



**Freedom of Information Act
Sections 15 & 16 Reference Book**

A guide to the functions, records, rules and practices of the National Educational Welfare Board (NEWB)

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INTRODUCTION

(i) Background

This National Educational Welfare Board (NEWB) FOI Sections 15 and 16 Reference Book – A Guide to the functions, records, rules and practices of the NEWB is compiled in accordance with the Freedom of Information Acts 1997, as amended by the Freedom of Information Act 2003. All references in this manual to the Freedom of Information Act or Acts refer to the 1997 Act as amended by the 2003 Act.

The Freedom of Information (FOI) Acts, effective from 21st April 1998, establish three new statutory rights:

- a legal right for each person to access information held by public bodies;
- a legal right for each person to have official information relating to him/herself amended where it is incomplete, incorrect or misleading; and
- a legal right to obtain reasons for decisions affecting oneself.

The Acts assert the right of members of the public to obtain access to official information to the greatest extent possible consistent with the public interest and the right to privacy of individuals.

(ii) Purpose of Reference Book

This reference book has been prepared and published in accordance with the requirements of Sections 15 and 16 of the FOI Acts.

In accordance with **Section 15** of the Act, the purpose of this reference book is to facilitate access to official information held by the National Educational Welfare Board, by outlining the structure and functions of this organisation, details of the services we provide and how they may be availed of, information on the classes of records we hold, and information on how to make a request to the Department under the Freedom of Information Acts, 1997 and 2003.

Section 16 of the FOI Act requires us to publish a book containing:

- the rules, procedures, practices, guidelines and interpretations used by the body, and an index of any precedents kept, for the purposes of decisions under any enactment or scheme administered by us ‘with respect to rights, privileges, benefits, obligations, penalties or other sanctions to which members of the public are or may be entitled or subject under the enactment or scheme’ together with
- ‘appropriate information in relation to the manner or intended manner of administration of any such enactment or scheme.’

(iii) How to use this Reference Book

This book is divided into a number of parts.

Part 1 of the Book - **Access to Information** - explains how to access information from us under and any fees that may arise.

Part 2 of the Book - the “**Our Role and Structure**” - outlines the role of the NEWB and its organisational structure. This part gives a breakdown of our internal structure and organisation. Information is provided under the following headings:

- **Role** – outlines the main work we do.
- **Structure** – gives details of our personnel structure.

- **Work we do** – provides a synopsis of our main activities.
- **Rules and Practices** – this information is provided in accordance with Section 16 of the FOI Act as amended. Where we provide any scheme impacting on the public within the meaning of Section 16 of the Act, as outlined under the heading Purpose of Reference Book earlier, then the rules and practices that we use in delivery of this scheme are outlined or referenced under the Rules and Practices heading.
- **Classes of records held** – details under which we hold records.
- **Contact points**– how to contact us for assistance.

(iv) Appendix

- **Appendix 1 –FOI application form** to request access to records under the Act from NEWB

(v) Availability of this Book

This publication is available on our website www.newb.ie under Freedom Of Information or copies can be ordered free of charge from the National Educational Welfare Board by contacting:

Freedom of Information Officer
The National Educational Welfare Board
16 – 22 Green Street
Dublin 7
Telephone; 01 8738735
Email: foi@newb.ie

PART ONE - ACCESS TO INFORMATION

1.1 Routinely Available Information

Corporate literature including policy documents, published research reports, annual reports, leaflets, press releases

1.2 Applications under the FOI Act

Under the FOI Act, anyone is entitled to apply for access to information not otherwise publicly available. Each person has a right to:

- Access to records held by us not covered by one of the exemptions in the Act.
- Correction of personal information relating to oneself held by us where it is inaccurate, incomplete or misleading.
- Access to reasons for decisions made by us directly affecting oneself.

The following records come within the scope of the Act:

- All records relating to personal information held by us irrespective of when created.
- All other records created from commencement date of the Act i.e. 21st April 1998.
- Any other records necessary to the understanding of a current record.
- Personnel records of serving staff created from 21st April 1995 and those created prior to that date where they are being used or proposed to be used in a way which adversely affects or may affect the person involved.

We will normally be obliged to respond to a request within 4 weeks. A week is defined in the Act to mean 5 consecutive weekdays, excluding Saturdays and public holidays (Sundays are also excluded, as they are not week days).

