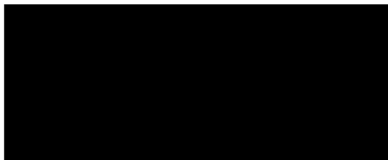




15 JUN 2017



Dear 

Thank you for your letter of 7 April 2017, to the Ministry of Education requesting the following information:

1. *How many long-term truant or non-enrolled students were recorded, broken down by year since 2011 broken down by region?*
2. *How many non-enrolled students were recorded, broken down by year since 2011 broken down by region?*
3. *How many children are absent on any given day?*
4. *Over the same period [2011-present], broken down by year, how many prosecutions of parents were pursued for failing to ensure a child attends school? How many were successful? What were the associated costs?*

Your request has been considered under the Official Information Act 1982 (the Act).

Attending school is critically important for students' achievement and success. Parents are legally obliged under the Education Act 1989 to enrol their children in school from the age of six to 16, and to ensure their children attend school every day the school is open. School boards of trustees are legally required to take all reasonable steps to ensure enrolled children attend school every day, unless there is a justifiable reason for their absence such as an illness or family bereavement. All schools should have policies, processes and personnel in place to monitor attendance, follow up on absences and take action quickly if a student has patterns of poor attendance. Schools take action to try and get these students to attend school regularly again. Schools manage the vast majority of occasional, unexplained absences well, without the involvement of an attendance service.

Attendance Services are contracted to support schools with attendance in the cases of chronic truancy. If a student has been persistently unjustifiably absent and contact with their family/whānau has not improved their attendance, the school can refer the student to their local Attendance Service for additional support. Local attendance providers locate students and work with families to determine the best form of support to get students back into formal education. Cases are resolved when agreement is reached between the school and family that a student will begin attending regularly.

Attendance advisors work with students and their families to address the root causes of non-attendance, which are often complex. Advisors look at the factors contributing to a student's unjustifiable absence or non-enrolment, and identify what school, family/whānau, iwi, community and government support is required to improve attendance or transition the student to another legal learning environment. Each advisor tailors their approach based on local knowledge of what works in their community.

The attendance service does a good job at engaging with families to get children who have been persistently absent back to school, often in difficult family circumstances, made more challenging by mental health issues, addiction or other factors.

Schools are supported by the attendance service and a number of other agencies, such as social and health services and Police. Attendance advisors include former teachers, social workers, and police officers with significant experience working with families under stress. Many of the students being referred to the service have already had interventions from other community and government services.

I have considered your request and my answers are as follows:

Question 1

**How many long-term truant or non-enrolled students were recorded, broken down by year since 2011 broken down by region? and**

Question 2

**How many non-enrolled students were recorded, broken down by year since 2011 broken down by region?**

Attendance services follow up two main types of cases. Non-enrolment Notification (NEN) are lodged when a student has left school and not enrolled at another school within 20 school days. An Unjustified Absence (UA) notification is designed to follow up on absences that are either unexplained, or for a reason given is not in line with school policies.

I have attached a table with a breakdown of non-enrolled students in 2014, 2015 and 2016 to this letter as **Appendix One**. Data for 2011, 2012 and 2013 is not available, due to the transition from the previous District Truancy Service and Non-Enrolled Truancy Service to the new integrated service.

It's important to note that the national number shows the number of students reported to the Ministry each year, not the number of notifications. Although a student can be counted in more than one regional group, they are only counted once within the national figures.

To determine how many long-term truants were recorded over the period requested, we would need to carry out a manual review of individual records. This is because of the transition from the old District Truancy Service, to the Non-Enrolled Truancy Service in 2012 and 2013. We would need to review the information to ensure consistency between the different databases and years. However, as the data in scope of your fourth question notes, the number of instances of non-attendance or non-enrolment persistent enough to justify prosecution is any given year is extremely low.

For this reason, this part of your request is refused under section 18(f) of the Act, as the information cannot be made available without substantial collation or research. In accordance with the Act, we have considered whether to affix a charge or respond, inviting you to refine your request. Given the scale of the request we do not consider that this would be sufficient to allow your request to be granted.



### Question 3

#### **How many children are absent on any given day?**

We conduct an annual voluntary attendance survey of state and state-integrated schools based on data collected in Term 2 and used to provide a week-long, national snapshot of attendance. This survey data is publicly available on our Education Counts website at the following link:

[www.educationcounts.govt.nz/publications/series/2503](http://www.educationcounts.govt.nz/publications/series/2503).

For this reason, I am refusing this part of your request under section 18(d) of the Act, as the information requested is publicly available.

### Question 4

#### **Over the same period [2011-present], broken down by year, how many prosecutions of parents were pursued for failing to ensure a child attends school? How many were successful? What were the associated costs?**

Prosecution, or the possibility of it, is one way of emphasising to parents their legal responsibility regarding their child's attendance. It can help to gain the support of parents in returning a student to regular attendance. Prosecuting parents is a last resort. Only when the non-attendance is ongoing and persistent and when all previous interventions to support a return to school have been unsuccessful would prosecution be considered.

Boards of Trustees are not required to inform us when they have carried out a prosecution. They may report this to us in order to receive reimbursement for the legal costs associated with undertaking a prosecution.

