



Attendance and Absence Policy

Signed by:

_____ Headteacher

Date: _____

_____ Chair of Governors

Date: _____

Date of next review: September 2024

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Statement of intent

Hillside Primary School believes that in order to facilitate teaching and learning, good attendance is essential. Pupils cannot achieve their full potential if they do not regularly attend school.

We understand that barriers to attendance are complex, and that some pupils find it harder than others to attend school; therefore, we will continue to prioritise cultivating a safe and supportive environment at school, as well as strong and trusting relationships with pupils and parents.

We take a whole-school approach to securing good attendance, and recognise the impact that our efforts in other areas – such as the curriculum, behaviour standards, bullying, SEND support, pastoral support, and the effective use of resources such as pupil premium – can have on improving pupil attendance.

We are committed to:

- Promoting and modelling high attendance and its benefits.
- Ensuring equality and fairness for all.
- Ensuring this attendance policy is clear and easily understood by staff, pupils and parents.
- Intervening early and working with other agencies to ensure the health and safety of our pupils.
- Building strong relationships with families to overcome barriers to attendance.
- Working collaboratively with other schools in the area, as well as other agencies.
- Ensuring parents follow the framework set in section 7 of the Education Act 1996, which states that the parent of every child of compulsory school age shall cause them to receive efficient full-time education suitable to their age, ability and aptitude, and to any SEND they may have, either by regular attendance at school or otherwise.
- Ensuring our attendance policy is clear and easily understood by all staff, parents and pupils.
- Regularly monitoring and analysing attendance and absence data to identify pupils or cohorts that require more support.

The school's attendance officer is Miss Lawton. Staff, parents and pupils will be expected to contact the attendance officer for queries or concerns about attendance.

1. **[Updated]** Legal framework

[Updated] This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Education Act 1996
- Equality Act 2010
- The Education (Pupil Registration) (England) Regulations 2006 (As amended)
- The Children (Performances and Activities) (England) Regulations 2014
- Children and Young Persons Act 1963
- DfE (2022) 'Working together to improve school attendance'
- DfE (2023) 'Keeping children safe in education (KCSIE) 2023'
- DfE (2016) 'Children missing education'
- **[New]** DfE (2023) 'Providing remote education'

This policy operates in conjunction with the following school policies:

- Child Protection and Safeguarding Policy
- Complaints Procedures Policy
- Positive Behaviour Policy
- SEND Policy
- Supporting Pupils with Medical Conditions Policy
- Social, Emotional and Mental Health (SEMH) Policy
- Children Missing Education Policy

2. **Roles and responsibilities**

The Governing Body has overall responsibility for:

- Monitoring the implementation of this policy and all relevant procedures across the school.
- Promoting the importance of good attendance through the school's ethos and policies.
- Arranging attendance training for all relevant staff that is appropriate to their role.
- Working with the SLT to set goals for attendance and providing support and challenge around delivery against those goals.
- Regularly reviewing attendance data.
- Ensuring that this policy, as written, does not discriminate on any grounds, including, but not limited to, ethnicity/national origin, culture, religion, gender, disability or sexual orientation.
- Handling complaints regarding this policy as outlined in the school's Complaints Procedures Policy.
- Having regard to KCSIE when making arrangements to safeguard and promote the welfare of children.
- Ensuring there is a Children Missing Education Policy in place and that this is regularly reviewed and updated.

The Headteacher is responsible for:

- The day-to-day implementation and management of this policy and all relevant procedures across the school.
- Appointing a member of the SLT to the attendance officer role.
- Ensuring all parents are aware of the school's attendance expectations and procedures.
- Ensuring that every pupil has access to full-time education and will act as early as possible to address patterns of absence.

Staff are responsible for:

- Following this policy and ensuring pupils do so too.
- Ensuring this policy is implemented fairly and consistently.
- Modelling good attendance behaviour.
- Using their professional judgement and knowledge of individual pupils to inform decisions as to whether any welfare concerns should be escalated.
- Where designated, taking the attendance register at the relevant times during the school day.

Alongside the Headteacher, the attendance officer is responsible for:

- The overall strategic approach to attendance in school.
- Developing a clear vision for improving attendance.
- Monitoring attendance and the impact of interventions.
- Analysing attendance data and identifying areas of intervention and improvement.
- Communicating with pupils and parents with regard to attendance.
- Following up on incidents of persistent poor attendance.
- Informing the LA of any pupil being deleted from the admission and attendance registers.

Pupils are responsible for:

- Attending their lessons and any agreed activities when at school.
- Arriving punctually to lessons when at school.

Parents are responsible for:

- Providing accurate and up-to-date contact details.
- Providing the school with more than one emergency contact number.
- Updating the school if their details change.
- The attendance of their children at school.
- Promoting good attendance with their children.

3. Definitions

The following definitions apply for the purposes of this policy:

Absence:

- Arrival at school after the register has closed

- Not attending school for any reason

Authorised absence:

- An absence for sickness for which the school has granted leave
- Medical or dental appointments which unavoidably fall during school time, for which the school has granted leave
- Religious or cultural observances for which the school has granted leave
- An absence due to a family emergency

Unauthorised absence:

- Parents keeping children off school unnecessarily or without reason
- Absences which have never been properly explained
- Arrival at school after the register has closed
- Absence due to shopping, looking after other children or birthdays
- Absence due to day trips and holidays in term-time which have not been agreed
- Leaving school for no reason during the day

Persistent absence (PA):

- Missing 10 percent or more of schooling across the year for any reason

4. Attendance expectations

The school has high expectations for pupils' attendance and punctuality, and ensures that these expectations are communicated regularly to parents and pupils.

