



# Springhill Academy



SPRINGHILL  
ACADEMY

# Attendance and Punctuality Policy

Date: September 2018

Review: September 2019

## Introduction

This Policy has been agreed by the Governors and Staff of Springhill Academy. It represents our commitment to striving for 100% attendance and punctuality, which is achievable, and achieved by many children. It sets out the principles, procedures and practice the school will undertake. Strategies, sanctions and possible legal consequences of poor Attendance and Punctuality are also detailed, as well as rewards for, and benefits of good attendance. Good attendance at Springhill Academy is 96% or better.

This policy will be reviewed, amended as necessary and published annually in accordance with current legislation and guidance.

<b>Attendance</b>	<b>Description</b>	<b>Approx. days lost per year</b>	<b>Approx. weeks lost per year</b>
98-100%	Excellent	0-4	Less than 1
96-98%	Good	5-9	1-2
95-96%	Satisfactory	10-13	2-3
90-95%	Unsatisfactory	14-18	3-4
Below 90%	Persistent Absence	More than 19 Equivalent to 38 sessions	More than 4

## Principles

- Receiving a full-time, suitable education is a child's legal entitlement.
- It is parents'/carers' legal responsibility to ensure this happens.
- Attending school regularly aids intellectual, social and emotional development.
- Attending school regularly safeguards the welfare of children whilst they are not in the care of their parents.
- All children whose attendance is poor will be treated as vulnerable.

These principles are enshrined in British Law, within the Education Act 1996, the Children Act 1989, and other associated pieces of legislation.

## Aims of the Policy

- To ensure that all children attend as near full-time as possible, in order to maximise their educational achievement and social development.
- To discharge the school's duty to safeguard its pupils to be best of its ability
- To ensure that all those responsible for children's education, including parents, carers, staff and governors understand and accept their responsibilities in relation to attendance.
- To minimise absence from school, thereby reducing levels of persistent absence.
- To improve the life chances of Springhill Academy children and young people and prepare them to be fully contributing citizens when they reach adulthood.

## Policy objectives

- To safeguard the welfare, health, social and emotional development of children
- To reduce persistent absence
- To eliminate term leave of absence
- To promote commitment to education and high achievement
- To maximise the potential of every individual pupil

### **Promoting Attendance**

The Governors, Head teacher and staff will use all possible opportunities to promote the importance of good attendance and punctuality. These will include the newsletters, rewards and incentives for good or significantly improving attendance.

The Head Teacher has the discretion to authorise leave of absence in term-time. However, in this school that discretion will only be exercised in the **MOST EXCEPTIONAL** circumstances.

### **Responsibilities of parents/carers**

Please make sure that the contact details you have given to the school are kept up to date, so that in the event of an accident, emergency or any other need to contact you, we have the correct details.

Children should only be kept at home if they have a serious illness or injury. If this is the case, parents should contact the school first thing. If a child has a minor illness e.g. mild headache, stomach aches etc. parents should inform the school and bring them in. If they don't get any better, school will contact parents straight away, to collect them. If pupils' have a dental, clinic or hospital appointment, parents should let the school know. Pupils' should be brought child back to school after appointments. Pupils should miss as little time as possible.

### **Therefore, parents are expected to:**

- Ensure their child attends school and arrives on time every day.
- Promote a good attitude to learning by ensuring their children attend school in the correct uniform and with the basic equipment required for lessons.
- Not arrange medical and dental appointments in school time wherever possible.
- Telephone to inform the school to on the first day of absence for their child.
- Provide a written explanation of absence, including dates of absence as soon as their child returns to school.
- Work in partnership with the school and other agencies in the best interests of their child; this includes informing the school about significant influences and changes in the child's life, which may impact on learning.

### **Understanding types of absence coding**

It is the responsibility of the Headteacher to authorise any child's absence from school. Therefore, absences will be treated as unauthorised until the school is satisfied that I should be authorised. ***Parents/carers cannot authorise absences and should be aware that while calling the school or providing a note for an absence complies with safeguarding procedures, it does not automatically mean an absence will be authorised.***

Every half-day absence from school has to be classified by the school as AUTHORISED or UNAUTHORISED. Medical evidence may also be required in the form of a copy of a prescription, appointment card, etc. Types of absence that are likely to be authorised are illness, medical or dental appointments which have to unavoidably fall in school time, i.e. emergencies.

### **Illness**

Most cases of absence due to illness are short term, but parents/carers will need to make a phone call to alert the school on each day of absence. In some cases the school will require medical evidence such as a note from the child's doctor, an appointment card or a prescription paper.

Additionally, the school may wish to refer to the school nursing service where there are health concerns or if there is a view that illness is being used to cover other reasons for absence. The school may also wish to seek the advice of the family GP, having first discussed the matter with parents/carer to seek their permission to do this.

Whilst any child may be off school because they are ill, sometimes they can be reluctant to attend school. Any problems with regular attendance are best sorted out between the school, the parents and the child. If a parent thinks their child is reluctant to attend school, then we will work with that family to understand the root problem.

