



Polisi Esgeulustod Addysgol

Educational Neglect Policy

Arwyddwyd: _____

Dyddiad: _____

POLISI ESGEULUSTOD ADDYSGOL

Gwasanaethau Plant

Polisi esgeulustod addysgol

HYDREF 2025



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Nod y polisi hwn yw amlinellu ymateb yr awdurdod lleol i Esgeulustod Addysgol.

Beth yw Esgeulustod Addysgol?

Esgeulustod yw "methiant parhaus i ddiwallu anghenion corfforol a seicolegol sylfaenol plentyn". (Yr Adran Addysg, 2018; Yr Adran Iechyd, 2017; Bwrdd Prosiect Gweithdrefnau Diogelu Cymru, 2019).

Mae'n fath o gam-drin plant sy'n gallu cael effeithiau difrifol a pharhaol ar fywyd plentyn - gall achosi niwed difrifol a hyd yn oed farwolaeth. (NSPCC, Rhagfyr 2019)

Dyma'r pedwar prif fath o esgeulustod a nodwyd gan yr NSPCC:

- **esgeulustod corfforol:** peidio â diwallu anghenion sylfaenol plentyn, fel bwyd, dillad neu loches; peidio â goruchwyllo plentyn yn ddigonol neu ddarparu ar gyfer ei ddiogelwch.
- **esgeulustod addysgol:** peidio â gwneud yn siŵr bod plentyn yn cael addysg.
- **esgeulustod emosiynol:** peidio â diwallu anghenion plentyn am anogaeth ac ysgogiad, er enghraifft drwy ei anwybyddu, ei fychanu, ei ddychryn neu ei ynysu.
- **esgeulustod meddygol:** peidio â darparu gofal iechyd priodol (gan gynnwys gofal deintyddol), gwrthod gofal neu anwybyddu argymhellion meddygol (Horwath, 2007).

Mae methiant parhaus i anfon plant i'r ysgol yn arwydd clir o esgeulustod a dylai'r Gwasanaethau Plant weithio gydag ysgolion i fynd i'r afael ag anawsterau sylfaenol. Yr Adran Addysg, 2012.

Mae gwella deilliannau addysgol i'n plant a'n pobl ifanc yn brif flaenoriaeth i'r Cyngor. Mae'r cysylltiadau rhwng presenoldeb gwael a chyrhaeddiad yn gymhellol ac mae'r Cyngor yn ceisio mynd i'r afael ag achosion sylfaenol diffyg presenoldeb. Un o'r rhain yw 'diogelu ac absenoldeb hirdymor'.

Mae'r disgrifiad canlynol o Esgeulustod Addysgol yn sail i'r polisi hwn:

'Methiant cyson i fodloni anghenion addysgol sylfaenol plentyn sy'n debygol o arwain at nam difrifol i iechyd neu ddatblygiad y plentyn.'

D.S.: Bydd pryderon ynghylch diogelu yn golygu bod angen atgyfeirio'r plentyn yn syth at y Gwasanaethau Plant, yn unol â gweithdrefnau Diogelu Cymru Gyfan.

2. **NODAU**

Nod y polisi hwn yw sefydlu dealltwriaeth gyffredin a throthwy cyffredin ar gyfer ymyrryd mewn achosion lle mae esgeulustod addysgol plant yn bryder.

Mae'r polisi hwn ar gyfer ymarferwyr sy'n gweithio gyda phlant a theuluoedd yn Sir Gaerfyrddin i gefnogi gwell dealltwriaeth o esgeulustod addysgol a'r ffordd orau o ymateb i sicrhau gwell deilliannau i blant a theuluoedd (gweler Atodiad 1, Presenoldeb yn yr ysgol a'i effaith ar gyrhaeddiad).

Gwneir hyn drwy sefydlu gweithdrefnau clir ar gyfer uwchgyfeirio ac ymyrryd. Ym mhob cam o'r broses, bydd penderfyniadau proffesiynol yn cael eu gwneud am y ffordd orau o fwrw ymlaen, gan ystyried yr holl wybodaeth berthnasol.

3. **LLWYBR STATUDOL**

Yn unol â'r llwybr presenoldeb yn yr ysgol yn Atodiad 2, pan fydd disgyblion yn cael eu hatgyfeirio at y Tîm Diogelu a Phresenoldeb Ysgolion, bydd y tîm yn cynnal asesiadau ac ymyriadau teuluol i hybu a hwyluso ailymgysylltu ag addysg. Gall ysgolion wneud atgyfeiriadau oherwydd diffyg presenoldeb. Gall atgyfeiriadau hefyd gael eu gwneud gan yr Ymgynghorydd Addysg Ddewisol yn y Cartref a gweithwyr proffesiynol eraill ac aelodau o'r cyhoedd os oes pryderon nad yw plentyn yn cael addysg addas, naill ai drwy fynd i'r ysgol neu fel arall. O dan adran 436A o Ddeddf Addysg 1996, mae dyletswydd ar awdurdodau lleol i wneud trefniadau i nodi plant nad ydynt yn cael addysg addas. Mae'r ddyletswydd yn gymwys mewn perthynas â phlant o oedran ysgol gorfodol nad ydynt ar gofrestr ysgol ac nad ydynt yn cael addysg addas y tu allan i'r ysgol (e.e. gartref, yn breifat neu mewn darpariaeth amgen). Felly, gellir eu hatgyfeirio at y Tîm Diogelu a Phresenoldeb Ysgolion ar y sail eu bod yn colli addysg. Disgwylir y bydd yr holl staff Addysg a Gwasanaethau Plant yn rhoi sylw dyledus i'r ddyletswydd hon ac yn cynorthwyo'r Tîm Diogelu a Phresenoldeb Ysgolion drwy ddwyn unrhyw blant o'r fath i'w sylw.

Ystyriaethau Covid-19

Mae Llywodraeth Cymru wedi rhoi canllawiau clir i ysgolion ar bresenoldeb yn ystod y cyfnod hwn, sy'n cael eu ddiweddarau a'u hadolygu'n rheolaidd. Bydd ysgolion hefyd yn gweithredu canllawiau'r awdurdod lleol ar gynlluniau ailymgysylltu i sicrhau y cynigir cymorth priodol i ddysgwyr yn ystod y cyfnod hwn.

Os nad yw'r rhiant wedi bod mewn cysylltiad â'r ysgol ac nad yw'r ysgol wedi gweld/siarad â'r plentyn am 10 diwrnod yn olynol, dylai'r ysgol ofyn am ymweliad lles gan y Tîm Diogelu a Phresenoldeb Ysgolion.

Ystyriaethau Covid-19

Dolen i ganllawiau gweithredol Llywodraeth Cymru i ysgolion

<https://gov.wales/sites/default/files/pdf-versions/2021/2/4/1612446853/operational-guidance-schools-and-settings-support-limited-attendance.pdf>

Dolen i bolisi ymgysylltu'r awdurdod lleol

<https://sites.google.com/hwbcymru.net/ccchtadvice/cymraeg>.

Mae'r canllawiau hyn yn cael eu diweddarau'n rheolaidd felly byddant yn parhau i ddatblygu.

Fodd bynnag, bydd ystyriaethau mewn perthynas â rhieni nad ydynt yn sicrhau addysg briodol i'w plant, fel yr amlinellir yn y ddogfen hon, yn sbarduno cyfarfod rhwng y Timau Gofal Plant a'r Tîm Diogelu a Phresenoldeb Ysgolion a rhoddir ystyriaeth i esgeulustod addysgol, yn unol â'r polisi hwn.

Yn achos plant sydd wedi'u cofrestru mewn ysgol, os nad oes gwelliannau o ran presenoldeb yn yr ysgol yn dilyn ymyriadau ac adolygiadau, bydd y Tîm Diogelu a Phresenoldeb Ysgolion yn ystyried y canlynol:

Bwrw ymlaen â Rhybudd Terfynol a chychwyn gweithdrefnau llys, fel y bo'n briodol;

NEU

Os yw'r plentyn yn achos agored i'r Timau Gofal Plant, cyflwyno Ffurflen Atgyfeirio Amlasiantaeth, gan gychwyn Gweithdrefnau Amddiffyn Plant. Yn achos Plant sy'n Derbyn Gofal, dylid cwblhau Ffurflen Atgyfeirio Amlasiantaeth fel y gellir cynnal trafodaeth ar y strategaeth gyda'r Gwasanaethau Plant, y Tîm Diogelu a Phresenoldeb Ysgolion, y Gwasanaethau Cyfreithiol a'r Swyddog Adolygu Annibynnol, er mwyn penderfynu sut i fynd i'r afael â'r materion a nodwyd.

