premium’.* ([Working Together to Improve School Attendance, pg. 8](#))

How does current guidance suggest schools should support?

The DfE are committed to making sure that improving school attendance nationally is **“everyone’s business”**. This is linked to the idea of creating a **‘support first’** culture, which is focused upon:

1. Preventing patterns of absence from developing by promoting good attendance.
2. Intervening early by using data to spot patterns of absence before they become persistent and working with families to remove the barriers to attendance.
3. Targeting support for persistent and severe absentees, with all local partners working together to reengage pupils.

Ofsted advise: *‘Schools have a vital role in improving attendance but not all factors influencing attendance are in their control. Because of this, there cannot be an arbitrary attendance percentage that all schools need to reach.*

‘But many factors are within schools’ powers, and it is right to expect them to do all they reasonably can to achieve the highest possible attendance. If a school can demonstrate they are doing this, we will judge it favourably, even if its attendance numbers are lower than previously’. (National Director, Education Ofsted, November 2023. See: [Improving school attendance - Ofsted: schools and further education & skills \(FES\) \(blog.gov.uk\)](#)).

In Warwickshire, we are confident that a multiagency EBSNA Pathway approach fits well with these values.



What are schools' legal duties for supporting school attendance?

The [Education \(Pupil Registration\) \(England\) Regulations 2006](#) outline the legal duties of schools to monitor attendance daily and to inform the local authority of any CYP who is regularly absent from school, by contacting their named worker from Warwickshire Attendance Service (WAS). Schools are also required to investigate any unexplained absences as part of their legal safeguarding duty.

Schools should promote good attendance and reduce absence, including persistent absence; ensuring every CYP has access to full-time education to which they are entitled; and act early to address patterns of absence.

The extent of a CYP's non-attendance difficulties can be described as:

- **Persistent absence** – 'Where absence escalates and pupils miss 10% or more of school (equivalent to 1 day or more a fortnight across a full school year), schools and local authorities are expected to work together to put additional targeted support in place to remove any barriers to attendance and reengage these pupils. In doing so, schools should sensitively consider some of the reasons for absence and understand the importance of school as a place of safety and support for children who might be facing difficulties, rather than reaching immediately for punitive approaches ([Working together to improve school attendance, pg. 85](#)).
- **Severe absence** – 'pupils who are absent from school more than they are present (those missing 50% or more of school). These severely absent pupils may find it more difficult to be in school or face bigger barriers to their regular attendance and as such are likely to need more intensive support across a range of partners. A concerted effort is therefore needed across all relevant services to prioritise them. All partners should work together to make this group the top priority for support – this may include specific support with attendance or a whole family plan, but it may also include consideration for an education, health and care plan or an alternative form of educational provision where necessary to overcome the barriers to being in school' ([Working together to improve school attendance, pg. 86](#)).



[Watch our training video on 'Understanding EBSNA and attendance law, guidance and coding' for further information.](#)

When intervening early, schools may quickly recognise that a CYP's readiness and composure for accessing learning (at school or remotely) is greatly reduced, and that reengaging with learning may not be a realistic or pressing priority. It is therefore essential to rethink or redefine progress, in terms of the CYP's broader wellbeing.





[Watch our training video on 'Rethinking progress' for young people experiencing more entrenched school attendance difficulties.](#)

What are the legal duties of parents/carers for supporting school attendance?

It is the legal duty of parents to ensure that their CYP receives an education and, where this education is provided in a school, to ensure regular attendance (in accordance with the Education Act, 1996). Parents of compulsory school age children must ensure that their CYP receives a full-time education that is appropriate for:

- (a) their age, ability and aptitude, and
- (b) to any special educational needs they may have, either by regular attendance at school or otherwise.

Therefore, it is important for schools and settings to understand a CYP's attendance difficulties may be due to possible unmet needs.

EBSNA and absence coding

If a CYP does not attend school, then it is the school's responsibility to record the absence according to specific codes. Schools must adhere to **Working together to improve school attendance** (DfE, 2022). The guidance states that schools can authorise absences for limited reasons but does not provide specific guidance for EBSNA.

For schools with CYP experiencing EBSNA and struggling with attendance, it is the head teacher's decision whether to authorise absence or not.

Schools must record absences as authorised where CYP cannot attend due to illness (both physical and mental health related). For many CYP experiencing EBSNA the 'significant emotional component' might be considered mental ill-health and *could* be authorised on that basis (**using register code I**).

Schools should not routinely request that parents provide medical evidence to support illness.

The DfE states that schools should not request medical evidence unnecessarily as it places additional pressure on health professionals, their staff, and their appointments systems particularly if the illness is one that does not require treatment by a health professional. Only where the school has a genuine and reasonable doubt about the authenticity of the illness should medical evidence be requested to support the absence.

If you are unsure of your roles or responsibilities as a school/setting, please contact your named Attendance Adviser from the Warwickshire Attendance Service.



For instances of EBSNA, head teachers must decide whether they agree to authorise an absence as illness, in line with the view that a CYP's absence has a significant emotional or wellbeing aspect, requiring added support and reasonable adjustments.

The questions below are designed to support schools in their decision making and possible next steps of support. These should be shared with parents, to develop joint understanding of a CYP's circumstances:

1. Does there appear to be an emotional element to the CYP's school non-attendance – what signs of emotional distress have been documented or observed at home and/or at school?
2. Do any of the risk factors for EBSNA apply to this CYP? (see **the EBSNA toolkit** for this).
3. Using the [EBSNA baseline assessment tools](#) (the ATTEND Framework or similar) - are there significant concerns about the CYP?
4. Is the CYP finding it difficult to engage with other environments or social situations too?
5. Are parents encouraging school attendance, or have they in the past?
(with credit to Buckinghamshire Council, 2023)

Answering YES to any of these questions might indicate that EBSNA is a reasonable means of explaining and understanding the CYP's school attendance difficulties at this time.

