



Scalford C of E Primary School

ATTENDANCE POLICY

2016

Headteacher: Mrs Waring

Date reviewed 15th September 2016

Approved By Governors: MR A COX (signed copy in school office)

Legal Framework

All children of compulsory school age should receive suitable education either by regular attendance at school or otherwise. If a child is registered at school, parents [including those with parental responsibilities] have a duty under the Education act 2005 to ensure that their child attends regularly and punctually.

The Local Authority (LA) has a duty to provide education and to inspect school registers. Attendance information is regularly collected by the LA. The LA also has a duty to enforce the requirement that parents register their child on a school roll or provide suitable education otherwise than at school. The Education Welfare Service undertakes the statutory duties on behalf of the LA, with regard to school attendance.

Pending any change to the legislation, Leicestershire County Council, Court Team (2016), appendix 1, recommend that schools adopt the following approach to leave of absence:-

The LA recommends schools adopt the following wording in all policies, documents and on their website:

***“The School and its staff regard the regular attendance of children at school as being vital to each child’s education and development. It is for this reason that non attendances (however short or infrequent) are treated seriously. It remains the policy of the school to only sanction non-attendance during term time in exceptional circumstances.*”**

If your child has unauthorised leave of absence you may either be issued with a Penalty Notice, or your case could be referred by the Local Authority directly to the Magistrates' Court for the purposes of a criminal prosecution”.

Aims and Targets

Scalford School aims to promote regular, punctual attendance at school for all pupils. We do this through:

- the implementation of a Whole School Attendance Policy
- a Whole School Behaviour and Anti-Bullying Policy which is reviewed on a yearly basis
- making contact with parents on the first day of a child’s absence
- reminding parents of attendance and non-attendance procedures on a regular basis in the weekly newsletter, parents evenings, and on the school website
- informing parents of attendance initiatives [as above]
- conducting regular attendance reviews with the school Administrative Assistant and monitoring children with less than 96.5% attendance
- ensuring that school Governors are aware of all attendance matters.

Rights and Responsibilities.

It is the responsibility of everyone in the school community to improve attendance [see first paragraph, Legal Framework].

The school must keep an admissions register and an attendance register. The attendance register must be taken twice a day, once at the start of the morning session and once at the start of the afternoon session. Every child should receive a mark in the register which indicates either they are present or absent. No blanks should be left.

A list of symbols which indicate various causes for absence are found in the front of the register.

Term times are for education. This is the priority. Children and families have 175 days off school to spend time together, including weekends and school holidays. Heads will rightly prioritise attendance. The default school policy should be that absences will not be granted during term time and will only be authorised in exceptional circumstances.

Authorised Non-Attendance

- Schools must use the National Attendance Codes to ensure consistency in the treatment and recording of attendance and absence.
- The High Court has confirmed that schools, not parents, authorise absence.
- In most cases, illness will be the reason for absence. However, schools can also authorise absence for 'other exceptional circumstances'. Such decisions will take place at the Headteacher's discretion. An example that would be acceptable would be 'bereavement', whereas unacceptable reasons might include 'a shopping trip' or 'a birthday'.

Taking your child on a family holiday during term time

As of the 1st September 2013, Headteachers will no longer be able to grant any leave of absence for family holidays, unless there are 'exceptional circumstances' which support the request being made. Where a family chooses to take a holiday during term time without the Headteacher's written permission, the absences will be coded as unauthorised. In such circumstances, Headteachers may request that the Local Authority issues a Penalty Notice (to each parent). *Further information about Penalty Notices can be found by following this link http://www.leics.gov.uk/pupil_services/court_team*

Only the school can authorise absence.

Authorised absence:

- Sickness
- Unavoidable medical or dental appointments. If these are excessive then proof of a doctor's certificate may be required.
- Days of religious observance
- Exceptional family circumstances. Families may need time together due to personal circumstances that may include trauma or crisis (this is not an exhaustive list as each case will be considered on its own merit).
- Approved sporting activity
- Exclusion [fixed period]

Schools have a duty to make reasonable adjustments for students with special educational needs or disabilities.

If an event can reasonably be scheduled outside of term time then it would not be normal to authorise absence.

Absence during term time for holidays/vacations is therefore not considered an exceptional circumstance.

Unauthorised absence:

- Looking after the house
- Looking after siblings or sick parents
- Shopping during school hours
- Birthdays
- Day trips
- Holidays not agreed by the school or approved an exceptional circumstance
- Frequent absences attributed to minor ailments but not supported by medical evidence.

