



**Hutchinson Memorial CE (A) First School**  
*Learning together for life, with Jesus*

Headteacher: Mrs Paula Snee

**ATTENDANCE POLICY**  
**SEPTEMBER 2017**

Next Review: September 2018

## **Principles**

All schools and parents have statutory duties with respect to attendance. A targeted approach needs to be balanced ensuring that these duties are carried out effectively with respect to all pupils of compulsory school age. The school works in conjunction with the Uttoxeter Pyramid of schools and the aim is to reach an overall attendance of 95% in order to give every child the very best chance of achieving their full potential and to be in line with the national expectation.

The school will promote positive behaviour and good attendance through its use of curriculum and learning materials. Good attendance and behaviour by pupils will be recognised appropriately. All pupils should be on time, every day the school is open, unless the reason for the absence is unavoidable.

Any problems that arise with attendance are best resolved between the individual school, parents/carers and the pupil. Where a pupil is reluctant to attend, it is not a solution either to support absences or to give in to pressure to excuse them from attending. This gives the impression that attendance does not matter and may make things worse. Permitting absence from the school without a good reason is an offence by the parent/carer. Where necessary, schools have access to Education Welfare and / or Family Support Workers.

The Attendance Policy and Behaviour Policy includes procedural referral agreements that are designed to promote and safeguard the welfare of pupils. We have a duty in law to refer any absence of 10 days or more where the school is unable to make contact with the parent/carer/pupil or have general concerns about the absence to the Education Welfare Service.

All schools are required to take an attendance register twice a day and 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 from the School has to be classified by the School as either authorised or unauthorised. Only the School can authorise absences, not parents/carers. Authorised absences are mornings or afternoons away from the School for a good reason such as illness or other unavoidable causes. Unauthorised absences are those which the School does not consider reasonable and for which no "leave" has been given, this is why information about the cause of each absence is always required, preferably in writing. This includes:

- parents/carers keeping children away from the School unnecessarily
- truancy before or during the School day
- absences which have never been properly explained
- pupils who arrive at the School too late to get a mark
- holidays taken without prior agreement from the School

The Headteacher is responsible for the operational management of the policy and can delegate lead to a member of the Leadership Team. The Administrative Officer should follow up individual pupils and analyse attendance data to identify trends for individual pupils, classes and year groups enabling the School to target efforts. Wherever possible, action will be taken by the School to improve a pupil's attendance and investigate and address any underlying cause of problems before considering whether to make a referral to the Local Authority.

It is not appropriate for the School to authorise absences for shopping, looking after other children/siblings, haircuts etc. Leave may be granted in an emergency (e.g. bereavement) or for medical appointments (copies of appointment cards/letters must be provided) which must be in School time.

### **Procedures for Recording and Monitoring Attendance**

#### **Recording**

Pupils should arrive at school between 8.45am to 8.55am. The pupils should make their way to their classroom where the class teacher will take a register recording who is present and absent from school. Any late pupils should enter the school through the main entrance. If any pupil arrives late they should report to reception where reception staff will ask the pupil for a reason explaining their lateness. All staff need to be aware that any pupil arriving late **MUST** register at reception for the purposes of fire regulations. The register must be taken by 9.05am. Persistent lateness will be challenged. It is worth noting that if a pupil is 15 minutes late everyday this is equivalent to missing 10 days of school over the year.

The registers officially close at 9.05am. Any pupil arriving between 9.05 to 9.15am will be marked as late. A reason for the lateness will need to be provided and recorded. If a pupil arrives after 9.15am they will be marked as absent for the session. If unauthorised the 'U' code will be used and parents should be aware that if a pupil reaches 20 'U' absences, there is the risk of a Penalty Notice being issued against them for poor attendance, just the same as if the pupil were absent.

The School operate a first day contact policy whereby if the School has not been notified of an absence, parents/carers will be contacted to obtain an explanation. High concern children are monitored as a special concern and are contacted immediately if they are absent, these include child protection and on-going concern children identified by the Safeguarding Officer.

Parents whose children are experiencing difficulties should contact the School at an early stage and work together with staff in resolving any problems. This is nearly always successful. If difficulties cannot be sorted out in this way, the School or the parent/carer may refer the child to the Education Welfare Worker (EWW) from the County Council's Local Support Team. He/she will also try to resolve the situation with voluntary support if other ways of trying to improve the pupil's attendance have failed.