Os nad yw'r plentyn yn agored i'r Gwasanaethau Plant, bydd y Tîm Diogelu a Phresenoldeb Ysgolion yn ystyried a yw'r diffyg addysg wedi cyrraedd y trothwy ar gyfer Ffurflen Atgyfeirio Amlasiantaeth. Lle bo'n briodol, bydd

achosion yn cael eu trafod gyda rheolwyr gwasanaeth fel y gellir penderfynu a oes angen Ffurflen Atgyfeirio Amlasiantaeth.

Pan fydd y rhieni'n cydweithredu ond bod y disgybl yn gwrthod cymryd rhan mewn addysg briodol, bydd y Tîm Diogelu a Phresenoldeb Ysgolion yn ystyried gwneud cais i'r Llys Teulu am Orchymyn Goruchwylio Addysg.

Yn achos plant sy'n Colli Addysg, bydd y Tîm Diogelu a Phresenoldeb Ysgolion yn cynnig cymorth i sicrhau bod y plentyn yn ailymgysylltu ag addysg. Fodd bynnag, os bydd hyn yn methu, bydd y Tîm Diogelu a Phresenoldeb Ysgolion yn ystyried y canlynol:

- Bwrw ymlaen â Gorchymyn Mynychu'r Ysgol a chychwyn gweithdrefnau llys fel y bo'n briodol,
NEU
- Os yw'r plentyn yn achos agored i'r Timau Gofal Plant, cyflwyno Ffurflen Atgyfeirio Amlasiantaeth i gychwyn Gweithdrefnau Amddiffyn Plant,
NEU
- Os nad yw'r plentyn yn agored i'r Gwasanaethau Plant, ystyried a yw'r diffyg addysg wedi cyrraedd y trothwy ar gyfer Ffurflen Atgyfeirio Amlasiantaeth. Lle bo'n briodol, bydd achosion yn cael eu trafod gyda rheolwyr gwasanaeth fel y gellir penderfynu a oes angen Ffurflen Atgyfeirio Amlasiantaeth.

Y Broses

Atgyfeirio'r disgybl at y Tîm Diogelu a Phresenoldeb Ysgolion gan yr ysgol/Ymgynghorydd Addysg Ddewisol yn y Cartref neu ar y sail ei fod yn colli addysg.

Tîm Diogelu a Phresenoldeb Ysgolion
Monitro ac Ymyrryd

- Yn unol â'r gweithdrefnau Presenoldeb yn yr Ysgol a amlinellir yn adran 4

Dim neu fawr ddim gwelliant o ran Presenoldeb yn yr Ysgol
Er ymyrraeth 6 wythnos

**Nid yw'r plentyn/teulu
yn agored i'r
Gwasanaethau Plant
ac nid oes angen
Ffurflen Atgyfeirio
Amlasiantaeth**

**Y plentyn/teulu yn
agored i'r
Gwasanaethau Plant**

**Gweithredu
Gweithdrefnau
Amddiffyn Plant**

O leiaf un ymyrraeth
gan y llys sy'n methu
â gwella
presenoldeb. Erllyn o
dan adran
444/444(1A),
Gorchymyn
Mynychu'r Ysgol neu
Orchymyn
Goruchwylio Addysg.

**Ffurflen Atgyfeirio
Amlasiantaeth**

4. DIFFINIADAU O ESGEULUSTOD ADDYSGOL

Methiant i hybu a darparu addysg briodol yn unol â Deddf Addysg Cymru 2014.

4A - ANWAITH GAN Y RHIANT

Mae'r diffiniad hwn yn berthnasol pan fydd rhieni'n methu â hybu neu ddarparu addysg briodol er anfantais emosiynol a datblygiadol i'r plentyn a lle:

- mae presenoldeb yn yr ysgol yn llai nag 80% ac nad yw'r rhieni'n gallu rhoi neu gadarnhau rhesymau dros yr absenoldeb.
- mae'r rhiant yn methu â mynychu neu gymryd rhan mewn ymdrechion i gefnogi presenoldeb neu hawl addysgol ei blentyn.
- mae presenoldeb yn yr ysgol/hawl addysgol yn parhau i fod yn broblem sylweddol er y cafwyd cefnogaeth ac ymyrraeth gan yr Adran Addysg a Gwasanaethau Plant: er enghraifft, ymyrraeth gan y Tîm Diogelu a Phresenoldeb Ysgolion, y Tîm o Amgylch y Teulu, Gwasanaethau Ataliol neu'r Gwasanaethau Plant.

4B - ANWAITH GAN Y PERSON IFANC

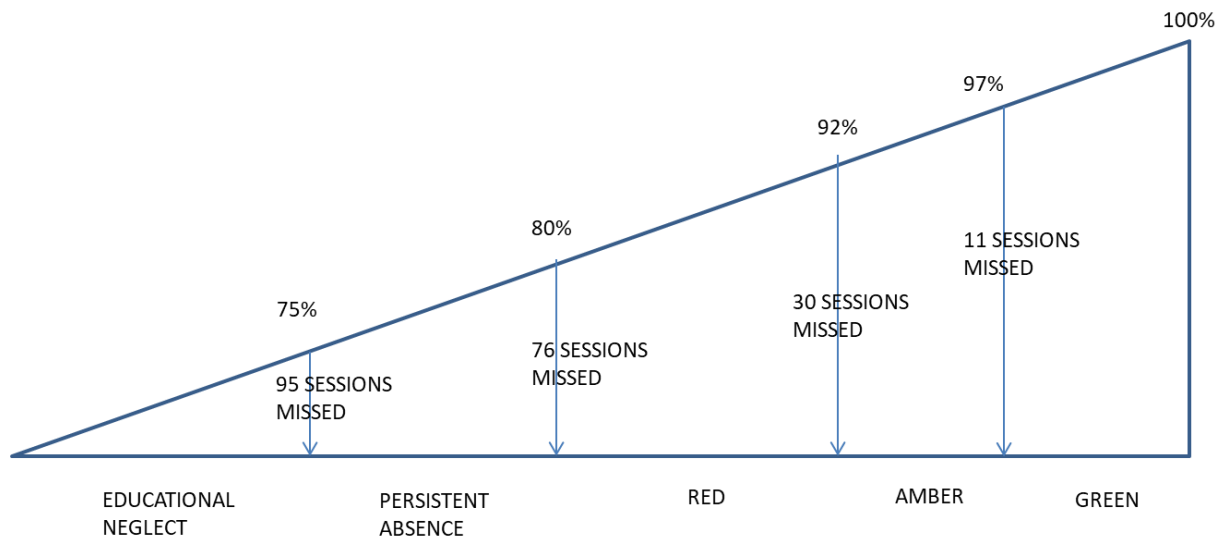
Mae'r diffiniad hwn yn briodol pan fydd disgyblion yn ddigon hen i benderfynu ar eu gweithredoedd eu hunain a theithio'n annibynnol i'r ysgol a lle:

- mae cydweithrediad gan y rhieni yn cael ei ddangos yn glir.
- mae'r ddarpariaeth addysgol bresennol yn briodol ar gyfer anghenion y person ifanc; ac
- mae lefelau presenoldeb yn 75% neu lai.

Os bydd y trothwyon hyn yn cael eu cyrraedd, bydd y Tîm Diogelu a Phresenoldeb Ysgolion yn ystyried gwneud cais i'r Llys Teulu am Orchymyn Goruchwyllo Addysg.

Os yw'r person ifanc neu'r rhiant yn methu'n gyson â dilyn unrhyw gyfarwyddiadau a roddwyd drwy Orchymyn Goruchwyllo Addysg, mae dyletswydd gyfreithiol i gwblhau asesiad integredig, yn dilyn Ffurflen Atgyfeirio Amlasiantaeth.

TROTHWYON PRESENOLDEB UNIGOL DROS 12 MIS



5. YMYRIADAU STATUDOL

LLYTHYR RHYBUDD TERFYNOL

Llythyr rhybudd cychwynnol yn nodi, os bydd y rhieni'n parhau i fethu â darparu addysg briodol, eu bod mewn perygl o gael dirwy neu gael eu herlyn.

HYSBYSIAD COSB BENODEDIG (Gweinyddir gan yr awdurdod lleol)

Ymyrraeth gynnar lle ceir presenoldeb afreolaidd, absenoldeb anawdurdodedig a disgwyliad rhesymol y gallai hyn newid, sy'n rhyddhau'r rhiant o atebolrwydd i'w gael yn euog o drosedd drwy dalu o dan Reoliadau Addysg (Hysbysiadau Cosb) (Cymru) 2013.

ERLYN - TROSEDD ABSOLIWT (Llys Ynadon)

Erlyn rhiant, o dan adran 444(1) o Ddeddf Addysg 1996, am bresenoldeb afreolaidd plentyn ag absenoldeb anawdurdodedig; mae hyn yn drosedd atebolrwydd caeth ag amddiffyniadau cyfyngedig.