Pupils will be expected to attend school punctually every day they are required to be at school, for the full day.

The school day starts at 8.45/8.50am, and pupils will be in their classroom, ready to begin lessons at this time. Pupils will have a morning break at 10:30am, which will last until 10:40am, and a lunch hour. Pupils will be expected to have returned from each break and be ready to recommence learning at the stated times.

Registers will be taken as follows throughout the school day:

- The morning register will be marked by 9:00am. Pupils will receive a late mark (L) if they arrive after this time.
- The morning register will close at 9:10am. Pupils may receive a mark of absence (U) if they do not attend school before this time
- The afternoon register will be marked by 1:00pm. Pupils will receive a late mark if they are not in their classroom by this time
- The afternoon register will close at 1:10pm. Pupils will receive a mark of absence (U) if they are not present.

Pupils will be encouraged to communicate any concerns related to attendance and absence as soon as possible to the relevant member of staff.

5. Absence procedures

Parents will be required to contact the school office via telephone before 9:00am on the first day of their child's absence – they will be expected to provide an explanation for the absence and an estimation of how long the absence will last, e.g. one school day.

Where a pupil is absent, and their parent has not contacted the school by the close of the morning register to report the absence, administrative staff will contact the parent by telephone call as soon as is practicable on the first day that they do not attend school.

The school will always follow up any absences in order to:

- Ascertain the reason for the absence.
- Ensure the proper safeguarding action is being taken.
- Identify whether the absence is authorised or not.
- Identify the correct code to use to enter the data onto the school census system.

The school will not request medical evidence in most circumstances where a pupil is absent due to illness; however, the school reserves the right to request supporting evidence where there is genuine and reasonable doubt about the authenticity of the illness.

In the case of PA, arrangements will be made for parents to speak to the Headteacher. The school will inform the LA, on a termly basis, of the details of pupils who fail to attend regularly, or who have missed 10 school days or more without authorisation.

If a pupil's attendance drops below 85 percent, the Headteacher will be informed, and a formal meeting will be arranged with the pupil's parent.

Where a pupil has not returned to school for 10 days after an authorised absence, or is absent from school without authorisation for 20 consecutive school days, the school will remove the pupil from the admissions register if the school and the LA have failed to establish the whereabouts of the pupil after making reasonable enquiries.

6. **[Updated]** Attendance register

The school uses SIMS.net to keep attendance registers to ensure they are as accurate as possible and can be easily analysed and shared with the appropriate authorities.

Designated staff members will take the attendance register at the start of each school day and at the start of the afternoon session. This register will record whether pupils are:

- Present.
- Absent.
- Attending an approved educational visit.
- Unable to attend due to exceptional circumstances.

The school will use the national attendance codes to ensure attendance and absence are monitored and recorded in a consistent way. The following codes will be used:

- / = Present in the morning
- \ = Present in the afternoon
- L = Late arrival before the register has closed
- B = Off-site education activity (not dual registered)
- C = Leave of absence granted by the school
- D = Dual registered – at another educational establishment
- E = Excluded / Suspended but no alternative provision made
- G = Unauthorised holiday
- H = Authorised holiday
- I = Illness
- M = Medical or dental appointments
- N = No reason yet provided for absence
- O = Unauthorised absence
- P = Participating in a supervised sporting activity
- R = Religious observance
- T = Gypsy, Roma and Traveller absence
- U = Late arrival after registration closed
- V = Educational visit or trip
- X = Not required to be in school
- Y = Exceptional circumstances
- Z = Pupil not on admission register
- - = All should attend / no mark recorded

When the school has planned in advance to be fully or partially closed, the code ‘#’ will be used for the relevant pupils who are absent. This code will also be used to record year groups who are not due to attend because the school has set different term dates for different years, e.g. induction days.

[New] Pupils who are absent from school but are receiving remote education for any reason will be marked as absent in the register.

All amendments made to the attendance register will include the original entry, the amended entry, the reason for the amendment, the date of amendment and the name and role of the person who made the amendment.

Every entry received into the attendance register will be preserved for three years.

7. Authorising parental absence requests

Parents will be required to request certain types of absence in advance. All requests for absence will be handled by the Headteacher – the decision to grant or refuse the request will be at the sole discretion of the Headteacher, taking the best interests of the pupil and the impact on the pupil’s education into account. The Headteacher’s decision is not subject to appeal; however, the school will be sympathetic to requests for absence by parents, and will not deny any request without good reason.

Leave of absence

The school will only grant a pupil a leave of absence in exceptional circumstances. In order to have requests for a leave of absence considered, the school will expect parents to contact the Headteacher in writing at least two weeks prior to the proposed start date of the leave of absence, providing the reason for the proposed absence and the dates during which the absence would be expected to occur.

Any requests for leave during term time will be considered on an individual basis and the pupil's previous attendance record will be taken into account. Where the absence is granted, the Headteacher will determine the length of time that the pupil can be away from school. The school is not likely to grant leaves of absence for the purposes of family holidays.

Requests for leave will not be granted in the following circumstances:

- Immediately before and during statutory assessment periods
- When a pupil's attendance record shows any unauthorised absence
- Where a pupil's authorised absence record is already above 10 percent for any reason

If term-time leave is not granted, taking a pupil out of school will be recorded as an unauthorised absence and may result in sanctions, such as a penalty notice. The school cannot grant leaves of absence retrospectively; therefore, any absences that were not approved by the school in advance will be marked as unauthorised.

Illness and healthcare appointments

Parents will be expected to make medical or dental appointments outside of school hours wherever possible. Where this is not possible, parents will be expected to obtain approval for their child's absence to attend such appointments as far in advance as is practicable. Parents will be responsible for ensuring their child misses only the amount of time necessary to attend the appointment.

