



Foxton Primary School

Attendance Policy - Children

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Reviewed by:	Hugo Spalding
Next Review date:	November 2022
Signed:	

Foxton Primary School

Attendance Policy - Children

AIMS - our policy aims to:

- emphasise the importance to all children of maximum attendance at school as an essential prerequisite for making full use of all educational opportunities and to maximising individual achievement;
- make explicit to all relevant parties (teachers, parents/carers and children) the school's expectations on attendance levels;
- clarify the roles and responsibilities of all parties with respect to attendance;
- communicate to all relevant parties the legal position with respect to attendance and the categories of absence which are deemed authorised;
- Stress the need for home and school to work in close partnership to achieve high attendance.

All parents/carers are responsible for making sure that children of compulsory school age receive a suitable full-time education. Children are expected to attend school for 190 days each year. One day counts as one morning and one afternoon session, a total of 380 sessions per year.

Regular attendance at school is vital. Put simply, *absence* means *missed learning*; without it the learning process becomes fragmented and unsatisfactory. It is a legal requirement that children of compulsory school age receive full-time education and this, with the exception of those educated at home or elsewhere, means regular attendance at school. Irregular attendance leads to children missing important lessons and therefore not fulfilling their true potential; it can also place children at risk, if they are absent from school without adequate supervision or at risk of stress due to concern about missed learning or disrupted friendships. ***We therefore take the issue of attendance very seriously and do all we can to obtain very high attendance from all our children.***

What is an acceptable attendance rate?

Attendance is a national priority. All schools must submit data electronically (both in an aggregated form and on an individual pupil basis) every term. It is a key indicator of an effective school and, as such, will be scrutinised by OFSTED. National data clearly shows a correlation between high attendance rates and attainment.

The vast majority of our children achieve **over 96% attendance** and this is what we expect from all of our children as a **minimum**. Sickness comes usually in a block of time over a continuous period; what we look for are unbroken weeks (i.e. those where the pupil is marked present on all ten sessions); children should **not** have more than one or two broken weeks in the course of an academic year. Regular broken weeks are a cause for concern and will be followed up by the school.

Authorised Absences

The school cannot legally authorise **any** leave of absence unless there are **exceptional circumstances**. The Department for Education (DfE) has issued guidelines to all schools detailing valid reasons for **authorised** or **justified** absences:

- (i) a child is ill or receiving medical attention;
- (ii) days of religious observance, notified in advance;
- (iii) absence due to family circumstances (e.g. bereavement, serious illness).

We expect absences to be kept to a minimum; **routine medical and dental appointments should be arranged out of school hours wherever possible.**

Unauthorised Absences

These are absences where:

- no letter or acceptable explanation is provided by parent(s)/carers;
- the reason for the absence does not fall into one of the categories of **authorised** absence above.

The DfE guidelines look at the area of **Special Occasions** and make clear that only **truly exceptional** occasions should be classified as authorised; for example, absence resulting from a pupil attending the graduation of an older brother or sister could be counted as authorised; a birthday treat to a theme park would **not**. If in doubt please ask the school.

Holidays

We strongly discourage holidays being taken in term time as learning is disrupted and the lost time is detrimental to the educational progress of the child.

In common with the other schools, we ask parents who feel it is absolutely unavoidable that they take their annual holiday (or any other proposed special occasions) during term time to notify the school, in writing, **at least four weeks in advance of the proposed date**, explaining the very exceptional circumstances and contacting the school office for an appointment with the Headteacher.

The school will **not** authorise holidays retrospectively. **Any requests for term time holidays will necessitate an interview with the Headteacher.**

Penalty notices can be issued in cases of unauthorised absence from school, including holiday during term-time. This is an alternative to prosecution of parents and enables parents to discharge potential liability for conviction for that offence, by paying a penalty fine. See Appendix 5

Home/School Partnership

Securing a high level of attendance requires the school and home to work closely together. To this end, we ask parents to:

- do all they can to ensure their child arrives **on time** for morning and afternoon school sessions; morning registration begins at 8:55am and afternoon registration is at 1:15pm. We will monitor persistent late comers and action will be taken; **parents can be prosecuted if their child persistently arrives late;**
- if their child is ill, notify by phone or email the school **each day by 9:30am** with an estimation of the likely length of absence;
- get in touch at an early stage about any concerns they have about their child's attitude towards school.

