

# CHBP School Federation

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*'As a federation, and as individual schools, we are committed to the wellbeing of all our community and endeavour to ensure that every member is valued regardless of age, gender, class, disability, ethnic heritage, religion, special educational needs or sexual orientations. We believe it is the right of all members of our community to be included in all aspects of school life, have access to school information and participate in all activities - these are integral parts of each school's culture and ethos. Policies are formulated and implemented with these principles in mind.'*

## Pupil Attendance Policy

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# CHBP Pupil Attendance Policy

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## **AIMS OF THE FEDERATION**

At CHBP Federation we aim to provide a high quality education in a safe, caring and disciplined environment so that all pupils are able to reach their full potential during the primary phase and leave here with positive feelings about education and its value to them.

## **PRINCIPLES**

The government expects:

Schools and local authorities to:

- Promote good attendance and reduce absence, including persistent absence;
- Ensure every pupil has access to full-time education to which they are entitled; and,
- Act early to address patterns of absence.
- Parents to perform their legal duty by ensuring their children of compulsory school age who are registered at school attend regularly.
- All pupils to be punctual to their lessons.

## **PURPOSE**

- To improve and maintain levels of attendance and punctuality.
- To minimise disruption to the learning environment caused by lateness and absence.

## **STATUTORY FRAMEWORK**

This policy is based on The Education Act 1996, The Education (Pupil Registration) (England) Regulations 2006 and The Education (Pupil Registration) (England) (amendment) Regulations 2010, 2011 and 2013

'If a child of compulsory school age, who is a registered pupil at a school fails to attend regularly at the school, his parent is guilty of an offence'

The school is obliged by law to differentiate between authorised and unauthorised absence. A letter or telephone message from a parent does not in itself authorise an absence. Only if the Executive Headteacher is satisfied as to the validity of the explanation offered by the letter or message will the absence be authorised.

## **RIGHTS AND RESPONSIBILITIES**

Improving attendance at CHBP Federation is the responsibility of everyone in the schools' communities: parents, pupils and all staff.

### **1 EXECUTIVE HEADTEACHER/HEADS OF SCHOOL**

- The Executive Headteacher, along with the School Business Manager (SBM), will ensure that registers are kept accurately and that absence figures will be given to the Dept for Education ( DfE) annually and to the Local Authority (LA) on a termly basis.

- The Executive Headteacher will clarify authorised and unauthorised absences with the administrative team if there is any doubt as to whether the reason for absence is justifiable.
- The Executive Headteacher will meet with parents or send appropriate letters to parents and carers if a pupil's absence gives cause for concern.
- The Executive Headteacher will promote regular attendance at assemblies, with parents at parents' evenings and for each new intake as part of the induction process.
- The Executive Headteacher will consult with the Education Welfare Officer if, despite school action, a pupil's attendance continues to give cause for concern.
- The Executive Headteacher will decide on parental requests for any special leave of absences, however these will be in the rarest of circumstances. The majority of requests will be unauthorised.

## **2 CLASS TEACHER**

- The class teacher will keep an accurate record of attendance and absence.
- The class teacher will encourage attendance and punctuality.
- The class teacher will note reasons for absence, where known.

## **3 ADMINISTRATIVE TEAM**

- The administrative team will differentiate accurately between authorised and unauthorised absence.
- The administrative team will follow up unauthorised absences.
- The administrative team will note reasons for absence and will keep all absence letters for one term or longer if there are serious concerns - as and when applicable.

## **4 EDUCATION WELFARE OFFICER**

- The Education Welfare Officer will assist the school in identifying poor patterns of attendance.
- The Education Welfare Officer will assist those families who are experiencing difficulties with school attendance.
- The Education Welfare Officer will support staff in the development of whole school approaches to maintain and develop excellent attendance and punctuality.

## **5 PARENTS**

- Parents will notify the school as soon as possible that their child is absent through sickness or unavoidable cause
- Parents will avoid making medical or dental appointments for their child during school hours
- In accordance with The Education (Pupil Registration) (England) Regulations 2006 the school will not authorise term time holidays. In **limited exceptional circumstances**, a written request for special leave of absence may be considered by the Executive Headteacher during term time, where the circumstances warrant it. This will be under the rarest of circumstances.

## 6 PUPILS

- Pupils will be aware of the importance of regular attendance at school
- Pupils will talk to a member of staff if there is anything which makes them feel unhappy at school and could reduce their willingness to attend.

## **Appendix 1: A GUIDE FOR STAFF**

### **REGISTRATION**

#### **Calling of the registers**

- Class teachers are responsible for attendance registers.
- Morning registration will take place as close to 8:50am as possible.
- Register codes are clearly highlighted on the online system.

#### **Who will amend the register?**

- The administrative team will amend the Register after 9:30am
- Pupils arriving between 9:00am and 9:30am will be marked as Late.
- Pupils arriving after 9:30am will receive an unauthorised absence mark.
- The administrative team will be responsible for amending the register after 9:30am.
- Where a pupil has returned to school following a period of absence the administrative team will update the register accordingly - providing a suitable explanation has been received and accepted.
- In cases where there is doubt about an explanation, contact should be made with the parent.