### **Medical or dental appointments**

Parents/carers should make every effort to ensure these appointments are made outside of school hours. Where it cannot be avoided, children should attend school for as much of the appointment day as possible. 100% attendance across the year will only be issued to children who have to attend medical appointments outside of the local area of Staffordshire.

### **Religious observance**

Springhill Academy recognises that there may be times where children of different faiths observe religious festivals that fall outside of school holidays and weekends, and will allow authorised absence for these times. Parent/carers will be aware of these dates and should give the school written notification in advance.

Examples of types of absence that are not considered reasonable and which will not be authorised under any circumstances are:

- Going shopping, birthdays
- Looking after other younger children in the family
- Staying at home because other members in the family are unwell
- Day trips and holidays in term time that have not been agreed
- Arriving at school too late to get a present mark
- Truancy
- Haircut
- To get new shoes or uniform

### **Reluctant attenders/school refusal**

You should do everything possible to encourage your child to attend. However if the reason for their reluctance appears to be school-based, such as difficulty with work, or social issues, please discuss this with the school at the earliest opportunity and the school will do everything possible to sort the problem out. Colluding with your child's reluctance to attend is likely to make the matter worse.

School refusal/school phobia is a psychological condition that in most cases will have been medically diagnosed. Other arrangements may be put in place for a child with genuine school phobia.

### **Persistent Absence**

A pupil becomes a 'persistent absentee' when they miss 10% or more schooling across the school year for whatever reason. Absence at this level is doing considerable damage to any child's education and we need parent's fullest support and co-operation to tackle this.

We monitor all absence and the reasons given thoroughly. Any case that is seen to have reached the persistent absence mark or is at risk of moving towards that mark is given priority and we will inform the parents/carers immediately.

## **Responsibilities of the school**

### **Governing Body:**

As part of the whole school approach to maintaining high attendance, the Governing Body will:

- Ensure that attendance is given a high priority and will annually review the school's Attendance Policy.
- Ensure that all legislation regarding attendance is complied with and that up-to-date information is provided to families.
- Agree with the school, the appropriate and accurate attendance figures and also agree the targets that will be submitted to the borough.
- Once a term, at governor's meetings allow the time to discuss attendance issues and ways that they can support the school as necessary.

### **Senior Leadership Team (SLT):**

- To be responsible for the overall management and implementation of the policy.
- To deal with parental requests for extended leave in line with Staffordshire Local Authority policies and procedures.
- To consider the use of Penalty Notices, in line with Staffordshire Local Authority policies and procedures.
- To lead on/take responsibility for attendance/punctuality, on a day-to-day basis, including liaising with/responding to parental enquiries.
- To oversee the analysis of/analyse weekly/termly/yearly data and respond to findings.
- To meet with the FLO to monitor the systems and structures, ensuring they are having an impact on pupil attendance and punctuality.
- To liaise with external agencies such as the Education Welfare Officer and make referrals where necessary.
- To ensure that rewards and incentives for attendance and punctuality are being used.
- Work with the teachers, to plan for the reintegration of pupils after long-term absence.
- To revise and amend the policy, as required.

### **Family Liaison Officer – FLO and School Business / Office Manager- SBM/ OM:**

- To carry out and record the outcome of first day calls, when a child doesn't arrive at school when no reason has been received.
- To monitor weekly attendance data for their year groups.
- To check the school answer phone and take messages from parents/carers about pupil absence.
- To promptly inform the SLT if there are any concerns relating to attendance/punctuality.
- To produce weekly/termly/yearly data for SLT as requested.
- To record reasons for absence and updating class registers.
- To implement the daily checking of Integris registers after the morning and afternoon registration sessions.
- To contact parents/carers by letter if attendance drops below 90%.
- To maintain Integris attendance records in line with this policy.
- To liaise with and report to with outside agencies such as the Education Welfare Service.
- To report to the Local Authority, as requested.
- To maintain clear communication with the SLT regarding attendance and punctuality within their year groups.
- To oversee the admission and induction of new pupils.
- To support SLT with the promotion good attendance and punctuality, through finding/organising incentives.

- To ensure staff are following the registration systems and structures in this policy.
- Inform parents of school procedures, when parents have failed to inform the school.
- Work with pupils and their families where attendance is a concern, identifying barriers to good attendance and working to overcome these.

#### **Staff:**

- To ensure quality first teaching every day with lessons that are well planned and resourced so that they challenge, inspire and meet their learners' needs.
- To keep accurate and up-to-date daily records of pupil attendance through the MIS register system taking a formal register of all pupils twice a day at 8.55am and 1.15 pm.
- To regularly remind children and parents about the importance of good attendance.
- To follow up on pupil absence by ensuring reasons for absence are sought, including taking ownership of first day calls if child's attendance is of concern to you.
- Provide a welcoming and safe environment, which encourages attendance and promotes the best performance from children.
- Establish good and effective communication links with parents/carers and work collaboratively in meeting the child's needs.
- If required, to work collaboratively with other agencies to assist them in fulfilling their statutory duties, regarding for example, child protection.
- To promptly inform the SLT, of pupils who persist with poor attendance.
- To support SLT with the promotion good attendance and punctuality, through finding/organising incentives.
- Inform parents of school procedures, when parents have failed to inform the school.
- Work with pupils and their families where attendance is a concern, identifying barriers to good attendance and working to overcome these.
- To feedback to parents about pupil attendance and punctuality regularly and at Parents Evenings.

