

Stour Valley Collaborative– Working In Partnership

Attendance Policy

Regular attendance at school is crucial in raising standards of education and in ensuring every child can meet their full potential. Missing out on lessons leaves children vulnerable to falling behind. Children who are disadvantaged by poor attendance tend to achieve less in both primary and their secondary school.

The Government expects:

- *Schools and Local Authorities to
 - Reduce absence including persistent absence
 - Ensure every pupil has access to full-time education to which they are entitled
 - Act early to address any patterns of absence*
- *Parents to perform their legal duty by ensuring their children of compulsory school age who are registered at school attend early and ensure that all pupils are punctual to their lessons and attend school regularly.*

(Department for Education - Advice on School Attendance ([www. Education.gov.uk](http://www.Education.gov.uk)) 2012).

The Principals and Governing Bodies across the Stour Valley Collaborative, take very seriously their responsibilities for pupils' attendance. Together they have agreed the following attendance policy. Though some variations exist within these schools, the main body of the policy has been formally agreed by the following schools:

Brierley Hill Primary School
Thorns Primary School
Withymoor Primary School
St Mary's RC Primary School
Quarry Bank Primary School
St Mary's Primary School

What the law says about School Attendance:

By law, all children of compulsory school age (between 5 and 16) must receive a full-time education. Section 444 (1a) of the Education Act 1996 says; " If a child of compulsory school age, who is a registered pupil at a school, fails to attend regularly, without reasonable justification, then his (her) parent is guilty of an offence and can be prosecuted."

Children are required to attend school for 190 days (380 sessions) in any single academic year (September – July). Any exceptions to this can only be taken with the full agreement of the Principal.

This policy is informed by DFE. Circular 11/91 "The Education (Pupil registration) (England) Regulations 2006" and "Education Act 1996 section 444, the 'School Attendance – Policy and Practice on Categorisation of Absence,'" DFE 1994 – Paragraph 21, page 4 which reminds us that: "Only the school, within the context of the law, can approve absence, not parents. The fact that a parent has offered a note or other notification (telephone call, written letter) in relation to a particular absence does not, by itself, oblige the school to accept it".

There is an expectation that over the course of an academic year a child's attendance at St Mary's will be 97% or more. Absence that falls below 90% is categorised by the government as persistent absence. With this in mind, the following actions will be taken:

- **When a child's attendance falls to 95%, parents will be notified. (Nov/Autumn Term and again at Feb/Half Year)**
- **When a child's attendance reaches 93%, parents will be notified in writing that all further absences will be unauthorised unless the Principal is satisfied that the absence is absolutely genuine.**

- If 18 unauthorised absences have been recorded during a 6 week period, a referral to the Local Authority Education Investigation Service will be made and this may lead to a fixed penalty fine. **ALL persons defined as a parent (see below) will be liable for a fine.**

Parents must:

Ensure that their child is able to attend school for the whole academic year by making medical appointments out of school time wherever possible, not booking holidays during term time and avoid encouraging their child to stay at home for unjustifiable reasons.

Definition of a parent: (section 576 Education Act 1996)

A parent means:

- All natural parents, whether they are married or not
- Any person who has parental responsibility for a child or young person
- Any person who has care of a child or young person i.e. lives with and looks after the child
- All those with day to day responsibility for a child or young person

If you feel that your child has an illness which may warrant them remaining at home then you must:

Consider first of all whether you feel that your child would still be able to take part in the majority, if not all, of the school's activities. In this case, you should still send your child to school. Should your child become unwell during the day and/or where the school feels that the child is no longer able to participate in school activities, the school will contact you to collect your child.

If you feel that your child cannot take part in the school's activities and would be better remaining at home then you must contact the school as soon as possible on **the first and each day of absence** before 9:30am. Failure to do so constitutes a breach of this policy.

The person ringing will be asked to identify themselves and clearly give the reason for the absence. This information will be recorded.

If your child has a medical appointment then you must:

Contact the school prior to the appointment to ask for approved arrangements for your child to be collected/returned to school as close to the appointment time as possible. The school will ask to see a copy of the appointment time/letter. The school will not authorise the absence unless they have seen a copy of the letter/appointment card **before** the appointment.

If you need to request 'leave' for a specific reason, then you must:

Follow the school guidelines regarding an application for leave e.g. holiday. (See, 'Leave of Absence').

If you know that your child will be late for school you must:

Contact the school as soon as possible to tell them that your child will arrive late. Make every effort to get your child to school as soon as possible.