[In the current situation, due to Covid-19, times to start and finish school are slightly different for each Key Stage but registration needs to be completed by 9:00am for KS1 and 8:55am for KS2.]

In return the school will:

- contact home on day 1 of absence if no message has been received from home;
- contact home over any unexplained absences;
- follow up promptly any concerns parents pass on to us that may be affecting their child's attitude to, or feeling of wellbeing in, school.

Roles and responsibilities

Where attendance falls below 95% letters are sent home to inform them of the data, as often within busy households it is not easy to track attendance and one or two days from time to time can add to a significant amount of schooling lost.

The Education Welfare Service

Our Education Welfare Officer (EWO) regularly 'visits' the school and will begin to work with families when attendance falls below 90%. The school works very closely with him/her regarding children who are giving cause for concern; the EWO may visit homes to support families or, see and support children in school. The EWO is available to assist parents where difficulties arise and can be contacted via the school.

In extreme cases the Education Welfare Service also initiates legal proceedings against parents who have not fulfilled their responsibility for getting their child to school. Before a case goes to court, Parenting Contracts will be drawn up, setting targets for attendance levels; there may also be interviews which could lead to a fixed penalty notice. The prime aim of all action is to get the child attending school on a regular basis.

Late Arrival

- A pupil should only be marked as **late** when the teacher has completed the whole register and a pupil arrives after the register.
- A pupil will be marked as **unauthorised if they arrive late after the register has closed at 9:00am.**

Appendices

- Appendix 1 - Absence Codes – Recorded on registers
- Appendix 2 - Education Welfare Officer: Procedure and Practice
- Appendix 3 - Late Letter
- Appendix 4 (a) - Letter 1 (95% attendance)
- Appendix 4 (b) - Letter 2 (94% attendance)
- Appendix 4 (c) - Letter 3 (90% attendance)
- Appendix 5 – Suspected term-time holiday letter
- Appendix 6 - Improvement Letter

Absence Codes – Recorded on registers

∧	Present at registration
0	Confirmed Case of COVID-19
7	Self-Isolating (Contact with Outside)
8	Self-Isolating (Contact with Covid Case)
8	Self-Isolating (Contact with Inside)
9	Suspected Case of COVID-19
B	Educated Off Site (Not dual registered)
C	Other authorised circumstances (not covered by another appropriate code/description)
D	Dual registered (i.e. present at another school or at a PRU)
E	Excluded but no alternative provision made
F	Extended family holiday
G	Family holiday (not agreed or sessions in excess of agreement)
H	Family holiday (agreed)
I	Illness
J	Interview
L	Late but arrived before the register closed
M	Medical or dental appointment
N	No reason for the absence provided yet
O	Other unauthorised (not covered by other codes or descriptions)
P	Approved sporting activity
R	Religious observance
S	Study Leave
T	Traveller absence
U	Late and arrived after the register closed
V	Educational visit or trip
W	Work experience (not based working)
X	Non-compulsory school age pupils
Y	Unable to attend due to exceptional circumstances
Z	Pupil not on roll yet
#	School closed to pupils

The Absence Codes have been updated by Capita and are now identical for all schools nationally

EWO and Attendance: procedure and practice

1. Data collection, input and analysis:

Responsibility for this lies with the school administrator.

2. Early Intervention:

Letter 1 - data sent as an alert to concerns as attendance is less than 95%, invitation sent by the school to discuss attendance and request that medical evidence is provided in order to authorise future absence.

If no further improvement

Letter 2 - invitation sent by the school to discuss attendance less than 94% and request that medical evidence is provided in order to authorise future absence. Indication that the next step is for the EWO to be involved.

