

ATTENDANCE POLICY

1. Rationale

Good attendance and punctuality ensure optimum available use of teaching and learning time.

2. Aims

To actively encourage attendance and punctuality.

3. Objectives

- 3.1 To promote attendance through a positive school environment.
- 3.2 To work closely with parents:-
 - 3.2.1 to alert them to their legal responsibilities for attendance;
 - 3.2.2 to inform them how to apply for leave of absence for special circumstances;
 - 3.2.3 to identify procedures for contacting the Academy over absence;
 - 3.2.4 to indicate the procedures the Academy will use to follow up short or long term absence;
 - 3.2.5 to clarify action to be taken by parents to confirm absence.
- 3.3 To maintain accurate records of attendance, punctuality and reasons for absence through tutor group registers.
- 3.4 To check registers regularly for any patterns of absence and act accordingly.
- 3.5 To acknowledge the legal status of registers and ensure appropriate security.
- 3.6 To report on authorised and unauthorised absence as required by the DFEE.

4. Procedures and Practice

- 4.1 Staff and pupils promote and support a positive personal, social, moral and spiritual culture throughout the Academy.
- 4.2 Good attendance will be acknowledged in pupils' reports.
- 4.3 Through the Academy prospectus to inform parents of the procedures and practices regarding attendance (Appendix 1).
- 4.4 Form Tutors and Heads of Year will be vigilant in checking registers for any patterns of absence, informing parents and involving the Educational Attendance officer as appropriate.
- 4.5 Form Tutors will keep accurate records of attendance, punctuality, and reasons for absence.
- 4.6 Selwood Academy now follows the new Local authority Code of Conduct to address attendance as of 01/09/2013. This may include the use of statutory powers which involves the use of penalty notices and court prosecution. Schools will now be able to request, to the EAO, an immediate penalty notice for parents whose children have 10 consecutive sessions (5 days) unauthorised leave within the last 12 weeks. Schools can issue a warning penalty notice where there are 10 unauthorised session or more in the last 12 weeks. The criteria for 'passing' a warning has moved from 90% attendance in the 15 day period to 100% attendance. Parents taking their child on holiday during term time will be subject to unauthorised absence. Leave can only be granted for exceptional circumstances. See appendices. (Appendices I, II and III are attached). Please also see Attendance Guidance and Advice documents saved in the Policy Folder (P, Attendance).
- 4.7 Parents will be required to provide medical evidence for any absence of three days consecutively.

The Selwood Academy Attendance Guidelines for Parents and Pupils will be included in the prospectus and will contain the following information about attendance:-

- a reminder to parents that absence has a detrimental effect on children's progress;
- a statement promoting 100% attendance and parents' responsibilities in support of this aim;
- a requirement that reasons for absence are confirmed by letter, telephone or email;
- a request for telephone confirmation of legitimate absence on every morning, otherwise the Academy will phone to ascertain the reason for absence. There should be written confirmation on return;
- the need to request permission from the Academy in advance of planned extended absence using the forms available from Reception;
- knowledge that any concerns about patterns of absence will be communicated to parents as soon as they are identified;
- confirmation that the Educational Attendance Officer visits the Academy fortnightly and will be involved when PTL's feel this could assist the attendance problem.

-

Leaflet as below -

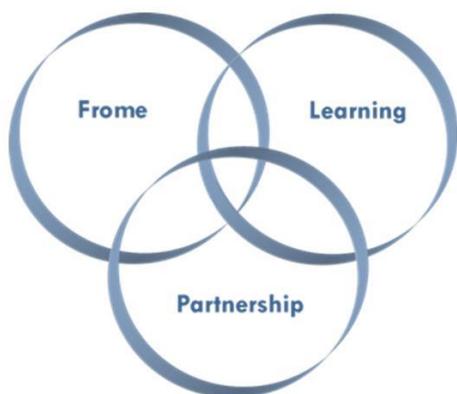
ABSENCE LINE

Let us know immediately when your child cannot attend school.

Call the Attendance Officer on
01373 468615

Please have the following information to hand. You will be asked to provide some, or all of it, when you call:

- Pupil Name
- Pupil Tutor Group
- Reason for absence
- Have you made a doctor's appointment?



What Selwood is doing to ensure
Good Attendance

At Selwood all staff understand how important attendance is and encourage a positive ethos regarding attendance and punctuality for all pupils. Individual attendance is monitored closely.