The Headteacher will take into account the whole of the child's attendance when making decisions (see appendix 1). It is important to note that the Headteacher can determine the length of the authorised absence as well as whether absence is authorised.

The parent or carer is not able to authorise absence and the Headteacher can refuse to accept their reasons for absence. If parents or carers fail to provide a reason for absence within two weeks then the absence will be coded as unauthorised.

Any examples provided are illustrative rather than exhaustive. The fundamental principles for defining 'exceptional' are rare, significant, unavoidable and short. By 'unavoidable' we mean an event that could not reasonably be scheduled at another time.

If there is any doubt about whether an absence should be coded as unauthorised, the school will contact the Local Authority.

School procedures

The admissions register is kept both electronically and in paper form in the office as are the data collection sheets. Parents inform school of any changes in address, telephone number, childcare etc on a regular basis so that records are kept up to date. Reminders to do this are sent out in the weekly newsletter on a regular basis and every year a new data collection sheet is sent out to all parents to update information.

The school playground is open for children/parents/carers to come into the playground at 8.40. A member of staff will be on duty from 8.50. Children are the responsibility of the parents/carers until the parents/carers leave the playground and they must ensure the safety of their children by following schools safety rules. If children come into the playground before 8.50 a parent or carer should accompany them until a teacher is on duty in the playground.

Children are expected to be in the playground, ready to line up when the bell rings at 8.55am. This will allow time for children to put their coats and bags away and settle, ready for the registration at 9.00am. Children from Year One and upwards are actively encouraged to enter school independently. If parents wish to see teachers they can visit, or email the office to arrange a meeting. Alternatively teachers are mostly available at the end of the school day for informal discussions, because the morning focus is on settling the pupils to begin their school day at 9.00 am.

If a child is absent, the appropriate symbol will be marked beside the child's name. The class register will also be taken in the same way when afternoon school begins at 1.15pm. Registers will be kept open for no longer than 15 minutes.

Registers are sent up to the office following registration each morning.

If a child is 15 minutes late and no phone call or message has been received to explain why, the office staff will investigate by ringing the parents/carers. If a parent rings in to say that a child will be absent, a record is made on the absence record sheets in the office by whoever takes the call and the class teacher is immediately informed.

If a child comes into school late or is taken away from school early, they must be signed in or out in the appropriate book kept in the office. Should a teacher have concerns about a child in their class the Headteacher will be informed and the parents/carers, if deemed appropriate, will be contacted. Lateness or absenteeism is identified by an electronic attendance monitoring system which generates a report every half term. This report is sent out with a covering letter by the Headteacher to the parents/carers.

If the above procedures have produced no improvement the school will contact the Attendance Improvement Service.

School's Response to Absence

The school will always investigate absence. If absence persists the Headteacher will arrange a meeting with parents/carers to try to solve the problem. Every case is different. The Headteacher will take account of family circumstances and the pattern of absence and may suggest monitoring progress. If this is not successful an action plan may be drawn up. If this does not succeed the school will contact the LA and if necessary make a referral.

Missing Children/Safeguarding Issue

If a child is missing from without an explanation they will not be removed from the register without referral to the Attendance Improvement Officer. The school will also place the child's name on the National Lost Pupils' Database which is a repository for the Common Transfer File.

If the school has concerns regarding the pupil then the Headteacher, who is the designated Child Protection Officer, will alert Social Services if appropriate. If the school believes a crime may have been committed the Headteacher will contact the police directly.

Strategies for Promoting Good Attendance and Punctuality

Scafford School adopts a positive and proactive role towards good attendance and punctuality in line with the Behaviour Policy, Anti Bullying Policy and Special Needs Policy.

- All school staff set a good example by always being punctual and attending a morning briefing which is held at 8.45.
- Parents are always contacted on the first day of pupil absence if they have not already contacted the school.
- If appropriate, individual targets for attendance are set with pupils and their parents/carers.
- Consistent approach to authorising holidays during term time through maintaining national and local guidance in line with school attendance figures.

Monitor Review and Feedback

The effectiveness of the school's strategies is monitored every term. The Headteacher and Administrative Assistant look at printouts from the attendance records to see if any child has less than 96% attendance. Parents/carers are informed and these children are then monitored closely. This will be followed up by contacting parents if there are concerns. Children who arrive at school after 9.00 am but before 9.15 am are logged in a school record book as 'late before register closed'. If a child is persistently late before 'close of register' parents will be contacted by the Headteacher.

If a child is absent and **no reason** has been given by 9.15 am the Office is informed by the class teacher and the parents are contacted.

