



Attendance Policy

**King Harold Academy *an academy as part of*
The Kennal Academies Trust**

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Introduction

As part of the TKAT family, our shared and common purpose is to work together to ensure that every child, whatever their background, receives a high-quality education. We have a shared belief that excellent school attendance is a critical factor in your child's achievement at school and we are committed to helping every child and their family to achieve this.

Excellent attendance is the responsibility of the whole school community. For your child to gain the greatest benefit from their education they should be at school, on time, every day the school is open unless the reason for the absence is unavoidable.

We appreciate that the barriers to accessing education can be wide and complex, both within and beyond the school gates, and are often specific to individual pupils and families. Improving attendance is everyone's business: effective communication and joined-up working are paramount.

This policy considers our obligations under the equality act 2010 and the UN Convention for the Rights of the Child.

The roles and responsibilities of the Trust, our School, parents and pupils, can be found in Appendix C and how we manage absences in Appendix D.

Our school commitment

Our School strives for 100% attendance for all pupils, however we appreciate that children can be ill or have rare unavoidable absences for other reasons. Therefore our overall school target is at least 95% attendance.

All staff are made aware of how each of their roles impacts on attendance and punctuality and that every member of staff, regardless of their role, can make a difference (See Appendix C for 'Roles and Responsibilities'). All staff will receive training commensurate with their roles.

The school will listen to and support pupils and parents/carers to achieve good attendance and punctuality and will work closely with them where absence is a cause for concern.

We will report to you 3 times per year on how your son/daughter is performing in school, including what their attendance and punctuality rate is and how this relates to their attainment.

We will celebrate and reward good and improving attendance by displaying individual and class achievements and through class competitions, certificates and other events.

Our Expectations of Parents / Carers

In line with government guidelines, we expect parents and carers to:

- Ensure your child attends every day the school is open except when a statutory reason applies.
- Notify us as soon as possible when your child has to be unexpectedly absent (eg: sickness).
- Only request leave of absence in exceptional circumstances and do so in advance.
- Book any medical appointments around the school day where possible.

Further information on understanding attendance can be found in appendix A

Absence Procedures

The school day starts at 08:45 and ends at 15:10. The school gates are open from 08:20 when pupils are able to access our canteen.

An attendance register will be taken each school day at the start of the first session and once during the second session. Students will be recorded as

- present
- attending an approved educational activity
- absent
- unable to attend due to exceptional circumstances

Registers will be recorded according to the Department for Education Attendance and Absence codes and TKAT agreed operating procedures for coding and register management.

If your child is absent you must:

- Contact us before 9.00am on the first day of absence and every further day of absence until they return by phoning our absent line number 01992-714800
- Provide medical evidence such as a doctor / consultant note if your son/daughter's attendance is below 90% and you have received a letter informing you that their attendance is a cause for concern.

If your child is absent we will:

- Contact you on the day of absence if we have not heard from you.
- Contact you if your child has an attendance of less than 90% to inform you that documentation will be required to authorise any absence due to illness. This can be a doctor's note, hospital letter, appointment card, copy of prescription or packaging from prescribed medication.
- Invite you in to discuss the situation with a member of staff if absences persist.
- Refer the matter to the Education Welfare Officer (EWO) or Local Authority Officer if attendance is a concern.

Who to contact and where

Reporting an absence on the day: Mrs T Roche (Attendance Officer)

Medical evidence explaining the absence should be sent to: Mrs T Roche (Attendance Officer)

More detailed support on attendance: Mrs T Roche (Attendance Officer)

The senior leader responsible for the strategic approach to attendance is: Mr Freeborn, Deputy Head

For more information on types of absence please see Appendix A

For information on how we track and monitor attendance see Appendix B

Persistent Absence (PA)

In accordance with DFE guidance, your child becomes a 'persistent absentee' when they miss 10% or more schooling across the school year for whatever reason. This means 19 or more days of absence over the whole year.

We monitor all absences thoroughly. Any case that is seen to have reached the PA mark or is at risk of moving towards that mark is given priority and Parents/Carers will be informed of this immediately.

In these circumstances we expect parents and carers to:

- Work with us and other agencies to help us understand your child's barriers to attendance.
- Proactively engage with the support offered which may include more formal support such as a parenting contract and / or a voluntary early help plan.

We will:

- Put additional targeted support in place to remove any barriers, including working with other partners where necessary.
- Work with other schools in the local area, such as schools previously attended and the schools of any siblings.
- Hold more formal conversations with parents and be clear about possible future legal interventions where there is a lack of engagement.
- Intensify support through statutory children's social care if we have safeguarding concerns.

Severe Absence (SA)

In accordance with DFE guidance, your child is considered to be a 'severe absentee' if they are absent for more than 50% of their current attendance. This would mean over 95 days of absence over the whole year. Any pupil who is at this level of attendance is deemed to be at serious risk of harm.

In these circumstances we expect parents / carers to:

- Work with us and other agencies to help us understand your child's barriers to attendance.
- Proactively engage with the support offered which will include more formal support such as a parenting contract and / or a voluntary early help plan.

We will:

- Continue support as for persistently absent pupils.
- Agree a joint approach with the local authority and consider a whole family plan, EHCP, or alternative form of education provision.
- Consider, through the local authority, conducting a full children's social care assessment and build attendance into children in need and child protection plans where they exist.

