

## **Attendance Policy**

November 2014

### **Rationale**

We believe that the majority of pupils want to attend school to learn and that their achievements and progress are directly influenced by attendance, motivation and involvement. They suffer when these are unsatisfactory. This is part of a larger framework of policies for managing and organising our school to ensure that all pupils have the right to equal access to the curriculum and should not be denied of opportunities by their own or others poor or non attendance.

### **Aims**

As a school we aim :-

- To support children by valuing, noting and rewarding their attendance.
- To communicate with parents that their role in promoting good attendance and punctuality is important to the school's success.
- To maintain effective procedures to record and monitor children's attendance.
- To identify and respond swiftly to issues affecting pupils absence supporting children and their families if the need arises.

### **Guidelines**

#### **i) Roles and Responsibilities**

- The Headteacher will have a general oversight and responsibility for attendance and will communicate about attendance and punctuality to pupils, parents, staff, the Parent Support Adviser and the Education Social Worker.
- Class teachers have day to day responsibility for recording and monitoring children's attendance. They will frequently comment and praise good attendance.
- If a child has not appeared in class when the register closes and no prior explanation for absence has been given, the office staff will use SIMs to identify the children and / or the class teacher will inform the staff in the school office via the 'Attendance Log Book' and the parents will then be contacted to ask where the child is. The office staff will inform the class teacher of the outcome of the query by recording the response in the log book or on SIMs.
- In our school we also present certificates annually to those children with a 100% attendance record. This is an important feature of our end year assemblies.
- We present weekly class attendance to children and to parents. These are displayed on the noticeboard and on classrooms.
- Award 'Albert the always here alligator' for the winning classes attendance.
- Through the school prospectus, parent evenings and newsletters parents will be informed of their responsibility to ensure children attend school regularly and punctually.
- All staff should set an example themselves by being punctual and dismissing classes on time.
- The Parent Support Adviser and Education Social Worker will be involved when the school has made or attempted to make contact with parents about a pupil's poor attendance/punctuality

and no significant improvement has resulted or when in discussion with a family it is agreed such involvement would support continued improvement to a situation.

### ii) Recording Attendance

An accurate and consistent system of registration throughout the school is essential. It is important to ensure pupils are aware that registration is taking place and is significant. The following practices should be adopted:-

- Registration is completed using SIMs (a computer based program). Paper based dinner registers are completed daily.
- Following DFE guidelines, registration should be completed at the start of each morning and afternoon session. The register will be closed 30 minutes after the beginning time of each session.
- Absences need to be shown as authorised or unauthorised using the symbols indicated in the NYCC and DFE guidelines. See appendix 1
- Children leaving the school after registration or returning later following a medical visit etc will be recorded in a book kept for such purpose at the school office. All parents must be made aware of this when taking children out of school during the school day as an accurate record of who is on the premises is required for health and safety reasons.

### iii) Categorising Absence

**Only the school, within the context of the law, can approve absence, not parents. We should be alert to emerging patterns of 'authorised absence'.**

When the school is satisfied a pupil is absent by reason of illness etc the absence is treated as AUTHORISED when the school has received notification from the parent. Parents are asked to contact school on a daily basis if the illness goes over one day.

### Lateness

For registration to mean anything a firm line must be taken on late arrivals. If no adequate explanation is given the absence will be recorded as unauthorised.

### Leave of Absence

Parents must complete a NYCC request form (obtainable from the office).

**THE RULE SHOULD BE THAT ONLY TRULY EXCEPTIONAL CASES SHOULD BE AUTHORISED.**

The Headteacher will consider the following:-

- The nature of the event
- Whether the correct advance notice given

The following are examples of the criteria for leave of absence, which may be considered as exceptional:

- Service personnel returning from active employment
- Where inflexibility of the parents' leave or working arrangement is part of the organisational or company policy This would need to be evidenced by the production of the company policy.
- Where leave is recommended as part of a parents' or child's rehabilitation from medical or emotional problems. Evidence must be provided.
- When a family needs to spend time together to support each other during or after a crisis.

This is not an exhaustive list and the Headteacher will consider individual circumstances. Where the Headteacher feels that there may be exceptional circumstances which do not fit the criteria, they may refer to the local authority for advice. The decision of the Headteacher is final. Parents who take a child on leave in term time without permission of the school risk being issued with a penalty notice fine for unauthorised absences. All requests for leave of absence must be made in writing as far in advance as possible and at least six weeks before the first date of the period of leave being requested. Parents or carers must obtain permission before making any arrangements for leave in exceptional circumstances, otherwise the absence will be recorded as unauthorised.

## Appendix One North Yorkshire Local Authority Guidance **School Attendance**

### **Definition of a parent**

A parent means:

All natural parents, whether they are married or not;

Any person who has parental responsibility for a child or young person; and,

Any person who has care of a child or young person i.e. lives with and looks after the child.

The local authority and school will need to decide who comes within the definition of parent in respect of a particular pupil when using the legal measures, but generally parents include all those with day to day responsibility for a child.

### **Context of the school attendance measures**

Parents are responsible for making sure that their children of compulsory school age receive a suitable full-time education. This can be by regular attendance at school, at alternative provision, or otherwise (e.g. the parent can choose to educate their child at home).

A child reaches compulsory school age on or after their fifth birthday. If they turn 5 between 1 January and 31 March they are of compulsory school age on 31 March; if they turn 5 between 1 April and 31 August they are of compulsory school age on 31 August. If they turn 5 between 1 September and 31 December, then they are of compulsory school age on 31st December.

A child continues to be of compulsory school age until the last Friday of June in the school year that they reach sixteen. From September 2013 all 16 year-olds will be required to continue in education or training, until the end of the academic year in which they turn 17. From September 2015 they will be required to continue until their 18th birthday.

### **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. 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.

### **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).

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. 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.

### **Penalty Notices**

Penalty notices 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. Penalty notices can be issued to each parent liable for the attendance offence or offences.

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 during school hours 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* 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 academies, 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 academies and Free Schools.

### **Payment of Penalty Notice From the 1<sup>st</sup> September 2013**

The penalty is £60 if paid within 21 days of receipt rising to £120 if paid after 21 days but within 28 days. The payment must be paid direct to the local authority. The parents can only be prosecuted if 28 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 28 day period the local authority must decide either to prosecute for the original offence to which the notice applies or withdraw the notice.

**Can schools decide whether parents should be prosecuted or not?** No. Only local authorities can make decisions on whether parents should be prosecuted for school attendance offences. All schools (including academies) have a duty to refer regular absence (authorised and unauthorised) to the relevant local authority. This may include any evidence to show how they supported the pupil and parent to improve attendance. It is for each local authority to judge each referral on its own merits and make a decision on the next probable cause of action.

It is the statutory duty of local authorities to carry out investigations including witness statements leading up to prosecutions. Local authorities should conduct all investigations in accordance with PACE and Attorney General's Guidelines for Crown Prosecutors. Local authorities cannot delegate this function to schools (including academies) or charge them for this service.