

CHRONIC ABSENCE OF CHILDREN AND YOUNG PEOPLE ENROLLED AT SCHOOL

**Protocol between Oranga Tamariki - Ministry for
Children and Te Tāhuhu o te Mātauranga | Ministry of
Education for Oranga Tamariki Act 1989 s19 Referrals.**

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TABLE OF CONTENTS

1. Objective	3
2. Principles	3
3. Definitions	3
4. Parameters of the Protocol	4
5. Responsibilities for enrolment and attendance	5
6. When a referral can be made	5
7. Referral Consideration Checklist.....	6
8. Procedure for referral.....	7
9. Accepting/Declining a referral.....	7
10. What the school and ASP can do next.....	8
11. Other care or protection concerns	9
12. Change of enrolment status	9
13. Process for matters of chronic absence in the Care and Protection FGC	9
14. Roles and Responsibilities	11
15. Frequently Asked Questions (FAQs)	13
16. Referral Form: S19 referral by a School or Attendance Service Provider ...	Error! Bookmark not defined.

Note for the Reader

The original *Non-Attendance of Children and Young People at School* protocol was agreed between the Department of Social Welfare and the Ministry of Education in July 1992 and was previously reviewed in 2003 and 2017 by Child Youth and Family and the Ministry of Education.

1. OBJECTIVE

This protocol seeks to ensure that schools and Attendance Service Providers (ASP) can refer children and young people when chronic absence from school raises care or protection concern under section 19 (s19) of the Oranga Tamariki Act 1989 (the Act)¹.

2. PRINCIPLES

- Children and young people's interests are served best when Education authorities and Oranga Tamariki work in partnership with other agencies including Police. This protocol sets the parameters for this partnership.
- Persistent failure to attend school becomes a care or protection issue when it results, or is likely to result, in serious harm to the child or young person's mental, emotional, social development or wellbeing.

3. DEFINITIONS

The following definitions apply for the purposes of this protocol:

Term	Definition
<i>ASP</i>	Attendance Service Provider(s) contracted by the Ministry of Education to deliver services to return students to regular school attendance (and enrolment for non-enrolled students). ASP work with Contract and Relationship Managers in each Ministry region, who oversee the ASP's contracts.
<i>Chronic absence</i>	Students attending school 70 percent or less of the time.
<i>Co-ordinator</i>	A person appointed by the Chief Executive of Oranga Tamariki pursuant to section 423 of the Act. This person carries out the duties of a care and protection co-ordinator as outlined in section 424 of the Act.
<i>Family Group Conference (FGC)²</i>	A formal meeting convened under s19 of the Act where there are care or protection concerns about a child or young person. It brings together the child or young person, their parents/whānau, and relevant professionals to discuss the concerns and agree on a plan.

¹ [Section 19 - Oranga Tamariki Act 1989](#)

² [Functions of family group conference](#)

Term	Definition
<i>Parents</i>	Parents, legal guardians and caregivers acting in the role of primary carer for children and young people.
<i>Schools</i>	This refers to school representatives, i.e., school employees who are authorised to represent and speak on behalf of the school's senior leadership and/or the school board.
<i>Student(s)</i> ³	Children and young people between the ages of 6-16 who are required to be enrolled in and attend school under sections 35 and 36 of the Education and Training Act 2020.
<i>Whānau</i>	This includes but is not limited to siblings and family members, immediate and extended family members, significant people in the child or young person's life.

4. PARAMETERS OF THE PROTOCOL

This protocol affirms that chronic absence is a care or protection concern when:

- a student has had sustained absence from school, reaching chronic absence levels, and
- all reasonable attempts to intervene have failed to restore regular school attendance.

The protocol applies:

- to all students who are enrolled and required to attend school under section 36 of the Education and Training Act 2020 (unless an exception applies see section 9).
- where the definitions and requirements outlined above are met.

ASP can use this protocol only when contracted to deliver services following a chronic absence referral and acting in partnership with the school. The process outlined in this protocol follows the same steps, responsibilities, and criteria for referral as the school, ensuring a collaborative effort to address chronic absence concerns effectively.

This protocol does not replace the responsibility of schools, ASP or others to make a Report of Concern (ROC⁴) when they believe it is needed.