Applications under the FOI Act should be addressed to:

Freedom of Information Officer
The National Educational Welfare Board
16 – 22 Green Street
Dublin 7
Telephone; 01 8738735
Email: foi@newb.ie

1.2.1 Compiling your application

- (i) Your application should be in writing and, if applicable, accompanied by the appropriate fee (see "fees" below). The relevant fee should be paid by Bank Draft, Money Order, Postal Order or cheque drawn on a bank in the Republic of Ireland, made payable to the National Educational Welfare Board.

You may use the form entitled 'Request for Information under the Freedom of Information Acts' which is widely available or OUR version of this form (see Appendix 1). This form is also available from www.newb.ie/foi/application?

If you are not using the form outlined above, then your application should indicate that the information is sought under the Freedom of Information Act.

- (ii) If you require a reply in a particular format i.e. photocopy, computer disk, etc. please mention this in your application.
- (iii) Please be as detailed and as specific as possible when compiling your application as this will assist us in dealing with it. It can also result in lesser charges being incurred on search and retrieval in cases where these fall to be paid. Where possible please try to indicate the time period for which you wish to access records e.g. records created between May 2003 and December 2003. If you have any difficulty in preparing your application our staff will be happy to assist you in this regard.
- (iv) You may be required to prove your identity, especially when seeking personal information, so you may, therefore, be asked to produce your Birth Certificate, Driving Licence, Passport or other form of identity.
- (v) Please include a daytime telephone number, if possible, so that you may be contacted quickly if it is necessary to clarify details of your request.

We are happy to provide assistance to members of the public who seek advice on making a request.

1.2.2 Assistance to persons with a disability

We are available to provide assistance to persons with a disability to exercise their rights under the FOI Act (e.g. accepting oral requests from requesters who are unable to read, print and/or write due to their disability, enabling the requester to inspect or have records explained to him or her).

1.2.3 FOI Decision Making in the National Educational Welfare Board

The Decision Makers with regard to FOI queries are

Ms Laura Slevin
Director of Corporate Affairs
The National Educational Welfare Board
16 – 22 Green Street
Dublin 7
Telephone; 01 8738714
Email: foi@newb.ie

Ms Nuala Doherty
Director of Educational Welfare
Services
The National Educational Welfare Board
16 – 22 Green Street
Dublin 7
Telephone; 01 8738715
Email: foi@newb.ie

Internal Appeals are decided by the NEWB's Internal Reviewer:

The Internal Reviewer with regard to FOI queries is:

Eddie Ward,
Chief Executive Officer,
National Educational Welfare Board
16 - 22 Green Street
Dublin 7
Main Tel: 01 8738700
Website: www.newb.ie

We acknowledge receipt of FOI applications not later than 2 weeks following their receipt and forward them to the FOI Decision Maker for decision. The Decision Maker proceeds to deal with the request, liaise with the requester as appropriate and make a decision on the matter.

1.2.4 Rights of Review and Appeal

The Act sets out a series of exemptions to protect sensitive information where its disclosure may damage key interests of the State or of third parties. Where a Public Body invokes these provisions to withhold information, the decision may be appealed. Decisions in relation to deferral of access, charges, forms of access, etc. may also be the subject of appeal. Details of the appeals mechanisms are as follows:

1.2.5 Internal Review

You may seek internal review of the initial decision which will be carried out by an official at a higher level if:

- (a) you are dissatisfied with the initial response received i.e. refusal of information, form of access, charges, etc., or
- (b) you have not received a reply within 4 weeks of your initial application. This is deemed to be a refusal of your request and allows you to proceed to internal review.

Requests for internal review should be submitted in writing and, if applicable, accompanied by the appropriate fee, (see under Fees) to:

Freedom of Information Officer
The National Educational Welfare Board
16 – 22 Green Street
Dublin 7
Telephone; 01 8738735
Email: foi@newb.ie

The relevant fee should be paid by Bank Draft, Money Order, Postal Order or cheque drawn on a bank in the Republic of Ireland, made payable to the National Educational Welfare Board

Such a request for internal review must be submitted within 4 weeks of the initial decision. We must complete the review within 3 weeks. Internal review must normally be completed before an appeal may be made to the Office of the Information Commissioner.

1.2.6 Review by the Information Commissioner

Following completion of internal review, you may seek independent review of the decision from the Information Commissioner. Also if you have not received a reply to your application for internal review within 3 weeks, this is deemed to be a refusal and you may appeal the matter to the Information Commissioner.

