

Pupil Attendance Policy



Dial Park's aim is to provide quality inclusive education for all pupils and access to the full range of National Curriculum subjects in a safe, caring environment where all achievements are valued and celebrated.

Dial Park School is committed to Safeguarding, promoting the welfare of all its pupils and to protecting them from the risks of harm. The Governors expect all staff, students and volunteers to share this commitment by demonstrating their understanding of how each individual adult working on behalf of the school has an active part to play in protecting children from harm and promoting their welfare.

As part of Dial Park School commitment to safeguarding and child protection we fully support the government's Prevent Strategy.

We aim to fulfill the Prevent Duty by protecting our pupils from harm and to ensure they are taught in a way that is consistent with the law and British Values. We aim to: raise awareness, enable learners to make a positive contribution and safeguard the wellbeing of our children.

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ATTENDANCE POLICY FOR Dial Park Primary School.

May 2023

This policy has been written by the Education Welfare Service for use by Stockport schools.

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1. Introduction

At Dial Park School, we believe that all children and young people have a right to an education as enshrined in the UN Convention on the Rights of the Child and in UK Law. The opportunities provided by education are fundamental to enabling all children and young people to reach their potential and lead happy and rewarding lives.

Evidence shows that there are clear links between good attendance and high achievement in school. Pupils who attend school regularly are more likely to feel settled in school, maintain friendships, make progress and gain the greatest benefit from their education. We will work with families to ensure pupils engage in education and maximise their full potential.

This policy outlines our approach to attendance and summarises the legal duties and expectations of the whole school community. It reflects the key principles of the Department for Education's attendance guidance for maintained schools, academies, independent schools, and local authorities: [Working together to improve school attendance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/612222/Working_together_to_improve_school_attendance.pdf) and locally agreed processes.

2. Our vision for attendance

At Dial Park School, we recognise that good school attendance can only be achieved if it is viewed as a shared responsibility of all school staff, the governing body, parents, pupils, the local authority and the wider school community.

2.1. School

As a school, we will:

- Make improving attendance integral to our wider school improvement efforts, recognising how it connects with the quality of the school's curriculum, behaviour, safeguarding, and our approach to inclusion, well-being and support for disadvantaged pupils.
- Promote the importance of good attendance and set high expectations for every pupil's attendance and punctuality at school.
- Communicate these expectations clearly, strongly and consistently to parents and to pupils.
- Record attendance accurately and follow up absences with parents.
- Listen carefully to parents about the reasons why children are not attending regularly to identify and understand the barriers to attendance.
- Make sure staff have a good understanding of attendance-related matters and that the right people are in place to work with parents where attendance is a concern.
- Offer support and make reasonable adjustments where needed to overcome barriers to attendance.
- Work closely with support services and agencies where pupils and families need additional support.
- Analyse attendance information to identify patterns and trends, and use this analysis to target our actions for individual pupils, groups of pupils and at a whole-school level.
- Regularly review our attendance-related messaging, processes and strategies with a view to continued whole-school improvement.

The designated senior leader with overall responsibility for championing and improving attendance at Dial Park School is James Clark and Victoria Beecham.

2.2. Governing Body

To support our vision for attendance, the governing body will:

- Ensure regular ongoing support, guidance, and challenge in relation to attendance, recognising the importance of good attendance and promoting it across the school's ethos and policies.
- Ensure that there is a named senior leader responsible for the strategic approach to attendance in school.
- Ensure that the school's leadership team fulfil their expectations and the relevant statutory duties as set out in attendance related legislation and guidance.
- Regularly review attendance data, discuss and challenge trends, and help the school leadership team focus improvement efforts on the individual pupils or groups of pupils who need it most.
- Ensure school staff receive adequate training on attendance including the reporting of concerns on CPOMS.