Performances and activities, including paid work

The school will ensure that all pupils engaging in performances or activities, whether they receive payment or not, which require them to be absent from school, understand that they will be required to obtain a licence from the LA which authorises the school's absence(s).

Additional arrangements will be made by the school for pupils engaging in performances or activities that require them to be absent from school to ensure they do not fall behind in their education – this may involve private teaching. These arrangements will be approved by the LA who will ensure that the arrangements are suitable for the pupil.

The pupil will receive education that, when taken together over the term of the licence, amounts to a minimum of three hours per day that the pupil would be required to attend a school maintained by the LA issuing the licence. This requirement will be met by ensuring a pupil receives an education:

- For not less than six hours a week; and
- During each complete period of four weeks (or if there is a period of less than four weeks, then during that period), for periods of time not less than three hours a day; and

- On days where the pupil would be required to attend school if they were attending a school maintained by the LA; and
- For not more than five hours on any such day.

Where a licence has been granted by the LA and it specifies dates of absence, no further authorisation will be needed from the school. Where an application does not specify dates, and it has been approved by the LA, it is at the discretion of the Headteacher to authorise the leave of absence for each day. The Headteacher will not authorise any absences which would mean that a pupil's attendance would fall below 96 percent. Where a licence has not been obtained, the Headteacher will not authorise any absence for a performance or activity.

Religious observance

Parents will be expected to request absence for religious observance at least two weeks advance.

The school will only accept requests from parents for absence on grounds of religious observance for days that are exclusively set apart for religious observance by the relevant religious body. The school will define this as a day where the pupil's parents would be expected by an established religious body to stay away from their employment to mark the occasion.

The school may seek advice from the religious body in question where there is doubt over the request.

Gypsy, Roma and Traveller absence

Where a pupil's parent belongs to a community covered by this code and is travelling for occupational purposes, the parent will be expected to request a leave of absence for their child at least two weeks in advance. Absences will not be granted for pupils from these communities under this code for reasons other than travel for occupational purposes.

8. SEND- and health-related absences

The school recognises that pupils with SEND and/or health conditions, including mental health issues, may face greater barriers to attendance than their peers, and will incorporate robust procedures to support pupils who find attending school difficult.

In line with the SEND Policy and Supporting Pupils with Medical Conditions Policy, the school will ensure that reasonable adjustments are made for disabled pupils to reduce barriers to attendance, in line with any EHC plans or IHPs that have been implemented. The school will secure additional support from external partners to help bolster attendance where appropriate.

Where the school has concerns that a pupil's non-attendance may be related to mental health issues, parents will be contacted to discuss the issue and whether there are any contributory factors to their child's lack of attendance. Where staff have a mental health concern about a pupil that is also a safeguarding concern, they will inform the DSL and the Child Protection and Safeguarding Policy will be followed. All pupils will be supported with their mental health in accordance with the school's Social, Emotional and Mental Health (SEMH) Policy.

If a pupil is unable to attend school for long periods of time due to their health, the school will:

- Inform the LA if a pupil is likely to be away from the school for more than 15 school days.
- Provide the LA with information about the pupil's needs, capabilities and programme of work.
- Help the pupil reintegrate at school when they return.
- Make sure the pupil is kept informed about school events and clubs.
- Encourage the pupil to stay in contact with other pupils during their absence.

The school will incorporate an action plan to help any pupils with SEND and/or health issues cope with the stress and anxiety that attending school may cause them. Such plans will be regularly monitored and reviewed until the pupil is attending school as normal and there has been signs of significant improvement.

To support the attendance of pupils with SEND and/or health issues, the school will consider:

- Holding termly meetings to evaluate any implemented reasonable adjustments.
- Incorporating a pastoral support plan.
- Carrying out strengths and difficulties questionnaire.
- Identifying pupils' unmet needs through the Common Assessment Framework.
- Using an internal or external specialist.
- Enabling a pupil to have a reduced timetable.
- Ensuring a pupil can have somewhere quiet to spend lunch and breaktimes.
- Implementing a system whereby pupils can request to leave a classroom if they feel they need time out.
- Temporary late starts or early finishes.
- Phased returns to school where there has been a long absence.
- Small group work or on-to-one lessons.
- Tailored support to meet their individual needs.

9. Truancy

Truancy will be considered as any absence of part, or all, of one or more days from school, during which the school has not been notified of the cause behind such absence.

All staff will be actively engaged in supporting the regular attendance of pupils, and understand the importance of continuity in each pupil's learning.

All pupils are expected to be in their classes by 9:00am and 1:00pm, where the teacher will record the attendance electronically. Any pupil with permission to leave the school during the day must sign out at the school office and sign back in again on their return.

Immediate action will be taken when there are any concerns that a pupil might be truanting. If truancy is suspected, the Headteacher is notified, and they will contact the parent in order to assess the reasons behind the pupil not attending school.

The following procedures will be taken in the event of a truancy:

- In the first instance, a letter of warning will be sent to the parents of the pupil, informing them of the truancy and stating that any future occurrences could result in further action being taken.
- If any further truancy occurs, then the school will consider issuing a penalty notice.
- A penalty notice will be issued where there is overt truancy, inappropriate parentally-condoned absence, excessive holidays in term-time and persistent late arrival at school.

The DSL will be involved where an instance of truancy may be linked to a safeguarding concern. Any safeguarding concerns will be dealt with in line with the Child Protection and Safeguarding Policy.