#### **Parents**

As part of our whole-school approach to maintaining high attendance, we request that parents/carers:

- Notify the school by telephone on the first day that their child is unavailable to attend school.
- Avoid making medical/dental appointments during the school day.
- Do not take their child on holiday in term time and in the case of exceptional circumstances permission must be granted by the Head teacher. The Leave of Absence in Term Time application form is on the school website and applications must be made four weeks before the intended date of absence.
- Promote the value of excellent attendance at home and follow the procedures set by the school.
- Advise the school of any difficulties the child may be having so that the school can support as appropriate.
- Are aware that Section 444 of the Education Act states, *'If a pupil of compulsory school age who is a registered pupil fails to attend school regularly, his/her parent is guilty of an offence.'*

#### **Pupils**

As part of our whole-school approach to maintaining high attendance, we request that pupils:

- Ensure they are punctual, and regular attendance is maintained at the highest level.
- Attend daily on time and be ready to learn.
- Inform their teacher if they are experiencing difficulties with their attendance in the first instance, who will inform a member of SLT, who will decide on the appropriate support.

## **SCHOOL PROCEDURES**

### **1. Registration and punctuality procedures**

Children are walked into school by their class teacher at 8.45am and class registers remain open until 9:00am. At that point, the teacher may submit their final register. The teacher may submit the register as many times as they wish before 9:00am (e.g. if a mistake has been made or a child has arrived slightly late) but at 9:00am the register must be correct and submitted.

From 9:00am the school playground gates are locked. Parents must bring any children who are late to the office where a member of staff will sign them in as 'Late'. MIS register will then be updated as well as fire evacuation registers. The children's names and classes are recorded in the 'Children Arriving Late' folder. This is to ensure that no children are missed on the register due to arriving in school late. Children arriving after 9.30am are recorded as 'U' (late after the register is closed) in the register. Registration for the afternoon session closes at 1.30pm when children will be recorded as 'U'. The school office then checks that the children who have arrived late have been marked in the class registers and updates the registers. The administrator then begins first day absence calls.

Only the Head teacher or designated member(s) of staff acting on their behalf can authorise absence. If there is no known reason for the absence at registration, then the absence will be recorded as N (no reason provided), until a satisfactory reason is provided. If the reason given is not satisfactory in the school's view, and/or evidence of the reason cannot be provided, the absence will be coded as O (Unauthorised absent) after two days. Absence notes received from parents/carers will be kept for the remainder of the academic year; or longer if there are concerns that require further investigation or legal action. If a pupil is persistently late the Family Liaison Officer will arrange to meet with the family as soon as the pattern is identified.

### **2. First Day Absence Contact**

Parents are expected to notify the school if their child is unable to attend for any unavoidable reason, such as illness. If the school does not receive notification by 9:10am it will text/telephone on the first day of absence, to try to ascertain the reason. First day contact will be carried out as early as possible in the school day, in order to notify parents whose children may have set off for school, but not arrived, as quickly as possible. Every effort will be made ascertain the whereabouts of unaccounted children including:

- Phone emergency contact number(s) to get an up-to-date contact number for the parent/carer and update the school system accordingly.
- FLO to speak to the parents at home time if they are at school to pick up other children.
- Speak to the parents face-to-face or by phone the next day and establish reasons for absence and update contact numbers.

### **3. Second Day Absence Contact**

If the child is still absent on the second day without contact from the family, a telephone call will be made to the home. The family may be asked to come to school for a meeting.

### **4. Third Day Absence**

Home visit – possible referral/wider involvement.

## **5. Continuing Absence Procedures**

In the event of absence of three or more days without contact from the family, a home visits will be made and the Education Welfare Worker informed to investigate further. The Academy will follow Staffordshire Children Missing Education Policy (please see website).

## **6. Frequent/Persistent Absence Procedures**

The school will implement strategies in order to improve attendance for any child who's absence is falling below 96%, who has a pattern of erratic attendance, or persistent lateness after registers close. The flowchart below represents the stages to monitor attendance (Appendix 1).

Attendance monitoring is conducted fortnightly and staging letters actioned from this.

Stage 1 (Appendix 2) letter notifies parents that attendance has dropped below 96%. Stage 2 (Appendix 3) letter is issued if attendance continues to fall and invites parents to attend a clinic with a member of SLT to discuss an action plan to improve attendance, set targets for improvements and signpost sources of support if needed (Appendix 4). If attendance continues to fall Stage 3 letter will be triggered which involved a meeting with the Head teacher (Appendix 5). The Head teacher will seek support from the EWW and may seek to take statutory action if there is no improvement on behalf of the Local Authority. Failure to attend any other the clinics will generate a letter (Appendix 6).

