



# CRUDGINGTON PRIMARY SCHOOL ATTENDANCE POLICY

Policy Date: September 2017

Review schedule: Yearly

Date of next review: September 2018

---

## Contents

1.	The Importance of Regular School Attendance.....	2
2.	Legal Responsibilities.....	2
3.	A Framework for a Whole-School Attendance Policy .....	3
4.	Philosophy.....	3
5.	Principles.....	3
6.	Procedures.....	4
7.	Performance.....	4
8.	Practice .....	5
9.	Good Practice .....	5
10.	Marking the Register .....	6
11.	Computerised Registration:.....	6
12.	Analysis of Attendance Data .....	7
13.	Types of Absence .....	8
14.	Authorised Absences .....	8
15.	Unauthorised Absences .....	8
16.	Parentally Condoned Absences .....	9
17.	Lateness.....	9
18.	The Role of the Headteacher in Primary Schools .....	10
19.	Leave of Absence during Term Time .....	10
20.	How do schools consider term time holiday requests?.....	11
21.	Penalty notices for unauthorised absence.....	11
22.	The Role of the Attendance Support Team .....	12
23.	Good Practice – Measures to Encourage and Sustain Good Attendance .....	12
24.	Rewards .....	13
25.	Other Strategies which might be Considered .....	13
26.	Reintegration of Long-Term Absentees.....	14
27.	Role of the Attendance Support Team .....	14
28.	The Attendance Support Team and the School .....	14
29.	Referrals.....	15
30.	Who is responsible for making a referral to the AST? .....	15
31.	What action should the school have taken before a referral is made? .	15
32.	What happens next? .....	16
33.	The LAs Policy for Prosecution is as follows: - .....	17
34.	What is an ESO?.....	17
35.	Attendance Penalty Notices .....	18
36.	Exclusion Penalty Notices .....	19
37.	Holiday Penalty Notice .....	19
38.	Parenting Orders.....	19

## 1. The Importance of Regular School Attendance

The importance of regular school attendance cannot be overestimated. Regular attendance is a prerequisite to a good education and securing it must therefore be a high priority for school, governors, LAs, parents and the pupils themselves. By failing to attend school regularly, pupils diminish the value of the education provided for them; they may also damage the learning of others because fluctuations in the size of pupil group may restrict the scope for effective teaching.

Attendance is now increasingly regarded as a measure of the quality of the education offered by a school and the government has indicated that all schools should be aiming for a target of at least 95%. [Here at Crudgington Primary School we aim for at least 97% on a yearly basis.](#)

Schools will wish to encourage and promote good attendance in as many ways and for as many pupils as they can, but they will need to balance this with measures to address the needs of those children who do - for whatever reason - find it difficult to attend. A whole-school approach to attendance will focus primarily on promoting attendance but will also address the issue of truancy and condoned absence where it occurs. In addition, schools should ensure that pupils who fall into the 'persistent absentee' category should be closely monitored and support offered. The threshold for persistent absence was raised from 80% to 90%

The whole-school approach to attendance relates to a wide range of other school issues including punctuality, rewards and incentives, re-integration of long-term absentees, curricular differentiation, home-school links, etc.

## 2. Legal Responsibilities

The legal framework governing attendance is set by the Education Acts and their associated regulations.

### **Section 7 of the Education Act 1996 states that:-**

**The parent of every child of compulsory school age shall cause him/her to receive efficient, full time education suitable to his/her age, aptitude and ability and to any special educational needs he/she may have either by regular attendance at school or otherwise.**

Section 444 further states that: - "The parent of a child of compulsory school age registered at school and failing to attend regularly is guilty of an offence punishable in law.

An offence is **NOT** committed if it can be demonstrated that:-

- the pupil was absent with leave (authorised absence),
- the pupil was ill or prevented from attending by unavoidable cause,
- the absence occurred on a day set aside for religious observance by the religious body to which the pupil/parents belong,
- the school is not within the prescribed walking distance of the child's home and no suitable transport arrangements have been made by the LA. 'Walking distance' is defined as two miles for pupils under eight and three miles for all other pupils. Telford & Wrekin Council have, however, chosen to define these distances as two miles for infant, junior and primary pupils and three miles for other pupils. Distances will be measured by shortest available walking route.

### 3. A Framework for a Whole-School Attendance Policy

The framework for a whole-school attendance policy is based on the 5 'Ps' - namely, Philosophy, Principles, Procedures, Performance & Practice.

### 4. Philosophy

Crudgington Primary school is committed to providing a full and efficient educational experience to all pupils. We believe that, if pupils are to benefit from education, punctuality and good attendance is crucial.

As a school, we will organise and do all we can to ensure maximum attendance for all pupils. Any problems that impede punctuality and regular attendance will be identified and addressed as speedily as possible.

It is the policy of our school to celebrate achievement. Attendance is a critical factor to a productive and successful school career. Our school will actively promote and encourage 100 per cent attendance for all our pupils.

Our school will give a high priority to conveying to parents and pupils the importance of regular and punctual attendance. We recognise that parents have a vital role to play and there is a need to establish strong home-school links and communication systems that can be utilised whenever there is concern about attendance.