Good Attendance is celebrated in the following ways:

Certificates are awarded for pupils with excellent attendance 100% and very good attendance, 97% and above at our Christmas, Easter and Summer Celebration Assemblies.

PARENT & FAMILY SUPPORT ADVISOR

Alyson Kempshall, the Parent & Family Support Advisor, works in partnership with families and the school to help your child be as successful as possible. She may be asked to help where regular attendance and lateness is a problem. Lateness to school is monitored by our Parent Support Advisor who may make contact if concerns arise.



Berkley Road
Frome
Somerset
BA11 2EF

01373 462798

ATTENDANCE MATTERS

Guidelines for Parents and Pupils

Why does attendance matter? The Importance of Good Attendance

Research shows that there is a direct link between good attendance and achievement in school. Poor attendance has a direct effect on a pupil's attainment and their future life chances.

For example, 90% attendance might sound quite acceptable but what that means is.....

- On average half a day of school is missed every week. Would an employer think this is an acceptable rate of attendance?
- In one year, 4 whole weeks of schooling are missed.
- In 3 years it would mean a third of a school year is missed. That's a whole term off.
- You may drop a GCSE grade in each subject.

The better your attendance, the better your achievement will be.

Pupils who attend 95% or more are likely to fulfil their academic potential.

For example:

- Absence one day a month gives a 87% chance of getting 5 9-5 grades at GCSE
- Absence one day a fortnight gives a 75% chance of getting 5 9-5 grades at GCSE
- Absence one day a week gives a 20% chance of getting 5 9-5 grades at GCSE

Habits of poor attendance and lateness in school are often repeated in working life which is why employers ask schools for attendance and punctuality information as part of references.

Categories of Attendance

Attendance and punctuality are reviewed regularly and pupils fall into one of the categories below:

100% Excellent
Certificate

97% Very Good
Certificate

Below 95%
School will contact the parent as cause for concern. PFSA/EAO may be involved.

Below 93%
Serious cause for concern, equal to 14 days absence an academic year. Your Pastoral Team Leader will contact you. PFSA or PSA may be involved.

Persistently Absent (PA) Pupils
90% Attendance

Pupils are designated as Persistent Absentee (PA) when they are absent for 10% or more of their learning. This equates to 20 days absence per year or

- Term 1 - 4 days**
- Term 2 - 7 days**
- Term 3 - 10 days**
- Term 4 - 13 days**
- Term 5 - 16 days**
- Term 6 - 20 days**

The Education Attendance Officer will be involved with any PA pupils. Parents will be informed when a pupil is approaching or has reached PA status.

Cause for Concern

If your child falls into the Concern or Serious Concern categories (see Categories of attendance) then one of more of the following could occur:

1. School makes regular contact with home.
2. Parents and Family Support Advisor becomes involved.
3. School liaises with the Education Attendance Officer and she may become involved.
4. Follow up attendance meeting for parents, pupils and Education Attendance Officer.
5. Possible legal action if there is no improvement.

Two Major Issues Affecting Attendance: HOLIDAYS AND MEDICAL ABSENCE

There are 190 school days in a year and 175 combined holiday and weekend days per year.

Holiday

Taking your son\daughter out of school for two weeks (10 days) will reduce attendance to 94% before any account is taken of days off for illness etc.

Pupils who are taken out of school for holidays may never catch up on work missed. Much of this learning is communicated verbally and cannot be replicated. The law says "parents do not have the right to take their children out of school for holidays during term time."

If the school refuses a request for term time holidays and the pupil is still taken out of school this is recorded as an **UNAUTHORISED** absence.

Medical

We are very supportive of pupils with chronic illnesses and will do all we can to ensure that these pupils are fully included in mainstream education. We work with Somerset Medical Tuition Service when necessary.

We, as a school, have to satisfy ourselves that absences are warranted. For 3 days of continuous absence a written request for medical evidence will be sent by letter.