Term Time Leave of Absence and Holidays

The school will only consider a formal application (**See Appendix E**) for a leave of absence at least one month in advance of the dates requested. Only exceptional circumstances will warrant a leave of absence. We will consider each application individually and take into account exceptional circumstances. Our policy is **not to authorise any family holiday during term-time unless there are exceptional circumstances.**

The following factors will be considered:

- Can this event take place in the school holidays?
- What the current level of attendance is and unauthorised absence over the year to date.
- Any leave of absence taken previously.
- The time requested linked to examination / assessment period.
- Age and year group of the pupil.

The school will not consider

- The availability of cheaper holidays.
- The availability of the desired location.

- An overlap at the beginning or end of school term.
- The working pattern or availability of parental holiday entitlement.

Any period of leave taken without the authorisation of the school, or in excess of that agreed, will be classed as unauthorised and will be referred to the Local Authority to issue a Fixed Penalty Notice fine.

Vulnerable children

It is recognised widely that some groups of pupils are more vulnerable to poor attendance than others. Pupils with medical needs, SEN, Disabilities, Young Carers, Pupils with a social worker or in receipt of the pupil premium are likely to require more targeted support. These groups will be carefully monitored and intervention targeted appropriately. In exceptional cases, schools can gain advice from the TKAT Central Inclusion team.

The school recognises that “all schools (including academies) must agree with the relevant local authority, the regular interval that the school will inform the local authority of any pupil who fails to attend school regularly, or has been absent without the school’s permission for a continuous period of 10 days or more”, (DfE guidance, October 2016)

Long term absence and reintegration to school

Pupils with medical conditions, special educational needs and disabilities

If a student with a diagnosed medical condition has a period of long-term absence, parents/carers need to contact the SENCo, who will work alongside the attendance staff to ensure a designated key worker is identified. The key worker will be responsible for collecting work, or checking it has been set on Google classroom and arranging for it to be collected and returned.

If a student is off school for more than two weeks, the key worker will arrange regular contact with the parents/carers to go through work that has been set and to discuss the next phase of support. If meetings are conducted in school, it is advised that the student should attend so that they can ask any questions about the work and so that they can maintain their contact with the school. In exceptional circumstances, where a student is unable to attend these meetings in school, home visits may be carried out by the key worker.

Following a period of long-term absence due to health problems, reintegration will be supported to enable pupils to re-engage with their learning as smoothly as possible. Meetings will be held with the SENCo, a member of the pastoral team, medical professionals (as appropriate) and the parents/carers and pupil to ensure that the reintegration is structured to facilitate a smooth transition. Where appropriate, personalised timetables and supported lessons will be arranged, to allow for a phased return to school. Social time is also supported so that pupils who have been absent for prolonged periods can feel confident as they reconnect with their peers.

Part-time timetables

A part-time timetable will only be in place for the shortest time necessary and will not be treated as a long-term solution. It will be time limited with regular two weekly review meetings with a view to the pupil attending full-time. In agreeing to a part-time timetable, the absence will go down as authorised by the school.

Legal Interventions

At all times schools within the Trust will try and support parents/carers without the use of legal intervention. However, if parents/carers are not supporting good attendance, the school, via the local authority, may exercise its legal powers to address poor attendance in school with all parents/carers who have the day to day responsibility for the child. These interventions include:

- **Parenting Contract** - A parenting contract is a formal written agreement between a parent and the school to address poor attendance. It is intended to provide support and offer an alternative to prosecution. If there is non-compliance then an alternative course of action will be taken which may lead to fines and prosecution.
- **Education Supervision Order (ESO)** - This can be used when a formal parenting contract has failed. It is an action plan that would be overseen by the high or Family Court. Non-compliance with the directions given in an ESO can lead to a fine of up to £1000.
- **Penalty Notices** - Section 23 of the Anti-Social Behaviour Act 2003 allows penalty notices (fines) to be issued to parents/carers. They are an alternative measure to the prosecution of parents/carers who fail to ensure that their child attends school. A penalty notice will be issued by the local authority in line with its code of conduct when a child's absence has not been authorised by the school. This is issued to any adult with parental responsibility for each child. The penalty is £60 per parent/carer per child if paid within 21 days, increasing to £120 per parent/carer per child if paid between 21 and 28 days. If one or both parents/carers fail to pay the penalty notice in full, then the local authority may decide to prosecute the parents/carers.

Prosecution: If a child fails to attend school regularly at which they are registered then the parents/carers may be guilty of an offence and may be prosecuted by the local authority. They have the power to prosecute parents/carers who fail to comply with a school attendance order under section 443 of the Education Act 1996 or fail to ensure their child's regular attendance at a school under section 444 of the Education Act 1996. The fines available to the courts if the parents/carers are found guilty could be between £1000 and £2500. The courts can also sentence parents/carers for imprisonment for up to 3 months.

- **Parenting Order** - The order requires a parent to comply with the arrangements specified in the order by the Court which can include a requirement for parents to attend counselling or guidance sessions (e.g. parenting education or parenting support classes) where they will receive help and support to enable them to improve their child's attendance for up to 3 months. Any breach of the order can lead to a fine of up to £1000.

Legal Duties

Section 7 of the 1996 Education Act places a duty on Parents and Carers to ensure that children of compulsory school age receive efficient full-time education suitable to the child's age, ability, aptitude and to any special needs that the child may have. Parents and Carers have a legal duty to ensure their child's regular attendance at the school where they are registered.

A Parent or Carer who fails to ensure that their child attends school regularly is guilty of an offence under section 444(1) of the Education Act.

The school has a legal duty to publish its absence figures to parents/carers and to promote attendance. Equally, parents/carers have a duty to make sure that their children attend.

[Local Authority attendance support services](#)

Local Authority Attendance Specialists work strategically by offering support to schools, families, and other professionals to reduce persistent absence and improve overall attendance.

