



## Ward Green Primary School Attendance Policy 2019

We are committed to promoting a culture of high expectation, achievement and excellence. Good attendance is crucial if students are to take advantage of the opportunities available to them and complete a successful journey through their time at our schools and as they move on into higher education or the world of work.

We work in partnership with relevant parties to ensure that everyone in this partnership is aware of their responsibilities in our aim to promote high levels of attendance.

Registration is a legal requirement that has to be taken at the beginning of each morning and afternoon sessions: this enables us to:

- Monitor attendance regularly.
- Evaluate information.
- Target Absence,
- Punctuality and Truancy.
- Have the ability to publicise the above data within our schools.
- Have the ability to give a clear and accurate picture to parents, carers and guardians.
- Have the ability to encourage and reward good attendance.

### **What is good attendance and punctuality?**

Good attendance is regarded as **above the National expectation of 96%**. This figure should account for normal illnesses that a child may experience during the school year. Good punctuality is regarded as arriving in time for the school register. The register closes at 9.30 am, arrival after this time will be recorded as late (unless attending an appointment).

### **Why regular attendance is important**

Any absence, including family holidays, affects the pattern of a child's education and regular absence will seriously affect their learning. Any pupil's absence can disrupt the learning of others as they try to catch up with skills that have been taught in their absence, it can also have a de-motivating affect on individuals if they are unable to access parts of the curriculum following absences.

### **Partnership Responsibilities**

#### **Parents/Carers**

Ensuring a child's regular attendance at school is the legal responsibility of parents and permitting absence from school, without a good reason, is an offence that may result in prosecution. A letter regarding attendance will be sent to parents at the beginning of the academic year to promote and emphasise the important of attending school regularly.

We will seek to build on partnerships with parents by informing them about concerns at an early stage. All schools operate a 'First Day Contact' procedure and expect parents to communicate the reasons for a child's absence at the beginning of the first day of absence. If there is no communication from home, parents will be contacted by school.

Appointments for visits to doctors, dentist etc should, wherever possible, be made out of school hours. Parents are asked to provide a copy of all medical appointment cards/letters for appointments made during the day.

### **Ward Green Primary School – First Day Contact Procedures**

This is crucial in our efforts to raise the attendance profile of our school. A 'First Day of Absence' system is operated to communicate quickly and effectively with parents and carers. School staff make contact with home on a daily basis either by phone or text message. In cases where parents have no contact telephone number, school communicates with home by letter to establish contact and collect the required information. All contact with home is recorded and monitored by class teachers and the Leadership Team.

Attendance data is provided in the Headteacher Report to Governors at their termly meetings to support the monitoring of attendance.

### **Governors Monitoring**

The governing body will;

- Ensure that the legal requirements for registration are complied with.
- Review the school attendance policy on an annual basis.
- Have input into the school attendance targets.
- Receive reports and statistics.
- Support the need for good attendance.

### **School Attendance Responsibilities**

The Office Staff along with the Headteacher monitor the overall situation in relation to attendance, therefore the responsibilities include:

- Monitoring the overall effectiveness of school attendance procedures.
- Liaison with:
  - Hoyland Common Multi Academy Trust
  - Meeting on a regular basis with the designated Education Welfare Officer.
- Organising attendance meetings with parents.
- Making referrals to the schools HLTA staff, EWO and Family Support Workers as appropriate to support the raising of attendance for a nominated child / children.
- Attend meetings when required.

All children are encouraged to take responsibility for achieving good attendance. The overall aim for all children should be for 100% attendance therefore any absence should only be for unavoidable and genuine reasons. If an absence is for a medical appointment, children should return to school after the appointment if at all possible. Year 6 children are encouraged to keep a record of their attendance as part of their class weekly monitoring programme.

### **Education Welfare Officers**

The Education Welfare Officers will work alongside our school and the academy to address pupil related issues that may be affecting their attendance at school. When a child is referred to the Education Welfare service, the officers will work within Local Authority guidelines to address the issues.

### **Information to Parents.**

At the end of each year we will send out the attendance certificate with the Annual Record of Achievement which will be highlighted as below:-

- Above 95% - acceptable attendance – highlighted green
- 90 – 95% - below average attendance – highlighted yellow
- 85% - 90% - Poor attendance – highlighted orange
- Below 85% - Unacceptable attendance – highlighted in red.

### **Attendance Monitoring Procedures**

The school will monitor pupils' attendance on a weekly, monthly and termly basis.

The EWO will produce an attendance report from the schools attendance system which identifies any child with attendance below 96% (National Expectation). A meeting with office staff and the Headteacher will be held to discuss each child's circumstances. There may be reasonable explanation for a child's attendance to be below 96% such as hospital admission or a long term medical condition requiring treatment or frequent spells of illness.