³ [Domestic Student Definition](#)

⁴ROC – made under [s14](#) or [s15](#) of the Oranga Tamariki Act 1989, as the child or young person is in need of care and/or protection.

5. RESPONSIBILITIES FOR ENROLMENT AND ATTENDANCE

The following responsibilities apply for the purposes of this protocol:

Role	Responsibility
<i>ASP</i>	Can assume responsibility if acting on behalf of the school following a s19 referral and assign resources to maintain school attendance.
<i>School Boards</i>	Take all reasonable steps to ensure enrolled students attend school whenever it is open.
<i>Parents/Guardians</i>	Make sure their children are enrolled and attend school every day it is open under sections 35 and 36 of the Education and Training Act 2020.
<i>Principals</i>	Make sure attendance at their school is recorded, absences are identified, investigated, and responded to, and assign resources to maintain school attendance.

6. WHEN A REFERRAL CAN BE MADE

The s19 referral is sent to the care and protection co-ordinator (the co-ordinator) at the local Oranga Tamariki office, and is made under the following grounds in section 14(1)⁵ of the Act:

- **14(1)(a)** the child or young person is suffering, or is likely to suffer, serious harm-...(ii) having regard to the circumstances described in section **14AA(2)(a)**
- **14AA(2)(a)** - a child's or young person's development or physical or mental or emotional well-being is being, or is likely to be, impaired or neglected, and that impairment or neglect is, or is likely to be, avoidable
- **14(1)(d)** the child or young person has behaved, or is behaving, in a manner that –
 - (i) is or is likely to be harmful to the physical or mental or emotional well-being of the child or young person or to others; and
 - (ii) the child's or young person's parents, or the persons having the care of the child or young person, are unable or unwilling to control.

⁵ [Oranga Tamariki Act 1989 No 24 \(as at 27 November 2025\), Public Act 14 Definition of child or young person in need of care or protection – New Zealand Legislation](#)

7. REFERRAL CONSIDERATION CHECKLIST

Before referring to the co-ordinator, a school or ASP **should have**:

Step	Actions
1.	Communicated with parents/whānau Advised them of the attendance issue verbally and in writing, in an appropriate language.
2.	Engaged directly with the whānau Made home visits and/or convened a whānau meeting to explore solutions.
3.	Adjusted school arrangements Made modifications to programmes or schedules where appropriate.
4.	Used available supports - Involved whānau, community, and educational resources as needed. - Engaged services to address issues such as behaviour, abuse and neglect, learning difficulties, or home challenges.
5.	Allowed time for interventions to work.
6.	Collaborated internally - Discussed the proposed referral between school representatives (e.g., principal, teachers, support workers) and ASP. - Assessed the situation through a school board meeting, deans' meeting, or other processes specified in the Attendance Management Plan.

7.1 Record-keeping requirement:

Schools and/or ASP must keep accurate records of absences, home visits, whānau meetings, letters sent, and explanations given (including time, date, and place). This information must be supplied as part of any referral to Oranga Tamariki for a FGC.

8. PROCEDURE FOR REFERRAL

A section 19 referral must cover all the points in **s19(1A)**, including:

Every referral pursuant to subsection (1) shall be accompanied by—

- (a) a statement of the reasons for believing that the child or young person to whom the referral relates is in need of care or protection; and
- (b) particulars sufficient to identify any person, body, or organisation that might be contacted to substantiate that belief; and
- (c) a statement indicating whether or not the referral is being made with the consent or knowledge of –
 - (i) the parents or guardians or other persons having the care of the child or young person to whom the referral relates; or
 - (ii) the family, whānau or family group of that child or young person; and
- (d) any recommendation as to the course of action the care and protection co-ordinator might take in respect of the referral.

The referral must set out:

- The student's attendance record including details of absences and explanations given
- **and** actions taken to return the student to regular attendance and the responses to these actions.

The referral should include the names and contact details of primary/key whānau members involved with the student and other agencies who are known to be involved with the student. Professionals who can share information and insights that will help develop a successful plan, such as Police if there has been offending, should be identified as potential attendees for the co-ordinator to consider.