## **Procedures**

The school applies the following procedures in deciding how to deal with individual absences:

- Parents/carers are advised that pupils are expected to be in the School every day. The importance of good attendance is stressed through written and oral communications with pupils and parents.
- Pupils who arrive late are expected to be signed in at the School reception giving reasons for their lateness.
- Parents/carers are discouraged from making non urgent medical and dental appointments during the School day, but must inform the School if there is no alternative.
- All requests for known absences from the School must be made in writing.
- Holidays during term time are discouraged and will only be authorised in exceptional circumstances.
- All absences through illness must be backed up with an explanation of the nature of the illness by a telephone call to the Office or via email at [office@hutchinson.staffs.sch.uk](mailto:office@hutchinson.staffs.sch.uk)
- Attendance is regularly monitored by the Administrative Officer and Headteacher.
- For any absence, if not already authorised, a letter is sent out asking parents/carers to explain the reasons for their child's absence. If there is no response from parents/carers within a week the absence is marked as unauthorised.

- Where concerns about individual pupils occur, these are addressed with parents/carers through the Headteacher. If concerns about attendance persist then the School will involve the Education Welfare service. Throughout this process, staff will be looking to identify and address reasons for attendance issues so that the pupil can return to the School (with support if necessary) as quickly as possible.

### **Point to be considered**

Schools have the responsibility to decide whether an absence can be authorised on medical grounds. Parents may be asked to provide evidence where pupil attendance falls below 90% that their child is too unwell to attend school by providing a note from a medical professional.

### **Attendance Codes**

A set of standard codes are used consistently within the register. These codes are input in the electronic register as required and are used to give depth of meaning to the register and provide statistical meaning to the absences.

#### Code School Meaning

/ Present (AM) Present - In for whole session  
 \ Present (PM) Present - In for whole session  
 B Educated off site (Not dual registration) - Approved Educational Activity - Out for whole session  
 C Other authorised circumstances - Authorised Absence - Out for whole session  
 D Dual registration - Present - Out for whole session  
 E Excluded Authorised Absence -Out for whole session  
 F Extended family holiday (agreed) - Authorised absence - Out for whole session  
 G Family holiday (not agreed) - Unauthorised Absence - Out for whole session  
 H Family holiday (agreed) - Authorised Absence - Out for whole session  
 I Illness(not med/dental etc., appoints) - Authorised Absence - Out for whole session  
 J Interview - Approved Educational Activity - Out for whole session  
 L Late (before reg closed) - Present - Late for session  
 M Medical/Dental appointments - Authorised Absence - Out for whole session  
 N No reason yet provided for absence - Unauthorised Absence - Out for whole session  
 O Unauthorised absence - Unauthorised Absence - Out for whole session  
 P Approved sporting activity - Present - Out for whole session  
 R Religious observance - Authorised Absence - Out for whole session  
 S Study leave - Approved Educational Activity - Out for whole session  
 T Traveller absence -Authorised Absence - Out for whole session  
 U Late (after registers closed) - Unauthorised absence - Late for session  
 V Educational visit or trip - Approved Educational Activity - Out for whole session

W Work experience - Approved Educational Activity - Out for whole session

X DfES # : School closed to pupils - Attendance not required - Out for whole session

Y Enforced closure - Attendance not required - Out for whole session

! DfES X : Non-compulsory school age absence - Attendance not required - Out for whole session

# School closed to pupils and staff - Attendance not required - Out for whole session

### **Managing Medical Absence**

- If concerns are highlighted regarding the level of medical absence that a pupil has incurred contact will be made with the parents/carers to discuss it further and look at ways to support a pupil with medical conditions in school through the use of a Care Plan.
- If still concerned the Administrative Officer/Headteacher will suggest that the pupil visit their GP or other health professional, if this has not already been done.
- Pupils and Parents will be invited to Attendance Meetings with the Headteacher once their attendance becomes a concern.
- Any pupil whose attendance, at the end of each half term is below 85% may be asked to attend an interview with the Headteacher/EWO.
- If parents do not attend the EWO may make a home visit.
- If attendance does not improve the Headteacher/ Administrative Officer may request parents seek a note of explanation from the relevant health professional or may involve the school nurse.
- If despite the request for the note of explanation, no note is forthcoming, the School may not be able to authorise absences unless satisfactory medical evidence is provided to support the pupil's inability to attend the School.

When an individual pupil's attendance level falls below 85% in any term without good reason, a referral to the EWS will be made by the School. Following investigation, any unresolved issues could result in the parent/carer receiving a Penalty Notice or ultimately a prosecution under the Education Act 1996 s444.