Responsible Committee:
Date Last Reviewed:
Next Review:

Teaching and Learning Committee
July 2016
July 2017

SOMERSET COUNTY COUNCIL

PENALTY NOTICE – CODE OF CONDUCT



(The term “school” will include, state schools, academies and alternative provision)

1. LEGISLATION

- 1.1 Section 23 Anti Social Behaviour Act 2003 empowers authorised officers of a Local Authority, Headteachers (or authorised Deputy) and Police Officers (including PCSOs) to issue a Penalty Notice in cases of unauthorised absence from school.
- 1.2 The Education (Penalty Notices) (England) Regulations 2004 require the Local Authority, in consultation with those in 1.1, to agree a code of conduct for issuing Penalty Notices. Any issued must be done within the terms of this code of conduct.
- 1.3 The Education (Penalty Notices) (England) (Amendment) Regulations 2005 extends the issuing of Penalty Notices to alternative provision.
- 1.4 The education provisions of the Anti Social Behaviour Act 2003 apply to parents defined Section 576 of the Education Act 1996. This Act defines “parent” as; all natural parents, whether they are married or not; any person who has parental responsibility for a child; and any person who, although not a natural parent, has care of a child. Having care of a child means that a person with whom a child lives and who looks after a child, irrespective of what their relationship is with that child, is considered to be a parent in education law.
- 1.5 Penalty Notices supplement the existing sanctions available under Section 444 Education Act 1996 or Section 36 Children 1989 to enforce attendance at school or alternative provision. There is no legal requirement to consider a Penalty Notice before proceeding to a section 444 prosecution - Guidance on Education-Related Parenting Contracts, Parenting Orders and Penalty Notices DfE (DCSF) 2007.
- 1.6 Education & Inspections Act 2006 allows a Penalty Notice to be issued when an excluded child is found in a public place, during the first 5 days of a formal exclusion.
- 1.7 This Code of Conduct complies with the requirements set out in Sections 14-16 of The Education (Penalty Notices) (England) Regulations 2007.
- 1.8 The issuing of Penalty Notices must conform to all requirements of the Human Rights Act and Equal Opportunities legislation.

2. Rationale

- 2.1 This Code of Conduct ensures that Penalty Notices are administered consistently and fairly across the Local Authority.
- 2.2 Regular and punctual attendance at school is both a legal requirement and essential for children and young people to maximise their educational opportunities. An offence occurs:
 - 2.2.1 If a parent fails to secure a child's attendance at a school at which they are a registered pupil and that absence is not authorised by the school, or
 - 2.2.2 An excluded child is found in a public place, without their parent, during the first 5 days of a formal exclusion from school.
- 2.3 Sanctions are used as a means of enforcing attendance where there is a reasonable expectation that their use will secure improvement. Sanctions of any nature will only be used where parental co-operation is either absent or deemed insufficient to resolve an attendance problem.
- 2.4 Penalty Notices are an alternative to prosecutions under section 444 of the Education Act 1996 and enable parents to discharge potential liability to a formal prosecution.

3. Authorisation

- 3.1 Penalty Notices are issued by the Local Authority. The Education Attendance Service (EAS) will manage this to ensure consistency and prevent conflict with other enforcement sanctions for poor school attendance.
- 3.2 Headteachers and the Police are accredited persons able to issue Penalty Notices. It has been agreed that only the Local Authority will issue Penalty Notices. If a Headteacher or Police Officer feels it is appropriate for a Penalty Notice to be issued they must consult with the EAS. This avoids a Penalty Notice being issued when the EAS is already instigating legal intervention proceedings for irregular school attendance.
- 3.3 The EAS monitors the issuing of Penalty Notices and has a dedicated officer.

4. Use of Penalty Notices

Penalty Notice Code of Conduct is considered in the following circumstances:

- 4.1 There have been at least 10 sessions of unauthorised absence in the last 12 school weeks and the school, in consultation with the EAS, believe this early intervention will resolve the poor attendance and stop

the matter moving toward a prosecution under section 444 of the Education Act 1996.

- 4.2 If a Headteacher does not authorise a request from a parent/carer for term time leave and the parent takes the leave. (School must advise parents of this and how the action conforms to the school's attendance policy.) There must be at least 10 continuous sessions of unauthorised term time leave taken.
- 4.3 A pupil is stopped on a school attendance sweep out of school without reason.
- 4.4 An excluded pupil is found in a public place, without their parent, during the school day. (A school is not deemed to be a public place for the purposes of this legislation.)
- 4.5 Penalty Notices should not be issued for children in care. Any attendance concerns will form part of their PEP.
- 4.6 For pupils with a Statement for Educational Needs an annual review should be held before considering a Penalty Notice request.