9. ACCEPTING/DECLINING A REFERRAL

9.1 Accepting a referral

Co-ordinators will accept referrals where:

- The definition of chronic absence (see section 3 and 4 above) is met and there are no other apparent concerns about the student
- The documentation is complete and includes a record of a whānau visit/meeting
- Where an ASP is the referrer, the school must attend the FGC to support long-term solutions

- *Exception:* If the student becomes non-enrolled during the process, the FGC may still proceed. In this case, the ASP is expected to collaborate with the school where the student re-enrols, sharing the student's plan and aligning with the new school's expectations.
- The co-ordinator is satisfied that a care or protection concern is established.

Other considerations

- The co-ordinator may require the referring school or ASP to provide further information before deciding whether a conference is required.
- If the co-ordinator considers that further investigation into the student's circumstances is required, the co-ordinator may refer the matter to a social worker. If, after investigation, the social worker believes that the student is in need of care and/or protection under one or more grounds in **s14(1)** of the Act, they must refer to a care and protection co-ordinator for a FGC under **s18(1)** of the Act.
- The co-ordinator will consult with parents/whānau and professionals who may participate in the conference to confirm attendees and help them prepare.
- If a **s18(1)** referral is made by a social worker, the referring school/ASP will be advised that their referral will not be progressed any further.

9.2 Declining a referral

A referral may be declined because the co-ordinator is not satisfied that the threshold for a conference has been met. Reasons may include:

- Lack of evidence or rationale to support the grounds specified in the original referral.
- Inability of the referring agency to follow through or participate fully in the process.
- Oranga Tamariki is already involved with the student and the matter is under investigation.

The co-ordinator would clearly outline the reasons for declining to convene a FGC with the school/ASP.

10. WHAT THE SCHOOL AND ASP CAN DO NEXT

Where a co-ordinator considers that it is not necessary to convene a FGC, the school/ASP may:

- provide further documentation to the co-ordinator, immediately or following further attempts to restore attendance, or
- make a ROC to the Oranga Tamariki National Contact Centre 0508FAMILY (0508 326 459) or email contact@ot.govt.nz, or
- continue to liaise with the parent/whānau and utilise the assistance of the school board and other supports.

11. OTHER CARE OR PROTECTION CONCERNS

Where care or protection concerns other than chronic absence is evident in the referral, the co-ordinator may refer to a social worker for an investigation.

12. CHANGE OF ENROLMENT STATUS

If a student is referred to Oranga Tamariki using this protocol and the referral is accepted, and meanwhile the student is subsequently removed from the school roll, this protocol is still actioned, with the ASP monitoring the plan and the usual process is followed.

13. PROCESS FOR MATTERS OF CHRONIC ABSENCE IN THE CARE AND PROTECTION FGC

13.1 The care and protection FGC

The FGC is a formal meeting where everyone involved works together to address concerns for the student and develop a plan. It is convened and facilitated by the Co-ordinator. Those who typically participate in considering the concerns include:

- The student
- Their parents/whānau
- The referring school or ASP
- The Co-ordinator
- *Note: Other people may attend only to present information to the FGC.*

The school/ASP making the referral carry responsibilities to:

- Set out and explain their concerns
- Talk about their concerns throughout the discussion and decision-making
- Contribute to the development of the plan to address the issues
- Be satisfied that the plan will meet the student's care and protection needs and is practicable and achievable
- *Note: the student's school must agree with the plan.*

This protocol requires that:

- A school/ASP making a referral must have a representative attend the FGC
- If an ASP makes the referral, a school representative should also attend to provide relevant information for discussion and agreement at the FGC

- The school representative must have sufficient authority to offer and confirm achievable solutions for the student's return to regular attendance.

13.2 Outcomes

- The outcome of a successful FGC is a plan, which sets out the actions and support services required to resolve the care and protection concerns.
- Where the FGC is unable to reach agreement, the co-ordinator reports this to the referring school/ASP. The school/ASP will then take whatever further action is judged appropriate.
- The co-ordinator will also report the chronic absence referral to the Chief Executive of Oranga Tamariki and consult with the agency's Care and Protection Resource Panel as required under the Act.

13.3 Resources

The Children's Act 2014 requires children's agencies to work together to achieve the Government's priorities for improving the well-being of children. **Oranga Tamariki** and **Te Tāhuhu o te Mātauranga / the Ministry of Education** are both children's agencies under the Children's Act 2014.