Parents are expected to work with the school and local authority to address any attendance concerns. Parents should proactively engage with the support offered, aiming to resolve any problems together. This is nearly always successful. If difficulties cannot be resolved in this way, the school may consider more formal support and/or refer the child to the Local Authority. If attendance does not improve, legal action may be taken in the form of a Penalty Notice (see Appendix F for the Essex Code of Conduct), prosecution in the Magistrates Court or the application of an Education Supervision Order, designed to strengthen parental responsibilities and ensure improved attendance.

[Links to other policies](#)

- Behaviour policy
- SEND policy
- Safeguarding policy
- Anti-bullying policy
- Complaints policy
- Equality statement

Appendix A

Understanding attendance types

Schools are required to take an attendance register twice a day. This shows whether the pupil is present, engaged in an approved educational activity off-site, or absent. If a pupil of compulsory school age is absent, every half day absence has to be classified by the school as either **authorised** or **unauthorised**.

If an absence is authorised then this means the school has given approval in advance for a pupil of compulsory school age to be absent or has accepted an explanation offered afterwards as the reason for absence.

An unauthorised absence is where the school is not satisfied with the reasons given for absence or no reason is given. It may also be unauthorised if attendance level is below target and no medical evidence has been given.

This Attendance Policy includes procedural referral agreements that are designed to promote and safeguard the welfare of pupils. TKAT schools have a duty to refer to the Local Authority any child of compulsory school age who is

- continuously absent from school for 20 sessions (2 weeks) without explanation
- has irregular attendance
- is persistently late to attend school
- has an unauthorised leave of absence

Definitions

Session - is a term related to the recording of absence data. Each school day has two sessions, morning and afternoon registration and attendance must be recorded for each.

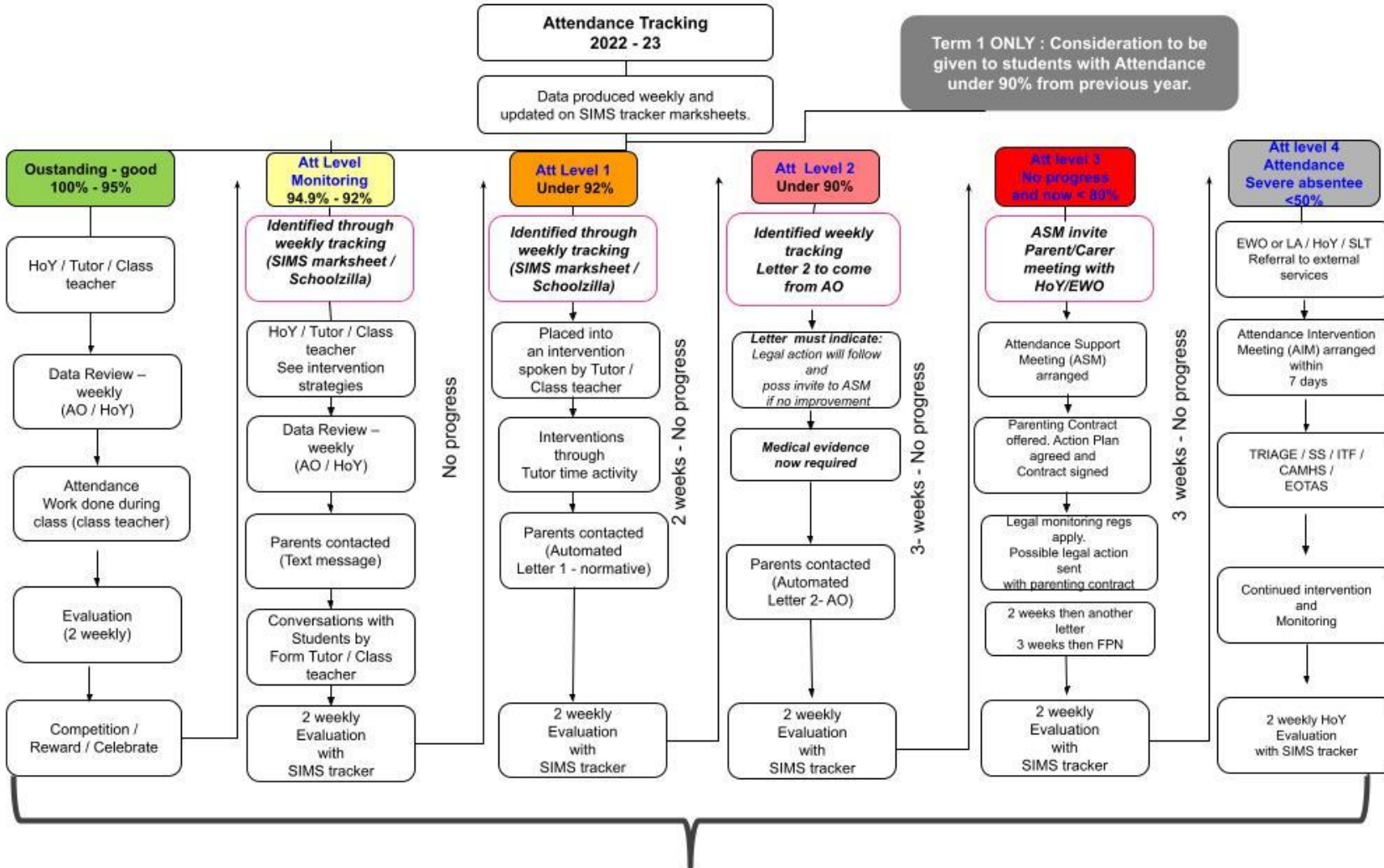
Authorised absence - This means the school has given approval in advance or has accepted an explanation for absence.