If there are problems which affect a pupil's attendance we will investigate, identify and strive in partnership with parents and pupils to resolve those problems as quickly and efficiently as possible. We will adopt a clearly focused approach aimed at returning the pupil to full attendance at all times.

### 5. Principles

The school will:

- ensure that all staff are aware of the registration procedures and receive inservice training on registration regulations and education law,
- complete registers accurately at the beginning of each morning and during the afternoon session,
- stress to parents/carers the importance of contacting staff early on the first day of absence,
- display attendance rates around the school and reward good and improved attendance of all pupils,
- promote positive staff attitudes to pupils returning after absence,
- consult with all members of the school community and the Attendance Support Team in developing and maintaining the whole-school attendance policy,
- ensure regular evaluation of attendance procedures by senior managers and the school governors,

- send newsletters each term to parents and pupils informing them of attendance rates and related issues, additionally update school website with any attendance related issues,
- work towards ensuring that all pupils feel supported and valued. We will send a clear message that, if a pupil is absent, she/he will be missed,
- have in place procedures which allow absentees to catch up on missed work without disrupting the learning of other class members.

## 6. Procedures

If no contact is received from the parents/carers of an absent pupil on the first morning of absence we will:

- follow 'First day contact' procedures and contact the parent by telephone/text message, or make a home visit where circumstances deem more appropriate.
- Send a letter if an explanation for the absence has still not been received after three days of the unexplained absence or send a School Attendance Letter (SAL),
- Refer to the school's nominated attendance person (NAP) to follow up absence if no contact with parents or carers can be made of and consider a referral to the 'Children & Family Locality Services' or contact 'Family Connect'
- Invite the parents into school for an 'Attendance Concern Meeting' (ACM) after a maximum of 10 days absence, unless other action is planned. This meeting should include a senior member of staff, parent, pupil and the NAP. The aim of this meeting will be to identify and resolve the difficulties which are preventing the pupil from attending school. The parents/carers will be made aware of the legal requirements regarding school attendance,
- Help the pupil's re-integration where a pupil is returning to school after an absence of longer than two weeks. In the event of a pupil returning after a long-term absence then an Individual Reintegration Programme (IRP) will be implemented. The IRP will include all members of the school staff and will be designed to be as supportive of the pupil as possible
- Contact [Family Connect 01952385385](tel:01952385385) for further guidance on available support.

In order to ensure the success of this policy every member of the school staff will Make attendance a priority and convey to the pupils the importance of their education.

## 7. Performance

It is important to set realistic targets for both attendance and persistent absence; These targets will be set during the Autumn term of each academic year, in consultation with the governing body. The governing body must approve the school target for attendance to be set for the following academic year. The target should be sent to the Group Manager, Admissions, Attendance and School Organisation by the end of the Autumn term at the latest.

In compiling an Action Plan, the school will look at those interventions which have been successful as part of the evaluation process.

When evaluating success, the school will consider whether or not:

- Attendance has improved
- Persistent absence has reduced
- Punctuality has improved
- Parental response to absences has improved
- Re-integration plans have been successful
- The school has been successful in raising the profile of attendance both within the school, governing body and the local community
- Pupils are fully aware of the importance of punctuality and regular attendance and the attendance procedures operating within school
- Attendance issues have been included as topics in school assemblies, Personal and Social Education (PHSE) lessons, or as a theme for any other lessons

## 8. Practice

The school will recognise the importance of good practice by:

- Keeping and maintaining registers accurately
- Maintaining a consistent approach to marking registers
- Regularly analysing attendance data
- Ensuring prompt follow-up action in cases of non-school attendance
- Liaising closely with the school's designated attendance officer, if appropriate
- Recording (and retaining) carefully, all telephone messages
- A signed copy of any correspondence is retained by the school
- A referral is made to AST (the Attendance Support Team) for intervention

## 9. Good Practice

**The LA recommends that schools observe the following good practice:**

### **Keeping the Registers**

The Status of the Register

The register is a legal document which can be maintained in paper or electronic format.

Registers must be kept accurately, neatly and paper copies must be marked in ink.

The register may be requested in a court of law as evidence in a prosecution for non-attendance.

It may also contribute data to pupils' end-of-term reports, to records of achievement, and to leavers' references.

An accurate and consistent registration system is crucial if poor attendance and punctuality within a school are to be tackled. It is vital that pupils are aware that registration is a significant part of the school day.

Registration may be perceived as a task to be completed as quickly as possible. All staff involved with the registration process should be aware that the law is very specific regarding the keeping of registers. Marking and keeping the register is of the utmost importance. The class teacher should not relegate it to the bottom of the list of priorities.

## 10. Marking the Register

(See also DfE guidelines 'Keeping Pupil Registers' and DfE guidelines 'Absence and Attendance Codes' a hard copy of these guidelines are available in 'Attendance Support Team Guidance and Procedures Manual').