If attendance improves then attendance will continue to be closely monitored at fortnightly review meetings.

## **7. Consequences of Poor Attendance /Punctuality**

For pupils whose attendance and/or punctuality fails to improve, after a range of interventions and support measures have been tried by the school, the ultimate consequences may be one of the following:

- 1) An Education Welfare Worker may impose A Penalty Notice carries a fine of £60, per parent, per child, on behalf of the Local Authority. If the fine is not paid within 21 days it rises to £120 per parent, per child. If not paid within 28 days, court action will be initiated.
- 2) The Education Welfare Worker may seek to initiate court action under Section 444 of the Education Act 1996, which could lead to fines of up to £2,500, or even imprisonment.
- 3) In some cases, action may be taken under the Children Act 1989 to protect the welfare and development of the child.

## **Strategies for promoting/rewarding excellent attendance and punctuality**

### **Aims:**

- To ensure good attendance and punctuality (above 96%) is regularly promoted and supported and remains high profile across school.
- To achieve high levels of attendance and punctuality (above 96%) through rewarding good attendance and punctuality.

### **School Website**

The school website is used to highlight the importance of good attendance and punctuality. It regularly includes sections reminding parents of our school attendance target and what that means in terms of number of days absent. It also includes information about any initiatives, which the school is using, to promote attendance and punctuality.



## **The School Learning Environment**

A welcoming, organised learning environment that supports and celebrates its learners are key factors in ensuring children enjoy school and attend regularly. All staff ensure that their learning environments are of a high quality. Regular, rigorous learning walks are carried out by the SLT to ensure this.

## **Staff Promoting Good Attendance and Punctuality**

It is important that teachers are regularly promoting good attendance and punctuality with their classes. Good class attendance is attributed to good teaching and this is celebrated.

Being frequently late for school adds up to lost learning:

- Arriving 5 minutes late every day adds up to over 3 days lost each year.
- Arriving 15 minutes late every day is the same as being absent for 2 weeks a year.
- Arriving 30 minutes late every day is the same as being absent for 19 days a year.

19 days lost a year through being late = 90% attendance = Persistent Absence.

## **Some strategies to support improving punctuality**

### **Night time routines**



- Encourage children to pack their school bag before going to bed, ready for the next day.
- Getting to bed earlier.
- Setting a time for a television, iPad, computer, mobile phone and other devices to be turned off.

### **Morning routines**



- Setting the alarm for a time that allows all morning routines to be carried out without making them late for school.
- Having breakfast before leaving home, so there is no need to call in at the shop on the way to school.
- Encourage them to leave home at least five minutes earlier than they think they needs to.
- Meeting a reliable friend to walk to school with.
- Coming to school for breakfast club if available.

## **End of Term Attendance awards and Whole School Year Attendance awards**

100% attendance is celebrated every half term based on termly figures. Children who achieve 100% attendance will receive a certificate and small prize. For those children who achieve 100% across the whole academic year, they will enjoy a special treat or event.

## **Parent/teacher consultation evenings**

This provides an opportunity for form teachers to praise and recognise excellent attendance or share attendance concerns and discuss barriers to good attendance. Where necessary a target for improving attendance is set. The class teacher then monitors this. If there is no improvement in attendance/punctuality, the pupil is referred to the SLT.

## **Local Authority Code of Conduct**

### **Rationale:**

Regular and punctual attendance at school is both a legal requirement and essential for pupils to maximise their educational opportunities. In recognition of this, the law makes it an offence for a parent or carer to fail to secure the regular attendance of their child at a school at which the child is a registered pupil, without good reason or the agreement of the school.

Penalty Notices are one of the sanctions available for this offence and offer a means of swift intervention, which can be used to combat attendance problems before they become entrenched.

Parents and children will be supported by their school/alternative provision, the Local Support Teams for Targeted Services and, as appropriate, other Partner Agencies, to overcome barriers to regular attendance, through a range of intervention strategies.

Therefore, Penalty Notices and other sanctions will only be used where parental co-operation with this process is either absent or deemed to be insufficient to resolve the problem. They will be used as a means to support and challenge parents to meet their legal responsibilities and where there is a reasonable expectation that their use will secure improved school attendance.

### **Legal Framework:**

Section 444A of the Education Act 1996 (as inserted by section 23 of the Anti-Behaviour Act 2003) empowers designated Local Authority (LA) officers, head teachers (as well as deputy and assistant head teachers authorised by them) and the Police to issue Penalty Notices in cases of unauthorised absence from school.

The Education Penalty Notices (England) Regulations 2007

The Education and Inspections Act 2006.

The issuing of Penalty Notices must conform to all requirements of the Human Rights Act 1998 and the Equality Act 2010.

Section 444 of the Education Act 1996 makes it an offence if a parent fails to secure their child's regular attendance at school at which they are registered, if that absence is not authorised by the school. Penalty Notices supplement the existing sanctions currently available under s444 Education Act 1996 or s36 Children Act 1989 to enforce attendance at school where appropriate.

As a result, the Local Authority has responsibility for developing a local code of conduct that will govern how all of the partners named in the Anti-social Behaviour Act 2003, will issue Penalty Notices.