Unauthorised absence - This is where the school is not satisfied with the reasons given for absence or no reason has been given.

Persistent absentee (PA) - The government threshold for Persistent Absence is 90% or lower. This includes ALL absence regardless of whether it is authorised or not. Absence at this level is doing considerable damage to any child's educational prospects and we need parents and carers' support and cooperation to tackle this.

Severe absentee (SA) - The government threshold for severe absence is 50% or lower. This includes ALL absence regardless of whether it is authorised or not. Any pupil who is at this level of attendance is at serious risk of harm and we need parents and carers' fullest support and cooperation to tackle this.

Appendix B



Across all levels of attendance:

- Conversations between staff and students on a daily basis: Subject teachers, Class teachers, Form Tutors, ACE tutors, Support staff, HoY, SLT
- Parent Events: Attendance data given to staff and to be a **significant feature of conversation** if below 96%

Appendix C

Attendance Roles and Responsibilities

The Kemnal Academy Trust (TKAT) will:

- Devise and review the trust Attendance Policy.
- Take an active role in attendance improvement, supporting schools to prioritise attendance, and work with leaders to set whole school cultures.
- Set and review the Trust level targets for attendance and punctuality as part of the schools annual operating statement, strategic plan and target setting process.
- Advise schools on matters related to school attendance and support as required.
- Provide training for all colleagues to make an active contribution to improving attendance aligned to their role and responsibilities.

The school Governing body will:

- Ensure that strategies are in place to promote and implement the Attendance Policy throughout the school and are understood by Parents / Carers.
- Review the effectiveness of the implementation of the policy in light of the school's termly reports.

The Headteacher will:

- Develop and maintain a whole school culture that promotes and celebrates good attendance and punctuality.
- Ensure strategies are in place to promote and implement the Attendance and Punctuality Policy throughout the school.
- Monitor the school's offer to ensure the delivery of a curriculum which is engaging and personalised to the needs of the pupils.
- Monitor data on attendance and punctuality via reports from the senior leader responsible for attendance.
- Determine, in collaboration with the senior leader responsible for attendance, whether to authorise any proposed absences requested on the school's official request form.
- Provide the local governing body with termly reviews on attendance and punctuality, including data about pupils who are persistently absent (90% or below) or severely absent (50% or below).
- Set attendance targets during the appraisal process for the link senior leader, heads of year or other relevant members of staff directly associated with attendance performance measures.

The Senior Leader / Headteacher responsible for attendance will:

- Be a role model in promoting attendance and punctuality, encouraging excellent attendance and punctuality routines.
- Lead initiatives to promote the profile of attendance throughout the school including a package of rewards that is valued by pupils responding to pupil voice.
- With the support of the attendance staff, analyse data on attendance and punctuality on a weekly, half termly and termly basis and prepare reports to share with relevant stakeholders.
- Quality assure action plans for attendance improvement devised based on the data analysis outcomes.
- Be the person who authorises or non-authorises requests for pupil absence.

- Comply with the DFE Statutory Guidance on Children Missing in Education (CME) by adhering to each Local Authority's guidance, including for children missing from school following a leave of absence and prior to removing a child from the roll of a school.
- Comply with the requirement set out in the Local Authority's code of conduct when requesting a legal intervention.

Middle Leaders and Senior Leaders

- Be a role model in promoting attendance and punctuality.
- Encourage excellent attendance routines in their subject areas / Line management areas.
- Monitor the register taking in your areas of work in order to ensure that all registers are taken in the lesson and appropriate measures are taken if there are issues such as incorporating into performance management practices or contacting the IT support team.
- Ensure that feedback is provided to parents on the correlation between attendance and performance.
- Adopt a subject specific strategy and policy for 'welcoming pupils back' and teaching for the 'empty chair' to allow pupils who are absent to access the curriculum.

The Attendance Officer / Head of Year

- Be a role model in promoting attendance and punctuality, encouraging excellent attendance routines.
- Monitor attendance on a daily, weekly, half-termly, termly and annual basis, contacting parents / carers of pupils who have been identified as at-risk, to challenge absences and encourage an early return to school.
- Have a clear vision of the strategies necessary to ensure that appropriate interventions are put in place to promote good attendance.
- Lead / support the year team and Form tutors in interventions with attendance and ensuring all processes are followed.
- Oversee the strategies for the attendance of pupils 95% or below including monitoring and mentoring pupils and working with parents/carers and external agencies where appropriate.
- Work with key staff both internal and external as well as parents/carers to lower the Persistent Absence rates.
- Ensure assemblies and tutor time activities support and celebrate attendance.
- Lead and manage the rewards and sanctions for good attendance and punctuality including organising and running incentive schemes at an individual, tutor group and year group level.
- Ensure a regular timetabled meeting with Attendance Officer/EWO or Local Authority Officer takes place once every three weeks to establish pupils of concern and to ensure appropriate actions are taken.
- Report to the Senior Lead : Attendance and safeguarding on the effectiveness of strategies undertaken.
- Meet with parents with EWO or Local Authority Officer to set action plans, monitor progress, review and either reward or issue fines.

Staff responsible for registering morning and afternoon sessions will:

- Be a role model in promoting attendance and punctuality.