If you are having difficulty getting your child to attend school you must:

Notify the school immediately (school office, class teacher, Principal) about your concerns. The school will make every effort to meet with you and attempt to rectify the problem.

The School must:

- Keep regular, efficient and accurate recording of attendance registers. These are completed at the beginning of each morning session and at the beginning of the afternoon session, using a coding system approved by the DfE and Local Authority. For each child, for each session there will be a code relating to present or absent. The absent code will either be authorised or unauthorised. (See, 'Use of Attendance Codes')
- Ensure that parents/carers are aware of the times for the beginning of each session, school term dates and other INSET days when a pupil is not expected to attend school.

- Notify the parents of any immediate school closure e.g. due to bad weather
- Respond to requests for attendance data from the Education Investigation Service, Local Authority, Department for Education, OFSTED.
- Present attendance data regularly to the Governing Body and parents.
- Notify parents as early as possible where their child's attendance is a cause for concern.
- Notify the Education Investigation Service of individual children whose attendance is a cause for concern.

The Pupil must:

- Attend school regularly.
- Arrive on time and be appropriately dressed and prepared for the school day.
- Ensure that their behaviour does not conflict with the smooth day to day running of the school and that they do not behave in a way that may put them at risk of exclusion.

Child Missing from Education

Through our monitoring of children's attendance, we are alert to the possibility of a child going missing from education. This may be a potential indicator of abuse or neglect; particularly if the absence happens on repeat occasions, and may be the start of safeguarding procedures to identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of their going missing in future.

It is essential that all staff are alert to signs to look out for and the individual triggers to be aware of when considering the risks of potential safeguarding concerns such as travelling to conflict zones, FGM and forced marriage.

The law requires all schools to have an admission register and an attendance register. All pupils appear on both registers.

Removal of a Child from the School Roll

Parents need to be aware that their child can be removed from the school roll/register. This may occur:

- following a permanent exclusion
- if, following a period of agreed absence, the child fails to return to school within 10 school days of the agreed return date.
- Have been taken out of school by their parents and are being 'home-educated'
- Have ceased to attend school and no longer live within reasonable distance of the school to which they have been registered.
- Have a medical condition that prevents them from attending school

Removal from the register is undertaken if the school is not satisfied after enquiries by the Education Investigation Service that the pupil is unable to attend the school by reason of sickness or other avoidable cause.

The local authority must be notified when a school is to delete a pupil from its register under the above circumstances. This should be done as soon as the grounds for deletion are met, but no later than deleting the pupil's name from the register. It is essential that schools comply with this duty, so that local authorities can, as part of their duty to identify children of compulsory school age who are missing education, follow up with any child who might be in danger of not receiving an education and who might be at risk of abuse or neglect.

**All schools must inform the local authority of any pupil who fails to attend school regularly, or has been absent without the school's permission for a continuous period of 10 school days or more, at such intervals as are agreed between the school and the local authority (or in default of such agreement, at intervals determined by the Secretary of State)
(Keeping Children Safe in Education – July 2015)**

Use of Attendance Codes

A series of codes are used for each child and for each school session. The codes are used by all schools so that reasons for absence can be easily and universally monitored. Each code will mean that the absence has been authorised or unauthorised.

The Principal may decide to use a code that authorises a child's absence due to:

- Leave agreed by the Principal/ exceptional circumstances agreed by the Principal
- Day of religious observance – officially set aside by the religious body to which the family belong
- Medical/dental appointment – pupils should be absent only for a reasonable amount of time that is necessary for them to attend the appointment.
- Genuine illness or stay in hospital and/or consequent recuperation at home following medical treatment
- Prevention from attending by an unavoidable cause e.g. exceptionally bad weather coupled with the inability to arrive in school safely e.g. wheelchair users
- Attending a family funeral (this must not however exceed an agreed period of absence)
- Exclusion – a temporary or fixed term exclusion will be recorded with code 'E', a permanent exclusion will be treated as authorised absence until the child is removed from the school register.

The following will be coded as 'present'

- Education off-site e.g. visit
- Education off-site at another setting e.g. exams or dual registered pupils
- Approved sporting activity

Unauthorised codes are used where it is felt that the reason given does not justify the absence. This may include

- A shopping trip
- A birthday
- Attending a pop concert/football match
- Bad weather – too wet, too cold
- All session absence for a single short medical appointment
- Lack of usual transport – the parent must demonstrate that every effort has been made to get the child to school safely
- Taking a period of leave that has not been approved by the Principal.
- Parent giving a reason which after investigation is likely to be false.