NB. Medical evidence may include bottles of prescribed medicine with information relating to the pupil on the label, evidence of a doctor's appointment, or letter from a medical practitioner. Please note that even for long term medical illness, school attendance is expected and frequent conversations with the school to help manage education will be important.

3. Still no further improvement

Letter 3 informing parents of EWO referral and expectation that parents/carers will be invited to a formal 'Parenting Contract Meeting' where a clear 90% target is given over a 6 week period. Intervention will be agreed with the Headteacher before any action is taken in order to take into account any mitigating circumstances.

EXAMPLE - LATE LETTER

Date

Name and address of parent

Dear Parent

Re: Child Name: xxx **DOB:** xxx **School:**

I have noted during a recent attendance review that your child is beginning to show a pattern of persistent lateness.

It is the duty of parents to ensure that children attend school regularly and punctually, as this encourages habits of good timekeeping and lessens classroom disruption

If you are experiencing any difficulties regarding your child's education, I would welcome the opportunity of meeting with you to discuss this.

Please note that if your child arrives after registers close this will be recorded as an unauthorised absence. As parent(s) it is your legal responsibility, as stated under Section 444 of the Education Act 1996, to ensure that your child attends school regularly and punctually. Failure to do so may result in a Penalty Notice Fine being issued against you and/or legal proceedings being considered.

However, we encourage your assistance to avoid any upsetting legal intervention and more importantly so that we can ensure your child receives the uninterrupted education he/she deserves.

Yours sincerely

Carole Davies
Headteacher

Example Letter 1 - Threshold approx. 95%

Date

Name and address of parent

Dear Parent

Re: Name of pupil Dob: School:

I am writing to advise you that «forename»'s school attendance is causing concern as it has fallen to «percentage_attendance»% and as a result «forename» is missing a significant part of their education. I have enclosed a copy of «forename»'s attendance record for your reference, which shows an analysis of attendance, punctuality and whether the absence is authorised or unauthorised.

Regular attendance is extremely important as missing school can have an impact on learning, and as I am sure you are aware it is a legal requirement we have to adhere to. Good attendance enables pupils to keep up with the work required.

I will continue to monitor «forename»'s attendance and I look forward to seeing an improvement. If the absence is due to a medical reason please ensure that we have been informed so appropriate support can be put in place.

If there are any particular circumstances that the school may not be aware of which is having an influence on «forename» attending school regularly, please do not hesitate to contact me as we can only assist and support if we are informed. However, it does no harm in speaking with the teacher or attendance team, because together we can make a difference.

Yours sincerely

Carole Davies

Headteacher

Enc

Record of attendance

School Attendance Leaflet

Example Letter 2 - Threshold approx. 94%

Date

Name and address of parent

Re: Name of pupil Dob: School: Dear Parent

I am writing to inform you that «forename»'s attendance is still causing concern. We are aware that many pupils were unable to access education due to COVID and school attendance is now more important than ever. Therefore, we need to meet with you urgently to discuss the situation.

You are required to attend a meeting with a member of the Attendance Team to discuss this matter further at the date and time below.

Date: Time:

Should «forename»'s attendance remain irregular; we may have to refer this matter to the Local Authority who could consider more formal action. This formal action might result in a Penalty Notice Fine and/or prosecution through the Magistrates court for failing to ensure regular school attendance of your child under **Section 444 Education Act 1996**, and a fine of up to **£2500 and/or 3 months in prison**.

Absence due to self-limiting illness can be authorised in the first instance but a child who is absent frequently due to a medical reason, including repeated self-limiting illnesses, medical evidence will be required.

We look forward to meeting you to discuss any concerns you may have so we can continue to support your child in making good progress. I strongly encourage your assistance to help us improve «forename»'s attendance and avoid the need for legal proceedings to be initiated. If you have any queries please do not hesitate to contact me on the number above.