- Ensure that the statutory attendance register using the School Management Systems (SIMS) is taken at the start of each am and pm session. In Secondary schools, for safeguarding purposes, this includes the taking of registers at the start of each lesson. Staff should only code / \ L or N.
- Register lateness with an 'L' every day and challenge pupils regarding punctuality.
- Give pupil's absence notes or verbal messages to the relevant member of staff.
- Use a range of formal and informal communication strategies, including phoning and emailing home, to build relationships with parents, to support attendance, punctuality and therefore the well-being of their pupils.
- Reward good attendance.
- Inform attendance teams of any patterns or trends with absence which are a cause for concern.
- Fully support class time activities regarding attendance utilising the weekly attendance data with pupils.

Class teachers

- Be a role model in promoting attendance and punctuality.
- Take the register at the start of the lesson, every lesson.
- Encourage excellent attendance and punctuality routines- challenge pupils re lateness.
- If electronic registration is not working during the recording of the register, send a written copy of absentees to relevant member of staff.
- Support whole school attendance by reporting to year teams and the mentor for any noticeable patterns or changes in attendance.
- Welcome back pupils who have not been attending but due to the actions of the school have returned to class.
- Plan for pupils who have missed lessons to 'catch up' or be able to access learning, whilst considering each child's context and needs.
- If pupil is not in class, having been previously marked in, alert relevant member of attendance staff immediately.
- Communicate with Parents / Carers how poor attendance may affect progress in a subject area.

Attendance Support Assistant / Asst HoY (Secondary Schools)

- Be a role model in promoting attendance and punctuality.
- Encourage excellent attendance and punctuality routines.
- Support the Head of Year in their role of:
 - Overseeing the attendance and punctuality of the year group and target groups within it.
 - Leading the year team in interventions with attendance and ensuring all processes are followed.
 - Ensuring assemblies and class time activities support and celebrate attendance.
 - Leading and managing the rewards and sanctions for good attendance and punctuality including advising on rewards for their year group.
 - Ensuring a regular timetabled meeting with the EWO to establish pupils of concern and to ensure appropriate actions are taken.
- Ensure feedback to and from staff and Head of Year is maintained.
- Oversee the strategies for the attendance of a specific cohort of targeted pupils whose attendance is of concern, including monitoring and mentoring pupils and working with parents/carers and external agencies where appropriate.

- Report serious concerns of repeated issues with Head of Year and ensure a strategy is in place to support attendance.
- Ensure that all codes in the register are correct at the end of the day.

Education Welfare Officer or Local Authority Attendance Officer

- Encourage good attendance routines.
- Be a role model regarding attendance and punctuality.
- Oversee the input of attendance data on a day to day basis working with pupils, school staff and parent carers.
- Monitor session and lesson attendance and punctuality of years 7-11 on a daily basis ensuring that all processes are followed, and liaise with parents/carers as necessary including sending out LA approved letters for attendance below 95%, PA and lateness.
- Oversee the FPN's and ensure accurate records are kept.
- Prosecutions for pupils with very low attendance where necessary.
- Organise and chair Attendance Strategy meetings in school with pupils and parents to encourage attendance.
- Alert Year team to patterns of attendance for year group and pupils with attendance concerns.
- Meetings with pupils to establish reasons for absences and follow up where necessary (external agencies).
- Intervene where necessary including, undertaking home visits alternative contact/plans with parents/carers for disadvantaged pupils.

Parents / Carers will

- Be aware that it is an offence for their child to be absent from school without a valid reason.
- Be aware that only the school can determine if an absence from school is 'authorised'.
- Ensure their child arrives at school on time, dressed in full uniform, ready and equipped to learn.
- Inform the school if their child is unable to attend, including the reason for absence and the expected date of return.
- Ensure that all appointments, where possible, are arranged after school.
- Avoid arranging holidays/leave during term time except in exceptional circumstances.
- Ensure that all requests for leave during term time are made by completing the 'Leave of Absence During Term Time Request Form'(see Appendix ?), where possible at least one month in advance.
- Be aware that for unauthorised absences, the local governing body reserves the right to apply to the local authority to issue a penalty notice (fine) or remove a child from the roll of the school.
- Ensure their child attends all intervention programmes agreed by the school.

Pupils will

- Aim to achieve 100% attendance and punctuality by arriving to school on time every day.
- Come to school well prepared, arriving at school on time, dressed in full uniform, ready and equipped to learn, and with the right attitude; to enjoy and achieve.
- Be proud of achieving excellent attendance and punctuality.
- Be punctual to all lessons.
- Ensure they are registered for all timetabled lessons and inform the relevant member of staff if they are not able to be registered.
- Ensure all notes/appointment cards are passed to the relevant member of staff.
- Speak to the appropriate member of staff if there are any problems that may affect attendance, punctuality and/or learning.

Appendix D

Managing absence and Lateness

Daily monitoring

Administrative staff / Attendance Officer will:

- Sign late pupils in at the main office.
- Update the attendance register with details of pupils who arrive late including pupils being marked as an unauthorised late if they arrive more than 30 minutes late without an acceptable reason. An unauthorised late can be used to support a legal intervention.
- Ensure details of pupils and the reasons for the late arrival are communicated to the relevant members of staff responsible for attendance.
- Ensure accurate details are noted in the register of parents/carers contacting the school about their child's absence – including the reason for the absence and the likely length of absence.
- Contact parents/carers by telephone who fail to notify the school of their child's absence no later than 90 minutes after the start of the school day on the 1st day of absence, ensuring that any follow up action required as a result of the contact with the parent/carer is flagged up to the attendance officer/head of year and senior leader responsible for attendance.
- Send a text to all parents/carers of pupils arriving late to school, informing them of their child's failure to arrive on time.
- Ensure no pupil is allowed to leave school for an appointment without the presence of a parent/carer and appropriate school authorisation (eg slip).
- Send a daily email to the attendance officer and the senior leader responsible for attendance providing the percentage level of attendance and punctuality each day and the cumulative attendance for the term.