10. Missing children

Pupils will not be permitted to leave the school premises during the school day unless they have permission from the school. The following procedures will be taken in the event of a pupil going missing whilst at school:

- The member of staff who has noticed the missing pupil will inform the Headteacher immediately.
- The office staff will also be informed as they will act as a point of contact for receiving information regarding the search.
- A member of staff will stay with the rest of the class, and all other available members of staff will conduct a thorough search of the school premises as directed by the Headteacher.
- The following areas will be systematically searched:
 - All classrooms
 - All toilets
 - Changing rooms
 - The library
 - Any outbuildings
 - The school grounds
- Available staff will begin a search of the area immediately outside of the school premises, and will take a mobile phone with them so they can be contacted.
- If the pupil has not been found after 10 minutes, then the parents of the pupil will be notified.
- The school will attempt to contact parents using the emergency contact numbers provided.
- If the parents have had no contact from the pupil, and the emergency contacts list has been exhausted, the police will be contacted.
- The missing pupil's teacher will fill in an incident form, describing all circumstances leading up to the pupil going missing.
- If the missing pupil has an allocated social worker, is a looked-after child, or has any SEND, then the appropriate personnel will be informed.
- When the pupil has been located, members of staff will care for and talk to the pupil to ensure they are safe and well.
- Parents and any other agencies will be informed immediately when the pupil has been located.

The Headteacher will take the appropriate action to ensure that pupils understand they must not leave the premises, and sanctions will be issued if deemed necessary. Appropriate disciplinary procedures will be followed in accordance with the Behaviour Policy.

The Headteacher will carry out a full investigation and will draw a conclusion as to how the incident occurred. A written report will be produced, and policies and procedures will be reviewed in accordance with the outcome where necessary.

11. Attendance intervention

In order to ensure the school has effective procedures for managing absence, the attendance officer, supported by the SLT, will:

- Establish a range of evidence-based interventions to address barriers to attendance.
- Monitor the implementation and quality of escalation procedures and seek robust evidence of the escalation procedures that work.
- Attend or lead attendance reviews in line with escalation procedures.
- Establish robust escalation procedures which will be initiated before absence becomes a problem by:
 - Sending letters to parents.
 - Having a weekly review.
 - Engaging with LA attendance teams.
 - Using fixed penalty notices.
 - Creating attendance clinics.

The school will use attendance data, in line with the '[Monitoring and analysing absence](#)' section of this policy, to develop specific strategies to improve attendance where patterns of absence are emerging. These strategies will be developed on a case-by-case basis, and will consider the particular needs of the pupils whom the intervention is designed to target.

The school will acknowledge outstanding attendance and punctuality in the following ways:

- Cinema trip
- Postcards home

School trips and events will be considered a privilege. Where attendance drops below 90 percent, these privileges may be taken away. The school will develop strategies for ensuring that pupils with health needs or home circumstances that result in additional absences are not unfairly excluded from attendance rewards, e.g. by setting individualised targets.

12. Working with parents to improve attendance

The school will work to cultivate strong, respectful relationships with parents and families to ensure their trust and engagement. Open and honest communication will be maintained with pupils and their families about the expectations of school life, attendance and performance so that they understand what to expect and what is expected of them. The school will liaise with other agencies working with pupils and their families to support attendance, e.g. social services.

The school will ensure that there are two sets of emergency contact details for each pupil wherever possible to ensure the school has additional options for getting in touch with adults responsible for a pupil where the pupil is absent without notification or authorisation.

The school will ensure that parents are aware of their legal duty to ensure that their child attends school regularly and to facilitate their child's legal right to a full-time education – parents will be made aware that this means their child must attend school every day that it is open, save for in certain circumstances, e.g. sickness or absences that have been authorised by the Headteacher in advance. The school will regularly inform parents about their child's levels of attendance, absence and punctuality, and will ensure that parents are aware of the benefits that regular attendance at school can have for their child educationally, socially and developmentally.

If a pattern of absence becomes problematic, the attendance officer will work collaboratively with the pupil and their parents to improve attendance by addressing the specific barriers that prevent the pupil from being able to attend school regularly. The school will always take into consideration the sensitivity of some of the reasons for pupil absence and will approach families to offer support rather than immediately reach for punitive approaches.

Where these barriers are related to the pupil's experience in school, e.g. bullying, the attendance officer will work with the Headteacher and any relevant school staff, e.g. the DSL and SENCO, to address this. Where the barriers are outside of the school's control, e.g. they are related to issues within the pupil's family, the attendance officer will liaise with any relevant external agencies or authorities, e.g. children's social care or the LA, and will encourage parents to access support that they may need.

13. Persistent absence (PA)

There are various groups of pupils who may be vulnerable to high absence and PA, such as:

- Children in need
- LAC
- Young carers
- Pupils who are eligible for FSM
- Pupils with EAL
- Pupils with SEND
- Pupils who have faced bullying and/or discrimination

The school will use a number of methods to help support pupils at risk of PA to attend school. These include:

- Offering catch-up support to build confidence and bridge gaps.
- Meeting with pupils to discuss patterns of absence, barriers to attendance, and any other problems they may be having.
- Establishing plans to remove barriers and provide additional support.
- Leading weekly check-ins to review progress and the impact of support.
- Making regular contact with families to discuss progress.
- Assessing whether an EHC plan or IHP may be appropriate.

- Considering what support for re-engagement might be needed, including for vulnerable groups.

The school will focus particularly on pupils who have rates of absence over 50 percent, and will work with the LA and other partners to engage all relevant services needed to identify and address the wider barriers to attendance these pupils are facing.

Where a pupil at risk of PA is also at increased risk of harm, the school will work in conjunction with all relevant authorities, e.g. social services, to support the pupil in line with the school's duty of care. The school will also bear in mind that the continuation of severe PA following intervention may, in itself, constitute neglect, and will escalate any concerns in this regard in line with the Child Protection and Safeguarding Policy.