### **Persistent Absence (PA)**

Hutchinson Memorial First School is committed to reducing persistent absence (less than 85% attendance) and has specific procedures for dealing with this. There are strong and proven links between pupil attendance and educational achievement. Attendance of less than 95% (equivalent to 9.5 days or more absence in an academic year) has been shown to compromise pupil attainment. An attendance of 90% is equivalent to missing 19 days or nearly 4 weeks from school in a year. Only 10% of pupils who are persistently absent from school achieve 5 A\*-C grades at GCSE. If a school could improve its overall attendance by 1% it would see an improvement in attainment of around 5%.

## **Addressing Persistent Absence**

- A letter will be sent to the parents of any pupil identified as having attendance problems. The letter will inform the parents of the School's concerns and offer support to resolve any problems that may be impeding a pupil from attending. Pupils falling to below 95% attendance will be monitored as to whether their attendance improves or deteriorates. The aim is to avoid a pupil falling into the Persistent Absence category (less than 90% attendance).
- PA data is consistently monitored to track and review attendance of PA pupils so that concerns can be addressed.
- The Administrative Officer contacts parents/carers of pupils as soon as they are absent.
- Termly meetings are held with the EWO to discuss existing cases and any new concerns. Parents/carers, the child, the class teacher and EWO are all spoken to about concerns relating to PA.

All actions are taken by EWO in line with Staffordshire County Council Policy.

The Local Authority holds statutory powers under the Education Act 1996 to ensure children attend school. If they cannot successfully engage with the family to achieve this they may use the many statutory powers to enforce the parents/carers responsibility regarding their child's school attendance. The EWO can issue Penalty Notices or use court proceedings to prosecute parents/carers or to seek an Education Supervision Order on the child.

The Anti-Social Behaviour Act 2003, amended Section 444 of the Education Act 1996, allows parents to be issued with a penalty where they fail to ensure their child of compulsory school age (5-16) attends school.

### **Interim Criteria and Guidance**

Penalty notices for leave in term time may be considered appropriate if the following criteria is met:

- For unauthorised leave of absence, there must be a minimum of 20 sessions (10 school days) of unauthorised absence from school during the period of two consecutive half terms.

Should you choose to take unauthorised leave of absence then you may be issued with a fixed penalty notice from Staffordshire County Council.

The penalty notice fine could be:

£60 per parent, per child if paid within 21 days, rising to £120 per parent, per child if paid between 21-28 days.

If the fine is not paid within 28 days you may be prosecuted under S444.1 of the Education Act 1996.

We must advise that if the prosecution takes place, the maximum fine is £1000 per parent, per child. This reflects the seriousness of unauthorised absence from school.

The maximum penalty on conviction is a fine of £2500 and/or 3 months imprisonment.

Alternatively, parents/carers or children may wish to contact the EWO themselves to ask for help or information. They are independent of the School and will give impartial advice. Their telephone number is available from the School reception or by contacting the Local Support Team.

### **Rules for Holiday Leave (Leave of Absence)**

On 1st September 2013, a significant alteration in the law came into effect which changed the grounds on which a Headteacher could allow a pupil to go on holiday during term time. Prior to the change the law stated that 'a pupil may be granted leave of absence from the school to go away on holiday' where the Headteacher considered that there were 'special circumstances relating to that application'. This section has been deleted and there is now no rule which allows for authorisation to be given specifically for holidays. The replacement section states that 'leave of absence shall not be granted' unless the Headteacher considers that there are 'exceptional circumstances relating to that application'.

Leave of absence due to urgent and unavoidable circumstances (such as a family bereavement) would clearly be considered exceptional. Other than this, however, it will be appropriate for the Headteacher to deal with applications on a case-by-case basis.

### **Requests for Leave of Absence**

If a parent/carer wishes to request a period of leave they are required to complete a leave of absence request form. If the request is denied the School will inform the parent/carer of the reason by letter and the request will be noted in the electronic register. Leave of absence will be refused except under special/exceptional circumstances. Absence request forms are available from the School office or to download online from our website. It is worth noting that a pupil who takes a 2 week family holiday in term time (10 school days) will only be able to achieve an attendance of 94.7%. This is assuming the pupil has no illness or medical appointments for the rest of the academic year. This automatically puts the pupil into the category of monitoring attendance.