When a child's attendance or punctuality begins to be a concern, parents will be informed and subsequently become involved as outlined below:

**Attendance** – depending on the child's individual circumstances, the following will apply.

- Below 96% attendance: First letter home. A letter regarding their attendance will be sent home to parents to inform them of the schools concerns and ask for co-operation in trying to improve their child's attendance. These pupils will be monitored closely.
- Below 90% (persistently absent/poor attendance): Parents will receive a letter requesting that they provide medical evidence - e.g. appointment card, medicine - to

ensure any future absences due to illness are authorised. Parents may also be invited to a meeting with the EWO to discuss any attendance issues.

- Below 85% (unacceptable attendance): Pupils will be referred to Anita Burton (Education Welfare Officer) for support. Parents will be invited to an attendance panel meeting with the Headteacher and Education Welfare Officer to discuss steps to help improve attendance and agree a programme of support; failure to attend this meeting will result in a home visit from the EWO and a possible referral.

### **Punctuality**

- After 3 late marks a letter will be sent home
- Persistent late attenders will be invited to a meeting with EWO and the Headteacher to discuss reasons for the absence and agree a program of support which will improve punctuality.

Following a consultation with parents it may be felt that an Enforcement Procedure is necessary, this procedure is:

- Week 1 Parents invited to a School Attendance Panel
- Week 2 EWO works with school and parents to improve attendance
- Week 8 Notice of intention to prosecute
- Court Summons will be issued

In the unlikely event a child is excluded from school, the EWO may work with the child and family to support reintegration.

### **Holidays during Term Time**

The Headteacher considers each application for holidays in term time on an individual basis.

Due to new changes made by the Secretary of State to the 2006 regulations in the Education (Pupil Registration) (England) (Amendment) Regulations 2013 .

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 from September 1<sup>st</sup> 2013 headteachers may not grant any leave of absence during term time unless there are exceptional circumstances.

In view of these changes, no holidays will be authorised during term time unless the reasons are considered 'exceptional'. Family holidays, birthdays, anniversaries, weddings or holidays due to work commitments will not be considered as 'exceptional circumstances', and therefore will not be authorised.

Exceptional circumstances are now regarded as:-

- Recent family bereavement
- Serious illness

Amendments have been made to the 2007 Regulations in the Education (Penalty Notices) (England) (Amendment) Regulation 2013. These amendments, as described below, will come into force on 1 September 2013.

The 2007 regulations set out the procedures for issuing penalty notices (fines) to each parent who fails to ensure their children’s regular attendance at school or fails to ensure that their excluded child is not in a public place during the first five days of exclusion. Parents must pay £60 if they pay within 28 days; or £120 if they pay within 42 days.

Amendments to the 2007 regulations will reduce the timescales for paying a penalty notice. Parents, from 1 September 2013, pay £60 within 21 days or £120 within 28 days. This brings attendance penalty notices into line with other types of penalty notices and allows local authorities to act faster on prosecutions.

In line with LA guidance, the school has the option to make FPN referrals to the LA when families take unauthorised holidays during term time.

### **Authorised and Unauthorised Absences**

The Head Teacher, within the context of the law, can authorise absence. The fact that a parent has offered a note or an explanation in relation to a particular absence does not oblige the Head Teacher to accept it if it is felt that the explanation is not a valid reason for absence. If there are doubts about the explanation that remain after further investigation, the absence will be recorded as unauthorised. Where parentally condoned unjustified absence appears to be a problem the school will involve the Education Welfare Officer.

<b>Nature of Absence</b>		<b>Authorised/Unauthorised</b>
Illness	Valid explanation/medical evidence. Doubts about validity of explanation	Authorised  Unauthorised
Medical/Dental appointments	Confirmed by parent via note appointment card etc	Authorised
Shopping during school hours		Unauthorised
Special occasions	Birthdays etc	Unauthorised
Family bereavements		Authorised
Days of Religious observation		Authorised
Off site activities	If a Parent or Carer continues to keep a child off school after the exclusion period.	Authorised Unauthorised
Children at Referral Units or educated off site	Normally on roll at PRU. If arrangements are made for dual registration.	The designated mark is given

## **PENALTY NOTICE CODE OF CONDUCT**

This Code of Conduct has been drawn up in line with The Education (Penalty Notice) (England) (Amendment) Regulations 2007. The purpose of the Code of Conduct is to ensure that Penalty Notices are applied consistently and fairly across Barnsley and that arrangements for their issue and administration are suitable.