14. Legal intervention

The school will allow sufficient time for attendance interventions and engagement strategies to improve pupils' attendance; however, where engagement strategies to improve attendance have not had the desired effect after one term, the attendance officer will consider:

- Holding a formal meeting with parents and the school's point of contact in the School Attendance Support Team.
- Working with the LA to put a parenting contract or an education supervision order in place.
- Engaging children's social care where there are safeguarding concerns.

Where the above measures are not effective, the Headteacher will issue a fixed penalty notice in line with the LA's code of conduct.

Where attendance still does not improve following a fixed penalty notice, the school will work with the LA to take forward attendance prosecution as a last resort.

15. Monitoring and analysing absence

The attendance officer will monitor and analyse attendance data regularly to ensure that intervention is delivered quickly to address habitual absence at the first signs.

The school will collect data regarding punctuality, truancy, and authorised and unauthorised absence, for:

- The school cohort as a whole.
- Individual year groups.
- Individual pupils.
- Demographic groups, e.g. pupils from different ethnic groups or economic backgrounds.
- Other groups of pupils, e.g. pupils with SEND, LAC and pupils eligible for FSM.
- Pupils at risk of PA.

The attendance officer will conduct a thorough analysis of the above data on a half-termly, termly and full-year basis to identify patterns and trends. This will include identifying, for each group:

- Patterns in uses of certain codes.
- Particular days of poor attendance.
- Historic trends of attendance and absence.
- Barriers to attendance.

The attendance officer will provide regular reports to staff across the school to enable them to track the attendance of pupils and to implement attendance procedures. The attendance officer will also be responsible for monitoring how attendance data changes in response to any interventions implemented to increase attendance in future.

The Governing Body will regularly review attendance data, including examinations of recent and historic trends, and will support the SLT in setting goals and prioritising areas of focus for attendance support based on this data.

The school will also benchmark its attendance data against local-, regional- and national-level data to identify areas of success and areas for improvement, and will share practice which has been shown to be effective with other schools.

16. Training of staff

The school will recognise that early intervention can prevent poor attendance. As such, staff will receive training in identifying potentially at-risk pupils as part of their induction and refresher training.

The Governing Body will ensure that teachers and support staff receive training in line with this policy as part of their induction. Following this initial training, staff will receive regular and ongoing training as part of their development.

Training will cover at least the following:

- The importance of good attendance
- That absence is almost invariably a result of wider circumstances
- The legal requirements on schools, e.g. the keeping of registers
- The school's strategies and procedures for monitoring and improving attendance
- The school's procedures for multi-agency working to provide intensive support for pupils who need it

The Governing Body will provide dedicated and enhanced attendance training to the attendance officer and other staff with specific attendance functions in their role – this will include training regarding interpreting and analysing attendance data and supporting pupils to overcome barriers to attendance.

Staff will receive training to ensure they understand that increased absence from school could indicate a safeguarding concern, and know how such concerns should be managed.

17. Monitoring and review

Attendance and punctuality will be monitored throughout the year. The school's attendance target is 96 percent.

This policy will be reviewed annually by the Headteacher.

Any changes made to this policy will be communicated to all relevant stakeholders.

Appendix A : letter provided to schools from the Local Authority to notify of the change to penalty notices.

Our reference: EWS/HT
Date: January 2019



**Children & Family
Services**
Civic Centre
Glebe Street
Stoke-on-Trent
ST4 1HH

Louise Rees
Director

Dear Parent / Guardian,

Changes to Penalty Notices for Absence from School

The City Council has, as one of its top priorities, the raising of pupils' levels of attainment in all of our schools and it is clear that improving attendance and reducing levels of persistent absence are the most important factors in achieving this goal. This cannot be achieved without your co-operation and whilst we would like to thank you for the work you have already done we must ask for further support in this crucial area.

As a result, we have reviewed the Code of Conduct and have made a few changes to previous guidance to schools, parents and carers regarding absence from school. The new guidance will come into force from 1 January 2019 and is detailed below:

Penalty Notice for Leave of Absence in term time

From 1 January 2019 any period of unauthorised leave may result in you as a parent receiving a penalty notice fine. Your Head Teacher will continue to be the only person able to authorise leave in term time, but this will apply only in exceptional circumstances. Any leave taken which is recorded as unauthorised absence by the school may be referred by your Head Teacher into the Local Authority and the following actions may be applied:

- A Penalty Notice payable of a **£60 or £120 fine**.
- Prosecution under s444(1) Education Act 1996, where if convicted you may be fined up to **£1,000**.

Period of time used to measure persistent absence and lateness

If your child has had 6 days unauthorised absence or is late 12 times over a twelve week period, you may receive a penalty warning notice and also potentially a fine.

These changes have been agreed with local Head Teachers and have been implemented to help promote and support good attendance to school. Further details and a copy of the revised Code of Conduct for issuing Penalty Notices can be obtained from the council's website www.stoke.gov.uk/education.

The vast majority of children and young people in Stoke-on-Trent have an excellent record of school attendance, and we recognise the efforts of so many parents to ensure their children attend school regularly.

The Local Authority will continue to take appropriate action for absences during term time when we are notified by Head Teachers, both to support them in their role and to ensure local children can continue to achieve the best possible outcomes from attending local schools.

Your child's education is important; together we can ensure that they achieve their full potential.

Yours sincerely

A handwritten signature in black ink that reads 'Jen Lomas'.

