



Burbage Primary School

Attendance Policy

Created Date	Review Period	School Coordinator	Nominated Governor
June 2016	3 years	Anthony Tierney	Lisa Edwards
Review Date	Review Reason	Changes Made	Updates Approved by
July 2019	3 years	<ol style="list-style-type: none"> 1. Change notification requirement from once at start to every day 2. Change notification requirement to require 'live' conversation after first days notification 3. Add expectation that medical support for absence is required after 3 days absence, unless due to a statutory exclusion period or significant illness managed individually 	FGB meeting on July 10 th 2019 - review and approval (add minute number)

BURBAGE PRIMARY SCHOOL

ATTENDANCE POLICY

Our school intends to keep attendance at above 97%.

Statutory Duties

Our school takes account of

- Section 7 of the Education Act 1996 which requires that “ The parent of every child of compulsory school age shall cause him to receive efficient fulltime education suitable: to his age, ability and aptitude; and to any special educational needs he may have: by either by regular attendance at school or otherwise”
- The Education (Student’s attendance records) Regulations 1991
- The Education (Student registration) Regulations 1995 (amended 1997)
- Social Inclusion : Student Support, DFES Circular 10/99, which explains the law and good practice on reducing the risk of disaffection, school attendance and registration, and the proper use of exclusion.
- Amendments have been made to the 2006 regulations in the [Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2013](#). These amendments, came into force on 1 September 2013.

Aims

- To encourage, support and promote good attendance
- To challenge absence
- To operate a whole school policy on collecting and monitoring attendance information
- To follow up non-attendance to ensure children’s safety.

Objectives

We aim to achieve the above by

- Setting realistic targets for attendance each year
- Working in partnership with staff, children, parents and EWO to achieve good attendance
- Fostering good attendance and prompt arrival from nursery onwards
- Recognising and rewarding good attendance
- Providing clear expectations and guidelines for parents
- Collecting, monitoring and acting on attendance information

Responsibilities

Teachers are responsible for keeping registers in line with school policy and alerting the Headteacher to any patterns or concerns they may have regarding attendance.

The school business officer is responsible for inputting data, following up absence and alerting the head to any issues.

The headteacher is responsible for monitoring data, attendance meetings and referrals to EWO.

Working partnerships

Our EWO is based at Area Office 01629 533500. They follow up referrals, supports families and children, and advises school on further actions.

School supports parents and children by:

- a. providing a comprehensive induction programme for new entrants and parents to help children come to school willingly with a positive attitude
- b. encouraging parents to discuss any attendance related problems with the class teacher/head teacher
- c. aiming to ensure that the school is bright, clean, warm and welcoming
- d. ensuring school is accessible to all
- e. teachers/classroom assistants available from 08:50am in classrooms/cloakroom areas to greet/help settle the children
- f. informing parents of any changes in the school routine by newsletter e.g. school trips
- g. rewarding good and improved attendance

In the rare cases of exclusion, we work in partnership with the local inclusion officer and behaviour support to support successful reintegration into school

Procedures

Registration

- Registration takes place at the start of the morning and afternoon sessions, i.e. 8:50am, and 1.10 pm.
- The close of registration is 9.45 am.
- Staff mark the register sheets in accordance with DCC guidelines (on sheets). Children are marked present or absent
- All absence must be coded.
- Registers are returned to the office following registration
- Attendance is entered onto the computer each week.

Absence

All absence must be marked as authorised or unauthorised.