Where no reason for the absence is given, the absence will be unauthorised.

Leave of Absence

Any request for 'leave' e.g. holiday absence, must be made in writing using the school leave of absence forms. These must be received by the Principal no later than **15 working days before** the proposed leave is due to take place.

There is no automatic entitlement in law for time off school for the purpose of a holiday (amendment to the Education (Pupil Registration) Regulations 2006, made in September 2013).

The Principal does have a discretionary power to authorise leave but **this is not an automatic right**. In making an application for leave, the adult(s) with parental responsibility must make the case that their child will need to be treated differently from the norm. There will be no exceptions for families who are split e.g. a request from one parent may be approved but another request from a second parent or family member may be unauthorised. It is the responsibility of both parents with parental responsibility to make their applications for leave, each application will be considered fairly using the criteria below.

Therefore, each request must meet specific 'exceptional circumstances'. Reasons such as, 'it's cheaper', or 'fits in with work patterns' are **not** classed as exceptional circumstances.

The Principal will consider each request on an individual basis and will take the following into consideration:

- The reasonableness of the request
- Whether or not it meets the exceptional circumstances criteria.

Leave taken without a formal request being made to the Principal will **always** remain unauthorised even if the parent enters a request on returning from the holiday/leave and is very likely to result in any further absences being unauthorised.

Exceptional Circumstances

The criteria for exceptional circumstances are determined by the Principal. The following criteria are a guide but there may be further, individual exceptional circumstances which the Principal may also consider.

An 'exceptional circumstance' may be:

- An event that will not be repeated within an academic year
- An event that is very unlikely to be repeated again during the child's school life
- An event that cannot possibly take place at weekends or during the normal school holiday times, (therefore holidays are never an exceptional circumstance).

Lateness

The school day begins at 8:50 am and the afternoon session begins at 12:45pm (KS2) and 1:15pm (KS1). Arrival 10 minutes after these times will constitute a late code. Registers close at 9.20 am for the morning session and 1:05pm (KS2) and (KS1) 1:35pm for the afternoon session. Arrival after these times will be recorded as an unauthorised absence.

A child who is persistently late, even within the first 10 minutes of the session starting, may lose their right to be coded as late and will instead be marked as an unauthorised absence. The Principal will notify the parent of this decision in writing. When **18** unauthorised absences have been recorded in any 6 week period, a referral to the Education Investigation Service will be made, which is likely to result in a Tier 1, or Tier 2 response (see page 7).

Absence due to Illness

Children who are genuinely poorly are not expected to attend school and an authorised code will be used. However, where the child's repeated absence due to illness is becoming a concern, the Principal may decide to remove the right to the authorised code, and unauthorise further absences due to illness, particularly if the absences total more than 5 days. The Principal may ask the parent to provide information that supports the parent's view that the child is too unwell to return/attend school e.g. prescriptions, appointment cards/letters. The Principal will notify the parent of this decision in writing.

In order to avoid this, it is essential that parents inform the school of any health concerns that may be affecting the child's ability to attend school regularly. The school may also invite the school nurse to investigate the medical condition further, parents are also advised to seek support from the school nurse.

Where a child has long-term medical condition that will inevitably impact on their ability to attend school regularly, then the school will seek advice from outside agencies, usually this professional invited in treating the child and will support the child accordingly. (Please see Supporting Children At School With Medical Conditions Policy)

School Closures

The academic year is 190 days. Schools also have to have an additional 5 days that they can use for staff training; often called INSET (In-Service Training Days). These days are not part of the 190 days which is every child's free entitlement.

The Principal will make every effort to ensure that the school remains open for 190 days. However, in some circumstances, the school may have to close. The Principal must always consider the health, safety and welfare of every person who uses the school site, pupils, staff, parents, volunteers and visitors. If at any point, to use the school building would be detrimental to a person or persons' health, safety and welfare, then the Principal must close part or all of the school. Such events may be:

- Not enough staff to safely supervise the pupils and ensure the safe running of the school
- Lack of fresh running water and/or toilet facilities
- Lack of appropriate lighting and/or heating
- Damage to the structure of the building e.g. fire, water or weather damage.