Yours sincerely

Carole Davies
Headteacher

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Record of Attendance
School Attendance Leaflet

Example Letter 3 - Threshold approx. 90%

Date

Name and address of parent/carer

Re: Name of pupil Dob:

Dear Parent/Carer

It has been brought to my attention that «forename» has been absent from school for xxx sessions this school year/over the previous xxx weeks. I enclose a record of «forename»'s attendance.

As parent(s) it is your legal responsibility, as stated under Section 444 of the Education Act 1996, to ensure that your child attends the school at which he/she is registered, regularly and punctually.

Schools have been advised by the Government's Department for Education (DfE) that the Persistent Absence (PA) threshold will be reduced to 10, prior to September 2015 it was 15%. This means that if a child/young person has an overall attendance of 90% or less over a given period, they will be classified as persistently absent.

I am therefore writing to inform you that a referral will be made to the Education Welfare Officer and they will invite you to a Parenting Contract meeting. If attendance fails to improve, it could result in a Penalty Notice and/or prosecution through the Magistrates court for failing to ensure regular school attendance of your child under **Section 444 Education Act 1996**, and a fine of up to **£2500 and/or 3 months in prison**.

Medical evidence continues to be required for any future absences to be authorised.

Yours sincerely

Carole Davies
Headteacher

cc Education Welfare Officer

Enc Record of attendance

Example Letter – Suspected term-time holiday letter

Date

Dear Parent

Re: Child Name: xxx **DOB:** xxx **School:**

I am writing about «forename»'s absence from school from <<date>> to <<date>>.

It has been brought to the schools attention that this was due to a family holiday. If that is the case, then the correct procedure for requesting leave of absence during term time has not been followed.

We would be grateful if you could confirm the reason for the absence within 7 days of the date of this letter so this period can be recorded appropriately on the attendance register. However, if the absence was not due to a family holiday and it was due to illness, please provide medical evidence to support this.

If we do not hear from you within the next 7 days, «forename»'s absence will be recorded as 'G' denoting an unauthorised family holiday.

If unauthorised absences are recorded a Penalty Notice Fine can be issued by the Local Authority to each parent/care in respect of each child who is absent from school.

However, if a Penalty Notice Fine is not issued, your child's attendance will be monitored and this, along with any further unauthorised absences, would be discussed with you which may lead to legal action being taken under Section 444 of the Education Act 1996 if the attendance fails to improve.

Yours sincerely

Carole Davies
Headteacher

Example Letter – Attendance Improvement Letter

Date

Name and Address of parent

Dear Parent/Carer and pupil

Name:

With reference to my letter dated _____, I am pleased to say that _____ has shown a significant improvement in his/her attendance. Over the last six weeks his/her attendance has been _____%, therefore it is no longer necessary for you to provide the school with medical evidence for any further absences due to illness.

We thank you for your support in the improvements to attendance and I am sure that he/she will benefit to a more consistent approach to his/her education. If there is anything more that we can do together to sustain these changes please contact me.

Yours sincerely

Carole Davies
Headteacher

Penalty Notice

Code of conduct

Introduction

1. Under Section 23 of the Anti-Social Behaviour Act 2003 local education authority officers, headteachers and the police have the discretionary power to issue Penalty Notices in cases of unauthorised absence from school.
2. The new power provides an alternative to prosecution of parents under Section 444 of the Education Act 1996 and enables parents to discharge potential liability for conviction for that offence by paying a penalty of £60 if paid within 21 days or £120 if paid within 28 days.
3. Should the Penalty Notice remain unpaid or have been paid only in part at the end of the 28 day period Cambridgeshire County Council must prosecute the parents for the offence to which the notice relates, or, in specified circumstances (see section 29 below), withdraw the notice.
4. Penalty Notices may only be issued in Cambridgeshire in accordance with the terms of this Code of Conduct. The purpose of the Code of Conduct is to ensure that the power is applied fairly and consistently across the County Council and that suitable arrangements are in place for the effective and efficient administration of the scheme.
5. In implementing this Code of Conduct the County Council will liaise when appropriate with neighbouring education and police authorities.
6. This Code of Conduct has been drafted in accordance with the Education (Penalty Notices) (England) Regulations 2004: Statutory Instrument 2004 No 181 and guidance issued by the Department for Education and Skills.
7. In preparing this Code of Conduct the County Council has consulted with Cambridgeshire headteachers and the Chief Officer of Cambridgeshire Constabulary. This complies with The Education (Penalty Notices) (England) Regulations 2007.