ERLYN – TROSEDD WAETHYGEDIG (Llys Ynadon)

Erlyn rhiant, o dan adran 444(1A) o Ddeddf Addysg 1996, am bresenoldeb afreolaidd plentyn ag absenoldeb anawdurdodedig; mae'r rhiant yn gwybod am y presenoldeb afreolaidd ac yn methu â newid hyn, heb gyfiawnhad rhesymol. Posibilrwydd o ddedfryd o garchar.

GORCHYMYN MYNYCHU'R YSGOL (Llys Ynadon os na chafodd ei ddatrys)

Mae'n ei gwneud yn ofynnol i'r rhiant/rhieni, o dan Ddeddf Addysg 1996, gofrestru plentyn o oedran ysgol gorfodol mewn ysgol a enwir pan nad yw'n cael addysg addas.

GORCHYMYN GORUCHWYLIO ADDYSG (Llys Teulu)

Gorchymyn 12 mis, o dan adran 36 o Ddeddf Plant 1989, ar y sail nad yw'r plentyn yn cael ei addysgu'n briodol; Swyddog Goruchwyllo i 'gynorthwyo, cyngori a bod yn gyfaill'.

Fel y nodir isod (yn Atodiad 2), gwneir penderfyniadau i roi cosbau penodedig neu gychwyn achos llys yn y Llys Ynadon neu'r Llys Teulu drwy ymgynghori â'r Gwasanaethau Cyfreithiol. Mae templed gwneud penderfyniadau ar gael. Mae hwn yn nodi rhestr o wybodaeth y dylid rhoi ystyriaeth iddi wrth ystyried yr opsiynau hyn. Nid yw'r rhestr yn cynnwys popeth ond mae'n nodi'r mathau o faterion a fydd yn berthnasol.

Atodiadau

Atodiad 1: Presenoldeb yn yr ysgol a'i effaith ar gyrhaeddiad.

Oriau Dysgu a Gollwyd a sut mae presenoldeb yn effeithio ar gyrhaeddiad

Gwyrdd	100%	Ddim yn colli unrhyw wersi
	99%	Colli tua 10 gwers
	98%	Colli tua 20 gwers
	97%	Colli tua 30 gwers
Melyn	96%	Colli tua 8 diwrnod o ysgol. Bydd yn anodd dal i fyny â dysgu a gollwyd o 40 gwers.
	95%	Colli tua phythefnos o ysgol.
Oren	93%	Colli 14 diwrnod o ysgol. Mae hyn bron yn 3 wythnos sy'n gryn dipyn o addysg i'w cholli. Dylai ysgolion roi gwybod i rieni am bryderon.
	92% a llai	Colli mwy na 3 wythnos o addysg. Colli dysgu i raddau difrifol, sy'n debygol o gael effaith andwyol ar gyflawniad a chyfleoedd bywyd. Dylai fod gan ysgolion gynllun ar waith i wella presenoldeb. Dylid trefnu cyfarfodydd rhwng yr ysgol a'r rhieni.
Coch	80%	Atgyfeirio at y Gwasanaeth Diogelu a Phresenoldeb Ysgolion. Ymyrraeth 6 wythnos yn dechrau. Os na fydd gwelliant neu ymgysylltiad, gellir sbarduno'r prosesau cyfreithiol.

Atodiad 2: Tîm Diogelu a Phresenoldeb Ysgolion: Model Pum Cam

Mae Cyngor Sir Caerfyrddin yn hyrwyddo **model pum cam** ar gyfer ymateb i absenoldeb disgyblion. **Mae'r tri cham cyntaf yn berthnasol i ysgolion.** Mae camau 4 a 5 yn berthnasol i ymyriadau statudol y Tîm Diogelu a Phresenoldeb Ysgolion yn dilyn atgyfeiriad ac yn ymwneud â phrosesau mewnol y gwasanaeth. Nodir y rhain isod ac maent yn seiliedig ar y prosesau deddfwriaethol a amlinellir yn y **Fframwaith Presenoldeb ar gyfer Cymru Gyfan.**

CAM 1 - Gweithredu yn yr Ysgol - Rôl yr ysgol wrth ddelio â phresenoldeb

Dylai ymyrraeth gychwynnol gan yr ysgol gynnwys datblygu a mabwysiadu polisiau yn yr ysgol i nodi problemau sylfaenol a, lle bo'n briodol, datblygu strategaethau realistig i fynd i'r afael â nhw. Bydd hyn yn cynnwys defnyddio adnoddau'r awdurdod lleol i ddatblygu ethos lle mae presenoldeb yn uchel ei broffil yn yr ysgol a sicrhau ymateb cyson i absenoldeb disgyblion.

Dylai'r camau canlynol gael eu dilyn gan yr ysgol mewn perthynas â diffyg presenoldeb:

1. Diwrnod cyntaf o absenoldeb - cyswllt â'r rhiant dros y ffôn, drwy neges destun neu e-bost. Anfon llythyr (rheswm dros yr absenoldeb) os nad oes ymateb.
2. Anfon llythyrau 1-3 pan fydd presenoldeb yn dechrau lleihau. Amlinellir y broses ar gyfer anfon llythyrau hefyd yn Llawlyfr Cefnogi Ysgolion yr awdurdod lleol. Mae'n bwysig bod ysgolion yn gwahodd rhieni a disgyblion i gyfarfod i geisio cydweithio â nhw i nodi a datrys achosion sylfaenol diffyg presenoldeb. Gall yr achosion gynnwys y canlynol:

- Anghenion meddygol
- Bwlio
- Problemau cymdeithasol
- Dadrithiad
- Hwyrni
- Anghenion dysgu ychwanegol

Wrth gyfarfod â rhieni i drafod presenoldeb, dylai ysgolion gofnodi'r drafodaeth hon a gellir defnyddio templed yr awdurdod lleol.

3. Dylid defnyddio dull y Tîm o Amgylch y Teulu lle bo'n briodol gyda chydgyssylltwyr y Tîm o Amgylch y Teulu a gweithiwr ieuencid mewn ysgolion ar gyfer ysgolion uwchradd.

CAM 2 - Gweithredu yn yr ysgol ar y cyd â chyngor gan y Tîm Diogelu a Phresenoldeb Ysgolion

Lle mae ymyriadau yn yr ysgol yn dal i gael eu hystyried yn lefel briodol, gellir ceisio rhagor o arbenigedd a chyngor gan weithiwr cymdeithasol i ysgolion.

Ar y lefel hon, ni wneir unrhyw atgyfeiriad ffurfiol. Bydd y gweithiwr cymdeithasol i ysgolion, gan weithio mewn capasiti ymgynghorol, yn gweithredu i gynorthwyo'r ysgol i nodi strategaethau amgen posibl i hybu presenoldeb rheolaidd gan ddisgyblion drwy gysylltu ag uwch-reolwr yr ysgol sy'n gyfrifol am bresenoldeb. Bydd hyn yn cael ei gofnodi ar ffurflen ymweliad ymgynghori'r gweithiwr cymdeithasol i ysgolion a fydd yn cael ei llofnodi gan yr ysgol a'r gweithiwr cymdeithasol i ysgolion. Rhoddir copi o'r ffurflen i'r ysgol. Lle cytunwyd ar y cymorth hwn gyda'r gweithiwr cymdeithasol i ysgolion, dylid adolygu'r ffurflenni ymgynghori bob tymor er mwyn sicrhau bod camau gweithredu'n cael eu cwblhau a bod unrhyw gynnydd/gostyngiad mewn presenoldeb yn cael ei nodi.

Pan fydd rhieni'n ceisio cymorth gan y Tîm Diogelu a Phresenoldeb Ysgolion yn uniongyrchol, gellir ystyried bod ymyrraeth Cam 1 yn briodol. Os felly, dylai'r gweithiwr cymdeithasol i ysgolion gyfeirio'r rhieni yn ôl at yr ysgol a hefyd roi gwybod i gydweithwyr mewn adrannau perthnasol, megis yr ysgol, cynhwysiant a gwasanaethau plant.

Yn ogystal, gall y gweithiwr cymdeithasol i ysgolion gynnig mynychu cyfarfodydd cyn atgyfeirio yn yr ysgol gyda rhieni, mewn capasiti ymgynghorol, er mwyn cynorthwyo'r ysgol i fynd i'r afael â materion presenoldeb yn y camau cynnar. Ni ragwelir y bydd y gweithiwr cymdeithasol i ysgolion yn mynychu gormod o'r "cyfarfodydd cyn atgyfeirio" hyn, gan mai hyn a hyn o amser sydd ganddo. Fodd bynnag, gall ysgolion ofyn am gymorth drwy gysgod i'r gweithiwr cymdeithasol i ysgolion mewn cyfarfodydd o'r fath yng nghyfnodau cyntaf y flwyddyn academaidd a gallant hefyd ofyn am y cymorth hwn gydag achosion mwy cymhleth. Felly, gall y gweithiwr cymdeithasol i ysgolion a'r ysgol drafod y cymorth hwn a gall ffurfio rhan o'r ymweliadau â'r ysgol bob tymor/bob pythefnos, gan ddibynnu ar ddyraniad amser yr ysgol. Dylai'r cyfarfodydd hyn gael eu cynnal gyda chaniatâd y rhiant.