- a) No pupil should be marked present unless actually in the room when the register is called or unless he or she has been given permission to be absent by the registering teacher.
- b) Spaces must not be left in the register.
- c) Registers should be closed at an agreed time each day. AST have circulated LA guidance in line with DfE guidelines. These suggest that registers are closed 30 minutes after the start of each session.
- d) Where a pupil arrives late but the register is still open, the pupil should be marked as late but counted as present for that session.
- e) Where a pupil misses registration (arrives after registration has closed) absence must be marked as an unauthorised absence - "U".
- f) Where a pupil misses registration but provides an adequate explanation, s/he should be recorded as late but coded as an authorised absence for that session e.g. M for dental or medical appointment.
- g) Pupils must not mark the register under any circumstances.
- h) Attendance data from registers should be monitored as appropriate.
- i) The decision to authorise an absence should be made within a maximum of two weeks from the date of the absence. If no reason has been provided during this time the absence should be recorded as unauthorised.

## 11. Computerised Registration:

Using a computerised system will not, by itself, improve attendance. It does, however, provide an accessible, accurate and easy to use record of information relating to the individual pupil or whole school attendance in the form of:

- an official monthly register which codes all absences allowing the reader to quickly identify patterns and trends in authorised and unauthorised absences,
- an individual registration certificate which can be produced at any time in the school year and includes information on total percentage attendance and absence,

- an absence-mapping facility which can be used to check a pupil's attendance against another pupil, or a group of pupils' attendance if there is a suspicion of multiple truancy.
- a record of attendance for each class over any given period of time which will provide a percentage attendance figure for each session and data which could identify patterns of absence for individuals as well as the whole class.

## 12. Analysis of Attendance Data

Sampling weekly attendance at specific sessions may show up regular patterns of non-attendance and may reveal, for example, an association with certain subjects, teachers or teaching groups. Such analysis can also draw attention to the deterioration or improvement in the attendance of individual pupils. The analysis can help to target intervention more selectively and help to establish the cause of an absence.

All schools hold a great deal of information about attendance which is not always fully used. This information can be of great use in schools for strategic planning and can enable schools to manage attendance issues more effectively.

Whole-school attendance figures produced termly or yearly, based on year groups, can indicate factors such as:

- declining attendance
- the effect of seasonal attendance e.g. attendance may decline in the colder months and preceding school holidays.

Weekly figures may illustrate:

- the effect of ending terms on a Monday or Tuesday,
- the effect of activity days, day trips, or residential trips,
- the effect of the timing of the school day,
- the effect of pupil holidays in term time.

Continuous analysis of individual pupil's attendance and of the whole school can give scope to strategic planning. By identifying those levels which the school considers are indicators of persistent absenteeism or irregular attendance, it will be possible to identify the extent of the problem. The school can then target time provided by pastoral staff more effectively by producing:-

- individual attendance records which highlight reasons for absence and the pattern and rate of unauthorised absence,
- quickly obtain lists of all pupils with unexplained absence which can be fed back to the responsible member of staff,
- attendance data for vulnerable groups,
- the pastoral staff will then be able to identify those pupils who give cause for concern,
- coded absence, broken down into a class and/or year group format, would allow identification of excessive unauthorised absences.

### 13. Types of Absence

### 14. Authorised Absences

Only a school can authorise an absence. Parents and the LA do not have the power to authorise absences.

The key points schools should consider when deciding to authorise absence are:

- it is a legal requirement that registered pupils of compulsory school age attend regularly and punctually,
- a satisfactory explanation for every absence is required; if one is not forthcoming the absence should be treated as unauthorised,
- schools are not obliged to accept a parental explanation for pupil absence where there is doubt as to the validity of that explanation,
- parents should be aware that only the Headteacher has the discretion to agree to any leave of absence during term time; each application for leave of absence should be considered in view of the specific circumstances of the family.
- schools should always expect regular and punctual attendance, even when the school is aware of family difficulties,
- where absence is authorised, schools should remain vigilant to emerging patterns of non-attendance,
- lateness should be actively discouraged and persistent lateness treated in the same way as irregular attendance,
- schools should develop a close working relationship with the Attendance Support Team in order to promote regular school attendance.

### 15. Unauthorised Absences

Unauthorised absence is absence without approval from an authorised representative of the school and includes all unexplained absences.

If a child is absent with the approval of the school, for whatever reason, no offence is deemed to have been committed. Thus, the decision taken by the school to give, or withhold, authorisation for an absence, is a critical factor in determining the LA's decision to prosecute parents.

Schools need to exercise caution in the authorisation of absence. If they are suspicious of the explanation given by parents, the absence should be further investigated and left unauthorised until the matter has been clarified to the satisfaction of the school. The decision taken by the school to authorise absence or not, is of critical importance in determining the level of involvement of the Attendance Support Team. If the school has authorised a pupil's absence they have, in effect, given leave, therefore **there is no case in law for the parents to answer.**

## 16. Parentally Condoned Absences

Parentally condoned absence is, in many ways, more difficult to identify than any other form of pupil absence. This form of absence is equally as damaging to the pupil's educational experience as any other form of absence.

The parents, in many cases, perceive that they are keeping their child away from school for legitimate reasons; they may feel that they are protecting their children. It is essential that, when school staff feel that a worrying pattern of non-attendance is emerging, they work closely with the educational, social and health support services to ensure that the most appropriate and effective intervention is available to the pupil and parents.

