



Transform Trust Attendance Policy

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1.0 INTRODUCTION AND STATEMENT OF INTENT

1.1 Primary School in partnership with City Council (the Local Authority) and City Schools are committed to raising the educational attainment of pupils within the city and affording them the best possible life chances following statutory education. In order to achieve this, children and young people need to attend school regularly and be equipped to learn. The latter, including punctuality is a precondition of social inclusion and a prerequisite to effective learning. Irregular school attendance is a contributory factor in social exclusion and underachievement. Pupils who fail to attend school regularly are more likely to be the victim of crime themselves or to become exposed to offending behaviours by others. City children should attend the school in which they are registered, on time.

1.2 Primary in partnership with the Local Authority aims to improve school attendance and punctuality

By:

- a) promoting the value and importance of regular school attendance;
- b) providing consistent information to schools and families;
- c) reducing all forms of unauthorised absence

1.3 The Children and Young People's Plan incorporates a range of statutory and non-statutory attendance and absence targets. Targets are best achieved where active and meaningful partnerships have been formed and the entire attendance agenda is fully owned and supported by all.

1.4 Targets for attendance need to be understood and owned by parents/carers, pupils, staff and Governors alike. The expectation applies throughout the education system, ranging from Early Years, Primary and Secondary phases including any alternative learning provision.

Every school should have clear incentives which encourage and support the drive for good attendance.

- 1.5 The Local Authority expects that where alternative learning arrangements are in place, then the standard Service Level Agreement is used and completed fully.

GETTING STARTED – A GOOD FOUNDATION

- 1.6 Parents choosing to have their children attend at Foundation Stage are under no legal obligation to do so, when the child is not of compulsory school age (5yrs). However, the engagement in education at this stage in a child's development is crucial. Regular attendance is encouraged from the outset and will create good habits for the future. This early message communicated to parents will underpin the expectations of the statutory requirements once the child actually is registered on roll at school, the term following their fifth birthday. Attendance records and intervention will occur from the beginning of Foundation at Registers will be kept for those children not as yet attaining legal school age, however the use of unauthorised codes should not be used at this stage.
- 1.7 Schools and the Local Authority will work together with other agencies and services to ensure the consistent delivery of this message.

Addressing concerns around non-attendance at Foundation/Early Years/KS1/KS2

- ❖ Every attempt must be made to address the concern, initially by trying to engage the parent(s)/carer(s) by talking with them when they either bring the child to the provision or by any home visit that may be undertaken
- ❖ Such intervention should be followed up with telephone contacts which are logged or by writing letters and further verbal communication. If this fails to bring out the desired outcome for no good reason that has been shared with you, speak directly to the parent(s)/carer(s) inviting them to meet with you or write to them to do the same. A face to face invite should be attempted, if you can get the parent\carer to communicate with you.
- ❖ If your school uses any form of School Comms, it is advisable to put the details of your Foundation Stage children on it, as you do for the children of statutory school age.
- ❖ The responsibility for the children attending the provision is solely that of the parent\carer. However, if you do operate a 'walking bus' system, then particular families, found to fall in to this category, may well benefit from it.
- ❖ The provision of a place could be at risk if a child does not access it regularly
- ❖ Minor ailment clinics could be used in conjunction with School Health (Speak to your School Nurse)

- ❖ Statutory Attendance should be monitored every half term (see also 7.3 Dealing with Punctuality Issues) Every child who falls below 94% - parent/carer should receive a letter; every child whose attendance is below 90% - parent/carer should be invited to meet with the Head Teacher or Senior Designated member of staff, at this point intervention has most likely taken place.
- ❖ For any child whose attendance falls below 85% - the school should take full account of all that is known about the child and consider initiating a CAF or liaising with Social Care.
- ❖ Attendance falling below 90% will be classed as a Persistent Absence

See attachment regarding visits

2.0 LEAVE OF ABSENCE

2.1 Head Teachers' must use their own discretion to determine the period at which they will consider a pupil's attendance record at the point of any request. This is likely to be twelve months prior, taking into account attendance levels of 95% or above. Leave of absence is generally a period that has not been planned for or where the absence is authorised, but not a holiday. E.g. an emergency which requires a child to accompany their parent abroad; extended absence for religious purposes.

