



Our Christian faith emphasises the value and worth of every individual with their own distinctive character, gifts and abilities.

Christ's command to 'Love one another' calls us to respect and help other people, this provides the foundation for our school and all we aim to achieve.

## Attendance Policy

### The Law: Penalty Notices and Legal Action

The Education Act 1996 Section 444 (1) 444(1A) states that the parent of every child of compulsory school age shall cause him/her to receive efficient full-time education suitable-

[a] to his/her age, ability and aptitude and

[b] to any special needs he/she may have.

either by regular attendance at school or otherwise.

Failure to do so may result in legal action taken against the parent under the above legislation.

The recently published guidance from the DfE, 'Working Together to Improve School Attendance', has been adopted and forms the basis of this policy to ensure key changes, as listed below, are adhered to once they become statutory:

1. **Clarity of expectation:** schools, trusts and local authorities will all have clearly defined statutory roles for the first time, set out in a clear table of responsibilities.
2. **Earlier intervention:** schools will have legal responsibilities to proactively improve attendance for the first time (beyond existing requirements to record accurately) underpinned by timelier sharing of attendance data.
3. **Support first:** all pupils and parents no matter where they live in the country will have clear expectations from their school, be informed about their child's attendance and have access to early intervention and **support first before any legal action** if it becomes problematic.
4. **Targeted whole family support:** attendance teams in LAs will work in tandem with early help to provide a whole-family response with a single assessment, plan and lead practitioner.

In line with the evidence now published linking school attendance and pupil attainment, the school governors and staff firmly believe that all pupils benefit from regular school attendance. To this end we will do all we can to encourage parents/carers to ensure that the children in their care achieve maximum possible attendance. Any problems that prevent full attendance will be identified and acted on promptly.

We believe that there are times during a school career where pupils might be particularly disadvantaged through absence. For this reason we advise that pupils' continuity of learning is not disrupted during Standard Attainment Test (Y6). In fact, all times of examination are crucial to all pupils.

### Expectation

We expect that all pupils will:

- attend school regularly (96% and above)
- attend school punctually arriving when the gates open at 8.45 or just before 9:00am when gates are then locked.
- attend school appropriately prepared for the day in correct uniform and with the correct equipment
- Discuss promptly with their form teacher or Head Teacher, any problems that deter them from attending school.

We expect that, in line with the school's Home School Agreement, all parents/carers/persons that have day-to-day responsibility for the children and young people will:

- encourage daily school attendance and be aware of their legal responsibilities
- ensure that the child/children in their care arrive at school punctually, prepared for the school day



- ensure that they contact the school whenever the child/children is/are unable to attend school
- contact the school by 9:15am on the first day of the child's/children's absence and send a note on their return to school explaining the reason for absence.
- contact the school promptly whenever any problem occurs that may keep the child away from school

**We expect that school staff, in accordance with legal requirements, will:**

- keep regular and accurate records of attendance for all pupils, at least twice daily
- monitor every pupil's attendance
- contact parents on each day of absence when a pupil fails to attend where no message has been received to explain the absence
- follow up on all unexplained absences to obtain notes authorising the absence
- encourage 100% attendance
- provide a safe learning environment
- provide a sympathetic response to any pupil's concerns
- make initial enquiries of parents/carers of pupils who are not attending regularly
- refer irregular or unjustified patterns of attendance to the Education Welfare Service.

The primary responsibility for ensuring that children and young people attend school rests with their parents/carers. However, promoting attendance and tackling absence is the responsibility of schools and agencies within the local authority. We will consistently work towards a goal of 100% attendance for all children. Every opportunity will be used to convey to pupils, their parents or carers the importance of regular and punctual attendance including e.g. newsletters and end of term reports. We recognise that parents have a vital role to play and there is a need to establish strong home-school links whenever there is concern about attendance.

If there are problems which affect a pupil's attendance we will investigate, identify and work in partnership with parents, pupils and the local Education Welfare Officer to resolve those problems as quickly and efficiently as possible.