- a. **Illness, Medical and Dental Appointments** - If the school is satisfied that a pupil of compulsory school age is prevented from attending school by reason of illness then the absence will be treated as authorised. Parents are asked to ring school on the first day of absence. Leave for medical or dental appointments may be given (i.e. the absence may be authorised) where confirmation has been received from the parents (either in person, in writing or by a telephone call) or on production of an appointments card.
- b. **Lateness** - The school policy is to encourage punctuality but to actively discourage lateness as it can seriously disrupt learning. If a child is late and misses registration, a late mark will be recorded. Obviously the school will be sympathetic if this is for a good reason. If however a pattern of lateness starts to emerge, parents will be invited to discuss the matter with the class teacher/headteacher in order to reach a satisfactory solution. **Late is after 9:00 am but before 9:45am.** Children who arrive after 9.45am do not get the mark for the session unless there is a valid medical reason.
- c. **Special Occasions** - It is for school to determine whether an absence in this category should be authorised or not: much will depend on the circumstances of the particular case. Generally the rule is that only truly exceptional occasions should be sanctioned through authorised absence after discussion with the Headteacher.

- d. **Family Bereavements** - The death of a family member can be a particularly traumatic event in any young person's life. We will authorise absence to attend funerals or associated events.
- e. **Holidays** – Derbyshire procedures for holidays in term time are followed. Please see the appendix for details. No term time holidays will be authorised unless there are exceptional circumstances – see guidance in Appendix A.

In September 2013 the Education (Pupil Registration) (England) (Amendment) Regulations 2013 came into force. These regulations make it clear that Headteachers should not grant approval for any leave of absence during term-time, including holidays, unless there are exceptional circumstances. These regulations also state that holidays cannot be authorised retrospectively. Any requests should be on an official school absence request form and handed into the school office for consideration prior to any holiday/leave arrangements being made. Parents may be issued with a Penalty Notice should leave be taken which is not authorised. If unpaid this could lead to prosecution under section 444(1) of The Education Act 1996.

Follow-up

- After registration, the school clerk texts or telephones the home of each child that is absent without explanation
- All letters from parents relating to absence are kept in the registers.
- Staff will ask for explanations of all absence.
- The school clerk sends out letters querying all unexplained absence if no contact has been made in person, via email or telephone. If no explanation is given to an absence after a term has ended, the absence will be marked as unauthorised.
- Absence is monitored regularly, and the headteacher talks with parents of children whose attendance is causing concern.
- Further action is taken if absence continues.

Monitoring

If a child's absence falls below 90%, a concern will be raised by the Headteacher who will then investigate reasons behind the absences. Should no satisfactory reason (such as illness etc) be found, a letter will be sent to parents informing them that their child's attendance is unsatisfactory and that it will be monitored.

If no further improvements are shown then parents will be asked to school to meet the Headteacher

If attendance does not show improvement after meeting the Headteacher, then the EWO will be notified, reminding them of their legal obligations.

Strategies to reduce absence

- Daily phone calls/texts
- Home visits by EWS
- Clear guidelines on acceptable/unacceptable absence
- Frank discussion re how absence harms children's progress
- Graduated letters
- Leaflets
- Referral to EWS
- Working with school nurse/doctor

- Working with behaviour support teacher
- Promoting healthy living in school
- Partnership with Sure Start /Home start
- Multi agency meetings

All of these alongside positive reinforcement and charts/ rewards for attendance with the child in the classroom

Strategies to promote attendance and punctuality

- Positive reinforcement from staff
- To ensure school is enjoyable and welcoming
- Certificates or other rewards for 96+% (96% from September 2016) are given out each term at special assembly.
- Rewards after each term/monitoring period from EWO/Headteacher for improved attendance.
- End of year 100% achievement award.
- Regular newsletter items about attendance/punctuality and ‘Attendance Matters’ document sent to parents

Monitoring for vulnerable groups

This is specified in the Safeguarding Policy and Looked After Children procedures.

Reporting

- The school clerk provides regular summary reports to the headteacher
- The headteacher reports on attendance each term (3 times per year) to the governing body
- All attendance records are retained in line with county guidelines

Policy adopted.....

