



**Information Governance Team**

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Dear Sir/Madam

**Freedom of Information Act 2000 (FOIA)**

**Request ID: FOI733326856**

Thank you for your request for information relating to Prosecutions of parents for school non-attendance of children with special educational needs (SEN).

You have requested the following information:

**Please provide data for the most recent five full academic years for which data is available (e.g., 2019/20, 2020/21, 2021/22, 2022/23, 2023/24). For each academic year, please provide:**

**1. Total Prosecutions: The total number of prosecutions initiated by the Local Authority against parents under Section 444 of the Education Act 1996 for their child's non-attendance at school.**

2019/20 – 91  
2020/21 22  
2021/22 – 179  
2022/23 371  
2023/24 – 367

**2. Children with EHCPs: Of the total prosecutions identified in point 1, the number of prosecutions where the child concerned had an Education, Health and Care Plan (EHCP) at the time the prosecution was initiated.**

2019/20 – 0  
2020/21 2  
2021/22 – 3

**3. Non-attendance Linked to SEN (EHCP cases):** Of the prosecutions identified in point 2 (involving children with EHCPs), the number of cases where the child's non-attendance was explicitly cited as being linked to their special educational needs or a disability within their EHCP or related professional advice (e.g., medical reports, CAMHS reports, educational psychology reports).

**4. Alternative Provision (EHCP cases):** For the cases identified in point 2 (where a child with an EHCP was prosecuted), information on whether the Local Authority had provided, or attempted to provide and document the offer of, suitable alternative educational provision prior to initiating prosecution. Please provide a simple count for cases where such provision was confirmed to have been offered vs. not offered.

**5. Judicial Review Letters Before Claim Received:** The number of occasions on which the Local Authority received a Letter Before Claim for Judicial Review in relation to a child's educational provision where a Section 444 prosecution for non-attendance was also ongoing or had been threatened against the parents of that child.

**6. Prosecutions Withdrawn After Letter Before Claim:** Of the cases identified in point 5, the number of Section 444 prosecutions that were subsequently withdrawn by the Local Authority after the receipt of the Letter Before Claim for Judicial Review, specifically concerning the child's educational provision.

**7. Non-attendance due to Illness/Anxiety with Alternative Provision:** The number of occasions where the Local Authority formally acknowledged or considered a child's non-attendance to be primarily due to illness (including severe anxiety impacting physical and mental well-being) and consequently arranged or provided suitable alternative educational provision, without initiating Section 444 prosecution proceedings against the parents.

In response to Questions 3 to 7, we confirm we hold the information which you have asked for, but we have estimated that the cost of meeting your request would exceed the cost limit of £450 specified in the Freedom of Information and Data Protection (Appropriate Limit and Fees Regulations 2004). This represents the estimated cost of one person spending 18 hours or more, in determining whether the information is held, locating, retrieving and extracting it.

This information is not held in a reportable format. In order to collate the information you have requested, an officer would be required to manually locate and analyse individual pupils' records from the past five academic years, which would exceed the cost limit of £450 specified in the Freedom of Information and Data Protection (Appropriate Limit and Fees Regulations 2004). Therefore, this part of your request has been refused under section 12(2) of the Act.

The supply of information in response to a FOI/EIR request does not confer an automatic right to re use the information. You can use any information supplied for the purposes of private study and non-commercial research without requiring further permission. Similarly, information supplied can also be re used for the purposes of news reporting. An exception to this is photographs. Please contact us if you wish to use the information for any other purpose.

For information, we publish a variety of information such as: [FOI/EIR Disclosure Log](#), [Publication](#)

[Scheme](#), [Facts about Coventry](#) and [Open Data](#) that you may find of useful if you are looking for information in the future.

If you are unhappy with the handling of your request, you can ask us to review our response. Requests for reviews should be submitted within 40 days of the date of receipt of our response to your original request – email: [infogov@coventry.gov.uk](mailto:infogov@coventry.gov.uk)

If you are unhappy with the outcome of our review, you can write to the Information Commissioner, who can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or email [icocasework@ico.org.uk](mailto:icocasework@ico.org.uk).

Please remember to quote the reference number above in your response.

Yours faithfully

**Information Governance**