#### **Monitoring procedures**

- Registers will be monitored daily by the administrative team.
- Registers will be monitored weekly by the administrative team.
- Where appropriate the administrative team will generate letters regarding absences and/ or poor punctuality, under the guidance of the Executive Headteacher.

#### **Authorised / Unauthorised**

Providing an explanation is received staff may consider authorising the following absences:

- *Genuine Illness*
- Dental/Medical appointments
- Family bereavement
- Day of religious observance
- Participation of approved public performance
- Leave of absence, where prior approval has been obtained from the Executive Headteacher
- Visiting a new school
- Exceptional family circumstances
- Traveller family travelling for reasons of parents employment

Absences will remain unauthorised if no legitimate explanation is received from parents/carers.

The following explanations will not usually be deemed legitimate:

- Tiredness /oversleeping
- Looking after/ illness of siblings.
- Shopping trips.
- Unexceptional special occasions, e.g. birthdays.
- Visiting relatives
- Child acting as interpreter for parents
- Leave of absence longer than the duration originally authorised by the Head teacher.
- Day trips/Family holidays.
- Not feeling like going to school
- Not being school before/after a doctors/hospital appointment unless advised to do so.

### **Fixed-penalty Notices**

Under the Education (Penalty Notices) (England) Regulations 2007, as amended, the Local Education Authority has the power to issue Fixed-penalty Notices of £60, (rising to £120 if not paid within 21 days), where parents fail to ensure school attendance or take children on holiday without authorisation from the head teacher. Parents whose children are unsupervised in a public space while excluded from school or stopped during Truancy Sweeps will also be issued with a notice.

Parents who fail to pay a Fixed-penalty Notice will face prosecution for the original offence of failure to ensure school attendance, (see Section 444 of the Education Act 1996, above).

**If staff are unsure how to mark a particular absence they should consult with the Executive Headteacher.**

**In cases where there is doubt about an explanation contact should be made with the parent.**

## **Appendix 2: PUPILS AND PARENTS**

### **First day response**

- The parent of any child who is not in school by 9.30am without an explanation will be telephoned by a member of the administrative team.
- A record will be kept of all efforts to contact parents/carers.

### **Letters home**

- Where appropriate, the administrative team will generate letters regarding absences and/or poor punctuality, under the guidance of the Executive Headteacher and/or EWO.
- Pupils with outstanding absence explanations will be telephoned, if they do not respond they will receive a letter.

### **Education Welfare Officer**

- If a pattern of concern regarding attendance develops, the Executive Headteacher will write to the parents initially, if there is no improvement, and invite them into school to discuss the matter.
- Where appropriate the Executive Headteacher will be advised to inform the family that future absences on health grounds will no longer be authorised without medical evidence.
- If there is still no improvement the Executive Headteacher will write to the family and advise them that a referral will now be made to the Education Welfare Officer.
- Where a family has failed to respond to contact attempts (phone calls/invitations to attend meetings) and attendance remains a cause of concern the Headteacher will make a referral to the Education Welfare Officer.

### **Acknowledging good attendance and punctuality**

- Each term class pupils who have achieved full attendance for the term will receive a certificate.
- The certificate will be presented during the end of term assembly.
- Those pupils who have achieved full attendance during the year will receive a certificate during the end of year assembly.
- All children who receive a certificate will have their names printed in the newsletter.



## Appendix 3: Education Welfare Team

### Penalty Notices for School Attendance Issues

#### Code of Practice

This Code of Practice governs the application of penalty notices issued to parents for school attendance matters. It outlines the roles and responsibilities of the Local Authority, schools, academies, parents, the police and other agencies, laying down the basis for the use of penalty notices as a legal sanction and as a deterrent, in accordance with **The Education (Penalty Notices) (England) Regulations 2007 with amendments as per The Education (Penalty Notice) (England) (Amendments) Regulations 2012**. This Code of Practice should be read in conjunction with guidance on **Special and Exceptional Leave of Absence from School (SELAS)**, and Exclusions.

The penalty notice is intended as a quick-response disposal in cases where parents either fail to ensure the full school attendance of their children, show disregard for the authority of the head teacher (unauthorised holidays) or fail to supervise a child excluded from school, as in Table 1 below.

This Code of Practice bears in mind the expectations of the Department for Education on the improvement of attendance, and the provisions of Ofsted's school inspection framework, in which there is an expectation that schools use all available means in their attendance strategy to secure best outcomes for pupils, including the use of legal sanctions..

#### Information for Parents

A parent is defined by **Section 576 of the Education Act 1996** is any natural parent, person with Parental Responsibility under the **Children Act 1989** or a person with whom the child lives and who looks after the child, irrespective of his or her relationship with the child.

All parents whose children attend a maintained school or academy in Barnet are subject to the rules in respect of penalty notices, regardless of where they live. The borough of residence is notified of the action being taken.

Parents can be issued a maximum of 3 penalty notices each in respect of the same child in any one calendar year. Thus, where two parents take three children on an unauthorised holiday, a total of six notices are issued for the single episode.