2.2 The following information is lifted directly from 'Keeping Pupil registers' – Guidance on applying the Education Pupil Registration Regulation 2006.
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“The regulation on leave of absence applies to all special schools and maintained schools. Whilst it does not apply to independent schools there is nothing that prevents them adopting the principles in both the legislation and this guidance. Some schools may have funding agreements that require them to comply with the regulation.

Schools have a discretionary power to grant a pupil time off school during the term and a number of examples are listed in the regulations. However, schools are not restricted to grant time off in those circumstances; they can also do so if they believe there are extenuating or compassionate reasons that justify the leave. For example, children who fall within the groups at particular risk may have needs that require the school to grant time off.

All applications for leave of absence must be made in advance by the parent(s), carer(s) or corporate parent that the pupil normally resides with.

With the exceptions of family holidays and employment, schools' discretion around leave of absence is far-reaching. **They are able to refuse the whole**

period requested by a pupil's parents, grant part of the period and refuse the remainder, or grant the whole of the period requested. Any leave of absence granted by a school must be recorded as authorised using the appropriate national code. Periods that are refused must be recorded as unauthorised.

All requests should be treated on a case by case basis within the school's published attendance policies which should give it the flexibility to respond to difficult circumstances whilst discouraging unnecessary absence.

The issues that schools should take into account when considering a request for leave of absence include:

- a. the amount of time requested;
- b. age of the pupil;
- c. the pupil's general absence/attendance record;
- d. proximity of SAT's and public examinations;
- e. length of the proposed leave;
- f. pupil's ability to catch up the work;
- g. pupil's educational needs;
- h. general welfare of the pupil;
- i. circumstances of the request;
- j. purpose of the leave;
- k. frequency of the activity; and
- l. when the request was made.

It is good practice for schools to respond to all requests for a leave of absence in writing giving the reasons for the decision. It is particularly important that letters approving a request clearly state:

- a. the expected date of return;
- b. that the parents are expected to contact the school if anything delays the pupil returning to school when expected; and
- c. what action will be taken if the pupil fails to return when expected.

Similarly, a letter refusing a request should explain the reasons for the refusal and what action will be taken if the parents ignore the refusal and keep their child away."

2.3 A pupil who takes 10 days holiday (whether authorised or not) in an academic year will only attain **94.7%** attendance. A pupil who takes 10 days holiday during the period of September – May (the annual DfE absence survey time period) will only attain **93.8%**. This latter is the figure that appears in the performance and attainment tables. This date has now been extended to July and DfE will also look at early years figures.

If a school agrees absence and the pupil goes on holiday, absence is authorised (using the appropriate code for the absence).

If the parents do not apply for the leave of absence in advance of taking it, the pupil must be recorded as unauthorised absence using code G.

If a school does not agree absence and the pupil goes on holiday, absence is unauthorised (Code G). If parents keep a child away for longer than was agreed, any extra time is recorded as unauthorised (Code G).

If the school considers that there are exceptional circumstances why the pupil should be granted approval for a holiday, this approval can be given and the absence would be authorised. Examples include:

- parent working abroad for a fixed, medium term period; and
- Returning to country of origin.

3.0 HOLIDAYS IN TERM TIME (FAMILY HOLIDAYS)

3.1 does not encourage absence from school for the purpose of taking holiday(s). Parents may request leave of absence in order for their child to be absent in exceptional circumstances.

The current law does not give any entitlement to parents to take their child on holiday during term time. Any application for leave must be in exceptional circumstances and the head of school and governing body must be satisfied that the circumstances warrant the granting of leave. Parents can be fined for taking their child on holiday during term time without consent from the school.

By law, parents whose children are of compulsory school age and registered at school are responsible for ensuring that their children attend school regularly. If they fail to do this they are guilty of an offence and may be given a penalty notice or prosecuted under section 444 of the Education Act 1996.