### **Factors which may Contribute to Condoned Absences**

- The parent may not value education and prevent the child from attending school because of this belief.
- Separation anxiety: The parent and/or child may be frightened of separation from each other. Domestic violence may also be a factor.
- The child may be the only significant carer within the family.
- The parent may be physically or psychologically ill.
- There may be social issues which parents may feel are of more importance than educational issues.
- The parent may be unwilling or unable to provide appropriate clothing (uniform, shoes, coats).

## 17. Lateness

A pupil's punctuality is a legal requirement and the parents/carers of a pupil who is persistently late are guilty of an offence. The law treats persistent lateness in the same way as irregular attendance and parents can be prosecuted if late arrival, after the register closes, is not resolved.

Persistent lateness can be as damaging to a pupil's school career as persistent absence. Pupils who arrive late disrupt not only their own education but that of others and being persistently late may also lead to truancy.

Poor punctuality may indicate problems within the pupil's home which the pupil may need help to deal with; chronic lateness may result in a pupil losing his/her attendance mark for the session and the absence will be noted as unauthorised. For some pupils, arriving punctually may be beyond their control. Often lateness is a result of a lack of firm parenting; the child is confused and often left to cope alone at a very young age.

There needs to be a careful balance struck between being too punitive and too accepting of a pupil's lateness. Once the reasons for lateness have been established, the parents, pupil and school need to work in partnership to resolve the difficulties. The dilemma for schools is that, if action is not seen to be taken against latecomers, other pupils may follow suit thereby exacerbating the problem.

Where a situation at home makes it difficult for the pupil to arrive on time, consideration should be given to an appropriate referral to an outside agency or voluntary service. Schools can request advice from 'Family Connect' on the issue.

## 18. The Role of the Headteacher in Primary Schools

The Headteacher is responsible for following up absences; consistency of practice is helped where there is effective liaison between the class teacher and the head teacher.

It is recommended that: -

- when a child is absent without explanation the person responsible for attendance should contact the parent/carer on the first morning of absence,
- a school attendance letter (SAL1), generated by CMIS should be sent when a pupil's attendance begins to deteriorate,
- subsequently a SAL2 letter should be sent if no improvement is made, before a referral to the Attendance Support Team,
- all correspondence relating to attendance concerns should be signed and a copy retained by school,
- notes, records of telephone calls, and medical certificates should be dated, named and initialled by the Registration Teacher/Year Tutor. These notes should be placed in the pupil's file,
- where explanations for absence are not satisfactory, or where absence persists, the Headteacher should invite the parent(s) to an Attendance Concern Meeting (ACM) in school to discuss any difficulties which may prevent a pupil from attending school. If parents do not attend or send apologies, a referral should be made to the AST,
- the Headteacher should contact the parent(s) where there are problems of lateness, either by telephone or by the standard letter. Persistent lateness can be as detrimental to a pupil's education as poor attendance,
- a report on each pupil's attendance can be generated on a weekly basis (for those causing concern,) or fortnightly so that cumulative absence can be seen at a glance and followed up consistently,
- all contact with parents should be recorded in the pupil's school file, or on the attendance board or in the attendance file.

## 19. Leave of Absence during Term Time

The Education (Pupil Registration) (England) Regulation 2006 previously allowed headteachers to grant leave of absence for the purpose of a family holiday during term time in "special circumstances" of up to ten school days leave per year.

Headteachers can also grant extended leave for more than ten school days in exceptional circumstances.

Amendments to the 2006 Regulations remove references to family holiday and extended leave as well as the statutory threshold of ten school days. The amendments make clear that headteachers may not grant any leave of absence during term time unless there are exceptional circumstances. Headteachers should determine the number of school days a child can be away from school if the leave is granted.

Any leave of absence during term time can be disruptive both to the child's learning and to the school whether for a family holiday or for any other reason. Schools will only consider leave in term time where both:

- the application is made to the headteacher in advance of the leave by a parent/carer the child normally lives with,
- there are exceptional circumstances, as agreed by the headteacher for the leave.

Applications should be made as far in advance of the leave as possible and parents/carers should speak to the school before they book any holidays. Schools will only agree absence in exceptional circumstances.

## 20. How do schools consider term time holiday requests?

While absence may be granted for leave during term time, it is entirely the school's decision and is not a parental right.

## 21. Penalty notices for unauthorised absence

Parents could be issued with a penalty notice if their child is absent from school without permission. In Telford & Wrekin, Holiday Penalty Notices (HPN) are issued by the Attendance Support Team to parents who take their children out of school during term time without getting authorisation from the school. The penalty is £60, rising to £120 if not paid within 21 days. If parent/carers fail to pay the penalty fine within 28 days they will be prosecuted.

Headteachers should determine the number of school days a child can be away from school if the leave is granted. Schools should annually ensure that parents are aware of their policy on leave during term time, preferably in writing, e.g. by a summary note in a newsletter, on the school website or prospectus.

"Blanket approval" policies are not acceptable. The following factors should be considered when assessing requests - no one factor should be regarded as conclusive. School staff should investigate each request individually and consider:

- the time of year of proposed leave of absence
- the length and purpose of the leave of absence
- the duration of the leave of absence and its impact on continuity of learning
- the circumstances of the family and the wishes of parents
- the overall attendance pattern of the child

Schools should carefully explore with parents why leave of absence is necessary. Where absences are sanctioned, they should be counted as an authorised absence.

