



## **Attendance Policy**

### **Aims:**

- To ensure that all children attend school regularly and in accordance with statutory requirements
- To offer guidance to parents in terms of attendance and punctuality
- To identify the respective responsibilities of Parents, Governors, Teachers and Outside Agencies

### **Guidance**

Our schools will ensure that children receive their legal entitlement to an efficient, full-time education suitable to their age, aptitude and any special educational need they may have.

To ensure that we have the correct systems and processes in place to fulfil this entitlement, we follow the guidance published by DFE: "Working together to improve school attendance" (2022) and any subsequent revisions of this document.

### **The School will:**

- Allocate senior staff to monitor attendance (the Executive Headteacher – Mr Weights, working with the Family Support worker – Mrs Finn)
- Ensure all registers are completed properly and accurately in line with our legal duty
- Make all reasonable attempts to contact the parents of any child not in attendance, within 1 hour of the registers closing.
- Respond promptly to any issues which may lead to non attendance and deal with them accordingly
- Support parents in promoting regular and punctual attendance of their pupils
- Not exclude pupils for non attendance
- Ensure all attendance registers are available for inspection by external services upon request
- Not remove a child's name from the register until all reasonable enquiries have been made

### **Parents**

All parents who have children of compulsory school age are responsible in law for ensuring that their children receive an efficient education "suitable to their age, aptitude, ability and any special educational needs which they may have" (Section 7 Education Act 1996). Most parents fulfil this responsibility by registering their children at a school.

Parents whose children are registered at school are then responsible for ensuring that they attend punctually, regularly and stay at school.

Parents have a duty to:

- Ensure regular attendance
- Ensure that children arrive at school on time
- Inform school of an absence by telephone or letter on the day or within three days.
- Request authorisation for exceptional absences other than for illness or medical reasons

### **Punctuality**

The school opens at 8:50am and sessions begin at 9am. Registers will close at 9.15am.

- If a pupil arrives late (after 9am), and the register is still open, he/she should be marked as 'late' but counted as present for that session
- If a pupil arrives after the register has closed (after 9.15 am), and provides a satisfactory explanation, he/she should be marked as 'authorised absent' for that session
- If a pupil arrives after the register has closed (after 9.15 am), and fails to provide a satisfactory explanation, he/she should be marked as 'unauthorised absent for that session
- If a pupil arrives late having missed registration, his/her presence on site should be noted in a book in the school office for purposes of emergency evacuation, etc
- If a pupil arrives late for school on a regular basis the Family Support Worker may contact and work with the family, and this may indicate a need for Educational Welfare Officer involvement

### **Authorising Absence**

Only the school can authorise an absence. The fact a parent has provided a note or other explanation (telephone call) in relation to a particular absence does not oblige the school to accept it. Where there is any doubt about the explanation offered – or when no explanation is forthcoming at all – the absence will be treated as unauthorised.

Absence notes and records of telephone calls will be kept for a term.

Absences will be **authorised** if:

- The pupil is ill
- The absence occurs on a day exclusively set aside for religious observance by the religious body to which the pupil's parent belongs
- The pupil is the child of Traveller parents who temporarily leave the area for work giving reasonable indication of their intention to return
- There is a family bereavement
- The pupil has a local authority licence to take part in a public performance, approved sporting activity or modelling and the school has granted leave of absence. The school will not approve a licence that does not state clearly the amount of absence the child will have. Advice will be sought from the Local

Authority and all applications for licences will be carefully considered taking into account the individual circumstances of each child.

- The pupil is involved in an exceptional special occasion. Individual circumstances and the pupil's overall pattern of attendance should be considered

Absence will be **unauthorised** if:

- No explanation is forthcoming from the parent
- The school is dissatisfied with the explanation
- The pupil is absent for unexceptional special occasions e.g. pupil's birthday
- The pupil is away on holiday  
(Further guidance in Appendix A)

The school needs to know if a child has not arrived at school and parents should report immediately if a child is going to be absent. The school can then investigate if a child fails to arrive.

Procedures for reporting absences;

- Parents to telephone school before 9 am, leaving a telephone message on the answer machine if necessary
- Each days absence to be reported separately.

Pupils accumulating more than 10 sessions of unauthorised absence in one academic year will be referred to the Local Authority. An application for a Penalty Notice will be made, and this will be processed at the discretion of the LA (as detailed in Further Guidance, Appendix A).

### **Working together to ensure good attendance**

When it is noted that a pupil's attendance has fallen below an agreed limit (90%), parents will be informed in writing. The family of persistent absentees will be invited to work with the school to identify any barriers to attendance and remove them. Usually, the Family Support Worker will lead this work and will invite parents into school to talk through the issues and help find possible solutions together. If further support is needed with attendance, the FSW will help to locate and co-ordinate this support.

In very exceptional circumstances, pupils with medical conditions or special needs and disabilities may find full-time schooling too challenging. In these cases, a part-time timetable may be implemented. Usually, this will be reviewed regularly and increased systematically with a target of returning to full-time schooling at an appropriate time in the future. The FSW will be responsible for liaising with the family and informing the LA of any timetable variations.

If a pattern of absence become problematic, the FSW may involve other members of the senior leadership team to listen to and consider some of the barriers to attendance that the family are facing. An agreed positive way forward will always be sought.

If attendance continues to be problematic and no impactful solution can be found, steps may be taken to hold more formal conversations and work with other agencies, including the LA.

Long-term absence may lead to the involvement of the Early Help team and Child Missing in Education team. Ultimately, if no solution can be found, the pupil may be taken off roll.