2.3. Parents

Parents are expected to support the school to improve and maintain high standards of attendance by:

- Ensuring their child attends regularly as required by law (see Section 7 – school attendance and the law).
- Ensuring the school has up to date contact information including home address, telephone numbers, email addresses and emergency contacts. This would include providing new address and school details in the event of a move away from the area.
- Supporting the school's absence procedures:
 - Telephoning school every day that their child is unable to attend school due to illness (except where a doctor's report has already been provided indicating an expected return date).
 - Providing medical or other evidence in relation to absence if required by the school.
 - Arranging medical or dental appointments to take place outside school hours wherever possible.
 - Not taking family holidays in term time or any leave of absence for any reason without prior agreement.
 - Requesting leave of absence only in exceptional circumstances and in advance.
 - See section 3 for information on the school's day-to-day absence procedures.
- Raising any issues or concerns affecting attendance with school staff at the earliest opportunity.
- Attending meetings with school staff to discuss concerns if requested by the school.
- Working in partnership with school and other agencies to address any attendance problems.
- Encouraging good routines at home to ensure children are prepared for school each day.

3. Absence procedures

3.1. Parents

If a pupil is absent from school, **parents are expected to:**

- Contact school on the first day their child is absent, giving the reason for absence, and on every further day of absence (except where a doctor's report has already been provided indicating an expected return date).
- Parents/carers will ring the school office by 8am if their child is due to be absent. They may contact staff in addition by using dojo but they **MUST** ring the absence through.
- Ensure that their child returns to school as soon as possible.
- Provide any medical evidence, if requested, to support the absence.
- Proactively contact school for support where they are concerned about their child's attendance by speaking to their link FLC.

3.2. School

The school will:

- Contact parents telephone on the first day of absence and further days of absence (if we haven't already been notified of the absence)
 - If we are unable to make contact this way, we will attempt to reach parents by email, letter, use of emergency contacts and home visits where necessary.
- Report any child with 10 consecutive days of unauthorised absence to the local authority.
- Make a safeguarding referral to the local authority where there are concerns about the welfare of a child who is not attending school.

3.3. Late arrival to school

- Pupils are expected to be in school by 8.55am
- Registers are taken at 9.05am. Pupils will receive a late mark 'L' in the register if they are not in school by that time.
- Children arriving after 9.05am are required to enter the school by the main entrance to sign in. A member of staff will then walk them over to the main school building.
- The registers will be closed at 9.15am. In accordance with the Pupil Registration Regulations, any pupils arriving after that time will be marked as 'U - late after the registers have closed' in the register for that session. This is classed as an unauthorised absence.

Parents will be contacted in cases where pupils are regularly late to discuss the reasons for lateness and offer support where appropriate.

Parents should note that unauthorised absences due to lateness could lead to the school making a referral to the local authority for sanctions and/or legal proceedings where attempts to improve punctuality have been unsuccessful.

4. Recording of absences

All absences must be recorded in the school register and categorised as either authorised or unauthorised.

4.1. Authorised absence from school

Authorised absence is an absence agreed by the school. Examples of authorised absence:

a) Illness

- Parents are asked to contact school each day their child is unable to attend school due to illness, except where information from a health professional has been provided indicating an expected return date (see section 3 – absence procedures)
- Where a child or young person has frequent absence due to illness, parents may be asked to attend a meeting in school to agree a medical action plan.
- Parents may also be asked for medical evidence, particularly where absences due to illness are frequent or result in the pupil having long periods of time off school.
- Where pupils are likely to miss more than 15 days of school due to illness, they may be entitled to educational provision from their home local authority. In most cases, the school would make a referral where appropriate. We will work in partnership with parents and health professionals to identify and refer pupils entitled to this provision in line with the relevant local authority's policy for children who cannot attend school due to health reasons.

b) Medical/Dental appointments

- Parents are requested wherever possible to make routine medical or dental appointments outside of the school day. However, we understand that hospital appointments and specialist clinic appointments often occur during the school day. Pupils should only be out of school for the minimum amount of time necessary for the appointment.
- Parents must email/call in advance with appointments and show evidence of appointments.

c) Other leave of absence may only be granted in exceptional circumstances

- Parents must put their request in writing in advance to the head teacher. Term time holidays are unlikely to be agreed.
- If the absence is not authorised by the head teacher and the child does not attend school, we may request that Stockport Council issues an Education Penalty Notice (see Section 8 - legal sanctions).

d) Other examples of authorised circumstances include:

- Part-time timetables may be agreed only in exceptional cases, for example where medical issues prevent a pupil from attending full time or as part of a re-integration package. Any part-time timetable agreed should only be used as a temporary arrangement, with full consent of parents and be regularly reviewed with a view to increasing attendance to full-time as quickly as possible.
- Where a pupil is absent from school because of a suspension or permanent exclusion.
- Absence to take part in any day set aside exclusively for religious observance by the religious body to which the parents belong, including religious festivals.
- When traveller families are known to be travelling for occupational purposes and have agreed this with school, but it is not known whether the pupil is attending another school. (In order to fulfil legal requirements, in such cases, pupils must attend school for at least 200 sessions in every 12 months).