Jen Lomas
Assistant Director – Learning Services
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On behalf of Head teachers
and Governing Bodies

Appendix B

Hillside Primary School



NOTIFICATION FOR LEAVE OF ABSENCE IN TERM TIME

The Education (Pupil Registration) Regulations 2006

This form should be completed at least four weeks in advance of the proposed period of absence, by the parent with who the child normally resides. In line with Government and Local Authority guidance, authorised absence will only be given for exceptional circumstances – at the discretion of the Headteacher, considering the child’s absence.

The Local Authority strongly discourage parents/carers from applying for leave of absence during term-time and encourages school NOT to authorise such applications unless exceptional circumstances.

Please be aware that the Education Welfare Service will be informed of any unauthorised absence and it may result in a Local Authority Penalty Notice Warning letter being sent to you in relation to your child’s attendance.

I wish to apply for authorised leave of absence from school for my child:

Name of child/children:			
Class:			
First day of leave requested:		Last day of leave requested:	
Number of school days involved in leave:			
How many applications for leave of absence have you made this year?			
Exceptional circumstances leading to request (THIS SECTION MUST BE COMPLETED)			
Signed:	(Parent/Carer)	Date:	

Please note authorised absence can only be granted in exceptional circumstances. If we do authorize your leave you will receive a copy of the signed form which confirms the dates when your child will be absent and the agreed date for return. It can only be signed by the Headteacher. A copy will be kept in the file in the office for our records.

You will not hear back from us if the leave will need to be taken as unauthorised.

For school use only

Attendance: _____ %

The above leave is authorised in accordance with the school’s procedures

The above leave is not authorised in accordance with the school’s procedures



Signed: Date

(Headteacher on behalf of the Hillside Governing Body)

Appendix C

Stoke-on-Trent City Council: Code of Conduct for the issuing of Penalty Notices 2018

1. Purpose of the code

The Government has made it clear that it expects Local Authorities to have a Code of Conduct in place so that the full range of measures for improving attendance are available to schools. Regular school attendance is both a legal requirement and essential if the children of Stoke-on-Trent are to achieve better outcomes in education and maximise the opportunities available to them. Stoke-on-Trent schools consistently work towards a goal of 100 per cent attendance for all children in school.

The purpose of the local Code of Conduct is to ensure that Penalty Notices are issued consistently and fairly across the Local Authority area, in accordance with the relevant legislation, and that suitable arrangements are in place for the administration of the scheme.

The Education (Penalty Notices) (England) Regulations 2007, No. 1867 specify that each Local Authority must draw up a Code of Conduct which sets out measures to ensure consistency in the issuing of Penalty Notices including:-

- Means of avoiding the issue of duplicate notices;
- Measures to ensure that a notice is not issued when proceedings for an offence under S.444 of the Education Act 1996 [or S.444(1A) of that section] or section 103(3) of the Education and Inspections Act 2006 are contemplated or have been commenced by the Local Authority;
- The occasions when it will be appropriate to issue a Penalty Notice for an offence;
- The maximum number of Penalty Notices that may be issued to a parent in a twelve month period, in respect of any individual child;
- Arrangements for co-ordination between the Local Authority, neighbouring local authorities where appropriate, the police and authorised officers.

Authorised officers are defined in section 444B(4) of the 1996 Act in relation to penalty notices under section 444A of that Act, and in subsection (6) of section 105 of the 2006 Act in relation to penalty notices under that section.

The Code will be reviewed annually in consultation among the local partners, namely:-

- The Local Authority;

- Governing Bodies and Headteachers of Schools including Primary, Secondary and Special Schools as well as Academies;
- The Chief Officer of Police for the Police area which includes all or part of the area of the Local Authority.

2. Background Legislation

In February 2004, section 23(1) of the Anti-Social Behaviour Act 2003 added sections 444A and 444B to the Education Act 1996. These sections enable Penalty Notices to be used as an alternative to prosecution and provide parents with the opportunity to discharge liability for conviction of an offence under section 444 by paying a financial penalty to the Local Authority.

Section 103 of the Education and Inspections Act 2006 enables Penalty Notices to be issued to parents in relation to an excluded pupil should they fail to ensure their child is not present in a public place during school hours in the first five days of each and every fixed period or permanent exclusion without reasonable justification.

It is a defence for a person charged with an offence under section 103(3) to provide proof of reasonable justification, for example, that the child or young person needed to attend a pre-arranged medical appointment, or a medical emergency requiring the child to be supervised elsewhere other than at home.

Persons authorised to issue Penalty Notices must have regard to The Education (Penalty Notices) (England) Regulations 2007 as subsequently amended or modified by The Education (Penalty Notices) (England) (Amendment) Regulations 2013 No. 757, any guidance issued by the Secretary of State in relation to School Attendance, Absenteeism and Penalty Notices, together with the following legislation: -

- Disability Discrimination Act 1995
- Data Protection Act 1998
- Human Rights Act 1998
- Equality Act 2010

In relation to all legislation and guidance, regard must be given to any subsequent amendments or modifications to the above documents.

3. Circumstances in which a Penalty Notice warning can be issued

Regulation 15 of The Education (Penalty Notices)(England) Regulations 2007 states that in preparing the Code of Conduct the Local Education Authority must consult with governing bodies, Headteachers and the Chief Officer for the Police in the area of the Local Education Authority.