Appeals in writing, and, if applicable, accompanied by the appropriate fee, (see under Fees below) may be made directly to the Information Commissioner at the following address:

**Office of the Information Commissioner
18 Lower Leeson Street,
Dublin 2**

**Telephone: 01-6395689
Fax: 01-6395676
E-mail: info@oic.ie
Website: <http://www.oic.ie>**

1.3 Fees

Application fees:

A standard application fee of **€15** must accompany an FOI request made under section 7 of the Act for a record or records **containing non-personal information**.

A reduced fee of **€10** applies if the person making such a request is covered by a medical card.

The following requests/applications are exempt from application fees:

- (a) A request under section 7 for a record or records containing only personal information related to the requester.
- (b) An application under section 17 (right of amendment of records relating to personal information).
- (c) An application under section 18 (right of person to information regarding acts of public bodies affecting the person).

Internal review fees:

A standard application fee of **€75** must accompany an application for internal review under section 14 of the Act.

A reduced fee of **€25** applies if the person bringing the application is a medical card holder or a dependant of a medical card holder.

The following internal review applications are exempt:

- (a) An application in relation to a decision concerning records containing only personal information related to the applicant.
- (b) An application in relation a decision under section 17 (right of amendment of records relating to personal information).
- (c) An application in relation to a decision under section 18 (right of person to information regarding acts of public bodies affecting the person).
- (d) An application in relation to a decision to charge a fee or deposit, or a fee or deposit of a particular amount.
- (e) An appeal of a decision which is deemed to be refused because the original request was not replied to within the required time limits.

Review by Information Commissioner:

A standard application fee of **€150** must accompany applications to the Information Commissioner for review of decisions made by public bodies under section 34 of the Act.

A reduced fee of **€50** applies if

- (a) the person bringing the application is a medical card holder or a dependant of a medical card holder or
- (b) the person is specified in section 29(2) i.e. a third party with the right to apply directly to the Information Commissioner where a public body decides to release their information on public interest grounds.

The following applications to the Information Commissioner do not require an application fee:

- (a) An application concerning records containing only personal information related to the applicant.
- (b) An application in relation a decision under section 17 (right of amendment of records relating to personal information).
- (c) An application in relation to a decision under section 18 (right of person to information regarding acts of public bodies affecting the person).
- (d) An application in relation to a decision to charge a fee or deposit exceeding **€25.00** under section 47 in respect of search and retrieval and photocopying of records (decisions in relation to the charging of fees or deposits for search and retrieval and/or photocopying of less than **€25** are not subject to review by the Information Commissioner).
- (e) An application in relation to a decision to charge a fee under section 47(6A), or a fee of a particular amount under section 47(6A), on the grounds that the records concerned do not contain only personal information related to the requester or the requester is not a medical card holder or a dependant of a medical card holder.

- (f) An appeal of an internal review decision which is deemed to be refused because that decision was not made within the required time limits.

Search and Retrieval and photocopying fees:

Fees may also be charged for search and retrieval of records as follows:

- In respect of personal records, fees in respect of the cost of copying the records requested will apply.
- In respect of other (non-personal) information, fees may be charged in respect of the time spent in efficiently locating and copying records, based on a standard hourly rate of €20.95. No charges shall apply in respect of the time spent by public bodies in considering requests.

A deposit may be payable where the total fee is likely to exceed €50.79. In these circumstances, we will, if requested, assist the member of the public to amend the request so as to reduce or eliminate the amount of the deposit.

Charges may be waived in the following circumstances:

- where the cost of collecting and accounting for the fee would exceed the amount of the fee; or
- where the information would be of particular assistance to the understanding of an issue of national importance; or
- in the case of personal information, where such charges would not be reasonable having regard to the means of the requester.

Section 47 of the FOI Act sets out the rules for applying search and retrieval fees. Fees are currently set as follows in accordance with Statutory Instruments Nos. 264 of 2003, 139 of 1998 and 13 of 1997:

- €20.95 per hour - search and retrieval
- €0.04 per sheet for a photocopy
- €0.51 for a 3½ inch computer diskette
- €10.16 for a CD-ROM
- €6.35 for a Radiograph (X-Ray)

2.0 PART TWO – OUR ROLE AND STRUCTURE

2.1 Role

The National Educational Welfare Board (NEWB) was established in 2002 and has a statutory function to ensure that every child either attends a school or otherwise receives an education. In particular, the Board has a key role in following up on children who are not attending school regularly, and where there is a concern about the child's educational welfare.