Several issues are taken into account when the Head of School is considering his/her decision: e.g. exceptional circumstances. Bearing in mind recent stipulations that OFSTED will only consider a schools attendance rate of 94% as 'good' such requests should only be considered alongside the factors below where a child/young person has achieved at least 95% attendance in

the previous twelve months; the stage of the child\young person's school career; pending exams or tests; the purpose of the holiday weighted against all of the above.

- If at the point of application, the attendance level is at 95% or above in previous 12 months
- The stage of the child's / young person's career
- Any pending exams / test
- Purpose of holiday

Taking all of the above into consideration, exceptional circumstances will be the benchmark to authorise.

- 3.2 DCSF guidance states that absence can be authorised in **exceptional circumstances**. It is not the right of parents to be granted leave for their child for a holiday.

Exceptional circumstances are those that are "unique" and "unlikely to happen again" or "unforeseen". This is a subjective test which must be reasonable in the circumstances.

- 3.3 Any child who does not return by the agreed date of return will incur unauthorised absences until such time as they return. This could lead to a Penalty Notice being issued against the parent.

- 3.4 Children/young people taken out of school for a holiday that has not been authorised by the Head Teacher will have the absence recorded as unauthorised absence. The Head Teacher may request that a Penalty Notice may be issued to the parent by the Education Welfare Service.

- 3.5 A child or young person who does not return to school on the agreed date will be subject to enquiries being enacted initially by the school. It is therefore imperative for school to make every attempt to ascertain where the holiday is taking place by asking for the address and a contact phone number.

- 3.6 If after ten days of the expected return date, the child/young person has still not returned to school, a referral will be made to the Education Welfare Service for further enquiries to be made. The child/young person **should not** be taken off the school roll. Once checks are completed and the Education Welfare Service is satisfied that all possible checks have been made, the school will be advised in writing to remove the child from roll. It is important

then, that parents are aware of the actions that will take place if the return date is not adhered to.

All of the above should be reflected in School brochures, newsletters and on school web sites.

3.7 *The following information is lifted directly from 'Keeping Pupil registers' – Guidance on applying the Education Pupil Registration Regulation 2006.*

Time off school for family holidays is not a right. Schools have discretion to allow up to 10 days absence in a school year for a family holiday if they believe that the circumstances warrant it.

Schools may agree up to 10 days “holiday leave” in special circumstances such as:

- a. for service personnel and other employees who are prevented from taking holidays outside term-time if the holiday will have minimal disruption to the pupil's education; and
- b. when a family needs to spend time together to support each other during or after a crisis.

Holidays which are taken for the following reasons should not be authorised:

- availability of cheap holidays;
- availability of the desired accommodation;
- poor weather experienced in school holiday periods;
- overlap with beginning or end of term.

This is not an exhaustive list.

Whilst the application must be made by the parent(s) that the child normally resides with, there is no restriction on who the holiday is taken with. This is a matter for the parent(s) not the school.

If the local code of practice allows, parents can be given a penalty notice or prosecuted for periods of unauthorised holidays.

In exceptional circumstances, schools can approve more than 10 days holiday leave - called **extended leave of absence** or **extended holidays**. However, it is worth discussing with parents whether their plans could be changed to

overlap with school holidays and thereby reduce the effect on their child's education.

Leave of absence cannot be aggregated with days that the school is closed.

In a small number of cases schools could have concerns about a pupil's welfare, such as that the pupil will be forced into marriage whilst abroad. In such cases, the school should seek support from their local authority. Further information is available at

<http://www.everychildmatters.gov.uk/socialcare/safeguarding/forcedmarriage/>

See attachment (flowchart)

SAFEGUARDING/HOLIDAYS IN TERM TIME/EXTENDED HOLIDAYS

- 3.8 Any safeguarding issues pertaining to a child being taken out of school in circumstances that cause concern should be addressed directly to the Social Care Duty Team covering the area where the child lives.
- 3.9 In the secondary phase, if there are concerns that the pupil may be coerced into forced marriage, the following information should be obtained (discreetly) prior to any pupil going abroad; the child's name and date of birth, parents names, any address where the pupil may be staying overseas, details of travel plans and contact details of relatives remaining in the U.K.; a photocopy of the child's passport; information that only the pupil is aware of. This information would assist any investigation by the relevant Embassy/High Commission, should the pupil fail to return.