### Changes to Penalty Notices for Persistent Absence:

- Penalty notices can be considered where there are at least 20 sessions (10 days) lost due to unauthorised absence during the current and previous terms. These absences do not need to be consecutive.
- Parents will now only receive 1 warning notice period (of 20 days for the purposes of issuing a Penalty Fine) in an academic year after which the Local Authority can automatically consider other statutory actions if unauthorised absence re-occurs in the remainder of the academic year.
- A Penalty Notice can also be issued for persistent late arrival to the School (after the registers close at 9.15 am), where there are at least 20 sessions recorded in the current and previous term.

### Signatures and Date of Review :

*Paula Snee*

Headteacher

*V Bennett*

Chair of Governors

Reviewed September 2017

Approved by Governing Body: 05.12.17

Next Review: September 2018



## Further Information

### **School Attendance Orders**

If it appears to the local authority 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<sup>13</sup>. The order will require the child's parents to register their child at a named school. If they fail to comply with the order the parent can be prosecuted.

<sup>13</sup> Under section 437 of the Education Act 1996.

<sup>14</sup> Section 446 of the Education Act 1996 provides that proceedings can only be instituted by Local Authorities.

<sup>15</sup> Section 103 of the Education and Inspections Act 2006.

<sup>16</sup> Under section 447 of the Education Act 1996.

### **Prosecutions by local authorities**

If a child of compulsory school age fails to attend regularly at a school at which they are registered or at a place where alternative provision is provided for them the parents may be guilty of an offence and can be prosecuted by the local authority. Only local authorities can prosecute parents and they must fund all associated costs. Local authorities should consider the *Attorney General's Guidelines for Crown Prosecutors* in all prosecution cases.

Local authorities must conduct all investigations in accordance with the *Police and Criminal Evidence (PACE) Act 1984*.

Local authorities have the power to prosecute parents who fail to comply with a school attendance order (section 443 of the Education Act 1996) or fail to ensure their child's regular attendance at a school (section 444 of the Education Act 1996)<sup>14</sup>.

Section 444 has two separate but linked offences: Section 444(1): where a parent fails to secure the child's regular attendance; and section 444(1A) where a parent knows that the child is failing to attend school regularly, and fails to ensure the child does so. Section 444ZA applies the offence to where parents fail to secure the regular attendance of their child at a place where alternative provision is provided. There are statutory defences for parents to use under the Act. The fines available to the courts if parents are found guilty of the section 444 (1) offence include a level 3 fine of up to £1,000. If they are found guilty of the section 444 (1A) the fine is at level 4, up to £2,500 and the court can also sentence them to imprisonment for up to three months. Local authorities have the power to prosecute parents of pupils found in a public place during school hours after being excluded from school<sup>15</sup>. The fine is a level 3 fine of up to £1,000.

## Education Supervision Orders

The local authority must consider applying for an Education Supervision Order (ESO) before prosecuting parents<sup>16</sup>. A local authority may apply for an ESO instead of or as well as prosecuting parents. The order is placed on the child and the local authority is appointed by the court to supervise that child's education either at a school or at home for a specified period of time.

## Parenting Contracts

A parenting contract<sup>17</sup> is a formal written signed agreement between parents and either the local authority or the governing body of a school and should contain:

<sup>17</sup> Section 19 of the Anti-social Behaviour Act 2003

<sup>18</sup> Section 19 of the Anti-social Behaviour Act 2003 provides that parenting contracts can be entered into where a child who is a registered pupil has engaged in behaviour connected with the school which is likely to cause significant disruption to the education of others, significant detriment to the welfare of the child himself or of other pupils or to the health and safety of staff or the pupil is at risk of exclusion.

<sup>19</sup> Section 8 of the Crime and Disorder Act 1998 parenting orders for irregular attendance.

<sup>20</sup> Section 98 of the Education and Inspections Act 2006 states that where a school or local authority have reason to believe that a pupil has behaved in such a way as to cause, or be likely to cause, significant disruption to the education of other pupils or significant detriment to the welfare of that pupil or other pupils or to the health or safety of any staff. Or, where the pattern of behaviour (if continued) could lead to the pupil being excluded.

- A statement by the parents that they agree to comply for a specified period with whatever requirements are set out in the contract; and
- A statement by the local authority or governing body agreeing to provide support to the parents for the purpose of complying with the contract.

Parenting contracts can be used in cases of misbehaviour<sup>18</sup> or irregular attendance at school or alternative provision. Parenting contracts are voluntary but any non-compliance should be recorded by the school or local authority as it may be used as evidence in court where an application is made for a behaviour parenting order.

The local authority or governing body should fund any support required to implement a parenting contract (such as referral to parenting classes) and provide information to parents about other types of support available such as details of national and local agencies and helplines.