The Board also has responsibility for children who are being educated outside of schools (e.g. at home) and 16-17 year olds who leave school to take up employment.

The Board is appointed by the Minister for Education & Science and its members are drawn from teachers, school management, parents, agencies and services who work with young people and a number of relevant Government Departments.

2.2 Ethos

The Board was set up under the Education (Welfare) Act 2000. The Act is a progressive piece of legislation which takes an enlightened approach to the promotion of school attendance. The ethos of the Board follows the Act. Instead of admonishing children and parents for non-attendance the NEWB works hard to get to the root of problems behind non-attendance. For example, a child might be sick; there might be financial issues in the home; there might be a death in the family or a child may not want to go to school because he or she is being bullied. Issues such as these need to be addressed if a child's individual attendance issues are to be solved in the long-term.

The work of educational welfare officers builds on the work of the school and the various support services that operate at both school and community levels. Some schools are better resourced than others through a range of non statutory schemes such as Home/School/Community/Programme and School Completion Programme that are available in the most disadvantaged areas. Educational welfare officers work closely with these services at a local level.

2.3 Mission Statement

The mission of the NEWB is to maximise the level of educational participation of children and young people by ensuring that each child is attending school or otherwise participating in an appropriate education.

Values

The following values inform the NEWB – they are integral to our Strategic Plan for 2005 – 2007 (Every Day Counts) and are fundamental guiding principles for our work. They imbue the way the NEWB goes about its work as an organisation, with its partners in education and in carrying out its remit:

- Putting the best interests of children and young people first
- Advancing educational equality for all children
- Supporting and enabling our staff
- Operating to high standards of corporate governance

- Working inclusively and collaboratively.

2.4 Strategic Focus

NEWB has a clear strategic focus to guide its development. The Board's Strategic Plan 2005-2007 "every day counts" aims to build a strong organisation that can deliver on its duty to children, schools and families. The Strategic Goals adopted by the Board are as follows:

- To implement a prevention strategy that will build a culture of attendance and participation among all children and families
- To make a strong evidence-based case to Government to fast-track the manpower requirements of the Board, build its capacity and enable it to deliver high quality educational welfare services
- To build strong partnerships and collaborative working practices with state and community organisations, and increase the synergy with other educational investments, particularly in disadvantaged areas
- To ensure that resources and interventions maximise outcomes for children by developing evidence-based policy and practice
- To be a learning organisation that will support and develop its staff

A review of the existing strategic plan and the development of a new plan is currently underway.

2.5 Our Service

A central priority for the Board has been the establishment and building of the National Educational Welfare Service. The NEWB's network of Educational Welfare Officers (EWOs) is the key means by which the Board delivers on its statutory remit to ensure that each child attends and benefits from education.

At present 73 Educational Welfare Officers work in communities throughout the country acting as advocates or supports to parents, guardians and children experiencing difficulty with school attendance or educational welfare. The Board is in the process of filling 12 additional service posts.

In the initial stage of development, priority was given to the most disadvantaged areas (RAPID 1) with significant school going populations. EWOs provide an intensive service in these areas. Outside of these areas, a lesser service is provided and priority is given to children who are out of school or who have significant non attendance.

In following up on individual children, a check is made on the work done by schools and their staff. EWOs will usually contact the principal or other designated person about each child before making contact with the home. Home visits are an essential part of an EWOs work and the first knock on the door by an Educational Welfare Officer, very often opens up a pathway of solutions for a child and family in need. Once any underlying problems are identified the EWO can then seek to address the family's unique set of circumstances, if necessary in conjunction with school staff and other local support services.

If a child is out of school, there is a legal imperative on the Board to make other arrangements for the child's education in consultation with the parents and the Department.

Developing Interagency and Collaborative Working Practices

The reasons for non-attendance at school are complex. Some factors affecting attendance are embedded in the social and economic circumstances of a family or an entire community; some may arise out of children's experience of learning and education; community culture, family culture and school culture all play a part in shaping patterns of attendance and non-attendance.

In recognition of the cross-cutting nature of the factors impacting on school attendance, under Section 12 of the Education (Welfare) Act the NEWB is charged with ensuring that there is consistency and strong co-ordination with the work and policy development of a wide range of Government Departments and State agencies. The Board also recognises the potential for achieving its mission through building partnerships with agencies that have similar objectives.