### **Penalty Notices**

Penalty Notices can now be issued for a range of attendance-related offences, including unauthorised leave in term time, poor attendance and poor punctuality, a child coming to the attention of the police in school time.

**Circumstances where a Penalty Notice may be issued:**

- A Penalty Notice can only be issued in cases of unauthorised absence.
- Use of a Penalty Notice or formal warning of a Penalty Notice for unauthorised absence will be restricted to one notice/ warning per parent of a pupil per academic year<sup>1</sup>.
- There will be no limit on the times a Penalty Notice for unauthorised leave of absence can be used in an academic year.
- In cases where there is more than one pupil in a family with unauthorised absences, Penalty Notices may be issued for more than one child.
- The presence of an excluded child in a public place at any time during school hours in the first five days of exclusion.

**Penalty Notices may be considered appropriate if one of following criteria is met:**

- There are at least 20 sessions (10 school days) lost due to unauthorised absence during the current and previous term. These absences do not need to be consecutive.<sup>2</sup>
- For unauthorised leave of absence, there must be a minimum of 2 sessions of unauthorised leave of absence (due to unauthorised leave in term or time been absent for longer than was agreed) within the total of 10 sessions of unauthorised absence required prior to issuing the penalty notice. These unauthorised absences do not need to be consecutive and should be calculated from the previous rolling calendar year.<sup>2</sup>
- Persistent late arrival at school, i.e. after the register has closed, in the current and previous term. "Persistent" means at least 10 sessions of late arrival. These late episodes do not need to be consecutive.
- The presence of an excluded child in a public place at any time during school hours in that child's first five days of exclusion. An "excluded child" is one who has been excluded from school for a given period under the Education and Inspections Act 2006.
- A Penalty Notice will not be issued in respect of children in the care of the LA with whom other interventions will be used.

**Who can the authority take statutory action against (Penalty Notice or Prosecution):**

Anybody with Parental Responsibility (PR). The definition of a parent is set out in Section 576 of the Education Act 1996.

- All natural parents, whether they are married or not
- Any person with PR
- Any person who has day to day care of the child

**Applications for leave of absence in term time**

This school's policy is not to authorise leave for any child/ren during term time. Any applications for leave in term time must be made in writing to the Headteacher. There is no automatic right to term time leave of absence, and your request is likely to be declined except in the most exceptional circumstances. Each application will be considered on its own merit, and the attendance record(s) of the child/ren concerned may also be taken into account when making a decision.

**Cases of exceptional circumstances could include:**

- Service personnel returning from a tour of duty abroad where it is evidenced the individual will not be in receipt of any leave in the near future that coincides with school holidays
- Where an absence from school is recommended by a health professional as part of a parent or child's rehabilitation from a medical or emotional issue

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<sup>1</sup> Continued poor attendance in the same academic year can be addressed by other statutory actions available to the Local Authority under the Education Act 1996.

- The death or terminal illness of a family member
- To attend the funeral of a family member

### **Supporting evidence**

Please note that where a request is made and may be authorised, it will only be on the understanding that the following evidence may be requested and is provided:

- Any required trip abroad – proof of flight details, including a proposed date of return. If flights have to be changed by an airline which directly affect the return date, then proof of this will also be required.
- Funeral – a copy of an order of service.
- Attendance at an event – proof of this, either a ticket or programme that includes a list of attendees.

### **Leave not authorised by the head teacher**

The Local Authority will only issue Penalty Notices requested by a school in response to an unapproved leave of absence (including holiday related) resulting in unauthorised absence where the school has provided the necessary paperwork.

### **This paperwork should comprise:**

- A copy of the newsletter or letter sent to all parents during the current academic year which clearly states that parents may receive a Penalty Notice for an unauthorised holiday in term time. (The LA does not need a hard copy of this newsletter/letter each time a school applies for an unauthorised holiday Penalty Notice, just on the first occasion each academic year.)
- A copy of the leave of absence (Holiday) Request Form submitted by parent, and a copy of the response sent to the parent by school. In the event the leave of absence (holiday) request is being denied the school's response should state the reason why the request is unauthorised and should again advise parent that they may receive a Penalty Notice if they take their child out of school and that the school has referred the matter to the Local Support Team (representing the Local Authority).
- In cases where the unauthorised leave of absence occurs without prior request from the parents, or is due to unauthorised absence beyond what was agreed, the school should include all correspondence sent to the parents to explore the unauthorised absence.
- Relevant pupil Attendance of Registration Certificate signed by the Head teacher / Principal – or their nominated deputy – confirming that non-attendance during the period was unauthorised.
- Completed school unauthorised absence checklist and signed penalty notice request form. (Appendix A).

### **Excluded Pupils**

In the case of an excluded child, a copy of the letter required to be sent to parent(s) pursuant to s.104 of the Education and Inspections Act 2006 warning them to ensure that the child is not permitted to be present in a public place in the first five days of exclusion.

Robust and reliable evidence that the child was in a public place, which includes the date and time and a statement will be required from the witness will be necessary.

