

ISS News – Legal Intervention Edition

Issue 2

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Inclusion Support Service -School Attendance Support Team



Submitting Effective Legal Intervention Team Referrals

A strong referral should clearly demonstrate that legal intervention is necessary and that all other strategies have been exhausted. Include the parent/carer's full legal names and addresses and confirm they have been informed of the school's intention to refer. Give an indication as to engagement from the parents with school around attendance. Ensure coding requirements are met - at least 10 unauthorised absences out of 100 sessions. Provide evidence of complex attendance issues and detail support offered to date. Provide information as to the quality of the strategies attempted. Rejections often occur when strategies were unsuitable, poorly communicated, or attempted over too short a period. Ensure a detailed review cycle has been completed and that strategies were appropriate for the child's specific needs. Referrals where only a low number of interventions have been tried or where the time frame is unrealistic are likely to be rejected.

Attach supporting documentation, including attendance records and reasons for absences. Double-check that all sections of the referral form are complete—insufficient information is a common reason for rejection. By following these steps, you can help ensure referrals are processed efficiently and that legal intervention is reserved for cases where it is truly necessary.

Recent data show that where most Legal Intervention Team (LIT) referrals are rejected, it is because alternative support is considered more suitable. A smaller proportion fail due to administrative issues such as missing information, incorrect coding or lack of information provided around strategies. To avoid delays, it's vital to submit a complete and accurate referral with as much information as you can provide in the relevant fields.

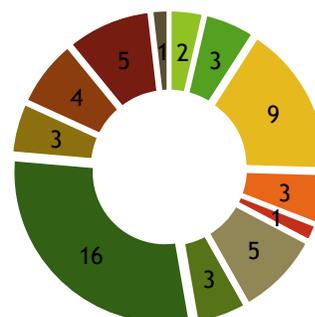
Hampshire Schools News:

Opening of Stanhope
Primary School,
Aldershot

Statutory consultation on
future of Smannell and
Enhham Church of
England Primary School

New chapter begins -
Housome Fields Primary
School in Basingstoke

LIT Referral Rejections



- Already open to LIT
- Attendance Improved
- Attendance Support more suitable
- Coding requirements not met
- Elective Home Education
- Insufficient Information
- Medical Support more suitable
- Not enough support provided
- PN more appropriate

Penalty Notice Spotlight – Issuing Under Threshold

In 2024, the Department for Education (DfE) introduced a revised national framework for penalty notices, including those issued for unauthorised term time holidays (attendance code G). Under this framework, schools and local authorities may consider issuing a penalty notice where there are fewer than 10 unauthorised sessions, where there is reasonable evidence that parents are deliberately seeking to avoid the national enforcement threshold.

Examples may include multiple term time holidays below the threshold, holidays arranged to coincide with INSET days or school closures, or repeated unauthorised absence for birthdays or other family events.

Where schools intend to apply this discretion, parents should be clearly informed through the school's attendance policy, ensuring expectations and consequences are transparent.

As with all penalty notices, under threshold notices must not be applied automatically. Each case must be considered on its individual merits, and schools should be satisfied that this is a proportionate response and that they are prepared to pursue the full enforcement process should a penalty notice remain unpaid.

The local authority will continue to support schools to apply this framework consistently and lawfully, and schools are encouraged to seek advice where required.

For further information on Penalty Notices please see:

[Working together to improve school attendance \(applies from 19 August 2024\)](#)

[HCC Penalty Notices](#)



Penalty Notice Spotlight – Online Webinar Training

At the start of 2026, the Penalty Notice team will be delivering a series of online [Training Sessions](#) designed to support schools in understanding the updated penalty notice processes. These sessions will provide clear, practical guidance on recent changes, including revised criteria, expectations around evidence, example case-studies for various issuing contexts, and good practice for the entire penalty notice process. The webinars will also offer the opportunity to explore common scenarios, including what happens when a parent does not pay their penalty notice in time, as well as navigating situations enquiries relating to children with SEN.

Staff members involved in attendance management are strongly encouraged to participate in these webinars to ensure continued alignment with current policies and procedures. Additionally, there will be a recorded version of the webinar available on the PN Moodle page, alongside all the templates and other pieces of guidance, for schools to access at any time. It is intended we can support schools to strengthen their confidence in applying the process proportionately and appropriately.

Training Session Dates:

January 21st –
13.00-15.00

January 28th –
10.00-12.00

February 4th –
13.00-15.00

February 11th –
10.00-12.00

[Booking form](#)

Case Study - From Warning to Resolution: The Power of Engagement in Attendance Cases



Hampshire
County
Council

A Year 10 pupil was referred to Legal Intervention Team (LIT) due to poor attendance, having missed most of the academic year with 83 unauthorised absences. Parents cited anxiety and mental health concerns, and communication between home and school had broken down. The school reported that both parent and pupil had refused all interventions.

Following an initial warning, attendance improved briefly but was not sustained. An Educational Planning Meeting (EPM) was held in June, providing an opportunity for the parent to share concerns, including mental health, self-harm, and allegations of bullying. The meeting was challenging, requiring calm facilitation but resulted in a clear plan: referral to the school nurse, consent for access to medical records, a named staff contact, and support for transition into Year 11.

Regular monitoring and improved communication helped rebuild trust. Sharing medical evidence and consistent engagement enabled the pupil to regain confidence in attending school. The process prosecution and ensured the pupil remained engaged in education.

Targeted Support Meetings

[Targeting Support Meeting \(Spring Term\) - Booking Form](#)

2026 dates have now been released and span from January to March.

In preparation for your meeting, please think about your key priorities for improving attendance, which may include actions from identifying patterns in cohorts using View Your Education Data (VYED). We recommend that a member of SLT attends, along with someone who knows the cases you wish to discuss. To support this discussion please bring along 2 or 3 severe absences plans (we appreciate some small schools may not have one or more SA pupils and may wish to discuss PA).



Frequently Asked Questions

A pupil is not attending due to anxiety. Is there a way to check I have adequately exhausted all support prior to referral?

Please utilise this guidance on emotionally based school avoidance - [EBSA-good-practice-guidance.pdf](#)

Contact Information:

[Inclusion Support Service - Moodle](#)

[Inclusion Support Service School Forms \(Mendix\)](#)