### **1. Legal Basis**

- 1.1 Section 23 of the Anti-Social Behaviour Act 2003 empowers designated Local Authority (LA) officers, Head Teachers (and Deputy and Assistant Head Teachers authorised by them) and the Police to issue Penalty Notices in cases of unauthorised absence from school.
- 1.2 The Education (Pupil Registration) Regulations 2006 as amended by The Education (Pupil Registration) Regulations 2013 sets out requirements in respect of leave of absence in term time.
- 1.3 Section 105 of the Education and Inspection Act 2006 empowers designated LA officers, Head Teachers (and Deputy and Assistant Head Teachers authorised by them) and the Police to issue Penalty Notices in relation to excluded pupils found in public place during first five days of exclusion.
- 1.4 Consideration must be given to Section 447 of the Education Act in relation to the issue of an Education Supervision Order, before issuing a Penalty Notice or initiating proceedings for irregular school attendance.
- 1.5 The issuing of Penalty Notices must conform to all requirements of the Human Rights Act and Race Equality and Disability Legislation.
- 1.6 The LA has the prime responsibility for developing the protocol within which all partners named in the Act will operate. The Education Welfare Service (EWS) delivers this LA responsibility.
- 1.7 The LA procedures apply to parents of children of compulsory school age who are registered at a maintained school, an academy or trust school, pupil referral unit or at any registered alternative provision.

### **2. Rationale:**

Section 7 Education Act 1996 places a duty on parents to secure the education of their child(ren) of compulsory school age. The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable to his age, ability and aptitude, and to any special educational needs he may have, either by regular attendance at school or otherwise.

2.1 Regular and punctual attendance at school is both a legal requirement and essential for pupils to maximise their educational opportunities.

2.2 A parent/carer or person with parental responsibility commits an offence if they fail to secure a child's attendance at a school at which they are a registered pupil and that absence is not authorised by the school, (s.444 Education Act 1996).

A parent/carer or person with parental responsibility commits an offence if they fail to ensure that their child is not present in a public place during school hours without reasonable justification during the first 5 days of each and every fixed period of exclusion and for permanent exclusion, (s.103 of the Education and Inspection Act 2006).

2.3 Penalty Notices supplement the existing sanctions currently available under Section 444 and 447 Education Act 1996, subject to statutory defences, to promote and enforce attendance at school where appropriate.

2.4 The EWS delivers this LA responsibility.

2.5 Parents and pupils are supported by school and the LA to overcome any barriers to regular attendance through a wide continuum of assessment and intervention strategies. Sanctions of any nature are for use only where parental co-operation in this process is either absent or deemed insufficient to resolve the presenting problem.

2.6 Sanctions are never used as a punishment, only as a means of enforcing attendance where there is a reasonable expectation that their use will secure an improvement.

### **3. Circumstances where a Penalty Notice may be issued:**

3.1 A Penalty Notice can be issued in cases of unauthorised absence and to a parent of a child who is of compulsory school age at the time when the unauthorised absence is recorded.

3.2 Use of Penalty Notices will be restricted to one per pupil per academic term. In cases where families contain more than one pupil, multiple issues may occur but this will be the subject of careful consideration and co-ordination.

3.3 There will be no restriction on the number of times a parent/carer may receive a formal warning of a possible issue of a Penalty Notice for unauthorised absence. Where there is more than one person liable for the absence, a separate warning may be issued.

3.4 The issuing of a Penalty Notice is considered appropriate in the following circumstances:

- Overt truancy (including pupils caught on truancy sweeps)
- Parentally-condoned absences
- Unauthorised leave of absence in term-time
- Unexplained absence i.e. no reason given for absence
- Persistent late arrival at school (after the register has closed)
- Excluded pupil present in a public place during the school hours of the school where the pupil is on roll

3.5 To ensure consistent delivery of the process and the issuing of Penalty Notices, there will be at least 10 sessions (5 school days in total) lost by the pupil due to unauthorised absence during the current term. In which case, the following criteria will apply;

#### **Unauthorised absence**

- If due to sporadic absences, then, other than in specific circumstances, the liable parent/carer will receive a formal warning of the possibility of a Penalty Notice being issued and given a maximum of 15 school days to effect an improvement. If there are further absences within the 15 day monitoring period then a penalty notice may be issued.
- Schools must consider every aspect of a pupil's case before considering whether a Penalty Notice would be appropriate. This, in appropriate circumstances, should include strategic discussions with the EWS and any other attendance support staff who have involvement with or knowledge of the pupil/family.
- Schools must not routinely ask parents to obtain Doctors' notes. There is no legal requirement for parents to provide a Doctors' note, (Government Guidance 2006). However, there is nothing in the regulations to prevent schools from challenging parent statements or seeking additional evidence if they have any concerns regarding the levels of absence. This evidence could be a prescription or an appointment card rather than a Doctors' note.
- If a parent continues to fail to secure a child's regular attendance following the above mentioned 15 day monitoring period, then consideration will be given to issuing a Penalty Notice without further warning, having already received a warning previously.