The parent of the excluded pupil must ensure that the pupil is not present in a public place at any time during school hours on a day that he / she is excluded, up to and including the first 5 days or, where that exclusion is for a fixed period of 5 days or less, any of the days to which the exclusion relates.

If the excluded pupil is present in a public place at any time during school hours on a school day specified above the parent commits an offence under section 103 of the Education and Inspections Act 2006 and is liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.

### **Who May Issue a Penalty Notice?**

A Penalty Notice may only be issued by:

- Authorised LA staff. In Staffordshire this will be members of the Local Support Teams.
- Head teacher / Principal and school staff authorised by them, may request the Local Support Team issue a Penalty Notice.
- A Police Officer during a truancy sweep under the provision of Crime and Disorder Act 1998 may request a Local Support Team (LST) to write a notice.

### **Procedure for issuing Penalty Notices:**

The designated officers within Targeted Services will be the only individuals permitted to issue Penalty Notices in the Staffordshire area. This will ensure consistent and equitable delivery, avoid duplication of issue and to allow schools to maintain good relationships with parents and ensure that they reinforce other enforcement sanctions.

Penalty Notices will only be issued by post and never as an instant action, e.g. during a Truancy Sweep. This will enable officers to ensure that all evidential requirements are in place, duplication of issue is avoided and limit the health and safety risks associated with delivering such notices by hand.

Where Schools, Police or neighbouring local authorities ask Staffordshire County Council to issue a Penalty Notice, their request will be investigated and actioned by the LST provided that:

- The circumstances of the case meet the criteria specified in this Code of Conduct.
- The pupil is registered at a Staffordshire School;
- All necessary evidence is provided to the LST to establish an offence under Section 444(1) or 444(1A) of the Education Act 1996 has been committed.
- Issuing a Penalty Notice would not conflict with another intervention strategy already in place or another enforcement sanction already being processed; and
- There is an assessment and plan which demonstrates that the use of a Penalty Notice is now the appropriate action to improve the child's school attendance. (Not required in the case of unauthorised leave of absence).

Targeted Services will respond to all requests within 10 school days of receipt or if part of on-going casework, and where satisfied that all of the relevant criteria are met, will:

- Issue an initial warning to the parent (s) of the possibility of Penalty Notice being issued;
- Set a period of 20 school days within which the pupil must have no unauthorised absence and give the parent (s) an opportunity to respond; this information will be included in the formal written warning letter. (Appendix B).
- After due consideration of the facts of the case, only issue a Penalty Notice through the post at the end of the 20 day period, if the required level of improved school attendance has not been achieved.

Where the Penalty Notice is requested from a school in response to a leave of absence (holiday) related unauthorised absence, or is in relation to an offence under section 103 of the Education and Inspections Act 2006, the formal warning letter and 20 day improvement period will not apply.

All Penalty Notices will be entered onto a database maintained by Targeted Services to assure that no duplicate Penalty Notices are issued.

### **Truancy Sweep**

A Penalty Notice will only be issued after due consideration when all facts are known and the threshold for serving the notice has been met.

Information is given to anyone stopped on a truancy sweep, pupil and/or parent about the possible support and sanctions used to address non-attendance.

### **Procedure for withdrawing Penalty Notices:**

Once issued a Penalty Notice may be withdrawn if the Targeted Services is satisfied that:

- The Penalty Notice was issued to the wrong person;
- The use of the Penalty Notice did not conform to this Code of Conduct.
- The Penalty Notice was delivered to the wrong address;
- The evidence demonstrates that the Penalty Notice should not have been issued, e.g. medical evidence;
- The exceptional circumstances of the case warrant its withdrawal.

### **Payment of Penalty Notices:**

- Arrangements for payment will be detailed on the Penalty Notice; (Appendix C).
- 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;
- Payment of a Penalty Notice within 21 days is £60 and payment after this time but within 28 days is £120; and
- The County Council retains any revenue from Penalty Notices to cover enforcement costs (collection or prosecuting in the event of non-payment).
- Payments will not be accepted in part or by instalments.

### **Non-payment of Penalty Notices:**

Non-payment of a Penalty Notice will result in the withdrawal of the Penalty 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 parents or specific children should not be made public;
- Issuing of Penalty Notices as a sanction is included in the Authority's Attendance Policy;
- All school Attendance Policies should include information on the issuing of Penalty Notices and this will be brought to the attention of all parents;
- The LA will include information on the use of Penalty Notices and other attendance enforcement sanctions in promotional or public information material.

### **Reporting & Review:**

Targeted Services will:

- report at regular intervals to the head teacher Forum groups (Primary, Secondary, Middle and Special). and Staffordshire Police on the deployment and outcomes of Penalty Notices;
- make regular reports to Staffordshire County Council on attendance matters which will include Penalty Notice use; and
- review Penalty Notice use at regular intervals and amend the Protocol as appropriate.

**Representation**

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

The parent will be advised when they receive the warning that they may make representation to the Strategic Lead of Targeted Services setting out reasons why they should not have been issued.