We recognise good attendance, with no unauthorised absences as 96%+. The Governors are informed of attendance in the Heads Report at each Full Governors Meeting. If the Headteacher and Governors feel that this target is not going to be met, more strategies will be put in place to promote better attendance. If a child has less than 96% attendance, this does not automatically equate to irregular attendance. However, by using this threshold, it clear to parents/carers what is considered to be "regular" attendance (see Appendix 1).

APPENDIX 1

Leicestershire County Council Guidance Notes Unauthorised Leave of Absence - Penalty Notices

Following the High Court ruling on 13th May (the Isle of Wight case), we have been working closely with colleagues in the Legal department to find an appropriate way forward pending any change in legislation or updated Guidance from the Department for Education.

It is useful to understand the implications of the decision in the Isle of Wight case and the extent to which it changes the legal position.

Firstly, what has not changed?

- It remains good law, under statute, that a parent should ensure “*regular attendance*” at school.¹
- It remains good law that the authorised officers can impose penalty notices where parents fail to ensure that a child is attending regularly.²
- It remains the case that Headteacher’s have a discretion to approve absences during term time in exceptional circumstances.

What are the implications of the Decision?

The Court considered whether a parent (*Mr Platt*) had committed a criminal offence by failing to secure the regular attendance of his child at school. Mr Platt had taken his child out of school during term time but his child’s attendance was still over 90%. The Court considered that the relevant period of absence was insufficient to show that the child was failing to attend school “regularly”.

The Court’s decision helps to interpret what is meant by attending school “regularly” for the purposes of a criminal offence under Section 444(1) of the Education Act 1996.

In future cases, Magistrates are unlikely to focus on a short period(s) of unauthorised absence. We can expect that they will look at the whole of a child’s attendance before coming to a conclusion about “regularity”.

Impact on the Council’s Approach to Enforcement Action

The Department for Education is considering changes to legislation to clarify the meaning of “regular attendance” under the Education Act.

However, pending any regulatory changes, a short period of unauthorised leave of absence during term time will not automatically be construed by Leicestershire County Council as being likely to prove the criminal offence. It will be necessary to look at the totality of the child’s attendance during a relevant academic term.

Each case will be decided by the Pupil Services Court Team on its individual merits with assistance from Legal Services.

¹ Section 444(1) of the Education Act 1996

² Section 444A of the Education Act 1996

Advice to Schools

It remains the position that Head teachers should not authorise leave of absence unless there is a request made in advance and the reason is deemed to be exceptional circumstances.

We would ask Head teachers to continue to request the Local Authority to issue penalty notices in relation to unauthorised leave of absence **by sending us an attendance certificate with a hand written request on the document.**

Based on the submitted attendance certificate, **where the decision is that we will proceed to issue a penalty notice, we will request the usual paperwork from the school prior to issuing.**

Some requests from schools may not result in a penalty notice being issued and in these cases, the attendance certificate will be returned to the school advising of the decision.

On receipt of a request to issue a penalty notice, the Pupil Services Court Team will make a judgement on whether an offence has been committed for the purposes of the relevant legislation.³ Essentially, this will involve a consideration of whether the child has attended "regularly". It is only where an authorised officer considers that an offence has been committed that a penalty notice will be issued.

Head teachers should continue to challenge the absence if they do not feel there are exceptional circumstances. This is because any period of unauthorised absence will contribute to any further periods thereafter and may then invoke a penalty notice.

For an interim period, pending any change to the legislation, we would recommend that schools to adopt the following approach to leave of absence:-

- Adopt the following wording in **all** policies, documents and on your website:

"The School and its staff regard the regular attendance of children at school as being vital to each child's education and development. It is for this reason that non attendances (however short or infrequent) are treated seriously. It remains the policy of the school to only sanction non-attendance during term time in exceptional circumstances. If your child has unauthorised leave of absence you may either be issued with a Penalty Notice of £120 per parent per child (discounted to £60 if paid within 21 days), or, your case could be referred by the Local Authority directly to the Magistrates' Court for the purposes of a criminal prosecution."

- Ensure all references in the school's policies, on the website, on letters, etc all refer to good attendance being 96%+ attendance with no unauthorised absences. If a child had less than 96% attendance, this does not automatically equate to irregular attendance. However, by using this threshold, we will make it clear to parents what is considered to be "regular" attendance.

I trust that the above is helpful to schools. Please raise any queries as they arise with your Attendance Officer. In the event that they are unable to answer your query, they will seek advice from the Pupil Services Court Team.

**Lynne Fantham
Court Team- Leicestershire County Council
15th July 2016**

³ Section 444 of the Education Act 1996