**The Local Authority prosecutes the parent in the Magistrates' Court for the original non-attendance offence under The Education Act 1996, section 444, and not for non-payment of the penalty notice. If found guilty, parents will have a criminal record,**

**possibly receive a fine of up to £1000, for a first offence, and be required to pay costs to the Local Authority.**

On payment of a penalty notice, the parent can no longer be pursued legally for the same period of evidence (Section 23 of the Anti-Social Behaviour Act 2003) and does not have a criminal record arising from the penalty notice itself.

As with prosecution in a magistrates' court, penalty notices can only apply to offences relating to a child of statutory school age enrolled at a maintained school or a Pupil Referral Unit (PRU).

Parents whose children are the subject of Education Welfare action who take the children on holiday without permission from the school may face the possibility of receiving a penalty notice at the school's request and another arising from a Court Assessment Meeting for other absences under investigation.

**Parents have no right of appeal against a penalty notice.**

There is no right of appeal for parents but the Local Authority will examine any evidence provided that would show that a mistake had been made. Parents will be required to provide documentary evidence to support an argument and must deal directly with the Local Authority as the matter will not be the responsibility of the school.

Penalty notices can only be withdrawn if they are issued in error. The Local Authority must refund any payments made in respect of a wrongly-issued penalty notice.

Parents with a credible claim not to have received a penalty notice may have the original replaced by a new notice, allowing time to pay the initial, lower, amount. Generally, however, a notice issued by first-class post is deemed to have been received within two days.

### **The Power to Issue**

By local agreement between schools, the police and the London Borough of Barnet, the Education Welfare Team is the only agency administering penalty notices in respect of school-related issues. Schools, academies and the police can request that a penalty notice be issued.

The Regulations allow the Executive Headteacher to delegate the power to *issue* penalty notices to other leaders, namely the Heads of School. For the purpose of this Code of Practice, in which the Local Authority issues all penalty notices, the power to request a penalty notice is similarly delegated. The authority to request a penalty notice cannot be delegated to other school staff.

## **Method of Issue**

All penalty notices are issued by post only. It is impossible for any council officer, police officer or other official to issue on-the-spot penalty notices or accept cash from clients. Schools must also refuse payment of penalty notices. Customers must follow the payment instructions on their invoice.

**Recipients are advised to contact the Education Welfare Team and not their child's school with any queries about payment or the reason for the penalty notice.**

The Education Welfare Team maintains a record of penalty notices issued within the London Borough of Barnet's finance system. Pupil case files will include a record of the issuing of a penalty notice to the family. Schools must not keep records of penalty notices on children's academic records.

## **Declining to issue**

The Education Welfare Team expects to accede to requests from schools and other authorities as in table 1 but may decline to do so if it feels there is a need to explore a case further or in the case of significant delay in making the request. This provision is in place to deal with instances where the school makes decisions in good faith but may lack pertinent information when making the request.

## **Income**

Income from penalty notices is used to fund their enforcement. In the event that income exceeds costs, surplus income passes to the Council's general account. Schools receive no income from penalty notices.

## **Good Practice for Schools**

School leaders should ensure that

- Parents are aware of the school's policy on leave of absence
- Each request for leave of absence is considered on its merits
- Due regard is paid to religious issues, and family situations requiring special consideration
- Parents are informed of the reasons for refusal
- Exclusion correspondence reminds parents of their duty to supervise their excluded child during the first five days of exclusion
- Only they, or those authorised by them, may sign the request form
- School registers have the appropriate registration absence code as an extract from the register may be required in the event of court action.

## **Guidance on Categories Where a Penalty Notice is Applicable**

### **1 Unauthorised absence from school**

Most penalty notices are issued in respect of permission not being given for special or exceptional leave. In effect, this relates largely to term-time holidays, parents' plans to extend the school holidays, often to purchase cheaper flights, or to justify the expenditure.

### **2 EWT casework.**

A penalty notice may be used as a disposal by the Chair of a Court Assessment Meeting (CAM) in place of prosecution or the use of an Education Supervision Order. No consideration is given in respect of an individual school's policy in this case.

### **3 Casework from Academy attendance personnel**

A penalty notice may be used as a disposal in place of prosecution or the use of an Education Supervision Order. Academy staff are not supervised by the Local Authority but are expected to perform similarly to their LA colleagues. Academies are entitled to use the enforcement system of the LA.

### **4 Inadequate parental supervision of an excluded pupil**

The Education and Inspections Act 2006, section 103 permits the use of penalty notices where an excluded pupil is found in a public place unsupervised by a parent during the first five days of exclusion. A public place includes school premises. Exclusion correspondence should include reference to the possibility of this sanction.

If an excluded pupil is encountered by more than one agency on the same day, only one offence will have been committed.

Police Officers and Community Police Support Officers use their own recording procedures, generating reports (Merlin) that the Education Welfare Team will check against the relevant school register. Penalty notices will be issued once these details are verified.

### **Legal References**

Children Act 1989

Education and Inspections Act 2006

Anti-social Behaviour Act 2003

Education Act 1996

The Education (Penalty Notices) (England) Regulations 2007 as amended by The Education (Penalty Notice) (England) (Amendments) Regulations 2012

Education Welfare Team, June 2012