Policy will be reviewed

BURBAGE PRIMARY SCHOOL

ATTENDANCE AGREEMENT

We expect the following from parents:-

- ☺ To ensure their child/children attend school regularly and on time

- ☺ To ensure they contact school as soon as reasonably practical whenever their child is unable to attend school

- ☺ To ensure their child/children arrive well prepared for the school day

- ☺ To contact the school office whenever any problem occurs that may keep the child away from school

Parents and pupils should expect the following:-

- ☺ Regular, efficient and accurate recording of attendance

- ☺ Early contact with parents when a pupil fails to attend without providing a good reason

- ☺ Immediate action on any problem notified to us

- ☺ Referral of specific issues to supporting agencies where appropriate

BURBAGE PRIMARY SCHOOL / ATTENDANCE POLICY

APPENDIX A

PENALTY NOTICES

PURPOSE

1. The purpose of this policy section is to provide advice about penalty notices for unauthorised attendance and the practical implications for our school.

CONTEXT

2. Parents have a legal obligation to ensure that their child receives efficient full-time education suitable to the child's age, ability, aptitude and to any special educational needs the child may have. The Local Authority (LA) therefore has a statutory obligation to challenge parents who are failing in their duty and this includes using a wide range of legal powers to intervene. The Anti-Social Behaviour Act 2003 introduced additional remedies including the power to issue penalty notices to the parents or carers of pupils who take unauthorised absence from school.

LEGAL BASIS FOR PENALTY NOTICES

3. Section 23 of the Anti-Social Behaviour Act, sub-section (1), adds two new sections (444A and 444B) after section 444 of the Education Act 1996. These sections introduce penalty notices as an alternative to prosecution under section 444 and enable parents to discharge potential liability for conviction for that offence by paying a penalty. The offence of irregular attendance has not changed.
4. The parent cannot be prosecuted for the particular offence for which the notice was issued until after the final deadline for payment has passed (28 days after receipt of the notice) and cannot be convicted of that offence if they pay a penalty in accordance with the notice.
5. From 01 September 2013¹ the penalty is £120 to be paid within 28 days² of receipt of the notice, reducing to £60 if paid within 21 days. If the penalty is not paid in full by the end of the 28 days the LA must either prosecute for the offence to which the notice applies or withdraw the notice (which can only be done in limited circumstances). Unlike other penalty notice schemes, the prosecution is not for non-payment of the notice. If there is a prosecution, it will follow the usual procedures of a prosecution for irregular attendance. The LA will bring the prosecution under section 444 of the Education Act 1996.

LOCAL AUTHORITY POLICY

6. The LA's first priority will be to work with schools and parents to ensure early intervention and prevention of unauthorised absence. However, where there is evidence of non-cooperation and continuing unauthorised absence, the LA will consider issuing a Penalty Notice as one of the options in the range of statutory interventions available. If the criteria set out in the Code of Conduct are met, the LA will not hesitate to issue a penalty notice to a parent.

¹ The Education (Penalty Notices) (England) (Amendment) Regulations 2013

² "Days" refers to calendar days within this document unless indicated otherwise

7. The purpose of the penalty notice will be to secure a sustained improvement in attendance. Penalty notices will be used particularly in circumstances of parentally condoned absence, where the parent

is judged capable of securing their child's regular attendance but is not willing to take responsibility for doing so. It will also be used as a sanction at an early stage before attendance problems become too entrenched and where the LA considers that a prosecution would be too heavy handed.

8. The legislation allows for penalty notices to be issued by the LA, the police and schools. In Derbyshire, it has been agreed that the Education Welfare Services (EWS) will be responsible for issuing penalty notices in order to:

- Ensure fairness and consistency across the county
- Avoid duplication in issuing notices and
- Provide a cost effective means of operating the scheme

The LA will bear all the costs incurred in issuing the penalty notices and offset against these costs the income it receives from the fines imposed.

9. The LA is required to publish a Code of Conduct, setting out the principles on which penalty notices will be issued. The Code has been drawn up in consultation with schools and other key partners.