Developing inter-agency working and structures for collaboration with these agencies and organisations is a key strategic goal for the Board.

Making an impact

NEWB operates nationally through 5 regional teams each of which is headed by a regional manager.

The following gives an indication of the work undertaken by the Board over the past four years:

Cases resolved: Approximately 10,000 cases involving students with reported school attendance difficulties are dealt with per annum by the NEWB.

Promotion of attendance: The Board has a responsibility to promote regular attendance at school. The Board has adopted a multi faceted approach to meet this obligation including raising awareness of the importance of school attendance among the community, providing information to parents, families and schools, commissioning research and disseminating findings, organising local and national campaigns in cooperation with schools and statutory and non statutory agencies, contributing to policy formulation on education and related matters.

Communication with families: NEWB has written to every family with children of school going age advising them of their rights and responsibilities in relation to education and school attendance and where they can get help. A parents' leaflet is now available in 18 different languages on our website www.newb.ie. Special promotional campaigns, for example, the sponsorship of the Cumann na mBunscol competition, provide new avenues into the lives of children, families and their communities.

National Education Helpline: The NEWB has set-up the country's first national education information helpline* (1890 36 36 66), which is manned by trained

Educational Welfare Officers and provides practical help to parents and schools on educational issues. Over 5,000 calls are dealt with annually by this service.

Guidance for schools: All schools have received guidance on the legislation and the reporting of student absences and expulsions. A website, www.schoolreturn.ie, has been established which enables schools to manage and report absences in a safe and efficient way

Legal Sanctions: Every child is entitled to receive an education and it is parents' and guardians' responsibility to ensure that their child attends a school or otherwise receives that education. The NEWB has powers to compel parents or guardians who are failing in their duty to educate their children or to send their children to school. These include parents who have not enrolled their child in a school or have failed to ensure that their child attends school regularly, or receives an education outside of school. Educational Welfare Officers realise that the reasons for non-attendance can be many and complex – individuated to a family's circumstances at a particular moment.

A School Attendance Notice (SAN) is the first step in enforcing the law. When a SAN is issued, the EWO then begins a formal monitoring process of the child's situation, and the parent or guardian is given extensive opportunity to address the underlying issues with the EWO and the school. Occasionally, the involvement of other State services to give additional support to the family may be sufficient to bring about change. In exceptional cases, where there is no progress being made and the child remains out of school, the Board will consider taking a prosecution. However, the NEWB's main emphasis is on the welfare of the child and the family and on ensuring that concerns and problems are dealt with before school attendance becomes a crisis issue.

Where legal proceedings are served on a family, the cases are heard in the local District Court. The first cases for non-attendance at school under the Education (Welfare) Act, 2000 were heard in 2006. Under the law, imposing penalties (e.g. fines, imprisonment) is a matter for the court and the EWO is not involved.

Research on school attendance: a research programme is underway that will support the Board in its planning and service development. Work undertaken includes:

National survey of school attendance levels: For the last three consecutive school years, the NEWB has produced a comprehensive report on the levels of non-attendance at Irish schools based on the attendance data submitted by schools to the NEWB at the end of each school year. The studies highlight national levels of absenteeism and assist in planning. Over time, the findings provide an indicator of the impact of measures to counter educational disadvantage.

Guth an Phobail – analysis of public attitudes towards school attendance: Published in 2006, the MORI Ireland Guth an Phobail survey involved 1,000 adults aged 18 and over. The survey reveals public attitudes towards, and perceptions of, school attendance and will be used by the NEWB to design initiatives to promote school attendance.

ESRI project on school attendance: The study aims at providing a comprehensive overview of literature and existing data in the broad area of attendance and improving the understanding of issues around attendance. The study highlights a number of priorities for policy and research and will guide NEWB's strategy to deal with school attendance. Published in 2007, it is a foundational piece to the development of guidelines for schools on attendance strategies.

MORI small-scale qualitative project on school attendance: This research involved a pilot study in 10 schools (5 primary schools and 5 post-primary schools) to gather the views of teachers, parents, students and educational welfare officers about the reasons for absenteeism, and the types of interventions which might help parents to ensure that their children attend school. The study highlights a number of priorities for policy and research and will guide NEWB's strategy to deal with school attendance. The findings will also influence service practice and the guidelines to be developed for schools on attendance strategies.