4.2. Unauthorised Absence from School

Unauthorised absences are absences from school for which the school has not given permission, including arriving late at school after the registers have closed. Absence will not be authorised unless parents have provided a satisfactory explanation that has been accepted by the school.

5. Children Missing Education (CME)

Children missing education (CME) are children of compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at school. Children missing education are at significant risk of underachieving, being victims of harm, exploitation or radicalisation, and becoming NEET (not in education, employment or training) later in life.

Local authorities have a legal duty to make arrangements to establish the identities of children in their area who are not registered pupils at a school and are not receiving suitable education otherwise.

Effective information sharing between parents, schools and local authorities is critical to ensuring that all children of compulsory school age are safe and receiving suitable education.

Local authorities are required to have a named person to whom schools and other agencies can make referrals about children. In Stockport, the named CME Officer is:

Lorraine Goulson, Education Welfare Officer – lorraine.goulson@stockport.gov.uk Tel: 07800 617978

If a school becomes aware of any pupil that may not currently be on a school roll, for example if a parent approaches a school directly regarding admission and has not applied for a school place through the local authority, please notify the CME Officer (details above) or email education.welfare@stockport.gov.uk

5.1 Placing pupils on roll

Schools must enter pupils on the admission register at the beginning of the first day on which the school has agreed, or been notified, that the pupil will attend the school. If a pupil fails to attend on the agreed or notified date, the absence should be marked as unauthorised in the register and school should undertake reasonable enquiries to establish the child's whereabouts. If the child is still not in attendance at day 10, the school should report the child as missing from school ([see 5.4 Missing from School](#)). The Education Welfare Service will triage the case and follow up to support school in locating the pupil and either securing a start date or progressing removal from roll.

Schools must also notify the local authority within five days of adding a pupil's name to the admission register at a non-standard transition point. The notification must include all the details contained in the admission register for the new pupil. This duty does not apply when a pupil's name is entered in the admission register at a standard transition point, i.e. at the start of the first year of education normally provided by that school – unless the local authority requests it.

In Stockport, the Council's Admissions Support and Advice Team oversee the admission arrangements for all maintained schools including those that are their own admission authorities, satisfying the requirement for schools to notify the local authority within five days when a pupil's name is added to the admission register at a non-standard transition point. However if a school has reason to believe that the local authority is not aware of an admission, it should be reported to the Education Welfare Service.

5.2 Removing pupils from roll

All removals from roll should be carried out in line with The Education (Pupil Registration) (England) Regulations 2006. The legislation, which outlines the grounds on which a pupil compulsory school age can be deleted from the admission register can be found here:

[Regulation 8 - deletions from admission register](#)

Schools must notify the local authority when a pupil's name is to be removed from the admission register at a non-standard transition point under any of the fifteen grounds set out in the above regulations, as soon as the ground for removal is met and no later than the time at which the pupil's name is removed from the register.

This duty does not apply at standard transition points, i.e. where the pupil has completed the school's final year, unless this is specifically requested by the local authority.

Schools must provide the local authority with the following information when notifying the local authority that a pupil's name is to be removed from the admission register:

- a) the full name of the pupil,
- b) the full name and address of any parent the pupil lives with,
- c) at least one telephone number of the parent the pupil lives with,
- d) the full name and address of the parent who the pupil is going to live with, and the date the pupil is expected to start living there, if applicable,
- e) the name of the pupil's destination school and expected start date there, if applicable,
- f) the ground in regulation 8 under which the pupil's name is to be removed from the admission register.

To assist with this duty, schools should use the [Removal from Roll or Request for a Children Missing Education Joint Enquiry Form](#) to notify the Education Welfare Service of pupils leaving the school (with the exception of those leaving at a standard transition point).

The form can be used to remove pupils from roll in cases where you know the forward destination of the child. It can also be used to request support from the local authority to identify an onward destination so that pupils can be removed in a timely manner. This is referred to as a 'joint enquiry'. Joint enquiries help to prevent children becoming missing in education and avoid unnecessary absence on school registers.