Reviewed 2023  
R Weights

## **Appendix A**

### **Further Guidance School Attendance**

#### **Definition of a parent**

A parent means:

All natural parents, whether they are married or not;

Any person who has parental responsibility for a child or young person; and,

Any person who has care of a child or young person i.e. lives with and looks after the child.

The local authority and school will need to decide who comes within the definition of parent in respect of a particular pupil when using the legal measures, but generally parents include all those with day to day responsibility for a child.

#### **Context of the school attendance measures**

Parents are responsible for making sure that their children of compulsory school age receive a suitable full-time education. This can be by regular attendance at school, at

alternative provision, or otherwise (e.g. the parent can choose to educate their child at home).

A child reaches compulsory school age on or after their fifth birthday. If they turn 5 between 1 January and 31 March they are of compulsory school age on 31 March; if they turn 5 between 1 April and 31 August they are of compulsory school age on 31 August. If they turn 5 between 1 September and 31 December, then they are of compulsory school age on 31st December.

A child continues to be of compulsory school age until the last Friday of June in the school year that they reach sixteen. From September 2013 all 16 year-olds will be required to continue in education or training, until the end of the academic year in which they turn 17. From September 2015 they will be required to continue until their 18th birthday.

### **School Attendance Orders**

If it appears to the local authority that a child of compulsory school age is not receiving a suitable education, either by regular attendance at school or otherwise, then they must begin procedures for issuing a School Attendance Order. The order will require the child's parents to register their child at a named school. If they fail to comply with the order the parent can be prosecuted.

### **Prosecutions by local authorities**

If a child of compulsory school age fails to attend regularly at a school at which they are registered or at a place where alternative provision is provided for them the parents may be guilty of an offence and can be prosecuted by the local authority. Only local authorities can prosecute parents and they must fund all associated costs. Local authorities should consider the Attorney General's Guidelines for Crown Prosecutors in all prosecution cases.

Local authorities must conduct all investigations in accordance with the Police and Criminal Evidence (PACE) Act 1984.

Local authorities have the power to prosecute parents who fail to comply with a school attendance order (section 443 of the Education Act 1996) or fail to ensure their child's regular attendance at a school (section 444 of the Education Act 1996). Section 444 has two separate but linked offences: Section 444(1): where a parent fails to secure the child's regular attendance; and section 444(1A) where a parent knows that the child is failing to attend school regularly, and fails to ensure the child does so. Section 444ZA applies the offence to where parents fail to secure the regular attendance of their child at a place where alternative provision is provided. There are statutory defences for parents to use under the Act. The fines available to the courts if parents are found guilty of the section 444 (1) offence include a level 3 fine of up to £1,000. If they are found guilty of the section 444 (1A) the fine is at level 4, up to £2,500 and the court can also sentence them to imprisonment for up to three months. Local authorities have the power to prosecute parents of pupils found in a public place during school hours after being excluded from school. The fine is a level 3 fine of up to £1,000

### **Education Supervision Orders**

The local authority must consider applying for an Education Supervision Order (ESO) before prosecuting parents<sup>16</sup>. A local authority may apply for an ESO instead of or as well as prosecuting parents. The order is placed on the child and the local authority is appointed by the court to supervise that child's education either at a school or at home for a specified period of time.

### **Penalty Notices**

Penalty notices are fines of £60/£120 imposed on parents. They are an alternative to the prosecution of parents for failing to ensure that their child of compulsory school age regularly attends the school where they are registered or at a place where

alternative provision is provided. Penalty notices can be issued to each parent liable for the attendance offence or offences.

Penalties can be used where the pupil's absence has not been authorised by the school.

Penalties may also be issued where parents allow their child to be present in a public place during school hours without reasonable justification during the first five days of a fixed period or permanent exclusion. The parents must have been notified by the school at the time of the exclusion of this and the days to which it applies.

### **The Code of Conduct**

The *Education (Penalty Notices) Regulations 2007* set out the details of how the penalty notice scheme must operate. This includes a requirement that every local authority must draw up and publish a Code of Conduct for issuing penalty notices, after consulting all schools, including academies, and the police. The code should set out the criteria that will be used to trigger the use of a penalty notice. These could include: a number of unauthorised absences, perhaps within a rolling academic year; one-off instances of irregular attendance such as holidays taken during term time without the school's permission; and where an excluded child is found in a public place during school hours without a justifiable reason.

The local authority administers the scheme for all schools in its area, including academies and Free Schools.

### **Payment of Penalty Notice**

The penalty is £60 if paid within 21 days of receipt rising to £120 if paid after 21 days but within 28 days. The payment must be paid direct to the local authority. The parents can only be prosecuted if 28 days have expired and full payment has not been made.

There is no right of appeal by parents against a penalty notice. If the penalty is not paid in full by the end of the 28 day period the local authority must decide either to prosecute for the original offence to which the notice applies or withdraw the notice.

**Can schools decide whether parents should be prosecuted or not?** No. Only local authorities can make decisions on whether parents should be prosecuted for school attendance offences. All schools (including academies) have a duty to refer regular absence (authorised and unauthorised) to the relevant local authority. This may include any evidence to show how they supported the pupil and parent to improve attendance. It is for each local authority to judge each referral on its own merits and make a decision on the next probable cause of action.

It is the statutory duty of local authorities to carry out investigations including witness statements leading up to prosecutions. Local authorities should conduct all investigations in accordance with PACE and Attorney General's Guidelines for Crown Prosecutors. Local authorities cannot delegate this function to schools (including academies) or charge them for this service.