



Pupil Attendance & Penalty Notices Policy

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Staff lead: Tina Blankley

Approved by: FGB

PUPIL ATTENDANCE & PENALTY NOTICE POLICY

Principles

Parents of registered pupils have a legal duty under the Education Act 1996 to make sure that children of compulsory school age attend school on a regular and full-time basis. Permitting unauthorised absence from school is an offence and parents may be reported to the Education Authority if problems cannot be resolved by agreement.

Every half-day absence from school has to be classified by the school, (not by the parents), as either AUTHORISED or UNAUTHORISED. This is why information about the cause of each absence is always required.

Authorised absences are mornings or afternoons away from school for a good reason; or unavoidable cause.

Unauthorised absences are those which the school does not consider reasonable and for which no "leave" has been given. This includes keeping children off school unnecessarily; truancy; absences which have never been properly explained and children who arrive at school too late to get a mark in register by teacher.

To support and promote good attendance at Chancel:

Parents Will

- Telephone the school office, preferably before 8am, on EACH day of absence.
- Leave a message with: child's name, reason for absence, your name and telephone number.
- Inform the office/class teacher of any planned medical absences in advance.
- Try to make all medical appointments (doctors, dentist and hospital) out of school time. Obviously, this may not always be possible so, in such cases, try to secure an appointment around the legal registration periods i.e. after 9.30am (for morning registration) and after 2.00pm (for afternoon registration).
- Put all requests for leave in writing and submit this to the school office in advance. Leave of absence during term time is not a parental right. The Headteacher will make a decision whether to authorise the absence.
- Encourage your child to take responsibility for being on time for school.
- Encourage your child to come to school even if s/he is feeling slightly unwell.

Chancel Primary School Will

- Mark the registers in accordance with the law.
- Inform any parents / carers who have not contacted the office, of the absence of their child on a particular day.
- Maintain records and monitor attendance of pupils on a regular basis.
- Authorise absences in accordance with the government guidelines. Please note that only the Headteacher can authorise absence.
- Contact parents / carers when the attendance falls below acceptable levels and / or when particular patterns of absence are causing concerns.
- Provide access to staff with whom attendance related issues can be discussed.
- Work with external agencies to maintain good attendance and to support the pupil / family with any issues that may affect attendance and punctuality to school.

- Work with relevant external agencies if a pupil's attendance becomes a concern.
- Maintain a range of strategies to encourage good attendance by means of rewards.
- Provide reintegration support for pupils returning from absence.

Procedures

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

It is NOT appropriate for the school to authorise absences for shopping, day trips etc. Leave may, however, be granted in an emergency (e.g. bereavement) or for medical appointments which must be in school time where no other option is available. Doctor and dentist appointments should be out of school time wherever possible.

Leave during term time

The Headteacher cannot authorise holidays taken during term time, unless extenuating circumstances can be proven, and agreed – this is a directive from the government. If parents choose to take their children out of school, without the agreement of the Headteacher, it will be recorded as an unauthorised absence; which may lead to further action being taken, including the issuing of a penalty notice.

Lateness

Children must attend on time to be given a mark for that session; and parents are expected to ensure that children are present during registration. Late arrival after registration will require parents to sign their child in, which must include reasons for the late arrival. Late arrivals (after registers close), without good reason, will be counted as unauthorised absence. Persistent lateness (10 or more) will lead to action being taken, not excluding the issuing of a fixed penalty notice.

Penalty Notices supplement the existing sanctions currently available under section 444, of the Education Act 1996 and section 36, of the Children's Act 1989, to enforce attendance at school where appropriate. Schools are now enforcing this responsibility for the County Council and does so by supporting parents and pupils to overcome barriers to regular attendance, via a range of assessment and intervention strategies.

Where Schools, Staffordshire Police and neighbouring LAs ask that Staffordshire County Council issue such a Notice, their request will be investigated and only actioned where:

- Staffs County Council is satisfied that it has all relevant information.
- The circumstances of the pupil's absence meets the requirements of this Protocol.
- There is a reasonable expectation that the use of a Penalty Notice would improve attendance.
- The issue of a Penalty Notice does not conflict with other intervention strategies in place or enforcement sanctions already being used.

Procedure for withdrawing Penalty Notices

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

- The Council is satisfied that there is proof that the Penalty Notice was issued to the wrong person.
- The use of the Penalty Notice did not conform to the terms of this Protocol.
- The parent can show that they did not receive the Penalty Notice e.g. it was delivered to the wrong address.