CAM 3 Atgyfeiriad Ffurfiol at y Tîm Diogelu a Phresenoldeb Ysgolion a cheisiadau am Hysbysiadau Cosb

Bydd pob disgybl yn cael ei ystyried ar sail unigol a bydd atgyfeiriad yn seiliedig ar nifer o ffactorau a amlinellir yng Ngham 2. Yn ogystal, y trothwy ar gyfer atgyfeiriad oherwydd presenoldeb gwael yw 80% (lle mae prif achos yr absenoldeb yn anawdurdodedig) a'r trothwy ar gyfer atgyfeiriad i ofyn am Hysbysiad Cosb yw 10 sesiwn o absenoldeb anawdurdodedig mewn tymor.

Er mwyn symud i Gam 3, dylai ysgolion farnu pa mor briodol yw atgyfeiriad gan ddefnyddio'r meini prawf canlynol:

Yn achos presenoldeb isel:

- A yw'r holl strategaethau ymyrraeth yn yr ysgol wedi'u mabwysiadu/eu hystyried?
- A yw'r ysgol wedi dilyn y siart llyf presenoldeb, h.y. galwadau ffôn, llythyr 1, llythyr 2, llythyr 3 a chyfarfod? Lle bynnag y bo modd, dylai'r rhieni fod yn ymwybodol bod yr atgyfeiriad yn cael ei wneud.
- A oes unrhyw amgylchiadau lliniaru y mae angen eu hystyried?
- A yw prif achos yr absenoldeb yn anawdurdodedig?

Rhaid darparu'r dogfennau canlynol gyda'r atgyfeiriad:

- Copïau o lythyrau a chofnodion cyfarfodydd gyda'r rhieni - yn cynnwys y dyddiad, amser a'r canlyniad.
- Copi o dystysgrif cofrestru presenoldeb y disgybl.
- Er mwyn sicrhau iechyd a diogelwch y Tîm Diogelu a Phresenoldeb Ysgolion, rhaid cynnwys unrhyw fanylion am ffactorau risg hysbys sy'n gysylltiedig â'r disgybl a rhieni a theulu'r disgybl, neu leoliad daearyddol y cartref.

I ofyn am hysbysiad cosb:

- A lynwyd wrth Gôd Ymddygiad yr awdurdod lleol?
- A oes 10 sesiwn o absenoldeb anawdurdodedig oherwydd diffyg presenoldeb neu hwyrni (ar ôl cau'r gofrestr)?
- A yw'r dogfennau canlynol yn barod i'w lanlwytho gyda'r atgyfeiriad? Copi o lythyr yr ysgol gyfan am hysbysiad cosb, copi o'r llythyr rhybuddio i rieni am hysbysiad cosb, ffurflen gais am hysbysiad cosb, ffurflen awdurdodi ar gyfer yr ysgol, copi o gofrestr ysgol y disgybl a (lle bo'n briodol) ffurflen gais am wyliau ac ymateb y pennaeth i hyn.
- A oes amgylchiadau lliniaru?

Yn ogystal, dylai'r atgyfeiriad nodi a yw'r meini prawf canlynol wedi'u bodloni:

- Patrymau presenoldeb afreolaidd:
 - a) os mai prif achos yr absenoldeb yw absenoldeb anawdurdodedig, presenoldeb o lai na 80% (ar gyfer atgyfeiriadau am ddiffyg presenoldeb)
 - b) os oes 10 sesiwn anawdurdodedig mewn tymor ysgol (ar gyfer hysbysiadau cosb).
- os oes 10 diwrnod o absenoldeb anawdurdodedig yn olynol (sy'n codi pryderon am les neu blant sy'n colli addysg).
- os nad yw plentyn yn dechrau mewn ysgol a bod pryderon am blant sy'n colli addysg.

Gallai'r cwestiynau canlynol fod yn ddefnyddiol i'r gweithiwr cymdeithasol i ysgolion eu hystyried wrth benderfynu a ddylid derbyn yr atgyfeiriad.

- Ai'r Tîm Diogelu a Phresenoldeb Ysgolion yw'r asiantaeth gywir i ymgymryd â'r dasg?
 - er enghraifft, a yw'n dasg i'r Tîm o Amgylch y Teulu, Gwasanaethau Plant, Seicolegydd Addysg, Cynhwysiant (e.e. cymorth ymddygiad, addysg heblaw yn yr ysgol, panel cynhwysiant), neu wasanaethau mewn ysgolion (nyrs iechyd yr ysgol, Area 43, gweithiwr ieuencid mewn ysgolion, Cydlynnydd Anghenion Dysgu Ychwanegol)?
- A yw'r amseru'n briodol? Pryd oedd yr absenoldeb anawdurdodedig diwethaf?
- Beth yw'r canlyniad a ddymunir yn sgil yr atgyfeiriad arfaethedig?
- Beth fydd yr effaith ar eraill?
 - Rhieni/brodyr a chwiorydd.
- A yw hyn yn flaenoriaeth i'r Tîm Diogelu a Phresenoldeb Ysgolion neu a oes asiantaethau neu strategaethau eraill ar gael?
- A yw'r rhieni wedi cael gwybod gan yr ysgol y gellid gwneud atgyfeiriad at y Tîm Diogelu a Phresenoldeb Ysgolion?

Dylai pob atgyfeiriad gael ei wneud gan ysgolion ar Ffurflen Atgyfeirio'r Tîm Diogelu a Phresenoldeb Ysgolion:

https://fynghyfrif.sirgar.llyw.cymru/cy/service/Education_welfare_service_online_referral_process

https://myaccount.carmarthenshire.gov.wales/en/service/Education_welfare_service_online_referral_process

Mae'n bwysig bod y ffurflen atgyfeirio yn cynnwys tystiolaeth ffeithiol gan fod hynny'n hanfodol ar gyfer rheoli achosion (gan gynnwys trafodaethau â'r gwasanaethau cyfreithiol a'r llys lle bo'n briodol), yn ogystal â darparu data ystadegol i ysgolion, llywodraethwyr a'r awdurdod lleol.

Bydd y gweithiwr cymdeithasol sydd ar ddyletswydd bob amser yn rhoi adborth i ysgolion ynghylch a yw'r atgyfeiriad wedi'i dderbyn neu ei wrthod, yn rhoi rhesymau dros hyn ac yn rhoi amlinelliad byr o'r cam nesaf ar gyfer y Tîm Diogelu a Phresenoldeb Ysgolion. Dylid gwneud hyn o fewn 24 awr i wneud yr atgyfeiriad.

Atgoffir staff mewn ysgolion, er mwyn i gamau cyfreithiol gael eu cychwyn yng Ngham 5, fod yn rhaid cofnodi bod absenoldebau yn anawdurdodedig, gan fod awdurdodi absenoldeb gan yr ysgol yn amddiffyniad statudol i adran 444 o Ddeddf Addysg 1996.

Mae cofrestr yr ysgol yn ddogfen gyfreithiol a rhaid iddi fod yn gywir.

Yng Ngham 3, gall camau gweithredu gan y Tîm Diogelu a Phresenoldeb Ysgolion gynnwys y canlynol:

- Neilltuo gweithiwr ymgysylltu â'r teulu i'r plentyn lle mae pryderon am blant sy'n colli addysg ac mae angen rhagor o wybodaeth i egluro hyn.

- Neilltuo gweithiwr ymgysylltu â'r teulu i'r plentyn ar gyfer Fframwaith Asesu'r Teulu ar y Cyd lle mae'n amlwg bod angen dull y Tîm o Amgylch y Teulu cyn cymryd unrhyw gamau pellach.
- Cysylltu ag ysgolion/gweithwyr proffesiynol cysylltiedig i gael rhagor o wybodaeth.
- Ysgrifennu at rieni i drefnu ymweliad cartref.
- Cwblhau asesiad y Tîm Diogelu a Phresenoldeb Ysgolion.
- Ysgrifennu'n ffurfiol at rieni/gofalwyr.
- Cysylltu â rhieni/gofalwyr dros y ffôn.
- E-bostio rhieni/gofalwyr.
- Cynnal cyfarfodydd gyda'r teulu. Gellid gwneud hyn o bell drwy Skype, Microsoft Teams, WhatsApp.
- Cyfarfod â'r disgybl yn yr ysgol neu o bell, gyda staff yr ysgol lle bo'n briodol, i gadarnhau ei farn, ei ddymuniadau a'i deimladau.
- Cynnal cyfarfodydd cynllunio addysg, yn yr ysgol neu o bell lle bo angen.
 - Rhoi Hysbysiad Cosb Benodedig. (Gwneir hyn gan y rheolwr tîm).