Where parents fail to abide by the agreement reached with the school and keep a child away from school in excess of the period agreed or, where parents fail to apply for permission, the extra time taken should be treated as an unauthorised absence.

Where schools are experiencing difficulties with leave of absence in term time, they may wish to:

- focus on the issue at parents' meetings
- issue a letter on the subject to parents
- contact the Attendance Support Team for advice and support

All requests for leave of absence should be in writing and the application should be made by a parent with day-to-day care of the child even if they are not actually going on holiday themselves. If the parent with whom the child lives does not give consent to the holiday, leave cannot be given lawfully by the school except by a court order.

## 22. The Role of the Attendance Support Team

The Attendance Support Team (AST) form part of the Telford & Wrekin Council's support services to schools and liaise where appropriate with school staff to help secure pupils' good attendance.

Legal action to enforce attendance can only be taken by the LA.

The AST provide a service to the school and support legal intervention to improve school attendance. AST will normally liaise with the appropriate Senior Leader or the Nominated Attendance Person (NAP). However, attendance is the responsibility of the whole school. **Schools should, therefore, consider the most effective ways of giving all staff access to advice and training delivered by AST to ensure an understanding of the LA's responsibilities.**

As a result of a restructure (ending in April 2012) EWO posts are no longer funded by the Local Authority. However, some schools continue to employ the services of an EWO. Therefore, the EWO's time-table is agreed within the school. It is advisable that schools should, therefore, have a clear policy on how and when a referral to the AST is made and both school and their EWO/NAP understand the procedures. In particular consideration should be given to: -

- the school's own procedures for dealing with absence should have been agreed in discussion with their EWO before a referral is made to the AST,
- legal action can only be taken on unauthorised absences.

## 23. Good Practice – Measures to Encourage and Sustain Good Attendance

## **Generally**

AST will liaise/support school with the following matters to seek to enhance the climate in which good attendance may flourish: -

- the school's commitment to achieving high levels of attendance should be explicit and clear to pupils, staff and parents,
- the school should try to ensure that the pupil's experience in classrooms is of a positive and enriching quality which will encourage him/her to take responsibility for, and show commitment to, their own learning,
- some pupils fail to attend because they are unable to keep up with their peers in class and become discouraged. That may be an indication of a learning difficulty. As part of its policy on special education needs, each school should ensure that children's needs are identified and that action is taken to meet these needs or, if appropriate, through a referral to the Learning Support Advisory Teacher or an Educational Psychologist,
- some pupils stay away from school because they are afraid of bullying or of behaviour in the playground which may frighten or alarm them. Schools should be alert to this possibility in investigating individual cases of poor attendance and, in reviewing policy on discipline, they should keep in mind how the school's attitudes on this matter may influence attendance. Staff should be aware of areas and times in the school where bullying is more likely to occur,
- Analysis of attendance data.

### **24. Rewards**

Schools and AST can play an important role in encouraging attendance by providing rewards for good and improved attendance and punctuality, both for individuals and classes or groups.

Care should be taken to acknowledge individuals who are making an effort to attend but who nonetheless, and for acceptable reasons, may have poor attendance overall. Such rewards may include: -

- letters of congratulations, certificates for good attendance which may be taken home,
- a mention in assembly,

### **25. Other Strategies which might be Considered**

- recording attendance on reports sent home, with positive comments for effort,
- entering improvements on the school record of a poor attender,
- sending children to senior members of staff for commendation for efforts made towards improvement as well as for full attendance,

- facilitating Attendance Concern Meetings and Attendance Panels in schools to invite parents to attend for a discussion specifically about school attendance. This panel may include the community school nurse or a school governor,
- identifying children 'at risk' before they transfer to another class, group or school and devising ways of supporting such children,

## 26. Reintegration of Long-Term Absentees

A number of pupils miss long periods of school through sickness, exclusion, school refusal, etc. and may feel especially vulnerable when they do eventually return. It is vital to make the transition back to full-time school as smooth as possible.

Ideally, the return of the long-term absentee needs to be carefully planned but this may not always be possible.

To ease the return of the long-term absentee, schools may need to consider an Individual Action Plan (IAP), i.e.

- nominate a key person to co-ordinate, monitor and review the child's return - a favourite teacher may be the ideal person,
- ensure that all staff are aware of, and alert to, the situation,
- consider the possible need for a phased or gradual return,
- consider the timetable and determine what is immediately possible and manageable for the child.

## 27. Role of the Attendance Support Team

The Attendance Support Team exists to help parents and the LA meet the obligations and duties placed upon them by successive Education Acts and Child Care legislation.

AST aims to enable all children gain maximum benefit from their education, regardless of race, gender, ability, status, culture and religion by regular attendance at school or otherwise.

In the changing world of Education these procedures explain the role and function of the AST in relation to schools, families, children and other agencies. It also provides a framework whereby schools and the AST can negotiate the degree of support appropriate to individual requirements.

Telford & Wrekin Council is committed to maintaining consistently high levels of pupil attendance at school and recognise that improving attendance is a crucial factor in maintaining standards of pupil performance and achievement, and in ensuring equality of educational opportunity for all pupils.