School-based supports and education services will usually make a significant contribution to the plan. Agencies, schools and community partners must work together and identify the appropriate services and resources needed to enable the plan.

13.4 Monitoring

The plan will require regular monitoring of the student's progress and other aspects of the plan. Both schools/ASP are best placed to do this. The FGC will decide who is responsible for monitoring and how the monitoring will occur.

13.5 Reviews

- The FGC will review the plan on an agreed date. Schools, ASP or other support services involved in the plan will be expected to participate in the review.
- The plan can be reviewed earlier if problems with the plan emerge. Any two members of the FGC may ask the co-ordinator to consider reconvening the group to review the plan.

14. ROLES AND RESPONSIBILITIES

School responsibilities:	Oranga Tamariki responsibilities (Care and Protection Co-ordinator):
• Keep attendance records and identify absences from school • Have an Attendance Management Plan and follow the plan • If appropriate engage the local ASP to address chronic absence • Identify when chronic absence has become a care or protection concern • Document the absences and the attempts made to resolve it • Make a s19 referral if it is believed the student needs care or protection because of their chronic absence from school • Refer to Oranga Tamariki under s15 through the Oranga Tamariki Contact Centre if there are other concerns • Assist the co-ordinator with preparing the FGC as requested (such as parent/whānau contacts, other information) • Participate in the FGC • Provide viable recommendations for the student to return to regular attendance • Participate in implementing the plan as required • Participate in reviews of the plan as required	• Receive the referral • Ask for further information from the referrer if necessary • Refer for investigation by a Social Worker if considered appropriate • Consider and identify professionals or others who should provide information to the FGC, such as from Police, Health, or NGOs currently or previously involved • Consult with parents, whānau and professionals who may participate in the conference to confirm attendees and help them prepare • Consult with the care and protection resource panel. • Convene the FGC if necessary • Gather further information to ensure that the FGC has relevant information and advice. This will include discussion with Oranga Tamariki managers about services and supports that Oranga Tamariki may be able to assist with • Hold the FGC • Review the plan as required • <i>Note: Social Workers may participate in the FGC as information givers to provide relevant information.</i>

ASP responsibilities:	Oranga Tamariki responsibilities (Care and Protection Co-ordinator):
• Receives and acts on Chronic Absence referrals • Keep case management records students referred for support • Identify when chronic absence has become a care or protection concern • Document attempts made to resolve absences • Make a s19 referral if it is believed the student needs care or protection because of their chronic absence from school • Refer to Oranga Tamariki under s15 through the Oranga Tamariki Contact Centre if there are other concerns • Assist the co-ordinator with preparing the conference as requested (such as whānau contacts, information) • Participate in the FGC • Provide viable recommendations for the return of the student to regular attendance • Participate in implementing the plan as required • Participate in reviews of the plan as required	• Receive the referral • Ask for further information from the referrer if necessary • Refer for investigation by a Social Worker if considered appropriate in the circumstances • Consult with the care and protection resource panel • Convene the FGC if it is considered necessary • Gather further information to ensure that the FGC has relevant information and advice. This will include discussion with Oranga Tamariki managers about services and supports that Oranga Tamariki may be able to assist with • Hold the FGC • Review the plan as required • <i>Note: Social Workers may participate in the FGC as information givers to provide relevant information.</i>

15. FREQUENTLY ASKED QUESTIONS (FAQS)

Questions	Advice to schools/ASP	Advice to Oranga Tamariki
1. What do you need to do before making a referral? Internal school processes	• Ensure that all interventions available to you have been tried before referring for a FGC • Students/parents/whānau must be given the opportunity to resolve chronic absence concerns themselves with support from school/ASP • Arrange to meet your local Oranga Tamariki staff and ASP to discuss common issues • Document and follow the school's Attendance Management Plan • Guidance counsellors, Learning Support, social workers in schools, local ASP, RTLB's and health services may play a role in home/school liaison • Keep all correspondence relating to absences, home visits, and explanations given (including time, date and place for meetings), counselling and any changes made to school arrangements and programmes	• Develop a relationship with schools, regional MoE attendance service contract and relationship manager and ASP in your area • Know the chronic absence protocol • Arrange to meet your local schools, ASP and MoE Learning Support to discuss common issues • Co-ordinator should ensure the person making the referral has the authority to do so and has taken steps required by their school board • <i>Note: This Protocol does not mean the board must discuss the case. School boards have legal authority for school attendance. Most delegate this responsibility to the Principal</i>
2. When can I make a s19 referral?	• A s19 referral is made when there is evidence that the usual interventions have not resolved a chronic absence problem.	• S19 referrals under this Protocol can only be made for enrolled students and can only be made by the school/ASP at which the student is enrolled.