Circumstances in which Penalty Notices may be issued

8. Penalty Notice may be considered as an alternative to prosecution for failure to ensure regular school attendance in any given period of unauthorised school attendance as below:

8a. Unauthorised absence

As the Government changed the PA (Persistent Absence) threshold to 90% (in effect from Sept. 2015), the Local Authority may issue a Penalty Notice in relation to a child whose attendance at school is 90% or less over a given period. There must be at least 8 unauthorised sessions over an 8 week period with all absences recorded as unauthorised or 90% and below mostly unauthorised over a longer period. To allow time and opportunity for early intervention work with the family, attendance will be monitored by school and Local Authority before enforcement actions are considered. Such a Fine is intended to offer a rapid intervention, which may be used to address non-school attendance before it becomes entrenched, following guidance in section 13 of 'PN Code of Conduct'.

8b. Unauthorised term time leave (includes holiday)

Any parent who takes a child out of school for term time leave for 6 consecutive sessions (3 days) or more, not authorised by the school (under exceptional circumstances rule), may receive a Penalty Notice. Therefore Penalty Notices will be issued for single event absences of at least 3 consecutive school days or more where these absences are unauthorised because they are neither exceptional nor unavoidable. The absences must be recorded with a 'G' code in the attendance register. Such cases will have to be supported by evidence of parents being warned about a potential Penalty Notice. (The Supreme Court Judgement in the case between Isle of Wight Council v Platt (6th April 2017) clarified the meaning of regular school attendance in relation to Section 444 Education Act 1996. To attend school "regularly" means "in accordance with the rules prescribed by the school".)

COVID 19 Pandemic impact. The disapplication of the law around issuing of Penalty Notices resulted in temporary suspension of fines as the absences were authorised. From the start of the autumn term 2020, pupil attendance will be mandatory and the usual rules on attendance will apply. Therefore, the ability to issue sanctions, including Penalty Notices, in line with Local Authority's Penalty Notices Code of Conduct will also be resumed.

Procedural guidelines

9. The key consideration in deciding whether to issue a Penalty Notice should be whether it is considered likely to be effective in helping the child to whom it relates to return to regular attendance.
10. Before issuing a Penalty Notice for unauthorised absence (refer to section 8A), due consideration should be given to other strategies which may help return the child concerned to regular school attendance. Such strategies might include:
 - a) writing to the child's parents to remind them of their legal responsibilities;
 - b) meeting with the child's parents;
 - c) ensuring a first-day response to any absence;
 - d) setting targets for improvement;

- e) involvement of other services/agencies.

These strategies do not apply to term time leave / holiday. (refer to section 8B)

11. It is expected that schools will communicate with parents and issue a warning about potential Penalty Notice fine being issued for unauthorised absences. This warning can be in the form of communication sent to parents via school Newsletters, School Web page as well as any direct mail sent to individual parents
12. Head teachers and police officers should only issue a Penalty Notice following consultation, discussion, reflection and joint decision with County Council Attendance Legal Panel.
13. The Local Authority will not agree to sanction the issuing of a Penalty Notice unless he/she considers that with regard to the offence to which it relates there is sufficient evidence to secure a conviction under Section 444 of the Education Act 1996. Evidence could be letters sent to parent, minutes of meetings and record of telephone conversations.
14. A maximum of three Penalty Notices may be served on any one parent over a 12-month period.
15. There is no statutory right of appeal against the issuing of a Penalty Notice. A parent should therefore, if possible, be given warning of the possibility of a notice being issued (refer section 13) in order to allow him/her to make representations should he/she wish to do so. If a head teacher refuses to authorise any absence or requests for holidays during term time and parents are not happy with the decision, they should make representations to the Governing Body of the school. They should not wait and make a representation to the County Council once a Penalty Notice has been issued.