## 28. The Attendance Support Team and the School

Irregular attendance raises complex issues. Pupils may be failing to attend school regularly for a variety of reasons. Some reasons may be outside the immediate

control of the school, but good practice and appropriate responses within the school to identify needs can help to improve attendance.

It is therefore important that there are clearly defined criteria and procedures for referring non-attenders to the AST. The importance of early identification, assessment and intervention cannot be over emphasised.

29. Referrals

30. Who is responsible for making a referral to the AST?

Regular time-tabled sessions to discuss school attendance with pastoral staff in secondary schools should be arranged and referrals made to AST only after the school has tried and failed to engage the parent to address attendance problems and initiated a series of letters as guided. Schools should discuss requests for Penalty Notices directly with AST. As much information as possible should be included by the referrer e.g. family circumstances, involvement with other agencies, known health problems.

**Some triggering factors could be: -**

- pupil is developing a lateness problem
- erratic attendance i.e. broken weeks over a period of time
- no absence note / telephone call explaining the reason or no response to school's enquiries
- family trauma - pupil distressed, mood swings, sudden changes in character
- suspected illegal child employment
- material needs
- concern over the care and control, health or general well-being of a child at home or in the community

31. What action should the school have taken before a referral is made?

It is important that all absence is monitored and action taken by school staff before serious cases are referred to the AST. (Please refer to the guidance manual). Therefore, before a referral is made the school will have applied all school resources without success e.g.: -

- on first day of absence, contact should be made to alert parent/s that pupil is not in school
- SAL 1, 2, or 3 letter should have been sent to parent(s) by school
- pupils will have been interviewed at school to obtain the child's perception of any difficulties, i.e. bullying, curriculum difficulties etc.
- a member of staff will have already tried to contact parent(s) to discuss attendance difficulties

- Ideally, Parents/Carers will have been invited to an Attendance Concern Meeting

## 32. What happens next?

The AST will assess the situation and may seek further information from school staff (e.g. Social Care) before issuing warning or penalty notices to the parents. An AST referral form should be completed by the school.

### **What if all attempts to contact the parents or guardians fail?**

Appropriate warning or penalty notices will be issued by the Attendance Support Team Leader and this could eventually lead to legal action being taken against the parent.

In complex cases schools may need to consider a referral to support networks. School staff may need to complete a Common Assessment (framework) (CAF) and arrange a Team Around the Child (TAC) meeting. In some cases, this may involve working with parents to help them to see the school's view and vice-versa. Where ill health is a factor; the school will seek to confirm the medical problems identified by the child/parent, (particularly if there have been several referrals and the explanation has been ill health). If it is felt that the parent(s) have not sought appropriate medical help but are merely making excuses, parent(s) will be advised to obtain a medical certificate for all future absences from their doctor.

Where learning needs or problems of school refusal/phobia have been raised, the school may need to consult with the Special Educational Needs Co-ordinator (SENCO) to consider a referral to the Learning Support Advisory Teacher, or Educational Psychologist.

The school may have discussed with the family and child a referral to CAMHS (Child and Adolescent Mental Health Service) or Social Care, if appropriate.

Where there is already social work involvement the designated child protection member of school staff will have liaised with the social worker in order to determine separate areas of responsibility and to consider the possibility of a joint visit if appropriate.

The Nominated Attendance Person should liaise with school staff and school EWO and draw up a plan of action to address any issues raised by the child or family regarding difficulties that might mitigate against regular attendance at school. These may include; bullying, curriculum problems, teacher/pupil relationships, domestic problems, financial hardship, drug/alcohol abuse etc.

### **What happens when all avenues have been explored, and the child still does not attend school regularly?**

Provided absences are unauthorised, a Warning Notice (AST 1) will be issued and attendance monitored for a minimum of 15 school days between each intervention. If there is no improvement in attendance a Final Warning Notice (AST 2) will be served on the parents. If no significant improvement in attendance is noted within a minimum of 15 school days of the serving of this warning, court proceedings will be considered under Section 444 of the 1996 Education Act.

33. The LAs Policy for Prosecution is as follows: -

The parent(s) of any pupil of compulsory school age who fails to achieve regular attendance will be considered for court proceedings unless there are extenuating circumstances. All referrals will be considered and discussion between AST and school staff encouraged.

All parents must be given sufficient notification of their children's attendance via the serving of official warning notices.

If it is decided to prosecute the AST staff will work with the school staff to produce the necessary witness statement and appropriate supporting evidence.

**Who is responsible for instigating court procedures?**

The LA is responsible for all aspects of the procedure. In Telford & Wrekin this duty is delegated to the Attendance Support Team. A summons will be issued and served in accordance with the requirements of the respective Magistrates Clerks and a representative from the AST will attend court and present the case on behalf of the Local Authority. In certain circumstances legal services will ensure a Council Solicitor is made available to present cases on behalf of the Local Authority, e.g. not guilty pleas and contested cases.

A certificate signed by the Headteacher confirming the child's school attendance during the period of prosecution referred to in the summons will be required as documentary evidence by the court.

**N.B. Only unauthorised absences can be used in evidence**

If parents are acting responsibly, but cannot ensure regular attendance of their child/children because of the attitude of the child/children, what can be done?