The school recognises that during the pandemic, there may have been heightened anxiety around a child attending. The school is committed to working with parents and carers in listening to any anxieties which may still surface. Parents/carers will be signposted to relevant sites and organisation, if necessary, which provide information that may help to answer any questions they have and alleviate concern.

School attendance is subject to Education law and this school attendance policy is written to reflect these laws and the guidance produced by the Department for Education (DfE) as referenced throughout this policy. The school's Attendance Lead is the Head Teacher.

### **Types of Absence**

1. Any child who is absent from school at the morning or afternoon registration period must have their absence recorded as being authorised or unauthorised.
2. Only the Head Teacher or a member of staff acting on their behalf can authorise absence. If there is no known reason for the absence at registration, then the absence must be recorded in the first instance as unauthorised.

### **Unauthorised absence**

If leave of absence is taken without consultation and school authorisation, then the absence, by definition, is unauthorised. Absence is also unauthorised if a child is away from school without authorisation, even with the support of a parent.

### **Repeated unauthorised absences**

The school will contact the parent or carer of any child who has an unauthorised absence. If a child has a



repeated number of unauthorised absences, the parents or carers will be asked to visit the school and discuss absence. If the situation does not improve, the school could then contact the Local Authority (LA) support services. The Education Welfare Officer (EWO) is made aware of any concerns regarding repeated absences.

The LA reserve the right to consider taking legal action against any parents or carers who repeatedly fail to accept their responsibility for sending their children to school on a regular basis.

### **Frequent Absence**

In cases where a pupil begins to develop a pattern of absences, the school will try to resolve any concerns with parents/carers. The Head Teacher (or nominated member of staff) will liaise with the schools allocated Education Welfare Officer to ensure necessary action is taken when incidents of poor attendance and/or punctuality are identified.

Where incidents of poor attendance and/or lateness are identified, through writing parents /carers will be notified that this is a cause for concern.

### **Leave of absence**

Parents should not take their children on holidays in term time – it can be disruptive to both the child's learning and the school. The school holiday dates are published a year in advance ([www.holytrinitysch.co.uk](http://www.holytrinitysch.co.uk)) and we strongly advise parents/carers to book their family holiday during these times.

Changes in the Education (Pupil Registration) (England) (Amendment) Regulations 2013

State that leave of absence shall not be granted unless—

- (a) an application has been made in advance to the head teacher by a parent with whom the pupil normally resides; and
- (b) the Head Teacher, or a person authorised by the Head Teacher, considers that leave of absence should be granted due to the exceptional circumstances relating to that application

**The amendments made in 2013 to the Education (Pupil Registration) (England) Regulations 2006 make it clear that Head Teachers may not grant any leave of absence during term time unless there are exceptional circumstances.**

Parents must complete a Term Time Absence Request form **at least one month** before the requested leave, whenever this is possible. No parents/carers can demand leave of absence for their child/children as a right.

Leave of absence taken without authorisation may be referred to the Education Welfare Service. This may result in a Fixed Penalty Notice. If a Fixed Penalty Notice is issued, a separate Notice will be issued to each parent for each child.

**As at October 2015, the penalty is per parent per child and will be £60 if paid within 21 days, rising to £120 if paid between 22 & 28 days.**

If the penalty notice is not paid each parent may be liable to prosecution at the Magistrates Court, where each parent may receive a criminal conviction and/or a fine up to the maximum of £1,000. Costs may also be incurred.

### **If a child is absent:**

When a child is absent unexpectedly, the class teacher will record the absence in the register, and will inform the school office, who will contact a parent or carer via the school system.

Parents or carers should ensure that if a child is to be absent from school for any unavoidable reason such as sickness they should contact the school on the each morning of absence before 9:15am by phone, email or in person. Parents/carers should keep the school informed if the child remains absent for more than one day. There is no requirement that an absence is followed up with a letter explaining



his/her absence on the child's return to school as the school will have been notified by the parent of any absence by telephone or email.

However, a note may be sent to the school prior to the day of absence, for example, if a child has a medical appointment.