Payment of Penalty Notices

- Arrangements for payment will be detailed on the Penalty Notice.
- Payment of a Penalty Notice discharges the parent's or carer's liability for the period in question and they cannot subsequently be prosecuted under other enforcement powers for the period covered by the Penalty Notice.
- The County Council retains any revenue from Penalty Notices to cover enforcement costs (collection or prosecuting in the event of non-payment).

Non-payment of Penalty Notices

Non-payment of a Penalty Notice will result in the withdrawal of the Notice and will trigger the fast-track prosecution process under the provisions of section 444(1), of the Education Act 1996.

Policy and Publicity

- Identifying information about Penalty Notices issued to particular parent's or specific children should not be made public.
- Issuing of Penalty Notices as a sanction is included in the Authority's Attendance Policy.
- The LA will include information on the use of Penalty Notices and other attendance enforcement sanctions in promotional or public information material.

Changes regarding attendance documentation and regulations came into force from August 2024. The main changes include issuing of penalty notices from this date. Two penalties notice limit and escalation in cases of repeat offences.

A penalty notice is an out of court settlement which is intended to change behaviour without the need for criminal prosecution. If repeated penalty notices are being issued and they are not working to change behaviour, they are unlikely to be the most appropriate tool. Therefore, from autumn term 2024, only 2 penalty notices can be issued to the same parent in respect of the same child within a three-year rolling period and any second notice within that period is charged at a higher rate.

The first penalty notice issued to a parent in respect of a particular pupil will be charged at £160. This will be reduced to £80 if paid within 21 days (the £60 fine was introduced in 2013 and has not been increased in the 11 years since).

A second penalty notice issued to the same parent in respect of the same pupil is charged at a flat rate of £160 if paid within 28 days.

A third penalty notice cannot be issued to the same parent in respect of the same child within 3 years of the date of issue of the first. In a case where the national threshold is met for a third time (or subsequent times) within those 3 years, alternative action should be taken instead. This will often include considering prosecution.

Monitoring and Encouragement of Good Attendance

- Attendance is regularly monitored by the Headteacher and Deputy Head, if your child's attendance figure falls below 90% a letter may be sent home.
- If poor attendance continues, despite the issuing of letters, a meeting will be arranged to discuss the persistent absence.

- Continued persistent absence may result in a 'safe and well' check, made by the Headteacher and Deputy Head.
- Following the above interventions, if attendance remains an issue, a referral will be made to family support and/or Educational Welfare Officer.
- A record of all concerns, correspondence and meetings will be kept in school.
- Termly attendance percentages will be reported to the Governing Body via the Head Teacher's report and to parents via newsletters.
- Parents are informed of attendance targets and kept up to-date of classes' achievement via Our School App and weekly newsletters.
- Parents will receive a letter each term showing whether their child's attendance is Good (Green), Requires Improvement (Yellow) or Very Serious (Red).

Attendance Rewards for Pupils

- A trophy is awarded for a week, to the class who has the best weekly attendance.
- The class with the highest attendance that week will receive an extra 5 minutes play.
- Certificates will be awarded for 100% termly attendance at the end of the each term and for 100% annual attendance at the end of the academic year.
- Each term the class with the best attendance will win an agreed reward:
 - Autumn term (September to December) Christmas treat per child
 - Spring term (September to April) Whole Class Pizza & Smoothie Party
 - Summer term (September to July) Whole Class 'Inflatables' Afternoon
- All children who achieve 100% attendance up until the first week in July will also be able to join in the 'inflatables' afternoon, as a reward for their outstanding attendance.

Summary

The school has a legal duty to publish its attendance figures to parents and to promote good attendance. Various initiatives may be taken from time to time as required. If a child is not in regular attendance, he/she is being deprived of their right to a full-time education. Equally, parents have a duty to make sure that their children attend. The school is committed to working with families (and a range of external agencies), in order to ensure as high a level of attendance as possible.

There is a clear link between poor attendance at school and low academic achievement. Children have little chance of catching up their peers if attendance is poor. We want our children to develop life-long skills and attitudes which will enable them to succeed in life after school.

APPENDIX 1 – Suspected Unrequested Leave

APPENDIX 2 – Unapproved Leave of Absence

APPENDIX 3 – Approved Leave of Absence

APPENDIX 4 – Low Risk Persistent Authorised Absence

APPENDIX 5 – Medium Risk Persistent Unauthorised Absence Follow Up

APPENDIX 6 – Persistent Late Unauthorised Absence

Equality Information

This policy is underpinned by the Equality Information and Objectives Policy for Chancel Primary School which is available on request.

As a dyslexia friendly school we take into account the needs of children with specific learning difficulties.