If it is inappropriate for parents in these situations to be prosecuted in the Magistrates Court, consideration will be given to applying for an Education Supervision Order (ESO).

34. What is an ESO?

An ESO is an Order made by the Family Proceedings Court under Section 36 of the Children Act 1989. The initial Order is for one year but application can be made to extend the Order yearly up to a period of three years. The court must be satisfied that a child of compulsory school age is not being properly educated and that the making of the Order would be better for the child than making no Order at all. In addition, the Court shall have regard in particular to:

- 
- the ascertainable wishes and feelings of the child concerned (considered in the light of the child's age and understanding)
- the child's physical, emotional and educational needs
- the likely effect on the child of any changes in circumstances

- the child's age, sex, background and any characteristics that the Court considers relevant
- any harm the child has suffered, or is at risk of suffering
- the capability of each parent in meeting the child's needs together with any other person whom the Court considers appropriate
- the range of powers available to the Court under this Act in the proceedings in question

Under the terms of the ESO, the Supervising Officer must "advise, assist and befriend" the child and family, whilst the child and family must abide by the "directions" that the court lays down and any other reasonable directions of the Supervising Officer. Failure by the parent to follow these directions would mean returning to court when a fine of up to £2,500 could be imposed. In addition, the parent may be imprisoned for up to 3 months. Failure by the child to follow these directions would lead to the statutory involvement of Social Care.

There may be some situations in which an ESO is unlikely to be effective. Where, for example, parents would be hostile to such intervention, it may not be possible to undertake the structured programme of work that is necessary. At all times, the supervising officer will need to operate within a structure that defines clear aims and objectives. This will require a planned and realistic programme of intervention, including directions where necessary, which will specify how the aims and objectives are to be achieved. The active involvement of parents, children and schools will aid success.

Education Supervision Orders, as the name implies, require a great deal of time spent with the pupil supervising them and encouraging them to change patterns of behaviour. They have a limited effectiveness, as many of the strategies that could be applied will have already been tried to no avail.

### **What other legal sanctions are in Place?**

#### **35. Attendance Penalty Notices**

If a child of compulsory school age who is a registered pupil at a school fails to attend regularly at the school, his/her parent/carer is guilty of an offence under Section 444 Education Act 1996.

Schools can request a Penalty Notice Warning when a pupil has accumulated 20 unauthorised sessions within a school term by completing AST Referral Form and sending it to AST

The AST will issue the warning which notifies parents of a monitoring period of 15 school days. During this period if the pupil has any unauthorised absence a Penalty Notice may be issued.

At the end of the monitoring period AST will request from school an updated attendance record and the reasons given for any absence in the period. Following this, AST will issue appropriate penalty notices.

Only one Penalty Notice can be issued per child per academic year. See flowchart attached.

The amounts stated on the Penalty Notices are £60 for those who pay within 21 days and £120 for those who pay within 28 days.

### 36. Exclusion Penalty Notices

For a child of compulsory school age who is a registered pupil at a school and is excluded from that school either for a fixed period or permanently, his/her parent/carer is guilty of an offence under Section 103 of the Education and Inspections Act 2006 if that child is present in a public place during school hours without reasonable justification during the first five days of each and every fixed period or permanent exclusion.

The AST Referral form should be sent to request an Exclusion Penalty Notice or Warning.

### 37. Holiday Penalty Notice

Schools can request a Holiday Penalty Notice when a pupil has had leave of absence during term time and accumulated 10 consecutive unauthorised sessions for the purpose of a family holiday, not agreed by the school. Schools should complete the AST Referral Form and send it to the AST.

If appropriate evidence is provided AST will issue a Penalty Notice. N.B. No warning will be issued if a Holiday Penalty Notice is requested by schools and agreed by AST.

### 38. Parenting Orders

The 1998 Crime & Disorder Act allows courts to make a Parenting Order for cases of non school attendance brought under sections 443 & 444 of the Education Act 1996. The aim of the order is to increase parenting support and to encourage parent/s to develop better parenting skills.

A Parenting Order can consist of two elements:

- a requirement on the parents or guardian to attend counselling or guidance sessions; these can last up to three months and
- a requirement encouraging the parent or guardian to exercise a measure of control over the child (e.g. that the parent ensures that the child attends school regularly) These Orders can last up to twelve months.

An application can be made for a **School Attendance Order** (Education Act 1996).

This is only for use where parents have failed to register their child at a school or where the LA takes the view that the education being provided “otherwise” is not satisfactory. There is a set procedure for requiring parents to nominate a school to be named in the Order. Most situations are resolved without needing to issue the

Order but, once served, it is an offence to ignore it. This power is not therefore, of significance where the child is registered but not attending.



## Appendix 1

## Leave in Term Time Refusal –

Date

(Parents name and address)

Dear (Parents name)

(Childs Name and Date of Birth)

Thank you for your letter dated (date) requesting permission for leave during term time for (pupils name) for (number of days), (dates), for the purpose of a family holiday).

