



Compulsory school attendance

Information for other government and non-government agencies
and organisations



Students who attend school are more likely to be successful at school and have better career and life choices than students who are often absent from school.

This brochure outlines some of the options available to education systems in resolving students' non-attendance issues and some of the ways in which other agencies, organisations and/or community groups may be able to assist.

Who is responsible for student attendance?

In New South Wales, 'compulsory school-age' means that all children from six years of age are legally required to be enrolled at and attending school or to be registered for home schooling. After they complete Year 10, and until they turn 17 years of age, students then have the following options. They may also be in:

- full-time further education and training (e.g. TAFE, traineeship, apprenticeship);

- full-time, paid employment of an average of 25 hours per week; or
- a combination of both of the above.

Parents or carers are responsible for making sure that their children comply with these legal requirements. Schools support parents by monitoring student attendance and helping to address attendance issues when they emerge. Where schools have unsuccessfully tried a range of strategies to help resolve a student's non-attendance, schools can request assistance from regional attendance officers of the Department of Education and Communities for additional support.

Some examples of important Legislative changes

The *Education Act 1990* provides additional options for dealing with the habitual non-attendance of students of compulsory school age. Prior to 2010, when all other strategies had failed to restore a student's attendance, the only legal option available was for matters to be referred to the local court, where the only option available to magistrates was to fine parents or carers. Now, other options such as these outlined below, provide additional support in helping to identify and resolve the barriers to a student's attendance. Often these issues are broader than what schools can manage alone, and this is when

other agencies, organisations and/or community groups may be asked to assist.

- Sharing information

Legislation allows for the exchange of information between government agencies and non-government organisations involved in the safety, welfare or wellbeing of children and young people. Provisions include working collaboratively, which is a focus of Keep Them Safe and is also set out in Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998*.

Additionally, the *Education Act 1990* part 5 (22)(A) allows for information to be provided to the Department of Education and Communities about children of compulsory school-age to assist in ascertaining the age, identity or whereabouts of a child who is not meeting their compulsory obligations. Providing such information in good faith does not give rise to any liability to civil, criminal or disciplinary action and is not a breach of professional etiquette or ethics or a departure from accepted standards of professional conduct. The identity of any person providing this information will not be disclosed.

- Compulsory attendance conferences

The Children's Court or the Director-General of the Department of Education and Communities can direct that a conference takes place, convened by a trained conference convenor, where a child of compulsory school age is not attending school. The aim of a conference is to reach an agreement under which the child will regularly attend school. Conferences involve parents, sometimes students and other people who are likely to be able to help resolve attendance issues, including representatives from other agencies and organisations. The conferencing process also presents an opportunity for other professionals or individuals to identify and provide support to a student and their family to help restore a child's school attendance.

Who can attend a compulsory conference?

The Wood Special Commission of Inquiry into Child Protection Services

in NSW (2008) showed that vulnerable children may need assistance from multiple sources. The support of other agencies and providers is vital in addressing student non-attendance issues. 'Authorised' conference convenors negotiate who will attend the conference by consulting with education officers to get a better understanding of the issues that may be contributing to the student's habitual school non-attendance and the types of supports that might help to resolve the issues. Examples of some issues might include drug and alcohol issues, access to transport, accommodation and respite care and support for other family members.

Education officers make arrangements for the conference to occur and contact any other person(s) the convenor identifies who may be able to assist. Such people might include government agencies and non-government service providers such as those in the charitable sector, and community representatives such as Aboriginal elders. This contact occurs after the student and their parents or carers have agreed to seeking such support to help resolve underlying issues.

What might be some of the outcomes of a conference?

Conferences should identify the issues preventing the child from regularly attending school and provide a plan of support for the child, parent and/or school to help reduce the impact these issues are having. This includes identifying and resolving any issues in dispute (whether between the child, the parents and the school, or with other relevant agents) and identifying any other services that may support compulsory schooling. The outcome could be that the school or parent has to provide breakfast, a school uniform or transport to school. The parent may also be directed to participate in, or seek support from programs and services run by other agencies or organisations. Examples might be parenting skills programs or the provision of a disability respite service.

If you would like more information about compulsory attendance conferencing, please contact the student services staff at the local Department office.

Further information regarding school attendance can be obtained from the following websites

Policy, information and brochures:

<http://www.schools.nsw.edu.au/gotoschool/a-z/attendance.php>

New School Leaving Age:

<http://www.schools.nsw.edu.au/leavingschool/index.php>

Keep Them Safe:

<http://www.keepthemsafe.nsw.gov.au/home>