



REQUEST 18365

I am requesting the following information regarding prosecutions initiated against parents for their child's non-attendance at school, particularly concerning children with Special Educational Needs (SEN).

Please provide data for the most recent five full academic years for which data is available (e.g., 2019/20, 2020/21, 2021/22, 2022/23, 2023/24).

For each academic year, please provide:

1. **Total Prosecutions:** The total number of prosecutions initiated by the Local Authority against parents under Section 444 of the Education Act 1996 for their child's non-attendance at school.
2. **Children with EHCPs:** Of the total prosecutions identified in point 1, the number of prosecutions where the child concerned had an Education, Health and Care Plan (EHCP) at the time the prosecution was initiated.
3. **Non-attendance Linked to SEN (EHCP cases):** Of the prosecutions identified in point 2 (involving children with EHCPs), the number of cases where the child's non-attendance was explicitly cited as being linked to their special educational needs or a disability within their EHCP or related professional advice (e.g., medical reports, CAMHS reports, educational psychology reports).
4. **Alternative Provision (EHCP cases):** For the cases identified in point 2 (where a child with an EHCP was prosecuted), information on whether the Local Authority had provided, or attempted to provide and document the offer of, suitable alternative educational provision prior to initiating prosecution. Please provide a simple count for cases where such provision was confirmed to have been offered vs. not offered.

RESPONSE

Please see accompanying Excel document.

5. **Judicial Review "Letters Before Claim"**
Received: The number of occasions on which the Local Authority received a "Letter Before Claim" for Judicial Review in relation to a child's educational provision where a Section 444 prosecution for non-attendance was also ongoing or had been threatened against the parents of that child.
6. **Prosecutions Withdrawn After "Letter Before Claim":** Of the cases identified in point 5, the number of Section 444 prosecutions that were subsequently withdrawn by the Local Authority after the receipt of the "Letter Before Claim" for Judicial Review, specifically concerning the child's educational provision.
7. **Non-attendance due to Illness/Anxiety with Alternative Provision:** The number of occasions where the Local Authority formally acknowledged or considered a child's non-attendance to be primarily due to illness (including severe anxiety impacting physical and mental well-being) and consequently arranged or provided suitable alternative educational provision, without initiating Section 444 prosecution proceedings against the parents.

Please provide the requested information in a structured electronic format, preferably a Microsoft Excel spreadsheet