Research Conference: The National Educational Welfare Board's first research conference will take place on Tuesday, February 26th 2008 at the Law Society, Blackhall Place, Dublin 7. The Conference will bring together educators, researchers, policy makers and representatives of the NEWB to explore issues around school attendance and participation.

It will be highly practical in its approach, concentrating on what schools can do and what support they need to develop workable attendance policies and strategies based on international and Irish best practice.

It is envisaged that the 2008 Conference will be the first in a series aimed at examining, in depth, all aspects of school attendance and participation.

School Implementation Group: The School Implementation Group – which includes parents, principals and teachers, provides advice to the NEWB both on general priorities and on any materials and guidelines to be specifically distributed to schools. The group's role is to help ensure that those materials are usable, practical and appropriate to already busy school schedules.

Education Outside of Recognised Schools: Under the Education (Welfare) Act, 2000, every child receiving education in a place other than a recognised school must be registered with the NEWB.

Private or independent junior schools are schools not 'recognised' by the Minister of Education and Science under the Education Act 1998, and accordingly, every child attending these schools must be registered. To date, 3926 children have been registered across 29 private or independent junior schools.

As part of this remit, the Board must also ensure the registration of children who receive their education through home settings. Since June 2004, 392 home education registrations have been completed.

Guidelines on Development of Code of Behaviour: On 30th April 2007, the National Educational Welfare Board commenced a consultation process involving national associations of parents, recognised school management organisations, trade unions, staff associations representing teacher and other relevant organisations, children and young people on draft Guidelines for Developing School Codes of Behaviour.

These draft Guidelines were prepared on foot of NEWB's responsibility under Section 23 of the Education (Welfare) Act, 2000 which states that the Board of Management of each school must prepare and make available a Code of Behaviour in respect of its students and requires that the school Code of Behaviour be prepared in accordance with Guidelines issued by the National Educational Welfare Board (NEWB).

The draft Guidelines bring together guidance on good practice, both local and international, and essential information on relevant aspects of the law. They aim to standardise practices and approaches and provide practical guidance on how to develop an inclusive, child centred, behavioural policy that promotes a positive teaching and learning environment, whether schools are preparing a Code for the first time or auditing an existing one.

The Guidelines strike a balance between prescribing detail on the one hand and the need for each school to develop its own policies and practices that best suit its circumstances and ethos.

The feedback from this consultation process will now be used to inform the Guidelines for Developing School Codes of Behaviour which will be issued to all schools, primary and post primary, in the 2007 / 2008 school year.

Section 29 of the Education (Welfare) Act 2000 – Register of Young People in Employment; Under section 29, the Board is required to establish a register of young people who leave school to take up employment outside of recognised apprenticeships and training. Planning for the implementation of section 29 has been underway for some time. An overview of the size of the population of young people in employment, their locations and job experience and needs are required as a first step. Possibilities for commissioning this overview are being explored with FAS and other relevant players including Government Departments in the first instance.

Section 14 (19) of the Education (Welfare) Act, 2000: A proposal has been submitted to the Department of Education and Science regarding the prescription of programmes of education delivered outside of recognised schools, for example in centres of education and Youthreach Centres, under S 14(19) of the Education (Welfare) Act, 2000. Under section 14 of the Act, there is a requirement to ensure that every child is receiving a "certain minimum education". The section provides for an assessment process which is supported by guidelines issued by the Minister. The Board's proposal essentially means that education provision which has been either evaluated by the Department's Inspectorate or validated through the FETAC framework would be prescribed and would not therefore be subject to the assessment under the Act.

Working in Partnership: As provided for in the Framework for Social Partnership, the NEWB is strongly committed to developing protocols that will promote

innovative and collaborative ways of working that promote attendance and tackle attendance issues, including the development of close working relationships with other professional and agencies, to ensure an integrated approach to children's educational welfare.

By ensuring that children actually attend school regularly, and by targeting resources on DEIS schools, the NEWB can enable children and young people to benefit from the range of other State supports (provided as part of the DEIS initiative) that promote their educational well-being and achievement.

Work has began on developing protocols with support services, such as the National Psychological Service (NEPS), the National Council for Special Needs (NCSE), the Health Services Executive (HSE), FÁS, Visiting Teachers for Travellers (VTTs), Home School Community Liaison (HSCL) and the School Completion Programme (SCP).