As you may be aware the Government has renewed appeals to parents not to take their children out of school during term time. The Governors of the school support this and have decided that students will only be given permission to take leave in term time if there are exceptional circumstances. Having looked at your application, although understanding of your reasons, I do not feel that your request can be supported in this instance. **Therefore, if the absence occurs the dates will be unauthorised.**

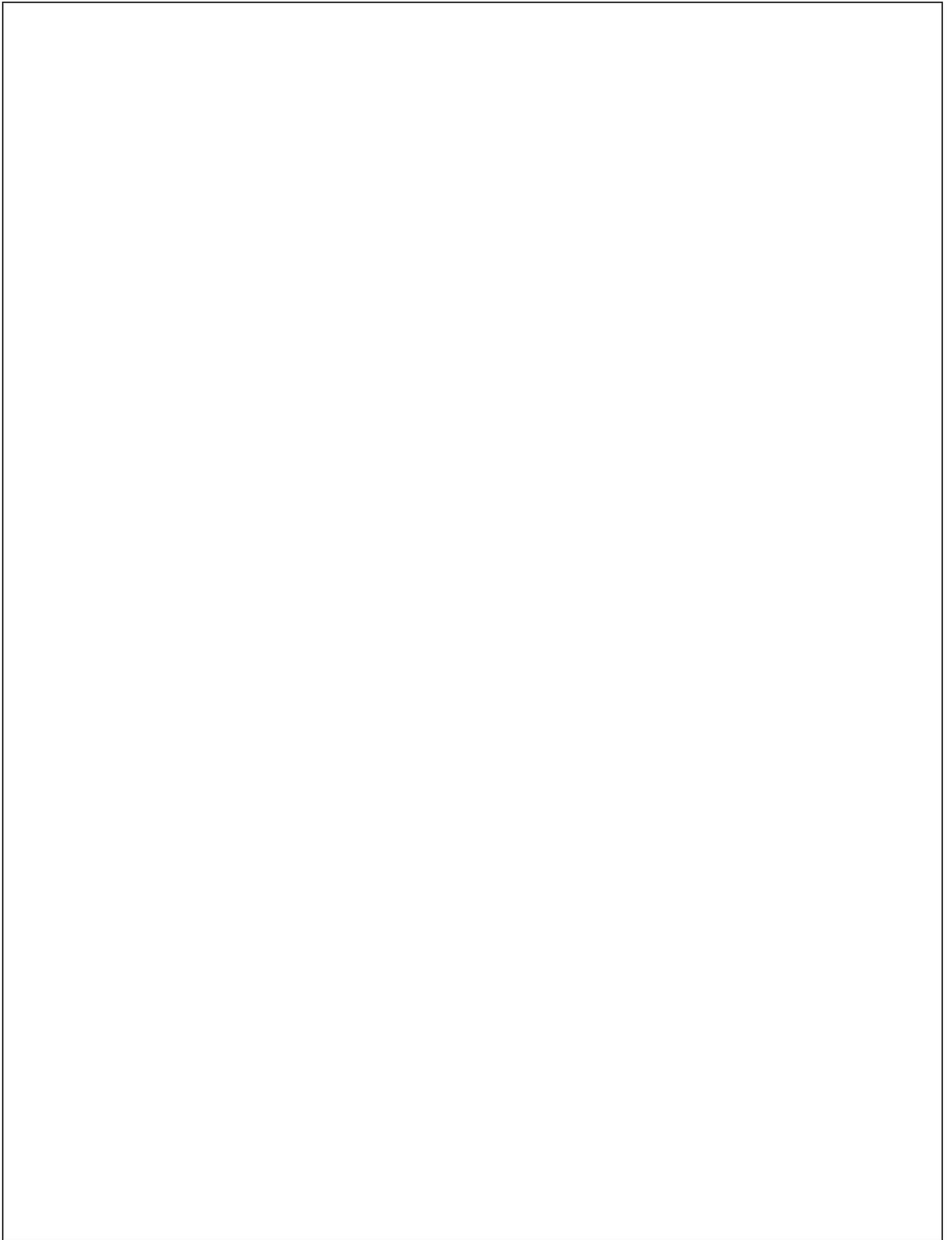
As a school we are asked to inform you that, in line with Telford and Wrekin Council Policy, unauthorised holidays may be subject to a penalty notice fine of £60 payable per parent, per child, increasing to £120 each if not paid within 28 days. Failure to pay this fine may lead to court proceedings.

Our key priority is to ensure that (pupils name) is as successful as possible and is able to achieve (his/her) full potential. I would hope that, upon reflection you are able to support this decision in line with the Local Authority and Government policy that holidays should be restricted to the 13 weeks' school holidays except in exceptional circumstances.

I have attached a copy of (pupils name) attendance for this academic year.

***The Head Teacher has been fully consulted in relation to this holiday request and fully supports the decision made.***

Thank you for your understanding; I hope this letter explains the decision that has been made.





Yours sincerely

This policy was reviewed and agreed by Crudgington Primary School Governors during the FGB of September 2017

It was agreed that the policy would be revised during September 2018

Signature of Chair\_\_\_\_\_ Date\_\_\_\_\_

Following the review of this policy the head teacher will be charged with the following responsibilities by the governing body:

- Ensuring that school staff receive a copy of the policy
- Ensuring a copy of the policy is made available electronically on the school website
- Ensuring paper copies are available from the school office
- Ensuring that any Department for Education guidance or updates pertaining to attendance are communicated to the governors in readiness for future policy reviews

