



working on behalf of children with school
attendance difficulties & their families

CrowdJustice campaign: 'The DfE is failing children who struggle with school attendance'

10 July 2020 update

Last June Square Peg and Not Fine In School launched a CrowdJustice campaign to raise funds for legal advice: "The DfE is failing children who struggle with school attendance" and you kindly donated.

We had 400 backers who gave an average of £17.50, generating a total of £7,007. This allowed us to pay Irwin Mitchell and Monkton Chambers for legal advice around a systemic challenge to the current attendance policy and absence codes and to send an initial letter to the DfE, requesting a meeting. It was clear from the response (unsigned, and two months later) that a meeting was not possible.

We were then able to identify and support two families to take things forward with the legal team. The families instigated the Judicial Review process through legal aid and a Letter Before Claim was sent to the DfE. Irwin Mitchell received the DfE's response in January 2020, refuting the claim that the problems were systemic and making it clear that any issues with the current system lay in the way schools and local authorities were interpreting the guidance.

Following this, we were advised by the legal team that it would be necessary to evidence more unlawful practice and, having spent many weeks preparing all the background information for the lawyers (all on a voluntary basis), we felt this wasn't possible at the time.

We continue to fight on behalf of all children with school attendance difficulties and their families, and the legal challenge resulted in some national media coverage last year which started to raise awareness of the issue:

- [Ch4 News](#) in June 2019
- [BBC Breakfast](#), plus regional TV and local radio in September 2019
- [The Observer](#), November 2019

[Square Peg](#) is now a CIC, with a growing team. Please consider signing up for our news and donating via our [LocalGiving](#) page. The new website demonstrates our impact to date, and highlights current initiatives.

[Not Fine In School](#) continues to support families through a [closed Facebook Group for parents](#) which now has nearly 12,000 members and was growing at a rate of 600-800 pre-pandemic. There is also a closed [Facebook Group for professionals](#).

With the return to compulsory attendance at school in September, and the reinstatement of fines and penalties for those struggling to attend, our work is more important than ever. Please continue to support us if you can.

Thank you.

Fran Morgan (Square Peg) & Beth Bodycote (Not Fine In School)