Protocol with Schools: A collaborative project, involving principals and teachers, on developing a protocol with schools has been progressing. The protocol will clarify responsibilities around attendance and outline the best way that EWOs can support schools in meeting children's needs. This work takes time to develop as there are so many cross-cutting issues and potential situations that the various partners need to consider and find consensus on, in the context of the work pressure of the school community and of the EWO's caseload.

Developing School Attendance strategies: work has commenced on guidelines for schools on developing attendance strategies and the prevention of student absenteeism.

Section 29 Appeals: The law places responsibility on the EWO to take appeals in certain circumstances and to make submissions in other cases. The EWO must carry out these functions with independence and sensitivity having regard to their statutory responsibility towards the child and the position of the individual school.

2.6 Our Structure

NEWB Board

The following is the current membership of the Board:

- Mr Cathal Flynn (Chairperson)
- Mr Eddie Ward, Chief Executive Officer
- Mr Brendan Callaghan, Department of Justice, Equality & Law Reform
- Mr Declan Dunne, Ballymun Partnership
- Ms Fionnuala Kilfeather, National Parents Council
- Mr Gerry Mangan, Department of Social & Family Affairs
- Mr Fergal McCarthy, Teacher Unions
- Mr Guss O'Connell, FAS
- Mr Pat McSitric, Department of Education and Science
- Mr Donal O'Connor, Educational Welfare Officers
- Mr Gearoid Ó Maoilmhichil, Voluntary Bodies
- Sr. Eileen Randles, School Management Organisations
- Mr Seamus Moore, Health Service Executive

NEWB Management Team

Outlined below are the NEWB's management team:

- Mr Eddie Ward, Chief Executive Officer
- Ms Laura Slevin, Director of Corporate Services
- Ms Nuala Doherty, Director of Educational Welfare Services

Corporate Services Managers:

- Ms Mairead Nalty, Human Resources and Training Manager
- Ms Caroline O'Flaherty, IT Manager
- Mr Seamus McSorley, Facilities/Services Manager
- Ms Rosena McShane, Finance Manager
- Ms Elaine O'Mahoney, Communications Manager

Educational Welfare Services Managers:

- Mr Colin Fallon, Regional Manager, Dublin City
- Mr Michael Doyle, Regional Manager, Leinster North
- Ms Jean Rafter, Regional Manager, Leinster South
- Mr Dan O'Shea, Regional Manager, Munster
- Ms Bridget McGreal, Acting Regional Manager, West/North West

Educational Helpline

1890 36 36 666

Head Office

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Leinster South

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West/North West

Acting Regional Manager, Sarah O'Connor
Unit 19, Sandyfort Business Centre, Grealishtown, Bohermore, Galway
Tel: 091 385302
Fax: 091 760915
Email: info@newb.ie

2.7 Rules and Practices

Reporting Absenteeism

Schools are obliged by law to report on school attendance since the inception of the Education (Welfare) Act 2000. This obligation exists to protect children's educational welfare.

Schools need to submit a return on those students failing with the following criteria:

- a student has been absent from school for a cumulative total of twenty days or more
- a student's name is to be removed from the school register for any reason
- a student has been suspended for a cumulative total of six days or more
- a principal is concerned about a student's attendance
- the school has expelled or intends to expel a student

There are four student absence reports and one annual attendance report due each year and these can be submitted online or on paper.

The online reporting system www.schoolreturn.ie has been designed to ensure reporting on absenteeism is a simple procedure for schools. The website has been developed in consultation with school managers, principals, teachers and parents.

Referrals

Children may be referred to NEWB:

- When a child has been absent from school for more than 20 days
- When a child is 'out of school' on account of:
 - Expulsion
 - Suspension of more than 20 days
 - Parent withdraws a child from school or refuses to enrol a child
 - Child refuses to go to school
- Parent, school principal or other party expresses serious concerns about a child's school attendance

Sources of referral:

NEWB accepts referrals from:

- Schools
- Parents
- Agencies or third parties

Methods of referral:

(i) School referrals

- School authorities complete the periodic School Data returns in accordance with NEWB Guidelines for all pupils absent for twenty days or more cumulatively

- In between reporting periods, school authorities may refer an individual child, using the school data return form either manually or electronically

(ii) Other Referrals

Parents, agencies, NEWB Helpline or others use the NEWB Referral Form

Service Delivery

The NEWB has two levels of service delivery

- Intensive Service Areas/ Designated Rapid Areas / Areas of Disadvantage. i.e Galway City. Education Welfare Officers are in regular contact with Intensive Service area Schools in relation to educational welfare issues.
- Urgent Service Areas i.e. Galway County. The areas designated as Urgent have a different level of service provision depending on available resources.