The attendance officer/head of year will:

- Make follow-up phone calls to parents/carers of absent pupils who have been identified as at-risk, to challenge absences and encourage early return to school.
- Authorise appointments.
- Escalate any absences causing concern to the senior leader responsible for attendance.

Weekly monitoring

Administrative staff / Attendance Officer will:

- Produce weekly attendance and punctuality data for learning coordinators/form tutors/class teachers, the attendance officer/head of year and the senior leader responsible for attendance on attendance by class and by pupil using a SIMS tracking marksheet.
- Display weekly data on attendance and punctuality in prominent place visible to pupils in the form of league table to engender a spirit of friendly competition amongst staff and pupils.

The attendance officer/head of year will

- review the weekly attendance and punctuality data.
- Issue an appropriate sanction to a pupil who has been late more than once (e.g., a detention) and inform parents/carers if appropriate.
- Contact parents/carers by telephone to inform them of the school's concern regarding attendance or punctuality, particularly if there are patterns to absences or lateness.
- Contact parents/carers by text or phone if their child's aggregated attendance for the year to date falls below 95% for the first time. This excludes pupils who have an attendance below 95% for an authorised reason.

The senior leader responsible for attendance will:

- Keep an overview of weekly attendance across the school.
- Agree appropriate intervention strategies with the attendance officer/head of year.
- Provide an update to the senior leadership team.

Half-termly monitoring

Administrative staff / Attendance Officer will:

- Produce half-termly attendance and punctuality data for a range of staff including learning coordinators, form tutors, class teachers, the attendance officer/head of year and the senior leader responsible for attendance on attendance by class and by pupil.

The attendance officer/head of year, in liaison with the senior leader responsible for attendance, will:

- Update the Attendance Risk Register or vulnerable pupil register / meeting and take the appropriate actions as agreed in Appendix B.

The senior leader responsible for attendance will:

- Keep an overview of Attendance Risk Register / vulnerable pupil register across the school.
- Agree appropriate intervention strategies with the Attendance officer/head of year.
- Agree list of pupils requiring pastoral review meetings.
- Provide the Headteacher with half-termly data on attendance and punctuality, including data about pupils who are persistent/severe absentees and leave of absence requests and their outcomes.

Termly monitoring

The administrative team / Attendance Officer will:

- Produce termly attendance and punctuality data for staff including learning coordinators, form tutors, class teachers (in the case of primary phase), the attendance officer, head of year and the senior leader responsible for attendance on attendance by class and by pupil.
- Display termly data on attendance and punctuality in a prominent place visible to pupils.
- Issue letters of concern to parents/carers of pupils with attendance below 95%.
- Issue letters/certificates of praise and celebration to parents/carers of pupils who achieve 100% attendance and punctuality/significantly improved attendance/attendance above school target.

The attendance officer/head of year will:

- Recognise, celebrate and reward pupils who achieve 100% attendance/significantly improved attendance/attendance above the school target each term in assemblies.

The senior leader responsible for attendance will:

- Keep an overview of Attendance Risk Register / Vulnerable Pupil register across the school.
- Agree appropriate intervention strategies with the Attendance officer/head of year.
- Agree list of pupils requiring pastoral review meetings.
- Provide the local governing body with termly data on attendance and punctuality, including data about pupils who are persistent/severe absentees and leave of absence requests and their outcomes.

Appendix E

Leave of Absence During Term Time Request Form

Guidance Notes

- Please ensure this form is completed at least 1 month prior to requesting leave.
- Completing this form does not mean your request has been approved. – The Education (Pupil Registration) Regulations 2013 state that headteachers may not grant any leave of absence during term time unless there are exceptional circumstances (see below).
- If your leave of absence is either approved and you fail to ensure that your child returns to school by the agreed date or your child takes leave when your leave of absence request is not approved, then the absence will be marked as 'unauthorised' on the attendance register.
- For such 'unauthorised' absence, you may be liable to be issued with a penalty notice (fine). The fine is £60 per parent per child if paid within 21 days, increasing to £120 per parent per child if paid between 21 and 28 days. If one or both parents fail to pay the penalty notice in full, then you may be prosecuted. The school also reserves the right to remove your child from the roll of the school. Where this happens, please be aware that it may not always be possible to re-admit your child to the school.

Exceptional circumstances:

The Headteacher / Principal will consider if the reasons are rare, significant, unavoidable and short and will also take into consideration the following:

- Can this event take place in the school holidays?
- What the current level of attendance is and unauthorised absence over the year to date.
- Any leave of absence taken previously.
- The time requested linked to examination / assessment period.
- Age and year group of the pupil.

Absence Request Form

Child's details			
Surname		First name	
DoB		Year group	
Address			
Parent / Carer's details			
Surname		First name	
Relationship to child			
Address (if different to above)			
Tel		Email	
DETAILS OF REQUEST FOR LEAVE OF ABSENCE			
Date of departure		Date of return	
Number of school days absent		Destination	
Please provide details and reasons for requesting leave of absence and in particular any exceptional circumstances. If necessary, please provide any documentary evidence in support of your request.			

Appendix F

ESSEX CODE OF CONDUCT PENALTY NOTICES FOR PARENTS OF TRUANTS AND PARENTS OF PUPILS EXCLUDED FROM SCHOOL ANTI-SOCIAL BEHAVIOUR ACT 2003 SECTION 23

The purpose of this local code of conduct is to ensure that the powers are applied consistently and fairly across the Local Authority area to all Essex residents.