4.0 DEALING WITH PUNCTUALITY ISSUES

- 4.1 **Registration periods will last for ten minutes** after which time the register will officially close. Any pupil arriving after the start time will be recorded as an **L** which signifies late, minutes late, wherever possible will also be recorded.
- 4.2 Every half term, schools will hold a meeting which will include the Head teacher or deputy, the lead officer for attendance and the attendance officer, at this point attendance data will be analysed historically and strategic plans made for the forthcoming term, pupils who are recognised as late on a regular basis will be discussed and monitored, this will include any intervention actions deemed necessary by the group, parent(s)/carer(s) will be informed of this decision. If, after the following half term a reduction in lateness, or lack of engagement is identified, the Head teacher has the discretion to utilise the coding of lateness as a **U** code. This will result in any pupil arriving after the ten minutes recorded as **U** which signifies that they arrived after the official close of the register and will therefore denote an unauthorised absence.
- 4.3 Issues relating to punctuality should be addressed with the pupil/parents by speaking with them; correspondence, meeting in school etc. All interventions should be clearly recorded. Schools should be aware of individual family circumstances if the children of the family are in a number of schools and to decide the course of action on an individual basis. Head Teachers are advised to use their discretion at this point.
- 4.4 All of the above should be reflected in school brochures, newsletters and on the school web-page.
- 4.5 The Local Authority will use the following as a trigger that allows schools to request a Penalty Notice. This applies to both Primary and Secondary phase:

Any pupil registered late (recorded as U) ten times in a four-week period. (Refer to the 'Lates' Penalty Notice Flow Chart), this is the current Nottingham City threshold.

A penalty notice can only be requested if a U code is used.

See attachment (flowchart)

5.0 DEALING WITH COMMON AILMENTS

The web link below has been provided by NHS colleagues. It contains the most up to date information with regard to incubation and exclusion periods.

<http://www.nhs.uk/Planners/birthtofive/Pages/Childhoodillnesshub.aspx>

Minor Ailment Clinics have been found to be success in a number of schools.

6.0. RELIGIOUS OBSERVANCE

- 6.1 city is a vibrant and diverse city that promotes respect for the faiths and values of all its communities. There are many religions celebrated in our schools and it is important that we recognise the diversity of the school population.
- 6.2 It is acknowledged that different schools have different arrangements according to the ages of the children, the type of school and the percentage of pupils from different religious backgrounds. This section promotes community cohesion by recognising the diverse needs of all sections of the school community.
- 6.3 In city one day for each religious festival (no more than three days in any one academic year) should be counted as authorised absence. The Pupil Regulations 2006 state that absence for religious observance should be treated as authorised (absence) **‘on a day exclusively set apart for religious observance by the religious body to which the parent belongs’**. Additional days off for shopping or for extended celebrations should be treated as unauthorised absence.

- 6.4 In respect of pilgrimages, schools may request to see copies of visas. Dates of return should also be agreed prior to the period of leave. Parents should be advised about this policy and procedures regarding unavoidable delays in returning or taking extended leave that has not been authorised by the school.