Questions	Advice to schools/ASP	Advice to Oranga Tamariki
3. What if our concerns are more than attendance related?	- Students with abuse, neglect and care matters are not referred to the care and protection co-ordinator under this protocol. Report other care and protection concerns (s15) to the Oranga Tamariki National Contact Centre 0508FAMILY (0500 832 6459) or contact@ot.govt.nz - Refer to the co-ordinator for advice	Care and protection co-ordinators, duty social workers and contact centre staff should support schools to find the right place for their concern
4. What do I need to include in my referral (form)?	- When making a s19 referral the school/ASP should complete the attached national referral - A referral cannot be accepted unless the school agrees - If there is disagreement between the school and the ASP MoE may be able to support a resolution	A referral may not be accepted unless the school agrees
5. Who do I need to work with when making a referral?	- Inform parents/whānau who need to know about the problem and have been part of trying to respond. - Work with the co-ordinator - The school/ASP can assist the co-ordinator by providing full information about the student's parents/whānau	- The co-ordinator can expect to receive details for parents and whānau <i>Note: While schools can provide school-based supports they are not equipped to explore parenting/whānau matters outside of the school environment</i>
6. Which students can I refer under s19 to Oranga Tamariki?	- This protocol is designed for instances when the student is enrolled but is chronically absent from school - It is advisable not to remove students from the roll once a s19 referral is underway	Co-ordinators should not accept a s19 referral from the ASP if the student is not enrolled (unless they were enrolled at the time of the referral and have since become unenrolled)

Questions	Advice to schools/ASP	Advice to Oranga Tamariki
7. Who do I contact if I want to know the status of my school's referral?	You are entitled to feedback about your referral. Phone and ask to speak to the co-ordinator	- Let the school/ASP know what is happening - Promptly confirm receipt of the referral and advise if further information is required - Advise the school/ASP of the next steps - Inform the school/ASP if you decide that a FGC is not necessary - Inform the school/ASP if a referral has been made for an investigation by a social worker - Advise the school/ASP when you decide that a FGC is necessary and when it might be held
8. What needs to happen to prepare for the FGC?	Work out how you will present the issues clearly at the FGC and who will represent the school. If you or the parents/whānau have questions about the FGC, contact the co-ordinator	- Co-ordinator to ensure parents/whānau and school/ASP understands the FGC process - Co-ordinator to keep everyone informed during the process - Ensure that relevant information and advice is available for the FGC
9. What agreements are made at the FGC?	Schools/ASP will monitor the plan, and if it is not being met, they can ask for an earlier review with Oranga Tamariki	Co-ordinator will write up the plan and distribute it to the appropriate people
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Questions	Advice to schools/ASP	Advice to Oranga Tamariki
11. Who is responsible for providing resources?	- Provision of resource to maintain school attendance is not provided through the FGC and requires those involved to facilitate access - Oranga Tamariki is not expected to resource education services. For example, additional discretionary resources may be provided by the school following consultation with MoE's Learning Support group	- Resource provided by Oranga Tamariki is provision of the co-ordinator and drafting of the plan - Oranga Tamariki is unable to fund any resources to support the plan post s19 plans
12. What happens if we do not reach agreement at the FGC?	- If your concerns are escalating at any time during the FGC process, consider whether a ROC is needed - If you want to speak with someone, contact the Oranga Tamariki National Contact Centre 0508FAMILY (0508 326 459) or email contact@ot.govt.nz	- Co-ordinator will record the non-agreement and distribute it to the appropriate people - Report the matter to the Chief Executive of Oranga Tamariki - Co-ordinator to consult with the Oranga Tamariki care and protection resource panel