Following consultation with the said consultees it has been decided that the following circumstances may result in the issue of a Penalty Notice:

- a. Where one or both parents persistently fails to ensure their child of compulsory school age attends the school in which they are registered as a pupil or attends at another place of learning and attendance is below 90 per cent in a school term i.e. 12 or more sessions of absence in a 12 week period, and;

- b. Any absence by the child which is not due to the instances stated in the Education Act 1996, namely:-
- Sickness or unavoidable cause [Section 444(2A)]
 - With leave ie. Authorised absence [Section 444(3)(a)]
 - For religious observance by the religious body to which his/her parent belongs [Section 444(3)(c)]
 - The Local Authority has a duty to make travel arrangements to facilitate the child's attendance at the school and has failed to discharge that duty [Section 444(3B)]; and
- c. Where the school can show evidence to the Local Authority that they have attempted all of the following:-
- i. Contact by telephone;
 - ii. Contact by letter;
 - iii. Invitation to a formal meeting
- d. Term time leave is taken without obtaining the prior written agreement of the Headteacher or an authorised deputy or assistant Headteacher and the parents have been warned that a Penalty Notice may result.
- e. Unwarranted delayed return from term time leave without the prior written agreement of the Headteacher or an authorised deputy or assistant Headteacher
- f. Persistent late arrival of a child after the school register has been closed (Attendance Code U only) being 12 unauthorised late marks in the register within a 12 week period.
- g. A parent's failure to make arrangements to ensure that a child who has been excluded from school on disciplinary grounds is not in a public place at any time during school hours on a day which is during the first five school days of any exclusion, without reasonable justification. [Section 103 of the Education and Inspections Act 2006].

It is incumbent upon the parent in such circumstances to provide proof of reasonable justification, for example, that the child or young person needed to attend a pre-arranged medical appointment, or a medical emergency requiring the child to be supervised elsewhere other than at home.

In light of the above, a letter containing a Penalty Notice warning may be sent out by the Headteacher or an authorised deputy or assistant Headteacher on Stoke-on-Trent City Council letter-headed paper, signed by a Headteacher or an authorised deputy or assistant Headteacher and counter-signed by either:

- i. Education Welfare Team Manager; or
- ii. Education Welfare Officer for the school (where appropriate)

4. Authorisation to issue a Penalty Notice (fine)

The Education (Penalty Notices) (England) Regulations 2007 No. 1867 deals with the Issue of Penalty Notices in paragraphs 10. 11. 12 and 13. The authority to issue a Penalty Notice is

only given to a Headteacher or if they authorise it to a deputy or assistant Headteacher [para. 10] – the Headteacher cannot authorise any other member of staff to issue a Penalty Notice. However, although a Local Education Authority has the power to issue Penalty Notices there are limits to this as detailed in para. 12. – the child must be a registered pupil at a school in the area of the Local Education Authority; or for whom the Local Education Authority has made arrangements for alternative educational provision (whether or not in the area of the Local Education Authority; or is a child who is not a registered pupil at any school (due to exclusion or otherwise) but lives in the area of the Local Education Authority.

In consultation with the said consultees it has been agreed that the Local Authority will issue Penalty Notices (fines) on behalf of those authorised to issue a penalty notice under The Education (Penalty Notices) (England) Regulations 2007. This will avoid the potential for duplicate notices to be issued, or for notices to be issued when legal proceedings are underway. A Penalty Notice (fine) may be issued once two sessions of unauthorised absence have occurred during the time frame outlined in the Penalty Notice warning. The request for the Penalty Notice to be actioned needs to be sent by a Headteacher or authorised deputy or assistant Headteacher to the Education Welfare Team Manager at Stoke-on-Trent City Council.

5. Who can be issued with a Penalty Notice

Anyone defined as a ‘parent’ under Section 576 Education Act 1996 is a parent for the purposes of these provisions. The 1996 Act states that ‘parent’ includes any person who is not a parent of the child but has parental responsibility for him or who has care of him. This means a parent can include:

- all natural parents, whether they are married or not;
- any person who, although not a natural parent, has parental responsibility for a child or young person;
- any person who, although not a natural parent, has care of a child or young person.

‘Parental responsibility’ is defined by section 3(1) of the Children Act 1989 as being “all the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and his property.

Having care of a young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law.

A parent means each and every parent coming within the definition (whether acting jointly or separately) and should not be taken to mean that provisions only apply to a parent in the singular. As with prosecutions under Section 444 Education Act 1996, a Penalty Notice may be issued to each parent liable for the offence. A Penalty Notice must not be issued jointly to both parents, as each parent should be issued with their own Penalty Notice.

6. Maximum number of Penalty Notices that can be issued

The said consultees have agreed that the maximum number of formal written warnings that may be issued in a twelve-month period is two. A parent would be advised, within the Penalty Notice Warning letter, that at this stage they can only make representations to the nominated Senior Local Authority officer. The maximum number of Penalty Notices that can be issued in respect of an individual child in a twelve-month period is two.

7. Amount of Penalty and Payment Arrangements

Regulation 4 of The Education (Penalty Notices)(England) Regulations 2007 states the amount of the penalty payable by a parent and the period within which payment is to be made. The 2007 Regulations were subsequently amended by The Education (Penalty Notices) (England) (Amendment) Regulations 2013 No. 757. The penalty for each parent is £60 for each child, if paid within 21 days of receipt of the Penalty Notice. The penalty increases to £120 if paid after 21 days but within 28 days of receipt of the Penalty Notice. (Service by post is deemed to have been effected, unless otherwise proved, on the second working day after postage by first class post). Arrangements for payment to the Local Education Authority are detailed on the Penalty Notice.

If a penalty is not paid in full by the end of the 28 day period, the Education Welfare Team at Stoke-on-Trent City Council will either prosecute for the offence for which the Penalty Notice has been issued, or withdraw the Penalty Notice. The prosecution is not for non-payment of the Penalty Notice but is a prosecution for irregular school attendance (Section 444(1) Education Act 1996). The reasons for issuing a Penalty Notice need to accord with Section 444 of the Education Act 1996 and associated legislation. There is no statutory right of appeal against the issuing of a Penalty Notice.