It is also important to note:

- A CYP's levels of distress may reduce at home, when away from school-specific sources of stress or worry.
- Whilst a CYP may appear fine in school or may be maintaining a level of attendance, we need to listen to what parents are saying about emotional challenges increasing at home and take these seriously. It may be that the same concerns aren't seen in school, yet they may build over time. Parental concerns are often a key early indicator that a CYP's needs are not being met.
- The DfE state that where a CYP's pattern of absence is at risk of becoming, or becomes, a concern schools should build trusting and open relationships with families, to listen to and understand the barriers to attendance that the CYP or family is experiencing. In doing so, schools should take into consideration the sensitivity of some of the reasons for absence and understand the importance of school as a place of safety and support rather than reaching immediately for punitive approaches.



The use of part-time timetables and EBSNA

'[Working together to improve school attendance](#)' guidance sets out key principles for part-time timetables.

All CYP of compulsory school age are entitled to a full-time education suitable to their age, aptitude and any special educational needs they may have. **In some circumstances their education may be provided partially at school and partially at another educational setting.**

A part-time timetable might refer to an agreed period of time where the CYP is allowed to be away from school for part of the school week.

In exceptional circumstances, **where it is in a CYP's best interests, a school may need to provide a CYP of compulsory school age with less than full-time education through a temporary part-time timetable to meet their individual needs.** For example, this might apply where a medical condition prevents full-time attendance, and **a part-time timetable helps the CYP access as much education as possible.** A part-time timetable should never be used to manage CYP's behaviour.

The DfE suggest that any part-time timetable should:

- Have the agreement of both the school and the parent the CYP normally lives with.
- Have a clear ambition and be part of the CYP's wider support, health care or reintegration plan.
- **Have regular review dates which include the CYP and their parents to ensure it is only in place for the shortest time necessary.**
- Have a proposed end date that takes into account the circumstances of the CYP, after which they are expected to attend full-time, either at school or in alternative provision. It can, however, be extended as part of the regular review process. In some limited cases, a CYP with a long-term health condition may require a part-time timetable for a prolonged period.

The DfE suggest that any part-time timetable should seek to maximise face-to-face school time as much as possible. Also, that schools should consider providing remote education to help CYP stay on track with the education they would normally receive. Any remote education should only be considered if the CYP is well enough and able to learn and should be given in line with the guidance [providing remote education: guidance for schools](#) (DfE, **Arranging education for children who cannot attend school because of health needs**, December 2023, pg11).



The DfE also stipulate that: ‘Any part-time timetable arrangements should be designed with the specific barrier to attendance in mind, have a time limit by which point the pupil is expected to attend fulltime, (either at school or at an alternative provision setting), and have formal arrangements in place for regularly reviewing the timetable with the pupil and their parents/carers’.

Where the CYP has a social worker, the school is expected to keep them informed and involved in the process.

If the CYP has an education health and care plan, the school should discuss the part-time timetable with Warwickshire’s SEND Assessment and Review team ([SENDAR](#)) so that any support package that is in place can be reviewed as swiftly as possible.

In agreeing to a part-time timetable, a school has agreed to a CYP being absent from school for part of the week or day and therefore must record the absence accordingly (normally using **code C2**).

We recognise that child-centred planning is key, and that each CYP will have their own levels of readiness, in terms of what may or may not feel feasible. The child-centred planning tools included within our EBSNA toolkit will provide schools and families with a framework for planning gradual steps of progress, tailored to a CYP’s circumstances and moving at a pace that feels right for them (see our [EBSNA Additional Support Plan](#)).

Government guidance and EBSNA support

Government guidance states that:

- The [guidance](#) applies to any CYP displaying any social, emotional or mental health issue that is affecting their attendance. It is not only for CYP who have a diagnosed mental disorder, or a disability or special educational need. **This is a welcome focus solely on the presenting need – i.e., barriers to school attendance (and wellbeing) as opposed to limiting the focus in any way.**
- ‘In developing a plan to support attendance through reasonable adjustments, school staff will need to take into account the individual circumstances of the child.’ ([Support for pupils where a mental health issue is affecting attendance: Effective practice examples](#), pg. 5) **That is, there is not a one-size-fits-all approach to support – and the support needs of each CYP should be carefully** explored through assessment. The [Warwickshire EBSNA toolkit](#) supports with this.



- It is important to keep a focus on reasonable adjustments to support attendance – placing a focus on flexibility within school systems, bespoke strategies tailored to the individual CYP's circumstances '...to ensure that the school is a calm, safe, and supportive environment where all pupils want to be and are keen and ready to learn' ([Summary of responsibilities where a mental health issue is affecting attendance](#) pg. 4). **The reality is, that many schools are doing this well already, but this guidance adds further backing to those already working in this way.**
- 'Any associated anxiety about attending should be mitigated as much as possible by creating a plan to implement reasonable adjustments to alleviate specific barriers to attendance. These adjustments should be agreed by and regularly reviewed with all parties, including parents/carers i.e. Reasonable adjustments for pupils with a disability under section 20 of the 2010 Equality Act.' – **Therefore, there is a need to regularly capture CYP voice about their perceived priority areas for support. This is so that CYP have a sense of being listened to and understood; and that their support ideas are being acted upon through a graduated approach.**