As soon as you become aware that a child is leaving the school and will not be returning, or you feel that there are legal grounds for removal from roll, you can complete the form. For pupils where a destination is still to be identified, the Education Welfare Service will work in partnership with you to find a destination and progress prompt removal from roll.

5.3 Other points relating to removal from roll

- Schools should confirm with the new school that the pupil is on roll and attending.
- Prior to removal on the grounds of distance, schools should make every effort to establish the new destination and consult with the Education Welfare Service to confirm and verify any evidence and information in relation to the young person so that CME processes can be followed.
- When notifying the local authority of a removal from roll on the grounds of elective home education, schools should forward the written notification from parents indicating that they will be educating their child at home by email to eas@stockport.gov.uk
- Schools should not remove a pupil from roll following a permanent exclusion until 15 school days have passed since the parents received notification of the governing board's decision to not reinstate the pupil and no application has been made for an independent review panel, or the parents have stated in writing that they will not be applying for an independent review panel. Headteachers will be notified of the date which they can remove the pupil from roll by email by the Education Access team.
- Schools should contact the Education Welfare Service if considering removing a pupil on the grounds of
 - failure to return from extended holiday more than 10 days after agreed return date or
 - 20 days continuous unauthorised absence and whereabouts not known.

5.4 Missing from school

Schools should report a child as missing from school when they have had 10 consecutive days of unauthorised absence using this on-line form [Missing from school report form](#)

The report form will be triaged by an Education Welfare Officer and contact made with parents to establish why the pupil has not been attending school. Home visits and welfare checks will be carried out where contact cannot be made with parents. The outcome of the missing from school referral will be communicated to the school.

It is suggested that schools take the following steps when attempting to follow up consecutive unexplained and unauthorised absences before reporting a child as missing from school:

1. Attempt to make contact with parents, trying at different times of the day and using all available contact details where necessary. If no response is received, consider using emergency contact information and request that they ask the parent to contact school.
2. If there is an allocated social worker, School Age Plus worker, or other lead professional involved, contact them and ask that they communicate with parents and update the school. **Please note that it is still necessary to report a child missing from school, even when the absences have been discussed with a lead professional.**
3. If the school have specific concerns suggesting a child may be at risk of harm or abuse, they should contact the Multi-Agency Safeguarding and Support Hub (MASSH) immediately - **(0161) 217-6028 or 6024, out of hours (0161) 718-2118.**

4. If there are immediate safety or welfare concerns, contact the Police via 999. Non-urgent concerns which you feel warrant Police involvement should be raised via 101. Further guidance on when to call the Police can be found here: [NPCC -When to call the police-guidance for schools and colleges.pdf](#)

5.5 Relevant contacts

Children Missing Education (CME) Officer – 07800 617978, lorraine.goulson@stockport.gov.uk

Schools can also contact their Education Welfare Officer or the Senior Education Welfare Officer for the Attendance team, Sonia.clare@stockport.gov.uk

Or email education.welfare@stockport.gov.uk

5.6 Other relevant information

Schools should also familiarise themselves with the DfE statutory guidance on Children Missing Education (CME), which sets out schools and local authority's duties in this area: [DfE Guidance on Children Missing Education](#)

6. Understanding barriers to attendance

At Dial Park School, we recognise that poor attendance is often a sign of wider difficulties in a child's life whether at home or at school. Parents should make school aware of any difficulties or changes in circumstances that may affect their child's attendance or behaviour at school. This may include bereavement, divorce/separation, or other family difficulties; friendship issues; concerns relating to special educational needs and disabilities (SEND), medical needs or mental health/anxiety. This will help the school identify any additional support that may be required.

Additionally, we recognise that some pupils face greater barriers to attendance than their peers and are more likely to require additional support to attain good attendance, for example, pupils with special educational needs and disabilities (SEND), those with physical or mental health needs, young carers and children with Social Workers. We still maintain high expectations of attendance, but we will be mindful of the way in which additional barriers may affect attendance. Reasonable adjustments will be made and additional support from other services sought where appropriate.

Pupils with special educational needs and disabilities (SEND) – the special educational needs and disabilities coordinator (SENDCO) will ensure that reasonable adjustments are made where appropriate to support good attendance and that attendance issues are addressed in all assessment and review processes.

