**Managing student absences and enforcing enrolment and attendance at state schools**

# **Processes for enforcing parental obligation that a child of compulsory school age attends on every school day, for the educational program in which the child is enrolled**

***Please note:*** *Some aspects of this process (such as the generation of Form 4, Form 5, the GBN, and recording the outcome of the case) are to be completed in OneSchool under the “Enforcement of Attendance” tab within a student’s individual record. A User Guide is also available in OneSchool. Additional tips on completing the forms and GBN are also available for* [*schools and regions*](https://intranet.qed.qld.gov.au/EducationDelivery/Stateschooling/Pages/enforcement-of-attendance.aspx) *(available to DoE employees only).*

1. School identifies (e.g. through the [OneSchool performance dashboard](https://oslp.eq.edu.au/oshelp/_help/load.aspx?id=Attendance_Monitoring_DashBoard_Explanatory_Notes.pdf) (available to DoE employees only)) unexplained or unsatisfactory absences or patterns of absences for example:
   * when a student is absent for three or more consecutive school days;
   * where there is a persistent pattern of unexplained absences or absences without reasonable excuses;
   * where a student’s attendance is reasonably considered unsatisfactory by the principal.
2. Authorised officer at the school confirms that the child is obliged to attend and that no [circumstances](https://ppr.mpe.qed.qld.gov.au/attachment/circumstances-where-the-legal-obligations-of-parents-do-not-apply.docx) exist where the parent’s legal obligation does not apply.
3. Authorised officer at the school makes reasonable attempts to contact parent/s and determines if there is a reasonable excuse for not ensuring their child is attending school, using the [Director-General’s Guideline for authorised officers on how to determine whether parents have a reasonable excuse for the purposes of ss.176 and 239 of the Education (General Provisions) Act 2006 (Qld) – 01/2018](https://ppr.mpe.qed.qld.gov.au/attachment/dg-guideline-to-determine-reasonable-excuse-for-the-purposes-of-ss176-and-239.pdf)
4. If the parent/s have a reasonable excuse, the process for enforcing attendance does not proceed any further and the authorised officer at the school should:
   * record in OneSchool all contacts made with the parent/s and/or child including outcomes of investigations;
   * continue to assist the child to attend and access educational support; and
   * continue to record absences in accordance with the [Roll marking in state schools](https://ppr.mpe.qed.qld.gov.au/pp/roll-marking-in-state-schools-procedure) procedure.
5. If the parent/s do not have a reasonable excuse, school offers support to family to ensure child’s attendance improves. All efforts – including records of meetings and conversations (e.g. phone calls, home visits, contact with local police, referral to guidance officer, or other support worker) – must be documented in OneSchool. If notifications sent to parents (as part of the same day student absence notification process) are retained in an external electronic attendance management system, evidence of these notifications must also be captured in OneSchool’s Record of Contact.
6. Authorised officer at the school considers whether an [exemption from schooling](https://ppr.mpe.qed.qld.gov.au/pp/exemptions-from-compulsory-schooling-and-compulsory-participation-procedure), [flexible arrangement](https://ppr.mpe.qed.qld.gov.au/pp/flexible-arrangements-involving-an-alternative-education-provider-procedure) or [alteration to a student’s educational program](https://ppr.mpe.qed.qld.gov.au/attachment/alteration-to-a-students-education-program.docx) is appropriate and required.
7. If the child is still not attending regularly after two weeks (10 school days) of the first attempt to contact parent/s, an authorised officer at the school sends by regular and registered post, a **Notice (Form 4 – Failure to attend (s.178(2))** which is generated in OneSchool, to parent/s outlining parents’ legal obligation and inviting parent/s to attend a meeting to discuss the situation.

***NOTE:*** *Separate notices should be generated to each parent if they are residing at different addresses.*

1. Authorised officer at the school keeps a signed copy of the Notice (Form 4), records date, time and by whom letter was posted, and retains the registered post delivery confirmation receipt from Australia Post.
2. If after sending the Notice (Form 4):
   * a meeting occurred with the parent/s, but there is no change in circumstances within one week (5 school days) of this meeting; or
   * a meeting did not occur with the parent/s, and there is no change in circumstances within one week (5 school days) of sending the Notice;

an authorised officer at the school sends by regular and registered post a **Warning Notice (Form 5 – Failure to attend (s178(4))** which isgenerated in OneSchool, advising parents of their legal obligations and offering a meeting to discuss support available to address failure to attend.