#### **Leave of absence (Holidays in term time)**

- Penalty Notices may be issued if due to the deliberate taking of leave of absence in term time without or against school permission, (where it can be demonstrated that the parent/carer understood that permission had not or would not be given), and where this has created a period of unauthorised absence in the current term of at least 10 sessions.



## Exclusions

- A Penalty Notice may be issued if an excluded pupil is present in a public place during the school hours of the school day where the pupil is on roll, without justification, during the first five days of each and every fixed period or permanent exclusion; and other than in specific circumstances the liable parent/carer will receive a formal warning of the possibility of a Penalty Notice being issued after the first time a pupil is present in a public place.
- In the case of an excluded pupil, in order for a parent/ carer to incur a legal sanction, the school must give them notice informing them of their duty to ensure their child is not present in a public place, the days when their duty applies, and, as appropriate, of the arrangements for alternative provision. Ordinarily these notices will be combined with the notice the school must issue when a child is excluded.

Before a Penalty Notice is issued to the parent/ carer of an excluded pupil consideration must be given to every aspect of the case, such as:

- number of occasions the child has been present in a public place
- the parent's actions (or inactions) which led to the child being in a public place at a proscribed time
- the parent's justification if any
- the parent's attitude to having failed to meet their statutory responsibility

**Please note every case should have been considered on its merits and all relevant evidence taken into account. The LA cannot issue a Penalty Notice if no substantiating documentation is provided by the school.**

### **4. Procedure for issuing Penalty Notices:**

- 4.1 The EWS, on behalf of the LA, will issue Penalty Notices in Barnsley. This will ensure consistent and equitable delivery, retain school-home relationships and allow cohesion with other enforcement sanctions.
- 4.2 Penalty Notices will only be issued by post and never as an on the spot action, this to satisfy that all evidential requirements are in place before issue.
- 4.3 The EWS will receive requests to issue Penalty Notices from schools. These requests will be considered provided that:
  - all required relevant information, supporting documentation and correspondence with the parent/carer is supplied in the specified manner, to ensure that there is sufficient evidence to prosecute the parent(s) for the period of unauthorised absence, should they fail to pay the penalty notice

- the circumstances of the pupil's absence meets all the requirements of this code of conduct
- the issue of a Penalty Notice does not conflict with other intervention strategies in place or other enforcement sanctions already being processed.

## **5. Procedure for withdrawing Penalty Notices:**

Once issued, a Penalty Notice will only be withdrawn in the following circumstances:

- proof has been established that the Penalty Notice was issued to the wrong person
- the use of the Penalty Notice did not conform to the terms of this code of conduct or otherwise ought not to have been issued
- if it contains material errors i.e. wrong address
- where, after 28 days the Penalty is unpaid and it is no longer appropriate to bring legal proceedings under s.444 Education Act 1996.

## **6. Payment of Penalty Notices:**

6.1 Arrangements for payment will be detailed on the Penalty Notice.

6.2 Payment of a Penalty Notice discharges the parent/carer liability for prosecution for the period in question. They cannot subsequently be prosecuted under other enforcement powers for the period covered by the Penalty Notice.

6.3 Full payment of a Penalty Notice within 21 days is £60 and payment after this time but within 28 days is £120.

6.4 The LA retains any revenue from Penalty Notices to cover enforcement costs.

## **7. Non-payment of Penalty Notices:**

7.1 Non-payment of a Penalty Notice will result in the withdrawal of the Notice and will ordinarily trigger the prosecution process under the provisions of s.444 Education Act 1996.

7.2 Unlike other Penalty Notice schemes, legal proceedings would not be for non-payment of the Penalty Notice but would be for the non-school attendance under section 444 of the Education Act 1996.

7.3 If a penalty is not paid, the LA will use the fact that a Penalty Notice was issued and not paid as evidence in subsequent legal proceedings. The Penalty Notice request form, certified by Head Teachers as an accurate record of the unauthorised absence may be used as evidence to support legal proceedings.

**8. Policy and Publicity:**

8.1 Use of Penalty Notices as a sanction is included in the Local Authority's Attendance Policy.

8.2 All school attendance policies will include information on the use and issue of Penalty Notices and this will be brought to the attention of all parents and Governing Bodies.

8.3 The LA will include information on the use of Penalty Notices and other attendance enforcement sanctions in promotional/public information material.

**9. Reporting and Review:**

9.1 The EWS and Legal Services will review and amend the code of conduct accordingly. Penalty Notices may also vary to those published in this code of conduct, depending on any future update by statute, guidance or order.