Pan fydd atgyfeiriad yn cael ei dderbyn gan y Tîm Diogelu a Phresenoldeb Ysgolion a'i ddyrannu i weithiwr cymdeithasol i ysgolion, bydd y gweithiwr cymdeithasol i ysgolion yn gwneud y canlynol:

- Cysylltu â'r rhiant i drefnu ymweliad cartref a chynnal asesiad i benderfynu ar gamau gweithredu, o fewn 5 diwrnod ysgol i dderbyn yr atgyfeiriad.
- Rhoi ymateb ysgrifenedig i'r ysgol ynghylch ei gyfraniad fel rhan o'r cofnod atgyfeirio parhaus o fewn 10 diwrnod gwaith.

Diben ymweliad cartref/cyfarfod o bell neu gyfarfod dros y ffôn fydd:

- Asesu'r amgylchiadau sy'n effeithio ar bresenoldeb/y rheswm dros yr absenoldeb.
- Rhoi gwybod i rieni am eu rhwymedigaethau o ran presenoldeb yn yr ysgol.
- Rhoi cyngor a chymorth i deuluoedd.
- Cytuno ar gynllun i wella presenoldeb - gall hyn olygu bod gweithiwr ymgysylltu â'r teulu yn gwneud gwaith uniongyrchol gyda'r person ifanc, y rhiant neu'r teulu a gall gynnwys atgyfeiriadau at asiantaethau eraill.

CAM 4 Dull Rheoli Achosion (Proses fewnol ar gyfer y Tîm Diogelu a Phresenoldeb Ysgolion)

Lle nad yw presenoldeb yn gwella yn dilyn y camau y cytunwyd arnynt ar ôl neilltuo, neu lle mae'r materion sy'n effeithio ar bresenoldeb yn ymddangos yn syth yn rhai cymhleth sy'n gofyn am gynllun mwy cydlynol a pharhaus, bydd y Tîm Diogelu a

Phresenoldeb Ysgolion yn ystyried symud ymlaen i gam 4, sef dull rheoli achosion. Mae hyn yn golygu cynnal cyfarfod cynllunio gyda'r teulu a'r holl weithwyr proffesiynol perthnasol. Gall yr uwch-weithiwr cymdeithasol i ysgolion/rheolwr tîm fynychu'r cyfarfod hwn hefyd lle bo hynny'n briodol. Bydd achosion ar y lefel hon hefyd yn cael eu hadolygu'n fisol ar y cyd â'r rheolwr tîm a'r gweithiwr ymgysylltu â'r teulu cysylltiedig yn ystod goruchwyliaeth pod, er mwyn sicrhau dull cadarn o ran rheoli achosion. Ni ragwelir y bydd achosion yn parhau yn y cam hwn am gyfnod hir. Bydd achosion yn cael eu hadolygu ar ôl 6 wythnos.

Rhoddir ystyriaeth i nifer o strategaethau. Gall y rhain gynnwys y canlynol:

- Monitro presenoldeb disgyblion unigol yn ddwys.
- Llunio cytundeb ysgrifenedig/contract rhwng y Tîm Diogelu a Phresenoldeb Ysgolion, y rhiant a'r disgybl i amlinellu cynllun cymorth a disgwyliadau.
- Rhaglen fanwl â chyfyngiad amser gyda'r teulu (a ddarperir gan y gweithiwr ymgysylltu â'r teulu).
- Atgyfeirio at asiantaethau/gwasanaethau eraill, gan gynnwys y Tîm o Amgylch y Teulu.
- Cynnal Adolygiad Achos Presenoldeb i adolygu'r cynllun y cytunwyd arno fel rhan o asesiad y Tîm Diogelu a Phresenoldeb Ysgolion.
- Llythrau rhybudd ffurfiol - rhaid anfon L3 a rhybudd terfynol i symud ymlaen i gam 5.
- Sicrhau y glynir wrth y canllawiau statudol ynghylch plant sy'n colli addysg/dadgofrestru disgyblion.

Os nad oes cynnydd sylweddol yng Ngham 4 ac na chafwyd tystiolaeth bod y rhieni a/neu'r disgybl wedi ymateb i ystod o ymyriadau sydd wedi'u cofnodi a'u monitro, cynhelir cyfarfod cyn mynd i'r llys gyda'r Tîm Diogelu a Phresenoldeb Ysgolion a'r gwasanaethau cyfreithiol. Yma, bydd y gweithiwr cymdeithasol i ysgolion yn cyflwyno'r achos i'r rheolwr tîm a'r adran gyfreithiol i'w ystyried. Os mai'r penderfyniad yw erlyn/cyfeirio at y llys, bydd y rhieni yn cael gwybod eu bod wedi cyrraedd Cam 5 - Camau Statudol.

Bydd y penderfyniadau a wneir yn y cyfarfod hwn yn cael eu strwythuro yn unol â Pholisi Gorfodi Cyngor Sir Caerfyrddin.

Cam 5 – Camau Statudol (TÎM DIOGELU A PHRESENOLDEB YSGOLION)

Lle mae angen rhoi camau statudol ar waith, bydd y Tîm Diogelu a Phresenoldeb Ysgolion yn gweithredu o fewn y meini prawf canlynol, yn unol â phrotocol erlyn CSC:

Dyletswydd i ystyried gorchymyn goruchwyllo addysg

- Cyn rhoi camau ar waith o dan adran 444, mae'n ofynnol i'r Tîm Diogelu a Phresenoldeb Ysgolion ystyried pa mor addas yw'r achos i'w roi gerbron

y Llys Teulu mewn perthynas â Gorchymyn Goruchwylio Addysg o dan adran 36 o Ddeddf Plant 1989.

Mae hyn yn golygu ystyried y canlynol:

Gorchymynion goruchwylio addysg, adran 36 Deddf Plant 1989

Mae adran 36 o'r Ddeddf Plant yn rhoi pŵer i'r awdurdod addysg lleol wneud cais am Orchymyn Goruchwylio Addysg. Mater 'achos teuluol' yw Gorchymyn Goruchwylio Addysg, fel y'i diffinnir gan Ddeddf Plant 1989, sy'n ystyried lles y plentyn yn brif bryder ac sy'n fater sifil.

Ni chaiff llysoedd wneud Gorchymyn Goruchwylio Addysg pan fydd y plentyn yng ngofal yr awdurdod lleol.

Dim ond o dan yr amgylchiadau canlynol y bydd Gorchymyn Goruchwylio Addysg yn cael ei ystyried:-

- Pan fo'r rhiant/rhieni a'r disgybl(ion) wedi ymrwymo i wella presenoldeb.
- Pan fo'r rhiant/rhieni a'r disgybl(ion) yn barod i gydweithio'n agos â swyddog dynodedig y Tîm Diogelu a Phresenoldeb Ysgolion.
- Pan fo'r plentyn o oedran pan fydd yn elwa o Orchymyn Goruchwylio Addysg.

Erlyniadau

- A ddangosir bod yr absenoldebau yn y gofrestr bresenoldeb yn anawdurdodedig? (*Dan adran 444(1) o Ddeddf Addysg 1996 – amddiffyniad statudol yw awdurdodi absenoldebau gan yr ysgol*).
- A roddwyd ystyriaeth i bob ymyrraeth bosibl?
- A yw'r rhieni wedi cydweithredu â'r ysgol/awdurdod addysg lleol i gefnogi'r disgybl? (*Gellid erlyn rhieni sy'n methu yn hyn o beth o dan y drosedd waethygedig, adran 444(1A) o Ddeddf Addysg 1996 – lle mae'r gosb yn fwy os cânt eu canfod yn euog*).
- A oes unrhyw amgylchiadau eraill sy'n lliniaru rhag erlyn ar hyn o bryd?

Pan fo'r meini prawf uchod wedi'u bodloni a bod atgyfeiriad at y llys wedi'i gytuno, bydd y gweithiwr cymdeithasol i ysgolion a'r rheolwr tîm yn sicrhau bod y broses isod yn cael ei gweithredu o dan **adran 444(1) neu 444(1A) o Ddeddf Addysg 1996 (Methu â sicrhau presenoldeb rheolaidd disgybl cofrestredig)**.

O ran plant nad ydynt wedi'u cofrestru mewn ysgol

O ran disgyblion nad ydynt wedi'u cofrestru mewn unrhyw ysgol ac nad ydynt yn derbyn addysg heblaw yn yr ysgol, dylid dilyn y broses sy'n dilyn Gorchymyn Mynychu'r Ysgol. Os yw'r disgybl yn parhau heb addysg, er darparu cymorth gan y Tîm Diogelu a Phresenoldeb Ysgolion a cheisio Gorchymyn Mynychu'r Ysgol, gellid erlyn y rhieni o dan adran 443 o Ddeddf Addysg 1996 (Methu â chydymffurfio â Gorchymyn Mynychu'r Ysgol).