A Penalty Notice can only be withdrawn in accordance with Regulation 8 of The Education (Penalty Notices) (England) Regulations 2007, namely, where it should not have been issued or that it should not have been issued to the person named as the recipient or the Penalty Notice contains material errors.

In accordance with Regulation 23 of The Education (Penalty Notices) (England) Regulations 2007 sums of money received by the Local Education Authority in respect of the payment of penalties will be used solely for the purpose of issuing and enforcing Penalty Notices and for the prosecution of recipients who do not pay. If any sums received are not used for those purposes then they must be paid to the Secretary of State.

8. Procedures for issuing Penalty Notices

The issuing of Penalty Notices will be undertaken by staff authorised by Stoke-on-Trent City Council. A Checklist for schools and a Penalty Notice Warning Letter in respect of offences under sections 444(1) and 444(ZA) of the Education Act 1996 respectively, has been prepared by the Education Welfare Service and copies of these are shown in the appendices.

9. Pupil watch/truancy sweeps

Where a child is located on a truancy patrol then unless there is a justifiable reason for the child's absence from attending school the following procedure will occur:-

- Child is located during a truancy patrol;
- Letter is sent to parent advising them that if the child is located during a truancy patrol a Fixed Penalty Notice will be issued to the parent, unless they can prove there was a justifiable reason for the child's absence from school;
- If the absence is found to be unauthorised then the Headteacher's Certificate of Attendance for the absent child is to be made available for the evidential period
- The evidence of the child's absence from school must have been reported by an Education Welfare Officer, a Police Officer or a Police Community Support Officer whilst taking part in a Local Authority approved truancy operation.

Where a parent fails or refuses to pay a penalty issued in these circumstances, then the evidence provided by the Headteacher will be laid before the court, alongside a witness statement completed by the reporting officer, copies of the Penalty Notice and a Certificate of Confirmation of Non-payment of the Fixed Penalty. This will be done after 28 days have elapsed since the Penalty Notice was deemed to have been received by the parent for the child. From that point, the Education Welfare Team will make an application for a hearing in the Magistrate's Court to be scheduled for a date within 21 days, subject to court availability.

10. Holidays in term time

A parent must obtain prior written permission from the Headteacher of the school where the child is registered as a pupil if they want to take their child out of school during term time.

They can only do this if:

- a parent the child normally lives with makes a written application to the Headteacher at least four weeks in advance of the proposed absence during term time.
- there are exceptional circumstances, in which case the period of notice may be reduced but should nevertheless be at least two working days' written application prior to the proposed absence.

The Headteacher (or an authorised deputy or assistant Headteacher) has absolute discretion regarding whether or not a child's absence from school is to be permitted during term time and if so, the period of absence to be permitted.

A parent can be fined for taking a child on holiday during term time without the prior written permission of the Headteacher (or an authorised deputy or assistant Headteacher) at the school where the child is registered as a pupil.

Unauthorised leave of absence (holidays) taken during term time

A parent will be expected to complete a holiday application form at least four weeks in advance of the proposed holiday. The form will include information about the use of Penalty Notices as a consequence of leave of absence taken in term time without the Headteacher's prior written authorisation.

Where a parent has taken a child out of school for a holiday or other leave of absence without prior written authorisation, there should be evidence on the attendance certificate of unauthorised absence. The Headteacher will notify the Local Authority that an unauthorised leave of absence has taken place and will complete the following documents:-

- A completed pro-forma witness statement;
- A Certificate of Attendance for the period in question;
- A copy of the advisory letter sent to the parent;
- A copy of the holiday application form from the parent and reply from the head teacher;
- A completed referral form

If a holiday form has not been completed but a Headteacher has sufficient evidence that the child has been absent from school due to an unauthorised holiday/leave of absence then the Headteacher or their authorised representative should provide this evidence in the witness statement and submit the following documents to the Education Welfare Service:-

- A completed referral form
- A completed pro-forma witness statement
- A Certificate of Attendance for the period in question

On receipt of these, the Education Welfare Service will issue a Fixed Penalty Notice by first class post to the parent. Where a parent fails or refuses to pay a penalty issued in these circumstances, then the evidence provided by the Headteacher will be laid before the court, alongside a witness statement completed by the reporting officer, copies of the Penalty Notice and a Certificate of Confirmation of Non-payment of the Fixed Penalty. This will be done after 28 days have elapsed since the Penalty Notice was deemed to have been received by the parent. From that point, the Education Welfare Team will make an application for a hearing in the Magistrates' Court to be scheduled for a date within 21 days subject to court availability. The prosecution of the parent will be on the grounds that the parent has failed to ensure the child has regularly attended the school with whom he is registered as a pupil rather than for non-payment of the amount detailed in the Penalty Notice.

11. Copy of Penalty Notice to be supplied to the Local Education Authority

A person issuing a Penalty Notice must provide a copy to the Local Education Authority which is named as the recipient for any payment of the penalty.

12. Records

Pursuant to Regulation 20 of The Education (Penalty Notices)(England) Regulations 2007, a Local Education Authority must keep records of Penalty Notices, namely, a copy of each Penalty Notice issued with a record of all payments made and the dates of such payments together with details about whether the Penalty Notice was withdrawn and the grounds for such a withdrawal, as well as information as to whether the recipient was subsequently prosecuted for the offence for which the Penalty Notice was issued.

13. Information to the Secretary of State

A Local Education Authority must supply the Secretary of State with such information as he may require in respect of Penalty Notices.

14. Compliance with the Code of Conduct

Any person issuing a Penalty Notice must do so in accordance with the Code of Conduct, any regulations regarding Penalty Notices and any directions issued by the Secretary of State to a Local Education Authority at any time.