7.0 KEY DOCUMENTS AND REFERENCES (Nottingham City)

Penalty Notices- Code of Conduct

Penalty Notice Request Form

Appendix 1 -Penalty Notices Code of Conduct

NOTTINGHAM CITY COUNCIL: CHILDREN AND FAMILIES

Penalty Notices for Truancy, Excluded Pupils, Persistent Lateness, Unauthorised Holidays in Term Time - Local Code of Conduct

Introduction

1. This Code of Conduct will govern all Penalty Notices issued in respect of children of compulsory school age who are registered at a maintained school, a Pupil Referral Unit, an Academy, a City Technology College, or a City College for the Technology of the Arts, and those attending alternative provision within the jurisdiction of Nottingham City Council, hence referred to as the LA (Local Authority).
2. In the context of the Local Code of Conduct the term “school” will cover all the above-mentioned educational establishments, including Pupil Referral Units and attendance at alternative provision arranged by the LA.
3. The purpose of the Code is to ensure that Penalty Notices are issued consistently and fairly across the LA.
4. Penalties are set at £60 if paid within 21 days rising to £120 if paid upto 28 days but within 42 days. If the penalty is paid, the absence covered by the Penalty Notice cannot be cited again.
5. The LA is responsible for the operation and administration of the Penalty Notice scheme. To ensure consistency all Penalty Notices shall be issued by the LA for

and on behalf of those persons designated by the regulations as having authority, i.e. schools, limited to Head Teachers, Deputy Head Teachers and Assistant Heads Teachers, authorised LA staff, the Police, Community Support Officers and other accredited persons.

6. An unauthorised absence level of 25% or more over a period of six school weeks will be used as a general trigger guide. However, shorter timescales may be applied depending on the circumstances of the unauthorised absence or truancy.

Penalty Notices that can be issued by the LA on behalf of schools

7. When a child has been absent without the authorisation of the school in accordance with paragraph 6.
8. Holidays taken in term time not authorised by the school.
9. Persistent lateness after the register has closed.
10. Excluded pupils failing to attend provision after the fifth day of exclusion.
11. Excluded pupils seen in a public place within the first five days of the exclusion.

Penalty Notices can be issued directly by the LA or on behalf of other partners

12. Cases recommended by a Senior Education Welfare Officer (Manager) following a case review.
13. As part of the LA's fast-track to attendance procedure.
14. Where a pupil has been stopped on more than one occasion during a three-month period by the Youth Issues Team or other accredited persons having authority to do so.
15. On behalf of neighbouring local authorities in accordance with agreed protocols.

Limitations

16. A parent will be issued with no more than three Penalty Notices, relating to the same child, in any twelve month period.
17. A Penalty Notice shall only be issued in compliance with the Local Code of Conduct. The Education Welfare Officer for the school must be informed.
18. Penalty Notices shall not be issued if legal proceedings under Section 444 of the Education Act 1996 are under consideration or are in progress, unless used within the framework of the LA's fast-track procedure.
19. The LA reserves the right to limit or restrict the use of Penalty Notices at any time if the number of requests or court cases resulting from non-payment compromises the effective administration and/or integrity of the scheme.

Non-payment

20. If the Penalty Notice is not paid in full before the expiry of the period for paying it, the LA shall institute proceedings in accordance with Section 444 of the Education Act 1996.

Withdrawal of Penalty Notice

21. The LA may only withdraw a Penalty Notice where:
- it ought not to have been issued i.e. it has been issued outside the terms of the Local Code of Conduct or where no offence has been committed; or
 - it has been issued to the wrong person; or
 - it contains material errors.

Service of Penalty Notices

22. Service will be by first class post and 2 days are allowed for postal delivery.

Definition of parent

23. The term “parent” used in the code of conduct is that defined by Section 576 of the Education Act 1996 and Section 2 of the Children Act 1989.

PENALTY NOTICES FOR LATES – SCHOOLS’ FLOWCHART



PENALTY NOTICES CANNOT BE ISSUED WHEN THE "L" CODE IS USED

The "L" code means: "Late (Before registers close)" and defaults to a present mark

In the event of a "Not Guilty" plea being entered in a Court case, the Head Teacher or any member of staff relevant to the case will have to be available as a witness

Penalty Notices can only be issued when the register is marked using the "U" code which means: "Late (after registration closed)" The "U" code defaults to an unauthorised absence

PENALTY NOTICES FOR UNAUTHORISED HOLIDAY IN TERM TIME – SCHOOLS’ FLOWCHART



No request has been made

The request has been refused.