Pupils with a Social Worker – we will notify the Social Worker of any unauthorised absences and concerns about attendance/punctuality, and will support them in addressing attendance issues as part of the child or family plan.

Looked After pupils – the designated teacher will ensure that attendance issues are addressed in Personal Education Plans (PEPs) and in regular looked after review meetings. The Social Worker will be notified of any unauthorised absences and we will contact the relevant Virtual School Headteacher for more support where necessary.

7. Staged Attendance Process

Dial Park School uses a range of methods to identify pupils whose attendance is causing concern including:

- Regular analysis of attendance data by attendance staff, the leadership team and governing body including vulnerable pupils and pupils with SEND.
- Regular attendance monitoring meetings between the school's Inclusion officer and relevant teachers/SENDCO.
- Termly meetings with the local authority's Education Welfare Service to discuss cases where persistent absence is a concern.

We use Stockport Council's Staged Attendance Process as a framework for our work with individual pupils with low attendance. We recognise that, in most cases, improvement in attendance can be brought about by good communication and strong partnership working between parents, pupils and the school, identifying and addressing the barriers to attendance.

Offering early help and involving early help services is also an integral part of the staged process in cases where more support is needed to help improve attendance.

a. Summary of the Staged Attendance Process

Stage 1 – Attendance cause for concern

- Where attendance has been identified as a concern, we will contact parents to ask about the reasons for absence, try to identify any barriers to attendance and to discuss/offer support where appropriate. Contact may be made by telephone, email, text message or through face-to-face conversations, meetings in school or home visits.
- School staff will also share information to try to identify any concerns or issues that may be affecting attendance, for example any special educational needs or disabilities, medical needs or issues with peers.
- We will attempt to resolve any issues that arise from these conversations and offer support/advice.
- Where medical issues are advised as the reason for absence, we may consider the use of a medical action plan to bring together health information and consider support to increase attendance.
- Where mental health/anxiety about school are identified as the reason for absence, we will offer support, which may include:
 - arranging for a key adult to provide a point of support in school,
 - signposting to skilled colleagues in school, online sources of support, the school counselling service, the school nursing service, GP, CAMHS or other mental health services if appropriate.
 - The use of the local authority's Anxiety Based School Avoidance guidance documents.

- Where there are early indications that a family's support needs may go beyond what the school can offer, we will offer early help through completion of an Early Help Assessment (EHA), a referral to the Team Around the School (TAS) or to specific services that may be able to offer support.
- If there is already an Early Help Assessment or other family assessment in place, we will work with the lead professional to ensure that attendance issues are addressed through the child or family's plan and will carry out any school-related actions.

Stage 2 – School Attendance Meeting

- Where attendance has not improved despite the support offered at Stage 1, or where there are concerns about the level of engagement from parents, we will proceed to Stage 2.
- Parents will be sent a letter outlining concerns about attendance and advising that any further absences will not be authorised unless adequate medical evidence is provided. Parents will also be invited to a School Attendance Meeting.
- Discussion at the meeting will focus on the barriers to attendance and a clear, personalised plan with actions and targets to increase attendance at school will be agreed. A review period will also be agreed.
- Early help support will be offered if previously refused by the parent.
- A medical action plan may also be considered if parents advise that the absences are related to medical reasons.
- If the pupil is already in the Team Around the Child (TAC), Team Around the Family (TAF) or Child Protection Process, we will work with the lead professional to ensure that actions to improve attendance are included in the child or family's plan and reviewed through regular multi-agency meetings.
- We will continue to monitor attendance and contact parents to discuss any absences and the progress of the agreed action plan.
- If a pupil has a Social Worker, we will advise them of any unexplained absences.

Stage 3 – Attendance enforcement referral

- If attendance hasn't improved despite the support offered at Stage 1 and Stage 2, or where there has been insufficient engagement from parents, we will consider making a school attendance enforcement referral to the local authority's Education Welfare Service. If the referral is accepted, it may lead to:
 - A formal warning being issued, leading to an Education Penalty Notice (fine) if there are further unauthorised absences within a specified period (see Section 8 - legal sanctions), or
 - An assessment leading to a formal Parent Contract process led by an Education Welfare Officer from the local authority's Education Welfare Service. This will involve a series of meetings and an agreed action plan relating to attendance concerns. The Parent Contract will be kept under review. If attendance does not

improve and/or there is insufficient engagement from parents, the local authority will consider whether to proceed to prosecution (see Section 8 - legal sanctions).