5. Procedure for Issuing Penalty Notices

- 5.1 The Local Authority will consider Penalty Notice providing:
 - 5.1.1 All relevant information is supplied in the specified manner.
 - 5.1.2 The pupil's absence meets the terms of the Code of Conduct.
 - 5.1.3 Issuing a Penalty Notice does not conflict with other interventions or statutory work.
- 5.2 A school's Attendance Policy must clarify to its parents the importance of full school attendance and that it will seek the use of statutory duties when required by liaison with the Local Authority.
- 5.3 Schools must record how they have tried to engage parents to bring about change in their child's poor school attendance.
- 5.4 All requests to consider a Penalty Notice should be discussed and agreed with the EAS.

Unauthorised Absence

- 5.5 If there have been at least 10 sessions of unauthorised absence, as described in 4.1 above, the school will complete a request for a Penalty Notice to be considered (**Appendix A**) and forwarded to the EAS. A warning letter will be sent to each parent requiring they ensure their child attend school over a 15 day school period, where there should be no unauthorised absences. If there are any unauthorised absences in this period then a Penalty Notice will be issued to each parent.

- 5.6 If the 15 day monitoring period is passed the parent will receive a letter explaining that a Penalty Notice will not be issued on this occasion. The letter will also contain an expectation that the good attendance will continue and that if there are further unauthorised absences within 3 months following this letter, a Penalty Notice may still be issued or legal action under section 444 Education Act 1996 taken.

Unauthorised Term Time Leave

- 5.7 Any parent who takes their child out of school for term time leave of 10 continuous sessions, not authorised by the school, may receive a Penalty Notice. The school must complete a request for a Penalty Notice to be considered (**Appendix A**) as 5.5 above and letter sent. However, this could be dealt with as in 5.5 above and a warning letter used. Headteachers need to be aware that if used solely for unauthorised term time leave and the Penalty Notice not paid, they will be required to explain to court their reasons for not authorising the leave and how it meets their school attendance policy.

Following a School Attendance Sweep

- 5.8 The parent of any child found out of school, without a valid reason, may receive a warning as explained in section 5.5 above providing this absence forms part of 10 sessions of unauthorised absences in the 12 preceding weeks. Parents will be advised by letter.

Found in a Public Place during First Five Days Following Exclusion

- 5.9 If an excluded child is found in a public place, during school hours without their parent, then formal notification must be made by the appropriate school staff, Police or local authority officer (**Appendix B**). Parents will be advised by letter.

NB: Somerset will issue no more than one penalty notice per child, per parent in one academic year. If poor attendance continues, the EAS will consider other legal interventions.

6. PROCEDURE FOR WITHDRAWING A PENALTY NOTICE

A Penalty Notice can only be withdrawn in the following circumstances:

- 6.1 It ought not to have been issued or it ought not to have been issued to the person named as the recipient; or
- 6.2 It appears to the authority that the notice contains material errors.
- 6.3 Formal withdrawal will be by letter.

7. PAYMENT OF PENALTY NOTICES

- 7.1 Penalty Notices will only be issued by post and not as 'on the spot' action. This will ensure all evidential requirements are in place and safeguard officers.

Responsible Committee: Teaching and Learning Committee
Date Last Reviewed: July 2016
Next Review: July 2017

7.2 The arrangements for paying the Penalty Notices will be detailed on the Notice.

7.3 Penalty Notices must be paid in full. Instalment payment is not acceptable. Once paid in full this is acknowledged by letter.

8. NON-PAYMENT OF PENALTY NOTICES

8.1 The penalty is £60 if paid within 21 days of receipt of the Penalty Notice (assumed as 2 working days following the Notice being sent by first class mail), or £120 if paid after 21 days but within 28 days of receipt of the Notice.

8.2 If the Penalty Notice is not paid in full by the end of the 28 day period, the local authority must either prosecute for the offence to which the notice applies or withdraw the Notice. This will be done by letter.

8.3 The prosecution is not for non-payment of the Notice but is a prosecution for irregular school attendance under Section 444 of the Education Act 1996.

8.4 There is no statutory right of appeal against the issuing of a Penalty Notice.

8.5 Under this Code of Conduct all “revenue” from Penalty Notices for non-attendance will be collected by the local authority to help administer the process. The local authority will then report to schools and the Police annually.