## Parenting Orders

Parenting orders<sup>19</sup> are imposed by the court and the parents' agreement is not required before an order is made.

Parenting orders are available as an 'ancillary order' following a successful prosecution by the local authority for irregular attendance or breach of a school attendance order.

They are also available as a 'free-standing order' by direct application by the governing body of a school or local authority to the Magistrates' Court in cases either where exclusion has taken place or where there has been serious misbehaviour<sup>20</sup>. An application for a parenting order for misbehaviour must be made within 40 school days of the date upon which the latest instance of serious misbehaviour occurred or, if applicable, the date on which the exclusion review process ends. If a parent has already entered into a parenting contract, an application can be made within 6 months of the date the contract was signed.

Parenting orders consist of 2 elements:

- 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 behaviour. This is the core of the parenting order and lasts for up to 3 months; and
- A requirement for parents to comply with such requirements as is specified in the order. This element can last up to 12 months.

All parenting orders must be supervised by a 'responsible officer' from the school (behaviour orders only) or local authority. They are individually named in the parenting order.

Any breach by parents without a reasonable excuse could lead to a fine of up to £1,000. The police may enforce any breach of an order by a parent.

Parents have a right to appeal a parenting order to the Crown Court.

## Consultation and co-operation

Local authorities, registered social landlords and youth offending teams can also enter into parenting contracts or apply for parenting orders in cases of criminal conduct and anti-social behaviour. In such cases, organisations should coordinate their action, including with schools.

## Penalty Notices

Penalty notices<sup>21</sup> are fines of £60/£120 imposed on parents. They are an alternative to the prosecution of parents for failing to ensure that their child of compulsory school age regularly attends the school where they are registered or at a place where alternative provision is provided. They can only be issued by a head teacher or someone authorised by them (a deputy or assistant head authorised by the head teacher), a local authority officer or the police. All schools and the police must send copies of penalties issued to the local authority. Penalty notices can be issued to each parent liable for the attendance offence or offences.

<sup>21</sup> Section 23 of the Anti-social Behaviour Act 2003

<sup>24</sup> S.I. 2007/1867

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Penalties can be used where the pupil's absence has not been authorised by the school.

Penalties may also be issued where parents allow their child to be present in a public place<sup>22</sup> during school hours<sup>23</sup> without reasonable justification during the first five days of a fixed period or permanent exclusion. The parents must have been notified by the school at the time of the exclusion of this and the days to which it applies.

## The Code of Conduct

The *Education (Penalty Notices) Regulations 2007*<sup>24</sup> set out the details of how the penalty notice scheme must operate. This includes a requirement that every local authority must draw up and publish a Code of Conduct for issuing penalty notices, after consulting all schools, including schools, and the police. The code should set out the criteria that will be used to trigger the use of a penalty notice. These could include: a number of unauthorised absences, perhaps within a rolling academic year; one-off instances of irregular attendance such as holidays taken during term time without the school's permission; and where an excluded child is found in a public place during school hours without a justifiable reason. The local authority administers the scheme for all schools in its area, including schools and Free Schools.

## Payment of Penalty Notice

The penalty is £60 if paid within 28 days of receipt rising to £120 if paid after 28 days but within 42 days. The payment must be paid direct to the local authority. The parents can only be prosecuted if 42 days have expired and full payment has not been made.

There is no right of appeal by parents against a penalty notice. If the penalty is not paid in full by the end of the 42 day period the local authority must decide either to prosecute for the original offence to which the notice applies or withdraw the notice.

## Late Procedures

- The school doors open at 8.45am and registration starts (Entrance door is closed) at 9.05am.
- If your child arrives between 9.05am and 9.15am then they will be signed in as Late and have to enter School via the School reception area.
- Any child that arrives after 9.15am, will be marked as unauthorised for the morning session, and will have to sign in and enter School via the School reception area.
- If your child is persistently marked in the register as late or unauthorised for a consecutive period and without good reason then the following arrangements will be made:
  - A meeting will be arranged with the Parents/Carer of the child with the Headteacher, to discuss and devise an action plan for improvement in punctuality.
  - If the matter persists then a meeting will be arrange with the Headteacher and Education Welfare Officer.
  - If a child is then marked as late or unauthorised for 20 sessions or more a fine may be imposed.

Please Note: When an individual pupil's attendance level falls below 90% in any term without good reason, a referral to the EWS will be made by the school. Following investigation any unresolved issues could result in the parent receiving a Penalty Notice or ultimately a prosecution under the Education Act 1996 s.444.