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 - i. School Attendance and its impact on Attainment
 - ii. School Safeguarding and Attendance Team 5-Step process

1. INTRODUCTION AND BACKGROUND

This policy aims to outline a local authority response to Educational Neglect.

What is Educational Neglect

Neglect is “the ongoing failure to meet a child’s basic physical and psychological needs” (Department for Education, 2018; Department of Health, 2017; Wales Safeguarding Procedures Project Board, 2019).

It is a form of child abuse that can have serious and long-lasting impacts on a child’s life - it can cause serious harm and even death (NSPCC Dec 2019).

The four main types of neglect identified by the NSPCC:

- **physical neglect:** not meeting a child’s basic needs, such as food, clothing or shelter; not supervising a child adequately or providing for their safety
- **educational neglect:** not making sure a child receives an education
- **emotional neglect:** not meeting a child’s needs for nurture and stimulation, for example by ignoring, humiliating, intimidating or isolating them
- **medical neglect:** not providing appropriate health care (including dental care), refusing care or ignoring medical recommendations (Horwath, 2007).

Persistent failure to send children to school is a clear sign of neglect and Children’s Services should work with schools to address underlying difficulties. DoFE 2012

Improving educational outcomes for our children and young people is a key priority for the Council. The links between poor attendance and attainment are compelling and the Council is aiming to address the root causes of non-attendance, one of these being, ‘safeguarding and long-term absence’.

The following descriptor of Educational Neglect forms the basis of this policy:

‘The persistent failure to meet a child’s basic Educational Needs that is likely to result in the serious impairment of the child’s health or development’.

NB: Safeguarding concerns will necessitate immediate referral to Children's Services in line with All Wales Safeguarding procedures.

2. AIMS

The aim of this policy is to establish a common understanding and a common threshold for intervention in cases where educational neglect of children is a concern.

This policy is for practitioners working with children and families in Carmarthenshire to support an improved understanding of educational neglect and how best to respond to achieve better outcomes for children and families (see Appendix 1, School Attendance and its impact on Attainment).

This will be done by establishing clear procedures for escalation and intervention. At each stage of the process professional judgements will be made about the best way to proceed taking into account all relevant information.

3. STATUTORY PATHWAY

In line with the school attendance pathway in Appendix 2, once pupils are referred to the School Safeguarding and Attendance Team (SSA Team) the team will carry out family-based assessments and interventions to promote and facilitate re-engagement in education. Referrals can be made by schools for non-attendance. Referrals can also come from the Elective Home Education Advisor (EHEA) and from other professionals and members of the public when there are concerns that a child is not receiving a suitable education, either through school attendance or otherwise. Under section 436A of the Education Act 1996, LAs have a duty to make arrangements to identify children not receiving a suitable education. The duty applies in relation to children of compulsory school age who are not on a school roll and who are not receiving a suitable education otherwise than being in school (e.g. at home, privately or in alternative provision). As such they can be referred to the SSA Team on a Missing from Education (CME) basis. It is expected that all Children's Services and Education staff will pay due regard to this duty and will assist the School Safeguarding and Attendance Team by highlighting any such children to them.

Covid-19 considerations

Welsh Government has provided clear guidance for schools on attendance during this time, which is regularly updated and reviewed. Schools will also implement the local authority's re-engagement plans guidance to ensure that appropriate support is offered to learners during this period

Where the parent has not been in contact with the school and the child has not been seen/ spoken to by the school for 10 consecutive days then the schools should request a welfare visit from the SSA Team.

Covid-19 considerations

Link to WG school operational guidance

<https://gov.wales/sites/default/files/pdf-versions/2021/2/4/1612446853/operational-guidance-schools-and-settings-support-limited-attendance.pdf>

link to Local Authority engagement policy

<https://sites.google.com/hwbcymru.net/ccchtadvice/english>.

This guidance is being updated regularly so will continue to evolve.

However, considerations in relation to parents not securing an appropriate education for children, as outlined in this document, will trigger a meeting between the Child Care Teams and the SSA Team and consideration given to educational neglect, in line with this policy.

For children registered at school, if there are no improvements in school attendance following interventions and reviews the SSA Team will consider:

Proceeding with a Final Warning and instigate court procedures, as appropriate;

OR

If child is an open case to the Child Care Teams submit a MARF, instigating Child Protection Procedures. In respect of Looked After Children, a MARF should be completed so that there can be a strategy discussion with Children's services, SSAT, legal services and the Independent Reviewing Officer, in order to determine how to address the identified issues.

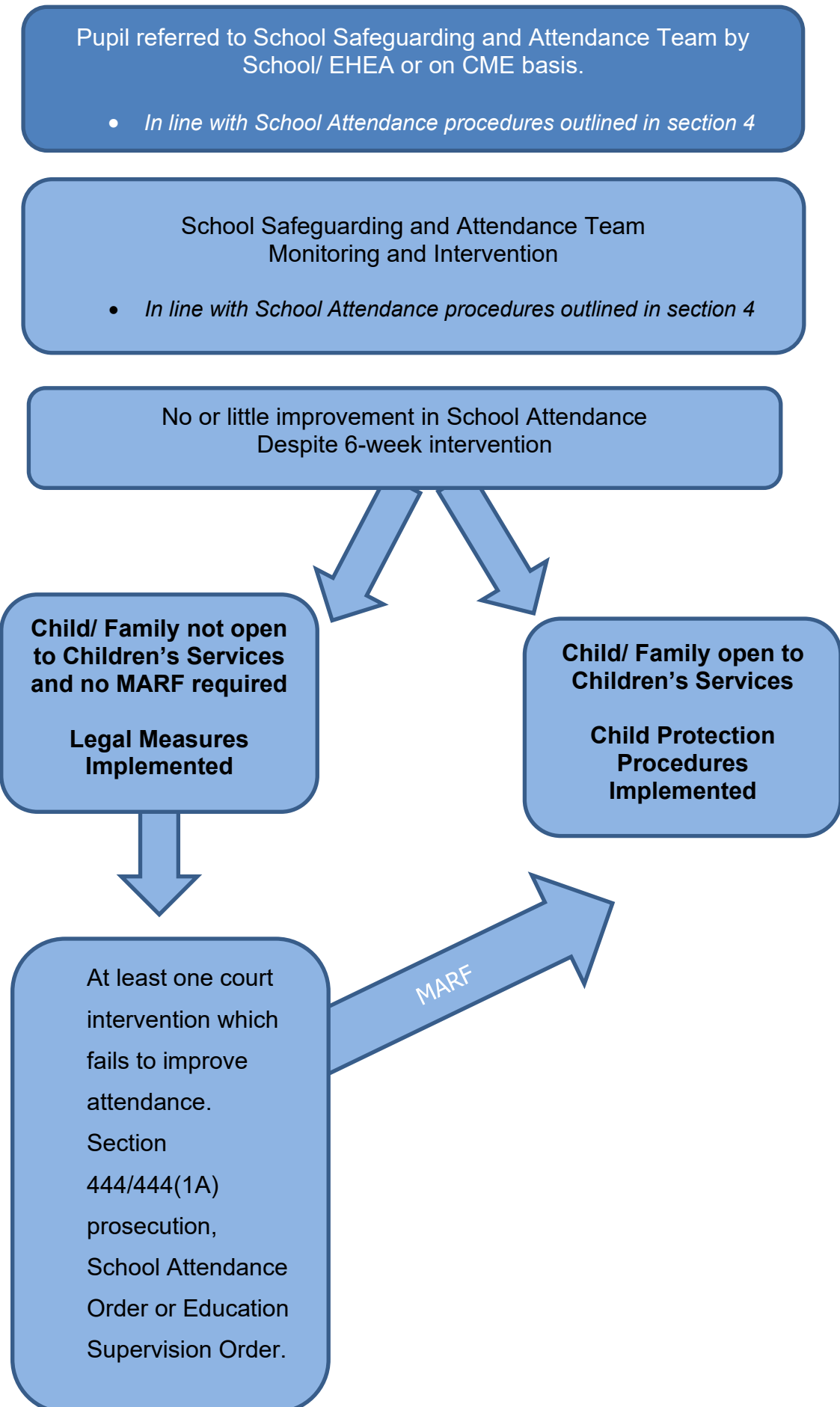
If the child is not open to Children's Services, the SSA Team will consider whether the lack of education has met threshold for a MARF. Where appropriate, cases will be discussed with service managers so that a decision can be made as to whether a MARF is needed.

When parents are cooperating, but the pupil is refusing to engage in appropriate education the School Safeguarding and Attendance Team will consider applying to the Family Court for an Education Supervision Order.

For children who are Missing from Education (CME), the School Safeguarding and Attendance Team will offer support to re-engage the child in education. However, where this fails, the SSA Team will consider:

- Proceeding with a School Attendance Order and instigate court procedures as appropriate
OR
- If the child is an open case to the Child Care Teams, submitting a MARF to instigate Child Protection Procedures.
OR
- If the child is not open to Children's Services, whether the lack of education has met threshold for a MARF. Where appropriate, cases will be discussed with service managers so that a decision can be made as to whether a MARF is needed.