The Government requires Local Authorities to issue a code of conduct and any persons issuing Penalty Notices to a parent¹ must do so in accordance with this protocol. Essex County Council is legislatively responsible for administering the Penalty Notice scheme and will do so in accordance with a number of legislative and non-legislative requirements.

The Essex code has been agreed following consultation with;

- Essex County Council representatives – Attendance Compliance Team and Essex Legal Services.
- Representatives from Governing Bodies and Headteachers of Essex Schools
- Essex Police
- Persons accredited under Essex Police's Community Safety Accreditation Scheme (CSAS)

The Code of Conduct is in accordance with the following legislation;

LEGISLATIVE FRAMEWORK FOR EDUCATION PENALTY NOTICES

The legal framework governing school attendance and the responsibilities of parents of excluded pupils, schools and the LA is set out in a succession of acts, regulations and other guidance.

Education Act 1996

Under Section 7 of the Act: the parent is responsible for making sure that their child of compulsory school age receives efficient full-time education that is suitable to the child's age, ability and aptitude and to any special educational needs that the child may have, this can be by regular attendance at school, or otherwise (the parent can choose to educate their child themselves). If it appears to the LA that a child of compulsory school age is not receiving a suitable education, either by regular attendance at school or otherwise then they must begin procedures for issuing a School Attendance Order under Section 437 of the Education Act 1996.

If a child of compulsory school age who is registered at a school fails to attend the school regularly the parent is guilty of an offence under Section 444(1) of the Education Act 1996. In addition, if it can be proved that a parent knew of the child's non-attendance and failed to act, then they may be

¹ All those defined as a parent under Section 576 Education Act 1996 are parents for the purpose of these provisions. This means that all natural parents, whether they are married or not; any person who, although not a natural parent, has parental responsibility (as defined in the Children Act 1989) for a child or young person; and any person who, although not a natural parent, has care of a child or young person. Having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law. Parent means each and every parent coming within the definition (whether acting jointly or separately) and should not be taken to mean that provisions only apply to parent in the singular. As with prosecutions under Section 444 Education Act 1996 a penalty notice may be issued to each parent liable for the offence.

found guilty under Section 444(1 A). This offence (known as the higher or aggravated offence) can lead to a warrant being issued compelling a parent to attend court and conviction may result in a higher level fine and/or a custodial sentence.

On 6 April 2017, in the case of Isle of Wight Council v Platt [2017] UKSC 28, the Supreme Court ruled that the word 'regularly' means 'in accordance with the rules prescribed by the school.'

Anti-social Behaviour Act 2003

<http://www.legislation.gov.uk/ukpga/2003/38/contents>

The Act added two new sections (444A and 444B) to the Education Act. It introduced penalty notices as an alternative to prosecution under Section 444; the issuing of penalty notices is governed by:

- The Education (Penalty Notices) (England) Regulations 2007
- The Education (Penalty Notices) (England) (Amendment) 2013

<http://www.legislation.gov.uk/uksi/2013/757/contents/made>

Children Act 1989

<http://www.legislation.gov.uk/ukpga/1989/41/section/36>

Crime and Disorder Act 1998

<https://www.legislation.gov.uk/ukpga/1998/37/section/16>

Education and Inspections Act 2006

<http://www.legislation.gov.uk/ukpga/2006/40/contents>

The Education (Pupil Registration) (England) Regulations 2006 (Amended 2013)

<http://www.legislation.gov.uk/uksi/2013/756/regulation/2/made>

AUTHORISATION TO ISSUE PENALTY NOTICES

Primary responsibility for issuing penalty notices rests with the Local Authority (LA). It has been agreed that the Attendance Compliance Team, on behalf of Essex LA, will usually issue penalty notices. The Service will administer the scheme from any funds obtained as a result of issuing penalty notices.

Head Teachers (and Deputy Head Teachers and Assistant Head Teachers authorised by the head teacher) and police, and persons accredited by the community safety accreditation scheme are all able to issue the notices under the Act, although there is no requirement for them to do so.

In Essex it has been agreed that the Police and Head Teachers will not issue penalty notices to parents. Persons accredited through the Community Safety Accreditation Scheme² are authorised to do so.

CIRCUMSTANCES IN WHICH A PENALTY NOTICE MAY BE ISSUED

Penalty Notices apply to pupils of statutory school age, which commences the term immediately following the child's 5th birthday and finishes on the last Friday in June of school year in which they turn 16.

² Accredited companies at time of this publication are Attendance Solutions Essex, Aquinas School Attendance Provisions and NEMAT Support Services

Penalty notices will only be issued as a conclusion to a series of processes and when all attempts to address school attendance matters have been unsuccessful. If a previous Penalty Notice has been unsuccessful, rationale and justification should be provided as to why issuing another Penalty Notice would improve the attendance of the student. If schools are not aware of any previous or current legal interventions they must email attendancecompliance@essex.gov.uk. A response will be sent within 3 working days. Parents cannot be penalised more than once for the same period of absence.

Domestic and European legislation and case law makes it clear that when serving a formal Notice in criminal proceedings, the recipient must be clearly and unambiguously identified. For the Purpose of issuing a Penalty Notice under this Code, the parent's first and last name must be cited on the Notice and any covering letter.