## USEFUL INFORMATION FOR PARENTS AND CARERS

### Introduction

This is a successful school, and you and your child play a part in making it so. We aim to encourage all members of the school community to reach out for excellence. For children to gain the greatest benefit from their education it is vital that they attend regularly, and your child should be at school in good time for the start of the school day, every day the school is open, unless they are genuinely ill or there is some other unavoidable reason.

Some children are reluctant to go to school and say they do not feel well. It is for you as the adult, to judge whether they are genuinely unwell, or just unwilling. It will be better for them in the long run to go to school, rather than avoid it, as days off mean they will fall further behind and make them even more reluctant. Your job as the parent is to encourage them to attend.

Ensuring your child's regular attendance at school is YOUR legal responsibility and permitting absence without good reason is an offence in law and may result in legal action being taken, or a Penalty Notice being issued (see below).

### Learning

Any absence affects the child's learning, and the more they miss the harder it will be for them to catch up. Research has shown that for every percentage point of absence, attainment is significantly lower.

### Safeguarding

There is extensive research linking poor school attendance and exclusion with crime and anti-social behaviour, and risk of exploitation by unsuitable adults. For this reason, failure to attend regularly will be regarded as a safeguarding issue.

### Understanding absence percentages

You may wonder why a school would be concerned if your child's attendance is 95%. This may make it easier to understand:

95% equates to half a day off every two weeks

90% equates to a day off every two weeks

85% equates to one and a half days off every two weeks

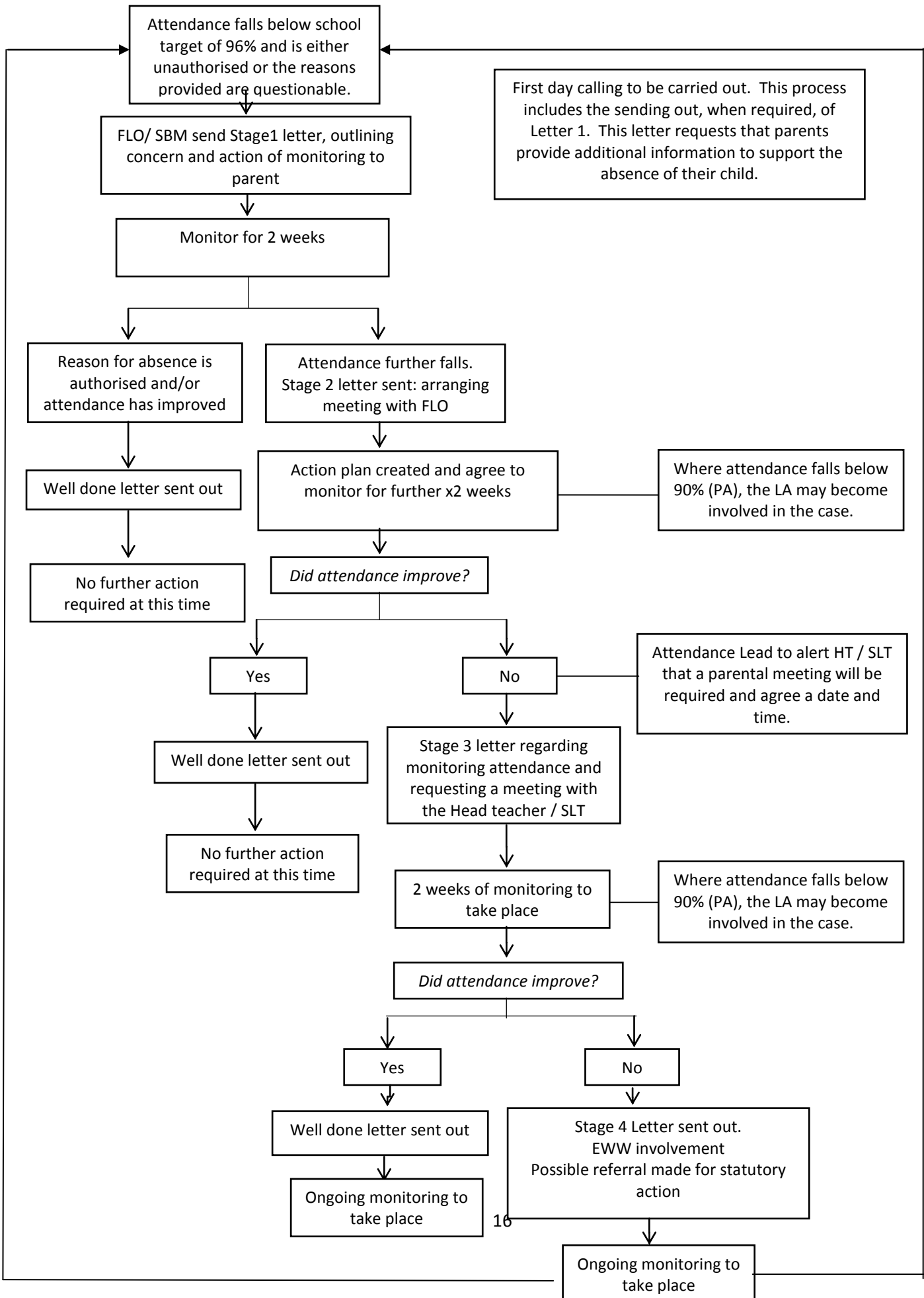
80% equates to one whole day off every week

**A secondary age child whose attendance is 80% will have missed ONE WHOLE YEAR of education by the time they leave school**

Even the brightest and most enthusiastic learner will find it hard to keep up with their work with these levels of absence. That is why we encourage the highest attendance possible.