This policy applies to the whole of Chancel Primary School, including the Early Years Foundation Stage.

The policy will be disseminated widely to all staff members, governors and parents and it will be reviewed every three years.

Approved by Governing Body (sign): _____

Dated: _____

Families First
Staffordshire County Council
2 Staffordshire Place
Tipping Street
Stafford
ST16 2DH
Email: paul.senior@staffordshire.gov.uk
Please ask for: Paul Senior

Dear Parent / Carer

Changes to Penalty Notices for Absence from School

Ensuring your child has access to a good education is very important to us.

A key part of this is for all children and young people to regularly attend school, as this gives each learner the best chance to achieve their full potential. In light of the recent Isle of Wight court case and the subsequent Supreme Court ruling on school absences, we wanted to clarify our position for parents where there may be the potential for any ambiguity and to also ensure we are fully compliant with legal requirements.

As a result, we have made a few changes to our previous guidance to schools, parents and carers regarding absence from school. The new guidance will come into force from **1 January 2018** and is detailed below:

Penalty Notice for leave of absence (holiday) in term time

From 1 January 2018 **any** period of unauthorised leave may result in you as a parent receiving a penalty notice fine. Your head teacher will continue to be the only person able to authorise leave in term time, but this will apply only in exceptional circumstances. Any unauthorised absence will be referred by your head teacher to the local authority.

Penalty Notice for persistent lateness

Previously a pupil had to achieve 20 unauthorised late marks before a penalty notice warning could be issued. **This has now changed to 10 marks**, and late marks do not have to be one after the other in order for the penalty notice to be issued. You are therefore encouraged where possible to ensure your child attends school on time. However, if your child is late you must inform the school of the reason(s) why, as they may be able to offer you some form of advice or support.

Period of time used to measure persistent absence and lateness

If your child has had 10 days unauthorised absence or is late 10 times over a twelve week period, you may receive a penalty warning notice and also potentially a fine. These changes have been agreed with local head teachers and have been implemented to help promote and support good attendance to school. Further details and a copy of the revised Code of Conduct for issuing Penalty Notices can be obtained from the council's website www.staffordshire.gov.uk/education.

The vast majority of children and young people in Staffordshire have an excellent record of school attendance, and we recognise the efforts of so many parents to ensure their children attend school regularly.

The Local Authority will continue to take appropriate action for absences during term time when we are notified by head teachers, both to support them in their role and to ensure local children can continue to achieve the best possible outcomes from attending local schools.

Yours faithfully

Paul Senior

Head of Education Vulnerable Learner Services 0-25

APPENDIX 1

Parents address

Dear (both parents should receive an individual copy)

CHILDS NAME / DOB

We have reason to believe that **CHILDS NAME** absences during **DATES** were due to unrequested leave. The reason for this is because: (select which is appropriate or enter your own)

- School CALLED & RECEIVED A FOREIGN DIAL TONE,
- School CALLED YOU & YOU INFORMED US YOU WERE ON HOLIDAY,
- CHILD TOLD TEACHER,
- HOME VISITS COMPLETED NO ANSWER

As a school we want to make every effort to establish the reason for a pupil's absence. Where no reason for absence is provided within 5 school days or the school is not satisfied that the reason given is legitimate the school is required to amend the pupil's attendance to be recorded as unauthorised.

We understand that you may wish to offer an alternative explanation for your child's absence. We will, therefore, allow you 5 school days from the date of this letter to provide evidence to us that supports a legitimate reason for the absence. **If we do not receive appropriate evidence, by this time, then we will continue to code your child's absence as an unauthorised.**

As a school we are obliged to inform you that you may be subject to a Penalty Notice if your child's absence from school is unauthorised. This is in line with Staffordshire County Councils Code of Conduct and the "Working Together to Improve School attendance" statutory guidance (effective 19th August 2024). The penalties for unauthorised leave of absence in term time will be:

For a **First** offence the Penalty Notice fine would be:-

- £80 per parent, per child if paid within 21 days, rising to
- £160 per parent, per child if paid between 21-28 days.

For a **Second** offence within 3-years of the first penalty notice being issued, the penalty notice fine would be:

- £160 per parent, per child if paid between 28 days

Following the second offence **every new offence within the 3-year period, will be prosecuted** under S444.1 of the Education Act 1996. I must advise you that if the prosecution takes place, the maximum fine is **£1,000 per parent, per child**. This reflects the seriousness of unauthorised absence from school.

Our key priority is to ensure that your child is as successful as possible and can achieve his full potential.