The Process



4. DEFINITION OF EDUCATIONAL NEGLECT

A failure to promote and provide an appropriate education in line with the Education Act Wales 2014

4A- OMISSION BY PARENT

This definition is relevant when parents fail to promote or provide appropriate education to the emotional and developmental detriment of the child and where:

- School attendance is less than 80% and parents are unable to provide or substantiate reasons for absence.
- Parent fails to attend or engage in efforts to support their child's attendance or educational entitlement .
- School attendance/ educational entitlement remains a significant issue despite the support and intervention of Education and Children's Services: for example, intervention from School Safeguarding and Attendance Team, Team around the Family, Preventative Services or Children's Services.

4B- OMISSION BY YOUNG PERSON

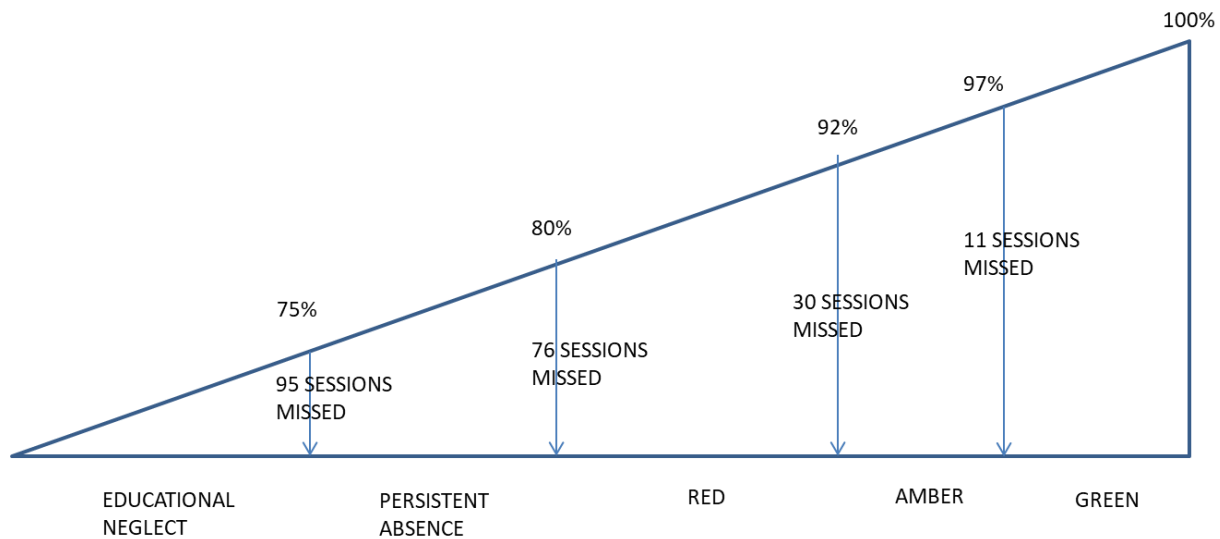
This definition is appropriate when pupils are old enough to determine their own actions and independently travel to school and where:

- parental co-operation is clearly demonstrated.
- current educational provision is appropriate for the young person's needs; and
- attendance levels are 75% or less.

Should these thresholds be met, the School Safeguarding and Attendance Team will consider applying to the Family Court for an Education Supervision Order.

If the young person or parent persistently fails to follow any directions made in the course of an Education Supervision Order, there is a legal duty to complete an integrated assessment, following a MARF.

INDIVIDUAL ATTENDANCE THRESHOLDS OVER 12 MONTHS



5. STATUTORY INTERVENTIONS

FINAL WARNING LETTER

An initial warning letter indicating that if parents continue to fail to provide appropriate education they are at risk of a fine or prosecution.

FIXED PENALTY NOTICE (Administered by Local Authority)

An early intervention where there is irregular attendance, unauthorised absence and reasonable expectation that this may change; discharges parent's liability for conviction of an offence by paying under the Education (Penalty Notices) (Wales) Regulations 2013.

PROSECUTION - ABSOLUTE OFFENCE (Magistrates Court)

Prosecution of a parent, under Section 444(1) of the Education Act 1996, for irregular attendance of child with unauthorised absence; this is a strict liability offence with limited defences.

PROSECUTION – AGGRAVATED OFFENCE (Magistrates Court)

Prosecution of a parent, under Section 444(1A) of the Education Act 1996, for irregular attendance of child with unauthorised absence; parent knows about irregular attendance and fails without reasonable justification to change this, potential of custodial sentence.

SCHOOL ATTENDANCE ORDER (Magistrates Court if not resolved)

Require parent(s), under Education Act 1996, to register a child of compulsory school age at a named school when not receiving a suitable education.

EDUCATION SUPERVISION ORDER (Family Court)

12 month Order under Section 36 of the Children Act 1989 on the grounds that the child is not being suitably educated; Supervising Officer to, 'assist, advise and befriend'.

As set out below (in Appendix 2) decisions to issue fixed penalties or initiate court proceedings in either the Magistrates Court or the Family Court are taken in consultation with Legal Services. A decision-making template is available. This sets out a list of information that should be taken into account when considering these options. The list is not exhaustive but indicates the types of issues that will be relevant.

Appendices

Appendix 1: School Attendance and its impact on attainment.

Hours of Lost Learning and how attendance impacts on attainment

Green	100%	Not missing any lessons
	99%	Missing about 10 lessons
	98%	Missing about 20 lessons
	97%	Missing about 30 lessons
Yellow	96%	Missing about 8 days of school. It will be difficult to catch up on lost learning from 40 lessons.
	95%	Missing about 2 weeks of school.
Amber	93%	Missing 14 days of school. This is almost 3 weeks which is a significant amount of education to lose. Schools should notify parents of concerns.
	92% and below	Missing more than 3 weeks of education. A serious loss of learning which is likely to have a detrimental effect on achievement and life chances. Schools should have a plan in place to improve attendance. School meetings with parents should be arranged.
Red	80%	Referral to the School Safeguarding and School Attendance Service. 6 weeks intervention commences. If no improvement or engagement the legal processes may be triggered.

Appendix 2 :School Safeguarding and School Attendance Team: 5 Step Model

Carmarthenshire County Council promote **a five-step model** for responding to pupil; absence. **The first three steps apply to schools.** Steps 4 and 5 apply to the statutory interventions of the School Safeguarding and Attendance Team following a referral and relate to internal processes of the service. These are set out below and are based on the legislative processes set out in the **All Wales Attendance Framework.**

STEP 1 – School Based Action- The school's role in dealing with attendance

Initial school intervention should include developing and adopting in-school policies to identify underlying problems and, where appropriate develop realistic strategies to address them. This will include utilising Local Authority resources to develop an ethos where attendance is high profile within the school and ensure a consistent response to pupil absence.

The following should be applied by school in relation to non-attendance:

4. 1st day of absence parental contact by telephone, text or e-mail. Letter (reason for absence) sent if no response.
5. Sending letters 1-3 when attendance starts to drop. The process for sending letters is also outlined in the Local Authority Supporting Schools Handbook. It is important that schools invite parents and pupils to a meeting to try and work together with them to identify and resolve underlying causes of non-attendance. These may include:
 - Medical needs
 - Bullying
 - Social Problems
 - Disaffection
 - Lateness
 - ALN

When meeting with parents to discuss attendance, schools should record this discussion and a Local Authority template can be used.

6. Utilising a Team Around the Family approach where appropriate with the TAF co-ordinators and School based youth worker for secondary schools.

STEP 2 – School-based in conjunction with advice from the School Safeguarding and Attendance Team

Where school-based interventions are still considered the appropriate level, further expertise and advice may be sought from a social worker for schools (SWS).

At this level no formal referral is made. The SWS, working in a consultative capacity, will act to assist the school in identifying possible alternative strategies to promote regular attendance of pupils through liaison with the school's senior manager with responsibility for attendance. This will be recorded on the SWS consultation visit form which will be signed by school and SWS, a copy of which will be given to the school. Where this support has been agreed with the SWS, the consultation forms should be reviewed on a termly basis to ensure that actions are completed, and any progress/decline of attendance is identified.

Where parents seek help from school Safeguarding and School Attendance Team directly, Step1 intervention may be considered appropriate. Where this is the case, the SWS should refer the parents back to school and also alert colleagues in relevant departments, such as the school, inclusion and children's services.