## Appendix 1: Springhill Flow Chart for Attendance Letters/Interventions



## Appendix 2: Stage 1 letter to parents

Date

Childs Name

Dear Parents Name

Since the start of the school year, your child's attendance is Figure%.

This may be due to your child being absent from school for a number of authorised as well as unauthorised reasons: sickness, medical or holiday, but low attendance means that your child is missing out on a vital part of their education and school life.

The national overall target for attendance is 96% for each child.

We are keen to support you in raising your child's attendance in order that they gain the very best opportunity for learning.

We will be monitoring Childs Name attendance over the next two weeks to see an improvement.

Yours sincerely

Keddie Bailey  
Family Liaison Officer

Mrs D Raftery  
Headteacher

### Appendix 3: Stage 2 letter to parents

DATE

CHILD'S NAME

Dear PARENTS NAME

We have previously made you aware of your child's low attendance and we haven't seen a significant increase. Your child's attendance is currently at figure %.

We do understand this may be due to your child being absent from school for a number of authorised as well as unauthorised reasons; sickness, medical or family holiday but low attendance means that your child is missing out on a vital part of their education and school life.

The national overall target for attendance is 96% for each child.

We are keen to support you in raising your child's attendance. You will now need to provide medical evidence for any further illnesses, if no evidence is received this could lead to your child being marked with an unauthorised absence. Medical evidence could be a signed and dated appointment card or letter, a signed and dated pharmacist card or a dated prescription.

Please contact me if you have any questions. The school family Liaison Officer will be in contact shortly to discuss this further.

Yours sincerely

Keddie Bailey  
Family Liaison Officer

Mrs D Raftery  
Headteacher

**Appendix 4: Record of Attendance Meeting and Action Plan**

**Record of Attendance Meeting and Action Plan**

***Name of Child:***

***Class:***

***Date:***

***Current Attendance –***

***Lates:***

**Present :**

**Issue:**

**Parent View:**

**Barrier to attending school/ punctuality**

**How can we as a school support?**

**Actions :**

***Section 7 of the Education Act 1996 states:***

The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable -

- (a) to his age, ability and aptitude, and
- (b) to any special educational needs he may have, either by regular attendance at school or otherwise

If parents do not carry out this responsibility, they may be prosecuted. Depending on the offence, the maximum fine per parent, per child is £1000 or £2500 and/or 3 months imprisonment.

**Signature:** Parent.....

School.....

**Follow up Meeting Date**

**Review Attendance %**

**Action –**

Circle appropriate

DH regular monitoring Home visits	Monitor weekly	LA Notification	Referral – CP – SS	Referral – Contact EWO –

Timeframe

## Appendix 5: Stage 3 letter to parents

DATE

Stage 3 Attendance – CHILD'S NAME

Dear PARENTS NAME ,

We have made you aware of your child's low attendance on a number of occasions, yet we are still not seeing a significant increase. Your child's attendance is currently at figure %.

The national overall target for attendance is 96% for each child.

An important meeting has been scheduled with the Headteacher. This meeting is to discuss raising your child's attendance in order to prevent any statutory action being taken.

As of DATE we must receive any medical evidence of your child's absence for us to consider whether the absence is authorised or unauthorised.

Please contact me if you have any questions or can't attend for any reason.

Date:

Time:

Meeting with: Mrs Raftery

Yours sincerely

Mrs D Raftery  
Headteacher

## Appendix 6: Failure to attend clinic letter

DATE

Dear PARENTS NAME,

You were invited to attend a Stage NUMBER attendance meeting recently. Unfortunately you were not able to/did not attend this important meeting to discuss our concerns around your child's attendance.

### **IF MISSED STAGE 2**

Attendance will be closely monitored for the next 2 weeks. If we do not see a significant improvement you will be invited to attend a Stage 3 attendance clinic with Mrs Raftery where she will discuss next steps within the Staffordshire Local Authority Code of Conduct and penalty notices. Please ensure to contact us if you have any concerns or if there is anything to further support you in raising your child's attendance.

### **IF MISSED STAGE 3**

If we do not see an immediate improvement in attendance please note we will be contacting the Education Welfare Worker in order to further support the school in raising your child's attendance.

Please note all further absences will be unauthorised unless satisfactory medical evidence is provided. Please find attached the Staffordshire Code of Conduct.

We would welcome the opportunity to rearrange the attendance clinic at a time to suit you to discuss any concerns and barriers preventing your child from attending school.

Yours sincerely,

Mrs D Raftery  
Headteacher