***NOTE:*** *Where attendance initially increases after Form 4 has been sent but then decreases or becomes irregular and considered to be unsatisfactory, an authorised officer at the school can send Form 5. There is no requirement to resend Form 4 and commence the process again.*

1. Authorised officer at the school keeps a signed copy of the Warning Notice (Form 5), records date, time and by whom letter was posted, and retains the registered post delivery confirmation receipt from Australia Post.
2. If there is no change in attendance a week (5 school days) after the Warning Notice (Form 5) was sent, an authorised officer at the school may seek the regional director’s consent to prosecute.
3. Before seeking the regional director’s consent to prosecute, an authorised officer at the school:

* requests Performance, Monitoring and Reporting to conduct a search for information (approval for search to be given by an authorised officer in the region – principal advisor education services or principal advisor regional services or director regional services) regarding enrolment and attendance to ensure the child is not enrolled at another state school (including a school of distance education); and
* checks with Home Education Unit (by email) whether the child is registered or provisionally registered for home education and retains this confirmation.

1. An authorised officer in the region checks whether the child is enrolled in any [non-state school](https://ppr.mpe.qed.qld.gov.au/attachment/letter-template-for-regions-to-non-state-schools-checking-if-a-student-is-enrolled-compulsory-schooling.docx).
2. Consent to prosecute should only be sought:

* if the compulsory schooling requirement applies;
* after reasonable attempts have been made to contact and assist parent/s to ensure the child achieves regular attendance; and
* there is no [reasonable excuse](https://ppr.mpe.qed.qld.gov.au/attachment/dg-guideline-to-determine-reasonable-excuse-for-the-purposes-of-ss176-and-239.pdf) for the child not attending school.

1. To gain consent from the regional director to prosecute, an authorised officer from the region (in consultation with the authorised officer from the school):

* completes and saves in HPE **Template 6 – Failure to attend – General Briefing Note (GBN)**, which is generated by schools using OneSchool;
* scans completed Chief Executive’s Delegate’s Certificate template and its attachment, [Instrument of Authorisation](https://ppr.mpe.qed.qld.gov.au/delegation/education-general-provisions-act-2006-director-general-authorisations.pdf) marked “A”, and saves this as Attachment 1 to the GBN in HPE;
* scans completed and signed Principal’s Certificate template (last page of GBN) and its attachment (student’s attendance record) as one document, and saves this as Attachment 2 to the GBN in HPE. For the Principal’s Certificate, please ensure that:
  + - * the dates noted as “the period between Date and Date” exactly match the OneSchool absence report at Attachment A;
      * the attendance dates are the most recent available;
      * the attendance record is marked “A” and attached to the Certificate before the Certificate is signed by the principal (in signing the Certificate, the principal is certifying that the full details of the student’s attendance are set out in the document that is marked “A” and attached to the Certificate); and
  + attaches relevant sections (ss.179, 180, 242, 407, 410, cover page and Director-General signature page) of the [*Instrument of Delegation under the Education (General Provisions) Act 2006* (Qld)](https://ppr.mpe.qed.qld.gov.au/delegation/education-general-provisions-act-2006-director-general-delegations.pdf) to the GBN authorising the regional director to consent to bring proceedings as the Chief Executive’s delegate.

1. Authorised officer progresses brief (with any necessary amendments) to the regional director, noting the date progressed in OneSchool.
2. Regional director considers brief and makes a decision regarding consent to prosecute.
3. Authorised officer in the region records the regional director’s decision in OneSchool. OneSchool will send an automatic notification to the authorised officer at the school (principal) advising of the decision.
4. If regional director gives consent to prosecute, the region provides GBN and a copy of all forms and any relevant correspondence regarding the child’s attendance to the Officer-in-Charge of their local Queensland Police Service (QPS) Child Protection Investigation Unit. Regions can use [QPS referral letter template – failure to attend](https://ppr.mpe.qed.qld.gov.au/attachment/qps-referral-letter-failure-to-attend.docx). QPS will use this information to consider whether or not to commence the prosecution in accordance with QPS policy.
5. Region liaises with local QPS to determine if any further assistance is required by the QPS (e.g. contact details for witnesses, staff attendance at court). Information requested by QPS can be provided directly – it is not necessary to follow processes in the [Disclosing personal information to law enforcement agencies](https://ppr.mpe.qed.qld.gov.au/pp/disclosing-personal-information-to-law-enforcement-agencies-procedure) procedure. Details of any information provided to the QPS should be recorded in OneSchool (i.e. *Notes* section in the *Record of QPS response* screen). If QPS requires an original certified copy of the *Instrument of Delegation under the Education (General Provisions) Act 2006* (Qld), the region should email central office at [Enquiries.SchoolOperations@qed.qld.gov.au](mailto:Enquiries.SchoolOperations@qed.qld.gov.au) to obtain this.
6. Region maintains contact with the QPS to obtain the outcome of the prosecution. Region enters outcome in OneSchool (including whether one or both parents were charged). OneSchool will send an automatic notification to the authorised officer at the school (principal) advising of the outcome.