Yours sincerely

Head Teacher

APPENDIX 2

CHILD'S NAME DOB:

Dear (both parents should receive an individual copy)

Thank you for your leave of absence request informing us that XXXXX will be absent from school from XXXXXXXXXXXXXXXXXXXX.

You will be aware that the Department of Education made important changes to the law for families wanting to request leave of absence in term time. The changes made it clear that head teachers may not grant any leave of absence during term time unless there are exceptional circumstances. The Local Authority and school governors support this; therefore, students will only be given permission to take leave in term time if there are exceptional circumstances.

I have considered your application very carefully. Although I understand the reason for your request, I am **unable** to approve leave of absence in this instance, as I believe the circumstances are not exceptional or in line with school policy. **Therefore, your child's absence from school during this period has been recorded as Unauthorised Absence and will be recorded in the attendance register with the "G" code.**

As a school we are obliged to inform you that you may be subject to a Penalty Notice if your child's absence from school is unauthorised. This is in line with Staffordshire County Councils Code of Conduct and the "Working Together to Improve School attendance" statutory guidance (effective 19th August 2024). The penalties for unauthorised leave of absence in term time will be:

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Following the second offence **every new offence within the 3-year period, will be prosecuted** under S444.1 of the Education Act 1996. I must advise you that if the prosecution takes place, the maximum fine is **£1,000 per parent, per child**. This reflects the seriousness of unauthorised absence from school.

Our key priority is to ensure that your child is as successful as possible and can achieve their full potential.

I would hope that upon reflection you are able to support this decision in line with the Local Authority and Government policy, that leave should be planned for the 13 weeks school holidays except in exceptional circumstances.

Yours sincerely

Headteacher

APPENDIX 3

CHILD'S NAME DOB:

Thank you for your leave of absence request informing us that XXXXX will be absent from school from XXXXXXXXXXXXXXXXXXXX.

You will be aware that the Department of Education made important changes to the law for families wanting to request leave of absence in term time. The changes made it clear that head teachers may not grant any leave of absence during term time unless there are exceptional circumstances. The Local Authority and school governors support this; therefore, students will only be given permission to take leave in term time if there are exceptional circumstances.

I have considered your application very carefully. Although I understand the reason for your request, I am able to approve leave of absence in this instance, as I believe the circumstances are exceptional or in line with school policy. **Therefore, your child's absence from school during this period has been recorded as an Authorised Absence and will be recorded in the attendance register with the "C" code.**

As a school we are obliged to inform you that you may be subject to a Penalty Notice if your child's absence from school is unauthorised. This is in line with Staffordshire County Councils Code of Conduct and the "Working Together to Improve School attendance" statutory guidance (effective 19th August 2024). The penalties for unauthorised leave of absence in term time will be:

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Our key priority is to ensure that your child is as successful as possible and can achieve there full potential.

I would hope that upon reflection you are able to support this decision in line with the Local Authority and Government policy, that leave should be planned for the 13 weeks school holidays except in exceptional circumstances.

Yours sincerely

Headteacher

APPENDIX 4

Parents address

Dear (both parents should receive an individual copy)

RE: XXXXXX Attendance

XXXXXX attendance has recently fallen below 90%. I am therefore writing to inform you, that any further absence will now be recorded as unauthorised, unless appropriate evidence can be provided.

Should the number of unauthorised absences total 20 sessions (10 days) or more, this could lead to you being issued with a Penalty Notice.

If you wish to discuss this matter further, please do not hesitate to contact me.

Yours sincerely

Mrs K O'Hagan
Headteacher

APPENDIX 5

Parents address

Dear (both parents should receive an individual copy)

RE: XXXXXX Attendance

Despite our recent correspondence, your child's attendance has continued to fall; and, according to our school register, this now includes a number of unauthorised absences. We are writing to inform you, that any further absences will continue to be recorded as unauthorised, unless appropriate evidence can be provided.

Should the number of unauthorised absences total 20 sessions (10 days) or more, this could lead to both parents being issued with a Penalty Notice.

If you wish to discuss this matter further, please do not hesitate to contact me.

Yours sincerely

Mrs K O'Hagan

Headteacher

APPENDIX 6

Parents address

Dear (both parents should receive an individual copy)

RE: XXXXXX Attendance

According to our school register, your child has been persistently late (after the register has closed at 9.20am). Should your child continue to be late, after the register has closed, this will be recorded as unauthorised, unless appropriate evidence can be provided.

Should the number of unauthorised absences total 10 sessions (10 days) or more, this could lead to you being issued with a Penalty Notice.

If you wish to discuss this matter further, please do not hesitate to contact me.

Yours sincerely

Mrs K O'Hagan
Headteacher