Two types of prosecutions are possible, *non-attendance* prosecutions and *non-enrolment* prosecutions:

- a) *Non-attendance prosecutions* are considered when students have been absent for a consecutive number of days and all other options for re-engagement have failed. These are usually led by schools with the Ministry in a supporting role. We can lead this type of prosecution, but schools are in a better position to provide evidence as they will have attendance records and information about any past interventions.

Our role in non-attendance prosecutions is to provide schools with guidance on how to carry out prosecutions and, in some instances, provide reimbursement for legal costs incurred by the school.

- b) *Non enrolment prosecutions* are considered when students have failed to enrol in schools. If students are not enrolled we take responsibility to ensure students become enrolled in school.

Our role in non-enrolment prosecutions is to lead the prosecution against parents that have failed to enrol a child in school.

As a school Board is not obligated to advise us it has carried out a prosecution this part of your request is refused under section 18(g) of the Act, as the information requested is not held by us. Boards are also not required to advise the Ministry if prosecution is successful.

The below table illustrates cases where schools have requested reimbursement from the Ministry. This may not represent all cases where schools have taken prosecution against parents for non-attendance as school Boards are not required to provide information

regarding prosecutions except for an application of reimbursement. Individual schools are likely to hold more complete data.

**Number of requests for reimbursement for non-attendance and non-enrolment prosecutions as at 21 April 2017**

	2011	2012	2013	2014	2015	2016	2017 (to date)
Non-Attendance Prosecutions	15	4	5	7	4	2	0
Non-Enrolment Prosecutions	8	3	0	0	1	0	0

Of the non-enrolment prosecutions which are led by the Ministry, nine out of the twelve listed above were successful. We have interpreted successful as the number of parents who were prosecuted and fined.

A prosecution can cost between \$500 - \$2000, depending on the prosecutor's fee and the complexity of the case. Schools can apply to be reimbursed for the actual and reasonable costs of the prosecution up to an initial limit of \$2000. Funding can cover the preparation of court documents and presenting evidence in court on behalf of the Board. Table 2 lists the yearly cost of non-enrolment and non-attendance prosecutions since 2011.

Part of the reason for the decline of prosecutions may be due to the support services available to schools such as the Attendance Service and other forums such as Family Group Conferences. The focus is on designing a pathway for disengaged students to re-engage or enrol back into education, which is the most important outcome.

**Total Ministry spend on prosecutions (both non-attendance and non-enrolment) broken down by calendar year, 2011-present**

Year	Total Costs
2011	\$37,302.96
2012	\$17,800.49
2013	\$4,728.92
2014	\$8,047.24
2015	\$5,176.13
2016	\$808.25

Attending school every day is really important if students are to achieve and succeed. There is a clear link between non-attendance and non-achievement. Sometimes not wanting to attend school is a sign that a student has an underlying problem at school. We recommend parents speak with the school as soon as possible and explore options to support their child back to regular attendance. If the school has spoken with the parent, and their child does not return to regular attendance, the school may make a referral to the Attendance Service. The Attendance Service would then work with the parent to come up with a plan to get the child back to school. They will try to get to the bottom of why the child does not want to attend and then work out the best way to deal with this.

Thank you again for your email. If you have further questions please feel free to contact our media team in the first instance at [media.team@education.govt.nz](mailto:media.team@education.govt.nz).

Under section 28(3) of the Act, you can ask an Ombudsman to review this response. You can do this by writing to [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Katrina', with a long, sweeping horizontal stroke extending to the right.

Katrina Casey  
**Deputy Secretary**  
**Sector Enablement and Support**



## Appendix One

Number of non-enrolled students between 2014 and 2016 by Ministry of Education Region

MoE Region	2014	2015	2016
Auckland	2,772	2,689	2,885
Bay of Plenty/Rotorua/Taupo	681	719	753
Canterbury	573	542	646
Hawkes Bay/Gisborne	582	431	524
Nelson/Marlborough/West Coast	140	124	140
Otago/Southland	192	239	172
Tai Tokerau	637	615	596
Taranaki/Whanganui/Manawatu	470	445	431
Waikato	767	701	793
Wellington	506	510	483
Correspondence School	88	140	124
Not Applicable*	168	154	194

National number of Non-Enrolled Students	7382	7140	7514
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***This report contains the number of non-enrolled students reported to the Ministry of Education each year, not the number of notifications. A student may have more than one non-enrolment notification within a year.***

***The data is broken down by the region of the school the student was last enrolled in. For the regional information a student can be counted in more than one regional group. However they are only counted once within the national figures.***

### Notes on table

1. Data extracted 5<sup>th</sup> of May 2017.

2. Data for 2011, 2012 and 2013 has not been included due to the change in service that occurred between 2012 and 2013.

3. Not Applicable\* includes:

- Residences/residential programmes instigated by the Department of Child, Youth and Family Services i.e. Epuni Education Programme
- Tertiary providers (includes students who have been granted an Early Leaving Exemption and the tertiary provider has filed a non-enrolment referral)

4. These numbers are for students aged 6 to 16 only, as attendance at school is not compulsory before age 6, or after a student turns 16. If a non-enrolment notification is created for a 5 year old, this will only be referred to an attendance service when the child turns 6.