APPENDIX A



EDUCATION ATTENDANCE SERVICE – REQUEST FOR INVOLVEMENT

From Academy

- 1. Request for Education Attendance Involvement
- 2. Request for Penalty Notice application following:
 - **Term time leave 10 consecutive sessions of unauthorised absence G code**
(This will result in the issuing of a Penalty Notice)
 - **10 or more unauthorised sessions (in a period of no more than 12 school weeks)**
(This will result in a warning period being given before a Penalty Notice is issued)

NB: The Penalty Notice or Request for Involvement process will only be considered if a pupil has at least 10 sessions of unauthorised absence within the previous 12 school weeks.

I certify that date of birth
 year group is a registered pupil of compulsory school age, on roll at this school/academy.
 He/she had sessions of unauthorised absences between the dates below
 and

To the best of my knowledge, the person/s with parental responsibility for this pupil is/are:

First Name Surname
 Father / Mother / Carer / other (please specify)
 Address,
 Post Code
 Tel No
 Is parent/carer aware of request for Penalty Notice / EAO involvement? Yes No

To the best of my knowledge, the person/s with parental responsibility for this pupil is/are:

First Name Surname
 Father / Mother / Carer / other (please specify)
 Address,
 Post Code
 Tel No
 Is parent/carer aware of request for Penalty Notice / EAO involvement? Yes No

CAF completed? Yes Not offered Refused
SENCO Involvement? Yes No

Declaration:

I hereby certify that the information given in this form is true to the best of my knowledge. The information has been extracted from the school's current records – **copy of register attached.**

Signature _____ Name (printed) _____
 Position _____ Date _____

This form will be used in legal action relating to non-school attendance (unauthorised absence) of a registered pupil at the school. The Headteacher or a representative should send the completed form to your Education Attendance Officer. Please refer to the Penalty Notice Code of Conduct for full details.

SOMERSET EDUCATION ATTENDANCE SERVICE

PENALTY NOTICES

Section 23 of the Anti-Social Behaviour Act 2003 empowers designated Local Education Authority officers to issue Penalty Notices in cases of unauthorised absence from school. This supplements the existing sanctions to enforce attendance at school currently available under Section 444 of the Education Act 1996.

The local Code of Conduct (available on Somerset County Council website) sets out the procedures and terms under which Penalty Notices can be issued in Somerset. It is agreed that Somerset County Council will issue penalty notices to ensure that the powers are consistently applied.

Please refer to the Code of Conduct on L&A website (link)

The issuing of a Penalty Notice may be appropriate:

1. When the pupil has taken term-time leave and the absence has not been authorised by the school.
2. Following a School Attendance Sweep when the school has recorded the absence of the pupil as unauthorised.
3. In the early stages of EAS casework, eg parent continually fails to provide an explanation for a pupil's absence or attend meetings.
4. Following request from the school that a pupil has had unauthorised absence and the circumstances appear to have been avoidable, especially where a parent fails to co-operate.

A Penalty Notice will only be issued to a parent/carer if the pupil has at least 10 sessions lost to unauthorised absence within the previous 12 school weeks.

The parent/carer will receive a formal warning of the possibility of a Penalty Notice being issued and given 15 school days to effect an improvement with no unauthorised absence.

To be completed by EAO: (Please tick questions)

- 1 Has attendance been discussed at liaison?
- 2 Has school met with, or offered to meet, parent(s) to explain concerns?
- 3 Has school informed parent of penalty notice request?
- 4 Do you feel parents 'won't' rather than 'can't' effect change?
- 5 Does school accept the need to support a prosecution if the PN is not paid?
- 6 Does school's Attendance Policy reference statutory duties?

Yes	No

EAO Signature

Date

APPENDIX B

EDUCATION ATTENDANCE SERVICE



(Request for Penalty Notice, Section 105 of The Education and Inspections Act 2006 – an excluded pupil is found in a public place during first 5 days of a formal exclusion)

I certify that _____ (pupil) date of birth _____ is a registered pupil of compulsory school age at _____ School.

This pupil was formally excluded from the school on _____ (date)

The parent/carer was notified of their duty (section 103 of the Education and Inspections Act 2006) at the time of the exclusion, verbally on _____ and by letter (copy attached) (date) _____

Pupil's name _____ was found in a public place (at/in venue/road) _____ at (time) _____

on (date) _____ by (name) _____ who is (LA employee / Police Officer / school staff) and is willing to give their evidence should the need arise. This is within the first five days of the formal exclusion and deemed to be a public place.

The school's records show the parents/carers to be:

First Name Surname
Father / Mother / Carer / other (please specify)

Address and Post Code
Tel No

First Name Surname
Father / Mother / Carer / other (please specify)

Address and Post Code

Tel No

Declaration:

I hereby certify that the information given in this form is true to the best of my knowledge.