- Emphasis is placed on trying to understand barriers to attendance and put appropriate support in place, with Stage 3 processes only being used where voluntary support has not been effective and/or has not been engaged with.

8. School attendance and the law

a. Parents

The law entitles every child of compulsory school age to an efficient, full-time education suitable to their age, aptitude, and any special educational needs they may have.

Parents have a legal responsibility to make sure their child receives that education either by attendance at a school or by education otherwise than at a school.

For children receiving full time education at a school, parents have an additional legal duty to ensure their child attends that school regularly. Regular attendance means their child must attend every day that they are expected to attend, except in a small number of allowable circumstances.

If a child of compulsory school age fails to attend regularly at the school at which they have been registered the parents may be guilty of an offence and can be prosecuted by the local authority (see Section 8 - legal sanctions).

b. Schools

Schools are required by law to:

- Carry out all their functions with a view to safeguarding and promoting the welfare of all pupils at the school.
- Maintain and preserve accurate attendance registers as required by regulations (Education (Pupil Registration) (England) Regulations 2006) .
- Comply with legal requirements regarding adding or removing pupils' names to or from the admissions register, ensuring that:
 - Pupils' names are added to the school roll on the expected date of attendance.
 - Pupils' names are removed from roll only when one of the legal grounds in the Education (Pupil Registration) England Regulations 2006 is satisfied.
 - All removals from roll are reported to the local authority.
 - Information is shared and enquiries made jointly with the local authority to locate missing pupils.
- Report pupils who fail to attend regularly and pupils who are continuously absent for 10 days or more without reasonable explanation to the local authority.

9. Legal Sanctions

Regular school attendance is a legal duty on parents and carers. If a parent fails to ensure their child attends school regularly, they are guilty of an offence under section 444(1) or (1A) of the Education Act 1996.

A parent who commits this offence may be liable to prosecution in the Magistrates' Court and, depending on which offence they are convicted of, may be liable to a fine of up to £2500 or a term of imprisonment of up to three months.

Although school will offer support in addressing attendance issues, it will also refer pupils whose attendance fails to improve, or who take leave of absence from school without agreement, to the Education Welfare Service within Stockport Council. This can take several routes:

a. Education Penalty Notice

Education Penalty Notices are fixed penalty notices issued by Stockport Council of £60 per parent per child. These are payable within 21 days and rise to £120 if paid between 22-28 days. If unpaid after

28 days, the parent will be prosecuted for the offence of failing to ensure regular school attendance. Penalty Notices are issued in accordance with Stockport Council's Code of Conduct. There are two types of attendance-related Education Penalty Notice:

- **Education Penalty Notices for Irregular Attendance**

Before being issued with an Education Penalty Notice, parents will receive a written warning. This gives them an opportunity to avoid a fine by ensuring that no unauthorised absences – including late after the close registration marks – are recorded against their child during the next 15 school days. The minimum criteria for sending such a warning is 10 sessions of unauthorised absence in a three-month period.

- **Education Penalty Notices for unauthorised leave of absence**

Education Penalty Notices may also be issued where a pupil is taken out of school for five days or more without the school's consent – such as for a term time holiday. In these cases, the fine is sent by the Council without an initial warning being issued.

b. Parent Contract

A Parent Contract is an agreement which usually involves the school, parents, members of Stockport Council's Education Welfare Service and, in some cases, the pupil. The agreement sets out the actions required by all parties to overcome the barriers to improved attendance. Compliance with the contract and the progress of improving attendance are reviewed regularly at Parent Contract Review Meetings. If a parent fails to participate and/or fails to ensure that attendance improves, they may be prosecuted in the Magistrates' Court.

c. Education Supervision Order

An Education Supervision Order (ESO) is an order granted in the Family Proceedings Court requiring a parent and child to follow directions made in the Order and work alongside a Supervising Officer to improve the child's school attendance. The Supervising Officer will be put in place by Stockport Council and may be a Social Worker, Education Welfare Officer or other early help professional. Where parents persistently fail to comply with the directions given under an ESO, they may be prosecuted in the Magistrates' Court. ESOs usually last for a year, but can be extended to up to three years.