Essex partners have agreed to use Penalty Notices for the following circumstances however the offence under s444 Education Act 1996 is the same whether issued for unauthorised leave of absence (ULA) or irregular school attendance (ISA):

Penalty notices for unauthorised leave of absence (ULA)³

Penalty Notices may be issued where there have been at least 10 consecutive sessions of unauthorised absence for the purpose of a holiday, whereby a parent made an application to the School which the Head Teacher has deemed not for exceptional circumstances. In addition, a Penalty Notice may also be issued, whereby the parent did not submit a leave of absence request, however the school have reason to believe the absence was for the purpose of a holiday and should not be authorised as parent has not provided any additional evidence which the Head Teacher deems appropriate to support the absence. In addition to the above criteria, due to the importance of pupils settling into school at the commencement of the school year, Penalty Notices may also be issued if there have been at least 6 consecutive sessions of unauthorised absence during the first two weeks of September due to a term-time holiday.

The Local Authority requests that for Penalty Notices to be issued, parents must be duly warned of the legal ramifications under separate cover if they remove their child from school for the purpose of a holiday. Schools/Academies must reference the use of Penalty Notices within their Attendance Policy which must be available to all parents/carers online and/or in hard copy within the school, accessible to parents to read. Schools should remind parents of the protocol regarding leave of absence during term time.

Penalty Notices for Irregular School Attendance (ISA)

Penalty Notices may be issued where there has been at least 10 sessions of unauthorised absence during the previous 10 school weeks.

Parents must have been issued with a Legal Action Warning Letter with accompanying Legal fact sheet and given opportunities to inform the school of any factors impacting on their ability to ensure their child attends school regularly. Warning letters are valid for 18 calendar weeks.

The Local Authority advises that the following template is used for irregular school attendance referrals as this has been specifically designed to enable the progression of cases if appropriate. This letter must be on headed paper from the school or accredited persons issuing the notice. The legal fact sheet must be included

³ Truancy/unauthorised/irregular school attendance refers to absence from school without permission or good reason and the absence is unauthorised by the school.

https://schools.essex.gov.uk/pupils/Attendance_Compliance/Documents/Legal%20Action%20Warning%20Letter%20for%20schools.docx .

Failure to adequately issue warning to parents may result in the Penalty Notice being withdrawn or not issued.

All penalty notice referrals or notifications from Accredited Persons must be sent via Essex County Council's online portal and all relevant pre-referral work in accordance with the Local Authority requirements must be uploaded alongside the referral/notification.

The Local Authority must be satisfied that the substantive offence in accordance with s.444 Education Act 1996 has been committed prior to issuing a Penalty Notice. Evidence of attempts to address attendance concerns within the previous 8 weeks prior to requesting or notifying of a Penalty Notice must be submitted. Satisfactory evidence includes letters, notes of home visits, meetings, telephone calls etc.

N.B. for ULA and ISA PN's consideration should always be given to whether it is appropriate to issue to absent parents.

Number of Penalty Notices which can be issued for Irregular school attendance/unauthorised leave of absence

Discretion will be used to enable up to two penalty notices to be issued to each parent for each child within a twelve-month period. If the law continues to be broken around school attendance the Attendance Compliance Team may instigate legal proceedings.

Number of Penalty Notices which can be issued for pupils identified during a school attendance and exclusion sweep

School attendance and exclusion sweeps take place in Essex and children stopped are often with parents condoning the absence.

If the Head Teacher has not authorised the absence of a pupil stopped by a Local Authority Officer and Police Officer on a sweep and there has been at least 9 unauthorised absences for that pupil during the preceding 10 school weeks, school will issue a legal action warning letter to the parent within 14 days. If there are any further unauthorised absences, during the following 18 calendar weeks a referral to the Attendance Compliance Team may be submitted for a Penalty Notice to be issued.

Essex will issue no more than two penalty notices to a parent in a twelve-month period for pupils identified on a school attendance and exclusion sweep. If the law continues to be broken around school attendance the Attendance Compliance Team will instigate legal proceedings.

Excluded children

When a child is excluded from school, the parent will be responsible for ensuring that their child is not found in a public place during normal school hours on the first five days of each and every fixed period or permanent exclusion. (Section 103 Education and Inspections Act)

The excluding school must have notified the parent informing them of their duty and warning that a penalty notice could be issued.

Where there is more than one person liable for the offence, a separate penalty notice may be issued to each person.

Where a pupil is present in a public place in the first five days of a fixed period exclusion the Essex Local Authority would issue a penalty notice if the school is in their area. Where the child has been permanently excluded, it would be the authority where the child resides.

Number of penalty notices which can be issued for exclusion

Essex will issue a maximum of 2 penalty notices per parent for each child during a 12-month period.

Number of penalty notices which can be issued for unauthorised leave of absence

Essex will issue no more than two penalty notices to a parent in a twelve-month period for unauthorised leave of absence. If the law continues to be broken around school attendance, the Attendance Compliance Team will consider further legal interventions.

PAYMENT OF PENALTY NOTICE

The penalty for each parent issued with a Penalty Notice is £120 for each child, however if paid within 21 days of receipt of the notice, it is reduced to £60. (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).

All penalties are paid to the LA and revenue generated is retained to administer the system and contribute towards s444 prosecutions following the non-payment of the Penalty Notice.

If the penalty is not paid in full by the end of the 28-day period, the Attendance Compliance Team will either prosecute for the offence to which the notice applies or withdraw the notice. The prosecution is not for non-payment of the notice but is a prosecution for irregular school attendance – Education Act 1996 Section 4441.

There is no statutory right of appeal against the issuing of a penalty notice.

WITHDRAWAL OF PENALTY NOTICE

A penalty notice may be withdrawn by the local authority named in the notice under the following circumstances:

- Where the local authority deems it ought not to have been issued i.e. where it has been issued outside the terms of the local code of conduct or where the evidence does not support the issuing of a penalty notice
- It appears to the local authority that the notice contains material errors
- Where it has been issued to the wrong person named as the recipient.