Dated

.....

Signature

.....

Name (printed)

.....

Designation

.....

Please send this form fully completed to your Education Attendance Officer.

TERM TIME LEAVE

ADVICE FOR SCHOOLS AND PARENTS



Amendments to the 2006 regulations were made by the [Education \(Pupil Registration\) \(England\) \(Amendment\) Regulations 2013](#) and came into force on 1 September 2013.

The amendments made it clear that Headteachers may only grant leave of absence during term time for exceptional circumstances. Any request for leave must be made in writing to the Headteacher in advance.

There is no formal definition offered for exceptional leave at present by the Department for Education. However, from discussion with the DfE and professional associations it is suggested that exceptional leave would be:

- Rare
- Significant
- Unavoidable
- Short

(NAHT, 2014)

Somerset County Council (SCC) supports schools:

- In expecting parents and carers to make sure that children and young people attend school regularly. Any absence from school will impact on educational achievement, success in later life and longer term health and well being
- In ensuring the law is upheld. Parents and carers are committing an offence if they fail to ensure the regular and punctual attendance of their child at the school where they are on roll. Schools must explain their stance on term time leave in their attendance policy so that parents/carers are clear on expectations and potential consequences, such as any unauthorised absence including taking term time leave not agreed with the school, can result in legal action being taken including Penalty Notices and court prosecution.

SCC cannot override a school's decision not to authorise any term time leave.

Taking a child on holiday in term time interrupts the learning of the whole class and teachers have to spend time helping children catch up when they return. Parents should arrange holidays during the 13 week school holiday periods. Schools are open 190 days which leaves 175 days of the year for holidays.

Attached are suggested forms schools may wish to use when asked by parents/carers for term time leave. Schools may wish to develop their own request forms.

REQUEST FOR TERM-TIME LEAVE

To the Headteacher

School/College

I/ We, Name(s):-

Address:-

Postcode:- _____ Tel. No.:- _____

wish to apply for term time leave for my child

Name	Class
1.	
2.	

from

to

inclusive

The Exceptional Reasons for this request are:

Signature

Date

(Parent/Carer)

Please make your request prior to making any bookings and at least four weeks before the anticipated leave date.

NB. If the school refuses your request and the child is still taken out of school, this will be recorded as an unauthorised absence. This may result in a penalty notice being issued or legal action taken for poor attendance.

APPROVAL LETTER

Ref: AE/MB-SK

28 February 2017

Dear

Name of Child:

Tutor Group:

Re: Request for Term Time Leave

Thank you for your request for term time leave.

I am in agreement this is for exceptional reasons and have authorised this leave.

The leave is from

to

Should the leave be extended for any reason, the extension may be regarded as unauthorised absence which may be used in any legal action for poor school attendance.



J Hopegood
Headteacher

cc: Sara Holmes
Education Attendance Officer

Second Parent?

Ref: AE/MB-SK

28 February 2017

LETTER OF REFUSAL

Dear

Name of Child: _____ **Tutor Group:** _____
Parent requesting Term Leave: _____

Re: Request for Term Time Leave

You have requested (number of days) school days leave.

Your request for term time leave has been carefully considered but unfortunately it has not been possible to authorise as the reasons are not considered exceptional.

In the event of you deciding to take your child out of education for the time requested, as a school we are required to issue a penalty notice if the absence exceeds 10 sessions (5 school days).

In this instance we felt there was no exceptional reason for the leave as defined in the Education (Pupil Registration) (England) (Amendment) Regulations 2013.

If you decide to take the unauthorised leave, Penalty Notices will be issued by Somerset County Council individually to each parent for each child named above, in accordance with Somerset County Council's Penalty Notice Code of Conduct. You will be contacted by an Education Welfare Officer in due course.

Please contact Mr P A Ellett on 01373 462798 if you would like to discuss why the leave has not been authorised by the school.



J Hopegood
Headteacher

cc: Sara Holmes- Education Attendance Officer

Second Parent?

TO BE RETAINED BY THE FORM TUTOR

Name of Child:

Tutor Group:

Period of requested holiday leave of absence from

Please mark as: **Unauthorised**

Signed 

Date 28 February 2017

Confirmation Details from Term Time Request

I/ We, Name(s):-

Address:-

Postcode:-

Tel. No.:-

Reason for Absence