- Instruction to close due to a local emergency incident
- Emergency at the school (See Emergency Plan)
- Severe weather - In the event that severe weather is forecast, or is developing, the Principal, will consider either closing the school in advance of the school day, closing the school early, or opening the school later than usual. The action taken will always result from consideration of pupils, parents and staff facing 'significant risk of serious injury' in school or whilst travelling to or from school.

Once a decision is made, the Principal will endeavour to inform parents of that decision and the details of any arrangements that have been put in place.

Parents should always assume that the school will remain open during term time unless they hear otherwise.

If the Principal decides to close the school, then the register is closed for the day and coded as an enforced school closure. This does not affect a child's attendance record.

Praising/rewarding Good Attendance

Children who have maintained 100% attendance and children who have shown 5% improvement in their attendance by the end of each term will receive a certificate and this will be awarded at whole school assembly. In addition, those children who still have 100% attendance by the end of the school year will receive a **voucher**.

Education Investigation Service (EIS)

EIS Statement: Penalty Fines

Leave of absence – Under the Education (Pupil Registration) (England) (Amendment) Regulations 2013 a Principal **MAY NOT** authorise a leave of absence in term time for a holiday. A head teacher **MAY** (at his or her own discretion) authorise absence for exceptional circumstances. An application for a leave of absence must be made in writing to the school.

If you take a leave of absence which **is not authorised** by the school **you may be issued with a fixed penalty fine** via the Education Investigation Service. A penalty fine can also be issued for:

- Unauthorised absence from school
- Being identified out of school on a truancy sweep

Exclusion – If your child is excluded from school and during the first six days of exclusion, and he or she is identified in a public place **you may be issued with a fixed penalty fine** via the Education Investigation Service.

Details of fines can be found on the Education Investigation Service website.

Parenting orders

Parenting orders may be issued by magistrates following the conviction of parents or carers or on the application of the local authority for failing to send their child to school regularly. As part of the parenting order, you will be required to:

- fulfill certain tasks such as taking your child to school each day
- attend parenting guidance sessions

If you fail to do this, you will be in breach of a court order. This matter will return to court and further fines could be imposed.

Prosecution: If you fail to meet all of the above, you may be prosecuted. This could result in each parent or carer receiving a fine of up to £2,500 and / or three months imprisonment for failing to ensure your child regularly attends school.

(Also See Positive Behaviour and Discipline Policy)

The Education Investigation Service (EIS) is responsible for ensuring that parents meet their legal obligations in respect of their child's education and to identify levels of support that a family may need in assisting them to ensure that their child receives a suitable education. The Principal and Governing Body of each school have a responsibility to inform the EIS when a child's attendance becomes a matter of concern and to support the EIS in the actions that they may take.

When it is found that parents fail to meet their responsibilities, the EIS has the legal power to take one or more of the following approaches:

- **Tier 1** = Warning Letter – clarifies the legal responsibility of the parent and the school expectations in relation to what the parent must do next
- **Tier 2** = Fixed Penalty Notice – may be issued for example if, your child has unauthorised absences, including taking unauthorised holiday in term time, or if the child is continually late for school. The fine is £60.00 paid by **each adult** classed as a parent or who has parental responsibility for **each child**. If you have not paid the fine within 28 days then the fine increases to £120.00 which must be paid within 42days. There is no option to pay in instalments, the fine cannot be reduced if you are in receipt of benefits and there is no right of appeal. Fines are paid to the Local Authority.
- **Tier 3** = Prosecution – The EIS can prosecute parents if they fail to ensure that their child attends school. You may be fined up to £1000.00. If convicted under section 444 of the Education Act 1996, you may be fined up to £2500.00 and/or 51 weeks imprisonment.
- Parenting Order – this may be made by the court where a parent has been found guilty of an offence relating to school attendance, this requires each adult with parental responsibility to co-operate with conditions attached to the order to assist them in managing their child's overall behaviour and attendance.
- Education Supervision Order – where responsibility is shared between the EIS and the parent.
- School Attendance Order – Parents are required to register their child at the school named in the order, failure to do so will result in further action being taken.

All proceedings are taken in relation to each parent and each child not attending school, for example, two parents with two children not attending will have to answer four offences.

For more information please go to <http://www.dudley.gov.uk/resident/learning-school/parental-support/dudley-education-investigation-service/absence-and-truancy/> contact the Education Investigation Service:

Education Investigation Service
Westox House
1 Trinity Road
Dudley
West Midlands
DY1 1JQ
01384 814317

Date agreed by the Full Academy meeting:

Date of Review: September 2018