10. Schools have a key role in this process, particularly in working with parents.

IMPLICATIONS FOR OUR SCHOOL

Advice to Parents

11. The LA advice to parents about penalty notices makes clear that:

- Parents must ensure that their child attends regularly and punctually
- Failure to do so will amount to an offence in law, making them liable to a penalty notice or other statutory action, including prosecution
- The penalties for continued unauthorised absence can be severe

The advice emphasises that it is vital for parents to contact the school if they have any concerns about their child's attendance and that only the school can authorise absence or lateness.

It also explains the policy on holidays in term time and the other circumstances in which parents may be liable for a penalty notice.

Relationships with Parents

12. The LA recognises the importance of maintaining positive and supportive relationships with parents. The key to this is the school's attendance policy: a clear policy, setting out reasonable expectations of parents and consistently applied, is the best defence to challenges about school practice or allegations of unreasonable decisions by the headteacher. As long as the policy is approved and supported by the Governing Body, particularly the parent governors, schools will have a reasonable and defensive position.

Consistency of Application

13. The issue of consistency is also very important. The LA recognises that schools in different circumstances will see and apply the provisions of the policy differently. This is to be expected: differences in application to meet different circumstances do not imply inconsistency. What is important is to develop consistent approaches to similar sets of circumstances. Schools are therefore actively encouraged to work together to develop joint approaches, particularly in clusters, so that their decisions about penalty notices and term time holidays will be recognisably the same from one school to another where the circumstances are similar.

Leave of Absence –Term Time Holiday

14. The policy on term time holidays is clear. Parents do not have an automatic right to withdraw their child from school for a holiday and must apply for permission in advance. Such holidays should be discouraged because they are damaging to the student's continuity of learning.
15. The Education (Pupil Registration) (England) Regulations 2006 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 could also grant extended leave for more than ten school days in exceptional circumstances.

Amendments to the 2006 regulations which came into force on the 1st September 2013 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.

16. When assessing a request for leave of absence schools should consider whether the circumstances are exceptional or not (see School Attendance/ Leave of absence)
17. Under the Code of Conduct, the Education Welfare Services (EWS) will serve a penalty notice for any period of holiday during term time that has not been authorised by the headteacher. Moreover, the LA may do so without any further recourse to assessment or casework with the pupil or family. There will be no requirement for:
- The LA Education Welfare Officer to offer support
 - Any formal warning
 - The absence threshold to be met

In such a case, each parent will receive a separate penalty notice for each child taken out of school with potentially very heavy fines (for example, two parents with three children would be fined a total of £720, reduced to £360 if paid within 21 days).

18. In declining any request for leave of absence for the purpose of a family holiday to be taken in term time, therefore, the headteacher should warn parents that not only will the absence be categorised as unauthorised but also that the LA will serve each parent with a penalty notice for each child without any further warning or intervention.
19. In summary, therefore, schools should:

- Ensure that their policy on leave of absence is made clear to parents (e.g. in the school prospectus) and issue regular reminders
- Avoid adopting a blanket ban within the policy that might suggest that each case will not be considered on its merits
- Determine the reasonableness of each request on a case-by-case basis
- Communicate their decision in writing to each parent
- Warn parents of the consequences of taking their children out of school for any leave of absence in term time without authorisation
- Work together to develop consistent approaches across clusters or consortia
- Develop procedures (for example, standard letters and application forms) that are simple for parents to understand and follow

Other Circumstances

20. With the exception of leave of absence for a family holiday, schools should refer any concerns regarding attendance direct to the Education Welfare Officer based within the local Multi-Agency Team using a Request for Support form. The properly documented referral will be accepted if the following criteria apply:

- The threshold on absence has been met
- The school has made reasonable attempts to contact the parent and has evidence to show this
- There has been no improvement in attendance
- The parent has given unsatisfactory reasons for the absence and
- There is an up to date attendance record available

21. The threshold for unauthorised absence is defined as:

- Twenty consecutive sessions (two consecutive weeks) of unauthorised absence
- Five sessions of unauthorised absence in a five week period
- Ten sessions of authorised absence spread within a five week period where no medical evidence has been received
- Persistent absence threshold met within the last twelve months and where there is some current unauthorised absence.