PLEASE READ FIRST

Schools should only grant a leave of absence for exceptional circumstances. The amount of time granted is solely at the Head Teacher’s discretion

The school needs to secure evidence that the child has been or is going on holiday. If found out in advance, the parents can be contacted and informed of the possible consequences

The reason for refusal should be put in writing as should the possible consequences. (This letter may later be used as evidence in Court)

All requests for leave in exceptional circumstances should be treated on a case by case basis and coded as “C”. Should approval be given specifically for a holiday the “H” code can be used.

If the reason is not discovered until the child returns, the parent must then be informed of the consequences. This should be conveyed in writing that they did not seek permission and that the school can show that parents have been informed about how to apply for any leave in term time.

The parent has ignored the school’s warning

If there are two parents in the home, it is important to highlight that Penalty Notices are issued per parent, per child

Once it has been clearly established that the child has definitely been on holiday

Publicise in the school Newsletter/ on the school website etc, that Penalty Notices will be issued for unauthorised holidays

The absence must be recorded as code “G”
Request a Penalty Notice

Be sure that your Attendance Policy reflects the school’s intention to request Penalty Notices be issued for unauthorised holidays

Complete
“Penalty Notice Request Form” online. Advice is available at Education Welfare Business Support on [Tel:\(0115\) 8762965](tel:01158762965)

A Penalty Notice incurs a fine of £60 per parent, per child, up to 21 days once issued. It increases to £120 if paid between the 21st and 28th day

The details provided by the school will be checked by a Legal Intervention Officer to ensure compliance with the Local Code of Conduct

There is no right of appeal against the issuing of a Penalty Notice. If a parent does not pay the Penalty Notice they will be prosecuted in the Magistrates’ Court for the original offence of failing to ensure regular attendance at school

Parents do not have to accompany their children on holiday. The request can be for them to travel with friends or other family members. However, time off school for family holidays is not a right

In the event of a “Not Guilty” plea being entered in a Court case, the Head Teacher or any member of staff relevant to the case will have to be available as a witness

Penalty Notices can only be issued when the register is marked using the “G” code denoting “Family Holiday (NOT agreed) The “G” code defaults to an unauthorised absence

Unexplained Absence Guidelines

Throughout any unexplained absences the school may take any appropriate measures to establish the whereabouts of the child. The following steps are to act as a checklist of the minimum level of actions to be taken.

1st Day of Unexplained Absence

- Phone call made and text message sent to parents/carers.
- In addition to this a home visit by the Attendance Officer may be requested. Priority factors to consider:
 - Any children for whom there are safeguarding concerns.
 - Any children on the Low Attendance list.
 - Any instance where the absence seems suspect – i.e. it seems possible/likely that the absence is not illness related (e.g. birthdays, possible holiday etc.).
 - Any instance where the absence may have an additional impact on the child, (e.g. child has an exam/ is on a trip in the afternoon etc.).
 - Any child where there is a history of unexplained absences.
- If AO is unavailable it should be considered whether a visit from other school staff may be necessary.

3rd Day of Unexplained Absence

- Ensure that all contact numbers have been tried.
- Ensure that somebody has visited the property (visit card left if no one is present).
- Email sent to all appropriate staff including Headteacher, reporting absence.
- Memo given to Class Teacher asking that they report any relevant information to the office.

7th Day of Unexplained Absence

- Re-check that all contact numbers have been tried.
- A second visit to the property to be made (visit card left if no one is present)
- Email sent to all appropriate staff and Headteacher reporting that child remains absent
- A letter to be sent (copy to be retained), requesting contact from the parents/carers and informing them of imminent referral to Education Welfare and possibility of removing the child(ren) from roll

10th Day of Unexplained Absence

- Senior Management Team to be informed.
- If the child is of compulsory school age then 'Missing Pupil' referral to be submitted to Education Welfare (copy retained).

20th Day of Unexplained Absence

- Senior Management Team to determine whether to remove child from roll. If so:
 - letter issued to parents/carers
 - Education Welfare to be informed
 - Admissions to be informed
 - Child to be removed from roll on SIMS