If there is any doubt about the whereabouts of a child, the class teacher should take immediate action by notifying the school office. The school will then be in contact straight away with the parent or carer, in order to check on the safety of the child.

### **Lateness**

Morning registration is at 9:00am and afternoon registration is at 1.10pm daily. Children who arrive after 9:00am but before 9.10 will be marked as L (before the register's closed) in the register. Children arriving after this time will be entered as U (after the register's closed), which is an unauthorised absence for the morning session unless they have a medical appointment. On their arrival at school, the child will be signed in in the late arrival book at the office. This is for both administrative and health & safety reasons. The school will monitor children who are persistently late and will talk to parents to address the situation, and ask for the support of the EWO if required.

### **Appendix A - Fixed Penalty Procedure**

- ***What is a Penalty Notice?***

Under existing legislation, parents/carers commit an offence if a child fails to attend regularly and the absences are classed as unauthorised (those for which the school cannot or has not given permission). Depending on circumstances such cases may result in prosecution under Section 444 of the Education Act 1996.

A Penalty Notice is an alternative to prosecution, which does not require an appearance in Court whilst still securing an improvement in a pupil's attendance.

Payment of a Penalty Notice enables parents to discharge potential liability for conviction.

**A Fixed Penalty Notice will be issued per parent for each child.**

- ***What are the costs?***

Payment within 21 days of receipt of a Notice is £60 and £120 if paid after this but within 28 days.

- ***How are they issued?***

By post to your home.

- ***When are they used?***

RBWM considers that regular attendance at school is of such importance that Penalty Notices may be used in a range of situations where unauthorised absence occurs:

- Overt truancy (including pupils found during truancy sweeps);
- Inappropriate parentally-condoned absence;
- Leave of absence in term time without prior school permission;
- Persistent late arrival at school (after the Register has closed).

In most cases a pupil will have had a minimum of 10 school sessions (ie 5 school days) lost to unauthorised absence during the current term, or 10 sessions spanning a school holiday before a Penalty Notice is considered.

Holy Trinity C of E Primary School never takes such action lightly and would far rather work with parents/carers to improve attendance without having to resort to any enforcement actions. Attendance is of such importance to all of us. However, the authority will use the powers if this is the only way of securing a child's schooling.



- ***Is a Warning Given?***

You will receive a written warning of the possibility of a Notice being issued, which will tell you the extent of your child's absences and give you 15 school days in which to affect an improvement. In that time your child must have no unauthorised absences from school.

**No warning** is required to be given for issuing a Notice for leave of absence that has not been authorised by the Head Teacher e.g. Holidays unauthorised.

- ***Is there an appeal process?***

There is no statutory right of appeal once a notice has been issued, but on receipt of a warning you can make representations should you wish.

- ***How do I pay?***

Details of payment arrangements will be included on the Penalty Notice.

You need to be aware that payment in part or by instalment is not an option with Penalty Notices.

- ***What happens if I do not pay?***

You have up to 28 days from receipt to pay the Penalty Notice in full, after which the Authority is required under the Act to commence proceedings in the Magistrates court for the original offence of poor attendance by your child.

If proven, this can attract a range of fines up to £2,500 and/or a range of disposals such as Parenting Orders or Community Sentences depending upon circumstances.

- ***Can I be prosecuted if I pay the Penalty Notice but my child is still missing school?***

Not for the period included in the Penalty Notice – payment discharges your liability in this respect. However, it may be the case that a prosecution might be considered for further periods of poor attendance not covered by the Notice, depending upon the circumstances. If this is an issue, it is vital that you work closely with your child's school and support agencies such as Education Welfare.

- ***Can I get help if my child is not attending regularly?***

Yes, the Local Authority and your child's school will give you advice and support if you need help to secure an improvement in your child's attendance.

It is very important that you speak with the school or with the Education Welfare Service at the earliest opportunity if you have any worries at all about securing your child's attendance.

### **Education Welfare Service**

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Maidenhead  
Berkshire  
SL6 7YR  
01628 683800

The Governing Body approved this policy on date: 1st February 2024

Signed:

Chair of Governors

Signed:

Head Teacher