Authority to Issue a Penalty Notice

16. The Attendance Legal Panel may issue a Penalty Notice to the parent of a child who is a registered pupil at a school in Cambridgeshire or who is a registered pupil at a school in an authority, which has an agreement to that effect with Cambridgeshire County Council.
17. A headteacher or an authorised deputy or assistant headteacher may issue a Penalty Notice to the parent of a child who is registered at his/her school, in consultation with CCC Attendance Legal Panel.
18. A police officer, including a community support officer or other accredited person, may issue a Penalty Notice.
19. Head teachers and Police Officers should comply with the terms of this Code of Conduct when issuing a Penalty Notice and should provide a copy of any notice issued to the Attendance Legal Panel.

Form and Content of Penalty Notices

20. A Penalty Notice should give the following particulars alleged to constitute the offence to which the notice relates and should contain:
- a) the name and address of the person to whom the notice is issued;
 - b) the name and address of the child who is failing to attend school regularly and the name of the school at which he/she is a registered pupil;
 - c) the name, title and official details of the authorised person issuing the notice;
 - d) the date of the offence and of the issue of the notice;
 - e) the amount of the penalty which is to be paid and details of the timescales and any variation involved;
 - f) the address of the County Council office at which the penalty is to be paid and to which any correspondence relating to the notice may be sent;
 - g) the method/methods by which payment may be made;
 - h) the specified period within which the penalty should be paid;
 - i) a statement that full payment within the specified period will discharge any liability for the offence;
 - j) an explanation of the consequences should the penalty not be paid in full before the expiry of the specified period;
 - k) an explanation of the grounds on which the notice may be withdrawn.
21. Should there be more than one person liable for the offence (Section 576 Education Act 1996) a separate notice should be issued to each person, per each child.
22. Should the offence involve more than one child a separate notice should be issued for each child, per each parent.

Service of Penalty Notices

23. A Penalty Notice may be served by:
- a) giving it to the recipient; or
 - b) leaving it at the recipient's usual or last-known address; or
 - c) sending it to the recipient at that address by first-class post.
24. Service by post is deemed to have been effected, unless the contrary is proved, on the second working day after posting the notice by first-class post.

Methods of Payment

25. The preferred method of payment of a Penalty Notice would be on-line payment via the Cambridgeshire County Council website. However, alternatives methods are available on request. Late or part payments (including instalments) will not be accepted and no reminders will be sent.

Failure to Pay a Penalty Notice

26. Should the recipient of a Penalty Notice fail to pay the full amount before the expiry of the period for paying it the County Council will either begin proceedings against the parent under Section 444 of the Education Act 1996 or withdraw the notice in accordance with specified conditions (see section 29 below).
27. An electronic record will be retained to monitor that the recipient of a Penalty Notice has or has not paid the amount due on or before the date specified and presented as evidence in any subsequent Section 444 Education Act 1996 proceedings.

Withdrawal of a Penalty Notice

28. A Penalty Notice may be withdrawn by the County Council, regardless of whom within the authority issued it, if it is deemed that:
 - a) the notice ought not to have been issued (i.e. where it has been issued outside of the terms of this Code of Conduct or where no offence has been committed); or
 - b) the notice ought not to have been issued to the person named as the recipient.
29. Should a Penalty Notice be withdrawn:
 - a) notice of the withdrawal should be given to the recipient;
 - b) any amount already paid by the recipient should be reimbursed;
 - c) any proceedings under Section 444 of the Education Act 1996 instituted against the recipient should be discontinued.

Retention of Receipts and Revenue Collection

30. The County Council will retain all revenue from the issuing of Penalty Notices in order to cover the costs of issuing and enforcing notices and the cost of prosecuting those recipients of the notices who fail to pay.
31. The County Council will produce an annual audit statement as part of its usual audit procedures in order to show that income received from Penalty Notices does not exceed enforcement costs as defined above. Any surplus acquired will be surrendered to a consolidated fund.