With the exception of leave of absence for a holiday, these criteria will be the trigger for considering whether to issue a penalty notice.

22. The procedures for issuing penalty notices fall within the well-established framework operated by the LA who applies an incremental progression of actions to where the threshold for statutory intervention is reached. These interventions include:

- Relevant and purposeful action at school level
- Referral to an Education Welfare Officer for assessment according to agreed standards
- Education Welfare Services support, including action planning, governed by the Annual School Attendance Plan
- School Attendance Panels
- Fast tracking where the agreed criteria are met
- Escalation to statutory action including Education Supervision Order, Penalty Notice or Adult Prosecution

23. Where the criteria have been met, statutory action will be taken unless:

- 1) One of the following statutory defences applies, i.e.,
 - The absences are authorised
 - The child was sick and evidence from a School Medical Officer (SMO) is provided
 - The day is set apart for religious observance
 - The designated school is not within walking distance of the child's home and no transport has been provided by the authority
 - Other unavoidable cause
- 2) There is some improvement in attendance and confidence that further improvement is likely
- 3) There is evidence of child protection issues
- 4) There is evidence of bullying
- 5) Other agencies are involved, requiring further investigation
- 6) The child is in statutory public care

24. Where a penalty notice is being considered, parents will receive one written warning (issued by the LA) that failure to improve attendance will result in a fine and may lead to prosecution. Depending on the circumstances of the case, the warning will indicate the period of time over which improvement is expected (normally 15 days) and will be given in the format prescribed in the regulations together with advice on how to make representations to the LA.

25. If there is no sustained improvement within the timescale set, a penalty notice will be issued. The parents have a maximum of 28 days from receipt (taken to be the second day after despatch by first class post) in which to pay the fine. If they do not do so, then the LA will prosecute the parents for the original offence of poor attendance (not for failure to pay the fine). If successful, the penalties are likely to be severe because of the aggravated nature of the offence.

26. The penalty notice can only be withdrawn if it was issued either in error or to the wrong person. There is no appeal against the penalty notice and parents will have to show evidence that either of the two circumstances apply. The school will be kept informed of the outcome of the process.

27. Schools should be aware that these procedures will apply in all cases with the exception of unauthorised leave of absence.

WORKING WITH KEY PARTNERS

28. Close working with our key partners is an integral part of improving attendance. The Code of Conduct therefore has been drawn up in consultation with Social Care, Health, the Police and the Youth Offending Service.

29. Particular care needs to be exercised in managing the attendance of Children in Care. Derbyshire takes its responsibilities as a Corporate Parent seriously and ensures that the agencies involved with Children in Care work together to maximise attendance. Any concerns about the attendance of all Children in Care should be directed to the Education Welfare Officer as well as the pupil's carer and Social Worker. The attendance of all Children in Care is tracked through their Personal Education Plans.

EQUALITIES

30. Schools should be aware that the Code of Conduct places particular emphasis on ensuring compliance with the LA's equal opportunities policy. It commits the LA to monitoring the procedures in the Code to ensure that they are applied fairly and consistently. In particular, it undertakes to ensure that the procedures do not discriminate against:

- Racial minority groups or any other individual in accordance with its obligations under the Human Rights Act, the Race Relations Act 1976 (as amended) and the Race Relations (Statutory Duties) Order 2001
- Disabled students under the Disability Discrimination Act 1995, and that
- Penalty notices are not issued to Traveller families where a parent would have a defence to prosecution under section 444 (1) of the Education Act 1996.

31. Schools are therefore requested to pay particular attention to this aspect of the policy. Any enquiries should be directed in the first instance to the Principal Education Welfare Officer who is based in Matlock.