In addition, SWS can also offer to attend pre-referral school meetings with parents in an advisory capacity in order to support the school in addressing attendance issues in the early stages. It is not envisaged that the SWS will attend an excessive amount of these "pre-referral meetings" as their time is limited. However, schools may request support in shadowing the SWS in such meetings in the initial stages of the academic year and may also request this support with more complex cases. This support can therefore be negotiated by the SWS and the school and form part of the termly/fortnightly school visits, depending on the school's time allocation. These meetings should be undertaken with the consent of the parent

STEP 3 Formal Referral to School Safeguarding and School Attendance Team and requests for Penalty Notices

Each pupil will be considered on an individual basis and a referral will be based on a number of factors outlined in Step 2. Additionally, the threshold for a referral for poor attendance is 80% (where the main cause of absence is unauthorised) and the threshold for a referral to request a Penalty Notice is 10 sessions of unauthorised absences in a term.

In order to move to Step 3, schools should judge the appropriateness of a referral using the following criteria:

For low attendance:

- Have all the school-based intervention strategies been adopted /considered?

- Have the school followed the attendance flowchart i.e. telephone calls, letter 1, letter 2, letter 3 and a meeting? Parents should, wherever possible, be aware of the referral being made.
- Are there any mitigating circumstances that need to be considered?
- Is the main cause of absence unauthorised?

The following documents must be provided with the referral:

- Copies of letters and minutes of meetings with parents - with date, time and outcome.
- A copy of the pupil's attendance registration certificate
- In order to ensure the health and safety of the School Safeguarding and School Attendance Team, any details of concern of known risk factors associated with the pupil and the pupil's parents and family or the geographical location of the home must also be included.

To request a penalty notice:

- Has the Local Authority Code of Conduct been adhered to?
- Are there 10 sessions of unauthorised absence (either due to non-attendance or lateness (after the close of register)?
- Are the following documents ready to be uploaded with the referral? Copy of penalty notice whole school letter, copy of penalty notice warning letter to parents, penalty notice request form, authorisation form for school, a copy of the pupil's school register and (where appropriate) holiday request form and head teacher's response to this.
- Are there are mitigating circumstances?

Additionally, the referral should indicate whether the following criteria has been met:

- Irregular patterns of attendance:
 - c) where the main cause of absence is due to unauthorised absence, below 80% attendance (for non-attendance referrals)
 - d) Where there are 10 unauthorised sessions in a school term (for penalty notices).
- Where there are 10 consecutive days' unauthorised absence (prompting welfare or children missing education concerns).
- Where a child does not start at a school and there are children missing education concerns.

The following questions may be useful for the SWS to consider in deciding whether to accept the referral?

- Is the School Safeguarding and School Attendance Team the correct agency to undertake the task?

- Is it, for example, a task for Team Around the Family, Children's Services, Educational Psychologist, Inclusion (e.g. behaviour support, EOTAS, inclusion panel) or School based services (school health nurse, area 43, school based youth worker, ALNCO)?
- Is the timing appropriate? When was the last unauthorised absence?
- What is the desired outcome of the intended referral?
- What will the impact be on others?
 - Parents/siblings.
- Is this a priority for the School Safeguarding and School Attendance Team or are there other agencies or strategies available?
- Have the parents been advised by the school that a referral could be made to the School Safeguarding and School Attendance Team?

All referrals should be made by schools on the School Safeguarding and School Attendance Team Referral Form:

https://fynghyfrif.sirgar.llyw.cymru/cy/service/Education_welfare_service_online_referral_process

https://myaccount.carmarthenshire.gov.wales/en/service/Education_welfare_service_online_referral_process

It is important that the referral form contains factual evidence as it is essential for case management (including discussion with legal and court where appropriate) as well as providing statistical data to schools, governors and the LA.

The social worker on duty will always feedback to schools as to whether the referral has been accepted or declined, provide reasons for this and a brief outline of the next step for School Safeguarding and School Attendance Team. This should be done within 24 hours of a referral being made.

School Staff are reminded that in order for legal action to be initiated at Step 5 absences must be recorded as unauthorised, as authorisation of an absence by the school constitutes a statutory defence to section 444 of the Education Act 1996.

The school register is a legal document and must be accurate.

At Step 3 SSAT action may include:

- Allocating to a family engagement worker (FEW) where there are CME concerns and further information is needed to clarify this
- Allocating to an FEW for a JAFF where it is evident that a TAF approach is needed prior to any further action.
- Contacting schools/ professionals involved for further information
- Writing to parents to arrange a home visit
- Completing a SSAT assessment.
- Writing formally to parents/carers
- Contacting parents/carers by telephone.
- Emailing parents/carers
- Holding meetings with the family, this could be done remotely via Skype, Microsoft Teams, WhatsApp

- Meeting with pupil in school/ or remotely with school staff where appropriate to establish their views, wishes and feelings.
- Holding education planning meetings, at school or remotely where needed
 - Issuing a Fixed Penalty Notice (Done by team manager)

Where a referral is accepted by SSAT and allocated to a SWS, the SWS will:

- Contact the parent to arrange a home visit and undertake an assessment to determine a course of action, within 5 school days of receipt of the referral.
- Provide a written response to school on their involvement as part of the running referral record within 10 working days.

The purpose of a home visit/ remote meeting or telephone meeting will be to:

- Assess circumstances impacting on attendance/ reason for absence.
- Inform parents of their obligations in respect of school attendance.
- Provide advice and support to families
- Agree a plan to improve attendance- this may involve an FEW undertaking direct work with the young person, parent or family and may involve referrals to other agencies.

STEP 4 Case Management Approach (Internal process for School Attendance and Safeguarding Team)

Where attendance does not improve following the actions agreed after allocation, or where issues impacting on attendance immediately present as complex, requiring a more cohesive and sustained plan then School Safeguarding and School Attendance Team will consider progressing to stage 4- a case management approach. This involves convening a planning meeting with the family and all relevant professionals. This can also be attended by the senior SWS/ team manager where appropriate. Cases at this level will also be reviewed on a monthly basis in conjunction with the team manager and linked FEW during pod supervision to ensure a robust case management approach. It is not envisaged that cases remain at this stage for an extended period. Cases will be reviewed after 6 weeks.

Consideration will be given to a number of strategies. These may include:

- Intensive monitoring of individual pupil's attendance.
- Drawing up a written agreement/ contract between SSAT, parent and pupil to outline plan of support and expectation
- A time limited in-depth programme with the family (delivered by FEW).

- Referral to other agencies/services, including Team Around the Family.
- Holding an Attendance Case Review to review the plan agreed as part of the SSAT assessment
- Formal warning letters- L3 and final warning must be sent to progress to step 5
- Ensuring that statutory guidance around CME/ pupil de-registration is adhered to.
-

If there is no significant progress at Step 4, and there has been no evidence that the parents and/or pupil have responded to a range of interventions which have been recorded and monitored, then a Pre-court meeting with SSAT and legal services will be held. Here, the SWS will present the case to the team manager and legal department for consideration. If the decision is to prosecute / refer to court, then the parents will then be informed that they have reached Step 5 Statutory Action. The decision making in this meeting will be structured in line with Carmarthenshire County Council's Enforcement Policy.

Step 5 – Statutory Action (SCHOOL SAFEGUARDING AND SCHOOL ATTENDANCE TEAM)

Where there is a need to implement statutory action School Safeguarding and School Attendance Team will act within the following criteria, in line with CCC prosecution protocol:

Duty to consider and Education supervision order

- Prior to implementing action under Sect. 444 School Safeguarding and School Attendance Team are required to give consideration of the suitability of the case for placing before the Family Court with regard to an Education Supervision Order under sect. 36 of the Children Act 1989

This entails considering the following:

Education supervision orders. S.36 the Children Act 1989

S.36 of the Children Act empowers the LEA to apply for an Education Supervision Order (ESO). An ESO is a 'family proceedings' matter as defined by the Children's Act 1989, which regards the welfare of the child as the main concern and is a civil matter.

Courts may not make an ESO when the child is in the care of the L.A.

An ESO will only be considered under the following circumstances:-

- Where parent/s and pupil/s are committed to improving attendance
- Where parent/s and pupil/s are prepared to work closely with the designated School Safeguarding and School Attendance Team officer
- Where the child is of an age to benefit from an ESO

Prosecutions

- Are the absences in the attendance register shown as unauthorised? (*Under Sect. 444(1) Education Act 1996 – a statutory defence is the authorisation of absences by the school*)
- Has consideration been given to all possible intervention?
- Have the parents co-operated with the school/LEA in supporting the pupil (*Parents who fail in this regard could be prosecuted under the aggravated offence Sect.444(1A) Education Act 1996 – where, if found guilty, the penalty is greater*)
- Are there any other circumstances that mitigate against prosecuting at this stage?

Where the above criteria has been met and referral to court agreed, the SWS and team manager will ensure the process below is activated under **Section 444(1) or 444(1A) of the Education Act 1996 (Failure to secure regular attendance of registered pupil)**.

For children not registered with a school

For pupils who are not registered at any school and not receiving education otherwise than at school the process following a School Attendance Order should be followed. Where the pupil remains without education, despite support from SSAT and the pursuit of a School Attendance order, parents could be prosecuted under Section 443 Education Act 1996 (Failure to comply with school attendance order).