The NEWB has protocols for referral, screening, assessment and decision-making in Intensive Service Areas and Urgent Service areas

Service Delivery is currently mainly case work in consultation with schools, parents children and young people (if appropriate) and other professionals. Preventative Strategies will be incorporated into future service delivery as the service develops and expands.

It is one of our strategic goals as an organisation to develop inter-agency and collaborative working practices; such an approach reflects the reality that factors affecting attendance are complex, often embedded in a family or communities social and economic circumstances. Building partnerships with schools and agencies that have similar objectives, and developing inter-agency working and structures for collaboration is essential to achieving our mission.

Legal Action

Under the Education (Welfare) Act 2000, every child in Ireland is entitled to receive an education and it is up to parents and guardians to ensure that their child attends a school or otherwise receives an education. If they fail in this duty, they are breaking the law and so can be prosecuted.

Since its inception in 2002, the National Educational Welfare Board has worked to act as advocates and provide supports to parents whose children are experiencing difficulty with school attendance or educational welfare. The work of the NEWB focuses on getting to the root of problems behind non-attendance so that children can continue their education.

The decision to proceed with legal action is an action of last resort and after all other forms of intervention, including collaboration with other services, have failed. The parents / guardians will first received a School Attendance Notice warning them that legal action will follow if their children does not attend school regularly. If the parents / guardians ignore this warning legal proceedings will be pursued.

Imposing a sanction on parents / guardians for their child's non attendance is the responsibility of the court in each case having heard all the evidence including that of the Educational Welfare Officer and the parents / guardians. The law provides that upon conviction that either a fine of up to €635 or up to one month's imprisonment or both may be imposed.

Because legal action is a very last resort, NEWB expects court proceedings to form a very small percentage of its work. While the law must be applied in a fair and equitable manner, the Board's main emphasis is on the welfare of the child and the family and on ensuring that concerns and problems are dealt with before school attendance becomes a crisis issue.

Policies in relation to Staff

The NEWB's staff handbook provides a comprehensive overview of NEWB policies and procedures affecting staff and is available on the NEWB's intranet.

2.8 Classes of records held

Educational Welfare Services

- National School Attendance Data
- Client Files
- Research Reports

Corporate Services

- Staff Information Material
- Personal Records
- Financial Records
- Meeting Minutes
- IT Records
- Procurement
- General Administration

2.9 Contact points

<u>Educational Helpline</u>	1890 36 36 66
<u>Head Office</u>	16 - 22 Green Street Dublin 7 Tel: 01 873 8700 Fax: 01 873 8799 Email: info@newb.ie
<u>Dublin City</u>	16 – 22 Green Street Dublin 7 Tel: 01 873 8600 Fax: 01 873 8699 Email: info@newb.ie
<u>Leinster North</u>	16 – 22 Green Street Dublin 7 Tel: 01 873 8600 Fax: 01 873 8699 Email: info@newb.ie
<u>Leinster South</u>	NEWB Tallaght South County Council Offices County Hall Block 2 Tallaght Dublin 24

	<p>Tel: 01 463 5513 Fax: 01 462 0212 Email: info@newb.ie</p>
<u>Munster</u>	<p>Block C Heritage Business Park Blackrock Cork Tel: 021 453 6314 Fax: 021 453 6368 Email: info@newb.ie</p>
<u>West / North West</u>	<p><u>West / North West</u> Unit 19 Sandyfort Business Centre Grealishtown Bohermore Galway Tel: 091 385302 Fax: 091 760915 Email: info@newb.ie</p>



**NATIONAL EDUCATIONAL WELFARE BOARD
Request for Access to Records under the
Freedom of Information Act, 1997 and the
Freedom of Information (Amendment) Act, 2003**

Please use BLOCK letters

Details of Applicant

Surname: _____

First Name: _____

Postal Address: _____

Telephone Number(s): _____ / _____ **Office Use Only**

Home: _____ **Date FOI Request Received** _____

Business: _____ **Identity Verified** _____

Consent Confirmed _____

Fee paid € _____

Personal Information

Amount of fee enclosed: € _____

Post to: FOI Officer, National Educational Welfare Board, 16-22 Green St, Dublin 7

PLEASE SIGN HERE: _____ **DATE:** _____